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PROCEEDINGS AND DEBATES OF THE SIXTY-FOURTH CONGRESS, FIRST SESSION.

SENATE.

THURSDAY, *July 6, 1916.*

(*Legislative day of Wednesday, July 5, 1916.*)

The Senate reassembled at 11 o'clock a. m., on the expiration of the recess.

AGRICULTURAL DEPARTMENT APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed consideration of the bill (H. R. 12717) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1917, and for other purposes.

The VICE PRESIDENT. The pending amendment is the amendment offered by the Senator from Colorado [Mr. THOMAS], which will be read.

The SECRETARY. On page 57, strike out lines 1 to 22, inclusive (these lines provided the appropriation for destruction of coyotes), and insert the following:

That all persons engaged in destroying wolves, coyotes, bear, and other predatory animals, the destruction of which is provided for by State laws, and bearing license or permits from the proper State authorities, shall at all times have access to the national forests of their respective States in pursuit of such purpose.

Mr. THOMAS. Mr. President, my opposition to these appropriations can be voiced just as well to empty seats as to a full Senate. Hence I shall not ask for any call of the Senate.

Mr. SMOOT. Mr. President, will the Senator yield to me?

Mr. THOMAS. Not for that purpose.

Mr. SMOOT. All right.

Mr. THOMAS. I shall not detain the Senate, Mr. President, upon this amendment or this substitute more than a moment. I have listened with interest to nearly all the arguments that have been urged in support of this paragraph of the bill as it stands, and I have listened with peculiar interest to my good friend from Nevada [Mr. PITTMAN], whose appeals for land and for money upon the floor of the Senate are always made so earnestly and so eloquently and so pathetically as to touch the heartstrings of the most miserly economist. It is extremely difficult for me to oppose any measure which the Senator from Nevada really has his heart set upon. I know that he feels from his inmost soul the prime importance of this appropriation. But I had no idea when I introduced the substitute that he would start an epidemic of hydrophobia, beginning in the regions of the Pacific coast and traveling eastward with such startling rapidity.

There is some foundation, doubtless, for his apprehensions, but I think it has been greatly quickened and enlarged by the prospect of large appropriations. And it is to be noticed that behind this appropriation there is an organized movement. It is one of the characteristics of all reasonably large appropriations in the Senate that some organization is behind it. This has one whose interests are very properly aroused by this danger, if it exists, and their appeal to the Senate or to Congress for relief is most natural.

Mr. President, it is becoming characteristic of the present generation that whenever any unusual event occurs, when any local condition arises which is unsatisfactory to our people, instead of putting their own shoulders to the wheel and endeavoring to find and apply a remedy, to ask the Government of the United States to come to their rescue. Our self-reliance, our enterprise, our resourcefulness are disappearing under the tendency of our constituency to rely upon the Treasury of the United States for relief and the pressure to that end which they exert upon their representatives. The Government, in the ordinary estimation, was created and is maintained to be plundered; that it is a huge financial reservoir containing vast quantities of money which the people need and which they ought to have and propose to get through appropriations for every conceivable purpose. Consequently we are making appropriations for every conceivable subject, 90 per cent of which a few years ago was taken care of locally and as a matter of course.

Mr. WORKS. Mr. President——

Mr. THOMAS. I yield to the Senator.

Mr. WORKS. The Senator has spoken about a specific class of people who are interested in this legislation. I wish to ask the Senator if he has not found, by his experience in the Senate and his general observation, that these things go by States, that each State thinks it ought to have its share of whatever may come out of the National Treasury, and that these bills are filled with appropriations which have grown up in that way?

Mr. THOMAS. Yes, Mr. President, that is true; the modern test of the usefulness and capacity of the Senator or Representative is his ability to get greater appropriations for his State or locality than the other States or localities get.

Mr. WORKS. I am glad the Senator is taking that view of it, because I have insisted on the floor of the Senate more than once since I have been here that the condition of things is most deplorable. I think it is a growing evil and ought to be taken account of by the Senate of the United States. I rather think this is a good time to take some notice of that situation.

Mr. THOMAS. The difficulty is not so much with the Senate itself; it is with the constituencies of the Senate.

Mr. WORKS. I am not willing to accept that statement. No Senator has a right to be influenced in that way by his constituents.

Mr. THOMAS. We have no right to be influenced in that way, but we are. We are all of us influenced in that way.

Mr. WORKS. That is very true.

Mr. THOMAS. Our constituents point the finger or shake the fist at us in the demand or request for appropriations. It influences us, and I do not know any Senator who is sufficiently courageous—morally courageous, if I may use that expression—at all times to resist that pressure.

Mr. WORKS. That is very true; I agree with the Senator about that; but, that being so, it is hardly right to say that a Senator is not responsible.

Mr. THOMAS. Well, Mr. President, the criticism of the Senator may be well founded. There may be and probably is a mutual responsibility; but the main responsibility, the ultimate responsibility, must rest upon the constituency. And should our constituency, our taxpaying constituency, organize, as I hope they may—although an organization to keep money in the Treasury is not so alluring an organization as to get money out of it——

Mr. SHAFROTH. Mr. President——

Mr. THOMAS. If our constituents, taxpayers, were organized and made their demands through organized agencies, there would be far-reaching and most salutary moral and financial reform in both Houses of Congress. It will not come until they do so. I yield to my colleague.

Mr. SHAFROTH. In line with what the Senator is saying, I will ask the Senator if it is not generally recognized as a fact that the first thing that is asked a Senator or a Representative when he returns from a session of Congress is, "How much did you get for us?" And in State legislation it is, "How much did you save for us?"

Mr. THOMAS. Yes, Mr. President, that is largely true; but even in State legislation the representative or senator who fails to look after his district or State and get his proportion of the appropriations, and as much more as possible, runs the risk of punishment by retirement. That situation is deplorable, but it is one which, nevertheless, accounts for these enormous aggregate appropriations almost exclusively.

I have received letters in the last three months from constituents of mine, some of them personally abusive, because of my reluctance to yield to all their suggestions for desired appropriations from the Treasury. I have sinned in the other direction just as my associates have. I am arrogating to myself no peculiar virtue. Mr. President, I am possessed of the same tendencies, the same influences, the same fears, the same reluctance to arouse opposition that are generally prevalent. But I have thought that in the emergency which the country

faces, where we are also yielding to a popular clamor and making huge appropriations for Army and Navy purposes, we ought for the time being to contract wherever we can the other appropriations to the end that the public burdens may be minimized as far as is consistent with the orderly and proper administration of public affairs.

Now, Mr. President, before I proceed with what I intended to say, in line with the Senator's suggestion, while coming over from the House Office Building to the Capitol this morning a friend handed me a copy of the Saturday Evening Post of to-day's issue containing a cartoon showing an emaciated devil of a taxpayer with a huge cask upon his shoulders mounting a flight of stairs, labeled "rising cost of necessities," the cask filled with pork and labeled "two billion dollar Government," with Congress, in the form of an obese individual, at the foot of the stairs leaning upon a very large trunk marked "extra taxes for preparedness," and asking the taxpayer if he "has got time to carry a trunk." It is a very appropriate and significant cartoon and a burlesque of actual conditions. The taxpayer is carrying the greatest burden which this Government ever imposed upon him. We are about to take up a revenue measure made necessary on account of these conditions whereby we propose to increase the annual burdens of the people some two hundred and fifty or three hundred million dollars, and I am unable to see in either House, either on the Republican side or on the Democratic side, any consistent, determined, or other sort of effort to minimize our appropriations in other directions. And we are told that a bond issue must be provided for.

Now, I do not believe, Mr. President, that there is any need for these additional burdens represented by the increases in our general appropriation bills. "Pork-barrel bills" is a common expression. But every general appropriation bill is becoming a "pork" bill. They are amended with riders for this, that, and the other purpose carrying certain amounts of money, aggregating millions of dollars, and they are as much subject to that public criticism as the specific bills to which it was originally directed.

Mr. President, I believe that this appropriation which will be made, instead of remedying the evil it is aimed at, will be followed next year by an increased appropriation for the same purpose, and we will then be told that this evil has extended itself notwithstanding the efforts of the Government and the expenditures of this money to prevent it.

Take the boll-weevil pest. I do not know how many hundreds of thousands of dollars have been expended for the extermination of the boll weevil. My information is that it is not only not exterminated but that in spite of our appropriations and our efforts it continues, and is traveling eastward; that it has now invaded the State of Georgia. It is a terrible calamity to the cotton-growing interests, and consequently to the country; something ought to be done about it; but the fact is that this method of treating it with money plasters seems to be unsuccessful. So with predatory animals and the rabies, which is said to be spreading, because of its existence among some of them, with such startling and frightful rapidity.

It may be said that the man who makes opposition of this kind should suggest some remedy. I have no remedy to suggest at the present time. I must be content with insisting that the present appropriation will not subserve the purpose, and in support of it point to the fact that the last appropriation has accomplished nothing.

Mr. CLAPP. Will the Senator pardon an inquiry?

Mr. THOMAS. Certainly.

Mr. CLAPP. Is not the practice of economy a sufficient remedy for extravagance? In other words, when you are pleading against extravagance, is it not sufficient to plead against it and ask for economy without suggesting some other form?

Mr. THOMAS. It ought to be; but I realize that the situation in regard to this particular appropriation is a serious one and one which demands the cooperation with the States of the General Government.

I shall not detain the Senate any longer, Mr. President. I think the substitute which I have offered ought to be adopted. I think it would be a very good thing if we would take all these appropriations and re-refer them to the committee with instructions—not partisan instructions but Senate instructions—to go over them and minimize as far as possible in the interest of economy these large appropriations.

Mr. CLAPP. Mr. President, I have been very much impressed with the remarks of the Senator from Colorado. It is evident to anyone who studies the course of legislation that we are simply, year after year, plunging deeper and deeper into extravagance until to-day, save for a bandit irruption in Mexico, this Nation, in a time of profound peace, contemplates the issuance of a bonded indebtedness, which will be a mortgage on the energies, activities, and economies of those who come after us.

What interested me was the interruption of the Senator from California [Mr. WORKS]. Human nature is human nature, and a man placed in a position where he has to exercise a spirit in opposition to the tendency of human nature has got to have some support.

I have insisted for years that there is but one remedy for this situation, and that is that there shall be in Congress a committee who shall sit around a table as a board of directors sit around a table and pass upon the question of how much shall be used and how much shall be allowed to each department of the Government. If that were done, then the chairman of a committee dealing with appropriations could say to those who appeal to him to add to an appropriation, "I am powerless to permit this addition because there is back of me a board that will limit this appropriation to a given amount."

Some years ago, after many years of urging this upon the then leader of the Senate, the late Senator from Rhode Island, he seemed to see the wisdom of the suggestion and organized a committee consisting of the chairmen of the committees dealing with appropriations. I do not think it is any discredit to his memory; perhaps he was naturally on the alert as to any suggestion that came from me; and so he added to that group four or five more. We had a meeting of that committee and immediately parceled out each subject to a subcommittee, putting it right back where we started, leaving the chairman of a committee dealing with these appropriation bills powerless to protect himself against the inroads upon the appropriations by the fact that there was a concrete force behind him that had said "thus far and no farther," and that was, of course, the first and last meeting of that particular committee.

I want to make a prophecy here to-day. I have not indulged much in prophecies, but I now prophesy that this condition will never be cured until Congress has established a committee which will say to every department, "We can allow you so much and no more." No corporation on earth could exist if the men in charge of the various subdepartments of that corporation were permitted to go to its treasury, each one independently, and take out what he thought his particular department could use; yet we sit here as a Congress and allow that very thing. The only remedy for that situation—and some day we shall have to come to it—will be one concrete force in Congress which can put itself behind the chairman of every committee dealing with appropriations, so that he can say to those who, through his committee, seek to make inroads upon the Treasury, "You can have so much, and you can have no more." When that is accomplished we shall have a reform in this matter, and I do not believe we ever shall have a reform until it is accomplished.

Mr. WORKS. Mr. President, ever since I have been a Member of this body I have been very earnestly contending against the present tendency of the National Government to take over the duties and the responsibilities of the States. I have not done that so much because of the matter of dollars and cents involved in it, but more particularly with respect to its effect upon the people of this country. We are so legislating day after day as to make beggars of all of the people of this country, save none. The States are coming to the Treasury of the United States for funds to accomplish what should be done by the States themselves. Individual citizens, representing particular interests, are coming here constantly asking the Congress of the United States to appropriate moneys to do what they should be doing themselves.

It is not only an illegitimate and an unlawful raid upon the Treasury of the United States, but it is taking away the initiative and the independence of the people of the several States. We see evidences of that on all hands and in almost all of these appropriation bills. A very vigorous fight was made against the rivers and harbors bill on that account, upon the theory that it was making appropriations for projects that ought not to be supported by the Government under any circumstances; but this bill is no better than was the rivers and harbors bill. It has appropriations in it that are just as unjustifiable from any point of view as were many of the appropriations that were so vigorously attacked in the rivers and harbors bill.

I have called attention to one of these in particular that is supposed to be beneficial to my own State, that of helping the people to ascertain how to irrigate their lands. An appropriation of that kind by the National Government is supremely absurd. The people of California who are irrigating their lands know more about irrigation probably than do the whole Agricultural Department combined; they do not need any help of that kind; and if they did, they are not entitled to it, as coming from the National Government. The so-called

irrigation States should take care of their affairs. It is not in any proper sense a national affair that should be taken care of by the Federal Government.

The proposition which has been commented upon by the Senator from Colorado [Mr. THOMAS] is another of a like kind; but you will find that this situation is confronting us all the time: If one State or one group of States is allowed an appropriation for a particular purpose beneficial to that State or to those States, then another group of States, for example, in the western or semiarid region, will insist that that ought to be balanced up by making the same appropriation for the benefit of those States. So it goes.

Not only that, but every congressional district, having its Representative, is saying to Congress, "If you make an appropriation for the benefit of the district of this man, you should make a like appropriation for my district; my district must be protected; I must be protected, as a candidate for reelection"; which is often at the bottom of it. So we are going on from time to time. We start an appropriation on a particular project, and it is followed up next year by a larger appropriation to carry on what has been commenced.

It is a most vicious kind of legislation, and the question is, how are we going to meet it, or are we going to do it at all, or are we going to proceed along these same lines indefinitely?

The Senator from Minnesota [Mr. CLAPP] thinks he has a remedy for the evil. He says human nature is human nature, and therefore we ought to have a committee appointed that could control this situation. Well, that would be a human institution, just as much so as is the United States Senate.

Mr. CLAPP. The strength of that, it seems to me, would be in the fact that it forms an equation. I admit there is cowardice in the suggestion that any man needs an equation back of him; but, as I have said, human nature is human nature, and if you can get back of the man and form an equation you can put a protection behind the man who subsequently deals with the concrete demand at the hands of those who besiege his committee. You will have to decide between protecting the chairman in a growth of extravagance.

Mr. WORKS. Well, Mr. President, you ought to find as high a standard of human nature in the United States Senate, it seems to me, as almost anywhere else; and even to suggest that you can go outside of the Senate and find some sort of separate body that can take upon itself this responsibility, which belongs to us, is to convict us of moral cowardice.

Mr. CLAPP. I want to ask the Senator from California a question. However, first, to correct a wrong impression, I will say that my suggestion does not go outside of the Senate and the other House; but it is that there be formed a committee of the two branches. The Senator from California has, however, stood here for six years and has plead for the policy of economy for which he is pleading to-day; yet I think he must admit to-day, in spite of that pleading, the condition has grown worse right straight along. Is that not the fact?

Mr. WORKS. Well, Mr. President, if I have made any impression favorable to my views on this subject I have not been able to discover it.

Mr. CLAPP. Nor have I; and I do not say that to the discredit of the Senator, of course.

Mr. WORKS. And I am not taking any credit to myself personally, Mr. President, with respect to it. There are other Senators here who feel just as strongly about it as I do and who are just as anxious to serve their country in this way as I am. It is simply a condition which has grown up in the Senate, and we are allowing this thing to drift along without doing what seems to me to be our plain duty to the country as a whole.

Now, it is hardly worth while for me to take up the time of the Senate in saying what I have said more than once. I was brought to say something on account of what has been said by the Senator from Colorado [Mr. THOMAS]. I am glad to support him in any way I can in the position which he takes on this subject.

I think we must realize, Mr. President, that this is a time, if there ever was a time, in the history of this country when we should be at least to some extent economical. Without discussing the merits of the amount of money that we are going to expend for preparedness, that money is going to be appropriated and the people of this country will have to meet the enormous expense that grows out of it. That being so, if we can cut off a few millions of dollars by trimming down such appropriation bills as this we will at least be easing up the burden to that extent, and I think we should do it.

Mr. WARREN. Mr. President, may I ask the attention of the Senator from California for just a moment? The Senator from Colorado [Mr. THOMAS] objects to this particular item. He wants to put the burden which properly belongs to the United States, of protecting its own property, onto the citizens of the States who live in the neighborhood where the Government property is located, who receive no benefit from the ownership of that property by the Government, while the Government, holding that property in reserves, is leasing it, is selling the timber, and is running a business for profit. What we seek to do is to have the Government do its share by assisting in the destruction of the predatory animals which make the Government's property their breeding grounds and infest the surrounding region. To do what the Senator from Colorado proposes is to shift the burden of the United States onto the citizens of the States, who receive no taxes and no income because of the location of the Government's property within their borders.

Mr. WORKS. Well, Mr. President, I was not speaking especially with respect to this particular appropriation. That very distinctly illustrates my position. If this is a national liability, and if it is the duty of the Government to protect outlying lands by reason of what may develop upon its own property, then, of course, the responsibility rests with the Federal Government, and it ought to assume it and take care of that situation.

Mr. WARREN. That is exactly this case.

Mr. WORKS. That is just exactly what I am contending for, that the Government of the United States should attend to its own business and allow the States to attend to theirs, and should assume its responsibilities and allow the States' responsibilities to rest where they belong.

Mr. SUTHERLAND. Mr. President, I desire to ask the Senator from California a question. With his criticism I entirely agree. The Senator is absolutely right, that we are coddling the States; we are doing things for them that they ought to do for themselves; and I think the process is quite as bad in its ultimate results as it is to coddle an individual by doing things for him that we ought to allow him or compel him to do for himself; but I ask the Senator from California whether he does not think his criticism ought to go further than that? Is there not a constant and growing tendency in Congress not only continually to do things for the States which they should be permitted to do for themselves, but continually to invade the domain of private enterprise and private business, as, for example, in the case of the appropriation of a large sum of money, some $15,000,000, made the other day to put the Government of the United States into the business of manufacturing fertilizers for the farmer? Does the Senator from California not think, if we would omit appropriations of that kind and appropriations of the sort which he is criticizing, that we would save probably a hundred million dollars on the appropriations made at this session of Congress over what will be made?

Mr. WORKS. Mr. President, I have no doubt of that; and the Senator from Utah may remember that I opposed the particular appropriation to which he has referred, and upon the very ground stated by him. I think the Government of the United States should confine itself strictly to its legitimate purposes and objects, and whenever the Congress of the United States goes out of its way for the purpose of making appropriations like that referred to by the Senator from Utah, it is abandoning the very principles upon which this Government is founded; it is going outside of its duties and obligations and is taking over the obligations of the States and of individuals as well. I think it is a dangerous tendency and one that ought to be counteracted just as speedily as possible.

I had occasion to say, not very long ago, I think, that practically the dividing line between the States and the National Government is being completely obliterated; that directly we will have no State rights; that the Government will be centralized right here in Washington; and that not only the obligations which belong to the States will be taken over by the National Government but the rights of those States and their citizens will be taken over by the Government and practically destroyed.

Mr. STERLING. Mr. President, before the Senator from California takes his seat, I should like to suggest to him a very practical question arising out of one of the items in this appropriation bill.

Mr. WORKS. Mr. President, I thought I had been discussing practical questions.

Mr. STERLING. It is perhaps a little more practical, and comes more nearly home to the Senator from California, than anything he has so far discussed. On page 19, beginning with line 11, there is found the following item:

For conducting such investigations of the nature and means of communication of the disease of citrus trees known as citrus canker, and by applying such methods of eradication or control of the disease as in the judgment of the Secretary of Agriculture may be necessary, $250,000.

Now I wish to ask the Senator from California if he thinks all of the activities on the part of the Government implied in the entire paragraph in which this language occurs should be carried on under an appropriation of $250,000, or whether he does not think the Government should be confined in its work to acquiring and then disseminating information in regard to the eradication of citrus canker among the citrus-fruit growers, and that if the functions of the Government were so limited, we might cut down this appropriation from, say, $250,000 to $150,000?

Mr. WORKS. Well, Mr. President, I suppose the Senator from South Dakota thinks he can confuse me by referring to this appropriation that applies specifically to my own State.

Mr. STERLING. Mr. President, I beg the Senator's pardon. I did not think for a moment of confusing him. I have prepared, and have presented to be printed and to lie on the table, an amendment to that section to that effect. It does not apply alone to the Senator's State, but it applies to other States of the Union as well.

Mr. WORKS. But, at all events, it applies to mine. I want to say, however——

Mr. BRYAN. Mr. President——

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Florida?

Mr. WORKS. I yield to the Senator.

Mr. BRYAN. So far as I know, there is no citrus canker in California now, nor has there been; but the appropriation for that purpose rests upon a little different basis from the most of these appropriations, in this respect—that citrus canker found its way into this country by reason of the failure of the Government agents at the ports to discover what it was and to prohibit its importation; and in that way, of course, the Government became responsible for its introduction into the United States.

Mr. WORKS. Mr. President, I know very well that the State of Florida, so ably represented by the Senator who has just spoken, is suffering from this disease of the citrus trees in that State, and I sympathize very much with their condition. I have had a great many letters from people in Florida calling my attention to those conditions and asking me to support some appropriation to help them out of their troubles.

This question presents just the thing I have been talking about. If this is a national affair, if it can be shown that it is interstate in its character or that it has resulted from some neglect of duty on the part of the Federal Government, then the responsibility rests properly upon the National Government. But, Mr. President, replying more specifically to the question asked by the Senator from South Dakota, there is no reason why the Government should go into the State of California at all and undertake to do the work of taking care of the trees for the purpose of removing a disease of that sort. Our people have no right to ask any such thing. The only theory upon which that kind of an appropriation can be justified is the danger of transmitting or transferring that disease from one State to another, thereby making it an interstate question. I think myself there is very little reason for these appropriations upon that basis; but certainly to go into the State for the purpose of doing for a fruit grower in California what he should do for himself—take care of his own trees—is perfectly unjustifiable from any point of view.

With respect to the matter of education of the people in such a way as to enable them to overcome conditions of that kind, that is quite another matter; and if I could believe that the Agricultural Department was competent to educate us in that way, if I believed that the employees of the Agricultural Department knew more about those conditions and the remedy that might be applied to them than the people in California know, I should be disposed to think that an appropriation of that kind might be justified. But even that, to my mind, is exceedingly questionable, because I have my doubts about the ability of the Agricultural Department to do that thing any better than it can be done by the people of California.

I know, Mr. President, that sometimes it is a difficult matter to draw the line between what should be State obligations and what should be Federal obligations in dealing with questions of this kind. I think that line ought to be sharply drawn wherever it is possible to do it, and that it is our duty, as representing the National Government, to prevent appropriations being made to do things that should be done by the States or the individual citizens within the States.

Mr. SHEPPARD. Mr. President, I want to say to the Senator from California [Mr. WORKS], the Senator from Colorado [Mr. THOMAS], and the Senator from Minnesota [Mr. CLAPP] that far better results would be obtained in the matter of regulating and controlling Federal expenditures if the committees on expenditures in the various departments of the Government would discharge the duties for which they were originally intended. In Rule XI, paragraph 36, of the Rules of the House, those duties are outlined, so far as the House is concerned, as follows:

> The examination of the accounts and expenditures of the several departments of the Government, and the manner of keeping the same; the economy, justness, and correctness of such expenditures; their conformity with appropriation laws; the proper application of public moneys; the security of the Government against unjust and extravagant demands; retrenchment; the enforcement of the payment of moneys due to the United States; the economy and accountability of public officers; the abolishment of useless offices; the reduction or increase of the pay of officers, shall all be subjects within the jurisdiction of the nine standing committees on the public expenditures in the several departments, as follows:
>
> In the Department of State, to the Committee on Expenditures in the State Department.
>
> In the Treasury Department—
>
> And so forth.

If the committees on expenditures in the various departments, both of the Senate and the House, would work together, or work in harmony, along the lines set out in subparagraph 36 of Rule XI of the Manual of the House of Representatives, millions and millions of dollars that are now uselessly expended would be saved to the Treasury.

Mr. THOMAS. Mr. President——

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from Colorado?

Mr. SHEPPARD. I do.

Mr. THOMAS. The Senator from Texas is on the Committee on Expenditures in the Agricultural Department. I think he is chairman of that committee. If the Senator attempted to perform the duties that he has just read to the Senate out of the rules of the House, how much time would he be able to give to his other duties here in the Senate?

Mr. SHEPPARD. I shall say that I have in mind a resolution giving the committee of which I am chairman power to send for witnesses and papers, to administer oaths, and so forth, in order that it may exercise the very duties herein set forth, and attempt to accomplish the results for which the committee was originally designed.

Mr. THOMAS. That does not answer the question. If the Senator attempted to do what this rule requires the similar House committee to do, he would have to work by night and work by day and devote his entire time to it, if he did it properly. To impose such duties upon active Members of the Senate, particularly where there are only 96 Members, is practically to deprive them of usefulness in all other directions.

Now, there is no question but that a supervision of the expenditures of these departments is desirable, but it is simply impossible for Members of the Senate to do it if they expect to do anything else. Such a committee should be organized elsewhere, and should be composed of men who can attend to that business and nothing else.

Mr. SHEPPARD. Mr. President, I believe it would be entirely practicable for these committees to exercise such supervision over the expenditures in the departments as to keep constantly in touch with them, and to produce gratifying results.

Mr. THOMAS. If the Senator will attempt it, and make an experiment on the Department of Agriculture—the appropriation for which I think is less than that of any other—and it is successful, I believe I am on one of those committees as a member, and I should be very glad to imitate his good example.

Mr. SHEPPARD. I shall be very glad to endeavor to set that example.

I want to make one further observation: If it is impossible for a single committee to look after one department, how would it be possible for one general budget committee to look after all the departments, to keep in touch with their details, and to say exactly what amount should be expended by them throughout the year?

Mr. WADSWORTH. Mr. President, I have been very much interested in the discussion of this item, carrying $420,000; and I think perhaps it is proper that I call the attention of the Senate to one phase of it, in that it is not confined in its operations to the public lands of the United States. Under the language used in the first five lines, a large portion of the money appropriated may be spent in any State in the Union, whether or not it has public lands within its borders.

Mr. SHAFROTH. Mr. President, if the Senator will allow me right there, I will say that these predatory animals are not to any appreciable extent in the other States, where there are no public lands.

Mr. WADSWORTH. Mr. President, I can not quite accept the correctness of that statement.

Mr. SHAFROTH. In the State of Colorado, for instance, we do not get taxes on more than one-third of the land contained in the State, the balance of it being public land. A large part of that Government land, about half of it, is included in forest reserves. The tendency is to keep everything out of the forest reserves, and thereby they become a kind of breeding place for these predatory animals. Now, I can see that the eastern part of the State of Colorado does not need any of this, because it is being settled up by farmers. Kansas, no doubt, does not need any of it, because nearly every acre of it is in cultivation. But in these mountainous countries, where these forests are, and where these predatory animals roam and thrive, something must be done; and it seems to me the only way in which it can be done is by an appropriation of Congress.

Mr. WADSWORTH. Mr. President, I am in entire accord with the latter portion of the remarks of the Senator from Colorado; but there are States in which these predatory animals do exist and in which there are no public lands, and one happens to be the State of Texas. This money can be spent in Texas or in Oklahoma or in Kansas, where all the animals named in this item thrive. I do not intend to impose upon the Senate personal experiences, but for some time I have had experience with these very animals in attempting to destroy them in the State of Texas, as being responsible for a piece of private property. I have always considered it the obligation of the people of that State, just as it is the obligation of the people of the State of New York, to take care of their own local pests; but under the language of this item the public money of the United States can be spent in any State, whether it has public lands or not. I do not believe that that was the intention of the Committee on Agriculture, although I am not entirely certain as to that, but I will call attention to the language, commencing on line 3:

Including experiments and demonstrations in destroying wolves, coyotes, prairie dogs—

And why "prairie dogs" I can not understand. They are scarcely a predatory animal, and I do not believe even the Senator from Nevada would contend that they are spreading rabies—

and other animals injurious to agriculture and animal husbandry.

With no restrictions as to the territory. Now, I am in sympathy with the Senator from Nevada and the Senator from Wyoming in their contention that the United States Government should take care of pests or evils which exist or originate upon its own lands, but I can not see why the United States Government should go outside of its own territory and proceed to do the work that ought to be done by private individuals in the exercise of their functions as citizens or in the defense of their own property.

Mr. SHEPPARD. Mr. President, may I ask the Senator a question?

Mr. WADSWORTH. I yield.

Mr. SHEPPARD. Was any money expended by the Federal Government in resisting the foot-and-mouth disease in the State of New York?

Mr. WADSWORTH. There certainly was. That was a great national peril, and it should have been so expended.

Mr. SHEPPARD. So are predatory animals a great national peril.

Mr. WADSWORTH. But why money should be spent to eradicate prairie dogs in Oklahoma or in Texas passes my comprehension. There is no more necessity for demonstrating how to kill a prairie dog than there is for demonstrating how to swat a fly. I have seen them killed by the hundreds and by the thousands by the simple use of strychnine placed upon a little grain within 3 or 4 feet of the prairie dogs' holes. It does not need the service of the United States Government to do that; and I can not see that the prairie dog is a predatory animal or a danger to society in that he may carry rabies. I have not heard it contended that he does; and I know that vast tracts of country in the Southwest have been rid of the prairie dog by the efforts of the owners of the land, and yet under this bill the United States Government is going into the business of poisoning prairie dogs.

Mr. WARREN. Mr. President, may I interrupt the Senator?

Mr. WADSWORTH. Certainly.

Mr. WARREN. I agree with the Senator that the first lines of this bill as it came from the House may not be aptly worded, but if he will examine the language more closely I think he will see that his construction is erroneous. I read from the provision:

For investigating the food habits of North American birds and mammals in relation to agriculture, horticulture, and forestry, including experiments and demonstrations in destroying wolves, coyotes, prarie dogs, and other animals—

Now, that, so far as I have read, is for experiments and demonstrations in destroying these animals. When we come down to the part where the money is to be expended for destroying them it is very plain. The proviso reads:

That of this sum $15,000 shall be used for the destruction of ground squirrels on the national forests and other public lands.

Then, when we go further:

That of this sum not less than $125,000 shall be used on the national forests and the public domain in destroying wolves, coyotes, and other animals injurious to agriculture and animal husbandry.

And then it says, further:

That of this sum not more than $125,000 shall be used on the public lands, national forests——

Mr. WADSWORTH. And elsewhere.

Mr. WARREN. Well, this is about rabies—

and elsewhere in the Western and Northwestern States for the protection of stock and other domestic animals through the suppression of rabies—

Which disease seems to have originated in the forests, and which, of course, radiates out from there. But in the main destruction the intention is, and I think that will be the result, as it will be applied, to have the money expended in the national forests and on the public domain. In the case of rabies, however, there has been a different construction, for the reason I have given. The original appropriation for rabies was in a deficiency bill. It was an emergency, and the Appropriations Committee and the Senate, without a dissenting voice, understanding the great danger from it, appropriated the sum asked—$75,000. They did not confine it to national forests and to public lands at the time.

Mr. WADSWORTH. Mr. President, taking the three sums that are itemized here, we find that there is $265,000 out of the $420,000 itemized, and the method of the appropriation or expenditure is directed; but that leaves a considerable balance out of the $420,000 which may be spent anywhere, for any purpose, apparently, so long as it has something to do with some animal that is a danger to agriculture or animal husbandry, and there are a great many animals that may be so classified that are not in this list.

Mr. PITTMAN. Mr. President——

Mr. WADSWORTH. If we are going to inaugurate all over the United States the policy that every animal that is injurious to agriculture or animal husbandry shall be the subject of destruction at the expense of the Federal Government, $420.000 will nowhere near cover it, and we will have millions appropriated for this purpose within a few years.

I yield to the Senator from Nevada.

Mr. PITTMAN. I would gather, from the Senator's argument, that it does not apply to the use of the $265,000. This is, the $265,000 is expressly set aside for the destruction of these predatory animals upon the public lands and in the forest reserves, except with regard to rabies; and I do not suppose the Senator objects to the appropriation to check the rabies epidemic.

Mr. WADSWORTH. Mr. President, I have not an objection on principle to the appropriation for the eradication of rabies. I am a little in doubt as to the $15,000 which is to be appropriated for the destruction of ground squirrels. I am not entirely certain that it is necessary. I do not know much about it.

Mr. PITTMAN. I will say to the Senator that there are two phases of that. The ground squirrels are exceedingly destructive in the vicinity of forest reserves in the West. There is not any question about that. The balance of $155,000 in that item is used solely for experiments and demonstrations.

Mr. WADSWORTH. Mr. President, may I ask the Senator from Nevada, in the event of its being in order, and that I offered an amendment to insert on line 3, after the word "demonstrations," the words "upon the public lands of the United States," whether he and the others who are in favor of this appropriation would look with favor upon it? Perhaps he could not commit them.

Mr. PITTMAN. I may say that from the standpoint of direct personal or selfish interest, so far as my State is concerned, it would not affect us much, as to-day about 90 per cent of the land in our State is public land and forest reserves; but I do not see why experiments and demonstrations that are expected to be beneficial to agriculture should be limited to any particular portion of the country. I think the main question with regard to experiments and demonstrations is whether or not it is probable that such experiments or demonstrations will benefit agriculture. If they do, I do not care where the experiments and demonstrations take place.

Mr. WADSWORTH. The term "experiments and demonstrations" is rather absurd in this connection, if I may criticize the language of the bill. No man nor no government can make experiments about shooting a wolf or coyote, or trapping them. There are just one or two ways to do it, and everybody who has done it knows how to do it. It is necessary, I assume, to employ men to do it. The term "experiments and demonstrations" seems to indicate that somebody has a lot to learn about it. In the countries where wolves and coyotes abound the inhabitants know how to kill them or trap them, and it does not take a Government official nor the service of a Government official to teach them how to set a trap for a coyote.

My objection to this item is that it will permit or authorize Government officials to go in any State of the Union and assume to tell people how to shoot or how to trap or how to poison these predatory animals, and I want to have it confined to the Government's own domain.

Mr. PITTMAN. I have no objection to that. I have stated my ground.

Mr. GORE. It seems to me that the form of the amendment suggested by the Senator would defeat in a large measure the object of the appropriation, because the animals affected with rabies might make their escape from the reservation, and then there would be no authority to pursue them. The purpose is to exterminate these animals on the public domain and in the vicinity, I assume. It certainly ought not to be extended to any considerable quantity of land in any other State and in a State where there are no public lands or no public domain.

Mr. WADSWORTH. The all-embracing language, let me say in reply to the Senator from Oklahoma, is in the first four lines to which I direct my criticism—

Including experiments and demonstrations.

To my mind experiments and demonstrations in any State of the Union which the Agricultural Department could select directed toward teaching people how to do a thing they already know how to do is absurd. The last proviso reads:

And provided further, That of this sum not more than $125,000 shall be used on the public lands, national forests, and elsewhere in the Western and Northwestern States for the protection of stock and other domestic animals through the suppression of rabies by the destruction of wolves, coyotes, and other predatory wild animals.

That I do not object to in the same sense. That is simply the case of hiring a certain number of men to go and destroy the animals that are dangerous with respect to rabies, but the idea of sending certain other groups of men into other States where there is no rabies whatever and no danger from it to teach the people how to set a trap or shoot a wolf is to me absurd. That is why I should like to have the restrictions placed in the third line, in order to confine those remarkable demonstrations and experiments to the Government's own property, and in due time I expect to offer an amendment to that effect. I understand I can not do it now.

The VICE PRESIDENT. Now is the time.

Mr. WADSWORTH. I understand the amendment of the Senator from Colorado [Mr. THOMAS] is pending.

The VICE PRESIDENT. The Senator from Colorado proposes to strike out and insert. The Senator from New York proposes to amend the text, which amendment is now in order.

Mr. WADSWORTH. Then I move to amend by inserting, on page 57, line 3, after the word "demonstrations," the words "upon the public lands of the United States."

The VICE PRESIDENT. The question is on the amendment of the Senator from New York.

Mr. WADSWORTH. The Senator from Wyoming [Mr. WARREN] corrects my nomenclature. In reply to the suggestion of the Senator from Wyoming, I call his attention to the use of the same expression, "public lands," in line 18.

Mr. THOMAS. Is not the substitute which I offered yesterday before the Senate?

The VICE PRESIDENT. The rule of the Senate is to the effect that when there is a motion to strike out and insert, and that is the motion of the Senator from Colorado, the part to be stricken out is subject to amendment and the part to be inserted is subject to amendment, and a motion to amend the part to be stricken out has precedence. The amendment of the Senator from New York is in order.

Mr. GRONNA. I take it the Senator from New York is not willing to exclude forest reserves.

Mr. WADSWORTH. No; I did not mean to do that.

Mr. GRONNA. It is land owned by the United States, but if it were public land homestead entries could be made upon it. The language ought to be changed.

Mr. WADSWORTH. I desire to correct it in that respect, and I apologize to my colleagues. Will the Secretary substitute the words "upon the lands of the United States"?

The SECRETARY. Eliminate the word "public" from the proposed amendment, so as to read "upon the lands of the United States."

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from New York.

Mr. SHEPPARD. Mr. President, the Senator from New York says there is nothing to be learned in the matter of destroying wolves, coyotes, and so forth; that it is merely a matter of teaching people how to shoot. I wish to quote from an article here appearing in a report of the Bureau of the Biological Survey upon this question:

BOUNTIES.

Bounties for the destruction of predatory animals have been paid in almost every country of the world, and probably never with much effect upon their numbers. Wolves have been the subjects of bounty wherever they exist. France has continued its payments for several centuries, and although as high as 200 francs ($40) is paid for the destruction of mature wolves, they have not diminished in numbers during the past half century. As late as 1890, 500 were killed in a single year. In Russia wolves are practically increasing, although thousands are destroyed annually, and bounties paid for their heads. Bounties on 49,000 wolves were paid in one government or province (Wologda) in a year.

The history of every State in the United States since the earliest settlement of the country has been one of struggle against predatory animals, bounties having been resorted to early in the seventeenth century. It is probable that while premiums have helped in diminishing the numbers of carnivorous pests, civilization and close settlements have been the main factor. At present bounties are paid in all but a few of the Southern States east of the Mississippi, and Arkansas and Louisiana west of that river. In 1913 the bounty system cost the 12 States of Montana, Oregon, Washington, Idaho, Wyoming, South Dakota, Utah, Texas, California, Kansas, Arizona, and New Mexico nearly $600,000; Montana alone paying out $178,047. In spite of these enormous payments, predatory animals have not decreased. In Kansas, where the bounty cost is laid upon the counties, the bounty on coyotes has steadily increased for the past 16 years, showing that coyotes are not being exterminated under the moderate bounty of $1 for each coyote.

From 1903 to 1909 the payments were as follows: Nineteen hundred and three, $17,493; 1904, $18,443; 1905, $20,550; 1906, $20,900; 1907, $23,200; 1908, $27,000; 1909, $30,400. Thus in the seven years coyotes apparently increased over 70 per cent.

The Michigan wolf bounty began with the act of December, 1837. Payments diminished slightly from year to year until 1889 when they actually ceased and the wolf was regarded as nearly extinct. A few were killed each year, however, until 1898, when the number of wolves began to increase. The bounty was increased in 1898 to $15 for a grown wolf. In 1905 it was again increased to $25, but payments of bounty also increased steadily. In 1914 the State's half of the wolf bounty was $6,769.

In the 10 years ending 1914, Minnesota paid bounty $48,131, the cost to the State being $286,068.66.

From 1901 to 1910 Montana paid bounties amounting to $1,125,675.20, while a large sum was still due on outstanding warrants.

In the two years 1913 and 1914, Utah paid $124,089.91 in bounties, the largest item being on 31,787 coyotes.

Wisconsin in 10 years—1905–1914—paid a State bounty of $215,753 on wolves, lynxes, and wildcats.

Texas in four years ending 1915 will have spent $200,000 in bounty payments.

So it seems to be much more of a problem than the Senator from New York would have us believe. Indeed, it is in a large sense a national problem, and one toward which the effort of the Department of Agriculture can be very legitimately directed in any section of the country; in fact, as much so as for the destruction of the boll weevil, the gypsy moth, the pests that affect chestnut trees in the Senator's own State, or similar pests in other States of the Union.

These experiments and demonstrations ought not to be confined to any one section of the Union, but ought to be made wherever the work may most advantageously be done.

I have here a resolution adopted by the last National Conservation Congress, which assembled here in May, 1916, and which resolution reads as follows:

REPORT OF THE GENERAL COMMITTEE ON FARM ANIMALS TO THE NATIONAL CONSERVATION CONGRESS, WASHINGTON, D. C., MAY 2–4, 1916.

PREDATORY ANIMALS.

The loss from predatory animals in the range States is severe, particularly in the case of cattle and sheep. Based on reports to the Forest Service of the loss of animals on national forests, your committee estimates that the value of animals killed in the range States, excepting Texas, amounts to no less than $7,000,000 per annum.

The work of the Bureau of Biological Survey in the control of predatory animals is rapidly coming to be regarded as one of the more valuable features of the Federal department's activities in the Western States. This work is being organized on a scientific basis, and results are already being obtained which seem to indicate that a scientific study of predatory animals in the community, and the destruction of those which are preying on domestic animals will yield more practical results than the indiscriminate operations of bounty hunters. Naturally a bounty hunter will not find it profitable to work in a territory where predatory animals are not numerous; and it has been found that not all coyotes prey upon domestic animals. The claims of the Biological Survey are that only a small per cent of coyotes operate in this way, but that a large majority of them make their living from jack rabbits, prairie dogs, and similar wild animals. By hunting out the ones which are preying upon domestic animals and destroying them the loss is immediately stopped. The wolf is regarded as a menace under any and all circumstances, and likewise the mountain lion. These animals will have to pass with the advance of civilization.

The Wyoming Wool Growers' Association held a convention at Casper, Wyo., February 24, 1916, and passed the following resolutions:

Extract from resolution adopted by the Wyoming Wool Growers' Association at its twelfth annual convention at Casper, Wyo., February 24, 1916.

Whereas for many years the losses of sheep and lambs from the depredations of wild animals has resulted in financial loss to western sheep men; and

Whereas there now exists in several of the Western States a dangerous disease known as rabies, affecting the coyotes, which results in menace to human beings and live stock; and

Whereas the Biological Survey has been doing very commendable work in the eradication of coyotes and prairie dogs in Wyoming; and

Whereas the present appropriation allowed by Congress to the Biological Survey for such work has been proven to be inadequate: Now, therefore, be it

Resolved, That we urgently request the flockmasters to devote a portion of their time to the eradication of these dangerous or destructive pests, and that we petition Congress for an appropriation of $500,000 to be used by the Biological Survey in the eradication of predatory wild animals and prairie dogs.

Another resolution passed by the Beartooth Live Stock Association, at Clark, Wyo., March 4 of this year, is as follows:

CLARK, WYO., *March 4, 1916.*

Resolved, That we heartily approve of and indorse the action of the Federal Government in its work of extermination of predatory animals by the Biological Survey. We offer our cooperation in this work and request that hunters and trappers be allowed to this district the coming season.

This work should be carried on in all the Western States.

Coyotes and wolves are migratory, and a campaign to be effective must be carried on in all the country in which they are found, and the appropriation for this work should be very liberal, and the bounty or wages increased as the number of animals are reduced.

BEARTOOTH LIVE STOCK ASSOCIATION,
By GEO. M. HEALD, *Secretary-Treasurer.*

Mr. President, these are some of the resolutions and statements showing the value of this work, showing its scientific basis, and showing that the evil is interstate in its character. These predatory animals are migratory. When they are driven out of one State, they go into another State. When they are driven from the public-land States of New Mexico or Colorado, they come into my own State—the State of Texas—where there are no public lands, but which is largely a western State, with extensive cattle, sheep, and goat ranges. Therefore it seems to me to be entirely just that the demonstrations and experiments should not be limited to any particular section of the Union.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from New York.

The amendment was agreed to.

The VICE PRESIDENT. The question recurs on the amendment of the Senator from Colorado [Mr. THOMAS].

Mr. WARREN. Mr. President, there has been considerable discussion on the general proposition of the size of our appropriations. We have been in the habit of debating quietly the expenditure of millions and hundreds of millions of dollars, and then creating somewhat of a fog over a few hundred or a few thousand dollars.

The question at issue is whether the United States shall do its part or whether it shall shift what rightfully belongs to it on private individuals.

There is no doubt that the live-stock interest is suffering materially from the attacks from predatory animals and that the industry must be protected in some manner.

If that is the only industry to be skipped, the only one that should receive no attention in the Agricultural appropriation bill, I submit that it would not present a case of fairness and equity.

A great many of the appropriations in the Agricultural appropriation bill provide for experiments and provide for scientific researches regarding damage to industries in localities where the Government is in nowise responsible for the evil. We have to eradicate the brown-tail fly, the spotted-tail fly, and such insects in various places where they attack fruits. We have to provide against the citrus-fruit canker, where the United States is not responsible.

But we have here an evil that is very serious, one that is destroying millions of property, and of the kind of property that we most need. I think that will be admitted by all. The Government is conducing really to that depredation rather than assisting in eradicating it, unless we provide so that the United States shall take the same care of its land which it reserves from settlement and reserves from taxation and reserves from contributing to the State incomes. That the Government should take the same care there that we take outside of its lands is all we are asking. Here are hundreds of millions of acres, anywhere from a quarter to a half of several of the so-called public-land States, that are reserved to the United States. They are no longer public lands. Then outside of that there are the public lands which are left, upon which the Government pays no taxes, and for which the States must provide protection. Here in this case we can kill all the wolves that there are outside of the forest reserves, and yet they will flood over from the breeding grounds that are afforded by the reserves. In fact, the breeding grounds are generally in the forest reserves, because, first, the reserves are more or less mountainous, and they have more or less of forest; and, second, they are more secluded, few settlers live on them, and the animals are freer from attack. So the animals breed there very rapidly, and then from there they circulate out and destroy the live stock, not only that which is within the reservation, and paying for the privilege of being there, but that which is outside of that area.

Mr. THOMAS. Mr. President——

The VICE PRESIDENT. Does the Senator from Wyoming yield to the Senator from Colorado?

Mr. WARREN. I do.

Mr. THOMAS. I am informed that the original appropriation for this purpose three years ago was $25,000, and that it has been increasing regularly and in very large amounts. Last year it was $300,000, and this year it is something over $420,000. The evil seems to be growing more rapidly, according to the Senator's report, than is the appropriation. I should like to ask the Senator what the probable appropriation for this purpose will be three years from now?

Mr. WARREN. Mr. President, the Senator from Colorado is misinformed, and I know he does not wish to misinform us. There never was any considerable appropriation for this purpose until last year.

Mr. THOMAS. But there was an appropriation of $300,000 last year. My information may not be sound or may not come from a very good source, but I understand the original appropriation was $25,000.

Mr. WARREN. The original appropriation was made for various uses; it did not apply specifically to this object in any manner, but it covered all of the depredations of insects, unnamed, and of destructive animals of all kinds. It did not specifically apply to the killing in the reserves of the predatory animals, and that work was not taken up by the department through its representatives in the various reserves until last year, and, for that matter, it has been pursued practically for about 10 months only.

Mr. THOMAS. Well, Mr. President, I think that aggravates the situation. If the appropriation for all these purposes was but $25,000 a few years ago, and the appropriation for this specific purpose has now grown to $420,000, I can see the opportunity for very large appropriations hereafter, with no diminution of the evil which it is intended to eradicate.

Mr. WARREN. Mr. President, the Senator from Colorado is again wrong. The sum of $125,000 of this appropriation is for emergencies which have arisen since the appropriation of last year in the matter of rabies. If the Senator will deduct the $125,000 from that, he will find that the appropriation is less than we had before.

Mr. THOMAS. The Senator from Wyoming is mistaken about that, because the House appropriation was $400,540, and the Senate Appropriations Committee have increased that amount by $20,000, and then have segregated $125,000 as the amount for the purpose to which the Senator alludes.

Mr. WARREN. Then, if the Senator will figure it and take $125,000 from the total amount, he will have less than before.

Mr. WORKS. Mr. President, I should like to ask the Senator from Wyoming how the amount of this appropriation is arrived at? How is it determined how much money shall be expended there for this purpose? Has anybody made any estimate about it?

Mr. WARREN. That is left to the discretion of the department within limits which we fix in the bill. I may say that as to this amount we have not increased the sum which the House undertook to insert; but after the House had placed in the bill fully as large a sum as we have proposed to appropriate, it went out on some point of order.

Mr. WORKS. Mr. President, I think an appropriation of this kind, as I said a while ago, may be justified; but by the amendment which has just been adopted by the Senate the scope of the work is limited, and I was wondering whether there was any real necessity for so large an appropriation as this for the purpose, which seems to be very largely guesswork.

Mr. WARREN. I think the appropriation should be even larger than it is.

Mr. GORE. Mr. President——

Mr. WARREN. If the Senator will permit me to answer the question of the Senator from California [Mr. WORKS], I desire

to say that the time to eradicate an evil of this kind is in its earliest stages, if possible. A very thorough extermination for one or two or possibly three years, with the cooperation of the States and of the United States, will reduce such an evil very greatly.

Mr. SHAFROTH. Mr. President, will the Senator from Wyoming permit me to interrupt him?

Mr. GORE. Just a moment, Mr. President.

Mr. WARREN. I yield to the Senator from Colorado.

Mr. SHAFROTH. With relation to this matter, I desire to say that in the estimate which was made by the Secretary of Agriculture occurs this item:

d. One hundred and twenty-five thousand dollars to continue, during the next fiscal year, the work connected with the suppression of rabies by the destruction of wolves, coyotes, and other predatory wild animals. Unless the work is continued during 1917, much of the value of any work that may be undertaken during the present fiscal year will be lost. (H. Doc. 679.)

Mr. WORKS. But, as I understand, that applies only to the extermination of rabies.

Mr. SHAFROTH. Yes.

Mr. WORKS. It does not go beyond that.

Mr. WARREN. The estimate came in the regular way, I will say to the Senator from California.

Mr. WORKS. I do not know what is the regular way of bringing in these appropriations. That is what I am trying to find out.

Mr. GORE. Mr. President——

The VICE PRESIDENT. Does the Senator from Wyoming yield to the Senator from Oklahoma?

Mr. WARREN. I yield.

Mr. GORE. I should like to say that in the regular estimates contained in the Book of Estimates the Agricultural Department asked for $275,000 for this purpose. On account, I suppose, of some urgency, resulting from the breaking out of rabies, the department afterwards submitted a supplemental estimate for $125,000, making in the aggregate $400,000.

I may add that in one of the urgent deficiency appropriation bills, which was passed, I believe, in February, a considerable sum was appropriated for this purpose, due to an estimate, I think, submitted at that time, and owing to the exigency, or supposed exigency, which existed in the Northwestern States.

Mr. WARREN. Mr. President, the Senator from California [Mr. WORKS] may be assured that this estimate came in, as I have said, in the regular way. I supposed the Senator understood about that; that these were regular annual estimates coming from the Treasury Department.

Mr. THOMPSON. Mr. President——

The VICE PRESIDENT. Does the Senator from Wyoming yield to the Senator from Kansas?

Mr. WARREN. I yield.

Mr. THOMPSON. I wish to say that I opposed this item in the bill of last year, and I am opposed to the item still. I have had occasion to look up the appropriations for this purpose from the beginning, and have found that in 1911 this item was $25,000, in 1912 it was $23,000, in 1913 it was $40,000, in 1914 it was $60,000, in 1915 it was $115,000, and last year it was $300,000, although the department had said that $110,000 was sufficient for all purposes. This year the estimate is for $275,000, and we have increased it to $420,000. I think, under all the circumstances, that the item is growing rather rapidly.

Mr. GORE. Mr. President, the Senator from Kansas ought to include the supplemental estimate for $125,000 a year ago, so that, even though this appropriation is made for the extermination of wolves and other predatory animals, possibly there will be enough left to pension the Spanish-American War soldiers and their widows, costing many million dollars a year.

Mr. WARREN. Do I understand the Senator from Kansas to be opposed to the appropriation for this purpose?

Mr. THOMPSON. I am opposed to the extravagant amount proposed to be appropriated. I would favor a reasonable amount for the purpose desired.

Mr. WARREN. Well, I suppose the Senator considers that the bugs in his section of the country are more dangerous than the wolves, for he is very anxious that the bugs in his State should be properly exterminated.

Mr. THOMAS. Mr. President, I think the Senator from Kansas is after some of the predatory wolves who have designs on the Treasury.

Mr. SMOOT. He was not yesterday.

Mr. THOMPSON. Mr. President, if the Senator will allow me, there is only $10,000 appropriated for the destruction of the worms and bugs so disastrous to the crops of the country, to which the Senator from Wyoming refers, and the institution for which this small appropriation was made saved my State alone in one year $500,000 and the Middle West several million dollars during the last few years. The Senator from Wyoming should not object to so small an appropriation for such a worthy cause.

Mr. WARREN. It is claimed by the associations who have to meet this predatory wild-animal difficulty that the depredations of such animals have caused a loss of $15,000,000 per annum to live stock. That, however, may be a small matter as compared with the bug business in Kansas.

The States have expended a great deal of money to eradicate this evil. The sum which it is proposed that the United States shall devote to this purpose, considering the land which it owns, is but a trifle; it is not even 1 per cent of what it is costing private individuals and the States, and I think the Government should do its full share toward exterminating these pests. I have here a memorandum showing that in 1913 six of the Western States spent a little over $600,000 in the effort to stop this evil. Montana paid $178,047 in one year, and it has paid similar sums in other years, and other States have paid from fifty to one hundred thousand dollars each for a number of years.

To go back a little, some of the States in the Middle West had to contend with the same difficulty. For instance, under the Michigan law providing a wolf bounty, which was enacted in the first place in 1837, the payments diminished slightly until 1889, when they actually ceased, and it was regarded that wolves were extinct. A few were killed each year, but in 1914 the State's payment was only $6,769. The State of Minnesota paid $286,068.66 during the one year of 1914. Montana, from 1901 to 1910, paid $1,125,675.20, and the other States have paid in about the same proportion according to their area; that is, the 14 or 15 States which have within their borders forest reserves and public-land reserves of various kinds.

I present for printing in the RECORD the following memoranda regarding bounties for destruction of predatory animals.

The matter referred to is as follows:

BOUNTIES.

Bounties for the destruction of predatory animals have been paid in almost every country of the world, and probably never with much effect upon their numbers. Wolves have been the subjects of bounty wherever they exist. France has continued its payments for several centuries, and, although as high as 200 francs ($40) is paid for the destruction of mature wolves, they have not diminished in numbers during the past half century. As late as 1890, 500 were killed in a single year. In Russia wolves are practically increasing, although thousands are destroyed annually and bounties paid for their heads. Bounties on 49,000 wolves were paid in one government or Province (Wologda) in a year.

The history of every State in the United States since the earliest settlement of the country has been one of struggle against predatory animals, bounties having been resorted to early in the seventeenth century. It is probable that while premiums have helped in diminishing the numbers of carnivorous pests, civilization and close settlements have been the main factor. At present bounties are paid in all but a few of the Southern States east of the Mississippi and Arkansas and Louisiana west of that river. In 1913 the bounty system cost the 12 States of Montana, Oregon, Washington, Idaho, Wyoming, South Dakota, Utah, Texas, California, Kansas, Arizona, and New Mexico nearly $600,000, Montana alone paying out $178,047. In spite of these enormous payments, predatory animals have not decreased. In Kansas, where the bounty cost is laid upon the counties, the bounty on coyotes has steadily increased for the past 16 years, showing that coyotes are not being exterminated under the moderate bounty of $1 for each coyote.

From 1903 to 1909 the payments were as follows: 1903, $17,493; 1904, $18,443; 1905, $20,550; 1906, $20,900; 1907, $23,200; 1908, $27,000; 1909, $30,400. Thus in the seven years coyotes apparently increased over 70 per cent.

The Michigan wolf bounty began with the act of December, 1837. Payments diminished slightly from year to year until 1889, when they actually ceased, and the wolf was regarded as nearly extinct. A few were killed each year, however, until 1898, when the number of wolves began to increase. The bounty was increased in 1898 to $15 for a grown wolf. In 1905 it was again increased to $25, but payments of bounty also increased steadily. In 1914 the State's half of the wolf bounty was $6,769.

In the 10 years ending 1914 Minnesota paid bounty on 48,131 animals, the cost to the State being $286,068.66.

From 1901 to 1910 Montana paid bounties amounting to $1,125,675.20, while a large sum was still due on outstanding warrants.

In the two years 1913 and 1914 Utah paid $124,089.91 in bounties, the largest item being on 31,787 coyotes.

Wisconsin in 10 years, 1905–1914, paid a State bounty of $215,753 on wolves, lynxes, and wild cats.

Texas in four years ending 1915 will have spent $200,000 in bounty payments.

THE PAYMENT OF BOUNTIES FOR THE DESTRUCTION OF NOXIOUS ANIMALS AND BIRDS.

The policy of paying premiums for the destruction of noxious species has been advocated in the United States for nearly three centuries, and has been thoroughly tested in most of the States. One of the first bounty laws was that passed in Virginia in 1632. Rewards have been paid on large animals, such as wolves, coyotes, bears, and panthers; on rodents, notably gophers, ground squirrels, and rabbits; and on a few birds, including crows, English sparrows, hawks, and owls.

Among the notable bounty laws are the following:

California: The coyote bounty law of 1891, under which a bounty of $5 was paid for each coyote, remained in force until January, 1895, when the claims amounted to nearly $400,000. Payments ceased, however, in 18 months after the law went into effect, on September 30,

1892, and the amount actually paid was $187,485. During this period some of the counties drew more from the State treasury for coyote bounties than they contributed for State expenses, and in some months more money was paid for the destruction of coyotes than for the support of the State University. Coyotes are still abundant in the State.

Montana: The ground-squirrel act of 1887 remained in force but six months and it became necessary to convene the legislature in special session to repeal the law. The payments during that period amounted to more than $9,000 a month, or $54,578, between March 5 and September 13, 1887. The wolf bounty law of 1895 remained in force for 14 months, and cost the State $89,871.

Texas: A bounty law passed in 1891 for the protection of farmers, providing bounties on wolves, coyotes, and other species, cost the State $50,000 in a period of 16 months.

Kansas: The law of 1899, authorizing payment of bounties for coyotes, has resulted in the destruction of many thousands of these animals, but annual payments have increased regularly from year to year, and in 1909 amounted to about $30,000, but apparently show little or no results so far as extermination of the pest is concerned.

Pennsylvania: The so-called "scalp act" of 1885 is estimated to have cost the State $150,000 in the 23 months in which it remained in force, from June, 1885, to May, 1887. Under a recent law, passed in 1913, bounties are paid only on foxes, wildcats, mink, and weasels. In the period of about 22 months between June 25, 1913, and April 15, 1915, claims amounting to $320,000 were presented to the auditor general for payment. Since that date all claims have been carefully examined by the game commission, with the result that during the 13 months ending June 1, 1916, the total claims allowed has amounted to only $56,309. In examining these claims gross irregularities were brought to light. In one county, in which the claims amounted to $9,922, only $560 was allowed. A recent letter states: "We are still at work auditing these old claims and following them by a searching investigation in practically every county in the State, and we usually find numberless irregularities and often downright crookedness. Up to this time we have convicted a score or more, comprising claimants, justices, and so on, their punishment ranging from a month or so in jail to several years in prison."

Objections to the bounty system may be briefly stated as follows:

Expense: Usually out of all proportion to the benefit gained and greater than a county or State can afford.

Impossibility of maintenance in all parts of an animal's range for any length of time.

Impossibility of maintaining equal rates in all States.

Impossibility of preventing payments for animals imported from other States, for counterfeit scalps, or for animals raised for bounty.

Advocates of the bounty system seem to think that almost any species can be exterminated in a short time if the payments are only high enough. Such, however, has not been the experience in this country or abroad, where the system has been thoroughly tried. Theoretically a bounty should be high enough to insure the destruction of a majority of the individuals during the first season, but experience has demonstrated that it is practically impossible to maintain a high rate more than a few months, and the higher the rate the greater the incentive to and danger of fraud. Even in thickly settled countries like England and France the destruction of wolves by bounties has proved a slow and expensive policy. Efforts to exterminate wolves in England began about the year 960, but wolves did not become extinct until the beginning of the sixteenth century. France has paid bounties on wolves for more than a century, and a few years ago increased the rewards to $30 and $40.

Virginia encouraged the killing of wolves from the first settlement of the colony, sometimes paying as high as $25 apiece for their scalps, but the wolves were not exterminated until about the middle of the nineteenth century. Several million dollars have already been expended for bounties in the United States, and in some cases the results have been practically negligible a few years after the payments ceased. In no case has any species been actually exterminated by the payment of bounties.

Mr. WARREN. The extermination of wolves is not a new matter in this country. Foreign countries have pursued the policy of exterminating wolves for many years. France has paid as high at times as $40 a head bounty on wolves, as the memoranda, which contains official data, will show. I am informed that it cost in one of the Provinces abroad over $196,000 to pay bounties on predatory animals in one year, and still they are not extinct; but, if some action had not been taken, whole sections would have been completely overrun, and the prosecution of the live-stock industry, other than in stables and in close pastures under the eyes of keepers, would have been rendered impossible.

It may be a trifling matter to talk about ground squirrels and such animals as those, but the fact faces us that the raising of cattle, of sheep, and to some extent the raising of horses in the sections of this country which furnish the bulk of the meat supply and which produce the bulk of the horses is being in many cases rendered unprofitable. Unless the ravages of the predatory animals are checked, if not completely prevented, the business of raising cattle and sheep will pass away in the West, as the sheep business has passed away in the New England and other States because of ferocious dogs. Senators who have kept track of that business know very well that in some sections of the country, particularly in the North Atlantic States, dogs have really driven the business of sheep raising out of existence.

Here is a case where we are not asking anything whatever from the Government except that it do some part of its share of this necessary work; that it shall on its own land do what private individuals and counties and States are doing. The unfairness of the Government declining to do its share, it seems to me, ought to strike one at first glance. While individuals and communities and associations on the outside of Government forest reserves are spending money like water to eradicate these pests, the United States is furnishing the ground to the extent of millions of acres where these animals breed and multiply. We ask for this paltry sum. We asked for it last year and we ask for it this year. It is possible it will take another year before the appropriation can be greatly reduced, but so far the results have been very satisfactory.

I heard one Senator quoting another to the effect that there had been three wolves killed; at any rate, some statement of that kind was made. The department has official records covering 10 months of the prosecution of this work. As a matter of fact, the work has only been commenced within that time, and last year was the first year when any considerable appropriation was made for this purpose; but the reports show that the department employees have captured and killed 362 gray wolves, such as the stock associations are offering bounties for, in addition to the regular bounty, to make the amount sometimes as much as $50 a head.

They have killed 1,218 bobcats, which are as dangerous animals as live in any locality or country so far as the destruction of cattle and sheep is concerned. They have killed seven mountain lions, and everyone who knows the habits of the mountain lion knows that he kills an animal and sucks a mouthful or two of blood and then kills another. A mountain lion has been known to kill three or four hundred sheep in one night. Then they have killed 9,252 coyotes, which, while they may not pull down a mature head of cattle, pull down a sheep, a calf, or a colt, and, like all the other animals, while they may eat the meat of an animal if they only have one and are driven to it by hunger, yet almost invariably they take only the blood. They really seize the animals by the throat or in some other part of their body, take what blood they want, and then kill others.

With the money which was appropriated in 10 months after this movement was started—and really, it might be said, almost before the movement was under way—they secured the destruction in forest reserves of the number of animals I have indicated. If that number—362 wolves, 1,218 bobcats, 7 mountain lions, and nearly 10,000 coyotes—had been allowed to roam at large and to breed, think of the number of such animals we might have had this year and what a loss they might have caused.

Mr. President, this is a matter which has had the attention of every livestock association. It has had the attention of the legislative bodies of the States. We have had memorials galore from, I think, every one of the States which has been afflicted; we have had them from the National Wool Growers' Association, an association formed in 1864; we have had the most earnest resolutions from the American Live Stock Association, an organization nearly as old as the Wool Growers' Association, and one which covers, as does the Wool Growers' Association, the entire United States. I inserted in the RECORD yesterday a memorial from the State of Oregon bearing on this question. I now ask the Secretary to read another memorial from the State of Wyoming, which states the matter rather succinctly and quite fully.

The VICE PRESIDENT. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

Thirteenth Legislature of the State of Wyoming, enrolled joint memorial No. 2, House of Representatives, State of Wyoming.

To the Senate and House of Representatives of the United States, relative to the destruction of predatory wild animals on forest reserves, Indian reservations, and in the Yellowstone National Park:

Be it resolved by the House of Representatives of the State of Wyoming (the Senate concurring), That the Congress of the United States be memorialized as follows:

Whereas the State of Wyoming has made earnest effort to destroy predatory wild animals by appropriating large sums of money to be paid as bounties for the destruction of these pests, which destroy large numbers of live stock and game and cause great damage to the principal industry of the State, decreasing the assessable property of the State; and

Whereas the Yellowstone National Park, the national forest reserves, and the Indian reservations where such animals have certain protection, are prolific breeding places of these animals, setting at naught the efforts of this State and its rural inhabitants to exterminate them: Therefore be it

Resolved, That the Congress of the United States enact a law and provide ways and means to exterminate, as nearly as practical, the predatory wild animals on all Indian reservations, forest reserves in this State, and in the Yellowstone National Park, and that civilians may be licensed by the proper Federal authorities to enter the said Yellowstone National Park at all seasons of the year to carry on the occupation of trapping predatory wild animals, under rules and regulations to be prescribed by the Federal authorities; be it further

Resolved, That the secretary of state be instructed to send a copy of this memorial to the United States Senators and Representatives in Congress from Wyoming.

EDWARD W. STONE,
President of the Senate.
JAMES M. GRAHAM,
Speaker of the House.

Approved February 25, 1915, 10.18 a. m.

JOHN B. KENDRICK, *Governor.*

Mr. ASHURST. Mr. President, I am heartily in favor of the committee amendment proposing to appropriate $125,000 for the destruction of predatory animals in the Western States.

Able arguments have been made on both sides of the question. I wish, however, for a moment to cite the situation respecting my own State.

The total acreage of the State of Arizona is 72,838,400 acres. Of that area there are in military reservations 98,452 acres; in national monuments, 835,245 acres; in Indian reservations, 16,424,327 acres; and in national forests, 12,499,485 acres, making a total amount of land in the State that has been withdrawn from sale and settlement of 29,857,509 acres, or slightly over 40 per cent of the total acreage of the State.

It seems to me but just and proper that where the Government has withdrawn from sale and settlement and from occupation by the settlers over 40 per cent of the total area of the State—twelve and one-half million acres of such withdrawn lands being pine and cedar forests, in which predatory animals abound in great numbers, such as the gigantic, ferocious, and agile lobo wolf, which can destroy a human being as easily as it could carry away a rabbit—the Government should take steps promptly to destroy such animals.

Cases have come under my observation where these lobo wolves have destroyed mares and horses, to say nothing of colts and smaller animals. The losses to the stockmen of Arizona each year from predatory animals—I will try to be conservative—must be at least half a million dollars. I see the Senator from Utah [Mr. SMOOT] nodding approval as to the correctness of my figures.

It must not be forgotten that before cattle, sheep, or horses may be grazed in a national forest you must first secure a permit and pay to the Government the necessary fee which the Government sees fit to exact for the running of your sheep, your cattle, or your horses upon the national forests. Indeed, Mr. President, for the year 1915 the stock growers of Arizona paid to the Federal Government for the privilege of grazing their cattle, sheep, and horses upon the national forests in Arizona $152,799 in grazing fees alone. So it seems to me but fair and equitable that where the Federal Government reserves 40 per cent of a State and then requires certain fees to be paid the Government, at least, should contribute and assist the State in its efforts to destroy these animals, which are a menace, a very dangerous menace, to the stock business.

This question has another phase. The English-speaking people are peculiarly beef and mutton eaters. We all know that. We know that beef and mutton are substantial foods. The number of cattle in the United States has been declining; it declined in 1912 and 1913, although there was a slight increase in 1914 as compared with 1913—whereas our population is increasing. We have an increasing number of people and a decreasing number of cattle. If we are to reduce the price of beef and place beef at a figure where people of moderate means may have it, what must we do? Increase the production of cattle. How are we going to increase the production of cattle if our losses in one State from predatory animals alone amount to $500,000 a year?

So I wish to say that, looking at it from the standpoint of economics in government—that is to say, the increasing of the herds—we ought to adopt this amendment. But there is still another side to this question, upon which side possibly a number of Senators from the far eastern States have not reflected.

In Arizona we have the skunk in great numbers. I am advised that the bite of the eastern skunk is not fatal; yet if a human being is bitten by the ordinary Arizona skunk the most malignant type of hydrophobia—rabies—sets in. Numbers of persons in past years have been obliged to get treatment at the Pasteur Institutes in Chicago and in St. Louis by reason of skunk bites, for if a person be bitten by one of those skunks his death in a most frightful form is sure unless he secures treatment at once. While I was on the range many of my associates were bitten by skunks, and those who did not secure this treatment died a most horrible death. Those who secured the treatment all recovered, so far as I know.

Then, again, Mr. President, after the discussion of the skunk, we have the coyote, as we call it. Singularly enough within the last year or two, in some parts of the West, rabies has spread among the coyotes. To my knowledge it did not happen previously to the last three or four years. These coyotes bite the horses, the cattle, the sheep, and especially the horses. We have, therefore, a situation on the range where stock is pitiably and malignantly afflicted with rabies, caused by the bite of a coyote which has been inoculated, possibly, from a skunk or from some other animal. These raging, mangy, foaming coyotes afflicted by this deadly distemper will bite anything. They are erratic in their manner, and they go snapping, biting, and spreading their deadly virus over the range, infecting the wild and domestic stock as well.

So it seems to me this is a proper expenditure. I can not see why any complaint should be made as to expending a part of the money derived from the grazing fees for the purpose of exterminating these animals that prey upon the stock, and that, in addition to preying upon the stock, bite human kind.

Mr. LODGE. Mr. President, I only want to say a single word.

If predatory animals which are dangerous to domestic animals are to be killed on the public lands, on the forest reservations—and I think it ought to be confined to that, as the amendment of the Senator from New York does—that certainly ought to be under the control of the Government. If we throw those reservations open to anyone with a license they will not only kill the predatory animals, but they will kill the elk and the deer and the buffalo that are now in reservations like the Yellowstone Park which it is the desire of everybody to preserve; and not only would it lead to the extermination of the predatory animals, but it would lead to the extermination of the very valuable game animals that are not predatory. I think if this is to be done at all it ought to be in the full control of the Government.

Then, as a matter of curiosity, there is something I should like very much to know about. The Government agents apparently have killed some three or four hundred wolves. The fur of all the fur-bearing animals commands very high prices in the markets to-day, and the price is constantly rising, owing to the increasing scarcity. What becomes of those furs? The furs of the timber wolf are very valuable, and it seems to me that they should be saved and turned over to the Government, or something done with them. It does not appear that anything is done with them except to throw them away.

Mr. LANE. Mr. President, the Senator from Arizona [Mr. ASHURST] spoke of the damage done by the coyotes to horses through biting them, and their being very susceptible to rabies. For years and years the coyote roamed the plains and no horse feared him; nor did the cattle, nor did human beings. He was a coward. He only preyed upon the sick, the weak, and the young. The stockmen knew that—that he was an insignificant animal of a cowardly disposition, and that he kept his distance—and so the horses acquired no fear for him.

Mr. WARREN. Mr. President, does the Senator consider that he was innocent so far as sheep were concerned?

Mr. LANE. Oh, no; I was referring to horses and horned cattle. He preyed upon sheep. They were always afraid of him; but horses and cattle, to which the Senator from Arizona [Mr. ASHURST] referred—horses more particularly—had no fear of him.

Mr. WARREN. He also preyed on the calves and the colts.

Mr. LANE. The calves and the colts. That is, when the calf was young and the colt was young the mother would look out for it. But the adult animals became so fearless of him that they paid but little attention to him, outside of the sheep; so when he became afflicted with rabies he changed his entire disposition toward the human being and these other animals which I have mentioned and was able to approach them. Never having feared him, they did not guard against him; and he would rush in upon them and bite them. He becomes so bold when he has that disease that he will enter your tent or your house yard or go right into the corral of the cattle and bite madly, viciously, insanely, here and there and everywhere. That is why he has become a source of danger and terror.

But there is another feature of this question of interest. I do not say that we can make any use of it, but it is a matter of fact, and will be attested by all men who are farming in the far West, if you should kill off the coyotes, exterminate them—I should like to have the attention of the Senator from Massachusetts—if you entirely destroy the coyotes, then the rabbit—not the real, old-time jack rabbit of the plains, nor the white rabbit—snowshoe rabbit—but the new, imported rabbit which people in our country claim came from Utah and was imported into Utah from Australia—a smaller rabbit—takes possession of the country and destroys the farmers' crops. It will dig under a wire fence; it girdles fruit trees and causes immense damage. The coyote is the only check against that pest, and it is a greater pest even than the coyote itself; but there is no way, I suppose, in which we can balance it. It is a balance, however, which nature kept. We are disturbing it in a way. But the coyote, at any rate, has become infected with a disease known as rabies, and causes the loss of human life. It is unsafe, as I said yesterday, to send your children to school unguarded; you convey them up in a wagon or upon horseback. It is dangerous for them to walk back and forth through the sagebrush, and dangerous, too, for you to go afoot in the country—so dangerous that, as I said yesterday, I lay out only one night, and then I was compelled to do so in the country where these animals were infected with rabies.

As to the big gray wolf, the timber wolf, there is no man who traps them. They are too smart to be caught in that way. They are shrewder than you are. You may once in a while shoot one

at long range with a rifle. His fur is valuable; but there is no man that can make wages hunting him for his hide. He follows you day by day on the trail.

Coming out from Alaska in winter you will find, hour after hour, on your trail the footprints of the red foxes; and all of a sudden the fox track will disappear off the trail, and you soon know what is the matter. The big gray wolves have taken up your trail and the fox has wisely vamoosed. He lies on your flank and follows you hour after hour, maybe for a day. Perhaps your dog has frozen his feet between the toes, and you have not put moccasins on him, and his foot begins to bleed, and the wolf hopes that the outfit is breaking down. He stays with you just as close as he can with safety; but no man ever picks up the big gray wolf on the trail except by accident. No bounty hunter makes any money to speak of by scalping that gentleman. Two or three of them working together will tear down the largest steer or your best horse. They will herd him around and around and them hamstring him—drop him on his haunches—and feast upon him, and they will do the same to you if luck favors them. But the coyotes with this disease are exterminating one another. That is to be said; and following their extermination will come this pest of rabbits, and these gentlemen ought to be allowed some of this money to get rid of the rabbit also—not necessarily the true jack rabbit, but the voracious Australian rabbit, the new species of rabbit which was unknown when I was a boy in that part of the country. But the need of exterminating an animal which is causing death to human beings and to the best stock is great. I met one stockman who told me he lost two imported Belgian stallions that had cost him $4,600 from the bite of a mad coyote. It is important.

Mr. SHAFROTH. Mr. President, I can not believe that the Senate will seriously consider the motion of the Senator from Colorado, my colleague, in regard to striking out all of this appropriation. If it is extravagant, it might be reduced; but inasmuch as his motion is to strike out every dollar of the appropriation it seems to me that the Senate will not seriously consider it.

His proposition is that in lieu of this section there shall be inserted the following:

That all persons engaged in destroying wolves, coyotes, bears, and other predatory animals the destruction of which is provided for by State laws and bearing license or permits from the proper State authority shall at all times have access to the national forests of their respective States in pursuit of such purpose.

That affords no relief whatever. This is Government land. People who live outside of the reservation are not going on the reservation for the purpose of exterminating these predatory animals. Consequently, the substitute affords no relief whatever to the situation there.

As the Senator has said, this is a serious problem out in the West. It may be that gentlemen here in the East do not comprehend and do not fully take in what these animals are, and what damage they do. But when we find the legislature of the State of Oregon, for instance, and the legislature of nearly every other State in the western country, petitioning Congress for relief, and reciting that over $15,000,000 in destruction of the cattle industry in the country occurs every year through these predatory animals, it seems to me that we ought to consider it, especially in view of the fact that these are reservations made by the Government, over which the State has not the jurisdiction which it ought to have. Under those circumstances, this being a broad, sweeping elimination from this bill of every dollar of the appropriation, it seems to me it ought not to pass.

Why, Mr. President, think of the suggestion which is made in view of the fact that the Secretary of Agriculture came to the Congress of the United States and asked, as an emergency matter, that $75,000, a year ago, be appropriated for the eradication of rabies. Here is a statement which was made in the report contained in the House hearings. It says:

A recent outbreak of rabies in the Western and Northwestern States resulted in such serious losses to live stock and was so great a menace to human life that the Secretary of Agriculture, on January 26, 1916, transmitted to the Congress an estimate of $75,000, which has been included in the urgent deficiency bill, to be used, in cooperation with the States concerned, in the suppresion of the disease through the destruction of the animals by which it is spread. The funds already available were not sufficient to enable the department to cope with the situation. The sum included in the urgent deficiency bill will provide for the work only during the remainder of the present fiscal year. If effective results are to be obtained, it is important that the work should be prosecuted during the next fiscal year, and the committee, in accordance with a supplemental estimate submitted by the Secretary of Agriculture, has included $125,000 in the bill for this purpose.

Mr. President, it seems to me, in view of the fact that this substitute which is offered brings no relief whatever, inasmuch as this loss which occurs to the people of the West by reason of these predatory animals amounts, as has been estimated, to $15,000,000 every year, we ought not to wipe out every trace of remedy that might be offered by the Federal Government in granting at least some partial relief to the people who are running their cattle and having their herds on Government land and paying the Government a price for the grazing privilege thereon.

The PRESIDING OFFICER (Mr. KENYON in the chair). The question is on agreeing to the amendment of the Senator from Colorado [Mr. THOMAS] to the amendment of the committee.

Mr. GORE. Mr. President, it seems to me the advocates of this appropriation have made out a case. The settlers in the vicinity of these reserves contribute, the counties contribute, and the States contribute, hundreds of thousands of dollars annually for the extermination of these predatory animals. They prove their faith. The Government ought not to convert these reservations into a sort of sanctuary where these predatory beasts can multiply and sally forth on their mission of destruction.

It seems to me there are three policies which the Government could adopt. One is to abandon these reservations, the other is to exterminate these predatory animals, and the third is to indemnify the settlers for the loss of their live stock. At this time the extermination of the animals seems to be the most feasible and promising solution.

I think this appropriation ought to be continued in the bill.

I may add, in this connection, that the House failed to include any appropriation to combat the rabies, and if the committee amendment should be stricken out there would be no provision in the bill by which the department could pursue its warfare against the rabies, and there would be nothing in conference from which such a policy could be wrought out.

Mr. THOMAS. I ask for the yeas and nays on agreeing to my amendment.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CHILTON (when his name was called). I transfer my pair with the Senator from New Mexico [Mr. FALL] to the Senator from Nebraska [Mr. HITCHCOCK] and vote "nay."

Mr. SAULSBURY (when his name was called). I transfer my pair with the junior Senator from Rhode Island [Mr. COLT] to the senior Senator from Nevada [Mr. NEWLANDS] and vote "nay."

Mr. TILLMAN (when his name was called). I transfer my pair with the Senator from West Virginia [Mr. GOFF] to the Senator from Tennessee [Mr. LEA] and vote "nay."

Mr. WEEKS (when his name was called). I have a general pair with the senior Senator from Kentucky [Mr. JAMES]. He being absent, I withhold my vote.

The roll call was concluded.

Mr. SMOOT. I have been requested to announce the following pairs:

The Senator from Kansas [Mr. CURTIS] with the Senator from Georgia [Mr. HARDWICK];

The Senator from New Hampshire [Mr. GALLINGER] with the Senator from New York [Mr. O'GORMAN];

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS];

The Senator from Michigan [Mr. SMITH] with the Senator from Missouri [Mr. REED]; and

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH].

Mr. MARTINE of New Jersey. I wish to announce that the Senator from Kentucky [Mr. JAMES] is detained on public business. He is paired with the Senator from Massachusetts [Mr. WEEKS].

Mr. LIPPITT. I have a pair with the Senator from Montana [Mr. WALSH]. In his absence I withhold my vote. If at liberty to vote, I would vote "nay."

Mr. CATRON. I am paired with the Senator from Oklahoma [Mr. OWEN]. I do not know how he would vote if present, and I therefore withhold my vote.

Mr. CHAMBERLAIN. I transfer my pair with the junior Senator from Pennsylvania [Mr. OLIVER] to the senior Senator from Virginia [Mr. MARTIN] and vote "nay."

The result was announced—yeas 10, nays 48, as follows:

YEAS—10.

Bankhead	Husting	Smith, Ga.	Thompson
Beckham	Johnson, S. Dak.	Taggart	
Clapp	Kenyon	Thomas	

NAYS—48.

Ashurst	Harding	Pittman	Smoot
Brady	Johnson, Me.	Poindexter	Sterling
Broussard	Jones	Pomerene	Stone
Chamberlain	La Follette	Ransdell	Sutherland
Chilton	Lane	Saulsbury	Swanson
Clark, Wyo.	Lodge	Shafroth	Tillman
Clarke, Ark.	McCumber	Sheppard	Townsend
Culberson	McLean	Sherman	Underwood
du Pont	Martine, N. J.	Shields	Vardaman
Fletcher	Nelson	Simmons	Wadsworth
Gore	Norris	Smith, Ariz.	Warren
Gronna	Page	Smith, S. C.	Works

NOT VOTING—37.

Borah	Goff	Lippitt	Reed
Brandegee	Hardwick	Martin, Va.	Robinson
Bryan	Hitchcock	Myers	Smith, Md.
Catron	Hollis	Newlands	Smith, Mich.
Colt	Hughes	O'Gorman	Walsh
Cummins	James	Oliver	Weeks
Curtis	Kern	Overman	Williams
Dillingham	Lea, Tenn.	Owen	
Fall	Lee, Md.	Penrose	
Gallinger	Lewis	Phelan	

So Mr. THOMAS's amendment to the amendment was rejected.

Mr. TAGGART. Mr. President, on Monday when I was discussing the same item, on page 57, I made a motion which was deferred by request of the Senator from Oklahoma [Mr. GORE]. The amendment offered by the Senator from Colorado [Mr. THOMAS] was virtually of the same character as mine, except that he proposed to add certain words to the section. The amendment I offered was to strike out all on page 57, beginning at line 1 and including line 22. I therefore renew my motion to amend.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Indiana to strike out, on page 57, from line 1 to line 22, inclusive.

The amendment to the amendment was rejected.

The amendment was agreed to.

Mr. LODGE. I desire to offer an amendment, to which I think the chairman has no objection. It will take only a moment. I offer it in behalf of the Senator from New Hampshire [Mr. GALLINGER]. It proposes to reappropriate money already appropriated in regard to the white-pine blister rust. It is to come in on page 20, after line 5. It makes no addition to the appropriation. It simply reappropriates the money left over in the appropriation of the urgent deficiency bill.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 20, after line 5, insert:

The unexpended balance of the appropriation of $20,000 for the emergency caused by the infectious nature and continued spread of the destructive disease of pine trees known as the white-pine blister rust, by conducting such investigations of the nature and means of communication of the disease and by applying such methods of eradication or control of the disease as in the judgment of the Secretary of Agriculture may be necessary, made in the further urgent deficiency act approved February 28, 1916, is hereby reappropriated and made available for the same purpose for the fiscal year 1917.

The amendment was agreed to.

Mr. SMITH of South Carolina. Mr. President, I send to the desk an amendment, which I should like to have read, and then I wish to explain the purpose of it.

The PRESIDING OFFICER. The amendment will be read.

The SECRETARY. Add, as a new clause, between lines 11 and 12, on page 87, the following:

The parties to any contract for the purchase of cotton for future delivery, under the provisions of this act, shall have the option to mutually stipulate at the time of entering into such contract that in the settlement of differences as to price or value of grades other than basis grade mentioned therein shall be ascertained and adjusted in accordance with the following provision and not in accordance with section 6 of this act. In such case the contract shall specifically provide in its terms as follows: That in case cotton of grade or grades other than the basis grade specified in a contract shall be tendered in performance of the obligation thereof, and the parties to such contract shall not agree as to the price of the substituted grade or grades so tendered, then, and in that event, the buyer of said contract shall have the right to demand the specific fulfillment of such contract by the actual delivery of the basis grade named therein and at the price specified for such basis grade in said contract.

Mr. SMITH of South Carolina. Mr. President, that does not interfere with the present law at all. It simply adds a section or proviso that in case anybody does not desire to enter into a contract as specified now in the bill he shall have the option to take this form of contract. The bill provides for a tax on all forms of contracts that do not conform to one specific form, and that is that when a party buys a contract for, say, 100 bales of cotton for future delivery, and the time of settlement comes and other grades are tendered, then if the parties to the contract can not agree on a price they go before a board of arbitration here in Washington.

I have introduced a clause in order that the buyer and seller may have the option of taking what the bill now contains, or what I am introducing. Under the clause I am introducing, it reverses the old order in that it gives the buyer the right to say whether or not he shall accept other grades in settlement of his contract than the basis grade upon which the contract is made; and in case the parties to the contract may not agree as to the grade or the price of the grades, other than the basis grade, then the buyer shall have the right to demand the basis grade in settlement and at the price agreed upon. This necessarily, in the language of the exchange, gives the bulls an equal showing with the bears, and makes it impossible for those who wish to depress the market to sell it indefinitely; and makes it impossible for the sellers to offer any grade they see fit in settlement of their contract. In the other provision of the bill in event this is done and the buyers object, then the court of arbitration in Washington must settle the affair. This provision I am offering leaves the parties to the contract to understand fully and settle all of the questions at the making of the contract.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from South Carolina.

The amendment was agreed to.

Mr. ASHURST. On page 15, after line 24, I move to insert what I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 15, after line 24, insert:

For the elimination and eradication of the purple loco weed, the white loco weed, and other poisonous leguminous weeds, in Arizona, Colorado, Kansas, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Utah, and Wyoming, $100,000.

Mr. POINDEXTER. I should like to have the Senator modify his amendment by inserting the State of Washington.

Mr. ASHURST. By recurring to my data here I ascertain that there is considerable loco weed of both the white and purple variety in Washington. I accept the Senator's suggestion.

Mr. POINDEXTER. I move to insert the word "Washington."

Mr. ASHURST. I accept that amendment.

The SECRETARY. After the word "Utah," in the last line of the amendment, insert the word "Washington," so as to read:

Utah, Washington, and Wyoming.

The amendment to the amendment was agreed to.

Mr. JOHNSON of South Dakota. Mr. President, I have a telegram which I have just received relating to part B of the bill, which I desire to have read and made a part of the RECORD.

The PRESIDING OFFICER. Does the Senator desire to have the telegram read at this time?

Mr. JOHNSON of South Dakota. At any convenient time.

Mr. ASHURST. I yield for that purpose.

The PRESIDING OFFICER. The Secretary will read the telegram.

The Secretary read as follows:

HENRY, S. DAK., *July 5, 1916.*

EDWIN JOHNSON,
Senator, Washington, D. C.:

South Dakota farmers, elevator stockholders, numbering 50,000, ask for Federal control of grain grading, and ask our Senators to support pending legislation to that end.

J. T. BELK,
Secretary Farmers' Cooperative Association of South Dakota.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Arizona [Mr. ASHURST].

Mr. ASHURST. Mr. President, I shall trespass but briefly upon the time and patience of the Senate. It will be observed that I have offered an amendment proposing to appropriate $100,000 for the elimination of the white and the purple loco weed and other poisonous leguminous or pod plants in various Western States.

THE LOCO-WEED DISEASE.

Mr. President, the word "loco" is of Spanish origin, meaning crazy, and has been applied for years to a disease common among horses, cattle, and sheep in the West. The Federal Government first gave attention to this disease in 1873, and the descriptions of the symptoms of locoed animals in the reports of the Department of Agriculture are among the best written.

The losses of horses, especially in parts of Texas, have at times been very large, while in some localities in Arizona, Colorado, Nebraska, and Kansas it has been found impossible to run horses freely upon the range because of the large number that die from this disease. The losses of cattle have been heavier, perhaps, in Colorado than in any other State, while the losses from locoed sheep have occurred more frequently in the States farther north, especially in Montana.

LOCO PLANTS.

A large number of plants have been called by the name "loco weeds," most of those which are suspected of being poisonous belonging to the botanical family Leguminosæ.

THE PURPLE LOCO WEED.

The purple "loco" or the "woolly loco," sometimes known as the "Texas loco" or the "true loco," is the plant that in the past has been considered as the cause of loco poisoning. This is sometimes known as the "stemmed loco plant," because it has true stems, while the white loco weed is stemless. The former—that is, the purple—is a perennial plant growing in patches on adobe soil, in depressions rather than in elevated situations. It rarely grows in the abundance which is characteristic of some

of the other so-called "loco plants," but it may cover several acres. Under favorable circumstances where a plant grows for several years it may become, perhaps, a foot in height and possibly 2 feet in diameter. The flowers are a very deep purple and the pods short, black, and thick. The leaflets are ovate or elliptical and very densely covered with hairs, from which the plant gets its common name of "woolly loco." The plant has a decumbent habit—that is, the long branches are inclined to lie rather close to the ground. The purple loco plant is found in Arizona, New Mexico, Texas, Oklahoma, Kansas, Nebraska, and Colorado. In these regions it grows in varying abundance. It blossoms in Colorado about June 1, but farther south—in New Mexico, for instance—blossoms are found early in April.

THE WHITE LOCO WEED.

The white loco plant is distinguished from the purple loco by its long, lanceolate leaves and by the general habit of the plant, which is erect rather than decumbent. It has no true stem, and on this account is sometimes called the "stemless loco." The flowers are ordinarily on long flower stems and commonly are white in the plains regions, although there is considerable variation in their color. Purple flowers are not uncommon. In the mountain regions the white loco ordinarily has very deeply colored flowers—deep shades of violet and purple. It blossoms earlier than the purple loco. The pods of the white loco weed are slender and filled with seeds, which, when the pods dry, rattle as a person passes through a patch of the plants, making a sound which closely resembles the warning of a rattlesnake. In this plant, as in the purple loco, there is an extremely long root, growing down from 3 to 6 feet.

The white loco is found much more widely distributed than the purple loco, extending from the northern to the southern border of the United States, as far east as central Minnesota, and as far west as western Utah and Arizona. It grows largely on elevations and on sandy soil, and in some places in very great abundance.

OTHER LOCO WEEDS.

The experimental work in the field and in the pharmacological laboratory of the Bureau of Plant Industry has been largely upon the two species known as the purple loco and the white loco. These are the weeds which produce the disease from Montana to northern New Mexico and Arizona, and in western Texas. In parts of New Mexico, Arizona, and California there are found great numbers of locoed animals in localities where neither of these two species grows. Other leguminous plants in these States are known as loco weeds and it has been proved that some of them are poisonous, and the symptoms of locoed animals and the pathological findings are similar to those produced by the white and purple plants.

POISONING BY LOCO PLANTS.

The field work carried on by the Bureau of Plant Industry has demonstrated that horses, cattle, and sheep in the field may be poisoned by feeding upon the white or the purple plants. The majority of horses do not take readily to the purple plant, except as they are induced in the first place to eat some of it because of short feed. It has been demonstrated that the so-called loco disease of the West is not simply a matter of starvation, as has been supposed by some, and it has also been ascertained that when other food is abundant very few horses will eat loco. When, however, because of shortness of grass a horse is induced to begin eating loco, it is very likely to contract a habit which leads to continual feeding upon the weed, with eventually fatal results.

In regard to the white loco weed the experiments of the department show very clearly that horses, cattle, and sheep will eat this plant with great readiness, particularly if they come across it when the grass is somewhat scarce. Both the white and the purple loco weeds are green during the winter, when all grass is dry and brown. Moreover, they are prominent plants, which induces an animal to try them, and because of their succulent character and pleasant taste it may continue to eat them. Not only horses, but cattle and sheep will eat the white loco weed, and sometimes even with great avidity. Many animals will eat this weed even when grass is abundant, but it is more common for the habit to be contracted during the autumn, winter, and spring when there is a scarcity of green grass. Both horses and cattle will eat the white loco weed readily, but perhaps cattle take to it more readily than horses. During the spring months, before the grass starts, where the white loco weed is abundant practically all animals eat more or less of it. As the grass becomes more abundant many of these leave the loco weeds and devote themselves entirely to grass. Animals as a rule acquire a taste for the plant and an appetite which is not easily overcome, and will continue to eat the loco weed even where there is an abundance of other feed. Some cattle and horses acquire a habit which leads them to eat the loco plant almost exclusively, and such animals will die within a few months or, in some cases, even within a few weeks.

Sheep also are poisoned in much the same way as horses and cattle. The effect of the poisoning seems to be peculiarly noticeable on lambs. Frequently lambs will die within two weeks of the time when they commence to eat this weed, and without any marked loss of flesh.

SYMPTOMS OF POISONING IN HORSES.

The first symptom of loco poisoning in horses is often a change in the general condition of the animal. If high-spirited the animal becomes heavy and dull. Following this, irregularities in its gaits and in its manner of feeding appear. The irregularities in the gait may be due partly to weakness and simulate a paralytic affection. The horse drags its hind legs. Associated with this paralytic condition is an apparent loss of muscular coordination.

In stepping over a slight obstruction the horse lifts its feet unnecessarily high, or in going over a rut in a road it may leap as if jumping over a ditch. As the disease progresses the animal becomes solitary in its habit and seems to lose very largely its nervous sensibility. If one approaches a locoed horse, the horse does not notice the person until he is within a few feet, when it may suddenly rear up and perhaps fall over backward. When it drinks or when it eats there is a peculiar stiff motion of the jaws, showing a lack of control of the muscles. If a locoed horse is used either in riding or driving, this lack of muscular coordination may make it extremely dangerous, as such a horse shies violently at imaginary objects, can not readily be led or backed, and if started in motion is inclined to go in an automatic fashion at the same gait until stopped by some obstruction. In the later stages of the disease the animal loses flesh, its coat becomes rough, and eventually it dies.

SYMPTOMS OF POISONING IN CATTLE.

The symptoms of locoed cattle are very similar to those of locoed horses, the differences being only such as would be expected from the different character of the nervous organization of the animals. There is the same lack of muscular coordination, and while a steer is not apt to fall over backward, it will start and tremble and perhaps rear and jump backward when suddenly alarmed. A badly locoed steer shows a violently shaking head, particularly after it has become heated. Ordinarily a locoed steer is dull, but under some conditions it may become frantic and will run amuck. It is commonly said by stockmen that it is impossible to drive a locoed steer, because it is just as likely to run into the driver as in the opposite direction.

Locoed cattle gradually lose flesh, have staring eyes and rough coats, go to water less and less frequently, and eventually die of starvation.

SYMPTOMS OF POISONING IN SHEEP.

The symptoms of poisoning in sheep are not so marked as those in horses and cattle. The lack of muscular coordination is not so noticeable, but still exists. Locoed sheep show perhaps more clearly the weakness which goes with the disease, as they stumble and fall, and rise again only with great difficulty. The symptoms of loco poisoning in sheep resemble the symptoms caused by "grub in the head," and it is at times difficult to distinguish between sheep affected by this grub and those that are poisoned by loco weeds.

POST-MORTEM APPEARANCES.

The post-mortem examinations of locoed animals do not in all cases show clearly marked evidence of the progress of the disease. Since in all cases of fatal poisoning the locoed animals die of starvation, they are anemic, as would be expected, and, as a result of this anemia, accumulations of coagulated serum in a gelatinous form are found in various parts of the body. These accumulations are particularly prominent about the heart. There is also an accumulation of coagulated serum in the cavity of the spinal column. This is almost always present in cases where the loco poisoning has been a chronic condition. The nervous system is more fully supplied with blood than is the case with an animal in normal condition. This, however, is not a very pronounced feature, and the blood clots which are occasionally found in the brain are not so evident as would be expected from the accounts published in the literature upon loco poisoning. The poisonous substance (barium) in the loco plants produces an irritant effect upon the stomach and intestines, and in the large number of locoed animals this results in an inflamed condition of the walls of the stomach.

TREATMENT OF LOCOED ANIMALS.

A bulletin issued in 1909 by the Department of Agriculture says that experiments with substances which would be logical antidotes for loco poisoning have been disappointing, and at the present stage of the investigation there seems to be no reason

for hoping that a practical antidote can be found; hence we must resort to destruction of the loco weed.

DESTRUCTION OF LOCO WEEDS.

There is a common but mistaken belief among some stockmen of the regions infested with loco weed that in order to destroy the loco plants it is necessary to dig up the whole root, so that it has seemed to them almost impossible to clear a field infested with loco, even though the field is of comparatively limited extent. This impression in regard to the necessity of digging the whole root is ill founded. If either the purple or the white loco weed is cut off below the crown of buds, the plant is usually killed. There is not much danger of sprouts from the roots. The seeds of these loco plants live for a term of years and do not all germinate the season following their growth. Consequently in any field infested with loco there will be a continuous crop of plants, as these seeds under favorable circumstances germinate.

The impression that plants grow from the cut roots probably originated in the fact that seedlings are continually coming up in the immediate vicinity of a parent plant. The seeds of the purple and of the white loco weeds are not provided with any special means of dispersal by the winds. Ordinarily they fall near the parent plant and grow in that locality. Of course, the winds which move the dust of the surface will carry the seeds from one place to another, but under ordinary circumstances they are not dispersed for any considerable distance.

It follows that to cut out the loco weeds in pastures is a comparatively easy matter. A man with a spade can destroy the plants with great rapidity. A few days' work will accomplish very much. Because of the seeds which germinate later, it is necessary for this work to be done two or three times during a season, and it is also necessary that it be repeated during succeeding seasons.

From certain experiments carried on in Colorado it has been proved that it is possible to eliminate entirely all these poisonous plants, and in western Kansas, in Nebraska, and Colorado the growth of the purple loco weed has been diminished to a large extent by the larva of a moth well known to entomologists. There is a paucity of information concerning this subject, but I have been able to glean these details from a perusal of the various bulletins issued by the Department of Agriculture, as well as from personal observations I have made and the experience I have had as a stockman in the West. I am advised by the secretary of the live stock sanitary board of the State of Arizona that the losses to the live-stock industry in Arizona aggregate about $100,000 each year.

I ask unanimous consent at this junction to incorporate as an appendix to my remarks a letter from Mr. M. E. Bemis, editor of the Southwestern Stockman-Farmer, of Arizona, addressed to Hon. Dwight B. Heard, chairman of the American National Live Stock Association, which letter contains excerpts from the reports of live-stock inspectors throughout the State of Arizona.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

THE SOUTHWESTERN STOCKMAN-FARMER,
Phoenix, Ariz., June 3, 1916.

Hon. DWIGHT B. HEARD,
Phoenix, Ariz.

DEAR MR. HEARD: With regard to the loco situation, I am prepared to report in part. No doubt will hear from other districts later, and will be glad to advise you of any further information received.

From the following districts I have reports of "no loco": Buckeye, Maricopa County, district No. 1; Casa Grande, Pinal County, district No. 21; Gila Bend, Maricopa County, district No. 1; Ray, Pinal County, district No. 21; Ash Fork, Yavapai County, district No. 6; Albuquerque, eastern part of Apache County, district No. 2; Bouse, Yuma County, district No. 40; Lowell, Cochise County, district No. 23; Norton, Maricopa County, district No. 18; Show Low, Navajo County, district No. 2; Prescott, Yavapai County, district No. 7; Chloride, Mohave County, district No. 5.

Clarkdale, Yavapai County, district No. 9, reports: "Loss very light; exact number not known, but very few. Good feed; consequently, loss very small."—Joe Cook.

Nogales, Santa Cruz County, district No. 26: "Number of horses and cattle lost this season from loco about 100. There has been practically no loss since the three-year siege of it which occurred several years ago until this year."—Harry Saxon.

Ajo, Pima County, district No. 1: "Loss this season, one horse, no cattle."—H. W. Brady.

Winslow, Navajo County, district No. 2: "Some loss from loco. I think the loss has been greater this year than common on some parts of the range."—J. N. Pemberton.

Winkleman, Gila County, district No. 21: "Estimated loss, about 200. I think the loss has been greater this year than common."—J. McKinney.

Tucson, Pima County, district No. 19: "No cattle lost. Horses lost, 80. Loss has been greater this season than common."—Rye Miles.

Navajo, Apache County, district No. 2: "Exact number of cattle and horses lost from loco not known, but it is worse than ever known before on Little Colorado River, north and south from river."—F. V. Barber.

Holbrook, Navajo County, district No. 2: "No way of estimating loss, but the loss has been greater this year than common."—Lew H. Mickey.

Clifton, Greenlee County, district No. 29: "A few horses have been lost from something same symptoms of loco. No way of estimating number actually lost."—T. N. Miller.

Springerville, Apache County, districts Nos. 30–37: "Actual number of cattle and horses lost from loco not known, but would judge that 150 head would cover the loss from loco alone. It is thought that more cattle have been affected this year than usual. Loco weed has been more abundant this spring than for some years, but as its season is principally in March and April it doesn't do as much damage as if stock grazed on it the whole year around. It has nearly all matured and gone to seed by the 1st of May and become tough, so that stock eat less of it. Cattle and horses do not die immediately from its effects, but they are weakened so as to be likely to bog. There is always considerable loss here from bogging in the spring, and it is my opinion that it is largely cattle that have become weakened from loco. There are only certain sections of the country where the loco is very abundant, but it is generally places where the stock have to graze during winter and spring. While more cattle have been affected this spring, it is not believed that the loss has been any heavier, as the spring has been milder, with less wet and cold and less chance to bog."—D. B. Rudd.

A casual reading of the above report might indicate that the loss from loco is not particularly serious, but when it is taken into consideration that over a considerable territory the loss is reported as heavy, not possible to estimate it, it is not unreasonable to suppose that it would amount to probably several thousand head of stock, representing a considerable monetary loss. I shall comment further within a few weeks, when I publish the data collected.

My own opinion, which may not be of much value, is that the United States Department of Agriculture might be induced to send an expert botanist and a veterinarian here next season to work together in the localities where the loco is most abundant, and they should be able to gather some information which would enable an appropriation to be made along practical lines looking to the extermination of the weed. A great deal of data has been collected from time to time about the plant, but, so far as I know, there has been no attempt made to study the plant and its effects on animals at the same time. I think this is about all that can be done without more information than it is possible to obtain.

Yours, very truly, M. E. BEMIS.

Mr. CATRON. I wish to offer an amendment to the amendment, to come in after the word "Wyoming" and before "$100,000" and to read as follows:

And ascertaining and prescribing a cure for the disease caused thereby.

Mr. ASHURST. I will accept the amendment to my amendment. Let it be perfected in that way.

The amendment to the amendment was agreed to.

Mr. GORE. I ask that the amendment as amended be read.

The PRESIDING OFFICER. The Secretary will read the amendment as amended.

The Secretary read as follows:

For the elimination and eradication of the purple loco weed, the white loco weed, and other poisonous leguminous weeds, in Arizona, Colorado, Kansas, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Utah, Washington, and Wyoming, and ascertaining and prescribing a cure for the disease caused thereby, $100,000.

Mr. GORE. Mr. President, I desire to say that this amendment was considered by the Committee on Agriculture and Forestry, and after consideration the committee decided not to report it as an amendment to the bill. I therefore feel constrained, as chairman of the committee, to make the point of order against it.

Mr. ASHURST. Will the Senator from Oklahoma withhold his point of order for just a moment?

Mr. GORE. Certainly.

Mr. ASHURST. Mr. President, I desire to say but a few more words on the amendment.

Mr. GORE. I beg the Senator's pardon. I thought he had concluded.

Mr. ASHURST. No; I wish to say a word further.

Mr. President, I appreciate the desire of the Senator from Oklahoma [Mr. GORE] for economy, but, as I pointed out awhile ago, and as I wish, further, to show, 40 per cent of the State of Arizona is within some kind of reserve. I think I can give the exact figures. Yes; 40.28 per cent of the State of Arizona is reserved from sale and settlement; 12,499,485 acres are within national forests. These 12,499,485 acres, or nearly all thereof, are leased to stockmen. Grazing fees are charged. The fees which were paid by the Arizona stockmen alone last year amounted to $152,799, yet the Federal Government, while charging fees amounting to $152,799 per annum, does not expend a dollar in improving the range, in reseeding, in regrassing it, or in taking pains to exterminate these poisonous plants that are deadly to stock that range and feed within the forests. I think in equity and in good conscience where a grazing fee is charged—and it is a high fee—the range, at the least, should be kept by the lessor, by the landlord, or agency charging the fee in such a condition that poisonous and deadly plants may not be scattered in great profusion all over the range. It is a matter of simple equity and justice.

Mr. President, I ask unanimous consent at this point to insert in the RECORD a copy of a letter from the Commissioner of the General Land Office, showing how much of the State of Arizona is reserved, for what purposes it is reserved, and

also showing the portion of the State which is withheld from the people.

The PRESIDING OFFICER. It is so ordered, in the absence of objection.

The letter referred to is as follows:

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., June 5, 1916.

Hon. HENRY F. ASHURST,
United States Senate.

MY DEAR SENATOR: The Secretary of the Interior has referred to me your letter of May 23, 1916, inquiring as to the area of land in Arizona that is in private ownership.

Prior to July 1, 1908, no record, by States, of the areas patented was kept, and for that reason I am unable to give you the exact figures. However, an estimate has been made that up to July 1, 1915, this office had issued patents for lands in Arizona to the extent of approximately 4,775,000 acres.

The various reservations in Arizona are stated as follows:

	Acres.
National forests	12,499,485
Indian reservations	16,424,327
National monuments	835,245
Military reservations	98,452
Total	29,857,509

The area of the national monuments as given above is not exact, for the reason that it has not been determined what areas within the exterior limits of the monuments were in private ownership at the dates of the withdrawals.

The State land department at Phoenix can doubtless advise you as to the area of State lands which has passed into private ownership.

Very respectfully,

CLAY TALLMAN, *Commissioner.*

Forty and twenty-eight one-hundredths per cent reserved from the people.

Mr. ASHURST. I yield the floor, Mr. President.

The PRESIDING OFFICER. Does the Senator from Oklahoma now renew his point of order?

Mr. SMITH of Arizona. Mr. President, before the point of order is insisted upon, I should like an opportunity to try to persuade the chairman of the committee to at least permit this matter to go into conference, for I know the Senator from Oklahoma and other Senators on the floor are conscious of the great danger, because of the presence of the loco weed, to live stock of the Western States, which to some extent supply the markets of the world and very largely the beef and mutton consumed in the United States.

The Government is leasing to the herders, the owners of sheep and cattle, these vast tracts of land in our own State, which have been placed in forest reserves. The Government has spread these forest reserves miles and miles beyond the points where a tree as large as my arm would grow, for the purpose of obtaining revenue from the people to whom they can rent the land. On these very grounds, for which the people are paying the Government as landlord a liberal sum for their use for grazing purposes, the Government is permitting the growth of this weed, or, if not permitting it, at least this dangerous, destructive weed is growing where the cattle and the horses who get to it are certain to be killed.

Some provision ought to be made by the General Government to demonstrate the best possible means of handling this situation. Men within their own ranges are required to fence in their live stock to protect them against this weed. If they fence in their stock they get them in such a condition, owing to lack of feed and water, that they can never be good for market.

This appropriation strikes me as one of the most important things in the bill. I know how easy it is to laugh at such appropriations and to say we are simply making a raid on the Treasury, but it is the Government's function, it is the Government's duty, to do this work, and more especially when, as my colleague has shown by the communication which he has sent to the desk, the Government is using in reserves more than half of the great State of Arizona; when every bit of the forest and most of the good grazing land—every particle of land that is worth anything for the purpose of raising revenue for the support of the State government—the Government of the United States itself holds; and yet it expects us to run our State on the profits from cattle that are poisoned by these Government weeds.

Mr. ASHURST. And the Government charges grazing fees besides.

Mr. SMITH of Arizona. Yes; and they expect us to run our State on the railroads that happen to run through it and on the taxes levied on the homes of our citizens. We are expected to police that whole State, which is almost as large as Ohio, Indiana, and Illinois combined, and yet the Government has taken all our resources. I think I am entirely within the facts when I state that nine-tenths of the present available land in the State of Arizona is held by the Government in reserve; in other words, the Government holds the unoccupied land in that State within the reservations, which cover nine-tenths of the land which is available for any use in the State, except great bodies of it which are available for scant grazing.

In that aspect of the case, in that attitude, and with the object of this Agricultural appropriation bill being to give some recognition to the agricultural interests of this great country, and considering those great plains which the Government still claims to own and which it holds, I think this appropriation at least ought to be allowed for an investigation of the subject. The injury from this poisonous weed is certain to come back not only to the people who are trying to raise stock, but also to the people who feed on the beef after it is made ready for the market.

Mr. ASHURST. Mr. President, if my colleague will yield for just a moment, I desire to say that I have here the latest Farmers' Bulletin on this subject, dated June 2, 1916. That bulletin discusses the prevention of the losses of live stock from plant poisoning. On page 1 it says, inter alia:

Loco losses—

That is, losses of live stock from this poisonous loco weed—

Loco losses of from 5 to 50 per cent are not at all unusual.

Mr. SMITH of Arizona. Mr. President, I have nothing further to say, except that I trust I have dissuaded the chairman of the committee from making the point of order against this amendment.

Mr. CATRON. Mr. President, I hope the Senator from Oklahoma [Mr. GORE] will not raise the point of order against this amendment. This bill has made provision for the destruction of predatory animals. The cause for the destruction of those animals is mainly for the reason that they destroy our live stock. The loco weed in localities where it prevails kills fifty times more live stock than do all the predatory animals. Last May I went out to a ranch in New Mexico, where the owner of it had 32 head of horses. They had got on to the loco weed that prevailed during that season in that locality and that had not been there before. Thirty of those horses had died when I was there; one of the other two was being doctored and was expected to die, as did probably the other.

This weed is absolutely destructive of animal life. A cure or a remedy for it has not yet been discovered. The Government should do something to enable us to obtain a cure or a remedy for it. If the expenditure of this $100,000 should result in finding a cure, it would be the cheapest expenditure that has been made under any of the Agricultural appropriation bills, especially to preserve the farmer or the stock raiser or the rancher in his rights and interests, so far as he has them there to preserve. It seems to me that this proposition has more merit than has any other single item in the entire bill, the intention of which is to preserve live stock and animals.

Mr. GORE. Mr. President, I appreciate the force and I appreciate the equity of the argument on the part of Senators in behalf of the pending amendment. It is pretty hard to answer the argument that the landlord ought to render his pastures harmless. The landlord either ought to do that or else he ought to allow for this poisonous weed in fixing the rental value of the property. I assume that that is taken into account when the rental rates are agreed upon.

I also appreciate the analogy between the pending amendment and the amendment in relation to predatory animals. Indeed one of the arguments urged against making the appropriation for the extermination of predatory animals was that it would constitute a precedent that would be appealed to for the jusification of other amendments due to some similar cause. There are, however, points of difference between the amendment and the object which it seeks to accomplish and the appropriation for the extermination of predatory animals.

I suppose the weeds have not the facility of locomotion, yet I know that this is a problem which must sooner or later be encountered by and combated by the Government. Something must be done, if anything can be done, to rescue that region from the presence and the prevalence of this pest.

My own judgment is that the first thing to be done would be to make a general survey of the situation and of the problem, so as to determine whether or not there is a practical solution. For my own part, I doubt it. The members of the committee observed that it would cost several hundred millions of dollars to consummate the object proposed by the pending amendment.

I will say to Senators, however—and they will appreciate my situation—that, in view of the fact that the committee itself considered the amendment and decided adversely upon it, I do not feel free to withhold a point of order against it, much as I regret to insist upon it.

Mr. ASHURST. If the Senator will pardon me, I want to return my thanks for the sympathetic interest that the chairman of the committee [Mr. GORE] exhibited, and which the other members of the committee exhibited, when I presented this matter to the committee. I tender them my thanks; but I fear that the distinguished chairman does not quite appreciate the amount of the losses that come to the live-stock business each year through the loco weed.

I say, again, we are all anxious to lower the price of beef. That can not be done by statute law. We can only do it by increasing the number of cattle, and, under existing conditions, the losses are so great, not only among cattle, but among horses, that it seems to me it is a wise and salutary thing to eliminate and to eradicate these poisonous weeds that occasion such enormous losses.

The PRESIDING OFFICER. The Chair desires to inquire of the Senator from Arizona [Mr. ASHURST] if this appropriation has been estimated for or been reported from any standing committee of the Senate?

Mr. GORE. Mr. President, I did not state at the time I made the point of order the ground on which I did so. I make the point of order against the amendment because the proposed appropriation has not been estimated for.

The PRESIDING OFFICER. Has it been favorably reported from a standing committee of the Senate?

Mr. CLARKE of Arkansas. Mr. President, it is the constant practice in the Senate for the Presiding Officer to submit meritorious propositions, technically subject to a point of order, to the Senate, and the questions thus submitted are habitually disposed of on the merits of the matter involved rather than on the technical question of order. The rule which authorizes the Chair to decide points of order is not absolute, nor is it necessary that the Chair shall be in doubt what decision to give before he can submit the question to the Senate under subdivision 2 of Rule XX. This is an absolute discretion that is vested in the Chair. I have known numerous instances where many such questions were submitted to the Senate when it was perfectly obvious that had a ruling been made by the Chair it would have been to exclude the item involved. This provision of our rules was adopted for the express purpose of meeting the underlying equity of just such cases as this.

Mr. CATRON. I was going to ask that the question be submitted to the Senate.

The PRESIDING OFFICER. The Chair, of course, is perfectly willing to submit the question to the Senate; and, if there is a call for a quorum, so that there may be a quorum present, the Chair will submit it to the Senate.

Mr. CLAPP. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	Overman	Smith, S. C.
Borah	Gallinger	Page	Smoot
Brady	Gore	Phelan	Sterling
Broussard	Gronna	Poindexter	Stone
Catron	Husting	Pomerene	Sutherland
Chamberlain	Johnson, Me.	Ransdell	Thomas
Chilton	Jones	Reed	Tillman
Clapp	Kenyon	Saulsbury	Townsend
Clark, Wyo.	La Follette	Shafroth	Underwood
Clarke, Ark.	Lane	Sheppard	Vardaman
Culberson	Lippitt	Sherman	Wadsworth
Cummins	McCumber	Simmons	Warren
Curtis	Martine, N. J.	Smith, Ariz.	Williams
Dillingham	Nelson	Smith, Ga.	
du Pont	Norris	Smith, Md.	

Mr. MARTINE of New Jersey. I rise to announce that the Senator from Montana [Mr. MYERS] is detained at home by illness and that the Senator from Kentucky [Mr. JAMES] is absent on public business.

Mr. HUSTING. I wish to announce that the Senator from South Dakota [Mr. JOHNSON] is absent on official business.

The PRESIDING OFFICER. Fifty-eight Senators have answered to their names. A quorum is present.

Mr. ASHURST. Mr. President, if the Chair will pardon me, I wish to make a very brief additional statement. I have tendered an amendment providing for an appropriation of $100,000 for the purpose of eliminating the white, purple, and other loco weeds from the grazing lands of the West. I think it is unnecessary to say anything further as to the deleterious effect of the loco weed upon the live stock of the West. I have just presented and had read a part of the last Farmers' Bulletin, showing that the losses because of the loco weed are from 5 to 50 per cent among the cattle and the other live stock of the West. To this amendment which I have tendered the Senator from Oklahoma [Mr. GORE], the chairman of the committee, has interposed a point of order.

Mr. CATRON. Mr. President, if the Senator will allow me, he has not referred to the amendment to the amendment presented by me, which I think is much more important than the original amendment.

Mr. ASHURST. I think so myself. The Senator from New Mexico [Mr. CATRON] has tendered what I conceive to be a more important amendment than the one I have tendered, which, in effect, is that out of this fund proposed to be appropriated for eliminating the loco weed a method shall be ascertained of treating and curing the disease caused by live stock eating the loco weed. I think that is the most important part of the amendment. To this amendment as modified the Senator from Oklahoma has interposed a point of order. Upon request the Chair has very kindly consented to let the Senate determine the point of order. That is the question before the Senate.

The PRESIDING OFFICER. The Chair will state the question as the Chair understands it. The Senator from Arizona [Mr. ASHURST] submitted an amendment, which the Secretary will read.

The SECRETARY. On page 15, line 24, after the amendment already agreed to, it is proposed to insert:

For the elimination and eradication of the purple loco weed, the white loco weed, and other poisonous leguminous weeds, in Arizona, Colorado, Kansas, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Utah, Washington, and Wyoming, and ascertaining and prescribing a cure for the disease caused thereby, $100,000.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. The Chair desires to state the question. The Senator from Oklahoma [Mr. GORE] has made the point of order that this proposed appropriation has not been estimated for nor reported favorably by any standing committee of the Senate. The Chair was ready to rule that the point of order was well taken. Upon the suggestion of the President pro tempore of the Senate, that the matter might very properly be left to the Senate, the Chair, exercising that privilege, which has frequently been heretofore exercised, has deferred to that request and sentiment of the President pro tempore of the Senate. So the question is now submitted to the Senate, as it can be done under the rules, Is the amendment in order? Those believing it is will answer "aye" and those opposed "no."

Mr. SMOOT. Mr. President, just a question for information. Is there any question about an estimate not having been made for this item?

The PRESIDING OFFICER. The Chair understands there is no question about it.

Mr. SMOOT. There was no estimate made?

The PRESIDING OFFICER. No estimate was made.

Mr. CLARKE of Arkansas. Mr. President, under the almost universal practice in connection with the submission of such a question as the Chair has at this time submitted to the Senate, it is the sole province of the Senate to determine whether or not it wants that particular item on the bill. Under the prevailing practice, neither the inquiry nor the decision is directed to the narrow issue as to whether or not the provision is in order, as against a decision by the Chair. When submitted the Senate has the opportunity to express its determination whether or not it wants the item on the bill. That is the well-nigh uniform practice. The matter is not submitted because the Chair is in any doubt about how it should decide it, in the event he should decide. The rule does not require him to have any doubt about it. It is an independent right which the Chair possesses to turn over to the decision of the Senate a question that would otherwise go out on a technicality. It sustains the same relation to our code of rules as a court of equity does to a code of laws. On rare occasions there are exceptions, the merits of which are so obvious that it is thought best to leave to the sound judgment of the Senate the question as to whether or not the rule should be overlooked.

Mr. SMOOT. Mr. President, as I understand, the point of order is that the item has not been estimated for, and that it has not been reported by a standing committee of the Senate.

Mr. GORE. Yes, sir.

Mr. SMOOT. If that be true, the question then is as to whether the point of order is well taken; and, much as I should like the item to go into the bill, I shall certainly feel compelled to vote that the point of order is well taken.

The PRESIDING OFFICER. The question, as the Chair understands, is whether the amendment is in order.

Mr. CLARKE of Arkansas. That is nominally the form in which the question is submitted; but the question is really whether the Senate wants the amendment on the bill.

The PRESIDING OFFICER. The question is, Is the amendment in order?

Mr. SMITH of Georgia. Mr. President, I have great confidence in any opinion expressed by the Senator from Arkansas [Mr. CLARKE], and I usually lean on his opinions to find the correct construction of the rules; but in this instance it seems most clearly to me that the Senator has suggested a plan of abandoning the rules of the Senate, and I can not follow him.

A point of order is made that this amendment under the rules can not be submitted to the Senate now. Why? Because the rules say that an amendment increasing an appropriation on a general appropriation bill can not be submitted from the floor unless it has been prior to that time estimated for by the proper department of the Government or reported favorably by some committee of the Senate authorized to consider it. It must be reported favorably by the committee in charge of the general bill or by some other committee authorized to consider the subject, or it must be estimated for by the department under the rule. That is the specific language of the rule, as I understand.

The PRESIDING OFFICER. The Chair understands the question is not debatable.

Mr. VARDAMAN and Mr. FLETCHER. Question!

The PRESIDING OFFICER. Senators who believe the amendment is in order will say "aye"; those opposed will say "no." [Putting the question.] The noes have it, and the amendment is declared to be not in order.

Mr. FLETCHER. Mr. President——

Mr. ASHURST. Mr. President, I have another amendment, if the Senator will pardon me for just a moment. On page 15, line 24, after the word "cholera," I move the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 15, after the amendment already agreed to, it is proposed to insert:

Provided, That no grazing fees shall be levied or collected for grazing live stock on any national forest infested with loco weeds.

Mr. ASHURST. Mr. President, I shall not take up the time of the Senate, except to say that on the national forests heavy fees are charged for the live stock grazed thereon. It seems to me but just, equitable, and proper that the Government should not charge grazing fees for live stock upon a national forest which is so thoroughly infested with loco weed as to poison and destroy large numbers of the cattle, sheep, and horses which graze thereon. So I propose an amendment providing that no fees shall be charged for the grazing of live stock in the forests where the forest is infested with loco weed.

Mr. GORE. Mr. President, I should like to say to the Senator from Arizona that if he will modify his amendment so as to provide that the Government shall not lease lands infested with loco at all perhaps that will eliminate any objection to the amendment. Now, I am willing to protect the cattlemen in their right not to lease loco-infested lands, but I would hesitate to embark upon this policy in so precipitate a way, and I therefore feel obliged to interpose a point of order.

Mr. SHAFROTH. Mr. President——

Mr. GORE. I will first yield to the Senator from Colorado.

Mr. SHAFROTH. The Senator does not understand exactly the way the Government leases the land. The Government does not lease tracts of land to cattlemen.

Mr. GORE. It charges fees.

Mr. SHAFROTH. It makes a charge of so much per head. Consequently it is not a leasing of the land at all.

Mr. GORE. Yes; I understand. It is a system of fees—so much per head.

Mr. SHAFROTH. I should like to see the provision of the Senator from Arizona get in, if possible, because I think it is an outrage to hold out to the world that you have grazing lands there and then have them sprinkled through with a weed that will, as the Senator says, destroy 50 per cent of the number of cattle that graze thereon. It seems to me that ought to be very stringently objected to, and I had hoped that his $100,000 appropriation would go through.

The PRESIDING OFFICER. What is the point of order made by the Senator from Oklahoma?

Mr. GORE. That it is general legislation.

The PRESIDING OFFICER. The point of order is sustained.

Mr. FLETCHER. Mr. President, I offer an amendment which I will ask the Secretary to read.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. After line 7, on page 127, it is proposed to insert:

The unexpended balance on June 30, 1916, remaining to the credit of the appropriation authorized in the Agricultural appropriation acts approved March 4, 1913 and 1915, for the expenses of a commission to investigate and report to Congress on European cooperative land-mortgage banks and rural-credit unions, is hereby appropriated and made available for the fiscal year 1917 for the purposes set forth in said acts, to be paid out on the audit and order of the chairman of said commission; and such audit and order shall be conclusive and binding upon all departments as to the correctness of the accounts of such commission under this appropriation.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Florida. [Putting the question.] The Chair is unable to decide.

Mr. FLETCHER. Mr. President, perhaps before the vote is announced I may be allowed to say that I am offering this amendment to the bill in pursuance of a resolution passed by the United States Commission, composed, as Senators know, of seven members. A similar amendment was introduced and adopted at the last session and went on the bill at that time. There is a small unexpended balance to the credit of that commission. Its work has not been absolutely completed. We submitted the other day, and there is printed in the RECORD, a supplementary report on this subject of rural credits.

In my judgment, the farm-loan bill, which has passed both Houses, will take care especially of long-term credit, which will meet the needs of agriculture in this country. At the same time the question of personal credit is still open, and is a very important one. There are certain people engaged in agriculture who will be unable to avail themselves of the provisions of that bill. This commission has been authorized to pursue the study of this measure, and it is just a question of whether or not it is desirable to continue that work.

I have no preference in the matter, so far as I am concerned, and I am offering the amendment at the instance of the commission. The committees of Congress are studying the question and will, perhaps, have something further to report on it later. The commission, I think, has done very important work and is still able to do more work in that connection, but if it is desired that the commission shall retire and go out of this work entirely I have no request to make about it.

The PRESIDING OFFICER. The Chair was inclined to believe that the "noes" had it.

Mr. FLETCHER. I ask for a division, Mr. President.

Mr. VARDAMAN. I will ask that the amendment be stated. I was out of the Chamber when it was read. What is it?

The Secretary again stated the amendment.

Mr. SHAFROTH. That amount is how much, may I ask the Senator?

Mr. FLETCHER. It merely continues this commission until June 30 of next year. The balance on hand, I think, is some thirteen or fourteen hundred dollars.

The PRESIDING OFFICER. Those in favor of the amendment will rise. [A pause.] Those opposed will rise. [A pause.] It is a tie, and the Chair votes "no." The amendment is rejected.

Mr. FLETCHER. Mr. President, I desire to offer another amendment. I am not sure whether this amendment has been estimated for or not. If it has been, it has been done under the general head of expenses in connection with the investigations regarding diseases of plants, I assume. I will say that I do not think it has been specifically estimated for. I will ask to have the amendment read, and only submit one observation on it.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 20, after line 5, and after the amendment already agreed to at that point, it is proposed to insert:

For the investigation of the disease known as phoma rot and other diseases prevalent in and affecting the tomato crop, $10,000.

Mr. FLETCHER. Mr. President, I will say that of course tomatoes are grown in practically every State of the Union. The tomato crop is a very important one. This appears to be a new disease. I know of it because of its development in Florida. One grower, who last year had 500 acres in tomatoes, suffered extremely by reason of this new disease. Our information is that it has affected other crops, and unquestionably it will reach the tomato crop throughout the country. It has not received any attention on the part of the department because, as I say, it is a new disease, but it has just recently been brought to their attention. I am told that under the bill it can not be investigated and studied and anything done about it unless some provision is made for the expenses in connection with it.

Mr. SHAFROTH. Mr. President, does the Senator know the attitude of the department with relation to it?

Mr. FLETCHER. I know they are inclined to do this work. They sympathize with it and are inclined to do it, but the bill as it is now reported does not carry any provision for doing it. It affects a very important crop, the tomato crop.

Mr. SHAFROTH. But how does the disease manifest itself?

Mr. FLETCHER. It is called "phoma rot." I take it that it is in the roots of the plant.

Mr. SHAFROTH. Destroying the plant itself?

Mr FLETCHER. Destroying the plant itself. It is a new disease.

Mr. WADSWORTH. Mr. President, may I ask the Senator from Florida if this item has been estimated for by the department?

Mr. FLETCHER. I say the investigation and study and treatment of this particular disease has not been specifically estimated for. It may be included in the general estimate for the treatment of diseases of plants, I assume.

Mr. WADSWORTH. That is my own impression, that this same work can be done under another item of this bill, and I therefore raise the point of order.

Mr. FLETCHER. I will say to the Senator that it can not be done, because the other provisions of the bill will be devoted to other investigations that are contemplated under it; and this is not one of them, because it is a new disease.

The PRESIDING OFFICER. The Chair will be compelled to sustain the point of order.

Mr. BROUSSARD. Mr. President, I offer an amendment, which I should like to have read at the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 16, after line 9, it is proposed to insert:

That the act of August 30, 1890, entitled "An act providing for an inspection of meats for exportation, prohibiting the importation of adulterated articles of food or drink, and authorizing the President to make proclamation in certain cases, and for other purposes" (26 Stat. L., 414), is hereby amended so as to authorize the Secretary of Agriculture, within his discretion and under such joint regulations as may be prescribed by the Secretary of Agriculture and the Secretary of the Treasury, to permit the admission of tick-infested cattle from Mexico, South and Central America, the islands of the Gulf of Mexico, and the Caribbean Sea into those parts of the United States below the southern cattle-quarantine line at such ports of entry as may be designated by said joint regulations, and also subject to the provisions of sections 7, 8, 9, and 10 of said act of August 30, 1890. That all such cattle, when entered, shall be subject to the regulations governing the handling and transportation of cattle from the districts infected with the southern, Texas, or splenetic fever.

Mr. BROUSSARD. Mr. President, it is not necessary for me to make any extended argument explaining the operation of the law under which cattle are imported into this country. I am fully aware that every Senator here is familiar with the method of procedure; but it is necessary for me briefly to state the facts, in order to point out the necessity for this amendment.

The legislation regarding the importation of cattle into this country is this: The law prohibits the importation of cattle from anywhere into the United States; and then the law provides that if the Secretary of the Treasury and the Secretary of Agriculture should decide that the herds in some country from which application is made to permit the importation of cattle are free from disease, they shall issue a proclamation to that effect, and thereafter, with the proper examination of the particular cattle intended to be imported, the ports of this country are open to the importation of such cattle.

In pursuance of the discretion vested in the two Secretaries under all of the acts of Congress making these provisions, dating back many years, cattle from Canada and from Europe generally have been permitted to be brought into the country through any port at which they were presented, provided that the regulation as to their inspection had been carried out. Cattle from the South, from Mexico, from South America, from Central America, from Cuba, and from Porto Rico, have never been permitted to enter the ports of the United States, because throughout that territory the cattle are infected with ticks that propagate the Texas or splenetic fever. The discretion in the act of 1890, which it is proposed to amend, undoubtedly exists now in the Secretary of the Treasury and the Secretary of Agriculture to open up the ports of the country to the importation of these cattle. There can be no doubt that Congress intended originally to vest that discretion in those two Secretaries, and to permit them to open any port in the country that they saw fit to open, provided the proper regulations were applied and the cattle herds of the country were not endangered by such importations.

The law being such, application not having been made to these Secretaries to open any ports of the country, some years ago, in 1911, when the Agricultural appropriation bill was pending in Congress, an amendment was placed in that appropriation bill opening the ports of Texas to the importation of cattle from Mexico; and since 1911, by virtue of this provision of the appropriation act of 1911, cattle from Mexico have freely entered the ports of Texas south of the quarantine line.

Subsequently, other nations south of the quarantine line applied to receive the same privileges that were accorded to Mexico with regard to the importation of cattle into the State of Texas, and the department submitted the matter to the Department of Justice. The Attorney General ruled that under the treaties between the United States and the Republics of Central America and the Republics of South America, which guaranteed impartial treatment to those countries, or such treatment to those countries as was granted to other countries, no doubt existed in his mind that the permission to import cattle from Mexico into Texas at the same time authorized the importation of cattle into the ports of Texas from every other Republic south of the quarantine line. So that by implication the right to enter these cattle into Texas was extended to every country south of the quarantine line.

The purpose of this amendment is to give to the ports of other States situated south of the quarantine line the same treatment that is now being accorded to the ports of the State of Texas. For instance, New Orleans is very much closer to Central America than are the ports of Texas. Large numbers of vessels ply between Central American countries and New Orleans; and these vessels are not permitted to carry cattle into New Orleans because the department holds that inasmuch as Congress has seen fit to legislate the right to import cattle into Texas, and not to extend that right to Louisiana or to Alabama or to Mississippi, the department is compelled to assume that Congress has taken away from the department that discretion which the law originally had granted the two Secretaries in applying the act of 1890.

The result of that is that cattle can come into Texas freely now under such regulations as the department has enacted regarding their importation, but they can not come into Mobile, they can not come into New Orleans, they can not come into Gulfport, they can not come into any port in Florida, nor in Georgia, nor in Mississippi, nor in Alabama, nor any of the ports in California, lower California being south of the quarantine line. None of the ports located in these various States are permitted to receive any of these cattle.

Mr. VARDAMAN. Mr. President, it seems to me that was evidently a legislative oversight.

Mr. BROUSSARD. No, Mr. President; I do not think it was a legislative oversight. I think it was due to the assiduousness of the Member from Texas in the House who introduced this amendment, and he did not look to any other ports except the port of his own State. I do not think it was an oversight at all.

Mr. VARDAMAN. It might not have been an oversight on his part, but it evidently was upon the part of Congress.

Mr. BROUSSARD. Yes; it was an oversight on the part of Congress in not enacting general legislation instead of enacting legislation made applicable only to the ports of one State, excluding the ports of all other States similarly situated to the ports of that State.

Mr. VARDAMAN. The purpose of my inquiry was to bring out the fact that there is not anything connected with the ports of Louisiana and Mississippi and Alabama and Florida and California which would not give equal protection against the importation of diseased cattle with that which they have in Texas. There is no special reason that the Senator knows anything about why Texas should be given that monopoly, is there?

Mr. BROUSSARD. There was no special reason, and there is no special reason now, why the privilege that now exists as to the ports of Texas should not be extended to the ports of the Senator's State or those of my own State.

Mr. WADSWORTH. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from New York?

Mr. BROUSSARD. Certainly.

Mr. WADSWORTH. Is it the statement of the Senator from Louisiana that the tick-infested cattle from Mexico are now permitted to be brought into the State of Texas?

Mr. BROUSSARD. Oh, yes. They not only are now being permitted to be brought into Texas, but up to recently, some time ago, when the Government of Mexico imposed an export tax of $20 a head on the exportation of cattle, they were coming across the border in great numbers. In three months as many as fifty-odd thousand head crossed over the Rio Grande into Texas, and from Texas they were shipped all over the country.

Mr. WADSWORTH. Mr. President, I want to make my inquiry perfectly clear. I am somewhat familiar with the importations of cattle from Mexico into Texas, but the ones with which I am familiar are not tick-infested cattle. Do I understand the Senator to say that our Federal Government, under an act of Congress, is permitting tick-infested cattle to come into this country?

Mr. BROUSSARD. I do not quite understand what the Senator understands by "tick-infested cattle." If the Senator understands by that expression, as written in the law, that these

cattle have ticks on them—no; they are not permitting that. The word "tick-infested," as written in the amendment and as interpreted at the department, does not mean cattle infected with ticks at the time of their importation, but cattle that have had ticks or that come from tick-infected country and that have been cleaned of the ticks and brought across the border. Such cattle are being brought across the border into Texas.

I may say to the Senator that if he will look into the regulations under which the cattle are brought into Texas from Mexico and from other countries under the provisions of the appropriation bill of 1911 he will find that the department, exercising its discretion with regard to the infection of these cattle, with regard to the ridding of the ticks in case they are infected with ticks, has made provision, and enforced these provisions, as I understand, through the medium of a corps of inspectors on the border, who inspect these cattle and see that they are treated in such a way that when brought across the border they do not endanger the cattle of Texas. As a matter of fact, Mr. President, after these cattle have been brought across the border they fall within the purview of the quarantine law of the country, and they enjoy the same privileges as to shipment everywhere in the West and to the market that are accorded to native cattle that come from Texas in that area, or come from Louisiana, or Arkansas, or any other State where the ticks exist.

It is not the purpose of this amendment to permit the importation into this country of cattle that are infected with ticks or that are infected with the fever. It is the purpose of this amendment to permit the Secretary of Agriculture and the Secretary of the Treasury to exercise that discretion which the act of 1890 placed in them, and which has been taken away from them by their own construction of it, by virtue of the fact that the amendment of 1911 was placed in the appropriation bill of that year; and the purpose of this amendment is to permit the same thing to be done, if desired, with regard to the same cattle coming from the same countries—to permit them to enter the port of New Orleans or the ports of Florida as they now enter the ports of Texas.

This amendment, Mr. President, has the approval of the Secretary of Agriculture. In fact, the bill which I originally introduced was not worded as is the amendment which I have offered. The bill was submitted by the Committee on Agriculture and Forestry to the Secretary of Agriculture, and it has been remodeled in this amendment in order to meet the requirements which the Secretary of Agriculture thought proper to write into the law in order to throw the proper safeguards around native cattle. So it not only meets with the approbation of the Secretary of Agriculture, but it is written by the department itself and submitted to Congress for its consideration.

I have here a letter from the Secretary of Agriculture, addressed to the chairman of the Committee on Agriculture and Forestry of the Senate [Mr. GORE], in which the Secretary strongly urges that this bill be passed, because he says that if these cattle are permitted to enter the ports of Texas there is no reason why they should not be permitted to enter other ports similarly situated with regard to this matter as are the ports of Texas. The bill has been considered; hearings have been given before the Agricultural Committee; and while the committee was not able to report the bill in the regular way, the committee has been polled and the Senator from Oklahoma [Mr. GORE] has made a favorable report on the bill as it appears in the amendment, and that bill is on the calendar, and I trust the Senate will see its way clear to put these other ports on a parity with the ports in the State of Texas.

Mr. SHEPPARD. Mr. President, I think it but proper to say that the National Live Stock Association, representing the cattle interests of the Nation, as well as the Texas Cattle Raisers' Association, are very strongly opposed to this measure. They fear the introduction of foot-and-mouth disease if quarantine restrictions on the importation of cattle into this country are further modified.

It is a well-known fact that many of these South American countries contain foot-and-mouth disease. It is an equally well-known fact that if we have another outbreak of the foot-and-mouth disease in this country it may mean almost the total destruction of the cattle of the Nation. During the last outbreak I believe the damage inflicted ran into the millions. The Government itself expended some $3,000,000 in repaying the owners of cattle that had to be confiscated.

The live-stock interests of the Nation are opposed to an extension of the exemptions that exist at present in so far as quarantine regulations are concerned. At their last annual meeting they passed a resolution against any measure of this sort. I say that if anything is to be done the privileges that are now allowed should be withdrawn and that there should be no movement in the other direction—no further movement in the way of more liberal regulations. We can not be too strict in the matter of quarantine protection against the entry of diseased cattle. I want no exception made of my State. Let the restrictions be uniform and rigid, not uniformly lax. We are headed in the wrong direction. That is all.

Mr. VARDAMAN. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER (Mr. POMERENE in the chair). Does the Senator from Texas yield to the Senator from Mississippi?

Mr. SHEPPARD. Certainly.

Mr. VARDAMAN. The Senator, then, I suppose, is in favor of closing the ports of Texas to them; is he not?

Mr. SHEPPARD. So far as I am concerned, it is entirely agreeable to me to have Texas placed under the same restrictions as the other States.

Mr. VARDAMAN. There is no more danger of the foot-and-mouth disease coming in through Mobile than there would be of its coming in through Galveston or Brownsville.

Mr. SHEPPARD. These cattle can not come in through El Paso, Tex., now, as I understand.

Mr. BROUSSARD. They can and do come through Galveston.

Mr. SHEPPARD. I mean El Paso.

Mr. BROUSSARD. El Paso is nearly on the quarantine line. Of course, they never could come through El Paso.

Mr. SHEPPARD. That is the distinction I wanted to make. They are not admitted indiscriminately into the State of Texas. They are only admitted into that part of Texas below the quarantine line; and they are only admitted, under the terms of this law, from Mexico itself. I think that admission below the line is due to the fact that a number of the ranchmen in Texas living on the Rio Grande, owning large ranches directly across the river, having the matter carefully in hand, were in position to bring cattle into Texas without the danger that would attend shipments from all the Spanish Americas. Gentlemen are making a mere local exemption the basis of general legislation, and a general modification of quarantine rules, the consequences of which no man may measure.

Mr. VARDAMAN. If they are brought into Texas, they are shipped by the ranchmen to Texas from every other part of the United States.

Mr. SHEPPARD. They can not except under the most rigid restrictions and except for immediate slaughter.

Mr. VARDAMAN. But it would apply to a shipment from Mobile, would it not?

Mr. BROUSSARD. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Louisiana?

Mr. SHEPPARD. I had yielded to the Senator from Mississippi.

Mr. VARDAMAN. I withdraw.

Mr. BROUSSARD. I know the Senator from Texas does not want to make a statement except it be in keeping with conditions.

Mr. SHEPPARD. The Senator is correct about that.

Mr. BROUSSARD. There are some ports in Texas which these cattle enter. They do not enter into El Paso because El Paso is north of the quarantine line. The law does not permit their importation there, nor would this amendment permit their entrance north of the quarantine line.

But the Senator is mistaken when he says the cattle are brought only from Mexico. They are brought in from everywhere, and Galveston is receiving them now. It was at the last report, four or five weeks ago, receiving cattle from Mexico and elsewhere south. That port is open now to all these cattle.

Mr. SHEPPARD. My information is to the contrary. Of course, I do not question that the Senator believes he is correct.

Mr. BROUSSARD. I get my information directly from the Department of Agriculture, from the Secretary.

Mr. VARDAMAN. I wish to ask the Senator from Louisiana a question, if the Senator from Texas will pardon me. The terms of the Senator's amendment do not change the rules under which the cattle come from Mexico to Texas now?

Mr. BROUSSARD. No.

Mr. VARDAMAN. The rules and regulations will prescribe and apply to the ports of Mobile and Gulfport and New Orleans that are now in force in parts of Texas?

Mr. BROUSSARD. The Senator is correct.

Mr. UNDERWOOD. Mr. President, the amendment offered by the Senator from Louisiana is a very important amendment to a large number of people in this country, and it is absolutely necessary to correct an error that might be corrected pos-

sibly in the executive department of the Government, but upon which the executive department of the Government are not willing to act against the ports of other States except Texas. There is no disease communicable by the admission of tick-infected cattle. The ticks give them a fever, but the cattle can not communicate that fever except through a tick.

The purpose of this amendment is to allow cattle to be imported into the United States from tick-infested countries after the tick has been removed from the cattle by more restrictive rules as prescribed in this provision than the rules that are now in vogue by the Department of Agriculture in allowing tick-infested cattle to be removed from the far Southern States below the quarantine border into Northern States.

As I understand it, it is in the lower portion of the United States, although we are gradually getting the ticks out, and the quarantine line of it is gradually moving to the Gulf of Mexico. You got the benefit of the start. They cleaned up your States and they are moving to ours.

When cattle coming from the tick-infested portion of Alabama or Texas are moved north they must be dipped. I think they are required to wait five days and then be dipped again, and when that is done, under the rules of the Department of Agriculture, you can ship cattle from tick-infested countries, from Alabama into New York, Indiana, Ohio, or any other place north of the quarantine line.

Under the peculiar wording of the statute to-day the Secretary of Agriculture holds that if they come from a tick-infested country—I do not mean tick-infested cattle now, that are going to be moved, because the law does not allow any tick-infested cattle to be moved, but if they come from a country where the ticks have not been cleaned out of the country he can not make the regulations between those countries for cattle coming into the United States apply that he makes apply between the tick-infested portion of the South and the quarantine portion of the North.

I have had this matter up with the Secretary of Agriculture. I know his views on the question. He has given a report to Congress in favor of this legislation. It is not subject to a point of order. It has been reported here by the committee. It is in order to go on this bill, and it comes here with the approval of the department. It does not carry any disease whatever. It has no more to do with the foot-and-mouth disease than a child having chicken pox has to do with it.

The facts are that at one time in the history of the legislation of this Congress, through an appeal from Texas in the interest of the cattlemen of Texas, a law was passed, and Congress did not realize the effect of the law, and to-day Texas has a monopoly on the importation of cattle from South and Central America, and Texas to-day is trying to maintain that monopoly against a straight, plain provision of the Constitution of the United States. Naturally enough the Cattle Association of Texas, which has had a monopoly on the importation of cattle, has been trying to maintain it.

Mr. SHEPPARD. I shall say to the Senator it is the National Live Stock Association that has objected to this measure, as well as the Texas association.

Mr. UNDERWOOD. That is tautological. I have had the representatives of the National Live Stock Association up here before a committee, of which I was chairman, many times, and the head and front always comes from the State of Texas. I am not reflecting on the State of Texas in that regard, because it always is most ably represented.

Mr. BROUSSARD. Will the Senator permit me to make a short statement right there?

Mr. UNDERWOOD. I will.

Mr. BROUSSARD. This same association two years ago, when the House committee was giving a hearing upon this same proposition, was represented, and the representatives of the association got together, and we wrote the bill which I introduced here, and they agreed to it. They had no objection to it at that time, but agreed to the proposition. I believe the Senator from Texas himself introduced a bill at that time looking to the same purpose, though I am not sure.

Mr. SHEPPARD. I shall say frankly to the Senator that I introduced such a bill in a former Congress, not understanding the effect of it at the time. After looking into the matter I did not press the measure, and did not reintroduce it in the present Congress.

Mr. BROUSSARD. But let me state to the Senator the representatives of this association, conjointly with myself and a subcommittee of the House Committee on Agriculture, agreed upon the bill, of which this was a substitute, carrying the same idea.

Mr. SHEPPARD. Through what representative?

Mr. BROUSSARD. What was the name of the attorney?

Mr. SHEPPARD. S. H. Cowan?

Mr. BROUSSARD. Yes; Judge Cowan and I sat up nearly three-quarters of a night agreeing on a particular provision of this measure, and the amendment suggested by the Secretary of Agriculture is the identical wording of the bill we agreed upon.

I will state further that the association at its meeting, after having agreed there on the proposition, decided to oppose the thing to which they had already agreed. They did not say they were opposed to the importation of cattle into the United States, but they said they were opposed to the further extension of the privilege which Texas enjoyed. That is their position. In other words, they want the law for Texas, but they do not want that privilege extended to the other States north of the line.

Mr. UNDERWOOD. The Senator from Louisiana is evidently right. I do not criticize the people of Texas, having this very great monopoly granted to them, for being unwilling to give it up, but Congress did not intend to grant the monopoly to them. The whole situation was this: Under the law as it stood, although there is not a communicable disease in tick-infested cattle, the tick gives them a fever. When you have the tick off there is no communicable disease. It has nothing whatever to do with foot-and-mouth disease, but I suppose that it was represented to the Live Stock Association, and Texas naturally did not want to come to the Live Stock Association and say we want to maintain a monopoly against our sister States, but they said there might be a spread of the disease, and therefore they put it on the foot-and-mouth disease, because everybody had heard about it.

Now, I challenge the Senator from Texas to produce one line—and I will vote against this bill if he can—from the Secretary of Agriculture to say that this bill relates in any way to the foot-and-mouth disease or any other communicable disease.

Mr. SHEPPARD. I shall say to the Senator that it is my information that foot-and-mouth disease does exist or has recently existed in Central and South America.

Mr. UNDERWOOD. Certainly; but there is nothing in this bill that allows any cattle with foot-and-mouth disease to come in here.

Mr. SHEPPARD. It is frequently impossible to detect foot-and-mouth disease in cattle. The symptoms are frequently invisible for weeks.

Mr. UNDERWOOD. If you eradicate the tick question, you can import cattle from any other State that come into Texas or anywhere else, unless they come from a country where there is foot-and-mouth disease, and they can not come into any port in the Union then. They can not if you pass this law. They can not come into Texas to-day under the monopoly that is now enjoyed under the special legislation.

Now, the whole situation is this: Some years ago Texas cattlemen wanted—or, at least, they said they wanted—to drive their cattle across the border into Mexico to enjoy the pasture lands and bring them back. As the law prohibited the Secretary of Agriculture, under his regulations, to allow them to come back, they asked for an amendment, and, if I recollect aright, it was put on an appropriation bill, but I am not sure about that, simply allowing, not tick-infested cattle, but cattle coming from tick-infested countries, to go through the ports of Texas into that portion of Texas that was below the quarantine line.

Mr. CULBERSON. Mr. President——

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Texas?

Mr. UNDERWOOD. I yield.

Mr. CULBERSON. I ask the Senator from Alabama if the amendment does not provide for the admission of tick-infested cattle?

Mr. UNDERWOOD. No; it does not.

Mr. CULBERSON. I ask the Secretary to read it.

Mr. UNDERWOOD. I happened to consult with the Secretary of Agriculture about it; I talked it over with him; I know it does not. It provides that cattle may be imported from tick-infested countries after the ticks have been eradicated.

Mr. CULBERSON. I ask the Secretary to send me the amendment.

Mr. CATRON. Let him read it.

Mr. UNDERWOOD. I should like to have it read.

The VICE PRESIDENT. The Secretary will read the amendment.

The Secretary read as follows:

That the act of August 30, 1890, entitled "An act providing for an inspection of meats for exportation, prohibiting the importation of adulterated articles of food or drink, and authorizing the President to make proclamation in certain cases, and for other purposes" (26 Stat. L., p. 414), is hereby amended so as to authorize the Secretary of Agriculture, within his discretion and under such joint regulations as may be prescribed by the Secretary of Agriculture and the Secretary of the Treasury, to permit the admission of tick-infested cattle from Mexico—

Mr. CULBERSON. That is enough.

Mr. UNDERWOOD. It is under the regulations not tick-infested cattle but cattle coming from tick-infested countries after they have been dipped.

Mr. CULBERSON. That is not the language of the amendment.

Mr. UNDERWOOD. He is merely describing the cattle, not the imported cattle. He is describing the cattle in the country from which they come, not the cattle as they come into the United States. I have no doubt about that. If the Senator from Louisiana has the Secretary's letter, I would be glad if he will send it to the desk in my time and have it read.

Mr. POMERENE. Mr. President——

Mr. UNDERWOOD. I should like to have the balance of the amendment read.

Mr. POMERENE. I was just going to ask to have that done for the information of the Senate.

The Secretary resumed and concluded the reading of Mr. BROUSSARD'S amendment, as follows:

to permit the admission of tick-infested cattle from Mexico, South and Central America, the islands of the Gulf of Mexico, and the Caribbean Sea into those parts of the United States below the southern cattle quarantine line at such ports of entry as may be designated by said joint regulations and also subject to the provisions of sections 7, 8, 9, and 10 of said act of August 30, 1890. That all such cattle, when entered, shall be subject to the regulations governing the handling and transportation of cattle from the districts infected with the southern, Texas, or splenetic fever.

Mr. BROUSSARD. Mr. President——

Mr. UNDERWOOD. Let me say one word here. As I said awhile ago, the regulations that the bill refers to are the regulations in the law to-day that require tick-infested cattle before they cross the quarantine line to have the ticks taken off them by dipping and after waiting five days to be dipped again. Under those circumstances our experts say they can not carry any ticks. So I say to the Senator from Texas that if you will just read that with the statutes and rules and regulations before you, you will see that it does not provide for the importation of tick-infested cattle but cattle coming from tick-infested countries where the presumption was they had ticks on them before they were treated for the eradication of ticks by the Agricultural Department.

Now I ask that the letter of the Secretary of Agriculture may be read.

Mr. SMITH of South Carolina. I should like to ask the Senator from Alabama if the provision contemplates the dipping of the cattle before they are shipped from the country in which they originate.

Mr. UNDERWOOD. The Secretary of Agriculture told me himself that he would not favor any regulation that did not require the dipping of cattle before they left the port of the country from which they are imported, and the law requires that.

Mr. BROUSSARD. If the Senator from Alabama desires, I can send the letter of the Secretary of Agriculture to the desk to have it read.

Mr. UNDERWOOD. I would be obliged to the Senator.

Mr. BROUSSARD. If the Senator will permit me, let me state to him that the act of 1911, by which these cattle are imported into Texas, uses the same words, "tick-infested cattle," but that did not prevent the department from cleaning them of ticks before permitting them to cross the border.

Mr. UNDERWOOD. There is no question about that. I asked the Secretary to read the letter.

The Secretary read as follows:

DEPARTMENT OF AGRICULTURE,
Washington, May 29, 1916.

Hon. THOMAS P. GORE,
Chairman Committee on Agriculture and Forestry,
United States Senate.

DEAR SENATOR GORE: The memorandum of May 26, 1916, of the clerk of the Senate Committee on Agriculture and Forestry advises me of the committee's desire for a report on S. 3351, introduced by Senator BROUSSARD on January 10, 1916, entitled "A bill to amend the act of August 30, 1890," and on H. R. 12717, intended to be proposed by Senator BROUSSARD to the bill making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1917, relating to the subject matter of S. 3351.

Section 6 of the act of August 30, 1890 (26 Stat., 414), prohibits the importation into the United States of cattle which are diseased or infected with any disease or which shall have been exposed to such infection within 60 days next before their exportation.

The act of March 4, 1911 (36 Stat., 1235), amended the act of August 30, 1890, "so as to authorize the Secretary of Agriculture, within his discretion, and under such joint regulations as may be prescribed by the Secretary of Agriculture and the Secretary of the Treasury, to permit the admission of tick-infested cattle from Mexico into that part of Texas below the southern cattle quarantine line."

Two questions have been raised upon the act of March 4, 1911, namely, (1) whether by limiting importations of tick-infested cattle to the State of Texas the act is not in contravention of Article I, section 9, of the Federal Constitution, which provides that "no preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another"; (2) whether, by limiting the importation of tick-infested cattle to such as shall come from the Republic of Mexico the act is not a discrimination against South and Central American countries, with which there are existing treaties guaranteeing commercial advantages equal to those accorded the most favored nation.

I infer that the chief purpose of both S. 3351 and H. R. 12717 is to accord to ports of other States situated similarly as Texas is to the cattle quarantine area the same privilege that is now accorded to Texas. So far as Central and South American countries, with whom the United States has treaties guaranteeing equal commercial advantages with those of the most favored nation, are concerned, I may state for your information that the department has adopted the view that by virtue of those treaties tick-infested cattle from those countries must be admitted equally with tick-infested cattle from Mexico. The Attorney General so advised the Secretary of State in an opinion of January 12, 1915.

S. 3351.

With the purpose of this bill the department is in full accord. The following amendments are suggested for the reasons hereinafter stated:

1. Page 1, line 9, strike out "sixteen" and insert in lieu thereof "fourteen." The correct reference to the act of August 30, 1890, is Twenty-sixth Statutes at Large, page 414.

2. Page 1, line 13, strike out "tick-infected" and insert in lieu thereof "tick-infested." The suggested substitute is the correct designation of the class of cattle referred to in the bill.

3. Page 2, line 3, insert before the word "quarantine" the word "cattle," so that the line mentioned will be described as the "cattle quarantine" line.

Insert after the word "line" the words "at such ports of entry as may be designated by said joint regulations, and also subject to the provisions of sections 7, 8, 9, and 10 of said act of August 30, 1890."

Beginning with the word *"Provided,"* strike out all the rest of page 2 and down to and including line 9 on page 3.

4. Page 3, line 10, strike out the figure "3" and insert in lieu thereof the figure "2."

If amended as suggested above, the bill would read as follows:

"Be it enacted, etc., That the act of August 30, 1890, entitled "An act providing for an inspection of meats for exportation, prohibiting the importation of adulterated articles of food or drink, and authorizing the President to make proclamation in certain cases, and for other purposes' (26 Stat. L., 414), is hereby amended so as to authorize the Secretary of Agriculture, within his discretion and under such joint regulations as may be prescribed by the Secretary of Agriculture and the Secretary of the Treasury, to permit the admission of tick-infested cattle from Mexico, South and Central America, the islands of the Gulf of Mexico and the Caribbean Sea into those parts of the United States below the southern cattle quarantine line at such ports of entry as may be designated by said joint regulations, and also subject to the provisions of sections 7, 8, 9, and 10 of said act of August 30, 1890.

"SEC. 2. That all such cattle when entered shall be subject to the regulations governing the handling and transportation of cattle from the districts infected with the southern, Texas, or splenetic fever."

The bill authorizes the Secretary of Agriculture to permit the admission of tick-infested cattle "within his discretion and under such joint regulations as may be prescribed by the Secretary of Agriculture and the Secretary of the Treasury." Ample authority is thus conferred upon the Secretaries of the Treasury and Agriculture to make regulations, if deemed advisable or necessary for carrying out the act, to require each of the affidavits mentioned in that part of section 1 suggested for elimination from the bill. It is quite doubtful whether these several affidavits, if required, would be of sufficient credibility upon which to admit cattle into the United States.

It is necessary, in order to safeguard the health of domestic cattle, that tick-infested cattle before admission must be inspected, perhaps in many cases dipped, and undoubtedly at times held in quarantine at the port of entry. These things can only be done at ports where the department has or can establish proper facilities therefor. Hence it is quite important that the ports of entry be designated by the regulations of the Secretaries of Treasury and Agriculture, and one of the amendments suggested above is intended to accomplish this. The act of 1890 confers upon the Secretary of Agriculture and the Secretary of Treasury the power of designating the ports of entry for cattle which are not diseased, or, in other words, those which are authorized by that act to be imported into the United States.

As the cattle which are authorized by the act of 1890 to be imported are subject to certain restrictions and conditions mentioned in sections 7, 8, 9, and 10 of that act, it is quite important that tick-infested cattle, which will be admitted if the bill under consideration is enacted, shall also be subject to the same restrictions and conditions. For that reason one of the above suggested amendments expressly provides that tick-infested cattle imported into the United States shall be subject to those sections of the act of 1890 as well as to the provisions of the bill. By this amendment, also, tick-infested cattle imported into the United States will, equally with other cattle allowed to be imported under the act of 1890, be subject to such quarantine as the Secretary of Agriculture may find to be necessary. Hence section 2 of the bill may well be stricken out.

H. R. 12717.

The purpose of this bill is evidently the same as of S. 3351. It is suggested that this bill be amended in accordance with the suggestions above mentioned.

Inasmuch as the amendment, if enacted as proposed by Senator BROUSSARD, will become part of an annual appropriation act, it is also suggested, in order to eliminate doubt as to the permanent character of the provision, that the word "hereafter" be inserted in line 2 between the words "as" and "to."

It is the opinion of the department that there is no controlling reason why tick-infested cattle from Mexico, South and Central America may not be admitted into any parts of the United States, as well in as outside of the cattle-quarantine area, provided the department be authorized to designate the ports of entry and make rules and regulations prescribing the conditions under which they may be admitted. This suggestion is offered in order that the committee may consider whether it cares to recommend the amendment of the bill so that it will admit tick-infested cattle into parts of the United States within as well as outside the cattle-quarantine area.

Very truly, yours, D. F. HOUSTON, *Secretary.*

Mr. UNDERWOOD. As the Secretary states, the Department of Agriculture is in entire accord with the purpose of this bill. Nobody can for a minute suspect that the Secretary of Agriculture desired these cattle to be imported into this country;

but the real facts are these, as I stated a while ago: A law was passed to authorize the ranchmen of Texas to drive their cattle across the border for grazing purposes. They had to mention the ports. The Secretary of Agriculture construed that that law related to water ports as well as land ports; and when the countries of Central and South America said they had a favored-nation clause with this country, they extended that construction not only to cattle coming from Mexico into Texas, but to cattle coming from all South America into Texas, with what result? A direct discrimination against every other port in America.

It is not merely the question of importing ticks that is concerned, but a large portion of the commerce of this country may be deflected by this law, because a ship wants to carry a cargo both ways; and when you load it with cattle from South America and say that it can only be landed in the ports of Texas—the ship is in Texas to load with your export goods to take it out—you deflect commerce from the other ports of the United States to Texas because you limit where the cargo can come into the United States. It does not affect the cattle below the quarantine line to-day. Any shipment of the cattle that is landed in Texas can be put on a railroad car and carried to any portion of the United States that is below the quarantine line.

Mr. SHEPPARD. Not now.

Mr. UNDERWOOD. I got my information from the Secretary of Agriculture within 30 days.

Mr. SHEPPARD. Under the last ruling you can not ship tick-infested cattle from one State into another unless the authorities of the State to which the cattle are to be shipped consent.

Mr. UNDERWOOD. Certainly. Tick-infested cattle you can not, but these are not tick-infested cattle.

Mr. SHEPPARD. You can not ship from one State to another below the quarantine line unless the authorities of the State to which you ship agree that it may be done.

Mr. UNDERWOOD. Of course, no State wants the cattle from below the quarantine line where they are infected.

Mr. SHEPPARD. The rule applies either above or below.

Mr. UNDERWOOD. I say below the quarantine line. Why should some one in Alabama, Mississippi, Louisiana, Georgia, Florida, or South Carolina object to Texas cattle, tick infested, coming into their State when they are already in that condition?

Mr. SHEPPARD. Surely there would be objection in the parts of those States that have been cleaned up, cleared of ticks, and taken out of the quarantined area.

Mr. UNDERWOOD. I said below the quarantine line and not above it.

Mr. SHEPPARD. Large sections of those States have been cleaned up, and are now tick free.

Mr. UNDERWOOD. But I am not talking about places above the border. I say it is the case under the law as it exists to-day, and I talked with the Secretary of Agriculture about it. The Senator from Texas is wrong. When these cattle are landed in Galveston they can be put on a railroad train and carried into Louisiana, Alabama, or Georgia, but we have to pay the freight rate from Texas to get them there; and, more than that, by your legislation you have diverted the course of that ship and made it go to the ports of Texas instead of the ports of other States.

Of course the law is not constitutional. I do not think there is a question about it. I wrote the letter to the Secretary of Agriculture that he refers to in the letter which he sent to the Senate, calling his attention to the violation of the constitutional provisions. But the Secretary of Agriculture is unwilling to determine that question himself. He say it must go to the courts or it is for Congress to enact legislation. The section is very clear. The Constitution provides:

> No preference shall be given by any regulation of commerce or revenue to the ports of one State over another.

When you put a law on the statute books which by construction says that you can import as many cattle as you want from Central and South America into the ports of Texas and leave the law on the statute book which says you shall not import them into the other States of the Union, is not that a discrimination?

Mr. SHEPPARD. The law does not say that they may now be admitted from Central and South America. It says that they may come from Mexico.

Mr. UNDERWOOD. The Senator is catching in the bark. The Senator understands this question as well as I do. When this law was originally enacted it had no reference to Central and South America. That has been explained. It related only to Texas. Congress did not contemplate anything else but to allow the ranchmen of Texas to drive their cattle across the border and back; but by a construction of a department of this Government under the favored-nation clause they said that when you admit these cattle from Texas you have got to admit them from Central and South America, and they are being admitted to-day under the law as construed by the department, and properly construed in that respect.

So you have a statute on the books to-day creating a monopoly for Texas against the Constitution of the United States. The regulations as prescribed in this statute will not allow a single herd of cattle or a single cow or steer to come into the United States where the ticks have not been removed by stricter regulation than they are removed when they come from the tick-infested parts of the United States and go in above the quarantine zone. It can not hurt anybody. The whole proposition involved in the case is that Texas, by the construction of the law, has a monopoly in the interests of its cattlemen, in the interests of its commerce.

Mr. SHEPPARD. Will the Senator allow me?

Mr. UNDERWOOD. I am not here to argue about what is necessary for Texas. I know that it is in the interest, especially when the troubles in Mexico are over, for the cattlemen of your State to drive their cattle across the border and bring them back. I would not interfere with your business; but what I object to is that you are trying to interfere with the business of my constituents. That is where the objection comes.

Now, I say to the Senator from Texas to-day that if he defeats this piece of legislation, he is doing an evil turn to the people of his State, because sooner or later the statute under which you maintain your monopoly will go to the courts of the United States and will be repudiated as unconstitutional, and it can not help from being repudiated, and then you have taken from your own people a harmless privilege to the balance of the United States, and a beneficial privilege that they are given to-day that you are trying to deny to the constituency that I represent.

Mr. SHEPPARD. Mr. President, the Senator from Alabama calls the right to admit diseased cattle a privilege—a privilege which ought to be extended to every other part of the country below the quarantine line.

Mr. UNDERWOOD. If the Senator will allow me, I deny that they are diseased cattle.

Mr. SHEPPARD. I think they are. That is why so many restrictions are thrown around their importation and shipment. It is my position that the restrictions ought to be made sufficiently rigid all along the line to carry out the spirit and purpose of the quarantine. If any part of the border under quarantine has a monopoly, the monopoly ought to be removed. Let us not use the fact that diseased or tick-fevered cattle may be admitted into one section of the country as the basis of the claim that they should be admitted into every other section below the quarantine line.

The Senator talks about destroying the business of his constituents. I say to him that if the foot-and-mouth disease is brought into one of the southern ports and breaks out again among the cattle of the country their business will be seriously imperiled, if not altogether destroyed.

Mr. BROUSSARD. May I ask the Senator from Texas a question?

Mr. SHEPPARD. Certainly.

Mr. BROUSSARD. The Senator from Texas has been talking about the foot-and-mouth disease being imported through the operation of this amendment. Does not the Senator know that the foot-and-mouth disease is unknown in the Tropics?

Mr. SHEPPARD. I do not. On the contrary, I understand it is in existence in Central America, or has been found there and in South America in recent years. The Senator's bill includes more than the tropical countries, however. It embraces the Southern Hemisphere.

Mr. BROUSSARD. Let me state to the Senator that the Department of Agriculture within the last five years has had that question investigated, and I have here a copy of their report, stating that the foot-and-mouth disease was unheard of in the Tropics. I talked with one of the commission—Dr. Dowling, I think it was—that was sent to Central America to conduct this investigation, and he stated that he had not been able to find any evidence that that disease was known to anybody in that section of country.

Mr. SHEPPARD. The National Live Stock Association of the United States makes the fear of foot-and-mouth disease in part the basis of its protest against enlarging the privilege already possessed by a certain section of our country below the quarantine line.

Mr. VARDAMAN. May I ask my friend from Texas merely one question?

Mr. SHEPPARD. Certainly.

Mr. VARDAMAN. The Senator from Texas seems to desire to save the balance of the Republic from the perils that are now suffered by Texas.

Mr. SMITH of South Carolina. That are enjoyed by Texas.

Mr. VARDAMAN. The perils that are enjoyed by Texas, by having——

Mr. SHEPPARD. Not at all. As has been explained, the operation of this law in relation to Texas applies for the most part practically to that section of Mexico immediately adjoining Texas, where the ranchmen of Texas own large tracts across the river. This merely gives them the privilege of driving herds across the river and bringing them back.

Mr. VARDAMAN. The practical effect has been to permit cattle to be shipped from South and Central American countries through the ports of Texas.

Mr. SHEPPARD. I think that phase of the matter has been largely exaggerated.

Mr. VARDAMAN. If the Senator from Texas thinks that is a mistake, we will grant, for the sake of this discussion, that it is a mistake. Now, all that the Senators from Alabama, Louisiana, Mississippi, Florida, and South Carolina desire is to be put on a dead level with Texas with reference to this privilege. We do not ask you to protect us at all or to protect our constituents, but just to let us enjoy the "peril" that you are enjoying; that is, that our constituents shall have the same opportunities which your constituents have, and you will permit us to acknowledge ourselves under a very great debt of gratitude to you. It may be that we are going to suffer from the foot-and-mouth disease; but let us have the pleasure of suffering it with Texas. All we want is to be treated as Texas is treated.

Mr. SHEPPARD. Then, why do you not leave the law as applying to Mexico only?

Mr. VARDAMAN. Well, that is not the law. As the Senator from Alabama [Mr. UNDERWOOD] has stated, the construction of the law and the effect of the law is to permit cattle to come from Central or South America into the United States through the ports of Texas. All we want is just to extend the law which Texas now enjoys to these other Southern States. If it is a bad law, let us suffer it; if it is a good law, we are entitled to it. But be it good or bad, immediate or remote, is of no moment just now. The chief desire of our hearts is to be put on a dead level with Texas.

Mr. SMITH of Arizona. Mr. President, this discussion is growing quite interesting to me. Ever since the unpleasantness with Mexico started I have had a very great deal of difficulty arising out of the fact, first, that they do not permit an American cattle owner owning lands on both sides of the border to drive his cattle across the Mexican border into Arizona.

Mr. BROUSSARD. The Senator from Arizona is correct.

Mr. SMITH of Arizona. In fact, I have to-day pending before the Agricultural Department a question as to some cattle owned by one Mr. Slocum, which were run across late at night by Mexicans, who attempted to seize them. Mr. Slocum, by the way, was originally a Texan. He got his cattle to the line and notified the Mexican authorities: "Here are my cattle; the Mexicans have 600 men here and a thousand yonder, and they are depredating on my herd. I have already lost 100. I can not have any relief." He drove those cattle across; he herded them against the international line on the American side, so as to keep them from the Mexican soldiers.

Mr. SHEPPARD. On what ground were those cattle kept on the other side?

Mr. SMITH of Arizona. They were kept on the other side on ground rented by the American, and they were taken from that side.

Mr. SHEPPARD. I asked for what reason were they kept on the other side? Why were the cattle prohibited from being brought over?

Mr. SMITH of Arizona. For the reason that every man in Texas keeps cattle on the other side—so as to get better grass than he has on his American plantation.

Mr. SHEPPARD. Why was it that you could not get them into the United States?

Mr. SMITH of Arizona. For two reasons: There is, first, the great export duty on the part of Mexico charging us now $10 in gold a head for the export and driving of American cattle——

Mr. SHEPPARD. That is not the question involved here.

Mr. SMITH of Arizona. Let us see whether or not it is. I do not usually talk away from the question that I apprehend is before us. If any man in Texas has permission to drive out of Mexico one head of cattle into any part of the United States——

Mr. SHEPPARD. It is subject to Mexican export duty, as much so as if it were coming into Arizona.

Mr. SMITH of Arizona. I am not talking about the duty. The Senator from Texas asked me what hindered this man from driving the cattle across. One thing was the Mexican duty, which amounts to confiscation. Another requirement, before he could come across with his cattle, was that they must be examined for ticks. If one head of these 600 cattle had been found to be infested with ticks he would be compelled to have them all dipped on the other side of the line, and they would be held for 30 days for a second dipping also, I think.

Mr. SHEPPARD. You are above the quarantine line, are you not?

Mr. SMITH of Arizona. If one of the cattle which were to be imported was found on an investigation to have ticks on it, that being true, the whole herd was very properly held until they were cleaned of ticks. A steer was killed; it was an estray in the herd.

Mr. SHEPPARD. That will apply to every section of the country, as it is cleaned up and taken out of the quarantined area.

Mr. SMITH of Arizona. Do you tell me that Texas has no privilege of bringing out of Mexico into Texas any cattle that Mississippi or any other State does not possess?

Mr. SHEPPARD. Not in that section outside the quarantine line. You can not bring them into El Paso.

Mr. SMITH of Arizona. But suppose they are infected?

Mr. SHEPPARD. I say you can not bring them into that part of Texas outside the quarantine line.

Mr. SMITH of Arizona. But not below the quarantine line. Does it apply to the people below?

Mr. SHEPPARD. No; the same rule does not apply below. But you are not in the same category with Alabama and Mississippi. They are within the quarantine line to a large extent.

Mr. SMITH of Arizona. It is exactly the same, so far as entering into the United States is concerned. If both sides of the line are infected, you can bring your cattle in, while if only the lower side is infected you can not bring them in. They are holding the cattle of which I was speaking to this day. The question is before the department as to whether or not those cattle which were driven across under the conditions which I have related shall be confiscated.

Mr. SHEPPARD. The adoption of this amendment would not change your situation.

Mr. SMITH of Arizona. The adoption of the amendment would have this effect: It would give every cattleman of Arizona on the Mexican border and every cattleman of California on the Mexican border every single privilege as to importing cattle into our country which is enjoyed in Texas, no matter what part of the world they came from, and under all conditions.

Mr. SMITH of South Carolina. Mr. President, if the Senator from Arizona will allow me a moment, I wish to state that the department is now trying to eradicate the cattle tick from my State. They have gotten down to a certain line approaching the coast. As I understand, the mysterious fever that killed cattle started in Texas. When an infected cow or steer was taken from Texas and shipped into certain latitudes it immediately infected other cattle and killed them, and for a long time it was called "Texas fever," because it was first discovered in Texas cattle.

Mr. SHEPPARD. The tick fever came originally from Spain.

Mr. SMITH of South Carolina. Anyhow, it is in this country.

Mr. SHEPPARD. The word "Texas" is a misnomer in connection with this fever. It ought not to be called "Texas fever," and I want here to register my protest against this historical injustice. Neither ought the tick to be called the Texas tick. The tick and the fever came with the cattle that were brought to the New World by the Spanish conquerors.

Mr. SMITH of South Carolina. Whether or not the name is a proper one, I do not know; but it is called Texas fever because, as I understand, it was first discovered in Texas cattle.

Now, the country along the Gulf coast inland for several miles, and from Florida up the Atlantic seaboard to some part of Virginia, is still the habitat of the ticks which produce Texas fever. South Carolina does not raise many cattle and does not export any or send them through interstate commerce. The same thing is largely true of Alabama; but on the plains of Texas, which are practically in the same latitude as South Carolina and Alabama, cattle are raised, and upon shipping them to other localities it was discovered that this fever would break out, and, upon investigation, it was found that a tick produced it.

Portions of Louisiana, Mississippi, Alabama, South Carolina, and Georgia, the coastal plain, lie still in the tick zone, so that the cattle imported into South Carolina from Central America or South America or Mexico, coming from tick-infested territory, would be landed in tick-infested territory. At present, before cattle can be shipped from Charleston, S. C., to Sumter, S. C., they have to be inspected and cleaned of the tick, because Sumter lies above the tick zone and Charleston lies below it. All that these gentlemen are asking is, as Louisiana, South Carolina, Georgia, and Alabama have exactly the same tick zone as Texas has, that their States be given the same privilege of importing cattle into their borders as Texas enjoys. That is all.

Mr. BROUSSARD. Mr. President, will the Senator permit me to put in the RECORD a short extract in regard to the statement that the foot-and-mouth disease exists in Central America. Here [exhibiting] is a report made after investigation by the Department of Agriculture extending very thoroughly over the entire Republic of Honduras, all of the herds being investigated. It contains this paragraph with regard to the foot-and-mouth disease:

Contagious foot-and-mouth disease appears to be unknown in Honduras and, to the best of my knowledge and belief, has never existed, nor does it now exist in that country.

Another paragraph of that report says that in Guatemala, Costa Rica, and the other Central American Republics the herds are in the same condition as are the herds in Honduras, and that the foot-and-mouth disease is unknown in those countries.

Mr. SHEPPARD. Does the Senator say that it does not exist in South America?

Mr. BROUSSARD. I am not talking about South America. There are few or no cattle, so far as I know, coming from South America into Texas; and if they came from a country in South America where the foot-and-mouth disease prevailed, under this regulation and under this provision the Secretary of Agriculture would be obligated to prevent their landing anywhere in the United States. So that question does not play any part at all, as the Senator from Alabama has said.

Mr. CATRON. Mr. President, I make the point of order against this amendment that it is general legislation, and therefore obnoxious to the rule.

Mr. UNDERWOOD. Mr. President, I understand from the Senator from Louisiana that this amendment has been reported favorably by a committee. Is that not so?

Mr. BROUSSARD. Yes, sir; that is, a bill in the same words as the amendment has been reported favorably by a committee and is on the calendar.

Mr. UNDERWOOD. I understand that under the rules of the Senate that makes it in order on a bill of this kind.

The VICE PRESIDENT. This seems to be an amendment of a statute. The amendment reads:

That the act of August 30, 1890, entitled "An act providing for an inspection of meats for exportation, prohibiting the importation of adulterated articles of food or drink, and authorizing the President to make proclamation in certain cases, and for other purposes" (26 Stat. L., 414), is hereby amended so as to authorize the Secretary of Agriculture, within his discretion—

And so forth. It seems to be an amendment of a statute. If so, it is general legislation.

Mr. UNDERWOOD. As I understand, Mr. President, under the rules of the Senate, if a bill in identical terms with a proposed amendment has been reported by a committee, the amendment is in order. Of course, I will not contest the question at all that the amendment proposes legislation; there can not be any question about that; but it has been favorably reported to the Senate, and the same proposition is now on the calendar as a separate bill.

The VICE PRESIDENT. That does not authorize attaching it to an appropriation bill in the Senate, and the Chair must sustain the point of order.

Mr. BROUSSARD. Mr. President, may I ask the Chair to adopt the course pursued a while ago by another presiding officer, who held, the question being of great importance, that the discretion rested with the Chair of submitting the matter to the Senate, so that the Senate might be permitted to vote on the question as to whether or not it desired to include the amendment in the bill?

The VICE PRESIDENT. That may be brought about by an appeal from the decision of the Chair.

Mr. BROUSSARD. Mr. President, I should dislike very much to do that.

The VICE PRESIDENT. There has never been any feeling upon the part of the present occupant of the chair about an appeal from his decisions. The Chair has tried the other procedure a good many times, and he does not think it conducive to the dispatch of business. There is not any doubt about this being general legislation; but if the Senate wants to say that it is not, an appeal from the decision of the Chair will settle that question.

Mr. GORE. Mr. President, I should like to say just a word on that point. If the Senator from Louisiana appeals from the decision of the Chair, I shall be constrained to vote to sustain the Chair, because there can not be possibly any doubt about that. On the other hand, if the Chair should submit the question to the Senate to decide it in the first instance, I think then I would feel at liberty to vote otherwise.

The VICE PRESIDENT. The Chair understands that the Senator from Oklahoma, on an appeal from the decision of the Chair, would vote to sustain the Chair that it was general legislation; but if it was submitted originally to the Senator from Oklahoma, he would vote that it was not general legislation.

Mr. GORE. I will say, Mr. President, in the discussion this afternoon it was suggested that in that instance, while the formal question is as to the point of order, as a rule Senators exercise some discretion in respect to the question submitted and vote in accordance with their views on that question. That is the distinction I would make.

Mr. REED. Mr. President, I am heartily in favor of the proposition advanced by the Senator from Louisiana [Mr. BROUSSARD]. I should like to vote for it, but it seems that the point of order which has been made is fatal. The fact that it is referred to the Senate does not change the situation. I hope that the Senate is not going to adopt the suggestion that was made this morning that when the Vice President rules he must rule whether a proposition is violative of a rule, but when he sees fit to refer it to the Senate as a matter too grave for his own decision, the Senate will then proceed to disregard the rule, because that would break down all our rules, and we might as well wipe them out.

It may be very desirable once in a while to get out from under a rule, but, Mr. President, if we proceed along the line of tearing our own rules to pieces we will soon have no rules, and I think this body ought not to get into that situation.

Mr. UNDERWOOD. Mr. President, I regret very much that the point of order has been made against this amendment, because it is a matter of very vital importance to a large portion of the people of this county. It is of vital importance to the people of the United States who need bread and meat. Meat, constituting a large part of the food of the people of the United States, is becoming dearer in price, and yet we find that the cattle associations of the United States, backed by the monopolies of this country, are here exercising the power they possess to keep out clean cattle—and they are clean cattle after proper inspection by this Government. The Government of the United States, represented by the Agricultural Department, is asking for this legislation. To refuse to enact it is to aid in maintaining a monopoly for one section of this country and for one interest against the other parts of this country and the people of the United States. Therefore, Mr. President, I give notice that if this bill is pending until to-morrow I shall move to suspend the rules. I believe that requires one day's notice——

The VICE PRESIDENT. One day's notice in writing.

Mr. UNDERWOOD. Then, Mr. President, I hereby give notice in writing that at the expiration of one day hereafter, or so soon thereafter as I can obtain the attention of the Senate, I will move to suspend clause 3 of Rule XVI for the purpose of submitting to House bill 12717, making appropriations, and so forth, the following amendment to said bill, on page 78, after line 17:

That the act of August 30, 1890, entitled "An act providing for an inspection of meats for exportation, prohibiting the importation of adulterated articles of food or drink, and authorizing the President to make proclamation in certain cases, and for other purposes" (26 Stat. L., p. 414), is hereby amended so as to authorize the Secretary of Agriculture, within his discretion and under such joint regulations as may be prescribed by the Secretary of Agriculture and the Secretary of the Treasury, to permit the admission of tick-infested cattle from Mexico, South and Central America, the islands of the Gulf of Mexico, and the Caribbean Sea into those parts of the United States below the southern cattle quarantine line at such ports of entry as may be designated by said joint regulations and also subject to the provisions of sections 7, 8, 9, and 10 of said act of August 30, 1890.

That all such cattle, when entered, shall be subject to the regulations governing the handling and transportation of cattle from the districts infected with the southern, Texas, or splenetic fever.

Mr. THOMAS. Mr. President, I wish to give notice that I will reserve the right to make a point of order against all that part of this bill which appears on page 9, lines 2 to 14, inclusive, on the ground that it is not included in any estimate.

The VICE PRESIDENT. There is a committee amendment which has not yet been disposed of. The Secretary will state the amendment.

The SECRETARY. On page 21, line 9, after the word "thereof," it is proposed to strike out "$88,770" and insert "$109,920," so as to read:

For investigating the handling, grading, and transportation of grain, including the grain sorghums, and the fixing of definite grades thereof, $109,920.

Mr. GRONNA. Mr. President, that item went over at my request. I will say to the chairman of the committee that I have no objection to adopting it now.

Mr. GORE. I will be glad to have the amendment agreed to.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. GORE. Mr. President, I send to the desk an amendment which I desire to move and which has been called to my attention by the Secretary of Agriculture.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 125, after line 26, it is proposed to insert the following:

That section 2 of the Agricultural appropriation act of March 3, 1885 (23 Stat. L., p. 353), be, and the same hereby is, amended so as to read as follows, effective on and after June 18, 1916:

"SEC. 2. That hereafter, in addition to the proper vouchers and accounts for the sums appropriated for the Department of Agriculture to be furnished to the accounting officers of the Treasury, the Secretary of Agriculture shall, at the commencement of each regular session, present to Congress a detailed statement of the expenditure of all appropriations for said department for the last preceding fiscal year."

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. GORE. I send to the desk another amendment and ask for its adoption.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 78, after line 17, it is proposed to insert:

That section 8 of the act approved August 20, 1912 (37 Stat. L., p. 315), entitled "An act to regulate the importation of nursery stock and other plants and plant products; to enable the Secretary of Agriculture to establish and maintain quarantine districts for plant diseases and insect pests; to permit and regulate the movement of fruits, plants, and vegetables therefrom, and for other purposes," be, and the same hereby is, amended so as to read as follows:

"SEC. 8. That hereafter the Secretary of Agriculture is authorized and directed to quarantine any State, Territory, or District of the United States, or any portion thereof, when he shall determine the fact that a dangerous plant disease or insect infestation, new to or not theretofore widely prevalent or distributed within and throughout the United States, exists in such State or Territory or District; and the Secretary of Agriculture is directed to give notice of the establishment of such quarantine to common carriers doing business in or through such quarantined area, and shall publish in such newspapers in the quarantined area as he shall select notice of the establishment of quarantine. That no person shall ship of offer for shipment to any common carrier, nor shall any common carrier receive for transportation or transport, nor shall any person carry or transport from any quarantined State or Territory or District of the United States, or from any quarantined portion thereof, into or through any other State or Territory or District, any class of nursery stock or any other class of plants, fruits, vegetables, roots, bulbs, seeds, or other plant products, or any class of stone or quarry products, or any other article of any character whatsoever capable of carrying any dangerous plant disease or insect infestation specified in the notice of quarantine except as hereinafter provided. That it shall be unlawful to move, or allow to be moved, any class of nursery stock or any other class of plants, fruits, vegetables, roots, bulbs, seeds, or other plant products, or any class of stone or quarry products, or any other article of any character whatsoever capable of carrying any dangerous plant disease or insect infestation specified in the notice of quarantine hereinbefore provided and regardless of the use for which the same is intended from any quarantined State or Territory or District of the United States or quarantined portion thereof into or through any other State or Territory or District in manner or method or under conditions other than those prescribed by the Secretary of Agriculture. That it shall be the duty of the Secretary of Agriculture, when the public interests will permit, to make and promulgate rules and regulations which shall permit and govern the inspection, disinfection, certification, and method and manner of delivery and shipment of the class of nursery stock, bulbs, seeds, or other plant products, or any class of stone or quarry products, or any other article of any character whatsoever capable of carrying any dangerous plant disease or insect infestation specified in the notice of quarantine hereinbefore provided and regardless of the use for which the same is intended from a quarantined State or Territory or District of the United States or quarantined portion thereof into or through any other State or Territory or District; and the Secretary of Agriculture shall give notice of such rules and regulations as hereinbefore provided in this section for the notice of the establishment of quarantine: *Provided*, That before the Secretary of Agriculture shall promulgate his determination that it is necessary to quarantine any State, Territory, or District of the United States, or portion thereof, under the authority given in this section he shall, after due notice to interested parties, give a public hearing under such rules and regulations as he shall prescribe, at which hearing any interested party may appear and be heard, either in person or by attorney."

Mr. CLARKE of Arkansas. I offer as an amendment to that amendment the matter covered by the amendment offered by the Senator from Louisiana [Mr. BROUSSARD]. It relates to the same general subject and is a very wholesome addition to it. It broadens its scope and improves its value as a measure of legislation.

The VICE PRESIDENT. The question is on the amendment of the Senator from Arkansas to the amendment proposed by the Senator from Oklahoma.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. REED. Mr. President, I desire the attention of the chairman of the committee. Referring to section 7, I ask to have read at the desk the language as it is now recorded, beginning at line 13, on page 106, of the amendment proposed by the chairman of the committee [Mr. GORE]. I am asking for the official record. My reason is that I think there has been a misprint. I called attention to it once, and I think it has been repeated.

The Secretary read as follows:

Provided, That in any State which has or which may hereafter have a State grain-inspection department established by the laws of such State, the Secretary of Agriculture shall issue licenses to the persons duly authorized and employed to inspect and grade grain under the laws of such State.

Mr. REED. Mr. President, that is correct in that form. There was a misprint in the copy I had. I understand that has been adopted.

The VICE PRESIDENT. That has been adopted.

Mr. REED. Very well.

Mr. CATRON. Mr. President, I did not understand or hear the language of the amendment proposed by the Senator from Arkansas a few minutes ago and which was adopted. It is the amendment embodying the matter that was ruled out on a point of order. I wish to give notice that when it comes up in the Senate I shall make the same objection to that amendment as he has offered it, and to the entire amendment which has been adopted, as well. I give notice of that now.

Mr. GRONNA. Mr. President, may I call the attention of the Senator from Missouri to what I think is an important matter? Although this language may be adopted, it will not take care of what we call an appeal to be taken either by the seller or by the buyer. I have prepared an amendment which I will offer at this time. I send it to the desk, and ask that it may be read.

Mr. REED. Mr. President, I was unable to hear the Senator. I will ask him if he is now offering an amendment to the amendment just read?

Mr. GRONNA. I am offering this as a separate section, which would in a way take care of what has been omitted.

The VICE PRESIDENT. The amendment offered by the Senator from North Dakota will be stated.

The SECRETARY. It is proposed to add to the bill a new section, as follows:

That there is hereby established in the Department of Agriculture a board of grain appeals. Such board shall consist of five members to be appointed by the Secretary of Agriculture. The salaries of the members of this board shall be $3,000 per annum. The board of grain appeals shall, under such rules and regulations as the Secretary of Agriculture may prescribe, pass on all appeals which may be taken from the inspection and grading of grain by inspectors licensed under this act; but in States where there have been established systems of grain inspection with State boards of appeals, appeals shall be considered only from the findings of such State boards of appeals. The board of appeals shall also, under the direction of the Secretary of Agriculture, pass on the qualifications of applicants for license under this act.

Mr. GRONNA obtained the floor.

Mr. REED. Mr. President, I hope the chairman of the committee will see his way clear to accept that amendment.

Mr. GORE. I will say that my attention had not been previously called to the amendment; but, as I understand it, I shall interpose no objection at this time.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from North Dakota.

The amendment was agreed to.

Mr. GRONNA. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 107, at the end of line 5, it is proposed to insert:

Provided, That no inspector or deputy inspector licensed by the Secretary of Agriculture to inspect or supervise the grading of grain shall, during his term of service, be interested, directly or indirectly, in the handling, storing, shipping, purchasing, or selling of grain, nor shall he be in the employment of any person or corporation financially interested in the handling, storing, shipping, purchasing, or selling of grain.

Mr. GRONNA. Mr. President, in a State where there is no inspection either by law or by rules adopted by the grain exchange, it would be impossible to have grain inspection, for there would be no one to accept a license issued by the Secretary of Agriculture save and except those who were interested in buying the grain. Of course, that would mean that the elevator men, the men who are buying and selling grain, would be the inspectors; or perhaps the millers might apply for a license. Everybody who has studied the provisions of this bill knows that there is no provision made for compensation to these

inspectors except in States where they have a grain inspection either by law or by the exchange, or by the board of trade, or by the chamber of commerce.

Mr. President, it seems to me that it would be just as unfair to the producers of grain to say that those who are directly interested in the buying and selling of grain should be the inspectors as it would be to say that the bankers of this country should be the inspectors of their own banks, or that the packers should be the inspectors of meat, or that the producers should be the inspectors of the grain.

I hope the chairman of the committee will accept this amendment.

Mr. GORE. Mr. President, I have no objection to the amendment. I approve of it, as I understood it.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. GRONNA. Mr. President, I also offer the amendment which I now send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to add to section 4, on page 104, the following:

And provided further, That in any State where there has not been established, either by the laws of the State or by the rules and regulations of any commercial exchange, a system of grain inspection, this act shall not apply so far as it relates to the shipment or delivery of grain entering into interstate or foreign commerce, but such grain shall be inspected at the terminal point if shipped to a State having a system of inspection, and if shipped to a foreign country through a State having a system of inspection it shall be inspected at the most convenient point within such State.

Mr. BRADY. Mr. President, on what page and line is that to be inserted?

The SECRETARY. On page 104, at the end of line 3.

Mr. GRONNA. Mr. President, if I may have the attention of the chairman of the committee for a moment, in the State which I in part represent, and in States like South Dakota and many others where there is no grain inspection either by law or under the rules of a chamber of commerce or a board of trade, it would be absolutely impossible, under this bill as it stands, for the dealers or for anybody living in those States to transact their business in the ordinary way. Section 4 prohibits the shipment of grain—it prohibits it from entering into interstate commerce unless it shall have been first inspected by a licensed inspector. Now, Mr. President, in a State like mine, where there are no inspectors, it could only be shipped out by type or sample. Everybody who knows anything about the grain trade knows that every bushel of grain has been bought under a system of grading. Every elevator man has bought on grades. It makes no difference, Mr. President, whether it is being shipped out on a grade or not. The grade has been established by the buyer, and section 7 of the bill provides a penalty of a thousand-dollar fine or a year's imprisonment for the violation of section 4. That means that every dealer who ships grain which enters into interstate commerce is subject to this penalty.

Mr. President, it may be that the people of our western country should be punished for doing business in their own legitimate way. I am receiving every day telegrams and letters from some of these people who, perhaps, mean well. They say: "Stand by the grain-grades act." I am afraid these people have not studied the provisions of this bill. I am afraid they do not know that if this bill were to be passed in its present form every elevator agent in my State, where there is no grain inspection, and every elevator man and every other shipper in my State, where there is no inspection, would be subject to tihs penalty of a thousand dollars fine or a year's imprisonment in the penitentiary, or both.

Now, I for one am not willing to send all the people of my State who are dealing in grain to the penitentiary, either at Leavenworth or any other Federal prison. We need them. We need all the men we have in our country. We are not so tired of our people that in order to supply these penitentiaries, which perhaps now are partly vacant, we ought to penalize them in this way.

Mr. REED. Mr. President, I will suggest to the Senator that, in view of the spirit that is now so broadly scattered in our country that men who deliberately organize trusts, pools, and combinations in restraint of trade ought to be dealt with gently, and ought to be guided out of the mazes of their own illegal conduct, and, above all things, that the criminal penalties ought to be stricken out of the antitrust acts, it might be that an equal degree of clemency could be extended to a farmer who happened to ship some grain and sell it as No. 2 wheat, selling it by grade, and failed to have it inspected. But I am informed that the chairman of the committee is prepared to accept this amendment, although I have no desire to speak for him.

Mr. GRONNA. I am very glad to know that. I did not think the chairman of the committee was willing to see this injustice done to our people; and I am very glad to know that he is willing to accept the amendment.

Mr. GORE. Mr. President, I desire to say, first, that I think both the Senator from North Dakota and the Senator from Missouri are under a misapprehension as to what section 4 of the grain-grades act undertakes to accomplish. The second and third provisos undertake to do exactly what the Senator proposes in the pending amendment, as I understand it. The second proviso permits a farmer in North Dakota to ship a carload of wheat or a trainload of wheat to Minneapolis without grading, and if he is satisfied with the grading at Minneapolis that ends the transaction. If he is dissatisfied with the transaction, he has under this act the right to prosecute an appeal. The third proviso permits a farmer in North Dakota from a by-station to ship without interference a carload of wheat to a by-station in Minneapolis where there are no inspectors.

I think both these Senators have in their minds a provision in the bill that was considered less than a year ago, which required that grain being shipped in interstate commerce must conform to the standards fixed by the bill and penalizing the shipment of grain that did not conform to those standards. That provision is not contained in the pending bill. I am in perfect sympathy with the purpose of the Senator from North Dakota and the Senator from Missouri that farmers should be permitted to ship their grain from Arkansas or Oklahoma to Kansas City and St. Louis without subjecting themselves to any penal enactment; and that is the purpose which the amendment just tendered by the Senator from North Dakota seeks to accomplish.

I say that I am in sympathy with that purpose. I have not had an opportunity to analyze the language as carefully as the importance of this provision deserves, but for the present I am not disposed to interpose an objection.

Mr. McCUMBER. Mr. President——

Mr. GRONNA. I yield to my colleague.

Mr. McCUMBER. I think the Senator from Oklahoma is in error if he assumes that any provision in section 4 allows a man to ship from North Dakota or any other State a shipment of grain without inspection unless he sells it without inspection. In other words, he can not, under the provisions of section 4, ship a carload of grain from North Dakota to Minneapolis unless it is graded or unless it is to be sold by sample. I want to call the Senator's attention to it, so that he will see that he is in error in that respect.

Section 4 provides:

That whenever standards shall have been fixed and established under this act for any grain no person thereafter shall ship or deliver for shipment from any State, Territory, or District to or through any other State, Territory, or District, or to any foreign country, any such grain which is sold or offered for sale by grade unless the grain shall have been inspected and graded by an inspector licensed under this act and the grade by which it is sold or offered for sale be one of the grades fixed therefor in the official grain standards of the United States.

Now, stopping right there, the Senator will see that there is an absolute prohibition against the selling of any grain so shipped by grade unless it has been graded first in the State in which it originated.

The next provision is this:

That any such grain not sold or offered for sale by grade—

Not any grain, but "any such grain not sold or offered for sale by grade"—

may be sold, offered for sale, shipped, or delivered for shipment in interstate and foreign commerce by sample or by type, or under any name, description, or designation which is not false or misleading, and which name, description, or designation does not include in whole or in part the terms of any official grain standard of the United States.

So the Senator will see that under that provision it will be unlawful to sell that grain by grade at the point to which it has been shipped. So he will see that it is impossible to ship a carload of grain from one State to another which has not been already graded before it leaves the State of its origin, unless it is sold by sample, or by some method other than that of grading.

Mr. GORE. Mr. President, it was the next proviso that I had in my mind, following the one just read by the Senator.

Mr. McCUMBER. We will take that proviso, then. The next proviso is as follows:

Provided further, That any such grain sold or offered for sale by one of the grades fixed therefor in the official grain standards may be shipped to or through any place at which an inspector licensed under this act is located, subject, under such rules and regulations as the Secretary of Agriculture shall prescribe, to be inspected at the place to which shipped, or at the place through which shipped for inspection, and subject further to the right of appeal from such inspection, as provided in section 6 of this act.

That deals only with grain that has been once graded.

That any such grain sold or offered for sale by one of the grades fixed therefor.

You see, that is dependent entirely upon its having been previously graded. I do not think myself that even the amendment offered by my colleague would make this a satisfactory provision, but at least it would eliminate the difficulty about which he has spoken.

Mr. GORE. There ought to be no doubt left upon that point, Mr. President, and I suggest to the Senator that the insertion of the words "shipped or offered for shipment" in the second proviso would contribute to that end. I have not had an opportunity to consider it. I do not object to the amendment, however.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. GRONNA. Mr. President, I offer as a new section of the bill the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 108, at the end of part B, it is proposed to insert the following:

Nothing in this act shall prevent any person from selling or buying grain by sample, regardless of its grades.

Mr. GRONNA. Mr. President, may I have the attention of the chairman of the committee just a moment?

Mr. GORE. Mr. President, I should like to have the amendment read again.

The Secretary again stated the amendment.

Mr. GORE. I think that is embodied in the act, anyway, and I therefore shall not object—certainly not at present.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. GRONNA. Now I offer another amendment, which I ask to have read.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 108, at the end of part B, it is proposed to insert the following:

SEC. 13. That the provisions of this act shall not infringe upon or supersede the provisions of the laws of States in which State grain inspection has been or may hereafter be established by law or in which public warehouses are regulated by law: *Provided, however,* That the Secretary of Agriculture is authorized to cooperate with the officials charged with the enforcement of grain inspection and warehouse regulation in such States, and through that cooperation to secure the enforcement of the provisions of this act as far as practicable and in such manner as not to conflict with the laws of such States.

Mr. GRONNA. Mr. President, if I may have the attention of the Senate for just a moment, it is true that the bill has been greatly improved by the amendment offered by the Senator from Missouri [Mr. REED]. I think, however, that it would be better to adopt this amendment and leave it to the States to conduct the inspection.

I do not know of anyone from the grain States who is opposed to a standardization act. There is no opposition, so far as I know, to allowing the Federal Government to standardize grades and fix the standards for the entire country. But, Mr. President, when we are supposed to turn over to a department of the Government the regulation of the shipment or the sale of anything that enters into interstate commerce, I think it is a dangerous thing to do. I was impressed with the speech made this morning by the Senator from California [Mr. WORKS], when he said that we are drifting into a sort of a centralization; that the Federal Government is being asked to do all of these things that the States should do.

Mr. President, is there anyone upon this floor who will deny that the people of a sovereign State should have the right to transact their legitimate business in their own way? This bill seeks to take from them that right. I believe a better amendment still than the one I have offered would be to strike out everything after section 3—to strike out the entire act—and simply provide for a standardization act, and let the Federal Government standardize grades of all sorts of grain, and then let the States themselves transact their business in their own legitimate way.

But, Mr. President, I have received telegrams and letters from organizations asking me to support the so-called grain-grades act. Who is back of all this agitation, I ask you? For the last nine years the Department of Agriculture has undertaken to standardize grades; and I state as a matter of fact that during all that time, with an expenditure of over $700,000, the Federal Government has only been able to standardize corn so far as it relates to the moisture content. That is all that the Government of the United States has done with an expenditure of nearly $800,000.

But, sir, I am willing to let the Government expend this money; I am willing to let the Government of the United States say what the official grades or standard shall be in order to have a uniform grade.

It has been stated by experts in this country that in three months they could standardize all kinds of grain for the western country, and if you will give them seven months, they will extend this official grade for the entire country.

I do not believe that the Department of Agriculture should come here and tell the people of the United States how to transact their business. I do not believe that it is the function of the Government to say how this business shall be done. It is for the States and not for the Federal Government to regulate.

Mr. President, I do not care further to occupy the floor. The chairman of the committee has been kind enough to accept three of my amendments, and I trust that he has not accepted them only to get rid of them on the floor to avoid discussion. I know he will consider them in the committee of conference, and I am quite sure he will give it the attention which he usually gives to matters of this kind; also that he will see to it that the provisions remain in the bill.

I want to say, Mr. President, that it will be absolutely impossible for us in the West to conduct our own business if this bill is not amended. When the question of standardizing of cotton was before the Senate a few days ago, as the Senator from Georgia [Mr. SMITH] well said, there are certain provisions to which the Department of Agriculture could not agree, but the trade believe—the producers believe—that it would be better to adopt certain things in this bill.

Now, we in the North did not object to that. Those of us who are interested in grain, in the business of producing and handling and selling grain, did not object to what the people of the South wanted, and I know that you will extend to us the same courtesy and that you will accord to us the same treatment with reference to grain that we in the North accorded to you in the South in reference to cotton.

Mr. President, that is all I care to say.

Mr. McCUMBER. Mr. President, I desire the attention of the Senator from Oklahoma, in charge of the bill. I believe the Senator desires to enter upon the statute books an act that can be put in force and that will be workable. I greatly fear that those having charge of this measure have not given it the consideration it ought to have in respect to the method of handling grain in the great Northwest.

The Senator from Oklahoma understands that at every station in Minnesota and the Dakotas and eastern Montana there are a number of elevators, all the way from 2 to 10 at a station. The farmer hauls his grain to an elevator, his grain is graded at the elevator, and a price paid in accordance with the grade which is accorded to that particular grain. The wheat buyer or agent, whether it is a line company or an independent elevator company, knowing the grades that he would probably receive at the terminal, seeks to so grade it that it can be kept good at all times. He has to guess, of course, to some extent what kind of a grade he will receive at the terminal. Then he ships that grain. He may mix it with a certain grade of several bins going into one car. It necessarily must be shipped without reference to any grade whatever. So you will see that while he must buy it in at a grade he can not ship it out at a particular grade, because he must send it to the terminal, and the terminal, which is governed entirely by other laws and the laws of another State, will do its own grading and inspection, and though he were empowered to grade it, his grade would amount to nothing under the law as it now stands.

I understand that the Senator seeks to make a change, in that the grade which is fixed by the elevator must be the grade which will be accepted at the terminal to which the grade is shipped. Am I right in that respect?

Mr. GORE. No, sir; I think not. If it should be regarded under the terms of section 4 at the terminal and if there was any dissatisfaction with such regrading on the part of the State grader, then an appeal could be prosecuted under this act to a supervisor.

I wish to say to the Senator that we have entirely the same purpose in view, and whenever doubts are entertained by the junior and senior Senators from North Dakota as to the meaning of the language of this bill it ought to be placed beyond doubt. I am anxious to cooperate with them to that end. I want to make it so clear that the farmers can ship from North Dakota, where there is no licensed inspector, to Minneapolis, without laying themselves liable to a penal statute; that there can be no question about it whatever.

Mr. McCUMBER. I am not speaking now of the farmers.

Mr. GORE. I understand.

Mr. McCUMBER. I am speaking of the elevator companies themselves.

Mr. GORE. I will say that——

Mr. McCUMBER. Let me make it clear. The elevator purchases by grades and it compels the grade to be accepted at the terminal of another State.

Mr. GORE. No, sir; it can not.

Mr. McCUMBER. All right. Now, what provision allows that to be reinspected or compels a reinspection?

Mr. GORE. If the inspection at the terminal was satisfactory and was unchallenged, the grade would stand, but if there should be any dispute about it there could be an appeal under the statute. In fact, that is what this is intended for. I think the last clause of the second proviso of section 4 makes that clear.

Mr. McCUMBER. The last one?

Mr. GORE. Yes; the last clause of the second proviso to section 4 undertakes to cover the point which the Senator has in mind.

Mr. McCUMBER. That reads as follows:

Provided further, That any such grain sold or offered for sale by one of the grades fixed therefor in the official grain standards may be shipped to or through any place at which an inspector licensed under this act is located, subject, under such rules and regulations as the Secretary of Agriculture shall prescribe, to be inspected at the place to which shipped, or at the place through which shipped for inspection, and subject further to the right of appeal from such inspection, as provided in section 6 of this act.

But that is not quite the point I am making. My point is that the party purchasing at the elevator, having purchased by a standard and having been granted a certificate of the character of the grain which he receives, must ship that grain out under a certificate of inspection. In other words, he has no power to send it without inspection to the terminal where he is to sell it. I think if the Senator will read it over carefully he will find that that is the only construction.

Mr. GORE. I think that would be true where there was a licensed inspector stationed.

Mr. McCUMBER. Now, let me ask the Senator a question right there; and I hope I will be excused if I ask too many questions here, because I have just returned from my State and I have not had time to study the bill nor to listen to any arguments which have been made heretofore on it. Does the Senator contemplate that every wheat buyer in every State and at every station is to be made a Federal inspector?

Mr. GORE. No, sir; not at all.

Mr. McCUMBER. Very well, then, without the amendment which has been offered by my colleague to the bill it would have to be inspected by a Federal inspector; and I do not know any other way that you would have a Federal inspector unless you had as many independent men as there were elevators in the United States.

Mr. GORE. I think the Senator is mistaken. It does not require that it shall be inspected by a Federal inspector.

Mr. McCUMBER. Yes; but inasmuch as it is to be bought by grade, and always is bought by grade, it is sold at least by the farmer selling it on a grade and the party purchases by a grade. Therefore he must ship it by grade, must he not? Am I correct?

Mr. GORE. I will ask the Senator to state the question again.

Mr. McCUMBER. If the elevator agent or owner purchases from the farmer by grade, is he not compelled to ship by grade?

Mr. GORE. Not necessarily, not unless there is a licensed inspector. Of course he can do so voluntarily if he desires.

Mr. McCUMBER. He can not sell by grade unless he ships by grade, because under the provisions of the bill, in a State where inspectors or graders have been provided for he will adopt the grade and ship it by grade in order to sell it under the grading system.

Mr. GORE. When it reached the terminal market it would be regraded. But in this case it would be the first official grading by a licensed inspector.

Mr. SHAFROTH. He has the right unquestionably under the bill to provide the grade that he wants.

Mr. McCUMBER. Provided he will sell it without grade.

Mr. SHAFROTH. Yes.

Mr. McCUMBER. But suppose he wishes to sell it by grade.

Mr. SHAFROTH. Then they have a right to have it inspected.

Mr. McCUMBER. All right. Now, who is going to inspect it? That is the point I am getting at. We have an elevator agent, we will say in my State, who buys 100,000 bushels of No. 2 Northern. He wishes to sell it in Minneapolis as No. 2 Northern. If he wants to sell it by grade he can not send it to Minneapolis unless he has it graded before he sells it and has a certificate from some one under the provisions of section 4.

Mr. GORE. I think the Senator is mistaken under the second proviso.

Mr. GRONNA. Will my colleague yield to me?

Mr. McCUMBER. Certainly.

Mr. GRONNA. I will say that the second amendment which I proposed and which the chairman accepted provides specifically that in States where there is no inspection grain may have been bought under a grade and it may enter into interstate commerce, but it also provides that it shall be inspected at the terminal.

Mr. McCUMBER. That is true where you have no grade; but suppose you are shipping from Minnesota to Chicago, and Minnesota has a system of grades and an elevator on the Milwaukee road, for instance, that does not go through the terminal at Minneapolis at all, but in southern Minnesota, where they will have to ship all the grain to Chicago, how would that apply? Minnesota has a system of grades and you would have to grade it according to Minnesota, and you could not ship it to Chicago unless you provided that it was to be sold by the very grade that you purchased. In other words, you can not load out of a bin which you have bought in as No. 2 at Austin, Minn., and ship it down to Chicago and deliver it there to be graded at whatever Chicago desires to grade it at.

Mr. GRONNA. That is absolutely true under the provision of the bill.

Mr. McCUMBER. That is true under the provisions of the bill.

Mr. GRONNA. If my colleague will allow me, when I asked the chairman of the committee whether or not the acceptance of these amendments meant simply to avoid discussion I was interrupted, and I did not get an answer from the chairman, which I know he would like to give.

Mr. GORE. Mr. President, I do not think the Senator really intends to propound that question. I stated that I was in sympathy with the purpose of several of the amendments, as I gathered such purposes, to which I offered no objection. With respect to one of them, I stated that I had not been able to give it the consideration which its importance deserved.

It has been suggested to me that I accept the pending amendment. My answer was that I could not acquiesce merely for the purpose of remitting the amendment to conference. I think the course I have pursued will be sufficient answer to the Senator on that point.

Now, with respect to the pending amendment, I hope that it will not be adopted by the Senate, because I think it virtually neutralizes the entire act.

I wish to have read into the RECORD at this point a letter which I have received regarding this measure.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

NATIONAL COUNCIL OF FARMERS' COOPERATIVE ASSOCIATIONS,
York, Nebr., July 3, 1916.

Hon. THOMAS P. GORE,
Senate Office Building, Washington, D. C.

DEAR SENATOR: You will pardon me for again writing you in regard to the grain grades act, but the grain growers of the country are so anxious that Congress take action at this session on grain grading that I feel justified in doing so. They favored the establishment of uniform grades and now they favor the uniform enforcement of those grades by Federal authority.

We favor, almost universally, Federal inspection of grain; but since there are constitutional barriers in some of the States, we will be glad to accept Federal supervision as provided for in the act mentioned as being a step in the right direction.

You are familiar with the lack of uniformity in grain grading under our present system and fully realize how a uniform system will benefit the entire country. Furthermore, the Federal system will avoid much unnecessary duplication. Grain sampled and inspected under Federal authority at Omaha, for instance, will seldom need to be again sampled and inspected at Chicago or Minneapolis. This will result in a considerable financial saving. Under Federal control grain can be inspected at interior points before it gets to the great central markets. This will relieve congestion at those markets, a condition which holding grain for inspection has helped to make acute. It is a decided step toward economy and efficiency in grain marketing.

This appeal is coming direct from the grain growers themselves through their own organization. There are about 2,400 farmers' grain companies in the Mississippi Valley that have a membership of about 100 each, and those members will appreciate Federal control of grain grading.

Very truly, yours, J. W. SHORTHILL, *Secretary.*

Mr. McCUMBER. Mr. President, I wish that the committee had followed what is indicated in that letter. Had they done so, there perhaps would have been very little difficulty. A little over a year ago I had before the Senate a bill for Federal standardization, grading, and inspection. That bill was voted down. Those who opposed it indicated a perfect willingness to adopt a measure which would provide for Federal standardization and Federal supervision of that standardization, leaving the actual inspection to the States themselves. This letter is along that line. I regret very much that the committee did not feel

justified in stopping exactly at that point, simply for Federal standardization and supervision. If we had that, then we could easily provide afterwards for the Federal inspection if it became necessary.

The first was a step in the right direction, but with the many provisions that you have in this bill you are going to hamper trade very badly. If you could take the Lever amendment, I think it was, which was introduced last year, and just readopt that, I would be satisfied to let it rest right there until time would demonstrate wherein we could add to the efficiency of the law.

I want to call attention right here to an absolutely unworkable provision, and one that would cause a great deal of hardship. I wish to premise that with the simple declaration that there should be no provision whatever for any inspection outside of some great terminal where grain is finally to be disposed of. That is the only inspection you need. Take a State like the State of North Dakota, and what is the use of having grain inspected there if it is to be reinspected at Minneapolis? If we are to have no inspectors under Federal standardization and under Federal supervision which would insure a proper inspection of that grain, what benefit is there of an inspection in North Dakota or in Montana or in southern Minnesota, where the farmer or the elevator man desires to ship to Chicago? Therefore in the bill which I had previously prepared I provided only for inspection at these great terminal places.

Now, you are asking for an inspection and providing for an inspection practically at every elevator in the entire United States. That, of course, is absolutely impossible. You have not made any provision as to how those inspectors are to be employed. The only way that I can possibly see is for the old-line elevator to send to the Secretary of Agriculture the names of all of its employees buying wheat at every station in the United States, and ask that they be made Federal inspectors. Then you have your inspector and your buyer in exactly the same person or his agent. We would prefer to have even the old Minnesota and Chicago provisions, to which we have been objecting for years.

Mr. GORE. Mr. President, I should like to say to the Senator that perhaps he was not in the Chamber when the amendment was offered by his colleague [Mr. GRONNA] which prevents interested parties from being licensed as inspectors.

Mr. McCUMBER. That amendment would take care of our State, because we have no inspection. That, however, is the only provision which is made. It will not take care of other States where they may have a system of inspection; it will not take care of the State of Minnesota, where, as in the western portions along the Milwaukee Railroad, they would probably ship to Chicago instead of to Minneapolis.

Mr. GORE. I think the Senator is mistaken. I think the amendment prohibits any person who is interested in handling or in buying or in the transportation of grain from being licensed by the Secretary of Agriculture.

Mr. McCUMBER. Then where are you going to get your inspectors to inspect throughout the United States?

Mr. GORE. I will say, I think those are the Senator's inspectors, not mine. I do not think those inspectors will exist on every street corner, as the Senator seems to imagine.

Mr. McCUMBER. If the Senator please, I take a load of wheat from my farm in North Dakota to the nearest elevator. The elevator will buy that upon a grade. Now, the elevator man has got to inspect it. Has he any right to inspect it and to purchase it under the United States grade and issue a certificate unless he has a license?

Mr. GORE. Certainly not, Mr. President; but there is nothing requiring that to be done where the inspectors are not licensed. If there is no licensed inspector in any town which the Senator has in his mind, that prerequisite is dispensed with.

Mr. McCUMBER. Then, the Senator will see that it will force every wagonload of grain in the State of North Dakota and in other States to be sold without inspection, without any grading whatever. The farmer wants his grade; he wants to know whether it is No. 1 or No. 2, and he is not going to be satisfied if the elevator man says, "I will give you 85 cents a bushel for this."

Mr. GORE. Mr. President, I have to revert again to the same proviso of section 4, which provides that such grain can be sold at points where there are no inspectors and shipped to points where there are inspectors and then inspected upon arrival at such points.

Mr. McCUMBER. But suppose I desire the grain inspected where I am selling it in the country?

Mr. GORE. Very well. What would the Senator do now, if there were no inspectors?

Mr. McCUMBER. But every purchaser at the elevator does inspect the grain. There are inspectors.

Mr. GORE. There is nothing in this proposed legislation to prohibit a seller and a purchaser of grain from agreeing on the grade.

Mr. McCUMBER. Does it not prohibit anyone from making an inspection unless he is a licensed inspector?

Mr. GORE. It provides that where there are licensed inspectors the grain must be inspected; but where there are no such licensed inspectors there is no inspection whatever, more than now exists.

Mr. McCUMBER. No one could inspect.

Mr. GORE. They may agree between themselves upon a grade and sell it by grade. Then the farmer could take it to any point—say, to Williston, in North Dakota—and sell it to the elevator man or anybody else, if they could agree on the grade, and then grade it and ship it to Minneapolis. If the grade was not satisfactory, that would end it. If upon its arrival at Minneapolis there was a disagreement about the grade, it could be regraded under this act. I think there is no difficulty.

Mr. McCUMBER. I doubt very much whether that is the true construction; but I have not time to look through the amendments now in the midst of the debate. However, I call the Senator's attention to another feature of the weakness of the amendment. Suppose I bring a wagonload of a couple of hundred bushels of wheat to an elevator and it is inspected, or the elevator man says he will give me No. 2 for it, and I think that it is No. 1, have I any right of appeal in that case?

Mr. GORE. I think not at the point where the grain was sold within the State; but upon its arrival at a terminal market where there was an inspector, he would have, of course.

Mr. McCUMBER. Yes; but on its arrival at the terminal market it would be mixed with other wheat. You can not ship 200 bushels in a carload; you would have to ship from 1,500 to 2,000 bushels. Therefore, the wheat would be mixed with other wheat.

Mr. GORE. Where it was sold on a local market, and there was no inspection, of course there could not be an appeal, as I understand the matter, and I do not think there could be now.

Mr. McCUMBER. The Senator from Oklahoma will find, Mr. President, if he will look this amendment through, and if he is acquainted with the methods of dealing in grain, so many objections and obstacles, that he will himself, I think, agree that the proposition is scarcely workable.

Now, let us take the question of appeal. The language is:

Provided, That any appeal from such inspection to the Secretary of Agriculture—

And there is no other appeal, except to the Secretary of Agriculture. There is no chief inspector, no deputy inspector—

shall be taken before the grain leaves the place where the inspection appealed from was made.

All right. Now, suppose that it is inspected in Minneapolis on a car and the owner of that car of grain is dissatisfied with the inspection; must he hold the grain in that car, and can it not be moved until he can get the matter before the Secretary of Agriculture? There might be 10,000 appeals before the Secretary at that time.

Mr. GORE. I assume that there would be a Federal supervisor in Minneapolis to whom the appeal could be immediately presented and a decision obtained as readily as it could be under the existing system.

Mr. McCUMBER. Oh, but there is no one to whom to appeal, except the Secretary of Agriculture.

Mr. SHAFROTH. The act says that he shall do this by agents.

Mr. McCUMBER. No; not as to the appeal.

Mr. SHAFROTH. Yes, sir; it is to be done at the Secretary's direction.

Mr. GRONNA. I will say to the Senator from Colorado that he is mistaken. There is absolutely no provision in the bill which allows anyone to take an appeal, except to the Secretary of Agriculture.

I now call the Senator's attention to the fact that there is very often, even in the city of Minneapolis alone, a million bushels of grain which arrive at once—a hundred carloads.

Mr. GORE. I will say that I think it is substantially the same language as that of the amendment in the cotton-futures act, which provides for such appeals; a great many of which have been taken. I think they number 1,100 from the New York market alone. The representatives of the department testify that there is no difficulty whatever in the matter, and I assume that the same methods would be employed in the enforcement of this act.

Mr. GRONNA. Mr. President, it would be absolutely impossible, even if the Secretary of Agriculture wished to do it, for him to hear all of these appeals unless the amendment which I have proposed, and which has been accepted, remains in the bill.

Mr. GORE. I wish to say to the Senator that I think even the plan embodied in his amendment would not meet the situation. There ought to be somebody to whom the appeal could be made, and I assume under this act there would be somebody at Minneapolis or at Kansas City. I will say to the Senator that under the cotton-futures act—and I think this is substantially the same language—there are ways and means of submitting these disputes without causing unnecessary delay. Eleven hundred appeals have been prosecuted.

Mr. McCUMBER. Let me say to the Senator that 40 Secretaries of Agriculture could not take care of appeals that would daily come up from the great grain centers.

Mr. SHAFROTH. I will suggest to the Senator that on page 6 he will find the following:

> The findings of the Secretary of Agriculture as to grade, signed by him or by such officer or officers of the Department of Agriculture as he may designate, upon an appeal taken or dispute referred to him under this act, made after the parties in interest have had opportunity to be heard, shall be accepted in the courts of the United States.

Of course the Secretary of Agriculture could not attend to this; it has all got to be done by deputies or by assistants.

Mr. McCUMBER. That does not make any difference; it is an appeal to the Secretary. The Secretary may turn over to a dozen different persons an equal number of appeals, and he may authorize them to consider them; but, of course, he must finally pass upon them. He may not personally investigate them; in fact, I do not think he could do so to any great extent, because of the immense number of appeals that under ordinary conditions would come before the Secretary of Agriculture. I simply call attention to a few of the provisions here showing that it is not a workable proposition.

Experience of hundreds of years in the grain trade has developed a system of grading, of inspection, and of appeal that would work with approximate justice if we could just divorce the inspection and the grading from the purchasing interest. That is all we have been trying to do; and if we can do that, then we do not care anything about the matter of who makes the grade so long as it is not the purchaser. We do not care who makes the inspection so long as the party who is interested will not fix the grade of the particular grain that he is to buy. Whether the abuses are as great as we believe them to be there may be a question, but there is a great suspicion over the country that the grades are not just, and there is sufficient evidence to justify that suspicion. Now, to remedy existing evils you are introducing a new law which seeks to take hold of an immense proposition without sufficient provisions in it adequately to take care of that proposition; and it is better that we stop at this session of the Congress and simply provide for standardization and supervision, and get that work started and then see whether or not we ought to go further and ask for Federal inspection as well as supervision, and in that standardization and supervision I would go no further than the great terminal sections of the country.

Mr. GRONNA. Mr. President, I was going to say that I am in perfect accord with my colleague [Mr. McCUMBER] in what he has said. There is no provision in the bill for an appeal except to the Secretary of Agriculture. I do not know whether or not my colleague is in favor of the amendment which has been adopted. We have not had the time to give it the thought and the study to which it is entitled; but the amendment which has been adopted provides that in States where they have a State inspection and where the governor appoints an appeal board, appeals shall be taken to such board. Then, if the buyer or the seller is not satisfied, the case can be taken to an appeal board, appointed by the Secretary of Agriculture, which will make the final decision in the matter.

I know that the opposition which was raised against the bill introduced by my colleague and championed by him for many years originated very largely with certain organizations; and those organizations were instrumental in defeating that bill. There is no question about that; and the same organizations which were opposed to that bill are now supporting this bill. I make that statement without any qualification. The provision is not in the interest of the producers, and those who are engaged in the trade will find that it is not in their interest. It may be that we will find that after those who are engaged in the grain trade have studied the provisions of the bill, they will find it is not as satisfactory as they now believe it to be.

I remember well, Mr. President, when this bill was first being considered by the Committee on Agriculture that the members of the Chamber of Commerce of Minneapolis and members of chambers of commerce from other cities of the United States came before the committee and advocated the bill. They were asked this question: "Suppose the bill should provide that after the Secretary of Agriculture once shall have fixed the standard no modification can be made, would you be in favor of that bill?" They replied, "No; we would not be." That provision was in that bill at the time. It was a provision which was absolutely favored by the millers of this country. Now, Mr. President, I think the grain trade will find that this bill is not as satisfactory as they now think it is. It is another case of leading men up on a high mountain and saying, "All of this will I give to thee if thou wilt worship me," when they have not any title to anything whatever.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER (Mr. POMERENE in the chair). Does the Senator from North Dakota yield to the Senator from Nebraska?

Mr. GRONNA. I yield.

Mr. NORRIS. In the pending amendment which the Senator has offered there is a provision which reads:

> That the provisions of this act shall not infringe upon or supersede the provisions of the laws of States in which State grain inspection has been or may hereafter be established by law or in which public warehouses are regulated by law.

The question I want to ask the Senator is whether this amendment, if adopted as he has offered it, would not make it impossible for the Secretary of Agriculture to fix standard grades if those standard grades should conflict with any State grades established by law and in existence at the time or established afterwards? Would not the State action have the effect of nullifying the standards established by the Secretary of Agriculture? As I understand, the thing the Senator desires as well as myself is that there shall be uniform standards all over the United States.

Mr. GRONNA. Yes; I am in favor of that.

Mr. NORRIS. But the question I ask is would not this amendment, if adopted, make it impossible to secure such standards?

Mr. GRONNA. I will say to the Senator that my understanding is that it would not on any grain that enters into interstate commerce. Of course, we can not regulate intrastate commerce, but any grain that enters into interstate commerce would have to conform to the official grade adopted by the Secretary of Agriculture.

Mr. McCUMBER. Mr. President, if my colleague will allow me, I think that the suggestion made by the Senator from Nebraska [Mr. NORRIS] is correct, and that the amendment would allow those States in which provision is made by law for inspection and grading of grain to continue selling under their inspection and grading system. I am quite satisfied that my colleague does not wish that, but I think the first provision of his amendment would be so construed.

Mr. SHAFROTH. Mr. President, I have no doubt that a more perfect inspection of grain could be made under a provision for United States inspectors at the numerous points in the United States such as was contained in the bill which the Senator from North Dakota [Mr. McCUMBER] had before the Senate a year or two ago; but in order to have an inspection of that kind it will be necessary to have thousands of inspectors, and it was thought that the condition of the Treasury was not such as to justify a complete inspection by the United States Government. So this bill has been framed on the theory that we want grain standards established. It was said in the testimony taken before the Senate Agricultural Committee that there are 35 different standards, and by one witness it was stated the standards existing numbered 150.

Everybody, I believe, concedes that that is a wise thing to do, because some of these States and some of these boards of trade have such loose definitions of the standards of grain that they are ridiculous.

Here is a statement showing a comparison of Baltimore, Philadelphia, New York, and Boston definitions of grades of corn.

No. 1 corn as defined by the New York Produce Exchange:

> Shall be mixed corn, sound, dry, and reasonably clean.

There is no certainty with relation to such a definition as that. What is "dry"? What is "sound"? What is "reasonably clean"?

Mr. NELSON. Mr. President, will the Senator yield to me?

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Minnesota?

Mr. SHAFROTH. I do.

Mr. NELSON. The Agricultural Department has had appropriations for years, and has exhausted over $700,000, and has

only succeeded in standardizing corn as to its moisture content. It has never gotten beyond that, at an expense of over $700,000.

Mr. SHAFROTH. Mr. President, the Government has established grades as to corn, and they are being generally recognized in the trade, and they are specific, instead of the uncertainty that exists in regard to these local grades. The following are other New York Produce Exchange definitions under which corn is sold:

No. 2 corn shall be mixed corn, sound, reasonably dry, and reasonably clean.
Old No. 3 corn shall be mixed corn, dry, reasonably clean, but inferior in quality to that described as No. 2.
No. 3 corn shall be mixed corn, equal to the above grade of No. 2 in quality, but in condition may be soft.
No. 4 corn shall be mixed corn not fit for a higher grade in consequence of being of poor quality, damp, musty, or dirty.
No. 5 corn shall be mixed corn not fit for a higher grade in consequence of being of poor quality, very damp, musty, or very dirty.
No. 2 dried corn shall be mixed corn——

Mr. NELSON. Will the Senator be kind enough to read the grades prescribed by the Agricultural Department?

Mr. SHAFROTH. Yes, sir; I will.

Mr. NELSON. Just read that.

Mr. SHAFROTH. I will.

Mr. NELSON. Then we will have some standard to go by.

Mr. SHAFROTH. I want to read first what the officers of the Baltimore Chamber of Commerce have defined. They have a corn there that they name "prime sail mixed corn," and they require that it "shall be reasonably sound, reasonably dry, and reasonably clean."

Why, those are such indefinite terms that you can contend that any corn that is presented comes within them or does not come within them.

They have another grade there which they sell as "steamer mixed corn," and that—

May be slightly damp or slightly musty, or both, or not well cleaned, but must be cool.

Those are all indefinite terms. You can not tell from that what a sample comes within, whether the corn is of that class or not.

Then, again, in that same market, the Baltimore Chamber of Commerce grade, it is said:

No established grade corn (mixed).

That is another grade of corn that they put forth, and they say:

Shall embrace corn slightly inferior in condition to steamer mixed corn, but must be cool.

The last——

Mr. NELSON. Mr. President, why does not the Senator give us the standards fixed by the Department of Agriculture?

Mr. SHAFROTH. I will do it. The Senator will get that also in due time. I have it right here, and propose to read it; but I want to show how indefinite the terms are that are contained in these commercial standards that are established at the seaports, and I want to do it for the purpose of showing that the farmers are mulcted every time by reason of sending corn there which the middlemen buy at a low grade and sell at a high grade, by which they make an undue profit.

Here is the standard of the Philadelphia Commercial Exchange:

No. 2 mixed corn shall be sound, dry, and reasonably clean.
Steamer No. 2 corn shall include corn of the above-named grades in quality; in condition it may be slightly soft or damp, but must be cool and, in the judgment of the inspector, suitable for steamer shipment.
No. 3 corn shall include corn soft, damp, dirty, not damaged, but inferior in quality to steamer corn.
No. 4 corn shall include corn that is soft, damp, dirty, admitting more moisture than No. 3 corn, but suitable for warehousing.

There they are comparing something of a less grade to something that is not fixed in a prior grade, all of it being in indefinite terms.

They further prescribe that—

Sample corn shall include all corn inferior to No. 4.

Then there is the Boston standards. They have chamber of commerce grades. They have No. 2 mixed, which—

shall be sound, sweet, dry, and reasonably clean, yellow and red or white corn mixed.
Steamer corn shall include yellow and red or white corn mixed that is slightly soft or damp, but must be cool; or corn not good enough for either of the above grades, in consequence of containing a moderate mixture of poor kernels.
No. 3 corn shall include all damp corn or corn slightly inferior to steamer corn in quality, but must be cool and sweet.
No. 4 corn shall include all corn that is slightly sour or musty, but must be cool.
General rule: "No grade" shall include all corn that is hot, warm, or badly damaged.

Mr. President, the descriptions of those grades are such that sellers can contend, and reasonably contend, that the grain which they have comes within No. 2 or No. 3 or No. 4, to suit their own interest; and the buyers can in the same manner contend that the corn inspected is of a lower grade, and therefore that they ought to buy at a less price.

Now, let us see what the United States Department of Agriculture has done in this matter and let us see what grades they have established:

Grade classification of white, yellow, and mixed corn, showing maximum allowances of moisture and other factors.
No. 1 corn: The percentage of moisture shall not exceed 14 per cent.

That is easily ascertained. You have a tester, and all you have to do is to test a sample of corn, which can be done in 30 minutes, and if it exceeds 14 per cent in moisture it goes to a lower grade. That is mathematical. It is not subject to the opinion of anybody. It is not subject to the contention that it is slightly moist or it is slightly damp or that it contains elements that are of a nature upon which you can put one construction or another.

Next comes the question as to the quantity of damaged corn that can be in No. 1 graded corn. There it says:

Two per cent (exclusive of heat-damaged or mahogany kernels).

That is, the damaged corn in No. 1 corn shall not exceed 2 per cent; and that can be ascertained by samples very readily, so that there is a mathematical test as to whether or not it falls within No. 1. But that does not at all compare with, for instance, New York Standard No. 1 corn, which—

Shall be mixed corn, sound, dry, and reasonably clean.

That is a perfect jumble of uncertain terms, under which it can be plausably contended by the seller that his corn is fully up to the point or by the buyer that it is below the point of No. 1.

Now, under the United States standard they require that—

Foreign material, including dirt, cob, other grain, finely broken corn, etc., shall not exceed 1 per cent.

You can easily ascertain that by taking a sample, extracting the foreign matter, and weighing it, and then, if it exceeds 1 per cent, you can say with certainty, "That is not No. 1 corn." Consequently, we can ascertain with certainty what No. 1 corn is.

Mr. GRONNA. Mr. President——

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from North Dakota?

Mr. SHAFROTH. I yield.

Mr. GRONNA. The Senator seems to know so much about grading grain that I should like to ask him a question. Suppose we had No. 1 grain, the best quality that can be produced, with 10 per cent of foreign matter in it. How would the Senator grade that?

Mr. SHAFROTH. How much did the Senator say?

Mr. GRONNA. Ten per cent of foreign matter—dirt or weeds or whatever it might be. How would the Senator grade that?

Mr. SHAFROTH. I think you would have to sell that by sample. That is what you would have to do, according to this standard.

Mr. GRONNA. I am very glad, then, that we have not got the Senator from Colorado to grade grain for us.

Mr. SHAFROTH. Well, that may be.

Mr. GRONNA. Because any man who knows anything about grain would simply say: "We will adopt a system of dockage. We will take out the foreign matter and deduct whatever the dirt may be—whatever the seeds may be—and we will give you whatever the grain is."

Mr. SHAFROTH. Of course, if you want to eliminate some of it, you can determine your grade in that way; but in grading a sample without any extraction of the elements, of course, you have to grade it according to what is there. The maximum allowance in No. 1 corn of "cracked" corn, not including finely broken corn—see general rule No. 9—is 2 per cent.

Now, if there is more than 2 per cent of that in the corn that is sought to be sold, it can not be considered as No. 1 corn. The standard for No. 2 corn is as follows——

Mr. GRONNA. Mr. President, if the Senator will pardon me again, I think if he will read the testimony of Dr. Duvel, who is really the authority on this bill, he will find that Dr. Duvel stated, in substance, that he would not grade the grain down, as the Senator now indicates, because of any foreign matter in it. I can find that in the testimony before the committee of the House.

Mr. SHAFROTH. I heard his testimony before the committee and I also read his testimony. I do not remember what that is; but here are definitions prescribed by the Agricultural Department as to grades of corn which they have established and which now are generally being recognized throughout the United States, and they are specific. They are not like the conditions prescribed in the grades of the New York Produce

Exchange or of the Boston Chamber of Commerce or of the Philadelphia Commercial Exchange, such as—

No. 2 mixed corn shall be sound, dry, and reasonably clean.

That does not mean anything. It means that a person can contend either that the sample which he produces complies with standard or that it does not comply with it, depending upon the interest of the party, as to whether he wants to buy at a low price or whether he wants to sell at a high price.

Now, take No. 2 corn as prescribed by the Agricultural Department. It says that where the moisture exceeds 15½ per cent it is lower than No. 2. In other words, No. 2 must have no more moisture than 15½ per cent in it. It is tested and easily ascertained to a fraction, and consequently there can be no doubt as to whether the corn comes within that prerequisite of the department or not. There the damaged corn can not exceed 4 per cent; and that, by sampling, can be found out to exactness in the same manner. Also, the foreign material, including dirt, cob, other grains, finely broken corn, and so forth, shall not exceed 1 per cent; and that can be ascertained by sampling and by weight just exactly as in the other case. The "cracked" corn, not including finely broken corn, shall not exceed 3 per cent.

So it goes down through six grades of corn. In fact, it goes to the seventh, which is "sample corn." Every lot of corn that contains more than 23 per cent of moisture falls below No. 6 and consequently is called sample corn, which must be sold by sample or upon inspection. Then in the case of No. 6 the damaged corn must not exceed 15 per cent. That is easily ascertained with certainty, and the foreign material, including dirt, cob, other grains, finely broken corn, and so forth, must not exceed 5 per cent; and the allowance of "cracked" corn, not including finely broken corn under rule 9, must not exceed 7 per cent. Everything that goes beyond those exact provisions goes into what is called sample corn, and is sold on the market as sample corn.

It seems to me that when you consider the terms that are prescribed as to the character of corn under the standard adopted by the Government of the United States, there can be no comparison as to certainty with the standards that have been adopted by these commercial organizations and produce exchanges. No. 1 corn in the New York Produce Exchange must be a "mixed corn, sound, dry, and reasonably clean." Whenever you present a sample of that kind for the purpose of having it graded the buyer is there to say that it is not No. 1, because it is not reasonably clean. The seller is there continually to say that it is reasonably clean and that it should be classed as No. 1.

Mr. President, it is said that the opposition to this bill now comes from the markets at the four great ports at which grain leaves the United States; and it is said that that objection arises by reason of the fact that the middlemen there buy upon a lower grade and sell upon a higher grade, thereby making an undue profit on the person from whom they buy. Of course, that ultimately goes back to the farmer, because if the middleman buys at a less price in New York for foreign shipment he must correspondingly reduce the amount which he pays to the farmer himself.

I want to say that this is admitted in the testimony. There are statements here that they buy at a lower price and sell at a higher price. It is admitted in the testimony by persons who say they have bought corn as No. 3 and No. 4 and have shipped it abroad as No. 2 corn; and that has produced a condition of affairs as to our foreign trade that has led to great complaint. Complaint has been made continually in recent years that the corn and the wheat shipped from this country to Europe are not of the grade specified, and for that reason there is great dissatisfaction.

The United States Government is the only Government in the world whose certificate, final as to the grade of grain, is accepted in Europe. All other countries, notably the South American countries, have to ship their grain and have it inspected there; and while they may have a right to dispute the grade fixed and perhaps a right of appeal, it is in a foreign country. Of course, the exporter from this country would be, if we were in the same condition, at a great disadvantage. It is on that account that it is so important that we should have our grades clearly fixed, that they should be clear in definition, so that there can be no dispute, and so that when shipments are made they will receive the confidence of the foreign markets in a way that will cause them continually to trade with us in preference to other people.

Now, I want to call attention to some of these objections that have been made.

On page 37 of the hearings before the Senate committee the chairman says:

The CHAIRMAN. I have heard this urged as a complaint that lack of any standard of nationalized grades of grain in this country has destroyed the reputation of our grain abroad, or has impaired its reputation, and that as a result they pay the lowest prices possible.

Mr. DUVEL. I think that is the situation exactly. That is covered in a little statement that was put out and will appear in the next issue of the Weekly News Letter. These complaints have been coming in for many years.

The CHAIRMAN. I base that statement on consular reports I had examined.

Mr. DUVEL. Yes, sir. I should like to read just one or two of these. This is from the Italian Embassy.

One of the most recent complaints (Mar. 8, 1916) reads in part as follows [reading]:

"The Italian Embassy begs to inform the State Department that in the last few months there have arrived in Italy from the United States quite a number of shipments of wheat which were found to be in very poor condition, largely unfit for consumption, notwithstanding the fact that they were accompanied by regular inspection certificates issued by competent State authorities. * * * These occurrences have created a most unfavorable impression in Italian commercial circles, where it is felt that some American exporters of wheat have not been dealing with that degree of correctness customary in commercial transactions."

From another, under date of October, 1913, we read [reading]:

"The certificates of the inspectors of the grain exchanges of the United States shipping places (———, ———, and others) are considered on our side with the greatest possible distrust, as they are not giving the slightest security for the good condition of the grain shipped. From year to year the standard seems to have been lowered, just as it suited the shippers or members of the exchange."

The secretary of the Hull Corn Trade Association, under date of October, 1913, wrote [reading]:

"Since December, 1911, there have been practically no arrivals of American maize at Hull, one of the reasons being that buyers here do not care to take the risk of condition."

The department received last December through the American ambassador at London a long summarized complaint of the London Corn Trade Association, the Liverpool Corn Trade Association, and the National Association of British & Irish Millers, from which I take the following [reading]:

"For many years European buyers of United States grain shipped from Atlantic and Gulf ports have expressed grave dissatisfaction with the conditions of trading in respect of the quality of grain exported on certificate. Matters have now reached a climax. * * * Large quantities of No. 2 hard winter wheat, 1915 crop, * * * inspection, have been sold and shipped in the last few months. A large proportion of this wheat was neither dry, nor sound, nor sweet, nor did it weigh 59 pounds per bushel, nor even was it in any degree hard on its arrival in this country. * * * By the later export of grossly inferior and improperly graded wheat some United States shippers have secured an immediate advantage on contracts then existing, but the loss of good repute is serious and deplorable. Buyers can not be fleeced with impunity. * * * It is hard to believe that even those sellers who are dominated by consideration of merely personal advantage can be satisfied with this state of affairs, and it must be in the highest degree unsatisfactory to honorable traders in the States who have to suffer for the misdeeds of the unscrupulous ones. * * * The want of uniformity in a system of grading must result in a lowering of the value of the whole crop, for buyers naturally base their price on the poorest quality they may receive."

Now, Mr. President, I do not wish to read any more, but there are other extracts which are contained in these hearings to practically the same effect.

Mr. McCUMBER. Mr. President——

Mr. SHAFROTH. I yield to the Senator.

Mr. McCUMBER. If the Senator desires, he could get volumes of the same material in the testimony that has already been taken before the Senate Committee on Agriculture and Forestry in the last 10 years on bills I have had before the Senate. I think all must agree that the statement made in the testimony read is correct, and what we want to arrive at now is some way to avoid it. How can we do it under the bill that has been introduced? How can we reach this?

I am satisfied that we can not reach it till we have not only Federal grading but supervision and inspection in the same person; that we can not arrive at the end desired by simply providing for Federal standards and assuming a supervisory right where there is no provision in the bill as to how that supervision is to be conducted or how it is to be enforced.

I wish that the Senator who has arrived at the same conclusion as I do as to the necessity for making a change would give us a bill that would be effective in bringing about the change that we all desire.

Mr. SHAFROTH. Mr. President, I concede that a bill which provides for supervision only can not be as accurate and as certain as one that provides for inspection also. There is no doubt about that. But in the one instance it takes in thousands of employees. Success is not absolutely certain, and for that reason we ought to take definite steps slowly. You would have to have an appropriation here of a good many million dollars to establish the system which the Senator desires. Probably it would pay in the end, and probably we can work up to that consummation. It seems to me when we have State inspection in a great many of the States and we have not the standards we ought to fix the standards and try to attach to that State inspection a supervision on the part of the Federal Government

so that there will be uniformity, not perhaps as perfect as it would be under the Senator's bill, but which would be much more satisfactory than that which exists now.

I put aside the question of inspection which the Senator proposes, because it is impracticable at this time to do it by reason of the state of the Treasury, by reason of the fact that we do not know how this is going to operate, nor how it would operate absolutely. For that reason, it seems to me, it would be better to establish the standard and the supervision, and then if we find that will not work we can try the inspection also by the Federal Government. But it is appalling to me to say that we are going to have thousands and thousands of employees of the Government as inspectors of the Federal Government scattered all over the country, one at every elevator in the United States.

Mr. McCUMBER. Mr. President, I wish to correct the Senator, and I know that he is willing to stand corrected, as we both desire to accomplish the same result. The method now for inspecting grain provides that a charge is made for every inspection, and that charge takes care of the entire expenses. The same inspectors who are now used could be used under a Government system and without the cost of one penny to the Treasury of the United States.

I will agree with the Senator that it is not because of lack of funds in the Treasury but because from the very strong opposition by all the boards of trade and exchanges throughout the United States we can not muster up a sufficient number of votes to put any bill through which would be a better bill.

I am willing to compromise. I would be very glad to do it, and take the first step that the Senator suggests, namely, Federal standardization and Federal supervision, but I hope that we can draft such a provision as will secure that end. What I fear is that the bill which is proposed here has a number of provisions which will make it unworkable and will be worse than having no bill at all.

Why could we not just have our Federal standardization and then Federal supervision without many of the matters of appeals, and so forth, which you can not put into force? Let the appeals go on just the same as you have them now. If you are dealing with a Chicago exchange or a Minneapolis exchange, provision is made in the laws of Illinois and the laws of Minnesota for an appeal to inspectors and chief inspectors.

Now, let us appeal to them and let them apply the Government standard to protect their own system of appeals. But you have another system of appeals. You are attempting to recognize them and at the same time to ignore the immense machinery that they have built up. You have made a complex matter out of something that could have been made very simple, and in that complexity you have destroyed the workability of your provisions.

Mr. SHAFROTH. Mr. President, nearly everyone believes in standardization. Some people believe in supervision without Federal inspection. Other classes of people believe in inspection and supervision and will take nothing less. It is true that this machinery upon the part of the Government in establishing an inspection would be very great, and while the fees no doubt, to some extent, would carry it on, I apprehend there would be a great bureau down here, with agents radiating from Washington, that would have to be paid by the Government in order to supervise it more thoroughly.

Mr. POMERENE. Mr. President——

Mr. SHAFROTH. In just one moment. Before I leave the question that I was discussing I want to read a statement made by Mr. RUBEY, of the House of Representatives, before our committee in which he said:

> Before our committee in 1914, Mr. Eddy, a representative of one of the big markets, an exporter, testified that they bought No. 3 corn, and even No. 4 corn, and shipped it to Europe as No. 2 corn. They have been doing that and they want to continue to do it.

That is one of the reasons why these exporting places are opposed to any standardization or any supervision or any inspection on the part of the Government. I now yield to the Senator from Ohio.

Mr. POMERENE. It appears from the discussion both to-day and at other sessions of the Senate that there has been a good deal of investigation of the subject of grain standardization, and in some of the States it would seem that they have already established grades.

Mr. SHAFROTH. In eight States.

Mr. POMERENE. In eight States. Now, under the bill as it is drawn the power is given to the Agricultural Department to establish grades, and so forth, and define them.

Mr. SHAFROTH. Yes, sir.

Mr. POMERENE. Has not the subject been sufficiently investigated so that you could define the grades in the bill itself rather than leave it to a Secretary of Agriculture, which means, of course, that the practical operations are wholly under the control of subordinates in the department?

Mr. SHAFROTH. I will state to the Senator that that is possible. Of course, we could specify in the statute these very things that I have read here as the definitions of corn No. 1, corn No. 2, and corn No. 3, and so forth, but it seems to me there is nothing lost by permitting the Secretary to do it; and the bill provides that he shall give 60 days' notice of exactly the elements that enter into the standard and shall publish it to the world before it becomes a standard.

Mr. POMERENE. Of course I am not on the committee and I have not given the subject the attention it deserves; there has not been time to do it, but I take it that the committee has investigated the matter to such an extent that they ought to be able to give to the Senate some definite idea as to what would constitute the standard, how many different grades there should be, and to define them. If the committee have such information or if the Department of Agriculture has that information or if it is obtainable from experts who have given to this subject a life study, why may we not have it?

Mr. SHAFROTH. It has not been worked out as to the other grains. It has as to corn. I do not know whether the Senator was here when I read the specifications stating the standards of the various grades of corn.

Mr. POMERENE. Yes; I heard the Senator's statement.

Mr. SHAFROTH. It is easily done. They may be somewhat arbitrary, but it is a question which experts ought to determine. Then there are conditions arising in different events that would make it so that there perhaps ought to be a change. There may be some conditions that would make necessary a change in some of the standards.

I say that there is no wrong going to be done either to the farmer or anybody else if it is left to the Secretary of Agriculture to define these grades and give 60 days' notice before they shall take effect.

Mr. President, the condition of our foreign trade in this respect is something that shows the necessity of some action on the part of the Congress of the United States, and while that action might not go to the extent which the Senator from North Dakota desires, and which I must say contains a great many admirable features, yet notwithstanding that something ought to be done. The intense opposition that would be raised to Federal inspection would hazard perhaps the enactment of any law at all, yet we all admit that standards are right and proper, and there should be one standard in the United States established by the Government. Let us take the step, next, of supervision. That does not put the farmer at any disadvantage. He can operate through the State inspection if he wants to, as now. There is no requirement that he should come and have his grain graded at all. He can sell it on sample; he can sell it on inspection; and he need not grade it. When it is graded, then, of course, it is subject to appeal. He will have it graded because he will not be apt to sell it to New York, Philadelphia, and Baltimore exporters unless it is graded. It is to his advantage, because, as I have read right here, they have bought at a lower grade and sold at a higher grade, much to their profit.

Mr. POMERENE. May I ask the Senator another question?

Mr. SHAFROTH. Certainly.

Mr. POMERENE. The Senator said a moment ago that different States have adopted grain-inspection rules. May I ask the Senator whether those grades are fixed by statute in those States or are they fixed by some department of the State?

Mr. SHAFROTH. I do not think they are fixed by statute.

Mr. POMERENE. May I ask the Senator further, then, is there any similarity between the gardes established in the different States?

Mr. GORE. Mr. President——

Mr. SHAFROTH. I yield to the Senator from Oklahoma.

Mr. GORE. I should like to state in this connection that there are about 35 markets in the United States, and each of the markets handles more than 5,000,000 bushels annually. There are about 600 different grades prevailing in the United States. It is the paramount object of the bill to standardize those grades, so that a grade in one place will be a grade everywhere, just as a dollar is a dollar everywhere and a yardstick a yardstick everywhere. It is the object to get a unit of measurement, and that is the preliminary step to any real reform in our system of markets.

Mr. SHAFROTH. Mr. President, I will state that the Liverpool importers, for instance, have a great deal more confidence in Canadian wheat than they have in American wheat. It is due to the fact that the Dominion of Canada passed a grade-standard act, and the wheat of that country is sold on those

standards, and they pay higher prices, of course. The foreign buyer of necessity, when he has once been deceived, when fraud has been perpetrated upon him, will bid a less price, no matter how it is graded at the exporting places.

Mr. GORE. There is a difference of 2 to 4 cents.

Mr. SHAFROTH. There is a difference of some 2 to 4 cents, I think the testimony shows, between the price paid for wheat from Canada and that which is paid for American wheat.

Mr. GORE. And purporting to be of the same grade.

Mr. SHAFROTH. And purporting to be of the same grade. That being the case, it is evidently to our detriment that we have not these standards. It is evidently to our detriment that we have not supervision, and it may also be to our detriment that we have not inspection. But inasmuch as it is claimed that there is such powerful objection to inspection, we ought to go as far as we can to get the grades established, and also get the supervision. That supervision is considerable when you take into account the appropriation of $250,000 contained in the bill.

As the Senator from Oklahoma has said, there are 35 markets in the United States, where more than 5,000,000 bushels of wheat are sold. There will unquestionably be a supervisor appointed at each of those places, and consequently there will be an opportunity for all wheat which is intended for export to be graded under an inspection, if there is any dispute on the part of the persons who are buying and selling the grain. For that reason it seems to me that with 35 inspectors ready to entertain appeals, ready to pass upon questions, there can not be any such frauds perpetrated upon the foreign buyers as have been perpetrated in the past.

It is the intention under this bill to license the State inspectors, as they will have to operate under the United States statute, to the extent, at least, of good conduct, on penalty of a revocation of their license.

If that is true, that is almost equivalent to an inspection by the United States Government. Here each State inspector becomes a United States inspector without any salary. He goes and inspects the grain just as if he were a United States inspector paid by the United States Government. When that is done the certificate should go. But there is a right of appeal, and that right should exist. It may be a little cumbersome, but, nevertheless, you can not deprive a person of his right to say that the inspection is not correct and that the grading has been wrong.

Mr. President, I will say that the Moss bill, which was in the House of Representatives in the Sixty-third Congress, was practically the bill which is presented in the amendment to the Apricultural appropriation bill. It has been ventilated; it has been discussed; a large amount of testimony has been taken concerning it, and it will be making no experiment other than the experiment which is incident to all legislation, even the very best. As I recall, when that bill passed the House of Representatives there were only 17 recorded votes against it, which is an indication that the farmers and the people who are interested in grain grading want this bill. Under those circumstances it seems to me, Mr. President, that we ought to have this provision in the shape in which it is now before the Senate.

The amendment which has been offered by the Senator from North Dakota [Mr. GRONNA] would keep the conditions practically as they are, with, perhaps, the exception of the standard. The section which he proposes to add provides:

SEC. 13. That the provisions of this act shall not infringe upon or supersede the provisions of the laws of States in which State grain inspection has been or may hereafter be established by law or in which public warehouses are regulated by law: *Provided, however*, That the Secretary of Agriculture is authorized to cooperate with the officials charged with the enforcement of grain inspection and warehouse regulation in such States, and through that cooperation to secure the enforcement of the provisions of this act as far as practicable and in such manner as not to conflict with the laws of such States.

Mr. President, we are trying to get a Federal supervision of grain; we are trying to get standards established. We hope that some day it may result even in Federal inspection in each case; but that step it seems impossible to take at this time. It seems to me that we ought to make these changes, and with these changes I believe it will be better for the farmer and better for the honest dealer in grain.

The PRESIDING OFFICER (Mr. THOMPSON in the chair). The question is on the amendment offered by the Senator from North Dakota [Mr. GRONNA]. [Putting the question.] The noes seem to have it. The noes have it, and the amendment is rejected.

Mr. SHEPPARD. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. On page 80——

Mr. GRONNA. Mr. President, let us have a division on the amendment just voted upon. I think there are Senators interested who did not understand that a vote was being taken. I ask that the question be again put, and I think it would be well to have the amendment again stated.

The PRESIDING OFFICER. The result has been announced.

Mr. GRONNA. I move to reconsider the vote by which the amendment was rejected.

The PRESIDING OFFICER. Other business has intervened.

Mr. GRONNA. I move to reconsider the vote by which the amendment was rejected.

The PRESIDING OFFICER. The Senator from North Dakota moves to reconsider the vote just taken.

Mr. GORE. Mr. President, of course if the Senator insists on it I shall not resist.

Mr. GRONNA. Mr. President, I will say to the chairman of the committee that I believe there are Senators here who are very much interested in this amendment who were not aware that a vote was being taken upon it.

Mr. SWANSON. I suggest to the Senator that the bill is still being considered as in Committee of the Whole, and that another vote can be taken in the Senate when the bill is reported to the Senate, just as well as it can be taken now. The vote just taken is not conclusive in the matter at all, and I suggest that he make objection when it gets into the Senate, and then ask for a separate vote. That will save time.

Mr. GRONNA. Mr. President——

Mr. GALLINGER. Mr. President, if the Senator will permit me, I was about to suggest that it is half past 5. It has been a long day from 11 o'clock until this hour, and it is impossible to get a quorum now. I think the Senator from Oklahoma ought either to move an adjournment or a recess, as best suits his convenience.

Mr. SWANSON. Mr. President, if we delay the appropriation bills in this manner, we will not be able to pass them before September; and it seems to me we had better proceed until 6 o'clock.

Mr. SMOOT. If the Senator can get a quorum, we are perfectly willing to proceed until 6 o'clock; but I am quite sure it will be impossible to get a quorum.

Mr. SWANSON. There is no vote pending, is there?

Mr. SHAFROTH. Yes; there is a vote pending.

Mr. SWANSON. I think the Senator from North Dakota has withdrawn the request and will take the matter up when the bill reaches the Senate.

Mr. GRONNA. I do not believe it is necessary to have a quorum in order to have the vote reconsidered. There were not more than one or two Senators who voted when the question was put. I do not believe half a dozen Senators knew what was going on. I simply ask, as a matter of common courtesy, that the vote by which this amendment was rejected be reconsidered. I know the Senator from Minnesota [Mr. NELSON] is very much interested in the amendment, and he was not aware, I think, that it was being voted on.

Mr. GORE. I shall not resist the motion to reconsider.

The VICE PRESIDENT. The question is on the motion of the Senator from North Dakota to reconsider the vote by which his amendment was rejected.

The motion to reconsider was agreed to.

Mr. GALLINGER. I suggest the absence of a quorum. This is an important matter, and there ought to be a quorum here.

Mr. SHEPPARD. I have offered an amendment; but in view of the fact that a point of no quorum has been raised, I ask leave to withdraw it.

ESTIMATES OF APPROPRIATIONS.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of the Navy submitting a supplemental and additional estimate of appropriation in the sum of $683,000 for arming and equipping the Naval Militia for the fiscal year ending June 30, 1917, etc. (S. Doc. No. 487), which, with the accompanying papers, was referred to the Committee on Naval Affairs and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of War submitting an estimate of appropriation in the sum of $7,000,000 required for the services for the fiscal year 1917 by the Medical and Hospital Department (S. Doc. No. 486), which, with the accompanying papers, was referred to the Committee on Military Affairs and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House agrees to the amend-

ment of the Senate to the bill (H. R. 14725) authorizing the Secretary of the Interior to subdivide a part of the town site of Plummer, Idaho, and for other purposes.

The message also announced that the House agrees to the amendments of the Senate to the bill (H. R. 8351) to accept a deed of gift or conveyance from the Lincoln Farm Association, a corporation, to the United States of America, of land near the town of Hodgenville, county of Larue, State of Kentucky, embracing the homestead of Abraham Lincoln and the log cabin in which he was born, together with the memorial hall inclosing the same; and, further, to accept an assignment or transfer of an endowment fund of $50,000 in relation thereto.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 2986. An act to provide capital for agricultural development, to create standard forms of investment based upon farm mortgage, to equalize rates of interest upon farm loans, to furnish a market for United States bonds, to create Government depositaries and financial agents for the United States, and for other purposes;

S. 3346. An act conferring jurisdiction on the Court of Claims to adjudicate the claims of the State of Massachusetts; and

H. R. 13486. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

PETITIONS AND MEMORIALS.

Mr. LIPPITT presented a memorial of the Chamber of Commerce of Providence, R. I., remonstrating against restricting the use of scientific methods of promoting the efficiency of employees in the Government service, which was ordered to lie on the table.

Mr. WORKS presented a memorial of sundry citizens of Burroughs and Pine Ridge, in the State of California, remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which was ordered to lie on the table.

Mr. WADSWORTH presented petitions of sundry citizens of New York, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Binghamton, N. Y., remonstrating against appropriations for sectarian purposes, which was ordered to lie on the table.

He also presented memorials of sundry citizens of Buffalo, N. Y., remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which were ordered to lie on the table.

He also presented a petition of sundry citizens of Sullivan County, N. Y., praying for the enactment of legislation to found the Government on Christianity, which was referred to the Committee on the Judiciary.

Mr. PHELAN presented a petition of the Woman's Home Missionary Society of the Methodist Episcopal Church, of Oakland, Cal., praying for prohibition in the insular possessions of the United States and also to prohibit the exportation of intoxicating liquor to Africa, which was referred to the Committee on the Judiciary.

He also presented a memorial of the Board of Supervisors of Sacramento County, Cal., remonstrating against the proposed inheritance tax, which was referred to the Committee on Finance.

REPORTS OF COMMITTEE ON CLAIMS.

Mr. CATRON. I am directed by the Committee on Claims, to which was referred the bill (H. R. 9621) for the relief of J. W. Dellinger, to submit an adverse report (No. 597) thereon. I ask that the bill be placed on the calendar.

The VICE PRESIDENT. The bill will be placed on the calendar.

Mr. CATRON, from the Committee on Claims, to which was referred the bill (H. R. 8318) for the relief of De Barbieri & Co., of Valparaiso, Chile, reported it without amendment and submitted a report (No. 598) thereon.

ROAD FUND OF CRITTENDEN COUNTY, ARK.

Mr. CLARKE of Arkansas. From the Committee on Commerce I report back favorably, with an amendment, the bill (H. R. 10251) authorizing the Kansas City & Memphis Railway & Bridge Co. to make settlement with Crittenden County, Ark., and for other purposes, and I ask unanimous consent for its present consideration.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendment was, on page 2, line 1, after the words "the sum of," to strike out "$12,000" and insert "$25,000," so as to read:

That the Secretary of War is hereby authorized and empowered to release the Kansas City & Memphis Railway & Bridge Co., a corporation, from the duty now imposed upon it by the act entitled "An act to authorize the construction of a bridge across the Mississippi River at Memphis, Tenn.," approved April 24, 1888, and all acts amendatory thereof, to maintain approaches to its bridges at Memphis, Tenn., and a way over and across said bridge for wagons and other vehicles, animals, and foot passengers upon its payment to the road fund of Crittenden County, Ark., the sum of $25,000.

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. FLETCHER:

A bill (S. 6570) for the relief of W. H. Overocker; to the Committee on Post Offices and Post Roads.

By Mr. TAGGART:

A bill (S. 6571) granting an increase of pension to Isaac Rinehart;

A bill (S. 6572) granting an increase of pension to Robert A. Edwards;

A bill (S. 6573) granting an increase of pension to Frank W. Ogden;

A bill (S. 6574) granting an increase of pension to William Delvin; and

A bill (S. 6575) granting an increase of pension to Harry W. Stephenson; to the Committee on Pensions.

By Mr. HARDING:

A bill (S. 6576) for the relief of the Buckeye State Building & Loan Co., of Columbus, Ohio; and

A bill (S. 6577) for the relief of the Franklin Loan & Savings Co., of Columbus, Ohio; to the Committee on Claims.

Mr. BRANDEGEE (for Mr. PENROSE):

A bill (S. 6578) for the relief of Ellen M. Willey; to the Committee on Pensions.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. SMOOT submitted an amendment proposing to appropriate $15,000 for the proportionate share of the amount required to construct an interstate wagon road or highway through the Mukuntuweap National Monument, Utah, approximately 15 miles, intended to be proposed by him to the urgent deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. STERLING submitted an amendment proposing to appropriate $150,000 for communicating and distributing to citrus-fruit growers in the United States the results of such investigations together with such recommendations as to the eradication or control of such diseases as in the judgment of the Secretary of Agriculture may be necessary, etc., intended to be proposed by him to the Agricultural appropriation bill (H. R. 12717), which was ordered to lie on the table and be printed.

He also submitted an amendment providing that no part of the appropriation shall be available for investigations and experiments in the dairy industry in any State until assurances satisfactory to the Secretary of Agriculture shall be given that such State or the proper county authorities or other agencies within the State will provide and contribute a sum equal to 50 per cent of the amount required for such work, etc., intended to be proposed by him to the Agricultural appropriation bill (H. R. 12717), which was ordered to lie on the table and be printed.

He also submitted an amendment providing that no part of the appropriation shall be used in the purchase of materials for or in the construction of dipping vats or for the purchase of materials or mixers for use in dipping vats, but that the expense of such construction and of the purchase of all such materials shall be borne by the State, etc., intended to be proposed by him to the Agricultural appropriation bill (H. R. 12717), which was ordered to lie on the table and be printed.

Mr. GORE. I move that the Senate adjourn until to-morrow at 11 o'clock.

The motion was agreed to; and (at 5 o'clock and 28 minutes p. m., Thursday, July 6, 1916) the Senate adjourned until to-morrow, Friday, July 7, 1916, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

THURSDAY, *July 6, 1916.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Eternal Spirit, our heavenly Father, look with favor, we beseech Thee, upon us, and so move upon our hearts that we may be inspired intellectually, morally, spiritually to do the work Thou hast called us to do wisely, conscientiously, faithfully, that we may be reckoned among the potent influences Thou art ever calling to aid in the betterment of mankind; that in spite of the untoward circumstances so appallingly and overwhelmingly evil, out of it all may come larger life and nobler living for all Thy children.

No act falls fruitless; none can tell
How vast its power may be,
Nor what results enfolded dwell
Within it silently.

Work, and despair not; bring thy mite,
Nor care how small it be;
God is with all that love the right,
The holy, true, and free.

In His name. Amen.

The Journal of the proceedings of yesterday was read and approved.

QUESTION OF PERSONAL PRIVILEGE.

Mr. GARNER. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. GARDNER] have until the 25th of this month in which to speak to a question of personal privilege concerning the remarks of my colleague [Mr. CALLAWAY]. I will say in this connection that this is with the consent of the gentleman from Massachusetts. He is good enough to postpone it until my colleague gets through with his campaign in Texas.

The SPEAKER. The gentleman from Texas asks unanimous consent that the gentleman from Massachusetts [Mr. GARDNER] shall have up to and including the 25th of this month to speak on a question of personal privilege relating to the remarks of the gentleman from Texas [Mr. CALLAWAY]. Is there objection?

There was no objection.

LEAVE TO EXTEND REMARKS.

Mr. McKELLAR. Mr. Speaker——

The SPEAKER. The Senator from Tennessee. [Applause.]

Mr. McKELLAR. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by correcting some remarks that I made heretofore on rural credits. I got some of the figures wrong, and I want to get them right.

The SPEAKER. The gentleman asks unanimous consent to correct some remarks heretofore made by him on the subject of rural credits. Is there objection?

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, one of its clerks, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 2845. An act authorizing the sale of the marine hospital reservation in Cleveland, Ohio.

The message also announced that the President had approved and signed bills and joint resolution of the following titles:

On July 1, 1916:

H. J. Res. 242. Joint resolution to authorize the President to draft members of the National Guard and of the Organized Militia of the Several States, Territories, and the District of Columbia and members of the National Guard and Militia Reserves into the military service of the United States under certain conditions, and for other purposes;

H. R. 13383. An act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1917;

H. R. 15836. An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1917, and for other purposes; and

H. R. 16678. An act making appropriations to supply urgent deficiencies in appropriations for the Military and Naval Establishments for the fiscal year ending June 30, 1916, and for other purposes.

On July 3, 1916:

H. R. 393. An act to authorize an exchange of lands with the State of North Dakota for promotion of experiments in dry-land agriculture, and for other purposes;

H. R. 8654. An act to amend an act entitled "An act to provide for an enlarged homestead," approved February 19, 1909, by adding a new section to be known as section 7; and

H. R. 11286. An act for the issuance of a patent for certain Government land to Benjamin F. Robinson and John Dows.

REVENUE.

Mr. GARRETT. Mr. Speaker, by direction of the Committee on Rules, I submit a privileged resolution.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution 291 (H. Rept. 923).

Resolved, That immediately upon the adoption of this resolution the House shall resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 16763; that the first reading of the bill shall be dispensed with; that general debate shall continue on the bill until not later than Friday next at 6 o'clock p. m., the time to be controlled one-half by the gentleman from North Carolina [Mr. KITCHIN] and one-half by the gentleman from Michigan [Mr. FORDNEY]; that while the bill is under consideration the House shall meet at 11 o'clock a. m.; that the bill shall be the order for all legislative days except Calendar Wednesday; that at the expiration of general debate the bill shall be read in full by the Clerk without interruption; that upon conclusion of the reading of the bill amendments may be offered to any paragraph of the bill and considered and disposed of under the five-minute rule until Monday next at 5 o'clock p. m., when all pending amendments shall, without further debate, be voted on.

After all pending amendments shall be disposed of the committee shall rise and report to the House the bill and all amendments that shall have been recommended by the Committee of the Whole House on the state of the Union, whereupon the previous question shall be considered as ordered upon the bill and amendments to its final passage; and the House shall immediately proceed to vote on amendments, engrossment, third reading, and final passage of the bill without intervening motions, except one motion to recommit.

Mr. GARRETT. Mr. Speaker, extraordinary conditions, with which gentlemen here and the country generally are familiar, have required expenditures going beyond the usual and ordinary expenditures of Congress. In order to make those expenditures the Treasury must have the money. The majority party, recognizing its responsibility under our system of government, and being willing and ready to meet that responsibility, has, through its committee, formulated plans for the raising of this additional revenue. Those plans are contained in H. R. 16763, reported from the Committee on Ways and Means on yesterday.

This rule, which I present by direction of the Committee on Rules, is presented in accordance with the suggestion of the Committee on Ways and Means, acting through its chairman, the gentleman from North Carolina [Mr. KITCHIN]. Its purpose is to expedite the consideration and passage of this revenue measure. It is plain, simple, and liberal in its terms. I trust that it may meet with the approval and support of the membership of the House.

Mr. Speaker, I yield 30 minutes to the gentleman from Kansas [Mr. CAMPBELL].

Mr. CAMPBELL. I yield seven minutes to the gentleman from New York [Mr. BENNET].

Mr. BENNET. Mr. Speaker, the presentation of this rule shows the evil effect of persistence in bad habits. There is absolutely no necessity for this rule. The bill to which it relates is a privileged bill. It is not two weeks since the gentleman from Illinois [Mr. MANN] rose one afternoon here about half past 4 or 5 o'clock and called attention to the fact that a bill which was under discussion collaterally was a privileged bill, and by a simple motion took the House into the Committee of the Whole House on the state of the Union, and passed that bill on the morning of the next legislative day. This bill could have been taken up in the same way, and time for general debate, if not agreed upon, could have been fixed by motion; and the only purpose and effect of this rule—we might as well be frank about it—is to prevent the minority from offering amendments effectively. The other day the gentleman from Alabama [Mr. HEFLIN] said, in substance, that there was nothing in the Republican Party to attract Progressives back. I want to say to him and to his party that so long as they persist in what the politicians in the Progressive Party denounced, which is the practice of this House to cut off the right of amendment, they will effectively prevent Progressives who understand parliamentary procedure—and there are a good many of them—from even thinking of going into the Democratic Party. [Applause.]

We could have taken up this bill in the regular way by sections, read it under the five-minute rule, to which we are accustomed, and I think we would have gotten more effective legislation, probably, if, instead of giving two days to general debate, we had given one day to general debate and three days for debate under the five-minute rule, and put ourselves more nearly on a level with the other body. Why is it that this House continually goes down in the popular estimation? It is because we continue to deprive ourselves of the right to exercise the same powers as the other half of the Congress of the United States. We have just as much right to offer a legitimate amendment to an important measure as has the body at the other end of the Capitol, but we persist in limiting our own power to offer amendments until we bind, shackle, and deliver ourselves helpless and

hopeless to the body at the other end of the Capitol. The record of this session of the Sixty-fourth Congress is that it has reported more special rules than any similar session of Congress in over 20 years, despite the protestations of gentlemen on the other side out of power when they claimed that we had fallen into the habit of reporting special rules. I will tell you what habit this House has got into. Five or six months ago, when we started in our sessions of the Committee on Rules, a gentleman came in one day when I happened to be there a little in advance of the quorum. I asked him what he was doing there, and he said, "I have some legislation and I want a rule from your committee." I said, "A rule! What kind of a rule?" He said, "Why, I am not particular, just a rule." And that is the condition into which the House has fallen. We have that blind adherence to the idea that it is necessary to have a rule in order to pass bills. This sort of procedure encourages the House in that belief.

I want to congratulate my colleague from New York [Mr. FITZGERALD] that when he brings in a privileged bill from the Committee on Appropriations he does not ask for any rule. He gets up in his place as a Member of the House, and with his superb knowledge of the rules, in which he has no superior, he carries his bills through without special rules.

With this bill, a similar privileged bill, with no greater or less privilege than the sundry civil bill, you must have a rule, and we are driven to the conclusion that the rule is for no purpose except to prevent making effective amendments. Why can not we make effective amendments? Because the whole bill is read through at one time, and no man dares to offer an amendment to a later section for fear that amendments offered after that to earlier sections will make the amended subsequent sections perfectly ridiculous. When we pass this rule, when the House adopts it, they will take one more step to demonstrate the absolute incapacity of the party in power in this House to do business under the ordinary rules of the House which they themselves adopted.

Mr. FITZGERALD. Will the gentleman yield?

Mr. BENNET. Yes.

Mr. FITZGERALD. As a matter of fact, is it not necessary to have a special rule in order to pass this bill?

Mr. BENNET. It is not.

Mr. FITZGERALD. Does not the bill contain a provision for a tariff commission?

Mr. BENNET. It is a privileged bill, and no point was made that it was not a privileged bill. It was reported from the floor by the chairman as a privileged bill.

Mr. FITZGERALD. That makes no difference; it has a provision in it for a tariff commission.

Mr. BENNET. Which is under the jurisdiction of the committee.

Mr. FITZGERALD. A bill providing for a tariff commission is not a privileged bill, and this bill could not have been taken up without the rule.

Mr. MANN. Will the gentleman from New York yield?

Mr. BENNET. Yes.

Mr. MANN. The bill was reported to the House yesterday as a privileged bill and no point of order was reserved upon it, and no one can make a point of order against anything in the bill now.

Mr. BENNET. I called attention to that.

Mr. FITZGERALD. The question could be raised when the attempt was made to consider it as a privileged bill. The House does not waive its rights to raise that question, although it might be precluded, if it came up as a privileged bill, from making a point of order.

Mr. MANN. If the gentleman is correct, which he is not, you can make the point of order now.

Mr. FITZGERALD. No; you could not.

Mr. MANN. Then it is a privileged bill.

Mr. FITZGERALD. Mr. Speaker, notwithstanding the didactic manner in which the gentleman says I am not correct, I know that I am correct, and I appeal to my colleague from New York that I know the rules. [Laughter and applause.]

Mr. BENNET. When two experts disagree and put it up to me, I agree with the gentleman from Illinois. [Applause.]

The SPEAKER. The time of the gentleman from New York has expired.

Mr. CAMPBELL. Mr. Speaker, one of the most useful rules of the House of Representatives is the rule for debate under what is known as the five-minute rule. That privilege is denied the membership of the House by the rule now under consideration on one of the most important bills that has been before the House during this Congress. But it is not my purpose to discuss the rule. I prefer to take the time that I shall occupy in a discussion of the bill itself. The title is a bill increasing the revenue. The title should be changed. It should be "A bill to impose direct rather than indirect taxes for the purposes of raising the necessary revenue to defray the expenses of the Government in a time of peace."

Mr. Speaker, we are confronted with almost every variety of taxation; almost all the sources of taxation in the country have been and will be resorted to by this administration before it has expired. The extraordinary conditions to which the gentleman from Tennessee referred in presenting this rule does not now exist. There are no such extraordinary conditions existing in this country as will justify the Nation in resorting to all the resources of taxation that it possesses.

Mr. STEPHENS of Texas. Will the gentleman yield?

Mr. CAMPBELL. I would rather not yield.

Mr. GARRETT. Will the gentleman yield; the extraordinary conditions to which I referred were the increase of appropriations for the Army and Navy, for which I believe the gentleman from Kansas voted.

Mr. CAMPBELL. There have been increased appropriations for the Army and the Navy. I voted against many of them. Mr. Speaker, there has never been a time of peace in the history of our country that we have not produced sufficient revenue to pay all of our expenses, great or small, when the Government has imposed customs taxes on importations high enough to protect the industries of the country. There has never been a time, on the other hand, when our customs taxes on importations have been so low as to give freedom of trade, in which the revenues have not been insufficient to defray the expenses of the Government.

These two statements are supported by our experience. Our first customs tax was imposed in a law enacted on July 4, 1789. Under that law we paid the interest and a part of the principal of the debt of the Revolutionary War; we paid the expenses of a second war with England by doubling the customs and adding 10 per cent.

And I call the father of the Democratic Party to testify as to the conditions of our revenue under that law. He says in his first annual message:

> Other circumstances, combined with the increase of numbers, have produced an augmentation of revenue arising from consumption in a ratio far beyond that of population alone; and though the changes in foreign relations now taking place so desirably for the whole world may for a season affect this branch of revenue, yet weighing all probabilities of expense as well as of income, there is reasonable ground of confidence that we may now safely dispense with all the internal taxes, comprehending excise, stamps, auctions, licenses, carriages, and refined sugars, to which the postage on newspapers may be added to facilitate the progress of information, and that the remaining sources of revenue will be sufficient to provide for the support of the Government, to pay the interest of the public debts, and to discharge the principal within shorter periods than the laws or the general expectations had contemplated.

We had a customs tax on importations then, on everything that came into competition with like articles that we produced in America, that built up industries, provided employment for labor, gave markets to farmers, and gave spirit and prosperity to business on every hand and at the same time produced an abundance of revenue. At the close of the second war with England a regular old-fashioned Democratic tariff was placed upon the statute books. It was so low that a flood of importations flowed in from Europe. The Napoleonic wars had just ended, and let me say to my Democratic friends that during the time that we were producing an abundance of revenue to defray the expenses of a war with a foreign country, Europe was then at war, but notwithstanding that, European manufacturers were paying a sufficient revenue into our Treasury to enable us to pay the expenses of a war with the greatest power upon earth, except the United States, at that time. At the end of the second war with England the Napoleonic wars were over. Europe was then in the condition it will be when the present European war shall close. Industries then revived. They sprang up where they had existed before the war. They flooded this country, and our revenues under that low tariff, notwithstanding our large importations, fell off just as they did upon the adoption of the Underwood tariff law. The same condition that produced a deficit the first 10 months of the Underwood tariff law produced a deficit from 1816 to 1824, a deficit that is referred to by another Democratic President when he, with great lamentation, calls attention to the fact in his annual message of 1821 and says:

> At the close of the last session it was anticipated that the progressive diminution of the public revenue in 1819 and 1820, which had been the result of the languid state of our foreign commerce in those years, had in the latter year reached its extreme point of depression. It has, however, been ascertained that the point was reached only at the termination of the first quarter of the present year.

Our revenues were diminished from year to year under a low tariff along with our languishing industries. In 1824 the Government imposed a customs tax upon importations—upon every-

thing that came from Europe that competed with a like article produced in the United States, and immediately revenues poured into the Treasury in abundance, so much so that Andrew Jackson, in his annual message in 1832, congratulated the country and the Congress upon the fact that upon the 1st day of January the Nation would pay off the last dollar of the national debt of two wars, all as a result of a customs tax imposed upon importations from foreign countries from 1824 to 1832, a period of eight years. President Jackson said:

I can not too cordially congratulate Congress and my fellow citizens on the near approach of that memorable and happy event, the extinction of the public debt of this great and free Nation. Faithful to the wise and patriotic policy marked out by the legislation of the country for this object, the present administration has devoted to it all the means which a flourishing commerce has supplied and a prudent economy preserved for the Public Treasury.

But in 1832 John C. Calhoun led the Democratic Party into the theory of free trade, and a diminishing tariff produced a diminishing revenue from 1832 until another Democratic President called the attention of Congress and the country to the fact that he had been unable to sell the bonds of the Government either at home or abroad—and these bonds drew 12 per cent interest. The purpose of issuing the bonds and offering them for sale was to raise sufficient revenue to pay the expenses of the Government in a time of profound peace. President Tyler said that of the loan of $12,000,000 which was authorized at the last session of Congress, only $5,432,726 had been negotiated. He goes on to say:

Of the loan of $12,000,000 which was authorized by Congress at its late session, only $5,432,726.88 have been negotiated. The shortness of time which it had to run has presented no inconsiderable impediment in the way of its being taken by capitalists at home, while the same cause would have operated with much greater force in the foreign market. For that reason the foreign market has not been resorted to, and it is now submitted whether it would not be advisable to amend the law by making what remains undisposed of payable at a more distant day.

Mr. Speaker, under Democratic free trade the Government of the United States could not sell its bonds at 12 per cent interest to get money to defray the running expenses of the Government immediately following a period of eight years in which it had raised a sufficient revenue from a tax on importations to pay off the last dollar of the national debt of two wars.

In 1846 we had another Democratic tariff, and the Speaker of this House has said frequently that that was the greatest tariff in the history of the Republic; but under that tariff, supplemented by the tariff of 1857, which had been in operation but a few months, another Democratic President called attention to the fact that not only were the industries of the country prostrated but that the Treasury of the United States was empty, and that it would be necessary to sell the bonds of the Government to get the necessary money to defray its running expenses, then also in a time of profound peace. This is what President Buchanan said about the condition of the country and the Treasury under that free-trade law:

We have possessed all the elements of material wealth in rich abundance, and yet, notwithstanding all these advantages, our country in its monetary interest is at the present moment in a deplorable condition. In the midst of unsurpassed plenty in all the productions of agriculture and in all the elements of national wealth we find our manufactures suspended, our public works retarded, our private enterprises of different kinds abandoned, and thousands of useful laborers thrown out of employment and reduced to want.

The revenue of the Government, which is chiefly derived from duties on imports from abroad, has been greatly reduced, whilst the appropriations made by Congress at its last session for the current fiscal year are very large in amount.

Under these circumstances a loan may be required before the close of your present session; but this, although deeply to be regretted, would prove to be only a slight misfortune when compared with the suffering and distress prevailing among the people.

That period was followed by a period of thirty-odd years under which the Government imposed customs taxes on importations. We raised revenue to pay the interest on the debt of a great war. We paid our increasing expenses—expenses that were increasing from year to year—without resorting to a bond issue, without resorting to extraordinary taxation. That condition continued until 1892. From March 4, 1889, to March 4, 1893, the last four years in that period under Benjamin Harrison as President, we paid off $365,000,000 of the national debt. The next four years were under a Democratic administration and under a Democratic tariff that permitted importations from foreign countries without the imposition of a sufficient tax, and under that administration our industries were not only prostrated but our revenues were insufficient to pay the running expenses of the Government, then also in a time of profound peace, and we had to sell the bonds of the Government to the amount of $265,000,000 to raise money to pay the ordinary expenses of the Government. That was immediately followed by a period in which the Government imposed customs taxes on importations high enough not only to revive the industries of the country, to make employment for our own laborers, a market for our own farmers at home, but also to supply the Treasury with revenue to pay its vastly increasing expenses. With a small additional tax on a few articles we paid the expenses of a foreign war and its results. We paid for the construction of the Panama Canal in large part out of our ordinary revenues. We multiplied over and over again many of the activities of the Government, increasing these activities in many directions, and more than doubled the expenses of the Government; and yet until the adoption of a Democratic tariff law by our country we did not have to impose any extraordinary taxes upon the people of the country in order to defray our vastly increasing expenses. When we turned the Government over to the Democratic Party on March 4, 1913, there was a handsome balance of nearly $150,000,000 cash in the Treasury of the United States.

You have brought in this tax bill in which you resort to almost every extraordinary sort of taxation to meet increased expenditures; but, mark you, the expenditures of the Government from 1897 to 1912 were doubled. The expenditures of the Government have not been doubled since you came into power. Only a few hundred millions have been added within the last few years. But you have abandoned the best source of taxation that is known to the people of the country—that source of taxation which has been in all our history the least burdensome and the most productive of revenues.

Mr. Speaker, if there were no other reasons for imposing a sufficiently high tax on importations than those I have just given, the Committee on Ways and Means should report a bill placing a higher customs tax on imports and reserve for most extraordinary occasions an extra source of revenue. While it is the boast of the Democratic Party that it has maintained the peace of the United States with all the nations of the earth, it is resorting to every variety of taxation that other nations resort to when they are at war. You could have produced by increasing customs taxes on importations in this bill a hundred million dollars of revenue without increasing the importations into the country one dollar.

Mr. GOODWIN of Arkansas. Will the gentleman yield?

Mr. CAMPBELL. Briefly, for a question.

Mr. GOODWIN of Arkansas. Does the gentleman prefer a tax upon the necessities of life rather than upon the great wealth of the country?

Mr. CAMPBELL. That is as old as anything the Democratic Party has ever produced and as useless. It is the oldest piece of demagogy that has been indulged in by American statesmen.

Mr. GOODWIN of Arkansas. But the gentleman has not answered the question.

Mr. CAMPBELL. I prefer to make foreign nations pay for the privilege of selling their products in our market than to let them sell their products here free of tax, and then tax our own people to make up the necessary revenues to pay the expenses of the Government. [Applause on the Republican side.]

Mr. SABATH. Will the gentleman yield?

The SPEAKER. Does the gentleman from Kansas yield?

Mr. CAMPBELL. No; I can not yield.

The SPEAKER. The gentleman declines to yield.

Mr. CAMPBELL. There has been considerable speculation in the last few months as to the condition in which our country will find itself at the close of the European war. Our country will find itself at the close of the European war that is now on in the same condition in which it found itself at the close of the Napoleonic wars. The conditions are on all fours. Then we had a low tariff; now we have a low tariff.

The SPEAKER. The time of the gentleman has expired.

Mr. GARRETT. I yield the gentleman five minutes.

The SPEAKER. The gentleman from Kansas is recognized for five minutes more.

Mr. REILLY. Will the gentleman yield?

Mr. CAMPBELL. I wish to finish this line of thought; I am sure the gentleman will excuse me. President Monroe called the attention of the country then to the fact that nearly all our industries were swamped by importations from foreign countries. I assert there never has been a time in the history of this country when we have had a low tax on importations in which our industries have not languished, in which our mills and factories have not closed, and our laborers have not gone out of employment, our business been prostrated, enterprises of every character have gone into the hands of receivers, and our farmers been without a market. That was true under the tariff of 1816, under the tariff of 1832, under the tariff of 1846, under the tariff of 1894, and under the tariff of 1913. [Applause on Republican side.]

Mr. FITZGERALD. Will the gentleman yield?

Mr. CAMPBELL. I will, briefly.

Mr. FITZGERALD. Does the gentleman seriously mean to state——

Mr. CAMPBELL. Oh, well——

Mr. FITZGERALD. Let me put the question.

Mr. CAMPBELL. The gentleman is taking up all my time.

Mr. FITZGERALD. No; I will not take up too much of the gentleman's time. Does the gentleman mean to seriously state that the farmers of the country have no market and that the enterprises are languishing now?

Mr. CAMPBELL. Let me finish the statement.

Mr. FITZGERALD. Answer the question.

Mr. CAMPBELL. I will answer the question.

Mr. FITZGERALD. The gentleman has not started it yet.

Mr. CAMPBELL. I have the floor. The first 10 months of the Underwood tariff law produced the same condition in the country that was produced under the tariff of 1816 or the tariff of 1832 or the tariff of 1846 or the tariff of 1894. [Applause on the Republican side.] And that condition existed in the country until the war in Europe, that has imposed greater protection for the industries of the United States than any of our tariffs have imposed and given us a great market in Europe and a great market at home. The war in Europe has protected our people against competition from European manufacturers. They are manufacturing arms and munitions of war for their Governments and we are manufacturing arms and munitions to sell them and producing food and clothing for their use during the war; but when the war is over the same condition will exist in this country that existed at the close of the Napoleonic wars and that existed here prior to the beginning of the present war in Europe under the Underwood tariff law, when not only were our industries closed and our labor was out of employment but our Treasury was absolutely empty.

The SPEAKER. The time of the gentleman has expired.

Mr. GARRETT. Mr. Speaker, I yield one minute to the gentleman from Pennsylvania [Mr. BAILEY].

Mr. BAILEY. Mr. Speaker, I wish to utilize the privilege merely to remind the gentleman from Kansas that he is very greatly at variance with one of the great leaders of the Republican Party in the testimony he gives regarding the tariff of 1846. And I shall extend my remarks by including some statements of James G. Blaine on that subject.

Mr. CAMPBELL. Will the gentleman put it all in?

Mr. BAILEY. I will put all in that relates to that.

Mr. MANN. The gentleman will if he gets unanimous consent.

Mr. BAILEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. BAILEY. Mr. Speaker, James G. Blaine bears very different testimony concerning the effects of the low tariff of 1846 from that just given by the gentleman from Kansas [Mr. CAMPBELL].

The Walker tariff was adopted in 1846 and, with slight modifications in favor of lower prices, it remained in operation until the outbreak of the War between the States, in 1861. So satisfactory was this low tariff that the issue disappeared from politics. It was no longer a bone of contention between the parties. Even protectionist manufacturers had been silenced by the results which lower duties had brought. And it is a safe assumption that the tariff would never again have been an issue in our politics but for the outbreak of war and the necessity this created for extraordinary resources for revenue.

In this connection the gentleman from Kansas is invited to remark that in enacting the war tariff soon after the opening of the conflict between the States care was taken to offset customs taxes by excise taxes, which were intended to absorb any protective benefits accruing to manufacturers from the tariff, and consent to the higher duties was obtained even then only after solemn assurance had been given that they would be repealed the moment the emergency they were designed to meet had been passed. Faith with the country was broken, however, by the manufacturing interest, the excise taxes being removed while the high duties on imports were continued, a party favoring protection for its own sake meanwhile having been built up.

The gentleman from Kansas should read the history of his own party. By doing so he will learn that the Republican Party at its birth was not a protectionist party. It ignored the tariff altogether. It seemed to regard that question as removed from the realm of controversy. And it was not until after the close of the great war that it found itself gripped in the toils of protectionism. While it had been absorbed in carrying the war to a successful conclusion and later in dealing with the vital issues growing out of the war a sinister influence had been at work within its fold, the party discovering about the time the war issues were in the way of satisfactory adjustment that it was dominated irrevocably by a bold and resourceful element which was in position to commit it absolutely to a tariff policy which was a clear denial of the high professions it had made in its beginnings, professions which were of the very essence of democracy and which found their inspiration in the teachings of Thomas Jefferson. If the gentleman from Kansas does not believe this, let him turn back to the earlier platforms of the Republican Party and note therein that not even a remote hint is given of the doctrine which it has since made the very basis of its faith and the supreme test of fealty.

But, Mr. Speaker, I do not ask the gentleman from Kansas to accept my testimony on this subject. Let me call as a witness a former leader and idol of his own party. In his "Twenty Years of Congress" the late James G. Blaine wrote regarding the low tariff of 1846 as follows:

> The Whig victory of 1848 was not sufficiently decisive to warrant any attempt, even had there been a desire, to change the tariff. Gen. Taylor had been elected without subscribing to a platform or pledging himself to a specific measure, and he was therefore in a position to resist and reject appeals of the ordinary partisan character. *Moreover, the tariff of 1846 was yielding abundant revenue and the business of the country was in a flourishing condition at the time his administration was organized. Money became very abundant after the year 1849; large enterprises were undertaken, speculation was prevalent, and for a considerable period the prosperity of the country was general and apparently genuine. After 1852 the Democrats had almost undisputed control of the Government and had gradually become a free-trade party. The principles embodied in the tariff of 1846 seemed for a time to be so entirely vindicated and approved that resistance to it ceased, not only among the people but among the protective economists and even among the manufacturers to a large extent. So general was this acquiescence that in 1856 a protective tariff was not suggested or even hinted by any one of the three parties which presented presidential candidates.*
>
> It was not surprising, therefore, that with a plethoric condition of the National Treasury for two or three consecutive years the Democratic Congress in the closing session of Pierce's administration enacted what has since been known as the tariff of 1857. By this law the duties were placed lower than they had been at any time since the War of 1812. The act was well received by the people and was, indeed, concurred in by a considerable proportion of the Republican Party.
>
> The free traders consider the tariff of 1846 to be conclusive proof of the beneficial effect of low duties. They challenge a comparison of the years of its operation, between 1846 and 1857, with any other period of the history of the country. Manufacturing, they say, was not forced by a hothouse process to produce high-priced goods for popular consumption, but was gradually encouraged and developed on a healthful and self-sustaining basis, not to be shaken as a reed in the wind by every change in the financial world. *Commerce, as they point out, made great advances, and our carrying trade grew so rapidly that in 10 years from the day the tariff of 1846 was passed our tonnage exceeded the tonnage of England. The free traders refer with special emphasis to what they term the symmetrical development of all the great interests of the country under this liberal tariff. Manufacturers were not stimulated at the expense of the commercial interest. Both were developed in harmony, while agriculture, the indispensable basis of all, was never more flourishing. The farmers and planters at no other period of our history were in receipt of such good prices, steadily paid to them in gold coin, for their surplus product, which they could send to the domestic market over our own railways and to the foreign market in our own ships.*

Mr. Speaker, it should be borne in mind that James G. Blaine was not always a willing witness. His testimony was extorted from him. He gave it only because the historic impulse was strong upon him and he could not resist its leadings. He told the truth because he did not choose to allow history to write him down a deliberate falsifier. And let it be said as a final word that no Republican of any standing has ever for a moment attempted to impeach the testimony James G. Blaine has given on the subject of the Walker low tariff. Not one advocate of protectionism has ever dared to challenge it or to prevent a refutation.

And, in conclusion, Mr. Speaker, let me add to the testimony already given from a great leader of the Republican Party, this from another equally great leader of that party. It is from James A. Garfield, presented on the floor of this House in the Forty-fifth Congress in the course of a debate in which he replied to statements previously made by Mr. Kelley, of Pennsylvania. From Mr. Garfield's testimony I quote one paragraph, which is a summing up of all that had gone before:

> The fact is, Mr. Chairman, the decade from 1850 to 1860 was one of peace and general prosperity. The aggregate volume of real and personal property in the United States in 1850 was, in round numbers, $7,135,000,000; in 1860 it was $16,159,000,000, an increase of 126 per cent, while the population increased but 35 per cent.

Mr. GARRETT. Mr. Speaker, how much time have I remaining?

The SPEAKER. Twenty-one minutes.

Mr. GARRETT. I yield five minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Speaker, I just want to say a word about the rule and what seems to be a growing tendency in the House to adopt a bad practice. This rule provides that under the five-minute rule the bill shall be read clear through without any consideration until after you reach the end of the reading of the bill, at which time amendments may be offered under the five-minute rule to any part of the bill. I think that is an exceedingly bad practice. Let me give you an illustration.

Yesterday we had under consideration a general dam bill, under a rule which provided for its consideration under the five-minute rule in the ordinary manner. That bill was essentially amended yesterday in some of its most important features. That represented the desire of the House to change the bill. Now, the rule allowed that, but when the gentleman in charge of the bill first introduced his rule he introduced one providing that the entire bill or substitute should be read through without amendment, and then it should be subject to amendment under the five-minute rule. In other words, the rule first introduced provided that you could offer an amendment to any part of the bill after you finished reading it, when no one knew what was up. Whether the Committee on Rules declined to report such a rule I do not know, but a new rule was introduced that gave us the right to amend. If they had been operating yesterday under the provisions of the rule first introduced, so that amendments could only be offered at the end of the full reading of the bill, we would have not known what we were doing, and the result would have been that all amendments would have been voted down. That is the invariable tendency in the House. If you read a section and propose to amend the section at the time it is read, we can give it, on our side at least, intelligent consideration. But if you read the bill through and then offer amendments to the last section, or the first section, or the middle section, you can not give intelligent consideration to it. It is a useless practice. It is not necessary to have such a proceeding. We passed the Underwood bill in the House without any rule at all. My impression is that we passed the so-called emergency tax bill without any rule at all. It is proposed now to have consideration of amendments after the entire bill has been read through, and then at a fixed hour stop the consideration of the bill—next Monday, I believe, at 5 o'clock. The House will have nothing to do next week, or the week after, for that matter, of great importance. This bill will not be acted upon in the Senate until after the Army and Navy appropriation bills have passed through that body, and they know something about the amount of money required. Why should we not take time enough under the ordinary rules of the House to give consideration to a taxing measure which proposes to raise $2,000,000 or more a year? Why should not the Representatives of the people take the time to consider this bill instead of going to their homes, as most of them will, before it is reported into the Senate? You are taking the wrong tack, my friends. You are the responsible power here. You have the power to do as you please, but it is erroneous, it is wrong, to pass a bill hastily, without consideration, imposing heavy taxes upon the people. [Applause on the Republican side.]

Mr. GARRETT. Mr. Speaker, I yield five minutes to the gentleman from Mississippi [Mr. HARRISON.]

Mr. HARRISON. Mr. Speaker, the gentleman from Illinois [Mr. MANN] opposes this rule because on yesterday, he says, the bill under consideration could not have been finished just as well if the rule introduced by the gentleman from Georgia [Mr. ADAMSON] and which allowed consideration of the bill had been reported out of the Rules Committee as originally drafted. The very fact that the rule reported out of the Rules Committee gave ample time for the consideration of the water-power bill and did not do the things he says the original rule would have done, shows that the Rules Committee considers these propositions fairly and justly, and only reports such good resolutions to the House as will provide liberality of time for their consideration and freedom of amendment. Now, this rule is not drastic and comes thoroughly within the excepted class named by the gentleman. I can imagine that if we had limited the consideration of this bill to one day or to two days, the charge that the gentleman from Illinois [Mr. MANN] makes might be justified.

But it allows four days to the consideration of this emergency revenue bill—two days for general discussion, which starts to-day and continues through to-morrow, and then the whole of Saturday and Monday can be taken up, if needed, in the consideration of the bill under the five-minute rule. Is there any unreasonable restriction in the time allotted to the discussion of the bill, with four days allowed to discuss it and two days within which amendments may be offered? If the gentleman will recall, in the Sixty-first Congress, when you brought in your Payne-Aldrich tariff bill, you allowed discussion in general debate for two weeks, and then, under the rule that you adopted, you allowed only five amendments to be offered and specified what amendments they should be. [Applause on the Democratic side.] So it comes with poor grace now for the gentleman from Illinois [Mr. MANN], the leader of the Republicans, to criticize a Democratic rule that allows freedom of amendment and most reasonable time for discussion, so to speak, when his party when it was in power restricted us to offering only five amendments to that bill, which contained every imaginable item. Not only that, but——

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. HARRISON. I yield to the gentleman.

Mr. STAFFORD. Does the gentleman recall what the effect of a similar rule was, as introduced for the consideration of the naval appropriation bill, which prevented the consideration of the various sections under the five-minute rule and caused one-half of the new legislation reported in the bill not to be considered in the House at all?

Mr. HARRISON. I will tell the gentleman what happened. There was a rule, practically the same as this, and we allowed you so much time in that rule for discussion that we frittered away the time here for a whole day before we could pass the bill, waiting for your men to come here and vote, because you had sent out notices that the vote would not be taken until Friday, and we could just as well have voted on that bill on Thursday.

Mr. STAFFORD. Is it not a fact that three-fourths of the new legislation incorporated in the naval appropriation bill was not considered in the House and four-fifths of the Members were not acquainted with it?

Mr. HARRISON. That is not a fact.

Mr. STAFFORD. It is a fact that is proven by the RECORD.

Mr. HARRISON. Those of us who were here know that the facts are as I stated them. The gentleman from New York [Mr. BENNET] said we had brought in more rules in this Congress than had been brought in in any previous session of Congress. We plead guilty to that. But let me remind the gentleman that none of them were brought in for the purpose of obstructing wholesome legislation. On the contrary, the record shows that they were for expediting public business and passing progressive legislation. [Applause on the Democratic side.]

Let me recall to the gentleman from New York [Mr. BENNET] that all these rules which, as he says, have been brought up for consideration at this time through the action of a Democratic Committee on Rules were rules that hastened the preparedness program through this House that the Nation needed and the country called for. [Applause on the Democratic side.] The naval bill, the fortification bill, the Army bill, were considered by this House through the rules that you assail; and the Agricultural bill, the standardization of grains, the cotton warehouse, and the cotton-futures bills were all passed through this House through the rules you assail. Not only that, but it was a rule reported by a Democratic Committee on Rules of this House that gave to the country a good-roads bill and rural-credits legislation. [Applause on the Democratic side.]

The SPEAKER. The time of the gentleman has expired.

Mr. HARRISON. I am sorry. I wish I had the time to state to the House and country other legislation passed through such rules as this.

The SPEAKER. The time of the gentleman from Mississippi has expired.

Mr. GARRETT. Mr. Speaker, I move the previous question on the adoption of the resolution.

The previous question was ordered.

The SPEAKER. The question is on the adoption of the resolution embodying the rule.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. MANN. I ask for a division, Mr. Speaker.

The SPEAKER. The gentleman from Illinois [Mr. MANN] asks for a division.

The House divided; and there were—ayes 124, noes 112.

So the resolution was agreed to.

The SPEAKER. The House automatically resolves itself into Committee of the Whole House on the state of the Union, and the gentleman from Illinois [Mr. FOSTER] will please take the chair.

Mr. HARRISON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Mississippi asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. CAMPBELL. Mr. Speaker, I make the same request.

The SPEAKER. The gentleman from Kansas makes the same request. Is there objection?

There was no objection.

The House resolved itself into Committee of the Whole House on the state of the Union, with Mr. FOSTER in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 16763, the revenue bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 16763) to increase the revenue, and for other purposes.

The CHAIRMAN. The gentleman from North Carolina [Mr. KITCHIN] is recognized. [Applause.]

[Mr. KITCHIN addressed the committee. See Appendix.]

The CHAIRMAN. The gentleman from Michigan [Mr. FORDNEY] is recognized. [Applause.]

Mr. FORDNEY. Mr. Chairman and gentlemen. I have listened, as I always do, with a great deal of interest to my friend from North Carolina [Mr. KITCHIN], who gave some very valuable information with reference to this bill, and a great deal of polite vaudeville, all of which was enjoyed. [Laughter.]

I never have helped and I never expect to help frame a Democratic revenue bill. I am not disappointed that my Democratic friends did not call upon the Republican members of the Committee on Ways and Means to aid them in writing this revenue measure. As long as I retain my present intelligence I never expect to help write a Democratic revenue measure. I do not believe in their methods of raising revenue to pay the running expenses of this Government. I give them credit for being sincere in their ideas as to the proper method of raising revenue, and I ask that people believe that I am sincere in my ideas on the question.

The people of the United States live on a higher plane, a higher standard of living, and a higher standard of life than the people of any other country. There are no laboring people in any country in this world—I challenge any man to furnish evidence to the contrary—who receive more than half the wages paid to labor in the United States. I do not criticize my Democratic friends for reporting this bill without consulting the Republican members. I received a copy of this bill, I think, on Saturday last, the first real evidence I had of what was going into the bill. On Monday night, at half past 10 o'clock, I received by special messenger a copy of the report on that bill as prepared by our Democratic friends, and I want to read to you just one brief statement in that report, to show you what it has to say and what part Republicans had in its make-up. Remember, I received this report Monday night at half past 10 o'clock. It reads as follows:

The Committee on Ways and Means, to whom was referred the bill (H. R. 16763) to increase the revenue, and for other purposes, having had the same under consideration, report it back to the House without amendment.

[Laughter.]

I received that on Monday night, and on Tuesday morning I received a postal card stating that the Ways and Means Committee would have a meeting on Wednesday morning at 10 o'clock to consider the bill.

Mr. MOORE of Pennsylvania. Will not the gentleman explain that Tuesday was the 4th of July, and Monday was by common consent a holiday?

Mr. FORDNEY. Yes; every patriotic citizen knows that Tuesday was the 4th of July, and most of the Members, Democrats and Republicans, were out orating somewhere. I happened to be here. The committee were called together at 10 o'clock Wednesday, and about 3 o'clock the committee decided to report the bill back to the House, with the recommendation, prepared one week before, that it do pass. The Republican members of the Ways and Means Committee then had from 3 o'clock yesterday afternoon until 11 o'clock this morning to prepare a report and to prepare some statistics and memoranda to present to this House in arguments to-day. There were 101 pages in the bill, and several pages of report for the Republican members to consider within two or three hours, and prepare an intelligent report and present it to an intelligent House of Representatives. That was an impossibility. I threw up my hands in holy horror and said, "It is impossible. Intelligent men would not attempt it." Therefore we were unable to prepare a minority report on this bill, not having had the time.

I object to the Democratic method of raising revenue to run this Government for many reasons. The gentleman from North Carolina [Mr. KITCHIN] says he is going to swallow a sugar-coated pill because it has some Republicanism in it. I always have declined, and always will decline, to swallow a sugar-coated pill filled with deception, if I know it, and that is what this bill contains. My friend from North Carolina [Mr. KITCHIN] says this bill does not change any existing law. When I read this bill I am reminded of the story of a Hebrew, who said to his friend one day, "Jake, do you know there is a new religion now that greatly disturbs me?" "What now, Fritz?" "Why, Jake, don't you know, they say that when a man dies he comes back to earth in the shape of an animal, a horse, a mule, a jackass, or something like that?" "Oh, nonsense, think no more about that." "Ah, but," he said, "it disturbs me."

By and by Fritz died, and in a few days Jake went down the street, and there he saw a jackass hitched to a post. As he went by the jackass bowed and said, "Hello, Jake." "Why," said he, "you, a jackass, talk like a man! Are you the devil, or what are you?" "Oh, I am Fritz. You know I told you about this religion. I died, and now see what I am. How strange, how strange!" "Oh, yes," said Jake, "it is very strange, but I don't see any change in you." [Laughter.]

This is the same old Democratic method of raising revenue—free trade—and nothing else. This report, prepared by our Democratic friends, lauds to the sky the English revenue policy and points out that a very large amount of the revenue raised by the English Government is raised by an income tax. Before I discuss the merits of English law I want to call attention to some conditions confronting us. I have here a clipping from a Seattle paper which shows that in the last decade Japan has imported from the United States American-grown cotton and with the cheap labor in the cotton mills of Japan has wrested from the United States much of its trade in China. In those 10 years the trade of Japan in cotton goods has multiplied nine and one-half times, while the trade of the United States to-day is only one-third what it was a decade ago. If Japan, with her cheap labor, can capture the markets of China, where the cheapest labor in the world is found, Japan with her cheap labor can purchase American cotton and under free trade in this country can capture the markets of the United States. She is doing it now.

I have called the attention of some Members of this House to wages paid in the factories of Japan. I want to repeat that only a few months ago I received a report from an American consul giving the wages paid in the factories of Japan. That American consul pointed out that of the 863,000 employees in the factories of Japan men were paid 26.2 cents per day, women 13.4 cents per day, boys 9 cents per day, and girls 7½ cents per day, or a daily average of 17⅞ cents per day for the 863,000 employees in the factories of Japan.

Under free trade our laborers and the capital invested in our institutions in this country that employ labor must come in competition with that Japanese labor. Do you want it? Are you ready for it? Are you ready to surrender to the outside world our magnificent manufacturing institutions in this country? I believe you are, but I am not. Without any criticism of any man in my presence, let me point out another thing to show you what your party is doing. If you will remember, a few months ago, you, the Democratic Members of this House, appointed a lobby investigating committee. That committee called before them several men accused of lobbying in Washington in the interest of legislation. There was one lobbyist who escaped your attention, a New York attorney by the name of Beer. A full statement of the case is set forth in the New York Sun of March 28, which shows that Mr. Beer presented to a New York court the statement that he and an attorney, a member of a well-known law firm of New York, by the name of Osborn, had entered into an agreement with the importers of lemons in New York that they were to receive a certain sum of money if they would use their influence with the Democratic Party and get the duty on lemons reduced from $1.20 a box, and that if it was reduced to 35 cents a box they were to receive an extra bonus of $75,000. Strange to say, gentlemen, while the duty on lemons under the Payne tariff law was $1.20 a box, in the Underwood tariff law it is 35 cents a box, the amount agreed upon in this man's contract with the importers of lemons in New York. [Applause on the Republican side.] He sues for the balance due him from these importers of lemons from Sicily, and they ask him for an accounting of the money already placed in his hands. He makes the statement that he paid to himself and Mr. Osborn $15,000 each retainer fees as agreed upon in their contract. He paid to Mr. Glynn, ex-governor of New York, $2,000 for his campaign, and he contributed $6,000 to the campaign of Woodrow Wilson, a gentleman whom you have heard about, living down on Pennsylvania Avenue a little ways. He spent the balance of $140,000 in educating 2,000,000 Italian voters in this country to vote the Democratic ticket. [Applause on the Republican side.]

Why did not you call that man before your lobby-investigating committee and prosecute him? He must have been well known. Strange to say, the rate for which he was to receive his extra $75,000 bonus is the rate fixed in your tariff law on imported lemons. So much for another American institution.

Another thing, gentlemen, that is working against the interests of manufacturing institutions in the United States is this: I have a letter dated June 21 to the Lufkin Rule Co., of Saginaw,

Mich., large manufacturers of rules, tapes, and measures of all kinds. This letter is from John H. Graham Co., the Lufkin Rule Co.'s London representatives, and it notifies the Lufkin Rule Co. that England had placed an embargo on all such goods upon the ground that English manufacturers can supply all the tapes and rules that are needed in the market. Not a protective tariff but a prohibitive embargo on these goods. France has joined England in this embargo, and there are many articles now produced in the United States upon which an embargo is placed by Great Britain and France, and, among other things, the sugar going into France. So much for further injury to industries in this country.

Another thing, you must not forget, when legislating for the people of this country, that the laboring man can not be prosperous unless the capital employing him is prosperous. Capital can not succeed without labor, nor labor without capital. They must go hand in hand. Any law that discriminates in favor of one against the other is neither just nor equitable and should not be placed upon our statute books.

The Government of Germany owns 95 per cent of all the railroads in Germany. Therefore she controls the freight rates on goods in Germany to a greater extent than the government of any other country. If you were a manufacturer in Germany and shipped a carload of goods from an interior town to the seaboard for export, the freight rate would be just about one-half the freight rate charged on the same goods shipped to the same seaboard town for consumption in Germany. That rate is fixed to encourage German industries to export their products to foreign markets.

On the other hand, if a foreigner should send a carload of foreign products into Germany and had them shipped from a seaport town to an interior town he would pay double the freight that the same products would pay between the same two points if produced in Germany. The rates are fixed by the German Government to discourage importations and to encourage the consumption of German-made articles.

What is being done in this country? Here is a letter I received from the Interstate Commerce Commission, dated June 30, 1916. It was startling to me, as I know it will be to you. The freight rates on importers' articles made in a foreign country coming into the United States is less than on domestic goods. For instance, on leather goods—and I picked out two articles and asked the Interstate Commerce Commission to give me the freight rates on those two—if a carload of shoes or leather goods is sent to St. Louis, Mo., from Europe by the way of New Orleans, the freight rate on those imported goods from New Orleans to St. Louis would be 15.7 cents per hundred pounds less than if the goods originated in New Orleans and were sent to St. Louis. In other words, $62.80 less on a carload of 40,000 pounds, a very handsome profit.

If a carload of glass were imported from Belgium or Germany or any other foreign port to St. Louis by way of New Orleans, the freight rate on that imported glass from New Orleans to St. Louis would be 29.9 cents per hundred less than if the glass was produced or originated in New Orleans, a difference of $119.60 on a carload of glass of 40,000 pounds.

These are things that Germany takes into consideration in favoring her manufacturers, while in this country a manufacturer who dares come to Washington and ask relief from an existing discrimination is condemned as a lobbyist, and President Wilson, guided by ideals and unworkable theories and a sublime absence of business experience, contends that competition is what American manufacturers need; that it will sharpen their wits and enable them to capture the markets of the world, and that they should ask odds of no one. It all tends to make it possible for the foreigner to ship goods into this country and destroy American industries employing American labor at the American scale of wages. These things are important.

Our Democratic friends are ready to criticize the great munition plants in this country, producing articles for export to Europe to be used in the war, and ready to tax munitions of war and explosives and such like. Let me call your attention to the fact that copper and steel alone are not the articles that are going into the manufacture of munitions of war. Here is a letter dated July 5 from some people to whom I wrote, and they show that one firm in this country, since the war broke out in Europe, in August, 1914, has consumed 611,000 bales of cotton in the manufacture of explosives, and they call my attention to the consumption, in round numbers, of 300,000 bales of cotton used by other manufacturers in making explosives for export.

In round numbers, my friends, in those 23 months, $70,000,000 worth of American-grown cotton has gone into the manufacture of explosives. Why do you not put a tax on cotton, if it is fair to put a tax on copper? [Applause on the Republican side.]

Mr. STEENERSON. Is it not a fact that zinc produced here is also used in the manufacture of ammunition?

Mr. FORDNEY. Zinc, copper, lead, steel, cotton, and other things are used in the manufacture of ammunition.

Mr. STEENERSON. Why did not the gentleman's committee put a tax on that also?

Mr. FORDNEY. Is there any good reason why the committee should single out copper, one industry, and put a tax upon it, any more than they should put a tax on any other metal taken out of the ground which is used in the manufacture of ammunition? None whatever. There is no provocation, no justice that I can see in it. Again, here is a telegram from a manufacturer of copper, Mr. James McNaughton, addressed to my colleague, Mr. JAMES, of Michigan. Permit me to read it:

CALUMET, MICH., *July 5, 1916.*

Hon. W. FRANK JAMES,
House of Reprcsentatives, Washington, D. C.:

Many thanks for your telegram. Part of section 201 of revenue bill relating to copper is unfair to copper mines and strikes serious blow to copper-mining industry of Michigan. Mine doing its own smelting or refining is subject to tax on gross value of entire product; mine not smelting or refining will not be subject to tax. Most copper mines of this country smelt and refine own copper, therefore tax is directly on copper mining, discriminating against production, but small part of which enters into munitions. Great portion of smelting and refining of foreign copper is done in this country. Proposed tax will drive out this industry, and also refining of part of domestic production. Proposed tax is class legislation as applying to copper production and not to production of other metals entering into munitions. Bill should not strike at copper mining, which is old-established industry for production of a common necessity, same as iron mining or farming, and is not outgrowth of war demand, and should not be taxed any more than any other producing industry. Think every effort should be made to amend section as to avoid tax on production of copper.

JAMES MCNAUGHTON.

In this Mr. McNaughton points out the injustice of putting an excise tax on copper in any form produced without also taxing other metals used for a like purpose. There is no justice in taxing copper as is done in this bill. In the State of Michigan the miner—the man who takes the copper ore from the ground and smelts it—under the terms of this bill must pay an excise tax upon that finished product. If he converts that same copper into an alloy or a mixed metal, he pays a further tax upon that. Every point of the manufacture pays a tax under the terms of this bill. Instead of encouraging the production of copper, you seek to tax it. It is a tax on production, and there is no more justice in taxing copper as a metal, because it is a great industry of the country, than there is in taxing any other metal taken from the earth.

Mr. HUMPHREY of Washington. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. HUMPHREY of Washington. Is zinc taxed in this bill?

Mr. FORDNEY. If it is put into munitions of war it is.

Mr. HUMPHREY of Washington. If I remember correctly, there has been a greater increase in the price of zinc than in any other metal, due to its use in the war.

Mr. FORDNEY. There is in this no special tax on it unless it is put in munitions of war. If it is in munitions of war in any form—when once transferred to munitions of war it is subject to a tax.

Mr. BENNET. Is copper taxed whether it goes into munitions or not?

Mr. FORDNEY. Yes; it is taxed if converted from copper ore into pig copper or billets.

Mr. BENNET. Does not that tax the same copper twice?

Mr. FORDNEY. Yes; and if you convert it into an alloy, a mixture with any other metal, it is again taxed under the terms of this bill.

My friends, I want to call your attention to some articles of production in this country, some articles of export and import. I do it for the reason that I want to prove to you that the great prosperity in this country is due to the war in Europe. There is no question about that in my mind, and I believe there is no question about that in your minds, that the great prosperity our Democratic friends are boasting about is due absolutely to the war in Europe. Here are some exports of stuff used in the war in Europe, and I give you 10-month periods, the first 10 months of the last fiscal year being the last that I could get in detail of the various items, and the country to which they were shipped, and I compared those 10 months with the same 10 months of the last year before the war, 1913–14. In the shipment of mules and horses abroad prior to the war the exports amounted to $3,533,000, and now in the 10 months of the fiscal year just closed they amount to $84,293,000. Were they sent over there for any purpose other than the war? Now, let us take the manufactures of brass, going into munitions of war chiefly. I shall leave off the odd hundred thou-

sand dollars and give you the millions. Prior to the war it was $6,000,000 and after the war $103,000,000; breadstuffs, $138,000,000 prior to the war, since the war began $366,000,000; aeroplanes, before the war $194,000 and after the war $6,270,000; automobiles and parts thereof, prior to the war $29,000,000, subsequent to the war $116,000,000.

Railway cars, chiefly sent to Russia, $10,000,000 prior to the war, $21,000,000 now; motor cycles, $911,000 prior to the war, $2,771,000 now; chemicals used in making explosives across the sea, $22,000,000 before the war, $93,000,000 after the war; cotton manufactures, articles used by the soldiers chiefly, $43,000,000 prior to the war and now $88,000,000. Explosives—and is there any doubt that they are used for any other purpose than the war?—$5,000,000 before the war, after the war started $336,000,000. Iron and steel, used extensively in the manufacture of munitions over there, $212,000,000 prior to the war, now $472,000,000. Leather and manufactures thereof, saddles, harness, boots, shoes, going in large quantities to the men on the battle fields, $47,000,000 prior to the war, now $120,000,000. Meat and dairy products, chiefly canned goods, $124,000,000 prior to the war, $231,000,000 after the war. Beans and dry peas, absolutely for the soldiers, $741,000 before the war, now $4,500,000. Wool and manufactures of wool—and we never exported any wool to amount to anything prior to the war—prior to the war $3,900,000, now $47,500,000. Zinc and manufactures thereof, before the war $328,000, now $36,800,000. Is not this convincing that our increased exports are largely due to the war in Europe?

In a speech by Roscoe Conkling in Cleveland, Ohio, on September 29, 1880, he said, in part:

> I believe you will search in vain the annals of parties in this country or any other whose history is familiar to us for a parallel to the succession, the conglomeration, the long-continued repetition of blunders which has marked for 20 years the statesmanship of the Democratic Party. Mistaking the present, forgetting the past, that party and its leaders have had a fatal felicity for preposterous prophecies.

I wish Conkling were with us to-day and could express himself on Democratic statesmanship since 1880 or since 1912. An exhibition of their fatal felicity for preposterous prophecies was given by the Democrats in 1913 when they enacted the Underwood tariff law. They predicted a great export trade; they predicted that American manufacturers were about to capture the markets of the world. What happened? Imports increased and exports decreased. The new tariff enabled foreigners to capture American markets and displace American labor, and conditions continually grew worse until after the outbreak of the war in Europe.

During the spring and summer of 1914 the Democrats gave an exhibition of "mistaking the present." They admitted a business depression, but called it psychological—that it was caused by a "frame of mind" the country was in. The country was well off, but did not know it, and the whole thing was imagination. That was a most remarkable and spectacular exhibition of "mistaking the present," and I wish Conkling could have been on hand.

It now appears that the Democrats will mistake the present again. They fail to recognize the fact that our gain in export trade is due to war orders; that war orders have caused a revival of business; and last, and most important of all, they fail to heed what is being demonstrated by this war and prepare for trade conditions when the war is ended. Imports, retarded when the war commenced in Europe, are now coming to our shores in ever-increasing volumes. Right at this time if it were not for the enormous war orders imports would greatly exceed our exports. Take a paper and pencil and figure it out. On 16 classes of products, all of which are used in large quantities by the armies in Europe, exports have increased during the 10 months ending April 30, 1916, no less than $1,480,001,000 compared with the corresponding 10 months two years ago, which was prior to the war. On 16 classes of products our exports increased from $650,855,000 to $2,130,856,000, or an increase of 227 per cent. During the same 10-month period all other exports decreased from $1,367,231,000 in 1914 to $1,213,571,000 in 1916, a decrease of $153,660,000. Do not make the fatal blunder of "mistaking the present." It is a matter of vital importance to American prosperity. The war can not last forever; how about industrial preparedness?

Prior to the war in Europe 52.7 per cent of Russia's imports came from Germany, 20 per cent of England's imports came from Germany, 18 per cent of France's imports came from Germany, and 15 per cent of Italy's imports came from Germany.

The nations named are at war with Germany, and if reports are true, after the war all of these nations will exclude German goods from their shores. Germany has left nothing undone to foster German industries and has been the most aggressive nation in the world in seeking foreign markets for exports. Germany after the war will invade this Nation's markets with German-made goods and will displace American goods and labor.

Four years ago, in the campaign, I was met frequently with this statement made by my friends: They said, "Mr. FORDNEY, Woodrow Wilson is a protectionist," and they tried to substantiate their belief by saying that he had said he would injure no legitimate industry in this land if elected, and they asked me what that meant if it did not mean that if an industry needed protection he would give it to it. It was mighty hard for me to answer that except to say that Woodrow was fibbing a little bit.

Mr. QUIN. What industry does the gentleman say this Congress has injured?

Mr. FORDNEY. Every industry in our land; name one that it has not.

Mr. QUIN. There is more business than ever being done and more work——

Mr. FORDNEY. Due to the war——

Mr. QUIN. No; to the Underwood tariff bill and this good, Democratic administration. [Laughter on the Republican side.]

Mr. FORDNEY. The gentleman is stating nonsense, and he knows it. As the gentleman from North Carolina [Mr. KITCHIN] said, the President has not consulted me very much about this bill. Since the 18th day of December last he has been too busy with other matters. Therefore I do not know his views now, but I do know what he said prior to his election in 1912. He said that any industry in this country that could not survive and prosper without protection was a hothouse industry and must go. Does the Democratic gentleman deny he said that?

Mr. HAMILTON of Michigan. Will the gentleman yield?

Mr. FORDNEY. Briefly.

Mr. HAMILTON of Michigan. Following the line of inquiry of the gentleman from Mississippi, did not that declaration in the Democratic platform, that he did not intend to injure or destroy any legitimate industry, have direct relation to Louisiana sugar, and was not that platform prepared by the President himself and carried by Mr. BROUSSARD over to the Baltimore convention?

Mr. FORDNEY. Mr. BROUSSARD says that is the substance of his understanding with the Persident when he was called from Baltimore one night to Mr. Wilson's home in New Jersey and told if the Louisiana delegates would stand solid for him he would protect the sugar industry.

Mr. QUIN. Will the gentleman——

Mr. FORDNEY. And he had no sooner warmed the chair in the White House before he sent for the two Louisiana Senators and said, "You can take free trade on sugar now or within one year. Which will be your choice?"

Mr. QUIN. May I interrupt the gentleman right there?

Mr. FORDNEY. I would be glad to have the gentleman do so.

Mr. QUIN. I want to say that I border on the State of Louisiana, and that 75 per cent of the voting population of Louisiana are as good Democrats as I am. There is only one district in the State of Louisiana that is Republican, and it was not necessary to make overtures to the people of Louisiana. They are natural-born Democrats, and have been so ever since they were born. But when the Republican Party began to run carpetbaggers and niggers in office to rule over the white people of Louisiana they were forced to hate republicanism.

Mr. FORDNEY. It is the contention of the free trader and the man believing in tariff for revenue only that when an article can not be produced as cheaply at home as abroad it should not be produced at home, but should be imported; that to compel the consumer to pay the added price for the American product was a hardship and an injustice.

The war in Europe has done much to convert many doubtful Americans to the Republican policy of tariff for protection. The war has shown the value of industrial independence; the war has shown the fallacy of a policy that would make a nation dependent upon foreign countries for agricultural and manufactured products. A nation is best prepared for all emergencies that is self-supporting in every sense of the word. This Nation has the area, soil, climate, skill, and all other requirements for being industrially independent and self-supporting. We should develop our national resources and encourage our industries. When we buy an American product we furnish employment for an American laboring man and we add to the wealth, happiness, and prosperity of America. I believe in the slogan "Made in America." Further, I believe in a policy in keeping with that slogan. To advocate that slogan and vote for free trade is an indication of insincerity or ignorance.

Mr. HILL. If the gentleman will permit, the gentleman will remember in the hearings before the Ways and Means Committee when the Louisiana sugar industry was present and they

quoted that very promise, that no legitimate industry should be injured, they were informed from the bench that it meant economically legitimate, and any protective industry was not a legitimate one, and therefore it did not apply to it.

Mr. FORDNEY. If there was any promise on this green earth ever thought of for a Democratic platform before election, it was made, and if there was anything under the heavens that was not done, it was what was in that platform. [Applause on the Republican side.]

Mr. WILSON of Louisiana. Will the gentleman yield for an interruption?

Mr. FORDNEY. I will.

Mr. WILSON of Louisiana. I just wish to state the sugar planters of Louisiana, headed by the Progressive nominee for President, have stated they preferred to support Woodrow Wilson rather than Hughes.

Mr. FORDNEY. Let me tell the gentleman something, to be frank about it, without any criticism. The people of Louisiana and of the Southern States that were the Confederate States at the outbreak of the Civil War are so angered and displeased with the Republican Party that they will not vote for any man who has the name of Republican attached to him. Let us be frank about this.

Mr. WILSON of Louisiana. They prefer to follow the President rather than the Republican candidate.

Mr. FORDNEY. They prefer to follow anything in preference to anyone with the name of "Republican" attached to him. Is not that right?

Mr. WILSON of Louisiana. That is much to their credit. [Applause on the Democratic side.]

Mr. FORDNEY. One gentleman from that State went to the Progressive Party; he is a protectionist, and he made a statement in my presence that the people of Louisiana had been following the Democratic Party for the past half century, and at last arrived at the conclusion that to live on promises they would have an empty stomach, and that he, for one, had gotten tired of promises and had gone over to some other party, with the thought that he could be elected and help save Louisiana's principal industry.

Mr. HARDY. Will the gentleman yield for a question?

Mr. FORDNEY. I will.

Mr. HARDY. Does the gentleman believe that any industry which can never compete with the outside world ought to be continually and perpetually fostered by protection?

Mr. FORDNEY. My friend and his colleagues and every man in this House are to-day shouting preparedness. How are you going to have preparedness unless you produce our principal food supplies within our own borders? [Applause on the Republican side.]

Mr. HARDY. What has that got to do with the question I asked?

Mr. FORDNEY. It has this to do with it: What kind of a condition would the people of the United States be in this very minute if we had war with Great Britain, as Germany has now, and Great Britain were to drive our ships from the sea, as she would, for she has the power? Where would we be for foodstuffs if we had to import our sugar from foreign countries? [Applause on the Republican side.]

Mr. HARDY. Does the gentleman believe that this country can not raise within its own borders all the food it needs?

Mr. FORDNEY. The gentleman believes—and not only believes, but knows—that we have the soil, we have the capital, we have the energy, we have the intelligence, not only to produce all the sugar that the people of the United States will consume but more too, if you will only give the industry the right protection to offset the difference in the cost of labor here and abroad. [Applause on the Republican side.]

Mr. HARDY. If we produce more sugar than we need, how does the gentleman think we would be starved for want of something to eat in this country?

Mr. FORDNEY. My friend, when we produce but 25 per cent of our consumption in sugar, as we now do, how could we establish an industry in one, two, or three years during war to fully supply our people? It is nonsense to suggest such a thing. We could not do it.

Mr. HARDY. The gentleman thinks rather than to try to supply the sugar we would naturally starve here?

Mr. FORDNEY. I did not say that. I say that we would suffer for one of the great food supplies of this country, just as England would do if she did not have control of the sea with her ships.

Mr. HARDY. Does not the gentleman see that England is situated differently than the United States as to supplying them with foodstuffs?

Mr. FORDNEY. Absolutely; and she supplies the people with foodstuffs brought from abroad because she has the greatest navy in the world; and Germany would long ago have had England starved out if she had had control of the high seas as England now has control.

Mr. HARDY. And then does the gentleman refuse to vote for the bill?

Mr. FORDNEY. I would not vote for a Democratic revenue measure if you covered it with sugar a foot deep. [Laughter and applause on the Republican side.]

Mr. HARDY. Will the gentleman yield for just one suggestion further? That is, the gentleman is like, as he says, some southern gentlemen are, namely, he would not vote for anything that was labeled "Democratic" any more than they would vote for anything labeled "Republican."

Mr. FORDNEY. I am speaking of your revenue bills, sir. I will say to the gentleman that I have been here for 18 years, and I know you and your policies on free trade. To-day in your report on this bill you are lauding the English revenue laws to the sky. Let me tell you something about these laws. England, since 1845, has not had a protective-tariff law on her statute books until right now during the war. She now realizes the value of domestic production, and has resorted to the highest kinds of import duties and even to embargoes.

Mr. HARDY. Will the gentleman yield for one more question?

Mr. FORDNEY. No; I beg the gentleman's pardon, but I am going to answer the other questions first. Your committee recommends the same kind of laws that England operated under prior to the war and makes mention in the report of the amount of money collected from the income tax—highly complimentary; highly meritorious. Let me call your attention to some instructive facts.

The Pilgrims, the first successful colony that landed on the shores of this country, came to New England in 1620, a little less than 300 years ago. The wealth of this country from that time down to 1861, when the Republican Party came into power in national affairs, was $16,000,000,000 in round numbers, and within the next half century, under a Republican system of protective tariff laws, giving protection to our great industries, the wealth of this country multiplied nearly twelve times, or to $187,000,000,000. [Applause on the Republican side.] That is the greatest accumulation of wealth of any people in any country in the world, chiefly due to our protective-tariff laws.

My friends, in half a century the American people under the stimulus and influence of the Republican Party's policies have accumulated and added to our total wealth $160,000,000,000 of wealth, while England has been 500 years accumulating $60,000,000,000. The wealth of this country per capita is greater than that of any other people in the world. It is due, my friends, very largely due to our protective-tariff laws that have been upon our statute books every minute, from the time the Republican Party first came into power down to the adoption of the Underwood tariff law, with the single exception of 35 months under the Wilson bill. [Applause on the Republican side.] And you know, and I know, that those 35 months of free trade under the Wilson bill brought more distress and a greater panic to the people of this country than any like period in our history.

Let us go back to England and see what she has done in this last half century. At the last census we had a population of a little less than 92,000,000 people. At that same time Great Britain had 45,000,000 people. Her laws you laud and recommend, and propose now to follow. So far as the Underwood tariff law is concerned, you have substantially duplicated the English policy of tariff for revenue only. Now you propose to adopt the remainder of English laws relating to revenues. And, gentleman, in 1910, the last census taken in England prior to the war, of a population of 45,000,000 England had 1,057,000 paupers—1 man in the poorhouse to every 45 of her population. What did we have at that same time, and what have we now? Last year, gentlemen, we had 84,189 people in our poorhouses, 1 for every 1,081 of our population, as compared with 1 for every 45 of the population of England. [Applause on the Republican side.] Further than that, gentlemen, 53 per cent of all persons in the United Kingdom over 75 years of age are in the poorhouses. O, God forbid, gentlemen, that you should visit upon the heads of your fellowmen who sent you here to legislate for them the policies of Great Britain, that brought about that great distress and poverty and suffering in that country.

ENGLAND'S REVENUE POLICY.

In England since 1845 there have been no protective-tariff duties on imports. Their duties have been levied on noncompetitive products. Their duties have been consumption taxes.

In this country, during practically all the period that England followed her free-trade policy, we have followed the policy of protection. If the tariff policy affects the welfare of a nation

it is reasonable to presume that conditions in England are due, in part at least, to their free-trade policy. Likewise, it is reasonable to presume conditions in America are the result of the policy of protection.

Prior to the war, of the total occupied population of Germany, 35.11 per cent were engaged in farming; in the United States 33.2 per cent were engaged in farming; while in Great Britain but 12.66 per cent were engaged in farming. England's tariff policy does not encourage farming, and in time of war England must look to foreign nations for much of her food supplies. Germany has encouraged farming, and although her area is very limited it is highly cultivated and very productive, and with her commerce blockaded Germany produces at home practically all the food supplies consumed within her borders. The Underwood tariff placed food products on the free list, and corn, cattle, wool, and many products of the farm came to our shores in greatly increased quantities prior to the war in Europe. When the war is ended American farmers will be forced to compete with farm products from all the world. Low prices on farm products, past experience has shown, impoverishes the farmers, and when the purchasing power of so large a percentage of our population is diminished the injury is reflected on every industry and line of trade in the Nation.

I was hopeful that the necessity for revenue would induce this administration to return to a policy of the imposition of adequate tariff rates, rates of duty that would protect the farmer and the manufacturer alike, but this revenue bill has put a blight on any such hope. This manner of producing revenue is a departure from the protective-tariff policy; it is a step in the direction of free trade and eventually may lead to an absolute free-trade policy.

The report accompanying this bill recommends that a larger proportion of our revenue be collected from incomes and inheritances, and as an illustration of what can be accomplished they refer favorably to England's revenue policy, stating that 58 per cent of England's revenue came from income, inheritance, and death taxes.

England departed from the policy of collecting revenue on competitive imports in 1845, and now 1 person of every 45 is a pauper, while in this country there is but 1 pauper for every 1,081 of our population.

I oppose this departure from the policy of collecting revenue by imposing import duties on foreign products imported into the United States and competing in our own markets with the products of American labor, receiving the American scale of wages and living like human beings and enjoying not only the comforts but some of the luxuries of life. A free-trade policy will displace American labor, decrease wages and the American purchasing power, and will increase pauperism and prevent our laborers from providing for themselves when old or caring for their parents who may be too old to work.

Mr. FERRIS. Will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. FERRIS. The gentleman does not think that this bill taxes the poor man very heavily, does he?

Mr. FORDNEY. Can you point out anything in this bill that gives any encouragement to the labor and capital—any industry of the country?

Mr. FERRIS. But you are talking about the poor man.

Mr. FORDNEY. The poor man has to look to capital for employment, does he not?

Mr. FERRIS. That is the old theory.

Mr. FORDNEY. It is past the theoretical stage. That is the proven truth, and everybody knows it. [Laughter.] Let me tell you another thing, gentlemen. In the House of Representatives the majority of its Members are Democratic.

Mr. CARAWAY. And always will be.

Mr. FORDNEY. Not on your tintype, sir. A majority of the Democratic Party come from States in the South. One hundred and twenty Members of your number are from Southern States. With all due respect, you are high-class gentlemen, but God knows, you are badly misinformed on those questions. I have no quarrel with you personally. Do not misunderstand me, gentlemen. But when you present a party measure or a party bill you go into caucus, which you criticised the Republican Party for doing before you came into power; you go into caucus, and you are bound by a majority in that caucus, and as a majority of your membership is from the South, the South dictates, and you come back with a solid front and pass legislation in this House and in the other branch of Congress.

How many Democrats from the North are chairmen of important committees of this House? One lone star, the gentleman from New York [Mr. FITZGERALD], the chairman of the Committee on Appropriations. Not another important committee in this House is headed by a Democrat from the Northern States.

What does this bill do for you? Let me show you what was paid in corporation and income taxes by those 12 States of the South, from which comes the majority on that side of the House. Of the corporation tax last year your people in those States paid only 10.9 per cent of all the corporation tax collected. The State of New York alone paid more than twice as much as you, twice as much as all the people of the South.

And how about the individual income tax? Your States—and I will name them: Virginia, North Carolina, South Carolina, Florida, Georgia, Alabama, Kentucky, Tennessee, Louisiana, Arkansas, Missouri, and Texas—with 27 per cent of our total population, paid 6.4 per cent of the individual income tax. So it does not worry you how much the individual pays upon the individual income tax. You do not have to pay it. [Laughter on the Republican side.]

Mr. PLATT. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Certainly.

Mr. PLATT. Can the gentleman tell what percentage of troops on the border those States have at the present time? The South has sent out 3,000 men and New York has sent 7,000.

Mr. FORDNEY. I do not know about that. I will give them credit for scrapping here. [Laughter.] I do not know what they will do down there. [Renewed laughter.] But, as I said, they are good fellows personally.

Gentlemen, those are important things for you to consider. You are imposing a tax upon the people of the North because you can. You have the power; you have the votes. Votes count here; argument does not count for much. [Laughter on the Republican side.]

I do not know of anything in this bill, after careful consideration, which any Republican can stomach, taking it as a whole. You say there is Republicanism in this bill. Where is it? We had a tariff board, created by a Republican administration, which you abolished. Why? Oh, I do not know. You declined to appropriate money for it and it went out of business by starvation. You framed a tariff law after that tariff board had made reports on four great industries of this country—paper, cotton, wool, and steel; a partial report on steel. You wholly ignored all those reports. They were no good to you, so you said. You did not want them. No. Any man with brains enough to grease a gimlet knows enough to reduce the duties below the protective point without a tariff board to guide him. He does not need the information of a tariff board to do that. [Laughter.] Just reduce it. That is enough. [Laughter.]

There is not a rate in the Underwood tariff law to-day that is protective on any industry in this land. You may say it is not free trade. I say it is. If I am producing in this country an article that costs me $2 to produce, and if a foreigner can produce that article and lay it down here under free trade at $1, he will put me out of business pretty quick. If you give me 90 per cent protection, he still has the advantage of 10 per cent over me, and I will drown just as readily under 1 foot of water as under 10 feet. [Laughter.]

Mind you, when you write a duty that is below the point that offsets the difference in the cost of production in this country and abroad, it is free trade in every sense, because the foreigner can put out of business his competitor in this country with our standard of wages. [Applause on the Republican side.]

Point out if you will, then, anything in this bill that is Republican. I say your tariff board is a farce and an absolute fraud on its face. Why? It fixes a tenure of office of from 2 to 12 years for Democrats who need jobs badly, and you propose to pay them wages of $10,000 a year; that is the only merit in it, and that is entirely too high. You exclude from that board many men of intelligence. You propose in that law that no man who has ever served in either branch of Congress shall be eligible for appointment on that board.

That is a slam and a slander on your colleagues and the men who have passed out of Congress, and it shuts them out, no matter how intelligent they may be. You further say that no man can be a member of that board and have any other business. Let me tell you. You make it possible for the professor of some college, or some doctor, or some lawyer, who can not live on his practice at home, to have a job on that commission. [Applause on the Republican side.] You exclude from the membership of that board the intelligent men of this country, the most able men to perform duties on that board. Why do you do it? Yesterday in the committee I offered some amendments to this bill, and lo and behold, I made a discovery! One member of the committee, who is my dear friend, whom I love as a brother, whispered to me, "FORDNEY, do not offer your amendment here. We employed a bureau of experts to frame this law, and we do not want to change the language without submitting it to them to see whether the language would be proper." [Laughter.] He said, "File your amendment with us, and we will submit it to these experts and let you know whether it is proper to go into the

bill or not." Why not dismiss this body of school children here and send for that bureau of experts, who framed this law, and let them enact it for us? "We do not know enough!" So say the Democratic members of the Ways and Means Committee. They were unable to prepare a law and bring it in here and have it constitutional, and they had to employ experts from the outside.

You have asked what I would raise revenues on. You can raise revenue on a whole lot of things. How much wool do you suppose came into this country in the 10 months of this fiscal year ending with April, under the Underwood tariff law, under free trade? If you had placed upon wool the same rates of duty provided in the Payne tariff law, on the wool imported in the first 10 months of the last fiscal year you would have collected $41,420,000 in 10 months. And let me say that since December last our imports have increased every month, one over the other, until in May our imports reached the enormous sum, in round numbers, of $229,300,000.

Never before in the history of the Republic have our imports reached $184,000,000 in any one month until January last. Now in round numbers they are $230,000,000 per month. If you had collected the same rates of duty last year as were provided in the Payne bill, and if we had had the same amount of imports, you would have collected $400,000,000 instead of $210,600,000 as you did. [Applause on the Republican side.] You would have no need to raise this $210,000,000 that you are raising in this bill. You would have the money in the Treasury. But you would not have had so many imports if you had had the Payne rate of duty I presume. Prior to the enactment of the Underwood Tariff Act the record month for imports was October, 1912, $177,987,000. This record was broken in December, 1913, with imports amounting to $184,025,000. For a period imports were retarded by the war in Europe, but in January, 1916, imports amounted to $184,350,000, surpassing any previous month. In February imports were $193,935,000, breaking the January record by $9,600,000. In March imports were $19,600,000 greater than February, and in April $4,700,000 greater than March, and in May $10,900,000 greater than April. Comparing the fiscal year ending June 30, 1913, under a protective tariff with the fiscal year just ended we find that although imports have increased over $360,000,000 customs receipts have declined $106,276,000.

Imports 1916	$2,181,000,000
Imports 1913	1,813,000,000
Gain	368,000,000
Customs receipts 1916	210,866,222
Customs receipts 1913	318,142,344
Loss	106,276,122

Average ad valorem 1913, 17.6 per cent.
Average ad valorem 1916, 9.7 per cent.

During the entire life of the Payne law the average ad valorem rate of duty collected on the total importations was approximately 18.5 per cent. If we had collected that rate of duty during the past year instead of 9.7 per cent our customs receipts for the year ending June 30, 1916, would have amounted to some $403,000,000. I do not contend that had the Payne tariff law been in force our customs receipts would be that great, for some of the imports would not have come to our shores. We would have produced some of those products in America by American labor, but I do contend that it is very conservative to say the Payne tariff law would have produced over $100,000,000 more in customs receipts than was raised by the Underwood law, and with a protective tariff law in force American industries would have no dread of the period to come when the war is ended.

Mr. CANNON. How much has the cost of living, to the poor man or the rich man, been reduced since the Underwood law was enacted?

Mr. FORDNEY. I do not know how much of that increased cost the Democratic tariff has been responsible for, but I do know this: That prior to the enactment of the Underwood tariff law, when there was a duty of 1.685 cents per pound on sugar, my family could go into the stores in my home town and buy 22 pounds of granulated sugar for a dollar. Now they get 11 pounds for a dollar, with the reduced duty on sugar. This morning I picked up the Statistical Trade Journal, published in New York by Willets & Gray, and found that the differential between the cost of raw sugar and refined is $1.20 a hundred pounds. There is no domestic sugar on the market now, none at all. There is no competition at all with the seaboard refiners. They have full sway. I remember when we were on the sugar investigating committee the refiners at New York reported so much sugar imported from Europe at $6.40 a hundred pounds, and on that import value was based the price of all the refined sugar sold on the market. That was in July and August, 1911. I went to the Treasury Department and had a very exhaustive statement prepared for me, showing all the imports of sugar from every country in the world and the amount coming into each port. I presented that statement, certified by the Treasury Department as being correct, to the Hardwick investigating committee; and to the great surprise of Mr. Willets, of Willets & Gray, sugar statisticians, who was on the witness stand, proved to him, notwithstanding the statement of the importers, that not one pound of sugar had come in from any European country of the world in 16 long months, although the refiners were basing the prices of sugar on European imports. There were none coming in, and their statements to that effect were absolutely false. I venture to say, that if the truth were known, to-day the seaboard refiners are purchasing sugar from Cuba and from the Philippine Islands and from Java and from the West Indies at from 1 to 2 cents a pound below the market price quoted here to-day. I can not prove that just now, but I firmly believe it is correct.

But, my friends, whether our Democratic friends are responsible for the high cost of living or not, let me say in all fairness that some time ago one Member of the other body of Congress—thank Heaven, he is not a Member of that body now, and I hope he never will come back—said he was in favor of a law to reduce the hours of labor per day and in favor of a law to increase the wages paid to labor per day with the shorter hours, and in favor of a law to reduce the price of the product of that labor, and that if he could have his way such a law would be enacted. Well, up in Michigan we have just such fellows as that, talk just like that, but they are in our asylum for the insane at Kalamazoo. [Applause and laughter on the Republican side.] Every time any law is passed that adds to the cost of the production of an article you fix a higher price on the consumer, and that must be so. It makes no difference how you do it, there is no article produced by any manufacturer in the United States in which the labor cost is less than 90 per cent of the total cost of production. Point out one if you can; and when our labor cost is double the labor cost in any other country in the world there is no way to protect the laboring man and pay the American scale of wages except through a protective tariff law to offset the difference between our cost here and the cost abroad. [Applause on the Republican side.] There is no getting around it. I have been in business long enough to know that is so.

Mr. KELLEY. Will the gentleman yield?

Mr. FORDNEY. Certainly.

Mr. KELLEY. The chairman of the committee [Mr. KITCHIN], in his speech preceding my colleague, practically challenged any member of the committee or of the House to point out how the $200,000,000 can be raised. Did I understand the gentleman from Michigan to say that if the Payne rates had been applied to the imports received during the past year it would have increased the revenue by $200,000,000?

Mr. FORDNEY. The Payne rate of duty on the amount of imports would have doubled the amount collected, because their rates are about 9 per cent ad valorem, while in the Payne bill the rate was 18 per cent ad valorem.

Mr. KELLEY. If the Payne rate had been applied to the importations during the past year the $200,000,000 they now propose to raise would have been raised by that revenue?

Mr. FORDNEY. Yes, sir.

Mr. CLARK of Missouri. If it will not interrupt the gentleman too much, I would like to ask him three or four questions.

Mr. FORDNEY. The gentleman from Missouri can ask me all the questions he desires.

Mr. CLARK of Missouri. Because I have always considered the gentleman from Michigan the only simon-pure protectionist in the House. [Laughter.]

Mr. FORDNEY. Without apology.

Mr. CLARK of Missouri. Without apology. I will ask the gentleman if his statement, taken in connection with the question asked by the other gentleman from Michigan [Mr. KELLEY], does not end in a misleading conclusion. The gentleman from Michigan [Mr. FORDNEY] does not mean to say that if the Payne bill had been continued it would have brought in $210,000,000 more than was collected last year?

Mr. FORDNEY. What I said, and I do not wish to be misunderstood, is that on the same amount of imports it would, but I did say—the gentleman from Missouri perhaps was not present at that time—I did say that we would not expect the same amount of imports under the Payne law that came in under the Underwood law.

Mr. CLARK of Missouri. In order to get the extra $210,000,000 you would have to project the Payne rate not only on the articles that the duty was on but other articles imported. You would have to extend the scope of the Payne bill?

Mr. FORDNEY. No, sir.

Mr. CLARK of Missouri. It would not bring in $510,000,000, and never did.

Mr. FORDNEY. The Payne tariff law during the year 1912 brought in $333,000,000 and the last year it brought in $318,000,000. The Underwood bill last year brought in $210,600,000. Now, the amount of imports for last year under the Underwood tariff law exceeded the imports during the last year of the Payne tariff law by $368,000,000 in value. Computing the customs receipts on that sum on a basis of 18 per cent ad valorem and you have a little over $66,000,000 and would have a total of about $480,000,000.

Mr. CLARK of Missouri. I want to ask the gentleman three or four questions about wool. His memory is fresher than mine. Wool is higher now in price than under the Payne bill, is it not?

Mr. FORDNEY. I think it is.

Mr. CLARK of Missouri. Wool is higher now than it ever was at any time when money was at par?

Mr. FORDNEY. No.

Mr. CLARK of Missouri. Except, perhaps, once.

Mr. FORDNEY. Under the Payne tariff law wool in the grease sold one year in Michigan for 33 cents a pound.

Mr. CLARK of Missouri. I know, that is one time; but is not this true about wool, tariff or no tariff, high tariff or low tariff, tariff or free trade, wool is never going to be cheap again?

Mr. FORDNEY. I do not expect that it will be as cheap as if we raised it all in this country, and that we can not do.

Mr. CLARK of Missouri. Is it not a fact that the high price of wool is due to the fact that there is a shortage of wool the world over, and that while the wool clip does not increase materially, the population of the world increases from 2 to 3 per cent per annum. And is not the same thing true of leather? Men who make shoes are hunting out every substitute they can find for leather in order to keep the price of shoes down.

Mr. FORDNEY. Let me answer the gentleman. Prior to the war in Europe we produced in the United States out of the 540,000,000 pounds of wool consumed in this country 300,000,000 pounds and imported 240,000,000 pounds. That wool chiefly came from Australia and New Zealand. Australia and New Zealand the year before the war produced 800,000,000 pounds of wool. The consumption in Australia and New Zealand in round numbers was 100,000,000 pounds and the exportation 700,000,000 pounds. We imported 240,000,000 pounds at that time, chiefly from Australia and New Zealand, the Faulkland Islands, South America, and some English class 2 wools.

Since the war England put an embargo on wool going out of any of her colonies to any people in the world that would not enter into an agreement that the product of that wool should not be exported to any nation in the world not agreeable to England. Therefore the embargo on wool from English colonies put up the price.

Mr. CLARK of Missouri. But the gentleman has not answered my question.

Mr. FORDNEY. Let me conclude. We imported, the first 10 months of the last fiscal year, 339,000,000 pounds of wool of class 1, 12,000,000 pounds of class 2, and 90,000,000 pounds of class 3, or carpet wool. We have exported in 10 months $45,000,000 worth of manufactured goods, chiefly to England and France. Therefore, because of the abnormal conditions throughout the whole world, the price of wool has been high. Since the war the price of woolen goods has increased, and exports have gone up from $3,900,000 in 10 months prior to the war to $45,000,000 now, and that affects the price of wool and woolen goods in this country.

Mr. CLARK of Missouri. But the gentleman has not answered my question, and that is this: Whether or not the wool clip of the world is practically stationary while the population of the world increases at the rate of 2 and 3 per cent a year, and that is really the cause of the high price of wool. Is not that true?

Mr. FORDNEY. If it is true, and I believe it is, that the production of wool in the world does not keep pace with the increase in population of the world, then the price of wool must go up, certainly. The law of supply and demand will regulate the price, largely.

Mr. CLARK of Missouri. One other question. Is it possible to keep woolgrowing going on in this country on high-priced land? Does it not take to the cheap land everywhere, and is it not true that just in proportion as we settle up this country for some unaccountable reason we get out of the wool business?

Mr. FORDNEY. Mr. Chairman, I am unable to answer that as intelligently as I would like to, for this reason: I can not tell whether there ever was a time when the State of Ohio produced more wool than it is now producing, but it is producing the highest-priced wool produced in the world. It is the cleanest wool in the world. For instance, it is shown that the Ohio wool shrinks 50 per cent. In other words, 100 pounds of wool in the grease, shorn from the sheep's back in Ohio, washes but 50 pounds of wool and 50 pounds of dirt. As you go west and get on to the great sagebrush country in the West, in Nevada and Utah, 100 pounds of Utah and Nevada wool will wash out 20 pounds of wool and 80 pounds of dirt.

Mr. CLARK of Missouri. If the gentleman will permit, he does not extend that statement of his about Ohio wool quite far enough, though I do not want to take his time.

Mr. FORDNEY. I am very glad to have the gentleman take my time.

Mr. CLARK of Missouri. It embraces southeast Ohio, and the panhandle and a few counties of West Virginia and the southwest corner of Pennsylvania. When the gentleman and I were both on the Committee on Ways and Means some gentleman came into that committee one day and asserted exactly what the gentleman has asserted. I had heard that tale for 10 or 15 or 20 years, and I did not believe a word of it. I said that we had as good climate and grass and water and shade and everything else in Indiana and Illinois and Missouri and Iowa as we did there, and I did not believe it. I thought it was a fiction that they had evolved for their own benefit. This man said to me, "What will convince you?" I said, "If you will bring me the price currents for 10 years and they show that they got a higher price down in the corner of the three States than anywhere else, I will believe it and put it in the RECORD." He said, "How long will you give me? I have not got them with me." I said, "Ten days." He produced the price currents, and it is true, and it grows out of some climatic influence—I do not know what it is.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Yes; but I first want to answer the gentleman from Missouri. Let me say to the distinguished gentleman in all candor—he is sincere and so am I—the reason why your Ohio wool and your Michigan and Wisconsin and Indiana wools are cleaner than any other wools in the country is because of the nice, clean pastures on which the sheep graze, whereas in those new countries where there is a great deal of sand and where the wind blows the sand into the wool and the sheep carry it away, and where there are lots of burrs and dirt that get into the wool, the wool necessarily carries a larger amount of dirt. For that reason they have cleaner wool and they have higher-priced wool per pound in the grease than in any State in the Union.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield to me?

Mr. FORDNEY. Yes.

Mr. LONGWORTH. I want to state further to the gentleman that one of the reasons why the Ohio wool brings the highest price is that the sheep there are of a purer blooded strain of merino.

Mr. FORDNEY. That is correct. It is the finest grade of wool produced in this country or in any other country in the world.

Mr. FESS. I wanted to inject this remark, that I think the suggestion of the gentleman from Missouri [Mr. CLARK] would leave the House under the impression that the wool-producing section of Ohio is a hilly section that is not adapted to agriculture, and therefore not quite so high priced per acre. That is not the situation. The largest woolgrower in Ohio is Mr. Harper, as you know, and he lives 40 miles from Columbus. Columbus is in the center of the State, and his place is 40 miles north of Columbus. He has there acres upon acres of level country, with not a hillock a foot high, the best land of the country; and in my county of Greene, one of the largest sheep-growing counties in the whole State, land sells at from $150 to $175 per acre, and wool and sheep are two of the most profitable products of the farm. [Applause on the Republican side.]

Mr. FORDNEY. I want to say further that in the State of Michigan in my opinion we have a greater number of sheep to-day than was ever raised in the State, in the history of the State, but they are owned in small numbers by each of the good farmers of the State.

The passage of the bill now before the House will be a further departure by this administration from the policy of a protective tariff. While the bill does not reduce any tariff rates, it ignores the revenue producing possibilities of a protective tariff measure. Never before in American history did a greater necessity appear for the enactment of a protective tariff than at present. The war has demonstrated in many ways the great value and necessity of industrial independence, but this revenue bill ignores all this. What will become of the American markets when the war in Europe is ended and when the armies now engaged in destruction return to work? Where will the product of their labor find a market? The markets of practically all of Europe, according to every indication, will be

closed to German products. German goods will invade American markets as never before unless we recognize the merits of the policy of protection.

In the report accompanying this bill, all import duties are condemned as consumption taxes. I can construe only one meaning to that report and that is that it is an indorsement of the policy of free trade.

The majority of the people of this country favor the protective tariff policy, but some of them have been misled to believe such a tariff can be secured from a Democratic administration. In the campaign four years ago I was confronted time and time again by people who claimed that Mr. Wilson was a protectionist, that he had said that he favored a tariff policy that would injure no legitimate industry. They were misled at election time and realized it after election when the President assumed the position that any industry that could not thrive in this country without some artificial advantage, was a hothouse industry and must go.

The report accompanying this bill should disillusion every believer in protection who at any time in the past has put his faith in a Democratic administration. This report refers to import duties as consumption taxes and nowhere in the report is the compensating feature of a protective tariff recognized. If there is no compensating feature to an import duty on any article and a consumption tax is a burden on the people and the income tax is so just and equitable, why not absolute free trade? It appears to me that under this administration the Nation is drifting rapidly to an absolute free-trade policy.

To mislead the voters of the country at the coming election a provision is contained in this bill for a tariff commission. I sincerely trust, however, that protectionists will not be misled again to place their hopes in a party believing in free trade. There is a great popular demand for a tariff commission. This demand, however, is for a commission to gather facts regarding cost of production here and abroad, so that American industries can receive adequate protection. The only object of this bill, so far as I can discern, is to satisfy the popular demand and at the same time give absolutely no assurances that the policy of protection will be recognized or that an adequate tariff will be enacted.

I would like to have the Democratic Members of this House admit that there will be some compensation to the American people for the tax imposed by this bill on dyestuffs. If there is no compensating feature to the tax, why is it levied? Is it a consumption tax?

It is not a consumption tax, and they know it and the country knows it. It is no more of a consumption tax than any duty imposed for the purpose of protecting an American industry. A duty on imports is a consumption tax only when levied on an article that can not be produced in this country, an article that we must import. A duty, then, is a consumption tax, pure and simple. A duty on any article would be a consumption tax, unless the duty was high enough to permit that article to be produced in America; then the duty is no longer a consumption tax, for it has a compensating feature. When the duty is high enough to protect an American industry, the benefit of having the industry in America far offsets any increase in prices, and it very frequently transpires that competition at home reduces the price to a mark lower than prior to the time of the enacting of the protective rate, when foreigners controlled our markets.

Before the Payne tariff was enacted fully 90 per cent of the post cards sold in America were imported. Before the Payne law there was a slight rate of duty on post cards, but as it did not protect the American industry it was serving only as a consumption tax; it had no compensating features. The Payne law imposed a rate on post cards that furnished protection to the American industry, and the American manufacturers soon produced nearly all the post cards sold in America. Being permitted to produce in large quantities, the cost of production was decreased. Before that protective tariff we paid 5 cents for a post card that we now can purchase for a penny. Will any man in this House contend that the tariff levied in the Payne tariff law on post cards was a consumption tax?

Our protective policy has encouraged and built up our great agricultural production, our—

Tin industry.
Lumber industry.
Woolen industry.
Cotton industry.
Sugar industry.
Rice industry.
Tobacco industry.
Rubber-manufacturing industry.

Did the import duties that fostered these industries serve only as consumption taxes? Were there no compensating features to those tariff rates? If you will say no, if the Democratic Party will say no, I disagree with you, and every protectionist disagrees with you, and I would gladly stake the future success of the Republican Party on the verdict of the people of the country as to whether you are right or wrong.

Mr. AUSTIN. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. AUSTIN. I want to ask the gentleman from Michigan a question respecting the tariff commission and its reports in Germany. Is it not a fact that the tariff commission there is largely made up of business men and experts?

Mr. FORDNEY. In Germany it is true that when they revise their tariff a committee of 48 business men are called together, and they prepare a tariff law and submit it to the authorities that make the tariff laws in Germany. That is the way the tariff laws are made in Germany.

Mr. AUSTIN. Then they do not exclude business men from membership on the tariff board?

Mr. FORDNEY. No; they invite the intelligence of the country. They invite the men in the very great industries of the country, men who are skilled in their particular lines.

Mr. AUSTIN. Is it not a fact that President Wilson in his Indianapolis speech last year stated that this country did not need a tariff commission; that he had a Trade Commission that served the purpose?

Mr. FORDNEY. I do not know. Perhaps he did. He has said so many ridiculous things I can not keep up with him. [Laughter on the Republican side.]

Mr. COX. Is not this also true, that every member of that German tariff commission, consisting of 48 members, serve the German Government without pay?

Mr. FORDNEY. I do not know that that is so, though I will accept the gentleman's statement.

Mr. COX. It is true, for I looked up the question.

Mr. FORDNEY. Let me say to the gentleman, you Republicans who are inclined to vote for this bill, how can you expect to get any credit for it from the American people?

This is a Democratic measure; that party is in power in this House. [Applause on the Democratic side.] As I say, that party is in power in this House, and if it is a meritorious bill, and the people of this country are going to approve of it and applaud you for voting for it, the Democrats get the credit and not you.

Mr. COX. They ought to have it.

Mr. FORDNEY. If there is any criticism to heap upon anybody's head for passing this law, and I believe there will be, and I will do my share, it will go to the Democratic Party. You must and do assume responsibility for this law, my friends. You are entitled to the credit and you should take the criticism, and I warn Republicans who plan to vote for this bill, because it has a makeshift for a tariff board or a bit of political sop on dyestuffs, or any leaning toward Republican principles, to look and see what is behind it. It is antagonistic to the principles of protection from beginning to end, and will tend to pave the way for free trade for the American laboring man and the American manufacturer. Gentlemen, I thank you. [Applause.]

Mr. Chairman, I yield 30 minutes to the gentleman from Connecticut [Mr. HILL]. [Applause.]

Mr. HILL. Mr. Chairman and gentlemen of the committee. I just this moment received a telegram from the president of the American Chemical Society, a society composed of 10,000 American chemists. He is a resident of Chapel Hill, N. C. I have hardly had time to read the telegram. I am not going to speak to-day either on the tariff commission or the dyestuff proposition or the antidumping bill, but will reserve that for discussion under the five-minute rule, or at some time later. I am going to make a statement in a nonpartisan, impartial way on the Underwood tariff bill and its relation to the present condition of things, first, and then take up the financial side of this question, for it is a financial question as well as a political one.

The telegram confirms my absolute opinion of the dyestuff proposition as submitted to this committee, that the bill as drawn injures and harms the cotton and woolen industries of the United States and will not develop the dyestuff industry of this country, and in so far as it does not develop that trade it will be at the expense of the cotton and woolen industries, the leather industries, and the general textile industries of the United States. I shall develop that idea somewhat in discussion of the effect of the Underwood tariff bill up to the 1st day of July, 1916. The telegram reads as follows:

CAMDEN, ME., *July 6, 1916.*

Hon. E. J. HILL,
House of Representatives, Washington, D. C.:

Your letter and copy of revenue bill, addressed Chapel Hill, just received here in camp. Happy to note all now recognize necessity of protection for dyestuff industry. Regret to note reduction by one-third

of special duties recommended by New York section; such reduction means no appreciable saving to the individual American consumer, and may result in restricting the entries into this line of manufacture to the financially stronger and more experienced groups instead of opening the door wide to all. Regret I am not familiar with the reasons for the unexpected exclusion of alizarin and indigo from the special duty. My address to-morrow and Saturday, Chemists Club, New York City.

CHARLES H. HERTY, *President.*

I will go more fully into the details of the telegram and dyestuff industry later in the discussion.

There are in this bill five separate and distinct systems of taxation. They carry in this bill a burden of three hundred and eighty to four hundred million dollars annually that is to affect the future of the American people. I recognize that some of it is a reenactment of present taxes, but changed in form and changed in amount, and you have to take the responsibility, my Republican friends, as well as my Democratic friends, of explaining to your constituents the necessity and the reason why you this day or next Monday vote to put a burden of taxation of about $400,000,000 a year upon our people in time of peace, for bear in mind that you have had the statement made to-day that every dollar that has been appropriated thus far for mobilization and expenses in Mexico and what will come hereafter are to be carried in a bond issue. Now if you take that out from this, how are you going to explain to the men who sent you here why you add to their burdens of taxation for all time to come so long as this party is in power $400,000,000 a year?

Mr. Chairman, this bill probably puts a heavier burden of taxation upon the American people than any other one measure ever presented to Congress in the history of the Republic, and yet it would not be a serious matter if the taxation was equitably distributed, for the enormous aggregate of the taxable property of the Nation has never been even scratched.

For half a century the aristocracy of England and the democracy of the United States have not realized the necessity of industrial independence as the first reliance for the Nation's safety and general welfare.

Here a minority of the people have failed to learn that national prosperity can not exist when labor is unemployed and when our own market place is made an auction shop for our own raw materials and a dumping ground for the finished product of foreign factories. [Applause on the Republican side.]

There an hereditary aristocracy and a purchased-title class are willing to pay the expenses of a Government which gives to them exclusive privileges, and the remainder cringe and bow to my lord and lady, and have been content with an industrial system which has made Great Britain the sweatshop of the world and which compels one-half of all her people who reach the age of 60 years to become inmates of the poorhouse and to fill a pauper's grave.

This bill marks the inauguration of the English free-trade system here at the very time when England's fearful struggle to preserve her life compels its abandonment there and forces her into a commercial union with her allies for the adoption of a policy of protection and preferential trade among themselves when peace shall have been restored.

The death knell of English free trade and tariff for revenue only was sounded when Reginald McKenna, the chancellor of the British exchequer, recently said:

> The experience of the war has shown that the strength and safety of the British nation in time of peril lies in the possession by this nation of the power to produce its requirements from its own soil and its own factories, rather than in the possession of values which may be exported and exchanged for products and manufactures of foreign countries.

[Applause on the Republican side.]

The system of protection and national industrial independence which Bismarck taught to Germany, which France has been practicing for many years, and which Britain has now accepted is thrown into the discard by the Democratic Party of the United States under the leadership of Woodrow Wilson. [Applause on the Republican side.]

A CONFESSION OF FAILURE.

This bill in its scope and plan is a confession of the complete failure of the Underwood tariff law.

Under Republican control, in the fiscal year of 1913, the ordinary receipts of the Treasury were $724,111,230, derived from customs, corporation-income tax, and internal revenue. The receipts from customs were $318,891,396, and from corporations $35,006,300.

The ordinary expenses of the Government were $682,770,706, and the resulting surplus for the year was $41,340,524. It was a good, healthy financial condition not only for the Treasury but for the people as well. Prosperity reigned throughout the land. Everybody was busy. No man lacked work who wanted it.

The average rate of duty on all importations was 17.69 per cent, and 54.47 per cent of practically noncompetitive importations was coming to our ports free of any tax whatever.

In the four previous years, under the Payne law, the natural and normal increase of imports had been $256,060,804, and the exports $720,899,429.

On April 15, 1913, there were but 67,498 surplus railroad cars in the United States.

On June 30, 1913, there was an available cash balance in the Treasury of $165,960,984. It was the high tide of the Nation's welfare, and the task for the incoming Democratic administration was to match it if they could.

RESULTS OF THE CHANGE OF CONTROL.

With a confidence born of inexperience they planned to increase income and have dismally failed. They assumed that expenses would increase and gamboled like lambs on the hillside at the glorious prospect before them.

A tariff for revenue only was their reliance for current expenses, and an estimated income tax of $70,000,000 was to provide for all emergencies. All protection features were eliminated from their customs law, and the comparative cost of production of competing importations was wholly ignored, and distinctly stated so by Mr. UNDERWOOD in the House report, and the statement was confirmed by Senator SIMMONS in the Senate.

And so the bill passed, and was signed on the evening of October 3, 1913. On October 4 Mr. UNDERWOOD was quoted by the Washington Post as saying:

> This bill will do four things—
> First. It will reduce the cost of living.
> Second. It will not disturb the business of the country.
> Third. It will increase our foreign trade.
> Fourth. It will collect revenues sufficient to run the Government.

I submit to this House that from that day to this there has not been one minute when any of these prophecies have been fulfilled. [Applause on Republican side.]

THE COST OF LIVING.

The purpose of the authors of the revenue tariff which we now have was, by reducing the rates of duties, to encourage larger importations of competing products, and so force down the price of like domestic products and thus secure a lower cost of living.

My reply to that is that competition can not be controlled by a rate of duty, if that rate is below the difference in the cost of production. [Applause on Republican side.]

The inevitable result is the ultimate abandonment of the industry here and an ultimate higher price, because of the destruction of domestic competition and complete dependence upon a foreign supply.

Second. The cost of living will always be increased by putting a duty for revenue on articles which are not produced here, for there is no domestic competition to regulate the price, and the tariff tax is added to the cost. For example, raw silk, if not on the free list would invariably sell at the foreign price with the duty added.

Third. The cost of living will not be reduced in proportion to tariff reduction, because in many cases the reduction can not be distributed to the ultimate consumer. For example, take matches: Under the Payne law, the duty was 6 cents per gross on 144 penny boxes. It is now 3 cents. It is impossible for the consuming public to get the benefit of the reduction of one forty-eighth of a cent on a penny box. As a result the Treasury will lose $90,000 on the 3,000,000 gross imported and the foreign manufacturer, or importer, or American jobber will put it in his pocket. There is a large class of similar items.

It follows, therefore, that if the price of domestic products is not decreased to the ultimate consumer to the full amount of the reduction of duty on the imported product, to that same extent the additional taxes in other forms, as in the pending bill, imposed to offset the reduction in import duties, tend to increase the cost of living.

The increased imports of competing products simply decrease the earning power of the importing nation by taking away the opportunity of earning a living by providing for its own requirements.

DISTURBANCE OF BUSINESS.

Second. From October 4, 1913, the Underwood law ran and was glorified until August 1, 1914, when half the world springing to arms revolutionized the economic condition of the entire globe.

In those 10 months, and with the Underwood law in partial operation, the rate of duty was about 13.62 per cent, and imports increased above the previous corresponding period by $101,977,779, and exports shrank by $158,888,363.

On April 15, 1914, the surplus railroad cars had increased to 212,869, or more than three times as many as the year before, and on April 15, 1915, to 313,073, or nearly five times as many as in 1913. Much of the railway capital of the country was in receivers' hands, and 4,000,000 wage earners in American industries were said to be unemployed.

Societies for the relief of the unemployed began to be organized all over the land, and a department of the Government began to act as an employment agency.

In 1915, for the first time in American history, the board of health of New York City amended the sanitary code by permitting the slaughter of horses for food. Health Commissioner Emerson said:

Hereafter old horses instead of being sold for their bones can be fattened up and disposed of for meat. While the department does not precisely recommend the eating of horse meat, we can see no harm in its use.

Comment is unnecessary.

Mr. QUIN. Is not horse meat good meat? Do they not eat it in France all the time in preference to beef?

Mr. HILL. I am not ready to vote for such a policy as will compel American citizens to eat horse meat. [Applause on the Republican side.] I would give every American workingman a good porterhouse steak if I had my way. The gentleman from Mississippi can offer horse meat to the workingmen of his State if he wants to. [Applause on the Republican side.]

A like disturbance of business had followed the passage of the Wilson bill in 1894, so that the conditions of 1914 were not a surprise to those whose memories had held good for 20 years.

The only business which I know of which was undisturbed was that of those who were asleep or dead.

Mr. HAMILTON of Michigan. Does not the gentleman remember that they opened up the morgue in New York City as a place of lodging for those who had no place to sleep?

Mr. HILL. I do not remember that.

Mr. HAMILTON of Michigan. That is a fact.

Mr. HILL. Those were people whose business was undisturbed during that time. [Laughter.]

INCREASE OF FOREIGN TRADE.

Third. The prophecy of an increased foreign trade is nullified by the figures already given, showing that up to the beginning of the European war, notwithstanding the large increase in imports, the net shrinkage in the volume of foreign business was $56,910,564.

What the relation between war supplies and normal exports has been since August 1, 1914, no man knows.

One bureau of political activity has estimated 5 per cent of the total as due to war supplies, or in round figures about $250,000,000 for one year. But the majority of the Ways and Means Committee have estimated receipts of $71,000,000 from an average tax of 5 per cent in the pending bill on four branches of war supplies, which would indicate an export in these articles alone of $1,420,000,000 for 1916, and if the vast volume of other war exports is added the probabilities are that the normal exports, compared with the peace exports of 1913, are materially below those of that year, which aggregated $2,465,884,149 and broke all previous records.

He is a bold man who would claim now that the enormous increase of exports due to the war is to be credited to the present tariff, and my only reply is, "God help the nation and people whose sole salvation is due to the blood and slaughter of their fellow men." [Applause on the Republican side.]

A FAILURE AS A REVENUE PRODUCER.

Fourth. The last prophecy was that the Underwood bill would collect revenues sufficient to run the Government.

It was to that bill, as signed by the President on the evening of October 3, 1913, that Democracy pinned its faith. It was of that bill that Senator SIMMONS said on June 10, 1914:

There will be no change in the present tariff during this administration.

It was of that bill that Representative UNDERWOOD said on the same day:

If Congress should attempt to change the tariff provisions relating to sugar, or any other item in the present tariff law, President Wilson would veto the measure in whatever form it might appear. I talked with the President to-day.

It was of that bill that Secretary Redfield said on the same day:

The press of the country could do no greater service than to emphasize the fact that there will be no change in any feature of the tariff laws while President Wilson is in office. I talked with the President to-day.

It was of that bill that President Wilson said on December 8, 1915:

The Underwood-Simmons Act is not in the slightest degree a failure.

The first real, positive shock to this sublime confidence in their own handiwork came in August, 1914, when the war broke out. Few believed it would last three months and nobody knew what the effect on the United States revenues would be, and yet on September 21 the Secretary of the Treasury appealed to Congress for a war-revenue act, which it was estimated would add $100,000,000 to the receipts from the Underwood bill; and this notwithstanding that they had had three months and four days of Payne bill duties on all importations, five months Payne duties on wool, six months Payne duties on woolen goods, and eight months Payne duties on sugar, and yet the receipts from customs for 1914 had fallen off $26,571,381. The reason given was "that it was due solely to the falling off of importations," when, as a matter of fact, importations had largely increased, and the very month of October, 1914, which Secretary McAdoo cited in proof of his statement in his annual report for 1914, showed an excess of importations of $5,131,218 over October, 1913.

In the year 1915 customs revenues fell $109,104,723 below those of 1913, and a renewal of the war-revenue act was made.

The committee said in their report:

This act was enacted as an emergency measure to cover the reductions of revenue, due mainly to the loss of customs receipts caused by the disturbed conditions resulting from the war in Europe.

And added:

But the end of the war is still beyond sight and the Treasury will need the additional revenue contemplated by the extension of this act.

That was absolutely true, but not for the reason given.

For the year ending July, 1916, the customs receipts fell off as compared with 1913 to the amount of $107,025,174. This makes for the fiscal years of 1914, 1915, and 1916 a total loss of customs revenue of $242,701,278, and yet during these years there has been a total increase of importations above 1913 by the sum of $330,023,275.

With Belgium, Germany, Austria, Turkey, Poland, and practically all of the Balkan States barred from our market by the war, still the increase of our imports for 1916, with June estimated, are nearly four hundred million in excess of 1913, which gives us a slight foretaste of what will be done to us in the way of a flood of foreign products when peace is restored.

And what wonder, when present rates of duty are in force.

They have been as follows for the fiscal year of 1916:

	Per cent.
July, 1915	10.04
August, 1915	11.10
September, 1915	9.85
October, 1915	11.65
November, 1915	10.75
December, 1915	9.45
January, 1916	8.49
February, 1916	9.92
March, 1916	9.79
April, 1916	8.69
May, 1916	8.81
June, 1916 (estimated)	8.81
Or an average for the year of	9.78

If the duty on sugar had not been restored, the rate now would be about 7.34 per cent. Compare this with an average duty of 21.9 per cent under the Wilson law and 20.1 per cent under the Payne law.

The probabilities are that unless the rates in the Underwood law are revised before the war closes the United States will be wide open to the products of every competing country in the world, and their markets closed to us by higher average duties maintained by nearly all of them on like competing products.

Under these circumstances I commend to the consideration of my Democratic brethren a recent speech of Chairman Hurley, of the Federal Trade Commission. I quote from a newspaper dated December 1, 1915:

Mr. Hurley warned exporters against assuming that the European war would insure them a permanent foreign market to be retained without effort.

"The American manufacturer," he said, "should realize that not a smokestack has been destroyed in England, Germany, or Italy, and only a few in France. Unless we take advantage of the opportunity we now have, we will find that 90 days after the war is over the European nations will be on their way to a position in the markets of the world even stronger than they occupied before."

A HUGE ECONOMIC MISTAKE.

Is it not perfectly manifest from the figures I have given that the present tariff law as it was passed was not only a huge economic mistake but that it has not produced revenues sufficient to run the Government when under Democratic control?

It has been aided by $12,000,000 received from the sale of two battleships to Greece, by the utilization of $5,855,780 of postal savings deposits, and also of $29,329,934 increase of money deposited for the retirement of national-bank notes, which have not been retired.

It has absorbed to its credit $36,859,472 excess duties of the Payne law in the fiscal year 1914, aside from sugar duties; it has been bolstered up by receipts of $135,569,126, in 1915 and 1916, from an odious system of stamp and vexatious excise taxes which were wholly unnecessary, judging from any reason

ever given for their imposition; it has been fortified by $157,842,529 of sugar duties, a tax now reenacted in violation of promises made throughout the last presidential campaign that sugar should be free; it has been reenforced by increased income, corporation, and internal-revenue taxation during the years 1914, 1915, and 1916 to the amount of $275,051,527, as compared with 1913; yet, notwithstanding all this, it finds itself confronted on the 1st day of July, 1916, with an increase of the national debt under this administration by the sum of $32,014,325.37.

It has varied from the campaign promises of 1912:

First. By increased taxation, including sugar duties, over and above all reductions since July 1, 1913, by the sum of $227,052,250.

Second. By not reducing the cost of living.

Third. By disturbing business, when not held in check by a foreign war.

Fourth. By failing to provide for Government expenditures and causing an increase in the national debt.

Has it been a failure or has it not?

And yet, in the face of such a record, the administration which has been in full control of the Nation during these years now declares in its platform:

> We affirm our belief in the doctrine of a tariff for the purpose of providing sufficient revenue for the operation of the Government economically administered, and unreservedly indorse the Underwood tariff law as truly exemplifying that doctrine.

And they have actually asked from the people of this country an expression of their renewed confidence.

THE REVENUE BILL FOR 1917.

At the beginning of this Congress the President of the United States appeared before a joint session of the two Houses and set forth in clear terms the state of the Nation and the problems which confronted it. He said:

> It seems to me a clear dictate of prudent statesmanship and frank finance that in what we are now, I hope, about to undertake we should pay as we go.

To that I give my hearty approval. He added that methods and plans by which this could be done were fully and accurately set out in the report of the Secretary of the Treasury, which would be immediately laid before Congress.

Seven months have passed and a new plan has been prepared in absolute secrecy by the majority of the Ways and Means Committee, ignoring his suggestions in every particular except with reference to an income tax and that the new bills should be paid by internal taxation.

There could be but one meaning to that last phrase, namely, that duties on imports, either for revenue or protection, were not to be even considered in meeting future obligations for the Nation's defense. To that proposition I can not give my approval.

The plan of the pending measure is also in flat violation of his further suggestion that—

> In a country of great industries like this it ought to be easy to distribute the burdens of taxation without making them bear too heavily or too exclusively upon any one set of persons or undertakings.

In preparing this bill the majority of the committee, for the first time in American history, boldly announce that they have followed the example of free-trade England in its economic policy, and it is clearly manifest that they have out-Heroded Herod in doing so.

In 1620, in the cabin of the *Mayflower*, the men of New England pledged themselves to a system of government of their own choice and to frame their own policies and methods of maintaining it.

In 1789, in order to provide for a more perfect union, the Colonies surrendered to the Federal Government the right to collect duties on imports from each other and from foreign nations, and ceded that right to the new Nation in order to provide for a national defense and the general welfare.

They believed in taxing property, not men, for they wanted taxation to be just and equitable, and they had no titles to sell or aristocratic privileges to maintain.

The men of New England still have their own ideas of British methods and policies now, both in domestic affairs and colonial government, and we in Connecticut, at least, believe that we can keep better informed as to the effect of our own governmental policies upon our own people by reading American newspapers, such as the Hartford Courant and New York Sun, than by relying solely for our information upon the London Times.

But the illustration is an unfortunate one for the chairman's purpose.

ENGLISH FREE TRADE OUTDONE.

I have here statements of the net revenue from taxation of Great Britain for the years 1905, before the war, and of 1915 and 1916, during the war. In 1905 their tax receipts from all sources were $589,717,602. From customs duties alone they were $173,349,027, making a per capita tax of $4.01. The United States collected that year from customs $3.11 per capita.

In 1915, while engaged in war, their receipts from all taxes were $946,525,000, and from customs taxes $193,310,000, being a per capita tax of $4.39. The United States collected that year from customs $2.09 per capita.

For the year ending March 31, 1916, their total receipts from all taxes were $1,450,440,000, and from customs only $298,030,000, or a per capita tax of $6.77. The United States collected in 1916 from customs duties $2.08 per capita.

If the duty on sugar had not been restored and the official estimate of the Secretary of the Treasury for 1917 had been allowed to stand for our consideration, as recommended by the President, the per capita tax collected from customs, to help meet the current expenses of the Government and extraordinary expenditures for national defense, would have been $1.52 per capita.

Gentlemen of the majority of the committee, for years you have been going up and down the land denouncing protection as "robbery of the many for the benefit of the few" and trying to persuade the people that a tax on consumption, as you called it, was inequitable and unjust, and yet through all these years of peace your illustrious national example, free-trade England, to use your phrase, has been robbing her own people 90 cents per capita more than was collected from customs duties here.

CHARACTER AND PURPOSE OF THIS BILL.

And now, in their terrible struggle, when they are collecting more than three times as much from import duties per capita as we are, and additional burdens are to be borne here, you coolly propose to provide for all expenses incident to the mobilization of the National Guard and all expenses caused by our troubles with Mexico now and in the future by a bond issue, and then, to meet all of the burden of national defense, supplemented by many millions to be used for buying merchant ships, building fertilizer plants, constructing roads, paying for stock in mortgage banks, building armor-plate factories and munition plants, paying the salaries of an army of officeholders, which has increased much faster in the last three years than the Regular Army and Navy have, and many other things doubtless worthy and desirable in and of themselves, but not absolutely essential at such a time as this, you propose to unload the whole of this additional burden by a doubled income tax upon one-third of 1 per cent of our population, and, in another form, upon the graves of the dead and the surviving widows and orphans, doubling a tax already paid in 42 States of the Union, and, in still another form, upon very carefully selected industries which you think can be safely plundered, and with good results.

I ask you frankly, paraphrasing your own familiar words, Is not this robbing the few in order to pay the equitable obligations of the many, and is it in accord with the President's advice "to distribute the burdens of taxation without making them bear too heavily or too exclusively upon any one set of persons or undertakings"?

TRUE NATIONAL DEFENSE.

I have no authority to speak for any of these persons who will be exclusively affected by this law, but as a Representative of the American people I say to you that a national defense for which more than 99 per cent of our people will pay nothing under this bill is no true defense at all, for the real safety of any Nation is found in the sacrificial spirit and loyal devotion of all its citizens, and the patriotism which costs nothing will not stand the test when the supreme crisis comes; and the unfortunate conditions which existed in Great Britain at the beginning of the war are too fresh in our recollection to justify us in following her example now.

And such a policy is wholly unnecessary now.

The estimated receipts by the Secretary of the Treasury made last December in accordance with then existing laws was $603,500,000, and of expenditures $857,951,000, showing a deficiency for the fiscal year of 1917 of $254,451,000.

It included $58,000,000 for preparedness in the Military Establishment and $102,000,000 for preparedness and new and old building program in the Navy Department.

Since then the sugar duty has been in part restored, and on the basis of 1916 will yield $47,000,000.

The emergency law has been renewed indefinitely and is estimated to yield $82,000,000.

The increase of imports in the last half of 1916 over the first half was $354,948,758 and would indicate an increase of at least 25 per cent additional from customs, or $41,000,000.

I have it on the very best authority that the assessed income and corporation taxes will exceed the December estimate by $60,000,000.

Adding these increases, totaling two hundred and thirty millions, would make total receipts under existing law of $833,500,000.

On July 1, 1916, there was an available fund in the Treasury of $177,851,988, and reserving $50,000,000, the balance could well be utilized, equaling $127,851,988, making available for 1917 $961,351,988 without any change in the law, a surplus over the Secretary's estimate of disbursements of $103,400,688, or a shortage from the amount estimated by the committee to be required of about $54,000,000.

I am sure that Congress would not be severely condemned by the taxpaying public if it economized in the ordinary expenditures of the Government to cover this amount.

The administration has authority now to issue $200,000,000 of one-year 3 per cent certificates which can readily be sold at a premium, and $240,000,000 of Panama long-term bonds which can be placed at par or better, and full provision thus be made for any emergency.

With present conditions it is almost certain that a very considerable percentage of the Army and Navy appropriations can not possibly be spent in 1917 unless wars, which we all hope will not come, should unexpectedly occur.

Under these circumstances, why should we throw this enormous burden of taxation upon our people and take more than $200,000,000 out of the activities of trade and let it lie in the Federal Treasury as an inducement to legislative extravagance in the coming sessions of Congress?

I am willing to vote the last dollar to maintain the Nation's rights and to provide a complete defense against attack from any nation on earth, but I do not wish to go home to my people and carry to them a record of unnecessary, extravagant, or even doubtful legislation.

The cost of living is very high, and local taxes are constantly increasing.

The American people are cheerful and generous givers to every just and worthy cause and will gladly pay the taxes needed for all the requirements of the Government, but the Members of this House and our constituents at home have a right to a fair consideration of the differing and antagonistic propositions contained in this bill and action taken on them separately.

As it is now presented it is a combination in restraint of intelligent action, and I protest against being compelled to sacrifice the convictions of a lifetime to gain a temporary advantage. [Loud applause on the Republican side.]

Mr. Chairman, I reserve the balance of my time and will insert in the RECORD as an appendix to my remarks the official estimate of receipts and disbursements for the fiscal year of 1917, made by the Secretary of the Treasury and recommended to Congress for its consideration by the President of the United States:

Fiscal year 1917.

It is estimated that upon the basis of existing laws the receipts and disbursements for the fiscal year 1917 will be (see note below):

NOTE.—By "existing laws" is meant that the present emergency revenue act expires Dec. 31, 1915, and that the existing sugar duties expire May 1, 1916.

RECEIPTS.

[See pp. 48 to 52 on "Revenues."]

Ordinary receipts:		
From customs		$165,000,000.00
From internal revenue—		
Ordinary	$265,000,000	
Income tax—		
Corporations	45,000,000	
Individuals	45,000,000	
		355,000,000.00
From sales of public lands		2,200,000.00
From miscellaneous sources		58,000,000.00
Total estimated ordinary receipts, based on existing laws		580,200,000.00
Panama Canal:		
Estimated receipts from tolls, etc.	$9,300,000	
Public debt:		
Estimated deposits to retire national-bank notes, act of July 14, 1890, in excess of amount be to retired	12,000,000	
NOTE.—As the deposits to retire national-bank notes under the act of July 14, 1890, are estimated to exceed the redemption of the notes for retirement, the excess of such deposits, estimated at $12,000,000, is used in this statement.		
Estimated deposits for issue of postal savings bonds	2,000,000	
Total estimated Panama Canal and public-debt receipts		23,300,000.00
Grand total estimated receipts, based on existing laws		603,500,000.00

DISBURSEMENTS.

For civil establishment:		
Legislative establishment		$13,800,000.00
Executive proper		680,000.00
State Department		6,000,000.00
Treasury Department proper		54,500,000.00
Public buildings, construction and sites		12,000,000.00
War Department proper		2,400,000.00
Department of Justice		10,800,000.00
Post Office Department proper		1,750,000.00
Grants from the Treasury for postal deficiencies		8,000,000.00
Navy Department proper		900,000.00
Interior Department proper		33,200,000.00
Department of Agriculture		31,000,000.00
Department of Commerce		13,500,000.00
Department of Labor		4,000,000.00
Independent offices—		
Smithsonian Institution and National Museum		750,000.00
Interstate Commerce Commission		4,730,000.00
Federal Trade Commission		500,000.00
Board of Mediation and Conciliation		50,000.00
Arlington Memorial Commission		100,000.00
Rock Creek and Potomac Parkway Commission		200,000.00
State, War, and Navy Department Building		170,000.00
District of Columbia		13,500,000.00
Total civil establishment		212,530,000.00
For War Department:		
Military Establishment, including $58,800,000 for preparedness	$176,355,000.00	
Rivers and harbors	45,964,000.00	
Miscellaneous civil, war	9,193,000.00	
		231,512,000.00
For Navy Department:		
(Including $35,000,000 for preparedness.)		
Naval Establishment, exclusive of building program	117,700,000.00	
Navy building program, new	39,000,000.00	
Navy building program, prior years	28,300,000.00	
		185,000,000.00
For Indian Service		20,000,000.00
For pensions		160,559,000.00
For interest on the public debt		23,300,000.00
Total estimated ordinary disbursements		832,901,000.00
Panama Canal:		
Disbursements for the canal from the general fund of the Treasury		25,000,000.00
Public debt:		
Miscellaneous redemptions of the debt		50,000.00
Grand total estimated disbursements		857,951,000.00
Estimated excess of ordinary disbursements over ordinary receipts, based on existing laws		252,701,000.00
Estimated excess of total disbursements over total receipts, based on existing laws, Panama Canal disbursements from the general fund included		254,451,000.00

Mr. McGILLICUDDY. Mr. Chairman, as I view it there is no duty imposed upon this House more solemn and important under our Constitution than the duty we are now undertaking to perform. There will be no bill brought into this House that is more important or far-reaching in its effects than the one we are now considering. It is no time for excitement or narrow partisanship. We are discharging a solemn obligation to the great American people. We are exercising one of the greatest powers delegated to Congress under the Constitution, namely, the power to lay and collect taxes to pay the debts and provide for the common defense and general welfare of the United States.

This power to tax the people delegated to Congress is the most important and far-reaching in its effects of any power in the Constitution. It reaches every home in the land. It affects every family and fireside in the Nation, and brings welfare and happiness, or misery and woe, accordingly as it is used justly and equitably or unjustly and oppressively.

I believe it was Edmund Burke who once said that all the great battles for freedom have been fought around the question of taxation.

It is upon this great question that this House is now engaged.

There seems to be no difference of opinion as to the necessity of raising this revenue. A great, extraordinary, and threatening emergency has brought a program of preparedness in our country that will cost hundreds of millions of dollars. The only difference of opinion is as to what manner and from what source this revenue shall be raised. Taxes are necessary and burdensome. The only question is upon whom shall this burden fall in this extraordinary crisis of preparedness for war?

The gentleman from Michigan [Mr. FORDNEY], the ranking Republican member on the Ways and Means Committee, has clearly and frankly stated the Republican position on this great question, namely, that this vast and extraordinary revenue should be raised by a high protective tariff tax. This method of raising revenue is the old and settled policy of the Republican Party, and nobody has a better right to promulgate

it upon this occasion than the gentleman from Michigan [Mr. FORDNEY].

On the other hand, the Democratic position is that this revenue should be raised, first, by an increase in the income tax; second, by an inheritance tax; and, third, by an excess-profit tax on munitions of war. And there is precisely the issue.

It brings up again the old question of raising revenue from the people by means of a tariff tax.

As I say, it is an old Republican doctrine, the doctrine of high protection. I was brought up under the blight of it in New England, and I know what it is. I am humiliated to say that for many years they did make the people of my section of the country think that a high protective tariff tax was absolutely necessary to insure prosperity in business and high wages to our laboring people. But I am going to tell you that you can not fool the people there any more. [Applause on the Democratic side.]

Now, my friend from Michigan [Mr. FORDNEY], as all high-protectionist Republicans do, puts the whole question——

Mr. MEEKER. Mr. Chairman, will the gentleman yield?

Mr. McGILLICUDDY. Yes.

Mr. MEEKER. I would like to have the gentleman explain in his time the increase in the number of Members on this side two years ago. If that was not the reason, what was it?

Mr. McGILLICUDDY. You did not get any increase in my State. I will say that. And you will not gain any there this year, either. You will be mighty lucky if you hold what you have. [Applause on the Democratic side.]

To return, I will say that my friend from Michigan [Mr. FORDNEY] advances as the Republican reason for a high tariff tax method of raising this revenue that such a tariff is necessary in this country for two purposes: First, to create business and industrial prosperity, and, second, to insure a high standard of wages for our laboring people.

I will frankly say that if such were the fact I would be for it, because I want to see this country prosperous as much as anybody, and I think I have as much interest in the welfare of the laboring people of our country as our distinguished friend from Michigan, and I am not discounting at all his good faith in the matter.

Now, what are the facts and what is the truth about it?

Everybody now knows that a tariff is a tax on consumption, a tax on shelter, food, clothing, and practically everything which the American workingman and his family have and use in their everyday lives. It is of course obvious that such a levy of taxation is an immense drain upon the limited yearly wages of the average laboring man. It would never have been tolerated if the American people could have seen it when they paid it. But under this system it has been taken from them through an insidious and indirect system of taxation, not seen, but there, nevertheless. Some idea of the extent of indirect taxation generally can be had when I say that it has been estimated that under our present system of indirect taxation for Federal, State, and local purposes it costs every family in this country about $180 per year.

Now, unless it can be shown that a high tariff raises wages so as to offset this burden which it obviously places upon the masses of the people as the consumers of the country, the plea for its restoration falls to the ground.

This brings us to the plain proposition of fact, whether wages in this country are higher under a low tariff like the present Underwood tariff or a high tariff like the Payne-Aldrich tariff.

I have heard a great deal to-day from the other side of the House about tariffs of former years, even to the earliest day of the Republic, the tariff of 1894, of 1863, of 1857, of 1846, of 1832, and of 1816.

These may be interesting to the political antiquarian, but I apprehend that what the people of the United States are interested in to-day is the tariff we are working under now and what the conditions are under that tariff.

I have also heard a great deal to-day from the other side about the condition of the laboring man in Japan and China and the number of poorhouses in England and their inmates. This may interest certain gentlemen who are searching for gloom and misery and can not find it at home, but what I am interested in and what I want to know about is the condition of the laboring man in the United States and not the laboring man in Japan or the number of inmates in the poorhouses in England. [Applause from the Democratic side.]

Since October 3, 1913, the date of the passage of the Underwood tariff law, we have been living and working under a low tariff. Now, what is the fact as to increase or decrease of wages? We need not grope in the dark about this matter nor guess about it. During the past year the Department of Labor, through the Bureau of Labor Statistics, have kept account of the increase in wages in the different industries throughout this country as reported by trade papers, labor publications, and otherwise. The compilation is not yet complete and does not embrace all the increases made. I hold in my hand a report sent me by the Secretary of Labor showing the wage increases in this country from July 1, 1915, to May 15, 1916, and it is as follows:

Summary of wage increases, establishments involved, and employees affected, by States, July 1, 1915, to May 15, 1916.

State.	Total number of wage increases noted.	Reports showing establishments involved.		Number of reports which do not show number of establishments involved.	Reports showing employees affected.		Number of reports not showing number of employees affected.
		Number.	Total number of establishments.		Number.	Total number of employees.	
Alabama	1	1	1				1
Alaska	1	1	1				1
Arizona	9	1	1	8	3	13,000	6
California	23	6	16	17	4	943	19
Colorado	19	9	18	10	10	23,363	9
Connecticut	93	65	113	28	34	97,906	59
Delaware	3			3			3
District of Columbia	7	4	7	3	4	3,320	3
Florida	2			2			2
Georgia	9	2	9	7	2	100	7
Hawaii	1	1	1		1	40,000	
Idaho	4			4			4
Illinois	80	33	52	47	15	92,197	65
Indiana	32	6	15	26	6	12,434	26
Iowa	17	3	4	14	1	2,300	16
Kansas	10	1	1	9			10
Kentucky	10	6	6	4			10
Louisiana	3	2	2	1	2	4,130	1
Maine	18	12	12	6	6	10,850	12
Maryland	17	11	20	6	10	10,950	7
Massachusetts	184	135	282	49	87	225,050	97
Michigan	30	16	21	14	2	14,078	28
Minnesota	18	1	1	17	1	18	17
Mississippi	3	2	4	1			3
Missouri	41	14	43	27	9	4,644	32
Montana	10	2	5	8	2	50,000	8
Nebraska	10	1	1	9			10
New Hampshire	18	9	12	9	6	41,433	12
New Jersey	120	90	128	30	56	46,512	64
New York	148	66	820	82	55	148,774	93
North Carolina	5	4	10	1	1	75	4
North Dakota	2			2			2
Ohio	172	91	148	81	62	119,036	110
Oklahoma	15	2	4	13	3	1,429	12
Oregon	5	2	2	3	4	5,213	1
Pennsylvania	184	110	335	74	62	401,542	122
Rhode Island	35	27	29	8	19	32,350	16
South Carolina	3	2	2	1			3
South Dakota	1			1			1
Tennessee	9	1	1	8	1	1,500	8
Texas	20	5	8	15	2	155	18
Vermont	2	1	1	1			2
Virginia	5	3	3	2			5
Utah	4	1	1	3	2	7,560	2
Washington	8	2	2	6			8
West Virginia	25	8	14	17	4	6,626	21
Wisconsin	16	9	9	7	4	12,584	12
Wyoming	1			1			1
Interstate [1]	33	26	82	7	13	471,250	20
Total	1,486	794	2,247	692	493	1,901,322	993

[1] Railroads, iron and steel plants, and other establishments which operate in two or more States.

It will be seen from this table that the total number of wage increases noted are 1,486, and cover almost every State in the Union; that the number of establishments involved are 2,247; that 493 of the reports show 1,901,322 employees whose wages have been increased; and that 993 of the reports while showing wage increase, do not specify the number of employees involved. In a letter of the Secretary of Labor transmitting this report as to the total number of employees whose wages were increased, he says:

The number of persons affected by wage increases was reported in 493 cases and amounted to 1,901,322. If this number be assumed to be a fair average to apply to the 1,486 reports noted, then the number of persons affected by the increase in wages would be 5,730,907.

Now, let us go one step further and see to what the wage increases amounted in dollars and cents during the past year to our wage earners.

Right here is my authority on that point. I want to read a letter from Ethelbert Stewart, chief statistician of the Bureau of Labor Statistics:

UNITED STATES DEPARTMENT OF LABOR,
BUREAU OF LABOR STATISTICS,
Washington, June 24, 1916.

Hon. DANIEL J. McGILLICUDDY,
Room 219, House Office Building, Washington, D. C.

MY DEAR MR. McGILLICUDDY: The census of 1909 on manufacturing industries shows an average number of wage earners in the manu-

facturing industries of 6,615,046. The total wages paid, and this again in manufacturing industries only, was $3,427,038,000. This gives an average earnings in manufacturing industries only of $518 a year per person employed.

The figures you have on wage increases refer, of course, alike to manufacturing industries, mining, and transportation. While transportation earnings are higher than manufacturing earnings, this would probably be offset by the mining so that it is as well, perhaps, to stick to the manufacturing industry average. Personally, I believe it is entirely within a conservative estimate to say that the increases in wages as shown by the list you have are 10 per cent. This would give, say, $51 or $52 per person affected by the wage increases.

Truly, yours,

ETHELBERT STEWART, *Chief Statistician.*

From this unquestionable and conservative authority it appears that $518 per year is a safe average earning of persons employed, and that 10 per cent is a conservative estimate of the percentage of increase in wages. This would make an increase of $51.80 per employee. For 5,730,907 wage earners this would make a total wage increase of $290,860,982.60 in the past year. [Applause on the Democratic side.]

Think of it, gentlemen, an increase in wages of nearly $300,000,000 in one year to our wage earners under our present tariff, and the reports are by no means all in yet. Surely the unanswerable logic of events has exploded the economic fallacy that a low tariff means low wages. Our working people are now enjoying the highest wages ever paid in the history of the country.

This is not political buncombe, but reliable information from the records of the great Labor Department of our Government. If I understand the temper of the American people at the present time, that is exactly what they want—facts and information. I believe there is sound, deep thinking going on among the masses of the American people, and they are determined not to be deceived or misled. You have got to play fair with the American people and you have got to play intelligently with them. Merely asserting that a thing is so or not so will not go down as easily as it once did. The people have got to be shown. And they have their eyes wide open.

But the gentleman from Michigan [Mr. FORDNEY], while, of course, admitting that we have unexampled prosperity in this country and consequent great wage increases in our industries, vigorously asserts that our prosperity is abnormal and temporary, due to war conditions and causes.

Here, again, if this were true and in accordance with the facts, it would be important. Merely asserting it, no matter how vociferously, will not fool anybody.

Of course, it would be useless to deny that war has stimulated certain of our industries and increased our products. Notably this is true of the manufacture of munitions and allied industries. To a certain extent it is true in other industries. But the real question is, What part or percentage of our total enormously increased volume of business is due to war causes? If it is a large and substantial percentage of our total increased business and prosperity, then there is force in what the gentleman says. But if only a small percentage of the total volume of increased business and prosperity is due to the war, then it is of little consequence.

Now, what are the facts and what is the truth about it? Here again we need not guess. We can get approximately the truth by a visit to the great Department of Commerce and the records of our foreign and domestic commerce there shown. The Bureau of Foreign and Domestic Commerce will tell the story. The gentleman from Michigan evidently went to this source for his information. In his speech he presented to the House a statement of certain exports, sometimes called "war exports." He selected a period before the war and compared the same exports with a period during the war. Of course these exports in the latter period showed a tremendous increase over the former period; but I submit to the House it was not fair to stop there. The inquiry should have been pursued further in order to arrive at the legitimate facts and conditions. The real point is not how much greater in volume were the exports for a certain period before the war as compared with a certain period during the war, but, rather, what percentage of our greatly increased total business was this increased export trade. If it was a large percentage of our total business, it would be important, and there would be force in the gentleman's contention; but if it was a small or negligible percentage of our total increased volume of business, then it would be of little real consequence. To merely mention that the total volume of our exports for a period during the war exceeded by many hundreds of millions our exports in a corresponding period before the war might sound very big and mean very little.

Let us get at the facts and the truth.

It is well understood and very generally agreed that our manufactures are our barometer of industry.

I hold in my hand a table, carefully prepared by the experts in the department, showing the United States exports of all articles that could fairly be considered as affected by war conditions or war causes.

I requested the experts to carefully and fairly include in this list every article that could fairly be considered as affected by the war.

The table, as you will see, takes the 10 months ending April, 1914, as the period before the war and the 10 months ending April, 1916, as the latest available period during the war. The list is as follows:

United States exports of specified articles during the 10 months ending April, 1914 and 1916.

Article.	10 months ending—	
	1914	1916
Aluminum, and manufactures of	$968,763	$4,297,666
Brass, and manufactures of	6,295,169	103,431,985
Aeroplanes, and parts of	194,001	6,270,110
Automobiles, and parts of	27,148,281	101,390,939
Cars, carriages, other vehicles, and parts of	43,215,657	141,018,915
Copper, and manufactures of copper	122,928,698	128,473,558
Electric machinery, etc	21,509,687	23,666,267
Explosives	5,471,247	336,113,157
Automobiles, tires	2,683,344	14,618,052
Firearms	3,012,237	13,315,971
Locomotives, steam	3,272,822	11,559,108
Metal-working machinery, including metal-working machine tools	11,695,959	42,913,241
Rails for railways	9,441,220	14,394,044
Wire	6,620,014	30,589,626
Manufactures of iron or steel, n. s. p. f.	15,224,228	106,268,753
Boots and shoes, men's	8,763,371	31,628,027
Harness and saddles	612,793	4,118,126
Wool wearing apparel, uniforms and blankets	1,930,031	18,841,722
Zinc spelter, and manufactures of	327,705	36,764,565
Total	291,375,227	1,169,673,842
Deduct 1914 exports	.....	291,375,227
Estimated total war exports	.....	878,298,615

These, remember, are our manufactures, which, as I have stated, are our barometer of industry.

Now, eight hundred and seventy-eight millions sounds big, but what percentage is it of the value of the total manufactures?

As you are aware, we take our census of manufactures every five years. The last completed census was for 1909 and showed the total value of our manufactures for that year to be $20,672,052,000. The census of manufactures for 1914 is not yet complete, but from the figures we have the experts in the department estimate that the total value of our manufactures for the 10 months ending April, 1916, amounted to $33,000,000,000. The $878,298,615 representing our estimated total war exports would be less than 3 per cent of this total value of our manufactures—to be exact, $2\frac{3}{5}$ per cent. This is not a mere guess, but almost a mathematical demonstration. Considering the immense volume and value of our manufactures, this war export percentage is almost negligible. If the war should stop to-morrow, it would hardly be missed.

In the light of these illuminating figures, it will hardly be possible for the gloom prophets and calamity predictors to fool or frighten the American people by the cry of "war prosperity."

Again, these figures and conditions are absolutely corroborated by the best business thought, by America's ablest and best-informed business men. I have here a copy of the Boston Herald of recent date. This is one of the most influential newspapers in New England, and strongly Republican in its politics. It publishes a financial page in its daily edition. This page is devoted wholly to finance and business conditions of the country. In this paper which I hold in my hand, under the heading "Remarkable sayings of American business men the last week," were published over their signatures certain statements referring to business conditions in this country which are illuminating and impressive upon this very point.

I will not read them all, but I will give you one or two. First is the statement of Frank A. Vanderlip, president of the National City Bank of New York, a man who was formerly an Assistant Secretary of the Treasury, and who is probably as well informed as to financial and business conditions in this country as any man living. He says:

> We are fortunate in having a great trade among ourselves. At this moment the swelling home demand would take almost the entire product of our leading industries.

Again, here is the statement of Charles M. Schwab, formerly of the United States Steel Corporation, a man who probably knows more of the iron and steel industry than any man in the world. He says:

> A great many people think that the recent great production of iron and steel is due to the war, but this is not true. The war has given a stimulus to the industry, of course, but it may surprise you to know that less than 10 per cent of the steel manufactured in the United States has been used outside of the United States.

The statements of these men absolutely corroborate the above figures as to war conditions and business in our country.

Shall we take these conservative figures and estimates from the records of our Department of Labor and our Bureau of Foreign and Domestic Commerce, corroborated by the best business men in the country, or the heated statements of politicians, whom many suspect are just now more interested in party politics than the country's business?

Mr. FARR. Will the gentleman permit me to say that of 22,000 men employed in the Bethlehem works 14,000 are engaged in the manufacture of the munitions of war?

Mr. McGILLICUDDY. In this statement Mr. Schwab is not saying anything about the Bethlehem works. He is talking about the steel industry of the United States—the whole of it—and he comes pretty near knowing about it. I do not think the people in this day and in this country are going to be fooled about this matter. [Applause on the Democratic side.]

The simple truth about it is that the tremendous prosperity of our country is not temporary and due to war causes, but is a sound, healthy, permanent American growth. The causes of it are many. It is not due to the tariff alone. In fact, it would be just as illogical and unfair for us to claim that because the present prosperity follows a low tariff it is due to it, as it was unfair and illogical for the Republicans to claim in times gone by that because a certain degree of prosperity followed high tariff it was due to that tariff.

The tariff law, with its income-tax provision, is entitled to part of the credit, but the first great requisite for sound, healthy, permanent prosperity in a country like ours is a sound financial system upon which to build. For the past 50 years our vicious financial system and resulting conditions made our prosperity a matter of uncertainty and manipulation. Businessmen outside the dominating groups did not know the day or hour financial panics would break over their heads. The reform of the banking and currency system by the passage of the great Federal reserve act has changed all this. Confidence, that great asset in business conditions, has now been restored. Small business as well as big now knows that the business of the country, commercial and industrial, as well as banking and credits, have been emancipated from the domination of the powerful few. The truth is that the prosperity of the last 30 years, such as it was, was of the abnormal variety. It was a prosperity of an artificial, hothouse variety that history shows is always followed by periods of panic and depression.

The prosperity of to-day differs in another respect from the prosperity of the past 35 years. While the past prosperity was created largely by the great productive forces of the country, the toiling millions of the Nation, it was absorbed by the favored few who in the seats of the powerful controlled legislation and manipulated business. This was forcibly brought to my mind when the gentleman from Michigan a few moments ago threw out his chest and informed us that the national wealth had grown to $187,000,000,000. Of course our national wealth has grown enormously, as everybody knows, but to the average man who helped create that wealth the question is not so much the amount of the wealth but who has it? [Applause on the Democratic side.] A few years ago, when our population was a little over 90,000,000 people, it was estimated that one-sixth of our entire wealth in this country was owned and controlled by 5,000 men, and at that same time 70 per cent of all the wealth in the country was owned and controlled by 200,000 men. The income-tax returns of last year show that approximately the same conditions exist to-day.

The satisfying feature of our present prosperity is that it is being shared in by our whole people, as the figures concerning wage increases which I have quoted show that approximately $300,000,000 in increased wages have gone into the pockets of the wage earners during the past year. While this was being done, increased dividends and profits went into the pockets and treasuries of the employers of labor.

I feel that every word my friend FORDNEY said is true, that if the manufacturers and the employers of labor are not prosperous in this country, then the laboring people can not be prosperous. Of course that is true. That is just exactly the condition in this country to-day. Our industries are prosperous, and they are paying these wages to our workers because they can well afford to do so. [Applause on the Democratic side.]

Laborers and employers, big business and small business, have all been sharing in this new prosperity. It is the prosperity of the "new freedom" and will last as long as the blighting hand of favoritism and special interests is kept off of it. [Applause.]

Mr. FORDNEY. Mr. Chairman, I yield 30 minutes to the gentleman from Ohio [Mr. LONGWORTH].

Mr. LONGWORTH. Mr. Chairman, I am sensible of the courtesy of the gentleman from Michigan in yielding to me time this afternoon because he knows that I am going to take a somewhat different attitude than he himself has taken on this bill. I do not find it a particularly agreeable task to voice a difference of opinion on a matter of party policy with either of the gentlemen who have preceded me, the gentleman from Michigan [Mr. FORDNEY] or the gentleman from Connecticut [Mr. HILL], whose judgment and opinion I value most highly. But after all it is a comfort to think that our differences are largely superficial. They do not go to the bedrock principle. We would not differ if we ourselves had been engaged in making a revenue bill. Our only difference is as to the course we should now pursue with reference to a bill that other gentlemen have made without the benefit of any consultation with us.

We have before us a bill of vast importance, a bill designed to meet in part the extraordinary expenditures that this Congress has authorized and proposed to further authorize. The day of the billion-dollar Congress has passed. The day of the billion-and-a-half-dollar Congress is here.

Before we adjourn this summer—or in the fall, as the case may be—we will have spent or authorized the expenditure of more money by $400,000,000, or it may be $500,000,000, than any Congress in history. The liabilities have been contracted and, whether for a good or bad purpose, they must be met. The money must be raised to meet them. The treasure of the American people has been spent with a lavish hand, and the day of reckoning has come. In wastefulness and in reckless if not wanton extravagance the party in power has broken all records. Millions upon millions of dollars have been dumped into projects which can be of no possible benefit to the people at large, but only to a favored few in a continuously favored section of this country. Cotton and pork have been the kings of this House and of the body on the other side of the Capitol. They have exacted and received their tribute in the shape of nitrate plants and powder plants and other grabs too numerous to mention. In boldness of conception, in effectiveness of execution, in brazen disregard of the popular interest, the $50,000,000 fertilizer nitrate scheme, for which $20,000,000 was exacted as earnest money, will rank as the most daring and successful Treasury raid in the history of the United States.

For this and other sins of omission and commission the Democratic Party will be shortly called to account and after the 4th of next March will relapse again into that state of comparative innocuous desuetude as the party of opposition, in which position alone it can be of real service to the country.

As an evidence of the good faith of this prediction, I hereby agree to furnish to each of my Democratic colleagues on the Ways and Means Committee who are returned at the next election—and I hope that they at least will be—a fine new hat in the mode of the period if the Republican majority in this House in the next Congress is less than 100.

In the interest of fairness, however, it ought to be said that the wanton and reckless extravagance of the party in power is only partly responsible for the vastly increased expenditures which we have assumed and for which this bill is intended partly to provide. The larger portion of these expenditures represents the effort on the part of Congress to place this country in a condition of somewhere nearly adequate military and naval preparedness, and in that the Republican Party has not only assisted but has successfully insisted that the Democratic program be extended and elaborated.

Being thus responsible for expenditures even larger than the Democratic Party either contemplated or desired, we of the Republican Party ought to be prepared to pay the price.

This bill is designed to settle the account to the extent of some $210,000,000, as its proponents tell us. We are informed that whatever additional may be required will be taken care of later by a bond issue. It is proposed by the party in power to force this bill through without substantial amendment if they can. The question to be decided, then, is what action we of the minority should take when the time comes for the final vote.

I do not propose to go into the question as to whether we of the minority have been treated with entire fairness by those in control or not. It may be, though I hope not, that we would have done the same thing had the situation been reversed. The fact remains, however, that during the many months that this bill has been germinating no one of us had anything but an inkling of what it would contain. The bill was only introduced last Saturday. It was not until yesterday that the Republican members of the Ways and Means Committee were called into consultation by our Democratic colleagues, and that consultation consisted in having the bill presented to us and in being told in so many words that we might take it or leave it.

It was, of course, manifestly impossible under the circumstances, and in the time that has since elapsed, that we could suggest to our Republican colleagues in the House any comprehensive alternative program or even report with any degree of

thoroughness our views upon a bill which runs, as this does, the gamut of almost every theory and chapter of political economy. Under the conditions we can not do more than take snap judgment, and it would not be surprising if there should be differences of opinion among Republicans as to the wisest course to take in the event that we are unable to amend the bill to more fully accord with our views.

I speak, then, only for myself and not for my party as a whole when I say that if the bill in the last analysis remains substantially as it is, and I shall have to choose between voting it all up or voting it all down, I shall choose the first alternative and give it my support. [Applause on the Democratic side.] I have arrived at this conclusion not without a good deal of thought. Before I had any idea what was going to be in the bill I asked myself this question: Assuming that the revenue to be raised by it is absolutely necessary, as I believe it is, to pay the cost of at least a fairly adequate program of military and naval preparation, a program for which my party has insisted and now insists, even if it should develop that the entire revenue was to be raised by methods to which I am opposed on principle, would I be justified, under the circumstances, in voting against it? The more I thought about it the more I was impelled toward the conclusion that my answer ought to be in the negative.

I am for preparedness. I am for a program decidedly more extensive than the Democratic Party offers us. I have voted a number of times for authorizations and appropriations for this purpose larger than those finally adopted. Can I, then, with any degree of consistency refused to pay the bill when the time comes, even though I disapproved many of its details, by the only method offered which is possible of enactment?

Fortunately, though, no such unattractive alternative is now offered us by this bill. The methods of revenue raising that it provides, instead of being contrary to Republican policies, in large part adopt them. Moreover, it is proposed to enact into law a number of legislative and administrative policies for which the Republican Party has stood until now against Democratic opposition. It offers us an opportunity to have made into law policies for which we have fought for years. Is this an opportunity that we can afford to overlook?

As a matter of fact, four-fifths of the bill represents a deliberate theft of firmly grounded Republican principles and policies. [Applause on Republican side.] Perhaps the term "theft" is a little too strong, and ought to be modified. Let us call it, then, a process of benevolent assimilation, for this procedure only proves that when the Democratic Party finds itself in dire straits it is forced to come to us and to our platform for help. [Laughter.]

Since I have been in Congress I do not remember any bill which has dealt with such a variety of subjects. It deals with an income tax applying both to individuals and to corporations. It provides an inheritance tax. It imposes a tax on the gross receipts of corporations engaged in the manufacture of munitions of war. It imposes a protective duty—or a duty intended to be protective—on dyes and dyestuffs. It provides for a tariff commission. It repeals the obnoxious war tax. And lastly it proposes the most stringent antidumping provision ever enacted.

Before referring in detail to these various propositions I want to speak first of what I regard as the greatest vice of the bill from the Republican point of view, and one which to those who believe as we do would constitute an insuperable objection to any permanent policy of raising revenue for the Government, instead of being a makeshift, as this bill is, avowedly temporary in its character and to provide for an emergency. This vice is that the bill proposes to raise the entire amount of additional revenue from direct taxes only, and wholly ignores the system of indirect taxes for which the Republican Party has always stood. It ignores the now peculiarly obvious method of raising increased revenues through the customhouses. It imposes customs duties in only one case, that of dyes and dyestuffs, and there not for the purpose of raising revenue but frankly for the purpose of destroying the revenue.

I have said that the wisdom of raising the revenue from imports was just now peculiarly obvious, and that is because of the literally enormous volume of imports now daily entering our customhouses. Importations for the last 10 months, beginning on the 1st of July, 1915, reached the enormous total of $1,722,403,293. No other 10 months in the history of the Nation approaches it. It exceeds any entire fiscal year by millions except only two. It exceeds the entire fiscal year of 1911 by more than $195,000,000, of 1912 by nearly $70,000,000, of 1915 by more than $48,000,000. The entire year of 1913 only exceeds it by $90,000,000 and 1914 by $171,000,000. It exceeds the corresponding 10 months of last year by more than $348,000,000.

The Democratic Party has from the outset laid the blame for the failure of the Underwood law to raise adequate revenue upon the European war, which they said had shut off imports. They justified on this ground the imposition of the obnoxious war tax, of which public sentiment has forced the repeal in this bill. Never again, in the face of these figures, will they dare to repeat this excuse. If the revenue derived from their tariff law is inadequate, it is not because of failure of importations, which are exceeding in volume any period in history, but because of inadequate duties which the Underwood law assesses on those importations. The statesmanlike thing to do to meet the expenditures for which we have become liable—the obvious thing to do—would be to put tariff duties, both for protective and for revenue purposes, on imports. Thus we could easily raise a greatly predominant part of the money that must be provided for the purposes of national defense. That is what the Republican Party would do if it were in power. That is what it will proceed as speedily as possible to do after the 4th of next March.

It is equally obvious, however, that such a policy will not be adopted so long as the Democratic Party is in control. We must take things as we find them. Though this bill fails in this one great essential of Republican policy, it does much to carry out other Republican policies for which our party has stood, both in its platforms and through its Representatives on the floor of this House.

The corporation tax was enacted originally by a Republican Congress. An inheritance tax, substantially like the one proposed, was enacted by a Republican House of Representatives. A tariff commission precisely similar in its most important details to the one proposed received the votes of every Republican in the House and Senate and was only defeated at the last moment of the session by a Democratic filibuster. The dye bill is a Republican protective measure pure and simple. We have persistently demanded the repeal of the obnoxious and oppressive war tax. We get it in this bill. We get, too, an antidumping provision more stringent than any, so far as I know, heretofore proposed.

There is one important feature of this bill to which I personally am definitely opposed, and that is the additional tax on individual incomes here provided. This does not mean that I am opposed to a tax on individual incomes. On the contrary, I favor an income tax if the revenue it proposes to raise is necessary for the needs of the Government. It does not mean that I am opposed to a high tax on big incomes, higher not only absolutely but relatively than on the smaller incomes. It means only that I am opposed to an income tax, as I would be to any direct tax, which is borne, as this is, by less than one-half of 1 per cent of all the American people.

I can not believe that it is wise statesmanship, I can not believe that it is for the good of the country as a whole to exempt entirely from taxation incomes of as high as $4,000. Certainly no precedent can be found for it in the permanent law of this or any other country. Among the multitude of income-tax laws that have been enacted in the States and nations of the world there is only one that can be remotely construed to be a precedent for an exemption of as high as $4,000. That is the income-tax law of 1894, which was afterwards held unconstitutional. In no such law theretofore enacted in this country was there ever a higher exemption than $1,000. That was the income-tax law of 1867. In the law of 1864 the exemption was only $600. Up to 1894, $1,000 was the highest exemption ever provided in any law of the United States, and, if I am not greatly mistaken, it was the highest exemption ever provided before or since in any country in the world. The $4,000 exemption in the law of 1894 was bitterly attacked at that time, and even the Populists, under the leadership of Senator Peffer, of Kansas, endeavored to have it reduced to $1,000. In every other country, in the framing of income-tax laws, the aim has always been to place the exemption somewhere about what political writers call the "minimum of existence," and that was found to be, in the vast majority of cases, very much less than even the $1,000 exemption in the law of 1867.

I have found it impossible, in the limited time that I have had since this bill was introduced, to obtain the exemption figures in the income-tax laws now in force in the greater European countries, and in the few figures I shall give I do not pretend to be absolutely accurate, but only to give the average conditions prevailing in some of the more important countries before the war.

In England for many years the exemption was about $800. In the various States of the German Empire I think the average can fairly be said to be about $500. In Japan it was $150 and in Italy $75. In very progressive countries like Switzerland and Australia the exemption was very low. In England before the war somewhere about 1,500,000 people paid an income tax. In Germany it would be safe to say that more than 6,000,000 paid an income tax. Last year in this country under the present law

less than 450,000 people paid an income tax. In other words, in this country the great mass of moderate incomes of the size which are taxed and always have been in every other country—and in this country during the Civil War period—are wholly exempt from taxation, and the tax is concentrated upon a very small number of wealthy people. This is class legislation pure and simple, as is any tax which concentrates on less than one-half of 1 per cent of the population. A reduction of the exemption to reasonable figures would not only remedy the essential injustice of this law but would increase the needed revenues by millions.

A few years ago I observed, in some investigations I made of the English income tax, that something like half the total revenue was derived from incomes between $800 and $4,000 a year. I refer to this as an indication of the revenue that would probably come from similar incomes in this country if the exemption were reduced to a more reasonable figure.

Mr. SMITH of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. LONGWORTH. Yes; for a short question.

Mr. SMITH of Minnesota. Does the gentleman not think that the point of existence in this country is much higher than that in Great Britain?

Mr. LONGWORTH. Oh, decidedly.

Mr. SMITH of Minnesota. Therefore the gentleman would vote for a higher exemption?

Mr. LONGWORTH. Oh, yes. I think the ideal figure would be about $1,500. I would put a smaller tax on incomes between $1,500 and $4,000, and I believe that by so doing the amount received from the income tax would be practically double what it is now, and would accomplish the same result that this increase in the supertax does.

Mr. HULL of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. LONGWORTH. I am afraid I will have to ask the gentleman to withhold his question until I get further along. I desire to finish the thought I have in mind.

As I say, I think I would be safe in saying that the reduction of the exemption to $1,000 or $1,500 in this law and the placing upon such incomes of a tax even less than that carried here, would result in doubling the revenue the Government now derives. If the only object of this income-tax provision is to raise revenue, would not that have been the wise and statesmanlike course to have taken?

It is said that the extension of the income tax to cover a reasonably substantial proportion of the American people would be unpopular. Election day is looming large on the horizon, and so statesmanship is forced to yield to conditions of political expediency. Yet, I can not believe that there sit on the floor of this House more than a handful of thinking men who do not realize that a mistake was made in ignoring all precedents in the fixing of the exemption provision in the original law, and that an even graver mistake is now being made in not remedying it.

The proponents of this bill have swallowed the Republican tariff-commission idea at one gulp. The tariff-commission section before us, in its main and in its most essential features, conforms exactly to the legislation advocated by the Republican Party in its last two platforms and by its representatives in the House and Senate. It represents one of a series of attempts made in this bill to ward off approaching defeat by a rape of the Republican platform. The proposition before us is the so-called Rainey bill, fathered by the gentleman from Illinois because the titular head of his party in this House, the gentleman from North Carolina [Mr. KITCHIN], declined to assume its parentage, though called upon to do so by the present undisputed leader of the Democratic Party.

On January 24 of this year the President of the United States wrote to the gentleman from North Carolina in advocacy of a tariff commission, urging very strongly that the Ways and Means Committee at once take up the question and pass an effective tariff-commission bill.

That letter is as follows:

THE WHITE HOUSE,
Washington, D. C., January 24, 1916.

MY DEAR MR. KITCHIN: In common, I dare say, with every one who wishes to be thoughtful of the future economic prosperity and development of the country, I have been thinking a great deal recently about what it would be wise to do to provide the Government with the necessary data to furnish a sound basis for the policy which should be pursued in the years immediately ahead of us, years which will no doubt be full of many changes which it is at present impossible even for the most prescient to forecast; and the more I have thought about the matter the plainer it has become to me that we ought to have some such instrumentality as would be supplied by a tariff board.

I am convinced, as I suppose every disinterested person must be, that it would be a mistake to provide for such a board with the idea of serving any particular theory of fiscal policy. What we would need would be above all things else, a board as much as possible free from any strong prepossession in favor of any political policy and capable of looking at the whole economic situation of the country with a dispassionate and disinterested scrutiny.

I believe that we could obtain such a board if the proper legislation were enacted, and it is quite clear to me what the field of its inquiry and its activity should be. It should, it seems to me, *investigate the administrative and fiscal effects of the customs laws now in force or hereafter enacted; the relations between the rates of duty on raw materials and those on finished or half-finished products; the effects of ad valorem and specific duties and of those which are a compound of specific and ad valorem; the arrangement of schedules of duties and the classifications of the articles of the several schedules;* the provisions of law and the rates and regulations of the Treasury Department regarding entry, appraisement, invoices, and collection; *and in general the working of the customs-tariff laws in economic effect and administrative method.*

It could and should also secure facts which would be very useful to the administrative officers of the Government, to the Congress, and to the public at large through investigations of revenues derived from customs duties and the articles subject to duty, the cost of collection thereof, and the revenue collected from customs duties at the several ports of entry; and it should be directed to investigate and throw light from *every possible angle on the tariff relations between the United States and foreign countries,* the rates of duty imposed on American products in foreign countries, the existence and effects of discriminating duties, commercial treaties and preferential provisions, the effects of any special or discriminating duties that may be levied by the United States. *It might in this connection furnish the State Department with very valuable information regarding treaty and tariff relations between the United States and foreign countries.*

It might further be of great assistance to the Congress and to the public and to American industry by investigating the industrial effects of proposed or existing duties on products which compete with products of American industry; the conditions of competition between American and foreign producers, including all the essential facts surrounding the production of commodities at home and abroad; the volume of importation compared with domestic production; *the nature and causes of the advantages and disadvantages of American as compared with foreign producers; and the possibility of establishing new industries or of expanding industries already in existence through scientific and practical processes in such a manner as substantially to promote the prosperity of the United States.*

I think it would be very useful and, indeed, necessary to require the board to act in connection with all appropriate agencies already in existence in the several departments of the Government, and even with appropriate agencies outside of the existing departments, in order to avoid so far as possible duplications of work and to make all sources of official information available to the same end.

If broadly enough empowered, such a board might be very helpful in securing the facts on which to base an opinion as to unfair methods and circumstances of competition between foreign and domestic enterprises and as to the possibilities and dangers of the unfair "dumping" of foreign products upon the American market and the steps requisite and adequate to control and prevent it. It might in this field, as well as in others, secure very valuable information for the guidance of American consuls and for the use of the Board of General Appraisers and other Treasury officials.

I have gone into these particulars because I felt that they would make clearer than I could make it in general phrases my idea of the field of unpartisan inquiry within which such a commission could render a useful and perhaps indispensable service to the country, and I am taking the liberty of bringing the matter to your attention just at this time because I hope it will be possible for the Committee of Ways and Means of the House of Representatives to take this question up immediately, with a view of formulating some policy and action concerning it. I feel confident that you will agree with me that the situation of the whole world in the matter of economic development is so unusual and our own interest in the changes probably impending so vital that I am justified in pressing this great topic upon the consideration of the committee at this time.

With warmest regards, cordially and sincerely,

WOODROW WILSON.

I publish this letter in full in the RECORD because it contains all of the President's suggestions as to what the bill should contain with relation to the powers and duties of the commission. I also include herewith the sections of the tariff-commission bill introduced by myself on the first day of the present session—the bill which received the vote of every Republican in both the House and Senate in the last Republican Congress. A casual reading of these two documents will show that the difference between them is the difference between tweedledum and tweedledee, and that the President had become wholly converted to the Republican attitude upon this most important question:

SEC. 3. That it shall be the duty of said commission to investigate the cost of production of all articles which by any act of Congress now in force or hereafter enacted are made the subject of tariff legislation, with special reference to the prices paid domestic and foreign labor and the prices paid for raw materials, whether domestic or imported, entering into manufactured articles, producers' prices and retail prices of commodities, whether domestic or imported, the condition of domestic and foreign markets affecting the American products, including detailed information with respect thereto, together with all other facts which may be necessary or convenient in fixing import duties or in aiding the President and other officers of the Government in the administration of the custom laws, and said commission shall also make investigation of any such subject whenever directed by either House of Congress.

SEC. 4. That to enable the President and Congress to secure information as to the effect of tariff rates, restrictions, exactions, or any regulations imposed at any time by any foreign country upon the importation into or sale in any such foreign country of any products of the United States, and as to any export bounty paid or export duty imposed or prohibition made by any country upon the exportation of any article to the United States which discriminates against the United States or the products thereof, and to assist the President in the administrative provisions of the customs laws, the commission shall, from time to time, make report, as the President or Congress shall direct.

The gentleman from North Carolina, however, apparently was not willing off the bat to reverse the attitude that he had always maintained with reference to a tariff commission. The gentle-

man from North Carolina has definite views upon questions of national public policy, and while he has modified many of them to suit the varying mental processes of his leader there are some he has loyally adhered to. For this I admire him, even though, according to my lights, he is usually wrong. At any rate, the gentleman from North Carolina on receipt of this letter hurried to the White House. What ensued there I have no means of knowing, though I confess I would like to have heard the conversation. Evidently the gentleman from North Carolina spoke frankly, because two days later, on the 26th of January, the President wrote him as follows:

MY DEAR MR. KITCHIN: Our conversation yesterday made me realize that in my letter of the 24th I had not set forth as I should have set them forth my reasons for changing my mind upon the question of creating a tariff board, for I must frankly admit that I have changed my mind since I last spoke on that subject.

[Laughter.]

Once again the President had changed his mind, and that he regarded, as he always does, as a reason why the gentleman from North Carolina should change his mind and the Democratic Party its position.

Permit me here to repeat what I said in the House upon an occasion not long ago when I was commenting on the change of the presidential mind upon the question of a duty on sugar. It is only one of those instances which excite our sympathy for those generals and colonels and lieutenants of democracy who are heroically trying to adapt themselves from one day to another to the various and ofttimes contradictory positions he takes on practically every great matter of national concern. It excites our sympathy also—mine certainly—when I see my friends upon that side of the aisle who happen to be of portly habit trying to make contortionists of themselves. I am not surprised at the worried look that is upon so many ordinarily placid faces when the even tenor of their political course is interrupted by having to make themselves daily entrants in a guessing contest.

Upon the tariff-commission question, though he had changed his mind on the sugar question, the gentleman from North Carolina was evidently obdurate, because the bill framed by the Ways and Means Committee to provide a tariff commission made its entrance into this House under the fostering care of the gentleman from Illinois [Mr. RAINEY], whose attitude, as I shall show, had heretofore been identical with that of the gentleman from North Carolina.

It seems to me pertinent here to give a very brief history of the tariff-commission bill, identical in its most important provisions with this one, in the last Republican Congress.

A number of bills had been introduced to create a tariff commission, among them bills drafted by the gentleman from Wisconsin [Mr. LENROOT] and by the gentleman from Iowa [Mr. GOOD]. At the request of the President, in cooperation with Mr. Emery, then chairman of the existing Tariff Board, and with the advice of some gentlemen representing the National Tariff Commission Association, I drafted and introduced a bill incorporating what seemed to be the best features of the bills I have mentioned and others then before Congress. This bill had the indorsement of the President and of the National Tariff Commission Association. It was debated and fully considered by the Republican members of the Ways and Means Committee, and was reintroduced in a somewhat modified form by the then chairman of the Ways and Means Committee, the late Sereno E. Payne. During its passage through the House this bill received every Republican vote. It subsequently passed the Senate, there receiving every Republican vote, with two minor amendments, which were entirely acceptable to the Republican membership of the House, as was evidenced by the motion offered by Mr. Payne to concur in the Senate amendments. Unfortunately the Senate took action so late that the bill was not messaged over to the House until early in the morning of March 4, 1911. Immediately a determined filibuster was organized on the Democratic side by the gentleman from New York [Mr. FITZGERALD], and after repeated dilatory motions and roll calls the filibuster proved successful and the bill died at almost the stroke of 12.

The history of the bill would be incomplete, however, without a brief review of the attitude of the Democratic side when the bill was before the House for passage on the 30th of January. In looking over the RECORD for that day I find that 51 of the present Democratic membership in this House voted against it, and that among them are to be found the most distinguished and active leaders of the Democratic Party to-day. It is particularly interesting to note that every Democrat who is now a member of the Ways and Means Committee voted against it with but one exception, that one being the gentleman from Missouri [Mr. DICKINSON]. He followed his colleague of Missouri [Mr. CLARK], the only other Democratic Member of this House then a member of the Ways and Means Committee who voted for the bill. The attitude of our honored Speaker at that time only confirms the idea I have always held that he is the wisest statesman of you all.

Let me read to you the list of eminent Democrats, members of the Ways and Means Committee, now proponents of the Rainey bill, who voted against the same proposition a very few years ago: Messrs. COLLIER, CONRY, DIXON, GARNER, HULL of Tennessee, KITCHIN, OLDFIELD, and—Heaven save the mark!—HENRY T. RAINEY himself.

Mr. RAINEY. Will the gentleman yield?

Mr. LONGWORTH. Yes.

Mr. RAINEY. I will read——

Mr. LONGWORTH. Oh, no, please; do that in your own time.

There were many eloquent bugle calls, too, on that occasion, rallying the unterrified Democracy against this iniquitous Republican measure. The gentleman from Mississippi [Mr. SISSON] spoke as follows:

I can not, as a Democrat, subscribe to this bill to create a tariff commission. It is a concession to the Republican idea of protection. It admits that the doctrine of protection is proper.

[Laughter.]

During a speech in opposition to the bill delivered by the present Governor General of the Philippine Islands, Mr. Harrison, the present chairman of the Ways and Means Committee [Mr. KITCHIN] propounded the following interrogatory:

Mr. KITCHIN. Have you ever known a Democratic district convention, a Democratic State convention, or a Democratic national convention that ever declared in favor of a tariff board or tariff commission of any kind?

Mr. HARRISON. Not only that, but I believe it is absolutely opposed to all Democratic tariff principles.

[Laughter.]

The sweet singer from Alabama [Mr. HEFLIN] [laughter] plunged in at this point and discoursed as follows:

No wonder you demand a tariff board or tariff commission. The interests back of you have always demanded that power be placed in the smallest number of men possible, for it would be easier for them to influence a board of five members or a commission of five members than it would be to influence a House of Representatives of over 400 men coming up from all sections of the country. They favor a tariff board or a tariff commission, and, in my judgment, the American people will never submit to a tariff board or tariff commission, which is one and the same thing, the insurgents favoring one and the standpatters favoring the other.

[Laughter.]

According to the gentleman from Alabama, the interests were back of this bill at that time. Can it be that the great Democratic Party, whose purity he is ever ready to proclaim, has fallen from its lofty pinnacle of virtue and surrendered to the corrupt and corrupting interests?

But, by all odds the most earnest and eloquent diatribe against the tariff commission was delivered by the gentleman from Indiana [Mr. CULLOP], who began as follows:

I am opposed to this bill and every provision in it, because it violates a well-established and venerated principle in the doctrine of the Democratic Party. [Loud applause on the Democratic side.]

[Laughter.]

I wish I had time to reproduce in full that splendid effort, but I must content myself with culling only a few gems. In speaking of the recent campaign in Indiana, at which a United States Senator had been elected, Mr. CULLOP told us that—

The Republican candidate advocated a tariff commission and the Democratic candidate declared against it, and this question was one of the main issues between them, and upon it the battle was fought out in one of the hottest political campaigns ever waged in that State, and when the battle ended on the 8th day of last November the Democratic Party was victorious.

[Laughter on the Republican side.]

Mr. CULLOP then, with that resonant voice and impassioned manner which he alone possesses, continued:

Sir, if I voted for this bill I should consider it my imperative duty to go back to the legislature of that State, now in session, and petition it to rescind the action taken by it just two weeks ago, when it elected the Hon. JOHN W. KERN United States Senator, and in lieu thereof elect his opponent, the Hon. Albert J. Beveridge.

[Prolonged laughter.]

I can not but sympathize with the position in which the gentleman from Indiana now finds himself. The Hon. JOHN W. KERN is again a candidate for the United States Senate and is opposed by a gentleman who favors a tariff commission, though not the Hon. Albert J. Beveridge, who I understand is in temporary retirement. But the President of the United States now cracks his whip and says, "You must vote for a tariff commission." Will the gentleman from Indiana obey the big boss or will he remain faithful to the subboss? My heart goes out to him in his dilemma.

You will attempt to take credit, gentlemen of the Democracy, for the enactment of a tariff commission law, but you will not deceive the people. The Republican Party, and the Republican Party only, is responsible. [Applause.]

I wish I had the time—which I have not—to speak at some length about other features of this bill, which I regard as highly commendable and in absolute accord with Republican principles. Not long ago I argued at considerable length in favor of the Hill bill to provide a protective duty on dyes and dyestuffs. In your provision for that purpose in this bill you have not gone as far as I could have wished, but you have provided duties which I hope will prove protective and which will result in building up a substantial dye industry in this country. As I have said before, there is no one thing which will so thoroughly contribute to the adequate preparedness of the Nation for national defense as a competent dye industry in this country, because dyes and explosives are inseparable one from the other. If we have an industry in this country competent to supply the needs of our people for dyes in time of peace, we will at the same time have an industry competent to supply this Government with explosives in time of war. Without these explosives and a national capacity for turning them out in unlimited quantities battleships and armies would be but vain things.

Another commendable feature of this bill is that it contains a strong so-called antidumping clause, a measure which should do much to protect the industries of this country against unfair foreign competition; a measure which, while not sufficient in itself to guard against the fierce and ruthless competition which will come from foreign countries so soon as the European war is over, will, when supplemented by the protective tariff we propose to enact after the 4th of next March, do much to save American industries and the American wage scale from annihilation.

Last, but not least, this measure repeals the obnoxious so-called war tax, the most oppressive and unjustifiable tax ever enacted by this Government in time of peace.

On the whole, I believe this to be a good bill—in the sense that the good in it more than counterbalances the bad. Of course, I would never agree to it as a matter of permanent American fiscal policy. I would never agree to any policy which imposes nothing but direct taxes, and particularly direct taxes which are in some cases borne by only a fraction of 1 per cent of the American people. But this bill is essentially an emergency measure. It would not have been necessary unless Congress had already authorized, and intends to further authorize, immediate and extraordinary expenditures for the national defense. The very fact that it proposes to raise a large amount of the revenue from a tax on munitions proves its temporary character, for the profits on which these taxes are paid have been largely derived from exports to the warring countries of Europe. I can not assume that it is intended, after the war shall be over, to continue a tax upon articles produced only for the use of the Government of the United States.

In view, then, of the temporary character of this measure; in view of the necessity and high importance of the appropriations it is designed to pay for; in view of the fact that, in large measure, it is based upon Republican principles, I shall not hesitate to support it nor in advising its support by my Republican colleagues.

The fact that the Republican membership of this House was a unit in opposition to a former Democratic revenue measure should not be regarded, I think, as any reason why we should be a unit against this measure. The issue presented by the Democratic war tax, which the Republicans in the House and Senate opposed, was designed to supplement a deficit brought about by extravagant Democratic appropriations and an unsuccessful tariff law which had proved impotent to provide adaquate revenue for the Government. This bill on the contrary is designed to raise revenue to pay for a program of adequate preparedness for the National defense. The two questions, it seems to me, are as different as black is from white. I regret that there should be difference of opinion among my colleagues on the Republican side of this House. It is not gratifying to me to find myself in disaccord with some of my distinguished friends whose opinions I value so highly upon matters of party policy. The position I have taken is the result of careful thought, and I would feel no embarrassment in advocating it upon any Republican platform or before any Republican audience. Furthermore, I feel no embarrassment in advocating it upon the broad proposition that in times like these, when the civilized world is in turmoil, when we know not what may happen any day to menace the safety of American institutions and the honor of the American flag, we can not as a party well afford to block the payment of obligations we have assumed to provide for the adequate defense of the Nation. [Applause.]

Mr. KITCHIN. Mr. Chairman, I yield 20 minutes to the gentleman from Georgia [Mr. CRISP].

Mr. CRISP. Mr. Chairman, before beginning, I ask unanimous consent to extend and revise my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GARLAND. Mr. Chairman, before the gentleman begins I would like to ask him a question. Will the gentleman yield?

Mr. CRISP. Yes.

Mr. GARLAND. I notice by this bill a large amount of revenue is to be collected from war munitions. We have no guaranty that the sale of munitions will continue. The war is just as likely to stop at any day as it is to continue. Suppose the bill is enacted, how would you collect the revenue, if the war should stop?

Mr. KITCHIN. I would say to the gentleman——

Mr. GARLAND. I prefer to have the chairman answer.

Mr. KITCHIN (continuing). That they estimate the revenues from munitions will be about $71,000,000. Personally I do not think it will be that large. The inheritance tax after the first year will be $54,000,000, and this will take the place, in a large measure, of the munition tax after the war ceases.

Mr. GARLAND. Along that one point, suppose the war ceases?

Mr. CRISP. Mr. Chairman, I hope this is not to be taken out of my time.

Mr. KITCHIN. This is not to be taken out of the gentleman's time. The munition tax relates back to January 1, 1916, and we are going to collect for this year, and the following year the inheritance tax will increase from $17,000,000 the first year to $54,000,000 the second year, and when the war closes I think the dutiable imports will increase sufficiently to increase the customs to the extent at least of the munition tax.

Mr. GARLAND. The gentleman agrees that if the war stops the revenue will be insufficient; that is the point?

Mr. KITCHIN. No; I do not so agree, because the inheritance tax will be $37,000,000 more the second year, and, as I said, the dutiable imports will increase, thereby increasing the customs.

Mr. GARLAND. The gentleman has spread this revenue from munitions over the entire time——

Mr. KITCHIN. I thought the gentleman wanted information.

Mr. GARLAND. I did, but I did not get it, I am sorry to say.

Mr. CRISP. Mr. Chairman, for several years prior to the year 1914 I trusted and believed that war, with its indescribable sufferings, was to be no more. I hoped that men and women had learned the horrors of war, and that the spirit of the lowly Nazarene had so filled the hearts and minds of men that reason, equity, and justice would in the future settle all international differences without an appeal to arms, but in July, 1914, this fond hope was utterly destroyed, when Austria declared war on Servia. Within a few hours thereafter nearly all of the Christian European nations became engaged in a titanic struggle, the like of which, with its carnage and brutal horrors and sufferings, has never been equaled in all the annals of time. Solemn treaties were discarded as mere scraps of paper, and might and power alone were respected. The lesson, to a great and rich nation, is quite plain—in time of peace prepare to defend yourself, to protect your citizens and their property at home, on the high seas, and in neutral lands.

America, our beloved country, peopled by brave, patriotic, liberty-loving people, wisely decided to be prepared to defend and protect her rights against all comers. We love peace, we covet no nation's lands or wealth, but we want the world to know the rights of American citizens must be respected, and that we are prepared to enforce those rights, if any nation illegally interferes with them.

The citizens of the United States, profiting by the carnage now going on in Europe, demanded that Congress enact legislation to enlarge our Navy, to increase our Army, and to strengthen our land fortifications; and their wishes have been obeyed. I shall not go into detail as to this legislation, but suffice it to say, we have made the largest appropriations for the Navy, the Army, and coast fortifications every made in the history of our country, and our people, notwithstanding the cries of jingoes and yellow journals, need fear no power, for we are abundantly prepared to defend ourself and our shores from all comers, and we want no war of conquest or aggression. Our Navy must always be our first line of defense, and we have a right to be proud of it, for it is to-day easily the second most powerful navy in the world.

This strengthening of our land and naval forces and coast fortifications necessitates Congress raising many millions of dollars to pay for this preparedness of our country. No bill could better illustrate the difference between the Republican and Democratic Parties, as far as legislation is concerned, than

the bill before the House to provide this additional revenue. The Republican Party, ever mindful of great fortunes and the special few, raises revenue from a protective-tariff system, thus requiring the consuming public to pay the bill, while the great incomes escape taxation. On June 7 of this year the Republicans met in Chicago to nominate a candidate for President. Wall Street millionaires and other representatives of the millionaires created by class legislation were present and controlled the convention. They nominated Justice Charles E. Hughes, for they knew if they could elect him President their interests would be safeguarded and protected and that wealth would once more escape paying its just part of the taxes of the land. I make this statement having in view the fact that Justice Hughes, when governor of New York, vetoed an act of the New York Legislature ratifying an amendment to the Federal Constitution authorizing an income-tax law. The railroad corporations doubtless rejoice at Mr. Hughes's nomination, for they know this same Mr. Hughes, when governor of New York, vetoed a bill requiring the railroads to haul passengers at 2 cents per mile. The Democratic Party, while having no fight to make on wealth honestly acquired, believes that a man should contribute to the support and maintenance of the Government according to his ability to pay; that great wealth should bear its just and equitable proportion of the expense of the Government; and, Mr. Chairman, the bill we are now considering raises the entire amount necessary to pay the expenses of this preparedness from the wealth of the country.

Mr. BENNET. Will the gentleman yield?

Mr. CRISP. Yes, sir.

Mr. BENNET. Does not the gentleman think that it might be a privilege to gentlemen who earn as much as $2,000 a year or $1,800 a year if they should be permitted, as well as the man who earns over $4,000 a year, to contribute to this patriotic preparedness for which we all voted?

Mr. CRISP. The people are always willing for the other man to pay the bills.

Mr. BENNET. That is scarcely an answer.

Mr. CRISP. I think that is an answer to the gentleman's question.

The consuming masses have had no burdens added to those they are already laboring under, but, on the contrary, their load is lightened, for on the passage of this bill the stamp taxes on notes, telegrams, bills of lading, and all special stamp taxes are immediately repealed and the tobacco tax on retail dealers, levied by the recent war-revenue act, are repealed, to take effect on December 31, 1916. The bill we are considering raises the revenue necessary for the Government, principally from three sources.

First, from an income tax. In the last Congress, when the Democrats passed the Underwood tariff bill, they levied an income tax, which raised last year $124,000,000, and for the first time the idle rich were made to pay some proportion of the expenses of the Government. The Treasury officials estimate that we will raise, under the income-tax law proposed in this bill, the enormous sum of $227,000,000. The law provides a graduated income tax. As a man's income grows the tax he pays increases, and no hardship is imposed on anyone. The bill levies a tax on incomes from four to twenty thousand dollars, of 2 per cent, and levies an additional income tax—herein referred to as the additional tax—of 1 per cent per annum upon the amount by which such total net income exceeds $20,000 and does not exceed $40,000, 2 per cent per annum upon the amount by which such total net income exceeds $40,000 and does not exceed $60,000, 3 per cent per annum upon the amount by which such total net income exceeds $60,000 and does not exceed $80,000, 4 per cent per annum upon the amount by which such total net income exceeds $80,000 and does not exceed $100,000, 5 per cent per annum upon the amount by which such total net income exceeds $100,000 and does not exceed $150,000, 6 per cent per annum upon the amount by which such total net income exceeds $150,000 and does not exceed $200,000, 7 per cent per annum upon the amount by which such total net income exceeds $200,000 and does not exceed $250,000, 8 per cent per annum upon the amount by which such total net income exceeds $250,000 and does not exceed $300,000, 9 per cent per annum upon the amount by which such total net income exceeds $300,000 and does not exceed $500,000, and 10 per cent per annum upon the amount by which such total net income exceeds $500,000.

It will be seen that the more able a man is to pay the more the proposed law exacts of him; and, Mr. Chairman, a man with an income in excess of a million dollars is more able to pay a tax than is a man with a $5,000 income. A married man with a $5,000 income will pay to the Government $20 and will have $4,980 to live on, while a man with a $1,000,000 income will pay to the Government in the neighborhood of $100,000, yet he will have $900,000 to live on. It is quite clear, therefore, that the man who contributes most under this just income-tax law is abundantly able to do so. Mr. Chairman, I have never thought that the value of a citizen was estimated by the amount of money possessed, for I have ever believed that worth and character alone makes the man. But, Mr. Chairman, if war should come, and our brave, patriotic men should be called upon to bear arms in defense of our honor and our country, I venture to assert that very few of those who will pay an income tax will bare their breasts to the storm, but, on the contrary, those sturdy, patriotic, noble young men who possess character and patriotism and are not so fortunate in this world's goods would be the ones to go to the front. [Applause.] Surely under these conditions wealth should be made to pay for the preparedness of our Nation. It is gratifying to me to know that I had the privilege of assisting in the preparation of this bill, which, for the first time in the history of our country, will require the great fortunes of the land to pay their just part of the expenses of the Government.

The bill also provides for an inheritance tax. When we came into this world we brought nothing, and it is equally true that when we go out we carry nothing with us. Thus, but for society, when a man dies his earthly possessions belong to those who have the might and power to take them. As men progressed in civilization they devised systems of law and provided rules of inheritance whereby their children and loved ones can remain in lawful possession of the property they die seized and possessed of; but this is a civil right conferred by government, and is not a natural right. But for government this would not be true, and it is nothing but right and equitable that the government which permits the property a man dies possessed of going to his descendants should receive a part of the inheritance, for the government must be supported to insure this privilege.

An inheritance tax is ancient in the extreme, for in the year A. D. 222 Augustus, the famous Roman Emperor, levied an inheritance tax of 5 per cent on Roman estates, to be expended in establishing a permanent military force for the defense of Rome. To-day England, France, Germany, Italy, Switzerland, and about all the enlightened nations of the world collect an inheritance tax, as it is considered by all a legitimate source of revenue for the Government. An inheritance tax is not new in the United States. The first act imposing a tax of this character provided for a light graduated tax on inheritances other than those received by wives, children, and grandchildren. The act took effect in July, 1798, and remained in force four years. A system of inheritance taxes was recommended to Congress in 1815, but the recommendations were not adopted. In 1862 an inheritance tax was imposed as a war-revenue measure. This law was amended several times, and the rates were raised in 1864. The law was repealed on July 14, 1870, the repeal taking effect October 1. The income-tax provision of the national revenue act of 1894 contains a provision for taxing as incomes all money and the value of all personal property acquired by gift of inheritance. This law was annulled by the Supreme Court. The war-revenue bill of 1898 contained a provision for taxing legacies and distributive shares; it was amended in 1901 to exempt certain bequests, and the act as a whole was repealed in 1902. Some will urge objections to an inheritance tax that it necessitates estates being double taxed, for 36 States of the Union levy an inheritance tax. Mr. Chairman, this argument applies with equal force to the income tax, for many of the States have an income-tax law. Your committee recognized that an inheritance tax is a source from which many of the States derive revenue and your committee, having this in mind, has provided that there shall be an exemption from the inheritance tax of $50,000. Thus an estate worth $50,000 or less pays nothing under this tax. An estate worth over $50,000 pays in proportion to the amount of the estate, for we have also made this tax graduated, believing that the greater the estate the larger amount it should contribute to the Government, for this can be done without working hardships upon the heirs of the decedent.

Under this bill an estate worth $100,000 would pay a tax of 1 per cent to the Government on $50,000, the tax amounting to $500; and surely, Mr. Chairman, an estate of $100,000 is able to pay $500 to the Government that makes it possible for the property to descend to the heirs or legatees of the decedent. An estate of $1,000,000 will pay, under the proposed bill, a tax of 5 per cent, amounting to $50,000, and this can be done without working any hardship upon the beneficiaries of the estate. Under the bill the tax on inheritances ranges from 1 to 5 per cent. The Treasury officials estimate the inheritance tax when in full operation will yield the Government $54,000,000 annually.

The third source of revenue provided in this bill is a tax on the manufacture of munitions of war, and I do not believe there

will be a voice in the United States that will be raised in opposition to this tax. It is commonly reported in the press of the land that many of the munition plants are making $1,000,000 a day, and that numbers of them contribute $10,000 toward preparedness parades being held in the large cities of the country. The manufacturers of munitions are the ones who are deriving the greatest benefits from the expenditures of the millions for preparedness, and it is nothing but equitable that they should pay their part of the additional expenses entailed upon the Government. It is estimated by the Treasury Department that under the proposed bill there will be collected during the fiscal year 1917 from this munition tax the sum of $71,000,000. Mr. Chairman, some may say this is confiscatory and works an injustice upon the capital invested in the manufacture of munitions. The proposed bill provides that all honest, legitimate capital invested in plants for the manufacture of munitions of war shall receive 10 per cent dividend, and unless the profits enable them to receive 10 per cent dividend the tax levied in this bill shall not be collected. When the stockholders of munition factories are paid 10 per cent dividend, no injustice is done them if they are then required to pay a tax to the Government, especially when a very large part of the money expended under the preparedness hysteria that has swept the land will go largely to the benefit of them and kindred manufacturers. Mr. Chairman, our ancient enemy, the Republican Party, has always cried that the Democratic Party was not a party of construction but a party of destruction. It is with pardonable pride that I recall that during this administration more real constructive legislation for the benefit of the people has been enacted than ever before in all the history of our country. It is with great pleasure that I recall that I had an humble part in the enacting into law of the following great measures, all sure to redound to the benefit of our people, insuring to them more peace, happiness, and prosperity:

GOOD ROADS.

We have passed a good-roads law, recognizing that one of the ways to reduce the cost of living was to reduce the cost of transportation of products from the farm to the towns. Under our bill the Federal Government will cooperate with the States in improving the public highways, and nothing will redound more to the benefit of our people. The bill authorizes the expenditure in five years of $75,000,000 to build roads.

BUREAU OF MARKETS.

We have passed an appropriation providing for a Bureau of Markets, to enable the farmers to market advantageously and at least cost, and to the greatest profit to themselves, their surplus products.

IMMIGRATION.

We have passed through the House a bill to restrict immigration. To my mind, the greatest menace to the perpetuity of our Republic is indiscriminate immigration to our shores. Thousands of immigrants from the south of Europe have yearly flocked here who have no ideas of the duties and responsibilities of American citizens, but who come here solely for the purpose of greed. Unless legislation is enacted, when this horrible European war is ended, in my judgment, undesirable immigrants will flock here by the millions, for unborn generations who remain in Europe will toil from early morn to dewy eve to pay the tax burdens incident to the enormous expenditures of the carnage now going on. It was a fact that after the Civil War, when our beautiful, beloved Southland was prostrated and devastated, that the irresponsible, undesirable citizens, who had no patriotism, courage, or love of country, left the South, but the sturdy, patriotic, courageous, noble men and women remained to face untold hardships and began to build up our sunny South, until to-day it is the most beautiful section in the world. Mr. Chairman, history will repeat itself, and when this war is over the desirable men and women will stay at home in Europe and try to start life again, but the undesirables will flee. Therefore, to my mind, the legislation most needed to protect the welfare of our country is a strict immigration law. I voted for the bill when it passed the House, and it is now pending in the Senate, and I hope the Senate will pass it and the President sign it.

PHYSICAL VALUATION OF RAILROADS.

We have passed a law providing for the physical valuation of all the railroads in the United States, and the work of making such valuation is now going forward, and when completed it will serve as a basis for squeezing the water out of railroad stocks and bonds and for compelling fair, just, and reasonable rates for transportation.

SHIPPING BILL.

The House has passed a bill authorizing the sale of bonds for the purchase of ships, for the purpose of building up our merchant marine. I earnestly hope the Senate will pass this bill, and that it will become a law, for if we have a sufficient merchant marine the Shipping Trust can not rob our people on ocean freight rates, as they have since the European war began.

DEPARTMENT OF LABOR.

The Democratic Party, recognizing labor, has provided a place in the Cabinet, and there now sits at the Cabinet meetings of the President a special representative of the laboring interests of the United States.

LABOR LEGISLATION.

The Democrats have strengthened and put teeth in the Sherman Antitrust Act, so as to make it effective, but we safeguarded the interest of labor by providing that there should be no injunction against or punishment for laboring men or farmers who organized for mutual protection as persons of all other vocations are permitted to do without being prosecuted under the Sherman Act.

PARCEL POST.

We have enlarged the usefulness of the Parcel Post System. The parcel post is now being used at a low cost for the shipment of farm products direct to city consumers, thus bringing producers and consumers closer together for their mutual profit. As a result extortionate express rates have been forced down all along the line.

FEDERAL RESERVE ACT.

We passed the great Federal reserve act, but for which, when this horrible war was declared, we would have had the worst panic in the history of the country, but with this system on our statute books we weathered the storm, and to-day the United States is the richest and most powerful Nation in all the world, and New York is the world's financial center. Even the Republicans admit that this is a splendid law, and that but for it chaos would have reigned in this country in the fall of 1914.

RURAL CREDITS.

I have just referred to our Federal reserve act, which provides ample and adequate banking facilities for the large commercial centers for manufacturing and industrial enterprises, but this law does not meet all the requirements of our homogenous people. It needs a handmaiden, a system of rural credits, to make our banking system complete. It is with joy that I realize that this Congress a few days ago passed a law providing for a system of rural credits. It was my privilege to take an active interest in this legislation, and it will ever be a source of pleasure to me that I was enabled, in my humble way, to contribute toward its enactment.

The bill is not all that I desired, for I preferred for the Government to contribute more largely to its aid in a financial way than this bill provides, and I preferred to lend a larger per cent on the value of the land than the bill authorizes; but, Mr. Chairman, it is surely a step in the right direction. The bill in question will permit thousands of our farmers to borrow money at a rate of interest not to exceed 6 per cent for a long period of time, and will save to them millions of dollars. Personally, I favor not only credit on land, but I would like to see enacted into law a sound credit system whereby honest, industrious citizens may obtain help in a financial way at a living rate of interest to enable them to purchase land and own homes, and I am hopeful that in time we can bring about legislation of this character. As above stated, while the bill in question has its shortcomings, for the first time in the history of our Government we have on our staute books a banking system devised solely for the great agricultural class. As time shows its defects we can remedy them, and in a short while I confidently hope we will have an up-to-date rural-credit law, one that will meet all the requirements of our people, and when this consummation is brought about, then our country will prosper as never before.

Mr. Chairman, I shall not detain the committee longer. The gentleman from Michigan [Mr. FORDNEY] appealed to his colleagues to vote against this bill, calling attention to the fact that the country would give the Democrats the credit or demerit for this legislation. He correctly and truthfully stated we were in power and that we were responsible for the legislation. I cheerfully assume my part of that responsibility, and it is most gratifying to me to know that the bill is so just, so meritorious, that when the final vote is taken on it I doubt not that it will meet the approval of the majority of the Republicans of this House, and I am sure the country will say to the Democratic Party, "Well done, thou good and faithful servant." [Applause.]

RURAL-CREDIT LAW.

Availing myself of the privilege granted me by the House to extend my remarks in the RECORD, I am attaching hereto a brief analysis of the recent rural-credit bill passed by Congress, for the purpose of apprising my constituents of the salient features of the law.

FEDERAL FARM LOAN BOARD.

The bill creates a Federal farm-loan board of four members, appointed by the President, with a salary of $10,000 each, the Secretary of the Treasury being an ex officio member of the board. This board is located at Washington, and its expenses and the expenses of its employees are paid by the Government. This board will have the general supervision and control of the entire rural-credit system, just as the Federal Reserve Board controls the Federal reserve banks.

FEDERAL LAND BANKS.

The bill divides the United States into 12 separate districts, and establishes 12 district Federal land banks for the purpose of making long-term loans on real estate, on the amortization plan, in their respective districts. The capital stock in each bank must be at least $750,000. Unless this stock is subscribed for by the public within 30 days, the United States subscribes for it.

GOVERNMENT AID TO THE BANKS.

The bill appropriates $9,000,000 for the purpose of subscribing to the capital stock of the 12 reserve banks, thus insuring their organization. It also authorizes the Secretary of the Treasury to deposit money in these Federal land banks, to guarantee the interest on the bonds being promptly paid. Another provision of the bill exempts the Federal land banks and the mortgages and bonds isued by them from Federal, State, and municipal taxation. This will make the bonds in great demand by investors, creating purchasers for them at a low rate of interest, which will inure to the benefit of the borrowing farmers, for the lower the interest at which the bonds are sold the cheaper the farmers can borrow money. The law provides that the rate of interest charged borrowers can not be in excess of 1 per cent over the amount the bonds bear, this 1 per cent being allowed to cover expenses of making the loans.

NATIONAL FARM-LOAN ASSOCIATION.

The third organization for putting the rural-credits system into operation is a national farm-loan association. Local organizations are authorized and chartered. These local organizations are known as national farm-loan associations. The national farm-loan association is composed exclusively of borrowers. No person not a borrower can become a member of the farm-loan association. Ten farmers desiring to borrow can organize this association. The membership is unlimited, but must contain not less than 10. The local association shall elect five directors. The association shall also elect a president, vice president, loan committee of three, and a secretary-treasurer. No officer of the local association shall receive a salary except the secretary-treasurer.

HOW LOANS ARE SECURED.

Loans are secured by organizing a national farm-loan association composed of 10 or more farmers desiring to secure loans. The borrower is required to make application for loan, accompanied with subscription for stock in the local association. For this stock he pays $5 per share. One share authorizes a loan of $100. If a borrower desires a loan of $1,000, he must purchase 10 shares, or $50 worth of stock. When the loan is paid, the borrower is refunded the amount paid for the stock. This purchase of stock is not a cash transaction unless borrowers so desire, but is added to the loan. The application, subscription of stock, and description of land is forwarded to the Federal land bank. The Federal land bank orders an examination of title and appraisement of the land. If the appraisement is satisfactory and the title good, the loan is made and the money sent to the secretary-treasurer of the local association to be paid to borrower.

FOR WHAT PURPOSES LOANS CAN BE MADE.

Loans may be made to purchase land, equipment, live stock, general farm improvement, and pay off indebtedness on farm. If the borrower uses the money for other purposes, a penalty is imposed and the loan becomes due. No person not engaged in farming, or in good faith intending to become an actual farmer, can secure a loan or become a member of the farm-loan association.

THE AMOUNT, INTEREST RATE, AND MATURITY OF LOAN.

The borrower may secure 50 per cent of the value of the land, exclusive of improvements, and 20 per cent of the value of the improvements. The interest depends on the amount of interest the last bonds bore, but in no case can the rate exceed 6 per cent. The amount can be borrowed for a period of time from 5 to 36 years.

LIABILITY OF BORROWER.

One borrower is not legally liable for the debt of another borrower in his association. Each borrower is liable only for his own loan and the 5 per cent capital stock he subscribed when he obtained his loan and an additional 5 per cent liability on the stock owned by him. In other words, if the Federal land bank should fail, each borrower would be liable for his own loan plus 10 per cent on it. In my judgment, this liability need deter no one from going into the association, for I believe the banks will make money and this liability will never become real. Our farmers to-day borrow millions of dollars and pay a large rate of interest, and generally pay 10 per cent commission for floating the loan, which is as much as this liability.

AMOUNT OF MORTGAGES ON FARMS IN UNITED STATES.

The best available statistics place the amount of loans on farms in the United States at the enormous sum of $3,000,000,000. The estimated average rate of interest on these loans is 8½ per cent per annum. This makes the annual interest paid by the farmers of the United States about $255,000,000. If only the farmers who have mortgages on lands avail themselves of the rural-credits law they will get their money at a rate not to exceed 6 per cent, which is 2½ per cent cheaper than the average rate they are now paying, and this alone would save them $75,000,000 a year, so you can see at a glance the great value of this rural-cerdits law.

AMORTIZATION PLAN.

Under the law the borrower, when he pays his annual interest, can pay a small sum in addition on the principal, and this is known in the law as the amortization plan. This plan can be thoroughly understood by an examination of the following tables, showing a loan of $1,000 for 20 years at 5 per cent, and another table showing a loan of $1,000 for 36 years at 6 per cent:

Amortization tables.

Annual periods.	Total annual payment.	Interest at 5 per cent.	Paid on principal.	Amount of principal still unpaid.
1	$80.24	$50.00	$30.24	$969.76
2	80.24	48.48	31.75	938.00
3	80.24	46.90	33.34	904.67
4	80.24	45.23	35.01	869.66
5	80.24	43.48	36.76	832.90
6	80.24	41.64	38.59	794.31
7	80.24	39.71	40.52	753.79
8	80.24	37.68	42.55	711.23
9	80.24	35.56	44.68	666.56
10	80.24	33.32	46.91	619.64
11	80.24	30.98	49.26	570.39
12	80.24	28.51	51.72	518.67
13	80.24	25.93	54.31	464.36
14	80.24	23.21	57.02	407.34
15	80.24	20.36	59.87	347.46
16	80.24	17.37	62.87	284.60
17	80.24	14.23	66.01	218.59
18	80.24	10.93	69.31	149.28
19	80.24	7.46	72.78	76.50
20	80.24	3.82	76.50	.....
Total	1,601.80	604.80	1,000.00	.....

Annual periods.	Total annual payment.	Interest at 6 per cent.	Paid on principal.	Amount of principal still unpaid.
1	$68.39	$60.00	$8.39	$991.61
2	68.39	59.49	8.90	982.71
3	68.39	58.96	9.43	973.28
4	68.39	58.40	9.99	963.39
5	68.39	57.80	10.59	952.80
6	68.39	57.16	11.23	941.57
7	68.39	56.49	11.90	929.68
8	68.39	55.79	12.60	917.08
9	68.39	55.02	13.37	903.71
10	68.39	54.28	14.11	889.60
11	68.39	53.37	15.02	874.58
12	68.39	52.47	15.92	858.66
13	68.39	51.52	16.87	841.79
14	68.39	50.50	17.89	823.89
15	68.39	49.43	18.96	804.93
16	68.39	48.29	20.10	784.83
17	68.39	47.08	21.31	763.52
18	68.39	45.81	22.58	740.94
19	68.39	44.45	23.94	717.00
20	68.39	43.02	25.37	691.63
21	68.39	41.49	26.90	664.73
22	68.39	39.88	28.51	636.22
23	68.39	38.17	30.22	606.00
24	68.39	36.36	32.03	573.97
25	68.39	34.43	33.96	540.01
26	68.39	32.40	35.99	504.02
27	68.39	30.24	38.15	465.87
28	68.39	27.94	40.45	425.42
29	68.39	25.52	42.87	382.55
30	68.39	22.95	45.44	337.01
31	68.39	20.22	48.17	288.84
32	68.39	17.33	51.06	237.78
33	68.39	15.26	53.13	184.65
34	68.39	11.07	57.32	127.33
35	68.39	7.63	60.76	66.57
36	70.56	3.99	66.57	.....
Total	2,461.21	1,461.21	1,000.00	.....

An examination of these tables will show that if a farmer borrows $1,000 for 36 years at 6 per cent interest, by the payment of $68.39 per year all the debt and interest is fully paid at the end of that period.

JOINT-STOCK LAND BANKS.

The bill also authorizes private individuals to organize joint-stock companies for the purpose of making loans on farms. The Government does not contribute to the capital stock of same. Joint-stock land banks are organized and financed by private individuals seeking investments. The capital stock of the banks must be at least $250,000. Said banks are authorized to issue bonds on mortgages the same as the Federal land banks. The interest charged by them shall in no case exceed 6 per cent.

If any of my constituents desire to organize a farm-loan association, for the purpose of borrowing money under the terms of this law, if I can be of any assistance to them, I will be glad to do so, and will cheerfully answer all inquiries and advise with them in perfecting their local organization.

Mr. KITCHIN. How much time does the gentleman have remaining?

The CHAIRMAN. The gentleman has four minutes remaining.

Mr. CRISP. I yield back that time.

Mr. FORDNEY. Mr. Chairman, I yield one minute to the gentleman from Connecticut [Mr. HILL].

Mr. HILL. Mr. Chairman, I ask unanimous consent for the extension of the remarks I intend to make in the RECORD to-night.

The CHAIRMAN. The gentleman from Connecticut asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. LONGWORTH. Mr. Chairman, I make the same request.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. KITCHIN. I will say to the gentleman that before the conclusion of the debate I am going to ask unanimous consent that all gentlemen have permission to extend and revise their remarks.

Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. FOSTER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 16763, a bill increasing the revenues, and for other purposes, and had come to no resolution thereon.

EXTENSION OF REMARKS.

Mr. RUSSELL of Missouri. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD for the purpose of inserting a speech made by Mr. Ralph Pulitzer, one of the proprietors of the New York World, at a dinner of the New York Press Club on June 30, 1916.

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD by printing a speech made by Mr. Ralph Pulitzer, of the New York World. Is there objection?

Mr. BENNET. Reserving the right to object, has there been anything of this sort done recently in regard to political speeches?

Mr. RUSSELL of Missouri. A speech made by the President on the same occasion has been printed; I do not know of any other.

Mr. BENNET. Mr. Speaker, for the present, at least, I object.

ENROLLED BILLS SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following title, when the Speaker signed the same:

H. R. 11878. An act to amend section 99 of the act to codify, revise, and amend the laws relating to the judiciary;

H. R. 3673. An act to establish a term of the United States circuit court of appeals at Asheville, N. C.; and

H. R. 8351. An act to accept a deed of gift or conveyance from the Lincoln Farm Association, a corporation, to the United States of America, of land near the town of Hodgenville, county of Larue, State of Kentucky, embracing the homestead of Abraham Lincoln and the log cabin in which he was born, together with the memorial hall inclosing the same; and, further, to accept an assignment or transfer of an endowment fund of $50,000 in relation thereto.

LEAVE OF ABSENCE.

Mr. STEPHENS of California, by unanimous consent, was granted leave of absence for five days, on account of illness in his family.

EXTENSION OF REMARKS.

Mr. HASTINGS. Mr. Speaker, I desire to ask unanimous consent to extend my remarks in the RECORD on the question of the settlement of the affairs of the Five Civilized Tribes in Oklahoma.

The SPEAKER. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 10 minutes p. m.) the House adjourned until to-morrow, Friday, July 7, 1916, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the chairman of the Federal Trade Commission, transmitting tentative item of legislation to provide for payment of salary of member of Federal Trade Commission appointed during recess of the Senate to fill vacancy existing while Senate was in session (H. Doc. No. 1276), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. GANDY, from the Committee on the Public Lands, to which was referred the joint resolution (H. J. Res. 247) extending the provisions of the act approved June 16, 1898, reported the same with amendment, accompanied by a report (No. 924), which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

MOTIONS TO DISCHARGE COMMITTEES.

Under clause 4 of Rule XXVII,

Mr. BENNET filed a motion to discharge the Committee on the Census from the further consideration of the bill (H. R. 12642) to amend an act entitled "An act for the apportionment of Representatives in Congress among the several States under the Thirteenth Census."

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, a bill and a joint resolution were introduced and severally referred as follows:

By Mr. DAVENPORT: A bill (H. R. 16819) providing for the enactment of a credit-union law in the District of Columbia by which the officers of such credit union shall be empowered to receive deposits from and make loans to the stockholders thereof; to the Committee on the District of Columbia.

By Mr. BENNET: Joint resolution (H. J. Res. 255) prescribing an equivalent for field training under section 80 of the act of June 3, 1916; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 16820) granting an increase of pension to John E. Keys; to the Committee on Invalid Pensions.

By Mr. AUSTIN: A bill (H. R. 16821) to enable the Secretary of War to pay the amount awarded to the Malambo fire claimants by the joint commission under article 6 of the treaty of November 18, 1903, between the United States and Panama; to the Committee on Foreign Affairs.

By Mr. BOWERS: A bill (H. R. 16822) granting an increase of pension to Isaac M. Locke; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16823) granting an increase of pension to Pary McNair; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16824) granting a pension to Isaac D. Caldwell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16825) for the relief of John Edwards, alias John D. Edwards; to the Committee on Military Affairs.

Also, a bill (H. R. 16826) to remove the charge of desertion from John Lyons; to the Committee on Military Affairs.

By Mr. CARAWAY: A bill (H. R. 16827) for the relief of Henry P. Grant, of Phillips County, Ark.; to the Committee on Claims.

By Mr. CRAGO: A bill (H. R. 16828) for the relief of Jacob L. Malsberry; to the Committee on Military Affairs.

By Mr. DOOLITTLE: A bill (H. R. 16829) granting an increase of pension to Edgar Brown; to the Committee on Invalid Pensions.

By Mr. FERRIS: A bill (H. R. 16830) granting an increase of pension to Elbridge H. Benham; to the Committee on Invalid Pensions.

By Mr. FOSTER: A bill (H. R. 16831) granting a pension to David Pruitt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16832) granting a pension to S. F. Gilmore; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16833) granting an increase of pension to John C. Truitt; to the Committee on Invalid Pensions.

By Mr. GOOD: A bill (H. R. 16834) granting an increase of pension to Herman L. Wick; to the Committee on Pensions.

By Mr. HAMLIN: A bill (H. R. 16835) granting a pension to Thomas Stephenson; to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 16836) granting an increase of pension to Josephine Cardwell; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Kentucky: A bill (H. R. 16837) granting a pension to Charles W. Gunter; to the Committee on Pensions.

By Mr. KEARNS: A bill (H. R. 16838) granting an increase of pension to Leander J. Day; to the Committee on Invalid Pensions.

By Mr. KEATING: A bill (H. R. 16839) granting an increase of pension to Milton H. Rounsavell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16840) granting an increase of pension to Alice L. Burns; to the Committee on Invalid Pensions.

By Mr. KING: A bill (H. R. 16841) granting a pension to Delia Mathews; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16842) granting a pension to James M. Onion; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16843) granting an increase of pension to Milton Sperry; to the Committee on Pensions.

By Mr. LITTLEPAGE: A bill (H. R. 16844) granting an increase of pension to Gilbert Scarbrough; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16845) granting an increase of pension to John Walton; to the Committee on Invalid Pensions.

By Mr. LLOYD: A bill (H. R. 16846) granting an increase of pension to William Hodge; to the Committee on Invalid Pensions.

By Mr. NEELY: A bill (H. R. 16847) for the relief of Oakaley Randall; to the Committee on Claims.

By Mr. SMITH of Idaho: A bill (H. R. 16848) granting an increase of pension to James K. Nichols; to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Ohio: A bill (H. R. 16849) to correct the military record of Noah Huckins; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CAREW: Petition of National Association of Credit Men of New York, favoring the uniform bills-of-lading act; to the Committee on Interstate and Foreign Commerce.

By Mr. DALE of New York: Memorial of Park County, Hot Springs, Washakie and Big Horn Counties branches of the Congressional Union of Wyoming, relative to Sutherland-Mondell resolution; to the Committee on the Judiciary.

By Mr. DAVIS of Texas: Petition of sundry banks in the State of Texas, favoring amending section 16 of Federal reserve act; to the Committee on Banking and Currency.

Also, memorial of the Woman's Benefit Association of the Maccabees, San Antonio, Tex., favoring the interpleader bill; to the Committee on the Judiciary.

Also, petition of Engine and Trainmen of the United States, relative to a shorter work day; to the Committee on Labor.

By Mr. DUPRÉ: Memorial of General Assembly of State of Louisiana, regarding speedy settlement of swamp-land grants under act of March 2, 1849, and September 28, 1850; to the Committee on the Public Lands.

By Mr. DYER: Petition of Pennsylvania associated dailies, of Harrisburg, and Pottsville Daily Republican, of Pottsville, Pa., in re supply of white print paper in the United States; to the Committee on the Judiciary.

Also, memorial of the Interstate Sportsmen's Protective Association in re open spring hunting season; to the Committee on the Judiciary.

By Mr. ESCH: Memorial of National Association of Credit Men, favoring uniform bills-of-lading act; to the Committee on Interstate and Foreign Commerce.

By Mr. GALLIVAN: Memorial of Old Schoolboys' Association of Boston, favoring national defenses; to the Committee on Military Affairs.

By Mr. HADLEY: Petitions of sundry citizens of the State of Washington, opposing House bill 13778; to the Committee on the Post Office and Post Roads.

Also, petitions of sundry citizens of the State of Washington, opposing Senate bill 5677; to the Committee on the District of Columbia.

By Mr. KENT: Memorials of board of supervisors of Humboldt County, Cal., protesting against the imposition of an inheritance tax; to the Committee on Ways and Means.

By Mr. OGLESBY: Petition of citizens of Yonkers, N. Y., relative to relations between Great Britain and Ireland; to the Committee on Foreign Affairs.

By Mr. POWERS: Petition of residents of Washington, indorsing Senate bill 1082; to the Committee on the District of Columbia.

By Mr. SMITH of Idaho: Petition of citizens of the District of Columbia, favoring prohibition in the District of Columbia; to the Committee on the District of Columbia.

SENATE.

FRIDAY, *July 7, 1916.*

The Senate met at 11 o'clock a. m.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, the Ruler of the Universe, Thy law is just and holy and good. Thy will revealed to us through Thy law is for our happiness and for our eternal life. Thou dost stand guard over the rights of men. Thou dost invite them to the ever-increasing sphere of usefulness and power in the earth and to sweeter association and comradeship with Thyself. We bless Thee that Thou dost appeal to us through our disposition to accept the truth of Thy law. Thou hast taught us that the pure in heart shall see God. So we come to Thee asking for the ministry of Thy spirit in our lives that we may have responsive hearts and minds to every approach of God to us. May we be willing in the day of Thy power; may we follow the guidance that Thou dost give to us through the providences of life and through Thy revealed will to the accomplishment of the divine end in our Nation, in our lives, and in the world. We ask for Thy continued guidance. For Christ's sake. Amen.

THE JOURNAL.

The Journal of the proceedings of the legislative day of Wednesday, July 5, 1916, was read and approved.

CALLING OF THE ROLL.

Mr. SMOOT. I suggest the absence of a quorum, Mr. President.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gallinger	McLean	Smoot
Bankhead	Gore	Martine, N. J.	Sterling
Beckham	Gronna	Nelson	Stone
Brady	Harding	Norris	Sutherland
Broussard	Hardwick	Overman	Taggart
Bryan	Husting	Page	Thomas
Catron	James	Phelan	Tillman
Chamberlain	Johnson, Me.	Pittman	Vardaman
Chilton	Johnson, S. Dak.	Poindexter	Wadsworth
Clapp	Jones	Ransdell	Warren
Culberson	Kenyon	Sheppard	Williams
Curtis	La Follette	Sherman	Works
Dillingham	Lane	Shields	
du Pont	Lippitt	Smith, Ga.	
Fletcher	McCumber	Smith, S. C.	

Mr. MARTINE of New Jersey. I was requested to announce that the Senator from Montana [Mr. MYERS] is detained at home by illness.

The VICE PRESIDENT. Fifty-seven Senators have answered to the roll call. There is a quorum present.

TARGET PRACTICE IN THE NAVY.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Secretary of the Navy, which will be printed in the RECORD, where it will give all the information desired.

The communication is as follows:

NAVY DEPARTMENT,
Washington, July 5, 1916.

The PRESIDENT OF THE SENATE.

SIR: I have the honor to forward herewith the information regarding grades assigned for elementary target practice of battleships of the Atlantic Fleet, requested by Senate resolution of June 30, 1916.

This grading of vessels was established by Admiral Mayo last year for the purpose of bringing to the attention of the individual ships the general character of their work and his estimate of their proficiency.

No such estimate was made in 1914–15.

The U. S. S. *San Diego* is an armored cruiser attached to the Pacific Fleet.

Similar information has been furnished a Member of the House of Representatives upon his personal request.

Sincerely, yours, JOSEPHUS DANIELS.

Battleships—Atlantic Fleet, 1915–16.

Arkansas, excellent.
Delaware, good.
Florida, poor.
Georgia, excellent.
Kansas, poor.
Louisiana, unsatisfactory.
Michigan, poor.
Nebraska, fair.
New Hampshire, good.
New Jersey, fair.
New York, excellent.
Rhode Island, good.
South Carolina, unsatisfactory.
Utah, unsatisfactory.
Texas, excellent.
Virginia, poor.
Wyoming, good.

Pacific Fleet, 1915–16.

San Diego, excellent.

GOLLOS RAILWAY SIGNAL CO.

Mr. NEWLANDS. On May 31, 1916, the Vice President laid before the Senate a communication from the Interstate Commerce Commission transmitting the report of the Chief of the Division of Safety concerning a test of the automatic train-control system of the Gollos Railway Signal Co. of America, Chicago, Ill., and it was referred to the Committee on Interstate Commerce. I am directed by that committee to report back the communication and ask that it be referred to the Committee on Printing, with a view to its being printed as a public document.

The VICE PRESIDENT. Without objection, the communication will be referred to the Committee on Printing.

CALIFORNIA VALVE & AIR BRAKE CO.

Mr. NEWLANDS. On the 28th ultimo the Vice President laid before the Senate a communication from the Interstate Commerce Commission, transmitting a report of the Chief of the Division of Safety concerning a test of the air-brake system of the California Valve & Air Brake Co., of Los Angeles, Cal., and it was referred to the Committee on Interstate Commerce. I am directed by that committee to report back the communication and ask that it be referred to the Committee on Printing for action.

The VICE PRESIDENT. The communication and accompanying papers and illustrations will be referred to the Committee on Printing.

PETITIONS AND MEMORIALS.

Mr. STERLING. I have in my hand a letter received from the Secretary of the National Council of the Farmers' Cooperative Associations, which bears upon that part of the pending Agricultural appropriation bill relative to the grading of grain. I ask that it may be read.

There being no objection, the letter was read and ordered to lie on the table, as follows:

NATIONAL COUNCIL OF FARMERS' COOPERATIVE ASSOCIATIONS,
York, Nebr., July 3, 1916.

Hon. THOMAS STERLING,
Senate Office Building, Washington, D. C.

DEAR SENATOR: You will pardon me for again writing you in regard to the grain-grades act, but the grain growers of the country are so anxious that Congress take action at this session on grain grading that I feel justified in doing so. They favored the establishment of uniform grades, and now they favor the uniform enforcement of those grades by Federal authority.

We favor, almost universally, Federal inspection of grain, but since there are constitutional barriers in some of the States we will be glad to accept Federal supervision as provided for in the act mentioned as being a step in the right direction.

You are familiar with the lack of uniformity in grain grading under our present system and fully realize how a uniform system will benefit the entire country. Furthermore, the Federal system will avoid much unnecessary duplication. Grain sampled and inspected under Federal authority at Omaha, for instance, will seldom need to be again sampled and inspected at Chicago or Minneapolis. This will result in a considerable financial saving. Under Federal control grain can be inspected at interior points before it gets to the great central markets. This will relieve congestion at those markets, a condition which holding grain for inspection has helped to make acute. It is a decided step toward economy and efficiency in grain marketing.

This appeal is coming direct from the grain growers themselves through their own organization. There are about 2,400 farmers' grain companies in the Mississippi Valley, that have a membership of about 100 each, and those members will appreciate Federal control of grain grading.

Very truly, yours, J. W. SHORTHILL, *Secretary.*

Mr. WARREN presented petitions of the Congressional Union for Woman Suffrage of Hot Springs County, of the Congressional Union for Woman Suffrage of Park County, and of the Congressional Union for Woman Suffrage of Bighorn County, all in the State of Wyoming, praying for the adoption of an amendment to the Constitution granting the right of suffrage to women, which were ordered to lie on the table.

Mr. PHELAN. I present a memorial of the County Auditors' Association of California on the subject of the inheritance tax. I ask that it be printed in the RECORD.

There being no objection, the memorial was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

RESOLUTIONS AGAINST FEDERAL INHERITANCE TAX.

Whereas the United States Commission on Industrial Relations in its report which was made public in August, 1915, strongly urged the imposition of a tax upon inheritances by the Federal Government; and

Whereas the Ways and Means Committee of the House of Representatives has been in correspondence with the State controller of California, John S. Chambers, and with like officials in other States of the Union, asking for data as to the collections, by the States, of revenue under their inheritance-tax laws, with the undoubted object in view of utilizing such information in connection with the plan of the Congress to enact Federal legislation of the kind; and

Whereas press dispatches and letters received by the State controller of California from Washington proclaim the determination of the Ways and Means Committee of the House of Representatives to recommend to the Congress the enactment of a Federal inheritance-tax law; and

Whereas further information is to the effect that the States will be requested to abandon their inheritance-tax systems to the end that all such revenue may be collected by the Federal Government, with the understanding that a certain percentage of such collections, less overhead costs, shall be returned to the States on the basis of collections within each State: Now, therefore, be it

Resolved, That the county auditors of California in State convention assembled in the city of Yreka, on June 1, 1916, do disapprove of such proposed legislation by the Federal Congress and hereby protest; that the States, and more particularly California, would be done a grievous injury by such legislation; that under the State of California's system of taxation it is essential not only that the State derive revenue from inheritance-tax sources, but also that the average annual collections of about $3,000,000 should not be materially reduced without just cause; that the proposed plan of a partial return to the States by the Federal Government, even if 50 per cent, less the cost of collection, would reduce California's revenue from this source to less than $1,500,000 a year; that as a consequence the revenue of the common schools of the State would be imperiled to the extent of $250,000 annually, the sum now given them under the present average revenue; that the teachers' retirement fund, commonly called the teachers' pension fund, which receives 5 per cent of the total inheritance-tax collections each year, would suffer a loss of more than half the revenue derived from this source; that the general fund of the State treasury would lose approximately $1,000,000 annually; that the State can not spare this revenue and would be forced to obtain it from a higher tax upon corporations or a general property tax upon the people—the people under either plan carrying the additional burden; that the States have developed the inheritance-tax system with remarkable success; that they need this revenue and that the Federal Government, if in need of more revenue, has many sources upon which to draw, far more than have the States, and therefore should not encroach upon the rights and the needs of the States in the matter of inheritance-tax revenue; and be it further

Resolved, That the secretary of this association send a copy of these resolutions to each member of the California delegation in Congress.

Mr. McLEAN presented memorials of Local No. 50, Order of Railway Conductors, and of Charter Oak Lodge, No. 285, Locomotive Firemen and Enginemen, of Hartford, Conn., remonstrating against compulsory arbitration of railroad matters, which were referred to the Committee on Interstate Commerce.

He also presented a petition of the Women's Relief Corps of Connecticut, praying for the enactment of legislation to increase the pensions granted to widows of veterans of the Civil War, which was referred to the Committee on Pensions.

Mr. BRADY presented a memorial signed by sundry citizens of Orofino, Idaho, remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which was ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. BRYAN, from the Committee on Claims, to which was referred the bill (S. 3743) to reimburse John Simpson, reported it without amendment and submitted a report (No. 601) thereon.

He also, from the same committee, to which was referred the following bills, reported them severally without amendment and submitted reports thereon:

H. R. 10931. An act for the relief of Drs. Blair and Blake, Dr. W. J. Maxwell, Dr. R. C. Evans, and J. B. Blalock (Rept. No. 602);

H. R. 9378. An act for the relief of Ella Slone (Rept. No. 603);

H. R. 11293. An act for the relief of the Barkhausen Coal & Dock Co., of Green Bay, Wis. (Rept. No. 604);

H. R. 8325. An act for the relief of Borden H. Mills (Rept. No. 605);

H. R. 3896. An act for the relief of John H. Janssen (Rept. No. 606).

H. R. 9172. An act for the relief of the M. Kondo Fisheries Co. (Rept. No. 607);

H. R. 9377. An act for the relief of Cyntha Ramey (Rept. No. 608);

H. R. 13785. An act for the relief of Sarah S. Plank (Rept. No. 609);

H. R. 6180. An act for the relief of Lillie B. Randell (Rept. No. 610);

H. R. 6181. An act for the relief of Letitia W. Garrison (Rept. No. 611);

H. R. 11261. An act for the relief of Mary S. Corbin (Rept. No. 612);

H. R. 9994. An act for the relief of Samuel H. Walker (Rept. No. 613);

H. R. 11749. An act for the relief of the administrator of the estate of John M. Waples (Rept. No. 614); and

H. R. 5411. An act for the relief of Olaf Nelson (Rept. No. 615).

Mr. BRYAN, from the Committee on Claims, to which was referred the bill (H. R. 15635) for the relief of the Eastern Transportation Co., of Baltimore, Md., reported it with amendments and submitted a report (No. 616) thereon.

Mr. BRYAN. I am directed by the Committee on Claims to which was referred the bill (H. R. 6156) for the relief of the heirs of George W. Croft, to report it adversely, and I submit a report (No. 617) thereon.

The VICE PRESIDENT. The bill will be placed on the calendar.

Mr. BECKHAM, from the Committee on Claims, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

H. R. 1161. An act to pay Cowden & Cowden, of Amory, Monroe County, Miss., for the loss of a horse while being used by the Department of Agriculture (Rept. No. 618);

H. R. 2554. An act for the relief of Mrs. Joseph Cameron (Rept. No. 619);

H. R. 5185. An act for the relief of George H. Hammond (Rept. No. 620); and

H. R. 5729. An act for the relief of Dr. E. E. Johnson (Rept. No. 621).

Mr. CATRON, from the Committee on Claims, to which was referred the bill (H. R. 9173) for the relief of the Union Oil Co., reported it without amendment and submitted a report (No. 622) thereon.

Mr. HARDING. I am directed by the Committee on Claims, to which was referred the bill (H. R. 1975) for the relief of C. E. Anderson, to report it adversely, and I submit a report (No. 627) thereon.

The VICE PRESIDENT. The bill will be placed on the calendar.

Mr. HARDING, from the Committee on Claims, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

H. R. 11377. An act for the relief of Thomas J. Bye (Rept. No. 623);

H. R. 2209. An act for the relief of W. W. Blood (Rept. No. 624);

H. R. 8108. An act for the relief of the legal representatives and heirs of Elizabeth Bruce, deceased, widow of the late John H. Bruce (Rept. No. 625); and

H. R. 12267. An act for the relief of Wallace L. Bell (Rept. No. 626).

Mr. LANE. I am directed by the Committee on Claims, to which was referred the bill (H. R. 2814) for the relief of George W. Gamble, to report it adversely, and I submit a report (No. 631) thereon.

The VICE PRESIDENT. The bill will be placed on the calendar.

Mr. LANE, from the Committee on Claims, to which was referred the following bills, reported them severally without amendment and submitted reports thereon:

H. R. 2534. An act to adjust the claims of certain settlers in Sherman County, Oreg. (Rept. No. 628);

H. R. 11660. An act for the relief of Mathilda Hesterman (Rept. No. 629); and

H. R. 7423. An act for the relief of Elizabeth M. Dodge (Rept. No. 630).

Mr. WADSWORTH, from the Committee on Claims, to which was referred the bill (S. 4277) for the relief of George B. Hughes, reported it with an amendment and submitted a report (No. 633) thereon.

He also, from the same committee, to which was referred the bill (S. 2704) for the relief of Albert L. Ream, reported it with an amendment and submitted a report (No. 632) thereon.

He also, from the same committee, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

H. R. 5096. An act for the relief of Nabor and Victoria Leon (Rept. No. 634);

H. R. 3255. An act for the relief of James Houyde (Rept. No. 635);

H. R. 10858. An act for the relief of William A. Hutson (Rept. No. 636);

H. R. 9082. An act for the relief of Frank P. Sammons (Rept. No. 637);

H. R. 11304. An act for the relief of Martha A. Moffitt (Rept. No. 638);

H. R. 10642. An act for the relief of Louis Jones (Rept. No. 639);

H. R. 5864. An act for the relief of Thomas P. Sorkilmo (Rept. No. 640); and

H. R. 12742. An act for the relief of Gottlob Schlect and Maurice D. Higgins and for the relief of the heirs and legal representatives of Valentine Brasch (Rept. No. 641).

Mr. CHAMBERLAIN, from the Committee on Commerce, to which was referred the joint resolution (S. J. Res. 110) providing for method of improving channels giving access to military reservations or fortifications, reported it without amendment and submitted a report (No. 642) thereon.

Mr. FLETCHER, from the Committee on Commerce, to which was referred the bill (S. 6540) to repeal section 4411, Revised Statutes, reported it without amendment and submitted a report (No. 643) thereon.

Mr. KENYON, from the Committee on the District of Columbia, to which was referred the joint resolution (H. J. Res. 91) authorizing and directing the Department of Labor to make an inquiry into the cost of living in the District of Columbia and to report thereon to Congress as early as practicable, reported it without amendment.

Mr. RANSDELL, from the Committee on Public Lands, to which was referred the bill (H. R. 540) for the relief of settlers within the limits of the grant to the New Orleans, Baton Rouge & Vicksburg Railroad Co., reported it with an amendment and submitted a report (No. 644) thereon.

Mr. DU PONT. I am directed by the Committee on Military Affairs, to which was referred the bill (S. 3650) to convert the premises connected with Fort Johnston, in the town of Southport, N. C., into a public park, to submit an adverse report (No. 645) thereon, and I ask that the bill be postponed indefinitely.

The VICE PRESIDENT. The bill will be postponed indefinitely.

Mr. SHEPPARD, from the Committee on Commerce, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

H. R. 16097. An act to extend the time for constructing a bridge across the Missouri River near Kansas City, Mo., authorized by an act approved June 17, 1914 (Rept. No. 647);

H. R. 16287. An act granting the consent of Congress to the county of Sumter, or to the county of Dooly, both of the State of Georgia, acting jointly or separately, and their successors and assigns, to construct a bridge across the Flint River (Rept. No. 648); and

H. R. 16641. An act granting the consent of Congress to Julian B. McCurry, A. G. McCurry, P. W. Walton, and J. J. Fretwell to construct a bridge across the Savannah River (Rept. No. 649).

HEIRS OF ALBERT SIDNEY JOHNSTON.

Mr. BECKHAM. From the Committee on Claims I report back favorably without amendment the bill (S. 5441) for the relief of the heirs of Albert Sidney Johnston, and I submit a report (No. 600) thereon.

Mr. WORKS. I ask for the present consideration of the bill just reported by the Senator from Kentucky.

There being no objection, the bill was considered as in Committee of the Whole. It authorizes the Secretary of the Treasury to pay to the heirs of the late Albert Sidney Johnston, out of any money in the Treasury not otherwise appropriated, all arrears of pay and allowances for services rendered by him in the United States Army that would be due and payable if it were not for certain charges standing against him on the books of the Treasury Department, and to ignore all the said charges in making a settlement in the case.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

STEAMSHIP "AROLINE."

Mr. JONES. From the Committee on Commerce I report back favorably without amendment the bill (S. 6375) to authorize the changing of the name of the steamship *Aroline*, and I submit a report (No. 599) thereon. This is a very important bill,

which simply provides for the changing of the name of a steamship, and I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read as follows:

Be it enacted, etc., That the Commissioner of Navigation is hereby authorized and directed, upon the application of the owner, the Pacific Alaska Navigation Co., of Portland, Me., to change the name of the steamship *Aroline*, official number 211426.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BLACK RIVER BRIDGE, ARKANSAS.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 16068) to authorize the construction, maintenance, and operation of a bridge across the Black River at or near Bennetts Ferry, Ark., and I submit a report (No. 646) thereon and ask unanimous consent for the present consideration of the bill.

The VICE PRESIDENT. The Senator from Texas asks unanimous consent for the present consideration of the bill just reported by him.

Mr. TOWNSEND. Mr. President, I ask for the regular order.

The VICE PRESIDENT. Objection is made.

Mr. CLARKE of Arkansas. Mr. President, before we pass from this matter, let me ask the Senator from Michigan to withdraw his objection to the consideration of the bill. The bridge referred to is a county bridge; the court meets at that place during this month, and unless the bridge is authorized during the month, the matter may have to go over for a year. It will take but half a minute to pass the bill.

Mr. TOWNSEND. Mr. President, I understand that. The argument is made on every occasion when any Senator has a special bill that something special applies to it; and I understand the importance of it. I also understand that we should take up the calendar during the morning hour.

Mr. CLARKE of Arkansas. This is a public matter. It is not a private matter at all.

Mr. TOWNSEND. I realize that all of these bills are public matters. I should be glad to accommodate the Senator were it not that I have given notice that I would refuse to accede to such requests from other Senators who have appealed to me.

Mr. CLARKE of Arkansas. The Senator from Michigan ought not to make any such reckless and unreasonable contracts with himself.

The VICE PRESIDENT. The bill will be placed on the calendar.

BRIDGE BILLS.

Mr. SHEPPARD. Mr. President, I ask unanimous consent to withdraw from the calendar the bridge bills which I reported this morning and certain other bridge bills which have heretofore been reported and placed upon the calendar.

The VICE PRESIDENT. The Senator from Texas asks unanimous consent to withdraw from the calendar the bridge bills reported by him this morning——

Mr. SHEPPARD. And certain other bridge bills which I reported the other day and which went to the calendar.

The VICE PRESIDENT. Does the Senator desire to withdraw all bridge bills from the calendar?

Mr. SHEPPARD. Yes.

Mr. SMOOT. Mr. President, I have no objection at all to the passage of bridge bills, but it does seem to me if we are going to allow bills which are reported to the Senate to be at once considered and never reach the calendar the bills that are upon the calendar will never be passed. If, however, we allow every bill which is reported to go to the calendar there will soon be enough bills on it to interest Senators, and we can then have the calendar taken up for consideration. It seems to me that that is about the only way that we can secure the consideration of the calendar.

The VICE PRESIDENT. Is there objection to the request of the Senator from Texas?

Mr. SMOOT. I object.

The VICE PRESIDENT. Objection is made.

FLINT RIVER BRIDGE, GEORGIA.

Mr. HARDWICK subsequently said: I desire to ask unanimous consent for the present consideration of the bill (H. R. 16287) granting the consent of Congress to the county of Sumter, or to the county of Dooly, both of the State of Georgia, acting jointly or separately, and their successors and assigns, to construct a bridge across the Flint River, reported to-day from the Committee on Commerce by the Senator from Texas [Mr. SHEPPARD].

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SAVANNAH RIVER BRIDGE.

Mr. HARDWICK. I ask unanimous consent for the present consideration of the bill (H. R. 16641) granting the consent of Congress to Julian B. McCurry, A. G. McCurry, P. W. Walton, and J. J. Fretwell to construct a bridge across the Savannah River, reported to-day from the Committee on Commerce by the Senator from Texas [Mr. SHEPPARD].

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NELSON:

A bill (S. 6579) conferring jurisdiction on the Court of Claims to hear, determine, and render judgment in claims of the Chippewa Indians and the several bands or tribes thereof in the State of Minnesota against the United States; to the Committee on Indian Affairs.

By Mr. STERLING:

A bill (S. 6580) granting an increase of pension to Fred A. Lyon (with accompanying papers); and

A bill (S. 6581) granting an increase of pension to George W. Ward; to the Committee on Pensions.

By Mr. BROUSSARD:

A bill (S. 6582) granting an increase of pension to Caroline E. Pratt; to the Committee on Pensions.

By Mr. LODGE:

A bill (S. 6583) to enable the Secretary of War to pay the amount awarded to the Malambo fire claimants by the joint commission under article 6 of the treaty of November 18, 1903, between the United States and Panama; to the Committee on Foreign Relations.

By Mr. SHAFROTH:

A bill (S. 6584) for the relief of Ella S. Denison, executrix of the estate of Dr. Charles Denison, deceased; to the Committee on Claims.

By Mr. SHEPPARD:

A bill (S. 6585) authorizing the Secretary of Labor to investigate and report on mortality and disability in wage-earning occupations; to the Committee on Education and Labor.

By Mr. PHELAN:

A joint resolution (S. J. Res. 149) authorizing and directing the Interstate Commerce Commission to ascertain the cost to the Southern Pacific Co. and the amounts expended by it, at the request of President Roosevelt, and under stress of great emergency, in closing and controlling the break in the Colorado River and preventing the overflow and destruction of the Imperial Valley in southern California, as well as saving to the Government the Laguna Dam and the irrigation project connected therewith in Arizona; to the Committee on Claims.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. CATRON submitted an amendment providing that vacancies now existing in the line and staff of the departments of the Marine Corps thus created below the grade of brigadier general, etc., shall be filled respectively first by promotion, by seniority, and then by selection and appointment as now provided by law, etc., intended to be proposed by him to the naval appropriation bill (H. R. 15947), which was referred to the Committee on Naval Affairs and ordered to be printed.

Mr. PITTMAN submitted an amendment providing that each and every employee of the navy yards, gun factories, naval stations, and arsenals of the United States Government is hereby granted 30 days' leave of absence each year without forfeiture of pay during such leave, intended to be proposed by him to the naval appropriation bill (H. R. 15947), which was ordered to lie on the table and be printed.

Mr. DU PONT submitted an amendment providing that hereafter the Chief of Engineers shall have the rank, pay, and allowances of a major general, intended to be proposed by him to the Army appropriation bill (H. R. 16460), which was ordered to lie on the table and be printed.

Mr. SHEPPARD submitted an amendment providing that Port Arthur, Freeport, Port Aransas, Corpus Christi, and Rockport, in the State of Texas, be included in the specific plans for improvement of the harbors and connecting channels, etc., intended to be proposed by him to the naval appropriation bill (H. R. 15947), which was referred to the Committee on Naval Affairs and ordered to be printed.

THE LIGHTHOUSE SERVICE.

Mr. BROUSSARD submitted an amendment intended to be proposed by him to the bill (H. R. 14338) to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes, which was referred to the Committee on Commerce and ordered to be printed.

COLUMBIA RIVER POWER PROJECT.

Mr. CHAMBERLAIN. Mr. President, I desire to have printed as a public document the investigations made jointly by the State of Oregon and the United States Department of the Interior, Reclamation Service, with reference to the Columbia River power project and incidentally a discussion of the nitrate possibilities there. I ask to have the matter referred to the Committee on Printing, with a view to it being printed as a public document.

The VICE PRESIDENT. Without objection, that action will be taken.

VOLUNTEER OFFICERS' RETIRED LIST.

The VICE PRESIDENT. Morning business is closed.

Mr. GORE. Mr. President, I ask that the unfinished business be laid before the Senate.

Mr. TOWNSEND. Mr. President, will the Senator from Oklahoma yield to me to submit a request for unanimous consent?

Mr. GORE. I yield for that purpose.

Mr. TOWNSEND. Mr. President, I imagine that my position in objecting to requests for unanimous consent for the consideration of bills on the calendar and bills reported but not on the calendar is considered ungracious by my brother Senators. It is not a pleasant position for me to occupy. I have felt, however, that this was the course to pursue, in order that a certain bill which was reported out of the Committee on Military Affairs several years ago and has been reported to every Congress since and to which I believe a majority of Senators are favorable should receive consideration at the hands of this body. I have never been able to get it up except during the very last days of the last session, when it passed, but too late to be considered by the House. I refer to the volunteer officers' retirement bill, S. 392.

I do not want to force discussion, which would interfere with the consideration of other pressing matters; I do not think there would be much discussion; but I would like to have a day fixed when we can have a vote on this measure. I can assure the Senate that I will not occupy 15 minutes' time in discussing it, and I am willing to fix a proper time to allow for any discussion in opposition to it. I ask unanimous consent, Mr. President, that a day be fixed for voting on this measure, and that it be two weeks from to-day; that the bill be taken up at 2 o'clock and that a vote on the bill and all amendments be had not later than 4 o'clock of that day.

The VICE PRESIDENT. The Secretary will call the roll.

Mr. SMITH of Georgia. Mr. President, I think that is a waste of time. There will certainly be objection.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gallinger	Newlands	Smoot
Bankhead	Gore	Norris	Sterling
Beckham	Gronna	Overman	Stone
Brady	Harding	Page	Sutherland
Brandegee	Hardwick	Phelan	Swanson
Broussard	Husting	Pittman	Taggart
Bryan	James	Poindexter	Thomas
Catron	Johnson, Me.	Pomerene	Thompson
Chamberlain	Jones	Ransdell	Townsend
Chilton	Kenyon	Reed	Underwood
Clapp	La Follette	Shafroth	Vardaman
Clarke, Ark.	Lane	Sheppard	Wadsworth
Culberson	Lippitt	Sherman	Warren
Cummins	Lodge	Shields	Williams
Curtis	McCumber	Simmons	Works
Dillingham	McLean	Smith, Ariz.	
du Pont	Martine, N. J.	Smith, Ga.	
Fletcher	Nelson	Smith, S. C.	

Mr. SWANSON. I desire to announce that my colleague [Mr. MARTIN of Virginia] has been detained from the Senate yesterday and to-day on account of illness in his family.

Mr. MARTINE of New Jersey. I rise to announce that the Senator from Maryland [Mr. SMITH] is absent on public business and is paired with the Senator from Vermont [Mr. DILLINGHAM].

The VICE PRESIDENT. Sixty-nine Senators have answered to the roll call. There is a quorum present. The Senator from Michigan submits a request for unanimous consent, which the Secretary will state.

The SECRETARY. The Senator from Michigan asks unanimous consent that at not later than 2 o'clock p. m. on Thursday, July 20, 1916, the Senate will proceed to the consideration of the bill (S. 392) to create in the War Department and the Navy Department, respectively, a roll designated as the "Civil War Volunteer officers' retired list," and so forth, and that at 4 o'clock p. m. on said day the Senate will proceed to vote upon any amendment that may be pending, any amendment that may be offered, and upon the bill itself, through the regular parliamentary stages, to its final disposition.

The VICE PRESIDENT. Is there any objection?

Mr. BRYAN. I object, Mr. President.

AGRICULTURAL DEPARTMENT APPROPRIATIONS.

Mr. GORE. I move that the Senate proceed to the consideration of the unfinished business.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12717) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1917, and for other purposes.

The VICE PRESIDENT. The pending amendment is the amendment of the Senator from North Dakota [Mr. GRONNA].

Mr. GORE. The author of the pending amendment is absent from the Chamber at the moment. Pending his return, I desire to move to strike out the proviso beginning on line 24, page 3, of the special print, and substitute what I send to the desk. It is in order to clarify the bill and make it more certain.

Mr. McCUMBER. What page?

Mr. GORE. Page 3 of the special print, on line 24.

The VICE PRESIDENT. Is there no way for the Senator to indicate the page and line of the regular print of the bill, which is the one on which the Secretary keeps the record?

Mr. GORE. Just a moment.

The VICE PRESIDENT. What language does it follow?

Mr. GORE. It is the second proviso of section 4. In the regular print it appears on page 103, line 2.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 103, line 2, in the grain-grading provision, it is proposed to strike out the second proviso, which, as amended, reads as follows:

Provided further, That any such grain sold or offered for sale or consigned for sale by one of the grades fixed therefor in the official grain standards may be shipped in interstate or foreign commence to or through any place at which an inspector licensed under this act is located, subject, under such rules and regulations as the Secretary of Agriculture shall prescribe, to be inspected at the place to which shipped, or at the place through which shipped for inspection, and subject further to the right of appeal from such inspection, as provided in section 6 of this act.

And in lieu thereof to insert the following words:

Provided further, That any such grain sold, offered for sale, or consigned for sale by grade may be shipped or delivered for shipment in interstate or foreign commerce without inspection at point of shipment by an inspector licensed under this act when shipped from a place at which no such licensed inspector is located to or through any place at which an inspector licensed under this act is located, subject to be inspected by a licensed inspector at the place to which shipped, or at some convenient point through which shipped for inspection, under such rules and regulations as the Secretary of Agriculture shall prescribe, and subject further to the right of appeal from such inspection as provided in section 6 of this act.

Mr. NELSON. Mr. President, I will inquire where that amendment comes in?

The SECRETARY. On page 103 it is proposed to strike out the proviso beginning on line 2 and going down to and including the word "act," on line 11, and to insert the matter just read.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The VICE PRESIDENT. The question recurs on the amendment of the Senator from North Dakota [Mr. GRONNA].

Mr. McCUMBER. Mr. President, before the question is put, I desire to say that it seems to me that the amendment, as I understand it, ought not to be adopted; that in effect it entirely does away with the real purpose of the bill, and that is to substitute Federal grades at the great terminals for the grades now in vogue, either by law or by the action of boards of trade or chambers of commerce. This would leave the Federal grades to apply only in States where no grades have been as yet provided for.

The VICE PRESIDENT. May the Chair inquire to what amendment the Senator is now addressing himself?

Mr. McCUMBER. The amendment offered by my colleague, the junior Senator from North Dakota. I should like to have the amendment read again.

The VICE PRESIDENT. The Secretary will state the amendment.

The SECRETARY. It is proposed to add in the bill a new section, on page 108, after section 12, as follows:

SEC. 13. That the provisions of this act shall not infringe upon or supersede the provisions of the laws of States in which State grain inspection has been or may hereafter be established by law or in which public warehouses are regulated by law: *Provided, however*, That the

Secretary of Agriculture is authorized to cooperate with the officials charged with the enforcement of grain inspection and warehouse regulation in such States, and through that cooperation to secure the enforcement of the provisions of this act as far as practicable and in such manner as not to conflict with the laws of such States.

Mr. GRONNA. Mr. President——

Mr. McCUMBER. I yield to my colleague.

Mr. GRONNA. I want to say to my colleague that he is mistaken in assuming that this would do away with Federal inspection where they have inspection by any grain exchange. It applies only to States where they have established grades by a State law.

Mr. McCUMBER. Mr. President, let us see just what this means. It reads:

That the provisions of this act shall not infringe upon or supersede the provisions of the laws of States in which State grain inspection has been or may hereafter be established by law or in which public warehouses are regulated by law.

There can be no possible question but that this, standing alone, continues the provisions of the State laws, because it says—

That the provisions of this act shall not infringe upon or supersede the provisions of the laws of States in which State grain inspection has been or may hereafter be established.

Now, grain inspection has been already established in the State of Minnesota, in the State of Illinois, and in a great many of the States; and having been established by law, the provisions of this act are not to infringe upon those laws nor to supersede them in any way. Therefore the old laws remain, the inspection remains, and the grades remain that are provided for by the laws of those States.

Now, let us see if the next provision modifies it.

Mr. GRONNA. My colleague made the broad statement, at the outset of his remarks, that it would apply to grades established by chambers of commerce, which, of course, it would not. It would simply apply to States where they have adopted grades by State laws, and that is all it would do. That is all it could do.

Mr. McCUMBER. In Minnesota they have grades established by State law. Now, suppose we provide for grades established by Federal law. In other words, they are Federal grades, national grades, United States grades; and they would be different from those established by the State of Minnesota. Then we would have a worse conglomeration and mixture of affairs than we have now, because now we are complaining of the lack of uniformity in the several States, and we add another element of nonuniformity by providing for a Federal grade which would be applicable in our State or in certain States, but would not be applicable in the State of Minnesota, whose grades are fixed by law.

Mr. GRONNA. Mr. President, if my colleague will pardon me, he confuses the question of grading and the question of inspection. This amendment does not apply to standardization; it simply applies to inspection.

Mr. McCUMBER. Oh, no. It says:

That the provisions of this act—

That is, all of the provisions—

shall not infringe upon or supersede the provisions of the laws of States in which State grain inspection has been or may hereafter be established by law.

If my colleague desires to provide that it shall not interfere with the inspection part, that is a different proposition; but the way it reads is this:

That the provisions of this act shall not infringe upon or supersede the provisions of the laws of States in which State grain inspection has been or may hereafter be established by law.

In other words, every State that has established a grain-inspection law will be exempt from the entire provisions of this act. That is the only construction that can be placed upon that language. I think, after reading it again, that my colleague will agree with me, and for that reason that it ought not to be adopted.

Mr. GORE. Mr. President, I merely wish to say that I hope the pending amendment will not prevail. To adopt this amendment would be about the same as saying:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following act is not an act, except in spots.

I hope it will be voted down.

Mr. NELSON. Mr. President, I have so far avoided taking up the time of the Senate in discussing the provisions of this bill. We are confronted with the most remarkable condition in this bill. Last week we spent a whole day in determining whether a matter of general legislation should be admitted into an appropriation bill; and yesterday the same question was again raised in the Senate, as to whether general legislation should be inserted in a general appropriation bill. The rule against doing so is one of the permanent rules of the Senate, intended to preserve the integrity of the business of the Senate, and intended to provide that measures of general legislation should be offered, discussed, and voted upon on their merits.

In all my experience in legislation I have never seen a bill that so violated this rule by the wholesale as does the present Agricultural appropriation bill. We have in the bill as it passed the House and came to the Senate three distinct and separate pieces of legislation. We have, first, what is known as Part A, relating to future trades in cotton. That comprises 22 sections. Then we have another part relating to the grading and inspection of grain, known as Part B. That includes a dozen sections. Then we have a warehouse bill, including the regulation and licensing of all kinds of warehouses. Here you have three distinct, comprehensive schemes of general legislation ingrafted on an appropriation bill in utter violation of the rules of the Senate. The Senate, however, because these provisions were ingrafted on the bill as it came from the House, is impotent to invoke its own rules in respect to the matter of general legislation.

Another matter that is passing strange is this: It was the doctrine of the fathers of the Republic, and so remained for many years, that the regulation and control of the business activities of the people should be, as far as possible, left to the several States. That was what might be called the old Jeffersonian doctrine. But in recent years a great change has come over the spirit of our dreams in that respect. There has been a gradual departure from the doctrine and creed of the fathers. The Federal Government has been reaching out in all directions to control the activities of the people and to manage their affairs. Everything, it seems, is now to be put under the control of the Federal Government for the purpose of getting what is called more perfect regulation. Even where the States have gone to the utmost limit in regulating and establishing business conditions in respect to important matters and have gotten them on a sane and sound basis, they are now to be destroyed and uprooted by this spirit of Federal control that is in the air.

I was much interested yesterday in listening to the discussion of my agricultural friend from Colorado [Mr. SHAFROTH] about the great things that have been accomplished in the matter of standardization of corn. For several years we have had on the Agricultural appropriation bills large appropriations—and I have the statement of my friend from North Dakota [Mr. GRONNA] on the subject—aggregating between seven and eight hundred thousand dollars, for the standardization of corn and small grain. The entire outcome of the total appropriations up to this date is a so-called standardization of corn, and when you boil down that standardization of corn you discover that after all in its essence and substance it is simply a moisture test. It takes no note of the fact that we have to raise a great variety of corn, all kinds of dent corn, red corn, black corn, white corn; and we have in the Northern States another variety of dent corn entirely different from that raised in the Southern States or in the Middle and Central States. Then, in Minnesota there is a quality of corn which some call pig corn, some Yankee corn, some 90-day corn. It is corn with a very short stalk, that will ripen in a very short time, in from 90 to 100 days.

These different varieties of corn are of such a character that they make up the quality of the corn. Aside from the moisture test, as I gathered yesterday, it related simply to whether there were any crushed kernels of corn; and if so, to what extent, and whether there was any foreign substance present. The crushed kernels of corn, as we all know, come from shelling the corn in the shelling machine. As to the foreign substance in corn, we have reached that question in the matter of grain by docking and allowing for it.

There may be a given quantity of wild buckwheat, wild oats, wild mustard, or a lot of other substances in the corn, and yet that corn may be as good as any on the market if you remove the dirt from it.

We have met that question, Mr. President, in the grading of wheat. If the wheat is good in itself, if the berry is sound and perfect, even though there may be a lot of mixture of foreign substances, like pigeon grass, wild buckwheat, wild mustard, wild oats, or anything of that kind, we simply dock and take out so much for all those foreign substances, leaving the wheat to be graded as it should be, according to its quality.

Mr. President, if we look at the wheat situation in this country, we find it to be about as I shall state. We have been raising in recent years in this country from 700,000,000 up to 900,000,000 bushels of wheat, and it is even claimed that one year we raised in the neighborhood of one thousand million bushels of wheat, in round figures. Approximately a third of

this crop is spring wheat. It varies. Sometimes it is a third; sometimes a little less. Fully two-thirds of it is winter wheat.

The winter-wheat crop is raised in nearly all of the States, except a few spring-wheat States. The great spring-wheat States in this country are the States of North Dakota, South Dakota, and Minnesota. Outside of these States a little is raised in northern Iowa, a little in northern Wisconsin, a little in Nebraska, and considerable in Montana.

It so happened last year, Mr. President, that while we had an immense crop of winter wheat and a good crop on the ground it was injured by rains at the time it was cut and while it was in the shock, and there was a great deal of damp and moist winter wheat. The millers got that wheat. It came from the Southwest.

This demand for an inspection department, this hue and cry, has come mainly from the millers of this country. From the inception the idea of Federal inspection came here from the Agricultural Department. It was inspired. These departments are so constituted—and the agricultural appropriation bill is an illustration of it—that they are reaching out in all directions from stump pulling to bug killing. Every head of a bureau desires to absorb as many activities as possible. He wants ample room; he wants to be at the head of a division; he wants to have a good many clerks and subordinates, a large force, under him, and, of course, to justify an ample appropriation he must invent new schemes, new activities, whatever they may be, that will give life and permanence to his branch of the public service.

In the State of Minnesota, one of the great wheat States of the Union, we have had a State grain inspection ever since 1885. Prior to that time our grain inspection was carried on by representatives of the chambers of commerce and boards of trade. They represented the buyers of the country; they represented the men who bought the wheat; and, of course, their interest was necessarily—I do not mean to use the term in an odious sense—adverse to the interest of the farmer.

Our farmers became restless under that system. They insisted that the State should intervene and take charge of the grain-inspection system, in order to have a body of men, separate and distinct, as umpires between the buyer and the seller of grain. We have perfected that system in Minnesota, until to-day the farmers of the State are entirely satisfied with the system. I have not had a complaint from a single farmer in the State. The clamor and the demand come from a certain class of our millers in that State, and I will tell you why it comes.

The hard wheat in Minnesota is sold all over the country. It brings a high price, and the flour made from it is claimed to be the best in the country. But these millers have found in recent years that it will be very profitable to get other varieties of wheat, to get a certain species of winter wheat from the Southwest, especially Turkey red and other varieties which they could get at a cheaper figure, and mix with the hard wheat of Minnesota, and still sell that flour as good flour made from Minnesota hard wheat. Last year, when the millers got this wheat from the Southwest and from the winter-wheat States, because of the fact that much of it had been injured by rains in the shock or in the stack, some of it was a little sprouted, some of it had a malty taste, and so when they came to mix it with the hard wheat they were somewhat disappointed.

So for the first time in our State this present year a demand has come from the millers for Federal inspection. Our Minnesota system, it is conceded, I think, is unquestionably the best, and the State of Missouri has a system analogous to the Minnesota system, which is, I think, almost as good.

Now, I wish to call the attention of the Senate to what Mr. Duvel, the author, I think, of this legislation and the great promoter of it, said. He appears to have been as active about it as some gentlemen were about the Army bill when that measure was pending.

I will give a little bit of my experience, Mr. President. One day I appeared before the Committee on Agriculture to oppose this bill and to call attention to some of its defects. The representative of the Agricultural Department sat across the table from me and looked innocent enough, but on the following morning, after I had made that little appearance before the Agricultural Committee, I received a shower of telegrams, and I found that Members on the other side of the Chamber had received a shower of telegrams. It was a good deal like the shower we had a while ago in connection with the German propaganda, with its headquarters in Chicago, from the society that was in favor of an embargo. Senators will remember that for forty-eight hours both Houses of Congress were flooded with such telegrams. So here in this matter this agitation for Federal inspection has gone on, and my innocent appearance for a few moments before the Agricultural Committee was the occasion for sending in a multitude of telegrams from all over the country.

We have two classes of agricultural societies. We have one class of agricultural societies consisting of real farmers, agriculturists. Those have not appeared in this case or demanded this legislation. We have a few agricultural societies that are quasi political bodies. Their managers and leaders are, as a rule, a set of political agitators, and they assume to themselves to claim something for the farmers that the real farmers have never insisted upon.

In reference to the Minnesota inspection, I wish to quote from the hearings on a similar bill before the House committee on January 13, 1916. Mr. Duvel, of the Agricultural Department, is, as I have said, probably the author of this grain-inspection bill, and when interrogated he made this reply:

> Mr. DUVEL. Mr. Chairman, I shall be glad to answer that in the affirmative; I shall be glad to go still further and say that the Minnesota inspection department is as good a system, and in establishing grades for smaller grains, and spring wheat particularly, we would undoubtedly want to confer and cooperate with that department before fixing those standards. We think they have got a good system—just as good as any other State—for handling spring wheat.

And, Mr. President, it is this system which is attempted to be broken up by this legislation.

Here is another evil in connection with it that will seriously affect the farmers who ship their grain by the carload. We have in connection with our grain-inspection system in Minnesota what we call a weighing department. Under our law a farmer in the interior, instead of sending his grain into a warehouse or elevator, where he has to pay charges, can requisition a car from the railroad company, have it put on the siding, load up the car, and ship it to the terminal point, to his commission merchant. When that carload of grain reaches the terminal station it is not only inspected by a State inspector, but a representative of the grain commission weighs that car and gives the farmer, the shipper, and the commission merchant the actual and fair weight. If you destroy the Minnesota system, the farmers will be deprived of that advantage.

Now, take it in the matter of grades. On paper it seems very easy to establish grades for wheat, but Senators who are acquainted with the wheat production of this country know that we have a great number of different kinds of wheat. Take, for instance, the matter of spring wheat. I can enumerate a dozen different varieties that have to be classified and graded entirely differently in order to do justice both to the buyer and to the seller. The same is true in reference to winter wheat; they have different varieties. They have the red and the white winter wheat; they have the hard and the soft winter wheat; and a good deal depends on the part of the country where it is raised as to the quality and character of the grains. It is just so with our spring wheat. As you go north you will find that in the northern part of the spring-wheat belt the wheat is strongly glutinous; there is more gluten contained in the Canadian wheat than is found in that of Minnesota or of North Dakota; and there is more in the wheat of those States than in that of the States farther south. Spring wheat raised farther south, between the winter-wheat belt and the spring-wheat belt, is of a starchy, soft character, and contains, as I have said, considerably less gluten.

So, if people imagine that our Agricultural Department can establish one uniform grade of wheat throughout the country, they are utterly mistaken. There will have to be as many grades in the different localities as the quality and kind of wheat raised in those localities. It can not be accomplished in any other way.

Senators have called attention to the importance of our foreign trade. The largest proportion of our wheat is consumed in this country. We rarely export more than from one to two hundred million bushels a year. Perhaps, on account of the war and owing to our enormous crop last year, we exported upward of 300,000,000 bushels, but in normal years our exports fluctuate between 100,000,000 and 200,000,000 bushels. The bulk of the wheat is consumed in this country. With the exception of those States that have established State grading and inspection, the grading and inspection in all the other States is conducted by boards of trade and chambers of commerce; and, as you can readily see, as I stated at the outset of my remarks, they are actually the representatives of the buyers. At all these points near the Atlantic seaboard the entire inspection system is under the control of the boards of trade. Inspectors are appointed by them and are paid by them. They have no system of weighing or handling grain such as we have in the Northwest.

Coming to the imperfections of this legislation—and they are very serious—before I proceed further, Mr. President, I will say that I have here a statement giving a brief synopsis of the system of weighing, inspection, and grading of grain prevailing in Minnesota, which I ask to have inserted in the RECORD, without reading, as a part of my remarks.

The VICE PRESIDENT. Without objection, it will be so ordered.

The statement referred to is as follows:

State inspection of grain was established in Minnesota in 1885. The grain-inspection department is under the supervision of a chief inspector appointed by the railroad and warehouse commission. The department is divided into two large terminal districts, viz, Minneapolis and Duluth; but the service has also been extended to six other points in the State. Inspectors are appointed only after the most thorough examination. All new appointees are placed in subordinate positions and are promoted as vacancies occur and as their skill justifies. In addition to the grain-inspection department, there are two boards of appeals—one for Minneapolis and one for Duluth—each with three members appointed by the governor of the State. The duties of these boards are to make the official Minnesota grades each year under which the grain-inspection department must grade the grain and to consider grading decisions that are appealed from the State inspection department.

Formerly all inspections were made at the doors of the cars as they came to the Minneapolis yards. Owing to variations in light, weather, temperature, etc., the inspectors were unable to work at maximum efficiency, and indoor or office inspection was long ago substituted for car-door inspection. Under the present system samples are taken from all cars by a trained body of samplers. Some of these samples are taken from the cars as they enter the Minneapolis yards; others are taken at points a considerable distance from Minneapolis and are sent ahead of the freight trains in passenger trains. All samples of cars destined for Minneapolis are taken to the offices of the State inspection department, where the actual inspection takes place. In this way the grades on a large part of the grain are determined before the actual grain reaches the terminal market.

Samples are taken by securing small quantities of grain from different parts of the car. A tubular brass probe, which ordinarily reaches to the bottom of the car, is used for this purpose. This probe has separate chambers extending its full length. These chambers are closed when the sampler thrusts it perpendicularly through the grain to the bottom of the car; they are then opened, allowing them to fill. When the probe is removed the grain is spread out on a cloth, and by making a number of such probings in different parts of the car the sampler can tell whether the car is "set up" or "plugged"; i. e., whether dirt or screenings or any other foreign substances have been placed in the bottom or in any part of the car. The number of such "set-up" cars approximated 1½ per cent of total cars inspected for the crop year 1911–12. Besides fixing the grade, the State inspection department also determines the "dockage," i. e., the amount of dirt and foul seed in each car of wheat, rye, and flax. This is done by sifting out the dirt and weighing it, and the dockage is expressed as a certain number of pounds in a bushel.

When the shipper or any other person interested in a car of grain is dissatisfied with the grade or dockage as fixed by the State inspection department he may call for a reinspection, which is also performed by the same department. If still dissatisfied, he may appeal the case to the board of appeals mentioned above. Both of these rights are exercised very frequently. Out of 232,512 cars inspected at Minneapolis during the year ending August 31, 1913, reinspection was called on 61,205, or 26.3 per cent of the total. The results of such reinspections and appeals appear in the statement following.

Reinspections.

	Number of cars.	Per cent of total.
Original grade sustained	38,914	63.6
Original grade raised	14,476	23.7
Original grade lowered	3,888	6.3
Original dockage changed	3,927	6.4
Total reinspected	61,205	100.0

Of the 61,205 cars reinspected at Minneapolis there were 46,665, or 76.2 per cent, appealed. The results of appeal were as follows:

Appeals.

	Number of cars.	Per cent of total.
Decision sustained	36,780	78.8
Decision raised	7,792	16.7
Decision lowered	768	1.7
Dockage changed	1,325	2.8
Total appealed	46,665	100.0

Mr. NELSON. Mr. President, the great imperfection of this provision is that it authorizes the Agricultural Department to fix standards and grades of small grains—wheat, oats, barley, flax, corn, and all those. While it provides for the fixing of arbitrary standards, it makes no provision, as I shall point out, for having those standards enforced by what I call direct Federal authority.

Here is another difficulty which will be found: In Minnesota most of the spring wheat has either been handled at Duluth or at Minneapolis; that is, most of the crop that has not been ground at Minneapolis or at other mills in the State. Owing to climatic conditions, as to whether we had a dry or a rainy season, our board of grain inspection had to meet every year at the beginning of the season, examine the grain that was raised in the State, and make the grades and standards to fit the crop of that year. It was found by experience—and the Agricultural Department will find it so under this provision—that it is necessary year by year to establish a change of grades throughout the country.

The great defect of this provision, however, is that while it allows the department to make these grades—and I do not see how they can make them except practically to adopt the grades which have been adopted in the most progressive States in the Union—no method is provided by which this inspection can be carried on. The bill does not provide for Federal inspectors. An amendment has been placed in the bill—and it is a very good amendment so far as it goes—which has done more to reconcile me to the provision than any other amendment which is in the bill, authorizing the Agricultural Department to designate the grain inspectors of a State which has a State inspection system to inspect the grain; in other words, it leaves it so that while the Federal Government establishes the standard, State inspectors, who are paid by the State, will be the men who inspect the grain and see that it complies with the Federal standard; but in States where they have no such system the matter is left in the air.

Along the entire eastern seaboard, where there is no State system—and all the Federal Government proposes to do by this plan is to license inspectors—what will be the result? The result will be that the representatives of the Boards of Trade of New York, of Boston, of Philadelphia, of Baltimore, of New Orleans, of Norfolk, and of other shipping points will apply, and no one else will apply, to the Agricultural Department to appoint men who they claim are expert inspectors.

The bill makes no provision for the pay of these inspectors. Whatever inspectors are licensed under this proposed legislation in cases where States have a State system will undoubtedly be paid by the States; but in all other cases, if the inspectors are paid at all they will have to be paid by the representatives or by the members of the chambers of commerce and the boards of trade of the different cities.

So under this system, Mr. President, however good the intentions of the Agricultural Department may be, they will be jumping from the frying pan into the fire that we had in Minnesota before we got State inspection. Prior to 1885 our grain inspection was carried on by the representatives of the chambers of commerce and boards of trade, and our farmers were at their mercy. Those bodies represented the buyers; the men who dealt in grain; they represented the millers.

With the exception of the States that have a State system, you will remit all the rest of the country, under the provisions of this bill, to exactly such an obsolete system as we had in Minnesota prior to the enactment of our State system; in other words, you leave these inspectors to be merely representatives of the boards of trade. Who else is going to pay them? The bill makes no provision for paying any of these inspectors, and you will not find men engaged in the work of inspecting and grading grain and seeing that it conforms to the Federal standards who will be willing to serve without pay. Where we have a State system the States now, under the amendment which the Senator from Oklahoma [Mr. GORE] has introduced, will have to pay for this grading; but in all other cases there is no provision for paying the inspectors. If inspectors are desired somebody will have to pay them, and I can not conceive of anybody else who will pay them except the boards of trade that now control the inspection.

Mr. SHAFROTH. Mr. President——

Mr. NELSON. I yield to the Senator from Colorado.

Mr. SHAFROTH. If the Senator will yield to me, I desire to ask, is it not a fact that the inspectors now at New York, Boston, Philadelphia, and Baltimore are paid so much a bushel for inspection, and that that really comes out of the person who is selling the wheat; that it goes to make up a part of the purchase price? Is not that the way in which these expenses are paid in those places, and in every other place?

Mr. NELSON. They may charge a fee for it, but, after all, the men who are appointed and who are acting as inspectors represent the boards of trade, and the expenses that they have to pay come out of the farmer, the man who sells the wheat.

Mr. SHAFROTH. Yes.

Mr. NELSON. But I want to tell the Senator that a great deal of the spring wheat—the Canadian spring wheat and the Duluth hard wheat—is shipped to Europe, not on the inspection of the boards of trade of the seaboard, but on the Manitoba inspection and on the Minnesota inspection.

Mr. SHAFROTH. I have no doubt that the Minnesota inspection is a very good one; and it is said that the inspection of the Canadian grains is the one most favored of any in the European markets. I want to ask the Senator this question: He believes that the Minnesota law was a great improvement over the conditions that existed in that State previous to the time of the enactment of that law, does he not?

Mr. NELSON. It was a great improvement over previous conditions. We had no law on the subject before that time.

Mr. SHAFROTH. Well, an improvement over the conditions that prevailed there of inspection by boards of trade, as the Senator has described?

Mr. NELSON. Yes.

Mr. SHAFROTH. Was there not a good deal of opposition to the passage of the Minnesota grain-grading law?

Mr. NELSON. The farmers were enthusiastically in favor of it; but the millers and the men operating the boards of exchange and the boards of trade, of course, were opposed to it.

Mr. SHAFROTH. Yes.

Mr. NELSON. And here I want to call the attention of the Senator to the fact that under this bill the system along the seaboard will be exactly like the system we had in Minnesota before we had any law, with only this difference, that the Agricultural Department makes a standard. It prescribes the standard to which the wheat, the oats, and the barley shall conform, No. 1, No. 2, and so forth; but when it comes to passing upon the question of whether the grain actually conforms to that standard, that is a matter which is left to the judgment of the inspector, whoever he may be; and that inspector in the seaboard States and in all the States which have no State inspection will be the representatives of the boards of trade and of the chambers of commerce.

Mr. SHAFROTH. But the right of appeal exists in the event that the grading is not satisfactory.

Mr. NELSON. Well, how can the right of appeal be made effective under this provision? Now, let me call the attention of the Senator from Colorado to the Minnesota law. Under the provisions of that law, after a carload of wheat has been graded and inspected, the shipper or the buyer can call for a reinspection, and he can have that reinspection right then and there on the spot before the car is unloaded. Then we have a board of grain appeals, independent of the grain-inspection service, consisting of two sections, three men in each section, one at Duluth and one at Minneapolis. If the shipper or the purchaser is dissatisfied with the reinspection, he can immediately take the question before the board of grain appeals and have it adjudicated that very same day on the spot and before the car is unloaded. I do not see how such a thing will be possible under the Federal system proposed by this bill.

Mr. SHAFROTH. Well, if the State inspectors are given a license by the Federal Government, can they not do identically the same thing?

Mr. NELSON. No. They can not act as a board of appeal. Such a board is not provided for. In the first place, there is no provision here like that in our Minnesota law for a reinspection, and there is no provision for an appeal except to the Secretary of Agriculture. That is all that is provided for. In order to make the law as efficacious in that respect as is the Minnesota law, it would be necessary to have a multitude of men representing the Secretary of Agriculture at such places as Minneapolis and Duluth, on the spot, ready to hear and pass upon appeals before the car is unloaded.

Let me explain to the Senator that grain is not like any other product. If a carload of wheat has just come to the mill, it can be inspected on the track, and the shipper or purchaser can have a reinspection immediately on the track if he asks for it. If there is an appeal made from that inspection, it is essential that there should be an adjudication of the question immediately before the car is unloaded, before the grain is mixed in an elevator or a mill with other grain.

Mr. SHAFROTH. Mr. President, does not the Senator recognize that under this appropriation of $250,000 there will be inspectors of the Federal Government, or supervisors, at Minneapolis, at Duluth, and at the other 35 points from which grain is exported out of the country?

Mr. NELSON. There is no provision to that effect in the bill; there is only provision for an appeal to the Secretary of Agriculture. It does not provide that there shall be a representative of the Agricultural Department at each of these points where an appeal would necessarily be made.

Mr. SHAFROTH. The department could not dispose of the $250,000 unless they proceeded to some extent along that line.

Mr. NELSON. The $250,000 will be absorbed by the office here. It will be absorbed like the $700,000, which was appropriated for moisture tests as affecting corn. Two hundred and fifty thousand dollars would not go a great way in the direction indicated by the Senator.

As I have said, while this bill purports to allow the Secretary of Agriculture to fix grades, it is utterly defective and will prove a great impediment to the grain trade. In my opinion before it has been in existence very long, it will be found that the very men who are now advocating the passage of the bill will be the most disappointed men in the world. For illustration, take the second proviso in section 4, on page 103:

And provided further, That any such grain sold or offered for sale by any of the grades fixed therefor in the official grain standards may, upon compliance with the rules and regulations prescribed by the Secretary of Agriculture, be shipped without inspection from a place at which there is no inspector licensed under this act to a place at which there is no such inspector, subject to the right of either party to refer any dispute as to the grade of the grain to the Secretary of Agriculture, who may determine and certify the true grade thereof.

Here is the great difficulty: My friend from North Dakota [Mr. GRONNA], who is a practical farmer and raises a good deal of grain, ships a half dozen carloads of grain thrashed on his farm at Lakota, where there is no inspection. He sends that grain to a mill in the interior of Minnesota where there is no inspection and sells it there. When he contracts for the sale of that wheat he says: "I will send you so many bushels of No. 1 northern wheat." He sells his wheat, not by sample; he sells it by grade. When it comes to the mill the miller says, "This is not No. 1 northern; I can not accept it." There is a dispute, and that dispute must be settled by the Secretary of Agriculture. Where is the representative of the Agricultural Department at that interior mill, and where will you find such a representative on the spot? The wheat is there on the siding at the mill; a dispute arises in respect to it; and where is Uncle Sam visible to settle that dispute on appeal?

Mr. SHAFROTH. Mr. President, I should like to ask the Senator whether he believes that Uncle Sam ought to have an inspector at every place in the United States where there is an elevator?

Mr. NELSON. Then you ought to leave it to the man who ships his own grain and not interfere with him. In North Dakota, for instance, they have no State system——

Mr. REED. Mr. President——

The PRESIDING OFFICER (Mr. POMERENE in the chair). Does the Senator from Minnesota yield to the Senator from Missouri?

Mr. NELSON. I yield to the Senator.

Mr. REED. I do not like to see that point passed in that way. The Senator from Colorado [Mr. SHAFROTH] insists that this bill is properly drawn. The Senator from Minnesota [Mr. NELSON] has stated a case and has asked how the grain could be inspected and the dispute settled under this bill. The Senator from Colorado, instead of answering the question, replied: "Do you want a representative of Uncle Sam at every place?" That is not an answer.

A farmer to-day has the right to ship his grain from one point to another, and in case a dispute arises to have recourse to the ordinary legal methods to settle that dispute. If you are going to take away from him that right, then you must substitute for it some other means of redress.

I should like to have somebody tell me what is going to happen to the farmer the Senator referred to in his illustration if he has five or six carloads of grain on the track when there is no inspector there and a dispute arises? Is he to try that dispute before a court consisting of the Secretary of Agriculture, who is 2,000 miles away in Washington? And, in the meantime, what is to become of the grain?

That is a practical question; it is not necessarily fatal to this bill; but it certainly ought to be properly answered, or else the bill ought to be amended.

Mr. McCUMBER and Mr. SHAFROTH addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Minnesota yield, and to whom?

Mr. NELSON. I yield first to the Senator from North Dakota, and then I will yield to the Senator from Colorado.

Mr. McCUMBER. I was going to ask the Senator what provision there is now for any appeal. Suppose the Senator from North Dakota should ship a carload of grain to Austin, Minn. There is no inspector there. If he sends a carload of grain there and there is a dispute, they have to settle it in some way. There is no Minnesota inspector at Austin to look after that.

Mr. NELSON. Oh, yes, there is. It is inspected in Minneapolis.

Mr. McCUMBER. But I was saying, suppose you do not ship it through Minneapolis at all?

Mr. NELSON. It goes through Minneapolis, and it is inspected there.

Mr. McCUMBER. Not everything has to go through Minneapolis in order to get to other places in Minnesota.

Mr. NELSON. Oh, no. Some goes through Duluth.

Mr. McCUMBER. The Senator, however, has answered the question properly when he says that practically all of the grain goes to these great central places, and can be weighed and examined and graded there. I agree with the Senator from Minnesota that there is the place where the grading should be done, and we should not interfere or require the grading to be

done at any of these other places. If it is done there and an appeal taken—and I have an amendment prepared along that line—it is taken under the provisions of the laws of Minnesota, if it is in Minneapolis, as has been indicated by the Senator himself, and this ought to be so amended that the provision for the appeal is perfected. It could not be put into effect the way the bill is drawn. But if you allow the Minnesota machinery to go on and handle the grain—and I am not objecting to it—with a Federal standard, then you utilize the Minnesota law for appeal.

Mr. NELSON. That is exactly what I contend for—that if you want to make this legislation useful and effective for the farmers, the grain buyers, and the millers in our State, in addition to the establishment of the Federal grades and the inspection of the grain by the State inspectors licensed by the Federal Government, and to that extent quasi Federal officials, you should provide, as the Minnesota law does, two things in order to make the system of advantage. In the first place, you should provide for a reinspection. That is very valuable.

I want to read here, in that connection, from a statement which gives a list of the number of cars that reached Minneapolis:

Out of 232,512 cars inspected at Minneapolis during the year ending August 31, 1913, reinspection was called on 61,205, or 26.3 per cent of the total. The results of such reinspections and appeals appear in the following statement.

This will be published in my remarks. I have already asked to have it inserted. This is where reinspection was had:

Original grade sustained, 63.6 per cent.
Original grade raised, 23.7 per cent.
Original grade lowered, 6.3 per cent.

There you can see the value of the reinspection provided for.

Mr. McCUMBER. How many reinspections were there?

Mr. NELSON. Reinspection was called for in the case of 61,205 cars, and out of those, on reinspection, 23.7 per cent were raised. That was the first step. Now I want to call attention to the next step.

Mr. McCUMBER. I want to say to the Senator right here that I agree with him as to the impossibility of the Secretary of Agriculture acting on 61,000 cases that arise from Minneapolis alone; and every reinspection is in effect an appeal from the decision.

Mr. NELSON. Of course.

Mr. McCUMBER. Therefore it is an impossibility, as I said yesterday. Forty secretaries and all of their force could never take care of the inspections and reinspections provided for in this bill.

Mr. GRONNA. Mr. President——

Mr. NELSON. Why, Dr. Duvel, Mr. President, could take his entire force in the Department of Agriculture here, march them out to Minneapolis, establish his headquarters there, and his force would not have the ability to reinspect these cars where they ask for reinspection.

This is not all——

Mr. GRONNA. Mr. President——

Mr. NELSON. I stated that I would yield to the Senator from Colorado. I am sorry I did not do so before. I intended to yield to that Senator.

Mr. SHAFROTH. Mr. President, the answer that was made by the Senator from North Dakota covered practically what I was going to say. For that reason I did not care to answer the statement made by the Senator from Missouri.

Mr. NELSON. I did not want the Senator to understand that I was discourteous.

Mr. SHAFROTH. No; I did not so take it.

Mr. GRONNA. Mr. President——

Mr. NELSON. I yield to the Senator from North Dakota.

Mr. GRONNA. I certainly do not wish to be discourteous to my own colleague, but I can tell the Senator from North Dakota how the business is being transacted now in the case cited by the Senator from Minnesota.

If I or some one else should ship one carload or more of wheat to a mill, the shipper would take a sample and send it to the Minneapolis inspectors; the mill would take a sample and send it to the Minneapolis inspectors and the shipper would not be penalized under existing conditions as he would be under this proposed law, because it is provided that you could not unload the grain; you would be compelled to pay demurrage on that car of wheat or on that number of cars of wheat.

If the Senator will allow me further, referring to inspection, the records show that on an average, from year to year, 58 per cent of all the grain inspected is being reinspected, and the records further show that in the case of about 12 per cent of the reinspections an appeal is being taken from the inspectors to the appeal board.

It is true, as the senior Senator from Minnesota said, that it would be a physical impossibility for the Secretary of Agriculture to make this inspection unless we provide for boards of appeal at these terminals.

Mr. JOHNSON of South Dakota. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from South Dakota?

Mr. NELSON. Certainly.

Mr. JOHNSON of South Dakota. Mr. President, for one I wanted to answer the question asked the Senator from Minnesota, as to whether he thought we ought to have a grain inspector at every point. I say that ought to be done, if it is possible; and I have an amendment, which I shall offer a little later in the day, which I believe is worthy of consideration and will bring that matter about in a consistent way. I hope the chairman of the committee having this bill in charge will accept my amendment.

I am favorable to the bill as it stands, but if in any possible way I could submit something that would be an improvement on it I should be glad to do so; and I hope this body may conclude, after consideration, that this amendment gives to many farmers advantages that the bill as it now stands does not do.

Mr. NELSON. I have seen the amendment of the Senator from South Dakota, and I am favorably impressed with it.

In section 7 of this bill the Senator from Oklahoma, the chairman of the committee, offered an amendment, to which I referred a while ago, which I regard as a very wholesome amendment. The trouble is that it does not go far enough:

Provided, That in any State which has State grain inspection, or which may hereafter have department established by the laws of such State, the Secretary of Agriculture shall issue licenses to the persons duly authorized and employed to inspect and grade grain under the laws of such State.

That is a very good provision; but you ought to adopt, in connection with that, the principle of the Minnesota law providing for a reinspection; and, in addition to that, you ought to provide for an appeal to the board of grain appeals. Now, let me call attention to the operation of the board of grain appeals:

Of the 61,205 cars reinspected at Minneapolis, there were 46,665, or 76.2 per cent, appealed.

That means appealed from reinspection, mind you. Out of sixty-one thousand and some odd cars that were reinspected out of the total of 232,000 cars, in the case of forty-six thousand and some odd cars there was an appeal from the reinspection to the board of grain appeals, and what was the result? The decision on reinspection was sustained in 78.8 per cent of the cases. The grade was raised in 16.7 per cent of the cases by the board of grain appeals. On reinspection it was raised in 23.7 per cent of the cases, and on appeal in 16.7 per cent of the cases. The decision was lowered in only 1.7 per cent of the cases, and the dockage was changed in 2.8 per cent of the cases. Of course, the question of dockage is not involved in this bill.

If you want to make this system effective in the Northwest, there is no method by which the State of North Dakota can secure inspectors unless men will apply to the department for a license to inspect, and they must show their qualifications. Naturally they would be the employees of the grain companies who were buying grain at the local elevators; and inasmuch as the State has provided no compensation, the compensation of those inspectors would be paid by the elevator companies. In other words, if you had inspectors at all in North Dakota under this law, in the absence of further legislation, they would necessarily be the representatives of the grain buyers, and they would have to be paid by the grain buyers, if paid at all.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Iowa?

Mr. NELSON. I yield to the Senator.

Mr. CUMMINS. The Senator referred some time ago to an amendment which had been adopted which in his opinion bettered the bill very greatly.

Mr. NELSON. Yes. It bettered it so far as the States that have State inspection are concerned.

Mr. CUMMINS. And the Senator has been assuming since that time that in Minnesota, for instance, the inspectors licensed by the General Government would be the inspectors who are appointed under the State laws.

Mr. NELSON. The amendment so provides.

Mr. CUMMINS. I do not quite so understand it. I was wondering whether I was mistaken about it. As I read the amendment, the Federal Government is required to appoint these State inspectors, but it can appoint just as many more as it pleases.

Mr. NELSON. Certainly; the Senator is correct in that statement.

Mr. CUMMINS. And the State of Minnesota might have a very large number of inspectors who were under no obligation whatever to the State law——

Mr. NELSON. Certainly.

Mr. CUMMINS. And who would stand, therefore, in exactly the same attitude toward this business as would an inspector in the State of Iowa, for instance, that has no State inspection law?

Mr. NELSON. The Senator's statement is correct and true, that while the Government would be required to appoint the State inspectors, who are trained men, to make the inspection, there is nothing in the bill that would prohibit them from appointing a multitude of other inspectors.

Mr. McCUMBER. I will say to the Senator that there is something lacking in the bill that would prevent them; and that is an appropriation.

Mr. NELSON. Yes.

Mr. CUMMINS. Mr. President, if the Senator will allow me, that would be no prevention at all, because under the rules and regulations the Secretary might make these inspectors would be paid, as the Senator from Minnesota has pointed out, ultimately by the grain grower; and their appointment or license would be suggested, of course, by those who were buying the grain.

Mr. NELSON. If Senators will give me their attention, I can explain why the millers are so anxious to have this system adopted. We will, for example, take a country mill in a small town of a thousand or two thousand people. There is a large gristmill there. They are buying wheat, importing it. There will be nobody there inspecting that wheat. They will have somebody connected with their mill apply to the Agricultural Department to be licensed as a Federal inspector; he will get a license; and that representative of the mill will be the Federal inspector who will grade and pass upon the wheat that is *taken in* by that mill; in other words, the millers in all those cases will have the inspection and grading of the grain absolutely in their own hands.

This bill, in section 7, provides:

> The Secretary of Agriculture may issue a license to any person, upon presentation to him of satisfactory evidence that such person is competent, to inspect and grade grain and to certificate the grade thereof for shipment.

Who would be likely to come up to the qualifications in these cases? It would be the buyers at the local elevators, the country elevators, and it would be the buyers, the men at these interior gristmills. I have had numerous letters from a certain mill in southern Minnesota, and that is a portion of our State where in recent years they have ceased to raise wheat and have gone into mixed farming, dairy farming, cattle raising, and hog raising. The owners of that mill, which is a large one, get all their wheat from the Dakotas, from northern Minnesota, the Red River Valley, and from South Dakota, and they get some Turkey red winter wheat from the Southwest which they mix in with the hard wheat. It would be a fine thing for that mill to have one of their employees appointed an inspector to pass upon the grades of wheat that were shipped to that mill and that the mill bought. That is exactly what may transpire under this bill in the case of every mill that can furnish a competent man, and I mean by that a man who is competent to pass upon the matter of grades of wheat or other small grain. If he can pass the requisite examination—and I take it a man in a mill grinding wheat or a man running a country elevator for one of the large companies would be most likely to pass such an examination—undoubtedly the Agricultural Department would give him a license.

I have not given the name and locality particularly of the mill that I referred to a moment ago, and I do not care to do so; but take the case of this mill. The owners would undoubtedly go to the Secretary of Agriculture and say: "There is no grain inspection at this point; we are buying wheat. It is shipped to us from North Dakota, from South Dakota, from Nebraska, Kansas, northern Iowa, and northwestern Wisconsin. This wheat ought to be inspected, but there is no inspector here. We have a good mill man in our employ, a trained man; we wish you would appoint him and give him a license as a Federal inspector." So, Mr. President, outside of the terminal points of Minneapolis and Duluth, in that northwestern country, you would have all these country mills inspecting and passing upon the grades of wheat they bought. If I mistake not the operation of such a law would necessarily be one-sided and unjust to the farmers.

Mr. GORE. Mr. President——

Mr. NELSON. I yield to the Senator.

Mr. GORE. I was under the impression that the amendment offered by the junior Senator from North Dakota [Mr. GRONNA] yesterday and adopted would meet the situation which the Senator describes and prevent the evil which he foresees.

Mr. NELSON. I overlooked that amendment. I heard it read hastily; but I do not think it covers the point at all as fully as it ought. If the amendment is as comprehensive as the Senator from Oklahoma, the chairman of the committee, implies, it would relieve the situation to some extent, and I hope when the bill goes to conference that provision will be kept in it.

Mr. GRONNA. Mr. President——

Mr. NELSON. I yield to the Senator.

Mr. GRONNA. I ask the Senator if he will permit the amendment to be read at this time? It may be that it does not cover the situation; and, if it does not, he can suggest an amendment to it.

Mr. NELSON. Very well.

Mr. GRONNA. I ask the Secretary to read it.

The PRESIDING OFFICER. The Secretary will read the amendment.

The Secretary read as follows:

> *Provided*, That no inspector or deputy inspector licensed by the Secretary of Agriculture to inspect or supervise the grading of grain shall, during his term of service, be interested, directly or indirectly, in the handling, storing, shipping, purchasing, or selling of grain, nor shall he be in the employment of any person or corporation financially interested in the handling, storing, shipping, purchasing, or selling of grain.

Mr. NELSON. I am not quite sure whether that entirely covers the case or whether it would cover the case of the mills. It was a long time, Mr. President, before it dawned upon me why these country mills were so anxious for Federal inspection. After studying the provisions of this bill—and that was before this amendment of the Senator from North Dakota had been offered—it became perfectly clear and obvious to me that the great interest they had in it would be that the interior country mills would be allowed to inspect and pass upon the grades of the wheat they bought.

I will again, Mr. President, though in a somewhat disjointed way, as I have already touched upon it, refer to another provision of the Minnesota law that ought to be incorporated in this bill. This bill ought to be amended so as to provide for a rapid system of reinspection. The reinspection ought to be done at once, before the car is unloaded, and an appeal to the board of grain appeals ought to be allowed and acted upon instantly, before the car is unloaded.

Under our Minnesota system the three things concur. When the car comes to the railway station it is put on the siding. It comes in the evening or at night. The first step is taken in the morning when a sampler goes out and examines the grain in the car and takes samples from all parts of it, so as to ascertain whether the wheat has been doctored, whether there is good wheat in the center and poor on the outside, or vice versa. The samples are taken and immediately brought to the inspectors. The inspectors pass upon the grade. If the grain is shipped to a miller or a commission merchant, and he is there present and is dissatisfied with the grade allowed by an inspector, he just states to the inspector, "I desire to have a reinspection." All he has to do is to indicate right then and there that he wants a reinspection. It is immediately referred to two other inspectors, not the one who inspected it in the first instance, and they reinspect it. If either the buyer or the seller is dissatisfied with that reinspection, he can appeal immediately to what is called the board of grain appeals. To make that inspection rapid, we have under our system divided our board of grain appeals into two sections. There are three men in each section sitting constantly, one section at Duluth and the other at Minneapolis. When the shipper or the buyer of the wheat is dissatisfied with the reinspection and desires to take an appeal, that appeal is taken instantly, and is heard the very same day. In other words, the reinspection and the appeal are disposed of on the same day and before the car is unloaded.

Mr. McCUMBER. Will the Senator allow me to make a suggestion how that can be met by a very small amendment right here?

Mr. NELSON. Certainly.

Mr. McCUMBER. On pages 104 and 105 we find this language:

> That whenever standards shall have been fixed and established under this act for any grain and any quantity of such grain which has been sold, offered for sale, shipped, or delivered for shipment in interstate or foreign commerce shall have been inspected and a dispute arises as to whether the grade as determined by such inspection of any such grain in fact conforms to the standard of the specified grade, any interested party may appeal the question to the Secretary of Agriculture.

I would insert after "may" these words:

Any interested party may call for a reinspection or appeal the question.

And then add these words:

In accordance with the laws, rules, or regulations in force or provided at the place of inspection, with a further right of appeal from any primal decision rendered under such laws, rules, or regulations to the Secretary of Agriculture.

The PRESIDING OFFICER. May the Chair have the attention of the Senator from North Dakota? The Chair is advised that on page 104, line 24, the words "which has been" were stricken out.

Mr. McCUMBER. That would make no difference in the amendment. That would cover the case so that we could utilize the machinery not only of the laws of Minnesota but of the boards of exchange, and so forth, of the cities for a reinspection and appeal, with a final right of appeal under such rules as the Secretary of Agriculture may provide from the primal appeal taken at such place.

Mr. NELSON. I think the amendment of the Senator from North Dakota is a very valuable amendment, and added to the other amendments to the bill it will improve it immensely.

I have taken up more of the time of the Senate in the discussion of this matter than I had originally intended. I can not help but feel that in the State of Minnesota we have established the best grain-inspection system existing anywhere in this country. We have been for 30 years building up that system. I feel that this legislation would in part destroy the great good that we have accomplished in the State of Minnesota, and in other respects, even with the amendments already adopted and the amendment proposed by the Senator from North Dakota, the system never could accomplish what our system does in the State of Minnesota.

We have in the State, as I said at the outset, a law which compels the railroad companies to furnish cars for farmers at the sidings and stations, so that the farmers can get rid of the expense of passing their grain through elevators and paying the charges incident to it. They can have a car or several cars switched up to the siding and have those cars loaded with grain and shipped to the terminal centers. They are not only graded under our State system and the grades and qualities passed upon, but under our system we have a weighing department for the protection of the shipper and farmer, so that when that carload of grain comes to the terminal it is not only inspected and graded by the State authorities, but the farmer can have his carload of wheat weighed, so that he is not subject to any cheating or swindling in the matter of weight.

I think this system, even with all the amendments that have been proposed to it, will fall far short of the system we have existing in the State of Minnesota; and while I can not agree to the measure, I must say that it is in its entirety far better than and a vast improvement upon any grain-grading inspection bill we have ever heretofore had before the Senate.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER (Mr. VARDAMAN in the chair). Does the Senator from Minnesota yield to the Senator from Ohio?

Mr. NELSON. Certainly.

Mr. POMERENE. I did not have the pleasure of hearing the Senator fully. If he has not already explained the Minnesota system, I would be very glad to have him state whether or not the standards and the grades which prevail in Minnesota are fixed by law or by some bureau or department.

Mr. NELSON. We have in Minnesota what we call the board of railroad and warehouse commissioners, consisting of three men. Every year at the beginning of the grain season, just before the farmers commence to thrash and ship their grain, that board meets with the chief grain inspector and they establish the grades for that year.

You can not very well establish by law a fixed and permanent grade, because the grades fluctuate from one year to another. In some years, when we have a dry, rainless season, the grain is of a much harder and better quality than in wet and rainy seasons. Oftentimes the grain gets more or less deteriorated, and the crops vary from year to year.

Mr. POMERENE. Do I understand that these grades are fixed by certain samples of grain rather than by definition?

Mr. NELSON. They are fixed by the board. They establish a grade and define it, and that grade established by the board holds good for that season, that grain year.

Mr. POMERENE. Does that definition have reference to some sample which is used and adopted?

Mr. NELSON. They define what constitutes those grades. For instance, we have in wheat first No. 1 hard, then we have No. 1 northern, then we have No. 2 northern, we have No. 3 northern, we have No. 4 northern, and then we have what we call rejected; and then we have no-grade wheat.

Mr. POMERENE. Are those grades susceptible of definition? If those grades are susceptible of definition——

Mr. NELSON. Yes; they define them.

Mr. POMERENE. What is the necessity of changing the definition each year?

Mr. NELSON. For the reason that the crop changes and fluctuates every year. They can not have a permanent grade year by year, because of the changes in the quality and character of the crop. They have found that necessary. Some years a part of the grading is the weight of the grain; that is, a part of the grade depends upon how many pounds there are to the measured bushel. Some years the wheat may be very good, but light in weight; in other years it may be very poor, but very heavy in weight.

Mr. POMERENE. Then, I take it, it is the Senator's idea that it would be impossible to define by law the various grades?

Mr. NELSON. Oh, it is not attempted by this bill. It is left to the Agricultural Department.

Mr. POMERENE. I realize that very fully, but——

Mr. NELSON. This bill does the same. The difference is that it leaves to the Department of Agriculture what we have a board of three railroad commissioners, with a chief inspector, to pass upon.

Mr. POMERENE. I was trying to satisfy my own mind as to whether or not it was possible to do this by law, or must it be left to some board?

Mr. NELSON. I do not see how it could be done—and it is not attempted to be done—by this bill.

I would simply say in conclusion, Mr. President, without further wearying the patience of the Senate, that I feel that this system of grain inspection will prove a great injury and detriment to the farmers of Minnesota, and while the bill is much better than any grain-inspection bill that has been pending in the Senate since I have been here, and is a vast improvement in many respects on even the best of them that have preceded it, yet I think this legislation will fall far short of giving the benefits and advantages we derive under the best system in the United States that we have in the State of Minnesota. Even such men in the Agricultural Department as Dr. Duvel, who is the inspiration and, I think, the father of this legislation, admit that the Minnesota system is the very best system in the United States.

I ask to have the matter which I send to the desk inserted as a part of my remarks.

The PRESIDING OFFICER. The Chair hears no objection, and it is so ordered.

The matter referred to is as follows:

THE COMMERCIAL EXCHANGE OF PHILADELPHIA,
Philadelphia, May 12, 1916.

Hon. KNUTE NELSON,
United States Senate, Washington, D. C.

DEAR SIR: On behalf of the export grain trade of the United States the Commercial Exchange of Philadelphia respectfully asks you to vote against and do all you can to oppose the passage of the amendment to the Agricultural appropriation bill, known as the "grain-grades act."

We ask this because the provisions of this act are calculated to injure the export grain trade, and injury to that trade will necessarily result in serious hardship to the agricultural and farming interests of the country. The farmers of this country as a rule are not advocating the passage of this bill, and they know nothing whatever of its text. A few western grain men not familiar with the requirements of the export grain trade have fathered this bill, and by the cooperation of their affiliated associations have made it appear to have a strong indorsement. Could the farmers know how much it will injure them, they would flood Congress with telegrams and letters of protest.

Your attention is invited to the inclosed communications, which recite in detail our reasons for opposing the measure.

Yours, very truly,

L. G. GRAFF, *President.*

THE COMMERCIAL EXCHANGE OF PHILADELPHIA,
May 12, 1916.

To the MEMBERS OF THE UNITED STATES SENATE,
Washington, D. C.:

In re "grain-grades act."

[The Commercial Exchange of Philadelphia was founded in 1854, and is composed of merchants engaged in the grain, flour, feed, and provisions business, both domestic and export; also the principal banks, railroads, and steamship lines of Philadelphia. It has one of the best equipped grain-inspection departments in the United States. Through this exchange was received approximately 71,000,000 bushels of grain, including flour, of which 50,000,000 bushels was exported from this port in 1915.]

The export trade of this country is the best friend of the farmer of the United States, and should it be injured, harassed, or taken away we hesitate to forecast the dire consequences to the producer of the crops. The enormous crops raised in this country leave a large available surplus annually for export, which, if not disposed of, would mean ruinously low prices to our farmers, and we can not expect to secure and hold this foreign trade if our laws regarding the grading of grain are such as to hamper and destroy fair competition with other exporting countries.

The proposed grain-grades act, should it become a law, would be especially detrimental to the export trade and the farmer, inasmuch as its provisions would prevent from competing upon equal terms with our competitors, such as the Dominion of Canada, Argentina, and other exporting countries, these competitors not being amenable to our laws. As a concrete example of this, permit us to say that the United States Department of Agriculture has adopted a standard for grading corn, requiring No 2 corn to contain not more than 15½ per cent moisture, No. 3 corn not more than 17½ per cent moisture, and No. 4 corn not more than 19½ per cent moisture, etc. In the western markets the settling price between No. 2 and No. 3 corn is 2 cents a bushel, and between No. 2 and No. 4 corn as much as 6 cents a bushel. At the present time all of the No. 3 corn can be used for export without docking the farmer or country shipper, but the Department of Agriculture, should the grain grades act become a law, would prohibit us from doing so, and would therefore legislate in favor of the foreign buyer, as well as our competitor, and against the producer in this country. Very little corn, as you may know, has as little moisture as 15½ per cent in its natural state or condition, and it is safe to say 2,500,000,000 bushels of the crop will contain a moisture above 15½ per cent. As all corn containing one-quarter or even an eighth higher percentage of moisture would necessarily, under the department's proposed moisture tests, be forced to take the grade of No. 3 corn, the Agricultural Department would thereby reduce the value of this year's crop to the farmers of the country 2 cents a bushel, which, as above stated, is the settling price between the grades of No. 2 and No. 3 corn, or $50,000,000; this is, of course, assuming it would all grade No. 3 corn, but we know a great deal of it would be below No. 3, and as No. 4 is docked 4 to 6 cents a bushel, it would be a safe estimate to say the loss to the farmer by reason of the proposed grades would be 3 cents a bushel, or $75,000,000.

Furthermore, our Philadelphia merchants, together with the efficient grain-inspection department of this exchange, by reason of their knowledge and experience in blending wheats, are producing an article which the millers of England, France, and Holland have shown a desire to purchase in preference to those of western markets. It is only within the past two years that the great State of Montana has produced wheat in large enough quantities to become a factor in the export trade. During that time the production of wheat in that State has grown from an unknown quantity to that of 33,000,000 bushels, a matter of great importance to the State, the railroads, the steamship lines, and the export merchants of the entire country. Under our present export grading system we are permitted to bring that wheat from Montana to Philadelphia, and by blending it with wheat from other sections of the United States are enabled to give to our foreign merchant millers a desired milling article, of which we have shipped millions of bushels within the past year. Under the terms of the grain-grades act this will be impossible.

Another important factor that should be considered in connection with the proposed grain-grades act is, that grain graded at western primary points frequently deteriorates in quality while in transit between the western shipping point and the eastern terminus. If the western exporter has sold such grain to the foreign buyer on western certificates of inspection, the question arises as to the attitude of the Government in case the grain arrives at the seaboard out of condition. Will it stop the shipment and compel the exporter to put the grain in good condition, or will the shipment be permitted to continue on its way across the ocean regardless of its condition? It would seem there is a responsibility on the part of the Government in such exigencies after the proposed grain-grades act should be enacted into law. If the Department of Agriculture, under the grain-grades act, permits deteriorated grain, as above referred to, to be shipped on the western certificate of inspection, this would be a serious discrimination against the seaboard exporter. Then, again, if this act becomes a law the exporters will of necessity be forced to establish their own brands, which would require every receiver, shipper, and exporter to have their grain stored in separate bins, so as to preserve the identity of the grain. This would necessitate largely increased storage facilities, for which the storage capacity of our elevators would prove to be decidedly inadequate, resulting in still further congesting the railroads and interfering with general business.

Finally, owing to the numerous varieties of grain grown in the United States, contingencies frequently arise requiring a change in the grades to meet the existing conditions and the requirements of the foreign buyer; this is especially applicable to wheat, and most generally after harvesting a new crop. In accordance with our present rules we can adopt and make effective such changes in grades as may be necessary and advise the foreign buyer of the same within a period of two weeks. Should the proposed grain-grades act become a law, it will require 60 days to make effective any changes in the grades, and usually there are unforeseen delays in all such governmental matters. This would be exceedingly detrimental to the export business, as well as to the farmer of the United States, and be especially beneficial to our competitor who is not amenable to our laws.

In view of the foregoing facts the Commercial Exchange of Philadelphia is unalterably opposed to the enactment of the grain-grades act, and solicits your earnest cooperation in bringing about the defeat of the bill.

Respectfully, yours, L. G. GRAFF, *President.*

Attest: A. B. CLEMMER, *Secretary.*

THE COMMERCIAL EXCHANGE OF PHILADELPHIA,
Philadelphia, May 12, 1916.

To the MEMBERS of the UNITED STATES SENATE,
Washington D. C.:

In re "grain-grades act."

The committee on grain of the Commercial Exchange of Philadelphia enters this protest against the bill known as the United States grain-grades act.

We hold that the act in question not only places entirely too much power in the hands of one official of the Government, the Secretary of Agriculture, but that it will also work against the interests of the farmer as well as of the merchant engaged in the export of grain, two industries which are of vital importance to the welfare of the United States.

Any attempt on the part of the Government to force commerce to flow through certain prescribed channels and to submit to standards imposed in an arbitrary way will be injurious to trade. Under the present system there is a wholesome rivalry between different ports on the Atlantic seaboard to secure for each one its share of the export traffic and self-interest alone will dictate to the exporter the establishment of such grades as will promote business in the foreign markets and at the same time enable him to secure the proper kind of grain from the farmer in the interior. The mixture of certain grades of grain is not only a benefit in some cases to the foreign buyer as well as to the domestic buyer but is also a distinct benefit to the farmer and to the producer, because under such a system the different grades are not sacrificed in price but are so blended as to make, in the case of wheat, for instance, a good milling grade entirely satisfactory to the European buyer, without forcing the farmer or the producer to accept what might be called a slaughter price.

We hold that the export trade of the United States would be so hampered under the proposed legislation that serious injury would be done to it; and the present system, which has been in operation for years and is now giving general satisfaction both to the consumer and to the buyer, should not be disturbed. Competition between different ports will naturally tend to benefit the farmer for each port wishes its own grades to be popular with the buyer either at home or abroad, and any dishonest or unjust inspection will soon work its own cure.

We hold that the proposed legislation is largely in the direction of paternalism; that is to say, it places one of the great industries of the country under the paternal care of the Government at Washington, a process which we can not too strongly deprecate. The growth of the country in the last hundred years has been largely the result of private enterprise unfettered by oppressive legislation or by standards imposed by Government officials who know little or nothing of what they attempt to control. In the interest of the domestic and foreign commerce of the United States, as carried on in grain of all kinds, we protest against this legislation and ask you to vote against the grain-grades act.

Respectfully, yours,

GRAIN COMMITTEE OF THE COMMERCIAL EXCHANGE OF PHILADELPHIA,
GEORGE M. WARNER, *Chairman.*

THE LURE OF THE SOUTHLAND.

Mr. RANSDELL. Mr. President, while the Agricultural bill is under consideration, I desire to address the Senate in regard to several matters which concern very closely the farmers of the United States and, indeed, the country at large. I allude to the large exodus of our best citizens into the British possessions north of the United States, and to the rapid congestion of our cities caused by the growing unpopularity of life on the farm, and by the large influx of foreign immigrants, the majority of whom settle in cities. I shall explain these questions briefly, for there is little dispute concerning them, and shall offer at some length what seems to me the best solution of these problems, which is that these people should go south and reap the benefit of its golden opportunities.

EMIGRATION TO CANADA.

Government reports show that during the past 10 years 1,200,350 people left the United States and went into Canada—an average of over 120,000 per year. This means that the number of those who emigrated to the great Dominion to the north in 10 years was almost equal to the entire population of the city of Philadelphia, and exceeds by more than 100,000 the combined population of New Orleans, San Francisco, and Washington. The commissioner of immigration at Winnipeg estimated several years ago that the material wealth brought in by each of these immigrants was $1,000. Hence, we have been contributing to Canada about one hundred and twenty millions a year in wealth. But that is not the worst of it. Most of these people are sturdy American farmers—the best brawn and blood of our land—who are leaving the farms of our Northern and Western States in order to secure cheaper lands. This is a very serious loss to us, and is not in any fair degree compensated by emigration from Canada to our country, nor by a like number of immigrants from any other country, for most of the people we are losing are full-fledged American citizens, with all that term implies, who carry away with them an average of $1,000 in money or property, while the foreigners who come to us are strangers to our institutions and language and bring with them in money an average of only about $23 per capita.

It certainly behooves the Nation to check and prevent this exodus, if possible, for it is rapidly impoverishing us and enriching our Canadian rivals.

RAPID GROWTH OF CITIES.

The increasing drift of population from the country to the city in the United States, as in other nations of the world, should cause very serious thought.

A study of the census returns shows that the growth of urban population—defined in 1910 as inhabitants of places having a population of 2,500 or more—is very much more rapid than rural. In 1880, 70.5 per cent of the population of the United States lived in rural communities; in 1890, 63.9 per cent; in 1900, 59.5 per cent; and in 1910, only 53.7 per cent. In other words, in 1910, 46.3 per cent of the population of the United States, or nearly one-half, lived in places of over 2,500 inhabitants. Between 1900 and 1910 the increase in rural population was 4,963,953, or 11.2 per cent, while the urban population increased 11,013,738, or 34.8 per cent. The cities grew more than three times as fast as the country districts. In six States, namely, New Hampshire, Vermont, Ohio, Indiana, Iowa, and Missouri, there was an actual decrease in rural population. The New England States as a whole showed a loss of rural population.

The same thing is true of our neighbor, Canada. The Canadian Year Book for 1914 comments on the striking increase of urban population at the expense of rural communities. During the decade from 1901 to 1911 the rural population increased by 17.2 per cent, while the increase in the urban population was 62.28 per cent, or nearly four times as great. In France the censuses of 1881, 1891, and 1901 show a marked increase in population of urban places ("communes" of at least 2,000 souls) and a material decrease in the number of dwellers in the country. During the past 60 years the urban population of France has doubled, while the rural population has decreased nearly 20 per cent. From 1901 to 1906 the rural districts of France lost 460,000 people, nearly all of whom had removed to the cities.

In Germany big increases in cities (places of 2,000 or more) are shown by the censuses of 1890, 1900, and 1905, while there was an actual decrease in the country people for 1890 and 1900 and a very small increase in 1905. In 1850 agriculture employed 65 per cent of the total German population; in 1870, 47 per cent; in 1899, 32 per cent; and in 1912, only 28.6 per cent.

In England and Wales a material increase in city population (places of 5,000 or more) appears for the census years 1881, 1891, 1901, and 1911, but a considerable decrease in rural districts for 1881, 1891, and 1901, with only a small increase in 1911.

It would seem, therefore, that our brethren of the leading European nations are suffering just as we are. Their cities are growing fast, while the tillers of the soil are becoming fewer in numbers. We are not exactly in that condition, for in this new country of ours there is still some increase in the number of people who live on the farm, but it is insignificant compared with the rapid growth of cities.

In my judgment this is one of the fruitful causes of the high price of living. All food products—and the food we eat is our heaviest item of expense—comes from the land or the water, and when the number of consumers who dwell in cities disproportionately exceeds the producers in the country it naturally results in high prices. If the relative growth of population in city and country remains the same for the next decade, and production of food be not materially increased in some very unlooked-for way, I see no reason why the price of edibles should decrease, but expect a large increase. Therefore, it is a matter of the greatest import to keep our people on the farms. When the number of consumers increases faster than the producers there is a smaller relative supply of food products to satisfy the demand, hence it becomes more and more active as the supply diminishes, and in consequence prices rise. This is exactly what is happening not only to us, but also to the nations of Europe.

It is a very interesting fact, not generally known, that the South is a mighty balance wheel for the Nation. As stated above, only 53.7 per cent of the population of the United States are rural dwellers, and this is approximately the average throughout the West. In the North and East, however, the proportion of country population is much less, being only about 41 per cent, and if it were not for the South, with its 77 per cent of country people, the average for the entire Nation would be high indeed. It is well worthy of noting that the South's actual rural increase in the last decade was much greater than the urban, and in this vast fertile southern region, with its large number of food producers, lies the Nation's strongest hope for solving the high cost of living.

Now, having shown our national loss by emigration to Canada of 1,200,000 citizens during the past 10 years, carrying with them material wealth in money and property valued at $1,200,000,000, to say nothing of the immense potential value of these splendid people, and having also pointed out the rapid growth of cities caused by foreign immigration, and by a desire on the part of many country people for the enticements of city life, I wish to suggest a remedy for these ills.

THE SOUTH THE NATION'S HOPE.

The eyes of the world are turned to the southern portion of our Republic, and we are witnessing a marvelous development in that section. Long retarded and checked in growth by the War between the States and its disastrous consequences, the South has arisen from her ashes a fairer and mightier land. The ravages of the war were fearful. In 1860 the value of taxable property in the South was six and one-third billion dollars, while in 1870 it had fallen to three and one-half billions, a decrease of nearly 50 per cent because of the war. In addition to this economic loss, hundreds of thousands of her sons had sacrificed their lives in her cause.

But the South was rich in the indomitable spirit of her citizens. With the same resistless energy and do-or-die perseverance that had characterized their actions during the war the men and women of the South turned their attention to the pursuits of peace. Literally they converted "their swords into plowshares and their spears into pruning hooks."

I am not here, however, to recite the disasters that befell my section in the sixties. These facts are matters of history. It is my purpose, however, to show how the South, in spite of all obstacles, has not only kept pace with but has actually outstripped the rest of the Nation.

She has laid aside her sable garments and, bedecked in a gown of bright colors, is enjoying her marvelous present prosperity and looking forward confidently to a still more glorious future, for she knows that a benign Providence has favored her above other lands, and that by virtue of her natural advantages and the enterprise and genius of her people she is becoming the most prosperous section of our great common country. Southward the star of empire takes its course.

I shall call your attention to the limitless resources of this great region; to its agricultural products, which include the best of nearly every known crop; to its live stock, which graze on land as rich as any in the world; to its inexhaustible treasuries of timber and mineral wealth; to its vast manufacturing industries; to its colossal mercantile and banking interests; to its admirable transportation system by road, rail, and river; to its golden opportunities for willing hands and honest hearts; to its crying need for men and money; and above all to its potential possibilities which make the South the Nation's greatest asset.

It has been the habit for certain gentlemen from other sections to smile tolerantly when some one from the South painted in bright colors the glories of Dixie. Some people have a sort of hazy idea that the South is a land of poetry and indolence; of romance and pretty women; of lazy negroes, who bask in the semitropical sun; and that our products are limited principally to cotton, tobacco, and lumber. I shall attempt to correct these misapprehensions.

It is not my purpose to make any boast for the South. I shall call the attention of the Senate to some plain facts which must be recognized, and the sooner the better, not only for the South but also for the North, East, and West, for in the cooperative development of all parts of our Nation alone is true prosperity to be found.

The South, consisting of the 16 States of Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia, comprises an area of 945,000 square miles, approximately one-third the total area of the country. Its population in 1915 was about 35,000,000, or an average of about 37 people to the square mile. These figures show that the South comprises as much territory as France, Germany, Austria, Belgium, Great Britain, Italy, and Spain combined, but these nations have an average density of population of 338 to the square mile. Think of it, Mr. President! Thirty-seven people to the square mile in the South and in the European countries I have mentioned 338 to the square mile. The mere statement of these facts indicates the room for expansion.

Our doors are open wide to all desirable immigrants, especially those from other States. The South will gladly furnish homes to every one of our splendid citizens who has gone to Canada or contemplates such a move, and would welcome all the boys and girls who have left, or expect to leave, the hardships of northern and eastern farms to seek unfamiliar work in congested cities. We can supply farms to a great many of the foreigners who seek our shores, and we are really anxious to receive all good people from whatever land they come. We have great resources of every kind and sort which are just beginning to be developed, and in no portion of the world are there as good opportunities for success as in the land of Dixie. If Horace Greely were alive to-day, his advice to young men would be, "Go South." When he said to them, "Go West," a great field opened there, and many fortunes were made by following his sage counsels. The scene has shifted. The great opportunities of the West have been seized, but there are innumerable openings in the South awaiting fertile brains and willing hands.

THE SOUTH NEEDS MEN AND MONEY.

With all her marvelous resources begging for further development, the most crying need of the South is men and money. I can not impress too strongly upon you that the South needs labor and capital; and I assert that returns from investments there will astound even the most sanguine.

We have many advantages over Canada, where the winters are so long and severe as to make life very uncomfortable for man and beast, and to restrict agriculture to wheat, and the hardiest cereals, vegetables, and fruits.

In the South there is every variety of crop and every form of animal life thrives. Our winters are so mild that light

clothing and a small amount of fuel suffices, and one can work out of doors practically every day in the year. Our summer heats are not as great as those of Canada, and our white farmers work in the fields throughout the hottest weather with impunity.

The richest land may be purchased very cheaply, and while farm lands in many parts of the North and East cost from $100 to $250 per acre, the finest lowlands adjacent to the Mississippi River, unimproved and heavily timbered, can be bought at $10 to $20 per acre; cut-over uplands of fine quality, unimproved, at $5 to $10; virgin forest uplands at $20 to $60; and improved uplands farms at $10 to $25 per acre.

These opportunities, however, must be seized now. Farmland values are increasing more rapidly in the South than in the rest of the United States.

Mr. SHEPPARD. Mr. President, may I ask the Senator a question.

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Texas?

Mr. RANSDELL. With pleasure.

Mr. SHEPPARD. I am very much interested in the able speech of the Senator, and I am glad to know that he is giving to the world a true knowledge of conditions in the South. I want to ask the Senator in this connection if it is not a fact that purchasers of southern lands are accorded the most liberal terms of payment?

Mr. RANSDELL. There is no doubt about that. They can get land practically on their own terms, with a very small cash payment, and a long time in which to pay the remainder. Every possible inducement is held out to prospective purchasers of southern lands.

Between 1900 and 1910 farm values in the entire Union increased 108 per cent, while in the South they advanced 136 per cent. I hope Senators are paying attention to some of these comparisons. Figures are a little dull, but those who listen to me will ascertain from cold facts that the South is going forward with much greater rapidity in every line than any other section of this Nation.

THE SOUTH'S VARIED FARM PRODUCTS.

Every variety of soil can be procured in the South—from the rich sugar and rice lands of Louisiana to the fertile corn, melon, and peach fields of Georgia and South Carolina; from the blue grass and limestone of Kentucky, Tennessee, and Missouri, with their wonderful horses, mules, and hogs, to the fertile plains of Texas, with its vast herds of cattle and sheep; from the tobacco and peanuts of North Carolina and Virginia to the wheat and oats of Maryland and Oklahoma; from the orange, the grapefruit, and the figs of Florida and Louisiana to the delicious apples of West Virginia and Arkansas; and from the succulent Johnson and Bermuda grasses of Alabama to the alfalfa, lespedeza, and other clovers of Mississippi, where hogs and cattle luxuriate. Cotton flourishes in 11 of them and wheat does well in many sections. If the new settler is accustomed to grain and cereals, with cattle and hogs, he need not change his crops or methods in the South, unless it be to substitute rice for wheat, should he settle in the lower half of the Gulf States, although wheat does well in northern portions. He need not become a cotton grower unless he wishes to, for corn and the cereals, with forage crops of many kinds, coupled with some branch or branches of animal industry, especially hogs, will furnish the most attractive and profitable employment. If he be a dairyman, that line is open to him with marked advantages in many respects. If he be a gardener or fruit grower, the Gulf and lower Atlantic coast sections, with immunity from cold and delightful climate, can not be excelled. Indeed, he can choose his own branch of agriculture and find ideal conditions in the South.

OTHER INDUSTRIES OF THE SOUTH.

But suppose he be a manufacturer? We are now manufacturing fully one-half of the cotton made in the United States. We are manufacturing an immense quantity of iron and steel. We are manufacturing about one-half of all the lumber in the United States, and our timber supply is immense.

Every kind and sort of manufacturing is going forward by leaps and bounds. We have innumerable manufacturing establishments converting our vast wealth of raw material from field, forest, and mine into finished products. If he be a schoolteacher, a banker, a railroad or steamboat man, we can furnish him splendid schools, banks, railroads, and navigable rivers. If he be a merchant, we have a population of 35,000,000, with many fine cities and towns and every line of mercantile business. If he be a miner, we can show him mines of everything in the mineral calendar. Our supplies of coal, iron, phosphate, marble, limestone, bauxite, salt, sulphur, oil, gas, and so forth, are inexhaustible and just beginning to be developed. He can select his own calling and find opportunities in the South, under a mild, delightful climate, and, as I shall show later, under as good health conditions as anywhere in the United States.

When a man is about to change his residence, the first question that suggests itself to him is, What are the climatic and health conditions in my prospective home? He wishes to assure himself that he and his family can live in health and comfort in the new home. Since health and climate are considerations of such primary importance to those who contemplate a change of residence, I shall go somewhat into detail on both subjects.

THE SOUTHERN CLIMATE—THE NATION'S BEST.

The climate of the South is one of its most valuable assets. While all countries may not grow cotton, corn, or wheat, they all have certain characteristic weather conditions which, in the aggregate, go to make up climate, and oftentimes the climate of a country is its blessing or its curse, fixed and unchangeable. If a blessing, it remains as a permanent asset that can never be taken away or appreciably changed by the agency of man; and if a curse, no hope for better things can ever be entertained.

Happily our southland is blessed with a climate which compares favorably with that of any other section of North America and has great advantages over many of them, especially the British Northwest, or even that of the more northern sections of our own country. This is true both from the standpoint of successful agricultural, manufacturing, and commercial enterprises and that of personal health and comfort.

In farming, as in any other occupation, the yearly profits are largely proportional to the total time during which work may be prosecuted, and herein lies the South's most important asset as an agricultural region. The farmer's profits are produced in nature's workshop, and, other things being equal, the section in which she holds open shop longest and does the largest number of hours' work during the year is the locality in which the largest profits should result. The growing season is the period each year in which the farmer's profits must be made. During the remainder of the year not only are dividend-producing farm operations practically at a standstill but many expenses must be incurred and much of the products of the growing season are necessarily consumed.

In the British possessions immediately north of the United States and also in the adjoining States of the Union the length of the crop-growing season, on the average, is from 115 to 140 days, while over the Southern States it is more than 250 days. Thus the profit-producing period is only about 35 per cent of the year in these northern districts while it is about 75 per cent in the South, and the consuming and profitless portion of the year ranges from 25 per cent in the South to something like 65 per cent in the North.

With the diversified farming operations that are rapidly being adopted in the South and the generous response of its soil to improved methods of cultivation, the factor of nearly continuous production throughout the year becomes one of great importance, and should be given weighty consideration in any comparison of the relative value of different communities for the pursuit of agricultural enterprises.

There are many other important features, from an agricultural standpoint, in which the South has great advantages, among which may be mentioned the period in which it is possible to plant crops. In the case of corn, for instance, the crop in many of our so-called great corn States, in order to mature before the usual early autumn frost, must be planted within a definite short period of time, and if unfavorable weather prevails during that period or immediately preceding it, delaying the seeding or preparation of soil, great damage is almost certain to result if the usual early frost is not delayed, especially if rapid growth be retarded by cool weather during the season. Just such conditions as these prevailed only last year in many portions of the northern corn belt, and vast damage resulted to the crop. In the South the long period in which planting may be done and the ample length of the growing season obviates such disasters and insures a crop free of frost injury.

The long growing season also makes possible such a diversity of crops that no serious and widespread disasters, due to drought or otherwise, as befall less favored one or two crop communities, are possible. In case of prospective failure of one crop, it is frequently possible to replant and grow another of the same or different character during the same season.

Next to temperature, which determines the length of the growing season as above outlined, the most important climatic element from an agricultural standpoint is rainfall, and here again the South is amply supplied and has the advantage, when compared with our neighboring Canadian Provinces and Northern States. In the latter sections the average annual rainfall is

much less than in the South and consequently damaging droughts are of more frequent occurrence. Its abundant precipitation and infrequent disastrous droughts insure the South a remarkably uniform crop production, as is evidenced by comparing the average per-acre yield of cotton year by year. A failure is unknown and the production year after year is comparatively constant.

From the facts brought out in the foregoing remarks, it appears unquestionable that from a purely business standpoint there are afforded in the South unparalleled opportunities for wide-awake, progressive farmers or business men. However, there are other considerations to be taken into account when one is deciding upon a location for a permanent home, one of the most important of which is personal comfort as determined by climatic conditions.

It has been recognized that in the Gulf country the winters are ideal, as evidenced by the large number of visitors who seek our sunshine and balmy breezes during every winter season. Unfortunately, however, the impression that the South is almost unbearably warm during the summer season seems to have much credence in some of the more northern localities, and I wish to go briefly into the actual facts of the case in order that that erroneous conception may be dispelled. A number of interesting tables and charts, showing the climatic characteristics of the Gulf States and also like information for the British Northwestern Provinces and the adjoining Northern States of the Union, have been kindly furnished me by Prof. Charles F. Marvin, Chief of the Weather Bureau. (See Appendix A.) These disclose the facts in the case, which not only emphasize the unquestioned advantage of our winter climate but also explode the popular but erroneous impression regarding the heat conditions in the summer. For example, we find in the latter that the average January temperature in New Orleans is 53 degrees, while in portions of the extreme northern Plains States and the adjoining Canadian Provinces it is from zero to about 10 degrees below. On the other hand, portions of the summers are frequently hot in the northern sections, the temperature during the day, in fact, often going higher than along the Gulf coast. These give temperature ranges frequently too great for persons unaccustomed to such variations. At Prince Albert, Saskatchewan, the average temperature for July is about 70 degrees warmer than for January, while in New Orleans the difference in the average January and July temperatures is only 28 degrees.

In North Dakota the temperature each winter, on an average, falls at some time to more than 30 degrees below zero and rises to 100 degrees each summer, making an average annual range of more than 130 degrees. In New Orleans the average of the lowest reached each year is 26 degrees, and the average of the highest 97 degrees, making an annual range of only 71 degrees, as compared with 130 in the other case. Thus while the winters are balmy and pleasant in the South and cold, bleak, and disagreeable in the North, the maximum summer heat is frequently greater in the latter than is experienced in the Gulf coast section. In this connection I desire to call special attention to the fact that while the average lowest winter temperature in Louisiana is 56 degrees higher than in North Dakota, the average highest summer temperature is 3 degrees lower in Louisiana than it is in North Dakota, these figures being from official Weather Bureau reports.

Mr. President and Senators, are not these figures very striking? Are they not remarkable? It is 56 degrees colder in winter on an average in North Dakota than it is in Louisiana, and 3 degrees warmer in summer in North Dakota than it is in Louisiana. These figures are not mine, for they are taken from the official Weather Bureau reports.

The degree of discomfort experienced in hot weather is determined not only by the air temperature but also by the relative humidity. The actual amount of moisture in the air has but little physical influence on plant or animal life, it being the relation of the amount present to that necessary to cause saturation which affects our sensibilities. Thus while the atmosphere of the Southern States contains much more actual moisture than the more northern localities previously mentioned, which insures, ordinarily, an abundant rainfall, no such variation is shown in the relative humidity, which does not differ greatly for the two localities, and the physical discomfort due to high humidity is but little more perceptible in the southern country than to the northward.

As still further evidence in refuting assertions that our summer weather is oppressively warm, I wish to call attention to the fact that sunstrokes are almost unknown in the South. During the prevalence of hot waves the daily press of other sections announces numerous cases of heat prostrations, but if you will note the headlines you will find the Southland is conspicuous by the absence of such cases.

Mr. President, I have lived all of my life in the South, and I have never known a case of sunstroke in my immediate locality. I have read of a great many cases in the northern and middle portions of this country, and I have heard of a very few in the cities of the South; but in my section of Louisiana I have never known of a single case.

In the winter we read of people perishing from cold in the North, and in the summer of their dying from heat, but throughout the year the South continues to smile and extend a welcome to all who may be farsighted enough to take advantage of the opportunity to reside where financial and commercial advantages are unlimited and where outdoor life can be enjoyed throughout the year.

HEALTH CONDITIONS IN THE SOUTH.

From the viewpoint of health the South is as fortunate as it is in climate. The greatest change effected in this section during the past decade has been accomplished through sanitation—a change which is perhaps more noticeable in the South than in any other portion of the United States. The South has had a hygienic rehabilitation, and from a condition of sanitary chaos has moved forward to the front rank of the vanguard of modern countries. The work has been performed quietly but thoroughly, until to-day life expectancy with us is the same as in the Northern States and the incidence of disease is no greater than elsewhere. This is because the South has learned the lesson of disease prevention and has put sanitary principles into actual practice.

In spite of this wonderful advancement—an advancement which is fully confirmed by our mortality tables, much misconception still remains concerning the healthfulness of the South. This misconception is due to a number of causes, fallacies which the general public know nothing about and which they do not thoroughly investigate. Erroneous impressions still prevail as to the healthfulness of this region, and many still suppose that our climate and other natural conditions are conducive to the development of disease, whereas quite the opposite is the case. Many similar erroneous impressions have arisen, most of which are based upon ignorance of all the facts. It is my desire to invite your attention in a general way to what has been accomplished in the conservation of human life, presenting certain comparative mortality tables and leaving you to draw your own conclusions therefrom.

The fact that epidemics of disease have in years gone by swept over the South is reason enough for many to suppose that those diseases are still present. This is a decided misconception. It is true that the South has been visited in the past by many frightful epidemics—epidemics which the older residents still recall. These visitations of disease often came upon us without warning and we were helpless before them, for we knew nothing of their causes and their means of prevention. Now all this has changed. We have definite knowledge of the means of dissemination of practically all of the infections to which we are subject, and their prevention is based upon the most simple facts—facts which the children master in their lessons at school. These principles have been put into practical and almost universal application, and as a result the South is freer to-day from the presence of epidemic disease than any other section of our country.

It is true that certain infections still exist, as, for instance, measles, diphtheria, and whooping cough, but their incidence is far less than in many other sections of the United States, and they are not attended with nearly the mortality of the same diseases in colder climates. For example, measles in the South is a comparatively mild and harmless affection, usually unattended with complications, whereas in the colder portions of our country it constitutes one of the most fatal diseases of children. Pneumonia is another disease which with us is not only considerably less virulent but is also far less common than in other climates, this fact being generally recognized by the public.

Influenza, commonly called la grippe, is also rarer. Epidemics of all of these diseases are far less common than in the North, apparently being held in abeyance by the favorable climatic conditions. No better proof of this could be cited than the widespread epidemic of influenza and pneumonia which swept the country during the past winter. Everywhere these infections were reported as unusually virulent and attended with an unprecedented mortality, but south of the Ohio River their severity was much less pronounced and the actual number of cases reported not nearly as great.

Practically all of the infectious diseases indigenous to the South have now been conquered, and yellow fever, malaria, dengue, and hookworm have to a great extent been robbed of their terrors. This is because the essential facts concerning

the transmission of these diseases are thoroughly established and our southern communities have adopted simple and effective measures for their control. The diseases which are more prevalent in the North, e. g., pneumonia, influenza, and the acute infections of childhood, continue there with almost unabated sway, because the knowledge concerning their dissemination is incomplete and the methods of their prevention less satisfactory. The figures relating to the presence of the infections mentioned will altogether bear out this statement.

There has not been a case of yellow fever in the South since the infection was eradicated 11 years ago under the leadership of the Public Health Service, and with our knowledge of its dissemination through the medium of the Stegomyia mosquito, an insect which is finding its habitat more and more restricted, there is not the slightest danger of its spread should by any chance an infected person happen to pass through one of the numerous efficient quarantine stations. The disease, as far as the South is concerned, is a matter of history, and as a factor in present-day problems has been relegated by sanitation to the realm of remote possibility. Similarly dengue, a disease also transmitted by a species of mosquito, has almost entirely disappeared. In going over the records for the past 10 years I was unable to find a single instance of an epidemic of this disease in any Southern State, a few isolated cases occurring only during that period. All through the South there are physicians who have been engaged in active practice for a dozen or fifteen years who have never seen a single case of either yellow fever or dengue and who probably never will.

Malaria is being rapidly exterminated and there are sections where it is no more prevalent than in many districts of the West and North. In the early days of Ohio, Illinois, and even of many Eastern States fever and ague was common enough, but as the land was settled and the swamps drained the disease disappeared, although the reason for its disappearance was not at that time recognized, for we then knew nothing of the means of transmission through the Anopheles mosquito. Every fact in connection with the prevention of malaria is now definitely established and in the majority of southern towns and cities put into actual practice. Houses are screened, the land drained, pools oiled, and personal prophylaxis instituted wherever it is necessary, so that the disease in the South is now comparatively rare and in many communities altogether absent.

The incidence of hookworm is rapidly becoming less and less. Whether it was as important a disease to the South as has been made to appear is questionable, certainly under present conditions of life it is relatively inconsequential.

Pellagra still exists, but our knowledge of the disease has rapidly widened and discoveries made within the last year by the Public Health Service lead us to believe that the condition is distinctly curable as well as entirely preventable. With the better dissemination of knowledge concerning its prevention and cure, it is confidently expected that pellagra will soon be relegated to the same position that yellow fever now occupies.

A factor of importance in producing a widespread misconception of the healthfulness of the South on the part of those unfamiliar with conditions has been the presence of the negro. It is well recognized that the mortality among negroes is naturally much higher than among whites, in some instances being more than twice that of the white race, but many people fail to consider this point when making an analysis of health conditions. Were the subject viewed with this fact in mind an entirely different interpretation would be given to the mortality figures of this region and a much more correct opinion would be formed as to the healthfulness of the South. That this is so can, I believe, be demonstrated within a very few moments.

Wherever accurate figures are maintained, the colored death rate in the United States is higher than the white death rate, this being true without exception for every section of the country. During the year 1913, the last period for which we have the complete returns, the death rate among whites for the entire registration area was 13.7 per 1,000 of population, while that among negroes was 21.9, a difference of over 60 per cent. In certain sections of the country the disparity was even more pronounced. Necessarily, then, those areas having a large percentage of negroes will show a high general death rate, the figures for the general population being distorted by those for the negro. For this reason any comparison of crude and uncorrected death rates of northern and southern communities is an unfair comparison. If the people are divided into two classes, the whites and the blacks, the comparison becomes entirely legitimate and should lead to much more correct conclusions.

Unfortunately there are but five Southern States in the registration area, Virginia, Kentucky, North Carolina, Maryland, and Missouri; therefore comparison can only be made with the white death rates of those States with the white death rates of the remaining States of the registration area. The following table indicates that the mortality among the white population of the South is certainly no more, and in most instances considerably less, than that among the white population elsewhere:

Comparative mortality tables of the white population of the States of the registration area per 1,000 population in 1913.

Kentucky	15.3
Virginia	11.8
Colorado	11.5
Indiana	13.1
Maryland	14.4
North Carolina	13.8
California	14.4
Connecticut	14.9
Maine	15.3
Massachusetts	15.0
Michigan	13.8
Missouri	11.8
New Hampshire	17.1
New York	14.9
Pennsylvania	14.4
Utah	10.9
Washington	8.4
Minnesota	10.4
Montana	11.5
New Jersey	14.1
Ohio	13.5
Rhode Island	14.8
Vermont	15.8
Wisconsin	11.4

As will be noted, there were but six States in the Union with a lower white mortality than that of Virginia.

Comparison of southern cities with northern cities is equally instructive.

Comparative death rates among the white population of southern and northern cities per 1,000 population, 1913.

SOUTHERN CITIES.	
Birmingham	12.3
New Orleans	15.6
Mobile	16.9
Montgomery	15.6
Jacksonville	15.7
Atlanta	13.5
Pensacola	11.7
Louisville	14.3
Galveston	16.7
Augusta	16.7
Kansas City, Mo	13.8
NORTHERN CITIES.	
Wilmington, Del	14.2
Indianapolis	14.8
Leavenworth	17.7
New York	14.1
Atlantic City	16.2
Columbus, Ohio	14.8
Chester, Pa	17.3
Philadelphia	15.2
Pittsburgh	16.9
Chicago	14.9
Boston	16.2

It is, of course, realized that comparative tables of this character are not altogether reliable, owing to the differences in economic and social conditions of the white population of the two sections, but the data is considered more worthy of acceptance than any tables which take no recognition of racial stock. Viewed from this standpoint these tables indicate that, as far as the white population is concerned, life expectancy in the South is no less than life expectancy in other sections.

I earnestly appeal to my brother Senators to read and study these tables, especially any of them who may have the slightest doubt about the healthfulness of the South.

A much fairer comparison, however, and one which shows that the southern region is as healthful as any other, is that contrasting the death rate among the colored population of the South with that of the colored population of other sections. In this instance we are not only comparing two identical classes, but these two classes occupy practically the same social and economic positions, the advantage, if anything, resting with the northern negro, who should therefore have a slightly lower death rate.

Comparative mortality tables of the colored population of the States of the registration area, 1913.

Kentucky	21.0
Virginia	18.2
Colorado	15.0
Indiana	23.8
Maryland	24.0
Michigan	22.9
Missouri	23.4
New Hampshire	7.4
New York	21.7
Pennsylvania	22.1
Utah	15.7

Washington	12.1
North Carolina	22.5
California	15.9
Connecticut	21.8
Maine	12.4
Massachusetts	20.1
Minnesota	21.7
Montana	23.7
New Jersey	20.5
Ohio	24.2
Rhode Island	24.4
Vermont	6.6
Wisconsin	14.2

The table indicates that the death rate among the negroes of Virginia was in reality lower than that among negroes of any other State, if recognition be not given those States where the colored population are too few for comparative purposes; that is, the negro of Virginia has a better chance of life than the negro of Indiana, Ohio, or almost any other section. While the negro death rates of Kentucky and North Carolina are not quite as favorable, they indicate that health conditions are certainly not markedly disadvantageous.

A similar table to the above one is one comparing the colored death rate in 10 representative southern cities with the colored death rate of the same number of northern and western cities.

Comparative death rate of the colored population of American cities for 1913.

SOUTHERN CITIES.

Jacksonville	22.6
Key West	17.1
Pensacola	21.8
Atlanta	25.2
Augusta	23.4
Birmingham	25.2
Charlotte	20.2
Galveston	26.4
Richmond	26.8
Asheville	23.8

NORTHERN CITIES.

Los Angeles	20.3
Boston	24.5
New York	22.9
Wilmington, Del	26.7
Topeka	27.6
Chester, Pa	26.4
Indianapolis	24.5
Chicago	24.6
Philadelphia	24.5
Columbus, Ohio	21.3

In this rating northern and western cities were selected which have a considerable colored population, in order that the figures might not be misleading. The advantage rests entirely with the southern cities, the average annual death rate for the 10 cities being 23.25 per 1,000, whereas the average annual rate for the remaining cities was 24.81. It would appear, therefore, that the South is apparently even more healthful at least for the negro, and I believe for whites also, than other sections.

Certain other facts go to prove this contention. Sanitarians state that the best index which we possess of health conditions is the infant mortality, and this is probably true. New Orleans, the largest city of the South, has an infant mortality identical with that of Baltimore, and in spite of the colored population has a smaller death rate among babies than either Cleveland, Albany, or Indianapolis. The infant mortality in Galveston, negroes included, is no more than that of Elmira and Auburn, in New York, all cities of approximately the same population.

For the year 1913 the death rate from malaria in Virginia was below the typhoid-fever death rate of either Vermont or Massachusetts—I wish the Vermont Senators were here to listen to this—which had the fewest number of typhoid-fever cases in proportion to the population of any of the States of the Union, the figures for Virginia being 7.1 per 100,000, while those for Vermont and Massachusetts were 7.8 and 7.9, respectively. In other words, the resident of Virginia has less chance of dying of malaria, concededly the most prevalent disease of the South, than the residents of the two States mentioned have of dying of typhoid fever. The figures for Kentucky are nearly as good, that State having had a mortality from malaria during 1913 of but 8.1, a rate less than one-third of the typhoid-fever rate of her neighbors, Indiana, whose rate was 24, and Ohio, with the high rate of 25.1. In New Orleans the mortality is even less, but 6.7 per 100,000, the majority of these cases being from rural districts who have come to the city for hospital treatment.

The colored death rate itself is steadily and rapidly falling, another proof of our improved sanitary conditions. In Mobile the colored death rate has been reduced 18 per cent during the past 12 years and in Jacksonville 26 per cent, while similar reductions were made in Atlanta and Louisville. At present the colored death rate is not a whit higher than the general death rate 20 years ago of Boston, New York, and other cities. In the rural sections this improvement in health conditions has been even more pronounced, and the negro rural dweller of the South has to-day the same life expectancy as the city dweller of Hartford, Conn.; Portland, Me.; or Ashland, Wis.

I can not leave this subject without referring to the magnificent work which has been done in New Orleans in the eradication of bubonic plague and the way in which that city has gone about making of itself "the city sanitary." The commercial relations of that great port made it natural that plague should be introduced there through the intermediation of shipping. When the disease appeared we did not attempt to hide it. Instead, we announced the fact fearlessly and freely to the whole world. Our State and city governments united in asking that the General Government loan us its expert officers to lead the campaign. The public and the private purse was opened freely, and there occurred a sanitary renaissance which was unexampled in this or any other country. To-day New Orleans is clean. To-day New Orleans is the most rat-proof city in America, and it will not be long before it is the most sanitary in the United States. The work which has been done has not been spasmodic or temporary in character. It has been built for all time. Stone, concrete, and masonry have been installed, and, while the danger of a great epidemic has long passed, still the work goes forward with unabated vigor to the end that the great gateway of the Mississippi Valley shall be secure against disease. Our people know the lesson of plague, and never again will the dread pestilence menace the people of Louisiana. The example of New Orleans has been followed by many of the other southern cities. Florida, Alabama, Mississippi, and many of the other Southern States have passed and are enforcing rigid antiplague laws. Even some of the northern cities have profited from this demonstration, and Philadelphia and Baltimore have fallen into line for this much-needed civic improvement.

This whole subject of the sanitary condition of the Southland is of such great importance and so dear to my heart that I could continue to give you examples of the healthfulness of our section of the country, the sanitary intelligence of our people, and the hygienic tenor of their lives. I could tell of the way we teach health and hygiene and sanitation in our schools, academies, and colleges. I could dilate on the way in which we endeavor to throw about all our people, whether they live in crowded city, obscure hamlet, or remote farm, the benefits which have come to us through the application of the principles of modern sanitary science. But the limitations of time forbid. The actual healthfulness of this section of the country is the answer to him who would controvert my statement that the South is the most healthful portion of our great Republic, and he who dwells there is assured of length of life, peace, and security from disease.

But one needs more than good health and a pleasant climate. Hence I must describe some of the other advantages of this region.

THE AGRICULTURAL HEART OF THE NATION.

The South is preeminently an agricultural section, and her strides in this direction are truly amazing. In 1915 the gain in the value of all farm crops in the United States over 1914 was $526,000,000. Of this gain $317,209,000, or a little over 60 per cent, was in the South. Remember, the South occupies only one-third the total area of the country, and this one-third produced 60 per cent of the agricultural increase. In other words, the South is advancing three times as fast agriculturally as the rest of the Nation. Nor is this increase due to cotton. The 1915 cotton crop was valued at $750,000,000, while the value of diversified crops, such as grain, sugar, hay, tobacco, vegetables, fruits, and so forth, and exclusive of live stock, was $1,957,000,000, or two and one-half times as great as cotton. If we include live stock, the total value of all southern farm products, exclusive of cotton, was $2,850,000,000 in 1915, or nearly four times the value of the cotton crop.

KING COTTON.

Cotton, the monarch of southern agriculture, is too well known to make it necessary for me to say much in regard to it. This crop has ever been, and will continue to be, the principal money crop of the Nation, for while corn has much greater actual value, it is not converted into money like cotton, but is largely consumed on the farm and sold indirectly. The southern cotton crop last year, including the seed, sold for about $750,000,000, and it is one of the greatest of our national assets.

Cotton is one of the chief instrumentalities through which the United States has attained its dominant commercial position. All the gold and silver produced in the world in any one year in the last 35 would not be sufficient to purchase last year's

southern cotton crop. In fact, the value of the world's entire production of gold and silver during the past 35 years is nearly $6,000,000,000 less than the total value of the South's cotton crops for the same period. The cotton crop ranges in value from $750,000,000 to $1,000,000,000 annually, and amounts to 60 per cent of the world's total cotton production.

Raw cotton is the commodity which gives the United States the great balance of trade in its favor. Cotton represents approximately 30 per cent in value of our annual exports, and it is this great southern staple which places the rest of the world in our debt.

But the prospective immigrant may object that cotton is distinctively a crop adapted to negro labor, and that a white man is not well fitted to grow it. This is entirely erroneous. I insert as Appendix B a census table showing the acreage, yield, and value of cotton grown by all farmers, and by colored farmers in 1909." These are the latest available figures.

It will be noted that negroes produced that year only 38 per cent of the cotton yield in bales, and only 32 per cent of its value. In other words, the white farmer grew 62 per cent of the cotton yield and received 68 per cent of the cotton value. Cotton is a crop which the white man can grow most profitably, and the prospective immigrant need have no fear on that score.

The doctrine of diversified farming, epitomized in the phrase "safe farming," has been preached and is being practiced in almost every part of Dixie. With what result we shall see. Everything produced in the temperate zone is being raised by our people in ever-increasing quantities and with great profit.

I insert as Appendix C a table showing the total yield of corn, oats, wheat, and hay in the 11 cotton States for the years 1909 to 1915, inclusive:

I ask Senators in looking over these tables to bear in mind that while there are a total of 16 Southern States only the 11 that raise cotton are included in these tables. The other five do not raise cotton, or at least only in such small quantities as not to be appreciable.

This table evidences in a striking manner the progress of diversified farming. The corn crop of these cotton States doubled in seven years, increasing from 461,536,000 bushels in 1909 to 812,883,000 bushels in 1915. The oat production trebled, climbing from 51,847,000 in 1909 to 157,714,000 in 1915; while in the same period the wheat crop increased from 28,662,000 bushels to 88,842,000, and hay kept pace by advancing from 3,108,000 to 6,269,000 tons. The true significance of these figures is not realized until we remember, for instance, that while the corn production of the cotton States doubled, that of the rest of the country increased only 5 per cent; and while the southern oat crop trebled, the oat crop of the rest of the Nation increased only 40 per cent.

CORN OUTSTRIPPING COTTON.

Corn is a crop which is peculiarly adapted to the South. The 16 Southern States produced in 1915, 1,246,945,000 bushels of corn, which was considerably more than one-third of the total crop of the Union.

The truly enormous increase in its growth shows that its value is being appreciated by the southern farmer, and although the average yield per acre is less than in some of the Western States, this is because it has not been given that intensive cultivation so necessary for the best results.

Mr. SHEPPARD. Mr. President——

Mr. RANSDELL. I yield to the Senator from Texas.

Mr. SHEPPARD. Is it not a fact that the largest yield of corn on a single acre in any State was obtained in South Carolina?

Mr. RANSDELL. I understand that is a fact. Though I have not the exact figures before me, I have a most interesting table, which I will insert later, showing the record of seven southern boys who produced over 200 bushels of corn per acre.

In the grain States of the Central West corn is the money crop, and the most intelligent attention has been given to it, while in the South to within the last few years cotton was king of agriculture and corn was neglected. This, however, is being rapidly remedied, and the statistics of the United States Department of Agriculture show that during the past seven years the average production of corn per acre in the South has increased from 25 to 90 per cent, ranging from 15 bushels per acre in Florida and Georgia to 35 bushels in Maryland. (Appendix D.)

In the light of these figures and from much study of the subject I am convinced that the people of the South are just beginning to raise corn and that the great crop of 1,246,945,000 bushels produced in 1915 by the 16 Southern States is only a moderate percentage of what may be expected in the future.

It is interesting to note that the estimated value of this corn crop was $786,646,000, or $36,000,000 in excess of the value of the cotton crop of the same year, so that cotton must look to its laurels, or corn will soon be monarch of southern agriculture, as it is unquestionably of the Nation's crops.

The largest yield of corn ever produced on a single acre by a member of a boy's corn club was 232.7 bushels, made by Walker Lee Dunson, of Alabama, at a total cost of only 19.6 cents per bushel.

The work of these boys is so remarkable that I wish to insert the following records from the reports of the Department of Agriculture:

Record of 7 boys producing over 200 bushels of corn per acre.

Name of club member.	State.	Yield per acre.	Cost of production per bushel.
		Bushels.	*Cents.*
Jerry Moore	South Carolina	228¾	42.0
Junius Hill	Alabama	212½	8.6
Eber Kimbrough	do	224¾	19.8
Ben Leath	Georgia	214⅞	14.2
J. Jones Polk	Mississippi	214 7/10	21.4
Bennie Beeson	do	227¼	14.0
Walker Lee Dunson	Alabama	232 7/10	19.9

Number of corn-club members in the Southern States who have raised 100 or more bushels of corn to the acre each year from 1909 to 1914, inclusive:

1909	52
1910	171
1911	327
1912	493
1913	374
1914	354
Total	1,771

I hope the Senators from the corn States are listening to these figures.

The greatest yield of corn per acre in the United States was made in South Carolina by a gentleman who produced 256 bushels on a single acre. However, the table I have read refers to the boys' corn-club work. These wonderful yields were made by the young boys to whom I have just alluded.

Mr. VARDAMAN. What years were those?

Mr. RANSDELL. In the years 1909 to 1914. It is the yield for several years, taken from a bulletin furnished by the Department of Agriculture. The best record was made by Walker Lee Dunson, of Alabama.

During six years, 1909 to 1914, inclusive, 1,771 boys have each produced more than 100 bushels of corn to the acre. Of that number 26 each produced more than 200 bushels per acre.

Gentlemen, those figures speak in thunder tones. Is it possible for 1,771 boys to raise an average of over 100 bushels of corn per acre in a section not an actual corn section? These facts tell the whole story. The reason why the South has not been producing corn in enormous quantities heretofore is that we have not been giving it proper attention; but now that our attention is turned to it we are raising it in the greatest quantity.

As I have just shown, the corn crop last year was 1,247,000,000 bushels. I will show you later that that great corn crop was worth $786,000,000—more than $36,000,000 in excess of the value of the cotton crop of the South.

Mr. JONES. Mr. President——

The VICE PRESIDENT. Does the Senator from Louisiana yield to the Senator from Washington?

Mr. RANSDELL. I will be delighted to yield.

Mr. JONES. It is a very interesting statement that the Senator has made. I wonder whether the Senator has any data showing the expense per acre of producing the corn.

Mr. RANSDELL. I have just read those figures. Jerry Moore raised 228¾ bushels at a cost of 42 cents a bushel; Julius Hill raised 212½ bushels at a cost of 8.6 cents a bushel; Eber Kimbrough raised 224¾ bushels at a cost of 19.8 cents a bushel; Ben Leath raised 214⅞ bushels at a cost of 14.2 cents a bushel; J. Jones Polk raised 214 7/10 bushels at a cost of 21.4 cents a bushel; Benny Beeson raised 227¼ bushels at 14 cents a bushel; and Walter Lee Dunson raised 232 7/10 bushels at a cost of 19.9 cents a bushel.

These are the official figures furnished me by the Department of Agriculture.

Mr. JONES. What States were those?

Mr. RANSDELL. Jerry Moore was from South Carolina, Julius Hill from Alabama, Eber Kimbrough from Alabama, Ben Leath from Georgia, J. Jones Polk from Mississippi, Benny Beeson from Mississippi, and Walter Lee Dunson from Alabama. So the Senator will see from the figures I have given that there was a very considerable profit in the crop raised by

all these boys, although some raised the corn much more cheaply than others.

Mr. JONES. Has the Senator any data to show how much was the cost for fertilizers?

Mr. RANSDELL. I have not those figures at hand.

Mr. VARDAMAN. What was the question asked by the Senator from Washington?

Mr. JONES. I wanted to know whether the Senator had any data showing the cost for fertilizers?

Mr. VARDAMAN. It was all very highly fertilized at the cost which the Senator from Louisiana has stated, a cost of from 8 cents to 21 cents per bushel.

Mr. JONES. The cost of one, I think, was stated at 42 cents a bushel.

Mr. RANSDELL. In one case, that of Jerry Moore, the cost was 42 cents. I have understood, I will say to the Senator, in the case of Jerry Moore he fertilized the ground very highly, and that is what made the cost so expensive, but the Senator will readily see that some of the others could not have used a very great deal of fertilizer because the cost was quite small.

Mr. OVERMAN. The Senator has given the record of the boys' corn club, which was remarkable in my State also. I will ask the Senator if he has a statement showing the yield which was made in the Southern States by States? By intensive farming I know the yield of corn has been increased. But in my State the increase generally in 10 years has been millions of bushels.

Mr. RANSDELL. I think I can turn to the table in a few moments and will be glad to do it.

Mr. OVERMAN. I wish the Senator would put that in the RECORD.

Mr. RANSDELL. I will be very glad to put it in the RECORD. I stated before the Senator came in that there had been an increase from about 400,000 bushels in 1909 to 800,000,000 bushels in 1915 in the 11 Southern cotton States, though the South as a whole, the yield in the cotton States has very nearly doubled.

Mr. OVERMAN. That includes North Carolina, of course.

Mr. RANSDELL. It included North Carolina. Taking the entire South of 16 States, it shows that there was a production last year of 1,247,000,000 bushels of corn—a colossal growth for the South as a whole. I have also shown the wonderful growth in the last few years during which we have really been beginning to raise corn. We did not do it before.

Mr. JONES. Mr. President——

The VICE PRESIDENT. Does the Senator from Louisiana yield to the Senator from Washington?

Mr. RANSDELL. I am very glad to yield to the Senator from Washington.

Mr. JONES. I also want to ask what allowance was made in determining the cost for the work done by the boys. What rate of compensation did they figure? Does the Senator know?

Mr. RANSDELL. The boys are required to charge the crop with 10 cents per hour for their own labor, and 5 cents per hour for work animals; also with $5 per acre for rent of land; also with the actual cost of all commercial fertilizers, and with $2 per ton for other fertilizers.

Mr. JONES. I suppose the labor cost would be covered.

Mr. RANSDELL. Yes, that is figured in. I will state to the Senator that in the State of Louisiana some years ago, under the auspices of Dr. S. A. Knapp, the boys' corn-club work was started, and it has been carried on so that it has spread all over the Southern States.

These boys are encouraged to take an acre and cultivate it in the most thorough and scientific manner. They are offered prizes. One of the prizes is that the boy who makes the best crop in his State will be given a free trip to the city of Washington and the Secretary of Agriculture will give him a diploma of agriculture. The expense is paid by the people of the community. This work is carried on under the auspices and watchful care of the Department of Agriculture through the farmers' cooperative demonstration work. Every item of expense is required to be kept.

Mr. JONES. These boys, I understand, are employed under the supervision of some representative of the department.

Mr. RANSDELL. That is true.

Mr. JONES. Does the representative of the department keep an account of the number of days' work put on the ground or the number of hours that the boys work?

Mr. RANSDELL. I do not imagine that that could be done with very great accuracy, because he is not there to watch it all the time. I assume that he has to trust more or less to the honor of the boy and the boy's father. These boys are usually the sons of representative farmers, and there is great rivalry, I will say, between the members of the boys' corn clubs. There are quite a number of members, and each is contending for a prize, and, of course, the rivalry between them would require them to be fair.

Mr. JONES. I suppose the boys, at any rate, would be required to turn in to some one an account or to keep an account of the number of hours they work.

Mr. RANSDELL. That is true. An accurate statement of everything is kept, and at the close of the season the correctness of this statement is certified to the department by three disinterested and reliable neighbors of the boy.

Mr. JONES. Who furnishes the tools and the horses for these boys?

Mr. RANSDELL. I imagine that they usually get from their fathers their tools and horses, and that is charged up as a part of the cost.

Mr. JONES. Does the Senator know upon what basis they determine the charge that should be made for the time or for the implements, and all that sort of thing?

Mr. RANSDELL. As stated above, they charge 5 cents per hour for work animals, and I am sure a proper charge is made for implements, but I can not give details.

Mr. JONES. Of course, the Senator knows that in determining the figures as to the cost per bushel it is very important to know what are the elements that enter into it.

Mr. RANSDELL. I will say to the Senator that all I know about it in detail is the information contained in the bulletins of the Department of Agriculture. They give these figures in detail. I shall be glad to refer the Senator to the bulletin which I hold in my hand. It goes quite into detail on the subject, but it does not give the information which the Senator seeks. I knew Dr. S. A. Knapp well, and I knew he was carrying on this work, which was a most interesting one to me. My understanding was that the boys were required to keep an accurate account and charge everything against the crop—not only their own labor but everything else—so as to know at the end of the year what it had actually cost them to raise the corn.

Mr. SMITH of South Carolina. Mr. President——

The VICE PRESIDENT. Does the Senator from Louisiana yield to the Senator from South Carolina?

Mr. RANSDELL. I yield to the Senator from South Carolina.

Mr. SMITH of South Carolina. I merely wish to remark that the only accurate way that the cost of production in this case could be arrived at would be to take what they call a one-horse crop—the number of acres that one hand can tend. That number of acres differs as to cotton and corn, which are the staple crops in the section that the Senator from Louisiana refers to. One man can tend and gather a whole corn crop, but he can not tend and gather a cotton crop, though he can tend and cultivate the same number of acres of cotton that he can of corn. The way they arrive at the cost per bushel is by taking the usual wage paid the hand, the rent for the animal with which he tends the crop, and the upkeep. There is a standard gauge—a standard price for a work animal for the work period, which is six months. Account, of course, is kept of the monthly pay, the amount of fertilizer that goes into the fertilization of the corn, and the number of days it takes to work it. If the boy only worked 2 acres of corn, then it is two-thirtieths of an average crop. So it is very easy to arrive at the cost per bushel and what compensation the boy is entitled to at the average wage.

Mr. JONES. I suppose that where they tried these special experiments they did not figure that 1 acre would be one-fortieth of 40 acres, but that they kept an actual account of the work put in on that 1 acre.

Mr. SMITH of South Carolina. They do keep such an account as to this special acre.

Mr. JONES. That is what we are talking about.

Mr. SMITH of South Carolina. Jerry Moore, who made 230 bushels of corn on 1 acre, kept an itemized statement of what it cost—the cost of seed, the cost of fertilizer that went on the acre, the number of days he put in, at what price he put them in, the gathering, and the weighing. He put in every item.

Mr. JONES. That was what I wanted to get at.

Mr. RANSDELL. In the grain States of the Central West corn is the money crop, and the most intelligent attention has been given to it, while in the South to within the last few years cotton was king of agriculture and corn was neglected. This, however, is being rapidly remedied, and the statistics of the United States Department of Agriculture show that during the past seven years the average production of corn per acre in the South has increased from 25 to 90 per cent, ranging from 15 bushels per acre in Florida and Georgia to 35 bushels in Maryland. (See Appendix C.)

I hope the Senator from North Carolina is listening to this statement. He asked me what the relative rate of increase

there had been. The Agricultural Department shows that it was from 25 to 90 per cent in the past seven years.

Mr. OVERMAN. In my own State of North Carolina the increase has been about 90 per cent.

Mr. RANSDELL. Mr. President, in the light of these figures and from much study of the subject I am convinced that the people of the South are just beginning to raise corn and that the great crop of 1,246,945,000 bushels produced in 1915 by the 16 Southern States is only a moderate percentage of what may be expected in the future.

It is interesting to note that the estimated value of this corn crop was $786,646,000, or $36,000,000 in excess of the value of the cotton crop of the same year, so that cotton must look to its laurels or corn will soon be monarch of southern agriculture, as it is unquestionable of the Nation's crops.

The largest yield of corn ever produced on a single acre by a member of a boys' corn club was 232.7 bushels, made by Walker Lee Dunson, of Alabama, at a total cost of only 19.6 cents per bushel.

I have already given the figures in regard to this matter in answer to questions, and I shall not now repeat them.

Careful experiments have demonstrated that the greatest yields of corn on small areas have been made in the South, and the best scientists are of the opinion that if the methods of cultivation followed in the corn States are applied in the South our average production will be fully as great, if not greater, than in any part of the Union.

THE SUPERIORITY OF SOUTHERN CORN.

Now, as to the quality of this corn—and, Mr. President, I hope Senators will pay strict attention to this, because I know most people think that, even if we do raise large crops of corn in the South, the corn is not half so good as that produced in the corn States. The opinion has long and widely prevailed that southern corn is inferior to that of the so-called corn States. Not only is this belief erroneous, but I shall show that the corn of Dixie is actually superior to that produced in sections famed for the quality of their grain.

The United States Department of Agriculture has made a series of scientific tests which place the stamp of superiority upon the southern product. I quote from a letter from Dr. William A. Taylor, Chief of the Bureau of Plant Industry of the Department of Agriculture under date of April 29, 1916. He says: "The moisture content of corn is one of the principal factors determining its commercial grade and value. The following table gives the average moisture content of corn raised in Louisiana compared to the moisture content of corn raised in Virginia and Illinois, in samples submitted by members of the boys' corn clubs, 1915 crop:

State.	Number of samples.	Average moisture content.
		Per cent.
Louisiana	7	13.4
Virginia	20	17.8
Illinois	16	19.1

The above table shows that the Louisiana corn was very dry in comparison with that grown in the more northern States.

In the following table is shown a comparison of the moisture content and damaged kernels in samples of corn grown in Louisiana compared to corn grown in Illinois. Both of these factors are important from a commercial point of view, and it will be noticed that the Louisiana corn shows up the best in both factors:

	Number of samples.	Average.	
		Moisture content.	Damaged kernels.
NOVEMBER, 1914.		*Per cent.*	*Per cent.*
Louisiana corn	70	14.0	5.1
Illinois corn	114	16.3	3.8
DECEMBER, 1914.			
Louisiana corn	110	14.3	2.3
Illinois corn	99	16.6	4.3
JANUARY, 1915.			
Louisiana corn	40	13.8	1.0
Illinois corn	158	17.0	4.1
FEBRUARY, 1915.			
Louisiana corn	20	13.3	.4
Illinois corn	90	17.1	4.4

This is fairly representative of conditions, and indicates that the Louisiana corn usually contains considerably less moisture than corn from the central part of the corn belt and shows a lower percentage of damaged kernels.

In a letter of May 11, 1916, in response to a further inquiry, speaking of the standard Government grades for commercial corn, Dr. Taylor says:

> In the definition of these grades it will be noticed that there is a maximum limit to the amount of both the moisture content and the damaged kernels in each of the grades and that the higher grades allow less moisture and fewer damaged kernels than the lower grades. Commercial corn is sold mostly by grade and the higher grades generally command the highest prices.
>
> Applying the maximum limits of moisture content and damaged kernels in the corn grades to the data shown in the table previously submitted, it will be seen that so far as the factors of moisture content and damaged kernels are concerned the Louisiana corn, with one exception, would grade higher on an average than the Illinois corn during the period covered in that table.
>
> In addition to the high commercial grade which corn testing low in moisture content and damaged kernels is entitled to, corn of this nature will stand up better in storage and during transportation than corn testing high in these factors. Enough information is at hand to indicate that southern-grown corn generally tests lower moisture and damaged kernels at the time of harvest than corn grown in the remainder of the country, and as the southern corn matures earlier, it has the additional advantage of an early market.

Mr. CURTIS. Mr. President——

Mr. RANSDELL. I yield to the Senator from Kansas.

Mr. CURTIS. I wish to ask the Senator whether the figures he gave in reference to the production of corn related to the general production over the State or merely to the production of one or two acres of premium corn?

Mr. RANSDELL. Merely to the production of sundry acres of premium corn raised by members of the boys' corn clubs. I do not pretend that the South yields anything like as much corn per acre as do the more northern portions of the country, but I say that the quality of the southern corn, so far as the testing is concerned, shows better in the amount of damaged kernels and in the moisture content, and I give my authority, Dr. Taylor, Chief of the Bureau of Plant Industry.

Mr. VARDAMAN. Mr. President, if the Senator from Louisiana will permit me a suggestion, the fact that the Senator from Louisiana wishes to establish, as I understand, is the possibility in the South of raising corn and other cereals which heretofore it has been thought could not be successfully cultivated there.

Mr. CURTIS. In other words, it is a showing made to induce the people of the South to go to raising more corn and less cotton, I should judge.

Mr. VARDAMAN. I do not know about that. I think the boll weevil is having something to do with inducing them to raise more corn; but the amount of cotton which the South is raising now is not as much as the world needs, and the small amount that is consumed—16,000,000 bales—is only a beginning of the amount of cotton that will be used in the future, because every year there is discovered some new use to which cotton may be devoted profitably.

Mr. RANSDELL. Mr. President, I should like to say, in reply to the Senator from Kansas, that there is no intention on my part to try to induce the people of the South to raise less cotton; but I want to induce a good many of the good people of Kansas who are flocking into the overcrowded cities from the Kansas farms to come down South; and, as they are used to raising corn, wheat, and oats in Kansas, and perhaps do not know much about any other kind of agriculture, except cattle raising, I want to make them understand from my remarks here to-day that they can go into any part of the South and have just as good advantages there for raising cereals of different kinds, and for all kinds of cattle and live stock, as they have in Kansas. They may not like to go into the cotton business, and it is not necessary for them to do so. There are a great many people in the South who are going to continue to raise cotton—probably all we need to raise—but we have millions of acres of the finest unimproved land in the South, and we need 50,000,000 more people to develop all our wonderful resources. I simply wanted to make it known to the balance of the Nation that if prospective emigrants do not care to engage in the production of cotton, but want to go South, they would not be obliged to raise cotton, but could raise corn or almost anything else.

Mr. CURTIS. Mr. President, I think the farmer of Kansas is very well satisfied with his corn production and also with his wheat, and would not desire to remove to another section for the purpose of engaging in farming. I was greatly interested in the statement made by the Senator, and I merely wanted to know why he laid so much stress on the corn proposition; that was all.

Mr. RANSDELL. I hope I have explained it to the Senator. I want to get more of the people from the Senator's State to come to the South.

Mr. VARDAMAN. If the Senator from Louisiana will pardon me——

Mr. RANSDELL. I yield.

Mr. VARDAMAN. This incident recalls to memory something that occurred in Kansas many years ago, during the formative period of that great Commonwealth. The grasshoppers had made two or three disastrous visits to the cornfields of Kansas. A farmer who had gone from the South to that land of promise and invested all of his earthly possessions in the farm after two or three ravages of the little green pest found himself unable to maintain his family longer, so, putting all of his earthly possessions together, with his family in a "prairie schooner" he started back to the Southland. A few days after his departure some of his former neighbors chanced to pass his deserted home and found the following lines stuck upon the door:

Fare thee well, dear Kansas,
I bid thee a fond adieu;
Perhaps I may go down to hell,
But I'll never come back to you.

Mr. CURTIS. Mr. President, I am glad to say that they have been coming back to Kansas. None of our farmers are leaving their Kansas farms, and those who left years ago are now sorry they can not get back; and if they have not returned to Kansas it is because they are tied by investments which, if it were now possible, they would rather have in Kansas.

Mr. VARDAMAN. Mr. President, I agree with the Senator. The advantages of Kansas as an agricultural State could hardly be exaggerated. I had the pleasure of visiting Kansas a few years ago, and I want to take this occasion to say that I found there some of the most delightful people and most beautiful agricultural land I have ever seen, with the possible exception of Iowa, which can with modesty boast of the most prosperous farmers and splendidly developed farm lands I have ever known in my life. My observations during my travels over Iowa last year compels me to say that that State is the agricultural garden spot of the Western Hemisphere. And, as great as it is now, its present is but an augury of a still greater future. And what I say of Iowa can be said of Kansas. The future of those great States of the West is a matter of hope and pride to every patriotic American citizen.

Mr. CURTIS. I thank the Senator.

Mr. RANSDELL. Mr. President, to resume, these official tests, as given by Dr. Taylor, demonstrate that southern corn has many advantages over that grown in other sections. Why not? I hope the Senator from Kansas will listen to this. In the laboratory of nature more sunshine and rain are available for the production of corn in the Southern States than in the so-called corn belt. The prospective immigrant, therefore, need have no fear if he wishes to settle in a corn country. Dixie is the place for him. His honest toil can produce from her fertile lands corn that will grade better, ship better, and therefore bring higher prices than that grown in the so-called corn belt of the United States.

SUGAR, RICE, TOBACCO, ETC.

Sugar cane also is a very interesting and profitable crop, and though it is now mainly confined to southern Louisiana, there is no reason why it should not be grown in all the Gulf States and Georgia, especially along the coasts of Texas and Florida.

Perhaps the southern crop that, next to corn and wheat, would appeal most to the northern farmer is rice, which is handled in many respects the same as wheat. This most nutritious cereal grows well on any flat land in the South that can be irrigated, and it has proved very successful in Louisiana, Texas, Arkansas, and South Carolina. It will not be amiss to say a word in regard to the great success with which rice is grown in Louisiana, which leads all other States in its production. In 1915 Louisiana produced 13,714,000 bushels of rough rice which was 47.4 per cent of the total American crop, and practically 6,000,000 bushels more than its nearest competitor. This crop was worth $12,343,000 on the farm. The yield of 34.2 bushels per acre in Louisiana that year is 1.1 bushels more than the average for the entire country during the past 10 years. In 1914 there were 41 rice mills in Louisiana, which was 55 per cent of all in the United States, while in the city of New Orleans is situated the largest rice mill in the Union. Rice also affords great opportunities to the farmer seeking a change of location.

Tobacco is a very extensive industry in Virginia, Kentucky, and Tennessee, and does well in several other States. Peanuts thrive marvelously, especially on the sandy lands of Virginia and Tennessee, and have proved a big success on the rich bottoms and sandy hills of Louisiana and Mississippi. And wheat can be profitably grown on two-thirds of our southern farms.

Indeed it would take a long time to enumerate the various crops, fruits, and vegetables which can be raised with interest and profit in the South. One can literally take his choice and find suitable conditions for it.

OUR UNEQUALED FORAGE CROPS.

Now, let me say something about our wonderful forage crops, many kinds of which do excellently, the famed blue grass and equally nutritious Bermuda being our best natural grasses. Alfalfa, Lespedeza, the clovers and vetches, cowpeas, soy beans, oats, rye, and so forth, do well in every State of the South.

On this subject Dr. Taylor, in a letter to me dated April 29, 1916, says:

The culture of forage in Louisiana in common with other Southern States has been a relatively unimportant part of the State's agriculture, but in the last few years there has been an enormously increased interest awakened in animal husbandry.

Notwithstanding the relatively small amount of live stock and consequently of forage production in Louisiana, it is probably true that at least as much forage per acre can be grown on the alluvial lands of Louisiana as in any other portion of the United States.

I should like to call this statement of Dr. Taylor to the attention of Senators from the cattle States, if there are any within the sound of my voice:

On these alluvial lands Bermuda grass and Japan clover combined form a permanent pasture which will easily carry two head of stock per acre for eight months in the year, and in some cases double this amount. When it is borne in mind that the best blue-grass pastures of the North will carry only one head of cattle to 2 acres for about six months of the year the extraordinary productiveness of the alluvial land pastures is evident.

Senators, this is not my statement. It was made by Dr. Taylor, chief of the Bureau of Plant Industry of the Department of Agriculture.

This disinterested testimony is the voice of truth. No section of the United States is more favored by nature for the production of forage crops, and our possibilities in this direction are so vast that a splendid future awaits the South as the principal cattle section of the Union. With corn and forage crops naturally goes animal industry, and our recent successes in this new field speak with prophetic voice for the future.

HOGS, THE MORTGAGE LIFTER.

There are no enemies to hogs, sheep, horses, and mules in the Southern States which do not exist everywhere, and all of these animals succeed well. Our winters are so mild that with a proper variety of crops grazing can be secured every day in the year, and animals require much less dry food and close attention than in the North. Conditions with us are especially favorable to hogs, and no State in the Republic has as many advantages for the lowly porker, called the "mortgage lifter," in the great agricultural States of Iowa and Illinois, as my own Louisiana, which is the natural home of the hog. Food crops of every kind grow in great profusion throughout the year, no housing is necessary, and the health of the pigs is fine whenever properly cared for.

The mild climatic conditions in the South make it unnecessary to invest any large amount of capital in equipment, and it is possible to raise two litters per year from mature sows much more successfully than in the so-called corn belt. In 1915 there were 20,481,000 hogs in the South, representing a total farm value of $161,111,000. The breeding of swine is an excellent investment for the farmer with small capital, for hogs multiply rapidly and give quick returns upon the money expended. No hog diseases exist in the South which are not also prevalent in the great hog States, and southern hogs are practically immune to pulmonary and bone troubles, such as pneumonia and rheumatism, and so forth, which are very common in the colder States. Beyond question southern hogs are more healthy than their northern brethren, and hog raising in the South can be made more profitable than in any other part of the Union.

Equally favorable conditions exist as to mules, horses, and sheep. Kentucky, Tennessee, and Missouri are justly famous for the best horses and mules on the continent, but I have seen as good animals raised in Louisiana as ever trod the ground, and Texas has become very noted in recent years for its horses and mules.

RAPIDLY GROWING CATTLE INDUSTRY.

The South is naturally and otherwise adapted for live stock production, especially cattle for beef and dairying, and her farmers who have made the attempt have settled into this type of farming with an ease and grace befitting the best of our corn-belt farmers. Why should not they? There is no limit to the diversity or production of their grain and forage crops. There may be a few crops that do not thrive as well in our Southern States as in colder climates, but their places are more than filled by the hundreds of varieties of grain, forage, and pasture crops farmed in this section. While the so-called corn-belt and northern farms are locked in ice and snow the South is green with winter pastures. Southern cattle, unhoused and with little attention, make gains on pasture during

the winter months that are unheard of without heavy grain feeding on northern farms.

To those who have watched southern agricultural development closely during the past few years the stride she has taken is phenomenal. This is especially true in the case of the development of the cattle industry. Pure-bred herds and flocks are springing up everywhere. Almost every county has its "better live-stock associations." Nearly every State has its corps of specialists who are fostering their particular branch of agricultural development. The work of these specialists is concerted and organized, and branches through the county agents and farmers on one side and back through the State colleges and the Department of Agriculture on the other.

The change from straight cotton to diversified and live-stock farming has not been exactly "a bed of roses" for the planters of the South. The difficulties which they are overcoming, while few in number, are large in size. The greatest drawback in the way of cattle production the South has is the Texas fever tick. The Government specialist has landed on the work of eradicating this destroyer with a vim. During the few years in which the work has been in progress about one-third of the total ticky area has been cleaned of this pest. That this work is of great value to the southern cattle industry is indicated by the following figures. The average weight of cattle in the States of Florida, Georgia, Louisiana, Alabama, and Mississippi in 1915 were 340, 419, 471, 500, and 550 pounds per head, respectively.

The cattle of Wyoming, Idaho, and Montana, which are tick-free States, averaged 985, 966, and 938 pounds, respectively, in weight. The average values of cattle in these ticky States are: Georgia, $18; Florida, $18; Alabama, $20; Mississippi, $22. In a few of the tick-free States the average values of all cattle are as follows: Wyoming, $64; Montana, $60; Ohio, $56; Illinois, $56; Indiana, $54. Not only are the prices and values of beef cattle in ticky areas reduced, but it is estimated that milk production in such areas is reduced about 40 per cent because of the bloodsucking tick. When the work of tick eradication was first taken up it moved slowly, but at the present time southern farmers are making heroic efforts toward cleaning up their respective States. It is estimated that in from five to seven years the work will be completed.

It gives me much pleasure to state that the Legislature of Louisiana passed a law last week requiring all its citizens, under heavy penalties, to eradicate the cattle tick, and I have no doubt that my State will soon be free from the pest.

Following rapidly in the wake of tick eradication is the introduction of pure-bred beef animals. The beef cattle sales which have been held in the South during the past two years are numbered among the hundreds. Southern farmers appreciate good cattle and are paying good prices for them. At the Hereford sale held in Atlanta last November 46 head of pure-bred cattle were sold at an average price of $371 per head. One bull in this sale sold for $800; several went at $600. The best feature of this sale was the fact that most of these cattle went to southern breeders.

Another sale is that of the Lespedeza farm at Hickory Valley, Tenn. In this sale 60 head of pure-bred Shorthorn cattle sold at an average of $228. The bulls in this sale averaged $318, and one bull sold for $1,600. These were southern cattle and sold largely to southern breeders.

At the Davis Hereford sale at Jackson, Miss., in March of this year, some forty-odd cattle sold for an average price of $511. More than one-half of these cattle were sold to southern breeders, which in itself shows how rapidly the southern farmers are becoming accustomed to diversified and live-stock farming. In recent sales in North Carolina, South Carolina, Georgia, Alabama, Tennessee, Arkansas, Oklahoma, and Louisiana cattle have sold at excellent prices.

More cattle have been taken into Southern States during the months since January 1 of this year than during any months previous. If this record keeps up the year 1916 will mean a great deal to southern live-stock improvement. Already cattle coming from these States are beginning to show the results of breeding, and a few goods bulls scattered here and there in counties of the South will go a long way toward the establishment of a better type of cattle.

The boys' pig and baby beef clubs should also be given due credit for the part they have played in the development of southern live-stock conditions. The pig-club idea originated a few years ago in Louisiana. Since that time it has grown to such an extent that the mere supervision of the work necessitates the employment of several hundred specialists. Some of the specialists devote all their time to the work, while others only give part of their time. The baby-beef-club work, also a southern idea, has not existed as long as the pig-club work, but boys everywhere are glad of the opportunity to take up this interesting work. The work at present is going on in Texas, Mississippi, and Georgia, with promise that it will spread over all the South in a few years.

One might ask what has the South to show for all the work which has been done there in the interest of beef cattle during the last five years. It is difficult to answer the question with justice to the work, because the data and information which we have at hand are so small and so poorly representative of the real good that has been done.

That new institution, the Atlanta Live Stock Show, is a good example of what the South has produced and can do when called upon. This Atlanta show, because of certain factors, was devoted entirely to Hereford cattle last year. Hereford breeders are responsible for the statement that this was the biggest show of their breed ever held. Over $5,000 was offered in prize money, and the best of Hereford cattle from all over the United States were in the competition. One cow imported from England, the place where Herefords are supposed to be really good, was not good enough at Atlanta to win over some of her competitors. This show was reputed to have been better than the Hereford show at the Panama-Pacific Exposition, and several breeders brought their show herds across the continent to get an opportunity at the prize money offered. Every first prize offered by the fair association at Atlanta, as well as the four championships, and last but best of all, the two grand champion animals were all owned by breeders living below Mason and Dixon line. These southern breeders did not win because of lack of competition, for the strength of this show was without precedent.

Further, southern-bred cattle have won time and again at that great Mecca of all cattlemen, the International at Chicago. It remained for a Mississippi breeder to capture the premier recognition at this show in 1913 on that greatest of all present-day Hereford bulls, Point Comfort XIV. In making this wonderful product of the South a grand champion, the greatest possible honor was bestowed on southern farmers.

The offspring of this great bull, as well as those of many others, are being scattered over all the Southern States. Already their influence is being felt in the improvement of and the better prices received for the steers that are being marketed.

The South, with her cheap feeds and her wonderful variety of winter and summer pastures, can not be equaled for cheapness of the gains made by cattle fattened there. Bermuda grass, lespedeza, bur and other clovers, paspalum, and alfalfa are a few of the many grasses which are furnishing the basis of very economic beef production. Any one given section in our Northern States may boast of one or two standard pasture crops. In some sections of the South as many as 20 pasture grasses have been found growing in one pasture. Any one of these grasses alone would have been successful as a grazing proposition. With such a variety of resources at her command, one can appreciate how easily the South meets any and all conditions.

All that I have said in regard to beef cattle applies with equal force to dairy cattle. Although as yet there are but few creameries in the South, every branch of the dairying industry has been making rapid strides. Probably no one feature represents this development more definitely than the number of silos that have been built in the South recently. A report from the United States Department of Agriculture shows that during the past nine years the department has given advice, and so forth, in the building of 1,200 silos, which represent only a very small fraction, probably about one-sixth, of those actually built. Ten years ago a silo in the Southern States was almost unknown, but to-day there is hardly a county in the whole South in which silos are not in use.

THE SOUTH A MINERAL EMPIRE.

Rapid, however, as has been the South's agricultural progress, it has been fully equaled and even surpassed by her strides in the mineral world. In 1882 the total southern mineral production was valued at only $38,000,000, and amounted to 8 per cent of the mineral output of the country; in 1890 it was 14 per cent of the Nation's production, and its value was $87,000,000; in 1900 it was 16 per cent, and brought $177,000,000; in 1910 it rose to 19 per cent, and was valued at $370,000,000; while in 1914 the South's output brought $467,000,000, and constituted 22 per cent of the total production of the United States.

The increase in value of mineral production for the whole country from 1882 to 1914 was from $452,000,000 to $2,115,000,000, or about 370 per cent; for the South the increase was from $38,000,000 to $465,000,000, or 1,100 per cent. In other words, while during the generation from 1882 to 1914 the country, as a whole, was increasing the value of its mineral

output not quite fivefold, the South increased the value of its mineral production about twelvefold. And what minerals made up this grand total of nearly half a billion dollars—more than one-half as much in value as the great cotton crop of which the South is so justly proud? Of the 57 useful minerals mined in the United States every one is produced in the South except borax and platinum, and to make up for these two not produced, nine, namely, phosphate, bauxite, manganese, sulphur, monzonite, zircon, barite, fuller's earth, and nearly all the mica and pyrite are produced nowhere outside the South. The South is indeed a mineral empire. I insert as Appendix E some statistics as to the South's mineral wealth.

INCALCULABLE TREASURES OF COAL AND IRON.

Coal and iron are two of the main foundation stones on which modern civilization is based. Economists tell us that England and Germany achieved and maintain their present position through the extent of their activity in these industries. We know in our own country something of the splendid prosperity created by the northern and eastern coal and iron fields, and yet we do not bear in mind that the South has been blessed by a bountiful providence with 88,000 square miles of coal deposits, more than twice as much as that possessed by all Europe, including Russia. The southern output of coal was valued at $9,000,000 in 1882, $25,000,000 in 1890, $54,000,000 in 1900, $135,000,000 in 1910, and $155,000,000 in 1914, an increase of seventeenfold.

Our production of pig iron in 1914 was valued at $27,000,000. The South contains 50 per cent of the total iron resources of the Nation, though it produces only 12½ per cent of the pig-iron output. I cite these figures not to show what we have done, but what is still to be done. Our iron and coal resources have barely been scratched. Mr. Edwin C. Eckel, mining geologist, estimates that at the present rate of production it will take about 4,000 years to exhaust the known southern supply of coal. The wealth of Crœsus awaits those who will delve into these treasure hoards of nature, and the mere statement of their existence unfolds opportunities which must appeal to capital and labor alike.

Mr. Richard H. Edmonds, editor of the Baltimore Manufacturers' Record, has long been emphasizing, in a series of forceful, unanswerable editorials, the necessity of establishing munition plants in the South.

I hope some of my "preparedness" friends will listen to these few remarks. At my request he has written me a splendid letter on this subject, which I insert as Appendix F and to which I invite the careful attention of all. And here let me say a word in regard to this gentleman and his great journal, the Manufacturers' Record. For many years Mr. Edmonds and his paper have been true and consistent friends of the South. In season and out of season he has pointed out the South's resources, heralded her opportunities, and fought for her advancement. His championship has not been spasmodic, but week by week in every issue of the Manufacturers' Record he has labored in the cause and has justly earned the everlasting gratitude and encomiums of the southern people.

In speaking of those to whom special credit is due I also wish to call attention to the Southern Commercial Congress, organized in 1909 to make the South known to the world. This organization has done a noble and patriotic work, which is of incalculable benefit not only to the South, but to the Nation, justifying its slogan "A greater Nation through a greater South." One of its principal achievements was its pioneering and championship of the movement for a system of rural credits, which has just culminated in the passage of the Federal farm-loan act. This is one of the most important measures ever enacted by Congress, since it establishes a financial system which will meet the needs of agriculture.

As Mr. Edmonds points out, 90 to 95 per cent of the iron ore used by the great steel plants of the East must pass through the Soo Canal from the mines of the western Lake Superior region, and a few sticks of dynamite placed in this lock canal might instantaneously cut off their supply of ores and make it utterly impossible for them to manufacture munitions of war. The South, on the other hand, offers an ideal place for the location of munition and other steel plants. In the Birmingham region, for instance, coal and iron lie side by side, and manufacturing establishments located there would be safe from foreign foe. No higher grade of steel is manufactured in the United States than that made from southern iron, and a neglect to develop the steel industry in the South may cause frightful disaster to the future. Let the patriotic capitalists of the country take heed.

SULPHUR LOUISIANA'S MONOPOLY.

Louisiana produces practically all the sulphur in the United States. Fifteen years ago the United States produced only 3,000 tons of sulphur and imported 167,000 tons. Then what are probably the largest sulphur deposits in the world were made available in Calcasieu Parish, La., and the deficit was turned into a surplus—the import into an export. In 1914 our Nation mined 327,000 tons of sulphur, of which 98,000 tons were exported. Of this more than 300,000 tons, valued at over $5,000,000, came from the South. Louisiana had put the United States on the sulphur map of the world.

In the production of petroleum, now so important in our marvelous industrial development, the South stands to the front. Her output was 52 per cent of our national production and amounted to 118,000,000 barrels in 1915. This was nearly twice as much as the total amount produced by any other country in the world. Oklahoma is second in the United States in the production of petroleum, and I have but to mention the Cushing field to recall to your minds its phenomenal output. Louisiana has the great Jennings and Caddo oil fields and ranks fifth in the production of oil. Geologists tell us that the central South from Oklahoma to Louisiana is underlain with what are probably the greatest oil deposits in the world.

PETROLEUM AND NATURAL GAS.

Oil and gas go hand in hand. The South leads the Nation in the production and value of its natural gas. The southern output in 1915 brought the colossal sum of $49,000,000, which was 52 per cent of the total amount realized for natural gas throughout the United States. Oklahoma produces more than any other State, and next to her is Louisiana. Three hundred and thirty-four thousand domestic consumers and more than 5,000 industrial consumers are supplied with natural gas from southern fields. Louisiana, Oklahoma, Texas, Virginia, and West Virginia have large deposits of salt, the annual production of which runs into the millions. The Louisiana output is only limited by the demand, for mother nature has given her salt enough to supply the world for centuries.

The South mines nearly half of all the lead and zinc produced in the United States, and these deposits bid fair to do even better in the future. The southern output of these metals was valued in 1915 at $63,000,000.

The limits of this address do not permit more than a mere naming of our other minerals. Fuller's earth, bauxite, phosphates, cement, marble, clays, building stones, and health-giving mineral waters abound in many parts of Dixie. The Newcomb pottery made at New Orleans is justly famed and has taken prizes in many exhibits.

GOLDEN OPPORTUNITIES.

My discussion of this portion of my subject would be very incomplete if I did not call attention to the magnificent opportunities to which the marvelous advantages of the South give birth. The proximity of almost every known mineral makes no prophecy as to future manufacturing industries of the South improbable.

Dr. David T. Day, formerly of the United States Geological Survey, speaks of a conspicuous instance of this in the Manufacturers' Record of February 22, 1912.

> Certain classes of chemicals should be produced in the South at least to the full limit of the southern demand.
>
> These include products coming from southern minerals shipped frequently long distances away from home to be manufactured and transported back to the South for consumption. Equally obvious are the cases where the proximity of various raw materials admit of a product cheaper than anywhere else. Attention can not too often be called to the most prominent case of the latter kind, the production of soda salts. Everyone is familiar with the vast beds of pure rock salt in southern Louisiana, as well as the brines accompanying oil and gas to the north. In close proximity to this is found the cheapest sulphur production in the world—at the sulphur mines of Calcasieu Parish, in Louisiana. With abundant cheap fuel, oil, gas, and wood, with transportation in all directions by rail and water, no one can dispute the South's claim to supremacy as to location.

Dr. Day told me several years ago that the gas fields near Shreveport, La., were the largest known to science, and would generate more electrical power than all the waters of Niagara Falls, and a great deal cheaper, although subsequently he said that, owing to later discoveries, he thought there were greater supplies of gas in Oklahoma than in Louisiana. He said that Shreveport and other localities in my State were ideal for many enterprises requiring cheap fuel, especially in view of the proximity of sulphur, salt, gypsum, and sand. He also mentioned that bauxite, the mineral base of aluminum, is found in great quantity in America only in Arkansas, near Shreveport, whence it is carried thousands of miles to the cheap electricity of Niagara, whereas an enormous saving might be effected if the Arkansas and Louisiana products, bauxite and gas, lying side by side could be worked in cooperative unison. This is a great opportunity for men of brains and capital, and many others are offered by this wonderful gas field.

Our whole Nation is aroused on the subject of conserving our natural resources. Location and ownership of water-power

sites out West cause the fiercest controversy. Cabinets tremble at the mere mention of "conservation." Captains of finance and industry are searching the world for profitable investment, and yet this marvelous wealth of gas in Louisiana and Oklahoma, better than a dozen power sites in the West for superior electrical productivity to the mighty flow of Niagara's cataract, is actually going begging for some one to conserve and use it.

The West, however, is not alone in the possession of streams with water-power potentialities. It has been estimated that there is a minimum of over 5,000,000 primary horsepower in southern streams. This potential energy is sufficient for the creation of an industrial empire. Already these giant forces of nature have been partially harnessed, and over 1,000,000 horsepower are annually developed from southern streams; and I need but mention Muscle Shoals to call to your mind 600,000 horsepower in the Tennessee River at one place, which the National Government may utilize in the production of nitrates from the air.

SOUTH'S REMARKABLE MANUFACTURING GROWTH.

The South is not generally known as a manufacturing section, but her growth in this sphere is fully keeping pace with her advancement along other lines. In 1900 the value of all manufactured products in the South was $1,289,000,000, about 11 per cent of that estimated for the entire country, while the value of her farm products was $1,354,000,000. In other words, in 1900 the farm products of the South brought about $70,000,000 more than her manufactured products.

In 1910 a marvelous change had taken place. The South's manufactured output had more than doubled in value, amounting to $2,637,000,000, or 13 per cent of the total for the United States, while her farm products were valued at $1,927,000,000. In 1910 the manufactured products of the South brought $700,000,000 more than all her agricultural products.

The Department of Commerce estimates that last year Dixie manufactures aggregated over $4,000,000,000, which was 18 per cent of that produced by the entire country, while our farm products were valued at $3,600,000,000. The South now manufactures more than half of all the cotton it grows, and there is hardly a line of industrial activity that can be mentioned in which the South is not advancing faster than the rest of the Nation. Of 262 different lines of manufacture in the entire Union, 236 are already being carried on in the South. For a long time the South was considered purely an agricultural section, but that is true no longer. Agriculture is still of the greatest importance, reaching in value every year considerably more than one-third of the total agricultural wealth of the Nation, and being over $3,600,000,000 last year; but manufactures have grown far more rapidly than agriculture, and last year reached the colossal total of $4,000,000,000, which clearly gives the palm to manufacturing rather than agriculture.

SOUTHERN BANKS.

In natural cooperation with the South's marvelous growth in agriculture, mining, and manufacturing, her banking facilities have expanded enormously. In 1900 there were only 713 national banks in the South with total deposits of $456,000,000, while on March 7, 1916, 2,147 national banks, with deposits amounting to $1,636,000,000, were doing business. In 1900 the South had 1,589 State banks with deposits of $333,000,000, while in 1915 she boasted of 6,865, whose deposits totaled the colossal sum of $1,355,000,000. To put it in another way, in 15 years the number of southern banks quadrupled, while their deposits increased from about three-quarters of a billion to nearly three billions. These figures show that the South now has banking resources as great as the entire country had as late as the year 1884. Truly, Dixie is the land of opportunities, for although her growth was retarded for a while by various circumstances, she is now going forward with startling rapidity.

OUR SPLENDID TIMBER WEALTH.

Of vast importance to the South as well as to the entire United States are the timber resources, which have contributed much to the prosperity of the region and which will continue to add to its wealth for several generations. Lumbering—a term broad enough to embrace the cutting of the timber in the woods until it has gone through a refining process and is ready for consumption as boards, planks, or timber—has always been a part of the activities of the South; it was not, however, until the 90's that it began to grow with strides that quickly outdistanced the older producing regions. The exploitation has increased year after year and the end is not yet in sight.

As indicative of the economic importance of the forests to the States of Virginia, North and South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Arkansas, and Texas, the following estimate of timber remaining after several decades of heavy cutting is made, the figures being those of the Forest Service:

	Billions of feet b. m.
Virginia	14.5
North Carolina	42.9
South Carolina	30.7
Georgia	46.0
Florida	74.1
Alabama	56.3
Mississippi	92.7
Louisiana	119.8
Arkansas	81.5
Texas	66.0
	624.5

The South, as shown in the preceding tabulation, has a total estimated remaining stand of 624½ billion feet of timber—Louisiana's 119.8 billion feet alone representing nearly one-fifth of the aggregate timber remaining uncut. The value of this timber it is difficult to even fairly approximate, much less to make a close estimate of its real worth. If its value is placed at the very low price of $2 per thousand feet, the potential value of the forests is a billion and a half dollars. This represents but about one-sixth of the aggregate value of the resource by the time the timber is manufactured into lumber and ready for distribution. All of this money goes to the South—to labor and to the producers of other products of the region.

The South has produced in the way of lumber in the last 10 years—1905 to 1914, inclusive—more than 160 billion feet of lumber. Its yellow pine is known almost everywhere that lumber is used; it dominates the markets of the great Central West and the Eastern States; from the Gulf and South Atlantic ports it is shipped in cargo lots in normal times to practically all of the countries of Europe, in addition to the Republics of South America. In 1914 an aggregate cut of 17½ billion feet was reported by nearly 12,000 mills. It is not difficult for the mind to picture what the operation of these 12,000 mills means in the way of prosperity.

Louisiana in 1904 ranked fourth in the list of lumber-producing States in the Union in the volume of lumber cut. By 1907 this Commonwealth had advanced to second place and maintained that position until 1914, when the production reported exceeded that of any other individual State. Participating in that cut were 428 sawmills which reported the quantity of lumber manufactured. Louisiana can boast of not only some of the most modern equipped sawmill operations, but can with pride point to the single largest mill in the United States, a mill at Bogalusa, La., with a capacity of 1,000,000 feet of lumber a day.

Some idea of the extent of the lumber industry in the South may be gained from the fact that this industry employs 281,704 wage earners and that the capital invested amounts to the colossal sum of $364,852,000. In this again Louisiana leads, with 46,072 wage earners and $88,973,000 of capital invested.

Not only have the forests of the South given much to the upbuilding of the country as a whole through the volume of lumber cut each year, but the returns from the naval-stores industry are enormous. The value of these products—28,988,000 gallons of turpentine and 3,263,000 barrels of rosin—was $25,295,000.

The South's economic condition has been doubly benefited through exploitation of the forests. Not only has the timber cut brought many millions of dollars into the several States, given employment to hundreds of thousands, resulted in the construction of tens of thousands of miles of railroads, and afforded to the existing railroads millions of dollars' worth of freight traffic, but it has necessitated the building of many communities, now grown into thriving towns, and at the same time afforded a market for the products of the field and factory.

EXCELLENT TRANSPORTATION FACILITIES.

Mr. President, we have noted in a hasty and inadequate manner the varied and valuable products of southern forests, mines, and farms. A study of our production, however, necessitates brief mention of the great transportation problem, and of its three agencies—road, rail, and river.

There seems to be quite widespread belief that the South is woefully lacking in improved roads. This is entirely erroneous, for, while it is true that the South did not take up State-aid highway improvement as early as New Jersey or Massachusetts, it might not be amiss to point out that Maryland was the first to practically complete a comprehensive system of State roads built entirely at State expense and reaching every county and important city in the State.

While the good-roads movement was a few years late in getting under way in the South, as compared with some other sections, the movement since that time has been, if anything, more rapid there than in any other section of equal extent. Further-

more, it may be well to note that, with the exception of the period of great railroad expansion when every section of the country came to regard the public road as merely a local utility, the South has always been at the very front in the movement for better roads.

It was during the last 10 or 12 years, however, that the South made special progress in the improvement of its highways. This was accomplished through State aid, the utilization of convict labor, and the skillful adaptation of local materials to road improvement in a way equaled by no other section of the Union. In 1904 the 16 Southern States had a total road mileage of 790,274 miles, of which only 29,853 miles, or 3.8 per cent, were improved, as compared with 7.1 per cent of improved roads for the entire United States. The total cash road and bridge expenditures for these States amounted to only $12,636,959, or an average of only $16 per mile of road, as compared with $28 of average cash road expenditure per mile of road for the Nation. (Appendix G.) The 10 years following 1904, however, worked a wonderful transformation. At the close of 1914 the Southern States had a total road mileage of 954,671 miles, of which 84,155 miles, or 8.9 per cent, were improved. This is practically three times the mileage which was improved in 1904, while the cash road and bridge expenditures in 1914 amounted to $61,680,956, or about five times the total road and bridge expenditures in 1904. In comparison with the entire United States we note that the improved roads of the South amounted to 8.9 per cent of the total in those States, with a cash road and bridge expenditure of $64 per mile, while for the Union as a whole the improved road mileage was 10.9 per cent of the total, with a cash expenditure of about $100 per mile. Thus, while in 1904 the percentage of the improved mileage in the South was only one-half of the average for the country at large, in 1914 it was almost equal to the average for the entire United States. (See Appendix G.)

The above will serve to show how erroneous is the idea that the South is far behind in the improvement of its public roads. The work is by no means as yet complete, but when we stop to consider that at the present time about 8.9 per cent of its public roads have been improved, and most of this in the short period of 10 years, and when we recall that 15 or 20 per cent of the roads of any section carry at least 80 per cent of the traffic, we see that the South is well on its way toward completion of a system of improved roads which will answer all its needs. In the wisdom shown in financing its road improvements, in utilizing convict labor, and adapting local materials so as to answer the needs of the particular traffic requirements, no section of the United States has made as great progress as have the 16 Southern States. The people know what good roads mean and have set about to secure them. While the work has in no instance been as spectacular as that of some other States, it has been no less effective in securing actual results; that is, roads adapted to the needs and traffic requirements of each of the several States.

In the South, however, as throughout the United States, the principal means of transportation is by rail, and we are very well supplied in this respect. The United States has a total of 252,000 miles of railroads, of which the South, constituting less than one-third of the country in area, has 92,000 miles, or more than one-third, of the railroad mileage. The average southern mileage is more than three times that of many of the Western States, and the enormous growth of the southern region is forcing a rapid increase in these great arteries of commerce. Our railroad officials are as enterprising and energetic as those in any section of the country, and their persevering and untiring labor is bringing our railways to a very high degree of efficiency.

In regard to waterways the South has been unusually blessed. Taken as a whole, the Southern States have a greater per cent of navigable rivers than any other part of the Union. The mighty Father of Waters sweeps through the heart of the Southland, and the Ohio, the Missouri, the Tennessee, the Cumberland, the Arkansas, the White, the St. Francis, the Red, and the Yazoo are worthy tributaries to this great parent. Pouring into the Atlantic and the Gulf are many fine streams, and my own Louisiana has nearly 5,000 miles of navigable waters. The South can boast of the second largest shipping port in the United States—New Orleans, the Queen City of the Gulf—whose commerce last year was second only to New York, while Galveston ranks third among the ports of the Union. The opening of the Panama Canal has brought to our very doors the great markets on the west coast of South and Central America, where the products of the South are in active demand.

In transportation, then, as in production, the South stands in the front rank.

Mr. CLAPP. Mr. President, will the Senator pardon an interruption there?

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Minnesota?

Mr. RANSDELL. I will be delighted to yield.

Mr. CLAPP. I should like to add something that perhaps the Senator, coming, as he does, from the South, would hardly feel that he could add. It is not so much what a man does as it is the odds against which he contends. I think in view of the complete destitution of the South at the close of the war, the almost absolute paralysis of her activities, not only has her progress been wonderful, but the fact that she has recovered from that destitution and paralysis is still more wonderful and more remarkable.

It does seem to me that in a speech covering, as it does, the growth and development of the South and its present condition that that suggestion, with the Senator's permission, is at least worthy of incorporation in his speech.

Mr. RANSDELL. Mr. President, I thank the Senator from Minnesota from the bottom of my heart for saying something that my modesty as a southern man prevented me from saying. I did speak in a brief way about the condition of the South at the close of the Civil War, but perhaps the Senator did not hear it. I have tried to show what the South is to-day in order that anyone who read my entire speech or heard it might draw the comparison and see the truly marvelous development which she has realized and attained since that awful struggle 50 years ago. Her improvement has been marvelous. No words can describe it. No one can understand it unless he should go there and see it.

I thank the Senator sincerely for his tribute, for it is truly a worthy and deserving one.

I fear, however, that the facts recited above, showing the limitless resources of the South, are not as widely known as they should be and I trust that the press of the United States will call to the attention of our people the opportunities offered by this section. In no portion of the United States is the public better served by its press than in the South. This refers to the rural as well as metropolitan newspapers. The large number of wide-awake periodicals is an indication of the progressive spirit that is sweeping Dixie from the Ohio to the Gulf, and I know that the press, not only of the South but of the entire country, will assist in giving these facts the publicity that their importance merits.

And along with this I hope, Mr. President, that they will give additional prominence to the splendid tribute made by the Senator from Minnesota.

COME TO THE SOUTHLAND.

Mr. President, in a hasty and imperfect manner I have pointed out a few of the myriad advantages that should lure men and money to the Southland, and hope my feeble words will meet with some response. I trust that many of our fine people now pouring into Canada, and the boys and girls who are leaving northern and eastern farms and villages for the exciting but dangerous life of great cities, will make their homes in the South. I cordially invite capital and labor in every branch of human endeavor to invest in Dixie and become citizens of that favored country. We will gladly welcome all who wish to come—millions of them—for the South needs 50,000,000 additional people and fifty billions of wealth to assist in developing her marvelous resources. The lure of the Southland is calling and the response will be all she desires.

APPENDIX A.

MEAN TEMPERATURE.

Stations.	January.	February	March.	April.	May.	June.	July.	August.	September.	October.	November.	December.	Annual.
Edmonton, British Northwest	1.8	8.3	24.2	39.9	50.8	56.9	60.6	58.8	49.3	41.1	22.9	13.1	35.6
Prince Albert, Saskatchewan	−8.4	−3.0	12.0	36.1	47.6	57.7	61.9	58.9	48.4	37.1	15.4	2.8	30.5
Swift Current, Saskatchewan	3.1	8.0	22.0	41.3	50.7	60.0	66.5	64.0	53.1	42.1	23.2	16.0	37.5
Winnipeg, Manitoba	−6.8	−1.6	12.3	35.9	51.6	62.2	66.0	63.4	52.5	39.1	18.0	4.1	33.1
White River, Ontario	−0.4	0.2	12.2	33.0	45.7	58.7	59.5	56.4	50.3	37.1	20.5	9.7	32.1
Ottawa, Ontario	9.6	11.7	21.5	40.0	54.9	65.3	69.5	64.8	57.4	43.8	31.7	17.0	40.6

APPENDIX A—Continued.

MEAN TEMPERATURE.

Stations.	January.	February	March.	April.	May.	June.	July.	August.	September.	October.	November.	December.	Annual.
Bismarck, N. Dak	6.7	8.3	22.1	42.6	55.2	64.2	70.2	68.1	57.1	44.1	26.0	15.0	40.0
St. Paul, Minn	11.6	15.0	28.2	45.7	58.2	67.4	72.1	69.5	60.3	48.1	30.9	19.3	43.8
Des Moines, Iowa	20.4	24.1	35.7	50.6	61.6	70.4	75.5	73.0	65.0	52.5	36.8	25.7	49.3
Boston, Mass	27.0	28.0	35.0	45.3	56.6	65.8	71.3	68.9	62.7	52.3	41.2	31.6	48.9
Albany, N. Y	22.5	23.6	32.1	45.8	58.9	67.9	72.0	69.5	62.3	50.4	38.4	27.5	47.6
Buffalo, N. Y	24.7	24.0	31.2	42.3	54.5	65.1	70.2	68.8	62.9	51.5	39.3	30.1	47.0
Chicago, Ill	23.7	25.4	34.4	45.9	56.5	66.3	72.4	71.2	64.6	53.2	39.2	29.3	48.5
Little Rock, Ark	40.6	44.1	52.7	62.7	70.4	77.2	80.6	79.2	73.1	62.9	51.5	43.5	61.5
Atlanta, Ga	42.2	45.2	52.4	61.1	69.5	75.6	77.6	76.1	72.1	62.4	51.9	44.6	60.9
Shreveport, La	46.2	50.0	58.2	65.8	73.2	79.6	82.1	81.4	75.7	65.6	55.3	48.9	65.2
Charleston, S. C	49.3	51.7	57.2	63.8	72.4	78.5	81.3	80.3	76.2	67.1	58.1	51.3	65.6
Jacksonville, Fla	53.9	56.9	61.9	67.6	74.2	79.0	80.9	80.1	77.3	69.6	61.3	55.2	68.2
Mobile, Ala	49.8	53.2	59.1	66.0	73.6	79.1	80.5	79.7	76.5	67.1	57.5	51.5	66.1
New Orleans, La	53.0	56.3	62.0	67.9	74.5	79.6	81.3	81.0	78.0	69.5	60.6	54.4	68.2
Galveston, Tex	52.7	55.6	62.3	68.7	75.4	80.9	83.0	82.6	79.4	72.4	62.9	56.3	69.4
San Antonio, Tex	51.1	54.4	62.1	69.0	74.8	80.4	82.4	82.0	77.1	69.2	59.2	53.1	67.9

DAILY MEAN MAXIMUM TEMPERATURE.

Stations.	Jan.	Feb.	Mar.	Apr.	May.	June.	July.	Aug.	Sept.	Oct.	Nov.	Dec.	Annual.
Edmonton	23	22	34	56	65	69	74	71	60	55	34	26	49
Prince Albert	12	12	27	51	64	69	73	71	58	50	29	16	44
Swift Current	23	19	33	56	65	71	78	77	64	56	36	27	50
Winnipeg	13	12	28	54	68	73	78	76	66	54	33	16	48
Montreal, Province of Quebec	21	23	31	49	64	74	77	75	66	53	39	26	50
Toronto, Ontario	29	30	36	49	61	72	77	76	68	54	42	32	52
Bismarck	18	20	34	54	66	75	82	80	71	58	38	25	51
St. Paul	21	24	37	56	68	77	82	80	71	57	39	27	53
Des Moines	29	32	45	61	71	80	85	83	75	64	47	34	59
Boston	36	36	43	54	66	75	80	78	71	60	49	39	57
Albany	31	32	41	56	69	78	82	80	73	60	46	35	57
Buffalo	31	31	38	50	62	72	76	76	70	58	45	35	54
Chicago	31	33	42	54	64	74	80	78	72	60	46	36	56
Little Rock	50	53	63	72	79	86	90	89	83	73	61	52	71
Atlanta	50	53	62	70	79	85	87	85	81	71	61	52	70
Shreveport	56	59	69	76	83	90	92	92	87	77	66	58	75
Charleston	58	59	66	72	80	86	88	87	83	74	66	59	73
Jacksonville	64	66	72	78	84	88	90	90	86	78	71	65	78
Mobile	59	62	68	75	82	88	90	89	86	77	66	61	75
New Orleans	62	64	71	76	83	88	89	89	86	78	69	63	76
Galveston	59	61	68	74	80	86	88	88	84	78	69	62	75
San Antonio	63	66	74	80	85	92	94	94	89	81	71	64	79

DAILY MEAN MINIMUM TEMPERATURE.

Stations.	Jan.	Feb	Mar.	Apr.	May.	June.	July.	Aug.	Sept.	Oct.	Nov.	Dec.	Annual.
Edmonton	4	1	10	31	39	45	50	47	38	32	17	9	27
Prince Albert	−10	−11	4	26	35	46	50	48	38	30	12	− 3	22
Swift Current	4	− 1	14	30	41	59	52	50	40	33	19	10	29
Winnipeg	− 9	−11	7	29	40	49	54	52	42	32	15	− 2	25
Montreal, Province of Quebec	4	7	17	33	46	56	61	59	51	39	27	12	34
Toronto, Ontario	15	14	21	33	43	53	58	57	50	39	30	20	36
Bismarck	− 3	− 1	13	31	42	52	57	55	45	33	17	5	29
St. Paul	3	7	20	36	48	58	62	60	51	40	24	11	35
Des Moines	11	14	27	40	51	60	65	63	55	43	29	18	40
Boston	20	20	28	38	48	58	64	62	55	45	34	24	41
Albany	15	16	25	38	50	59	63	61	54	43	32	21	40
Buffalo	19	17	24	35	46	57	63	61	55	44	34	24	40
Chicago	17	18	28	39	49	59	65	65	58	46	33	73	42
Little Rock	34	35	45	53	61	68	72	71	65	54	43	36	53
Atlanta	35	37	44	51	60	67	70	69	64	53	44	36	52
Shreveport	39	41	49	56	64	70	73	72	67	56	46	41	56
Charleston	43	44	50	57	66	72	75	75	71	60	51	44	59
Jacksonville	46	49	54	59	66	72	74	74	71	63	54	47	61
Mobile	43	46	52	59	66	72	74	73	70	59	49	44	59
New Orleans	47	49	56	61	68	74	76	75	72	63	54	48	62
Galveston	48	50	58	65	71	77	79	78	75	68	58	51	65
San Antonio	42	44	52	59	66	71	73	73	68	59	50	44	59

HIGHEST TEMPERATURE OF RECORD.

Stations.	Jan.	Feb.	Mar.	Apr.	May.	June.	July.	Aug.	Sept.	Oct.	Nov.	Dec.	Annual.
Edmonton	48	56	61	84	90	86	94	92	87	78	74	59	94
Prince Albert	53	52	62	79	90	93	87	88	84	75	66	52	93
Swift Current	59	58	70	86	92	104	102	101	90	83	77	54	104
Winnipeg	42	44	58	81	92	100	94	93	99	82	71	41	100
Montreal, Province of Quebec	52	50	57	77	92	98	94	90	91	68	78	59	98
Toronto, Ontario	58	54	70	90	93	93	103	99	94	81	67	61	103
Bismarck	60	64	81	90	96	103	107	105	102	91	73	64	107
St. Paul	51	61	83	87	94	98	104	100	96	87	74	58	104
Des Moines	64	70	88	92	96	101	109	103	99	91	79	69	109
Boston	70	64	78	87	97	98	104	97	102	90	76	69	104
Albany	64	63	79	91	97	99	104	98	97	90	71	66	104
Buffalo	70	67	79	84	94	93	95	95	95	86	71	64	95
Chicago	65	63	81	88	94	99	103	98	98	87	75	68	103
Little Rock	78	80	89	94	94	102	106	105	101	93	84	78	106
Atlanta	75	78	87	89	97	100	100	98	97	94	82	73	100
Shreveport	83	82	90	96	101	104	107	110	101	95	86	79	110
Charleston	80	80	94	90	98	101	104	100	100	93	83	78	104
Jacksonville	81	86	91	92	98	101	104	101	99	95	86	82	104
Mobile	78	80	91	90	98	101	102	101	97	95	83	80	102
New Orleans	82	82	86	90	96	102	102	100	98	94	89	83	102
Galveston	75	76	85	85	93	97	99	98	94	91	85	77	99
San Antonio	87	90	97	99	104	105	106	108	103	99	89	86	108

APPENDIX A—Continued.

LOWEST TEMPERATURE OF RECORD.

Stations.	Jan.	Feb.	Mar.	Apr.	May.	June.	July	Aug.	Sept.	Oct.	Nov.	Dec.	Annual.
Edmonton	−50	−43	−31	− 5	15	29	36	29	12	2	−27	−36	−50
Prince Albert	−50	−48	−37	−14	2	30	36	32	18	− 4	−28	−40	−50
Swift Current	−41	−41	−22	− 2	12	32	38	32	18	4	−22	−27	−41
Winnepeg	−45	−39	−24	2	11	28	36	32	22	6	−29	−34	−45
Montreal, Quebec	−26	−24	−15	8	25	38	40	45	33	22	− 1	−21	−26
Toronto, Ontario	−26	−25	−16	6	25	28	39	40	28	16	− 5	−21	−26
Bismarck	−44	−43	−46	− 3	13	31	32	32	10	− 2	−28	−38	−44
St. Paul	−41	−33	−22	7	23	36	45	40	28	12	−21	−39	−41
Des Moines	−30	−26	− 8	11	26	37	46	40	26	14	−10	−20	−30
Boston	−13	−11	− 8	11	31	42	46	47	34	25	− 2	−12	−13
Albany	−24	−18	− 8	13	29	40	48	43	32	23	−10	−17	−24
Buffalo	−14	−13	− 4	11	28	39	47	44	35	24	2	− 9	−14
Chicago	−20	−21	−12	17	27	40	50	47	32	14	− 2	−23	−23
Little Rock	− 5	−12	16	28	39	51	60	52	41	31	10	6	−12
Atlanta	− 2	− 8	8	25	38	39	58	55	43	30	14	1	− 8
Shreveport	1	− 5	22	32	42	53	62	54	44	31	18	10	− 5
Charleston	10	7	24	32	45	51	64	62	49	37	26	13	7
Jacksonville	15	10	26	34	46	54	66	64	49	40	26	14	10
Mobile	11	− 1	25	32	46	50	64	57	49	34	25	14	− 1
New Orleans	15	7	30	38	52	58	66	63	55	40	29	20	7
Galveston	11	8	30	43	52	57	66	68	54	44	26	18	8
San Antonio	6	4	21	35	44	53	58	57	46	36	21	10	4

MEAN MONTHLY PRECIPITATION (INCHES).

Stations.	January.	February.	March.	April.	May.	June.	July.	August.	September.	October.	November.	December.	Annual.
Edmonton	0.68	0.67	0.72	0.88	1.55	2.86	3.03	2.13	1.33	0.70	0.58	0.70	15.83
Prince Albert	.97	.69	.77	.83	1.26	2.51	2.05	2.15	1.28	.83	.83	.74	14.91
Swift Current	.64	.74	.81	.93	1.76	2.67	2.44	1.91	1.22	.88	.69	.78	15.47
Winnipeg	.88	.98	1.03	1.05	2.28	3.29	3.08	2.67	2.03	1.70	1.08	.91	20.98
White River	1.69	1.52	1.38	1.25	1.95	2.22	2.80	3.30	2.77	2.35	1.85	1.71	24.79
Ottawa	2.99	2.69	2.72	1.50	2.59	2.92	3.47	3.03	2.69	2.55	2.54	2.91	32.60
Bismarck	.54	.50	1.04	1.88	2.50	3.54	2.14	1.98	1.19	1.03	.68	.62	17.64
St. Paul	.90	.84	1.60	2.33	3.62	4.41	3.40	3.46	3.42	2.34	1.30	1.06	28.68
Des Moines	1.21	1.08	1.65	2.98	4.56	4.96	3.86	3.61	3.07	2.68	1.48	1.31	32.45
Boston	3.82	3.44	4.08	3.55	3.51	3.03	3.36	4.03	3.19	3.86	4.10	3.41	43.38
Albany	2.59	2.52	2.74	2.39	2.98	3.76	3.90	3.96	3.18	2.99	2.80	2.57	36.38
Buffalo	3.30	2.85	2.62	2.45	3.10	3.14	3.40	2.99	3.18	3.53	3.35	3.37	37.28
Chicago	2.00	2.16	2.55	2.88	3.37	3.66	3.64	2.88	3.02	2.55	2.50	2.07	33.28
Little Rock	4.79	4.18	4.94	4.51	5.10	4.09	3.99	3.65	3.26	2.55	4.59	4.24	49.89
Atlanta	5.31	4.65	5.78	3.63	3.09	3.88	4.73	4.48	3.53	2.34	3.40	4.54	49.36
Shreveport	4.42	3.61	4.52	4.58	4.16	3.58	3.72	2.24	3.22	3.18	4.08	4.37	45.68
Charleston	3.45	3.41	3.72	2.99	3.47	5.39	7.26	6.97	5.46	3.93	2.87	3.15	52.07
Jacksonville	3.12	3.43	3.52	2.72	4.25	5.53	6.20	6.21	8.03	5.06	2.19	2.99	53.25
Mobile	4.85	5.36	7.17	4.35	4.00	5.95	7.04	6.81	5.02	3.18	3.74	4.57	62.04
New Orleans	4.63	4.47	5.30	4.91	3.88	6.16	6.47	5.61	4.81	2.93	3.79	4.46	57.42
Galveston	3.62	3.10	2.90	3.13	3.23	4.75	3.98	5.01	5.41	4.18	4.02	3.73	47.06
San Antonio	1.68	1.78	1.68	2.94	2.96	3.11	2.22	2.69	2.94	1.49	1.78	1.56	26.83

PERCENTAGES OF SUNSHINE.

Stations.	Jan.	Feb.	Mar.	Apr.	May.	June.	July.	Aug.	Sept.	Oct.	Nov.	Dec.	Annual.
Battleford, Saskatchiwan	40	49	50	52	44	47	52	54	44	44	34	31	45
Winnipeg, Manitoba	41	48	49	50	54	52	59	59	47	37	34	34	47
Toronto, Ontario	27	37	40	47	48	56	60	60	55	44	29	24	44
Ottawa, Ontario	30	38	40	46	48	50	53	56	45	39	28	22	41
Quebec, Province of Quebec	30	36	41	40	41	44	46	50	42	37	24	27	38
Bismarck	56	62	56	64	56	60	71	66	59	59	50	49	59
St. Paul	50	62	62	63	59	66	75	70	62	58	48	44	60
Des Moines	46	47	59	58	60	65	70	70	60	62	54	52	59
Boston	44	57	60	62	61	69	72	67	58	60	48	46	59
Albany	38	47	51	51	49	56	59	54	47	48	34	34	47
Buffalo	23	40	48	49	55	61	67	62	57	49	30	25	46
Chicago	37	47	55	58	65	73	71	69	65	61	52	42	58
Little Rock	48	55	57	57	64	69	68	70	74	71	61	49	62
Atlanta	46	51	60	59	62	66	58	60	62	63	62	44	58
Shreveport[1]	48	51	57	53	65	71	66	75	79	70	56	47	63
Charleston	61	62	69	70	69	69	63	67	68	68	70	56	66
Jacksonville	56	58	69	68	69	68	64	63	61	60	59	53	62
Mobile	54	60	63	67	75	70	59	62	63	70	69	48	63
New Orleans	52	51	60	56	62	63	54	58	53	61	56	42	56
Galveston	60	59	63	63	71	83	74	73	71	71	61	51	67
San Antonio	48	50	49	48	54	68	67	67	68	60	45	45	56

[1] Interpolated percentages of sunshine.

MEAN RELATIVE HUMIDITY (PERCENTAGES).
(8 a. m. and 8 p. m., 75th meridian time.)

Stations.		Jan.	Feb.	Mar.	Apr.	May.	June.	July.	Aug.	Sept.	Oct.	Nov.	Dec.	Annual.
Bismarck	a. m.	80	80	80	76	77	81	80	81	81	81	81	80	80
	p. m.	69	69	65	53	53	58	52	50	53	60	69	69	61
St. Paul	a. m.	83	84	80	74	74	78	79	83	83	80	80	83	80
	p. m.	75	74	66	54	52	56	54	56	60	62	69	75	63
Des Moines	a. m.	82	82	79	76	76	79	79	81	83	80	79	82	80
	p. m.	76	73	65	55	56	59	56	59	63	59	65	74	63
Boston	a. m.	73	71	70	68	70	72	71	75	77	75	75	73	73
	p. m.	70	67	68	67	70	71	71	74	76	72	71	69	70
Albany	a. m.	82	81	79	73	72	74	75	78	81	82	82	82	78
	p. m.	78	77	72	64	64	67	66	69	73	73	75	75	72
Buffalo	a. m.	80	79	77	73	74	76	75	75	77	76	77	79	77
	p. m.	78	79	75	71	71	71	70	69	72	72	75	77	73

APPENDIX A—Continued.

MEAN RELATIVE HUMIDITY (PERCENTAGES)—continued.

Stations.		Jan.	Feb.	Mar.	Apr.	May.	June.	July.	Aug.	Sept.	Oct.	Nov.	Dec.	Amount.
Chicago	a. m.	84	83	79	75	75	75	74	78	76	77	79	82	78
	p. m.	79	78	75	70	68	69	66	69	68	67	73	78	71
Little Rock	a. m.	80	79	77	77	81	81	84	85	84	83	80	80	81
	p. m.	66	62	59	58	62	64	65	65	65	60	59	64	63
Atlanta	a. m.	81	78	78	74	74	78	83	85	82	77	77	80	79
	p. m.	70	65	62	59	59	63	70	72	69	61	63	70	65
Shreveport	a. m.	81	79	80	81	84	84	86	86	86	85	83	82	83
	p. m.	65	61	58	59	62	63	65	64	63	59	60	64	62
Charleston	a. m.	81	80	81	75	76	78	79	82	83	80	80	80	79
	p. m.	76	76	76	74	76	78	79	80	80	76	75	75	77
Jacksonville	a. m.	86	84	83	78	79	81	83	85	86	84	85	87	83
	p. m.	77	74	72	69	73	78	79	81	82	79	78	77	77
Mobile	a. m.	85	83	85	82	81	81	84	86	85	83	84	85	84
	p. m.	75	74	75	72	71	73	77	78	75	70	73	76	74
New Orleans	a. m.	85	84	85	83	81	81	83	84	84	81	83	84	83
	p. m.	73	72	71	68	68	71	74	75	74	69	73	74	72
Galveston	a. m.	86	87	88	86	82	82	81	82	81	80	83	85	84
	p. m.	83	83	83	81	78	76	74	75	73	72	78	80	78
San Antonio	a. m.	76	76	77	81	84	84	85	85	84	80	79	77	81
	p. m.	56	54	50	54	56	51	50	49	53	52	56	57	53

AVERAGE DATE OF FIRST KILLING FROST IN AUTUMN.

Edmonton, September 9. (Not much data available.)
Prince Albert, September 9. (Not much data available.)
Swift Current, September 11. (Not much data available.)
Winnipeg, September 14. (Not much data available.)
Bismarck, September 19.
St. Paul, October 3.
Des Moines, October 11.
Boston, October 22.
Albany, October 17.
Buffalo, October 16.
Chicago, October 18.
Little Rock, November 13.
Atlanta, November 3.
Shreveport, November 11.
Charleston, December 11.
Jacksonville, December 6.
Mobile, December 4.
New Orleans, December 10.
Galveston, December 24.
San Antonio, November 26.

AVERAGE DATE OF LAST KILLING FROST IN SPRING.

Edmonton, May 17. (Not much data available.)
Prince Albert, May 17. (Not much data available.)
Swift Current, May 15. (Not much data available.)
Winnipeg, May 15. (Not much data available.)
Bismarck, May 12.
St. Paul, April 27.
Des Moines, April 22.
Boston, April 20.
Albany, April 23.
Buffalo, April 26.
Chicago, April 18.
Little Rock, March 18.
Atlanta, March 23.
Shreveport, March 4.
Charleston, February 19.
Jacksonville, February 11.
Mobile, February 16.
New Orleans, February 3.
Galveston, January 27.
San Antonio, February 23.

EARLIEST DATE OF KILLING FROST IN AUTUMN.

Edmonton, August 25 (not much data available).
Prince Albert, August 25 (not much data available).
Bismarck, August 23.
St. Paul, September 8.
Des Moines, September 13.
Boston, September 21.
Albany, September 15.
Buffalo, September 23.
Chicago, September 20.
Little Rock, October 22.
Atlanta, October 11.
Shreveport, October 28.
Charleston, November 17.
Jacksonville, November 12.
Mobile, October 31.
New Orleans, November 11.
Galveston, November 30.
San Antonio, November 9.

LATEST DATE OF KILLING FROST IN SPRING.

Edmonton, May 31 (not much data available).
Prince Albert, May 31 (not much data available).
Bismarck, June 7.
St. Paul, May 23.
Des Moines, May 31.
Boston, May 16.
Albany, May 30.
Buffalo, May 25.
Chicago, May 29.
Little Rock, April 26.
Atlanta, April 17.
Shreveport, March 27.
Charleston, April 2.
Jacksonville, April 6.
Mobile, April 6.
New Orleans, March 27.
Galveston, March 1.
San Antonio, March 27.

LENGTH OF THE CROP-GROWING SEASON.	Days.
Edmonton (approximately)	114
Prince Albert (approximately)	114
Swift Current (approximately)	118
Winnipeg (approximately)	121
Bismarck	130
St. Paul	159
Des Moines	172
Boston	185
Albany	177
Buffalo	173
Chicago	183
Little Rock	240
Atlanta	225
Shreveport	252
Charleston	295
Jacksonville	298
Mobile	291
New Orleans	310
Galveston	331
San Antonio	276

APPENDIX B.

Acreage, yield, and value of cotton grown by all farmers and by colored farmers: 1909.

Division and State.	Farms reporting cotton—1910.											
	Number of farms.			Acreage in cotton.			Yield of cotton (bales).			Value of crop.		
	Total.	Operated by colored farmers.		All farms.	Farms operated by colored farmers.		All farms (bales).	Farms operated by colored farmers.		All farms.	Farms operated by colored farmers.	
		Number.	Per cent.		Acreage.	Per cent.		Yield.	Per cent.		Value.	Per cent.
Southern States	1,706,767	684,721	4.01	31,946,142	12,096,638	52.7	10,594,360	4,065,978	38.4	$700,199,244	$269,868,346	32.4
South Atlantic	556,504	253,286	45.5	9,002,776	4,442,773	49.3	4,012,942	1,806,026	45.0	254,636,958	113,311,266	44.5
East South Central	522,735	266,450	51.0	7,926,019	4,614,339	58.2	2,524,714	1,356,813	53.7	175,543,582	95,717,387	54.5
West South Central	627,528	164,985	26.3	15,017,347	3,039,526	20.2	4,056,704	903,139	22.3	270,018,704	60,839,693	22.5
SOUTH ATLANTIC.												
Virginia	5,283	3,102	58.7	25,147	13,362	53.1	10,480	5,051	48.2	695,721	334,465	48.0
North Carolina	129,704	44,256	34.1	1,274,404	474,889	37.3	665,132	232,536	35.0	42,066,099	14,551,099	34.6

APPENDIX B—Continued.

Acreage, yield, and value of cotton grown by all farmers and by colored farmers: 1909.

Division and State.	Farms reporting cotton—1910.										
	Number of farms.			Acreage in cotton.			Yield of cotton (bales).			Value of crop.		
	Total.	Operated by colored farmers.		All farms.	Farms operated by colored farmers.		All farms (bales).	Farms operated by colored farmers.		All farms.	Farms operated by colored farmers.	
		Number.	Per cent.		Acreage.	Per cent.		Yield.	Per cent		Value.	Per cent.
South Carolina	158,167	88,904	56.2	2,556,467	1,364,375	53.4	1,279,866	612,953	47.9	$80,337,945	$38,248,916	47.6
Georgia	242,675	108,115	44.6	4,883,304	2,468,242	50.5	1,992,408	927,162	46.5	126,695,612	58,195,483	45.9
Florida	20,677	8,909	43.1	263,454	121,905	46.3	65,056	28,324	43.5	4,841,581	1,981,303	40.9
EAST SOUTH CENTRAL.												
Kentucky	504	155	30.8	7,811	2,937	37.6	3,469	1,478	42.6	223,024	96,247	43.1
Tennessee	67,663	24,740	36.6	787,516	387,527	49.2	264,562	116,874	44.2	17,966,517	8,062,110	44.9
Alabama	224,871	100,506	44.7	3,730,482	1,960,709	52.6	1,129,527	510,465	45.2	74,205,236	33,261,538	44.8
Mississippi	229,697	141,049	61.4	3,400,210	2,263,166	66.6	1,127,156	727,996	64.6	83,148,805	54,297,492	65.3
WEST SOUTH CENTRAL.												
Arkansas	148,311	54,296	36.6	2,153,222	949,734	44.1	776,879	348,635	44.9	54,559,503	25,262,870	46.3
Louisiana	74,373	40,607	54.6	957,011	514,352	53.7	268,909	141,882	52.8	17,324,804	9,203,157	53.1
Oklahoma [1]	88,140	11,270	12.8	1,976,935	217,231	11.0	555,742	70,738	12.7	35,399,356	4,314,200	12.2
Texas	316,704	58,812	18.6	9,930,179	1,358,209	13.7	2,455,174	341,884	13.9	162,735,041	22,059,466	13.5

[1] A small percentage of the crop in Oklahoma was produced by Indians, who are included with negroes in the census classification "Colored."

APPENDIX C.

Table showing total yield of corn, oats, wheat, and hay in the 11 cotton States of Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, and Texas for the years 1909–1915, inclusive.

Year.	Bushels of corn.	Bushels of corn.[1]	Bushels of oats.	Bushels of wheat.	Tons of hay.
1909	461,536,000	291,755,000	51,847,000	28,622,000	3,108,000
1910	664,752,000	432,912,000	90,577,000	55,120,000	3,428,000
1911	539,136,000	432,898,000	65,506,000	34,619,000	2,611,000
1912	685,333,000	430,155,000	90,659,000	46,829,000	4,295,000
1913	658,252,000	442,802,000	97,237,000	51,009,000	4,214,000
1914	610,851,000	436,051,000	102,685,000	85,188,000	4,577,000
1915	812,883,000	513,908,000	157,714,000	88,842,000	6,269,000

[1] Total production of corn for States named above, other than Texas and Oklahoma.

APPENDIX D.

Yield per acre in bushels and 10-year averages for 15 Southern States.

CORN.

State.	10-year average.				1909	1910	1911	1912	1913	1914	1915[1]
	1870–1879	1880–1889	1890–1899	1900–1909							
Alabama	13.9	12.6	12.8	13.5	11.9	18.0	18.0	17.2	17.3	17.0	17.0
Arkansas	24.4	19.8	18.2	18.7	14.8	24.0	20.8	20.4	19.0	17.5	23.0
Florida	10.2	9.6	9.7	10.2	11.6	13.0	14.6	13.0	15.0	16.0	15.0
Georgia	11.2	10.4	11.1	11.5	11.6	14.5	16.0	13.8	15.5	14.0	15.0
Kentucky	29.7	23.8	25.7	26.7	24.3	29.0	26.0	30.4	20.5	25.0	30.0
Louisiana	17.2	16.0	16.3	17.5	16.4	23.6	18.5	18.0	22.0	19.3	20.5
Maryland	25.2	24.2	27.0	32.9	27.7	33.5	36.5	36.5	33.0	37.0	35.0
Mississippi	15.4	14.3	15.0	15.2	13.1	20.5	19.0	18.3	20.0	18.5	19.0
N. Carolina	14.7	12.2	13.0	14.8	13.8	18.6	18.4	18.2	19.5	20.3	21.0
Oklahoma	.....	.....	.....	24.2	15.9	16.0	6.5	18.7	11.0	12.5	29.5
S. Carolina	9.4	9.4	9.9	11.6	13.3	18.5	18.2	17.9	19.5	18.5	16.5
Tennessee	24.2	20.5	22.0	23.0	21.5	25.9	26.8	26.5	20.5	24.0	27.0
Texas	21.7	18.1	19.0	19.0	14.7	20.6	9.5	21.0	24.0	19.5	23.5
Virginia	20.1	16.8	19.1	22.7	20.6	25.5	24.0	24.0	26.0	20.5	28.5
W. Virginia	28.3	23.4	24.4	27.5	25.3	26.0	25.7	33.8	31.0	31.0	31.5

[1] December, 1915, "Crop Reporter."

APPENDIX E.

TABLE I.—*Mineral products of Southern States compared with United States, 1913–1915.*

	1913	1914	1915
Southern States	$505,363,082	$467,044,946	$490,600,000
United States	$2,439,159,728	$2,114,946,024	$2,373,280,000
Southern States, per cent of United States	21	22	20

In the above totals pig iron is used as the basis of iron valuation. (United States Geological Survey.)

TABLE II.—*Mineral products of Southern States and United States, 1914 and 1915.*

Product.	1914		1915	
	Southern States.	United States.	Southern States.	United States.
Cement	$13,434,833	$80,533,203	$12,796,395	$75,155,102
Coal (bituminous) [1]	155,464,036	493,309,244	155,860,000	504,500,000
Coke [2]	14,852,047	88,334,217	15,737,403	105,503,868
Copper	2,524,017	152,968,246	3,245,039	242,900,000
Iron:				
Ore [2]	7,252,338	71,905,079	8,308,548	101,288,984
Pig	27,398,597	298,777,429	36,970,059	401,409,604
Lead	15,633,268	39,997,932	20,529,619	47,660,000
Petroleum	104,051,228	214,125,215	88,000,000	172,000,000
Phosphate rock	9,592,553	9,608,041	5,400,836	5,413,449
Zinc	13,416,185	35,028,636	42,734,129	113,617,500
All other minerals	125,530,229	790,598,078	125,064,000	810,624,000
Total	467,044,946	2,114,946,024	490,600,000	2,373,280,000

[1] Exclusive of Pennsylvania anthracite.
[2] Value not included in total value as such inclusion would duplicate coal and pig iron values.

TABLE III.—*Mineral products of Southern States by States, 1913 to 1915.*

State.	1913	1914	1915
Alabama	$34,660,545	$30,879,288	$29,500,000
Arkansas	6,780,760	5,785,199	6,580,000
Florida	10,508,016	8,497,688	4,863,000
Georgia	6,525,792	5,695,084	5,354,000
Kentucky	26,845,579	26,668,474	27,460,000
Louisiana	21,011,828	21,890,025	18,630,000
Maryland	11,292,723	10,587,564	10,570,000
Mississippi	1,143,472	1,104,197	662,000
Missouri	54,001,088	48,597,593	74,500,000
North Carolina	3,739,696	3,519,245	3,458,000
Oklahoma	80,168,820	78,744,447	72,400,000
South Carolina	1,464,150	1,414,294	1,010,000
Tennessee	21,008,938	19,645,213	22,175,000
Texas	31,666,910	30,363,426	29,157,000
Virginia	17,178,580	16,400,347	16,895,000
West Virginia	143,591,272	134,071,803	134,100,000

In the above States totals iron ore is used as the basis of iron valuation. (United States Geological Survey.)

APPENDIX F.

MANUFACTURERS' RECORD,
Baltimore, June 28, 1916.

Hon. JOSEPH E. RANSDELL,
United States Senate, Washington, D. C.

MY DEAR SENATOR RANSDELL: As I understand you intend to make an address shortly touching on the agricultural development of the South, permit me to call your attention to a few facts that bear directly on the agricultural prosperity of this section and the general prosperity of the Nation.

Until the people of the whole country come to realize that the South is the Nation's greatest undeveloped asset they will never fully realize how its development will enrich the Nation and how everything that

helps to advance the progress of the South safeguards the business interests as well as the actual life of the Nation.

In this section, where iron ore and coal are in vast abundance, furnishing unsurpassed advantages for the production of iron and steel, and all of the products of iron and steel, which produces three-fourths of the sulphur of the world, and which has many other natural advantages unequalled in this or in any other country, industrial development is limited as compared with that of other sections.

There are many reasons for this, and one of them is that the Nation as a whole has concentrated its thought and energy, through Government circles and in other ways, upon the development of the North and the West to the exclusion of the South. Let me illustrate:

Over 90 per cent of the steel made in the United States is made out of ores that are mined in the Lake Superior district, immediately contiguous to Canada, a region which could easily be overrun and captured at any moment by an enemy assailing us through Canada. But more than that, these ores to the extent of more than 50,000,000 tons a year pass through the Soo Canal, only about 1¼ miles long. I am reliably informed by some of the best engineers in the country that two or three sticks of dynamite could be exploded in such a way as to completely block this canal. Instantaneously, the entire iron and steel industry of the country to the extent of 90 per cent of our output would collapse. A few million tons of foreign ores are imported, and, of course, all importations of ore would be instantaneously shut off by war unless we had the complete command of the sea, and that is hardly possible any time in the near future.

We are thus staking the business interests of the country and national life itself upon one ore supply, the capture of which or the blocking of the canal through which this ore passes would make impossible the production of armor plate or of munitions of war. Along the Atlantic coast, say, from Boston to Newport News, stretching back anywhere from 10 to 100 miles, but covering in the aggregate probably not over 2 per cent or 3 per cent of the Nation's area, is centered the entire munition-making business of the United States. All of this munition-making business would have to be instantaneously stopped if the Lake Superior ore supply were cut off by capture of the district or by the blocking of the Soo Canal. In such an event any effort to oppose invasion would be useless, and any Army or naval officer familiar with the situation will confirm this statement.

This mighty Nation—mighty in population and in wealth—would under such conditions be as helpless as an infant against a giant. The South is the only section of the country which can possibly provide a remedy for this situation. In the South and Southwest, back of the mountain ranges which would afford protection against invasion, there are vast stores of iron ore and coal and manganese, lead, and zinc, and all other materials needed for the making of war supplies, explosives included. The South has about three-fifths of the Nation's coast line; it produces all of the Nation's cotton and more than one-fourth of the Nation's grain; but neither the Government nor the great financial and metallurgical leaders of the country have given heed to the supreme necessity of utilizing this situation by the development of great iron and steel and munition making interests in the South and Southwest, far away from the coast and from the Lakes and not dependent upon Lake Superior or foreign ores.

Until this is done all talk of preparedness is largely a visionary dream. I suggest, therefore, that you bring to the attention of the Senate and of the country this danger, which is so vital, and which can be removed in no other possible way than by the prompt development on a large scale of munition-making and kindred industries in the South and Southwest. To permit existing conditions in iron and steel and munition making to last any longer would be as criminal on the part of national legislation and on the part of our business men as would be the failure to enlarge our Navy and our Army.

The South supplies every possible material for the making of explosives, the building of ships, the construction of armor, and the creation of great steel industries, all far from the dangers which confront these interests along the Atlantic coast or on the Lakes, dependent as they are upon supplies which could be cut off without a moment's warning.

I trust you will appeal to the patriotism of the Senate to study this situation and realize its danger before it is too late.

Sincerely, yours, RICHARD H. EDMONDS, *Editor.*

APPENDIX G.

Public road mileages and cash expenditures in the Southern States, 1904, Office of Public Roads and Rural Engineering.

State.	Total mileage.	Improved mileage.	Total cash road and bridge expenditures in 1904.
Alabama	50,089	1,720	$378,040
Arkansas	36,445	236	681,934
Florida	17,374	886	437,184
Georgia	57,203	1,634	894,936
Kentucky	57,137	9,486	1,161,194
Louisiana	24,897	34	345,452
Maryland	16,773	1,570	873,470
Mississippi	38,698	149	339,699
Missouri	108,133	2,733	1,570,801
North Carolina	49,763	1,239	624,381
Oklahoma	43,554	.....	447,320
South Carolina	41,830	1,878	334,082
Tennessee	48,989	4,285	729,232
Texas	121,409	2,128	2,543,613
Virginia	51,812	1,600	687,751
West Virginia	26,178	255	587,870
Total	790,284	29,853	12,636,959

Per cent improved	3.8
Cash expenditure per mile of road	$16
For the entire United States:	
Per cent improved	7.1
Cash expenditure per mile of road	$28

Public-road mileages and cash expenditures in the Southern States, 1914.

[Data approximate.]

OFFICE OF PUBLIC ROADS AND RURAL ENGINEERING.

State.	Total mileage.	Surfaced mileage.	Total cash road and bridge expenditures in 1914.
Alabama	57,895	6,295	$3,125,925
Arkansas	47,485	5,095	2,447,368
Florida	17,607	3,246	3,450,000
Georgia	95,926	12,657	2,500,000
Kentucky	63,510	12,063	1,718,000
Louisiana	24,962	1,000	4,461,506
Maryland	16,459	2,482	6,997,458
Mississippi	44,072	1,800	2,800,000
Missouri	120,000	8,000	8,277,253
North Carolina	50,958	6,223	3,925,000
Oklahoma	107,736	500	3,375,000
South Carolina	47,787	4,513	1,000,000
Tennessee	45,913	5,554	2,500,000
Texas	128,971	9,790	8,750,000
Virginia	53,366	3,568	3,915,446
West Virginia	32,024	1,369	2,388,000
Total	954,671	84,155	61,680,956

Per cent improved	8.9
Cash expenditure per mile of road	$64
For the entire United States:	
Per cent improved	10.9
Cash expenditures per mile	$100

During the delivery of Mr. RANSDELL's speech,

Mr. BRADY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Idaho?

Mr. RANSDELL. I shall be delighted to yield.

Mr. BRADY. The senior Senator from Louisiana is furnishing some very valuable information. The State of Idaho, which I have the honor to represent in part, possesses a splendid climate, is healthful, her lands are productive, and her natural resources are wonderful. Idaho produces one-third of all of the lead that is produced in the United States, and the great river that passes through the entire length of our State, in connection with the Columbia, is the seventh largest river in the world. We have more productive land susceptible of irrigation and water with which to irrigate it than any other State of the Union. We are proud of Idaho, but we are also proud that we are a part of the wonderful southern country that the Senator from Louisiana represents. I believe that our country should be looked upon as a glorious whole, and I am proud of the statements he has made relative to the South. They are illuminating and beneficial.

The Senator is now discussing the question of health and sanitation and is delivering an interesting and instructive address, and it seems to me that more of our Senators should be in the Chamber at this time in order that they may have the benefit of his remarks. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Brady	Gore	Norris	Sutherland
Broussard	Gronna	Overman	Swanson
Bryan	Husting	Page	Taggart
Catron	James	Pittman	Thomas
Chamberlain	Johnson, Me.	Poindexter	Thompson
Chilton	Johnson, S. Dak.	Pomerene	Tillman
Clapp	Kenyon	Ransdell	Townsend
Clark, Wyo.	La Follette	Shafroth	Underwood
Clarke, Ark.	Lane	Sheppard	Vardaman
Culberson	Lippitt	Sherman	Warren
Cummins	McCumber	Smith, Ariz.	Williams
du Pont	McLean	Smith, Ga.	
Gallinger	Martine, N. J.	Smith, S. C.	

The PRESIDING OFFICER. Fifty-one Senators have answered to their names. There is a quorum present.

Mr. RANSDELL. Mr. President, I thank the Senator from Idaho sincerely for his very kind remarks and appreciate them more than I can describe.

After the conclusion of Mr. RANSDELL's speech,

Mr. THOMPSON. Mr. President, I have a telegram from the Farmers' Cooperative Grain Dealers' Association of Cullison, Kans., pertaining to the Federal inspection and grading provision in the Agricultural appropriation bill now before the Senate, which I send to the desk and would like to have read.

The PRESIDING OFFICER (Mr. WADSWORTH in the chair). Without objection, the Secretary will read the telegram.

The Secretary read as follows:

CULLISON, KANS., *July 4, 1916.*

Senator W. H. THOMPSON,
Senate Chamber, Washington, D. C.:

On behalf of 350 farmers' elevators and more than 30,000 farmers in Kansas we ask that you support the bill providing for Federal inspection and grading of grain.

THE FARMERS' COOPERATIVE GRAIN DEALERS' ASSOCIATION,
T. L. DANIEL, *Secretary.*

Mr. THOMPSON. I will state that I have received something like 100 telegrams and letters relative to this provision of the pending bill from various citizens of Kansas. I will not take up the time of the Senate to read them nor burden the RECORD with the printing of all of them.

I wish to say generally that they come from farmers, elevator men, grain dealers, millers, and every class of citizens in my State who are interested in a fair and honest grading and inspection of grain, and they urge the support of the bill as reported by the Senate committee.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from North Dakota?

Mr. THOMPSON. Certainly.

Mr. McCUMBER. The Senator says that they are in favor of the bill reported by the committee, but the telegram which the Senator had read favored Federal grading and inspection of grain. Does the Senator realize the fact that this provision is for Federal standardization, and is not a bill for Federal inspection of grain? Under the bill as reported by the committee inspection is still left entirely in the hands of the States.

Mr. THOMPSON. Mr. President, I will say that the bill as prepared by the committee has been submitted to those who are interested in the grading of grain in my State, and the telegram I had read was received in response to the consideration of this particular bill. These parties knew the exact provisions of the bill on this subject.

Mr. President, I am aware of the fact that the farmers of Kansas and elsewhere in the United States desire both Federal grading and Federal inspection of grain. I believe they realize, as all Senators here do, that it is impossible to take such an advanced step all at once; but they are willing to accept as the best thing we can get at the present time the bill which has been reported by the Senate committee.

As bearing out that view I have here telegrams from several organizations of farmers and grain dealers and others actually interested in the honest grading and inspection of grain which I will send to the desk to be printed as a part of my remarks.

The first is from Mr. McCauliffe, president of the Farmers' Union of Kansas, a large farmers' organization composed of more than 30,000 actual farmers of the State. The next is from Mr. W. C. Lansdon, editor of the Farmers' Union, at Salina, Kans. Both of these gentlemen have seen the bill that we have under consideration and have inspected it thoroughly, and these telegrams are in response to a consideration by them individually, and also their organizations, or those managing the organizations, of the particular bill in question. I also have a telegram from Mr. L. A. Fitz, of the Kansas State Agricultural College, authorized by President Waters, one of the greatest agricultural authorities in the United States, commending this particular provision of the bill and asking my support of the bill.

I also have a telegram from G. D. Estes, president of the Farmers' Cooperative Grain Dealers' Association, of Stafford, Kans.

I also have a telegram from the Kansas Grain Co., the Hutchinson Flour Mills Co., the Lyons Milling Co., and the Border Green Milling Co., and a telegram from J. P. Adams, editor and cooperative manager, of Minneapolis, Minn. I will not take the time to read these telegrams, but will ask that they be printed in the RECORD as a part of my remarks; and I will not take up any more time of the Senate discussing this question, but will gladly give my support to the bill in compliance with the wishes of my constituents who are so deeply interested in this important subject.

The PRESIDING OFFICER. Without objection, permission is granted.

The telegrams referred to are as follows:

SALINA, KANS., *May 19, 1916.*

Senator W. THOMPSON,
Washington, D. C.:

Farmers in favor of Federal grain inspection.

M. McCAULIFFE,
President Farmers' Union of Kansas.

—

SALINA, KANS., *May 19, 1916.*

Hon. W. H. THOMPSON,
Washington, D. C.:

Farmers favor compulsory Federal grading and inspection.

W. C. LANSDON,
Editor Farmers' Union.

MANHATTAN, KANS., *May 22, 1916.*

Hon. W. H. THOMPSON,
United States Senator, Washington, D. C.:

Have gone over with President Waters the grain-grades act, Agricultural bill, and we both believe it to be a step in the right direction and a good thing for the Kansas farmer. We hope you can support the measure. President Waters authorizes this wire.

L. A. FITZ,
Kansas State Agricultural College.

—

STAFFORD, KANS., *May 22, 1916.*

W. H. THOMPSON,
2657 Woodley Road, Washington, D. C.:

Farmers' Cooperation Grain Dealers Association favor Federal inspection.

G. D. ESTES, *President.*

—

KANSAS CITY, MO., *May 18, 1916.*

Hon. W. H. THOMPSON,
United States Senate, Washington, D. C.:

As member of Senate Committee on Agriculture we urgently appeal for your help for grain-grades bill. Uniformity of grain inspection through Federal supervision is urgently required in the interests of growers, dealers, and millers.

KANSAS GRAIN CO.
HUTCHINSON FLOUR MILLS CO.
LYONS MILLING CO.
BORDER QUEEN MILLING CO.

—

MINNEAPOLIS, MINN., *May 18, 1916.*

Senator W. H. THOMPSON,
Washington, D. C.:

This winter I attended seven annual State conventions of farmer grain dealers; talked with hundreds of them personally regarding Federal grain grades and supervisions legislation; without an exception all interviewed are in favor of it. I am sure it is the voice of the farmers that proposed bills become law immediately

J. P. ADAMS,
Editor Cooperative Manager and Farmer.

The PRESIDING OFFICER. The pending amendment is the amendment offered by the Senator from North Dakota [Mr. GRONNA].

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gore	Martine, N. J.	Smoot
Borah	Gronna	Nelson	Sterling
Brady	Harding	Norris	Sutherland
Brandegee	Hardwick	Overman	Swanson
Broussard	Husting	Page	Thomas
Bryan	James	Poindexter	Thompson
Catron	Johnson, Me.	Ransdell	Tillman
Chamberlain	Johnson, S. Dak.	Reed	Underwood
Chilton	Jones	Shafroth	Vardaman
Clapp	Kenyon	Sheppard	Wadsworth
Culberson	La Follette	Sherman	Warren
Cummins	Lane	Shields	Williams
Curtis	Lee, Md.	Simmons	
Fletcher	Lodge	Smith, Ga.	
Gallinger	McCumber	Smith, S. C.	

Mr. MARTINE of New Jersey. I desire again to announce that the Senator from Montana [Mr. MYERS] is detained at his home on account of illness.

The VICE PRESIDENT. Fifty-seven Senators have answered to the roll call. There is a quorum present. The pending amendment is the amendment offered by the Senator from North Dakota [Mr. GRONNA].

Mr. GORE. Mr. President, I wish to say that I have not interposed an objection to the other amendments which have been offered to this section of the bill under consideration because they possessed more or less merit, in my judgment. The pending amendment, however, ought not to be adopted; at least in my judgment it should not be adopted. It would be rather an idle performance for the Senate solemnly to pass a measure purporting to provide for the standardization of grain and for the supervision of a system of grain-grade standardization and then to incorporate in the same measure an amendment which would virtually denaturize and emasculate the measure itself. I trust that the pending amendment will be voted down.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from North Dakota.

The amendment was rejected.

Mr. McCUMBER. Mr. President, I desire to offer an amendment. On page 105, line 4, after the word "may," I move to insert "call for reinspection or," and after the word "question," on the same line, to insert "in accordance with the laws, rules, or regulations in force or provided at the place of inspection, with a further right of appeal from any final decision rendered under such laws, rules, or regulations."

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 105, line 4, after the word "may," it is proposed to insert "call for reinspection or," and after the word "question," in the same line, to insert the words "in accordance with the laws, rules, or regulations in force or pro-

vided at the place of inspection, with a further right of appeal from any final decision rendered under such laws, rules, or regulations."

Mr. McCUMBER. Now, I will ask the Secretary to read the provision as it would be if amended.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

SEC. 6. That whenever standards shall have been fixed and established under this act for any grain and any quantity of such grain which has been sold, offered for sale, shipped, or delivered for shipment in interstate or foreign commerce shall have been inspected and a dispute arises as to whether the grade as determined by such inspection of any such grain in fact conforms to the standard of the specified grade, any interested party may call for reinspection or appeal the question in accordance with the laws, rules, or regulations in force or provided at the place of inspection, with a further right of appeal from any final decision rendered under such laws, rules, or regulations, to the Secretary of Agriculture; and the Secretary of Agriculture is authorized to cause such investigation to be made and such tests to be applied as he may deem necessary and to determine the true grade.

Mr. McCUMBER. Mr. President, this section is not intended to be an inspection measure, but rather a measure providing for Federal standardization, the present system of inspection to be continued by the boards of trade and chambers of commerce or warehouse commissions provided by law by the several States in which terminals are situated. Therefore, it seems to me, that we ought not to assume in any way to interfere with those systems which have grown up and which are necessary for reinspections and for appeals.

The Senator from Minnesota [Mr. NELSON] has already shown that in Minneapolis alone the calls for reinspection have exceeded 61,000 in a single year, which confirms what I have stated, that reinspections, which are in the nature of appeals, are so great throughout the United States that they would have to be discarded entirely, or else they could not be taken cognizance of by the Department of Agriculture. We should have to have an army to take care of those reinspections and those appeals. So long as we are still left by the provisions of this bill to the inspection system of the States and of the great terminals, whether those inspections are governed by State laws or whether they are governed by chambers of commerce or boards of trade, it is but proper that we should take advantage of the systems which are provided by those laws and by those boards of trade or chambers of commerce. In this way most of the appeals would be settled, without coming to the Secretary of Agriculture at all, except perhaps as to a very small percentage of them.

In every one of these cases provision is made for an immediate reinspection and for an immediate appeal while the grain is still there. If you were to substitute an immediate inspection or an immediate regrading and submit it to the Secretary of Agriculture, you would have to keep your grain in the car perhaps for weeks before you could get a decision, and there would be an immense amount which would have to be paid out for demurrage—so great that no one would dare take advantage of the provision.

While I believe it would have been far better to have provided for both standardization and inspection by the Government, allowing the Government to appoint each one of the inspectors now qualified under the laws of the several States to do inspection—to make each one of them a Government agent and to have provided that his fees should be paid the same as they are now paid, of a certain amount upon each car inspected—the committee has not seen fit to do that. Therefore, if we are not going to have Federal inspection, let us not get the two systems mixed up or in conflict with each other, but let us take advantage of the system which we have. I am quite confident that we shall find that inspection by the State or by the boards of trade or chambers of commerce will not prove satisfactory, and that, if we have a standardization, the other will come in due time. For that reason I am willing to vote for the standardization alone.

My desire, however, is that we shall place nothing now upon the statute books which I feel absolutely sure can not be made workable and which will interfere, and grossly interfere, with the ordinary course of trade. That course of trade, with reference to the Minnesota system, has already been explained by the Senator from Minnesota [Mr. NELSON]. While I can not agree with him that that system is a perfect one, I will agree that if the Minnesota system were carried out as it is intended by the laws of the State of Minnesota that it should be carried out, and if every other State had the same system, and it was carried out fairly and honestly, there could be no complaint against the system.

In other words, I believe the Minnesota system is a perfect system so far as the system itself is concerned; but I do not believe that it is perfectly operated.

I call the attention of the Senator from Minnesota to just one thing now, to show that the Minnesota system is not perfectly operated. For instance, the board of warehouse commissioners fixes the grades each year; and I think that is perfectly proper. Those grades ordinarily are so fixed that the value of the grain for any lower grade for flour purposes would be about from 3 to 5 cents less than it would be for the next higher grade. For instance, if No. 1 northern was selling for a dollar a bushel, under the Minnesota system No. 2 northern would ordinarily sell for about 97 cents, and No. 3 northern, we will say, from 3 to 5 cents less, or about from 93 to 95 cents a bushel; and yet, without changing the grades to any appreciable extent, I call attention to the fact that the difference between No. 2 and No. 3 in the regular sales made of the 1915 crop from my State, was about 18 cents; in other words, No. 3 was about 18 cents a bushel less in the markets of Minneapolis than was No. 2. If that No. 3 measured up to the Minnesota grade, it should not have been more than 5 cents a bushel less in value than No. 2 for the manufacture of flour. I never could understand why they made that wide difference between No. 2 and No. 3. If the Senator from Minnesota can explain it to me, I shall be very glad to hear him.

Mr. NELSON. Mr. President, I am very sorry the Senator has seen fit to inject this question into this matter at this time. I carefully avoided going into it.

The trouble with the Dakota wheat, to a large extent, has been this: A great deal of their wheat is never stacked. They thrash from the shock, and oftentimes the wheat becomes damp and bleached. They thrash it from the shock, haul it to the cars, and send it in when it is in an unfit condition. That same wheat afterwards, after it is dried and fanned and put through a process, becomes in time better wheat; but when they send in that wheat in the first instance, because of the fact that it is thrashed from the shock, and because of the fact that it is bleached and has been exposed to the weather, it does not come up to the grade.

In our State, at an early day, in the Red River Valley, they used to do a good deal of what we call shock thrashing; but they are abandoning that more and more. They find that it is not profitable; that the grain is injured in the shock, becomes bleached and deteriorated, and they are unable to get the grade for it. That has been, to a large extent, the trouble with the Dakota wheat. But, as I said, I am a little surprised that the Senator has seen fit to attack the Minnesota system in this way.

Mr. McCUMBER. No; I am not attacking the system. I am attacking the method through which the system is carried out at times. I will entirely agree with the Senator that some of this wheat, because of its being bleached and because of its being wet, was worth 18 cents a bushel less than No. 2; but if it was worth 18 cents a bushel less than No. 2, it ought not to have been graded No. 3, but it ought to have been graded "rejected" and sold upon the market as either No. 4, and a poor grade of No. 4, or as "rejected" grade—that is, no grade at all.

It is with those things that we have found the most complaint. Now, if we had gotten a No. 3 price for that grain, it is probable that we would have gotten more than that grain was worth; but the chances are a thousand to one that while there was a difference of 18 cents a bushel between a No. 2 price and a No. 3 price at which it was bought in, it was sold as No. 3, the same as it was purchased as No. 3. But I doubt if there was that much spread; and it may be possible that they dried it, as the Senator says, and put it through a process that took the moisture out of it, that took the bleach out of it, and made a better grade of it.

Mr. NELSON. I want to say to the Senator, if he will allow me to interrupt him, that I do not know any instance, except in special kinds of wheat like the macaroni or durum wheat, where there has been a difference of 18 cents a bushel between wheat graded as No. 2 and No. 3.

Mr. McCUMBER. I am informed by my colleague, who was shipping grain during all of last summer, that that difference existed for a long period. I shipped no grain myself, so I have no personal knowledge of the fact; but it was stated, and without being disputed, upon the floor of the Chamber last year. But that, possibly, is of little value.

I simply wish to say that we ought either to have Federal inspection by Federal inspectors altogether, or else we ought to keep out of the inspection field entirely; and as it is determined that we shall keep out of that field let us at least take advantage of the provisions in the laws of the different States for appeals. The Secretary of Agriculture, as I stated before, could not by any possibility take cognizance of all the applications for reinspection and for appeals; but under the systems, whether they are governed by rules of boards of trade or chambers of commerce or the rules laid down by the railroad and

warehouse commissioners, all of them provide first for reinspection, secondly for an appeal from the inspectors, and finally for an appeal to some board superior to those. The amendment which I have proposed simply allows the usual course of trade in that respect to prevail, but does provide for a further appeal from the final decision in such States where the appeal is taken to the Secretary of Agriculture. Probably there would be very few cases, but those would be important cases and would help to establish the Federal grades so that all would understand exactly what they meant.

I therefore hope this amendment will be adopted, as I desire above all things to make this bill as perfect as I can.

Mr. SHAFROTH. Mr. President, the chairman of the committee is not in the Chamber just at this moment, but I believe I know his attitude with relation to the amendment. He thinks that there are some parts of the amendment that may not be good, but he is willing to let it go in the bill and go to conference in the hope that something can be worked out that will be satisfactory all around.

Mr. McCUMBER. That will be entirely satisfactory to me.

Mr. SHAFROTH. The Senator's position as to inspection, and the necessity for inspection, and the hope that inspection will come, has been ably voiced by him heretofore, and ultimately this bill may result in an inspection by the Federal Government. If it does, and it works well, of course that is all that we desire; but it is impossible now to obtain the passage of a Federal inspection bill. The moment you begin to talk about Federal inspection, there come up all of the State officers who are now in the States grading grain protesting most vigorously against it; and on that account it has been deemed wise by the committee to go as far as it can in that direction, but not to the extent of providing for inspection by the Federal Government.

So I will state that the attitude of the chairman is to let this amendment be adopted and go to conference, not, however, committing himself to it, but in the hope that something may be worked out by the conferees.

Mr. GRONNA. Mr. President, I will say to my colleague that on yesterday we adopted an amendment which I proposed, but I do not think it goes far enough. I have no objection to the amendment offered by my colleague. I just want to read, for the information of the Senate, the amendment which was adopted at my instance:

That there is hereby established in the Department of Agriculture a board of grain appeals. Such board shall consist of five members to be appointed by the Secretary of Agriculture. The salaries of the members of this board shall be $3,000 per annum. The board of grain appeals shall, under such rules and regulations as the Secretary of Agriculture may prescribe, pass on all appeals which may be taken from the inspection and grading of grain by inspectors licensed under this act; but in States where there have been established systems of grain inspection with State boards of appeals, appeals shall be considered only from the findings of such State boards of appeals. The board of appeals shall also, under the direction of the Secretary of Agriculture, pass on the qualifications of applicants for license under this act.

That would take care of appeals in States where they have a State inspection law.

Mr. McCUMBER. I will say to my colleague that there is no inconsistency between his proposition and the one I have just offered. By this amendment I connect up and bring into effect the system of appeals and reinspections already provided in the several States; and of course, with the amendment which he has already had adopted, the appeal would be taken to that board in the Agricultural Department.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SMOOT. Mr. President, I offer the amendment which I send to the desk, to follow line 19, page 71.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 71, after line 19, it is proposed to insert:

To enable the Secretary of the Interior to investigate the existence of artesian water and other underground water supplies suitable for irrigation in the arid and semiarid regions by boring wells, $100,000.

Mr. THOMAS. Mr. President, I should like to ask if any estimate has been made for that amendment?

Mr. SMOOT. I will say that an estimate has been made for it in the exact words of my amendment.

Mr. THOMAS I do not care for the words. The Senator's word is perfectly good.

Mr. SHAFROTH. Mr. President, I should like to have the amendment stated again.

The Secretary again stated the amendment.

Mr. GORE. Mr. President, I desire to say, in regard to the amendment, that I fully appreciate the importance of the work which it contemplates. If there be artesian water available in any part of the great arid West it ought to be ascertained and the fact brought to the attention of the settlers, so that everything possible can be done to rescue that country from the desert and to make the waste places rejoice.

An amendment similar to this has been twice reported to the Senate by the Senate Committee on Agriculture and Forestry. It has been twice agreed to by the Senate. It has twice gone out in conference.

My own view of the subject has been this: In the committee, I may say, I have never voted for the amendment. First, I should say that the amendments reported heretofore have authorized and directed the Secretary of Agriculture to carry on this work. I observe that the pending amendment devolves that duty on the Secretary of the Interior. I called upon the Secretary of Agriculture for a report upon the subject two years ago. He reported adversely, on the ground that the work should be carried on under the supervision of the Geological Survey, and that to devolve the duty on the Department of Agriculture would result in a duplication of service. My own judgment, I may say further, is that this work ought to be carried on by the several States.

I know there is no general principle underlying the Agricultural appropriation bill on which you can draw these distinctions. We have undertaken, however, in a general way, to prosecute those investigations where the results might be of general application throughout a large section of the country.

My own information is that the department might, at considerable expense, ascertain that there was artesian water, for instance, in a given county in Utah. It would not follow that artesian water would be available in the adjoining county, or even upon the adjacent quarter section. It is a matter that must be carried on locally and determined locally.

Now, it is an impossible task for the Government of the United States to embark generally upon this policy, to feel out and to test out the existence of artesian water all over that entire region. I may say that my own State made an appropriation to sink wells in order to ascertain whether or not artesian water was available. I think this duty ought to be devolved upon the several States; and if not, then one of two things should be done: Either the State should be required to put up dollar for dollar with the General Government in prosecuting this work or the Government ought not to embark upon a policy which has no limitations.

I may say that there is one other plan which might not be objectionable, and that would be to take from the irrigation fund the money with which to carry on this service. The Government appropriates the proceeds from the public lands to the irrigation fund. I think it amounts to some $80,000,000. In addition to that, we have issued $20,000,000 worth of bonds to supplement that fund. It amounts now to something like one hundred millions. It is devoted to the establishment of irrigation plants in the arid and semiarid portions of the country. It would be a part of that plan and connected with that system to divert a portion of the fund—if I may use the word "divert"—to test out and ascertain whether or not artesian water be available. But I can not quite see why money should be taken from the General Treasury, paid in by the people of Maine and Mississippi, in order to test out the existence of artesian water in Wyoming or Nevada, when a test made on one quarter section would not necessarily be applicable even to the adjoining quarter section.

It seems to me that the work is of such a local nature that it ought to be carried on by the State, or at least the State should put up half the money; or, if not that, then the fund already set aside—a fund originating in these States—should be utilized for this purpose.

Mr. SMOOT. Mr. President, I wish to say that this item has been in an appropriation bill, as stated by the Senator, upon two other occasions, and has been rejected in conference, but the rejection was based upon the fact that there had been no estimate made for the amount. There is an estimate made for this item, and there is a great need for demonstrating whether or not artesian water can be secured in the arid and semiarid districts in the Western States.

The other day I stated some of the reasons why that work should be undertaken by the Government. The reclamation act referred to by the Senator is an entirely different proposition than the securing of water by artesian wells, and the advances to that fund by the Government is to be refunded.

Mr. President, this money, if appropriated, will be used for demonstrating whether or not there is artesian water in the semiarid and arid districts. The Senator says there is no limit to the amount of expenditure. It can not go beyond the $100,000 appropriated, and that will go just as far as the Geological Survey can make it, and no further.

I was rather surprised to hear the Senator refer to the appropriation as being of a local nature and one that ought to be provided by the States, when, on the opposite page of the bill, and, in fact, on nearly every page of the bill, there are items of exactly the same nature. The bill is made up entirely of items which are of a local character, and which, if that position is taken, should be paid for by the States.

I notice here an item of $39,540 for inquiries in regard to systems of road management throughout the United States and for giving expert advice on the subject; an item of $142,780 for investigations of the best methods of road making, especially ordinary sand-clay and dirt roads; an item of $42,780 for investigations of the chemical and physical character of road materials; and I might go on, Mr. President, and read the whole bill through.

Why should the Senator complain of Oklahoma and Mississippi being taxed in order that the Government may demonstrate whether or not there is artesian water in the arid and semiarid lands owned by the Government of the United States and then in the same bill ask for an appropriation for the protection of the cotton fields of the South against the boll weevil or for the eradication of ticks of the South or the bugs of Kansas?

The Senator says that if the department sank an artesian well in one quarter section it would not demonstrate that the lands in the adjoining one would contain artesian water. That may be true, but——

Mr. BORAH. Does the Senator's amendment confine the investigation to public lands?

Mr. SMOOT. The amendment reads in this way:

To enable the Secretary of the Interior to investigate the existence of artesian water and other underground water supplies suitable for irrigation in the arid and semiarid regions by boring wells.

I suppose that it will be used for the purpose of demonstrating upon public lands whether there is artesian water to be found or not.

Mr. BORAH. I had supposed that the Senator intended to confine it to boring upon public lands. If it were confined to *public lands*, I should suppose perhaps from the argument of the Senator from Oklahoma that he would not object to it.

Mr. SMOOT. I do not think the Senator from Oklahoma objects to the present amendment any more strenuously than he would if it were applied only to public lands.

Mr. GORE. I think to make it apply to public lands would improve the amendment. In fact, I had in mind to offer that amendment to the amendment before it came to a final vote.

Mr. SMOOT. I was going to speak of the question of the development of artesian water upon one section and then, within a quarter of a mile or a half a mile, perhaps, it would be impossible to find artesian water on that land.

What this appropriation will be used for, Mr. President, will be to demonstrate whether there is artesian water in a given valley and what the depth of the well must be before the water is found. That can be done with the boring of only one well in a valley. I have no doubt but that private capital could be secured by the homesteader for the purpose of sinking wells if it was demonstrated that sufficient water could be secured to irrigate enough land to make it profitable and a home for himself and family.

The mere appropriation of $100,000 will go nowhere in developing wells on every section of land in the semiarid and arid region. All that the department would do would be, as I said, to demonstrate by one well the fact whether there is water in a district or not, and then after that is demonstrated the people themselves will take care of the extension of the work.

Mr. BORAH and Mr. GALLINGER addressed the Chair.

The PRESIDING OFFICER (Mr. OVERMAN in the chair). Does the Senator from Utah yield, and to whom?

Mr. SMOOT. I yield to the Senator from Idaho first.

Mr. BORAH. If the Senator from Utah will confine the operation of his amendment to public lands, which I presume would be the practical effect of it any way, I think it would have a better chance of success and it would serve the waste and arid and semi-arid regions just as well, because if they will demonstrate the existence of artesian water upon the public lands of the country it will serve the private owners in that region of country.

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from New Hampshire?

Mr. SMOOT. In just a moment.

Mr. President, at the suggestion of the Senator from Idaho I want to modify the amendment by adding after the word "wells" the words "upon public lands." I yield now to the Senator from New Hampshire.

Mr. GALLINGER. I rose to ask the Senator from Utah if no experiments have been made in this direction heretofore.

Mr. SMOOT. I will say, as far as my own State is concerned, there have been, I think, two or three experimental wells sunk by the State. In one instance it was a success; I think in two others it was a failure. But in sinking these wells sometimes it is required to go a thousand or two thousand feet, and the State has felt that the burden of taxation has been so great that they could not extend the work as far as it would like.

In this connection I wish to say to the Senator that only about 20 per cent of the lands within the State are under private ownership. The balance of it is withdrawn land, forest reserves and other classes of withdrawn land, and the taxation upon the 20 per cent is so great it does not allow the State to extend that class of work as much as they should.

Not only that, but I wish to say that in any State where there is so much public land it seems to me that it would be nothing more than just for the Government of the United States, if they want to dispose of the land, to demonstrate the fact that there is water which can be obtained from an underground flow, and after it is demonstrated then the citizens will take the chance of sinking wells but it is too expensive for an entryman to undertake the great expense with the hope and with the only possible chance of securing 160 acres of land by living on it three years, even if he is successful in securing water.

Mr. GALLINGER. I assume, Mr. President, that the Senator has in view the sinking of possibly a good many wells until water is found. The Senator says the sinking of one well will solve the problem. It would if water was reached. So I assume the Senator has in mind the fact that if the first experiment is a failure under this appropriation to the extent of the appropriation the Government may continue to sink wells with a view to finding water.

Mr. SMOOT. I should think the department would follow this plan, that it would select a valley, say one in Millard County in my own State, and would sink in the northern part of the county a well. If it was successful that would be about all that it would be expected to do in that county. If it were unsuccessful perhaps it would decide after a further investigation that it was worth the chance of sinking one in the middle or in the southern part of the valley, but I would not think it would do any more than that; having gone so far as to show that it was next to impossible to secure artesian water in that valley.

Mr. GALLINGER. I will ask the Senator if he can inform me what the character of soil is in the regions where these wells are probably to be sunk.

Mr. SMOOT. Does the Senator mean the surface?

Mr. GALLINGER. No; the character of the soil through which the pipe will be inserted.

Mr. SMOOT. As to that I could not say positively. It differs according to depth.

Mr. GALLINGER. Is it rocky? In the part of the country from which I come, of course, we expect to find rock, and all that sort of thing, which obstruct the boring process. I wondered whether that was likely to be the case in those valleys.

Mr. SMOOT. I can say that in the valleys some of the wells have been driven, and where they have secured water it is generally in the thickly settled counties. They find that that land is rocky in places, sometimes it is sandy, sometimes it is clayey, and there are strata of different classes of land as depth is reached.

Mr. GALLINGER. I assume there is no difficulty in driving these wells.

Mr. SMOOT. None whatever.

Mr. GALLINGER. Even to a depth of 2,000 feet. I remember that Artemus Ward once came across a man who was driving a well, and he had gotten down 4,000 feet. He was somewhat discouraged, but Artemus told him to keep on, that there was water in China beyond a doubt. In the northern country wells are sunk to a depth of several hundred feet.

But now just a word in answer to a suggestion of the Senator from Oklahoma. He thinks it is not right for these experiments to be tested when the people of New England and other Northern States have to pay a part of the expense. Mr. President, New England gladly pays a part of the expense of the irrigation system, and as the Senator from Utah has said, this bill is full of provisions where sections of the country contribute that get no benefit from it. So I think this can not be differentiated from other provisions of the bill calling for appropriations for specific purposes.

Mr. THOMAS. Mr. President——

Mr. SMOOT. I yield to the Senator from Colorado.

Mr. THOMAS. I was going to suggest that the public-land States receive 5 per cent of all the proceeds derived from the sale of the public lands for local public improvements. In our State we have heretofore used a good deal of that fund for

artesian-well purposes, and I see no reason why that fund should not be devoted among other things to this identical purpose. Therefore the suggestion which was made against the amendment by the Senator in charge of the bill, it seems to me, is well founded. I do not believe under the circumstances that we should make this appropriation in view of the 5 per cent which gives us a fund that can and ought to be used for this and kindred purposes.

Mr. BORAH. Mr. President——

Mr. SMOOT. I yield to the Senator.

Mr. BORAH. If this appropriation were to be used upon private lands, I do not think there would be any justification in asking for it, but I ask the Senator from Oklahoma and others to bear in mind that the Government of the United States has a vast amount of arid lands in the West which perhaps never can be irrigated except through artesian wells, some of which lands have been irrigated in that way and passed into private ownership.

That land which is now in its present condition practically without value, if irrigated in this way would increase in value tremendously. As it is, it is worth nothing to the Government or the people. If this could be expended, and successfully expended, it would be worth millions of dollars to the Government. So long as it is to be expended upon property owned by the Government, it is as fair an investment as we make under these bills ordinarily, and it seems to me that it might be permitted to go in the bill in view of the other precedents established.

Mr. SMITH of Georgia. Mr. President, I was out when the amendment was offered. Does it provide that the use of the funds shall be by the Interior Department?

Mr. SMOOT. It does.

Mr. VARDAMAN. Will the Senator read the amendment?

Mr. SMOOT. I will read it:

To enable the Secretary of the Interior to investigate the existence of artesian water and other underground water supplies suitable for irrigation in the arid and semiarid regions by boring wells—

And then I have added "upon public lands"—

$100,000.

Mr. SMITH of Georgia. Can the Senator tell us to what extent, or somewhat to what extent, artesian wells have proved a success upon those arid lands? Have there been any large number of them sunk?

Mr. SMOOT. There are quite a number of artesian wells in my own State, but they are located mostly in Salt Lake, Utah, Davis, Weber, and Cache Counties.

Mr. SMITH of Georgia. Is there any average depth to which you bore?

Mr. SMOOT. The wells within those counties average about 300 feet deep. The watersheds of these counties are the most extensive in the State. What we want to get at is to go into what we call dry counties. The lands are just as good land as were ever cultivated or foot was ever placed upon, but nothing can grow there because of the fact that there is no water available. But there are mountains miles and miles back that no doubt will furnish an underground flow of water. From most of the watersheds in our States some of the water finds its way into Salt Lake. That is the bottom of the basin. If that water on traveling through its underground channel can be tapped, it will be used for irrigating arid land, and there are millions of acres of it.

Mr. SMITH of Georgia. Have you flowing wells as a rule?

Mr. SMOOT. They are. If the water is tapped by artesian wells it arrests the flow, and is used for irrigation purposes, but we have so many counties with but few people in them——

Mr. SMITH of Georgia. You have large streams that come up from your artesian wells and go away in the air?

Mr. SMOOT. Yes; sometimes they are thrown up as high as 20 feet, according to the amount of water and the pressure.

Mr. VARDAMAN. Mr. President——

Mr. SMOOT. I yield to the Senator from Mississippi.

Mr. VARDAMAN. Mr. President, I heard the name of Mississippi used in vain a moment ago with reference to this matter, and I want to say that, so far as I am concerned, Mississippi will take a genuine pleasure in paying her proportion of this tax.

I know the value of water which this money is appropriated with the hope of discovering. It is the gold that makes the rock valuable and worth the effort to acquire it.

Just at this point I wish to relate a little incident which came under my observation in my State some years ago, and which shows that you can not always rely upon the conclusions of the scientists. For many years the theory was accepted that the great Mississippi Delta was at some time in the dim and distant long ago a neck of the sea; that artesian water could not be found there, however deep one might dig for it. A book was written by Dr. Hilgard on geology, which was taught at the State university, in which he maintained stoutly that artesian water could not be obtained in that section.

An enterprising young fellow came down to Greenwood, Miss., from Illinois and established a little bottling plant.

He knew no more about geology than a prairie dog does about the nebular hypothesis, but he had good common sense and was willing to try to make the venture. He concluded that he would undertake the experiment and see if he could not find artesian water if the city would pay the expense of the pipe. It was thought by the older heads—men whose ignorance becomes wisdom by prescription—that it was an unwarranted prodigality of the public cash to spend money on so foolish a thing, but the more progressive citizens in the little city insisted that the trial should be made. He started down, and in about 48 hours, at the depth of about 400 feet, discovered an inexhaustible supply of the purest and best water I have ever known. When he penetrated the little crust or the stratum of rock down in the bowels of the earth water gushed from it and ran to an elevation of about 47 feet above the surface of the ground. That has solved the problem of health in that rich country. It has been worth millions of dollars to the people and is of inestimable value in the priceless matter of health.

Anything that is going to bring land under cultivation, to furnish homes for farmers, and, more than that, to make farmers out of the people who are living around the towns, is a benefaction, and this Government can well afford to experiment with $100,000. If water should be found, the profits that would flow from the discovery would be so great that posterity would rise up as one man and call the name of this Congress blessed. If the experiment is going to be made on the public lands, it means probably, as the Senator from Idaho [Mr. BORAH] says, adding untold millions of wealth to the property of the United States, and in addition to all that it means good homes—country homes—happiness and prosperity. So I do not think we ought to hesitate about making the appropriation.

Mr. SHAFROTH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Colorado?

Mr. SMOOT. I yield.

Mr. SHAFROTH. I want to say with relation to artesian wells, that we have had considerable experience with them in Colorado. The city of Denver is in a basin, where there are probably 300 artesian wells. They were put there perhaps 25 years ago, and some of those wells are still in existence. The very building in which my office is situated is supplied entirely by artesian water. The artesian well, of course, is sunk right in the town.

The depth at which these wells are sunk in that locality is from 250 to 350 feet. I have not any doubt that there are between strata of rock extending down the mountain side or from high levels to lower levels, immense quantities of water. Otherwise we should not have these numerous wells—300 of them—in the city of Denver. These wells flow for a limited time; they will flow for two, three, or four years, when they will become filled with sand. It is then necessary to clean them out in order to get them to again flow. If it is desired to use a well after it has once been sunk that has ceased to flow, it can easily be done by the use of pumps, which are resorted to in a number of instances. In fact, the water company of the city of Denver, for instance, has utilized the flow of artesian water by putting that water into the small reservoir which it has near the city of Denver. It had some 10 artesian wells flowing during that time into the basin from which the water was pumped.

Mr. President, I feel that the position which the Senator from Utah has taken is well taken. I feel that this is experimental, of course. There are some basins, where probably such wells will be sunk, and where there will be no return; but there are strata on the sides of mountains and in valleys, where, if water is discovered, wonderful results will be produced in the way of aiding irrigation. I remember down in Texas that I went to the town of San Antonio and found there that there was a spring which started a river 4 miles above the town. It simply gushed out in the form of three springs, which concentrated there a volume of water in each instance equal to the body of a person. It produced a river running through San Antonio for a length of some 4 miles only, but it has such a volume of water that it, of course, has produced great benefit to the town. If that water were utilized—and no doubt it is utilized—it would be of great benefit. Artesian water comes from a long stretch of water lying between strata; and it seems to me that the Government can not fail to do what is right and fair in attempting to develop this resource which is hidden in the earth.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Idaho?

Mr. SMOOT. I yield.

Mr. BORAH. Mr. President, the city of Denver is a great city and has many wonderful natural advantages; but in the matter of producing artesian wells it is not the great city of the West. There is a little city over in the State where I live where they have had artesian wells flowing for the last 25 years. Those wells so far have given no indication of drying up or of becoming depleted to any extent. We have artesian hot water. The building in which my office was situated was heated by hot water; and in almost the entire city the buildings were heated by hot water. So we have in our city a plentiful supply of hot and cold water.

I wanted to call attention to this for the benefit of the Senator from Colorado [Mr. SHAFROTH] and also for the benefit of the Senator from New Hampshire [Mr. GALLINGER], who asked if these wells had in any wise been developed to such an extent as to be called successful. So far as the artesian wells discovered in my State are concerned, they have been of long duration, of great supply, and very successful in every respect wherever they have been found.

Mr. STERLING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from South Dakota?

Mr. SMOOT. I do.

Mr. STERLING. I feel disposed to add my word of testimony as to artesian wells. For about 20 years I lived, I think, in the greatest artesian-well basin in this country, if not in the world, and that is in the famous Jim River Valley Basin in South Dakota. Beginning in the northern part of the State of South Dakota, where wells were about 1,200 feet deep, and running the entire width of the State to Yankton, S. Dak., artesian wells were sunk. The depth of those wells varies from 1,200 feet in the northern part of the State to 750 or 800 feet in the southern part of the State.

In the central part of that region wells were frequently obtained the pressure of which would be 160 or 175 pounds to the square inch. In the town of Redfield, where about the second well, I think, was put down in South Dakota, the pressure was for years 160 pounds to the square inch. It was the only fire protection which we had, and there was often such force in the flow of the water when applied with the hose that it would take the shingles from the roof in the putting out of a fire.

But now, Mr. President, relative to the amendment of the Senator from Utah [Mr. SMOOT] we have a vast region west of that and west of the Missouri River which we term a semi-arid region, in which some experiments have been made in the matter of putting down artesian wells. The formation there, however, is not, I think, thoroughly understood as yet by artesian-well diggers; it is desirable to know whether water-bearing strata from which wells can be had exist throughout that part of the State; and I think this appropriation would be most valuable in helping to determine whether or not in that great region—the Great Plains region, as it is called—artesian wells may be procured to aid in the matter of irrigation and in procuring water for domestic uses generally. I hope the amendment will prevail.

Mr. PITTMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Nevada?

Mr. SMOOT. I do.

Mr. PITTMAN. I was very much interested in the artesian wells to which the Senator from Idaho [Mr. BORAH] referred which are located in his State. I desire to say that we have a great many artesian wells in the State of Nevada, where the hot and cold water are near together, but we have one well there in which the hot and cold water flows from the same well. I refer to a well sunk by Gov. Sparks on his ranch a number of years ago. At a depth of about 300 feet they struck a stream of cold water. That well was incased in a 6-inch pipe. They then put down a smaller pipe inside of the 6-inch pipe, and at a depth of 600 feet they got a flow of hot water. So on the outside pipe they had cold water flowing and on the inside pipe hot water.

Mr. GALLINGER. I will ask the Senator——

Mr. MARTINE of New Jersey. Mr. President——

The PRESIDING OFFICER. To whom does the Senator from Utah yield?

Mr. SMOOT. I yield first to the Senator from New Hampshire.

Mr. GALLINGER. I will ask the Senator if they get boiling water from any of those wells?

Mr. PITTMAN. Mr. President, I do not want to take up the time of the Senator from Utah by going into that story. I merely want to state that in one of our valleys, which is about 10 miles wide and 100 miles long, there was no sign of water at all. There were hardly any streams on either side of any of the mountain ranges. A company was organized for the purpose of trying to find deposits of potash in solution. They went to a great depth in sinking wells in the valley, and failed to find potash; but they cut five or six strata containing enormous flows of artesian water; and to-day in that valley they have four or five flowing artesian wells. The indications are not such as to justify any individual, or even private companies ordinarily, in making such experiments, and in that instance it would never have been done except that they were seeking potash deposits. It is along that line that this provision would be so beneficial to us.

Mr. MARTINE of New Jersey. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from New Jersey?

Mr. SMOOT. I yield to the Senator.

Mr. MARTINE of New Jersey. Mr. President, not to be outdone by the marvelous tales we have heard about artesian water, I want to bear cheerful testimony to the splendid results in the little Commonwealth of New Jersey along similar lines. True, we can not rival or even approach the achievements of the State of Idaho, and particularly those of the State of Nevada, where they have hot and cold water on tap from the same artesian well.

In view of the facts stated it is a mystery to me that Nevada has not multiplied in population. It seems to me that after the declaration of the Senator from Nevada population will swarm in there. It would be an ideal spot to make a hot toddy, for at any time of the year one may have hot and cold water from the same source. [Laughter.]

But, Mr. President, one does not have to go to Nevada or to Utah or to Idaho or to South Dakota to find a practical demonstration of the value of artesian wells.

Mr. VARDAMAN. Mr. President may I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from New Jersey yield?

Mr. MARTINE of New Jersey. Certainly.

Mr. VARDAMAN. There is no danger of the Senator withdrawing from the race for the Senate, and moving to Nevada, is there? [Laughter.]

Mr. MARTINE of New Jersey. Oh, Lord; no! As lovely as I think the people of Nevada are, I still love my own hearthstone and heath; and, notwithstanding the general combinations which are against me, I am afraid the Senator will have to abide with me for another six years, for I shall make the fight for that term.

However, apropos the question of water, which is very near my heart, I desire to say that in the State of New Jersey are found not only one well, but scores and myriads of wells of the artesian type. My own home is in a sort of a basin, known as the Plainfield Basin, and it is a common thing to take an ordinary galvanized pipe 2 inches in diameter, properly pointed and 15 or 18 feet long, and drive it down in the soil and have the water flow nearly up to the surface and, in some instances, over the surface. It is a common thing for the housebuilder to drive such wells. I have had scores—perhaps 50—of them driven on my farm in that way; and the city of Plainfield, a splendid city, 45 miles from the corner of Broadway and Wall Street, with a population of 37,000, is supplied by a superb system of water works with artesian water, which, in some instances, gushes out and, in other instances, is pumped out.

I feel that if there is any one thing that I can approve of in this bill more than another, it is this proposition which looks to obtaining supplies of artesian water. It matters not how rich or fertile a piece of soil may be, without water it is a barren desert; and when I think of the millions of dollars we have parceled out for chasing chinch bugs, moths, mosquitoes, hookworms, army worms, and God knows what else, it seems to me that they all pale into insignificance from the standpoint of benefit to the human race as compared with this splendid proposition.

Mr. CURTIS. Mr. President, I want to ask the Senator from Utah if the amendment applies to artesian water and also to the underflow which might not prove to be artesian?

Mr. SMOOT. It applies to artesian water and other underground water supplies.

Mr. CURTIS. In the southwestern part of my State there have been sunk a number of artesian wells which go to a depth of about 800 feet. They also find an inexhaustible underflow that is not artesian; and, if the amendment covers both, I should like to see it adopted; and, if it does not, I should like to see it changed so that it will cover both.

Mr. SMOOT. I will say to the Senator that it does cover both.

Mr. President, I had no thought in my mind of resolving the Senate into a testimonial meeting upon this question, but from what has been said and the testimony which has been given of the advantages of such an amendment, I do not believe it is necessary for me to say anything further. I think now the chairman of the committee will not have any further objection to allowing the amendment to go into the bill.

Mr. GORE. Mr. President, I wish first to eliminate from this discussion this one point as to the importance of ascertaining the presence of artesian water in the arid and semiarid regions of this country. The importance of ascertaining that fact can not be overestimated. I trust that I feel as keen an interest in that subject as any other Senator upon this floor and as any Senator from any State which has the misfortune of being among the most arid. Anything which would even tend to redeem any part of our country from the desert would be not only a local blessing, but it would be a national blessing.

The importance of this question can be eliminated from the discussion; but I may say, in testimony of my own interest, that I offered in the committee an amendment directing the Secretary of Agriculture to ascertain the underground supplies of water in certain regions of the country, in the western sections of the country. That amendment was offered by me in the committee, was reported by the committee to the Senate, has been accepted by the Senate, and is found on page 71, I believe.

The acceptance by the author of the pending amendment of a provision limiting the experiment to the public lands removes my most serious objection. Whether or not artesian water exists on private lands ought to be ascertained by private companies or else by the State. An expenditure by the State for that purpose could be abundantly justified, while an expenditure by the General Government to ascertain whether there is water on private lands could not be justified; but, after I have heard Senators from the arid States blow hot and cold upon this question, it seems to me that this appropriation is unnecessary. If there is any one region under the sun where artesian water seems to be available, particularly in the localities where United States Senators live, it is in the arid section of the United States. We have had an experience meeting here. I do not think a single Senator has omitted to testify that there was artesian water in his town and county, and in several instances under his house. Therefore I see no reason why we should carry on these experiments in that section of the country.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Idaho?

Mr. GORE. I yield.

Mr. BORAH. That was my object in suggesting to the Senator from Utah that he confine the operations of the amendment to the public lands. The National Government has its lands there, and they are unavailable for settlement and for use.

Mr. GORE. I feel the force of that argument.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Colorado?

Mr. GORE. I yield to the Senator from Colorado before proceeding with the discussion.

Mr. THOMAS. Mr. President, this, I understand, is an original appropriation—that is, it has not appeared in any bill of this kind hitherto. I simply wish to interrupt long enough to venture the prediction that next year for this same purpose we will appropriate $200,000, and perhaps more, and the next year $500,000; so that this hunt for water will be like the search for a remedy for the chinch bug, like Tennyson's brook, it will go on forever. Meanwhile we have the 5 per cent fund given by the Government to the public-domain States for the purpose of public improvements available for this purpose; and, in view of the condition of the Treasury, it ought to be used for this purpose, and the other project postponed until conditions have improved.

Mr. SMOOT. Mr. President, will the Senator from Oklahoma yield to me for a moment?

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Utah?

Mr. GORE. I yield to the Senator from Utah.

Mr. SMOOT. I presume, Mr. President, it is hardly necessary for me to state to the Senator from Colorado that if such a thing as he predicted should happen I will stand with him in undertaking to defeat any such increase of the appropriation for this purpose.

Mr. THOMAS. Mr. President, if the Senator had the power to stop the flow after it once begins, I have no doubt that his efforts would perhaps be successful; but when you start a leak in the Treasury in any direction I have yet to know of a single instance, in my short experience here, where that leak has not grown.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Idaho?

Mr. GORE. I yield to the Senator from Idaho.

Mr. BORAH. The Senator from Colorado suggested that this appropriation will likely be enlarged from year to year.

Mr. GORE. Undoubtedly, if they find artesian water, it will start a leak. There is no question about that.

Mr. BORAH. Mr. President, what I was going to say was that I do not desire to disparage or discourage the great ability with which the Senator from Colorado [Mr. THOMAS] undertakes to limit appropriations; but no one knows better than the Senator from Colorado that if artesian water is found upon these lands it will be altogether the best investment the United States has made in many years in that country.

Mr. THOMAS. I think that is true, Mr. President.

Mr. BORAH. The Senator from New Jersey suggested, a while ago, that it was rather surprising that there were not more people in the State which I have the honor to represent in part. It is because, Mr. President, 70 per cent of the area of that State has been withdrawn and is dedicated to silence, and the people of the different parts of the country come there and pass on and go into Canada and seek homes where they can get them under reasonable laws. I want to call the Senator's attention to the fact that during the last five years prior to the breaking out of the European war over 100,000 American citizens passed through our country and on into Canada and acquired homes in Canada.

Mr. MARTINE of New Jersey. I will say that that is a condition that never occurs in New Jersey. No man ever comes within the borders of New Jersey but that he stops and ultimately stays. We so entrance him, so captivate him, by the very many blessings that the God of nature has bequeathed to us, that our population is multiplying by leaps and bounds.

Mr. BORAH. I am aware that there are certain splendid virtues possessed by the people of New Jersey which make them stationary [laughter], but there are a great many people in the country who move on.

Mr. GORE. Mr. President, as I was observing, if investigations on the public lands are to be prosecuted in order to ascertain the presence of artesian water, that investigation ought to be carried on by the General Government. It can not and should not be carried on by private enterprise. It can not and should not devolve upon the States where the lands are situated. That responsibility devolves upon the Government of the United States, for the reason I suggested—that if these experiments are to be carried forward the expense ought to be defrayed either out of the 5 per cent fund referred to by the senior Senator from Colorado, or else the expense ought to be met out of the irrigation fund.

The public lands of the United States are properly the public domain. They are the common property of all the people of all the States. But the people of the several States have, with generosity, dedicated the proceeds of the public lands to the establishment of vast irrigation plants in that splendid region. Everybody must commend that policy. Now, it seems to me that the amendment proposed by the Senator from Utah is in prosecution of the general scheme of irrigation. It is a hunt for water in order that irrigation may be extended and expanded throughout that region. It is a proper and a fitting charge upon the irrigation fund, upon the fund arising from the public lands in that section, dedicated by all the people of the United States to this particular and commendable purpose of irrigation.

I confess that I share the fears of the Senator from Colorado. I would be willing to challenge any man, in the Senate or out of the Senate, to disprove that 100,000 years from now the Agricultural appropriation bill will be carrying an appropriation to ascertain the presence of artesian water in the arid and semiarid regions of the United States. I hear the Senator from Utah, under his breath, say "No."

Mr. SMOOT. No; I said the boll weevil will be there, too.

Mr. GORE. I trust that will not be true, Mr. President—that the boll weevil may pass from among us. But the cultural methods that will combat the boll weevil in the State of Texas will combat the boll weevil in the State of Louisiana, in the State of Mississippi, in the State of Georgia, and in the State of South Carolina. The discoveries upon that subject are of general application. They may be applied wherever the evil exists. As I suggested before, the ascertainment of the presence of artesian water in any one county in Utah will not demonstrate its presence in any other county in Utah. If it were so, then I

assume that nobody would hesitate to make this appropriation, or to make a much larger appropriation.

Since everybody has been rendering personal testimony here, I suppose I might be in concert with the movement. I live a mile and a half from Cache Creek. Part of the town in which I reside is barren of water. Neither artesian nor surface water can be obtained in the particular part of the town where I live. Four blocks to the southward surface water can be obtained at a depth of from 15 to 40 feet. Five blocks to the east surface water can be obtained at a depth of 20, 30, or 40 feet. Two miles from where I live, across Cache Creek, there is a magnificent flow of artesian water. No man could conclude from that that there was artesian water to the westward, for it does not exist there; and if any private individual undertakes upon that assurance to sink an artesian well on his quarter section he is likely to be involved not only in loss but ruin.

I say further, reverting to the subject of the boll weevil, that the reason for my discouragement upon this subject, the reason why I fear that if this appropriation is made now it will be made next year and a thousand years from now, is this: We have been appropriating for two years, I believe, perhaps more, $5,000 to ascertain the cause of the disease affecting wild ducks in a certain State in the Union. Now, the expert testified that the cause of the disease has been ascertained. He testified that the cure for the disease has been ascertained. He testified that the game warden of the State, by the application of the remedy, could meet the situation, in his judgment. Upon the basis of that testimony the Senate Committee on Agriculture recommended that that provision be stricken from the bill. The Senate overturned the committee and restored an appropriation of $5,000 to investigate a disease where the cause has been ascertained, to investigate a disease where the cure has been ascertained, upon the theory, I suppose, that the intellectual gymnastics connected with these investigations is a paying investment.

Let me cite another instance in the State of Washington. The expert of the Government who had the work in charge stated that they had tested all of the known methods of taking stumps out of land. He modestly suggested that the future might reveal some other invention or device which might be worthy of an investigation or test. The Senate committee, in view of the fact that they had tried out all the known devices, recommended that this appropriation be dropped from the bill; but the Senate overturned the committee and brought back into this bill an appropriation to carry on an investigation that has been exhausted, to carry on an investigation where the expert himself says they have tried out all the known methods. Of course, the expert did not, and the department did not, recommend that the appropriation be discontinued. I have looked in vain for a recommendation of that sort; and I have offered an amendment to this bill, which has been adopted, directing the Secretary of Agriculture to summit to Congress when it meets in December every year a list of these investigations, and to suggest to Congress those investigations which have been completed and which may be abandoned for the future. I would be almost willing to vote a $100,000 prize for any such investigation on the part of any department, bureau, division, section, or service of this Government.

Now, only a moment more. This appropriation being limited as it is to the public lands, if the moneys were being derived from the 5 per cent or from the irrigation fund, I should interpose no protest against it.

Mr. SHAFROTH. Mr. President, the difficulty with taking this money from the irrigation fund is that the irrigation act does not apply to it. The irrigation act is constructed on the theory of having great reservoirs, and after they are constructed the cost of their construction is to be assessed upon the land. In the case of an artesian well put down for experiment on Government land you could not make it payable out of the reclamation fund. It would be absurd to contend any such thing as that; and for that reason it is not applicable to this appropriation. It could not be done unless you violated the law under which the reclamation projects are constructed.

If the Senator from Oklahoma believes that this ought not to be done by the county, that it ought not to be done by the State, but that it should be done by the National Government, since the method that he points out is a totally inapplicable one, namely, to resort to the fund of the reclamation projects, it seems to me, then, that the only alternative is to allow it out of the General Treasury for the purpose of experimentation.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. McCUMBER. Mr. President, if we are going to adopt the amendment now, I will wait; but if we are going to have any more speeches I was going to suggest to the Senator having the bill in charge that we have now been at work for nearly seven hours, and I hope we will be able to have a reprint of this bill in the morning.

I wish to say further that I shall try to prepare a substitute for the grading proposition which will be short and terse and will eliminate all matters but those which the Senator suggests should be in the bill, namely, first, a provision for standardization; second, a provision that the standardization shall apply to all grain bought and sold by grade in interstate commerce; third, a system of appeals to the Secretary of Agriculture; and, fourth, a penalty for disobedience of that law.

It seems to me that that would cover the whole thing; but I should like to have a reprint of the bill this evening or before to-morrow morning, so that we can see what amendments have been adopted.

Mr. THOMAS. Mr. President, I hope we will not adjourn. It is seven months to-day since this session began, and we have an immense amount of business before us; and we have done comparatively little except to adjourn and to discuss a great many matters of importance, and some not so important. I hope that instead of considering a recess or an adjournment at this time we will go ahead until 9 o'clock, and perhaps we can do something if we begin to hold night sessions. I doubt if we can unless we do.

Mr. SMITH of Georgia. Mr. President, we have had a great deal of experience in Georgia with artesian wells. About 40 years ago the first one was successfully sunk. Since that time there have been several thousand sunk in the State. If this is an appropriation simply for investigation, I do not object to it. If it means, however, the investigation of each acre of land, it really means for the National Government to sink the well.

Generally some kind of artesian water can be found at some depth in areas covering hundreds of square miles, but just what kind can be obtained at each spot nobody can tell until you sink the well. In our State we have artesian wells that throw water over 100 feet high, and within a quarter of mile from the same spot they have gone down much deeper and have barely obtained water that they must pump. You can not determine the question with any accuracy except by sinking the well. You can generally know that some kind of water can be obtained in a very large area of land.

I would not object to that kind of investigation. I would be glad to see it made; but if you then propose to proceed to narrow it, it simply means for the Government to sink the wells, and that would be a ruinous proposition.

I think it would be a serious matter for us to start this appropriation unless we really understand that it is a broad investigation, and that its friends are not starting out on the road to sinking innumerable wells all through that country.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Idaho?

Mr. SMITH of Georgia. I do.

Mr. BORAH. We understand it in the light in which the Senator from Georgia has suggested it ought to be carried on.

Mr. SMITH of Georgia. I believe that the expenditure of this sum might give us some information; but if the theory is that it is to go on from year to year, it can go on, and work can be found, and good can be done. Every time you sink an artesian well, if it is within half a mile of another or a quarter of a mile, you have given the facilities of water more freely to more people.

I do not object to this appropriation; but I wanted, in connection with it, to say that while I intend to vote for it I am going to resist a similar appropriation a year from now, for the department ought to be able with this to do as much as should be contributed in this direction. It is an investigation, not the obtaining of water through artesian wells, that is excusable.

Mr. SMOOT. I agree with the Senator that it should be used for investigation.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Utah. [Putting the question.] By the sound, the ayes seem to have it.

Mr. WILLIAMS. I call for a division.

The PRESIDING OFFICER. Those in favor of the amendment will rise. [A pause.] Those opposed will rise. [A pause.] The ayes evidently have it, and the amendment is agreed to.

Mr. McCUMBER. Will not the Senator from Oklahoma make a request for a reprint of the grain-grades section?

Mr. GORE. I desire to ask that a reprint be made of the grain-grades section of the bill, showing the amendments agreed to printed in italics.

The PRESIDING OFFICER. Is there any objection? The Chair hears none, and a reprint is ordered.

EXECUTIVE SESSION.

Mr. BANKHEAD. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

RECESS.

Mr. GORE. I move that the Senate take a recess until 11 o'clock to-morrow morning.

The motion was agreed to; and (at 6 o'clock and 4 minutes p. m.) the Senate took a recess until to-morrow, Saturday, July 8, 1916, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate July 7, 1916.

PROMOTIONS IN THE ARMY.

CHAPLAIN.

Chaplain Marinius M. Londahl, Thirtieth Infantry, to be chaplain, with the rank of captain, from July 1, 1916, after seven years' service.

INFANTRY ARM.

Second Lieut. John C. Walker, jr., Twelfth Infantry, to be first lieutenant from June 24, 1916, vice First Lieut. Charles L. Wyman, Twenty-fifth Infantry, detailed in the Signal Corps.

APPOINTMENTS IN THE ARMY.

Acting Dental Surg. James G. Morningstar, Dental Corps, to be dental surgeon, with the rank of first lieutenant, from June 13, 1916, to fill an original vacancy.

CORPS OF ENGINEERS.

To be second lieutenants with rank from June 13, 1916.

Cadet John Howard Wills.
Cadet Raymond George Moses.
Cadet Wilhelm Delp Styer.
Cadet John Woodman Fraser.
Cadet Charles Holmes Cunningham.
Cadet Dwight Frederick Johns.
Cadet William Arthur Snow.
Cadet Thomas Dewees Finley.
Cadet William Hamilton Britton.
Cadet Elroy Sandy Jackson Irvine.
Cadet Notley Young Du Hamel.
Cadet Wilburn Henry Henderson.
Cadet Robert George Guyer.
Cadet Edward Clark Smith.
Cadet Robert Allen Sharrer.
Cadet Ludson Dixon Worsham.
Cadet Edward Goring Bliss.
Cadet Ralph Gillett Barrows.
Cadet Holland Luley Robb.
Cadet Frederick Walker Bonfils.
Cadet Robert Reese Neyland, jr.
Cadet William Morris Hoge, jr.
Cadet Stanley Lonzo Scott.
Cadet Tattnall Daniell Simkins.

CAVALRY ARM.

To be second lieutenants with rank from June 13, 1916.

Cadet James Knox Cockrell.
Cadet William Spence.
Cadet John White Rafferty.
Cadet De Rosey Carroll Cabell, jr.
Cadet Ralph Irvine Sasse.
Cadet William Ewen Shipp.
Cadet William Hieatt Cureton.
Cadet Fay Brink Prickett.
Cadet Calvin De Witt, jr.
Cadet James Mitchell Crane.
Cadet Lucien Samuel Spicer Berry.
Cadet Victor William Beck Wales.
Cadet Joseph Merit Tully.
Cadet Pettus Harvey Hemphill.
Cadet Hugh Mitchell.
Cadet Robert Le Grow Walsh.
Cadet Clarence Scott Manlsby.
Cadet George Sidney Andrew.
Cadet Roland Paget Shugg.
Cadet Spencer Albert Townsend.
Cadet Craigie Krayenbuhl.
Cadet Arthur Marion Jones.

FIELD ARTILLERY ARM.

To be second lieutenants with rank from June 13, 1916.

Cadet Stanley Eric Reinhart.
Cadet Dean Hudnutt.
Cadet Louis Emerson Hibbs.
Cadet Jesse Frank Tarpley, jr.
Cadet Horace Logan McBride.
Cadet Hamilton Ewing Maguire.
Cadet Ray Corrigan Rutherford.
Cadet William Roscoe Woodward.
Cadet Alfred King King.
Cadet Henry Crampton Jones.

COAST ARTILLERY CORPS.

To be second lieutenants with rank from June 13, 1916.

Cadet Albert William Draves.
Cadet Benjamin Sloan Beverley.
Cadet Frederick James Williams.
Cadet Carl Lee Marriott.
Cadet James Arthur Pickering.
Cadet Hugh Allen Ramsey.
Cadet Willis McDonald Chapin.
Cadet Robert Bruce McBride, jr.
Cadet Paul Vincent Kane.
Cadet Carl Smith Doney.
Cadet James de Barth Walbach.
Cadet Richard Mar Levy.
Cadet Weir Riché.
Cadet Ellicott Hewes Freeland.
Cadet James Cornelius Ruddell.
Cadet Joseph James O'Hare.
Cadet Milliam George Patterson.
Cadet Frank Clark Scofield.
Cadet Ferdinand Francis Gallagher.
Cadet Barrington Lockhart Flanigen.

INFANTRY ARM.

To be second lieutenants with rank from June 13, 1916.

Cadet Latham Loomis Brundred.
Cadet Leslie Thomas Saul.
Cadet Charles Augustus Bayler, jr.
Cadet Fred Beele Inglis.
Cadet Richard Parker Kuhn.
Cadet John Alexander Street.
Cadet Sidney Herkness.
Cadet William Earl Chambers.
Cadet Warner William Carr.
Cadet Thomas Lyle Martin.
Cadet Geoffrey Prescott Baldwin.
Cadet John Bennington Bennet.
Cadet Kenneth Macomb Halpine.
Cadet William Rosser Wilson.
Cadet Raymond Potter Campbell.
Cadet Richard Clarke Birmingham.
Cadet Felix Rosseter McLean.
Cadet John Edward Martin.
Cadet Paul Barrows Parker.
Cadet William Edgerton Morehouse, jr.
Cadet Thomas Green Peyton.
Cadet Joseph Hamilton Grant.
Cadet Arthur Monroe Ellis.
Cadet Maurice Levi Miller.
Cadet Junius Henry Houghton.
Cadet Abram Vorhees Rinearson, jr.
Cadet Benjamin Anthony Yancey.
Cadet Douglas Jenkins Page.
Cadet James Nephew Caperton.
Cadet Charles Compton Smith.
Cadet Harrison Herman.
Cadet George Joseph Newgarden, jr.
Cadet John David Miley.
Cadet William Edwin Coffin, jr.
Cadet John Forest Goodman.
Cadet Spencer Atkins Merrell.
Cadet William Worth Dempsey.
Cadet Robert Kenneth Whitson.
Cadet Otto Frederick Lange.
Cadet Harland Leslie Mumma.
Cadet George Hollenbeck Blankenship.
Cadet Alexander Mathias Weyand.
Cadet Walter David Mangan.
Cadet Robert Rau Duncan McCullough.
Cadet Elon Albert Abernethy.

Cadet Nelson Bateman Russell.
Cadet Henry Parker Blanks.
Cadet Bartlett James to be second lieutenant of Infantry, with rank from June 29, 1916.

MEDICAL RESERVE CORPS.

To be first lieutenants in the Medical Reserve Corps with rank from June 29, 1916.

Walter Palmer Anderton, of New York.
John Clifton Anthony, of Alabama.
Abner Lowe Atwood, of Alabama.
William Lloyd Aycock, of Georgia.
Forrest Pitt Baker, of Arkansas.
Moses Horen Baker, of Pennsylvania.
Charles Eldridge Barnett, of Indiana.
Joseph Nicholson Barney, of Virginia.
Robert Woodworth Bell, of Arizona.
Peter Alfred Bendexen, of Iowa.
James Dewitt Benjamin, of New York.
Edwin Saxton Bennett, of New York.
Fred Grey Benton, of New York.
Conrad Berens, jr., of New York.
David Mayo Berkman, of Minnesota.
William Dixon Berry, of Oklahoma.
Joseph Cooper Birdsall, of Pennsylvania.
Lewis Clyde Bixler, of Pennsylvania.
Kenneth Daniel Blackfan, of Maryland.
Maurice Lamm Blatt, of Illinois.
Lewis Booker, of Delaware.
Paul Newkirk Bowman, of Pennsylvania.
Henry Boxer, of Alabama.
Karl Trueblood Brown, of Texas.
Charles Perry Burke, of West Virginia.
Sidney Rogers Burnap, of New York.
James Clark Burt, of Pennsylvania.
John Harve Carlisle, of New Jersey.
John Egerton Cannaday, of West Virginia.
Ernest Worth Cavaness, of Missouri.
Archibald Eastwood Chace, of New York.
Ralph Stephen Chappell, of Indiana.
Frank Samuel Child, of New York.
Joseph Patrick Cleary, of Illinois.
James Livingston Cobb, of New York.
Robert Carlyle Cochrane, of Massachusetts.
Thomas Cottrell, of Illinois.
Frederick Aloysius Coughlin, of Rhode Island.
Francis Asbury Coward, of South Carolina.
James Porter Crawford, of California.
Egerton Lafayette Crispin, of Minnesota.
John Mulchinock Cruice, of Pennsylvania.
John Homer Cudmore, of New York.
Condict Walker Cutler, of New York.
Channing Ellery Dakin, of Iowa.
Robert Edward Davison, of Pennsylvania.
Raymond Rudolf Decker, of Pennsylvania.
Leon Ephraim DeYoe, of New York.
Heman Laurence Dowd, of New York.
Allison Harold Dugdale, of New York.
Arthur Storer Driscoll, of New York.
Charles Daniel Easton, of Rhode Island.
John Robert Espey, of Colorado.
Harold Clarence Ernst, of Massachusetts.
William George Eyman, of Pennsylvania.
Roy Edwin Fallas, of Maryland.
Merton Almond Farlow, of Kansas.
Burr Ferguson, of Alabama.
Karl Dean Figley, of New York.
Charles E. B. Flagg, of Washington.
James Murray Flynn, of New York.
Allan Adams Foster, of Illinois.
Matthias Lauckton Foster, of New York.
Willard Clyde Foster, of Wyoming.
Harry Freudenberger, of Ohio.
William Dixon Fullerton, of Ohio.
Arthur Howell Gerhard, of Pennsylvania.
Ninde Troy Gillette, of Pennsylvania.
Thomas Wray Grayson, of Pennsylvania.
Evan Henry Montgomery Griffiths, jr., of Illinois.
Harold Louis Hall, of New York.
Josiah Newhall Hall, of Colorado.
Jacob Roscoe Harry, of Illinois.
Eugene Henderson Hayward, of Maryland.
Julius Goodwin Henry, of Alabama.
William Eugene Hervey, of Illinois.
William Henry Heuschele, of Kansas.
Ernest Levi Hicks, of New York.
Carl Albert Hoberecht, of Missouri.
John Homans, of Massachusetts.
Alfred William Hornbogen, of Michigan.
Allen Richmond Howard, of Pennsylvania.
Frederic Hollis Howard, of Massachusetts.
Frederick Brown Humphreys, of New York.
Francis Brattie Hutton, jr., of Virginia.
Henry James, of New York.
William Benjamin Jones, of New York.
Mortimer Harvie Jordan, of Alabama.
Arthur Matthew Kane, of New York.
Evan O'Neill Kane, of Pennsylvania.
Peter Laurence Keough, of Rhode Island.
Paul Ernest M. Kersten, of Wisconsin.
Theodore Anthony Kreuser, of Illinois.
George Benjamin Kunkel, of Pennsylvania.
William Edwards Ladd, of Massachusetts.
Lucian Hyppolite Landry, of Louisiana.
William Raphael Larkin, of Illinois.
Willis W. Lasher, of New York.
Cornelius Arthur Leenheer, of Illinois.
Raymond Williams Lewis, of New York.
Fred Bates Lund, of Massachusetts.
William Clifton Lyle, of Georgia.
Douglas Macfarlan, of Pennsylvania.
Norman Earl McBeath, of Wisconsin.
Malcolm McBurney, of New York.
Benjamin Rush McClellan, of Ohio.
Charles Buckley Maits, of Pennsylvania.
Jacob Ludwig Mathesheimer, of New Jersey.
William Fewell Merchant, of Virginia.
Evan William Meredith, of Pennsylvania.
Charles Howard Miner, of Pennsylvania.
Harry Staats Moore, of California.
Jacob E. K. Morris, of New York.
Myron Louis Morris, of New York.
Alexis Victor Moschcowitz, of New York.
Frank George Murphy, of Illinois.
Howard Christian Naffziger, of California.
Robert Nelson, of Alabama.
Thomas Walter Nuzum, of Wisconsin.
Mahlon Dickerson Ogden, of Arkansas.
Theodore Eugene Oertel, of Georgia.
Lester Joery Palmer, of Illinois.
Alwin Max Pappenheimer, of New York.
Francis LeJau Parker, of South Carolina.
George Platt Pilling, jr., of Pennsylvania.
Maurice Charles Pincoffs, of Maryland.
Henry Pleasants, jr., of Pennsylvania.
William Alexander Quinn, of Ohio.
Thomas Ragan, of Louisiana.
Joseph Louis Ransohoff, of Ohio.
Maurice Snowden Redmond, of Pennsylvania.
Charles Benjamin Reitz, of Pennsylvania.
Charles Barnett Reynolds, of Pennsylvania.
Frederick Talmage Rice, of Wisconsin.
Ezra Clark Rich, of Utah.
Waldemar Tissot Richards, of Louisiana.
William Humes Roberts, of California.
Oswald Hope Robertson, of New York.
Roy Thomas Rodaway, of Illinois.
Gaston Wilder Rogers, of Alabama.
George Gorgas Ross, of Pennsylvania.
William Patrick Ryan, of Massachusetts.
Ernest Sachs, of Missouri.
David E. Schmalhorst, of Missouri.
Walter Francis Scott, of Alabama.
Jerome Selinger, of New York.
Nicholas George Lynn Shillito, of Pennsylvania.
Francis Wayles Shine, of New York.
Samuel Ruff Skillern, jr., of Pennsylvania.
Arthur Ralph Smeck, of Michigan.
Marshall Ashby Smith, of Missouri.
Robert Baylor Shackelford, of Virginia.
Donald Benjamin Steenburg, of Nebraska.
Raymond St. Clair, of Nevada.
Fordyce Barker St. John, of New York.
Walter Leonard Stranberg, of Illinois.
Norman Brown Tooker, of New York.
Leo Stewart Trask, of Washington.
George Albert Traylor, of Georgia.
Percy Rivington Turnure, of New York.
Henry Johnson Ullman, of Illinois.
Vite Edgar Van Kirk, of Pennsylvania.

Allen Haines Vance, of California.
David Mayo Vogt, of Pennsylvania.
William Richard Warren, of Florida.
Charles Lee Washburne, of Michigan.
Francis Elwood Weatherby, of New York.
Edward Tubbs Wentworth, of New York.
Lawrence Richardson Wharton, of Maryland.
Rae Wygant Whidden, of New York.
Allen Oldfather Whipple, of New York.
Courtland Yardley White, jr., of Pennsylvania.
William Essex Whitson, of the District of Columbia.
Clarence Cicero Wiley, of Alabama.
Lochlin Minor Winn, of Alabama.
Rowland Daniel Wolfe, of Virginia.
Charles Henry Young, of New York.
Channing Whitney Barrett, of Illinois.
Clarence Sydney Brown, of Texas.
Daniel Nathan Elsendrath, of Illinois.
David Sturgis Fairchild, jr., of Iowa.
Arthur Henry Geiger, of Illinois.
Frank James Lemon, of California.
George Mantingh, of Pennsylvania.
Bial Francis Bradbury, of Maine.

William Elston Leighton, of Missouri, late first lieutenant in the Medical Reserve Corps.

Hugh Farber McCaughey, of Minnesota, late first lieutenant in the Medical Reserve Corps.

COMMISSIONER OF THE DISTRICT OF COLUMBIA.

Oliver P. Newman, of the District of Columbia, to be a Commissioner of the District of Columbia for a term of three years. (A reappointment.)

CONFIRMATIONS.

Executive nominations confirmed by the Senate July 7, 1916.

APPOINTMENT IN THE ARMY.

GENERAL OFFICER.

Col. George A. Dodd to be brigadier general.

PROMOTIONS IN THE NAVY.

Capt. Thomas S. Rodgers to be a rear admiral.
Ensigns to be lieutenants (junior grade):
William H. P. Blandy,
Terry B. Thompson, and
Samuel S. Thurston.
Passed Asst. Paymaster Howard H. Alkire to be a paymaster.
Passed Asst. Paymaster Edwin M. Hacker to be a paymaster.
Gunner Harry A. Pinkerton to be a chief gunner.
Boatswain Percy H. Bierce to be a chief boatswain.
Capt. James C. Breckinridge to be a major in the Marine Corps.
Capt. Arthur T. Marix to be a major in the Marine Corps.
First lieutenants to be captains in the Marine Corps:
Albert E. Randall.
Arthur Racicot.
Tom D. Barber.
Hermann T. Vulte.
Andrew B. Drum.
Calhoun Ancrum.
David M. Randall.
Holland McT. Smith.
Second lieutenants to be first lieutenants in the Marine Corps:
Arthur J. White.
Lester S. Wass.
Charles D. Barrett.
Edmond H. Morse.
Gerald A. Johnson.
Harry Schmidt.
George C. De Neale.
Albert R. Sutherland.
Harry L. Smith.
Selden B. Kennedy.
Miles R. Thacher.
Lloyd W. Williams.
William B. Sullivan.
David S. Barry, jr.
David L. S Brewster
Midshipmen to be second lieutenants in the Marine Corps:
Edward C. Fuller,
Arnold W. Jacobsen, and
Earl H. Jenkins.

REGISTER OF THE LAND OFFICE.

John Thomas Joyce to be register of the land office at Durango, Colo.

POSTMASTERS.

ALABAMA.

W. H. Ballenger, Dora.
Vera C. Jones, Oakman.

ALASKA.

C. J. Todd, Valdez.

GEORGIA.

C. W. McAfee, Blue Ridge.
T. F. Sykes, Villa Rica.
Herschel S. White, Sylvania.

ILLINOIS.

James Fielding, Colfax.
James R. Pyne, Maywood.

NEBRASKA.

Charles E. Fanning, Omaha.

SOUTH DAKOTA.

Lynus K. Harris, Frankfort.

REJECTION.

Executive nomination rejected by the Senate July 7, 1916.

James Messer to be postmaster at Tallahassee, Fla.

HOUSE OF REPRESENTATIVES.

FRIDAY, *July 7, 1916.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Take us, O God, our heavenly Father, into Thy kind care and keeping and guide us by Thy counsels through the remaining hours of this day; check the sinful influences that may arise from within, and deliver us from the temptations from without, that by our works we may prove ourselves worthy of the intellectual, moral, and spiritual endowments with which Thou hast blest us; and to Thee we will ascribe all praise, in the spirit of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, one of its clerks, announced that the Senate had passed with amendment bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 10251. An act authorizing the Kansas City & Memphis Railway & Bridge Co. to make settlement with Crittenden County, Ark., and for other purposes.

The message also announced that the President had, on July 3, 1916, approved and signed bills of the following titles:

S. 31. An act for the relief of John L. Sevy;

S. 33. An act for the relief of Daniel M. Frost;

S. 733. An act providing for patents to homesteads on the ceded portion of the Wind River Reservation, in Wyoming;

S. 1066. An act authorizing leave of absence to homestead settlers upon unsurveyed lands;

S. 1741. An act for the relief of certain homestead entrymen for land within the limits of the Glacier National Park;

S. 1840. An act to amend an act entitled "An act to establish a Court of Private Land Claims and to provide for the settlement of private land claims in certain States and Territories," approved March 3, 1891, and the acts amendatory thereto, approved February 21, 1893, June 27, 1898, and February 26, 1909;

S. 3132. An act providing for the sale of certain lands in the State of Washington, and for other purposes;

S. 3580. An act releasing the claim of the United States Government to lot No. 306, in the old city of Pensacola, Fla.;

S. 3581. An act authorizing the Secretary of the Interior to issue patent to that portion of land, being a fractional block, bounded on the north and east by Bayou Cadet, on the west by Cevallos Street, and on the south by Intendencia Street, in the old city of Pensacola, in the State of Florida; and

S. 3764. An act to consolidate certain forest lands in the Florida National Forest.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bill:

H. R. 13486. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

EXTENSION OF REMARKS.

Mr. RUSSELL of Missouri. Mr. Speaker, to renew an application I made last evening for unanimous consent, having an understanding with the gentleman from New York [Mr. BENNET] that there will be no objection on his part this morning, I ask unanimous consent to extend my remarks in the RECORD for the purpose of inserting a speech made by Mr. Ralph Pulitzer at the dinner given by the New York Press Club on June 30, 1916.

The SPEAKER. The gentleman from Missouri [Mr. RUSSELL] asks unanimous consent to extend his remarks in the RECORD by inserting a speech made by Mr. Ralph Pulitzer on the 30th of June before the New York Press Club. Is there objection?

Mr. KITCHIN. I shall have to object, Mr. Speaker. I think these newspaper articles, whether offered by Republicans, Democrats, or Progressives, ought not to be printed in the RECORD. We print in the RECORD too many propositions. I do not think they ought to go in.

The SPEAKER. The gentleman from North Carolina objects.

Mr. DIXON. Mr. Speaker, my colleague Mr. BARNHART is detained at home on account of the illness of his wife. I ask unanimous consent to extend his remarks in the RECORD on the subject of a tariff commission.

The SPEAKER. Is the gentleman from Indiana [Mr. DIXON] going to extend the remarks?

Mr. DIXON. No, sir. I am going to ask that my colleague Mr. BARNHART shall be allowed to extend his remarks.

The SPEAKER. The gentleman from Indiana [Mr. DIXON] asks unanimous consent that his colleague Mr. BARNHART, who is detained at home on account of the illness of his wife, may extend his remarks in the RECORD on the subject of a tariff commission. Is there objection?

Mr. STAFFORD. Reserving the right to object, I think that would be establishing a precedent that has never been followed of having the RECORD show that a man is present delivering remarks when he is not in fact present.

Mr. DIXON. This is an extension of remarks, to be so indicated in the RECORD.

Mr. MANN. The gentleman from Indiana [Mr. BARNHART] is the author of a tariff-commission bill, and I think he ought to be accorded that privilege.

Mr. STAFFORD. But it will appear that he is in the House delivering remarks when, in fact, he is absent.

The SPEAKER. No; it will be inserted in the back part of the RECORD, where it ought to be.

Mr. STAFFORD. Well, it will be inserted in the back part of the temporary RECORD, but when the permanent volume is made up it will be inserted in the proceedings in the regular place.

The SPEAKER. Is there objection?

Mr. STAFFORD. I object.

The SPEAKER. The gentleman from Wisconsin objects.

LEAVE TO PRINT.

Mr. MANN. Mr. Speaker, I do not often make this suggestion, but it seems to me it might be desirable, if somebody does not object, to give general leave to print in the RECORD.

Mr. KITCHIN. I gave notice yesterday that I was going to ask for that privilege.

Mr. MANN. This is the time to ask for it.

Mr. KITCHIN. Then, Mr. Speaker, I ask that all gentlemen may be allowed to revise and extend their remarks——

Mr. MANN. To extend their remarks——

Mr. KITCHIN. In the RECORD on the revenue bill.

Mr. MANN. For how many days?

Mr. KITCHIN. For five days after the completion of the bill.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that all gentlemen shall have the right to extend their remarks in the RECORD on the revenue bill five legislative days after the bill leaves the House. Is there objection?

There was no objection.

REVENUE.

The SPEAKER. The House automatically resolves itself into Committee of the Whole House on the state of the Union for the consideration of the revenue bill, with the gentleman from Illinois [Mr. FOSTER] in the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 16763, the revenue bill, with Mr. FOSTER in the chair.

The CHAIRMAN. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 16763) to increase the revenue, and for other purposes.

Mr. FORDNEY. Mr. Chairman, I yield 30 minutes to the gentleman from Pennsylvania [Mr. MOORE]. [Applause.]

The CHAIRMAN. The gentleman from Pennsylvania [Mr. MOORE] is recognized for 30 minutes.

Mr. MOORE of Pennsylvania. Mr. Chairman, it was momentarily pleasing yesterday to listen to the Macedonian cry of our friend from North Carolina [Mr. KITCHIN], chairman of the Ways and Means Committee, calling upon Republicans, who have never been so honored before, to come into the Democratic Party and help pass a Democratic revenue deficiency bill. But to some of us who have watched the trend of Democratic legislation and who have had our misgivings about the competency of the Democratic Party to raise revenue upon a free-trade basis it was a siren song, though sweetly sung. It was unexpected, in view of the insistence of the gentleman from North Carolina and his Democratic colleagues four years ago and more, that they could raise all the revenue needed to run the Government with the Underwood tariff bill plus an income tax, and that they could do this especially without the aid of a protective tariff measure. It was the argument of the Democratic leaders at that time that they could overthrow the protective system and still raise enough money to keep the Government going without imposing taxes upon the people, except the income tax, which they said would be all sufficient. They had a great deal of confidence in themselves those days, because the Public Treasury, thanks to a Republican administration, was in ample funds and in ripe condition for experimentation.

It was long before the war in Europe that the Democrats first broached their scheme of substituting an income tax for the revenues derived from a protective tariff. Discussing the revenue problem in the Canadian reciprocity debate of February 14, 1911, Mr. CLARK of Missouri, the present distinguished Speaker of the House, unfolded a scheme for universal peace, which he saw coming through the annexation of Canada to the United States. He thought reciprocity of that kind would stop war and help to "put an end to this high protective tariff system." Thereupon this colloquy took place:

Mr. MOORE of Pennsylvania. Would these reciprocal treaties with European countries contemplate the raising of revenue sufficient to run this Government?

Mr. CLARK of Missouri. Oh, if we did not get enough money in that way we would collect it by a graduated income tax, and that would bring in enough. [Applause.]

Mr. MOORE of Pennsylvania. One more question and I am done. Then, the gentleman, if he could not raise sufficient revenue by the new system of tariff for revenue, would raise it by direct tax upon the people of the United States?

Mr. CLARK of Missouri. I would raise it by a graduated income tax, with about six or seven thousand dollars exemption, and I think it would be the justest tax that was ever levied. [Applause.]

Now, that was an expression from one of the great leaders on the other side who had no faith in protection which makes the foreigner pay our taxes for doing business in the American market, but who believed that the people would prefer to pay direct taxes for the maintenance of their Government. In view of the House's preparedness attitude during the last few months, it is not altogether fair to recall the Speaker's devotion to "the dove of peace," except to remind the new Members of the House, who have heard a great deal lately about war, that the House still stands committed to the so-called Hensley resolution, which came up from the State of Missouri on a newspaper report that Mr. Winston Churchill, of England, had seriously proposed a world cessation of naval construction for one whole year. Our Democratic friends, and some Republicans too, were carried away with the notion that Congress ought to adopt Mr. Winston Churchill's reported idea, and this House actually did so, with leading Democrats loudly proclaiming the wisdom of it. This was only a few months before Mr. Winston Churchill's country and several others of the nations of Europe were locked in the deadliest struggle of all ages. This House, under Democratic direction, was tremendously for peace at that time, even though every foreign nation was armed to the teeth.

But I want to quote one or two other gentlemen on the destruction of the Republican tariff and the substitution of the income tax. Let us take the intellectual income-tax giant of the Ways and Means Committee, the indefatigable gentleman from Tennessee, Mr. CORDELL HULL, who is now doubling his original tax scheme in order to catch up with the rapidly disappearing tariff revenue. Winding up an eloquent speech under the subhead of "Republican tariff humbuggery," on July 12, 1909, Mr. HULL said:

When that veteran showman P. T. Barnum gave utterance to his life experience to the effect that the people like to be humbugged, he must have had in mind also the painfully cruel manner in which the Republican Party, with its high protective tariff, deceives, humbugs, hoodwinks, and defrauds the American people. The truth of this statement could not be better illustrated than by that party's present so-called revision of the tariff. How long will or can the country endure this system? Until we can secure the imposition of an income tax and thereby destroy it? "We shall see what we shall behold." [Applause on the Democratic side.]

Yes; the gentleman from Tennessee [Mr. HULL], who is now the acknowledged champion of the income tax, and who writes the finest legal phrases in this great bill, was then so confident as to his party's policy, and as to its effectiveness, that he was prepared to "destroy" the Republican system of protection in the United States, and substitute for it the income tax, and the Democrats applauded him.

That was not all. The gentleman from Indiana [Mr. CULLOP] and a number of others, oh, so many of them that it is impossible to recall them all at this time, made similar speeches, denouncing tariff commissions, denouncing boards that had anything to do with the tariff, denouncing even "in the name of the Constitution of the United States" everything that tended to protect the American workingman against unfair competition from abroad.

But there was another spokesman upon that occasion—July 12, 1909—whom I would like to quote, the eloquent, the omnipresent, the forceful gentleman from Alabama [Mr. HEFLIN], who at that time was an ardent defender of the pocketbooks of the people against "the raids of the Republican Party." In an earnest and pathetic plea for the wage earners of America against the protection they were receiving in the Payne tariff bill, Mr. HEFLIN, in words of burning eloquence, said:

The struggle is unceasing. No field is cleared in the battle for bread; no bugle sings truce to the toiling millions; and yet, under this miserable bill, the industry and skill of the man who toils are taxed, but the fortunes of the idle rich escape the scrutinizing eye of the Republicans.

And at that there was tremendous applause upon the Democratic side. The gentleman from Alabama [Mr. HEFLIN] is one of the spokesmen of the Democratic Party. He was prominent in the convention that renominated President Wilson at St. Louis a few weeks ago, and his utterances deserve our attention.

I am indebted—

Said he, this friend of the downtrodden wage earners of America—

to the Barfield-Green Mercantile Co., of Lineville, Ala., in my district, for sending me this notice:

"NOTICE.—With no duty on sugar, sugar would be 2 cents per pound cheaper.

"Write your Senator and Congressman that you favor 'free sugar.'"

It is possible that our friend from Alabama may have been misinformed by his Lineville constituents, whose mercantile hearts beat so throbbingly for the unfortunate purchasers of sugar, but the fact remains that during the last stages of the Payne protective tariff bill, sugar was sold to the consumer at 4 or 5 cents a pound, whereas it rose to as high as 10 or 11 under the Underwood free-trade tariff law, and now, after the Democrats have restored the duty, which they at first voted to take off, is hovering round about 8 cents a pound. Wonderful, indeed, is the confidence of the Democratic orator in his free-sugar informant. [Laughter.]

Reflecting upon that cocksure spirit of Democracy, when there was a strong Republican balance in the Treasury, when there was no deficit facing the country, when all men were profitably employed, and contrasting it with the damage wrought to all the industries of the United States during the first six months of the Underwood tariff law, followed by oppressive war taxes in time of peace, with the Treasury deficit piling up until it is now necessary to raise $400,000,000, in addition to the other great Democratic burdens of the past three years, it seemed as if to follow the gentleman from North Carolina into his Democratic Macedonia would call for a display of Republican nerve and generosity at least equal to that of the gentleman making so magnanimous a tender on behalf of an embarrassed administration. [Applause on the Republican side.]

And I am persuaded that the nerve of the gentleman from North Carolina was even more sublime than his generosity, having reference of course to his vicious political, rather than his amiable personal, qualities. And for these reasons: The Democratic members of the Ways and Means Committee having labored over this greatest of all American deficiency bills for many months, having shaped it up to suit their own purposes and to cover their party's tracks, injected it into the House overnight, as it were, and then imposed upon their eloquent chairman the delicate task of convincing Republicans who had not been consulted about it at all that there was enough in the bill to their liking, to induce them to vote for it—Democratic tariff commission, free-trade Underwood law, and all. I do not believe the Republicans intend to walk into any such carefully woven Democratic spider web [Applause on the Republican side.] Nor do I mind saying, in passing, that this bill ought to be called "the Democratic spider web." [Laughter.]

Mr. Chairman, there is no need to mince words about this measure. The Democratic Party is fighting for a continuance of power, and is playing every game known to the skillful politician, from publicity to patriotism. It is still a minority party, as it was in 1912, when the combined vote of Taft and Roosevelt was 1,300,000 over that of Wilson. Being in accidental but complete control of the country, because of Republican dissensions in 1912, but finding itself confronted now, in 1916, by a reunited Republican Party, there is Machiavellian cleverness in this effort to divide with Republicans—I say it advisedly, to divide with Republicans—the responsibility for the accumulated blunders of the Democratic Party. [Applause on the Republican side.]

The design of the bill, as evidenced by the success of the majority in keeping the minority ignorant of its contents until Monday last, is clearly to embarrass Republicans, upon the pretense that preparedness for war demands it. There is enough of absorption of Republican policies in the bill to sugar coat it for tender Republican stomachs; but on the one great issue of protection and free trade this bill is as uncompromisingly Democratic as is the Underwood law itself. And it is because of this partisan make-up of the bill that Republicans should vote against it.

I do not care what the advantages of a dubious dyestuffs tariff section may be, nor whether the imposition of certain new taxes is due in part to Republican votes to increase the Army and Navy; none of them, nor all of them, are sufficient to warrant a continuance of the existing Underwood tariff law, nor the revision of it by a tariff commission appointed and controlled, as proposed in the bill, by a President of the United States who is avowedly opposed to the American protective-tariff system and who thus far has not responded to the "nonpartisan" appeal even of the gentleman from North Carolina by appointing a single Republican upon any of the numerous so-called "nonpartisan" commissions which this Democratic Congress with lavish hand, and without regard to the war in Europe or the war in Mexico, has created at the expense of the taxpayers.

Neither is the sop offered to Republicans in this bill of such special or general interest as to warrant Republicans in assuming even partial responsibility for the egregious and at times cruel economic and diplomatic blunders of the administration, which blunders, while they have been played up to catch the sympathy of the people on patriotic grounds, have been so maneuvered as to distract the attention of the country from the steady increase of Democratic officeholders, who have been coming along regularly in commissions, boards, and other Government agencies at the rate of 10,000 a year in excess of the number of employees at the close of the Taft administration. I do not think it is the duty of Republicans to assume responsibility for this tremendous increase of "deserving Democrats," now numbering more than 30,000, who have been taken care of, despite the war in Europe and notwithstanding the demand for real live men to enlist for service along the Mexican border; 30,000 men for jobs, "deserving Democrats" taken care of at the expense of the people, and pleas going up from every city in the land for 30,000 and more worthy young men of rich, red blood to lay down their lives to justify the President's policy in Mexico. Let him send some of these office-seeking Democrats into the service in Mexico, and he will be doing the country a real service. [Applause on the Republican side.]

Ah, the gentleman from New York [Mr. FITZGERALD], eloquent always, parliamentarian to the core, and sometimes sarcastic with it all, tells us that the administration has performed wonders and worked many economies, and that it has done much which the Republican Party never did. Well, the first thing it has done that the Republican Party never did was to spend more money than the Republican Party ever had to spend, and it has spent it with the spirit of "the best spender on earth," who is always lavish with other people's money.

Remember the speech made by the gentleman from New York a few days ago, when he was feeling kindly toward the White House, feeling kindly now that we are approaching the November election, now when we are approaching the time to "turn them out." [Applause on the Republican side.] Remember his clever defense of the principles and the policies of his great friend in the White House, who, until recently, it must be confessed, has not been in most sympathetic touch with Tammany Hall——

Mr. QUIN. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I can not yield, because my time is limited. I would like to hit the gentleman from Mississippi good and hard, but time will not permit. [Laughter.] Look at the picture now, and look at the picture then. The gentleman from New York [Mr. FITZGERALD] rising in his place as a champion of Woodrow Wilson, the economical, the patriotic, the diplomatoc President of the United States, and defending the Democratic Party, which has "so generously" and "so cordially," according to the gentleman from North Carolina

yesterday, supported the President of the United States. What splendid cooperation there has been. So many frank conferences in which Congress leaders have participated, and all that. Oh, how they have worked together harmoniously and happily, from the time Mr. Wilson went into the White House down to the present. It has been delightful and is growing more so now that they are all seeking reelection, including Mr. Wilson.

But we were talking about the gentleman from New York and his financial defense of the administration. It was so recent no one can forget it. Yet there was another Mr. FITZGERALD and still another speech that should not be overlooked.

Mr. FITZGERALD, chairman of the Appropriations Committee, on December 16, 1914, was in sore trouble about the demands and exactions of his Democratic colleagues in the House. Not only the gentleman from New York, who is a lone Democrat with a good chairmanship north of Mason and Dixon's line, but the gentleman from Mississippi [Mr. SISSON] was equally indignant at the wild horses of Democracy who could not be held in restraint when appropriations were in sight. But, first, the gentleman from New York. What did he say? Those Republicans who did not hear it then should listen to it now:

The gentleman from Illinois [Mr. MANN] has not overexaggerated the picture as to what is likely to happen at this session of Congress. No one can tell just how much the appropriations at this session will be, but I think it is a conservative estimate to say, Mr. Speaker, that they will far exceed the appropriations that have been made at any session in the history of the Government.

I have done my part and have done my best in some way to curtail the expenditures; not to interfere with the legitimate functions and services of the Government, but to stop the expenditure of public moneys to gratify every whim and to please every fancy, either of individuals or of Members. Everyone seems possessed, however, of a determination to obtain moneys to maintain and extend that particular branch of the public service in which he or his constituents is particularly interested and then to make fragmentary, spasmodic efforts to save in some other direction in which neither he nor his constituents will be affected.

Such a condition can not long continue. I understand that the bills reported at this session of Congress will probably provide for the expenditure of the $100,000,000 which it is anticipated will be raised by an income tax. It reminds me somewhat of an incident that occurred in the Committee on Appropriations when $27,000 was requested for a certain public service in anticipation of the enactment of some legislation at the next session of Congress.

I want to say, Mr. Speaker, that unless this side of the House wakes up to a sense of its responsibility, not only will the appropriations be grossly extravagant but they will amount to so much that talk of a revision downward of the tariff will be the most hollow mockery.

I have not time to read more, but the gentleman from New York was truly alarmed and stopped for a time his criticism of Republicans for spending money, so rank a record had his own party thus far made. [Applause on the Republican side.]

BACKED UP BY EMINENT DEMOCRATIC AUTHORITY.

Now I shall quote the gentleman from Mississippi [Mr. SISSON]. He was more forceful and more eloquent than the gentleman from New York, if that be possible. He was equally indignant at the unconscionable demands of the cohorts of Democracy, for he said:

Principle has gone to the four winds of the earth, and we are writing ourselves down in the history of the country as being the most outrageously and most criminally extravagant Congress that ever sat on the American Continent * * *. I said that in a speech before, in the last session, and when I made that speech Members of the Democratic House came to me and asked me not to put it into the RECORD, because it would be used by the Republicans in their campaign book. Let them use it. * * * You may use the statement now, gentlemen, because when Democrats get to be so violently extravagant that it makes its own record look bad as compared to the very marked record of the Republicans, I must apologize to you Republicans for having ever used the words "criminally extravagant" in criticizing the appropriations that you made, for if that expression "criminally extravagant" was proper to apply to you, my God! the English language has never found an adjective strong enough to apply to Democratic extravagance.

With a record like that, self-confessed, is it not the quintessence of nerve for the Democratic Party to appeal to Republicans on the ground of patriotism to support a bill that perpetuates the most extravagant of all American administrations?

THE PRESIDENT JUMPED ON US, TOO.

Why, Mr. Chairman, the President of the United States was one of those who indulged in denunciation of "Republican extravagance." The platform upon which he ran rang the changes on that phrase. Like other Democrats, the President, for whom we are now asked to provide revenue to make up deficiencies for which Republicans are not responsible, contributed to the general hue and cry against protection, and called for the overthrow of the Republican tariff law.

He went at it vigorously and in a businesslike way. In his first address to Congress he had no hesitation in telling us what he thought we ought to do about the tariff.

It is plain—

Said he—

what those principles must be. We must abolish everything that bears even the semblance of privilege or of any kind of artificial advantage and put our business men and producers under the stimulation of a constant necessity to be efficient, economical, and enterprising, masters of competitive supremacy, better workers and merchants than any in the world. Aside from the duties laid upon articles which we do not and probably can not produce, therefore, and the duties laid upon luxuries and merely for the sake of the revenues they yield, the object of the tariff duties henceforth laid must be effective competition, the whetting of American wits by contest with the wits of the rest of the world.

That was the President's program. He was for the destruction of the protective-tariff system; he was for forcing American producers and manufacturers to compete with their foreign competitors on equal terms. The issue between Republicans and Democrats could not have been more squarely stated than it was by the President. The Underwood law, which this bill proposes to sustain by a tariff commission to be appointed by the President, was the logical outcome of the President's attitude upon the tariff question. The President was at least true to the Democratic platform at Baltimore upon the tariff issue. We must give him credit for that.

I can not use the choice expletives of the gentleman from Mississippi, but this far I can go: "Great Scott, on the tariff question the President kept his promise to stand by the Baltimore platform!" [Laughter and applause on the Republican side.]

OUR COSTLY "PEACE" WITH MEXICO.

Some of us have been accused of criticizing the President, although I do not suppose it gives him great concern. When things look peaceful the President is a man of peace, but at times the "sparks are flying" and the impression goes abroad that the President is for war. He appears to have been for war in Mexico and against it; for war on the armed-merchantmen question and against it. The President is not slow to feel the ground swell or to catch the public ear. In December, 1914, when the European war was on the front page and the Underwood tariff disturbance had been temporarily forgotten in the rush of American goods to the foreign war zone, the President addressed the House on the subject of peace. This was long before the battle of Carrizal and our "masterly retreat" from Mr. Carranza's domain.

We are at peace with all the world—

Said the President to Congress—

No one who speaks counsel based on fact or drawn from a just and candid interpretation of realities can say that there is reason to fear that from any quarter our independence or the integrity of our territory is threatened. Dread of the power of any other nation we are incapable of. We are not jealous of rivalry in the fields of commerce or of any other peaceful achievement. We mean to live our own lives as we will; but we mean also to let live. We are, indeed, a true friend to all the nations of the world, because we threaten none, covet the possessions of none, desire the overthrow of none. Our friendship can be accepted and is accepted without reservation, because it is offered in a spirit and for a purpose which no one need ever question or suspect.

Those were the President's sentiments when the spirit of war was not in evidence at the White House. The country, doubtless, was pleased to know that we were "at peace with all the world." In the discussion of the revenue-deficiency bill yesterday, however, we were brought face to face with the fact that if we are "at peace with all the world" it has been costing us heavily to maintain that peace in Mexico. You will recall that the gentleman from North Carolina [Mr. KITCHIN] asked the Republicans to indorse the proposition to let the President sell bonds to the amount of $125,000,000 in order to meet the Mexican situation—a crisis, by the way, which may be fairly attributed to the President's refusal to recognize the ruler of a neighboring country with which we were at peace. Yes, we may go further than that and say that if Huerta, the ruler of Mexico, had been recognized by the United States as other nations recognized him, it is probable we would not now be called upon to expend $125,000,000 of the people's money to protect American rights and the lives of the men whom we are sending down to the border to-day. [Applause on the Republican side.]

LESS EXTRAVAGANCE, LESS TAXES.

This all enters into the question of the revenue which we are now asked to raise. Bear in mind that Republicans are not at fault because the Democrats have deliberately thrown away more than $100,000,000 per annum of tariff revenue. Republicans are not to blame that free trade has been so encouraged by the Underwood tariff bill that if protective duties were restored there might still be sufficient revenue paid by the foreigner to meet even our war expenses. Bear in mind also that the $266,922,000 "estimated excess of disbursements over receipts" which we are asked by the Ways and Means Committee to supply might have been saved if this administration had been less reckless and extravagant with the public money. We have taken $5,000,000 to establish a war-risk insurance company. We are engaged in a $30,000,000 enterprise building railroads in Alaska. We are so anxious to "tax the rich" that we are proposing to spend $20,000,000 for a Government nitrate plant and $11,000,000 for an armor-plate plant. Yes, there is $50,000,000 for flood control. An anticipated $50,000,000—

granted a bond issue is contemplated—for the purchase of foreign-built ships. Some Republicans may not object to the rivers and harbors bill, or the public-buildings bill, or the good-roads bill, or the $15,000,000 that is to be dedicated to rural cooperative banking societies. Do not you think the administration, if it had stopped playing politics by attempting to "give everybody" the income-tax money and the corporation-tax money that is collected chiefly in the four States of New York, Pennsylvania, Illinois, and Massachusetts, could save a little money to increase the Army and the Navy if it were so inclined? Why does the administration insist upon plunging into Government ownership at the public expense when the money is needed for preparedness? Is the desire to "tax the rich" so inviting that the burden must be laid upon the residents of a few industrial States for the benefit of all the States? Why can not the party in power, if pressed for revenue, find some method of equalizing the burdens of taxation? I do not mean to be sectional in this, but the facts speak for themselves.

GREAT INEQUALITY OF TAX BURDEN.

The 12 States, Virginia, North Carolina, South Carolina, Florida, Georgia, Alabama, Kentucky, Tennessee, Louisiana, Arkansas, Missouri, and Texas, whose votes are uniformly with the President in all political matters, have an aggregate population of more than 25,000,000, or one-fourth of the entire population of the country. And yet those 12 States contribute only one-tenth of the taxes collected from corporations in all the States and one-sixth of all the income taxes. If there is even the slightest ground for the assertion that the tariff law is unjust or sectional there is certainly a world of argument against the fairness and equality of the corporation and income tax, as shown by these figures.

But the Democrats ask the Republicans to continue to pile the burden upon their own people. The Democrats are good spenders; that must be admitted. So is their President a good spender. He has done little thus far to check the tendency on the other side of the House. When he came to us with his war message of December, 1915, pleading for more battleships and an increased Army, he laid before us squarely and fairly the true condition of the Treasury. Despite the Underwood tariff bill, the income tax, and the $100,000,000 war tax that was imposed upon us when there was no war, the President told us that it might be well to continue the duty on sugar, since it would save about $41,000,000, but he plainly indicated that the deficit in the general fund of the Treasury on the 30th of June, 1917, would be nearly $235,000,000.

SIDESTEPPING THE PRESIDENT'S DIRECT TAXES.

And then, I will not say blandly but rather without apology, the President told us to go out and get the money. He even went so far as to suggest some of the means that might be used to obtain it. I quote a portion of his message:

> And there are many additional sources of revenue which can justly be resorted to without hampering the industries of the country or putting any too great charge upon individual expenditure. A tax of 1 cent per gallon on gasoline and naphtha would yield, at the present estimated production, $10,000,00; a tax of 50 cents per horsepower on automobiles and internal-explosion engines, $15,000,000; a stamp tax on bank checks, probably $18,000,000; a tax of 25 cents per ton on pig iron, $10,000,000; a tax of 25 cents per ton on fabricated iron and steel, probably $10,000,000. In a country of great industries like this it ought to be easy to distribute the burdens of taxation without making them anywhere bear too heavily or too exclusively upon any one set of persons or undertakings. What is clear is that the industry of this generation should pay the bills of this generation.

Those of you who listened to the stirring speech of my friend of North Carolina yesterday, would do well to compare his suggestions about taxation with the recommendations of the President. You observe that the President hinted that the burdens of taxation ought not to "bear too heavily or too exclusively upon any one set of persons or undertakings." Therefore a tax on gasoline, a tax on bank checks, a tax on automobiles, and explosion engines might be acceptable to the people. That was the President's view at that time. Do you remember what Mr. KITCHIN said about it? Tax gasoline; not much! Let the Republicans tax gasoline. Tax combustion engines! Oh, what a lovely prospect! Put that up to the Republicans! Tax automobiles; well, I guess not! The downtrodden farmers have automobiles and so have the cotton growers. Tax bank checks; well, "let George do it." The truth of the matter is, gentlemen, that while the President's advice looked fairly good on the surface, it would not work very well just now in advance of the November elections. Hence, put it up to the Republicans. Tax the rich! Double the income tax! Soak inheritances! Dead people do not vote. [Laughter on the Republican side.]

Mr. Chairman, it may be true, as the gentleman from North Carolina has contended, that the bill contains some provisions that look good to Republicans, but Republicans will observe on perusing the 101 pages of the bill that they can not vote only for such things as they want; in the wind-up they must vote for or against everything in the bill, good or bad, first, the income-tax provision, which makes many changes from existing law and increases the rate; second, the inheritance or estate tax, which is a new feature of Federal taxation and involves State rights; third, the tax on munition manufacturers, all of which may be justified as war taxes if separately considered from politics; fourth, miscellaneous taxes, which include changes in the rates on wines, beer, and whisky and the continuance of certain taxes on manufactures; fifth, a duty on dyestuffs, not in accordance with the expert recommendations, this being the first sop to Republicans; sixth, a tariff commission, which, under the circumstances, is a dangerous feature of the bill and the real pitfall for Republicans who may support it; seventh, unfair competition or antidumping clause, which the gentleman from North Carolina contends should catch Republican support because it is a protection measure.

All of these seven provisions look innocent enough, Mr. Chairman, but all of them are certainly not war-tax measures for which Republican support can be asked. On the ground of stress or emergency we might be asked to vote for the income-tax increase, the inheritance tax, the munitions tax, and some of the special taxes, but there is no chance to so vote. That is the trick in this bill.

The dyestuffs tariff, upon which a separate vote might have been had any time during the last six months, has been before the Ways and Means Committee since Congress opened; the tariff commission bill is also of long standing before the committee. Either of these bills, brought in separately at any time, might have commanded Republican consideration. Why were they held up for this revenue-deficiency bill? Republicans were ready—and some Democrats, too—to act upon these bills. It was the administration that was not ready. [Applause on the Republican side.]

The administration did not want "to eat crow" on the dyestuffs bill, any more than it relished the dose of crow it had to swallow when it restored a protective-tariff duty on sugar. Having consistently and persistently opposed a tariff commission and having destroyed the Taft tariff board, the Democratic committee did not dare to bring the so-called Rainey tariff commission bill before the House as a separate proposition. True, the President was reported to be for it after the gentleman from North Carolina declined to sponsor it, but the President stood committed in his Indianapolis speech to the happy thought that having "put one over on the Republicans" in the trade commission act, he had ample authority to collect all the tariff data he needed. At any rate, no separate action was had in the House on any of these measures. They were deliberately held up until after the Democratic national convention at St. Louis. And "thereby hangs a tale."

Republicans may be willing to support the tax bills for preparedness, they may even go so far as to submit to the issue of Panama Canal bonds to the extent of $125,000,000 to pay for the President's failure to recognize Huerta as the ruler of Mexico, but I question whether they will go so far as to vote into the President's keeping a Democratic tariff commission to perpetuate the Underwood tariff law. [Applause on the Republican side.] In my judgment that is exactly what Republicans will do who vote for this revenue deficiency bill with these riders attached. To those of my colleagues who have any doubt upon this subject let me commend the tariff commission paragraph of the majority report (p. 9). Read carefully the brief but frank statement of the committee recommending a tariff commission, a committee which hitherto has spurned a tariff commission as a thing of evil. Note the authority upon which it relies for the chairman's assurance of a "nonpartisan commission." The committee quotes, and quotes only, from the platform of the Democratic national convention at St. Louis. And this is what it quotes:

> We affirm our belief in the doctrine of a tariff for the purpose of providing sufficient revenue for the operation of the Government economically administered, and unreservedly indorse the Underwood tariff law as truly exemplifying that doctrine. We recognize that tariff rates are necessarily subject to change to meet changing conditions in the world's production and trade. The events of the last two years have brought about many momentous changes. In some respects their efforts are yet conjectural and wait to be disclosed, particularly in respect to our foreign trade.

The only comment which the majority committee makes upon this tariff commission quotation, and it is their only argument for the commission, is—

> That the reason for the same is so well stated in the Democratic national platform at St. Louis, June 16, 1916, that nothing additional is necessary.

This means that we are to have a Wilson-Underwood tariff commission. The Democratic national convention says so. Are Republicans to stand for that?

It is evident, upon the face of the returns themselves, that a Republican vote for this deficiency taxation bill, apart from indorsing the President's Mexican policy to the extent of a bond issue of $125,000,000, is a straight-out indorsement of the Underwood tariff law as indorsed by the Democratic convention at St. Louis. The Democrats are certainly not yielding anything to the Republicans on this score.

Mr. Chairman, if the administration honestly desired Republican support for a preparedness tax measure, why did it tack onto this bill the tariff-commission bill, the dyestuffs bill, and the antidumping provision? These are tariff matters involving policies upon whch the parties have been at issue. If, in addition to the two annual war taxes already imposed and the income tax which was to make good all losses due to the passage of the Underwood bill, the Democrats honestly desired Republican assistance in raising revenue to meet the exigencies of war, why did they not submit a revenue measure pure and simple upon which Republicans could have cast a patriotic vote without offense to their party principles?

The truth is, Mr. Chairman, that this administration, which rejected all Republican doctrines in the beginning, which insisted that Republican policies led to thievery, extravagance, and corruption, has bitten off more than it can chew and is in such a deep political and economic morass that, like misery, it "loves company." In the attempt to execute its bombastic Baltimore platform it has been obliged to "turn tail" upon almost every promise it made. It subjected the business people of this country to every possible indignity that could be heaped upon them through unnecessary and inquisitorial investigations, which have made our boasted "new freedom" a mockery. It has plunged headlong into Government ownership, necessitating a terrific increase of the Government pay roll, and has proven itself so extravagant as to merit the criticism and condemnation of some of its own leaders. It now puts forth the hand that smote the people and asks the Republican Party to indorse its unusual and remarkable performances. It does not take back a single word or act leading up to its present confusion. Having spent the people's money with the recklessness of a prodigal, it does not even ask for forgiveness, but insists that the people shall continue to furnish money to keep it in power under the same old system.

There is no other way of interpreting this bill. The underlying scheme of it all is to drag Republicans into the vortex on patriotic grounds. I assume that Republicans are ready to vote upon any fair emergency war-tax measure that is brought into this House, but it is unbelievable that they will accommodate themselves to the purposes of an administration which refuses to Republicans the right to vote for such a measure unless they indorse the failures and the extravagance of the Democratic Party and swallow the Mexican policy and the Underwood free-trade law at one gulp.

Gentlemen on the Republican side, we should not be asked to do any such thing. If they want us to vote on a revenue bill to increase the Army and the Navy, let them bring in that bill. That is the honest and proper thing for them to do. If they want us to vote on tariff bills, let them bring in tariff bills; then we can join issue and fight it out on this floor as we have done heretofore. We do not have to vote for the riders they impose upon us in this way. [Prolonged applause on the Republican side.]

[By unanimous consent, Mr. MOORE of Pennsylvania was granted leave to extend his remarks in the RECORD.]

Mr. KITCHIN. Mr. Chairman, I yield 25 minutes to the gentleman from Mississippi [Mr. COLLIER]. [Applause on the Democratic side.]

Mr. COLLIER. Mr. Chairman and gentlemen, I take it from the remarks of my genial friend from Pennsylvania [Mr. MOORE], a member of the committee, that he is one of the Republicans who is really opposed to this bill, and it is as refreshing as it is astonishing to find a man who, ever since I have been associated with him in Congress, has had both hands clear to the armpits in the Public Treasury trying to drag therefrom every cent he could to build real and imaginary canals all over Pennsylvania and everywhere the Delaware River touches, now attempting to criticize anybody about extravagance. Why, if our Democratic bill had met with the approval of the gentleman from Pennsylvania, I think I for one would have voted to reconsider the bill and recommit it, for something surely would have been wrong with it.

My genial friend the minority leader on the committee, the gentleman from Michigan [Mr. FORDNEY], stated yesterday in opening the debate for the minority that since he had been a Member of Congress he never had, and as long as he expected to be a Member of Congress he never would, participate in the framing of a Democratic tariff bill. The gentleman from Michigan is honest and sincere in his views. He is honest and consistent in believing in the theory of taxation for which he has stood ever since he has been a Member of this House, and I trust that neither he nor any of his friends will consider my remarks offensive when I say that in the interest of the great masses of the American people I hope that the gentleman from Michigan and anyone else who entertains the views of taxation that he does never will participate in the framing of a Democratic or any other revenue bill which will tax the American people. [Applause on the Democratic side.]

The gentleman from Michigan believes in a system of taxation which permits one man to become enormously rich at the expense of ninety-nine others. He believes in a system of taxation which is a legitimate offspring of privilege and favoritism, a system of taxation which has in its wake a long line and endless chain of perpetual lobbyists. He gets his inspiration from the patron saint of Republican protection and Republican favoritism, Alexander Hamilton, a man who believed that the rights of the people should be vested in the hands of the aristocracy and that the wealth of the country should control in all the workings of national legislation. I want to say to my Democratic colleagues that it is an inspiring thought to us that nowhere among the great masses of the people—those people whom Hamilton was afraid to trust—do we find any of his disciples. It is only the man who wants a privilege, who expects a governmental favor, and who is seeking special protection that invokes the departed spirit of the dead Federalist.

Mr. Chairman, we have to raise a certain amount of money to take care of the necessary expenses for our national defense. There was only one question before the Committee on Ways and Means. That question was, How could this money best be raised with the burdens falling lightest upon the American people? We have accomplished that by increasing the normal rate on income taxes. We have accomplished that by bringing in a tax on munitions of war and by an inheritance tax.

This bill is expected to raise approximately $197,000,000 of additional revenue. It repeals nearly all of the stamp taxes, increases the amount to be collected from incomes, provides for the collection of an inheritance tax, levies a tax on munitions of war, takes care of the dyestuff situation, creates a tariff commission, and in other ways provides revenue for the purpose of meeting the extraordinary expenses to be incurred in preparations for our national defense.

The normal tax upon net incomes has been increased from 1 per cent to 2 per cent. In addition thereto a tax of 1 per cent shall be paid upon the amount by which the net income exceeds $20,000 but does not exceed $40,000; 2 per cent by which the net income exceeds $40,000 but does not exceed $60,000; 3 per cent by which the net income exceeds $60,000 but does not exceed $80,000; 4 per cent by which this income exceeds $80,000 and does not exceed $100,000; 5 per cent by which this income exceeds $100,000 and does not exceed $150,000; 6 per cent by which this income exceeds $150,000 and does not exceed $200,000; 7 per cent by which this total net income exceeds $200,000 and does not exceed $250,000; 8 per cent by which this income exceeds $250,000 and does not exceed $300,000; 9 per cent by which this income exceeds $300,000 and does not exceed $500,000; and 10 per cent on the net income in excess of $500,000. It is estimated that on incomes alone we will for the year 1917, as provided in this bill, collect about $227,000,000 or an increase of about $107,000,000 over the receipts under the present income-tax law.

Last March when the repeal of those clauses in the tariff act of 1913 in relation to sugar was before the House for consideration, I expressed a hope that the increased taxes to carry out the ideas of an adequate national defense should be largely borne by incomes and a tax on munitions of war.

Of the $197,000,000 additional expected to be raised by this bill, about $178,000,000 comes from these two sources.

This tax on munitions is graduated and provides for a tax of 5 per cent on the gross receipts on the manufacture of gunpowder or other explosives where the amount of such receipts is not in excess of $1,000,000. If in excess of this amount, then the tax shall be 8 per cent of the gross receipts which exceed $1,000,000.

The tax on cartridges, projectiles, or shells of any kind, including shrapnel, and so forth, and firearms of every kind, including small arms, cannon, machine guns, rifles, and bayonets, and so forth, shall be 2 per cent of the amount not in excess of $250,000; 3 per cent of the amount by which such gross receipts exceed $250,000, and do not exceed $500,000; 4 per cent of the amount by which such receipts exceed $500,000 and do not exceed $1,000,000; and 5 per cent on all over $1,000,000.

There is also a tax of 1 per cent on the smelting, refining, and alloying of copper where such receipts exceed $25,000 and

do not exceed $1,000,000 and 2 per cent where such receipts exceed $1,000,000 and do not exceed $10,000,000. All over $10,000,000 this tax shall be 3 per cent.

In all instances if one of these munitions plants fails to make a net profit of 10 per cent this tax will not be collected, and if the payment of the tax would reduce such net profit below 10 per cent the tax to be paid shall be equal to the net profit in excess of 10 per cent. We expect to raise $71,000,000 by this tax for the fiscal year 1917.

We have provided for the collection of an inheritance tax. We have graduated this tax, and we expect to raise $17,000,000 for the fiscal year ending June 30, 1917. When the tax is in normal operation it is estimated that the yield will be $54,000,000 annually. This tax is a fair tax, an honest tax, and one that should have been on the statute books long before now. It is perhaps the only way some of the largest estates worth millions, which have heretofore escaped Federal taxation and in many instances have paid no taxes at all either to State or Federal authority, will be reached. In determining the net or taxable estate, deductions are allowed for all valid claims against the estate and in addition thereto an additional deduction of $50,000.

The committee after much discussion placed a tax of 1 per cent on the amount of a net estate not in excess of $50,000, 2 per cent of the amount by which the net estate exceeds $50,000 and does not exceed $150,000, 3 per cent of the amount by which the net estate exceeds $150,000 and does not exceed $250,000, 4 per cent of the amount by which the net estate exceeds $250,000 and does not exceed $450,000, and 5 per cent of the amount by which such net estate exceeds $450,000. In view of the fact that the enormous estates have been escaping taxation for so many years, the committee did not think that 5 per cent was too large a tax on those estates which exceeded $450,000. This bill provides that the tax shall be due one year after the decedent's death, and if it is paid before it is due a discount of 5 per cent per annum, calculated at the time the payment is made to the date when the tax is due, shall be deducted. In the case of a resident of the United States, there is an exemption of $50,000. This exemption was made for two reasons. One is because, by reason of the number of heirs, the estate might be divided into many parts, which estates might be so small as to make the payment of a Federal tax a burden. Another reason is that nearly all of the States have taxed estates by the adoption of an inheritance tax, and it was thought best to leave the smaller estates to the States.

There are other additional taxes in the bill which will raise about $2,000,000. All of the stamp taxes except those on wines have been repealed, and the bill as presented to the House represents the earnest labor of the Committee on Ways and Means for many months. We have gone into these matters with the utmost care; we have investigated wherever investigation was possible. It is no easy matter to raise the amount of money to be collected. We feel, however, that we have presented to the House a bill in which the burdens will fall lightest on those of little means and heaviest upon those whom fortune has favored, and who, after all, are only paying in proportion to the benefits they have received in protection from the Government.

Of course some of our Republican friends criticize this bill. They criticize every act of omission or commission by the Democratic Party. They criticized us before we were in power 60 days in not undoing all Republican misgovernment of nearly half a century. They criticized us for not bringing prosperity upon the country, and then after prosperity began to be apparent, and all over the country wages were being raised, the gentleman from Washington [Mr. HUMPHREY], that morbid gentleman, got up and said that all that prosperity was blood soaked, and he and other Republican Members criticized us because there was prosperity in the country. They criticized the Mexican policy; they criticized us for sending troops to Vera Cruz; they criticized us for taking troops out of Vera Cruz; they are criticizing the Mexican policy now; they have criticized us as a party of obstruction and not of construction. Why, the genial gentleman from Ohio [Mr. LONGWORTH] yesterday said the only real service the Democratic Party could perform was that of opposition, yet before half the Democratic platform, with its wise policy, had been put in shape and enacted into law the gentleman from Tennessee [Mr. AUSTIN] on one occasion got up and criticized us for being a party of too much construction. Why, my friends, they have got the habit of criticizing, and, like most bad habits, it is hard to break. I feel that criticism from such a source means praise in the minds of the great majority of the American people. [Applause on the Democratic side.]

We are upon the eve of another presidential campaign, and it might be interesting at this time to review some of the achievements of the Democratic Party—a party which has enacted in less than four years more real substantial legislation than the Republican Party has put into law in the last 50 years.

There were peculiar conditions confronting the Democratic Party when it assumed control of the Federal Government on March 4, 1913. For nearly 50 years the Republican Party had been in almost uninterrupted control. It had shaped the legislation of the country for nearly half a century and that party alone was responsible for the conditions, good or bad, which existed when the Democrats went into office. During those 50 years many of the resources of the country had been developed and the wealth of the Republic had increased by leaps and bounds. But the general prosperity of the people of the United States had not kept pace either in the proportion that our natural resources had been developed or that the wealth of the country had increased, for the greater part of this wealth was found to be concentrated in the hands of a few men. Over Democratic protest and Democratic opposition laws were enacted which directly contributed toward a system of trusts and combines in industrial and financial institutions which had completely paralyzed all legitimate competition.

Under the guise of protecting American industry and American labor prohibitive and confiscatory tariff rates were placed on many articles of necessity, which prohibited their importation to this country and so enhanced their value that they were almost out of the reach of the average wage earner. Refusing to share even a portion of their enormous earnings with the employees who had helped them amass their wealth, the manufacturing industries, arrogant, secure in the promise of Republican protection, were indifferent and uneasiness and discontent arose among the great army of industrial toilers.

Forming a partnership with the corporate interests of the country, a partnership in which the American people furnished the capital, the Republican Party secured the campaign contributions and the protected interests received all the profits. The Republican Party, flushed with the intoxication of victory after victory, enriched by the liberal contributions of the trusts their policies had created, swollen with the conceit of repeated and continued indorsement, and confident in the fancied assurance of their strength and power, disregarded the rights of the people of the United States and, completely surrendering to the powers of privilege and class, became the creature of those protected industries they themselves had created.

But the tolerance of the American people had its limitations and they decided that they had had enough of Republican policies and Republican legislation. So, in November, 1912, the grand old party, hopelessly divided and helplessly drifting on a sea of broken promises, was completely wrecked and shattered on the rocks and shoals of duplicity and deception.

These were the conditions which confronted the Democratic Party when it took control of the Federal Government a little over three years ago.

We gave the American people an honest revision of the tariff downward and enacted into law the best tariff bill in the history of the Republic; a tariff act which, notwithstanding Republican contradiction, in normal and natural times not only decreased the cost of living but at the same time provided ample revenue to carry on the ordinary expenses of the Federal Government.

For years the American people had been longing for an income-tax law, so that the wealth of the country should pay its proportionate share of the burdens of government.

They looked to the Republican Party in vain, for the party of protection has never believed that the wealth of the country should contribute anything except campaign contributions. We have already taxed those incomes, which were immune under Republican administration, about $275,000,000, and at the end of the fiscal year 1917 we will have raised since 1914 over $500,000,000 from the incomes of this country, which for so many years the Republicans refused to tax.

Every four years the Republican Party in convention assembled would solemnly promise the American people that it would repeal the clumsy, antiquated system of currency then in operation throughout the United States, a currency system which in time of stress always failed to give relief, and which in the past so often failed to prevent financial panics which paralyzed industry, destroyed commerce, and left ruin, failure, and disaster in their wake. Notwithstanding their solemn promise, they repudiated their platform pledge because they were loth to disturb the financial interests of Wall Street. The money from the four corners of the United States was gathered up and sent to Wall Street and there controlled by less than a dozen men.

Three banking institutions in New York, with their affiliations, held 341 directorships in 112 corporations, having aggre-

gate resources of over $24,000,000,000, which were considerably more resources than enough to control the money market of the United States and the Republican Party.

We replaced the antiquated currency law with a sound, economic system of currency reform, the stability and success of which has far exceeded the most sanguine expectations of its most earnest advocates. If the Democratic administration had done nothing else other than the enactment of the present currency system, it would deserve the undying thanks of the American people.

In this connection, it is a significant fact, and a proof evident of the success of the new currency law, that notwithstanding the Republican Party at Chicago, in the convention recently held, attacked the Democratic Party from every conceivable standpoint, yet for the first time in years the Republican platform is silent on the subject of currency reform; for none knew better than they that this question was settled, and that the American people were satisfied with the law and would not tolerate the Republicans attempting to amend it in any particular.

The Republican platform did, however, denounce our new rural-credits bill. It recites that it favors an effective system of rural credits as opposed to the ineffective law proposed by the Democratic administration. This sounds like some of the arguments our Republican friends across the aisle used to make on the currency bill. You favor an effective system of rural credits. You were in power for nearly 50 years; why did not you give the people some kind, any kind, of rural-credit legislation then? Was it because of that same partnership between you and the money changers of Wall Street? Was it because you did not want to interfere with the enormous profits made by those financial institutions, which controlling the money market fixed the interest rate to suit themselves? Now, after you have been repudiated by the American people and the money is no longer gathered up and concentrated in Wall Street, but, according to the provisions of the new currency law, is distributed throughout the United States in the various communities where it belongs, you say in convention assembled that you favor an effective rural-credits system. I wonder if that convention knew that of all the large Republican membership of this House only 10 Republicans had the courage to vote against our rural-credits bill. [Applause on the Democratic side.] If it were not effective, why was it that over 96 per cent of the Republican membership of this House voted for the bill? If it were not effective, why was it you made no motion to recommit and substitute a bill of your own?

But the Republican platform now declares that this partnership between the Republican Party and the protected interests has been dissolved. Almost the opening sentence of the platform, if not in so many words, yet in effect, states this to be a fact. It portrays a betrayal of friendship and an act of ingratitude unparalleled in modern politics. The sentence to which I refer recites that the Republican Party knows no allegiance except to the Constitution, to the Government, and to the flag of the United States.

I grant you that you have been loyal to the flag. I have no fault to find with you on that score. [Applause on the Republican side.] In spite of all your sins and manifold wickednesses, you are Americans, and that flag is as dear to you as it is to us. But when, Mr. Chairman, did anybody ever hear of a Republican letting the Constitution stand between him and a friend, especially if that friend was a campaign contributor or a beneficiary of the protected interests?

Mr. DENISON. Will the gentleman yield?

Mr. COLLIER. Yes.

Mr. DENISON. Would the gentleman mind stating his views on the tariff commission?

Mr. COLLIER. Does the gentleman want my personal views on the tariff commission?

Mr. DENISON. Yes.

Mr. COLLIER. Of course, that breaks up the continuity of my remarks at this particular stage, regarding the sins of the Republican Party. Of course, the gentleman does not like to hear of them, but I will tell him about the tariff commission. I have the same views now that I had four or five years ago, and they were to the effect that there are plenty of avenues of information and ways by which we can secure all that is necessary to carry on and find out all we can about the tariff. But I do not believe that the creation of a tariff commission is the abandonment of any principle. If we are going to have a tariff commission, I should not be the one to stand in the way of getting any kind of information. We all want all the information we can have. A great many of my Democratic brethren and a great many of my Republican friends seem to think this commission will give them additional information. For myself, personally, I think that we can get that information from other sources.

It not being a Republican principle or Democratic principle but a vehicle by which information can be obtained, I am perfectly willing to allow my views to be merged in those of the great majority of my colleagues, and I will support this bill heartily with the tariff-commission provision in it.

Mr. HARDY. Will the gentleman yield to me for a suggestion along that line?

Mr. COLLIER. Yes, sir.

Mr. HARDY. It is to the effect that the Republican Party during its 50 years of leasehold of power did not try to use a tariff commission in order to enable them to revise the tariff, but that they only got interested about a tariff board when the Democrats sought to revise the tariff.

Mr. COLLIER. I think that the first Republican speech I ever heard in my life was when I first came to Congress. In that Republican speech, made by the distinguished and able chairman of the Republican Committee on Ways and Means, who has now gone to his reward, I heard him state that the Ways and Means Committee for months had been looking into every phase of the tariff, and they were prepared to answer any question coming from any source. Other members of the committee stated the same thing. But as soon as the Republican Party found that the reins of government were slipping from them, they talked about a tariff commission. You never heard anything about it when they were in power and putting these taxes on the backs of the people as heavily as could be borne; you never heard then about a tariff commission; and at that time I opposed the tariff commission. I am not enthusiastic about a tariff commission now, but I shall support the provision in the bill.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. COLLIER. I will.

Mr. GREEN of Iowa. Is the gentleman aware that a tariff commission was appointed as far back as 1882 by the Republican Party?

Mr. COLLIER. I am aware of my views on the tariff commission.

Mr. CULLOP. Will the gentleman yield there?

Mr. COLLIER. I yield to the gentleman.

Mr. CULLOP. The tariff commission that the gentleman from Iowa refers to recommended a general reduction of 20 per cent in the duties, and the Republicans ignored it and immediately revised the tariff and raised it 20 per cent. [Applause on the Democratic side.]

Mr. COLLIER. The Republican platform recites that the Republican Party knows no allegiance except to three things—the Constitution, the Government, and the flag.

Have you severed your allegiance to the railroad corporations you tried to exempt from the antitrust laws, while at the same time you voted that labor organizations should be subject to its provisions?

Have you severed your allegiance to the railroad corporament Trust? Nearly every one of you on a roll call voted to tax every implement the farmer uses 15 per cent.

Have you severed your allegiance to the great financial institutions which by the aid of Republican legislation had cornered the money market of the world and controlled the credit of the Republic?

Have you severed your allegiance to the Lumber Trust when you placed the taxgatherer between an American citizen and the building of a home for his family, a schoolhouse for his children, and a church for his God?

You may fool some of the people with that high-sounding phrase, but you will never fool the manufacturing trusts of this country. They know you too well to believe that you mean what you say. They know that you have never been true and loyal to but one platform pledge. That pledge in which you insured by law out of the taxpayers' earnings a reasonable profit to the American manufacturers. These manufacturers know that this policy of insurance is still in force, and that the only premium such insurance has to bear is a generous campaign contribution to the Grand Old Party.

The Republican platform declares for the reestablishment of our merchant marine. Why is it that we have not a merchant marine? When you took control of the Government nearly 50 years ago we had a magnificent merchant marine. It was at the zenith of its prosperity, and the American flag was seen on every sea and in every port. The policies of the Republican Party have destroyed our merchant marine. The pen which records the upward progress of your tariff rate has written the melancholy epitaph of American shipping on the high seas.

When you took control we had two and a half million tons of American shipping and we were carrying in American bottoms over 65 per cent of our exports. When the American people

turned you out in 1912, there were less than 1,000,000 tons of American shipping and we were carrying less than 10 per cent of our exports.

When you took control, American vessels were carrying over $500,000,000 of our commerce annually; when you retired, American vessels were carrying less than $275,000,000 of a commerce which had increased over 500 per cent.

As the tariff rate went up our merchant marine went down. Clinging over Democratic protest and Democratic opposition to the antiquated law of 1792, which forbade registry to an American vessel not built wholly within the United States, American shipping perished between "the two fires of high-priced construction material and the walled-out return cargoes."

It comes with a bad grace from those whose policies have destroyed our merchant marine to criticize our shipping bill. The country is facing a great emergency. We are in the midst of an almost world-wide war. We are the great export country of the world. The Shipping Trust, with its affiliations at home and abroad, taking advantage of the extraordinary situation, raised transportation rates beyond all reason. Cotton, which had formerly been moved for $2 a bale, was now transported to the same place at from eighteen to twenty dollars a bale. Other commodities and products were carried at the same extortionate rates. Lumber could not be moved at all. Tidewater ports were crowded with American commerce awaiting transportation, while the freight yards of the great transcontinental railroads were congested with cars loaded for shipment. If we wish to preserve prosperity in this country, we must send American products to market. The situation which confronted us was intolerable. We were at the mercy of a rapacious and conscienceless trust. The only way to meet this trust was by competition, and the only way to do that was to get ships and put them in this trade. The Democratic Party does not intend for the Federal Government to go permanently in the shipping business, but we do believe in relieving a situation which means bankruptcy to so many of our citizens.

We have passed a shipping bill through this House which will enable the American people to send the fruits of their labor to the markets of the world without being held up by any Shipping Trust either at home or abroad.

The Republican platform criticizes the foreign policy of the Democratic administration. I would like to know what the President of the United States has done that they, with their self-admitted superior wisdom and undiluted Americanism, would have done better. Are they disappointed because the policies of Mr. Wilson have not led us to war with some of the European powers? Every international diplomatic controversy has resulted in a triumph of diplomacy for the United States. No President of the Republic has ever had as many grave problems to solve as the present occupant of the White House. Events of tremendous international importance have been happening almost daily, and it is beyond the knowledge of mortal man to know what grave consequences may follow the happening of any one of these events. We have had serious controversies with nearly all of the belligerent nations of Europe—nations which were meeting in a shock of conflict unparalleled in the world's history; nations which were fighting for their very existence, and which were little disposed to regard the niceties of a treaty compact or the rights of a neutral, if powerful, interest should point the other way. Every day seemed to bring new complications, new troubles, new worries from across the water, while at home the administration was nagged and sneered at by those who were jealous of the growing popularity of President Wilson. Was this a time to abridge the rights of American neutrals? Was this a time to surrender one statute of international law—law by which for hundreds of years neutral nations in times of war regulated their official acts one with the other? Standing upon the firm foundation of international law, President Wilson has met each complication, each controversy, as it arose with consummate skill and wonderful ability. While other countries are engaged in the horrors of a war almost impossible to describe, yet we are at peace with all the world, American honor remains untarnished, American traditions have been preserved, American ideals have been maintained, while prosperity and plenty, like the rainbow of promise blazing across the skies, are reflected everywhere.

The Republican platform may criticize the foreign policy of President Wilson. Your standard bearer may sneer, and in his pharisaical conception of undiluted Americanism charge by innuendo this great man with ulterior motives, but I say to you Republicans and to the standard bearer whom you have in your desperation selected to lead a forlorn hope, and I say to the American people, that "truth ever faithful to her trust is mighty and will prevail," and thus inspiriting the genius who will record with impelling force her own imperial soul, he, the future historian, when he comes to recount the life and character and the wonderful achievements of the greatest President of the Republic since the days of Andrew Jackson [applause on the Democratic side], he will say that the crowning glory of Woodrow Wilson's life was the masterly way in which he conducted the foreign affairs of our country while all the rest of the world was at war. [Applause on the Democratic side.]

We accept the challenge laid down by you at Chicago, and we care not upon what lines the battle may be fought. If you want to make this fight on the tariff, we will point you to the reflection of the furnace fires which are blushing red against the skies. We are ready to match the Underwood bill, with its honest downward revision, against the confiscating and exorbitant rates of the Payne bill, which you yourselves have never had the courage to defend.

If you want to make this fight on the repeal of the income tax, we are ready and more than willing. We will match President Wilson's declaration that the wealth of this country should pay its proportionate share of the burdens of government against Gov. Hughes's message to the New York Legislature protesting against an income tax. [Applause on the Democratic side.]

If you want to fight the battle along the lines of currency reform, come out in the open field and we will meet you on that issue. We will match the Federal reserve act, with its sound economic principles, against the broken promises you have been making to the American people for over a quarter of a century to revise the currency laws.

If you want to make this fight on preparedness, we will not shrink from the contest. We have done more for the American Navy in the last three years than any Republican administration has ever done in six years. [Applause on the Democratic side.] We have placed the Army on a substantial basis, increased our coast fortifications, and made more real progress toward genuine preparedness than Republican administrations have done in 10 years.

We will match you on patriotism and tradition. It was a Democratic President who gave us the Louisiana Purchase and by the stroke of a pen added more real territory to his country than any conqueror had ever done by the sword. It was a Democratic President who first guaranteed the territorial sovereignty of our neighbors, the South and Central American Republics. It was a Democratic President who gave us Florida. It was a Democratic President who gave us the gold-veined lands of the Montezumas. It was a Democratic President who sustained the honor and dignity of our country in the Venezuelan controversy. And it will be a Democratic President who is going to be elected in November next by a greater majority than before. [Prolonged applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. FORDNEY. Mr. Chairman, I yield 30 minutes to the gentleman from Iowa [Mr. GREEN]. [Applause.]

The CHAIRMAN. The gentleman from Iowa [Mr. GREEN] is recognized for 30 minutes.

Mr. GREEN of Iowa. Mr. Chairman, while I do not think I will use all the time, I shall be obliged if you will call my attention to the fact when I have used 25 minutes.

The CHAIRMAN. Very well.

Mr. GREEN of Iowa. Mr. Chairman, the Government needs money. It is always short under a Democratic administration. That funds must be provided to meet the appropriations made is quite evident. The question is as to how they shall be provided at this particular time and under present conditions. As to this, I regret to be compelled to differ in any degree from the distinguished gentleman from Michigan [Mr. FORDNEY] and others, for whose judgment and ability I have so much respect, but the difference is not as to principles but as to their application. In the course of my remarks I shall criticize the method of raising revenue adopted by the bill, but I wish to call to your notice in advance that we are living under extraordinary conditions caused by the war in Europe, and that these criticisms apply not so much to the present as to the past and the future.

The appropriations already made for the fiscal year aggregate the staggering sum of $1,500,000,000. The bill before the House is intended to increase our taxation $266,922,000, to meet these appropriations.

Mr. Chairman, as I examine this bill, with its provisions for every kind of governmental expenditure, with its provisions for a tarff commission and for a protective tariff upon dyestuffs, I am impressed with the thought of what a wide burying ground and what a comprehensive cemetery it makes for Democratic pledges of economy and Democratic tariff theories.

The report which accompanies the bill states that the necessity for this legislation grows out of the extraordinary increases in the appropriations for the Army and Navy and the fortifications of our country. Of course, this is true to a large extent, but the report makes no mention of the manner in which our other expenses have been increased under a Democratic administration. It makes no analysis of the items which make up the huge sum which it is proposed to raise. It makes no mention with reference to the $30,000,000 or $40,000,000 appropriated in the river and harbor bill; it has nothing to say with reference to the $20,000,000 which was appropriated for the nitrate plant which was graft pure and simple. It tells us nothing about the $50,000,000 which was carried in the Mississippi flood bill, for the reason that if it had been added to the river and harbor bill it could not have possibly passed the House; and the $50,000,000 of the shipping bill is apparently not even considered. So far as the extraordinary expenses incurred by the Mexican situation it is proposed to take care of them by an issue of bonds, so that a large portion of this huge burden of taxation is in reality made necessary by the increase of expenditures not connected with national defense.

Mr. Chairman, it is not strange that the purpose of this bill is not fully explained and so much is said about Army and Navy expenditures.

DEMOCRATIC PLEDGES REPUDIATED.

Coming into power as the Democratic Party did under a platform which denounced the "profligate waste of money and oppressive taxation of Republican Congresses," the country now finds that the appropriations of the Sixty-third Congress were $235,000,000 more than those of the Sixty-first Congress—the last Congress in which the Republicans had control of this House and that the appropriations for the present fiscal year, outside of those for national defense, will be on even a larger scale. The country also find that after having promised a reduction in the number of offices and demanding a return to economy and simplicity that in 1915 alone the number of officeholders were increased over 14,000 and the salary list for new officials over $14,400,000.

But why should anyone be surprised at this? The Democratic Party had thrown overboard one plank after another of its platform of 1912 until the economy plank was about the only one left. Why should there be any worry about the bills when the increase can be lumped with Army and Navy expenditures. Let this pledge of economy go where the tariff plank went when the sugar duty was restored—into the discard; let it go where the single presidential term plank went—into the cave of political bankruptcy; let it go where free tolls on the Panama Canal went—to the bottom of the sea; where the plank for extension of the civil service went when practically all the new officeholders were exempted from its rules; where the promise to reduce the high cost of living went; where the planks for enforcing the antitrust law have gone; where the plank against encroachments by the Executive went—with the President dictating every proceeding in Congress; where the declaration favoring competitive bidding for public funds have gone; where the final statement of the platform has now gone, that statement which reads:

Our pledges are made to be kept when in office as well as relied upon during the campaign.

Let us pass this for the moment. The Democratic Party has been profuse and explicit in its promises, but short and evasive in fulfillments. In its platform recently adopted at St. Louis it has profited by experience and makes no direct promises. Its glittering generalities and the smooth phrases so much resemble "watchful waiting" and "too proud to fight" point clearly to the author of the greater part of the platform. That part which asserts that its record as to achievement and keeping of pledges, however, must be credited to the press bureau which has been so effusive in proclaiming the benefits of Democratic legislation.

THE BILL ADOPTS REPUBLICAN PRINCIPLES.

The bill has been referred to by the Democratic leader [Mr. KITCHIN] as "nonpartisan," and it must be admitted that every principle or theory in it has been used by Republicans. In some other bills introduced by our Democratic friends, such as the Federal reserve act, there was evidences of petty larceny. This bill is so framed that was there such a thing as grand larceny of political principles the Democratic majority could be sent up for 1,000 years. It appropriates bodily the Republican methods for the creation of a dyestuff industry, a plan which can only be justified on Republican theories. It abolishes the stamp tax, the so-called war tax imposed in a time of peace, which we have always opposed and for which there never was any justification. It appropriates, without any credit, our principles with reference to a tariff board and proposes to establish such a board without any regard to the question of how it can be made to fit with Democratic theories in regard to the tariff. It will raise more than $100,000,000 additional by the income tax and inheritance tax which the Republican Party used more than half a century ago, and approved in the administration of President Taft. I highly approve, and I am satisfied that the country approves, the tax on the war profits of munition makers—profits which have been swollen beyond the dreams of avarice. Its great defect is the same that has always characterized Democratic revenue bills, namely, that there is no effort to so arrange a plan for raising revenue as to compel the foreigner to pay for the privilege of entering our markets and thus, while lessening the burden upon our own citizens, sustain our manufacturers, broaden the opportunity for labor, and maintain a high standard of wages for the workingman. This bill, except as in a small way it attempts to benefit the dyestuff industry, will help no business or occupation. In fact, like all other direct levies, the tendency of its taxes with reference to business must be depressing. To some extent, owing to the extraordinary demands now made upon us for preparation for national defense, this can not be avoided. On account of the expenditures for that purpose I do not claim a sufficient amount could be raised through a reasonable protective tariff, but I do assert that more than $100,000,000 could be raised, and in ordinary times should be raised, in such a manner that the foreigner would pay the greater portion of it and a great stimulus be given to our industry.

It is easy to demonstrate that this might be done and also to show the superiority of the Payne law over the Underwood bill as a revenue producer.

Mr. HILL. May I ask the gentleman a question on that?

Mr. GREEN of Iowa. Yes.

Mr. HILL. The gentleman realizes, of course, that the present tariff produced $125,000,000 less than was produced by the tariff in 1912. Why does he say that possibly $100,000,000 can be raised? He is speaking now of a protective tariff. It is just as easy to raise money on a revenue tariff as it is on a protective tariff. Why should the burden be put on one-third of 1 per cent of all the people in the United States and the tariff not touched at all?

Mr. GREEN of Iowa. If the gentleman will wait until I get a little further on, I will give him my views in full on that. Of course you can get money on a revenue tariff, if you do not care how burdensome you make it. All you would have to do would be to cut down the free list, put a duty on tea and coffee, and so forth. But I am not in favor of a revenue tariff. I want to say also that although there is only one John D. Rockefeller in the 100,000,000 people of this country that is no reason why he should not pay taxes according to his wealth.

Mr. HILL. All right; I will wait.

Mr. GREEN of Iowa. The gentleman from North Carolina [Mr. KITCHIN], the distinguished chairman of the committee, in opening the case said it was impossible to raise more than about $17,000,000 to $20,000,000 in this manner. I can, however, give a concrete example to show that a much larger sum can be raised, and perhaps $125,000,000, as has been stated by the gentleman from Connecticut [Mr. HILL]. Our imports for the calendar year of 1915 were only $14,000,000 less than the imports for the calendar year 1913, but the duties collected for 1915 were $113,000,000 less; and this comparison is too favorable to the Underwood law, for the greater portion of that law was in force during the last three months of 1913; otherwise the revenues for 1913 would have been larger still. A better comparison can be made by taking the imports for the month of last May, which were over $229,000,000, being $96,000,000 larger than in May, 1913, yet the revenue collected was about the same, being a little over $20,000,000 for each month. Yet it is difficult to say how much could be raised under present conditions by a change in rates on protective principles. For example, importations from Germany and Austria are practically cut off. Importations from Germany have heretofore been very large. Just now we could get no revenue from that source. Besides this, the war has greatly changed the nature of the importations.

Mr. HULL of Tennessee. Will the gentleman yield right there?

Mr. GREEN of Iowa. I will yield to the gentleman from Tennessee with pleasure.

Mr. HULL of Tennessee. The gentleman is aware, is he not, that $125,000,000 of this increase of imports is on articles that were free not only under the present law but under the Payne law?

Mr. HILL rose.

Mr. GREEN of Iowa. I am aware of that, and allowance must be made for it, but I do not want the gentleman from Tennessee

[Mr. HULL] and the gentleman from Connecticut [Mr. HILL] to get into a discussion in my time.

Mr. HULL of Tennessee. The gentleman is also aware of the fact that the increase in the value of importations of sugar alone is $82,000,000, and the gentleman counts that increase in the increased imports.

Mr. GREEN of Iowa. I would explain the effect of that if I had the time, but the gentleman from Connecticut [Mr. HILL] will discuss it later, and I do not propose to be turned aside from the point I desire to make here. I would say that a proper tariff would require some readjustment of the schedules of the Payne bill and lessen the importations to some extent, but allowing for all this and the matters which the gentleman from Tennessee mentions, it would be easy in *normal* times to raise $110,000,000 to $115,000,000 per annum more than the Underwood bill produces. It may not be generally understood that the imports for the last 11 months have been the largest in the history of the country, and for the fiscal year ending June 30, 1916, will aggregate over $2,100,000,000. The fiscal year ending June 30, 1913, the last fiscal year under which the Payne bill was in force, the total importations were only $1,813,000,000. Enormous as is the amount of our imports at present, what can we expect under present tariff conditions when the dam which has been erected by the present war shall finally break. Keeping this in mind, it is evident that we shall in the future most vitally need a defense for our industries against the conditions which will prevail when the war in Europe ceases.

CONDITIONS WHICH WILL PREVAIL AFTER WAR CEASES.

At this point I hope I will be pardoned if I indulge in a few prophesies. A little over three years ago, when the Underwood bill was under consideration, I predicted that under its operation our balance in trade with foreign countries, which was then about $500,000,000 annually, would disappear, and that gold would be shipped to Europe to pay the balance against us, while the manufacturers would see their market slipping from them, and the laborer in consequence would find little opportunity for employment, that the wages of the workingman would be decreased, and with their purchasing power reduced the same blight that spread over our industry under the Wilson bill would again paralyze them. All these predictions and more have been realized. As early as April, 1914, the balance turned against us.

In the seven months ending with August 1, 1914, we had lost $240,000,000 in the balance on our foreign trade in comparison with the same months of the preceding year, and before the end of July nearly $90,000,000 in gold had been sent abroad to help to pay this balance. The story of the depression in our industries which followed a time of unparalleled prosperity continued until the war broke out is too familiar for me to again recite. What I wish to emphasize is that at the end of the war we will pay dearly for the blood-bought prosperity that we are now enjoying unless some measures are taken to protect us against a recurrence of former conditions.

I shall not stop here to give statistics as to the exports of war materials and supplies which have caused our present fictitious prosperity. Gentlemen may talk about the percentage of our total trade that this figures, but when they talk to the Iowa farmer he will remember that when the war broke out wheat went up 40 cents a bushel, corn went up 15 cents a bushel, oats went up 10 cents a bushel, and other produce in proportion. Those who are not aware that the present prosperity of the farmer and the high prices which he receives for his stuff are the result of the war which is now raging in Europe, had better not indulge in board of trade speculation, for when the war ends corn and oats will drop to the prices prevailing before it began and all other farm products accordingly. Gentlemen who think that the prosperity of our manufacturers is not due to war conditions may talk if they please to the mechanic who was walking the street in the early part of 1914 trying to find employment at any price, but they will talk to deaf ears. The present prosperity among our manufacturers is due solely and entirely to war conditions. It is not merely that there will be a stoppage of the enormous exportation of munitions of war and supplies of all kinds so necessary for the war. This alone would be enough to cause the frail bubble of our present prosperity to burst. Do not forget that our imports are now the largest in history. For the 11 months of this fiscal year, 1916, they have exceeded the imports of a similar period of 1913 by over $300,000,000, and this in spite of the barriers that have been erected by war conditions. Look then for a moment into the future and see the millions who are now engaged in armed strife once more devoting themselves to productive industry in competition with our workingmen.

Consider the fact that their Governments will be staggering under a load of debt which in the long run the manufacturer and wage earner of Europe will be compelled to pay. Borrow more they can not. Sell their products they must at whatever price can be obtained for them. How easy would our present low tariff, with its long free list, make it for them to take away our trade in manufactured goods from us not merely abroad but also at home; and when once more the laborers now soldiers in the warring armies are released to cultivate fields now harrowed by shot and shell and supply themselves with food, then again the farmers of Canada and Argentina, the sheep grazers of Australia, the meat producers of South America, having lost their European market, will take one in its place away from our farmers, just as they were doing in 1914 before the war. But here again the misfortunes of others come to the rescue of the country and the Democratic Party. There is no reasonable expectation that the war will end before there will be a change of administration, when a tariff will be constructed upon Republican principles, which will anticipate, if necessary, a change of conditions, and protect our country against an industrial invasion as well as against any which might be made with warlike purposes.

THE TARIFF COMMISSION.

At this point I wish to speak with reference to what may be expected from a tariff commission and briefly review the experience of our own country and others with such commissions. The gentleman from Mississippi [Mr. COLLIER] says that no Republican proposed a tariff commission until the Democrats came into power.

The first tariff commission was appointed by President Arthur in 1882. While all of its members were avowed protectionists, the special object of the commission at that time was to make recommendation as to reductions in the tariff, although the commission was also directed to plan for its more equal distribution. Strange as it may seem in these Democratic times, for many years there had been a large surplus—over $100,000,000 for 1881 and in 1882 over $145,000,000. The statesmen of that day feared that this surplus would lead to extravagance and waste. If their theory on this matter was correct, viewing the preparation made by the Democratic majority when there was an annual deficit, imagination could not be stretched far enough to know what our expenditures would have been if we had had a surplus, but this is digressing.

The next tariff commission, as everyone knows, was appointed by President Taft, and I quite well remember the day when the commission presented its report on wool to Congress with numerous documents and exhibits. The Democratic majority viewed it much as we would now if some one should bring in a contact mine taken up from the North Sea. They were afraid to touch it and did not know what to do with it. For the time being they objected to the report being printed, doubtless in fear that in that it would eventually injure the Democratic position, as it did. The next day they plucked up courage, however, and the report was printed; but until its worth had been so demonstrated as to be put beyond discussion and argument they continued to depreciate its value and talk about the uselessness of tariff commissions in general, and as soon as an opportunity offered they abolished the tariff commission by refusing longer to provide any appropriation for it.

The inconsistency of their present position is quite apparent, but our friends across the aisle have progressed much since that day. They concluded at first that it would be sufficient to have the clerks in one of the Government bureaus assigned to the task of collecting data. Then another shift was made and the Bureau of Foreign and Domestic Commerce was created. Finally the burden of the present tariff situation became too much for them to bear, and bills began to be introduced on the Democratic side for the creation of a tariff commission. Of course, it was to be a very different thing from the previous tariff commission, because it was to report to Congress instead of being reported to the President and having the reports transmitted to Congress—a distinction without a difference in the character of the work and none that I know of in the results to be obtained.

Some reference may properly be made here to foreign tariff commissions, which have so often been pointed out as an example. The most prominent of these was the tariff commission of Germany, which assisted in framing the present German tariff. It was made up, however, largely of interested parties and its judgment largely controlled by the manufacturers and those who represented them in the commission. Much fault has heretofore been found with the Republican Party because parties interested in maintaining a protective tariff were given a hearing before the Ways and Means Committee when the Re-

publican tariff bills were being prepared. That the German system would not be at all satisfactory in this country is perfectly evident, and yet arguments might be made in its favor.

Congress has been flooded with petitions from manufacturers and business men of all kinds in favor of a tariff commission. Many of the petitioners evidently think that the commission would take the tariff out of politics, and I understand that some claim was made to that effect by our Democratic brethren who are now supporting this bill. A little reflection will show that this can not be the effect unless our Democratic friends should accept the principles of a protective tariff. Of what use or effect will it be for the tariff commission to inform Congress that a certain line of goods can be made cheaper in Germany than in the United States if those that receive this information believe in the language of previous Democratic platforms—that a protective tariff is robbery of the many for the benefit of the few, that such a tariff is simply a tax paid by those who use the articles upon which it is levied without any corresponding benefit to the country at large, that the foreigner pays no part of the duties that are levied by a protective tariff, that it does not serve to maintain a high standard of American wages, and that it does not stimulate business. All this has been asserted over and over again by Democratic leaders in this House; and if true, then any protective tariff levied for the purpose of equalizing the cost of production abroad with that in this country becomes an oppressive and burdensome tax; and we would have no more use for a tariff commission than we would have for a bureau to discover what could be produced in the arctic regions. If, on the other hand, the Republican principles were to prevail with reference to the articles which this country was adapted to produce, and duties are to be levied sufficient to equalize the difference in the cost of production at home and abroad, then a tariff commission becomes highly necessary in order that a proper body may ascertain what that difference is and that the country may be satisfied that its conclusions are correct and just. For myself I have no fear that the politics of the men who are selected for this board, provided they have suitable capacity and training, will influence their findings of fact. I have little confidence in Democratic tariff theories, but have all confidence in the integrity of my Democratic colleagues, and never distrust any statement of fact which they put forward as a result of their own personal knowledge after having made adequate investigation. The reports issued by the tariff commission before were unanimous, although its members differed in politics. It is not the politics of the appointees that I fear, but political appointments. If proper appointments are made upon the proposed commission, they will be unanimous again. The conclusions which will be drawn from the facts which they report will differ widely according to whether Republican or Democratic principles, with reference to a tariff, are applied in determining what rates or duties shall be levied.

I have long advocated the creation of a tariff commission. Through this bill we shall have both parties committed to its permanent existence. This is a distinct advance, and I do not wish to lose its benefits. I welcome the recognition by our Democratic friends of Republican principles in proposing a protective tariff on dyestuffs, even though it may not be all that that industry ought to have. I approve of the tax on munitions, and when necessary to pay the unavoidable expenses of the Government I commend the placing of a surtax upon incomes received from great fortunes. The antidumping clause of the bill, which protects our manufacturers against unfair foreign competition, is another adoption of protective principles. The bill embraces to a surprising extent Republican principles, and if our Democratic friends advance as far in another three years as they have in the last we may finally expect them to come over to us in a body, adopting a general protective tariff.

DEMOCRATS NOW SUPPORTING REPUBLICAN DOCTRINES.

Some gentlemen on the other side take some comfort in the fact that a large number of Republicans will vote for this bill. They are welcome to it. Let me assure them that their pleasure is nothing compared to the satisfaction which we upon our side will take when the chairman of the Ways and Means Committee [Mr. KITCHIN] and the gentleman from Mississippi [Mr. COLLIER], along with others on the Democratic side who have declared heretofore, and admit now, that they have no use for a tariff commission, vote for that feature of the bill. We are especially delighted to find practically all the Democratic Members supporting the good old Republican doctrines that are embodied in the provisions for a tariff on dyestuffs and the antidumping clause, but we are wondering whether this is merely a temporary charge of heart or a permanent repentance. We are certain of one thing—that it is the exigencies of the political situation and the overwhelming demand of the American people that has compelled them to support these measures; but we fear that if an extension of power be obtained by the Democratic Party through the adoption of Republican principles, that such principles will not be long preserved.

BILL A TEMPORARY EXPEDIENT AND NOT PERMANENT POLICY.

Mr. Chairman, if this bill was intended to create a permanent fiscal policy, it would under no circumstances receive my vote, but it is proposed merely as a temporary expedient to meet unusual conditions. In ordinary times the passage of such a bill, which makes no attempt to protect our industries, would be a blunder approaching a crime; but while present conditions continue the war creates a tariff wall higher than we ever thought of, or at least higher than I ever thought of building. It has been suggested on our side of the House that we could raise the needed money by an additional tariff, but this does not solve the problem presented by the present extraordinary situation. I am well known to be one of the strongest protectionists in the House, but I would not want to increase tariff duties merely for revenue purposes, for that, to my mind, would be applying Democratic instead of Republican principles and would make the bill less Republican than it is now. Unless the war ceases before the 4th of March next, which is sooner than anyone anticipates, another and very different administration will be in charge of this Government before the present conditions terminate [applause on the Republican side], and a different policy will control our financial affairs. The Republican members of the Ways and Means Committee have been given no time or opportunity for the construction of a new tariff bill, which would necessarily contain 800 or 900 sections, affecting thousands of different articles. The Government needs the money now, and the bill is to a certain extent an emergency measure. I shall vote for a motion to recommit the bill to the Ways and Means Committee in order to more equitably apportion the revenues necessary to be raised and to prepare for conditions inevitable at the close of the present European war, which motion will be presented by the ranking Republican member on the committee [Mr. FORDNEY]. If this motion is defeated, then I shall feel inclined to vote for the bill as the best that I can obtain under the circumstances. I shall leave the responsibilities caused by unnecessary expenditures where they belong—upon the shoulders of the Democratic Party. The country at large will judge that party not by these days of artificial and fictitious prosperity, but by its record under normal conditions, and, looking into the future, will return to power that party which experience has shown best qualified to maintain national prosperity and national honor. [Applause.]

Mr. DIXON. Mr. Chairman, I yield 40 minutes to the gentleman from Illinois [Mr. RAINEY].

Mr. RAINEY. Mr. Chairman, during the time allotted to me I propose to discuss the tariff-commission provisions of the pending bill. This omnibus measure contains, with considerable modifications, the bill I introduced in March of this year providing for a nonpartisan United States tariff commission. In its present form the bill was perfected by a subcommittee of the Democratic members of the Ways and Means Committee of the House, that subcommittee being made up of those Members who come from Northern States.

In the preparation of the bill we had the benefit of suggestions made by the Tariff Commission League of the United States; we had before us all the bills introduced in the present Congress upon this subject; we had the recommendations of the United States Chamber of Commerce; we had the assistance of the Secretary of the Treasury and of various departmental heads; we had the assistance of the Cost of Production Division of the Bureau of Foreign and Domestic Commerce; we had before us the suggestions of the Federal Trade Commission and of the foreign trade advisers of the Department of State; and in its final draft we were indebted to the legislative reference bureau and bill-drafting department of Columbia University, maintained here in the city of Washington, for most valuable assistance.

Mr. CANNON. Will the gentleman yield?

Mr. RAINEY. Yes.

Mr. CANNON. Were the hearings that you held printed?

Mr. RAINEY. No, sir; there were no printed hearings.

Mr. CANNON. Were they held in the regular full hearing of the committee?

Mr. RAINEY. No; I have just described what was done.

Mr. CANNON. I beg the gentleman's pardon. I did not hear that or I should not have asked the question.

Mr. RAINEY. Through it all we had the advice at all times and the assistance of the President of the United States. We consulted with various Members of Congress, of all political parties, and were indebted for valuable suggestions to the gen-

tleman from Wisconsin [Mr. LENROOT] and the gentleman from California [Mr. KENT]; and when the bill was, as we supposed, in its final form, after consultation with the gentleman from Connecticut [Mr. HILL] and the gentleman from Ohio [Mr. LONGWORTH], we added to it other provisions tending to make the bill still more nonpartisan in its character.

Mr. HILL. Will the gentleman pardon me, inasmuch as he has mentioned my name? Mr. LONGWORTH and Mr. HILL came to Mr. RAINEY and offered amendments to make the tariff commission bill as acceptable——

Mr. RAINEY. I can not yield to the gentleman for a speech. I do not have the time for that.

Mr. HILL. But the gentleman stated that he consulted with us, and it is fair to state what that consultation was and how trivial——

Mr. RAINEY. These gentlemen made a number of suggestions, and we adopted some of them; and as the bill is considered under the five-minute rule I will point them out.

Mr. FORDNEY. Will the gentleman yield?

Mr. RAINEY. Yes.

Mr. FORDNEY. I want to say to the House that the Republican members of the Ways and Means Committee never authorized any gentleman to consult with the subcommittee.

Mr. RAINEY. Both of those gentlemen stated that they were not authorized by anyone to consult with us in this particular, and least of us all by my friend from Michigan, Mr. FORDNEY. The tariff-commission bill has been criticized by the gentleman from Michigan [Mr. FORDNEY] upon the theory, as he stated here on the floor, that it excludes intelligent men from membership on the committee, to wit, Members of Congress; and that it does not permit business men to become members of this commission. The bill does exclude from membership upon the commission ex-Members of Congress and Members-elect of Congress. Of course, Members of the present Congress, under the Constitution of the United States, would not be entitled to appointments on the commission during their terms of service here. This was put in the bill in response to the suggestions of the United States Chamber of Commerce, a nonpartisan organization extending into almost every community in the country, and the reason for excluding the ex-Members of Congress from membership upon this commission must be apparent here to-day as this discussion proceeds. There are few men ever elected to membership in this body who are not under the impression that they are elected on account of the positions they have taken upon the tariff, on account of the fights they have made either for or against certain tariff policies. There are few men who have ever been defeated in their campaigns for Congress, who have been Members of Congress, who are not laboring under the impression to-day that they were defeated because their districts did not take the proper view of their tariff ideas. There never was a Member of Congress who was not a fighting partisan upon the tariff question, and they remain throughout their lives fighting partisans upon this question; and if you put them upon a tariff commission, as long as they remain upon that commission they will be fighting partisans on that question, and the committee thinks that the Chamber of Commerce of the United States was right when it asked that ex-Members of Congress and Members elect be excluded from membership on the commission. There is nothing in this bill that excludes a business man from membership upon the commission.

The bill excludes those who are actively engaged in some other business or employment, and that provision has been approved by the great commercial organizations of the country. It would not be fair to make up this commission of business men who believe in one or the other of the theories usually advanced in connection with so-called tariff reforms; men who while members of this commission will attend to their own business which they believe depends for its success largely upon certain tariff rates and the certain amount of protection they get or do not get; who would come here only occasionally to sit as members of this commission for the purpose of directing a host of subordinates to advocate and to find reasons for advocating rates that in their judgment will help them in their business. The man who serves on this commission and who is paid the salary provided for in this bill ought to give his entire time to the discharge of the duties of his office.

Mr. MEEKER. Mr. Chairman, will the gentleman yield?

Mr. RAINEY. Yes.

Mr. MEEKER. How or where does the gentleman hope to find men who do not take one or the other side of this question amongst men who really read or think?

Mr. RAINEY. We certainly will not find that character of men among business men active in the transaction of their own business, who are taught to believe that their profits depend upon the tariff on the articles they manufacture; neither will we find that kind of men among ex-Members of Congress and Members-elect. Wherever they can be found, they can not be found among those two classes excluded by the provisions of the bill from membership upon the commission.

My friend from Ohio, my colleague on the committee [Mr. LONGWORTH] does not criticize this bill. In his judgment it presents no material difference in its features from the bill which he advocated so ably upon this floor in the third session of the Sixty-first Congress; but he consumed a large portion of the time allotted to him in a good-humored criticism of those Democrats who in the last session of the Sixty-first Congress talked against the tariff-commission idea, and he quoted numerous extracts from speeches they made at that time defending their position upon that subject as they saw it then. Mr. Chairman, things in the world have changed since then. Japan has already revised her tariff, and she has revised it with the idea in view of extending her markets and encouraging her home industries, and the Japanese bill was adopted on the 28th of February of this year. Early in March of this year England announced that she was preparing at the conclusion of this war to enact prohibitive duties upon the products of her enemies, moderate tariffs upon the products of neutral nations and friendly nations. She has already enacted a law prohibiting trade with her enemies. She has prohibited trade with the United States in wool, rubber, and tin. At the end of this year there will be new commercial treaties the world over. Germany makes her commercial treaties for 14 years, and even if there were no war every one of her commercial treaties must be renewed in 1917. Then, there comes at the present time the most important factor of all in world commerce, namely, the breaking up of the German labor system which has contributed so much to her efficiency at home and in the markets of the world. Germany admits to her territory as her common laborers, the men who pave her streets, dig her sewers, build her railroads, work upon her farms, people from Russia and Italy under a limited passport system.

There are seasonal laborers, 3,000,000, sometimes 4,000,000, coming into the German Empire every year to perform these tasks involving ordinary labor. Germany keeps her own laborers at work in her factories and makes skilled laborers of them all. At the expiration of their seasonal employment, at the expiration of their limited passports, these foreign workmen are deported and sent back again, and none of them are permitted to become skilled laborers in the factories of the German Empire. After this war is over these sources of labor supply from Italy and Russia are going to be shut off, as everyone knows, and when that is shut off, what becomes of the labor system of Germany, which has rendered her almost supreme in world trade since the days of Bismarck? At the present time England advocates, and some of the allied nations favor at the end of this war, a commercial alliance, a trade alliance, between England, France, Russia, perhaps Italy, and all of their dependencies scattered throughout the world; and it is possible that such an agreement as that may be effected. If this arrangement is perfected, it presents a commercial unit almost perfect in the commerce of the world. This would create a commercial unit in connection with a well-balanced exchange of products absolutely self-supporting. These are some of the things which confront us now. After the present war is over, after the clashing of armies ceases, after the dead are all buried, after pensions are provided for all of the maimed, then commences the real war in which we must engage, the real contest for world-trade supremacy, and this may be the unit, this combination of England, France, Russia, and all of their dependencies, against which we will be compelled to contend for the trade of the world.

Now, under these circumstances is it not time for men to change their minds if they have maintained upon this question opinions which are out of date at the present great crisis in our history as a nation? We have here no board, no group of men devoting their time exclusively to the consideration of these great world questions. A wise man, of course, changes his mind, but those who do not belong to that class never do; and my friend from Ohio [Mr. LONGWORTH], always cultured in debate, has changed his mind, and has changed his mind upon this tariff-board question more violently than any of those gentlemen whose recent speeches in this House he quotes.

The bill we were considering in the third session of the Sixty-first Congress, the tariff commission bill, was a bill drafted really by the gentleman from Ohio [Mr. LONGWORTH]. In his speech upon that occasion he said:

This bill, Mr. Speaker, is based upon a bill introduced by myself on the day before the Christmas recess. I mention this because it was the bill which was specifically indorsed by the National Tariff Commission

Association during its recent meeting in Washington, and the bill was specifically indorsed by the President of the United States.

The very best speech made upon that occasion advocating this bill was made by the gentleman from Ohio—and usually the best speech made upon any occasion when the gentleman from Ohio speaks is made by him. But he made another speech in the first session of the same Congress from which I desire now to quote, one of the very best speeches made on this floor in support of the Payne-Aldrich tariff bill, a bill which was then under consideration and which, of course, did not contain any tariff-commission proposition. And in that speech—I remember it well—I, unfortunately for some of my friends, have an excellent memory—in that speech, which he delivered standing on this floor just about where he is sitting now, amid demonstrations of tremendous approval on that side of the House—and the applause on that side was almost universal; I do not remember so much on this side—speaking of this very tariff-commission proposition which was then being discussed through the country, just a few months before he introduced this bill, he said:

We hear a good deal nowadays about the necessity for a tariff commission, a commission of experts to advise Congress in tariff matters. I venture to say that this Government has to-day the best tariff commission in the world in its various executive branches and in the extremely efficient clerk and in the assistance of the Committee on Ways and Means.

Mr. LONGWORTH. Will the gentleman yield?

Mr. RAINEY. I yield with pleasure.

Mr. LONGWORTH. Let me preface my question by returning thanks to the gentleman for the very pleasant things he has said about myself. But let me call the attention of the gentleman, however, to this: This is not the first time that remark of mine has been quoted. It was quoted some years ago by the gentleman from Texas, on which occasion I said, as I say now, that at the time I made that remark no tariff commission had been ever suggested except one which would have power not only to advise Congress but to fix rates. The difference is as absolute as the difference between black and white. I am opposed to such a tariff commission, as is the gentleman from Illinois.

Mr. RAINEY. I am afraid I can not yield to the gentleman for a speech. The gentleman's pronunciamento here is against a tariff commission, and he favors revising the tariff with the assistance of the ordinary agencies of this Government and the activities of the members of the Ways and Means Committee and the clerk of the Ways and Means Committee, and he favors no other source of information. That is the position the gentleman took in the first session of the Sixty-first Congress, and there was not any intervening world disturbance between that excellent speech of the gentleman from Ohio and the bill he introduced in the third session of that Congress, and nothing in particular was going on except that the country was trying to recover from the panic of 1907, which, at least, was not a Democratic panic, and was struggling on under the weight of the tariff bill of 1909, which was not a Democratic tariff bill.

We have never had a tariff commission in this country from 1882 down to the present time, and the Democrats never destroyed any tariff commission board. Back in 1882 by the act of May 15 a Republican Congress created a tariff commission to be composed of nine members, to be appointed by the President, with the advice and consent of the Senate, from civil life, at a compensation of $10 a day while they were engaged in active duties and their traveling expenses, and they were allowed one stenographer and one messenger.

This commission was simply authorized to take into consideration and to thoroughly investigate those questions which might lead to the establishment of a "judicious tariff or a revision of the existing tariff" upon a scale of justice to all interests, and the bill provided that only 2,000 copies of the official report of this commission should be distributed, and the activities of the commission were to end on the first day of the next session of Congress, and they did end at that time.

The Payne-Aldrich Tariff Act, the act of August 5, 1909, contained maximum and minimum tariff provisions providing that as to all nations which unduly discriminated against the United States the maximum rate—25 per cent higher than the rates specified in the bill—should be imposed, and authorized the President, in order to secure information to assist him in issuing these proclamations which under the Payne Tariff Act were to be issued after the 31st day of the following March, just a few months off—authorized him to employ persons to assist him in the discharge of his duties under this section. Under this provision of the Payne-Aldrich bill an appropriation of $60,000 or $70,000 was made, and the President selected five persons, whom he called a tariff board, whose labors were finished prior to the 31st day of the following March, and immediately after the 31st day of March the President issued his proclamation finding that no nation was discriminating in a commercial way against this Nation, and that as against no nation in the world should the maximum tariff rates be imposed, and, of course, with the proclamation by the President the duties of these five persons, whom they call now a tariff board, ended.

But on the 24th day of May, 1910, a month afterwards, the sundry civil bill was up in the House for consideration, and the gentleman from Minnesota, Mr. Tawney, not now a Member of this House, attempted to infuse some life into this alleged commission and to give them something to do, because the law provided nothing in the world for them to do. He proposed an amendment to the sundry civil bill appropriating $250,000 for the purpose of enabling the President to secure information to assist him in the discharge of the duties imposed upon him by section 2 of the tariff act, which duties had all been discharged, by the way, and to recommend to Congress matters as to the administration of customs laws and to do other things—attempting to infuse into this board some life. At that time the House of Representatives was Republican, and during these efforts to infuse life into this defunct board no Democrat presided over the deliberations of this House, but the gentleman who did preside, and he frequently presided in those days, and presided always fairly to both sides of the House, was my colleague from Illinois, the distinguished leader of the minority in this House. He held that there was no law authorizing this provision; and that nothing in the Payne-Aldrich law authorized the amendment proposed by Mr. Tawney—the attempt to infuse life into this defunct board and to give them something to do. And various amendments were offered, and finally a point of order was sustained as to all of them, not by a partisan Democrat but by a fair Republican presiding over this House, the gentleman from Illinois [Mr. MANN], and the attempt to give this commission something to do failed absolutely, and failed under the rulings of a Republican presiding officer.

But they made the appropriation. They appropriated $250,000, and the next year $250,000, and when we got control of the lower House of Congress we discontinued, in the Sixty-second Congress, this appropriation, as we ought to have discontinued it, and these men who had no authority under the law whatever, and no duties prescribed by law for them to perform, quit collecting from the Treasury the salaries they had been collecting prior to that time.

There were three sessions in the Sixty-first Congress, two of them occurred after the failure of these proposed amendments to the sundry civil bill to infuse life into a commission that never existed. In the first session the Payne-Aldrich Tariff Act passed the Congress. The place for a provision for a tariff board was in the Payne-Aldrich Tariff Act, but it passed without it, and the first session was devoted to tariff subjects. A bill could have been introduced in the first session of that Congress providing for a tariff commission board; but the proposition was opposed, and the opposition to it was led by the gentleman from Ohio [Mr. LONGWORTH]. No other Member of Congress on either side in all those long debates referred to the subject in any way. And so in the third session of that Congress, when the matter came up for consideration under the bill which was reported out by the Ways and Means Committee, my genial friend from Ohio was the only Member who had a record on this subject, and he had a record against a tariff commission. It does not make any difference what his record was then. It does not make any difference what record any Democrat or any Republican made in this House prior to the change in present world conditions. There is nothing in that argument, and it does not reflect in the least upon the gentleman from Ohio.

Now, I want to call attention to what has happened in this country in the matter of revising the tariff. In the United States we have two principal industries. The first is raising corn and the second is revising the tariff, and they are both continuous performances. Prior to 1883—when we had a revision following the report of the tariff commission of 1882—from 1860 to 1883, we had no less than five complete tariff revisions affecting every schedule and almost every article in the tariff. In 1883 we had a revision of the tariff. In 1890 there was complaint throughout the country that the tariff rates were too high. No matter what party is out, they expect to get in always by criticizing the existing tariff rates.

No matter what the rates are, men are just as unhappy; they are just as uncomfortable; they have liver trouble, and they suffer just as much with it; but 3,000 orators are turned loose upon the country every two years, and they persuade the people that if they are unhappy it is because the tariff is too low, or if they are unhappy it is because the tariff is too high, and that the remedy for it all, and for all the ills that happen and all

physical and mental discomfort, is, "Revise the tariff and you will be happy." They are like the old doctor who knew nothing in the world except how to cure fits, and who persisted in giving his patients something that would throw them into fits and then gave them something to cure them. The McKinley bill was at that time the highest tariff in all the world, and we Democrats got out and criticized the Republicans on account of the high rates of the McKinley bill. People were unhappy and men were unemployed in those days, and we charged it up to the tariff. The people then gave us a chance to revise the tariff, and our revision resulted in the Wilson tariff bill of 1894, a fairly low bill when it passed the House, not so low when it passed the Senate, but still at that time the highest tariff in all the world, although it was a Democratic tariff. And the people continued to be unhappy and uncomfortable, and 3,000 Republican orators spoke in every village in the land and in every city and charged the discomfort and unhappiness of men to the Democratic Wilson bill. As a result the political complexion of the country changed, and we elected a Republican President. This was followed by the act of 1897—the Dingley Act—which was higher than the Wilson tariff, and, of course, the highest tariff in all the world. And then we got out and charged the Republicans with boosting the rates up, so that everybody was unhappy, and we said the consumers of the country were being oppressed, and we demanded that we be given a chance again at the matter. In order to maintain the rates of the Dingley tariff bill—do you remember the provision in the Republican platform of that year?

It resulted from the fact that the Democratic Party were charging bad faith, that the revisions had all been upward. Here is what the Republican Party said:

> We declare unequivocally for a revision of the tariff by a special session of Congress immediately following the inauguration of the next President.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. RAINEY. May I have five minutes more?

Mr. DIXON. I yield five minutes to the gentleman.

The CHAIRMAN. The gentleman from Illinois is recognized for five minutes more.

Mr. RAINEY. Then we said, "That does not mean a revision downward. That is in bad faith." And they sent President Taft in a circle around the country, to Milwaukee, to Kansas City, to St. Louis, to Chicago, to Cincinnati—great circle sailing that was—declaring that this provision in the platform meant a revision downward and meant nothing else, and that he would see to it that there was a revision downward at a special session of Congress to be called immediately after his inauguration if he was elected. And upon that promise of an unequivocal revision and a revision downward, the Republicans again came into power, and the result was the Payne-Aldrich tariff bill. Just before its rates went into effect we called attention in all the Democratic newspapers of the land to the most exciting ocean race that had ever occurred in the history of commerce upon the seas—the race of nine great freighters across the Atlantic Ocean to get to New York and to discharge millions of dollars worth of merchandise before the higher rates of the Payne-Aldrich bill went into effect. As a result of the high rates of the Payne-Aldrich bill, we said—and we did our best to convince the country—the discomforts and unpleasant incidents of life had come to all of us except a favored few, and we asked for another chance, and they gave us another chance. Of course, the Payne-Aldrich rates were the highest in the world.

The result was the Underwood bill, which you on that side are denouncing now. And while the rates of that bill are lower than the Payne-Aldrich bill it is still the highest tariff in the world. Talk about this country not being committed to high tariffs when the present tariff law is higher than the tariff of Germany in its average rates and higher than the tariff of Russia.

During this period of time—from 1860 to the present day—we have had 11 complete tariff revisions and 2 attempted tariff revisions—in the Mills bill and in the Morrison 20 per cent horizontal bill disturbing business just as much as any of these other measures—a tariff convulsion on an average every four years from 1860 to the present time. Is it any wonder business has been unsettled in this country? And while we are playing this game—Democrats and Republicans—we are playing it at the expense of the business of the country. It may be a good thing for politicians, it may have been the making of politicians, but it is an awful thing for the poor unfortunate industries they have been practicing on. In Germany they have revised their tariff once in 37 years; in this country in that period of time we have revised our tariff six times. In France they have revised their tariff once in 28 years; in this country we have revised our tariff four times in that period of time. We have had six great tariff convulsions here in the last 30 years.

The bill that we champion here to-day is as nearly nonpartisan in its features as it possibly can be. It provides for six members, no more than three to belong to any one political party. It provides for a biennial selection of a chairman and vice chairman. It excludes ex-Members of Congress, partisan sometimes upon the tariff question. It provides ample salaries. It places at the disposal of this commission all the departments of the Government. All its employees, except the confidential clerks, are under the provisions of the civil service. It can conduct its investigations anywhere in the world. It reports to the President, to the Congress, to the Ways and Means Committee of the House, and to the Finance Committee of the Senate whenever requested to do so, but it makes an annual report always to Congress. It transfers the cost of production division from the Bureau of Foreign and Domestic Commerce to this commission.

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. RAINEY. Can I have two minutes?

Mr. DIXON. I yield to the gentleman an additional five minutes.

The CHAIRMAN. The gentleman from Illinois is recognized for five minutes more.

Mr. RAINEY. It provides for the examination of the records of corporations and individuals, but it fully protects trade secrets. It contains an immunity clause which enables the commission to get the information it desires and exempts the person who is being questioned from prosecution and keeps him from taking advantage of the immunity provision of our laws. It is a permanent tariff commission—permanent in every particular.

All these features to which I have called attention—all of them except the investigation of cost of production, which is provided for—every one of them was omitted from the Republican bill against which we voted on this side at the third session of the Sixty-first Congress.

Mr. BUCHANAN of Illinois. Mr. Chairman, will the gentleman yield there?

The CHAIRMAN. Does the gentleman yield to his colleague?

Mr. RAINEY. Yes.

Mr. BUCHANAN of Illinois. I would like to ask what is meant by the term "trade secrets"? I believe that is what the gentleman called it.

Mr. RAINEY. The gentleman knows what trade secrets are; the processes of manufacture, which perhaps have not been patented, and the like.

Mr. BUCHANAN of Illinois. It does not mean rates of wages?

Mr. RAINEY. Certainly not. Rates of wages are not trade secrets. These rates are known to the men who receive the wages and known to the persons who pay them.

This bill is indorsed by the United States Chamber of Commerce, by the Tariff Commission League, by the Merchants' Association of New York, by boards of trade and commercial bodies throughout the country, and by every trade paper of standing throughout the United States. Of course such trade papers as the Economist are opposed to it; they depend for their subscription list upon keeping alive these controversies which in the interest of business and trade here in this country ought to end.

In conclusion, I want to read something which comes to us at the present time almost as a voice from the grave. I have other matters also which I will insert in the RECORD. Here is a letter addressed to Hon. H. H. Gross, of Chicago. He is president of the Tariff Commission League. He is a Republican. The National Soil Fertility League made a campaign throughout the country for the Smith-Lever bill, which is one of the best bills ever passed. I have here a letter addressed to Mr. Gross by the late James J. Hill, one of the greatest men this country has ever produced. It is dated last April. It reads:

> DEAR MR. GROSS: Your favor of the 24th instant, with inclosures, duly received.
>
> Sound politics and sound political economy require that the tariff question be taken out of party controversy, and that such readjustments of duties as changes in business conditions may require from time to time be made only on the recommendation of a permanent tariff commission composed of experts and clothed with all necessary power.
>
> It may be that the next election could be carried on the tariff issue, although, if that be true, the same party could win without it. But if successful through a pledge to make a new tariff such action would inevitably lead to defeat later on. That is the history of the relation of politics to tariffs for the last 40 years. No party has benefited permanently; but business has suffered all the time.
>
> Alternations of high and low duties for political ends have injured everybody, and will do so while they continue. Industry runs at its highest speed, then slackens or stops, then races again, and capital and labor both suffer. The time has come for both parties and all interests to insist upon a change of method.
>
> Under the stimulus of tariffs the manufacturing industry has been so expanded that not more than two-thirds of its product can be con-

sumed at home. To sell the remainder abroad, where it must be sold, prices must be made in a world-wide competition. Tariff rates must be adjusted to this fact, instead of being based on local conditions or private considerations. For this they must be nonpolitical.

The seesaw of high and low rates gives the manufacturer a period of big profits and a season of no profits or actual losses. It reduces exporting and importing almost to a gambling proposition, where trade must bet its future on the chances of an election. It is worst of all for the laborer, who alternates between good wages and none at all. If he should work 300 days in the year at $2 per day he would earn $600, as against $375 if he works only 150 days at $2.50. This in addition to escape from the demoralization of idleness.

Industrial peace and prosperity will never be firmly and finally established until the tariff is taken out of politics and placed in charge of a properly constituted body whose conclusions are substantially final.

Yours, very truly,

JAS. J. HILL.

This is a nonpartisan measure. I have discussed it in a nonpartisan manner. There is no more reason why the tariff should be the subject of continued unfair partisan action than that our internal-revenue taxes should be the subject of unfair partisan action. The great world questions presenting themselves for consideration now as never before in the history of this country offer opportunities for statesmanship, and also opportunities for partisan action to those who prefer opportunities of that kind. The time has come for the politicians to prepare themselves for the discussion of other matters than the tariff. The time has come to give business and American business men a chance in the struggle just commencing for our fair share of the trade of the world. [Applause on the Democratic side.]

Under the general leave to print I desire to add the following to my remarks:

George W. Perkins, addressing the Illinois Bankers' Association on the 27th day of January, 1916, on "All-around preparedness," said:

Take the matter of the tariff—our mental attitude regarding the tariff is all wrong. For years we have been vacillating between a high tariff and a low tariff. We look upon the Republican Party as the high-tariff party; upon the Democratic Party as the low-tariff party. As a matter of fact, what we should have, what we must have, is neither a high tariff nor a low tariff but a scientific tariff; a tariff not made for the sole purpose of getting one political party out of power and another into power; not made on a log-rolling basis as to items in the bill, but based purely and solely on actual necessities; a tariff made after exhaustive study and public hearings by men who give their entire time and earnest effort to this great subject.

Jacob H. Schiff, in an address delivered in March of this year to the Republican Club of New York City, said:

Standing here on holy Republican ground, I say without fear or favor, if you renew in the next presidential campaign the tariff agitation of the past; if you threaten the country and show it you want a renewal of special privilege and high protection, the people will have none of it. The people have learned; the workmen and the farmers have learned, and they can not be misled any longer.

I do not say that because I love the Republican Party less, but because I love it more.

Commenting upon this speech, the New York Globe, a recognized Republican organ, said:

Mr. Schiff does his party a distinct service by thus openly speaking out. It is further notice that the Republican Party can not hope to regain the public confidence it lost by persisting in a policy that destroyed confidence in it. It must appear to the satisfaction of the country that the Republican Party exists to advance public ends; that the purposes of the organization are not the advancement of class or private ends. The once all-powerful party carried but two small States at the last presidential election. The falling away was fundamentally because of the general conviction that it had fallen under the control of a group of men who had put class interests and private interests above public interests.

I quote from a pamphlet submitted by Willard Straight, vice president of the American International Corporation, which pamphlet was submitted for discussion at the Third National Foreign Trade Convention, held at the Hotel Grunewald, in New Orleans, in January of this year:

At the time when the economists of Europe are most diligently considering what to do after the war there exists in the United States no governmental body for the study of the European tendency and its possible effect upon our own country.

* * * * * * *

The President has said that the Federal Trade Commission possesses latent tariff commission powers. A strong movement is in process organizing widespread sentiment in favor of a permanent nonpartisan tariff commission, with broader authority than possessed by the Taft Tariff Board or implied in the Federal Trade Commission act.

* * * * * * *

Congress must and will finally write the tariff laws; the true function of a tariff commission is not to direct but to aid congressional labors.

The CHAIRMAN. The gentleman from Michigan is recognized.

Mr. FORDNEY. Mr. Chairman, I yield 30 minutes to the gentleman from Nebraska [Mr. SLOAN].

The CHAIRMAN. The gentleman from Nebraska [Mr. SLOAN] is recognized for 30 minutes.

Mr. SLOAN. Mr. Chairman, I am pleased to hear the statement of the gentleman from Illinois [Mr. RAINEY] that he has discussed the tariff commission, a nonpartisan measure, in a nonpartisan manner. Were it not so labeled many of us might doubt the proposition.

But this bill that we have before us is a request that we go to the people and ask for a staggering sum of money, $210,000,000. For this all parties share to some extent responsibility. Coupled with that request for money is a statement that on account of the trouble now upon our Mexican borders, for which the Republicans share no blame, there will be a bond issue of $125,000,000.

So, in the demands of this bill and the suggestions as to what may follow, we have these two propositions—a stupendous amount of taxes and probably a large amount of bonds. This demonstrates two truths, as old as the two great political parties—that the rewards of free trade are taxes and the wages of Democracy is debt. [Applause and laughter on the Republican side.]

With this proposition we are confronted with perhaps the most remarkable and abject surrender on the part of a great political party ever witnessed since legislation was attempted in any civilized nation. Because if there is one outstanding principle that has separated the Republican Party and the Democratic Party throughout the joint existence of the two, it is their difference upon the question whether we shall protect American industries or whether we shall not.

Democracy was a long time coming to it. Five years ago, when I came to Congress, protection seemed an unpopular doctrine. Orator after orator from the Democratic side rose in his place and declared protection to be unconstitutional. During the first year I was in Congress I heard on the floor and read in the RECORD the expression "robber tariff" used 153 times. Five years have elapsed, and the Democratic Party, having taken control of the affairs of this Government, finds itself in such an abject strait, driven to bay in a political corner, that President, Cabinet officers, members of the Ways and Means Committee, and the body of this House come upon their bended knees before the country and say, "For the purpose of filling this gap in the Treasury we have looted we yield submission to the people of this country and pledge to you, for the sum of $210,000,000, that we will say to the world 'Democracy is for protection just the same as Republicans, only in a less degree.'" That is the situation as it confronts us; and I do not wonder that some men on our side view this matter from different angles and standpoints. Many insist that we should raise the money, according to the time-honored principles of the Republican Party, by a protective tariff. The expressed principle of the Democratic Party recently in St. Louis says we should raise sufficient funds by a tariff. Others look at admissions, confessions, and pleas of guilt from that side of the House and say, "We will yield something in order to have a great political party placed and tied on the right side of a great political question," so that the gentleman from Illinois [Mr. RAINEY], speaking only for his own party, need never afterwards say that it was "playing a game of politics at the expense of the business interests of this country."

The gentleman from Illinois may make the statement for the Democratic Party that it is playing politics at the expense of the business interests of this country, but nobody authorized the gentleman to make that confession for the Republican Party, which has always stood for the business interests of the American people and of labor throughout the United States. [Applause on the Republican side.]

This is a remarkable bill, no matter which way you vote upon it. It is remarkable in this: It is based, the chairman of the committee, Mr. KITCHIN, said, upon an expenditure for preparedness. I will not take the time to analyze that. It would be a very interesting task to perform. We know it is based upon that and congressional extravagance. It is based in part upon expenditures for preparedness. Why were we called upon to prepare? A disinterested foreigner in this country, reading this bill and looking at the sources of the revenue provided in it, would wonder against whom the American people were called upon to prepare. Is it against a section of the United States that we are to prepare, or is it against the commercial rivals that we have throughout the world? When I voted for the moderate—not the extreme—appropriations for the Army, and for real battle units of the Navy and not its expensive frills, I thought the possible result of friction might come with a nation beyond the Pacific; again, I thought it might be with one of the two great groups of contending powers in Europe. I hoped the party in power, when the great appropriations were being made for preparedness, would see to it that those great nations with whom the commercial friction was liable to arise would be made to pay for at least a part of this preparedness. [Applause.] But what has been the course of the Ways and Means Committee? It has been as if the great North of this

country was the offending party and we were going to tax against its people the expense of all this preparedness. I shall give that more in detail, but just suggest in passing that there has been handed to me by the Secretary of the Treasury within the last three hours a statement of the income tax for the fiscal year of 1916, the principal source of the revenue in this bill. This is what the figures show:

The Government collected $67,000,000—round numbers used—from the income tax in 1916. Of this amount, $4,000,000 was collected in that part of this country which completely dominates and controls the action of the Ways and Means Committee. In other words, ninety-four and a fraction per cent of the income tax is paid by that part of the United States which was denied a hearing before the Ways and Means Committee. Of the 435 Members of this House about 135 Members are in the group that pays $4,000,000. About 300 Members, 200 of them being Republicans, are from the North. Two-thirds of the group paying $63,000,000 of the $67,000,000 income tax were debarred from deliberations of the committee to which this House under its rules delegated the duty of drafting this law.

Mr. HELVERING. Will the gentleman yield?

Mr. SLOAN. For a question; yes.

Mr. HELVERING. I suppose the gentleman has reference to the fact that the bill was drafted by the Democratic members of the Ways and Means Committee?

Mr. SLOAN. Yes.

Mr. HELVERING. The gentleman from New York [Mr. CONRY] is one of the members who helped to draft that bill.

Mr. SLOAN. Of course, I know the gentleman from New York [Mr. CONRY] has been very ill for a number of weeks. It seems to me the gentleman ought to have remembered that. But my point is this, that of the 300 members representing the income-tax-paying part of this country, two-thirds of them are Republicans. There are eight Republican members of the Ways and Means Committee, who represent those two-thirds. Not one of those Republican members of the Ways and Means Committee was allowed to enter the Ways and Means Committee room while that bill was being considered, if ever it was considered.

This was the situation as we understand it: In a corner of this building, behind closed doors, and, I presume, with drawn curtains and muffled walls, rendered immune from the telltale dictagraph, there assembled these people for the purpose of seeing that one section of this country should pay the tax.

At the outer entrance was an Ethiopian, a piece of animated ebony, standing there denying anyone entrance unless, as is told, perhaps in jest, he gave the countersign. This is said to have been the countersign "We levy, they pay." [Laughter on the Republican side.] So this bill was organized as an assault on the North.

Now, we did not rest content with that. What are our rights? Standing first in dignity among the committees of the House is the Ways and Means Committee. Under the rules of this House, as I understand them, and I read from the rules in the practice of the House governing committees, that when the committee has a bill or a resolution before it, this shall be the course of procedure:

> The paper before a committee, whether select or of the whole, may be a bill, resolution, draft of an address, etc., and it may either originate with them or be referred to them. In every case the whole paper is read first by the Clerk, and then by the chairman, by paragraphs, Scob., 49, pausing at the end of each paragraph, and putting questions for amending, if proposed. In the case of resolutions on distinct subjects, originating with themselves, a question is put on each separately, as amended or unamended, and no final question on the whole, 3 Hats., 276; but if they relate to the same subject, a question is put on the whole. If it be a bill, draft of an address, or other paper originating with them, they proceed by paragraphs, putting questions for amending, either by insertion or striking out, if proposed; but no question on agreeing to the paragraphs separately; this is reserved to the close, when a question is put on the whole, for agreeing to it as amended or unamended.

Day before yesterday we were called into committee session. We expected, and had a right to expect under the law and the rules of the House, that the Representatives of this House on that committee would have an opportunity to the benefits of the rules under which we work. We demanded a hearing, demanded consideration. More than that, we formally asked that procedure be had, not to that extent we were fully entitled to, but merely asked that the bill be read by the Clerk and considered under the ordinary rules of the Committee of the Whole. That was our right. That is the way legislation is conducted and prescribed in the committees of this House generally, and in the committees of every legislative body on this continent.

It has been the procedure generally in the United States not only in legislative bodies but in associations of whatever name, purpose, or character throughout the country. So that every man present interested would have the right to hear read, or read himself, at length, these particular statements, so that his attention would be called to the language, purpose, and meaning of each particular part. We had a right to demand that which we were elected for should be given us. That we might take some part in the deliberation and have something to say, so far as our people are concerned, about how, when, and to what extent they were to be taxed.

I criticize this procedure because I think that the treatment rendered to this side of the House through its membership on that committee is subversive of good government. I believed that in the raising of revenue through an amendment of the Underwood law, the income tax being a part of it, we ought to have amended that part which is distinctly at fault and not so drastically that part which had been measurably successful. The income tax as we have it now brought in $67,000,000 in the fiscal year of 1916. But the Underwood tariff part of that law was not such a success. In fact, it did not bring in the amount for which it was pledged. The bill was enacted for the purpose of raising revenue and revenue alone, and in that it was an abject failure. It only raised a disturbance. More than that, the great Democratic Party at St. Louis met and adopted a platform, and in that platform they said they believed in a tariff:

> We reaffirm our belief in the doctrine of a tariff for the purpose of providing sufficient revenue for the operation of the Government economically administered, and unreservedly indorse the Underwood tariff law as truly exemplifying that doctrine.

They wanted to give the cripple another chance.

If it truly exemplifies the tariff policy, why any additional tax? One of two things our friends across the way must admit. They must in passing this bill repudiate the Underwood tariff law or make the other admission of which they stand convicted, that the affairs of this Government have not been economically administered, nor will they be economically administered until a Republican House, a Republican Senate, and a Republican President after March 4 next take charge of the affairs of the Government. [Applause on the Republican side.]

We do not need this vast sum of money on account of not having had the imports. In the three years counting from October 3, 1913, to October 3, 1916, figuring imports for the next four months to average with those now passed, the duties compared with 1910, 1911, and 1912 of the former administration, we will have imported $952,000,000 more in the later period than we did in the first. I submit there ought to be ingenuity enough in the majority members of the Ways and Means Committee to have taken that nearly $1,000,000,000 of imports and placed your own kind of revenue upon those similar to those produced in this country and which those imports compete with, not touching noncompetitive articles, to have raised enough revenue to have had your $210,000,000 in the Treasury now. [Applause on the Republican side.]

I am in favor of raising a large portion of this revenue by a tariff, not all of it, but I am willing to distribute the burdens. But I am not in favor of an isolated proposition of saying that one section of this country shall pay 93⅞ per cent of the burden and another only 6⅛ per cent. I venture the statement that under the new surtax system, assuming the business of the country for the present fiscal year to be as it was last, that the sections would stand 95 per cent as against 5 per cent.

I do not know how you feel about it, gentlemen, but I have not any particular grudge against the fairly wealthy people of this country, although I am not of that class. I rather favor them as against the foreigner who wants to become wealthy at the expense of the people of this country. [Applause on the Republican side.] I am in favor of protecting every product of every man and every woman's toil in the United States as against the product of any foreigner's toil under any flag on earth. [Applause.] I further believe in raising a large portion of our governmental expense money in that way, because in the beginning the Constitution makers set apart the ports to the United States as a nation alone, prohibiting the States throughout all time from obtaining revenue for anything that crossed their borders.

I want to say something about this nonpartisan tariff commission, of which we have heard so much. The Democratic balloon, filed with heated gas, is about to burst into flames. This tariff commission might well be called the Rainey parachute. The jump is made; we will watch the landing. I do not care so very much about the terms of that nonpartisan tariff commission. I should like to vote for it alone. When anyone upon that side or upon this votes for this bill with that tariff commission in it, he stands here before his colleagues and before his God and says that he is no longer a free trader, that he is no longer a tariff-for-revenue-only man, that he is a protectionist. [Applause on the Republican side.]

When the American people understand that the Democratic Party, in consonance with the Republican Party and the wisdom of the world, has turned to protection, it will mean much to the American people.

This tariff commission is intended for protection. A tariff commission without a protective tariff would be like a fifth wheel to a wagon. It would be like a wooden leg purchased for a foot racer. We are told down here in the Patent Office that a man in the foothills of Colorado, when he saw the prairie schooners pass in such mighty fleets through that country years ago, noted that they needed brakes. He was not a seafaring man, not the regular old sea dog that my friend from Pennsylvania [Mr. MOORE] is; so he thought that he would get up a brake for all kinds of craft. The first he picked out was a barge, and he designed a brake to be applied to a barge to curb its speed. That man who wanted to put a brake on a barge would not have anything on a man who voted for a tariff commission and stood up and said that he was for free trade or for tariff for revenue only. [Applause on the Republican side.]

There seems to have been some changes of mind respecting this tariff commission. I am inclined to think that that is demonstrated. It took just twelve and a half minutes for the gentleman from Illinois [Mr. RAINEY] to show how the gentleman from Ohio [Mr. LONGWORTH] had changed his mind on the tariff commission. Mr. LONGWORTH, he proved, changed his mind some three or four months after the passage of the Payne-Aldrich law.

The gentleman from Illinois [Mr. RAINEY] changed his mind, having so expressed himself upon the floor of this House to-day, something like five or six years later. It took him just 16 times as long to see the light as it did our friend from Ohio. Again we have there, you see, the old sacred ratio of 16 to 1—LONGWORTH to RAINEY. [Applause on the Republican side.]

Mr. QUIN. Mr. Chairman, will the gentleman yield for a question?

Mr. SLOAN. I am delighted to yield for a question from my genial friend from Mississippi, where I believe they do pay some taxes.

Mr. QUIN. Does the gentleman not think it is a wise thing for a man to change his mind and get a good thing, even if the Republicans have it?

Mr. SLOAN. Oh, yes; and as many times as you change your mind from all your Democratic heresies, the nearer you will come to being wise. And as to certain others—a man once discussing drinking said: Its all right to drink now and then; but I'll confess that it is best not to "only now and then not drink." Change may tickle the palate, but steady diet sustains the system. I do not recall of a lightning-change artist ever being reemployed as a locomotive engineer.

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. FORDNEY. Mr. Chairman, I yield 10 minutes more to the gentleman.

Mr. SLOAN. Mr. Chairman, there is an estate tax provided for in this bill. I am just going to see what we give the Democrats in their dire distress, and what the country gets out of them. It is hard to wrest much good out of them; so we must watch the way the balance runs. They call on us for an estate tax. I do not believe that is a good tax, especially when it amounts to double taxation by State and Nation. The field of the estate tax, I think, should be reserved to the States. I shall present an amendment to this bill, granting to the Government the right only to have an estate tax in those States where they do not use that field to the full extent of the rate which the Government will fix in this bill.

I do not know why the inheritance tax was selected particularly, unless it was because having pledged in the Baltimore platform that they would reduce the high cost of living, and that now they are abjectly admitting their failure to do so, they have tried another tack. If they can not reduce the cost of living they demonstrate to the public their ability to raise the cost of dying. [Applause.]

In that I think they will probably succeed. This bill, with those propositions of an estate tax, an income tax, and a munition tax, is brought out here as an antidote, we will call it "the Kitchin antidote for the Underwood poison."

We can vote for a munition tax. I shall present another amendment to that feature of it. I deplore the fact that in order to pay our national expenses we have to levy a tax upon those products that are being carried beyond the seas to destroy life. If we have such a tax we can make it retroactive, as is demonstrated in the bill to January 1, 1916. I am in favor of making it retroactive to the 1st of January, 1915. Because in that year nearly all of the munitions that were manufactured, contracted for, and delivered were not for America, but were for foreign use. I do not believe it is good policy to favor the foreigner in purchasing, or the man in making munitions for the foreigner, and then tax them when he is, as he is in 1916, manufacturing munitions largely for the American people, to be paid for out of these large appropriations for which we have recently voted. We hear about looking after America first. Here we are looking after America last.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. SLOAN. Yes.

Mr. MOORE of Pennsylvania. Has the gentleman noticed that the Westinghouse Co., one of the largest manufacturers of munitions, has just indicated that its British contracts have closed, and that its work is likely to cease?

Mr. SLOAN. I so understood.

Mr. MOORE of Pennsylvania. And that source of revenue will be falling off.

Mr. HAMILTON of Michigan. And 2,500 employees have been thrown out of employment thereby.

Mr. MOORE of Pennsylvania. Yes; and in consequence of that, as the gentleman says, these men are thrown out of employment.

Mr. SLOAN. Which is liable to occur and is occurring. I desire to speak of that because I have heard a great deal from the other side of the House about the prosperity of this country.

It is true that the three or four million idle men and women during the early history of the Underwood law and before war construction became so great, have been given employment, and while many millions of dollars have flowed to this country, and business and commerce seem to be prosperous, the facts are that down in the smaller businesses and the smaller industries of the United States there is a critical period. The great difference will be that the large concerns within the next few months after the war demands have ceased will be in the same condition as the smaller business interests of the country are now. It may not be generally known, but it is a fact, that the failures of this country are multiplying instead of reducing. Let me read you. The failure record of the United States shows in 1914 a record breaker, 16,759 failures, whereas 1915 far surpassed it. The failures in 1915 were 19,032. Taking the first five months of this year as an average for the rest of the year—we do not know whether it will increase or decrease—but assuming these five months to be the average, the failures then for 1916 in the United States will be 19,894, 4,000 more than have ever occurred in any Republican administration year. The failures for 1910, 1911, and 1912 were 41,192. In 1913, 1914, and 1915 there were 50,344 failures, a difference in a three-year period of 9,152, or 22 per cent. The greatest in any one year under a former administration was 15,299. The greatest thus far of years actually elapsed was 19,032 in 1915, substantially 25 per cent more than ever occurred under a Republican administration. Yet men say that we are prosperous. I am glad to see the extent of prosperity we have, but the time of reverse is coming, for which we must be prepared. This bill should have been drawn—and an opportunity was presented, you gentlemen having made your confession in the dyestuffs, you having pleaded guilty when you presented this tariff commission, and you having acknowledged your faults when you repealed the stamp tax—your opportunity was to have carried out the principles of protection generally that you were then admitting.

Now, in regard to this tariff commission, I am again reminded about somebody changing his mind. The President did change his mind. Yes; I have heard of that before, and I hear of it frequently. I suppose the President would be mighty glad to change his mind and run on the Chicago platform instead of the one adopted at St. Louis if he had anything like the assurance of election the man who is running upon the Chicago platform has from the American people. [Applause on the Republican side.]

The dyestuffs is a distinctive protective measure. One claim for it is—that is not urged for any other industry in this country—explosives. That is one of the reasons why you are going to get some votes from this side. First, a great many voted for preparedness; second, none of us really expected you would be really prudent in the matter of raising revenues. We expected not only a fly but a swarm of flies in the ointment. Of course we have to accept some of it; but it will be voting on a proposition that after all if we come to your assistance and raise this money to get you out of this difficulty, you in turn say to the world, "The principles of protection embodied in particular features of this bill, viz, dyestuffs, antidumping features, and the tariff-commission proposition, we assume and bind ourselves hereafter to support." [Applause on the Republican side.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. SLOAN. May I have a few minutes more?

Mr. FORDNEY. How much time does the gentleman want?

Mr. SLOAN. Well, I know I have not a Monte Cristo balance with the gentleman, and I trust to his generosity.

Mr. FORDNEY. Will five minutes more be sufficient?

Mr. SLOAN. Yes.

Mr. FORDNEY. Mr. Chairman, I yield five minutes more to the gentleman.

Mr. SLOAN. I have criticized this bill for the manner of its preparation as it and its authors richly deserve. I have called attention to the elements of sectionalism and injustice with which it is fraught, but when it comes to voting upon it I must consider it in its relation to our common country and conditions as they are and not as I would have them. We are nearing the end of the session. Adjournment is desired by all of us and probably by the country at large. It would be difficult to drive the majority further into the protection field than it has been already driven, for while this measure was drawn in secrecy, yet the pressure exerted by the membership of this House in a number of ways, and the well understood wrath of the public, expressed and exerted, in fact, in different ways, have driven the majority of the Ways and Means Committee to concede as much good doctrine and legislation as it has in this bill.

Some means of meeting the heightened Government demand must be provided. Our soldiers are at the front engaged in what the world will call war, no matter what denial of that statement may be made by interested office holders. Were another nation's soldiers being hurried across our borders, with the right of occupancy insisted upon, and the friction arising as it must necessarily, there is no doubt that the American people would have little patience with anyone in authority who should say, "This is in the interest of peace; it does not mean war." There should be no question of promptly meeting necessary expenses now being incurred, because, whatever the provisions of this bill are, there is no bond issue meeting those expenses now.

While I am considerable of a partisan, I never voted against any bill or measure solely because it was sponsored by the opposing political party. During the present régime one can follow that rule and seldom have occasion to differ from his Republican colleagues. I shall probably vote for this revenue measure with and in part on account of its protective features, just as I joined with all Republicans in reinstating the duty upon sugar, a protective measure presented by the majority side of this House. In common with many Republicans and Democrats, I voted for moderate increases in the Army and Navy appropriations. I feel to some extent like joining in voting to pay for them.

I do not criticize my colleagues who may, after giving our Democratic friends, by recommittal motion, opportunity to raise this revenue in the Republican way, and they refuse. I do not criticize the Republicans for saying, then, "If you reject the proper means of grace which we offer, we will not go with you in a path we do not wholly approve."

It is suggested that several times as many votes will be cast for this revenue measure by Republicans than were cast by Democrats for the Republican revenue bill in 1898, during the Spanish-American War. Let it be so said. The votes so cast will be intended at least as patriotic ones. Of course there should be more Republican votes now than there were Democratic votes then. If I did not believe that my party had more patriotism in it than has the Democratic Party, I should not belong to it. The votes against the revenue measure of 1898 were in response to the scourge of the Democratic Party lash. The vote on this bill, whichever way cast on the Republican side, will be the free, full expression of a patriotic duty as the several individual Members shall see it.

The repeal of the war-revenue tax—the infernal stamp tax—is a distinct plea of guilty to the American people. We denounced it as an outrage when first passed, and again when it was extended—a so-called war revenue, a misnomer, passed after the first Mexican war was over, now being repeated about the time the next one begins.

Why, I could vote for a good many things, could strain my principles a good deal to have that statement made again as it was made by the distinguished gentleman from North Carolina, the chairman of the Ways and Means Committee, when he stood in this place yesterday and solemnly told this House that the stamp tax was an outrage—a plea of guilty to the American people. We have in our Treasury I do not know how many millions of dollars collected from that stamp tax. I shall give the gentleman from North Carolina and the rest of you an opportunity to make good his denunciation. I shall submit an amendment to refund to the American people the amount that we wrested from their pockets through that outrage, championed by the majority and twice opposed unanimously by the Republican side. [Applause on Republican side.]

When talking on this stamp subject a few months ago I took occasion to call attention to a Hoosier schoolmaster story about "lickin' and larnin'" out there in Indiana. I said that the people had been "lickin'" and they would be "larnin'." Well, it has come to pass. The people have "licked" and the people have "larned." It seems that the two facts of that actual physical trouble due to occur was that the "lickin'" occurred with the people first and the "larnin'" afterwards. Now, the "larnin'" has occurred here in Congress and the "lickin'" is to come hereafter. [Applause on the Republican side.]

Now, there is just one other proposition, the dumping clause, a measure crudely drawn, lame and halting. It is the broadest kind of an admission of dynamite protection.

I do not wonder now, after thinking it over, that in their travail of spirit, in their sorrow of soul, the majority of the Ways and Means Committee wanted to get back into the dark and away from their neighbors while they brought forth this remarkable production, which admits their fallacy and wrong for a period of two generations. I shall present an amendment to that. The bill provides for punishment, civil and criminal, if the foreigners sell their goods too cheaply in this country. My God! What do you think of the good old tariff-for-revenue-only fellow out on the plains who has been wishing and hoping all these years that we would have free trade, or tariff for revenue, so that he could buy all this stuff at the foreigners' price? Now, the minute they commence to haul the stuff over here and sell it cheaply the Democrats have put a protective obstacle in the way, and at the same time tell him, "Protection is right; we were wrong."

The CHAIRMAN. The time of the gentleman has expired.

Mr. SLOAN. Just one minute more.

Mr. FORDNEY. I yield one minute more to the gentleman.

Mr. SLOAN. I am getting this down to the irreducible minimum. But that clause and provision lacks this: There is no provision for punishing anybody who brings stuff into this country where the article is on the free list and causes unfair competition. That relates to nearly three-fourths of all the stuff imported. So, if you double the duty in that case it would be twice nothing and would make about nothing. I shall present an amendment providing that a penalty of 20 per cent ad valorem be placed on such unfair competition upon goods now on the free list. I do that because I think that particular percentage has a resonant and pleasant sound to those over on my right. [Applause on the Republican side.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. KITCHIN. Mr. Chairman, I yield to the gentleman from Indiana [Mr. DIXON].

Mr. DIXON. Mr. Chairman, the bill now under consideration to increase the receipts of the Government is made necessary by the very largely increased appropriations for the Army, Navy, and fortifications for our country. The European war and the critical complications growing out of the Mexican situation have aroused the American people and Congress to the necessity of a more complete and thorough preparation for any emergency that might make necessary the use of the Army and Navy for the protection of our rights on land or sea. No one wants war, and our Army and Navy will never be used for aggression, but only to protect, defend, and maintain the rights and property of our country and our people.

In response to the demand for ample preparedness the Congress has and is giving full, complete, and satisfactory answer as the Army, Navy, fortification, and other bills plainly show.

To meet the money for this purpose additional revenue is needed and this bill is to meet that necessity. This measure embraces several sections, each connected directly with the revenues of the Government:

1. Income tax.
2. An estate tax.
3. A munitions manufactures tax.
4. Miscellaneous taxes.
5. Tax on dyestuffs.
6. Tariff commission.
7. Unfair competition.

We have sought to so levy the taxes for these additional expenses that its burdens may fall as lightly as possible upon the people. We have presented a fair and equitable measure. Our political adversaries would have no doubt adopted their usual plan of increasing tariff duties, but we believe that we have presented a much better plan and one that is more just, fair, and equitable. The tariff tax is levied entirely upon consumption, and not a penny on income or property. The laboring man must expend his wages for clothing and the necessaries of life, and under Republican tariff laws the rates were highest upon the articles of necessity. Everyone knows that the consumption of the wealthy does not bear the same proportion to the consumption of the poor that the income of the one does to the

wages of the other. The income tax is a measure of justice; it taxes wealth in proportion to its abundance rather than poverty according to its necessity. This system of taxation has been a sacred principle of our party for years. An adverse decision of the Supreme Court eliminated the income-tax provision from the Wilson bill in 1894. So insistent and continuous were the efforts of our party to arouse popular sentiment in support of our principles that as a result thereof a constitutional amendment was secured and the income-tax provision was incorporated into the Underwood bill of October 3, 1913. Its success and universal approval has justified the long continued effort of our party.

As we estimate that we will raise from customs duties this year about $225,000,000, we have readjusted the rates and reenacted the income tax in this measure and estimate the receipts therefrom during the coming year at $227,000,000, practically the same as from tariff duties. We have allowed most liberal deductions from the income for both single men and heads of families—in fact, more than was really necessary. From incomes we estimate an additional $107,000,000 this year. The bill makes clear and certain the exemptions of our domestic building and loan associations, the farmers' mutual fire insurance companies, mutual or cooperative telephone companies, or like organizations of a purely local character the income of which depends solely on dues and fees collected from members. The time limit for the payment of the income tax is changed from June 30 to June 15, the purpose being the collection of the entire tax within the fiscal year and to make the penalty for nonpayment attach within the same fiscal year. The bill provides for a normal tax of 2 per cent on incomes under $20,000 and additional rates as follows:

One per cent on incomes of $4,000 and over $20,000.
Two per cent on incomes of $60,000 and over $40,000.
Three per cent on incomes of $80,000 and over $60,000.
Four per cent on incomes of $100,000 and over $80,000.
Five per cent on incomes of $150,000 and over $100,000.
Six per cent on incomes of $200,000 and over $150,000.
Seven per cent on incomes of $250,000 and over $200,000.
Eight per cent on incomes of $300,000 and over $250,000.
Nine per cent on incomes of $500,000 and over $300,000.
Ten per cent on incomes in excess of $500,000.

This bill also provides for an estate tax. This is a new source of revenue for the Federal Government, as is also the tax on manufactures of munitions of war. The provision for an estate or inheritance tax was included in the Payne bill when first reported by the Ways and Means Committee on March 18, 1909. The report filed by that committee says:

The bill provides for a tax on transfers of property, both real and personal, by inheritance or succession and by will.

That provision provided for 5 per cent tax on transfers of certain kinds and on property by will or descent to direct heirs. There was an exemption of $10,000; the rates were 1 per cent for $10,000 to $100,000 and 2 per cent for $100,000 to $500,000; above $500,000 the rate was 3 per cent. There were several members of the Ways and Means Committee reporting that bill who are now Members of this House, and of course these men will not condemn this provision of our bill. In fact, it was an attempted effort of the Republican Party to collect a less amount from consumption or tariff duties by a transfer of part of the burdens of taxation from those less able to pay to those better able to pay. It was but an attempt, and it met with failure; but the party is entitled to some praise for an attempted step in the right direction, even though the step was never taken.

To-day there are 42 States imposing taxes upon inheritance, 30 of them provide for taxes upon both direct and collateral heirs; 12 limit the taxes to collateral heirs. This bill provides for a tax upon the transfer of the net estate rather than upon the shares passing to heirs and distributees, devisees, and legatees. Its administrative features are simple. I appreciate the argument that this tax might properly be left entirely to the States and have some sympathy with that proposition, but with its large exemption of $50,000 and its reasonable rates there will be little reason to complain of this law. The very small receipts from the inheritance tax in the 42 States, is either inefficiency in the collection or great success in the evasion. There will be neither in the enforcement of the Federal law; diverse citizenship, different situs of property, and that of decedent, and many reasons now effective can not prevail in case of a Federal tax. It is not improbable that at some time in the future all inheritance or estate taxes will be collected by the Government and distributed among the States in the proportion of collections from the States and as a result each State will receive a much larger amount, even if the Government retains a part in each case. The tax provided for in this bill is upon the net estate. In determining the net or taxable value of the estate the most liberal deductions are allowed for the gross value and in addition an exemption of $50,000. In other words, there will be no Federal taxation unless the estate, after payment of all expenses of administration and debts, exceed in value $50,000. The tax is payable one year after the death of the decedent and the law provides for a discount of 5 per cent per annum in case of payment before being due. The tax is graduated upon the basis of value.

One per cent of the amount of the net estate not in excess of $50,000.

Two per cent of the amount by which the net estate exceeds $50,000 and does not exceed $150,000.

Three per cent of the amount by which the net estate exceeds $150,000 and does not exceed $250,000.

Four per cent of the amount by which the net estate exceeds $250,000 and does not exceed $450,000.

Five per cent of the amount by which the net estate exceeds $450,000.

We have levied a special tax upon the manufactures of munitions of war, and in view of the present exceptional circumstances this will impose no unreasonable burden or hardship. Canada, Denmark, France, Germany, Great Britain, Italy, and Sweden have similar laws. The bill provides that if the net profit from the sale of munitions is less than 10 per cent there shall be no Federal taxation. In arriving at what is the amount of the net profit, the most liberal deductions are made from the gross receipts, not only cost of raw materials entering into the manufacture, running expenses, rental, repairs, maintenance, heat, power, insurance, management, salaries and wages, interest paid, taxes, losses sustained, but also depreciation of land and buildings. The tax is estimated to amount to $71,000,000 during the fiscal year ending June 30, 1917. The taxes are as follows:

Gunpowder or other explosives, excepting blasting powder and dynamite:
Five per cent of the amount of the gross receipts not in excess of $1,000,000; and 8 per cent of the amount of the gross receipts in excess of $1,000,000.
Cartridges, loaded or unloaded, and caps or primers;
Projectiles, shells or torpedoes of any kind, including shrapnel, loaded or unloaded, or fuses;
Firearms of any kind, including small arms, cannons, machine guns, rifles, and bayonets, or any parts of any of the articles above mentioned:
Two per cent of the amount of such receipts not in excess of $250,000;
Three per cent of the amount by which such receipts exceed $250,000 and do not exceed $500,000;
Four per cent of the amount by which such receipts exceed $500,000 and do not exceed $1,000,000; and
Five per cent of the amount by which such receipts exceed $1,000,000.
Copper ore, metallic copper, or copper alloys:
One per cent of the amount by which such receipts exceed $25,000 and do not exceed $1,000,000;
Two per cent of the amount by which such receipts exceed $1,000,000 and do not exceed $10,000,000; and
Three per cent of the amount by which such receipts exceed $10,000,000.

We have repealed all the stamp taxes provided in the emergency revenue law of October 22, 1914, but have retained the tax upon a few miscellaneous items. The tax on beer, at $1.50 per barrel, is retained and the wine provision reclassified and given new rates.

A few of the special taxes in the emergency revenue law are continued; the tax on bankers of $1 for each $1,000 of capital surplus and undivided profits; brokers, $20; pawnbrokers, $50; ship brokers, $20; customhouse brokers, $10; proprietors of circuses, $100; proprietors of other public exhibitions or shows, $10; and proprietors of bowling alleys and billiard rooms, $5 for each alley or table. The provision as to tax on theaters and museums is changed from a tax based upon seating capacity and substituted for it is the provision that the tax should be $10 upon such establishments doing business in places having a population not in excess of 1,000; $15 in places having population above 1,000 and not above 2,000; a tax of $20 in places having population in excess of 2,000 and not in excess of 3,000; and a tax of one-half of 1 per cent on gross receipts for admissions in places having a population above 3,000.

The tax as to manufactures of tobacco, cigars, and cigarettes has been changed and more equitably distributed.

In the matter of dyestuffs we furnish the means of relief from conditions produced by the European war and give security from the destruction of new industries by unfair competition from abroad after the war. We depend entirely upon importation for nearly 90 per cent of our dyestuffs, and the European war has not only greatly enhanced the price but made practically impossible the securing of many of the dyes necessary for our manufacturing industries. These industries have joined in a request for this legislation, seeking to assist in the establishment of a dyestuff supply in this country. We have placed the coal-tar crudes upon the free list; the intermediates, a rate of duty of 15 per cent and 2½ cents per pound; and 30 per cent and 5 cents a pound on the finished dyes. These

rates are 40 per cent and 53 per cent, respectively, based upon export value from Europe prior to the war. It is provided that these duties are temporary, and provision is made for their gradual reduction under certain conditions.

We have included a section for the creation of a nonpartisan tariff commission. There is upon the statute books to-day the Underwood law of October 3, 1913. It was framed in response to a great public demand and in accordance with the wishes of the American people; it has met the expectation of its framers; it has realized the hopes of the American people; it has stimulated American industry, strengthened their hold on the world's market, increased the output of American factories, increased the number and pay of American laborers, and brought happiness, prosperity, and contentment to the American people.

While our opponents can not deny the fact, they tell the people that present conditions are the result of the European war and are telling the people the horrible result that will follow the close of the European war. They tell us that the American markets will be flooded with the products of cheap foreign labor, that the people of Europe so crippled by the war will send us their goods and sell them without reference to cost. We do not agree with their prophecy. We can not understand how the industries of the belligerent countries can be so rapidly restored. Their workmen have gone to the front, many of them killed, more wounded, and how their factories can in a day be reestablished and at once begin an enormous output is beyond our understanding. But our opponents have so persistently reiterated it until they believe it and have caused many people to honestly fear the result. We have met this condition by creating the tariff commission. The President will appoint the members of the commission, not more than three of any political party, assured of a long term of service, with good salaries, and with plenty of money to make thorough and complete investigations. They are to investigate the administrative and fiscal effects of the custom law now in force or which may hereafter be enacted, the relations between the rates of duty on raw materials and finished or partly finished products, the effect of ad valorem and specific duties and of compound specific and ad valorem duties; all questions relative to the arrangement of schedules and classification of articles in the several schedules of the custom law, including their relation to the Federal revenues. It is given power to investigate the tariff relations between the United States and foreign countries, commercial treaties, preferential transportation rates, the volume of importations compared with domestic production and consumption, and conditions, causes, and effects relating to competition of foreign industries with those of the United States, including dumping and cost of production. It can secure the attendance of witnesses in all parts of the country and can examine the books and papers of individuals and corporations.

It has full power to secure the facts. With the creation of the commission and with the power at its disposal to investigate and report about the conditions existing now and after the close of the war the commission can have full and complete data at hand so as to enable Congress to immediately make such changes and modifications in our tariff law, or any item thereof, as the changed conditions may demand. We have not only provided for the present but have safely guarded the future. Every item in the tariff law will be subjected to a scientific and business investigation that will make possible, and not only possible but certain with a Democratic Congress, the prompt correction of any duty that injuriously affects American business, American enterprise, or American labor. No legislative power is given the commission; this bill has been prepared upon the idea that new and unusual conditions may arise after the close of the European war affecting our industries and business and possibly requiring changes and modifications in our tariff laws. A judicious revision of the rates of any item should be based upon full and complete information and knowledge for the guidance of Congress when it comes to execute the power conferred upon it by the Constitution. The practical question is whether such a commission would be of valuable assistance to Congress in the perfection of the tariff rates. It is, of course, evident that Congress or a committee thereof could not have all the infinite and necessary information required to enable it to act absolutely intelligently upon every item without time for investigation. No one can with absolute certainty know just what effect a slight change or modification in some particular item may have and to know absolutely how it may affect any industry. The commission will collect, tabulate, and systematize a large amount of material that will be of invaluable service in the consideration of a proposed change.

No work of man is perfect, hence no tariff law is perfect; still, as nearly perfect as one can be made, a change in conditions may make necessary or advisable a slight change soon after its passage. We will never hesitate to make any change at any time when such change is for the benefit of the American people and in their interest. Our party is dedicated to their cause and responds when the occasion arises. [Applause on the Democratic side.]

We have as the last section a provision making it unlawful for a person, partnership, corporation, or association to import and systematically sell any article at a price substantially less than the actual market value at the time of exportation with the intent of injuring an American industry or of preventing the establishment of any industry or of monopolizing any part of trade or commerce in such imported articles in this country. Also of levying a special duty upon any article produced in a foreign country and imported here under the conditions that anyone here shall be restricted in any manner in his purchasing articles of another person.

This legislation is the necessary result of the vastly increased appropriations in pursuance of the program of ample and complete preparedness. The Underwood law was approved by the President October 3, 1913, and would have met all the usual and ordinary expenses of the Government but for the very large decrease in our importations caused by the European war, yet during the fiscal year ending June 30, 1914, produced $10,000,000 more than the Payne law the year before. It is true that the receipts for 1914 were aided by retention of the Payne rates on wool until December 1, 1913; on woolens to January 1, 1914; and on sugar to March 1, 1914. Comparing the receipts under the Payne law from January 1, 1913, to August 1, 1913, and the Underwood law during the same period in 1914, the same being to the beginning of the European war, and you will discover the Underwood law yielded $18,000,000 more than the Payne law for a like period. From January 1, 1914, to August 1, 1914, the beginning of the European war, the average customs receipts were $22,400,000 per month, and on this basis, had it not been for the falling off in customs receipts due to said war, the total receipts for the fiscal year would have been $269,000,000 instead of $210,000,000; the difference of $59,000,000 being caused by the European war. This decrease in revenue was provided for by the emergency revenue law of October 22, 1914, and would have been entirely unnecessary but for the European war. If the Payne law had been in operation at said time, importations would in like manner have been reduced and a deficit in money caused thereby, making the raising of additional revenue necessary to be provided by an emergency act of some kind.

They also charge that the Underwood law has caused deficits in the Treasury. As a matter of fact, if we exclude the Civil War period, the largest fiscal year deficits of ordinary receipts and disbursements in its history occurred while Republican tariff acts were upon the statute books. In 1894 under the McKinley Act the deficit was $69,000,000; in 1899, under the Dingley Act, the deficit was $89,000,000; in 1909, under the Dingley Act, the deficit was $58,000,000. The Payne law was in operation four years, and if the Republican administration had not issued two series of Panama Canal bonds that law would have brought a deficit to the Federal Treasury three out of the four years. The total deficit—that is, the difference between all receipts and disbursements from 1908 to 1913, under Republican administration and tariff acts, were more than $100,000,000, and without proceeds from canal bonds would have been more than $208,000,000, yet at the end of the fiscal year June 30, 1914, and before the outbreak of the European war, under the Democratic administration and Underwood law, there were both a surplus or ordinary receipts over all disbursements without the aid of a dollar of canal bonds, yet during that time we expended $35,000,000 upon the canal.

They tell us that the increased importations will destroy our home industries and the low rates of the Underwood law are alone responsible for said importations. The increased importations for the first year after the Underwood law was passed was less than 5 per cent, while the increased importations the first year after the Payne law was passed was over 18 per cent. The real manner in which to estimate the amount of importations, as related to our home industries, is by the per capita value of said importations. The per capita value in 1915, the last year we have the full data, was less than in 1910 or in 1912 under the operation of the Payne law.

To-day we have more prosperity than at any time in the history of the country, and our political opponents desire to give the credit to the shipment of munitions of war abroad. The total value of all articles that could have been converted into any possible use for the European war is less than 3 per cent of the total value of all our manufactured products; and if there had been no munitions of war sold, so small a proportion

of our total manufactured products, our prosperity could not have been affected thereby.

Mr. MEEKER. Will the gentleman yield for a question?

Mr. DIXON. Not at this time.

Mr. MEEKER. Just one question in that connection.

Mr. DIXON. All right.

Mr. MEEKER. Can you give us any idea of the percentage of products that have gone beside munitions, such as foodstuffs, and so forth?

Mr. DIXON. The Monthly Summary, as prepared by the Department of Commerce, sets it out fully, item by item.

Mr. KELLEY. Would not that affect the general prosperity of the country very much—the increased exportation of food supplies?

Mr. DIXON. All those things would naturally affect the prosperity of the country. My proposition is that the exportation of munitions of war alone is too small, in comparison with the total of our manufactured goods, as to amount to enough to affect the prosperity of the country.

To-day there are larger deposits in our national banks, our State banks, savings banks, loan and trust companies than ever before; there are more depositors in each of these institutions; our banks have the largest surplus funds and undivided profits than at any former time; we have more building and loan associations, with larger membership and larger total assets; our railroads in 1914 and 1915 carried more passengers and more freight and had more passenger and freight cars in active service; our postal receipts, in the sale of postal cards, postage stamps, and money orders, broke all former records; there were more boys in colleges and girls in colleges and seminaries, and this is accounted for by the fact that more parents were financially able to afford them college education; there were more employees in the woolen industry, in the cotton industry, and in the iron and steel industry, with larger wages than ever before; there were a larger number of wage earners in all the manufacturing establishments in the United States, with higher wages and with the largest production of goods; and you will find that in November there will be more Democratic ballots in the ballot box than ever before in the history of the country.

Mr. HAMILTON of Michigan. Mr. Chairman, about the time of the last national election Mr. Hennessey remarked to Mr. Dooley that the Democratic Party ought to profit by the mistakes of Republicans, to which Mr. Dooley replied with great dignity, "Hennessey, the Democratic Party can make its own mistakes."

Mr. Dooley was right. But the mistakes of the Democratic Party have not been so dangerous to the country as its principles—that is, if you can separate its mistakes from its principles.

It was a mistake, of course, for you to tell the people you would reduce the high cost of living. You knew you could not do it, and it was a mistake for you to promise to get along without injuring legitimate industry.

These mistakes and others only reacted upon yourselves, as a party, and affected your already somewhat precarious reputation for truth and veracity. [Laughter.] But when you undertook to run the Government with your principles, that was a serious matter—for the Government.

Party politics is a very human relation. It is never better than the people who compose it. Sometimes it is a good deal worse.

Take for illustration the Democratic Party as represented here on the floor of this House. Most of you are conscientious, patriotic gentlemen, who come from districts where they vote the Democratic ticket from force of habit, so that to be a Democrat is largely an automatic performance, and yet the sum total of these automatic results is an incoherent aggregation, except when controlled by Executive dictation.

There are a good many luminaries among you, of course, but each one of you wants to be a separate solar system all by himself, when in reality you are only sparks in the tail of the President's comet. I have no knowledge of the science of navigation, but as I understand it a comet is a mighty poor thing to steer by. [Laughter.]

AN AMBULATORY PLATFORM.

We have been in the habit of thinking of a political platform as a more or less definite statement of principles on paper, but the Democratic platform is now and for a long time has been a cordially cold human document in a frock coat, constantly subject to the vagaries of changing circumstances. [Laughter.]

And this brings me to the subject of a tariff commission. A year ago last January your ambulatory platform went out to Indianapolis and in the course of a speech there told his audience that there was a "joker" in the trade-commission law that answered the purpose of a tariff commission.

And he was somewhat supercilious and jocular about it. He said he was a school-teacher, and had no objection to instructing uninstructed Republicans, but he wanted it understood that he had not always taught in the primary grades.

A little later he wrote ex-Gov. Cox, of Ohio, that he was not in favor of an independent tariff commission anyway.

But finally he informed the gentleman from North Carolina that he had changed his mind on the subject of a tariff commission, because, he said, the circumstances of the world had changed. [Laughter.]

Then, to quiet the natural fears and apprehensions of the gentleman from North Carolina, he explained that he had "no thought whatever of a change of attitude toward the so-called protection question." "That," he said, "was neither here nor there."

Well, the "so-called protection question" is "here" now and we are going to have an election in November, and the "so-called protection question" will be "there," and then perhaps the President may not be "here." [Laughter on the Republican side.]

To paraphrase one of Mr. Raymond Hitchcock's curtain speeches, anyone can come out "there"; the thing is to get back "here." Many a man has come out "there" subdued, chastened, disciplined, and never lived to get back "here." [Laughter.]

It is really not of very great importance—getting back here—but a good many people lay a good deal of stress on it, possibly on account of the opportunities presented by the CONGRESSIONAL RECORD. [Laughter.]

CHANGING CIRCUMSTANCES AND CHANGING PRINCIPLES.

But, Mr. Chairman and gentlemen, consider the effect of all this upon the gentleman from North Carolina.

Consider being buffeted by "the changing circumstances of the world" by direction of some one else when you yourself do not consider that your principles ought to be constantly changing with changing circumstances. [Laughter.]

It was only a few months ago—before "the circumstances of the world began to change"—that the Hon. Thomas Riley, of Connecticut, then a Member of this House, broke into rapture in a pamphlet, widely circulated among the brethren, and dedicated to the gentleman from North Carolina, describing him as "a tall, erect, black-haired, black-eyed, handsome, dashing chap, born to lead."

Of course! Everybody indorses that. Everything that was said in that pamphlet was true, and more, too.

For illustration, it was true that the gentleman from North Carolina had sat up nights studying the doctrines of Democracy, which he conceived to have some stability at that time. [Laughter.]

It was true that he had attained rotundity of person in peaceful deglutition of Democratic doctrines, undisturbed by warlike alarms. [Laughter.]

And then, gentlemen, "the circumstances of the world" began to change.

The President, who had advised everybody not to become "nervous and excited," himself became "nervous and excited" and began to see "sparks falling all around" from New York to St. Louis and back again. [Laughter.]

Then he began to advocate a stronger Army and "a Navy incomparably the greatest in the world."

And the bigger the crowds, the bigger the Army and Navy. [Laughter.]

Then the whole Democratic Party got excited and began to shiver in Mr. Wilson's shoes. [Renewed laughter.]

Then "the circumstances of the world," continuing to change, the President revealed to the gentleman from North Carolina the necessity for a tariff commission in relation to which the "so-called protection question should be neither here nor there." [Laughter.]

And from that time on the joyous lilting spirit of the gentleman from North Carolina began to be subdued from that of an oratorical Pegasus, levitating in the radiant atmosphere, to that of a political dray horse pulling presidential loads, and doing it somewhat reluctantly. [Laughter.]

Gaze on the picture painted by Mr. Riley and then on this! The circumstances of the world have indeed changed.

"There comes a mist and a driving rain, and life is never the same again."

Times are changing, and we are changing with them. And it is no part of the purpose of the whirling Dervish of Democracy to let times change any faster than he can change. [Laughter.]

TARIFF COMMISSION HISTORY.

Let us analyze this proposition for a tariff commission in relation to which "the so-called protection question shall be neither here nor there."

This "so-called protection question" involves the levying of duties which shall equal the difference between the cost of production at home and abroad—that is, duties low enough to prevent domestic monopolies from overcharging domestic consumers and high enough to protect American labor from direct competition with cheap foreign labor. [Applause on the Republican side.]

In order to ascertain this difference with a reasonable degree of scientific accuracy, a great many people have for a long time believed that a tariff commission is necessary.

The Payne law of 1909 carried the beginning of a tariff commission, and in 1910 the Republican platforms of 28 States demanded a permanent independent tariff commission.

In January, 1911, the National Tariff Commission Association met in Washington and adopted a resolution demanding that the Sixty-first Congress, then in session, pass a tariff-commission bill.

Thereupon (1911) the Ways and Means Committee unanimously reported a tariff-commission bill, which passed the House, passed the Senate slightly amended, and came back to the House so late that its opponents were able to kill it.

Subsequently, May 9, 1912, Mr. CLARK of Missouri explained how two-thirds of the Democrats "lined up" against a tariff commission and, to use his expression, "rolled" him and Mr. UNDERWOOD "to a fare you well," which is pretty fair evidence that two-thirds of the Democrats were against a tariff commission then and are yet, for that matter.

In the Sixty-second Congress (1911–1913) this same defeated bill was offered as an amendment to the wool bill, then as an amendment to the so-called "excise bill," but this and various other tariff-commission bills failed in a Democratic House.

In January, 1913, the National Chamber of Commerce, with constituent organizations in nearly every State in the Union, began to advocate a tariff commission, and has continued to urge it ever since.

NEED OF PROTECTION PLAIN.

It is plain that the present tariff law is not yielding sufficient revenue to run the Government.

It is plain to Democrats that something must be done to placate public sentiment against the Underwood bill.

It is plain, too, that important changes in international trade are resulting and will continue to result from the European war.

It is plain, too, that the nations of Europe will revise their tariffs and inaugurate new schemes for commercial expansion.

It is plain, too, that we ought to protect ourselves against the tide of importations which the Secretary of Commerce says will threaten the "very existence" of our industries.

It is plain, too, that what we do ought to be based upon the known facts of international trade.

It is plain, too, that we ought to repeal the present tariff law and substitute a law that will yield sufficient revenue to run the Government and protect American labor and American industry.

But the President says he has "no thought whatever of any change of attitude toward the so-called protection question." That, he says, is "neither here nor there."

To what end, then, is he driving his reluctant party into passing a tariff-commission bill?

A tariff commission can not legislate; a tariff commission can not pass a tariff bill.

It can only gather facts for the use of a Ways and Means Committee in framing a tariff bill.

But to what end would a tariff commission gather facts?

A Democratic Ways and Means Committee would pay no attention to facts that did not coincide with their preconceived conclusions about the tariff.

The Democratic Party would cease to exist if it used facts gathered by a tariff commission for protection purposes.

No information, however conclusive, will ever induce the Democratic Party to protect American labor and American industry.

ANALYSIS.

Let us consider this tariff-commission bill.

A modern tariff bill contains 14 schedules and a free list.

In express terms or in general terms these schedules and this free list affect every commodity that can be grown, manufactured, or produced on American soil and every commodity that can be imported.

These sections and this free list have to do with all the products of American labor in their relation to foreign labor, all the products of American agriculture in their relation to the products of foreign agriculture, all the products of American factories in their relation to the products of foreign factories, all the products of American mines and forests in their relation to foreign mines and forests, and they also have to do with the raising of revenue to run the Government.

A tariff commission ought to be a practical and yet scientific organization, not organized to theorize but to furnish facts without regard to what effect they may have upon the fortunes of any political party.

This bill does not provide that agriculture or commerce or labor or manufactures shall be represented on the commission. Its personnel is left entirely to the President.

It defines its "duties"—that is, the things it must do—in section 502, and it defines its "powers"—that is, the things it may do if it wants to do them—in section 504.

Let us consider the duties of the commission defined in section 502.

First, it provides "that it shall be the duty" of the commission "to investigate the administration and fiscal effects of the customs laws of this country now in force."

Well, it needs no commission to tell us that.

Second, it provides "that it shall be the duty" of the commission to do the same thing as to laws "which may be hereafter enacted."

This might be useful, but the fiscal effect of a tariff law is one of the first things obvious to everybody.

Third, it provides "that it shall be the duty" of the commission "to investigate the relation between the rates of duty on raw materials and finished or partly finished products."

This calls for a professorial thesis on the relations of different kinds of duties.

Fourth, it provides for an investigation of "the effects of ad valorem and specific duties, and of compound, specific, and ad valorem duties."

Useful enough, but scarcely worth seventy-five or eighty thousand dollars a year.

Fifth, it provides for an investigation of "all questions relative to the arrangement of schedules and classification of articles in the several schedules."

This may be useful, but it scarcely requires six men, each at $10,000 a year, to do it.

Sixth, it provides for an investigation. "In general, to investigate the operation of the customs tariff laws, including their relation to Federal revenues."

"In general" you can ascertain about the working of a tariff law on any street corner, and its effect upon the Federal Treasury soon becomes a matter of common knowledge.

Section 504 gives the commission certain discretionary "power" to investigate "conditions, causes, and effects relating to competition of foreign industries with those of the United States, including cost of production and dumping."

If "cost of production" means cost of production at home and abroad, why not say so? If it means that the "power" shall be exercised, why not require it?

EXCLUSIVE INFORMATION.

Both these sections are vague, uncertain, and indefinite, and such information as the commission has is not to be given to the people; not to be given to the press. It is to be given only to the President, the Ways and Means Committee, and the Finance Committee.

Common, ordinary Members of the House and Senate can have none of it except by charitable dispensation in homeopathic allowances by the President and by these illustrious committees. [Laughter.]

Gentlemen of the Ways and Means Committee always speak of themselves now in terms of great respect, but if this provision by which they propose to seclude themselves in the upper regions of exclusive information becomes law, these gentlemen will become like the German professor, whom Coleridge met at Frankfort, who always took off his hat with profound respect when he ventured to speak of himself. [Laughter and applause on the Republican side.]

Compare the obscure, nebulous, and indefinite language of these sections with the plain, direct language of section 2 of the bill prepared by the Tariff Commission League, which embodies the principles indorsed by the National Chamber of Commerce:

SEC. 2. That it shall be the duty of said commission to investigate the cost of production at home and abroad upon all articles which are or might be, now or hereafter, the subject of tariff legislation, with special reference to the prices paid for domestic and for foreign labor, the hours of service and the standard of living; also the prices paid for raw materials, whether domestic or imported, entering into manufactured articles, for purposes of determining the difference between the cost of manufacturing such articles in the United States and articles of foreign manufacture of similar kind and quality; the importing

cash price plus expenses and the tariff thereon at the United States port of entry; and shall tabulate and set forth all detailed information obtainable with respect thereto, and particularly as to the amount of revenue that the several articles, respectively, have produced under various tariff acts of the United States, the amount of revenue at the time being produced thereon under any existing act, and, so far as the same can be determined or estimated, the effect upon the revenue of raising or lowering the tariff rate a stated amount; and all other information that may be useful to enable Congress to ascertain as nearly as possible whether or not a tariff duty is necessary or expedient; and if so, what the rate should be.

In reaching its conclusion the commission may take into account the difference in the cost and standard of living at home and abroad by the workers engaged in the industry.

It shall be the duty of the commission to make, or cause to be made, a study of the classification of the various items that appear in the existing tariff enactment and the classification of similar articles in any tariff schedule of the principal commercial countries of the world, for the purpose of ascertaining whether the several items are fairly and properly classified; and if not, to make such recommendations as will properly fix the status of such items in the tariff schedules.

If it is worth while to pass a tariff-commission bill at all, why not make it clear, specific, and direct?

TO WHAT PURPOSE?

But to what end do you propose a tariff commission?

Not to protect American labor and American industry. You do not dare do that.

You have no idea of changing your system. You are committed to a tariff for revenue only.

If what you have done is the slightest symptom of what you are likely to do, your treatment of the Taft Tariff Board convicts you of insincerity in relation to this board.

That board was bipartisan. There can be no such thing as a nonpartisan tariff board, if its members are worth having as American citizens, but there can be a board composed of men of such standing that their findings of fact will command the respect of the American people.

The Taft Board made a fair, unbiased report, but when that report was submitted to a Democratic Congress it refused to be guided by it in any way in framing tariff legislation.

It wanted only such facts as coincided with its party policy. Facts which did not agree with that policy were not facts. Nothing that indicated the need of protection interested it.

LEMONS.

Notwithstanding the disinclination of the Democratic Party to any standard by which its tariff conduct can be measured, consider the advantage it might have derived from a tariff commission in relation to lemons in the last tariff bill.

I do not say the tariff on lemons would have been different if you had had the advice of a tariff commission instead of the advice of lobbyists, but unbiased information might have saved you from the claim of paid lobbyists that they influenced your conclusions.

I touch upon this lemon item reluctantly and only to illustrate how the honest, but misguided, conduct of legislators may sometimes become entangled in the public mind with the devious dealings of unscrupulous mercenaries.

Dissension in the Fruit Importers' Union, an organization of importers of citrus fruits from Sicily, has lately revealed the fact that a fund of $140,000 was raised to facilitate a reduction of the duty on Sicilian lemons in the Underwood law.

It appears also that one William C. Beer, of New York, has commenced suit to recover a balance of $75,000 on a contract for $110,000 to engineer a campaign of education in relation to lemons in the Underwood bill.

In commenting upon his suit, Mr. Beer explained that as a result of his activities in this movement "the Italians were in full swing for Woodrow Wilson in the presidential campaign of 1912." He says, "We spent money like water and we helped to elect Woodrow Wilson. We had a right to expect some gratitude."

Of course, but, as Machiavelli observed some centuries ago, humanity is slow "to prove gratitude for service."

A COMMISSION INCONSISTENT WITH ALLEGED DEMOCRATIC PRINCIPLES.

This Congress is Democratic. Everybody realizes that. [Laughter.]

This administration is composed of men who by training and tradition are opposed to protection.

The President, his Cabinet, and the majority in Congress have declared their opposition to protection.

Your platform of 1912 declared that protection is unconstitutional. Pursuant to that platform you passed the Underwood law, which you now indorse in your platform of 1916.

You say the only legitimate purpose of a tariff is to raise revenue.

If that is true, what need have you of a tariff commission?

All you have to do is to send down to Mr. McAdoo for a few Treasury statistics about exports and imports, have an expert clerk detailed from the Department of Commerce to advise you as to the effect of lowering duties, sit gravely to hear testimony the effect of which you have discounted before you hear it, compromise your own conflicting interests, call a protective tariff a revenue tariff when your local interests require it, and then appear upon the floor of the House, with great gravity and an appearance of exhaustion, congratulate yourselves upon being members of so august a committee, tell the country how hard you have worked, and then, when hard times come on, solemnly swear they are only the natural reaction from good times under a protective tariff. [Laughter on the Republican side.]

You start with a predetermined hypothesis in favor of low duties or no duties, and it would work a revolution in your party and obliterate you as a party if you did anything else than insist on a tariff for revenue only.

All you can do is to ignore facts that do not support your views and adopt those that do.

American agriculture, American capital, and American labor never yet have had and never will have a fair hearing before any Democratic free-trade Congress.

REPUDIATED PLEDGES.

This whole tariff-commission proposition is only another piece of political hypocrisy intended to fool the people in the coming election.

You have held a convention and are about to enter upon another campaign.

The President has run up his political periscope, looked around the horizon at the "changing circumstances of the world," observed the "low visibility" of Democratic prospects, gone to the bottom for reflection, and come up again with this tariff-commission proposition, stolen from the Republican Party and intended only for effect in the coming campaign. [Laughter and applause on the Republican side.]

But the truth is beginning to dawn upon the people that the secret of the President's policy is that he has no policy, and this will confirm it. [Applause on the Republican side.]

You have held a convention and framed another platform; but whoever reads it will remember that you repudiated your last platform in at least nine essential particulars.

You have framed another platform, but you have not dared to tell the people again that protection is the cause of high prices.

You have framed another platform, but you have not dared to declare again that protection is unconstitutional, because you knew if you did you would be asked why you extended the duty on sugar.

You have not dared to tell the people again that you do not mean to "injure or destroy any legitimate industry." That would only arouse unpleasant memories. [Laughter.]

You have not dared to tell the people again that you are in favor of "simplicity and economy." The people know too well that you have increased appropriations and increased taxes. [Applause on the Republican side.]

They have not forgotten the declaration of the Democratic chairman of the Appropriations Committee that the Democratic Party had "unnecessarily piled up the public expenditures until it had become the laughing stock of the country."

You have not dared to promise again "the full protection of this Government" to the persons and property of American citizens "in foreign countries" and "on our borders."

This administration has filed a bill of particulars of its failure to keep this promise in its letter to Carranza. [Laughter.]

You have not dared to tell the people again that your "pledges are made to be kept in office as well as relied upon during the campaign."

That would cause a universal guffaw. [Laughter.]

You have not dared to say anything about one term. But the people will remember what you said in 1912 and take you at your word. [Laughter and applause on the Republican side.]

Ex-Gov. Glynn, in his speech at the St. Louis Convention, in a flight of oratorical imagination, prophesied that the principles declared at that convention would be remembered for a hundred years.

It may be, but when a party forgets, violates, and repudiates its promises in less than three years it is not likely to be remembered for anything except its colossal mendacity. [Applause on the Republican side.]

AN UNGRAMMATICAL TRUTH.

In the last Congress you Democrats seated a Democratic contestant, and with a view possibly of illustrating his capacity for service on the Democratic side of the House some of the brethren asked that he be permitted to speak in his own behalf.

He was not strong on grammar, but in the course of what he had to say he uttered a profound truth, which will recur to you gentlemen from time to time in the coming campaign.

It was this: "Misrepresentation don't never get nobody nothing nohow." [Laughter.]

"In every matter of important legislation, not only are the legislators deciding about the legislation, but the people are deciding about the legislators."

The people have decided about you.

One of the Roman emperors is said to have spent the revenues of the Empire upon astrologers to forecast the future. You can get that done now on any street corner in the United States—for nothing.

And the forecast is: Democratic defeat in November. [Prolonged applause on the Republican side.]

Mr. KITCHIN. Mr. Chairman, I yield 30 minutes to the gentleman from Missouri [Mr. DICKINSON].

Mr. DICKINSON. Mr. Chairman, the country is confronted with a condition that compels Congress to provide additional revenues, made necessary by war conditions that disturb the entire civilized world. Legislation for adequate preparedness has been demanded, and such legislation has been and is now being passed in response to that demand. The necessity for this legislation, contained in the pending measure, grows out of the extraordinary increases in the appropriations for the Army and Navy and fortifications of our country. This revenue bill, reported from the Ways and Means Committee, seeks to provide the money necessary to meet these additional appropriations.

The responsibility to meet this condition rests upon Congress—upon Democrats and Republicans alike. This proposed legislation can not justly be charged as partisan legislation. It meets the best judgment and patriotic thought of the people of this country. It represents the honest sentiment of the masses, whose agents you are, and its early passage and enactment into law will be heartily indorsed by those who are responsible for your being here. A vote in favor of this bill will meet with their approval. A vote against it should meet with their rebuke.

In addition to increasing the income tax, this measure further proposes two new sources of revenue, namely, a Federal inheritance or estate tax and a tax upon the manufacture of munitions of war. The necessary additional revenue is to be raised in the following manner:

(1) By increasing the present income-tax rates;

(2) By levying an estate tax;

(3) By levying a tax upon the manufacture of munitions of war; and

(4) By reenacting certain of the special taxes provided in the emergency revenue act of October 22, 1914, omitting objectionable stamp taxes.

It provides for an enlarged income-tax law. It doubles the present normal tax and levies an additional or surtax, commencing with 1 per cent on incomes of $20,000 and increasing up to 10 per cent on annual incomes of $500,000 and over. This bill proposes an increase in the normal tax on incomes and the tax on corporations from the present rate of 1 per cent to 2 per cent.

In lieu of the present law, which imposes additional tax rates upon net incomes of individuals, this proposed revenue bill imposes the following additional tax rates upon net incomes of individuals:

1 per cent additional on incomes over $20,000 and not exceeding	$40,000
2 per cent additional on incomes over $40,000 and not exceeding	60,000
3 per cent additional on incomes over $60,000 and not exceeding	80,000
4 per cent additional on incomes over $80,000 and not exceeding	100,000
5 per cent additional on incomes over $100,000 and not exceeding	150,000
6 per cent additional on incomes over $150,000 and not exceeding	200,000
7 per cent additional on incomes over $200,000 and not exceeding	250,000
8 per cent additional on incomes over $250,000 and not exceeding	300,000
9 per cent additional on incomes over $300,000 and not exceeding	500,000
10 per cent additional on incomes over $500,000.	

This bill leaves the income exemption at $3,000 for unmarried persons and $4,000 for married persons, or heads of families. During the fiscal year ending June 30, 1917, it is estimated that the income tax proposed by this measure will yield from the incomes received or accrued during the calendar year 1916, $227,000,000, or about $107,000,000 more than would be received under the rates provided in the present law.

This revenue bill further provides for a Federal estate tax upon inheritances in excess of $50,000. In determining the value of the net or taxable estate, deductions for all valid claims against the estate are allowed from the gross value of the estate and in addition an exemption of $50,000. The proposed measure levies the following taxes upon the transfer of such net or taxable estate of every decedent:

One per cent of the amount of the net estate not in excess of $50,000.
Two per cent of the amount by which the net estate exceeds $50,000 and does not exceed $150,000.
Three per cent of the amount by which the net estate exceeds $150,000 and does not exceed $250,000.
Four per cent of the amount by which the net estate exceeds $250,000 and does not exceed $450,000.
Five per cent of the amount by which the net estate exceeds $450,000.

The inheritance-tax laws of the various States never have been a source of large revenue. The total inheritance-tax receipts of the 42 States having inheritance taxes amounted in 1913 to only $26,470,964 and in 1915 to $28,217,735.55, as compared to Great Britain's receipts from her "death duties" or inheritance taxes, amounting to $132,000,000 in 1914.

The law specifies that the tax shall be due one year after the decedent's death, and allows a discount of 5 per cent per annum in case of payment before due. It is estimated that when the law is in complete and normal operation it will yield $54,000,000 annually. For the year ending June 30, 1917, the revenue from this source is estimated at $17,000,000.

This revenue bill further provides for a tax upon the manufacture of munitions of war, so that war profits on such manufactures shall help to bear these extraordinary burdens resulting from war conditions, the same conditions that require large expenditures for national preparedness for adequate defense. Those receiving special benefits from these disturbed conditions should help to pay for these increased expenditures. It is estimated that the munitions tax will yield during the fiscal year ending June 30, 1917, $71,000,000.

All of the stamp taxes provided in Schedules A and B of the emergency-revenue act of October 22, 1914, as extended by the joint resolution of December 17, 1915, are repealed immediately upon the passage of this act.

These stamp taxes the gentleman from Nebraska [Mr. SLOAN] denounces as "infamous stamp taxes." During the Spanish War a similar but much more drastic stamp tax was passed by a Republican Congress, which included stamp taxes on bank checks and other items, not included in this stamp-tax law, now repealed. The Spanish War tax measure was passed when trade and business conditions were far less disturbed than when this emergency-tax measure was passed because of the European war, which had paralyzed in a large measure the world's commerce and disturbed business everywhere and especially in this country during the early part of the war—cutting off customs revenues. I hope he will vote for this bill that repeals these stamp taxes so obnoxious to all of us.

This great revenue bill goes further. It provides for certain dyestuffs legislation, deemed appropriate because of abnormal and extraordinary conditions and to create a dyestuffs supply in this country, and thus make the United States independent in the manufacture of its own dyestuffs, so that it will not be at the mercy of foreign manufacturers of dyes during or after the European war closes. It is said that prior to the war Germany supplied the United States, Great Britain, France, and Russia with 80 per cent of the dyestuffs used by these countries. It is impossible now to secure dyestuffs, except in small amounts and at enormous prices, because of the war in Europe. This legislation seems important so as to make this country independent of the foreign supply by the manufacture of its own dyestuffs.

This bill also provides for a nonpartisan tariff commission, free from political control, so earnestly desired by the business world. A tariff commission will not entirely take the tariff out of politics. But it will change largely the method of making tariffs, and should largely take politics out of the tariff.

Who can justly charge that this measure is partisan in its character? No one does, except the bitter partisan, blinded by fierce prejudice.

Oh, some of you fear that the levying of taxes on large incomes and inheritances stands in the way of high protection. That fear, in my judgment, is in a measure well founded and is largely the cause of your active opposition to income and inheritance taxes. A high protective tariff system has been stricken down in this country, and I do not believe it will ever be restored to its former high estate. [Applause on the Democratic side.]

In June, 1909, in the Senate of the United States, Senator Aldrich, of Rhode Island, who was the patron saint of high protection, the comaker of the Payne-Aldrich tariff law, declared his opposition to income taxation as sure in the end to destroy the protective system, and at that time declared his

intention to vote for the corporation tax as a means to defeat the income tax; and he favored the corporation tax purely as a temporary measure to meet a then deficit in the revenues. Followers here of Senator Aldrich, while less frank, apparently are opposing this revenue measure for the same reason.

The Federal income-tax law is here to stay. By the mandate of the American people, even the Constitution of the United States was amended so that income taxation might become permanent law in this country. [Applause on the Democratic side.]

As between this law, that collects from those best able to pay, when every dollar goes into the Treasury, and the restoration of high protection, that fattens special interests, while the consumers pay the added burdens of tariff taxes, I have full confidence that the people will stand for an income tax, that they have forced Congress to enact. The income tax is far more equitable than a tax on consumption. The trend of thought in the civilized world has been in favor of income taxation. It is firmly established in all European countries. Criticism has been made that the minimum exemption is too high. If it had been fixed lower, I would have cheerfully voted for it. As it is written in the bill I shall heartily support it.

Income and inheritance taxes are not new in this country. The disturbed condition of the world has aroused great property interests for adequate preparedness against emergencies that may arise from foreign aggression, calling for large increases in Army, Navy, and fortifications, and particularly is this true along the seacoasts, where large cities and great wealth are located. Patriotic sentiment has been aroused. The youth of the land have been called on to respond, and not in vain. By the thousands they have rallied to their country's call, and it is a part of patriotism for the wealth of the country to be willing to pay for this service, while others go to defend their homes and property. [Applause on the Democratic side.]

Enormous profits come to those of large means, who fatten in time of war. The same conditions that bring additional expenses to the Government bring increased profits to them. Let large incomes, swollen fortunes, and war profits on the sales of munitions bear these additional burdens.

The taxes on consumption are already heavy enough. Let the burdens be shifted in a measure; equality of sacrifice, not merely equality of contribution. High protection, that shifts the burden onto the consumer, may suffer, as feared by special interests and by those here who advocate its restoration. High protection was doomed in this country. President William McKinley and James G. Blaine saw it and advocated tariff reform. The revolt of progressive Republicans helped to strike it down.

The fairness and justice of a graduated income tax are beyond question. As far back as 1864 the Hon. William P. Fessenden, a distinguished Republican, then Secretary of the Treasury, said in his report:

> The adoption of a scale increasing the rates of taxation as they rise in amount, though unequal in one sense, can not be considered oppressive or unjust, inasmuch as the ability to pay increases in much more than arithmetical proportion as the amount of income exceeds the limit of reasonable necessity.

Hon. John Sherman, a very high priest of Republicanism, in 1882 expressed himself on this subject as follows:

> The public mind is not yet prepared to apply the key to a genuine revenue reform. A few years of further experience will convince the whole body of our people that a system of national taxes which rests the whole burden of taxation on consumption and not one cent on property or incomes is intrinsically unjust. While the expenses of the National Government are largely caused by the protection of property, it is but right to require property to contribute to their payment. It will not do to say that each person consumes in proportion to his means. This is not true. Everyone must see that the consumption of the rich does not bear the same relation to the consumption of the poor as the income of the one does to the wages of the other. * * * As wealth accumulates, this injustice in the fundamental basis of our system will be felt and forced upon the attention of Congress.

On the income-tax bill, in 1870, Senator Oliver P. Morton, a great Republican leader, said:

> Mr. President, I was not surprised at the vote that we have taken this morning; that is, to strike out the general income tax. I have expected it for some time, but nevertheless I regret it deeply. Whether we consider it in regard to public sentiment, whether we consider it in regard to public justice, whether we consider it in regard to what is due the great mass of the people, and especially to the great mass of the poor people of this country, I regret it as a mistake, and a great mistake.
>
> Mr. DRAKE, of Missouri (a Republican Senator). A blunder.
>
> Mr. MORTON. Aye, it is a blunder; and that in politics is called a crime; but I will not so designate it this morning—that would not be respectful—but I do designate it as a blunder.

Many of the enormous fortunes of this country far exceed any service the recipients of these swollen fortunes have ever rendered society, and the time is ripe and opportune to levy graduated income and inheritance taxes for needed revenues.

Many of these enormous fortunes have been created through special privileges accorded by law or wrested from the people in defiance of all law. They cry aloud for larger armies and navies, for larger expenditures of public moneys. They have helped on the propaganda of preparedness and denounced Congress for its failure to adequately provide for the defense of the country. They seem to fear that tribute may be levied by foreign foes upon the wealth of the country, centered largely in our coast and other great cities. They urge the youth and manhood of the land to enlist, and while patriotism fills the breasts of those willing to risk their lives for their country, let wealth do its share in providing without complaint revenues necessary for its defense. While young men without wealth, the very flower of our country, bear the burden of battle and exposure to disease, let wealth, secure at home, pay a reasonable percentage for the support of the Government and for this preparedness demanded by wealth and the country. [Applause on the Democratic side.]

I heard in the early part of this debate from a neighbor of mine on the Kansas border, a very wail from the past, uttered so often in behalf of protection—that the foreigner pays the tax—an exploded theory. Every schoolboy, farmer, and laborer in the land knows that the tariff tax is passed on to the consumer and that the high wall of protection enables the inside protected interests to raise the prices of his products sold to consumers and they pocket these profits—not a cent of which goes into the Treasury. Every dollar of the income tax and inheritance taxes goes into the Treasury, except the small cost of collection.

Complaint is made of this bill that it has Democratic origin, and the distinguished gentleman from Michigan [Mr. FORDNEY] said he would not vote for a Democratic measure if it was covered with sugar a foot thick. All remedial legislation in recent years, tending to bring relief to the people, has had Democratic origin. Many Republicans here, by their votes on the final passage of these measures, written in the interest of the people, have evidenced their approval, even though from Democratic source. I have no such partisan prejudice. I voted for a tariff-commission measure of Republican origin during Mr. Taft's administration, more partisan in its construction than this tariff-commission measure, and I will cheerfully support it now; far preferring that the facts regarding needed tariff changes, as evidenced from time to time by changed conditions, shall be brought to Congress by a high-class tariff board than that special interests shall send through their paid agents and controlled clerks prepared statements and schedules, to be written for their own selfish interests into tariff laws.

Our friend from Michigan [Mr. FORDNEY] would not vote for a Democratic measure, however beneficial to the country. He looks to the source rather than to the merits of the measure. Let the issues be made before the country upon the merits of this bill, and all legislation proposed and enacted will be of Democratic origin for many years to come; and our friend from Michigan will simply criticize and vote against all remedial laws. Many Republicans for pure partisan reasons, forgetting country and blinded by partisan prejudice, may vote against this bill, but I hope that a large percentage of the Republicans, forgetting mere partisanship, will follow the lead of those distinguished Republican members of the Ways and Means Committee from Ohio and Iowa, who indorsed this revenue bill, and will by their votes put their seal of approval upon the greatest and most patriotic revenue bill ever presented to this country, and give it your support, even though of Democratic origin. The people, regardless of party, are for this revenue measure.

It is to be regretted that partisan prejudice should color the debate on this great revenue bill. The country is weary of bitter partisan politics, and the time is near when you can no longer defeat legislation in the interest of the people by appeals to party prejudice. There is no minority report here suggesting a substitute measure to provide revenues needed for preparedness legislation. The Republican members of the Ways and Means Committee would not attempt by a minority report to suggest other means of raising this money.

You want a great Army and a great Navy and coasts lined with fortifications, far beyond what is necessary, but you are unwilling for the large incomes of great wealth to bear this reasonable burden. You are willing for the youth of the land to go to the front in defense of home and country, but you would place the burden of taxation upon the consuming public. You proclaim your belief in the immortal doctrine, "Eternal vigilance is the price of liberty," but when necessary revenues

must be secured you cry aloud against an honest and just measure, the most patriotic revenue bill over presented to the American Congress.

Strike down this measure, and you have stricken down preparedness and blocked the way for adequate defense of the country. The Army and Navy and fortifications bills will have been passed in vain, and you will have stultified every profession you have made in behalf of preparedness. Defeat this measure, if you can, and Democratic success will be more than assured by aroused public sentiment that will place the fault where it belongs. [Applause on the Democratic side.]

Mr. FORDNEY. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. GILLETT].

Mr. GILLETT. Mr. Chairman, I had not intended to discuss this bill, and I feel now like apologizing for taking the time, because, under the Democratic policy of suppressing debate, they have been so niggardly that not even the members of the committee had an hour apiece, and I feel as if we outsiders ought not to intrude. But inasmuch as some Members on this side have expressed their intention to vote for the bill, I wish to state my reasons for not voting for it. It seems to me that no Republican can logically vote for it. [Applause on the Republican side.]

The chairman of the committee, with his contagious facetiousness, told us that this was a nonpartisan bill. If it is nonpartisan, it belies the way that it was begotten and conceived. Some months ago the President came before us and told us that such a bill should be prepared, and he suggested the lines which it should follow, but his suggestions were met with such public execration, and the ears of that side of the House were so closely to the ground that not a line of his suggestions appears in the bill. Indeed, apparently the whole bill is framed to touch just as few taxpayers as possible, coming as it does just before election. After the President made those suggestions, the bill was taken up by the majority of the Committee on Ways and Means. It was concocted in secrecy. No intimation of its provisions was given to the Republican members of that committee, and it was not made public until it was introduced into this House on the very last day possible in order to be taken up yesterday. Then the day before yesterday the minority members of the Ways and Means Committee were, I understand, called in, not for consultation or discussion or amendment, but, as the gentleman from Ohio [Mr. LONGWORTH] told us, to be shown the bill and informed of the fact that the Democrats were going to pass it and that the Republican Members could take it or leave it just as they pleased. It is a partisan measure, prepared and backed by the Democratic Party, and the question for the Republicans is not whether the bill will pass. It does not depend upon our vote to pass it.

The decree has gone forth that it is going to be passed by the votes of the majority, and the question for Republicans to decide, it seems to me, is how shall we vote simply for our record. It makes no difference so far as the passage of the bill is concerned. The Democrats have the votes to pass it. Our vote simply amounts to a vote of protest or indorsement; and which shall a Republican give—a vote of protest or a vote of indorsement? The gentleman from Ohio [Mr. LONGWORTH] yesterday himself said it was by no means such a bill as he would prepare. Why, then, should we indorse it if it is not such a bill as we would prepare? We are simply making a record for ourselves. The bill is going through by a partisan vote, and the Republican vote is merely to show whether we approve it, whether it is such a bill as we want. Of course, it is not the bill that any Republican wants.

It seems to me that the thoughtful Republicans throughout the country will be amazed and dazed if they see us, who have been preaching right along that the main purpose of a revenue bill should be to change the tariff, vote for a revenue bill constructed especially to avoid and postpone such a change. [Applause on the Republican side.]

A return to the protective tariff is the fundamental Republican principle in a revenue bill.

I can conceive circumstances under which our vote might be different. If the leader of the majority, for instance, had come to us and had said that large appropriations had been made for preparedness, that the band of pacifists on that side of the House, of which he was at one time the head, was unwilling to vote to raise the revenue for those appropriations, and asked our assistance, I would be in favor of granting it. We might make terms, concessions, compromises, but I would not be chary of our aid. But no such situation confronts us. Under those circumstances we would have some responsibility, while now the Democratic side is assuming all of the responsibility. They have the majority. The result of congressional action is always either to the credit or to the blame of the party that is in power. They have assumed responsibility, and our duty is simply to vote our opinions upon this bill. Is it a bill the Republicans want or is it not? We do not have to make a choice of evils and compromise our opinions, as the majority always has to, but if it is not the bill we want we show it by voting against it. For myself, there are one or two features in the bill that I strongly object to. Inheritances are a wise and legitimate field of taxation and revenue, but in my opinion such taxes ought to be left exclusively to the States. The income tax can not be left to the States, for one State might bid for the capitalists by making the tax low, so the income tax belongs to the Nation. The inheritance tax, however, is not subject to that abuse.

The States are year by year increasing the inheritance taxes, and, in my opinion, it ought to be left to them. There are other things in the bill to which I object, but my main and sufficient objection to it is that it is a revenue bill, and that instead of approving the principle of protection, which is what Republicans claim ought to form the basis of any revenue bill, it entirely ignores and escapes it. [Applause on the Republican side.] The fact that we voted for large appropriations does not in any way obligate us to vote for a revenue bill unless we approve its principle and its details, particularly as we were entirely ignored in the framing of it and told that our assistance was unnecessary. Are we bound to vote for any revenue bill which is brought forward?

There are attractive features in the bill, such as the tariff commission, but they contradict and condemn the past conduct and arguments of the Democratic Party. Very likely some of them would appear in any bill we would frame, because we have long openly favored them, but, coming from the Democratic Party, they evidence a mere deathbed repentance before the election, which will be the funeral. [Applause on the Republican side.]

So, Mr. Chairman, it seems to me that the fundamental purpose of a revenue bill, from a Republican viewpoint, is protection. Even the gentleman from Ohio [Mr. LONGWORTH] and the gentleman from Iowa [Mr. GREEN], who said they would support the bill, professed no enthusiasm for it. Their support reminded me of a passage somewhere in Macauley where he said, "We all like to see a bear dance, but it is not because we think the bear dances well, but because we wonder that it can dance at all." [Laughter.] The fundamental Republican policy of a revenue bill—a return to the protective tariff—is conspicuously and intentionally lacking in this bill; and so, although it has features which I approve, I will not by my vote pretend that it meets my view of what a revenue bill should be at this juncture. [Applause on the Republican side.]

Mr. FORDNEY. Mr. Chairman, I yield five minutes to the gentleman from Ohio [Mr. EMERSON].

Mr. EMERSON. Mr. Chairman, I was very much interested in the remarks of the gentleman who preceded the gentleman from Michigan [Mr. HAMILTON], wherein he said that we had more money in the banks, more prosperity, and more children in our schools under the Underwood tariff bill than we have ever before had. The Underwood tariff bill may be responsible for those elements of prosperity to which he refers, but I hardly think he ought to claim credit for having more children in school because of the Underwood tariff law.

Previous to my coming to Congress last December I had heard a great deal about the gentleman from Michigan [Mr. FORDNEY], the gentleman from Connecticut [Mr. HILL], and the gentleman from Illinois [Mr. MANN], and the gentleman from Pennsylvania [Mr. MOORE], and two years ago, upon the stump in Ohio, I had quoted those gentlemen upon the side of protection on numerous occasions. After coming here last December and listening to the distinguished gentleman from North Carolina [Mr. KITCHIN] on several occasions, I desire to state here and now that I nominate him the greatest debater in this Congress, and probably one of the greatest debaters in America, and when I go on the stump this fall in Ohio I shall no longer turn to Mr. HILL or Mr. MOORE or Mr. FORDNEY to defend my position upon the protective tariff, but I shall quote what the gentleman from North Carolina said yesterday upon the question of the protection of dyestuffs, which I hope he will put in the RECORD.

The Democratic Party has "sort of come" to this protection theory slowly, piecemeal by piecemeal, and if perchance there should be a Democratic Congress next year, which there will not be, but if there should be, the Democratic Party will simply be the protection party of this country, and then party allegiance and party affiliations will cease and the great millen-

nium will be here and we will all dwell in peace and brotherly love. [Applause on the Republican side.]

There is and has been since the organization of the Republican Party an essential difference between the Republican and Democratic Parties on the subject of the tariff, the Republican Party always standing for a high tariff and protection, and the Democratic Party standing for a low tariff or absolute free trade.

The controlling motives of the early advocates of the protective tariff were solely economic. Protection was deemed an economic necessity; it was regarded as essential to enable a young and undeveloped country to develop its resources and become independent of foreign countries. It has been urged that when a country systematically and persistently places a high duty upon the products of other countries with the avowed purpose of excluding them from its markets those countries will retaliate by excluding its products. The experience of the United States in the period of almost continuous protection, from 1860 to the present time, has not justified this assertion; on the contrary, it is in this period of highest protection the world has ever known that the exports of the United States have grown most rapidly.

Some might say this is due to the fact that other countries were compelled to buy our food and bread stuffs and raw cotton, but the facts are our exports of manufactured articles have greatly increased during this period of extreme protection.

When they deemed it for the national welfare to build up the tin-plate industry so as to manufacture tin plate at home instead of buying it abroad, they made the duty high enough to encourage American capital to embark in the business, uninfluenced by the fact that it carried injury to the tin-plate mills of other countries.

The charge that a protectionist has to most frequently meet is that he seeks to discourage international trade. This position does the protectionist a great injustice. The protectionists are fully as eager as their opponents to develop the foreign trade, but not at the expense of the home market.

The home market is by far the best market for the American manufacturer to sell in, and besides all goods sold in the home market are made at home by our laborers, and the benefit remains at home.

The first tariff experience of the United States was during the period after the close of the Revolutionary War. The States themselves often levied tariffs which operated against the other States. Some States had no tariff at all, which lead to goods being brought into one State from abroad and reshipped into other States to the great disadvantage of the State into which the goods were shipped.

This was found wholly unsatisfactory, and many of the States finally asked Congress to levy a general tariff to apply to the imports to all States alike.

The assertion is made that protection is robbery and that, while it might have been necessary in the early history of the country, its usefulness is now over. But the mathematics of facts show that protection and the period of greatest national income were coincident; that high tariffs and highest income and low tariffs and lowest income also went hand in hand. The greater the capacity of the laborer to earn money, the greater will be his purchasing power. The greater his purchasing power, the greater his consuming power.

It may seem strange, but the more the laborer earns the more he will spend, and the more the productive power of labor is increased the more prosperity will be diffused.

But it is claimed that unscrupulous men, availing themselves of the advantages accorded by the high tariff, form combinations to increase the price of a commodity. It has been shown that the same disregard for the public welfare exists in free-trade countries.

But the facts are that where such a condition exists other capital, realizing the great profits, immediately gets into the field, and the result is, as has been shown on numerous occasions, the price is brought down.

Many powerful combinations have been formed in England, which is a free-trade country. It has been said that the protectionist supports high tariff because it is for his interest to do so, but we must not forget that the importer supports and contributes to the cause of free trade. To him the wages of labor in his country are of no consequence. It makes no difference to the importer where the goods are obtained or in what country they are manufactured or what are the conditions of labor where they are manufactured as long as he can compete with the domestic manufacturer. If we buy our goods abroad, we deprive our laborer of an opportunity to earn a living, whereas if we buy at home, even if we pay more, we are giving employment to home labor and thus enabling our labor to buy the things we ourselves sell.

I am a believer in the policy of buying goods marked "Made in America." Before the Civil War the South was largely an agricultural country, and sold its cotton, tobacco, and so forth, in a market 3,000 miles away, and naturally bought in that market. But under protection even the South is becoming a manufacturing section in a way, and large quantities of its resources once exported are now consumed in this country and even some manufactured in the South.

Again, in most of the countries of Europe there is heredity pauperism. No such condition prevails in this country, where every boy is given an opportunity to work his way to the top.

Besides, supposing we pay more under protection for the goods we buy than we otherwise would, we have the money with which to buy.

A well-fed nation is a better nation than an underfed nation. It will do more work and superior work, the standard of self-respect is higher, and its moral tone will be raised. No nation can enjoy these blessings where the wage scale is low. A cheap man never made a high civilization or a strong nation or a liberty-loving nation.

Hunger is a great incentive to crime and sin. The test of civilization is the dearness of men. Cheap men do not create a great civilization or a strong nation. When the labor and citizen become dear, they should be protected against the inferior man of other countries.

If any person wants the advantages of this country, that person should have it only by rising to our plane of doing business. We should not be exposed to the disadvantage of being obliged to drop to the lower plane, as we would be obliged to do if our laborer had to compete with the laborer who lives on the lower plane. It is true that the foreigners who come to this country from countries that live on a lower plane in a short time establish themselves on the higher plane or return to the countries from which they came. There are numerous instances where the young immigrants or the children of immigrants have easily adapted themselves to our higher plane and became our leading and most capable citizens.

In the house of the well-paid and thrifty mechanic one finds solid furniture of good workmanship and pleasant design. He must have something that is not only more comfortable but which appeals to his sense of the beautiful.

This is the home in which the children of America should be raised. The free trader says that it costs more to live in America than in Europe. This is true, because the American laborer demands more and better food, larger and better homes and more of the comforts of life. The American workingman is the best fed, best clothed, and the best housed in the world. As a child he is not half starved or stunted in his growth. There are more proponents of a reasonable high tariff in this country to-day than four years ago. Many now realize that domestic industry was temporarily saved by the European war, and that sharp competition will begin again as soon as that titanic struggle is over. We need economic preparedness quite as much as we do military preparedness. I stand for both. This can only be done by placing a higher tariff on articles manufactured in this country that come in competition with articles manufactured in countries where labor receives lower wages than labor in this country.

Europe will need the money as never before and naturally will sell at less profit. But some say there will be no longer cheap labor in Europe after the war.

On the other hand, many men now engaged in the manufacture of war munitions will be out of employment after the war is over. Also in some parts of Europe women are taking the places of men. This is especially true in Germany, and many of these women, being widows, will be forced to work after the war has been settled and peace declared. Besides, the men that are now doing the fighting will return to the shop and the farm. I venture it will require something more than "whetting their wits in world competition" to keep American labor after this war in Europe is ended on the higher plane it has held. At the time the European war broke out—August 1, 1914—industrial and business conditions throughout the United States were very bad indeed. At least 3,000,000 men, American wage earners, were either wholly out of employment or working at reduced wages or fewer hours per day.

I desire to read some statistics from the report of the Department of Commerce and Labor. They give a very accurate idea of the increase in our export trade in American products caused directly by the European war. They tell the whole story of the cause of such prosperity that our Democratic friends boast so much about. But for this extraordinary increase in our exportation of American products, caused by the war, the industries and general business of the United States would be in a deplorable condition.

Here are the exact figures for you to compare:

Exports of American products.

Articles.	Seven months ending January, 1914.	Seven months ending January, 1916.
Cattle	$355,000	$2,000,000
Horses	1,653,000	51,183,000
Mules	389,000	14,116,000
Total exports of animals	3,000,000	67,693,000
Brass and manufactures	4,331,000	44,511,000
Corn	3,832,000	10,104,000
Breadstuffs	63,807,000	125,000,000
Cars, carriages, etc	69,000	4,654,000
Automobiles and parts	13,254,000	54,000,000
Cars for steam railways	6,269,000	13,000,000
Chemicals, drugs, etc	15,531,000	58,000,000
Manufactures of cotton	17,937,000	24,767,000
Wearing apparel	5,965,000	17,395,000
Cartridges, dynamite, gunpowder	3,367,000	180,782,000
Canned salmon	5,882,000	10,592,000
Glass and glassware	2,273,000	6,307,000
India-rubber manufactures	1,882,000	9,755,000
Iron and steel and manufactures of	4,349,000	16,482,000
Cutlery	724,000	1,908,000
Firearms	2,213,000	7,911,000
Locomotives	2,311,000	10,702,000
Metal-working machines and tools	8,209,000	25,196,000
Total exports of machinery	69,279,000	92,524,000
Steel rails	7,567,000	10,640,000
Tin plate	1,825,000	9,104,000
Wire	5,961,000	25,118,000
Leather and tanned skins	20,855,000	46,666,000
Boots and shoes	10,584,000	26,787,000
Harness and saddlery	12,263,000	38,933,000
Meat and dairy products	91,482,000	170,671,000
Silk, manufactures of	1,242,000	2,449,000
Vegetables	3,866,000	8,617,000
Manufactures of wool	2,741,000	29,066,000
Spelter, zinc, etc	261,000	25,579,000
Total	395,528,000	1,242,412,000
Increase, 1916 over 1914		846,884,000

The showing for the nine months ending March 31, 1916, is even more impressive:

Exports, nine months ending Mar. 31, 1916 (war period)	$2,995,875,232
Exports, nine months ending Mar. 31, 1914 (anti-war period)	1,883,221,915
Increase in war period	1,112,653,317

We strongly advocate a tariff law that would require the foreigner who seeks to take advantage of our superior market, when he brings merchandise in competition with what our people produce, to contribute to the maintenance of this Government by the payment into our Treasury of an amount sufficient to give the American producer a marked advantage. I do not mean by this that the foreigner pays the tax, only to the extent that he pays for the privilege of selling in competition with our producer, which privilege he would not otherwise pay for. Of course, if the foreigner did not pay this tariff, the Government would not get the tax, and the foreigner would sell in our market in direct competition with our producer, and by underselling him would naturally drive the American product from the market, and the American laborer would suffer as well as the American manufacturer.

My personal views are that we should pass such a tariff law as would place a high tariff upon all articles that we can produce in sufficient quantities in this country to supply the demands, but do not. I am not worried by such names as "robber tariff" or the "Chinese Wall" of protection. I would that this country could produce all that it needs to sustain itself and its people. I would like to see this country produce enough, so that if it was surrounded by hostile fleets upon the east, south, and west, and by hostile armies upon its borders we could still live independent of the whole world. This is military as well as economic preparedness. This can only be done by a protective tariff. Call it a wall if you will, but it is the only way this country can maintain its present high standing and be independent of the rest of the world. [Applause.]

Mr. FORDNEY. Mr. Chairman, I yield 15 minutes to the gentleman from Missouri [Mr. MEEKER]. [Applause.]

Mr. MEEKER. Mr. Chairman, I shall ask to extend my remarks in the RECORD by inserting some letters and data from moving-picture men and also some statistics in regard to the shoe industry in St. Louis under the Underwood bill.

Mr. FORDNEY. The gentleman has that permission by order of the House.

Mr. MEEKER. I thank the gentleman. Mr. Chairman, the more one looks through this bill, if he has any sense of humor whatever, the more he is inclined to laugh. It is not exactly a hybrid, it is not exactly a composite. It is what we call, in the stock-breeding world, a "sport." That means it belongs nowhere and can not be classified. [Laughter.] I think the original intent on the part of the chairman of the committee was to cross the donkey with the elephant. But that did not work; so he decided to paint something that would look like a Democratic proposition with just enough of a Republican tint to attract the unwary. Down in Missouri we would call it a Democratic house with a Republican "lean-to." When you lead a Republican up to the structure you take him into the "lean-to" and show him around and say, "This is fine; you should be satisfied." And when a Democrat comes along you take him into the main part of the house and you say, "Is not this fine? How Democratic it all is." The further we go in the analysis of the bill the more we can discover the tricks in it. You propose a tariff commission with the proviso that anybody except a business man who has been or is a success in business can get on the commission. The business failure is eligible. A lawyer or a preacher or somebody like that could get on, but a good business man stays off. I believe that the preacher should write our theology; that the doctor should write the medical books and laws on sanitation, and I believe the business men of this country should have something to say about the business policies of this country. [Applause on the Republican side.] The laboring men come in here with their bills as do other organizations, but when a business man approaches the Democratic Party he gets it between the eyes.

So we find here the usual suspicion of the successful business of this country, and the active successful business man is not wanted on a board that will have to do with the industries of our Nation.

Now, to call this a tariff commission is to name it to catch the public eye. Then you rig up a concern that has nothing of the essence of a real commission in it. The purpose of this joker is to force the Republicans to vote for this bill; that is all there is to it.

The chairman of the committee does not believe in this commission plan. He would not even introduce it. They have said on the floor of this House and in the cloakrooms for the last three weeks that they intended to rig a bill which no Republican could vote against. Well, wait until Monday and see.

Now, here is the fundamental difference between the Democrat and the Republican on the matter of tariffs and markets. Whenever a Democrat discusses the issues of the Nation he always approaches the question from the standpoint of the purchaser. He is the bargain counter hunter, by nature I presume. He is the 10-cent store man, but you never saw a community built up on 10-cent stores. The Republican always approaches the question from the standpoint of the producer, and we will never find those two policies harmonizing. The man who believes that the day will ever come when the party who, to save a few cents on an article, is willing to destroy the wage scale of America will line up with the party that proposes to protect the producer and worker, that such may have the wherewithal to purchase, is doomed to disappointment.

I am growing tired of hearing some of the near Democrats in the Republican Party trying to persuade themselves that by some sort of a hocus-pocus we can make a protective tariff out of this bill and thereby benefit the country.

Now, let us turn to this bill for a moment. It is the actual result of the failure of your Underwood bill to bring in revenue. A very strange argument on the floor of this House is that if you increase your importations your home manufacturers will do more business at home. A man who talks like that thinks backward like a crab travels. That is, if the importer takes away your home market you are increasingly prosperous.

Now, the men on the Democratic side of this House know just as well as anybody that in the campaign of 1914 you men lost from a majority of about 150 down to about 23, because of the effects of the Underwood bill.

You can not blame it to the war or anything else. And you know further that with the decrease in bank deposits and with the decrease in business along all lines in 1914, we were headed toward the conditions of 1896 so fast that you could not see us for the dust when the war came along and saved you. Neither will you fool the people about this prosperity game during the next three months. They will remember it, if you do not, and you will remember it in November.

Your Underwood bill has not produced the revenue. We are not at war. The Mexican situation is set aside, for we are to vote $125,000,000 of bonds to pay that bill. We are at war with nobody else. You forget the fact that under the Republican administration we voted $500,000,000 of bonds for the Panama Canal, and that we have some of them left yet, and that we paid Panama bills from the Treasury direct. You do not dare match the economic policy of your party with the policy of

the Republican Party in this country, either in appropriations or in the raising of revenues.

This is a laughable bill. I can imagine the chairman of the committee, when looking around to find some one upon whom to light for funds, so that he might get away from the odious stamp tax, saying, "Let me see, where can I go and upon whom shall we lay this burden of direct taxes?" The first fellow he thought of was the banker. The banker looks like "easy meat" to a Democrat. He is already now paying his corporation tax and his personal income tax, but that was not enough. So the genial chairman of the committee said, "Let us touch him for a dollar a thousand special tax on his capital and surplus and undivided profits used in any of the activities, and so forth," as you find it in about the first seven or eight lines of that section.

Now, that is great statesmanship, is it not? When you have hit a man twice between the eyes, hit him again. What profound thought such a plan requires. When the chairman said on the floor yesterday that this was the very best thought of the committee, I said, "They do not think much." Then the chairman went over to the brokers, and he said, "We will take $30 apiece from you." He next went down to the place where the Democratic Party always gets to, the place where three balls hang out in front. He beheld the pawnbroker and proceeded to touch said pawnbroker for $50. So it turns out that Uncle Sam stands at every place where three balls hang out in front to collect $50 each from the men who take revenues from those who pawn their jewelry and wages and live on Democratic promises.

Next come the ship brokers. They got off easier; only $20 apiece for them. Then the custom brokers, $10 apiece. And then, lo and behold, he went to the picture show and to the theater and to the museum. Think of this Government going about in the small country towns asking the picture-show men for $10 apiece with which to help pay expenses. The movie men in towns and villages of between 1,000 and 2,000 population will pay $15 each and those in towns and cities of from 2,000 to 3,000 population $20 each; but the order changes when the genial chairman of the Ways and Means Committee looks upon the movie men in the towns and cities of 3,000 population and over. There is no tax for them such as their fellows just mentioned are to enjoy. The bill provides "that those located in a city, town, or village having a population in excess of 3,000 shall pay one-half of 1 per centum of their gross receipts from admission."

Let us consider for a moment what that tax will mean. Under the present law the maximum for the theater or movie is $100. Under this provision some of the theatrical and movie men will be forced to pay literally hundreds of dollars annually into the Treasury of the United States. This policy of levying special Government taxes upon those institutions which are already heavily taxed by the municipalities and States is as unjust and unfair as is the stamp tax which you propose to repeal. The picture-show business of this country is being called upon to bear a constantly increasing share of the burden of taxation in the communities and States. This, the popular theater of America to-day, is one of our greatest educational institutions, and should be fostered. It is the one place of amusement where the cost to its patrons is sufficiently low to permit the classes and the masses to attend. We have no moral right to so tax this place of recreation, amusement, and education that the proprietors will be forced to put up the price in order to operate it. To lay an undue burden of taxation upon the recreational institutions of the people is just as detrimental to the body social as it is to lay unnecessary and unjust taxes upon the other necessaries of life. Just here I will insert a few articles from the Moving Picture World to give you some idea as to what the movie men are being called upon to meet locally:

NEW NORFOLK ORDINANCE—NEW LICENSE TAX BECOMES EFFECTIVE MAY 17—CHARGES FOR PICTURE THEATERS OF 350 OR LESS ARE $100 A YEAR; FOR MORE THAN 350 SEATS, $150 A YEAR—PENALTIES AND ADDITIONS FOR DELAY IN MAKING PAYMENTS.

[By Clarence L. Linz, special correspondent, 635 Tenth Street NE., Washington, D. C.]

NORFOLK, VA.

The new license tax ordinance, adopted by the board of aldermen and the city council, and approved by the mayor on April 25, became effective the 1st of this month, and provides the taxes to be assessed during the ensuing year.

The new ordinance provides that no person shall engage in any business in the city of Norfolk for which a license is required by the laws of the Commonwealth or the ordinances of the city without first having applied for and obtained such license. The paragraphs pertaining to the theatrical business are as follows:

"121. Every proprietor or occupier of a public theater or other public rooms, fitted for public exhibitions, where no admission fee is charged, shall pay $500 per year or portion of a year for the privilege.

"122. Penny arcades or automatic theaters in which pictures are shown or music played, or both, by means of slot machines, $100. Not prorated.

MOVING-PICTURE LICENSE FEES.

"123. Every person furnishing entertainment by the use of moving pictures, where an admission fee is charged, shall pay a license tax of $100 for each place where the seating capacity thereof is 350 or less and $150 for each place where the seating capacity thereof is over 350.

"124. Every person furnishing entertainment by the use of moving pictures, where an admission fee is charged, and publicly advertises the said business by means of a phonograph, or other musical or noise-producing instrument, device, or method, whether inside or outside of the building—for each such place of entertainment, $300 per year.

"125. On other theatrical performances or any performances similar thereto, panorama, or any public performance or exhibition of any kind where an admission fee is charged, $10 for each performance or $20 for each week of said performance; but any theater which desires so to do may take an annual license, in which event the same shall be taxed as follows: All theaters charging not more than 30 cents per seat shall pay $200 per annum; any theater charging not more than 75 cents per seat shall pay $300; and any theater charging over 75 cents per seat shall pay $350 per annum. The above prices to include price of box seats, payable in advance. Not prorated.

"No license, however, shall be charged when the whole of the net proceeds are applied for religious or charitable purposes.

"126. Any person other than the manager, proprietor, or his agent, of a duly licensed place of amusement who sells tickets entitling the holder thereof to admission to a theater or other licensed place of public amusement shall pay a license tax of $50 per year or any part of a year."

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MARYLAND LICENSES—STATE COMPTROLLER HUGH MCMULLEN HAS DRAFTED NEW SET OF REVENUE LAWS OF INTEREST TO THEATERS—ANNUAL LICENSE FEES INCREASED—RATES SET BY SEATING CAPACITY—PERFORMERS ALSO TAXED.

[By J. M. Shellman, special correspondent, 1892 Mount Royal Terminal Baltimore, Md.]

BALTIMORE, MD.

State Comptroller Hugh A. McMullen, of Maryland, has drafted a new set of revenue laws which will become effective June 1. By this new set of laws theaters of all descriptions, actors, vaudeville performers, circus riders, etc., will be subjected to the tax, as will many other lines of business. Approximately $800,000, it is estimated, each year will be added to the State treasury.

The provisions in the new laws are as follows:

"Moving-picture theaters (per annum fees), seating capacity less than 200, $15; seating capacity of more than 200 and less than 300, $30. This tax is on the ascending scale, the highest tax being $100 for theaters having a seating capacity of 1,000. In cases in which the exhibitions do not exceed three each week, the fee shall be one-half that for theaters giving a performance each week day. In cases in which the exhibitions are given in conjunction with the sale of patent medicines the license fee is $50 per week.

"Any person or company of stage players, ventriloquists, sleight-of-hand performers, rope dancers, tumblers, and wire dancers, $50 per annum, or $2 for each exhibition in each county.

"Circus riders or equestrian performers, $50 per annum in each county.

"Animal shows or natural or artificial curiosities, $20 per annum in each county.

"Each theater in Baltimore, $200 per annum, issued ratably, or $5 for each night of performance, for license to exhibit as ventriloquists, etc.; for circus or equestrian performers, $100 per annum; to exhibit animals, curiosities, etc., $50 per annum."

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KANSAS CITY LICENSE FEES—FIFTEEN THEATER MANAGERS APPEAR BEFORE CITY FINANCE COMMITTEE AND ASK FOR REDUCTION IN THE COST OF YEARLY LICENSES—NOW HAVE TO PAY $100, BUT ASK THAT IT BE MADE $12.50, THE AVERAGE COST OF TRADE LICENSES.

[Special to Moving Picture World from Kansas City News Service.]

KANSAS CITY, MO.

One of the most important movements undertaken by the exhibitors of Kansas City was recently launched when the managers of 15 very prominent suburban theaters went before the finance committees of the upper and lower council in an effort to have the cost of their license fee reduced. The 1st of July is the date when all such will be renewed, and this action is taken so that when this date comes the moving picture theater owners will be able to realize on their efforts.

The fee is now $100 per year, one of the largest required for any business in Kansas City. The plea of the owners was that this be reduced to $12.50, the average amount required for any trade. In the lower house their request was granted, and the finance committee of that body agreed to support any ordinance decreasing the fee. The members of the upper house committee said the best they could do would be to cut the license in half, making it $50, and that their action would have to depend on the view taken by Mayor Edwards. If he was of the opinion that the city could not do without the revenue thus derived they could not favor it. However, it is believed that the efforts of the managers will be successful to the extent that the license will be reduced to $50, as suggested by the upper house. The matter is now in the hands of the mayor, after which it will be voted on in the houses, following the introduction of an ordinance.

John G. Hiatt, manager of the Gladstone Theater, acted as chairman of the committee which made the protest.

Now add to this this increased Government tax, and you will begin to realize the positive injustice to the movie proprietors and to the patrons of these places. This proposed increase has been sprung so suddenly that the parties affected will not have opportunity to enter their general protest. However, I insert at this point a letter from Mr. William P. Herbst, president of the Circle Amusement Co., of Washington, D. C., which clearly states the case:

CIRCLE AMUSEMENT CO. (INC.),
Washington, D. C., July 6, 1916.

Hon. JACOB E. MEEKER, M. C.,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: Permit me to present my views relative to the proposed tax on the gross receipts of theaters, etc., as included in the general revenue bill introduced by Hon. CLAUDE KITCHIN.

Moving pictures are distinctly a "poor people's" amusement, and an increased tax under the present high cost of doing business will

necessitate an increase in the price of admission to the shows patronized by that class of people who can ill afford to pay more. The sphere of the "movies" has been primarily to not only amuse but educate just these people whom the high cost of living prevents from paying fancy prices for this amusement and education. The 5-cent show admittedly has been an important factor in the uplift of the community through its power of education. Continued taxation will eventually put the popular "nickel" show beyond the reach of the people. When the admission is raised to 10, 15, and 25 cents, beyond the reach of these poor people, it is but natural that the communities that have felt the influence for good in the "movies" will simply revert to the old order of things, instead of having the united family enjoying an amusement within their means.

On the other hand, in behalf of the exhibitors, will say that I do not deem it compatible with the best interests of the country to hinder the growth of a business as vast as the moving-picture industry by heavy and, to say the least, unjust taxation. The present cost of doing business is very high. In fact were the proposed tax on gross receipts enforced, in the present condition of the country, many exhibitors would be forced to pay revenue when their receipts were actually below their expenses. It is not difficult to see the unfairness of this.

Many of the moving-picture houses throughout the country are controlled by small corporations, and as such they are already paying an income tax upon their gross profits. In addition to this they are burdened with the emergency internal-revenue tax, their local license fees, their real estate and equipment taxes. All throughout the country, city, and State taxes are already heavy, and additional burdens will work a hardship upon the "movie man" who, contrary to general belief, is making but a very small profit in comparison to the amount of investment.

I trust you will see the justice of these views and be governed accordingly.

Believe me, with expressions of esteem,

Sincerely, yours,

WILLIAM P. HERBST, *President.*

From the theater and the movie the chairman goes to the circus. To show what he proposes to do to them I insert here the circus section of the bill:

Seventh. The proprietor or proprietors of circuses shall pay $100. Every building, space, tent, or area where feats of horsemanship or acrobatic sports or theatrical performances not otherwise provided for in this section are exhibited shall be regarded as a circus: *Provided,* That no special tax paid in one State, Territory, or the District of Columbia shall exempt exhibitions from the tax in another State, Territory, or the District of Columbia, and but one special tax shall be imposed for exhibitions within any one State, Territory, or District.

The only reason conceivable for Uncle Sam passing the hat at the circus is that this administration itself is a three-ring circus, with the gentleman at the White House the acrobat in chief, and circus legislation is therefore in order. [Applause on the Republican side.]

From there the chairman of the committee went to the other public exhibitions and shows and they looked good for $10 apiece. Then he hied himself away to the bowling alleys and billiard halls, where he levied $5 on each and every bowling alley and each and every billiard table. What statesmanship is this! What profound thought must have been required! Uncle Sam the itinerant tax gatherer from circuses, pawnbrokers, billiard halls and bankers! Can you tell me why, after the banker has paid his corporation tax and his income tax, that he should be singled out and made to pay a special tax of $1 for each thousand of capital and undivided profits, while his neighbor merchant and farmer friend of equal or possibly greater wealth is permitted to go scott free? Gentlemen, such procedure does not indicate statesmanship nor can this be called a big bill. It is a jitney. [Laughter.] This is jitney legislation, and nothing more. [Laughter.]

What is there in this bill to warrant any business man or manufacturer to invest a single dollar in new enterprises? Do you believe that when the business men of the country learn the provisions embodied in this bill that there will be a revival or an increase in business confidence? Do you men believe that by voting for the bill you will inspire confidence on the part of the business men of this country in the sound business judgment of the members of this Congress? Do you men on the Republican side believe that because you are put up against a buzz saw called "preparedness emergency" that you should give your indorsement to the Democratic free-trade method of raising revenue? Are you ready to vote for an increase of direct taxes upon men of cities throughout the Nation, while there is practically not one additional dollar to be raised at the customs houses; the places where Uncle Sam should gather his money and the place where he should get plenty now, and at the same time protect our home working men and manufacturers? Do you Republicans who are going to vote for this bill concede that you are willing to turn from the Government custom houses to the picture shows, the billiard and pool halls, theaters and circuses in order to get money to run our Government? I do not believe we should.

The antidumping clause in this bill is a confession of fear on the part of the Democrats that with the close of the war in Europe this Nation will be flooded with cheap goods. Do you propose to check that flood by enacting a cumbersome, unworkable scheme, rather than by placing a tariff on these articles sufficient to make them harmless as competitors in our own markets and to help maintain the operating expenses of our Government as well? [Applause on the Republican side.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. MEEKER. Mr. Chairman, I wish to extend my remarks by inserting herewith the following monthly report of the International Shoe Co., of St. Louis, showing the business done in their three branches, from October 1, 1913, on, which is as follows:

October 1, 1913.

ROBERTS, JOHNSON & RAND, BRANCH INTERNATIONAL SHOE CO.

ACTUAL SHIPMENTS TO CUSTOMERS.

Shipments for September, 1913	$1,250,161.49
Shipments for September, 1912	1,183,649.08
Gain for September	66,512.41
Shipments from Dec. 10, 1912, to Sept. 30, 1913, inclusive	12,094,078.84
Shipments from Dec. 10, 1911, to Sept. 30, 1912, inclusive	11,405,496.06
Gain for 9 months and 21 days	688,582.78

Fiscal year closes Dec. 10, 1913.

PETERS SHOE SHIPMENTS.

Peters' Branch International Shoe Co. shows a gain of $1,271,000 in 4 months and 21 days.

Shipments for September, 1913	$746,048.38
Shipments for September, 1912	669,593.29
Gain for September	76,455.96
Shipments from Dec. 10, 1912, to Sept. 30, 1913, inclusive	7,442,905.96
Shipments from Dec. 10, 1911, to Sept. 30, 1912, inclusive	6,171,747.74
Gain for 9 months and 21 days	1,271,158.22

Fiscal year closes Dec. 10, 1913.

FRIEDMAN-SHELBY, BRANCH INTERNATIONAL SHOE CO.

ACTUAL SHIPMENTS TO CUSTOMERS.

Shipments for September, 1913	$376,641.67
Shipments for September, 1912	306,190.56
Gain for September	70,451.11
Shipments from Dec. 10, 1912, to Sept. 30, 1913, inclusive	3,075,581.28
Shipments from Dec. 10, 1911, to Sept. 30, 1912, inclusive	2,988,522.13
Gain for 9 months and 21 days	87,059.15

Fiscal year closes Dec. 10, 1913.

November 1, 1913.

PETERS SHOE SHIPMENTS.

SHIPMENTS ALL MADE FROM ST. LOUIS TO REGULAR CUSTOMERS.

Peters branch of the International Shoe Co. shows a gain of a million three hundred and eighty-one thousand dollars in 10 months and 22 days:

Shipments for October, 1913	$903,347.89
Shipments for October, 1912	793,272.96
Gain for October	109,974.93
Shipments from Dec. 10, 1912, to Oct. 31, 1913, inclusive	8,346,782.42
Shipments from Dec. 10, 1911, to Oct. 31, 1912, inclusive	6,965,020.70
Gain for 10 months and 22 days	1,381,761.72

Fiscal year closes Dec. 10, 1913.

FRIEDMAN-SHELBY, BRANCH INTERNATIONAL SHOE CO.

ACTUAL SHIPMENTS TO CUSTOMERS.

Shipments for October, 1913	$408,053.70
Shipments for October, 1912	355,678.04
Gain for October	52,375.66
Shipments from Dec. 10, 1912, to Oct. 31, 1913, inclusive	3,483,634.98
Shipments from Dec. 10, 1911, to Oct. 31, 1912, inclusive	3,344,200.17
Gain for 10 months and 21 days	139,434.81

Fiscal year closes Dec. 10, 1913.

December 1, 1913.

ROBERTS, JOHNSON & RAND, BRANCH INTERNATIONAL SHOE CO.

ACTUAL SHIPMENTS TO CUSTOMERS.

Shipments for November, 1913	$957,851.30
Shipments for November, 1912	1,040,455.91
Loss for November	82,604.61
Shipments from Dec. 10, 1912, to Nov. 30, 1913, in	14,392,776.43
Shipments from Dec. 10, 1911, to Nov. 30, 1912, inc	13,796,383.13
Gain for 11 months and 21 days	596,393.30

PETERS SHOE CO.

Peters branch of the International Shoe Co. shows a gain of a million four hundred and thirty-three thousand dollars in 11 months and 21 days:

Shipments for November, 1913	$690,085.47
Shipments for November, 1912	639,632.00
Gain for November	50,453.47
Shipments from Dec. 10, 1912, to Nov. 30, 1913, inclusive	9,039,213.31
Shipments from Dec. 10, 1911, to Nov. 30, 1912, inclusive	7,606,066.85
Gain for 11 months and 21 days	1,433,146.46

FRIEDMAN-SHELBY, BRANCH INTERNATIONAL SHOE CO.

ACTUAL SHIPMENTS TO CUSTOMERS.

Shipments for November, 1913	$310,015.91
Shipments for November, 1912	299,142.09
Gain for November	10,873.82
Shipments from Dec. 10, 1912, to Nov. 30, 1913, inclusive	3,793,650.89
Shipments from Dec. 10, 1911, to Nov. 30, 1912, inclusive	3,643,342.26
Gain for 10 months and 21 days	150,308.63

January 1, 1914.

ROBERTS, JOHNSON & RAND, BRANCH INTERNATIONAL SHOE CO.

ACTUAL SHIPMENTS TO CUSTOMERS.

Shipments for December, 1913	$1,554,216.35
Shipments for December, 1912	1,544,008.91
Gain for December	10,207.54

Fiscal year closes Dec. 1, 1914.

PETERS SHOE CO.

SHIPMENTS OF PETERS BRANCH OF THE INTERNATIONAL SHOE CO. TO REGULAR CUSTOMERS.

Shipments for December, 1913	$860,557.90
Shipments for December, 1912	858,299.74
Gain for December	2,258.16

Fiscal year closes Dec. 1, 1914.

FRIEDMAN-SHELBY BRANCH INTERNATIONAL SHOE CO.

Shipments for December, 1913	$425,978.95
Shipments for December, 1912	325,537.85
Gain for December	100,441.10

Fiscal year closes Dec. 1, 1914.

February 1, 1914.

ROBERTS, JOHNSON & RAND, BRANCH INTERNATIONAL SHOE CO.

ACTUAL SHIPMENTS TO CUSTOMERS.

Shipments for January, 1914	$1,355,519.92
Shipments for January, 1913	1,268,410.18
Gain for January	87,109.74
Shipments from Dec. 1, 1913, to Jan. 31, 1914, inclusive	2,209,736.27
Shipments from Dec. 1, 1912, to Jan. 31, 1913, inclusive	2,812,418.99
Gain for two months	97,317.28

Fiscal year closes Dec. 1, 1914.

PETERS SHOE SHIPMENTS.

SHIPMENTS OF THE PETERS BRANCH OF THE INTERNATIONAL SHOE CO. TO REGULAR CUSTOMERS.

Shipments for January, 1914	$802,415.76
Shipments for January, 1913	800,240.48
Gain for January	2,175.28
Shipments from Dec. 1, 1912, to Jan. 31, 1914, inclusive	1,662,973.66
Shipments from Dec. 1, 1912, to Jan. 31, 1913, inclusive	1,658,540.22
Gain for 2 months	4,433.44

FRIEDMAN-SHELBY BRANCH INTERNATIONAL SHOE CO.

Shipments for January, 1914	$387,457.98
Shipments for January, 1913	337,293.94
Gain for January	50,164.04
Shipments from Dec. 1, 1913, to Jan. 31, 1914, inclusive	813,436.93
Shipments from Dec. 1, 1912, to Jan. 31, 1913, inclusive	662,831.79
Gain for 2 months	150,605.14

Fiscal year closes Dec. 1, 1914.

March 1, 1914.

ROBERTS, JOHNSON & RAND, BRANCH INTERNATIONAL SHOE CO.

ACTUAL SHIPMENTS TO CUSTOMERS.

Shipments for February, 1914	$1,064,021.14
Shipments for February, 1913	1,111,851.31
Loss for February	47,830.17
Shipments from Dec. 1, 1913, to Feb. 28, 1914, inclusive	3,973,757.41
Shipments from Dec. 1, 1912, to Feb. 28, 1913, inclusive	3,924,270.30
Gain for 3 months	49,487.11

Fiscal year closes Dec. 1, 1914.

PETERS SHOE SHIPMENTS.

SHIPMENTS OF THE PETERS BRANCH OF THE INTERNATIONAL SHOE CO. TO REGULAR CUSTOMERS.

Shipments for February, 1914	$803,200.07
Shipments for February, 1913	800,489.56
Gain for February	2,710.51
Shipments from Dec. 1, 1913, to Feb. 28, 1914, inclusive	2,466,173.73
Shipments from Dec. 1, 1912, to Feb. 28, 1913, inclusive	2,459,029.70
Gain for three months	7,143.95

FRIEDMAN-SHELBY.

A healthy increase is shown for the first quarter of the fiscal year for the Friedman-Shelby branch of the International Shoe Co.:

Shipments for February, 1914	$307,171.37
Shipments for February, 1913	231,747.50
Gain for February	75,423.87
Shipments from Dec. 1, 1913, to Feb. 28, 1914, inclusive	1,120,608.30
Shipments from Dec. 1, 1912, to Feb. 28, 1913, inclusive	894,579.29
Gain for 3 months	226,029.01

Fiscal year closes Dec. 1, 1914.

April 1, 1914.

ROBERTS, JOHNSON & RAND, BRANCH INTERNATIONAL SHOE CO.

ACTUAL SHIPMENTS TO CUSTOMERS.

Shipments for March, 1914	$911,231.41
Shipments for March, 1913	1,102,961.13
Loss for March	191,729.72
Shipments from Dec. 1, 1913, to Mar. 31, 1914, inclusive	4,884,988.82
Shipments from Dec. 1, 1912, to Mar. 31, 1913, inclusive	5,027,231.43
Loss for 4 months	142,242.61

Fiscal year closes Dec. 1, 1914.

PETERS SHOE SHIPMENTS.

For the first time in two years the shipments of the Peters branch of the International Shoe Co. shows a loss for a month:

Shipments for March, 1914	$632,064.74
Shipments for March, 1913	725,234.78
Loss for March	92,570.04
Shipments from Dec. 1, 1913, to Mar. 31, 1914, inclusive	3,098,838.47
Shipments from Dec. 1, 1912, to Mar. 31, 1913, inclusive	3,184,264.56
Loss on the year to date	85,426.09

FRIEDMAN-SHELBY SHIPMENTS.

Gratifying increase for March and for the first four months of the fiscal year is shown by the Friedman-Shelby branch of the International Shoe Co.:

Shipments for March, 1914	$265,256.82
Shipments for March, 1913	254,929.58
Gain for March	10,327.24
Shipments from Dec. 1, 1913, to Mar. 31, 1914, inclusive	1,385,865.12
Shipments from Dec. 1, 1912, to Mar. 31, 1913, inclusive	149,508.87
Gain for four months	236,356.25

Fiscal year closes Dec. 1, 1914.
No report May 1, 1914.

June 1, 1914.

ROBERTS, JOHNSON & RAND, BRANCH INTERNATIONAL SHOE CO.

ACTUAL SHIPMENTS TO CUSTOMERS.

Shipments for May, 1914	$1,671,189.17
Shipments for May, 1913	1,804,617.46
Loss for May	133,428.29
Shipments from Dec. 1, 1913, to May 31, 1914, inclusive	7,296,486.81
Shipments from Dec. 1, 1912, to May 31, 1913, inclusive	7,631,987.16
Loss for 6 months	335,518.35

Fiscal year closes Dec. 1, 1914.

PETERS SHOE SHIPMENTS.

SHIPMENTS OF PETERS BRANCH OF THE INTERNATIONAL SHOE CO. TO ACTUAL CUSTOMERS.

Shipments for May, 1914	$925,013.10
Shipments for May, 1913	1,002,834.96
Loss for May	77,821.86
Shipments from Dec. 1, 1913, to May 31, 1914, inclusive	4,554,588.76
Shipments from Dec. 1, 1912, to May 31, 1913, inclusive	4,745,925.20
Loss for 6 months	191,336.44

Fiscal year closes Dec. 1, 1914.

FRIEDMAN-SHELBY SHIPMENTS.

Gain for the first six months of the second fiscal year shown by the Friedman-Shelby branch of the International Shoe Co. Loss for month of May is first for past nine months.

Shipments for May, 1914	$415,715.20
Shipments for May, 1913	537,215.37
Loss for May	121,500.17
Shipments from Dec. 1, 1913, to May 31, 1914, inclusive	2,022,255.05
Shipments from Dec. 1, 1912, to May 31, 1913, inclusive	1,850,137.21
Gain for 6 months	172,117.84

Fiscal year closes Dec. 1, 1914.
No report July 1, 1914.

August 1, 1914.

ROBERTS, JOHNSON & RAND, BRANCH INTERNATIONAL SHOE CO.

ACTUAL SHIPMENTS TO CUSTOMERS.

Shipments for July, 1914	$1,112,206.14
Shipments for July, 1913	1,107,098.98
Gain for July	5,107.16
Shipments from Dec. 1, 1913, to July 31, 1914, inclusive	9,520,237.88
Shipments from Dec. 1, 1912, to July 31, 1913, inclusive	10,050,066.26
Loss for 8 months	529,828.38

Fiscal year closes Dec. 1, 1914.

PETERS SHOE SHIPMENTS.

SHIPMENTS OF PETERS BRANCH OF THE INTERNATIONAL SHOE CO. TO REGULAR CUSTOMERS.

Shipments for July, 1914	$646,230.76
Shipments for July, 1913	642,924.37
Gain for July	3,306.39
Shipments from Dec. 1, 1913, to July 31, 1914, inclusive	5,848,060.48
Shipments from Dec. 1, 1912, to July 31, 1913, inclusive	6,160,532.25
Loss for 8 months	312,471.77

Fiscal year closes Dec. 1, 1914.

FRIEDMAN-SHELBY.

Gain in July shipments, although small, is gratifying, as it maintains a fair increase on the fiscal year to date.

Shipments for July, 1914	$286,898.57
Shipments for July, 1913	282,808.14
Gain for July	4,090.43
Shipments from Dec. 1, 1913, to July 31, 1914, inclusive	2,574,911.03
Shipments from Dec. 1, 1912, to July 31, 1913, inclusive	2,474,288.05
Gain for 8 months	100,622.98

Fiscal year closes Dec. 1, 1914.

September 1, 1914.

ROBERTS, JOHNSON & RAND, BRANCH INTERNATIONAL SHOE CO.

ACTUAL SHIPMENT TO CUSTOMERS.

Shipments for August, 1914	$853,455.93
Shipments for August, 1913	1,000,143.50
Loss for August	146,687.57
Shipments from Dec. 1, 1913, to Aug. 31, 1914, inclusive	10,373,693.81
Shipments from Dec. 1, 1912, to Aug. 31, 1913, inclusive	11,050,209.76
Loss for 9 months	676,515.95

Fiscal year closes Dec. 1, 1914.

PETERS SHOE CO.

SHIPMENTS OF THE PETERS BRANCH OF THE INTERNATIONAL SHOE CO. TO REGULAR CUSTOMERS.

Shipments for August, 1914	$514,350.45
Shipments for August, 1913	677,098.30
Loss for August	162,738.85
Shipments from Dec. 1, 1913, to Aug. 31, 1914, inclusive	6,362,419.93
Shipments from Dec. 1, 1912, to Aug. 31, 1913, inclusive	6,837,630.55
Loss for 9 months	475,210.62

Fiscal year closes Dec. 1, 1914.

FRIEDMAN-SHELBY.

Loss in August shipment reported, although the record shows small lead on fiscal year to date.

Shipments for August, 1914	$272,756.95
Shipments for August, 1913	292,303.73
Loss for August	19,546.78
Shipments from Dec. 1, 1913, to Aug. 31, 1914, inclusive	2,847,667.96
Shipments from Dec. 1, 1912, to Aug. 31, 1913, inclusive	2,776,591.76
Gain for 9 months	81,076.20

Fiscal year closes Dec. 1, 1914.

October 1, 1914.

ROBERTS, JOHNSON & RAND, BRANCH INTERNATIONAL SHOE CO.

ACTUAL SHIPMENTS TO CUSTOMERS.

Shipments for September, 1914	$1,083,286.80
Shipments for September, 1913	1,250,161.49
Loss for September	166,892.69
Shipments from Dec. 1, 1913, to Sept. 30, 1914, inclusive	11,456,692.61
Shipments from Dec. 1, 1912, to Sept. 30, 1913, inclusive	12,300,371.25
Loss for 10 months	43,408.64

Fiscal year closes Dec. 1, 1914.

PETERS SHOE SHIPMENTS.

SHIPMENTS OF PETERS BRANCH OF THE INTERNATIONAL SHOE CO. TO REGULAR CUSTOMERS.

Shipments for September, 1914	$671,787.72
Shipments for September, 1913	746,676.95
Loss for September	74,889.23
Shipments from Dec. 1, 1913, to Sept. 30, 1914, inclusive	7,034,207.65
Shipments from Dec. 1, 1912, to Sept. 30, 1913, inclusive	7,584,307.50
Loss for 10 months	550,099.85

Fiscal year closes Dec. 1, 1914.

FRIEDMAN-SHELBY SHIPMENTS.

Shipments for September, 1914	$295,816.98
Shipments for September, 1913	376,641.67
Loss for September	80,824.69
Shipments from Dec. 1, 1913, to Sept. 30, 1914, inclusive	3,143,484.94
Shipments from Dec. 1, 1912, to Sept. 30, 1913, inclusive	3,143,233.43
Gain for 10 months	251.51

Fiscal year closes Dec. 1, 1914.

November 1, 1914.

ROBERTS, JOHNSON & RAND, BRANCH INTERNATIONAL SHOE CO.

ACTUAL SHIPMENTS TO CUSTOMERS.

Shipments for October, 1914	$874,043.06
Shipments for October, 1913	1,340,846.29
Loss for October	466,803.23
Shipments from Dec. 1, 1913, to Sept. 30, 1914, inclusive	12,331,005.67
Shipments from Dec. 1, 1912, to Sept. 30, 1913, inclusive	13,641,217.54
Loss for 11 months	1,310,211.87

Fiscal year closes Dec. 1, 1914.

PETERS SHOE SHIPMENTS.

SHIPMENTS OF PETERS BRANCH OF THE INTERNATIONAL SHOE CO. TO REGULAR CUSTOMERS.

Shipments for October, 1914	$638,350.23
Shipments for October, 1913	904,682.36
Loss for October	266,332.13
Shipments from Dec. 1, 1913, to Oct. 31, 1914, inclusive	7,672,557.88
Shipments from Dec. 1, 1912, to Oct. 31, 1913, inclusive	8,488,989.66
Loss for 11 months	816,431.78

Fiscal year closes Dec. 1, 1914.

FRIEDMAN-SHELBY SHIPMENTS.

Losses of this branch during September and October, caused solely by the European disturbance, has turned the previous 9 months' gain into a loss.

Shipments for October, 1914	$223,669.82
Shipments for October, 1913	408,053.70
Loss for October	184,383.88
Shipments from Dec. 1, 1913, to Oct. 31, 1914, inclusive	3,367,154.76
Shipments from Dec. 1, 1912, to Oct. 31, 1913, inclusive	3,551,287.13
Loss for 11 months	184,132.37

Fiscal year closes Dec. 1, 1914.
No report for Dec. 1, 1914.

January 1, 1915.

ROBERTS, JOHNSON & RAND, BRANCH INTERNATIONAL SHOE CO.

ACTUAL SHIPMENTS TO CUSTOMERS.

Shipments for December, 1914	$1,367,410.31
Shipments for December, 1913	1,554,216.35
Loss for December	186,806.04

Fiscal year closes Dec. 1, 1915.

PETERS'S SHOE SHIPMENTS.

SHIPMENT OF PETERS'S BRANCH OF INTERNATIONAL SHOE CO. TO REGULAR CUSTOMERS.

Shipments for December, 1914	$763,055.48
Shipments for December, 1913	860,557.90
Loss for December	97,502.42

Fiscal year closes Dec. 1, 1915.

FRIEDMAN-SHELBY SHIPMENTS.

Shipments for December, 1914	$366,659.93
Shipments for December, 1913	425,978.95
Loss for December	59,289.02

Fiscal year closes Dec. 1, 1915.

February 1, 1915.

ROBERTS, JOHNSON & RAND, BRANCH INTERNATIONAL SHOE CO.

ACTUAL SHIPMENTS TO CUSTOMERS.

Shipments for January, 1915	$995,831.86
Shipments for January, 1914	1,355,519.92
Loss for January	359,688.06
Shipments from Dec. 1, 1914 to Jan. 31, 1915, inclusive	2,363,242.17
Shipments from Dec. 1, 1913, to Jan. 31, 1914, inclusive	2,909,736.27
Loss for 2 months	546,494.10

Fiscal year closes Dec. 1, 1915.

PETERS'S SHOE SHIPMENTS.

SHIPMENTS OF PETERS'S BRANCH OF INTERNATIONAL SHOE CO. TO REGULAR CUSTOMERS.

Shipments for January, 1915	$616,133.41
Shipments for January, 1914	802,415.76
Loss for January	186,282.35
Shipments from Dec. 1, 1914, to Jan. 31, 1915, inclusive	1,379,188.89
Shipments from Dec. 1, 1913, to Jan. 31, 1914, inclusive	1,662,973.66
Loss for 2 months	283,784.77

Fiscal year closes Dec. 1, 1915.

FRIEDMAN-SHELBY SHIPMENTS.

Shipments for January, 1915	$256,787.58
Shipments for January, 1914	387,457.98
Loss for January	130,670.40
Shipments from Dec. 1, 1914, to Jan. 31, 1915, inclusive	623,477.51
Shipments from Dec. 1, 1913, to Jan. 31, 1914, inclusive	813,436.93
Loss for 2 months	189,959.42

Fiscal year closes Dec. 1, 1915.

March 1, 1915.

INTERNATIONAL SHOE CO., ST. LOUIS, MO., SHIPMENTS.

	From Dec. 1, 1914, to Feb. 28, 1915, inclusive.	From Dec. 1, 1913, to Feb. 28, 1914, inclusive.	Loss.
Roberts, Johnson & Rand	$3,153,010.52	$3,973,757.41	$820,746.89
Peters branch	1,886,115.80	2,466,173.73	580,057.93
Friedman-Shelby branch	830,992.15	1,120,608.30	289,616.15
Total	5,870,118.47	7,560,539.44	1,690,420.97

April 1, 1915.

ROBERTS, JOHNSON & RAND, BRANCH INTERNATIONAL SHOE CO.

ACTUAL SHIPMENTS TO CUSTOMERS.

Shipments for March, 1915	$875,135.14
Shipments for March, 1914	911,231.41
Loss for March	36,095.27
Shipments from Dec. 1, 1914, to Mar. 31, 1915, inclusive	4,028,146.66
Shipments from Dec. 1, 1913, to Mar. 31, 1914, inclusive	4,884,988.82
Loss for 4 months	856,842.16

Fiscal year closes Dec. 1, 1915.

PETERS SHOE SHIPMENTS.

Shipments show a gain for March.

Shipments for March, 1915	$642,840.43
Shipments for March, 1914	632,664.74
Gain for March	10,175.69
Shipments from Dec. 1, 1914, to Mar. 31, 1915, inclusive	2,528,956.23
Shipments from Dec. 1, 1913, to Mar. 31, 1914, inclusive	3,098,838.47
Loss for 4 months	569,882.24

Fiscal year closes Dec. 1, 1915.

FRIEDMAN-SHELBY SHIPMENTS.

Improving conditions make March loss small, and gains for April and thereafter are expected.

Shipments for March, 1915	$237,096.10
Shipments for March, 1914	265,256.82
Loss for March	28,160.72
Shipments from Dec. 1, 1914, to Mar. 31, 1915, inclusive	1,068,088.25
Shipments from Dec. 1, 1913, to Mar. 31, 1914, inclusive	1,385,865.12
Loss for 4 months	317,776.87

Fiscal year closes Dec. 1, 1915.
No report May 1, 1915.
No report June 1, 1915.

July 1, 1915.

ROBERTS, JOHNSON & RAND BRANCH INTERNATIONAL SHOE CO.

ACTUAL SHIPMENTS TO CUSTOMERS.

Shipments for June, 1915	$808,477.32
Shipments for June, 1914	1,111,562.93
Loss for June	303,085.61
Shipments from Dec. 1, 1914, to June 30, 1915, inclusive	7,073,515.41
Shipments from Dec. 1, 1913, to June 30, 1914, inclusive	8,408,031.74
Loss for 7 months	1,334,516.33

Fiscal year closes Dec. 1, 1915.

PETERS SHOE SHIPMENTS.

SHIPMENTS OF PETERS BRANCH OF INTERNATIONAL SHOE CO. TO REGULAR CUSTOMERS.

Shipments for June, 1915	$518,216.51
Shipments for June, 1914	647,240.96
Loss for June	129,024.45
Shipments from Dec. 1, 1914, to June 30, 1915, inclusive	4,374,573.44
Shipments from Dec. 1, 1913, to June 30, 1914, inclusive	5,201,829.72
Loss for 7 months	827,256.28

Fiscal year closes Dec. 1, 1915.

FRIEDMAN-SHELBY SHIPMENTS.

Gain for June following that of May makes a gratifying report. Optimistic crop outlook should insure continuation of month's gain.

Shipments for June, 1915	$276,004.64
Shipments for June, 1914	265,757.39
Gain for June	10,247.25
Shipments from Dec. 1, 1914, to June 30, 1915, inclusive	1,976,171.16
Shipments from Dec. 1, 1913, to June 30, 1914, inclusive	2,288,012.44
Loss for 7 months	311,841.28

Fiscal year closes Dec. 1, 1915.

August 1, 1915.

ROBERTS, JOHNSON & RAND, BRANCH INTERNATIONAL SHOE CO.

ACTUAL SHIPMENTS TO CUSTOMERS.

Shipments for July, 1915	$700,746.39
Shipments for July, 1914	1,112,206.14
Loss for July	411,459.75
Shipments from Dec. 1, 1914, to July 31, 1915, inclusive	7,774,261.80
Shipments from Dec. 1, 1913, to July 31, 1914, inclusive	9,520,237.88
Loss for 8 months	1,745,976.08

PETERS SHOE SHIPMENTS.

SHIPMENTS OF PETERS BRANCH OF INTERNATIONAL SHOE CO. TO REGULAR CUSTOMERS.

Shipments for July, 1915	$429,939.08
Shipments for July, 1914	646,230.76
Loss for July	216,291.68
Shipments from Dec. 1, 1914, to July 31, 1915, inclusive	4,804,512.52
Shipments from Dec. 1, 1913, to July 31, 1914, inclusive	5,848,060.48
Loss for 8 months	1,043,547.96

FRIEDMAN-SHELBY BRANCH.

The gain for July, though small, follows gains for May and June.

Shipments for July, 1915	$289,002.55
Shipments for July, 1914	286,898.57
Gain for July	2,103.98
Shipments from Dec. 1, 1914, to July 31, 1915, inclusive	2,265,173.71
Shipments from Dec. 1, 1913, to July 31, 1914, inclusive	2,574,911.01
Loss for 8 months	309,737.30

Fiscal year closes Dec. 1, 1915.

September 1, 1915.

ROBERTS, JOHNSON & RAND, BRANCH INTERNATIONAL SHOE CO.

ACTUAL SHIPMENTS TO CUSTOMERS.

Shipments for August, 1915	$1,053,719.48
Shipments for August, 1914	853,455.93
Gain for August	200,263.55
Shipments from Dec. 1, 1914, to Aug. 31, 1915, inclusive	8,827,981.28
Shipments from Dec. 1, 1913, to Aug. 31, 1914, inclusive	10,373,693.81
Loss for 9 months	1,545,712.53

PETERS SHOE SHIPMENTS.

SHIPMENTS OF PETERS BRANCH OF INTERNATIONAL SHOE CO. TO REGULAR CUSTOMERS.

Shipments for August, 1915	$586,914.57
Shipments for August, 1914	514,359.45
Gain for August	72,555.12
Shipments from Dec. 1, 1914, to Aug. 31, 1915, inclusive	5,391,427.09
Shipments from Dec. 1, 1913, to Aug. 31, 1914, inclusive	6,362,419.93
Loss for 9 months	970,992.84

FRIEDMAN-SHELBY BRANCH.

The month of August records four consecutive monthly gains for this branch.

Shipments for August, 1915	$283,022.37
Shipments for August, 1914	272,756.95
Gain for August	10,265.42
Shipments from Dec. 1, 1914, to Aug. 31, 1915, inclusive	2,548,196.08
Shipments from Dec. 1, 1913, to Aug. 31, 1914, inclusive	2,847,667.96
Loss for 9 months	299,471.88

October 1, 1915.

ROBERTS, JOHNSON & RAND, BRANCH INTERNATIONAL SHOE CO.

SHIPMENTS TO CUSTOMERS.

Shipments for September, 1915	$1,500,623.69
Shipments for September, 1914	1,083,268.80
Gain for September	417,354.89
Shipments from Dec. 1, 1914, to Sept. 30, 1914, inclusive	10,328,604.97
Shipments from Dec. 1, 1913, to Sept. 30, 1915, inclusive	11,456,962.61
Loss for 10 months	1,128,357.64

PETERS SHOE SHIPMENTS TO REGULAR CUSTOMERS.

Shipments for September, 1915	$879,104.17
Shipments for September, 1914	671,787.72
Gain for September	207,316.45
Shipments from Dec. 1, 1914, to Sept. 30, 1915, inclusive	6,270,531.26
Shipments from Dec. 1, 1913, to Sept. 30, 1914, inclusive	7,034,207.65
Loss for 10 months	763,676.39

FRIEDMAN-SHELBY BRANCH.

The month of September shows an encouraging increase, which makes the fifth consecutive monthly gain for this branch.

Shipments for September, 1915	$395,936.36
Shipments for September, 1914	295,816.98
Gain for September	100,119.38
Shipments from Dec. 1, 1914, to Sept. 30, 1915, inclusive	2,944,132.44
Shipments from Dec. 1, 1913, to Sept. 30, 1914, inclusive	3,143,484.94
Loss for 10 months	199,352.50

Fiscal year closes Dec. 1, 1915.

November 1, 1915.

ROBERTS, JOHNSON & RAND (BRANCH INTERNATIONAL SHOE CO.).

ACTUAL SHIPMENTS TO CUSTOMERS.

Shipments for October, 1915	$1,524,439.91
Shipments for October, 1914	874,043.06
Gain for October	650,396.85
Shipments from Dec. 1, 1914, to Oct. 31, 1915, inclusive	11,853,044.88
Shipments from Dec. 1, 1913, to Oct. 31, 1914, inclusive	12,331,005.67
Loss for 11 months	477,960.79

PETERS SHOE SHIPMENTS TO REGULAR CUSTOMERS.

Shipments for October, 1915	$967,412.58
Shipments for October, 1914	638,350.23
Gain for October	329,062.35
Shipments from Dec. 1, 1914, to Oct. 31, 1915, inclusive	7,237,943.84
Shipments from Dec. 1, 1913, to Oct. 31, 1914, inclusive	7,672,557.88
Loss for 11 months	434,614.04

FRIEDMAN-SHELBY BRANCH.

October registers six consecutive monthly gains and overcomes losses made during the early part of the year. With the increasing demand for shoes, November should produce a healthy gain on the year's business.

Shipments for October, 1915	$425,031.65
Shipments for October, 1914	223,669.82
Gain for October	201,361.83
Shipments from Dec. 1, 1914, to Oct. 31, 1915, inclusive	3,369,164.09
Shipments from Dec. 1, 1913, to Oct. 31, 1914, inclusive	3,367,154.76
Gain	2,009.33

Fiscal year closes Dec. 1, 1915.
No report Dec. 1, 1915.

Mr. KITCHIN. Mr. Chairman, how much time has this side consumed, I will ask? And how much time has the other side consumed?

The CHAIRMAN. The gentleman from North Carolina [Mr. KITCHIN] has used 4 fours and 52 minutes. The gentleman from Michigan [Mr. FORDNEY] has used 5 hours and 43 minutes.

Mr. KITCHIN. I have to my credit now 51 minutes. I yield to the gentleman from Indiana [Mr. CLINE] 10 minutes. [Applause.]

The CHAIRMAN. The gentleman from Indiana [Mr. CLINE] is recognized for 10 minutes.

Mr. CLINE. Mr. Chairman, I favor a nonpartisan tariff commission for the same reasons that I favored a new currency system, viz, to steady business, give values once established some permanency under which business can increase in volume as to production and distribution with confidence, and without fear that new legislation will unsettle conditions. Our whole system of customs taxation is said to be based largely upon the cost of production. The Republican Party went so far in recognition of this theory that it wrote into its platform in 1908 that—

> the true principle of protection is best maintained by the imposition of such duties as will equal the difference between the cost of production at home and abroad, together with a reasonable profit to American industries.

It was a pleasing, deceptive, and misleading platform expression, and nothing more. Very many of our exports are produced much cheaper here than abroad, and that is the reason why we can and do sell them in competition with every country in all the markets of the world. The tariff in the magnitude of its importance should bear the same relationship to business that transportation does. Since the Interstate Commerce Commission was organized and the law enforced in general, shippers are not clandestinely seeking rebates and favorable classifications. When a tariff commission shall have been established and the scope of its business generally understood, no protectionist will be quietly maneuvering to get a special rate on his product written into law so that he can proceed unmolested to exploit the general public. What has given rise to this demand, so widespread, for a tariff commission? First, that the public shall have opportunity to know how far great combinations of wealth are authorized to go in asserting a privilege that they have grown to believe has merged into a "vested right," a right to tax one man to make another man's business profitable. I have seen two great tariff bills written into law. In each instance the hotel corridors in Washington were crowded for months with men seeking at the hands of Congress a protected rate for their especial products. No patriotic impulse prompted the action; the country's good and the solution of a great economic problem gave them no concern. All they were interested in was, To what extent will the Congress allow me to exploit the consumer in the sale of what I make by giving me a rate that I can eliminate all competition with and control the market? This condition will always exist so long as there are two great parties equally divided, numerically, and each committed to diametrically opposite views on the tariff. Let me state the position of the two parties, briefly, on the taxing power with reference to import duties:

The Republican Party believes it has the constitutional power to levy a high protective duty, one sufficiently high to eliminate all competition between domestic and foreign manufacturers. That the protective principle in fixing a rate of duty is the controlling purpose and the collection of means to defray the expenses of the Government is a mere incident in fixing a protective rate or duty.

The Democratic Party believes that the sole and only constitutional authority it has to collect customs duties is to collect them for revenue only; that the rate should be sufficiently high and so equitably distributed as to raise only the necessary funds to defray the expenses of the Government honestly and economically administered.

One principle upon which we are united, be we Democrats or Republicans, is that a large amount of the funds necessary to defray the expenses of the Government must be collected at the customhouse from duties on imports. That duty should be a fair and equitable rate, determined when all the elements that enter into rate fixing on a scientific basis shall have been fully considered. Hence the necessity for a permanent nonpartisan tariff commission that will sit in continuous session and will exhaustively take up and consider every item of the present law regardless of the present rate. The tariff should be equitably adjusted, having in view always a properly negotiated reciprocity with other countries. I realize, however, that the negotiation of reciprocal agreements can not be made by a commission; that such negotiations are within the powers of Congress alone; but Congress can act more intelligently after all of the related facts shall have been found by the commission. The commission should have all the constitutional power that Congress could invest it with, and it should provide in the organic act that all its findings should be made public for the information of all the people. The commission, of course, can have no legislative function, and the fact that no such function was contemplated should be made plain in the act creating the commission. The duty to fix the rate is a constitutional duty that Congress can not alienate. There is no intention on the part of Congress to divest itself of it. What this Congress will do will be to take the tariff out of politics and take the politics for many years injected into it by the Republican Party out

of the tariff by providing for the appointment of a nonpartisan tariff commission so far as legislation can accomplish that. A political tariff is so related to party success that the good or bad character of the tariff is discounted before it is enacted, because the people can not tell what will happen to business in the change of administrations. This creates doubt, tension, anxiety, and timidity, all of which is disastrous to business, and gives the commercial world an apprehension that business wants to rid itself of.

A tariff commission would be another antipanic barrier and constitute a valuable supplemental act to the present efficient Federal reserve banking act. Let no man be deceived by the slogan "take the tariff out of politics." Taxation is the greatest economic problem of this country. It will continue to be so, and no tariff commission can wholly change it. Many people conceive the idea that the tariff commission will bring all conflicting theorists to a common basis; that the rankest protectionist and the coldest free trader will bury their differences and agree. Nothing could be farther from the truth. That, however, is not an argument against a tariff commission. With its proper and constitutional limitations it will be a power to reduce the problem of taxation to generally accepted basis and settle it in a near approach to the absolute needs of the Government and trade conditions. Some of the wildest enthusiasts have demanded that it be given a field corresponding to that of the Interstate Commerce Commission. Any man at a glance will see the absurdity of that proposition. The Interstate Commerce Commission may well receive from Congress the power to tell the shipper what the rate shall be to ship his products from State to State or to the seaboard for export. But that is a very different proposition from investing a tariff commission with power, in direct contravention of the Constitution, to tell the importer what he shall pay at the customhouses to entitle him to market the goods made in a foreign country in American markets. The Interstate Commerce Commission was created under the commerce clause of the Constitution that empowers Congress to create a representative agency to fix rates, that does not forbid the alienation of that power for that purpose. The tariff commission is and can be but an advisory board to gather information to aid Congress in discharging a duty, to levy and collect taxes, made directly obligatory on Congress by the unequivocal and mandatory direction of the Constitution. Some uncertainty obtains as to the probable scope and jurisdiction of the proposed tariff commission as to what powers and duties are contemplated by the act creating it. Undoubtedly the commission's work will consist of an examination of the numerous schedules in the tariff law. Take any item whether there is any question as to the proper rate already fixed or not, the commission should secure definite and concise information regarding the article itself. The inquiry will relate to where it is produced, whether at home or abroad, under what conditions, whether we use it as a raw material or a manufactured product; if manufactured, whether we use it for domestic purposes or for export in whole or in part; if it is in line with our own productions, whether we export any portion of it. The commission should go extensively into the cost of production at home and abroad, how domestic uses affect prices, how export affects prices, cost of production in different countries and in different sections of the same country in the same lines of business. Prices at home and abroad, how they are affected by local conditions, influenced by wages and hours of work, the character and effectiveness of skilled labor employed, direct competition at home and abroad, freight rates and ocean traffic rates, rates of discount, and hundreds of other elements that enter into the complicated question in determining the rate of duty.

The appointment of a tariff commission will go further toward settling the economic question of taxation than any other act of Congress could. The voter will not be called upon to first determine whether he wants a high protective tariff or a tariff for revenue. He will be willing to place great confidence in the commission, and thereby eliminate much of his fear and anxiety as to what might happen. The two widely separated theories heretofore referred to will converge toward more common ground whether the needs of the Government and the proper relations of business to it will be the chief considerations.

The German tariff commission so frequently quoted with approval proceeds upon a wholly different theory than a tariff commission in this country would. Germany first declared for a policy—a high protective policy—and the German tariff commission was directed to study the tariff from that standpoint. The German tariff commission was not confronted with a dual theory of taxation as a tariff commission in this country will be. Its duty was to proceed wholly from a protective viewpoint. We will be inclined to fix a rate found from a clear presentation of all the facts solely for the collection of revenue with what protection incidentally follows because of the rate. The commission should have no authority to recommend rates. What Congress wants are the facts. Let those be found and reported, and Congress will do its constitutional duty in fixing the rates. I would take away from the commission the power to recommend rates, because I do not want that subtle influence that such a power would welcome. The commission should have the full confidence of the public without the least suspicion that the commission was overreached. I do not believe in absolute free trade; it is a theory without substance so far as the purposes of revenue are involved. Neither do I believe in the theory of a protective tariff. It is the most vicious doctrine as a whole that ever found its way into American politics. No man or set of men have a right to confer upon another man the power to exploit the citizenship of this country for the sole purpose of making business profitable. I believe in such a fair rate of taxation at the customhouse as will meet the expenses of the Government without favors or injustice to any man. I am supporting this proposition for a scientific nonpartisan tariff commission in the interest of the manufacturers, consumers, and the growth of business without fear or timidity that frequently happens coincident with administration changes, and happens, too, for no specific reason. I want to emancipate business from this condition so far as Federal legislation can do it. [Applause on the Democratic side.]

Mr. KITCHIN. Mr. Chairman, I yield 10 minutes to the gentleman from Mississippi [Mr. QUIN].

The CHAIRMAN. The gentleman from Mississippi is recognized for 10 minutes.

Mr. QUIN. Mr. Chairman, I am supporting this bill with the keenest of pleasure. On the 12th day of February, on the floor of this House, I told my reasons for supporting the preparedness program. In that speech I said that I favored raising the money to pay for the preparedness business off the wealth of the country, out of the incomes, inheritances, and munitions of war; and, thanks to the leader of the Democratic majority, that peerless Democrat, CLAUDE KITCHIN, of North Carolina, we have a bill before us to-day that places the burden of preparedness on the great millionaire class of our country. [Applause on the Democratic side.]

The gentleman from Michigan [Mr. FORDNEY], and the gentleman from Connecticut [Mr. HILL], and the gentleman from Pennsylvania [Mr. MOORE] spoke for the rich people, for the millionaires and the great big business interests of this country. I speak for the farmer, for the laboring man, for the poor people who make their living in the sweat of their faces. [Applause on the Democratic side.]

It is time, gentlemen, that somebody should talk for the farmers and laboring people who all these years have been paying the expenses of this Government. We are now grasping the opportunity to put directly on the wealthy people with great incomes $107,000,000 more of taxes than we have already put there. We put $19,000,000 on inheritances. We put $71,000,000 on these war traffickers, these fellows who have been harpooning everybody else and crying for preparedness. Only $2,000,000 of this money comes out of the people, and that we get out of the brokers and those men who have occupations in which money comes easily. Not one dollar of this money comes out of the men who work for their living.

The gentleman from Michigan [Mr. FORDNEY] wants a tariff wall so high that it would take a flying machine to get over it. He wants that same old protective law that permitted the great fortunes of this country to pile up, drawn out of the pockets of the people, to be continued again. He is grumbling against this bill. He says he would not support a Democratic bill even though it was 6 feet deep in sugar. [Laughter.] He says he is honest in his views, and I know he is. There are many other manufacturers and railroad and corporation lawyers who hold his views. That is the reason why the poor people of this country have had such a hard struggle, because men with the views that the gentleman from Michigan [Mr. FORDNEY] has expressed on this floor have been in power so long in this country. Thanks to the awakening of an outraged people, they marched up to the ballot box and drove them out, and since the Democratic Party has been in power more wholesome legislation, more real legislation, for the benefit of the American people, has been enacted than ever before since the Republican Party took charge of this Government in 1861. [Applause on the Democratic side.]

We have just now started on the road. When the ballots are counted again on the first Tuesday of November next, my friend from St. Louis [Mr. MEEKER], I want to say to you, you will see the greatest Democratic victory this country has ever had since the days of Thomas Jefferson. [Applause on the Democratic side.]

The people realize what this Congress has done. They realize what Woodrow Wilson, the President, stands for, even if the gentleman [Mr. LONGWORTH] does criticize him for changing

his mind. I admit that our good President changed his mind two or three months before Congress met last December on the preparedness question, and I admit that he changed his mind on the tariff commission, and also as to the way of raising this preparedness money. President Wilson cheerfully gave up his idea in part and came over to our way of thinking and fully indorses our plan of raising the money by taxing the rich.

I admire the man who changes his mind. It is these hard-hearted fellows who believe that a high tariff wall should be placed around the United States and the poor people taxed to death who never change their minds. [Applause on the Democratic side.]

My friend from Connecticut [Mr. HILL] says they have to eat horse meat in New York. Does he not know that many fashionable restaurants have on the bill of fare crawfish, snails, and lamb fries, and mountain oysters, and chitterlings? Does he not know that the rich and aristocratic people of France eat horse meat in preference to beef and lamb? In Republican times in the past, in some of the big cities throughout this country, little children have had to dig about in slop barrels at restaurants and hotels extricating pieces of bread and scraps of meat to make soup of in order to sustain their precious lives. [Applause on the Democratic side.] Can not you old stand-pat Republicans let your hard-frozen hearts thaw out and sympathize with the hardships and sufferings of the poor working people? [Applause on the Democratic side.]

Gentlemen, do not you feel ashamed of yourselves for abusing the Democratic administration, under which the legitimate industries of this country are flourishing to such an extent that the heavens are obscured by the smoke of factories in all the manufacturing centers, so that you can not see the open sky, either by day or by night, and innumerable happy men with buckets in their hands are marching to and from their homes to their daily work, with their buckets well filled? [Applause on the Democratic side.]

Gentlemen on the other side have said that the Underwood tariff bill has been a failure. Any man who can add up figures and read writing can go to the Treasury Department and see how, for the period of time since the Underwood bill has been in effect, before the European war started in August, 1914, we had $10,000,000 more revenue than you had under the Payne bill. Still you Republicans talk about that Underwood bill being a failure! You have been shooting off your bazoos and gasifying your protective tariff humbuggery on the American people long enough. We have called your hand. We have demonstrated that plenty of money can be raised to run this Government without robbing the people through a protective tariff. [Applause.]

Under this pending bill right now we are going to raise $275,000,000 a year and not touch a dollar of the money of the toiling masses of this great Republic. [Applause on the Democratic side.] We are going to take that speech delivered by my friend from Pennsylvania [Mr. MOORE] in which he called this bill a spider-web bill and show the working people of America that the Republican Party has been their oppressor, and we are going to catch the spiders of this country in this bill. We are going to catch such spiders as John D. Rockefeller and J. Pierpont Morgan and Andrew Carnegie and Charles M. Schwab and all the other millionaires of this country who have been grafting from the masses so long and make them pay for preparedness and otherwise support this Government. [Applause on the Democratic side.]

We are going to get it out of that class of idle rich who are riding around in $10,000 limousines, with poodle dogs on their laps. We are not going down into the railroad shops and factories and farms of this country to get this money to pay for the preparedness program that you Republicans helped to put on the people. We are going to get it out of those who are able to bear it. You, when you were in power, enacted laws that permitted this class of people to acquire these great fortunes that have piled up into the many millions of dollars until they are a menace to our institutions. Now we propose to do the honest thing, and to take a fair proportion of that income to defray the expenses of preparedness. Then, when men die and leave great fortunes of $500,000,000 or $1,000,000 or $500,000 as an inheritance, we propose to take a fair percentage of that to help pay for preparedness. We propose to take these war-munition fellows, who are making guns and ammunition to destroy human life, and take a fair percentage of their immense profits to pay for preparedness. [Applause.]

Will you Republicans vote for that? You want to go and take the biscuit and meat and bread out of the mouths of poor women and children. You want to tax the shirt off the poor man's back and the shoes off his good wife's feet. Through your pernicious and insidious protective tariff you want to rob the farmer and tax all of his farming implements and everything he buys. By the help of God we are not going to let you do that. [Applause on the Democratic side.] We are going to get this money out of the great rich classes of this country who under your lead for years have been reaching down into the pockets of the laboring classes and taking their hard earnings through a protective tariff and by charging exorbitant prices.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KITCHIN. I yield to the gentleman three minutes more.

Mr. QUIN. I thank the gentleman. I wish to say that the Republican Party, instead of being a party of progress, is the party of obstruction. Ever since the Democrats have been enacting wholesome legislation that will bring comfort and happiness to the firesides and hearthstones of the American Republic your leaders and your newspapers have been obstructing us all the time. Whenever we have proposed a piece of legislation and put it on the statute books that goes to the home of the humble American citizen and helps the poor man you have objected to it. Every time there was an appropriation bill brought up here 95 per cent of the gentlemen on that side of the aisle have voted to increase it, and I challenge any gentleman to deny it, for I can prove it by the RECORD. Still you criticize the Democrats for an extravagant administration. Extravagant in what? Extravagant in doing good for the American people [applause on the Democratic side]; extravagant in shutting off the privileged classes; extravagant in shutting out the entrenched privilege gang that has so long controlled the burglars who dominate the "grand old Republican Party." [Applause on the Democratic side.] We have shut the door in their faces and said, "No more shall you poke your heads inside of the people's Congress." The American people have their eyes on Washington City all the time. When they go to put their ballots in the box, regardless of what party they may belong to, they are going to vote for the man who stands true and loyal to the masses. Is there a Republican here who will vote against this tariff commission that you gentlemen have been howling for and pretended you wanted for the last four or five years? Is there a Republican here who will vote against the provision that goes down into the pockets of the great millionaire classes of this country and takes out a reasonable sum for defending the United States? Is there one of you who will vote against the provision that goes after the war-munition manufacturers and takes from them 2, 3, or 5 per cent of their profits? Gentlemen, in good conscience you can not vote against these things and then go home and face your people. You progressive Republicans, do not be fooled by my friend, Brother FORDNEY here and HAMP MOORE and these old standpat fellows who want the rich to grow richer and to continue creating commercial vampires to suck the life-blood out of the veins of the toiling masses and to take out of the pockets of the poor people even what little they have. Do not let them fool you. Come and vote for this good, meritorious, Democratic bill for the benefit of all the poeple. [Applause on the Democratic side.]

Mr. KITCHIN. I yield 10 minutes to the gentleman from Ohio [Mr. CROSSER].

Mr. CROSSER. Mr. Chairman, I have voted for all the measures which have come before Congress in the interest of labor hoping that some good might result, but I know that they will not bring substantial justice to the man who toils, although they will make conditions better.

The age-long struggle for industrial justice still goes on. The men who toil either with head or hands know that there is something wrong when as their share of the product of their labor they receive so small a part.

The object of all laws should be political equality and justice, but many laws are useless, and many others cause injustice and oppression. [Applause.]

It is common to hear men in a wailing voice and with manufactured tears telling how deeply they feel for those who toil. Perhaps some are sincere and I shall not at this time dispute their motives. But I do say that it is not enough, indeed it is a farce, to keep on telling in plaintive tones about the unfair distribution of wealth without offering a remedy for the trouble. Sensible and independent men will no longer be fooled with the worn-out, wailing speech; will no longer listen to the flattery of the office seeker; will not be misled by the political handshake and the hollow concern of the candidate about the voter's wife and children at election time.

Intelligent men who work for their living are tired of all that, and now want to know what is proposed to correct the wrong. The remedy must be one which goes to the root of the trouble. We have had much legislation which at best only soothes the

sore. Hundreds of bills are introduced each year, but none of them strikes at the cause of injustice. They do little to remove involuntary poverty.

If we will think about it for a moment, we must see that the reason why labor gets as pay so small a part of the value of what it produces is that a few monopolize the land and all its valuable minerals, ores, forests, and other valuable resources of nature which are necessary to the creation of wealth. [Applause.] The power which such monopoly gives to exploit those who must work may be made clear by the following illustration: Suppose that one man should own and control all of the land and the raw material in the land which is necessary for manufacturing and building, is it not perfectly plain that he could compel anyone wanting employment to accept enough only to keep him alive and able to work, because if he did not accept that, he could get employment nowhere else? You admit this, but conditions are only a little better when a few men own the *land* with its ores, minerals, and timber, because the man who must work for his living has still only a few employers among whom to seek work.

The man who owns land of any kind is not always the direct employer of labor, but he nevertheless is the man who takes as rent what should belong to labor. The man who operates a mill or factory generally must pay a very big rent to the owner of the land on which his factory is located, or if he owns the land also he receives his great income because he is landlord rather than because he is a manufacturer. Great areas of farm land are not cultivated because the speculator has monopolized it and demands so much rent for its use that anyone paying the rent has hardly enough left to enable him to live. The men who do the work necessary to bring from the earth the coal, the ore, the oil, and the timber receive far less for their work than they earn, because the lands producing these things are controlled by a few, and so miners can seek employment among only the few who own and control all the coal lands, and these few naturally do not compete with one another to increase wages. So it is with those who mine the ore, work in oil fields, and cut the forests. They, too, must seek employment among the few who control the lands bearing each of these things, and must accept practically what these few monopolists offer them. On the other hand, when we must buy coal, iron ore, oil, gasoline, and practically everything else we must pay more for them than they are really worth, because the oil lands are in the hands of a very few men, and if we do not buy at their price we must do without. [Applause on the Democratic side.] There is practically no competition. The greater part of the ore lands in the United States is owned by a few companies, and those who buy ore must pay what these companies ask. So it is with coal lands and the timberlands.

If the land of the United States had never been given away but had been leased at a rental equal to a reasonable rate of interest on the yearly value of the land of whatever kind, then men could not afford to monopolize it and hold it out of use, and thus limit the output of any of the things taken from the earth, and therefore also confine the demand for the labor of miners to such of the coal land as they might wish to operate, and do the same thing with the oil lands, ore lands, and timberlands. The rent or tax, whichever you like to call it, could easily be paid if the owners would make use of the land, but it would be a loss to a holder of land to pay this rent or tax if he did not use it. If the land which is held out of use by the monopolists were used, then there would be an increased demand for labor, and an increased demand for labor would cause increased wages, because men would not be compelled to work for those who would not pay fair wages when they could get employment easily elsewhere at reasonable wages.

A great wrong was done when the Government gave away to private persons the land which originally belonged to all the people, and it certainly should not give away more of the public lands. [Applause.] The land colonization bill which I have introduced would do much to abolish the injustice to which I have referred. This bill proposes that the Government shall allow those who wish to do so to use the valuable lands which the Government still owns by paying a tax or rent equal to a small percentage of the value of the land. In order, however, to prevent the land speculator and monopolist from getting great areas of the lands into his hands, as happens now, this bill provides that the Government shall keep the title forever, but those persons and the heirs and assigns of those whom the Government allows to use the land are to be allowed to hold it as long as they use it and pay the tax. The bill further provides that the Government may help those holding land to make improvements, the cost of which is to be paid back to the Government within 50 years.

Another important feature of the bill is that after locations suitable for community purposes have been decided upon the Government shall make complete plans for developing them, the plan in each case to provide for the clearing of the land, for the construction of roads, for means of drainage, for development and sale of timber and coal, and for other services to the community. This would make life on these new lands pleasant instead of having the dismal existence of those who go out alone to establish a home.

The important thing, however, is the fact that this plan would give those who wish to do so a chance to work for themselves and to get the full value of their labor. [Applause.] The land speculator could not trouble them, because they would not be allowed to sell the land.

The passage of this bill would be a blessing not only to those who settle on the land, but would benefit every man who labors, because as men would go to take up these lands, those looking for work in the older parts of the country would be fewer, and the fewer men looking for work the higher the wages would be for that work. Those in every kind of business would benefit, because, with employment plenty and wages good, there would be more customers and freer buying. This is the main object of the bill. When such a plan is in full force men will no longer need to beg others for leave to toil. [Applause.]

How much more sensible is this than all we do to compel some men to treat others decently. I voted cheerfully for the bill preventing child labor, but I would much rather have conditions such that fathers could earn enough so that they would not be compelled to send their children to work.

Mr. BAILEY. Good.

Mr. CROSSER. In the old countries they have old-age pension laws, but how much grander it would be if conditions were such that men could earn enough when young to take care of themselves in comfort during their old age.

Now, one would think that a plan of this kind would be supported by the people, and I know that the great majority of the people approve it, for I believe that the great majority of all parties are earnest, honest folks.

Men in every part of the country have written to me expressing their hearty approval of the bill. Workingmen in many States have sent petitions warmly indorsing it. Newspapers in all parts of the country have strongly indorsed it. Men like Benjamin C. Marsh, secretary of the New York Congestion Committee, and Frederick C. Howe, commissioner of immigration at Ellis Island, came at their own expense to Washington to speak in favor of the bill before the Committee on Labor. Secretary of Labor William B. Wilson, Assistant Secretary of Labor Louis F. Post, and Mr. Arthur E. Holder, legislative agent of the American Federation of Labor, all argued for the bill before the Committee on Labor.

Those who thrive on injustice do not denounce or attack the principle which I am advocating. They are far too wise to do that. They know that there is no use denouncing such just measures before the honest, upright, independent people whom I have the honor to represent. Those who benefit from special privilege are too smart to openly attack the idea which this bill proposes to put into effect. Long, long ago they learned that the so-called political boss is their best instrument to defeat measures or men who threaten to destroy the injustice upon which they fatten.

The interests help the boss to political power, and he in turn tries to prevent the election to office of men who fight against the giving of special privilege to a few. Neither do the political bosses come out openly and courageously to state their objections to the man whom they would destroy, but rather do they sneak into some dark corner and with their heads together and glancing out of the corners of their eyes to see if they are watched they scheme as to the best way to destroy him. Sometimes they resort to one trick and sometimes another.

As their own candidate for office they generally get some fellow who is "one of the boys" and a good handshaker; one who makes a business of asking about the voter's wife and children and who stands around and tells how as boys they all used to play together. Such men, of course, are what might be called "good fellows," but rarely have they any deep convictions or ideas. They can, however, be controlled and that is the thing necessary to the boss.

The bosses, or those who think they are bosses, resort to every mean trick to accomplish their ends. They play upon the prejudices of those whom they meet, now appealing to social prejudice, now to race prejudice, now to trade or business prejudice, or to any other prejudice resulting from sincere differences of opinion. They have fought bitterly every great advocate of justice. Gov. Pingree, of Michigan, was

abused like a pirate; "Golden Rule" Sam Jones, of Toledo, was ridiculed and reviled, and the valiant Tom Johnson, of Cleveland, was cursed, threatened, and misrepresented, and yet all of those men fought bravely for the cause of human justice, so that all might be happier.

Some men in this House have been threatened in the same way, and frequently by men who pretend to belong to their own party.

The people of this country must arouse themselves. Success or failure in the battle for political and industrial justice rests with them. They must realize that their own welfare and, what is much dearer to most of them, the welfare of their children, depends upon their earnest effort to discharge their political duties. If they care anything for their future and for their children they should not decide elections on the basis of good fellowship. They can not neglect to vote at elections, whether primary elections or elections between parties, and then complain if the right should lose. Men of all parties must realize their duty to try their best to know what is right, but they must also take the trouble to vote for what they think is right. If I were a Republican I would want to nominate men as candidates of the party who would be honest and courageous and who would fight for the best principles. As I am a Democrat I want to see the same thing true of my party. This is the surest way for any party to attain real success, and what is far more important than party success, it is the best way to improve the condition of the people. [Applause.]

Mr. KITCHIN. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. REILLY],

[Mr. REILLY addressed the committee. See Appendix.]

Mr. KITCHIN. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. OLNEY].

Mr. OLNEY. Mr. Chairman, on January 4 I introduced a tariff-commission bill and believe I was the first Democrat of House or Senate to introduce such a measure. While Congressman BARNHART, of Indiana, filed a similar measure on the same day, I think I dropped my bill in the basket at noon of the 4th day of January. I shall confine my remarks to-day to those features of the general-revenue bill which more particularly appeal to me for enactment, and they consist of the sections providing for a tariff commission and a tariff on dyestuffs.

I commend the ability and science of the Ways and Means Committee, which has worked out a system taxing munition factories, swollen fortunes, big and fair incomes, inheritances, luxuries, and so forth, believing that we are an efficient and competent people and that the brains and efficiency of the Nation should be liberally taxed to run the Government.

The House, irrespective of party, is, I suppose, in accord with the idea that the Government should launch another department, should take another partner, so to speak, in the character of a tariff board.

I hail the advent of a tariff commission as a guardian of American labor and capital.

The first tariff act was enacted July 4, 1789. Alexander Hamilton had much to do with framing legislation which seemed necessary to build up and protect infant American business.

The first essentially protective-tariff law was enacted on April 27, 1816, and was considered a southern measure, the South at that time favoring protection while the North opposed it.

Various tariff laws have been written into the statute books since that year, including the Morrill tariff, which was adopted in 1861, and was largely protective.

The customs revenue reached its highest point in 1872, and a surplus was finally created in the Treasury that threatened financial disaster to the country and encouraged extravagance in congressional appropriations.

In 1890 the McKinley bill was passed, which particularly increased the duty on wool and woolen goods.

In August, 1894, the Wilson bill became a law without the signature of President Cleveland. This bill, if on the statute books to-day, would be called highly protective. As a matter of fact, the average reduction of duty in comparison to the previous tariff law was less than 10 per cent, wool, hides, and iron being made free, if my memory serves me correctly.

The panic of 1893 was laid at the door of the Democracy and the Wilson bill, in spite of the fact that the law did not go into effect till nearly a year and a half after Cleveland's inauguration. The panic of 1893 was due, in my opinion, primarily to the inheritance by Cleveland of a bankrupt Treasury from the previous administration, the failure of and suspension of big business concerns in South America, and the generally panicky condition of affairs existing in free-trade England and Germany, with its high-protective tariff.

The Republican Party is to a considerable degree in favor of high-protective duties, while the Democratic Party is largely in favor of extensive reduction. But a powerful minority, I believe, hold opposite views to extreme opinions, and I cling, perhaps, to this minority.

I have always deplored the iniquitous and un-American system of high protection since it made possible the accumulation and hoarding up of tremendous fortunes at the expense of the people, and for which we are paying tribute to-day. On the other hand, I could never consistently favor extensive reduction of the tariff, which would jeopardize and destroy legitimate American business.

Three and a half years ago I appeared before the Ways and Means Committee advocating a gradual revision of the tariff—a procedure of five years, if necessary—and advising against an attempt to change in a single year a tariff principle which, no matter how wrong or unjust, had been a part and parcel of our industrial life for a hundred years and more.

I have high regard for OSCAR W. UNDERWOOD, the author of the 1913 law. He is as great now as he was then and as highly respected. While I consider the Underwood bill one of the best and most effective ever written into law, I also feel that no tariff was ever perfect.

I favor the creation of a tariff board, so that it may investigate tariff conditions and report to Congress from time to time changes made necessary by war and other conditions, and the remedy.

I regret that this bill does not confer upon the tariff commission the authority to report bills or to recommend needed changes in the tariff to Congress, and I intend to offer an amendment under the short debate conferring such power. Otherwise this part of the bill lacks teeth and will not satisfy the people—the laboring masses, who are entitled to share the profits of capital, and legitimate capital entitled to protection from foreign competition.

Please understand that I favor direct taxation as provided in this bill, and it is proper, just, and eminently satisfactory that the big capitalist who has fed upon and become wealthy through high protection and personal privilege should pay the bills. I heartily commend the increased income tax to be imposed upon the rich man, and I would even vote for a 20 per cent tax on an income of $500,000 and for the proportionate downward decrease.

I represent the largest boot-and-shoe district, according to area in square miles, in the world. Brockton, my largest city, in the last fiscal year produced boots and shoes to the value of $53,000,000.

The Payne-Aldrich bill made hides free and reduced the duty on boots and shoes from 25 per cent to 10 per cent on men's footwear and 15 per cent on women's shoes. The Underwood-Simmons law made boots and shoes free.

Mr. UNDERWOOD three years ago stated to protestants from the boot and shoe manufacturers, who presented a clear and fair argument in favor of the retention of the old duty, that he himself was in doubt concerning the wisdom of removing the duty, and should the time ever come when the shoe industry suffered as a consequence he would be the first to raise his voice in favor of restoring the duty.

As a wool merchant I am interested in the wool and woolen schedules of the Underwood bill. On account of the tremendous demand for sheep and lambs for food purposes in Europe, an absolute famine faces the world to-day in the production of wool. Sheep worth $1 a head in 1896 bring $8 to-day. I have induced the Department of Agriculture to bring these facts to the attention of the ranchmen farmers and textile men of the United States.

The great war doubtless has stimulated the trade in the boot and shoe factories and in the woolen and cotton mills.

After the war what?

There may be something wrong in the machinery of the tariff; a little more duty may be needed for woolen goods; our shoe factories may need a little protection.

It is for the reasons stated above that I welcome the creation of a tariff commission which shall jealously guard American industry and shall preserve to the American workingmen future happiness and prosperity.

In my district are thousands of boot and shoe operatives living in Brockton, Weymouth, Braintree, Randolph, Stoughton, Abington, Whitman, and Rockland. Many of the best and most loyal friends of mine in the world toil in the factories; and why should not I be keenly interested in the lives and welfare of these my friends?

Then, too, the mammoth Fore River Co. is in my district, and the existence of the tariff board may be needed some day in

the future to save the homes and continue the good wages of the skilled mechanics employed at this plant.

What a powerful and convincing speech of CLAUDE KITCHIN's on Thursday. All honor to him. His arguments on dyestuffs were illuminating, especially when he brought out the testimony of Dr. Becker, Mr. Schullkopf, and others that a tax of 2½ cents extra on certain articles in group 2 and 5 cents extra on certain dye materials of group 3 were sufficient. Mr. HILL asks for 3¾ cents and 7½ cents, respectively, and I reserve my right to vote on this subject according to my convictions.

Mr. FOCHT. Will the gentleman yield right there?

Mr. OLNEY. For a question.

Mr. FOCHT. Is it not a fact that after the tariff was removed from hides that the Government lost a revenue of between two and three and a half million dollars, and that even leather immediately went up 25 to 45 per cent, and with the tariff taken off shoes that shoes immediately advanced? Is not that a statistical fact?

Mr. OLNEY. The advance was on account of the scarcity of hides the world over, and I will say this for the benefit of the gentleman, that we did not import many shoes, and our export in shoes the year before the tariff went into effect amounted to $15,000,000 or $16,000,000 in comparison with the imports on shoes brought into this country where it was something like $173,000, and in a few months afterwards when the tariff was in operation there was a slight increase in the importation of shoes. I can not give the gentleman any more time.

Mr. FOCHT. All right.

Mr. OLNEY. With an allowance of 10 minutes I will not be able to say all that I desire.

As a wool man I visit a score of mills each year, and they all use dyes, and according to their testimony dyes show an advance of from 200 to 2,000 per cent.

Millions of dollars will be released by capital and thousands of skilled mechanics will be placed in employment if you grant sufficient duty on dyestuff material.

The leader of the majority tells us that he is supporting the tariff-commission idea with some reluctance and doubt as to its wisdom. Doubtless many of the southern Members coincide with his opinion. Do not you men of the South realize that your business and agricultural interests are as contiguous and intimate with the North as they possibly can be?

Every woolen mill I visit during the year uses your cotton. The great American Woolen Co. in its score of mills consumes thousands of bales of cotton yearly.

We want your iron, your cotton, your timber, and early fruits. You need our boots and shoes, our textile goods. We are necessary to each others existence and comfort. Therefore if in the future our shoe industry and our textile manufactures are in danger from foreign competition, will not a tariff commission with powers of investigation, report, and recommendation become a beneficial agent and a power for future remedial legislation?

To emphasize more fully my arguments in favor of granting a tariff board the power to recommend changes in a tariff found deficient let me quote from a letter dated Boston, April 12, from the New England Shoe and Leather Association, Thomas F. Anderson, secretary, which was mailed to all Senators and Congressmen:

> The directors recommend that the Rainey bill be amended by including the provisions of sections 5 and 6 of H. R. 6905, introduced by Mr. OLNEY, of Massachusetts, and which provided that the permanent tariff commission, if established, shall be empowered to present such tariff bills as it may agree upon to Congress for its action, and that the commission shall make such special reports to Congress as it may deem advisable. In other words, our directors favor giving the commission authority to make specific tariff recommendation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KITCHIN. I yield the gentleman two minutes additional.

Mr. OLNEY. I hope to offer an amendment on Monday, extending the powers of the Tariff Board, and I hope that the Hon. CLAUDE KITCHIN will favor this substitute section.

I think the tariff commission should have an odd number of members, since in tariff investigations and recommendations the odd vote is often important and decisive.

Why eliminate from appointment on this commission Members of Congress and Senate and former Members. You can find the best timber in the country in the House and Senate; for instance, on the Republican side Mr. MOORE of Pennsylvania, a high protectionist, to be sure, but eminently fair; and on our side, as a good balance wheel, Mr. HELVERING, and over in the Senate Senator UNDERWOOD. As far as I am concerned, I wouldn't lift a finger for recognition. I desire to return to Congress, and have a fair chance, although my district is, at the present time, ostensibly Republican by 12,000.

A few years ago, when the primary law went into effect, the venerable Cardinal Gibbons was asked by a registrar of Baltimore of what political faith he was and, with a twinkle in his eye, answered, "I am a Republican-Democrat."

I will go farther and, enveloping all parties, style myself a social, progressive, temperate Republican-Democrat. When the proper time comes, say, in October, I hope to have the oratorical assistance of Democratic Members, but I shall not hesitate to invite into my district such stalwart Republicans as Hon. JAMES R. MANN, Hon. J. HAMPTON MOORE, and Hon. JOSEPH W. FORDNEY, in the interests of my reelection, and how can they refuse so polite an invitation? [Applause.]

Mr. KITCHIN. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. BAILEY.] [Applause.] Mr. Chairman, as I understand the time has been used equally by each side up to now. Up to now I understand that I have used the same number of hours and minutes that the gentleman from Michigan has used.

Mr. FORDNEY. Yes.

The CHAIRMAN. The Chair begs to state that the time is even now.

Mr. BAILEY. Mr. Chairman, in presenting the rule under which this two hundred million war-revenue measure is being considered the gentleman from Tennessee [Mr. GARRETT] explained that it was framed to meet an extraordinary situation. And that is true. But what I wish to say at the outset is that for this extraordinary situation no responsibility attaches to me. It has arisen in spite of all the efforts of those who think and feel as I do to stem the tide of militarism and to allay the hysteria for which we are now about to pay through the levying of heavy additional taxes.

It is not my business to reproach any Member of this House, but perhaps it will be permitted me to say that if other Members had striven as earnestly as I have done and as some of my colleagues have done to moderate the craze which has taken possession of the Nation the stupendous appropriations already made by this Congress might have been kept down, if not wholly avoided. But I am afraid that some who believe as earnestly as I do that there is no justification for the course which has been pursued have held their peace instead of exerting themselves as some of us have done to get the truth to the people, and thus to thwart the selfish and sordid aims of the militarists and the patriots for profit. [Applause.]

This bill in some respects is very distasteful to me, as it must be to very many Democrats. I am sorry that it includes certain provisions, especially sorry that it embraces a provision for a tariff commission, for a protective duty on dyestuffs, and for the shutting out of competition from abroad under a so-called "antidumping" clause. None of these provisions has any proper place in a Democratic measure. And if time permitted I think I could show conclusively that every one of these provisions is contrary to Democratic doctrine, a concession to Republicanism, and an affront to the fundamental principles of our party.

But, after all, these provisions are not vital. They are of secondary importance and sink into relative insignificance in comparison with the main purpose of this really great measure, which is designed to place the burden of this war scare on those chiefly responsible for promoting it, for let this be borne in mind: The demand for huge naval and military appropriations did not originate in the ranks of labor. It did not spring from the humble firesides of the land. It was not inspired by the farmers or the artisans or the plain men in overalls. It had its origin among the very elect. Trace it to its source and we find that it has proceeded from Wall Street and from those whose great interests center there. [Applause.] And so there is poetic justice in the proposition we now make in this bill. They who have done the dancing—the howling dervish dance of "preparedness"—must pay the piper. Those who have been financing the National Security League, the Navy League of the United States, the National Defense League, and all the other societies and organizations which have been fanning the war spirit into flame must now finance the great program which this Congress has authorized and the money for which has been appropriated. This is precisely what this bill means. It means that wealth must foot the bills which the "preparedness" hysteria has forced Congress to contract. [Applause.] It means that the great incomes of this country are not to be so great after Uncle Sam shall have taken his toll for this monstrous military and naval expansion that would never have been dreamed of but for the costly campaign that was waged for more than a year by the war traffickers through a newspaper press which has been practically closed to every argument in favor of reason and moderation. [Applause.]

No. The appropriations made by this Congress running up to amazing totals were not demanded by the great body of the

people. Not a farmers' organization in the land has gone on record in favor of the staggering program which is about to be written into law or has already been so written. Not an organization of labor in the United States has demanded these appropriations or the program that has called for them. The vast multitudes of those who toil and who carry the heat and burden of the day have given no expression which could be tortured into a call on Congress for the thing that has been done. But Congress has hearkened to the clamors of a strident minority which has been conjuring in the name of patriotism and which has exhausted the arts of the drummer in pushing the sale of its wares, for keep it in mind that "preparedness" calls for armor plate. It calls for powder. It calls for big guns and little. It calls for fat contracts for a vast variety of supplies. It calls for financial transactions which help the bankers. And it calls for a hundred things out of which profits may be made by those in the game. [Applause.]

But for the first time in the history of agitations of this sort the engineer is hoist of his own petard—the folks responsible for the "preparedness" craze are called upon to step up to the captain's desk and pay the score. It is something new under the sun. Never before in all the tide of time has it befallen that the great and the powerful who play upon the warlike spirit and conjure with patriotism in order to coin it into dollars or into advantages have been faced with the proposition that they and not the voiceless multitude should come across with the wherewithal. War and war crazes have always before been brought on by the great and the powerful, as this one has been. But they neither did the fighting nor paid the bills. Both the fighting and the paying fell to the lot of the poor and the lowly. For once the program has been changed.

A Democratic Congress is placing the burden where it belongs. We are not asking the poor man to shoulder it. We are not demanding that those least able to bear the load shall assume it. But we are saying to the men of great wealth, who in the main are the proponents of "preparedness," that they shall shell out. It is their party, and they must settle all scores. And surely they can not complain. They are getting just what they have been clamoring for, and it does not lie in their mouths to raise objections when they are invited to meet the necessary charges. [Applause.]

Allow me to say that the additional or supertax on large incomes is much more moderate than I had hoped it would be. The maximum of 10 per cent is altogether too low. It ought to be not less than 25 per cent; and I think 50 per cent would come nearer the mark. For I fancy that a 50 per cent supertax on a million-dollar income would dampen the patriotic ardor of even the most strenuous advocate of a huge military and naval establishment. We would have fewer security leagues and navy leagues and defense leagues if the millionaires who have been fostering them were compelled to part with a half or even a quarter of their annual gains for the purpose of meeting the cost of "preparedness." I can conceive of nothing more likely to calm the perturbed patriotic spirit of a Morgan or a Rockefeller or a du Pont than a 50 per cent tax on net incomes of a million or over as a contribution toward a huge standing Army and an "incomparable" Navy. [Applause.]

However, a fairly good start is made in this measure. It will be easy enough to keep on if we find that the additional tax carried in this bill is insufficient to quench the burning fires of patriotism in Wall Street. The country will rather enjoy sitting by and watching our multimillionaire defenders of the national honor do their plain duty. Always before the country has supplied the funds.

It will be a novelty to see those who sit in the seats of the mighty digging down into their strong boxes to meet an exigency of their own invention. And this spectacle we are now about to enjoy. It is one that we shall watch with a very curious interest and a spice of real satisfaction. Nor shall we weep should wealth set up a howl of anguish, as it is quite likely to do. Let it howl. To the ear of the common people its anguished and outraged cries will be as sweetest music. For wealth has never felt ruth or pity for the masses when the burden and the pain were upon them. Rather has it pursued its own way rejoicing. Rather has it looked with a cold and calculating eye on those who sweat and bled that it might have its holiday. If now we are to have something which approximates an evening-up process, there will be occasion for philosophic satisfaction.

Mr. Chairman, I do not feel like concluding without some reference to the Mexican situation and to the apparently hopeful aspect it has taken on within the past few days. I desire most earnestly here and now to offer my congratulations to President Wilson on the patience and forbearance he has shown in dealing with a case that might well have staggered a less resourceful and a less magnanimous man. In very special way I wish to congratulate him on the fine spirit of his recent addresses in Philadelphia and New York and to express the hope that the obvious way out of the delicate Mexican affair may be taken with the least possible delay.

In my belief our troops on Mexican soil are a continuing menace to good understanding, a certain invitation to a recurrence of incidents similar to that which took place at Carrizal. Their mission has been fulfilled. They have already dispersed the bandits after whom they were sent. It seems that if patrol duty alone is required, this can be better done at the border and within our own territory than a hundred miles or more below the international boundary. At all events troop movements should be northward rather than in any direction which may tend to excite the apprehensions and wound the sensibilities of the people of Mexico.

Nothing can be more certain, Mr. Chairman, than that the continued operation of American armed forces upon Mexican soil will eventuate in a breach or at least a heavy straining of our friendly relations with the distracted Republic which we should be helping toward the solution of its difficult and perplexing problems rather than adding to them. We can lose nothing in dignity or in honor by doing a just thing in the removal of a disturbing factor which is under our control.

I am emboldened thus to voice my sentiments by the President's own lofty words at Philadelphia, and by the purposes they imply. I believe with him that "America should be ready in every point of policy and of action to vindicate at whatever cost the principles of liberty, of justice, and of humanity to which we have been devoted from the first." And with him I realize that "it comes high" and that "it is not an easy thing to do." As he has so happily said, "it is easy to think first of the material interests of America, but it is not easy to think first of what America, if she loves justice, ought to do in the field of international affairs." With him again I believe "that at whatever cost America should be just to other peoples and treat other peoples as she demands that they should treat her." His are brave words voicing high thoughts. Can any one doubt their appeal to the heart of the great masses of our countrymen who have no sordid interest to subserve by the bringing on of war with our distracted and unhappy neighbor?

It seems to me, Mr. Chairman, that President Wilson must have the sympathy and the cordial and enthusiastic support of the great plain people in this magnanimous and entirely just position. I am certain that the vast majority of Americans do not want war with Mexico or with any one else. They have loved Woodrow Wilson because he has stood for peace, because he has stood between the country and those who for selfish and sordid reasons would have dragged it into the very vortex of that horrible maelstrom of blood in which Europe is being engulfed. They will love him with even a more consuming passion if he shall bring his great powers to bear in averting the breach with Mexico which has been so threatening ever since American troops began their operations on the soil of that unhappy and hapless land. [Applause.]

Mr. FORDNEY. Mr. Chairman, I yield 15 minutes to the gentleman from Ohio [Mr. SWITZER].

Mr. SWITZER. Mr. Chairman, the pending bill provides machinery for the creation of a tariff commission. It is to my mind another admission that the Democratic Party has blundered fearfully in the fixing of the tariff rates as provided in the Underwood tariff law, having in view not the future welfare of American industries but having solely in view the idea of producing a competitive condition supposedly for the benefit of the consumer or, as more aptly put by President Wilson, "the whetting of American wits by contest with the wits of the rest of the world" [applause], and by this process of international grinding reduce the cost of living. With the cost of living soaring, harassed and annoyed by frequent consignments of internal-revenue taxes, with an income tax yearly increasing by leaps and bounds and new taxes galore, even many old-line Democrats have become so exasperated that they are not only whetting their wits but they are whetting their knives for the purpose of doing considerable fall pruning in the Democratic vineyard. [Applause on the Republican side.]

No wonder Democracy is wavering and fast receding from its boasted position with respect to the tariff. I have no doubt our Democratic friends are learning that the tariff rates fixed in the haphazard manner as carried in the Underwood bill are imposing upon the business men of this country, the manufacturers and producers, the burden of paying a protective duty on much of the raw material which they consume while their finished product is carried on the free list and has no protec-

tion whatever. [Applause on the Republican side.] I have no doubt that they are daily hearing from these unfortunate whipsawed industries. [Applause on the Republican side.] In this bill there is a sop to Republican protectionists in the way of a duty on dyestuffs. The report of the majority of the Ways and Means Committee on this bill says that duties are levied on imported dyestuffs solely for the purpose of protection. There is no estimate of what revenue it will produce, and I do not understand that they expect to derive any material revenue from imposing those duties and it is solely for the purpose of protection.

Now, my Democratic friends, if it is constitutional in this particular industry to resort to a tax and levy a tax on imported dyestuffs to nurture and encourage this industry, why is it not constitutional and a wise policy to levy duties all along the line in order to nurture and build up and maintain and protect American industry? [Applause on the Republican side.]

Taxes galore! This bill is a good deal like Joseph's coat of many colors. For variety of methods of taxation I suppose it stands without an equal in the history of revenue legislation. They propose a tax on the incomes of those living and attempt to sequester the estate after they are dead. All manner of taxes—a protective-tariff tax, free-trade taxes, income taxes, corporation tax, munition taxes, estates taxes; there are special taxes, and, finally, fearing that something might escape, we have miscellaneous taxes. Nothing escapes them, and I presume they are providing a tariff commission for the purpose of devising new methods of taxation, for detecting new sources of taxation in the future. [Applause on the Republican side.] They attempt to conceal their real reason for legislating into existence a tariff commission by raising the cry that they want to take the tariff out of politics, when, in fact, all they desire to do is to divert the minds of the people from their recent miserable failure at tariff legislation. They say that in order to take the tariff out of politics you must authorize President Wilson to appoint a tariff commission. Just what a free trader wants with a tariff commission is a little difficult for me to understand. I would think that Satan would have just about as much use for the Apostle's Creed as a Democrat would have use for a tariff commission. [Applause on the Republican side.]

One of the gentlemen who preceded me said that they expected to take the tariff out of politics merely by creating this tariff commission, when all that it has to do is to investigate and make a report. I do not understand how that will take the tariff out of politics.

The gentleman who preceded me, the gentleman from Wisconsin [Mr. REILLY], I believe, said something about their proposing to write a nonpartisan tariff bill. That is a new one on me. A nonpartisan tariff bill? I will wait and hear the definition and explanation before attempting any criticisms or observations concerning that bill, but I am anxious to see the first draft of it.

Mr. YOUNG of North Dakota. Did the gentleman say "bill" or "pill"? [Laughter.]

Mr. SWITZER. I said "bill," but possibly it will be a pill. In my judgment the tariff will not be taken out of politics until one of the two great parties will recede or capitulate on the past position it has taken on this great question.

Mr. BENNET. Will the gentleman yield?

Mr. SWITZER. I will.

Mr. BENNET. Does not the gentleman think that the Democratic Party has both receded and capitulated?

Mr. SLOAN. To go further, is it not a surrender?

Mr. SWITZER. I was just going to remark that I was glad to note that through the recent national platform utterances of the Democratic Party and by a Democratic majority of the Ways and Means Committee recommending this legislation, they are fast receding from the position they have heretofore taken on this question, and it is likely that in the not far distant future they will entirely surrender, and then with a Republican tariff commission and a Republican protective tariff, we will not only have Republican prosperity, but peace and happiness throughout the Nation. [Applause on the Republican side.]

The Democratic national platform of 1912 declared "it to be a fundamental principle of the Democratic Party that the Federal Government under the Constitution has no right or power to impose or collect tariff duties except for the purpose of revenue," to administer the Government economically. But it seems the present day leaders of that great party have many misgivings as to the soundness of this time-honored principle of Democratic faith, or, at least, they do not believe it is very popular at this time among the American people.

They have stated in their platform this year that they reaffirm the doctrine of the tariff for revenue for the operation of the Government economically administered, but there is an absence of any declaration reaffirming directly or indirectly that great fundamental principle of the party so proudly proclaimed in the Baltimore platform in 1912, and which was a mere reiteration of a similar declaration in the Democratic national platform of 1892. The minds of the President and the Democratic leaders of the country seem to have become much troubled because of their past denunciations of Republican protective tariff policies, and there is not an utterance, there is not an expression, in their recent platform adopted at St. Louis; there is not a declaration that produces even an echo of that old-time ringing pronouncement of the unconstitutionality of all protective-tariff duties. [Applause on the Republican side.] On the other hand, they say that "we recognize that tariff rates are necessarily subject to change to meet changing conditions of the world's production and trade," and this is followed by a declaration for a tariff commission "to make impartial and thorough study of every economic fact that may throw light either upon our past or upon our future fiscal policy with regard to the imposition of taxes on imports or with regard to the changed and changing conditions under which our trade is carried on."

Mr. HASTINGS. Will the gentleman yield?

Mr. SWITZER. I will.

Mr. HASTINGS. I am very much interested in this very delightful argument the gentleman is making. I want to ask him if he still holds to the theory that the foreigner pays the tariff tax?

Mr. SWITZER. I do not recollect ever having unqualifiedly advocated that theory, but undoubtedly in many instances under a Republican tariff law the foreigner does pay the tax. [Applause on the Republican side.]

Mr. CULLOP. Mr. Chairman, will the gentleman permit a question there?

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from Indiana?

Mr. SWITZER. Yes.

Mr. CULLOP. Does the foreigner pay the tariff tax when the goods are entered in the customhouse here?

Mr. SWITZER. Well, it depends on who owns the goods when they are entered at the customhouse.

Mr. CULLOP. If the foreigner pays the tax, is it not collected back off the purchaser here?

Mr. SWITZER. In some instances it is, and in many instances it is not.

Mr. CULLOP. Then, the gentleman believes the foreigner gives that to you. The gentleman believes the foreigners are very generous over there.

Mr. SWITZER. I do not say and I do not imagine that they are so generous as the gentleman suggests, but under a Republican tariff law, in order to get trade, they sometimes do pay the tariff taxes themselves, and in such cases it may not be added to the price that is charged in this country; not always, of course, but sometimes.

Mr. DENISON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from Illinois?

Mr. SWITZER. Yes.

Mr. DENISON. Can the gentleman state who will get the amount of tariff that this antidumping clause will compel the foreigner to pay on the goods that are brought in here? Who will get that tariff—the Government or the foreign shipper?

Mr. SWITZER. I do not know that I can answer the gentleman's question, because I do not understand the consistency of this bill. But the Democratic idea was to lower the duty so as to increase importations into this country, in order to reduce the price to the consumer here. That was their doctrine, but after a few years of that method of doing business they bring in here what they call an antidumping provision. Whether it will work or not I am unable to say, but I doubt it; but the Government gets the special duty imposed by the unfair-competition provision of the pending bill.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. FORDNEY. Mr. Chairman, I yield to the gentleman two minutes for the purpose of asking him a question.

Mr. SWITZER. Very well.

Mr. FORDNEY. The gentleman from Oklahoma [Mr. HASTINGS] asked the question a moment ago whether the importer paid the tax. I want to ask a question in return. Prior to the adoption of the Underwood tariff law there was a duty of 11 cents a pound on wool. When the Underwood law took effect the duty was removed. The price of wool did not go down upon the enactment of the Underwood bill. Now, who paid the tax before the Underwood bill became a law—the foreigner or the American purchaser?

Mr. SWITZER. I think the gentleman's question answers the other question. The same thing happened when the tariff was taken off hides and leather. Instead of the price going down, as was promised, the price went up. I do not want to be understood as saying that the foreigner always pays the tax, but if the tariff bill is properly framed along the lines of Republican protection, I say that in most instances the foreigner will pay the protective tax in order to enter this market with his commodity.

Mr. HASTINGS. Mr. Chairman, will the gentleman yield there?

Mr. SWITZER. Yes.

Mr. HASTINGS. Can you name a single one where the consumer does not pay the tariff tax?

Mr. SWITZER. I do not yield, Mr. Chairman. If the gentleman does not believe in protection, why does he support a bill brought in by his party, placing a duty on imported dyestuffs, for the purpose of building up the dye industry here? [Applause on the Republican side.]

The ultimate object, the purpose for making the investigation and impartial study declared for in the recent Democratic tariff plank is not very clear, for while the plank subsequently expresses sympathy with the principle and purpose of the remedial legislation proposed respecting the change to be made from time to time in tariff duties, it does not specifically state whether such legislation is to be protective, competitive, or of a free-trade character. The proposed principle is so illy defined, and the purpose sought so beclouded with uncertainty that no one knows just what it means. It is capable of almost any construction, and I have no doubt but that it was intended to be capable of any construction that the Democratic administration or a Democratic caucus might see fit to decree.

The final analysis of the foregoing declaration leads one to conclude that the broad investigation and intense study to be provided for in the legislation recommended is solely for the purpose of giving the present administration an opportunity to express its "sympathy" for the numerous industries left defenseless and helpless by the Underwood tariff law, but I wish to call the attention of the people to the fact that a mere expression of sympathy on the part of our Democratic friends has never heretofore rendered them any material assistance.

During the consideration of the Underwood tariff bill in the last Congress large numbers of Democratic Representatives expressed their deep sympathy for the woolgrowers of the country and stated that a duty ought to be put on raw wool, but when it came to the supreme test they voted to put raw wool on the free list.

The agonizing sympathy of the Democratic majority in the Sixty-second Congress for the sugar consumers of the country was most pathetic to behold, and I can still hear the sorrowful wail going up from the other side of this Chamber as Democrat after Democrat rose and told of the annual $115,000,000 extorted from the people by reason of the Republican duty on imported sugar and that the humanity of a Democratic Congress and a Democratic administration never would tolerate such an outrageous burden to continue on the American people. But upon the final perfection of the Underwood tariff law we find sugar not only left on the dutiable list, but under a protective duty. I submit that the unprotected industries of the country are not at this time seeking legislative expressions of sympathy, but what they want is legislative protection against their foreign rivals. They want immediate and effective action.

Having practically failed to redeem a single preelection promise and having failed to redeem any important platform pledge, our Democratic friends realize that their platform promises of 1912 are regarded by the people as a huge national joke, so much so that a prominent Democratic Member of the House upon the floor of this Chamber in the last Congress in utter disgust exclaimed "that the Democratic Party had become the laughing stock of the country," and, being deeply impressed with the necessity of passing some legislative act to lead the people to believe that they intend to fulfill at least some of their recent platform pledges, we find incorporated in the pending revenue bill an antidumping provision.

Such legislation is necessarily protective in its character, and its sole purpose is to directly protect the American producer against his foreign competitor regardless of the question of raising revenue, and the Democratic members of the Ways and Means Committee, by recommending the passage of this legislation, construe their new-born tariff plank as a declaration, among other things, for tariff legislation solely for the purpose of protection. For no Democrat has so far had the audacity to suggest the enactment of dumping legislation for the purpose of raising revenue.

If the protective principle is wrong, then all forms of protection and all methods adopted by Congress to partially restrict the importation of foreign-made goods into this country for the purpose of securing to the American producer a market free from ruinous foreign competition are wrong.

And when our Democratic friends pass or attempt to enact legislation solely for the purpose of preventing foreign-made goods from being thrown upon our markets in large quantities, which have been purchased at a price lower than the usual selling price or cost of production in the country from which they are exported, plus freight, duty, and the necessary expenses of importation, all for the purpose of breaking down and destroying some American industry, then they most assuredly admit or concede that the protective principle is not only constitutional but that it is also a wise economic policy.

But the passing of an antidumping law will not alone initiate and build up new industries. Such legislation is a necessary adjunct to an adequate protective-tariff act, but standing alone it will be of scarcely no value in developing new methods for the utilization of our great national resources. But it is a necessary supplement to a protective-tariff law to further secure, to further safeguard, the protection afforded thereunder to American producers by undertaking to prohibit unfair business practices on the part of their foreign competitors. It is the protective reserve force that will be invoked by the American producer when his foreign competitor resorts to unfair business methods and cut-throat competition.

When the Underwood tariff bill was under consideration in the Sixty-second Congress I sought to have its antidumping provision, which affected only articles upon the dutiable list, so broadened as to apply to articles upon the free list produced in this country. This proposition was voted down by the Democratic majority. When the bill got over to the Senate the Democratic members of the Senate Finance Committee cut out the antidumping provision because it smacked too much of Republican protection, but they stated that if the law carried an antidumping provision, in their opinion it ought to apply to all articles, both dutiable and free.

The present bill seeks to curb the dumping evil by making it a criminal offense, punishable by fine and imprisonment, and they thus avoid the objections raised by the Senate committee to the former plan.

But while they seek to save the face of the Senate Finance Committee by changing from a dumping duty to a criminal offense to curb unfair competition, in the very next section of the unfair-competition chapter of the pending bill, for the purpose of punishing monopolies in restraint of trade, they resort to a special import duty equal to double the amount of the duty otherwise imposed by law. It seems to me that this provision has the same vice as the dumping provision of the Underwood tariff bill condemned by the Senate Finance Committee, in that it affects only articles upon the dutiable list of our tariff law. If the monopolist dealt in an article carried upon the dutiable list, he is punished by the imposition of a special double duty, but if the article he deals in is upon the free list, he is subject to no punishment or inconvenience whatever. I am anxious to see the comments of the Senate Finance Committee upon this new proposition.

The CHAIRMAN. The time of the gentleman from Ohio has expired. If no gentleman desires further time, the Clerk will read the bill for amendment.

Mr. KITCHIN. Mr. Chairman, I yield 10 minutes to the gentleman from Indiana [Mr. CULLOP].

The CHAIRMAN. The gentleman from Indiana [Mr. CULLOP] is recognized for 10 minutes.

[Mr. CULLOP addressed the committee. See Appendix.]

Mr. KITCHIN. I yield five minutes to the gentleman from New York [Mr. LONDON.].

[Mr. LONDON addressed the committee. See Appendix.]

Mr. FORDNEY. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. BENNET].

Mr. BENNET. Mr. Chairman, the gentleman from Indiana [Mr. CULLOP] refused to yield to me, and I am rather glad he did, because I wanted to ask him a fairly mean question. I wanted to ask him if he was as sure of what he was then stating as he was sure in 1911 that a tariff commission was wrong. As I do not like to ask mean questions, I am rather glad that he did not yield. He asked the gentleman from Ohio [Mr. SWITZER] a question, and that was, whether the foreigner paid the tax. I propose in my five minutes to give three instances where the tariff was raised in the Payne bill, where an American industry was established, and where the price to the consumer was not raised, and that ought to answer the question. The first was in the case of pumice. The tariff in the Payne bill upon pumice was very much increased, something like 80 per cent. Pumice is used as a cleanser. There

were fields of pumice in Kansas and Nebraska, but before the Payne bill they could not be operated, because the Italian wage is about 35 cents a day and the wage in Nebraska and Kansas is something like $2 a day. We almost doubled that tariff in the Payne bill. What was the result? They commenced to mine pumice in Kansas and Nebraska, and the price of the product, the cleanser, has not been raised to the consumer. That is one case. The second was in the case of post cards. My colleague [Mr. LONDON], who just spoke, and myself know that New York City is the center of a great lithographic industry. The union laborers from New York came down and asked Congress, when drafting the Payne bill, to increase the tariff upon lithographed post cards, because they said the then tariff did not equal the difference in cost of production at home and abroad. We did raise the tariff in the interest of the lithographers in New York City and elsewhere, with the result that on Beekman Street and other streets in New York City establishments were opened for the manufacture of post cards, and the first result that I saw of that was that the price of picture post cards here in the city of Washington, instead of going up to the consumer, went down under the American competition.

The third instance was the question of cheap lace—a kind of lace that is used upon the garments of the poor people. The tariff on those laces, known as Lever and Gothrough laces, was increased to 70 per cent in the Payne bill. Prior to the Payne bill there was practically no industry of that kind in this country. In the Payne bill, under the provision, that industry was created, and created so quickly that by 1913 we were able to prove to the gentleman from North Carolina [Mr. KITCHIN] and others on the Ways and Means Committee that we had an industry of that kind in this country, and prove it so effectively that the Underwood bill continued the tariff, not at the full Payne rate but at the rate of 60 per cent, so as not to kill that industry, that came into being by reason of the increase under the Payne bill. There were 31 factories established. There are three of those factories in the district of my friend from the twenty-fourth New York [Mr. OGLESBY], all due to the operation of the Payne bill, and the price to the consumer is less to-day than it was then. [Applause on the Republican side.]

Mr. KITCHIN. Mr. Chairman, I yield two minutes to the gentleman from Indiana [Mr. CULLOP]. [Applause.]

Mr. CULLOP. Mr. Chairman, we have made a new convert. The gentleman from New York now is preaching the doctrine that every Republican in the land will repudiate, that the levying of high-tariff rates reduces the price of the article. Such a doctrine is hostile to the theory upon which protection is demanded and given.

Now, I would like to ask him how high must a tariff be in order to get the article for nothing, if the doctrine he now asserts be true? In order to defend the doctrine of protection he now asserts, instead of it increasing prices it lowers them. Now, Mr. Chairman, this abrupt change of theory on the part of the gentleman from New York shows the fallacy of his party's doctrine on this question, and when pressed it is indefensible, and he is compelled to shift his position in order to sustain his theory. It will not stand the test nor bear the light of analysis. Instead of declaring the necessity of levying a high duty to raise the price, he here boldly proclaims it should be made high in order to reduce the price, to cheapen the product to consumers. Let it be noted now that he is the only advocate of high protection on this floor who has offered such an argument, and in making it he directly opposes every person who has attempted to advance a reason for retaining the system. The gentleman stands alone in his defense. If it is not levied to increase the price, then what good reason could any person give for levying it? Does any man suppose the protected industries would stand for it if it lowered the price? [Applause on the Democratic side.] Does the gentleman from New York believe that the owners of great industries which have thrived for years because a high tariff has raised the price of their products and enabled them to extort unearned profits from the people will indorse his new doctrine and applaud his theory? If he does, he is woefully mistaken, and he will find it will arouse their hostility, and they will repudiate his theory and denounce the doctrine he has advanced. Imagine, if you can, the great tariff barons visiting Congress urging it to raise the tariff in order that they could lower the price of their products to the consumer. When that happens, the millennium will be here in full blast. Ah, the manufacturer can lower the price without raising the tariff, but he can not, as a usual thing, raise the price without having the tariff raised. He needs no tariff to lower the price, but does need it to raise the price above competitive prices, as a usual thing. It requires it to enable him to plunder the people. [Applause.]

Now, the gentleman from New York gives an illustration of how a protective tariff enabled some little factory to be started in Kansas and employ a small number of laborers, because by protection it could keep out of this country the foreign-made product, or prevent it from selling as cheaply as it could otherwise do, and then declares with much exultation that it is an instance where the tariff has enabled labor to be employed. Does not the gentleman think it was a very expensive experiment to the people of this country? In order to do this, 100,000,000 people were taxed and the price increased on all the products used by the entire population of the country, solely for the purpose of employing a handful of men in this industry. It might have been a good thing for the men who owned the industry and the men employed, but, oh, great heavens, think how hard it was on the millions of people who had to pay the increased price when they purchased the product! [Applause on the Democratic side.]

Does the gentleman longer justify such a system of taxation, which wrings from the pockets of the helpless consumers their money for which they have toiled, to put in the pockets of a favorite few profits they have never earned and could not collect if it were not for the indefensible system. Oh, no; the gentleman from New York used to contend for that, but judging from the speech he has just made, he has had a change of heart, and now he repudiates the old doctrine, advances a new one, and wants a high tariff now, for the purpose of reducing the price, in order to have the protected industries sell cheaper to the consumers. A new doctrine, indeed, but one that he will find nobody will believe. [Applause on Democratic side.]

Mr. FORDNEY. Mr. Chairman, I yield three minutes to the gentleman from New York [Mr. BENNET].

Mr. BENNET. Mr. Chairman, the doctrine I enunciated will not be repudiated by a single Republican who believes in the doctrine of protection [applause on the Republican side], because it has been our contention, and it has been proved, that by the establishment of any industry in this country under a protective tariff ultimately the price went down. I can give a concrete instance. Take men's gloves. The tariff on men's gloves in the McKinley bill was increased 100 per cent. Men's gloves are cheaper to the consumer to-day than they were at the time the McKinley law was passed, and the difference is that they are being manufactured in this country, instead of being manufactured abroad.

Mr. CULLOP. Is there any duty on them to-day—160 per cent?

Mr. BENNET. It started with the McKinley bill, and there are some things that even the Democrats did not dare do. They did not dare kill as conspicuous an example of how an industry can be built up under a protective tariff as is the glove industry. Take the old familiar question of steel rails. Prior to any duty on steel rails the price of steel rails in this country—manufactured, all of them, in Great Britain—was over $100 a ton, and the last time I looked at it they were around $28 a ton, because with the tariff in this country we established the industry, and with the competition that came between our industry and the industries abroad and with the appliances, with the American inventive genius applied to the American industry, we were able to put the price down, and that is a proved contention of Republicans year in and year out from time immemorial that if you give us a chance to build up American industries in time we will reduce the price. I give you credit by saying that that is exactly what you are trying to do in the dyestuff situation in this bill—you are trying to build up an American industry.

And if your bill works out right in detail, as to which I express no opinion, the ultimate result will be, when you have established the dyestuff industry under the provisions of your bill, in time the price will go down, and we will all owe a debt of gratitude to the gentleman from North Carolina [Mr. KITCHIN], the leading protectionist to-day. [Applause on the Republican side.]

Mr. KITCHIN. Is it satisfactory to the gentleman from Michigan [Mr. FORDNEY] that the committee do now rise?

Mr. FORDNEY. Yes.

Mr. KITCHIN. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The gentleman from North Carolina moves that the committee do now rise.

Mr. KITCHIN. Mr. Chairman, I withdraw that motion for a moment. I wish to yield to the gentleman from Missouri [Mr. RUSSELL].

Mr. RUSSELL of Missouri. Mr. Chairman, the bill now under consideration is an emergency revenue bill, and I shall give it my support with the understanding and belief that it is to be a temporary measure and not a permanent law. It is necessary to-

day because of the unusually large appropriations that have been or that will be made by this session of Congress. I shall not undertake at this time to discuss the necessity nor the wisdom of these large appropriations. The most of them I know to be absolutely necessary in properly carrying on the functions of the Government. Others, no doubt, will promote the progress of the country and will be of great benefit to the American people. Some of these appropriations may be unnecessary and unwise.

But these questions are not relevant to this discussion and should not enter into our deliberations to-day. The appropriations have been or in a few days will be made, the money will be expended during the present fiscal year, and the only question before us now is how we will get the money. Like individuals the Government can not spend the money without in some way collecting the money to spend, and the only way known for the Government to get it is by taxation in some form. It may be by direct taxes, by indirect taxes, or by a bond issue that simply postpones the evil day of payment to a later time. Permanent improvements, such as the construction of the Panama Canal, that will abide for years to come for the benefit of future generations, all agree can consistently be paid for by a bond issue; but I think the most of us agree that it would be cowardly for the representatives of the present generation to borrow money upon the credit of posterity with which to pay the current expenses of our country to-day, and leave to those who shall come after us the burden of paying debts, when the things for which they would pay shall have been exhausted and disappeared before their time.

This is not a political measure but a business proposition, and I now modestly, without specific knowledge, predict that a majority of the Republican Members of this House will vote for its passage. Permit me to add that the Republican Members on the other side of the House, who do not vote for it will in my opinion place themselves in an inconsistent attitude before the country. It is true that in theory the party in power is usually held responsible for all appropriations made, and all legislation enacted by Congress, but in fact, the Republican Members of this House are as responsible to their constituents and the country, as are the Democratic Members for the large appropriations of this session. As a rule the great majority of Republicans, not only voted for all appropriations made, but for many proposed increases that were not made. I practiced law for 30 years and I always found that the most convincing proof against a litigant was his own admissions, especially when against his interests. One of the ablest and fairest speeches made on the Republican side of the House during this discussion was made by the gentleman from Ohio [Mr. LONGWORTH], who is a member of the Ways and Means Committee that prepared and reported this bill to the House. In the course of his speech he said:

> In the interest of fairness, however, it ought to be said that the wanton and reckless extravagance of the party in power is only partly responsible for the vastly increased expenditures which we have assumed and for which this bill is intended partly to provide. The larger portion of these expenditures represents the effort on the part of Congress to place this country in a condition of somewhere nearly adequate military and naval preparedness, and in that the Republican Party has not only assisted but has successfully insisted that the Democratic program be extended and elaborated.
>
> Being thus responsible for expenditures even larger than the Democratic Party either contemplated or desired, we of the Republican Party ought to be prepared to pay the price.

This distinguished Republican Representative not only assumes for his party its share of the responsibility for the large appropriations that make this emergency bill necessary, but he admits that his party was successful in making the appropriations for military equipment and national defense larger than they otherwise would have been, and like the fair and consistent man that he is, he says he will vote for this bill.

In view of this frank and true statement by the able and distinguished Republican Member of this House, let no other Republican of less information or less frankness undertake to criticize the Democratic membership of this Congress, either for the large appropriations made or for the passage of this measure, which provides the way to pay the obligations for which Members of all political parties voted and for which we are jointly responsible.

This bill provides four methods of taxation, which I will very briefly mention in their proper order.

First. The present income-tax law, for which nearly all Republicans and Democrats here originally voted. This law I am sure is to-day approved by a great majority of this House and a great majority of the American people. It produced in the last fiscal year, $124,000,000 collected from those of large incomes, thereby relieving the citizens of the country of small incomes from this large part of the revenue necessary to carry on the business of the Government. This law it is now proposed to amend by increasing the tax from 1 to 2 per cent upon incomes less than $20,000, with a graduated tax increasing as the amount of income increases up to incomes of more than $500,000, which are to be taxed 12 per cent per annum.

The same exemptions provided for in the present law are to be continued in this proposed law—that is, heads of families who have no more than $4,000 net income will be exempt from taxation, and those without families will have $3,000 exempt, so that those of small incomes will be relieved from any burden whatever under this law.

Second. The inheritance tax upon all estates of deceased parties where the amount of the estates after all debts are paid are more than $50,000. No estate of less than that amount, after all debts are paid, will be subject to any tax under this proposed law. It provides for a graduated tax of 1 per cent on the second $50,000 of an estate of $100,000, with gradual increases as the estates increase up to estates of $500,000.

Third. The manufacture of munitions of war tax. This is not only a very just and a very reasonable tax, but will meet with practically the universal approval of the people of the country. It is claimed that many of the munition plants are making a million dollars per day, and are deriving the greatest benefits from the expenditures of the millions of dollars that have been and that will be expended for so-called preparedness. It is estimated that there will be collected about $71,000,000 per year under this provision, thereby relieving the people of less profitable vocations from this large part of the necessary revenue to pay the expenses of the Government.

Fourth. It is proposed by this bill to repeal the special-tax law passed about two years ago and to reenact the same, continuing certain taxes imposed by that act, but I am glad to find that this bill will not reenact that part of the former bill providing for stamp taxes. I have personally never favored the provision requiring stamps upon telegraph and telephone messages, deeds, notes, or other documents that has proved to be such an inconvenience to the people, and I now want to congratulate the members of the Ways and Means Committee for repealing that part of the former act and leaving out of this bill that feature of the old law.

Mr. Chairman, I of course regret the necessity of this bill, but we all know that nearly all civilized countries are to-day at war and all the world seems to be war mad. There are many of our ablest and most thoughtful citizens who have believed there was grave danger of our own country being drawn into the bloody European conflict or of becoming involved in war with some other nation. I believe that our great President, Woodrow Wilson, who has thus far preserved both the peace and the honor of our country without war, will, with the cooperation of the peace-loving people of America, continue to do so, but our own apprehensions of a possible war aided by an urgent and a persistent pressure from many of our constituents, led this Congress to appropriate millions of dollars to prepare for our national defense, and of course the bills we have made must be paid. In my opinion, the plan agreed upon by the Ways and Means Committee, as expressed by this bill, will place the burden of the increased taxation made necessary by the present emergency upon the wealth of the country that is best able to bear it. Such of our American citizens as have been so fortunate as to accumulate and now possess the wealth that will make them subject to the provisions of this bill will in times like these no doubt be patriotic enough to bear, without complaint, this additional burden that will be temporarily placed upon them in obedience to the demands of the country for adequate preparedness for our national defense. [Applause.]

Mr. FORDNEY. Mr. Chairman, I yield to the gentleman from North Dakota [Mr. YOUNG].

Mr. YOUNG of North Dakota. Mr. Chairman, I thank the gentleman for his courtesy in extending time to me. I made some remarks upon the subject of the raising of revenue two or three months ago, and made some suggestions to the members of the Ways and Means Committee which I am sorry to see they have not acted upon. I ventured to suggest a method of raising revenue which would not only produce a large amount of money but at the same time help to correct a great abuse in the marketing of grain. My proposal was to tax all sales of grain for future delivery where deliveries were not in fact made. Such a tax would produce revenue and at the same time discourage gambling. Many letters of approval have come to me, and among them one from Benjamin Drake, Minneapolis attorney for the Equity Cooperative Exchange. Mr. Drake has given this subject much consideration, and delivered a strong and most convincing address last December before a great convention of farmers at St. Paul, held under the auspices of the Equity Cooperative Exchange. It was the largest gathering of farmers ever gotten together at St. Paul, made up of thoughtful, intelligent farmers interested in the cooperative handling of grain,

from North Dakota, Montana, South Dakota, Minnesota, and Wisconsin. The press dispatches said that the address was listened to with great interest, and the farmers present, who had suffered so much from the market fluctuations caused by gambling in options, frequently interrupted the speaker with applause. In the absence of objection, I shall have printed in the RECORD Mr. Drake's address. Mr. Drake said:

FUTURE TRADING ON GRAIN EXCHANGES.

Mr. Chairman and gentlemen of the convention, the attention of the American public has been repeatedly called of late to the evils of market manipulation. The New York Stock Exchange has been the principal object of attack. As yet there has been comparatively little public discussion of short selling and market manipulation as applied to grain and produce exchanges. This last phase of the question is the most important, because it affects the greatest number of people and because in this case the subject of price manipulation is invariably a necessity of life. Price manipulation as applied to industrial and other stocks affects only a few persons of means; but manipulation of the prices received for farm products directly affects all growers and consumers of these products—in a word, affects all persons. The whole problem has assumed such proportions that its solution is a public necessity. The solution should come as the result of careful study. It must be based on facts, not ineffective or hysterical appeal. It must come, moreover, from the common people, the source from which every reform of merit springs. The grain gamblers themselves will never suggest or institute a real reform; it is with this idea in mind—the idea of presenting for the consideration of thinking men some facts and arguments connected with the evils of gambling in grain—that I desire to speak to-day.

For many years the public has heard but one side of this controversy—the arguments of the speculators themselves who wish to perpetuate the system. The grain exchanges of the United States all are private industries. They are carried on for the pecuniary profit of their members. Whenever speculative features of grain exchanges have been assailed the members of these grain exchanges, ably aided by the banks, newspapers, servile politicians, and big business generally, has sprung to the defense.

We are told that future transactions as carried on in grain exchanges relieve the producer of the necessity of carrying his grain at the risk of fluctuation until such time as the consumer can actually use it. We are told much of the practice of hedging a purchase against a sale, and vice versa. It is claimed that this practice amounts to insurance against speculation. We are told that on the whole unlicensed speculation as carried on to-day increases the price which the producer would otherwise receive for his grain. And we are told, lastly, that the whole subject is too vast and intricate to be understood or even discussed intelligently by anyone except the few favored individuals who are actually engaged in the grain trade and incidentally profiting by the system.

Yet notwithstanding this persistent and long-continued effort to convince us that short selling in grain and other farm products is essentially right and proper, public opinion is apparently steadily setting against the practice. The practices of the New York Stock Exchange have few defenders. The present Democratic platform declares without qualification against gambling in food products. A bill recently passed Congress directed against short selling in cotton exchanges. A bill introduced at the 1913 session of the Minnesota Legislature, calling for the total prohibition of future trading, failed to pass the lower house by only a single vote. The powerful Rules Committee of Congress, after a solid week of hearings, where both the producer and grain exchanges were represented, has demanded a general investigation of future trading, and frames the following indictment against the Chicago Board of Trade, the Minneapolis Chamber of Commerce, and the Duluth Board of Trade:

"That it is the common practice of these controlling members, by concerted action in these three great markets, offering or withdrawing enormous quantities of wheat of the public warehouses and terminal elevators, and by concerted bidding and betting in the pit on futures, to depress or raise the price of wheat to suit the purpose of their gambling operations; that the prices are by such combination and manipulation depressed, while the farmers are compelled to market the heavy portion of each crop and raised and manipulated so as to tempt speculative investors after the bulk of each crop is in the control of the combination; that for each bushel of real wheat actually sold and handled in each of those terminal markets at least 100 bushels are bought and sold in so-called future trading; that the multiplied expense of all such future trading, as well as most of the profits thereof must come out of the real wheat actually marketed; that the only part of the gains of gambling in wheat not borne by the farmer or buyer of bread is borne by men tempted to speculate in the pit; that the number of embezzlements, bankruptcies, and wrecks caused by gambling in wheat futures is appalling; that the members of the Chicago Board of Trade, the Minneapolis Chamber of Commerce, and the Duluth Board of Trade, through whom such gambling operations are made, cover and hide the record of the losses sustained by speculators and refuse to exhibit their books to the State officials whose duty it is to protect the public; that the Chamber of Commerce of Minneapolis and the Board of Trade of Chicago, by virtue of a large membership of wealthy men closely allied with banking institutions, transportation companies, and with certain daily newspapers of their communities, exercise and control an unwholesome influence in local government and public opinion."

This is only a part of the whole indictment; but it is enough to show that the American public has set itself seriously to the task of deciding whether to permit or prohibit short selling in the product of the farm.

The terms "future trading" and "short selling," broadly speaking, mean the same thing. Each term may in turn cover two general practices which should be specified in order to secure accuracy of thought and designation.

The so-called practice of hedging is one variety of future trading. It is the kind of future trading which is constantly harped upon and unduly emphasized by the defenders of short selling in order to distract attention from the other kinds of future trading which can not be defended at all. Hedging is best understood by the familiar illustration of a man hedging a bet. Having a bet on one side, he also bets on the other side, and thus guards himself against loss, whatever the result. Keeping in mind the general idea of hedging a bet, two illustrations will suffice to show examples of a hedge as used to-day in the grain exchanges. A Minneapolis miller has an order for 10,000 barrels of flour to be delivered next May at a certain price. That price is based upon the present price of wheat. The miller does not know what the price will be next May. He does not wish to invest capital in wheat and store it until May. Neither does he wish to assume the risk of wheat going up or down between the present time and the date of delivery. If he had many such contracts, a rise of 25 cents per bushel might mean great loss and even financial ruin. Therefore at the time of accepting the order for 10,000 barrels of flour he goes into the market and buys 50,000 bushels of wheat for delivery in May. In this way he has hedged his sale of flour, whether the market goes up or down. The payment of the small margin required protects him against loss from fluctuation in price.

Another typical instance of hedging is to sell actual grain for future delivery by a local country elevator. The elevator may be full of grain, but owing to railroad congestion or other cause, it may be impossible to get the grain to the terminal inside of 30 days. During this time wheat may fall 20 cents per bushel. The directors of the local elevator do not wish to bear this risk. They therefore direct their manager to wire some commission house at the terminal to sell 25,000 bushels of wheat for future delivery. When this is done, the elevator has only to make delivery within the time specified and it is protected against loss from a falling market. In other words, the elevator has hedged its own purchase of grain in the same way in which the miller has hedged his sale of flour.

Some persons see grave objections in the practice of hedging. It is pointed out with truth that practically no other commodities except grain and grain products can be protected by the hedging practices. The manufacturers of all other products are obliged to bear the risk of price fluctuation. Why, then, should the handlers of grain and grain products enjoy the singular insurance against risk in market fluctuation? The answer is that in theory at least it enables all parties to do business upon a closer margin. The miller, it is claimed, can make a closer price on his flour. The local elevator can pay a better price for the grain, because the profit of each can not be wiped out by price fluctuation.

Moreover, it is also true that hedging differs from all other forms of future trading in this respect; it is based upon a commodity either actually in existence or contracted for in a bona fide sense. In my own opinion, as terminal marketing is now conducted, hedging is a practical necessity. It is a necessity, because unlicensed speculation as now carried on causes sharp and constant fluctuation in market price. In other words, it is short selling itself which causes the market variations which make hedging a present necessity.

Senator CUMMINS, in his argument on the cotton futures bill, quoted in the CONGRESSIONAL RECORD for September 3, 1913, sums up this argument admirably when he says:

"It is said—and this is one of the arguments most frequently used—that short sales ought to be permitted, because they tend to steady the market and tend to prevent extreme fluctuations in the price of commodities. I have read a great deal of argument submitted to sustain this contention. I can not at this time enter upon an analysis of the subject as I would like to do. I can only record my own opinion that instead of steadying the market short sales disturb the market. Instead of preventing extreme fluctuations they excite extreme fluctuations. Those who defend the practice always forget that when short sales are used to steady prices—and I admit there are times when they are so employed—they are employed to steady prices which the practice itself has disturbed."

But whatever may be the merits or demerits of hedging, as used under the present system, it is certain that the practice can not be preserved unless it can be separated from the other forms of future trading. If it can not be separated from the other vicious forms of future trading which lend themselves to price manipulation and exploitation of the producer, then hedging must inevitably go. The public, when it learns facts, the stupendous volume and controlling influence of sheer gambling transactions, will eradicate the whole system of future trading unless hedging can be separated from the riot of gambling transactions which to-day raises and lowers the price of grain at will of the gamblers.

The volume of hedging, as compared with the total volume of future transactions of the grain exchanges of Chicago and Minneapolis, is comparatively insignificant. If all the grain entering the Minneapolis terminal in an entire year were hedged once, it would amount to less than 300,000,000 bushels. If it were hedged three times, it would still amount to less than a billion bushels. As a matter of fact the evidence at hand indicates that the total future transactions on the floor of the chamber of commerce aggregate not less than 10,000,000,000 bushels. The future transactions, which are not the result of hedging and which probably aggregate more than 9,000,000,000 bushels a year in Minneapolis alone, are purely speculative or gambling transactions. These are the transactions which make possible price manipulation, and which the public to-day seems determined to wipe out.

This second variety of future trading is more easily described than defined. It differs from hedging, because there is no actual interest to protect or hedge. Ordinarily there is neither actual delivery of the grain, nor any intention to deliver. The speculator or gambler buys or sells grain for future delivery on the chance of a favorable change in the market before the time specified for the delivery. Settlement of these transactions is commonly, almost invariably, effected by payment of the difference in price, called margins, instead of actual transfer of the grain. The speculator, therefore, merely makes a bet on what the future price of grain is going to be. He has no actual interest to protect, unlike the man who hedges.

To what extent is this purely speculative variety of future trading carried on? And what is its effect, if any, upon the price of cash wheat?

Let us answer these questions one at a time. One of the dramatic features of the recent grain-exchange hearing before the Rules Committee of Congress was the testimony of Samuel Hallet Greeley. For 28 years Mr. Greeley had been a member of the Chicago Board of Trade. He had sold his membership only 10 days before the hearing in order to be able to testify without fear of punishment. Mr. Greeley said that at the lowest estimate the future transactions of the Chicago Board of Trade amounted to 300 times the entire volume of wheat handled in a year. In other words, for every bushel of real wheat handled 300 bushels of phantom grain were bought and sold. On a single day, Mr. Greeley says, he has seen 25 Chicago firms buy and sell 5,000,000 bushels of grain apiece for future delivery. He styled himself an "insignificant" trader, but said that on many a day he had bought or sold a million bushels of grain and thought nothing of it. When it is remembered that recent average yearly receipts of wheat at Chicago do not exceed 50,000,000 bushels at the most, the sale of over 17,000,000,000 bushels for future delivery becomes simply appalling.

Mr. Greeley says that individual firms of Chicago lease private wires to the Pacific coast at an annual rental of more than $100,000 per year, so stupendous and so profitable is this system of organized gambling and

exploitation. He tells us that at times single firms of Chicago work as many as 20 clerks and bookkeepers night and day, simply to jot down and enter in their books of account the enormous volume of these future trades.

The only trouble with Mr. Greeley appears to be that he is altogether too conservative in his figures and statements. He has understated the facts. Willet M. Hayes, formerly Assistant Secretary of Agriculture, says that the future trading of the Chicago Board of Trade amounts to at least 90,000,000,000 bushels annually, which makes Mr. Greeley's figures of seventeen billions pale to insignificance. In January, 1913, the Assistant Secretary of Agriculture published an article in the American Academy of Political and Social Science, entitled "Functions and needs of our great markets." He says upon page 253:

"There is evidence that the really large speculative dealing is in wheat on the Chicago market. Estimates made some years ago indicate that 90,000,000,000 bushels of grain sales were made annually in Chicago."

Again he says, upon page 250:

"It is perfectly clear, however, that in the large the outside speculators and the producers and consumers among them lose money to a class of men who do not really pretend either to produce, to transport, or to manufacture; and they also pay the expenses of running an expensive speculative machine.

"A very rough estimate places the money received from the people by exchanges and their bucket-shop appendages in America alone at upward of $200,000,000 annually. On the face of it, this seems a high price to pay for fluidity and acceleration to the market and for the opportunity of hedging."

Mr. Hayes further states in this article that the speculative public loses annually at least $30,000,000 "through dealing with speculators with business connections with your (cotton) exchanges, or who assume to have such connection." According to Mr. Hayes's estimate, the annual losses of the public through the speculative features of grain and cotton exchanges would build a Panama Canal every second year. It would build 40,000 miles of macadamized roads over gumbo prairies every year. It would cover the entire proposed increase of governmental expenditures for preparedness for the coming year. And these figures do not take into consideration at all the losses which producers themselves sustain through manipulation and depression of prices of the commodities which they grow.

Nor is it necessary to rely entirely upon the testimony of Mr. Greeley nor the investigations of Mr. Hayes in order to determine the volume of gambling transactions upon the Chicago Board of Trade. Sworn testimony and admissions of the members themselves are available to establish these facts. Some years ago the Chicago Board of Trade prosecuted Christie Odell and others as bucket shoppers. The substance of some of the testimony in those cases as taken from the appeal record is as follows:

Charles A. Weare, of the Weare Commission Co., testified that his firm did a business of 600,000 bushels a day and that not more than 1 per cent resulted in actual deliveries. C. D. French, broker, testified that he had done a business of 100,000,000 bushels annually for 15 years and that only two or three times in all his experience had he had any property delivered to him. He fixed the total of the deliveries at about 200,000 bushels, or one two-hundredth of 1 per cent of his business.

Ex-Gov. James E. Boyd, of Nebraska, testified that he had been a commission merchant and dealer on the Chicago Board of Trade, and that actual deliveries were not one-half of 1 per cent of his business. Austin W. Wright, one of the heaviest speculators on the floor of the Chicago Board of Trade, testified that he had been a speculator for over 30 years and a member of the board of trade for 20 years and that in all that time he had never but three or four times paid for any grain. Since 1892 he was postive that he had not received or delivered any of the actual commodity. The following question and answer was put to Mr. Wright:

"Q. What is the difference, if there is any, between speculation on the board of trade and speculation off the board?—A. There is no difference. Locality can not affect the character of the transaction."

Walter Comstock was another interesting witness in the lawsuit. He was a member of Schwartz, Dupee & Co., the largest or second largest speculative house in the United States at the time when he testified that in the previous year his firm had dealt in from 2,000,000 to 3,000,000 bushels a day, and that in the previous December there were delivered to his firm only about 100,000 bushels of all kinds of grain. His testimony showed that not more than one-fifth of 1 per cent of the enormous business of his firm resulted in actual deliveries. The remaining 99⅘ per cent represented deals settled through the clearing house of the board of trade.

Judge Thompson heard the O'Dell case, and in his decision declared:

"The evidence convincingly shows that the larger part of the transactions in grain and other produce on the complainant's exchange are merely gambling transactions conducted by some of its members in violation of the law of the State of Illinois against bucket shops." * * *

The bucket shops are the offspring of the Chicago Board of Trade and kindred organizations, to which they still look for sustenance and life, and they can only be effectually suppressed by striking at the root of the evil. When this species of gambling on the commercial and stock exchanges of the country ceases the bucket shops will disappear, and not before."

It is unnecessary to comment upon this evidence. The promoters of the Louisiana lottery paid the State of Louisiana $40,000 for the privilege of running a gambling institution. The Chicago Board of Trade pays nothing; but the profits of its members from this source alone, computing them at the regular rates established by its own rules, would be not less than $75,000,000 per year.

At Minneapolis the evidence is not so clear as to the actual volume of future transactions. It is no doubt less than that of the Chicago market. At the grain investigation of 1913, conducted by the Minnesota Legislature, the members of the chamber of commerce refused to show their books disclosing the volume and details of their future trading. However, the volume of this future trading appears indirectly. It was shown at this investigation that within the chamber of commerce is the corporation known as the clearing-house association. This association had only 37 Members out of a total of more than 300. Its sole business was to clear the future trades of its own members. For this service it received one-half cent per $1,000 of future transactions clear. This was the sole source of revenue. Out of this revenue the association had paid its yearly expenses of $24,000, declared dividends, and accumulated a large surplus. The revenue to the clearing-house association for clearing $1,000,000 in future trades would be only $5. Computing simply the amount of future transactions necessary to maintain the yearly expenses of the clearing house and ignoring wholly the dividends paid, the surplus accumulated and the admitted fact that the clearing house acted for only a part of the entire membership, it appears that the future transactions passing through the clearing house amount each year to approximately $5,000,000,000. From all the facts and evidence it is quite clear that the entire volume of future transactions must equal at least 10,000,000,000 bushels per year. This estimate is apparently borne out by the testimony of F. G. Holbrook, a Minneapolis pit trader. He testified that on an average his future transactions amounted to 67,000 bushels per day, and that he seldom, if ever, delivered any real wheat to a purchaser. It is evident that approximately 90 per cent of the commission revenues of the members of the Chicago Board of Trade, taken as a whole, and three-fourths of the commission revenues of the members of the chamber of commerce are at present derived from future trading. In the case of Chicago the revenues derived from future trading must amount to approximately $75,000,000 a year, and in the case of Minneapolis between five and eight million dollars per year. The revenue derived from handling consigned grain, figuring a single commission, has never exceeded $1,000,000 in Minneapolis, or $2,000,000 at Chicago, in a single year. Gambling, therefore, is not merely an incident or adjunct. It is the main business of the modern grain exchange.

Time does not permit me to give the facts in detail, but the evidence taken at the Minnesota investigation shows conclusively that there never has been a year when the revenue of the commission houses of the Minneapolis chamber, taken as a whole and computing a single commission upon consigned grain entering the terminal, would be more than one-half of their admitted expenses. The major portion of these expenses and practically all revenues must be derived from future trading.

Judging from the facts obtainable, the bulk of these future transactions come from men not engaged in the grain business at all. Carefully contrived market news is ticked off the ticker every minute. Sure tips are freely circulated. The imagination of the sucker is aroused, his activity stimulated, and he takes a flier in wheat. He may be a lawyer, doctor, farmer, a minister of the gospel—all are welcome; the money of each is accepted. Bankruptcy and financial ruin may follow, often does follow, but in any case, win or lose, the board of trade member makes his commission. Some members of the Minneapolis chamber maintain uptown offices for the accommodation of the indiscriminate betting public. Some maintain private wires at vast expense. It is a vast and highly developed system—a democratic system, where the money of the poor pensioner or defaulting bank clerk is just as welcome as that of the millionaire theoretically fitted to bear the risk of fluctuation.

What effect do these stupendous gambling transactions have on the price of cash wheat? The answer is that within limits of many cents per bushel they absolutely determine and fix the price which the producer receives for his grain. Gambling can not, of course, completely do away with the law of supply and demand. But within limits these future dealings give speculators in wheat pit the power to raise or lower the price of cash grain at will.

Under the present system the price of cash grain is determined by the price of future grain. It is determined by what is called the "dominant" future, meaning the nearest date in the future fixed by speculators as the delivery date. These dates are May, September, December, and July. Just now the dominant future happens to be May, and the price of cash wheat is fixed by the May future. Theoretically, the price of cash wheat is the price of the dominant future less the cost of storage of the actual grain to the date of supposed delivery. Sometimes, under abnormal conditions, the rule does not work out exactly. But for practical purposes the price of cash wheat is fixed by the price of the dominant future. If the future goes up, the price of cash grain follows. If the future goes down, so does the price of cash grain. This is admitted by the members of the grain exchange themselves.

At the recent hearing before the Rules Committee at Washington, John Stream, a member of the Chicago elevator monopoly, which handles 90 per cent of the actual grain entering the Chicago market, testified as follows: "We would take the closing market of the future and calculate what was a fair price for cash grain." At the Minnesota investigation B. S. Ireys, of Minneapolis, pit trader, testified, "The price of cash grain is made by the price of future. If the buyers' orders were more numerous and vigorous the price would immediately respond and go up." The testimony of W. A. Gregory, E. L. Welch, and F. A. Hallet was to the same effect. Welch admitted that large dealers in the great markets, by acting in concert, had the power to temporarily affect the price of cash grain in any direction which might suit their purposes. He admitted further that if the market were affected for only a few minutes trades of stupendous magnitude could be closed. F. A. Hallet, now president of the Minneapolis chamber, testified, "at times I have seen the market advance half a cent on an order of 50,000 bushels; then I have seen it depressed in the same way." F. B. Wells, president of the Minneapolis chamber in 1913, testified in substance that speculators working collusively and in secret could raise or lower the price of cash grain at will. The only qualification which he imposed upon this admission was that speculators could not hold the price permanently at a given figure, although they have the power to alter it at will.

The facts quoted above are not surmises. They are the admissions of grain-exchange members themselves. Under the present system as now carried on by the privately owned grain exchanges the price of farm products is made the football of speculators. The agency is simple and effective. The price of the future determines the price of cash grain. The price of the future in turn is fixed by the relative strength of a flood of fictitious sales and purchases thrown on the market by speculators who know just what they want. If the speculators for their own purposes wish to lower the price of grain they throw on the market a flood of selling orders, and the price is beaten down. If they wish to raise the price they throw on the market a flood of buying orders, and the price is boosted up. The speculators pull the lever, and results follow. On a sensitive market in the Minneapolis Chamber of Commerce, an offer of 50,000 bushels will sometimes depress the price of cash grain half a cent per bushel. What influence, then, does 9,000,000,000 bushels of option trades and phantom grain at Minneapolis and 90,000,000,000 at Chicago, judiciously dumped on the market in the course of a year—what influence does this unthinkable volume of future trading have upon the price of your grain, Mr. Farmer? Is it any wonder that you have sold your grain practically every year for the past 20 years for a figure less than the actual cost of production?

A remedy for this condition, as I see it, does not lie so much in legislation as it does in organization and cooperative effort among producers. It is true that you can tax future trading out of existence; it is true that you can deny speculators the use of the telegraph and the mails and thereby eliminate the element of speculation; it is true that strict laws against gambling rigidly enforced would also curb the

operations of these speculators; but to my mind the true remedy is the one which you have already embarked upon. You have already established an open market at St. Paul. No speculation, no rigging of the market, no manipulation of prices is possible in your market place. Already your terminal market agency is handling as much wheat as the entire Chicago Board of Trade. It has demonstrated its efficiency and success. In a few years, at the present rate of increase in its business, it will no longer be possible for private grain exchanges to carry on the system of gambling and exploitation on its present scale. Your agency will market the bulk of the crop, and every bushel which your agency markets withdraws so much from the operations of the speculators in the so-called regular exchanges. Inside of the next five years at the present rate of increase in your business, and assuming reasonable efficiency in its future conduct, all of the legitimate dealers in grain will be doing business with your agency and similar agencies organized in the different parts of the country for the same purpose. Then the speculators of the regular exchanges will have lost the power to manipulate prices; they will have lost the enormous profits which now accrue to them; they will have no more influence upon the price of grain or process of distribution than a collection of thimble riggers at a country fair. And when this day arrives the American farmer will have at last come into his own.

Mr. KITCHIN. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. FOSTER, Chairman of the Committee of the Whole House on the state of the Union, reported that the committee had had under consideration the bill (H. R. 16763) to increase the revenue, and for other purposes, and had come to no resolution thereon.

BRIDGE ACROSS BAYOU BARTHOLOMEW.

Mr. GOODWIN of Arkansas. Mr. Speaker, I desire to ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House concurrent resolution 46.

Resolved by the House of Representatives (the Senate concurring), That the President be requested to return to the House of Representatives the enrolled bill, H. R. 12197, entitled "An act authorizing Ashley County, Ark., to construct a bridge across the Bayou Bartholomew."

Mr. GOODWIN of Arkansas. Mr. Speaker, about two weeks ago the bill H. R. 12197 passed the House, authorizing the construction of a bridge across Bayou Bartholomew, in Ashley County, Ark., and some two or three days ago this bill passed the Senate and is now in the hands of the President. Owing to a misdescription as to the location of the bridge, I have asked that the bill be returned, in order that it may be properly drawn in order to conform to the proper description.

The SPEAKER. Is there objection to the present consideration of the resolution? [After a pause.] The Chair hears none.

The question is on agreeing to the resolution.

The resolution was agreed to.

GENERAL DEBATE TO-MORROW.

Mr. FORDNEY. Mr. Speaker, I ask the gentleman from North Carolina to ask unanimous consent that the plan or rule agreed upon be so modified as to permit general debate to run until 1.30 o'clock p. m. to-morrow, one half the time to be controlled by the gentleman from North Carolina and the other half by myself.

Mr. KITCHIN. And then the bill be read in accordance with the rule?

Mr. FORDNEY. Be read in accordance with the rule.

The SPEAKER. The gentleman from North Carolina asks unanimous consent, at the suggestion of the gentleman from Michigan, that general debate be extended two hours and a half, one-half to be controlled by the gentleman from North Carolina [Mr. KITCHIN] and one-half by himself. Is there objection? [After a pause.] The Chair hears none.

EXTENSION OF REMARKS.

Mr. TAVENNER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of legislation enacted by the Sixty-fourth Congress.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD on the subject of legislation enacted in the Sixty-fourth Congress. Is there objection? [After a pause.] The Chair hears none.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. BURGESS, indefinitely, on account of illness in his family.

To Mr. EAGAN, for five days, on account of illness in his family.

To Mr. STEELE of Iowa, for 10 days, on account of important business.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 57 minutes p. m.) the House adjourned until to-morrow, Saturday, July 8, 1916, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of reexamination of Fishing Creek, N. C. (H. Doc. No. 1277), was taken from the Speaker's table, referred to the Committee on River and Harbors, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. RAKER, from the Committee on the Public Lands, to which was referred the bill (S. 5466) to open abandoned military reservations in the State of Nevada to homestead entry and desert-land entry, and to amend an act entitled "An act to open abandoned military reservations in the State of Nevada to homestead entry," approved October 1, 1890, reported the same with amendment, accompanied by a report (No. 925), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. CAPSTICK, from the Committee on Claims, to which was referred the bill (H. R. 8849) to reimburse George H. Morrow, reported the same without amendment, accompanied by a report (No. 926), which said bill and report were referred to the Private Calendar.

Mr. PRICE, from the Committee on Claims, to which was referred the bill (H. R. 10173) for the relief of Anna C. Parrett, reported the same with amendment, accompanied by a report (No. 927), which said bill and report were referred to the Private Calendar.

Mr. FOSTER, from the Committee on Claims, to which was referred the bill (H. R. 14826) for the relief of F. M. Barfield, reported the same without amendment, accompanied by a report (No. 928), which said bill and report were referred to the Private Calendar.

Mr. MILLER of Delaware, from the Committee on Claims, to which was referred the bill (H. R. 8625) to reimburse the officers and enlisted men of the Revenue-Cutter Service and Public Health Service for losses sustained in the wreck of the revenue cutter *Tahoma*, reported the same without amendment, acompanied by a report (No. 929), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 16090) for the relief of the officers and crew of the lighthouse tender *Armeria*, reported the same without amendment, accompanied by a report (No. 930), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 16519) for the relief of Joseph F. Mitchell, reported the same with amendment, accompanied by a report (No. 931), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills and resolutions were introduced and severally referred as follows:

By Mr. KEATING: A bill (H. R. 16850) to forbid the use of the mails for letters, postal cards, circulars, newspapers, or pamphlets offering for sale, soliciting the purchase of, or advertising intoxicating liquors; to the Committee on the Post Office and Post Roads.

By Mr. HULBERT: A bill (H. R. 16851) for the appointment of a commission to supervise the food supplied to the military forces of the United States; to the Committee on Military Affairs.

By Mr. DILLON: A bill (H. R. 16852) laying an embargo upon print, book, bond, and linen paper, pulp and pulp products; to the Committee on Interstate and Foreign Commerce.

By Mr. McARTHUR: A bill (H. R. 16853) to provide for the erection of a public building in the city of St. Johns, Oreg.; to the Committee on Public Buildings and Grounds.

By Mr. CRISP: Resolution (H. Res. 293) for the consideration of H. R. 9216; to the Committee on Rules.

By Mr. ALEXANDER: Resolution (H. Res. 294) providing for printing as a public document of "Ocean Shipping: The Basic Principles of Maritime Transportation, with Particular Reference to the Foreign Trade of the United States"; to the Committee on Printing.

By Mr. McARTHUR: Resolution (H. Res. 295) authorizing the printing of Farmers' Bulletin No. 68, "The milch goat"; to the Committee on Printing.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills were introduced and severally referred as follows:

By Mr. BARKLEY: A bill (H. R. 16854) granting a pension to Samuel Walker; to the Committee on Pensions.

By Mr. BELL: A bill (H. R. 16855) for the relief of Riverside Military Academy; to the Committee on Claims.

By Mr. BURKE: A bill (H. R. 16856) granting a pension to Elmer R. Harrington; to the Committee on Pensions.

By Mr. COADY: A bill (H. R. 16857) granting an increase of pension to Louis Irons; to the Commitee on Invalid Pensions.

By Mr. DICKINSON: A bill (H. R. 16858) granting an increase of pension to Christopher C. Russell; to the Committee on Invalid Pensions.

By Mr. DOOLING: A bill (H. R. 16859) granting a pension to Patrick J. Blake; to the Committee on Pensions.

By Mr. FULLER: A bill (H. R. 16860) granting a pension to Joseph Ford; to the Committee on Invalid Pensions.

By Mr. HOLLINGSWORTH: A bill (H. R. 16861) granting an increase of pension to Isaac O. Weaver; to the Committee on Invalid Pensions.

By Mr. NEELY: A bill (H. R. 16862) granting an increase of pension to Andrew J. Gaskins; to the Committee on Invalid Pensions.

By Mr. TAVENNER: A bill (H. R. 16863) granting an increase of pension to Helen L. Huff; to the Committee on Invalid Pensions.

By Mr. VAN DYKE: A bill (H. R. 16864) for the relief of Ivan Yermakof, Alexiej Kutyaj, Nikolaj Karpunin, Ivan Primak, Nick Wlad, Gavrylo Shumof, Efim Davidof, Pavel Baraniuk, Pavel Balonin, Fred Wolon, Sam March, Ivan Melnyk, Emilian Krakowiacki, Mrs. Michael Wituk, widow, and two minor children, heirs of Michael Wituk, deceased; to the Committee on Claims.

By Mr. WILLIAMS of Ohio: A bill (H. R. 16865) granting a pension to John G. Schrock; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CARLIN (by request): Petition of sundry citizens of Washington, D. C., against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. DALE of New York: Petition of members of the Snowflake Relief Society, favoring woman-suffrage amendment; to the Committee on the Judiciary.

Also, petition of the National Association of Vicksburg Veterans, relative to appropriation for reunion and peace jubilee at Vicksburg; to the Committee on Appropriations.

By Mr. DILLON: Memorial of Crystal Lake Farmers' Local Union, No. 50, F. E. and C. U. of A., relative to amendment to rural-credits bill; to the Committee on Banking and Currency.

By Mr. HOLLINGSWORTH: Papers to accompany House bill 16861, for the relief of Isaac O. Weaver; to the Committee on Invalid Pensions.

By Mr. MATTHEWS: Papers to accompany House bill 16809, for the relief of Jacob Presler; to the Committee on Invalid Pensions.

By Mr. KELLEY: Petition of E. P. Thurgood and 30 others of the State of Michigan, against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. KENNEDY of Rhode Island: Petition of Rhode Island Bankers' Association, relative to House bill 12998, amending Federal reserve act; to the Committee on Banking and Currency.

By Mr. TIMBERLAKE: Petition of sundry citizens of Boulder, Colo., relative to bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

SENATE.

SATURDAY, *July 8, 1916.*

(Legislative day of Friday, July 7, 1916.)

The Senate reassembled at 11 o'clock a. m., on the expiration of the recess.

AGRICULTURAL DEPARTMENT APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12717) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1917, and for other purposes.

Mr. SMOOT. Mr. President, there are but four Senators in the Chamber. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gronna	Nelson	Smoot
Bankhead	Hardwick	Norris	Sterling
Beckham	Husting	Overman	Swanson
Brady	James	Poindexter	Taggart
Bryan	Johnson, Me.	Pomerene	Thomas
Catron	Johnson, S. Dak.	Ransdell	Tillman
Chamberlain	Jones	Saulsbury	Vardaman
Clapp	Kenyon	Shafroth	Warren
Clark, Wyo.	La Follette	Sheppard	Williams
Curtis	Lane	Sherman	Works
Fletcher	McCumber	Smith, Ariz.	
Gallinger	McLean	Smith, Ga.	
Gore	Martine, N. J.	Smith, S. C.	

Mr. MARTINE of New Jersey. I again announce the necessary absence of the Senator from Montana [Mr. MYERS], who is detained through illness.

The VICE PRESIDENT. Forty-nine Senators have answered to the roll call. There is a quorum present. The bill is as in Committee of the Whole and open to amendment.

Mr. McCUMBER. Mr. President, I offer a substitute for part B, comprising sections 1 to 12, inclusive, and ask that it may be read.

The VICE PRESIDENT. The Secretary will read it.

The Secretary read as follows:

PART B.

That this part, to be known as the United States grain standards act, be, and is hereby, enacted to read and be effective hereafter as follows:

"That this act shall be known by the short title of the 'United States grain grades act.'

"SEC. 2. That the Secretary of Agriculture is hereby authorized to investigate the handling, grading, and transportation of grain and to fix and establish as soon as may be after the enactment hereof standards of quality and condition for corn (maize), wheat, rye, oats, barley, flaxseed, and such other grains as in his judgment the usages of the trade may warrant and permit; and the Secretary of Agriculture shall have power to alter or modify such standards wherever the necessities of the trade may require. In promulgating the standards, or any alteration or modification of such standards, the Secretary shall specify the date or dates when the same shall become effective, and shall give public notice, not less than 60 days in advance of such date or dates, by such means as he deems proper.

"SEC. 3. That the standards so fixed and established shall be known as the official grain standards of the United States.

"SEC. 4. That whenever standards shall have been fixed and established under this act for any grain, thereafter all such grain entering into interstate or foreign commerce and bought or sold by grade shall conform in quality and character to the standard so fixed and established for such grade: *Provided*, That no person shall in any certificate, or in any contract or agreement of sale or agreement to sell by grade, either oral or written, involving, or in any invoice or bill of lading or other shipping document relating to, the shipment or delivery for shipment in interstate or foreign commerce of any grain for which standards shall have been fixed and established under this act, describe or in any way refer to any of such grain as being of any grade other than a grade fixed therefor in the official grain standards of the United States.

"SEC. 5. That no person shall represent that any grain shipped or delivered for shipment in interstate or foreign commerce is of a grade fixed in the official grain standards other than as shown by a certificate therefor issued in complince with this act; and the Secretary of Agriculture is authorized to cause examinations to be made of any grain for which standards shall have been fixed and established under this act and which has been certified to conform to any grade fixed therefor in such official grain standards, or which has been shipped or delivered for shipment in interstate or foreign commerce. Whenever, after opportunity for hearing is given to the owner or shipper of the grain involved, and to the inspector thereof if the same has been inspected, it is determined by the Secretary that any quantity of grain has been incorrectly certified to conform to a specified grade, or has been sold or offered for sale under any name, description, or designation which is false or misleading, he may publish his findings.

"SEC. 6. That whenever standards shall have been fixed and established under this act for any grain and any quantity of such grain which has been sold, offered for sale, shipped, or delivered for shipment in interstate or foreign commerce shall have been inspected and a dispute arises as to whether the grade as determined by such inspection of any such grain in fact conforms to the standard of the specified grade, any interested party may call for reinspection or appeal the question in accordance with the laws, rules, or regulations in force or provided at the place of inspection, with a further right of appeal from any final decision rendered under such laws, rules, or regulations to the Secretary of Agriculture, and the Secretary of Agriculture is authorized to cause such investigation to be made and such tests to be applied as he may deem necessary and to determine the true grade.

The findings of the Secretary of Agriculture as to grade, made after the parties in interest have had opportunity to be heard, shall be accepted in the courts of the United States in all suits between such parties, or their privies, as prima facie evidence of the true grade of the grain determined by him at the time and place specified in the findings.

"SEC. 7. That the Secretary of Agriculture shall, from time to time, make such rules and regulations as he may deem necessary for the efficient execution of the provisions of this act.

"SEC. 8. That any person who shall violate any of the provisions of sections 4 or 7 of this act, or any inspector who shall knowingly or carelessly inspect or grade improperly any grain which has been shipped or delivered for shipment in interstate or foreign commerce, or shall knowingly or carelessly give any false certificate of inspection or grade, or shall accept money or other consideration, directly or indirectly, for any neglect or improper performance of duty, and any person who shall improperly influence or attempt to improperly influence any such inspector in the performance of his duty, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not more than $1,000, or be imprisoned not more than one year.

"SEC. 9. That every person who forcibly assaults, resists, impedes, or interferes with any officer or employee of the United States Department of Agriculture in the execution of any duties authorized to be performed by this act or the rules and regulations made hereunder shall, upon conviction thereof, be fined not more than $1,000, or be imprisoned not more than one year, or both.

"SEC. 10. That the word 'person' whenever used in this act shall be construed to import the plural or singular, as the case demands, and shall include individuals, corporations, companies, societies, and associations. When construing and enforcing the provisions of this act, the act, omission, or failure of any official, agent, or other person acting for or employed by any corporation, company, society, or association within the scope of his employment or office shall, in every case, also be deemed the act, omission, or failure of such corporation, company, society, or association, as well as that of the person.

"SEC. 11. That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $125,000, which shall be available until expended, for the expenses of carrying into effect the provisions of this act, including rent and the employment of such persons as the Secretary of Agriculture may deem necessary in the city of Washington and elsewhere."

Mr. McCUMBER. Mr. President, I stated yesterday that I would try to draft a substitute for the provision of part B of the pending bill. I have done that in the proposed substitute which I have just had read at the desk.

I desire to explain to the Senator in charge of the bill [Mr. GORE] that there is not such a change in the proposition offered by him as might be indicated from the reading of my amendment. I have copied verbatim most of the sections which are contained in the bill with the amendments, but in order to make a substitute for the whole matter it was necessary to cover everything under part B of the bill.

I do not wish to be understood as saying that this substitute satisfies me. I have desired to have both Federal standardization and Federal inspection of all grain entering into interstate commerce which is sold by grades; but the sentiment of Congress at the present time would not allow us to go so far. Therefore the committee, in order to secure some relief, have very wisely presented a measure which is intended for Federal standardization only. That being the case, what is necessary in a law to effectuate this purpose? Four things, Mr. President, are necessary, and four things only, and those should be expressed in the most simple way possible.

First, a provision requiring the Secretary of Agriculture to fix standards for all grain entering into interstate or foreign commerce; second, a prohibition against the use of any other system of the grading of grain entering into such commerce; third, a provision for reinspection and for appeals from the boards of trade or others making the present inspection; and fourth, adequate penalties in order to make the law effective.

Mr. NORRIS. Mr. President, will the Senator from North Dakota kindly repeat the second requirement he gave? I did not catch it exactly.

Mr. McCUMBER. There must be a prohibition against the use of any other system of standards in grading.

Mr. President, I fear that the bill as presented fails to recognize either the immensity or the complexity of the grain trade business. It also fails to recognize the course of trade in many of our States; and I wish briefly to call attention to that course of trade, for the methods in the Northwest are similar to the methods all over the country.

In States like North Dakota, South Dakota, Minnesota, Wisconsin, Iowa, and Montana we have what are known as the line elevator companies. They own the large elevators at the great terminals. They have also lines of elevators, which may run into the hundreds, along every important railway line. They appoint their agents. Their agents make the purchases and ship to the terminals. In shipping to the terminals they do not ship the grain as of any particular grade. Although they purchase it at grades from the farmer, they do not ship it out from the State as of any particular grade, for under the Minnesota law it must be graded at the terminals. Therefore there is no necessity of those agents being inspectors, although they have sufficient knowledge of the grain trade to know at what grades to buy the grain.

Then, again, we have independent elevators. The independent elevators all buy from the farmer in exactly the same way. They buy by grades Nos. 1, 2, 3, 4, or rejected. They of course keep the grades which they buy in separate bins. They then ship out a carload from the bin without designating it as of any grade whatever; but the moment they ship it out, Senators will understand, it enters into interstate commerce, and they intend, of course, that it shall be graded at the terminal and sold for whatever may be the proper grade. Then, in addition to that there is the farmer himself, who, instead of selling to the elevators—either the independent or the line elevators—will ship his own grain from some station in carload lots. He also ships it without reference to any particular grade, depending entirely upon the grade which he will receive at the great terminal.

Senators can easily see from this explanation that if you had a law which provided that all grain entering into interstate commerce must be graded before it enters into that commerce you would compel the appointment of an inspector at every one of the elevators, and the appointment of as many inspectors as there would be elevators in the United States.

Not only that, but you would compel the department to appoint as inspectors the agents of the parties who are purchasing, and the inspector would thereby be the Government inspector and also the agent of the purchasing company. In addition to that, you would compel the farmer who desires to ship a load of grain as No. 2 Northern, or whatever he thought his grade was, first to secure a certificate of inspection from an inspector at that point. He would have to go to his competitor, and his competitor naturally would like to ship the grain himself and to have the profit of handling it. He would not therefore be inclined at least to settle questions of uncertainty against himself and in favor of the farmer.

That is sufficient, Mr. President, to indicate that we ought not to have any law upon the statute books which would compel the farmer shipping independently to secure his grade from his competitor or any law upon the statute books which would compel the Secretary of Agriculture to issue certificates of authority to inspect to the agents of the purchaser.

Mr. NORRIS. Mr. President, right on that line, I want to ask the Senator another question. I have not seen his amendment, of course, and only have knowledge of it as it has been read, but the grain-grading section of the bill pending before the Senate was amended the other day on motion of the Senator's colleague [Mr. GRONNA], by including in it a provision, which, I understand, was copied from the Senator's bill pending a year ago, which, in effect, provided that no one should be appointed as an inspector who was engaged in buying grain either directly or as an employee of any firm or corporation.

Mr. McCUMBER. That was very applicable to the bill which I then had before the Senate, which was a bill providing for inspection and grading, but only at the great terminals and by Government experts, and by Government officials only. The Senator can see that it would not be applicable to any bill providing that all grain entering into interstate commerce must be inspected and graded before it enters into that commerce, because if that were done it would compel the appointment of thousands and thousands and tens of thousands of inspectors, and the inspectors at all of the elevators would have to be either independent inspectors or else employees of elevator companies.

Mr. NORRIS. Does the Senator think that an amendment similar to that would not be applicable to the substitute which he has proposed?

Mr. McCUMBER. No; it would not be applicable at all to the substitute, because, Mr. President, we must either take possession of the entire inspection field or we must abandon it altogether.

Mr. NORRIS. Well, does the Senator contemplate, if his substitute were adopted and enacted into law, that the elevator men throughout the country would be appointed as inspectors by the Federal Government?

Mr. McCUMBER. No. My amendment does not provide for any inspectors whatever at the terminals or anywhere else. I avoid the inspection feature entirely. If we are going to keep out of that field, then let us allow the present system of inspection to go on, the inspection to be made by inspectors at the great terminals, with a right of appeal from the final inspection at such terminals; and have no inspectors appointed by the Government or anyone else at the place of initiation of the interstate traffic.

Mr. NORRIS. The only Federal appointees contemplated, then, by the substitute would be those to whom appeals could be taken?

Mr. McCUMBER. That is all; and they would be right in the department here. I can not see any possible way of our invading or dividing up the field of inspection between the United States and the boards of trade and chambers of commerce and warehouse commissions.

Mr. NORRIS. What would be the modus operandi in case an appeal were taken by some one shipping grain? How long does the Senator think it would take for a final decision to be reached; and in the meantime what would become of the grain over which the controversy had arisen?

Mr. McCUMBER. We spoke of that yesterday. I will take, for instance, the Minnesota method. There is, first, an inspection, and immediately after the inspection is made either the person purchasing the grain or the one selling it may call for a reinspection. That reinspection is held immediately before the grain is unloaded. Then, if there is a further appeal it is taken to a board, and if there is still another appeal it is taken to the chief inspector.

This bill provides for a further appeal under such rules and regulations as may be provided by the Secretary of Agriculture. Of course he would require, under the rules, that samples of the grain should be taken by both parties and furnished to him, and he would pass upon these samples and require a settlement in accordance with whatever grade was finally determined upon. I have not changed that from the provision as it has been reported and is being supported by the committee. I have left that just as it is.

Mr. NORRIS. What is the Senator's judgment about the length of time that would take?

Mr. McCUMBER. It would not make so much difference how long it would take, inasmuch as it will not interfere with the final disposition of the grain and its unloading and shipping, but merely require a final settlement under such conditions and regulations as the Secretary of Agriculture may provide by rule.

Mr. NORRIS. It seems to me that a difficulty might arise, for instance, in the case of the exportation of a carload of grain, the grain in the meantime being across the ocean. There might be a contest which would not be settled until after the grain had departed from our shores, and the buyer might be located in Liverpool, for instance.

Mr. McCUMBER. Let me explain what the course of the trade is in that respect.

Mr. NORRIS. That is what I want the Senator to do.

Mr. McCUMBER. Under all our export shipping rules the foreign purchaser is bound to accept the American grade.

Mr. NORRIS. But the American grade would not have been determined until some time after the grain, the grade of which is in dispute, has been delivered.

Mr. McCUMBER. It would have been determined by that time. I have not finished my sentence. The foreign buyer must accept the American grade. I leave that to the final decision of the Secretary of Agriculture, and the provision now in the law will require a final settlement in accordance with the final decision of the Secretary of Agriculture. So if there is a question about a grade when the grain leaves a United States port the foreign purchaser is entitled to whatever advantage he may receive from the final decision of the Secretary of Agriculture.

Mr. NORRIS. Now, let me ask the Senator another question, not exactly on that point. The Senator spoke awhile ago of the farmer himself shipping his grain in carload lots. In order for the farmer in that case to take advantage of the rights which the law bestows upon him, would it not be necessary for him to follow the grain in person or have some one represent him at the place where it is inspected, in case he wanted, for instance, to ask for a reinspection, which would have to be made at once before the grain is unloaded?

Mr. McCUMBER. Under the course of trade—and this is always the rule—no farmer ships his grain to the terminal direct; he ships it to some commission man, to some one who has charge of it there, and then the party having it in charge is the farmer's agent and makes every provision for reinspection and for appeal. I have not attempted to interfere with the course of business, because, as I have said, we can not enter that field in competition or in conflict with the present system. We must either get into it wholly and completely or we must keep out of it wholly and completely, reserving only the right of appeal to the Secretary of Agriculture, so that at all times the standardization fixed by the Secretary may be promulgated and brought to every home market.

Mr. NORRIS. As I understand, in substance the Senator's substitute provides first for Federal standardization?

Mr. McCUMBER. Yes.

Mr. NORRIS. And then for an appeal from whatever State authority exists to the Federal authority in the person of the Secretary of Agriculture?

Mr. McCUMBER. Yes; from the final decision of the State authority, whether it be a board of trade or warehouse commission or chamber of commerce.

Mr. NORRIS. Does the substitute also provide that all the State authorities must handle grain under the standardization of the Federal Government?

Mr. McCUMBER. Yes. The second proposition that I made was a prohibition against the use of any other standards. I want to make it just as simple as possible, and so as not to interfere with the general course of trade; and yet I want to make it so workable that there will be no complaint found against it by the farmers, or the independent elevators, or any other persons dealing throughout the country.

Mr. LA FOLLETTE. Mr. President——

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Wisconsin?

Mr. McCUMBER. I yield to the Senator.

Mr. LA FOLLETTE. I wanted to inquire as to this appeal from the inspection made at the terminals. In the case of a farmer shipping a carload of grain to a commission merchant, he must depend, must he not, upon the commission merchant to take care of his interests in the matter of the inspection?

Mr. McCUMBER. Yes. The commission merchant always wires him, as soon as it is inspected, what grade is given it and what dockage is taken.

Mr. LA FOLLETTE. Yes; and if he is instructed by the farmer to take an appeal, the appeal would be made by the commission merchant for the farmer?

Mr. McCUMBER. Yes. His first step would be to ask for a reinspection.

Mr. LA FOLLETTE. Yes, I understand; but I am passing over those intermediate steps, because this commission merchant, as I understand, acts all the way through for the farmer from whom he has received the grain on consignment.

Mr. McCUMBER. That is the course of trade.

Mr. LA FOLLETTE. Yes. So that if the farmer's interest is protected, whatever protection it secures it must secure entirely through these commission merchants to whom the grain is shipped?

Mr. McCUMBER. Yes.

Mr. LA FOLLETTE. Now, has there not been a very general complaint that these commission merchants have such connections with the parties to whom the grain is sold that they can not serve the interests of the farmer?

Mr. McCUMBER. I have not heard of that, because the interest of the commission merchant at all times is to secure the very best grade he possibly can, so as to secure business. He wants to get all the business he possibly can from the farmer; and I have never heard any complaint about the integrity or the desire of the commission merchant to secure the very best result that he can secure in the matter of grades.

Mr. NELSON. Mr. President——

Mr. McCUMBER. The complaint generally is against those who purchase, and that the inspectors and those to whom the appeal is taken are more or less under the domination of the interest that buys their grain and mixes it. That is the main complaint I have heard.

Mr. NELSON. Mr. President——

Mr. McCUMBER. The Senator from Minnesota, who desires to interrupt, can possibly better explain that.

Mr. NELSON. I want to say, in reference to that matter, that in the State of Minnesota we require all commission merchants in agricultural products of any kind to take out a State license and give a bond. They are bonded and under State licenses, and if they violate their duties they can be removed; and the bonds that they are required to give, while they run to the State, inure to the benefit of any party that is injured.

Mr. LA FOLLETTE. My recollection is not altogether distinct upon it. I think I have some data from which I can refresh it; but it is my impression that there has been not a little complaint of the commission merchants acting for the farmer, and if that be so, the case of the farmer upon appeal would suffer very materially.

Mr. McCUMBER. That would certainly be the case.

Mr. LA FOLLETTE. And this proposed amendment would not remedy that in any respect.

Mr. McCUMBER. No; the only way I can see to remedy that would be by national inspection.

Mr. LA FOLLETTE. Yes.

Mr. McCUMBER. And that is one of the reasons why I favor national inspection; but it is not the purpose of the committee, or probably of the Senate, to allow us to go that far.

Mr. LA FOLLETTE. While I am on my feet I will ask the Senator from North Dakota why it is that we can not secure for the grain growers the protection that would come to them

from a Federal inspection law? What are the influences here in Congress that prevent that legislation from being enacted?

Mr. McCUMBER. The Senator has been here nearly as long as I have, when we have been fighting this matter over and over again, and I think he understands the influence on one side and the lack of organized effort on the other side which has been responsible, in my opinion, for the failure of the farmer to receive that which I think he ought to have received. Lord knows, I have worked strenuously and hard enough to secure the limit!

Mr. LA FOLLETTE. Let me be certain that I have the information that the Senator assumes I have from my service here. Is it the opposition of the boards of trade of the various grain centers that prevents legislation here in the United States Senate?

Mr. McCUMBER. Certainly. It has been their opposition, and the organization which they have had, and which has been pressed with vigor at all times against the enactment of this or any kindred law that has prevented legislation so far.

Mr. LA FOLLETTE. I just wanted that to appear in the RECORD.

Mr. SHAFROTH. Mr. President, if the Senator will yield, is it not also due to the fact—I should like to have the attention of the Senator from Wisconsin just a minute—that the officers of those States that have State inspection are very much opposed to Federal inspection, which would deprive them to a certain extent of their rights, and of what they believe to be their proper duties, under the State law? Does not the opposition come very largely from all of the State officers in these States that have adopted State inspection?

Mr. McCUMBER. It is rather difficult to answer that question in that way—to say that it is due to the opposition of the States. The influence which is brought to bear directly against the bill comes from the boards of trade and exchanges, and so forth; and I have found no influences that carried any weight on the part of farmers' organizations in favor of it in those States, and even in other States where there is no great grain market. I have stated many times that if the agricultural sections of the country, the grain-raising sections of the country, were organized as well as the great exchanges of the country, and would attempt to make their feelings and desires felt as strongly as those great exchanges, this bill, or something similar, would have been a law very many years ago.

Mr. LA FOLLETTE. Mr. President——

The VICE PRESIDENT. Does the Senator from North Dakota further yield to the Senator from Wisconsin?

Mr. McCUMBER. I do.

Mr. LA FOLLETTE. Is it not a fact that the testimony taken by the committees of Congress will show that the farmers' organizations in the grain-growing States have given, in volume, more testimony in support of this legislation than the boards of trade have given in opposition to it?

Mr. McCUMBER. No; I can hardly say that that is correct. Through the efforts of those who are interested in such a bill we have secured from farmers' organizations, from farmers, from foreign purchasers, and elsewhere through the United States a volume of testimony very much greater than the volume of testimony against the proposition, and to my mind very much more conclusive.

Mr. LA FOLLETTE. Then, Mr. President, if I understand the Senator, there has been presented to Congress a much greater mass of testimony in favor of Federal inspection, with the end and aim of securing square, honest dealing between the seller and purchaser, than there has been presented by these boards of trade in opposition to it.

Mr. McCUMBER. Both in volume and in substance.

Mr. LA FOLLETTE. Now, that being true, what is the strength of this organization in opposition to this legislation that is not shown in the record in testimony against the legislation? What character of appeal is it that is strong enough, and yet so insidious, as not to be shown in the testimony here in opposition to this legislation?

Mr. McCUMBER. Inasmuch as I can only see one side to it, of course I can not answer for the other side. I see no reason on earth why we should not have Federal standardization and Federal inspection. I have never read a single argument that I thought was a valid argument against it. I think we have met every objection that they could possibly urge against it. Honest standardization and honest grading by disinterested parties can not by any possibility injure anyone who wishes to do an honest business. Now, that is all there is to it.

Mr. LA FOLLETTE. I quite agree with the Senator. I think his statement as to the testimony in this matter is fully borne out by the record, and I did not expect the Senator to answer my question; that is, I did not expect him to state the case of the boards of trade, the character of this influence which is so potential in legislation as to defeat it without doing it through testimony; but I did not know but that some other Senator might be able to answer and volunteer that information.

Mr. McCUMBER. In the immense amount of labor that is imposed upon every Senator, when he receives from his State an immense amount of literature against any proposed legislation, pointing out its defects, or supposed defects, and so forth, and he hears nothing from the other side from his own State, it is quite natural that his mind should be along the line of the testimony that has been presented, where he has not had time to go into the question thoroughly himself. That is all I can say in reference to those who take a view contrary to my own.

Now, Mr. President, we ought to and must abandon the field of inspection in this bill, or else we must take complete control of that field. We can not, as I have said, divide it up with other organizations, and we can not have our own inspectors working side by side with theirs. It is an impossibility to have inspectors at every elevator in the United States. When we secure a system of Federal inspection, all we shall ever need is just the inspection that we are getting to-day at our great terminals. There are enough inspectors in the United States; and all that we want is to have inspectors that are freed from the influence of either the selling or the buying interest, and whose inspection, backed by the name of the United States in its certificate, will give to the grain that is sold under that inspection a confidence that will assure better prices in all of the world's markets.

Mr. CUMMINS. Mr. President——

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Iowa?

Mr. McCUMBER. I yield to the Senator.

Mr. CUMMINS. What the Senator has just said prompts me to ask this question, and it relates somewhat to the discussion which he has just been having with respect to his own bill: What proportion of the grain from North Dakota is shipped outside the State by the producer of the grain?

Mr. McCUMBER. By the producer? Oh, I would not say that 5 per cent of it was. Probably my colleague could give the Senator better information on that point than I could, because he does farming; but I would say that not to exceed 5 per cent of the grain is shipped out by the farmer himself in carload lots. I should be glad to have the better judgment of my colleague on that subject.

Mr. GRONNA. Mr. President, I do not know that I am competent to give the exact percentage, but I think it is much larger than 5 per cent. Since the farmers became dissatisfied with the grades and with the prices which they received from their grain, they ship a considerable amount, loading it into the cars themselves. They do not even run it through the elevator, but they have either what we call a loading platform or a little elevator which they use on the farm, and which they take to town and use to load their own cars. In that way it may be that the grain is being shipped by the farmers.

Mr. McCUMBER. Last year we raised, I think, 115,000,000 bushels of wheat in the State, did we not?

Mr. GRONNA. We raised over 150,000,000 bushels.

Mr. McCUMBER. I do not think the farmers shipped over 5 per cent of that; but I may be in error.

Mr. CUMMINS. I asked the question because in my own State, if you will exclude the grain bought by the farmers' organizations, the farmers' elevators, I think it would be very much less than 5 per cent.

Mr. McCUMBER. Of course I meant to exclude that.

Mr. CUMMINS. How will terminal inspection alone help the farmer in view of the fact that his grain has been bought and paid for at a certain rate before it leaves the State? His price is neither increased nor diminished by the inspection at the terminal.

Mr. McCUMBER. It is very simple to explain that. Every elevator undoubtedly desires to give the farmer the best grade that he dare give it where there is competition, and there is scarcely a town, village, or station where there is not competition; but he must depend entirely upon the grade that he gets at the terminal and must buy with caution, the caution always being exercised against the farmer. He knows from experience that he has sent what he would regard as good No. 2 grain, and possibly he did not get at the terminal better than No. 3. He as a rule, buying every day, is just as competent to pass judgment upon the grade of that grain as any man at the terminal, and he has plenty of time to make a thorough test. If he feels certain that he can have a grade that is dependable, he always gives the farmer the full benefit of that grade. Not only that, but he is held to a strict accountability, if he is an employee of the line elevator, for a failure either in weight or in grade. If his grades or his weights do not hold up to his

shipment, he must lose it out of his own salary, and he is extremely careful, of course, that he shall not lose. However, if he gets a little the best of it I have never heard of any division, or anything of that character.

So the benefit that the farmer would get would be in the confidence that the elevator man would have in the grade that he would secure at the terminal. Feeling certain that he is right in a grade, and that he will get that grade, he is going to give the farmer the benefit of his judgment.

Mr. CUMMINS. But, Mr. President, that simply means that there ought to be honest inspection.

Mr. McCUMBER. Yes; and disinterested inspection, which is more liable to be honest.

Mr. CUMMINS. It must be disinterested in order to be honest.

Our situation is very possibly a little different. We have not so many of the line elevators. We have a great many independent elevators that are not the farmers' organizations, but they operate independently. They have no employers. They buy as low as they can and sell as high as they can.

I have looked in vain for any great advantage to the farmer unless the grain is graded when he sells it and unless he gets the pay for the grade that is honestly attached to the grain.

I shall have occasion further to speak about the service provided in the bill—I think it is intolerable—but I shall not do it at this moment.

Mr. McCUMBER. Every farmer knows every day in the year just what is the cash price of wheat in Chicago and Minneapolis of a certain grade. He knows when he hauls his grain to the elevator just what it costs to take that bushel of wheat from that elevator to Chicago. He knows what is a reasonable fee to be charged by the elevator for handling that grain. That being the case, there is not the great opportunity for the elevator man to buy as low as he can and to sell as high as he can. In fact, the elevator man, in order to keep even, must be selling continually to arrive at the prices at which he buys, unless he wishes to speculate. Otherwise, he is liable to lose and lose heavily if grain should fall while his elevator is filled.

Mr. GRONNA. He sells every day.

Mr. McCUMBER. Yes; he sells every day, and intends to sell a sufficient amount to cover what he buys in every day so that he can keep even with the market. He might hold the grain and make something if he wanted to speculate—if wheat should rise; but if it went down, he would lose heavily. So the universal custom is to arrive and sell ahead so as to keep even.

As I have said before, the benefit that the farmer will get will be the general benefit of confidence in grades. Let me explain that. If at a terminal the terminal elevator man should take some good No. 1 and some No. 2 and mix them together, he would sell it as a whole for No. 1. He might put in so much of the No. 2 that in reality it is not and ought not to be graded No. 1, but if he has sufficient influence over the inspecting department they will give him the benefit of that doubt. The miller purchasing that grain for consumption examines it and finds that it is not good No. 1, but it is certified as that and it is not worth what he paid within 3 cents a bushel. The next time he purchases that kind of grain he will purchase it for 3 cents less, and that depresses the price clear back to the farmer.

Mr. CURTIS. Mr. President——

Mr. McCUMBER. I say if that is done. I am not speaking as making an accusation against anyone; but the very fact that the final purchaser has confidence that he will receive what he contracts for gives a better price.

Now, take our shipments abroad. That which you grade as No. 2 red or No. 2 northern when it arrives in Liverpool is found to be No. 4 or even No. 3. A Canadian No. 2 that is shipped at the same time is found to be good No. 2. They will give 5 cents less a bushel for it; and they will offer 5 cents less a bushel, we will say, for the next consignment from America than if it came from Canada, all due to the confidence they have in the Canadian grades. That difference of 5 cents in Liverpool will affect the wheat all over the United States where it must be exported to Liverpool.

I yield to the Senator from Kansas.

Mr. CURTIS. In view of the statement made by the Senator, would it not be better to inspect the mixed grain before it is permitted to be shipped?

Mr. McCUMBER. Certainly; that is assumed to be the case where we do the inspection under the bill. I provide for Federal inspection. Wherever it is mixed it has to be regraded again. The difficulty is as to this mixture. You may have a grade of splendid No. 1 away above what is necessary. You may have another grade of No. 2 that will nearly reach No. 1. Now, you may mix those and make a good, honest grade of No. 1.

Mr. CURTIS. But I understand the Senator's amendment only provides for grading. I could not hear it read, however.

Mr. McCUMBER. It only provides for standardization.

Mr. CURTIS. By the Department of Agriculture.

Mr. NELSON. Will the Senator yield to me?

Mr. CURTIS. Right there, just another moment. Is it not true that the Department of Agriculture has formulated tentative grades for commercial corn?

Mr. McCUMBER. I do not know much about that. I do not know what the Senator means by tentative grades.

Mr. CURTIS. I understand that the Department of Agriculture has fixed grades for corn and that the same were promulgated some two years ago, and they have been satisfactory so far as I understand it to the grain-grading commission of Kansas. The Kansas Grain Commission has adopted the grade fixed by the Government and they would like to see Federal grades established on other grains.

Mr. McCUMBER. I understand that to be the case.

Mr. NELSON. Will the Senator yield to me?

Mr. McCUMBER. With pleasure.

Mr. NELSON. I wish to say, in reference to the suggestion made by the Senator from Iowa [Mr. CUMMINS] a moment ago, that when the farmer brings his wheat to the country elevator he has to take the price that is given him, and directly he does not get the benefit of the terminal inspection. As a matter of fact, the terminal inspection is really for the advantage and benefit of the middleman, rather than the original seller. We have overcome that difficulty in Minnesota. We can not have an inspector at every railroad station, but if when the farmer sells a load of wheat he thinks the elevator man has not given him the proper grade, he has a right under our law to take a sample of that grade out of his load of wheat and send it down to Minneapolis or Duluth, to whatever point the grain is billed, and have it submitted to inspection there, and if the local elevator man has not given him the right grade he will get the benefit of that inspection. But that is under our law. That could not take place under this legislation in any shape or manner.

Mr. CURTIS. That is provided for in your State law?

Mr. NELSON. In our State law. We have what we call a country elevator law to regulate country elevators, and no law has given our farmers greater satisfaction than that part of it. The moment a farmer sells his grain at the local elevator the man who buys it gives him a storage ticket. If the farmer thinks he is not justly dealt with, he takes a sample of that grain and puts it in a sealed sack. He and the elevator man agree about the sample put in the sealed sack, and it is immediately sent to the terminal to be inspected there, and whatever grade the terminal allows him, that farmer is entitled to.

Mr. McCUMBER. I wish to say to the Senator, in answer to his statement, that that is not provided for here. Of course it does not interfere with that one way or the other.

Mr. NELSON. Oh, no.

Mr. McCUMBER. It does not attempt to repeal either any of the good features or any of the bad features in either State or board of trade methods.

Mr. NELSON. If the Senator will allow me, as I understand the purport of the Senator's amendment—I have only heard it read casually and looked over it hastily—it proceeds on the theory that the Federal Government will establish a standard, and then it leaves the application of the enforcement of that standard to the local authorities, State inspectors, or board of trade inspectors, with the right of appeal ultimately to the Department of Agriculture. Is not that the purport and object of the Senator's amendment?

Mr. McCUMBER. That is correct, Mr. President.

Mr. NELSON. In other words, it allows the Federal Government to make the general standard for all the kinds of grain, but when it comes to applying it the application is made by the State authorities or by the local authorities—by the State authorities where they have a State system and by the board of trade system where they have nothing but that; but in any case, if the State authorities fail to make a proper application of the Federal grades, if they fail to rule or pass on it properly, an appeal lies to the Department of Agriculture. Is not that the object of the Senator's amendment?

Mr. McCUMBER. The substitute which I offer is not intended to go any further than the present bill proposes to go. The only purpose in introducing it as a substitute is to rid the bill of certain features that I not only consider unworkable but which I think also are very dangerous for the grain trade.

Mr. CURTIS. The bill provides for Federal inspection, and that is left out of the Senator's amendment.

Mr. McCUMBER. It does not provide for Federal inspection. It provides that the Secretary of Agriculture must give the certificate and make officers of the persons who do the inspecting.

Mr. CURTIS. We are to give them a license?

Mr. McCUMBER. We are to give them a license; but, nevertheless, they are the appointees by the State, and so on. All it does to change the law at all is to give those persons already employed by the boards of trade and chambers of commerce and warehouse commissions a Federal license, but they do not change their duties in any way except, of course, that they must in all cases grade according to the Federal standards, and that they would have to do even if no United States commission was issued to them.

The objection to the Government's issuing a license is that the Government thereby gives a license to the employees who do the purchasing and who have a direct interest in the result of the inspection. I want to avoid that. There is nothing to be gained by that; it puts us in a position that I desire to avoid.

Mr. NORRIS. Right on that point, if the Senator will permit me, is not the objection the Senator makes avoided by the amendment agreed to the other day by which it is provided that the Secretary of Agriculture shall not issue a license to anyone interested in the trade?

Mr. McCUMBER. If you follow that out and take the bill as it now stands, you would eliminate all elevators in all the outside States shipping to the terminal. They could not ship unless they would grade, and they can not employ a special inspector, and the Government will not create an inspector for every elevator.

Mr. NORRIS. I do not think it is contemplated by the original part B of the bill that the elevator man is to be an inspector.

Mr. McCUMBER. If he wants to ship out No. 2 from an elevator in North Dakota to Minneapolis, how can he ship it out under the bill unless he has somebody in his employ who is a Government inspector?

Mr. NORRIS. I understand he would ship it out just the same as under the Senator's amendment.

Mr. McCUMBER. But the bill prohibits the sale of grain in interstate commerce by grades unless it has first been inspected by a Government inspector.

Mr. NORRIS. I take it the sale would not take place until the grain had arrived at the terminal.

Mr. McCUMBER. But suppose I am operating an elevator in Iowa or North Dakota, and I wish to ship to Chicago or Minneapolis. I have bought the grain as No. 2 northern, and I ship it as No. 2 northern to either of these terminals. I must have a certificate to grade that or else I merely ship it without any grade.

Mr. NORRIS. That is what I think the Senator would have to do. He would not buy it as No. 2 and ship it as No. 2, but before it is sold it must be inspected and graded, and it is to be sold under that inspection and under that grade.

Mr. McCUMBER. Why not allow them also to ship it out as a grade if they desire? There is no injury done by it.

Mr. NORRIS. No; except that there is not anybody who has the necessary authority to give the grade. There is not any inspector.

Mr. McCUMBER. But I do not want to deny them that privilege, if they desire it.

Mr. CUMMINS. Mr. President——

Mr. NORRIS. I yield to the Senator from Iowa.

Mr. CUMMINS. I think the Senator from North Dakota knows my view, for I have stated it more than once. To attempt to ship grain in that way—and I speak especially of corn, because that is the principal product shipped out of Iowa, so far as cereals are concerned—would simply revolutionize the business. The business could not be carried on unless the grain were sold by grade. A farmer brings a wagonload of corn to a town in my State where there is a corn buyer. The farmer knows the price of No. 2 corn in Chicago and he wants that price, and the buyer is willing to give him the price properly graduated No. 2 corn bears in Chicago, and he must sell it by grade. It would simply destroy the whole fabric of business, at least in my State. I think the Senator from North Dakota is wrong in saying that the bill does not provide a Federal inspection. I think the Senator does not give due attention to the real relation which is created between these inspectors and the General Government. My opposition to the bill is that it creates a Federal inspection, but that it is so crude and so imperfect that to attempt to substitute it for the State inspection, or even for the board of trade inspections, would do vastly more harm than good.

When the Secretary of Agriculture licenses an inspector that inspector becomes, in a sense at least, a Federal inspector, even though he be paid no salary, even though he must secure his compensation from some source other than the National Treasury.

I hope the Senator from North Dakota will not withdraw from this bill some of the real objections to it by introducing a belief that the Government is not here entering upon the field of inspection and is not trying in a very inadequate way to grade the grains that are shipped in interstate commerce. I think it is a great deal worse than the Senator from North Dakota has described it.

Mr. McCUMBER. Mr. President, let us see, now, whether it is Government inspection or whether it is State inspection. The Senator from Iowa and I, of course, understand clearly what it means. The Senator may call it Government inspection and I may call it State inspection; but all the Government does is to give the license. The State or the board of trade or the chamber of commerce or the railway commission representing the State appoints the inspector and they pay the inspector. Under the operation of this provision they must appoint inspectors, and they do appoint and they do pay the inspectors. There is not a dollar paid by the United States to the inspector. He gets his pay—so much a car or so much a day—for inspecting, and is appointed by the railroad and warehouse commission or by the exchange or the board of trade. Under this bill those employers would give the names of their employees as persons having had experience; and as they are the only inspectors we have in the country, naturally the appointments would first have to go to them; and the Government would issue its certificate of authority. The Senator from Iowa may call that Government inspection or he may call it State inspection through officials appointed by the Government, but the same result flows from the act.

Mr. CUMMINS. Mr. President, the Senator from North Dakota has not fully described what may be done. I will assume, for illustration, a town of 300 inhabitants. It has no board of trade; it has no chamber of commerce; the State in which it is situated has no grain-inspection law. John Smith, of that town, makes application for a license under this bill. He is not required to be authenticated by any State authority or by any board of trade or by any other organization. If he furnishes to the Agricultural Department sufficient evidence of his competency, he may be licensed as an inspector of grain at that point. The passing of any grain out of that point which has not been inspected by him constitutes a violation of the law if sold by grades.

Mr. McCUMBER. I assume, Mr. President, that whenever this gentleman, John Smith, would apply for a certificate as inspector the Agricultural Department would naturally ask him where he is going to do his inspection and by whom he is going to be paid for it. Inasmuch as there is no provision made for the payment of inspectors at any of these places, and inasmuch as the purpose of the bill, as already indicated, is not to have any inspectors except at the terminals, not to have general inspectors throughout the United States—if they did that, if they had such a system, as I have heretofore said, they would have to have an inspector at every place in the United States where grain is bought and sold. While the bill itself might possibly be subject to that construction, when you take into consideration that there is no appropriation for such purpose and no provision for fees to be paid to these parties, I can not believe that that would be the construction given by the department. At any rate, it simply goes to show that the bill has not been carefully drafted along that line, and I agree with the Senator from Iowa that we should either get entirely into the field of inspection or keep entirely out of it. We can not have a partnership in the matter.

Mr. President, I intended to call the attention of the Senator having charge of the bill to the only changes which are proposed in the substitute, but as the Senator from Oklahoma [Mr. GORE] seems to be absent from the Chamber, I will ask the Senator from Colorado [Mr. SHAFROTH] if he will kindly give his attention to the matter, as I desire to present it at this time.

Mr. SHAFROTH. It will give me pleasure to do so.

Mr. McCUMBER. I am now taking the old print of the bill, on page 101. Part B, sections 1, 2, and 3 are exactly the same, without any change whatever, as indicated in the bill. Section 4 deals with inspectors, and so forth. Now, I propose to cut out all of section 4, on page 102, down to the word "thereof," on line 20, page 103, and to insert an entirely different proposition, which is this:

That whenever standards shall have been fixed and established under this act for any grain thereafter all such grain entering into interstate or foreign commerce and bought or sold by grade shall conform in quality and character to the standard so fixed and established for such grade.

So far in the bill I have provided for the title of the act and for the fixing of national standards. Section 4 provides that

when these standards shall have been fixed thereafter no other standard of buying and selling grain shall be used. It may be sold by sample or it may be sold as "no grade," but if it is to enter into interstate commerce the Federal standards must be used. Then from the word "thereof," on line 20, my substitute proceeds:

Provided, That no person shall in any certificate or in any contract of sale or agreement to sell by grade, either oral or written, involving, or in any invoice or bill of lading or other shipping document relating to, the shipment or delivery for shipment in interstate or foreign commerce of any grain for which standards shall have been fixed and established under this act described or in any way refer to any of such grain as being of any grade other than a grade fixed therefor in the official grain standards of the United States.

That is in furtherance of the preceding part of the section, which provides that only after having fixed Federal standards, those standards shall be the standards adopted in interstate grain trade. Then section 5 is left exactly as it appears on page 104.

Mr. GRONNA. Mr. President——

The VICE PRESIDENT. Does the Senator from North Dakota yield to his colleague?

Mr. McCUMBER. Certainly.

Mr. GRONNA. Before my colleague leaves section 4, I should like to secure some information as to the effect of that section. Suppose an elevator man buys grain and grades it as No. 1 northern; he has established the grade; then that grain enters into interstate commerce, and when it is inspected at the terminal it is graded as No. 2. What effect in such a case would the penalty clause which is attached to the Senator's amendment have?

Mr. McCUMBER. It would have no effect, unless the grade had been carelessly or intentionally or dishonestly made. If a grade has been made in accordance with the very best judgment of the one making it, then, because some one else makes a different grade, either lower or greater, we ought not to inflict a penalty upon him any more than we should inflict a penalty upon an inspector whose inspection does not correspond upon appeal with the decision of the appeal board. It may be a very close question between one grade and another, and if he acts honestly and fairly, if he uses his best judgment and does not act carelessly, there is no penalty.

Mr. STERLING. There would be a right of appeal, though, would there not?

Mr. McCUMBER. Of course, there is always the right of appeal.

Mr. GRONNA. Mr. President, if the Senator will allow me further, I hardly think that that feature is covered in the Senator's amendment.

Mr. McCUMBER. No; that is covered further along.

Mr. GRONNA. The Senator will remember that the chairman of the committee offered an amendment striking out the word "carelessly," so that it is not in the bill itself.

Mr. McCUMBER. Well, it is in my substitute, as the Senator will notice, further along.

Mr. GRONNA. It can readily be seen that a grain dealer might be penalized under the provision of the amendment substituted by my colleague if he should err in his judgment, because section 7 is very rigid in its provisions, penalizing every act which is a violation of section 4, and unless the grain conforms to the standard fixed by the Federal Government it will be a violation of the law.

Mr. McCUMBER. I want to call my colleague's attention to section 8 of my substitute. It reads:

That any person who shall violate any of the provisions of sections 4 or 7 of this act or any inspector who shall knowingly or carelessly inspect or grade improperly any grain which has been shipped or delivered for shipment in interstate or foreign commerce, or shall knowingly or carelessly give any false certificate of inspection or grade, or shall accept money or other consideration, directly or indirectly, for any neglect or improper performance of duty, and any person who shall improperly influence or attempt to improperly influence any such inspector in the performance of his duty shall be guilty of a misdemeanor—

And so forth.

I think that that will cover everything. I agree with my colleague that carelessness ought not to be included. No one ought to be allowed to excuse himself upon the ground that he was careless.

Mr. GRONNA. Mr. President, I also believe that my colleague should provide in his amendment that grain should be permitted to be shipped and sold by sample or by type.

Mr. McCUMBER. There is nothing in the amendment to prevent that.

Mr. GRONNA. I think there is something to prevent it, for it is provided in section 4 that grain which enters into interstate commerce, after it has once been graded, must conform to the Federal standardization. I think that under that provision it would have to be shipped out on a grade. The Canadian law, by separate section—section 116, I think—provides that the buyer or seller shall at all times be permitted to sell or buy grain by sample or by type.

Mr. McCUMBER. Well, I do not think anything on earth could prevent that being done. I read the following:

That, whenever standards shall have been fixed and established under this act for any grain, thereafter all such grain entering into interstate or foreign commerce and bought or sold by grade—

Not when it is bought and sold otherwise.

Mr. GRONNA. But every bushel that goes into the elevator has been bought by grade.

Mr. McCUMBER. Very well; but I do not think that possibly could prevent my looking at a car of grain which is graded No. 1 or No. 2 and saying, "I will buy this and pay 5 cents a bushel more for it as it is," or "I will give you so much for it." I do not think we could prevent that by any kind of a bill; and this bill does not prevent it. The only purpose of the section is that when grain is sold by grade it must conform to that grade.

Mr. GRONNA. It might not prohibit the buyer if the two contracting parties agreed, but supposing that the buyer should refuse to purchase it by sample; suppose that the grade was lower than it ought to be, would not the seller be held to the contract that it should be sold by grade?

Mr. McCUMBER. If it is sold by grade and it conforms to that grade, of course he would have to pay according to that grade, if that was his contract. Either of the parties to a contract can change it by agreement if they see fit to do so, and either party may release the other; but there will be no danger along that line.

Section 5 of the substitute which I offer is exactly the same as section 5 of the bill, on page 104.

Section 6 is modified from the beginning down to the word "receipts," in line 18, exactly in accordance with the amendment which was made yesterday. I call the attention of the Senator in charge of the bill to that, and I will read that provision, so that there may be no misunderstanding:

SEC. 6. That whenever standards shall have been fixed and established under this act for any grain and any quantity of such grain which has been sold, offered for sale, shipped, or delivered for shipment in interstate or foreign commerce shall have been inspected and a dispute arises as to whether the grade as determined by such inspection of any such grain in fact conforms to the standard of the specified grade, any interested party may—

We introduced the words yesterday "call for reinspection"—

or appeal the question—

And here yesterday was inserted the following:

in accordance with the laws, rules, or regulations in force or provided at the place of inspection, with a further right of appeal from any final decision rendered under such laws, rules, or regulations, to the Secretary of Agriculture; and the Secretary of Agriculture is authorized to cause such investigation to be made and such tests to be applied as he may deem necessary and to determine the true grade.

The remainder of the section of my substitute is the same as the remainder of section 6 as now found in the bill.

Section 7 has been entirely stricken out. That section relates to the matter of issuing licenses to any person upon presentation to the Secretary of Agriculture of satisfactory evidence, and so forth. As I have indicated, my idea in striking that out is that the Government should only enter the field of inspection to supervise through the process of appeal and other instrumentalities under the Agricultural Department, unless it takes cognizance of the entire field of inspection and appoints its own inspectors; that the Government ought not to give the license to the inspectors who are appointed and employed by the boards of trade, the chambers of commerce, or the State railroad and warehouse commissions; that the Government ought not to give the license to persons who are buying or selling in their own behalf; that the Government can not by any possibility, without an enormous expense, furnish inspectors at the original place of shipment, and even if it does it will be compelled to make the elevator man, who often is alone in his elevator, the inspector, and he becomes the official inspector with a certificate from the Government to buy and to sell the thing which he inspects and by the grade which he gives it. There is such an inconsistency between them and the idea that we wanted to get rid of and divorce the inspection department from the purchasing interest that it seems to me improper that we should issue Government licenses at all.

I hope that very soon after this law shall be in operation we will find that we can appoint all the inspectors at the great terminals and have the inspectors paid, as they are now, from 15 to 35 cents a carload for inspecting at these terminals and be Government employees entirely.

Mr. STERLING. Mr. President, I should like to ask the Senator a question relative to the reinspection and appeal, as

provided for in section 6. The provision relates to reinspection or appeal, and gives the right of reinspection and appeal——

Mr. McCUMBER. Is the Senator reading from section 6 now?

Mr. STERLING. Yes; section 6. It gives to the party dissatisfied the right to call for a reinspection or to appeal the question in accordance with the laws, rules, or regulations in force or provided at the place of inspection, with a further right of appeal from any final decision rendered under such laws, rules, or regulations, to the Secretary of Agriculture. Now, the Senator may be right in assuming that at any place of inspection there are to be found the laws, rules, or regulations regulating reinspection or appeal. This question occurs to me, however: Might there not be a place where the grain has been inspected but where there are no rules or regulations relating to reinspection or appeal? And if there be, what would be the result in such a case?

Mr. McCUMBER. I can not imagine that there would be an instance of that kind. The inspection and where the appeals are to be taken, of course, would be at the great terminals. Now, no matter whether we inspect in North Dakota or in Iowa or in any other place in Minnesota or not, the final inspection will be done at Duluth or Superior, or at Minneapolis or St. Paul. There is where your inspection will be done. Now, machinery is offered at all of those places for appeals; and under the laws of Minnesota, or elsewhere, as I understand, an appeal could be taken if you sold a carload for milling purposes by grade down at Austin, in the southern part of the State, where they have none. Then it would be by sample, but it would be under the rules and regulations of the State in reference to appeals.

Again, let me call the attention of the chairman to the fact that section 8 is transferred into my substitute as section 7.

The only change that has been made in section 9 is that I have stricken out the words "licensed under this act," because in the substitute I do not provide for any licensing whatever, for the reasons that I have already indicated.

Then sections 10, 11, and 12 are exactly the same as in the bill.

I do not know of anything further that I can say in reference to the substitute. I have tried to keep within this rule in drafting the substitute: First, to make as few amendments as possible to the proposition which is contained in the bill reported from the committee. Second, simply to provide for standardization of grain sold by grade in interstate commerce. Third, a prohibition against the use of any other grade or standard. That does not mean as against any other method of selling, because they can sell by sample or in any other way if they see fit; but if you are to use standards, you must use the United States standards. Fourth, to provide for a reinspection and appeal to the Secretary of Agriculture, thus keeping the Government control over the actions of the States and the boards of trade through this method of appeal, which will also operate to bring to the attention of these inspecting departments just what the Agricultural Department will require in measuring up to its standard of certification. Fifth, a provision for penalties which would make the law effective.

I do not believe we ought to go any further than that unless we go entirely into the field of Government inspection.

I think, Mr. President, that we will have a more workable law, and one very much superior to that which has been reported, by the adoption of my substitute.

Mr. GORE. Mr. President, I wish to say one or two words in regard to the proposed substitute.

First, I wish to say that I realize that the Senator from North Dakota [Mr. McCUMBER] has been one of the pioneers in carrying forward the agitation for legislation providing for the standardization of grain. It is true that there has been a difference of opinion. There have been three phases of opinion upon this subject. One section of the opinion opposes any legislation whatever, opposes either Federal inspection or Federal supervision, and insists upon a continuance of the local or State systems of standardization and grading. In the Senate there have been two sections of opinion—one led by the Senator from North Dakota, in favor of direct Federal inspection. I believe I have voted uniformly with the Senator for the measures proposed by him to accomplish that end. It has been impossible, so far, to achieve that result. The difference between Federal inspection and Federal supervision is not one of principle; it is a difference of policy. It has seemed best, at least for the present, to concentrate our efforts on the legislation seeking to bring forward at this time and to consummate at this time Federal supervision. I think it would be impossible at this time to secure Federal inspection.

There are two or three points in the proposed substitute and amendments on the part of the Senator which seem to me seriously objectionable. Section 4, as proposed by him, is ironclad in the requirement that all grain shall be graded in accordance with the Government standards and shall be sold and shipped in accordance with those standards. There is no flexibility whatever—no elasticity. I have little doubt that it would result in great congestion, or at least in great embarrassment, and would in some measure defeat the purposes which we have in view.

The act to which this is proposed as an amendment allows greater freedom. It does not insist that all grain shall be graded in accordance with official standards before being shipped or sold in interstate commerce. I think for the present that is preferable. Perhaps sooner or later we may be able to institute a system of universal Federal inspection under which the policy proposed by the Senator's substitute could be carried out.

Another provision—I believe an amendment which was adopted yesterday in my absence—I think is subject to still further criticism. That is the provision that appeals shall be, in the first instance, prosecuted by the existing State authorities. There are two objections to that. One objection is fundamental. The proposition to commit the enforcement of a Federal statute to State authorities, over which the Federal Government has no control, I think is unwise. In fact, I think it impracticable. I do not believe it would work. Any Government establishing a system of this sort ought to have some sort of control over at least the administrative officers who are to carry it into effect. I believe it is a little unusual for one government or jurisdiction to pass a statute and to devolve the execution of that statute entirely upon other authorities or instrumentalities, and surrender all control whatever over the administration of its own enactment.

I think that objection is fundamental. There would be a hiatus in the enforcement of the law under this amendment. In the first instance, the inspection would be, or might be, by a licensed Federal inspector. Then an appeal would be taken to a State authority. A further appeal is provided from the State authority to the Federal authority. Now, I question the wisdom of that sort of administration.

In the second place, it would be possible for the existing exchanges to make final appeal to the Federal authorities an impossibility. The fee for the appeal in the first instance could be made so high that no appeal could be taken to the State authorities; and since an appeal to the State authorities is a necessary preliminary to an appeal to the Federal authorities, all appeals might be foreclosed. I believe that the present fee in cases of appeal in the Baltimore Exchange, for instance, is $3 per car. That might be raised to such an amount as to make it impossible to prosecute an appeal to the local authorities, which would, of course, make impossible a further appeal to the Federal authorities.

I will say that if the substitute is voted down, I should not have serious objection to an amendment of this character, which could possibly be further considered in conference and hammered out into something practicable:

The Secretary of Agriculture may, under rules and regulations to be prescribed by him, permit an appeal to the authorities empowered under the State law to hear and determine such appeals, with the right of a further and final appeal to the Secretary of Agriculture.

That would protect the enforcement of this law against the objections which I have just cited. The Secretary could prescribe the rules and regulations under which appeals should be prosecuted, in the first instance, to the State authorities; and if the State authorities did not conform to those rules and regulations, the Secretary could withdraw entirely this right of appeal. I think that would make it a practical measure.

Mr. McCUMBER. Mr. President, may I interrupt the Senator with just one suggestion?

Mr. GORE. Yes, sir.

Mr. McCUMBER. In nearly every one of the cases, or at least in perhaps 50 or 60 per cent of them, the mere reinspection settles the difference. Now, the Senator would not want every case of reinspection to come up for the decision of the Secretary of Agriculture?

Mr. GORE. Oh, not at all; if the party was content.

Mr. McCUMBER. That would be the most of it; and that must be done—because there is no provision in the bill here for reinspection—under the provisions of the laws of the States or the boards of trade.

Mr. GORE. I think, under one of the amendments suggested by the Senator yesterday, that proposition is taken care of, with respect to reinspection.

Mr. McCUMBER. It is, yes; but that is embodied in my substitute.

Mr. GORE. Therefore, Mr. President, I express the hope that the substitute will be voted down. In that event, I should not seriously object to the amendment which I have suggested.

I believe I will ask the Senate at this time, however, to permit me to move that when the Senate recesses to-day it recess until 11 o'clock on Monday.

The VICE PRESIDENT. The question is on the motion of the Senator from Oklahoma.

The motion was agreed to.

Mr. SHAFROTH. Mr. President, I want to say just a few words with relation to the substitute which has been offered by the Senator from North Dakota. It is a substitute that takes away from the grain-grades bill as incorporated in the Agricultural bill the idea of supervision upon the part of the Federal Government. This subject has been discussed by the farmers' organizations, by the boards of trade, and by the millers' associations to a very large extent, with perhaps more particularity than by the Members of this body; and on that account it seems to me that we ought to pay some attention to what they say and what they want.

This section with relation to grain grading is divisible, of course, into three parts: First, the standardization, which everybody concedes is the proper thing to do by the Federal Government; second, the supervision, by which perhaps inspectors of the Federal Government would be in the 35 leading markets of the United States, and would not be in other portions of the United States; third, the inspection by the Federal Government, which would include a vast number of employees upon the part of the Government.

Mr. McCUMBER. Mr. President, may I ask the Senator a question right here?

Mr. SHAFROTH. Yes, sir.

Mr. McCUMBER. I will ask the Senator if he does not think that the bill as proposed—and I will admit that my substitute is open to the same objection—is rather weak upon the matter of supervision? The only supervision that I can make out of the bill—and that would be true also of the amendment—is the supervision that would come through the appeals.

Mr. SHAFROTH. There is something more than that, because under the bill as contained in the Agricultural appropriation bill the inspectors who are now inspecting the grain must operate under a Federal license; and while, of course, they have the influence of the State organization behind them, yet they have certain responsibilities to the Federal Government, and it seems to me it would bring them in closer touch, and make for more uniform grading.

I did not, however, intend to go into the general discussion of the question, because I have on another occasion discussed it at considerable length. I want to call the attention of the Senate to the fact that while we have given this matter some consideration, these farmers' organizations, these millers' organizations, these elevator organizations, and these State organizations have given infinitely more time and attention to the provisions of the measure which is embodied in the Agricultural bill.

I want to read just a few of these indorsements, to show that the general farmers in their organizations, comprehending thousands and thousands of people, and the millers in their organizations, and even boards of trade, have approved this identical bill, because what is contained in the Agricultural bill is simply what was called the Moss bill in the Sixty-third Congress, and what was called the Rubey bill in the Sixty-fourth Congress. They have had these measures before these various organizations, and they have discussed them, and the result has been that they have formed an idea as to what they want in the matter. Perhaps their idea was influenced to some extent by the fact that a year ago, upon the question as to whether we should have Federal inspection and do away with State inspection, it was defeated in this body; and, thinking that perhaps that could not be obtained, they have indorsed the Moss bill and the Rubey bill, which is identically the same bill contained in the pending Agricultural appropriation bill.

I want to call attention to just a few of these resolutions which indicate that they are familiar with and have discussed this very question, and, with the idea of their own self-interest, are better capable of determining what is to the best interest of the entire United States.

The membership of the Western Grain Dealers' Association includes the regular grain dealers of the States of Iowa, Nebraska, and South Dakota.

At the annual convention of the Western Grain Dealers' Association, held at Cedar Rapids, Iowa, April 14–15, 1916, the following resolution was adopted:

Whereas there is pending before Congress the Rubey bill, which bill is substantially the same as that known to the trade as the Moss bill, or grain-grades act; and

Whereas this association has heretofore gone on record as favoring the Moss bill, which is designed to bring about supervision of grain inspection by the Federal Government:

Resolved, That we reaffirm our position with reference to this bill, which has been favorably reported by the House Committee on Agriculture and is now on the calendar awaiting action.

There is a specific indorsement of the membership in those three great wheat-raising and grain-raising States, and it was after a most thorough examination had been made by them and a thorough discussion that the resolution was adopted.

Now, there are various other indorsements. For instance, here is one adopted at Peoria, Ill., October 11, 1915. At the nineteenth annual meeting of the Grain Dealers' National Association, held at Peoria, Ill., October 11, 1915, the following resolution was adopted:

Whereas the bill introduced in Congress by Representative Moss and known as the grain-grades act failed of enactment: Therefore be it

Resolved, That we indorse Representative Moss in his declared intention to reintroduce this measure, without material change, immediately after the Sixty-fourth Congress convenes; that we reaffim in all respects the indorsements given this measure by this association at its Kansas City convention and that every honorable effort be put forth by the members of this association to secure its enactment into law.

Here is one which was addressed to Representative RUBEY from the Boston Chamber of Commerce:

BOSTON CHAMBER OF COMMERCE,
March 25, 1916.

Hon. THOMAS L. RUBEY,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN RUBEY: I have already notified you by day letter of the vote of the grain board indorsing the Rubey grain-grades act. The board of directors of the chamber, at their metting on March 23, unanimously adopted the report of the grain board and voted to inform the New England Senators and Congressmen of the action taken.

It goes into details concerning it, which are too long to read.

Now, take the Kansas City Board of Trade. This is addressed to the author of the bill, Mr. RUBEY, January 14, 1916:

[Telegram.]

KANSAS CITY BOARD OF TRADE,
Kansas City, Mo., January 14, 1916.

Hon. THOMAS L. RUBEY,
Washington, D. C.:

The Kansas City Board of Trade strongly indorse the Moss grain bill, and respectfully but earnestly solicit your best efforts toward its adoption this session.

B. C. MOORE, *President.*
E. D. BIGELOW, *Secretary.*

Again, the Kansas City Millers' Association indorses the measure in these words:

[Telegram.]

THE KANSAS CITY MILLERS' CLUB,
Kansas City, Mo., January 14, 1916.

Hon. THOMAS L. RUBEY,
House of Representatives, Washington, D. C.:

We respectfully urge you to do all that is possible to secure enactment of the Moss grain-grades bill during the present session of Congress. The proper Federal supervision of grain inspection is of the utmost importance to the milling industry and the grain trade of the United States, and further to defer enactment of this important legislation will merely delay much-needed relief.

THE KANSAS CITY MILLERS' CLUB,
R. E. STERLING, *Secretary.*

Mr. President, I have a number of other indorsements here. Here is one from the Missouri Grain Dealers' Association, which heartily indorses this bill. Here is another from the Missouri Grain Dealers' Association of a later date, and as it is shorter I will read it. It is as follows:

[Telegram.]

MISSOURI GRAIN DEALERS' ASSOCIATION,
St. Louis, Mo., January 27, 1916.

Hon. THOS. L. RUBEY,
Representative in Congress, Washington, D. C.:

The Missouri Grain Dealers' Association, assembled in annual convention at St. Louis, Mo., January 27, unanimously indorsed the Gore bill, now pending in the Senate, and the Moss bill, now pending in the House, relating to uniform grading of grain, and desire to thank you for your sincere and constant efforts put forth in behalf of the grain trade.

MISSOURI GRAIN DEALERS' ASSOCIATION,
By J. A. GUNNELL, *Secretary.*

Then here is one from the New York State Millers' Association. As it is short I will read it:

[Telegram.]

NEW YORK STATE MILLERS' ASSOCIATION,
Buffalo, N. Y., January 27, 1916.

THOS. L. RUBEY, *M. C.*,
Washington:

The millers of New York State, as assembled at their annual dinner last night at Buffalo, again express their strong hope that they might have immediate relief from possible grain-inspection abuses as would be provided by bill H. R. 4646. They hope that your committee may have already reported the bill favorably, or, if not, may do so as soon as may be possible, and that this may be followed by prompt favorable action of the House and Senate. If we can be of any service, please command us.

NEW YORK STATE MILLERS' ASSOCIATION,
By W. V. HAMILTON, *President.*

Then here is another one from the Providence Chamber of Commerce.

Here is one from the St. Louis Merchants' Exchange, and here is one from Texas Grain Dealers' Association. The executive committee of the Texas Grain Dealers' Association, in session April 22, 1916, passed a resolution instructing the secretary to take up with the Senators and Congressmen from Texas the matter of urging the passage of the Rubey bill or the grain-grades act at this session of Congress.

The fact that all these associations have looked into these bills closely and have indorsed this bill by specific name indicates that, so far as they are concerned, they have compromised their differences as to grain inspection by the Federal Government so as to simply establish grades by the Federal Government in the bill which is now reported by the Committee on Agriculture and Forestry, namely, that you should have grain standards established by the National Government, and that there should be that amount of supervision which is provided in the bill, and which unquestionably it seems to me will aid the promulgation and carrying out of provisions as to the sale of grain by grade standards.

Mr. ASHURST. Mr. President, I observe that an amendment has been attached to the pending bill. I shall not take time to read it, but it provides specifically for permitting the importation of cattle affected with splenetic or Spanish fever.

The amendment proceeds along the line that whereas in 1911 in the Agricultural appropriation act an amendment was attached providing that a class of cattle could be imported into Texas, therefore, in view of this apparent special right or privilege having been granted to Texas, it ought to be granted to other States.

Surely the Senate can not now open the door and permit the importation of cattle, to use the language of the amendment, afflicted with splenetic or Spanish fever. To my mind the logical way to eliminate the special privilege, if there be one, would be to repeal that provision of the Agricultural appropriation act of 1911 which granted to Texas the right to have such cattle imported into the State.

Mr. SMITH of South Carolina. Mr. President, I think the Senator from Arizona is laboring under a misapprehension as to the character of this disease. As I stated the other day when this matter was under discussion, there is a zone running from the Gulf around the south Atlantic where the disease does not manifest itself, and the cattle in that section are immune because of the presence of the tick. But if you take any cattle from a diseased zone and ship them into the interior of my State, where they come in contact with the immune cattle, the immune cattle may develop the disease.

Mr. ASHURST. Mr. President, I thank the Senator from South Carolina for his statement; it is very clear. But the language of the amendment is that the act of Congress of August 30, 1890, shall be amended so as to permit the admission of tick-infested cattle.

I reserve any right that may be necessary. I now tender the following amendment to the bill.

Mr. GORE. Mr. President——

The PRESIDING OFFICER (Mr. CUMMINS in the chair). Does the Senator from Arizona yield to the Senator from Oklahoma?

Mr. ASHURST. I do.

Mr. GORE. Perhaps the Senator from Arizona was not present when the junior Senator from Alabama [Mr. UNDERWOOD] gave the required notice that he would move to suspend the rule and offer the amendment to which the Senator refers. It is true the amendment is now in the bill, but in the Senate it will be subject to a point of order, and doubtless a point of order will be made. In order to escape that contingency, due notice has been given by the Senator from Alabama that he would move to suspend the rule in order to offer the amendment. Of course, the matter will then be thrown open for general discussion.

Mr. ASHURST. For fear that the rule might be suspended and the amendment adopted, which would permit, if I view it correctly, the importation of these tick-infested cattle, as a proposed solution I now give notice of an amendment proposing to amend the Agricultural appropriation act for the fiscal year ending June 30, 1912, which was approved March 4, 1911, by striking out the language on page 6, as follows:

The act of August 30, 1890, is hereby amended so as to authorize the Secretary of Agriculture, within his discretion, and under such joint regulations as may be prescribed by the Secretary of Agriculture and the Secretary of the Treasury, to permit the admission of tick-infested cattle from Mexico into that part of Texas below the southern cattle quarantine line.

Mr. SMITH of South Carolina. I would just like to state, if the Senator will allow me——

The PRESIDING OFFICER. Just a moment. The Senator from Arizona gives notice of a motion to suspend the rules to make in order the amendment which he has suggested. The notice will be entered.

Mr. SHEPPARD. Let me state to the Senator from Arizona that it will be necessary to reduce it to writing.

Mr. ASHURST. I shall do so.

Mr. SHEPPARD. I suggest that the Senator amend his notice by stating "I hereby give notice in writing," and so forth.

Mr. ASHURST. I will accept that suggestion. I offer it as a compromise between the law and the amendment which has been adopted. I think we ought to repeal that part of the law which permits tick-infested cattle to be shipped from Mexico to States on the border. We have spent thousands, yea, millions of dollars to prevent the spread of splenetic or Spanish fever among the cattle there.

Mr. SMITH of South Carolina. Mr. President, I would like to call attention to the fact that even this amendment provides that they shall only be brought in below the quarantine line. Under the tick-eradication act in a State where the quarantine has been allowed you can not ship cattle out of one tonwship into another township in the State where one is immune and the other is not—where the tick has been eradicated and where it has not. This only provides that the cattle may be imported into this country in those zones where like conditions exist in the countries from which the cattle were shipped, and under the law you can not ship them across that zone.

The PRESIDING OFFICER. The Chair suggests that the amendment is not before the Senate. The Senator from Arizona has given notice of a motion to suspend the rule.

Mr. NELSON obtained the floor.

Mr. CHILTON. Mr. President——

The PRESIDING OFFICER. Will the Senator from Minnesota yield to the Senator from West Virginia?

Mr. CHILTON. Will the Senator yield to me to make a motion that at quarter to 2 we shall stand in recess?

Mr. NELSON. I yield for that purpose.

Mr. CHILTON. I move that at a quarter to 2 the Senate shall stand in recess until 11 o'clock Monday, as fixed by the previous order of the Senate.

The motion was agreed to.

Mr. McCUMBER. Will the Senator from Minnesota yield to me to ask that my amendment in the form of a substitute may be printed and lie on the table?

The PRESIDING OFICER. Without objection, it is so ordered.

Mr. NELSON. Mr. President, the Senator from Colorado [Mr. SHAFROTH] a few moments ago read a number of extracts from chambers of commerce, boards of trade, and associations in favor of this legislation, and apparently he wished to convey the idea that they were unanimously in favor of this legislation.

One of the leading commercial organizations in this country is the Commercial Exchange of Philadelphia. They are utterly opposed to this legislation, and I beg leave to call attention to it in connection with what the Senator from Colorado said. I will first read the letter from the president of the commercial exchange, inclosing the statement of the exchange. It is dated May 12, 1916:

THE COMMERCIAL EXCHANGE OF PHILADELPHIA,
Philadelphia, May 12, 1916.

Hon. KNUTE NELSON,
United States Senate, Washington, D. C.

DEAR SIR: On behalf of the export grain trade of the United States the Commercial Exchange of Philadelphia respectfully asks you to vote against and do all you can to oppose the passage of the amendment to the Agricultural appropriation bill, known as the "grain-grades act."

We ask this because the provisions of this act are calculated to injure the export grain trade, and injury to that trade will necessarily result in serious hardship to the agricultural and farming interests of the country. The farmers of this country as a rule are not advocating the passage of this bill, and they know nothing whatever of its text. A few western grain men not familiar with the requirements of the export grain trade have fathered this bill, and by the cooperation of their affiliated associations have made it appear to have a strong indorsement. Could the farmers know how much it will injure them, they would flood Congress with telegrams and letters of protest.

Your attention is invited to the inclosed communications, which recite in detail our reasons for opposing the measure.

Yours, very truly,

L. G. GRAFF, *President.*

Here is the communication to which the president of the exchange referred. It is very interesting and important and has a strong bearing on this case:

THE COMMERCIAL EXCHANGE OF PHILADELPHIA,
May 12, 1916.

To the MEMBERS OF THE UNITED STATES SENATE,
Washington, D. C.:

In re "grain-grades act."

[The Commercial Exchange of Philadelphia was founded in 1854, and is composed of merchants engaged in the grain, flour, feed, and provisions business, both domestic and export; also the principal banks, railroads, and steamship lines of Philadelphia. It has one of the best-equipped grain-inspection departments in the United States. Through

this exchange was received approximately 71,000,000 bushels of grain, including flour, of which 50,000,000 bushels was exported from this port in 1915.]

The export trade of this country is the best friend of the farmer of the United States, and should it be injured, harassed, or taken away we hesitate to forecast the dire consequences to the producer of the crops. The enormous crops raised in this country leave a large available surplus annually for export, which, if not disposed of, would mean ruinously low prices to our farmers, and we can not expect to secure and hold this foreign trade if our laws regarding the grading of grain are such as to hamper and destroy fair competition with other exporting countries.

The proposed grain-grades act, should it become a law, would be especially detrimental to the export trade and the farmer, inasmuch as its provisions would prevent from competing upon equal terms with our competitors, such as the Dominion of Canada, Argentina, and other exporting countries, these competitors not being amenable to our laws. As a concrete example of this, permit us to say that the United States Department of Agriculture has adopted a standard for grading corn, requiring No. 2 corn to contain not more than 15½ per cent moisture, No. 3 corn not more than 17½ per cent moisture, and No. 4 corn not more than 19½ per cent moisture, etc. In the western markets the settling price between No. 2 and No. 3 corn is 2 cents a bushel, and between No. 2 and No. 4 corn as much as 6 cents a bushel. At the present time all of the No. 3 corn can be used for export without docking the farmer or country shipper, but the Department of Agriculture, should the grain-grades act become a law, would prohibit us from doing so, and would therefore legislate in favor of the foreign buyer, as well as our competitor, and against the producer in this country. Very little corn, as you may know, has as little moisture as 15½ per cent in its natural state or condition, and it is safe to say 2,500,000,000 bushels of the crop will contain a moisture about 15½ per cent. As all corn containing one-quarter or even an eighth higher percentage of moisture would necessarily, under the department's proposed moisture test, be forced to take the grade of No. 3 corn, the Agricultural Department would thereby reduce the value of this year's crop to the farmers of the country 2 cents a bushel, which, as above stated, is the settling price between the grades of No. 2 and No. 3 corn, or $50,000,000; this is, of course, assuming it would all grade No. 3 corn, but we know a great deal of it would be below No. 3, and as No. 4 is docked 4 to 6 cents a bushel, it would be a safe estimate to say the loss to the farmer by reason of the proposed grades would be 3 cents a bushel, or $75,000,000.

Furthermore, our Philadelphia merchants, together with the efficient grain-inspection department of this exchange, by reason of their knowledge and experience in blending wheats, are producing an article which the millers of England, France, and Holland have shown a desire to purchase in preference to those of western markets. It is only within the past two years that the great State of Montana has produced wheat in large enough quantities to become a factor in the export trade. During that time the production of wheat in that State has grown from an unknown quantity to that of 33,000,000 bushels, a matter of great importance to the State, the railroads, the steamship lines, and the export merchants of the entire country. Under our present export grading system we are permitted to bring that wheat from Montana to Philadelphia, and by blending it with wheat from other sections of the United States are enabled to give to our foreign merchant millers a desired milling article, of which we have shipped millions of bushels within the past year. Under the terms of the grain-grades act this will be impossible.

Another important factor that should be considered in connection with the proposed grain-grades act is that grain graded at western primary points frequently deteriorates in quality while in transit between the western shipping point and the eastern terminus. If the western exporter has sold such grain to the foreign buyer on western certificates of inspection, the question arises as to the attitude of the Government in case the grain arrives at the seaboard out of condition. Will it stop the shipment and compel the exporter to put the grain in good condition, or will the shipment be permitted to continue on its way across the ocean regardless of its condition? It would seem there is a responsibility on the part of the Government in such exigencies after the proposed grain-grades act should be enacted into law. If the Department of Agriculture, under the grain-grades act, permits deteriorated grain, as above referred to, to be shipped on the western certificate of inspection, this would be a serious discrimination against the seaboard exporter. Then, again, if this act becomes a law the exporters will of necessity be forced to establish their own brands, which would require every receiver, shipper, and exporter to have their grain stored in separate bins, so as to preserve the identity of the grain. This would necessitate largely increased storage facilities, for which the storage capacity of our elevators would prove to be decidedly inadequate, resulting in still further congesting the railroads and interfering with general business.

Finally, owing to the—

And I call attention to this—

Finally, owing to the numerous varieties of grain grown in the United States, contingencies frequently arise requiring a change in the grades to meet the existing conditions and the requirements of the foreign buyer; this is especially applicable to wheat, and most generally after harvesting a new crop. In accordance with our present rules we can adopt and make effective such changes in grades as may be necessary and advise the foreign buyer of the same within a period of two weeks. Should the proposed grain-grades act become a law, it will require 60 days to make effective any changes in the grades, and usually there are unforeseen delays in all such governmental matters. This would be exceedingly detrimental to the export business, as well as to the farmer of the United States, and be especially beneficial to our competitor who is not amenable to our laws.

In view of the foregoing facts the Commercial Exchange of Philadelphia is unalterably opposed to the enactment of the grain-grades act, and solicits your earnest cooperation in bringing about the defeat of the bill.

Respectfully, yours, L. G. GRAFF, *President.*

Attest:

A. B. CLEMMER, *Secretary.*

Here is another and a shorter communication from the same body:

THE COMMERCIAL EXCHANGE OF PHILADELPHIA,
Philadelphia, May 12, 1916.

To the MEMBERS of the UNITED STATES SENATE,
Washington, D. C.:

In re "grain-grades act."

The committee on grain of the Commercial Exchange of Philadelphia enters this protest against the bill known as the United States grain-grades act.

We hold that the act in question not only places entirely too much power in the hands of one official of the Government, the Secretary of Agriculture, but that it will also work against the interests of the farmer as well as of the merchant engaged in the export of grain, two industries which are of vital importance to the welfare of the United States.

Any attempt on the part of the Government to force commerce to flow through certain prescribed channels and to submit to standards imposed in an arbitrary way will be injurious to trade. Under the present system there is a wholesome rivalry between different ports on the Atlantic seaboard to secure for each one its share of the export traffic, and self-interest alone will dictate to the exporter the establishment of such grades as will promote business in the foreign markets and at the same time enable him to secure the proper kind of grain from the farmer in the interior. The mixture of certain grades of grain is not only a benefit in some cases to the foreign buyer as well as to the domestic buyer but is also a distinct benefit to the farmer and to the producer, because under such a system the different grades are not sacrificed in price but are so blended as to make, in the case of wheat, for instance, a good milling grade entirely satisfactory to the European buyer, without forcing the farmer or the producer to accept what might be called a slaughter price.

We hold that the export trade of the United States would be so hampered under the proposed legislation that serious injury would be done to it; and the present system, which has been in operation for years and is now giving general satisfaction both to the consumer and to the buyer, should not be disturbed. Competition between different ports will naturally tend to benefit the farmer, for each port wishes its own grades to be popular with the buyer either at home or abroad, and any dishonest or unjust inspection will soon work its own cure.

We hold that the proposed legislation is largely in the direction of paternalism; that is to say, it places one of the great industries of the country under the paternal care of the Government at Washington, a process which we can not too strongly deprecate. The growth of the country in the last hundred years has been largely the result of private enterprise unfettered by oppressive legislation or by standards imposed by Government officials who know little or nothing of what they attempt to control. In the interest of the domestic and foreign commerce of the United States, as carried on in grain of all kinds, we protest against this legislation and ask you to vote against the grain-grades act.

Respectfully, yours,

GRAIN COMMITTEE OF THE COMMERCIAL EXCHANGE OF PHILADELPHIA,
GEORGE M. WARNER, *Chairman.*

Mr. BORAH. Mr. President, is there an amendment pending or is an amendment now in order?

The PRESIDING OFFICER. The question now before the Senate is the amendment offered by the Senator from North Dakota [Mr. MCCUMBER].

Mr. BORAH. I understood that the Senator from North Dakota was going to ask that his amendment go over.

Mr. NELSON. He did ask to have it printed and lie over. It ought to be printed before we take a vote on it.

Mr. BORAH. If that order is made and the amendment is going over, I wish to offer an amendment. I ask the attention of the Senator from Oklahoma to it.

The PRESIDING OFFICER. The Chair does not understand that the amendment offered by the Senator from North Dakota has been withdrawn. It is the pending question.

Mr. NELSON. The amendment has been offered but the voting on it I take it will not take place to-day. Within a quarter of an hour we must take a recess and it would be idle to seek to reach a vote upon it to-day. Besides it is quite an extensive amendment and it ought to be printed in order that we may give it due consideration.

To section 4 of the amendment I heard the Senator from Oklahoma make an objection that seemed to me to be well grounded, and I want to have an opportunity to study it further.

Mr. BORAH. Mr. President, do I understand that the amendment proposed by the Senator from North Dakota [Mr. MCCUMBER] has gone over?

The PRESIDING OFFICER. The Chair does not know of any way in which the amendment offered by the Senator from North Dakota can be disposed of without either a vote on it or a withdrawal so as to admit the presentation of another amendment.

Mr. GRONNA. Mr. President, my colleague is not in the Chamber at present, but I know it is his wish that his amendment shall go over until Monday. I therefore ask unanimous consent to withdraw the amendment for the present.

The PRESIDING OFFICER. Without objection, that course will be pursued.

Mr. GORE. Mr. President, I think in view of the suggestion made by the Senator from Minnesota [Mr. NELSON], it might now be well for the Senator from North Dakota [Mr. GRONNA] to give notice that the amendment heretofore offered by his colleague will again be offered, and ask that it be printed and lie on the table.

The PRESIDING OFFICER. The senior Senator from North Dakota [Mr. MCCUMBER] has already asked that the amendment be printed. Does the Chair understand the junior Senator from North Dakota to ask that the amendment lie on the table?

Mr. GRONNA. I ask permission that the amendment be printed and lie on the table.

The PRESIDING OFFICER. That order will be made.

Mr. BORAH. Mr. President, I offer an amendment on page 71, after the word "plant," in line 19, to insert:

To make preliminary survey and examination of what is known as the Black Canyon irrigation project, in Canyon County, Idaho, the sum of $10,000, or so much thereof as may be necessary.

Mr. President, I wish to say just a word in explanation of the amendment. It will take only a moment. What is known as the Black Canyon irrigation project was once part of a Government irrigation project, but it was afterwards, for reasons which it is not necessary for me now to detain the Senate in stating, eliminated from the project as a whole, and has since that time been outside of any Government irrigation project. It had, however, been settled upon by a large number of settlers who have been upon the tract of land for from five to eight years. From time to time there has been an effort to ascertain whether or not it would be a practicable proposition for the Government to put water upon this project.

If it be not practicable, of course these settlers must give up their homesteads and their homes in a large measure, if not wholly, and depart. Therefore the Secretary of the Interior has indorsed the proposition of a small appropriation to make a preliminary survey and examination in order to determine whether it is such a feasible plan as the Government, under any circumstances, would take hold of. I have a letter from the Secretary of the Interior approving of the item and of the survey and examination. I do not care to discuss the matter further, unless there is some serious objection to it.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. On page 71, line 19, after the word "plan," it is proposed to insert:

To make preliminary survey and examination of what is known as the Black Canyon irrigation project, in Canyon County, Idaho, the sum of $10,000, or so much thereof as may be necessary.

Mr. GORE. Mr. President, I wish to say that I am almost persuaded by the statement of the Senator from Idaho, indeed I am persuaded, that this survey ought to be made. I think there is no doubt of that in the interest of the settlers and in fulfillment of an obligation which perhaps the Government owes the settlers. I feel certain, however, that if this amendment should be adopted, requiring the Department of Agriculture to make this survey in connection with an irrigation plant, it would undoubtedly become invested with the character of a precedent, and efforts would be made hereafter to follow this precedent. It is extremely difficult to discriminate between Senators or between projects and proposals standing upon the same footing and having apparently the same merit. I feel obliged, therefore, reluctantly to make this point of order against this amendment.

Mr. BORAH. What is the point of order?

Mr. GORE. I think the item is not estimated for.

Mr. BORAH. I think I have an estimate for it. I have undertaken to get an estimate for it, Mr. President. I asked the Secretary of the Interior to give me an estimate, and he has given it to me under date of July 6, 1916.

Mr. GORE. Mr. President, I will say that, as I understand, an estimate in order to be entitled to qualify under the rules of the Senate, must be transmitted by the Secretary of the Treasury to the Speaker of the House, I believe.

Mr. BORAH. I do not find any rule requiring that.

Mr. GORE. At any rate, I think it has to be certified by the Secretary of the Treasury.

Mr. BORAH. Under what rule is that required?

Mr. GORE. I believe that is in the statutes requiring the Book of Estimates to be prepared and submitted to Congress.

Mr. BORAH. I know that there have been numerous instances here—I recall one in particular—in which that has been regarded as an estimate, which was a recommendation from the department in the nature of a letter. I have that kind of a recommendation from the Secretary of the Interior.

I know the attitude of the Senator from Oklahoma, and I have no doubt that he is friendly to this matter. I shall regret if he feels the necessity of making a point of order against the amendment, although I feel that we have complied with the spirit of the rule.

I want to say to the Senator from Oklahoma, however, that I certainly would not for a moment embarrass him with this amendment if it were not for the peculiar situation which surrounds this particular transaction and this particular project, which is similar to no other that I know of anywhere in the West. It must be understood that the settlers went upon this land at a time when it was a part of a Government project, and now they have been set off by themselves, eliminated, and left, as it were, marooned. It is an act of humanity to tell them either that they can or can not entertain hope for the future in regard to their homes. They have been there for some six or seven or eight years—some of them as long as eight years and others for five and six years—and from time to time investigation into the matter has been delayed. It is a small amount, and will settle the future of the people who are residing upon 150,000 or 200,000 acres of land.

The PRESIDING OFFICER. The Chair understands, addressing himself now to the Senator from Oklahoma, that he makes the point of order that this proposed appropriation has not been estimated for?

Mr. GORE. Yes, sir; that is the ground upon which I base the point of order. I will say, Mr. President, that after the further statement of the Senator from Idaho, if he will devolve this duty upon the Secretary of the Interior, I believe that I shall withdraw the point of order.

Mr. BORAH. How is that?

Mr. GORE. If the Senator will direct the Secretary of the Interior to make this survey—I do not think it ought to be devolved upon the Secretary of Agriculture——

Mr. BORAH. It is the intent that it shall be done by the Secretary of the Interior.

Mr. GORE. Then I misunderstood it. Mr. President, I will not insist upon the point of order.

The PRESIDING OFFICER. The point of order is withdrawn. The question is on the amendment submitted by the Senator from Idaho [Mr. BORAH].

The amendment was agreed to.

Mr. BORAH. I ask unanimous consent to have printed in the RECORD a letter from the Secretary of the Interior, Mr. Lane, in regard to the matter.

The PRESIDING OFFICER. Without objection, it is so ordered.

The letter referred to is as follows:

THE SECRETARY OF THE INTERIOR,
Washington, July 6, 1916.

Hon. WILLIAM E. BORAH,
United States Senate.

MY DEAR SENATOR: I have your letter of June 28, relative to an investigation and survey of what is known as the Black Canyon irrigation project. While it is very difficult to estimate in advance the cost of such work, I am of the opinion that the sum which you have in mind, $10,000, will be sufficient for the purpose, and that the contemplated survey is justifiable.

Cordially, yours,

FRANKLIN K. LANE,
Secretary.

Mr. CATRON. I offer an amendment to the pending bill, which I ask to have printed in the RECORD and also printed for the use of the Senate.

The PRESIDING OFFICER. Such will be the action, in the absence of objection.

The amendment is as follows:

On page 78, line 17, insert the following:

"That portion of the act of March 4, 1911, entitled 'An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1912,' which reads as follows: 'The act of August 30, 1890, is hereby amended so as to authorize the Secretary of Agriculture, within his discretion and under such Government regulations as may be prescribed by the Secretary of Agriculture and the Secretary of the Treasury, to permit the admission of tick-infested cattle from Mexico into that part of Texas below the southern cattle quarantine line,' be, and the same is hereby, repealed."

Mr. ASHURST. Mr. President, I have received so many requests for information concerning the legislation proposing Federal aid in the construction of roads that I take this opportunity briefly to set out just in what way the goods-roads legislation relates to the State of Arizona.

The good-roads bill appropriates $5,000,000 for the fiscal year beginning July 1, 1916; $10,000,000 for the fiscal year beginning July 1, 1917; $15,000,000 for the fiscal year beginning July 1, 1918; $20,000,000 for 1919; and $25,000,000 for 1920, which sums of money are to be expended by the Secretary of Agriculture in cooperation with the State highway departments in constructing rural roads over which the United States mails are or hereafter may be transported. The State, in order to obtain the benefits of this law, must, by act of its legislature, assent to the terms of the act of Congress, and then it is further required that a State highway department be established, with which the United States Government may deal, and the State contributes at least an equal amount, which contribution may be in money, material, or labor, toward the construction of any proposed road.

The money appropriated by the good-roads act will be apportioned among the States according to, and will be determined by, three factors, to wit: One-third in the ratio which the area of the State bears to the total area of all the States, one-third according to population, and one-third according to the mileage of rural delivery and star routes as compared with the total mileage of all such routes.

Arizona has an area of 113,810 square miles, or 3.83 per cent of the total area of the United States. She has 0.224 per cent

of the population of the United States and 0.251 per cent of the post-route mileage of the United States. By consolidating these three factors it is disclosed that Arizona is entitled to 1.435 per cent of the appropriation made under this act, which means that if Arizona sees fit to take advantage of the benefits offered by the Federal law the following sums of money will be available for road construction in Arizona within the next five years:

For the fiscal year beginning July 1, 1916	$71,750
For the fiscal year beginning July 1, 1917	143,500
For the fiscal year beginning July 1, 1918	215,250
For the fiscal year beginning July 1, 1919	287,000
For the fiscal year beginning July 1, 1920	358,750
Total	1,076,250

In addition thereto it should be explained that this good-roads bill also appropriates $1,000,000 each year for the next 10 years, to be expended under the supervision of the Secretary of Agriculture upon request of the county or State authorities, in the construction and maintenance of roads within, or partly within, national forests. There were in Arizona on January 1, 1916, 12,499,485 acres in national forests, or about 10 per cent of the total area of our national forests in continental United States. Assuming Arizona to have one-tenth of the national forest area, Arizona would therefore receive the additional amount of $100,000 per year for the next 10 years for the construction of roads within her national forests. This will make a total of $2,076,250 available for Arizona within the next 10 years through this good-roads legislation. In this connection it must not be forgotten that this sum of $2,076,250 will be in addition to the sum of $112,697.51 which is now annually paid to the State of Arizona by the Federal Government on account of receipts from the national forests. I submit herewith a table showing how this sum of $112,697.51 is derived and to what fund it is to be credited:

Receipts from grazing and other sources, State of Arizona, fiscal year 1915; also, amounts paid to State for school fund under the enabling act, and for roads and schools, 25 per cent of receipts.

Forest.	Grazing.	Timber and other sources.	Total.	Paid to State.	
				School fund, enabling act.	Roads and school, 25 per cent.
Apache	$15,738.55	$3,789.16	$19,527.71	$2,109.07	$4,354.66
Chiricahua [1]	4,049.33	786.96	4,836.29	522.34	1,078.49
Coconino	25,867.55	64,633.18	90,500.73	9,774.44	20,181.57
Coronado	10,630.27	2,354.67	12,984.94	1,402.43	2,895.63
Crook	9,160.94	2,251.40	11,412.34	1,232.58	2,544.94
Dixie [1]	2,375.31	529.88	2,905.19	313.77	647.85
Kaibab	4,099.43	864.28	4,963.71	536.10	1,106.90
Manzano [1]	330.85	575.54	906.39	97.89	202.12
Prescott	24,318.31	5,214.29	29,532.60	3,189.64	6,585.74
Sitgreaves	10,623.94	1,467.67	12,091.61	1,305.94	2,696.42
Tonto	28,142.44	1,908.12	30,050.56	3,245.58	6,701.25
Tusayan	17,462.97	31,023.00	48,485.97	5,236.68	10,812.32
Total	152,799.89	115,398.15	268,198.04	28,966.46	59,807.89

[1] Forests partly in another State; receipts prorated according to area.

In addition to the above, 10 per cent of receipts, $23,923.16, was set aside as Arizona's share of the appropriation for construction of roads and trails within the State.

RÉSUMÉ.

The Department of Agriculture received from all sources from national forests in Arizona in 1915 $268,198.04.

Paid to Arizona for roads and schools, 25 per cent thereof (after deductions for school lands)	$59,807.89
Paid to Arizona 10 per cent of receipts for construction of roads and trails	23,923.16
Paid to Arizona on account of school lands within the national forests	*28,966.46
Total paid to Arizona, 1915, on account of national forests	112,697.51

I wish to explain, with reference to the $28,966.46* paid to Arizona on account of school lands within national forests, that within 20 days after entering the Senate I discovered that the phrase "of all the national forests within said State the area," referring to Arizona, was unfortunately omitted from section 24 of the enabling act, although the phrase appeared in section 6 of said act, wherein it referred to New Mexico. Believing it was the intention of Congress to apply the same rule to both Arizona and New Mexico with regard to the proportionate amount to be paid to each State to the credit of the common-school fund by reason of school lands in national forests, I obtained departmental construction of said section 24, which resulted in securing $28,966.46 additional for the Arizona common-school fund in 1915, and also resulted in securing an amount approximating this sum for the years 1912, 1913, and 1914, and by reason of the departmental construction which I obtained this sum will in future years progressively increase. The omission of these important words above mentioned from the statehood bill was not an omission by any mistake of the printer, but they do not appear in the enrolled bill, for I have closely examined the enrolled bill on file in the State Department.

Nearly 75 years have elapsed since the Federal Government discontinued making appropriations for road construction, and in this progressive age it is very timely that the Federal Government should resume its function of constructing roads. Of the 48 States of the Union 43 have continued in some measure the practice of State participation in public-road improvement and management, and in 31 States appropriations are made to aid in construction of public roads. There are, of course, some critics of Federal aid, and they advance the objection that Federal aid is beyond the power of Congress and therefore unconstitutional. But even if sufficient authority for Federal aid could not be obtained under the "general welfare" clause, the provision of Article I, section 8, of the Constitution, granting to Congress the power to establish post offices and post roads, is specific and unquestionable:

Pennsylvania *v.* Wheeling & Belmont Bridge Co., 18 Howard, 421.
Pensacola Telegraph Co. *v.* Western Union Telegraph Co., 96 U. S., 1.
Ex parte Jackson, 96 U. S., 727.
In re Rapier, 143 U. S., 110.
Horner *v.* United States, 143 U. S., 207.
In re Debs, petitioner, 158 U. S., 564.
Illinois Central Railroad Co. *v.* Illinois, 163 U. S., 142.
Gladson *v.* Minnesota, 166 U. S., 427.
Public Clearing House *v.* Coyne, 194 U. S., 497.
Western Union Telegraph Co. *v.* Pennsylvania Railroad Co., 185 U. S., 540.
Martin *v.* Pittsburgh & Lake Erie Railroad Co., 203 U. S., 284.
Rearick *v.* Penn, 203 U. S., 507.
New York ex rel Hatch *v.* Reardon, 204 U. S., 152.
Delamater *v.* South Dakota, 205 U. S., 93.
Iroquois Co. *v.* De Laney Co., 205 U. S., 354.
Adams Express Co. *v.* Kentucky, 206 U. S.,129–130.
Battle *v.* United States, 209 U. S., 36.

Many, if not most, of the men who participated in laying the foundations of the Federal Government, as well as those who in subsequent years guided its destiny, left expressions as to their views on this question, and of the men who believed the Constitution authorized Congress to construct roads were Jefferson, Madison, Hamilton, Henry Clay, Daniel Webster, John C. Calhoun, and Andrew Jackson.

I have no doubt that this good-roads bill will prove to be one of the most beneficial of the many excellent reforms proposed by this Congress.

RURAL CREDITS.

In addition to receiving many requests for an explanation as to the provisions of the good-roads bill, I have also received a large number of requests for information as to the provisions of the rural-credits bill, and all inquiries have been especially directed toward the amortization plan of repayment of loan.

ADVANTAGES OF AMORTIZATION PAYMENTS.

The term "amortization" means a method of paying a debt by creating a sinking fund which will extinguish both principal and interest at the close of an agreed period. Under this plan the annual payments are all of the same amount and the last payment discharges the debt in full. We have familiar examples of this principle in the endowment life insurance policy or a certificate in a building and loan association.

It is founded on the fact that the regular payment is larger than the interest charges on the principal borrowed, so that every payment discharges a part of the debt. To one who is not familiar with the advantages of this plan it is surprising how rapidly small savings grow when faithfully extended over a long period of years. For example, if a man were to borrow $1,000 at 5 per cent interest, the annual interest charge will be $50. If the borrower pays only $50 per year, he can never discharge his obligation; he will always owe the full sum of $1,000. But under the amortization plan as proposed in the rural-credits law, if he will pay $60 per year, which is only $10 more than the annual interest charge, he will pay his debt in full at the close of 36 years. If a farmer in any State in the Union to-day were offered money on an unrecallable contract for 36 years at a rate of interest as low as 3½ per cent, he would readily accept the terms. This is the simple-interest rate which any borrower will actually receive under this bill if he is enabled to borrow money at 5 per cent on the amortization plan and will agree to make an annual payment of $60 per year for 36 years. A simple computation will prove that this result is correct. Thirty-six payments of $60 each is a gross

sum of $2,160. This sum pays both interest and principal. Subtracting the principal, it leaves $1,160 which has been paid for interest in 36 years. This is an average of $32.22 per year, or an average rate of 3.22 per cent, which is slightly less than a rate of 3¼ per cent. Of course, this remarkable result is really accomplished by the constant reduction which is made in the principal and by constantly decreasing the annual interest charge. The rate given—that of 3.22 per cent—represents, however, the average rate of interest paid during the entire period if computation be made on the original principal of $1,000, which is the ordinary method of borrowing money.

To illustrate: Under the present system of borrowing money, if Mr. X borrows $1,000 for 20 years at 6 per cent interest, he would pay $1,200 interest, and the original amount borrowed would be unpaid. If he borrowed $1,000 at the rate of 10 per cent interest, he would in 20 years pay $2,000 interest and owe the original $1,000 borrowed at the end of 20 years. Under the amortization plan as defined in this bill, if he borrowed $1,000 for 20 years at 6 per cent interest, his payments would be as follows:

Annual periods.	Total annual payment.	Interest at 6 per cent.	Paid on principal.	Amount on principal unpaid.
1	$87.19	$60.00	$27.19	$972.81
2	87.19	58.36	28.83	943.98
3	87.19	56.63	30.56	913.42
4	87.19	54.80	32.39	881.03
5	87.19	52.86	34.33	846.70
6	87.19	50.80	36.39	810.31
7	87.19	48.61	38.58	771.73
8	87.19	46.30	40.89	730.84
9	87.19	43.85	43.34	687.50
10	87.19	41.25	45.94	641.56
11	87.19	38.49	48.70	592.86
12	87.19	35.57	51.62	541.24
13	87.19	32.47	54.72	486.52
14	87.19	29.19	58.00	428.52
15	87.19	25.71	61.48	367.04
16	87.19	22.02	65.17	301.87
17	87.19	18.11	69.08	232.79
18	87.19	13.96	73.23	159.56
19	87.19	9.57	77.62	81.94
20	86.85	4.91	81.94	.....
Total	1,743.46	743.46	1,000.00	.....

By paying $87.19 per year for 20 years he will have paid both principal and interest.

In order to show the maximum costs under this bill, if the borrower desires to take advantage of the 36-year loan, I incorporate what is known as an amortization table showing the process by which the loan and interest are paid. The table is for a loan of $1,000 for 36 years at 6 per cent interest, and the annual payment is $68.39:

Annual periods.	Total annual payment.	Interest at 6 per cent.	Paid on principal.	Amount of principal still unpaid.
1	$68.39	$60.00	$8.39	$991.61
2	68.39	59.40	8.90	982.71
3	68.39	58.96	9.43	973.28
4	68.39	58.40	9.99	963.39
5	68.39	57.80	10.59	952.80
6	68.39	57.16	11.23	941.57
7	68.39	56.40	11.90	929.68
8	68.39	55.79	12.60	917.08
9	68.39	55.02	13.37	903.71
10	68.39	54.28	14.11	889.60
11	68.39	53.37	15.02	874.58
12	68.39	52.47	15.92	858.66
13	68.39	51.52	16.87	841.79
14	68.39	50.50	17.89	823.89
15	68.39	49.43	18.96	804.93
16	68.39	48.29	20.10	784.83
17	68.39	47.08	21.31	763.52
18	68.39	45.81	22.58	740.94
19	68.39	44.45	23.94	717.00
20	68.39	43.02	25.37	691.63
21	68.39	41.49	26.90	664.73
22	68.39	39.88	28.51	636.22
23	68.39	38.17	30.22	606.00
24	68.39	36.36	32.03	573.97
25	68.39	34.43	33.96	540.01
26	68.39	32.40	35.99	504.02
27	68.39	30.24	38.15	465.87
28	68.39	27.94	40.45	425.42
29	68.39	25.52	42.87	382.55
30	68.39	22.95	45.44	337.01
31	68.39	20.22	48.17	288.84
32	68.39	17.33	51.06	237.78
33	68.39	15.26	53.13	184.65
34	68.39	11.07	57.32	127.33
35	68.39	7.63	60.76	66.57
36	70.56	3.99	66.57	.....
Total	2,464.21	1,464.21	1,000.00	.....

REPAYMENT OF LOAN.

The amortization plan provided by this bill will be clearly understood by the following table, showing a loan of $1,000 for 20 years at 5 per cent interest, if the borrower desired a loan for that period:

Annual periods.	Total annual payment.	Interest at 5 per cent.	Paid on principal.	Amount of principal still unpaid.
1	$80.24	$50.00	$30.24	$969.76
2	80.24	48.48	31.75	938.00
3	80.24	46.90	33.34	904.67
4	80.24	45.23	35.01	869.66
5	80.24	43.48	36.76	832.90
6	80.24	41.64	38.59	794.31
7	80.24	39.71	40.52	753.79
8	80.24	37.68	42.55	711.23
9	80.24	35.56	44.68	666.56
10	80.24	33.32	46.91	619.64
11	80.24	30.98	49.26	570.39
12	80.24	28.51	51.72	518.67
13	80.24	25.93	54.31	464.36
14	80.24	23.21	57.02	407.34
15	80.24	20.36	59.87	347.46
16	80.24	17.37	62.87	284.60
17	80.24	14.23	66.01	218.59
18	80.24	10.93	69.31	149.28
19	80.24	7.46	72.78	76.50
20	80.24	3.82	76.50	.....
Total	1,604.80	604.80	1,000.00	.....

Mr. GORE. I ask to have printed in the RECORD two letters from the Secretary of Agriculture in regard to the foot-and-mouth-disease situation and methods pursued for its eradication.

The PRESIDING OFFICER. Without objection, it is so ordered.

The letters referred to are as follows:

MARCH 29, 1916.

Hon. A. F. LEVER,
House of Representatives.

DEAR MR. LEVER: In compliance with your request for the important facts in connection with Mrs. Scott Durand's herd which was slaughtered by the Illinois State authorities on account of foot-and-mouth disease, I beg to submit the following information:

September 7, 1915.—Foot-and-mouth disease was discovered in Mrs. Durand's pure-bred Guernsey herd and diagnosed by Dr. Lewis E. Eppel, a veterinary inspector of the Bureau of Animal Industry.

September 8, 1915.—Dr. J. S. Jenison, our veterinary inspector in charge of foot-and-mouth eradication work in Illinois, accompanied Dr. Eppel to the Durand farm, and after a reexamination of the animals confirmed the diagnosis. Dr. Jenison made satisfactory arrangements with Mrs. Durand before leaving the premises that day for the appraisal and disposition of her herd, and she immediately ordered her hired men to proceed to dig a trench, which was nearly finished by noon the following day. During the conversation September 8 Mrs. Durand stated to Dr. Jenison she was satisfied that her hogs and cattle were affected with foot-and-mouth disease, and she realized the herd should be sacrificed in the interests of the live-stock industry of the country, and she was willing it should be done. Dr. Jenison asked her if she desired to name an appraiser to act with a representative of the State and a representative of the Bureau of Animal Industry in appraising the herd. Her reply was in effect that she knew a breeder of Guernsey cattle in the State of Wisconsin whom she would like to have represent her, but she did not think it fair to ask him for he might endanger his own herd by going among her diseased animals, but she would probably call him up that evening and talk the matter over with him. She further stated she was satisfied to have Dr. O. F. Butterfield, the local deputy State veterinarian, represent her interests for she knew him to be competent and honest, as he had been doing her veterinary work for some time. She also said she believed the Bureau of Animal Industry would select an equally competent appraiser, and there should be no difficulty, as the State law is specific in regard to values that may be allowed under such circumstances for animals of the class she owned when registration certificates could be furnished. In a phone conversation that evening, Dr. Jenison informed Dr. Dyson, the State veterinarian at Springfield, of what arrangements had been made with Mrs. Durand. Dr. Dyson objected to Dr. Butterfield acting as the only representative of the State Board of Live-Stock Commissioners on the board of appraisers in this instance because he doubted if Dr. Butterfield was sufficiently familiar with values of pure-bred animals to be considered competent, and he might not be regarded by critics of the State board entirely disinterested, as he did Mrs. Durand's veterinary work. Dr. Dyson also stated he desired to have a live-stock breeder represent the State board in appraising this valuable herd, whose judgment and reputation as an expert could not be questioned. Dr. Dyson concluded the conversation by informing Dr. Jenison that Mr. Morgan, an Illinois breeder of the same kind of cattle that Mrs. Durand owned, would meet the other appraisers at Lake Bluff at 8 o'clock the following morning.

September 9, 1915, Mrs. Durand's herd was appraised. The appraisers were Mr. Morgan, the special representative of the Illinois Board of Live Stock Commissioners; Dr. W. C. Herrold, representing the Bureau of Animal Industry; and Dr. O. F. Butterfield, the local deputy State veterinarian. The herd to be appraised consisted of 61 cattle, including young stock, and 13 hogs. The herd was appraised at $13,089. Dr. Herrold and Dr. Butterfield were satisfied to be guided by Mr. Morgan's judgment in placing values on the various animals comprising this herd, and there is no reason to doubt that the valuation was not a fair and equitable appraisal. Then the appraisers informed Mrs. Durand of the valuation placed on her herd; she objected strenuously, and insisted that she be allowed the maximum provided by the Illinois State law for pure-bred stock with registration certificates. The appraisers could not see their way clear to accede to Mrs. Durand's

wishes. She refused to accept their appraisal and they left her. Under the Illinois State law, in instances where certificates of registration can be produced, as much as $300 may be paid for individual bovine animals, but the valuation of the herd must not exceed an average of $250 per head. On the evening of September 9, 1915, the appraisers reported to the Chicago office that Mrs. Durand refused to accept what they considered a fair and reasonable price for her herd. The State authorities seemed disposed to stand by the appraisers and not raise the valuation of the herd. Shortly after this it was reported that Mrs. Durand would refuse to permit her herd to be slaughtered unless she received $35,000 for it, and that the United States Government must pay her that price. As the representatives of the Bureau of Animal Industry did not have the authority to slaughter and bury her herd until after it had been purchased by the State and Government, they relinquished further responsibility in the matter, and urged the State veterinarian and members of the State board of live-stock commissioners to immediately dispose of these diseased and exposed animals under the provisions of the State law, as they were considered a menace to the live-stock industry of the country. Dr. Jenison states that on September 8 Mrs. Durand seemed willing to accept the maximum of $250 for each of 56 cattle and $50 for each of 5 head of young stock, which would amount to $14,250. The hogs were appraised at $114, and figuring on this basis the total valuation of her hogs and cattle would amount to $14,364. Deducting from the above amount the value of 5 cows, at $250 per head, and 1 calf, at $50, which died, the total value of the animals slaughtered by the Illinois State authorities November 9, 1915, amounted to $13,064, which amount does not vary materially from the value placed on this herd September 9 by Mr. Morgan and the other appraisers.

September 9, 1915, Mrs. Durand filed a bill in the circuit court of Lake County and secured an injunction from Master in Chancery Heydecker in vacation. The Attorney General promptly moved for a dissolution of this injunction before Judge Donnelly at Woodstock.

September 18, 1915, Judge Donnelly stated at the hearing he would enter an order dissolving the injunction, but would continue the injunction in force pending the appeal.

October 27, 1915, the injunction was dissolved by a higher court.

October 28, 1915, at a conference in Chicago between the attorney general of the State of Illinois, the State veterinarian, members of the Illinois State Board of Live Stock Commissioners and Mrs. Durand's attorneys, at which Dr. U. G. Houck, a representative of the Bureau of Animal Industry, was present, it was proposed by Mrs. Durand's attorneys that a committee of experts be appointed by the State to determine wheher the animals in question had not fully recovered and were no longer dangerous disseminators of the infection of foot-and-mouth disease. The State authorities agreed to this proposition, but were unable to get the desired experts to serve on the committee. In reply to a request from the Illinois State board to act on this committee, Dr. Mohler, Assistant Chief of Bureau of Animal Industry, replied to Dr. Dyson by wire October 29, 1915, as follows:

"No one possesses sufficient knowledge to determine presence or absence of disseminators of foot-and-mouth disease by making physical examination of suspected animals. Therefore respectfully decline to serve on committee requested to do the impossible."

Dr. C. J. Marshall, State veterinarian of Pennsylvania, replied to a similar request from Dr. Dyson, as follows:

"Can not accept. Destruction only course. Physical examination would not change this opinion."

It is known that Dr. James Law, of Cornell University, also refused to serve on this committee.

October 28, 1915, Mrs. Durand's attorneys proceeded to file another bill in the circuit court of Lake County and secured an injunction from Judge Claire Edwards at Waukeegan, Lake County, Ill.

November 9, 1915, the herd was slaughtered by the Illinois State authorities under the provisions of the Illinois State law. The representatives of the Bureau of Animal Industry had nothing to do with the slaughtering of Mrs. Durand's herd, except that Dr. Adolph Casper, our veterinary inspector in charge of the foot-and-mouth disease eradication work in that district, was requested by members of the Illinois State Board of Live Stock Commissioners to accompany the State authorities to Mrs. Durand's premises on the day the herd was slaughtered, so that a representative of the Bureau of Animal Industry would be present to get Mrs. Durand's signature to the necessary papers if she finally decided to accept the appraisal. Dr. Casper was informed by the State officials that Mrs. Durand would be given an opportunity to accept the appraisal and sign the usual documents before the herd was slaughtered. After Mrs. Durand refused to accept these terms, Dr. Casper retired to the public road and did not participate in the slaughtering of the herd. At the last session of the Illinois State Legislature a bill was passed appropriating funds to remunerate Mrs. Durand for the value of her herd, but the bill was vetoed by the governor, as she would not agree to withdraw her suit against the State authorities.

As soon as Mrs. Durand refused to allow her animals to be slaughtered the Bureau of Animal Industry withdrew, and the State assumed entire control of the quarantine and final disposition of the herd. Consequently the expenses to this bureau in connection with this herd was small, as our inspectors' visits to her farm were made in connection with their regular work in that district.

Much has been said about disagreeable incidents that occurred in connection with this herd. No reports have been received involving the inspectors of the Bureau of Animal Industry. Dr. Houck, of this office, who was detailed to foot-and-mouth disease eradication work in Illinois from August 13 to December 15, 1915, reports that he heard of no disagreeable incidents so far as our inspectors are concerned. On September 21, 1915, 12 days after the first injunction was granted, he accompanied Dr. Stoeckinger, a deputy State veterinarian, to Mrs. Durand's farm at the request of the State veterinarian to confer with Dr. Stoeckinger in regard to what quarantine measures should be instituted to protect the surrounding herds from infection. Recommendations were forwarded to the State authorities. Mrs. Durand objected to the recommendations, and they were never carried into effect by the State. Dr. Houck again visited Mrs. Durand's premises September 22, 1915, accompanied by Dr. Adolph Casper and Dr. J. S. Jenison, both representatives of the Bureau of Animal Industry, to ascertain if she would then sell her herd for the maximum valuation allowed by the State law. She stated she was willing to accept these terms, but desired to confer with her husband, who was in Chicago, before signing any papers. During the night she changed her mind and again refused to allow the herd to be slaughtered. There were no unpleasant remarks or incidents in connection with either of these visits, and the business with Mrs. Durand was transacted with mutual cordiality. Dr. Houck states, however, on several occasions he heard State inspectors allude to unpleasant remarks that were made and disagreeable incidents that occurred in connection with their affairs in enforcing the quarantine and in the final disposition of the herd.

You will probably be interested to know that during their visit on September 22, 1915, Mrs. Durand allowed Drs. Houck, Jenison, and Casper to examine her herd. She accompanied them to the barn and seemed much interested in the lesions pointed out to her. This examination revealed that over 50 per cent of her animals showed lesions commonly found in animals affected with foot-and-mouth disease. Mrs. Durand lost five cows and one calf due to complications resulting from foot-and-mouth disease before the herd was finally slaughtered by the State authorities.

Very truly, yours,

D. F. HOUSTON, *Secretary.*

DEPARTMENT OF AGRICULTURE,
Washington, July 6, 1916.

HON. THOMAS P. GORE,
Chairman Committee on Agriculture and Forestry,
United States Senate.

DEAR SENATOR GORE: My attention has been called to a statement concerning the foot-and-mouth disease outbreaks of 1914 and 1915 which, at Senator SHERMAN'S request, was printed in the CONGRESSIONAL RECORD of July 1, 1916, page 11891. This statement appears similar in every respect to the one left at my office last March by Mrs. Scott Durand, of Lake Bluff, Ill. It contains so many erroneous and misleading assertions that I am taking the liberty of writing you this letter in order that you may have the facts before you.

I will take up the erroneous statements in their order and indicate wherein they are incorrect:

Paragraph 3: "Dr. Dumphy notified Federal Inspector E. P. Shaffter at Detroit."

Dr. Shaffter was not notified as stated in paragraph 3. When Dr. Dumphy, State veterinarian of Michigan, called the Detroit office from Niles, Mich., on September 2, 1914. Dr. Shaffter was absent from his station on annual leave. Dr. Fess was the acting inspector in charge and responded to Dr. Dumphy's call. The details in connection with Dr. Fess's visit to Niles, Mich., on September 3, 1914, in response to Dr. Dumphy's call are fully explained in his statement to you, dated May 3, 1916.

Paragraph 4: "Dr. Fuss, assistant inspector, was sent to Niles September 1. He and Dr. Dumphy took samples of diseased tissue and contents of vesicles and sent them to the Bureau of Animal Industry at Washington. Eight days later experts reported to the Detroit inspector that it was a noncontagious diseases, 'mycotic stomatitis.' (Read bulletin by Dr. J. A. Moore, director New York State College of Veterinary Science.) The cases at Niles ran through the entire herd. Also read pamphlet issued by Bureau of Animal Industry, November 28, 1908, 'Differential diagnosis,' and still Dr Ward, of the Pathology Division, said cases at Niles, Mich., were 'mycotic stomatitis.'"

As Dr. Fess was acting inspector in charge when Dr. Dumphy called the Detroit office on September 2, 1914, he responded to Dr Dumphy's request, but was not sent to Niles, as stated.

The samples collected by Drs. Fess and Dumphy did not include contents of vesicles, as no vesicles were found by either Dr Fess or Dr. Dumphy. In referring to the lesions observed in the animals inspected on September 3 at Niles by Drs. Fess, Dumphy, Graham, and Clemo, Dr. Fess says in his statement to you:

"The vesicle is the characteristic lesion of foot-and-mouth disease. Diligent search failed to reveal a vesicle or anything that resembled a vesicle. I was careful to inquire of the owners and of the veterinarians who accompanied me if any of them had at any time observed vesicles, and they informed me that they had not. * * * As a further precaution, however, before leaving Mr. Unruh's premises, I collected a sample of the best available tissues, consisting of saliva, scabs, pus, necrotic tissue, and scrapings from the sore feet and mouths of the affected animals and forwarded it with my report to the pathological laboratory at Washington. These materials presented the characteristic appearance of the materials usually taken for diagnostic purposes from animals affected with necro-bacillosis or stomatitis showing secondary infection."

Dr. Graham testified before the Committee on Agriculture and Forestry of the United States Senate at Niles Mich., as follows:

"He (referring to Dr. Fess) did not have a chance to get the blisters as Dr. Hallman did, but he got as much of the secretion and the dead tissue as he could. He did not have a chance to get the contents of the vesicles as Dr. Hallman did."

The cases at Niles had not run through the entire herd up to September 3, 1914, the date they were examined by Drs. Fess, Dunphy, Graham, and Clemo. None of these veterinarians was able on this date, or on any previous date, to diagnose foot-and-mouth disease in these infected herds. In referring to this matter, Dr. Fess says in his statements to you:

"At Unruh's I found about 20 cattle, about two-thirds of which showed lesions in either the feet or mouth or both. I was informed that the disease first appeared in these animals about two weeks previous to my examination. Foot-and-mouth disease is very contagious and usually passes through a herd rapidly. The disease had been in this herd for two weeks, and apparently only two-thirds of the animals showed lesions, and none of them showed either acute or characteristic lesions. I examined these cattle very carefully, having in mind the possibility of the trouble being foot-and-mouth disease, but found no lesions that were characteristic of foot-and-mouth disease. * * * After thoroughly disinfecting my rubber garments, Drs. Dunphy, Graham, Clemo, and myself proceeded to Mr. Hoadley's farm, about 1½ miles beyond Unruh's on the same road, where we found 6 cattle, 20 hogs, and a small band of sheep. We proceeded to examine these animals. Only one of the hogs showed lesions. We caught the animal, and a careful examination showed that the lameness was no doubt due to a traumatism. Examination of the cattle revealed healing lesions in the feet of nearly all the animals but no lesions or scars of the mucous membrane of the mouth. The sheep showed no lesions, and there was no history of their having been ill."

Paragraph 5: "September 19, with disease increasing and no action or quarantine or interest displayed by the Bureau of Animal Industry, after one month, Dr. Hallman, Michigan College of Agriculture, went to Niles, obtained specimens, and he and State Veterinarian Dunphy inoculated a calf at East Lansing. They had results in four days and concluded the disease was infectious, which 'mycotic stomatitis' is not."

In the beginning of the outbreak of 1914 the disease did not show its usual tendency to spread rapidly. On September 3, when Drs. Fess, Dunphy, Graham, and Clemo made their inspections of herds in the vicinity of Niles, Mich., there were only two infected herds, and up to October 7, the date Dr. E. P. Schaffter and Dr. Dunphy visited Niles, the disease had spread to only six additional herds.

It is true that Dr. Hallman and Dr. Dunphy collected specimens at Niles, Mich. These specimens were taken to Lansing, and on September 26 Dr. Hallman inoculated a calf with the material. By October 1 the calf showed fever and drooling, followed by erosions in the mouth, but the case was not diagnosed as foot-and-mouth disease because of the absence of foot lesions. Neither these visits nor the results of this inoculation were known to the bureau at Washington until October 10, when a letter was received from the inspector in charge at Detroit, stating he had visited Niles and found the disease had spread during the interval from September 3 to October 5 from the two original herds to six additional herds in the neighborhood.

This inspector had never had experience with foot-and-mouth disease, and in his letter no diagnosis was made of the disease, but the history of the various herds was so completely described that no affection other than foot-and-mouth disease could suggest itself, and Dr. Adolph Eichhorn was sent on the next train to investigate the report:

Paragraph 6: "Again Federal inspectors were notified at Detroit, but not until October 5 did Federal Inspector E. P. Schaffter go to Niles, Mich. When he arrived there, six weeks later than he should, he became convinced it was foot-and-mouth disease. He got samples, sent them to Washington, and asked for experts to come on from Washington, but put on no quarantine. Cattle were shipped to Chicago stockyards, farmers were coming and going on infected farms. Dr. Adolph Eichhorn, who had had considerable experience in Europe, was sent to Michigan, almost two months after cases were first reported to the Bureau of Animal Industry. Why was not Eichhorn sent there August 26? Dr. Adolph Eichhorn was sent to Niles, Mich., October 6, but although he reported by wire at once that the disease was probably foot-and-mouth disease, not until October 13, a week later, did Dr. A. D. Melvin, Chief of the Bureau of Animal Industry, call Dr. U. G. Houck and tell him to go to Niles, Mich., as they likely had foot-and-mouth disease there. He, with Drs. J. R. Mohler, H. E. Smith, and B. A. Gallagher, went to infected section and pronounced the disease after two months' delay foot-and-mouth disease."

Dr. E. P. Schaffter was not convinced that the disease at Niles was foot-and-mouth disease and, as previously stated, he made no diagnosis. He did not put on any quarantine because he had no authority under the law to do so even if he had recognized the disease as foot-and-mouth disease. Only the Secretary of Agriculture has authority to establish a Federal quarantine. The State authorities might have issued quarantine orders if they were satisfied the disease was of a contagious nature.

Dr. Eichhorn was not sent to Niles August 26, because up to October 10 the bureau had no information that indicated there was any contagious disease in Michigan.

Dr. Eichhorn was not sent to Niles October 6, as stated. The letter from Dr. Schaffter which aroused suspicion first that there was a contagious disease in the vicinity of Niles was not received until October 10. On receipt of this letter, Dr. Eichhorn proceeded on the next train to Niles. Inoculations were made on the evening of October 10 with the scrapings, etc., that accompanied Dr. Schaffter's letter. Dr. Eichhorn on arriving at Niles immediately made inoculation tests on calves. It was expected that if the disease was foot-and-mouth disease the inoculations would develop in a day or two, but although there was no development up to the afternoon of October 14 Drs. Mohler, Houck, Smith, Gallagher, and others proceeded to Niles in order to be on hand ready to begin operations should the inoculations show that the disease was foot-and-mouth disease. When they reached Niles it was found the disease had developed that day in the calf inoculated by Dr. Eichhorn. The disease did not develop in the calves inoculated from the material sent to Washington by Dr. Schaffter until October 17.

Paragraph 7: "In the meantime, shipments of hogs from the Michigan district had infected the Union Stockyards at Chicago. That square mile of pens became rotten with the disease. The disease has since been proven to have been in the stockyards prior to October 15."

There was no positive evidence that diseased hogs had been shipped to the Chicago stockyards from the infected district of Niles, Mich., prior to the time the disease was diagnosed in that vicinity. There was some suspicion, however, and suspected shipments were reported in order that appropriate precautionary measures might be taken against such possible sources of infection.

It is not true that the disease was proven to have been in the Chicago stockyards prior to October 15, 1914. It is not known that there was any infection in these yards prior to October 19, 1914.

Paragraph 8: "Serum was made from infected hogs for weeks. Several hundred of the most valuable dairy animals in the world were permitted to be shipped into the annual dairy show October 20, and yet it was known to exist among serum hogs of the Chicago Serum Co. at Union Stockyards November 20, when about 120 of these hogs were destroyed on account of this disease, Veterinary Inspector Bennett permitting cattle to come and go and dairy show cattle arriving. October 27 Federal Inspector Bennett absolutely denied there was a single case of foot-and-mouth disease at the stockyards to the dairy-show officials, but the following day advised the manager of the dairy show to spread in aisles and approaches shavings saturated with disinfectants."

It is not true that serum was made from infected hogs for weeks, that foot-and-mouth disease was known to exist among serum hogs of the Chicago Serum Co. at Union Stockyards November 20, and that 120 hogs belonging to this firm were destroyed November 20 on account of this disease. A written statement was made to you on April 22, 1916, concerning the infected serum manufactured by the Chicago Serum Co. This statement gives in detail the facts concerning the infected batch of serum.

Dr. S. E. Bennett had good reason on October 27, 1914, to deny that there was a single case of foot-and-mouth disease at the Union Stockyards, as the disease did not appear in the national dairy-show herd until Sunday, November 1, 1914, and it did not appear in the stockyards proper until November 3, 1914, when it appeared in the stocker and feeder division, and the infection seems to have been confined to that division of the stockyards.

Dr. Bennett and Dr. Tiedebohl advised the dairy-show management to see that sawdust saturated with a strong disinfectant be spread in the passageways of the dairy-show buildings, for the reason it was known that foot-and-mouth disease existed in southern Michigan and northern Indiana, which was only a short distance from Chicago, and it was desired to protect the dairy-show animals in every possible way against infection. It was believed the passageways might have been exposed by visitors from Michigan and Indiana before the cattle arrived, and it was to be expected that other visitors from the infected areas would come to the show and go among the animals.

Paragraph 10: "October 31, disease found in dairy-show herd. Shipments of feeders continued for four days after from the stockyards to various counties in Illinois and adjoining States, so that by November 6 reports poured in showing 19 counties in Illinois infected."

In reply to the above statement the following telegram from Mr. Arthur G. Leonard, president of the Union Stockyards & Transfer Co., to the Committee on Agriculture of the United States House of Representatives is quoted:

"No cattle, sheep, swine, or other ruminants were shipped other than for immediate slaughter out of the Union Stockyards of Chicago, Ill., for interstate or foreign commerce on October 31, November 1, or November 2, 1914."

Since the stocker and feeder division was closed and locked on the evening of October 28 any animals shipped from the Union Stockyards into Illinois or adjacent States during the next four days for feeder purposes must have been collected from culls in the fat-stock division.

Paragraph 11: "November 1, although disease was known to be in the cattle of Darlington & Co. and Ronan & Kelly, the yards were still open to visitors who visited pens and tramped about without restriction over all the premises. It was doubtless due to visitors the week previous that that brought the disease from the yards to the dairy show cattle at the coliseum."

The statements contained in this paragraph are erroneous. The disease did not appear in the Darlington & Co.'s cattle or any other animals at the stockyards until November 3, 1914. Immediately when it became known on October 28 that the disease had appeared at Blissfield, Mich., in some steers that had left the stocker and feeder division of the yards October 19, this division of the yards was closed by request of Dr. Bennett. He states in his official report that, "The stocker and feeder division of the Union Stockyards was closed and locked and no cattle were permitted to be taken into or out of this section."

It is not known from what source the dairy show herd became infected. The infection may have been carried from the Union Stockyards proper to the dairy show herd, but there is a possibility that it was carried there by some of the visitors from the infected district of Michigan and Indiana, as there was no attempt made by the manager of the dairy show to prevent visitors from the infected district from entering the show and handling the animals.

Paragraph 20: "The serum which caused this latter outbreak, which has cost the lives of thousands of head of live stock and hundreds of thousands of dollars, besides bringing upon the owners of the cattle untold suffering and deprivation, was due to eleven hundred dollars' worth of hog serum produced by the Chicago Serum Co. at the stockyards some time prior to October 20, 1914, and through the Department of Agriculture was permitted to be kept and after a questionable test in July, 1915, was sent out on sale."

Exception is taken to the statement that "after a questionable test in July" the serum was sent out for sale. On page 50 of the statement to you dated April 22, 1916, there appears a detailed account of the test of this serum which shows that the test was not a question able one:

Paragraph 21: "The first animal of the Crab Tree herd was taken August 16, 1915, at once isolated and State veterinarian sent for. State veterinarian was at Half Day, Ill., 15 miles away, combating a fierce raging of the disease from the first case on August 7, at Wheeling, a few miles distant. He did not know what disease the animal had, he said, although for 10 days working in infected herds. The following day brought Federal Inspector Lavery, and although the animal was by himself, one man to attend him, the cattle barns thoroughly disinfected, the Federal inspector pronounced this case (the worst case in the Crab Tree herd) 'weed poisoning,' and said no precaution from infecting the herd need be taken. In 10 days animal was as well as ever and pegged in alfalfa field."

It is impossible to answer the statements attributed to Dr. Lavery as he died a few weeks after making the first inspection of the Crab Tree herd in the latter part of August.

Paragraph 22: "September 7, Federal Inspector L. S. Eppia, in making the rounds found the young stock barn with aged bulls completely recovered from the foot-and-mouth disease; all lesions healed, so light was the attack that not one animal showed any sign of disease or sickness, some young calves not even having it."

Paragraph 23: "The milking herd of 36 head had one-third recovered, one-third just starting. By September 19 not one trace of foot-and-mouth disease could be found in herd. September 17 a thorough examination by State and Federal inspectors found but one lesion, and by September 19 that had healed."

Paragraph 24: "September 24, Dr. Joseph Hughes was permitted to inspect herd, and Dr. Hughes, who had so successfully carried the dairy-show cattle through the disease, could not tell that there had ever been any foot-and-mouth disease, as no evidence showed."

The statements in paragraph 22 are not in accord with the reports of the inspectors who made subsequent inspections of this herd. On September 21 Dr. Houck, of the Bureau of Animal Industry, and Dr. Stoeckenger, assistant State veterinarian, inspected the Crab Tree Farm herd, and on September 22 Dr. Houck, Dr. Jenison, and Dr. Casper inspected the herd again. These inspectors found over 50 per cent of the animals showing lesions of the feet, as the result of foot-and-mouth disease, and there were some scars found in the mouths and on the teats of the animals. Most of the young stock showed foot lesions, which were pointed out to the owner. Some of the cows had such sore feet they were unable to stand, and the owner was informed then that three or four of them would probably die. The owner was urged by Dr. Houck to remove the seriously affected animals from the stanchions and give them proper medical treatment. After Dr. Hughes took charge of the herd 5 cows and 1 calf died or were killed as the result of the disease. While these inspectors were on the premises they observed the herdsmen milking, and noted that the milk records on the wall did not seem to correspond with the amount of milk that was being taken from some of the animals. It was believed that the herdsmen were padding these records to mislead the owner in regard to the condition of the animals.

Paragraph 28: "Twenty-six armed men came upon the premises, although enjoined by circuit-court injunction, imprisoned the men and Mrs. Durand, shot the animals in the stanchions—140 years of pure-bred breeding of the finest dairy strains the country ever possessed."

This herd was slaughtered by the State officials, with the assistance of the sheriff and a couple of deputies. There was no such number as 26 armed men engaged in the slaughter of the herd. Two assistant State veterinarians shot the animals, without removing them from the stanchions. Soon after the animals were killed about 20 men arrived, armed with picks and shovels, to finish digging the trench and bury the animals.

As soon as the animals were slaughtered the inspectors in charge of the burial commenced to remove the dead animals from the barn to the side of the trench so they could be promptly buried when the trench

was finished. Guards were stationed along the infected trail of these animals night and day, and no strange persons or animals were allowed to approach until after the trail had been disinfected. It was probably through the exercise of such precautions that the disease was not spread from these dead animals.

Further details concerning the outbreak of foot-and-mouth disease in the Crab Tree Farm herd and the final disposition of this diseased herd were given in a statement dated March 29, 1916, to Hon. A. F. LEVER, chairman of the House Committee on Agriculture, a copy of which is inclosed herewith.

Very truly yours, D. F. HOUSTON, *Secretary.*

Mr. SHEPPARD. Mr. President, I offer an amendment to the pending bill.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 80, after line 4, it is proposed to insert a new paragraph, as follows:

The President is hereby authorized to extend invitations to other nations to appoint delegates or representatives to the International Irrigation Congress, to be held at El Paso, Tex., during the fiscal year ending June 30, 1917: *Provided*, That no appropriation shall be granted or used for the expenses of delegates.

Mr. GORE. Mr. President, I will ask the Senator if the amendment follows the precedent heretofore established?

Mr. SHEPPARD. It is in the usual language, and there is a similar provision in the bill as to another congress.

Mr. GORE. I have no objection to it, so far as I can speak for the committee.

Mr. SHAFROTH. Mr. President, I think in the sundry civil appropriation bill that very language is used, unless it was stricken out. I am certain that it was in the bill at the time the committee passed upon it, and I am pretty sure that it is there now.

Mr. SHEPPARD. The authorities of the International Irrigation Congress have asked me to present this amendment at this time. I wish to say that if the Senator will permit it to go in the bill now I shall withdraw it if I find it is already taken care of in the bill to which he has referred.

Mr. SHAFROTH. Very well.

Mr. GALLINGER. Mr. President, the Senator's amendment reads "that no appropriation shall be granted or used." Would not the word "asked" be better than "granted"?

Mr. SHEPPARD. I accept the amendment very readily.

Mr. GALLINGER. I suggest that modification.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Texas as modified.

The amendment as modified was agreed to.

Mr. SHEPPARD. I offer another amendment.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 58, after line 14, it is proposed to insert a new paragraph as follows:

That whenever any person, association, organization, or corporation, or State or any political subdivision thereof, shall, by lawful grant or devise, gratuitously donate to the United States of America any lands in any State, Territory, or district of the United States suitable for, and to be used as, a preserve or refuge for wild game animals or wild birds, and the Secretary of Agriculture ascertains that the title thereto is good and that the lands may be advantageously devoted to the purposes of such donation, the President, upon the recommendation of the Secretary of Agriculture, is hereby authorized to accept said donation for and on behalf of the United States, and shall, by public proclamation, give notice of such acceptance, of the location and boundaries of said lands, and of the reservation thereof for the uses and purposes aforesaid.

SEC. —. That any lands acquired and reserved as and for the purposes aforesaid shall be administered by the Secretary of Agriculture in accordance with the rules and regulations made and promulgated by him under this act.

SEC. —. That the Secretary of Agriculture is authorized and directed, from time to time, to make and promulgate such rules and regulations as may be necessary to carry out the provisions of this act.

SEC. —. That whoever, except in accordance with the rules and regulations of the Secretary of Agriculture made and promulgated pursuant to this act, shall hunt, trap, capture, willfully disturb, or kill any wild game animal or wild bird, or take the eggs of any such bird on any lands included in any preserve or refuge established by proclamation of the President under this act, or shall go upon any such lands for any purpose whatever, shall be punished as is provided for in section 84 of the act of March 4, 1909 (35 Stat. L., p. 1088), entitled "An act to codify, revise, and amend the penal laws of the United States."

RIVER AND HARBOR APPROPRIATIONS—CONFERENCE REPORT (S. DOC. NO. 488).

Mr. CLARKE of Arkansas. On July 3, 1916, I submitted a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12193) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, and asked that it be printed and lie on the table.

I desire to withdraw that report, and in lieu thereof to submit the following report and ask that it lie on the table and be printed in the RECORD, and that it also be printed in its proper form for the use of the Senate. The report which I now submit does not represent any change in the substance at all.

The VICE PRESIDENT. Without objection, it is so ordered.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12193) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 12, 16, 25, 28, 33, 42, 43, 44, 55, 66, and 85.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 4, 5, 6, 9, 10, 14, 15, 18, 19, 20, 21, 23, 24, 34, 35, 36, 37, 38, 39, 46, 50, 51, 52, 53, 54, 56, 57, 59, 60, 62, 64, 65, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 78, 81, 82, 83, 86, 88, and 89, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: Strike out item and insert:

"Harbor of refuge at Duck Island, Connecticut: For restoring depth behind Duck Island Breakwater, $71,000."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In the proposed amendment before the word "Commerce" insert the words "War and the Secretary of"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following:

"Government iron pier in Delaware Bay near Lewes, Del.: For maintenance in accordance with the report printed in House Document No. 1059, Sixty-fourth Congress, first session, $10,000: *Provided*, That hereafter said pier shall be open to public use under regulations to be prescribed by the Secretary of War: *Provided further*, That the provision of the act of March 3, 1891, authorizing the transfer of said pier to the Treasury Department is hereby repealed."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In the proposed amendment strike out the figures "$78,000" and insert the figures "$60,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In the amended paragraph strike out the word "For" in line 1, page 17, and insert in lieu thereof the words "Continuing improvement and for"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: In the amended paragraph strike out the word "Texas," in line 11, page 22, after the words "Washita River," and insert the word "Oklahoma"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In the proposed amendment strike out the figures "$30,700" and insert the figures "$30,500," and strike out the word "fourteen" after the word "and" and insert the word "thirteen"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following:

"Harbors and connecting waters of the Great Lakes, with a view to determining what additional improvements would be necessary in order to permit those waterways to accommodate vessels able to pass through the Welland Canal when enlarged by the Dominion of Canada, including report as to the character and drafts of vessels which may be expected to use the canal when so enlarged.

Transfer item so modified to the survey section of bill (sec. 2).

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following: "*Provided*, That the pierhead for marking the east end of the east breakwater extension provided for in the existing project shall be located at the east extremity of the breakwater as now built, said pierhead to be constructed with funds heretofore appropriated for the construction of said breakwater"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment as follows: Strike out all of the proposed amendment and the figures "$17,000" in the preceding item and insert in lieu thereof, after the word "maintenance," the following: "$20,400: *Provided*, That of this amount $3,400 may be expended for dredging above Ogden Street Bridge"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In the proposed amendment strike out the figures "$10,000" and insert the figures "$4,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment as follows: Strike out all of proposed amendment and the figures "$25,000" in the item immediately preceding and insert in lieu thereof after the words "St. Clair" and the comma the figures and language following: "$108,325: *Provided*, That of this amount the sum of $83,325 may be expended for the purpose of securing a channel in St. Clair River along the water front of Port Huron, Mich., in accordance with the report printed in House Document No. 782, Sixty-fourth Congress, first session"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following:

"Duluth-Superior Harbor, Minn. and Wis.: Continuing improvement by enlarging the Superior Harbor Basin in accordance with report printed in House Document No. 651, Sixty-fourth Congress, first session, $180,000: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials or work as may be necessary to complete said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate $180,000, exclusive of the amounts herein and heretofore appropriated."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: In the proposed amendment strike out the words "and Round Lake" where they last occur, near the close of the paragraph; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: In the proposed amendment strike out the words "shall be immediately" and insert in lieu thereof "may, in the discretion of the Secretary of War, be"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment as follows: In the proposed amendment strike out the figures "$100,000" and insert in lieu thereof "$75,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment as follows: In the proposed amendment strike out the figures "$28,000" and insert the figures "$14,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following:

"Los Angeles Harbor, Cal.: Continuing improvements by the construction of a diverting dam for the protection of Los Angeles and Long Beach Harbors in accordance with the report printed in House Document No. 462, Sixty-fourth Congress, first session, and subject to the conditions set forth in said document, $500,000."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: In the item proposed insert, after the word "Provided," the words "this appropriation is made on the condition precedent that"; strike out the word "donates" and insert the words "shall donate"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment as follows: In the proposed amendment strike out the word "survey"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: In the proposed amendment strike out the colon and the words "For survey" after the word "Georgia" and insert a comma; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment as follows: In the proposed amendment strike out the words "Ship Channel from" and insert in lieu thereof the word "From"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment to read as follows: In the proposed amendment, after the word "Thereof," insert the following: "As a part of the examination which the Secretary of War is hereby required to make, he is directed to report whether access to the river at St. Paul Harbor, by persons and shippers desiring to use the same for the purposes of transportation or travel thereon, is so completely dominated by private control as to materially impede or burden traffic originating or terminating there; and, if he shall so find, he is further directed to report what steps are necessary to free said landing place from such improper control or obstruction, and also if, in his opinion, it is advisable for the United States to acquire the fee simple to the said landing place and the approach thereto, by condemnation or otherwise"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 79, and agree to the same with an amendment as follows: In the proposed amendment strike out the words "beginning in or near lot 1 of section 24, township 144 north, range 25 west of fifth principal meridian, thence southerly and terminating in or near section 22, township 55 north, range 27 west of the fourth principal meridian"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following:

"State of Kansas, floods in: Investigate the flood periods of the Kansas River and its tributaries, the Cottonwood and Neosho Rivers, in the State of Kansas by an examination of the territory and from data already gathered by governmental, State, private efforts, and by the Board of Engineers of the War Department, and to devise some general plan which will best guard against the recurrence of floods and diminish their damaging effects upon the lower valleys of the Kansas, Arkansas, Missouri, and the Mississippi Rivers."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 84, and agree to the same with an amendment as follows: In the proposed amendment strike out the words "That a survey of the" and the words "is hereby ordered to be made"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 87, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following:

"Weymouth Fore River, Mass.: Completing improvement, including the removal of the small shoal south of the west end of Peddocks Island, in accordance with the report printed in Senate Committee Document No. 13, Sixty-third Congress, third session, and subject to the conditions set forth in said document, $200,000."

Transfer the item thus amended to page 2 of the bill, following line 21, for "Weymouth Fore River, Mass."

And the Senate agree to the same.

JAMES P. CLARKE,
JOS. E. RANSDELL,
KNUTE NELSON,
Managers on the part of the Senate.

S. M. SPARKMAN,
W. E. HUMPHREY,
Managers on the part of the House.

STATEMENT.

The managers on the part of the Senate at the conference of the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12193) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, submit the following written statement explaining the effect of the action agreed on:

The rivers and harbors bill as it passed the House carried cash appropriations in the sum of $37,898,410, and continuing-contract authorizations amounting to $1,710,000, a total for the House bill in cash and authorizations of $39,608,410. The amount added by amendment in the Senate was $4,840,475, of which $3,825,525 was in cash appropriations and $1,014,950 in

continuing-contract authorizations, making the total of the bill as it passed the Senate $41,723,935 in cash and $2,724,950 in continuing-contract authorization, a total of $44,448,885 for the bill. As a result of the conference the amounts involved in the Senate amendments have been reduced from $4,840,475 to $3,277,675, a net reduction of $1,562,800, making the total of the bill as it now stands $42,886,085.

The following statement shows the action taken by the conference on each of the Senate amendments:

No. of amendment.	Page of bill.	Item.	Amount, cash and authorizations.	Action taken.
1	3	New London, Conn	$170,000	House recedes.
2	3	Duck Island, Conn	71,000	Modified, and House recedes.
3	3	Narrows of Lake Champlain; cash, $300,000; authorization, $437,000.	737,000	Senate recedes.
4	5	Black Rock Harbor, N. Y		House recedes.
5	9	Crum River, Pa		Do.
6	9	....do		Do.
7	9	....do		Modified, and House recedes.
8	11	Lewes, Del., iron pier	10,000	Do.
9	11	Elk and Little Elk Rivers, Md		House recedes.
10	14	Savannah River, Ga	33,000	Do.
11	14	Altamaha, etc., Rivers	25,000	Modified, and House recedes.
12	18	Key West Harbor, Fla	50,000	Senate recedes.
13	19	Pascagoula Harbor, Miss	45,000	Modified, and House recedes.
14	20	Passes of Mississippi River	400,000	House recedes.
15	23	Port Bolivar, channel to, Tex	25,000	Do.
16	24	Sabine-Neches Canal, Tex	70,000	Senate recedes.
17	25	Red River, Ark. and Tex		Modified, and House recedes.
18	25	....do	25,000	House recedes.
19	25	Arkansas River, Ark. and Okla		Do.
20	25	....do		Do.
21	25	....do	25,000	Do.
22	25	White River, Ark	200	Modified, and House recedes.
23	25	Cache River, Ark., reduction in cash of $3,000 declared non-navigable.		House recedes.
24	26	Tennessee River, Tenn., Ala., Ky.		Do.
25	27	....do		Senate recedes.
26	27	Vessels, draft of, to navigate Welland Canal, Secretary of War to investigate.		Modified, and House recedes.
27	28	Cleveland, Ohio		Do.
28	28	Arcadia Harbor, Mich	25,000	Senate recedes.
29	29	Menominee River, dredging above Ogden Street Bridge.	16,000	Modified, and House recedes.
30	29	Saugatuck Harbor and Kalamazoo River, Mich.	10,000	Do.
31	30	St. Clair River, Mich	83,325	Do.
32	31	Duluth-Superior Harbor, Minn. and Wis.; cash, $180,000; authorization, $180,000.	360,000	Do.
33	32	Illinois River		Senate recedes.
34	34	Government dike, opposite Louisiana, Mo.	15,000	House recedes.
35	35	Mississippi River		Do.
36	35	....do		Do.
37	36	....do		Do.
38	36	....do		Do.
39	38	Mississippi River, Missouri River to Minneapolis.	300,000	Do.
40	39	Mississippi River, reservoirs at headwaters.		Modified, and House recedes.
41	39	Gasconade River, Mo		Do.
42	40	Missouri River, Sioux City to Fort Benton.	25,000	Senate recedes.
43	40	Missouri River		Do.
44	40	....do		Do.
45	40	Vermilion, Clay County, S. Dak.	100,000	Modified, and House recedes.
46	41	St. Joseph, Mo		House recedes.
47	41	Colorado River, Ariz	25,000	Modified, and House recedes.
48	41	Los Angeles and Long Beach, Cal.	1,080,000	Do.
49	42	San Diego, Cal	220,000	Do.
50	44	Tillamook Bay and Bar, Oreg		House recedes.
51	45	Willapa Harbor and River, Wash., cash, $100,000; authorization, $247,950.	347,950	Do.
52	46	Kahului Harbor, Hawaii, cash, $100,000; authorization, $150,000.	250,000	Do.
53	46	Examinations, surveys, etc	100,000	Do.
54	47	Kennebec River, Me., survey		Do.
55	48	Point Judith Harbor of Refuge, R. I., landing place.		Senate recedes.
56	48	Point Judith Harbor of Refuge, R. I., shoal spots.		House recedes.
57c	48	New York Harbor, increased depth.		Do.
58	49	Greenwood Lake, N. J., survey.		Modified, and House recedes.
59	49	Hackensack River, N. J., survey.		House recedes.
60	50	Elk River, Md., survey		Do.
61	51	Front River, Ga., survey		Modified, and House recedes.
62	52	Northwest Channel, Key West, Fla., increased depth.		House recedes.
63	52	Apalachicola, Fla., ship channel from docks at.		Modified, and House recedes.
64	52	Waterway, Sarasota Bay-Miakka River.		House recedes.
65	53	Mulberry Fork of the Warrior River.		Do.
66	53	Brazos and Colorado Rivers, instrumental survey.		Senate recedes.
67	54	Trinity River, near Liberty, Tex.		House recedes.
68	54	Texas City Harbor, Tex		Do.
69	54	Brazos River, etc., cooperation with States.		Do.
70	54	Sulphur River, Tex. and Ark		Do.
71	54	Sulphur River and Days Creek, Tex. and Ark.		Do.
72	54	San Antonio River		Do.
73	55	Arkansas River, instrumental survey.		Do.
74	55	Cache River		Do.
75	56	Thunder Bay, Mich		Do.
76	56	Black Lake Harbor, Mich		Do.
77	57	St. Paul, Minn., Harbor		Modified, and House recedes.
78	57	Traverse and Big Stone Lakes		House recedes.
79	57	Mississippi River, near Deer River.		Modified, and House recedes.
80	58	State of Kansas, floods in		Do.
81	58	Umpqua River Bar and Entrance, Oreg.		House recedes.
82	59	Yaquina Bay and Harbor, Oreg		Do.
83	59	Channel of Youngs Bay		Do.
84	59	Columbia River, Snake to Priest Rapids.		Modified and House recedes.
85	60	Puget Sound and Columbia River.		Senate recedes.
86	60	Virgin River, Nev		House recedes.
87	61	Weymouth Fore River, Mass	$200,000	Modified, and House recedes.
88	62	Illumination of Statue of Liberty.		House recedes.
89	62	Change of section number		Do.

All of which is respectfully submitted.

JAMES P. CLARKE,
JOS. E. RANSDELL,
KNUTE NELSON,
Managers on the part of the Senate.

MESAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed a concurrent resolution requesting the President to return to the House the enrolled bill (H. R. 12197) entitled "An act authorizing Ashley County, Ark., to construct a bridge across Bayou Bartholomew," in which it requested the concurrence of the Senate.

The message also announced that the Speaker of the House had signed the following enrolled bills:

H. R. 3673. An act to establish a term of the United States circuit court of appeals at Asheville, N. C.;

H. R. 8351. An act to accept a deed of gift or conveyance from the Lincoln Farm Association, a corporation, to the United States of America of land near the town of Hodgenville, county of Larue, State of Kentucky, embracing the homestead of Abraham Lincoln and the log cabin in which he was born, together with the memorial hall inclosing the same; and further, to accept an assignment or transfer of an endowment fund of $50,000 in relation thereto; and

H. R. 11878. An act to amend section 99 of the act to codify, revise, and amend the laws relating to the judiciary.

PETITIONS AND MEMORIALS.

Mr. LANE presented memorials of sundry citizens of Oregon, remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which were ordered to lie on the table.

He also presented memorials of sundry citizens of Oregon, remonstrating against the enactment of legislation to limit the freedom of the press, which were referred to the Committee on Post Offices and Post Roads.

Mr. PHELAN presented the memorial of J. F. Turner and sundry other citizens of Soquel, Cal., remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which was ordered to lie on the table.

PUBLIC BUILDING AT YORK, PA.

Mr. SWANSON, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 486) authorizing the Secretary of the Treasury to sell the old post-office building

and site thereof at York, Pa., reported it without amendment and submitted a report (No. 650) thereon.

ELLEN M. WILLEY.

M. BRANDEGEE. A few days ago I inroduced for the Senator from Pennsylvania [Mr. PENROSE] the bill (S. 6578) for the relief of Ellen M. Willey, and it was inadvertently referred to the Committee on Pensions. I ask unanimous consent that the Committee on Pensions be discharged from the further consideration of the bill and that it be referred to the Committee on Naval Affairs.

The VICE PRESIDENT. Without objection, it is so ordered.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SWANSON:

A bill (S. 6586) for the relief of John A. Muse; to the Committee on Claims.

A bill (S. 6587) granting a pension to Murray Pierce;

A bill (S. 6588) granting a pension to Commodore C. Graham;

A bill (S. 6589) granting an increase of pensions to Irma B. Edwards; and

A bill (S. 6590) granting an increase of pension to Elise Habercom; to the Committee on Pensions.

By Mr. NORRIS:

A bill (S. 6591) granting an increase of pension to John Lamberson; to the Committee on Pensions.

By Mr. SHAFROTH:

A bill (S. 6592) to adopt the weights and measures of the metric system as the standard weights and measures in the United States; to the Committee on Standards, Weights, and Measures.

By Mr. TAGGART:

A bill (S. 6593) granting an increase of pension to James F. Nosler (with accompanying papers); to the Committee on Pensions.

By Mr. GORE:

A bill (S. 6594) vesting the Superintendent for the Five Civilized Tribes in Oklahoma with the authority over the lands and individual moneys of the Five Civilized Tribes which is now vested by law in the Secretary of the Interior and the Commissioner of Indian Affairs; to the Committee on Indian Affairs.

A bill (S. 6595) to reimburse William Blair for losses and damages sustained by him by the negligent dipping of his cattle by the Bureau of Animal Industry, Department of Agriculture; to the Committee on Claims.

By Mr. THOMPSON:

A bill (S. 6596) to amend section 5146 of the Revised Statutes of the United States; to the Committee on Banking and Currency.

AMENDMENT TO AGRICULTURAL APPROPRIATION BILL.

Mr. SHEPPARD submitted an amendment proposing to authorize the President on recommendation of the Secretary of Agriculture to accept lands donated to the United States as refuges for wild game animals and wild birds, etc., intended to be proposed by him to the Agricultural appropriation bill (H. R. 12717), which was ordered to lie on the table and be printed.

IMPORTS OF MERCHANDISE AND AGRICULTURAL PRODUCTS.

Mr. GALLINGER. Mr. President, I ask unanimous consent to have printed in the RECORD, without reading, a table showing the imports of merchandise and agricultural products in March, 1916, and in March, 1915, as compared with March, 1913, and also a table showing the imports of merchandise and agricultural products in April, 1916 and 1915, as compared with April, 1913.

The PRESIDING OFFICER. Without objection, it is so ordered.

The tables referred to are as follows:

Imports of merchandise and agricultural products in March, 1916 and 1915, under the Underwood law, and March, 1913, under the Payne law, using for comparison products having the most extreme foreign competition.

Products.	1916 (values).	1915 (values).	Difference.	1913, Payne law.
			Increase.	
Automobiles and parts	$121,023	$101,407	$19,616	$119,950
Breadstuffs	1,534,701	1,340,194	194,507	1,314,298
Cloths (cotton)	1,101,237	628,566	472,671	721,902
Films and plates	125,834	97,542	28,292	145,019
Fish	1,165,229	1,010,480	154,749	969,993
Fruit and nuts	3,604,387	3,215,664	388,723	3,088,108
Handkerchiefs (linen)	182,579	158,975	23,604	101,474
Hides and skins	14,252,917	9,205,815	5,047,102	8,891,428
Lace and lace articles	886,678	860,407	26,271	1,370,713
Laths and shingles	$366,782	$342,765	$24,017	$127,123
Leather and tanned skins	1,287,923	831,969	455,954	635,669
Nets and nettings	246,926	88,638	158,288	104,091
Paper and manufactures	2,268,803	2,109,826	158,977	1,783,048
Perfumery, etc	266,345	221,659	44,686	177,529
Seeds	2,437,164	1,775,208	661,956	1,194,231
Silk manufactures	3,675,949	2,332,822	1,343,127	2,437,253
Vegetables	1,115,631	1,062,969	52,662	960,857
Watches	304,669	261,080	43,589	205,280
Wool	19,014,605	13,674,121	5,340,484	4,262,694
Yarns	171,918	79,020	92,898	55,958
Total, 20 products	54,131,300	39,399,127	14,732,173	28,666,618
			Decrease.	
Aluminum, crude	105,452	129,759	24,307	305,451
Aluminum manufactures	6,303	18,618	12,313	60,767
Clocks	19,975	56,639	36,664	55,827
Cutlery	47,363	153,560	106,197	146,979
Eggs	13,417	24,746	11,329	
Embroideries (cotton)	456,632	489,470	32,838	807,350
Enamelled ware	37,582	46,232	8,650	64,362
Glass (plate)	160	1,476	1,316	27,735
Other glassware	179,694	412,315	232,621	470,939
Gloves (leather)	364,559	711,965	347,406	755,212
Knit goods, less stockings	140,110	348,865	208,755	44,675
Meat and dairy products	1,850,201	2,931,545	1,081,341	1,121,931
Oilcloth and linoleum	44,882	100,879	55,997	187,430
Silk, artificial	261,944	323,877	61,933	257,355
Stockings (cotton)	22,754	172,575	149,821	241,455
Tin plate	7,535	8,575	1,040	23,298
Wood pulp	1,092,922	1,519,121	426,199	1,268,567
Wool manufactures	1,419,913	2,020,791	600,878	1,127,488
Total, 18 products	6,071,401	9,471,006	3,399,605	6,966,851
Increase list	54,131,300	39,399,127	14,732,173	28,666,618
Total, 38 products	60,202,701	48,870,133	11,332,568	35,633,469

Imports of merchandise and agricultural products in March, etc.—Contd.

The comparison for March, 1916, 1915, 1913, shows that there was an increase in the imports of 20 products in March, 1916, compared with an increase of 3 products in March, 1915.

Automobiles and parts, breadstuffs, cotton cloth, films and plates, fish, fruit and nuts, handkerchiefs (linen), hides and skins, lace and lace articles, leather and tanned skins, nets and nettings, paper and manufactures, perfumery, seeds, silk manufactures, vegetables, watches, wool, and yarns increase from $39,399,127 in March, 1915, to $54,131,300 in March, 1916, compared with $28,666,618 in March, 1913, under the Payne law.

Aluminum scrap, aluminum manufactures, blocks, cutlery, eggs, embroideries, enameled ware, plate glass, other glassware, leather gloves, knit goods (less stockings), meat and dairy products, oilcloth and linoleum, artificial silk, cotton stockings, tin plate, wood pulp, and wool manufactures show a slight decrease in imports of $3,399,605 from $9,471,006 in March, 1915, to $6,071,401 in March, 1916, compared with $6,966,851 in March, 1913, under the Payne law.

Total imports of the 38 products in March, 1916, were $60,202,701; in March, 1915, $48,870,133; in March, 1913, $35,633,469; which shows that imports of the 38 products in March, 1916, increased almost 100 per cent over the imports of the same products in March, 1913, under the Payne law.

The total imports of all merchandise in March, 1916, were $213,589,785; in March, 1915, $157,982,016; showing an increase of $55,607,769, while the ad valorem rate of duty, based on imports for consumption, falls from 12.66 per cent in 1915 to 9.97 per cent in March, 1916, compared with 15.84 per cent for the nine months ending March, 1914.

It is sometimes argued that much of our present prosperity is due to the decrease in imports since the beginning of the foreign war, but official customs figures show a very heavy increase in imports of leading competitive products, and, furthermore, imports of these products have been much heavier under the Underwood law than they were under the Payne law, consequently American producers of these products are justified in demanding additional protection now as well as after the close of the foreign war.

Imports of stockings are at present, and have been for some time, very small, but stocking manufacturers know that this is caused entirely by the foreign war, and also, that if the foreign war had not occurred and imports had increased as rapidly as they did from March, 1914, up to the beginning of the war, they would find it very difficult to run mills on anything near full time, and no stocking manufacturer in America can compete with the price at which stockings of foreign make have entered this market since the Underwood law became operative, and while not being positive, think this same condition no doubt applies to many other products having strong foreign competition, and it can be stated that quite recently knit goods have entered the United States in considerable quantities from Japan, causing knit-goods manufacturers to believe that the long-threatened invasion of cheap knit goods from Japan has finally become a reality.

Imports of merchandise and agricultural products in April, 1916 and 1915, under the Underwood law, and April, 1913, under the Payne law, using for comparison products having the most severe foreign competition.

Products.	1916 (values).	1915 (values).	Difference.	1913, Payne law.
			Increase.	
Aluminum scrap	$206,548	$50,139	$156,409	$566,857
Automobiles and parts	145,728	123,649	22,079	131,065
Watches and parts	302,587	224,202	78,385	225,165

Imports of merchandise and agricultural products in April, etc.—Contd.

Products.	1916 (values).	1915 (values)	Difference.	1913, Payne law.
			Increase.	
Cotton cloths	$831,837	$453,367	$378,470	$690,083
Lace and lace articles	835,141	833,225	1,916	1,027,188
Nets or nettings	278,147	85,874	192,273	97,793
Yarns (linen)	68,350	62,744	5,606	62,216
Fruits and nuts	3,677,163	3,567,753	109,410	3,851,220
Hides and skins	16,453,552	10,937,002	5,516,550	10,407,873
Enameled ware	25,429	23,566	1,863	60,731
Tin plate	31,224	5,947	25,277	30,022
Leather and tanned skins	1,353,186	764,075	589,111	759,737
Leather gloves	375,735	353,259	22,476	427,036
Paper and manufactures	2,191,679	1,832,541	359,138	1,595,320
Perfumery, etc	275,157	191,801	83,356	194,984
Seeds	2,164,767	1,585,012	579,755	558,754
Silk manufactures	3,250,210	1,783,979	1,466,231	2,008,567
Laths and shingles	464,000	436,294	27,706	28,146
Wood pulp	1,704,985	833,004	871,981	1,189,688
Wool and angora hair	13,797,063	12,978,767	818,296	2,843,112
Total 20 products	48,432,488	37,126,200	11,306,288	27,174,627
			Decrease.	
Aluminum manufactures	3,774	8,317	4,543	102,472
Breadstuffs	1,915,186	2,000,526	85,340	1,443,851
Clocks and parts	6,965	20,421	13,456	62,601
Embroideries	284,671	476,549	191,878	841,801
Stockings (cotton)	6,232	70,999	64,767	239,674
Knit goods (cotton)	33,131	144,335	111,204	41,690
Eggs	5,856	28,113	22,257	.....
Handkerchiefs (linen)	86,731	123,176	36,445	76,532
Fish	843,307	906,386	63,079	746,895
Plate glass	528	538	10	33,865
Other glass	177,911	226,037	48,126	544,336
Cutlery	27,857	83,431	55,574	136,157
Meat and dairy products	1,975,979	2,594,047	618,068	1,179,020
Oil cloth and linoleum	25,139	82,761	57,622	138,871
Films and plates	106,682	150,122	43,440	184,132
Silk, artificial	166,051	207,782	41,731	204,374
Vegetables	778,991	937,375	158,384	738,414
Wool manufactures	1,100,829	1,367,136	266,307	991,382
Total 18 products	7,545,820	9,428,051	1,882,231	7,706,067
From increase list	48,432,488	37,126,200	11,306,288	27,174,627
Total 38 products	55,978,308	46,554,251	9,424,057	34,880,694

Very little can be added to the story told by the above figures, which show a rapid increase in imports. Twenty products increase heavily as against five products in April, 1915, and the decrease in imports of 18 products is very small, but the totals, covering the entire 38 products, have increased nearly 100 per cent over imports under the Payne law in April, 1913, or April, 1915, and is a very decided warning to manufacturers as to what they can expect after the close of the foreign war.

CITIZENS' ASSOCIATION OF THE DISTRICT OF COLUMBIA (S. DOC. NO. 489).

Mr. GALLINGER. Mr. President, I ask to have printed as a public document a communication from William McK. Clayton, chairman of the Public Utilities Committee of the Federation of Citizens' Associations of Washington, D. C. It is very brief and relates to the so-called Borland amendment in the District of Columbia appropriation bill, which is now being considered.

The VICE PRESIDENT. Without objection, it is so ordered.

BAYOU BARTHOLOMEW BRIDGE.

The VICE PRESIDENT laid before the Senate the following concurrent resolution (No. 46) of the House of Representatives, which was read:

Resolved by the House of Representatives (the Senate concurring), That the President be requested to return to the House of Representatives the enrolled bill (H. R. 12197) entitled "An Act authorizing Ashley County, Ark., to construct a bridge across Bayou Bartholomew."

Mr. SHEPPARD. I move that the Senate concur in the resolution.

The resolution was concurred in.

RECESS.

The PRESIDING OFFICER. The hour of 1 o'clock and 45 minutes having arrived, under the order previously adopted the Senate stands in recess until 11 o'clock Monday morning.

Thereupon (at 1 o'clock and 45 minutes p. m., Saturday, July 8, 1916) the Senate took a recess until Monday, July 10, 1916, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

SATURDAY, *July 8, 1916.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou Source of life and thought and action, teach us how to think clearly, act nobly, seeking honesty for the sake of honesty, truth for the sake of truth, purity for the sake of purity, holiness for the sake of holiness, that we may reflect in our life the image of our Maker; and we shall ask no higher reward than the words "Well done, good and faithful servant," now or then, in time or eternity. Hear us, in the name of Him who taught us the way and the truth and the life. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, one of its clerks, announced that the Senate had passed without amendment bills of the following titles:

H. R. 16287. An act granting the consent of Congress to the county of Sumter or to the county of Dooly, both of the State of Georgia acting jointly or separately and their successors and assigns to construct a bridge across the Flint River; and

H. R. 16641. An act granting the consent of Congress to Julian B. McCurry, A. G. McCurry, P. W. Walton, and J. J. Fretwell to construct a bridge across the Savannah River.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested.

S. 6375. An act to authorize the changing of the name of the steamship *Aroline*; and

S. 5441. An act for the relief of the heirs of Albert Sidney Johnston.

The message also announced that the Senate had passed without amendment the following resolution:

House concurrent resolution 46.

Resolved by the House of Representatives (the Senate concurring), That the President be requested to return to the House of Representatives the enrolled bill (H. R. 12197) entitled "An act authorizing Ashley County, Ark., to construct a bridge across Bayou Bartholomew.

CHANGE OF REFERENCE.

Mr. PADGETT rose.

The SPEAKER. For what purpose does the gentleman from Tennessee rise?

Mr. PADGETT. I rise to ask that the bill H. R. 16147, introduced by Mr. MUDD, of Maryland, and referred to the Committee on Naval Affairs, be referred to the Committee on Claims, inasmuch as it is a bill for a claim. I ask that the Committee on Naval Affairs be discharged from further consideration of the bill and that the bill be rereferred.

The SPEAKER. What is it about?

Mr. PADGETT. It is a bill for the relief of mechanics employed at the proving ground at Indianhead, Md., during the fiscal years 1914 and 1915.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 16147) for the relief of mechanics employed at the proving ground at Indianhead, Md., during the fiscal years 1914 and 1915.

The SPEAKER. The gentleman from Tennessee, chairman of the Committee on Naval Affairs, asks that his committee be discharged from the further consideration of the bill and that the bill be referred to the Committee on Claims. Without objection, it will be so ordered.

There was no objection.

UNUSED HOSPITALS AT ELLIS ISLAND, N. Y.

Mr. SIEGEL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the following resolution, which I send to the Clerk's desk.

Mr. KITCHIN. Reserving the right to object, Mr. Speaker, I would greatly prefer, and I suppose the gentleman from Michigan [Mr. FORDNEY] would, too, that the gentleman wait for unanimous consent until this afternoon before we adjourn.

Mr. SIEGEL. It will take only a moment. The resolution provides that the unused hospitals at Ellis Island be used in connection with the treatment of infantile paralysis cases. The matter can be disposed of in a few moments.

Mr. KITCHIN. General debate closes at 1.30 o'clock. To consider the resolution now would cut out some of the time for general debate. I suggest that the gentleman take it up before adjournment this afternoon. It will amount to the same thing.

Mr. SIEGEL. Very well.

REVENUE.

The SPEAKER. Automatically the House resolves into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 16763, the revenue bill. The general debate on it is to run for two and one-half hours, one half of the time to be controlled by the gentleman from North Carolina [Mr. KITCHIN] and the other half by the gentleman from Michigan [Mr. FORDNEY]. The gentleman from Illinois [Mr. FOSTER] will take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further considera-

tion of the bill H. R. 16763, the revenue bill, with Mr. FOSTER in the chair.

The CHAIRMAN. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 16763) to increase the revenue, and for other purposes.

Mr. FORDNEY. Mr. Chairman, I yield 20 minutes to the gentleman from Wyoming [Mr. MONDELL].

The CHAIRMAN. The gentleman from Wyoming [Mr. MONDELL] is recognized for 20 minutes.

Mr. MONDELL. Mr. Chairman, the only virtues, real or apparent, that this bill possesses are such as it secures through the adoption or the recognition of Republican policies. While these features are, in the opinion of the leader of the majority, the gentleman from North Carolina [Mr. KITCHIN], of sufficient importance to lead him to suggest that, from the standpoint of certain Democrats at least, the bill was something of a dose. I agree with that view of it, though from my viewpoint it is a Democratic dose, and I have no appetite for such, even though sugar-coated by Republicanism.

There is much food for reflection in the fact that in these days Democratic argument is much interlarded with the claim that what they have done or are proposing is in harmony with Republican pledges and policies. Even as the gentleman from Missouri [Mr. BORLAND] recently bottomed his party's claim for support on the alleged resemblance which their recent legislative program bears to our platform pronouncements of 1912, so the gentleman from North Carolina keyed his adroit argument in favor of this bill to the cooing note that what they propose is largely along the lines of Republican policy. The balance, he assured us, was what we would do under like circumstances.

Even if it were true, which it is not, that the provisions in the bill proposing to build up a dyestuff industry under protection, providing for a tariff commission, the so-called antidumping provision were all in form that would entitle them, standing alone, to Republican support, Democratic conversion to our principles and policies, even to that extent, would not justify any Republican in approving the bill. [Applause.] Republicans can not consistently approve it, for in what it contains and what it omits it challenges sharply the Republican contention that Federal taxation should be largely indirect and placed upon the shoulders of those abroad who seek our markets rather than upon those at home who support our institutions. [Applause on the Republican side.]

We welcome this tardy Democratic recognition of the virtue of Republican policies, but we decline to desert the altars of the true faith to participate in the acts and incantations of those who, though unable to longer entirely resist the penetrating power of truths they have long spurned and denied, still in the main adhere to their idols of free trade and their fetishes of burdensome direct taxation.

Even as the ancient Israelites in the very shadow of the mountain of the law set up an altar to the worship of the golden calf, so Democrats in this day of their proclaimed enlightenment as to the wisdom of Republican principles of protection still set up their altars to and worship their discredited idols of free trade and of direct and burdensome taxation upon the people and their industries.

Let us analyze for a moment the provisions of the measure, admittedly Republican in policy and claiming to be Republican in form, on the strength of which the Democratic Delilah, the gentleman from North Carolina [Mr. KITCHIN], would persuade or betray the Republican Samson into the camp of the Democratic Philistines. [Laughter.]

Taking them in their order, what are they? First, a duty on dyestuffs. So far as it goes, it is frankly, confessedly protective, defendable only from the standpoint of the Republican policy of protection. It is what in other days our Democratic friends would have called the unconstitutional and indefensible coddling of an infant industry. The robbery by taxation of the many for the benefit of the few. It is true that those best acquainted with the subject believe its provisions scarcely adequate to accomplish the purpose sought, but I hail it as a sign of belated sanity, of at least partial conversion on the part of the Democracy to the logic of the doctrine of protection. But I shall not as a Republican vote for this bill, which in its omission of other needed protection thunders loud against the very policy thus gingerly applied to one single item in order to vote inadequate protection to this one industry. [Applause on the Republican side.]

Extensive, widely distributed, vastly important industries upon which the Nation's labor and enterprise depend stand in jeopardy, exposed to destructive and devastating competition the moment peace is declared in Europe. In view of that situation am I justified in virtually surrendering my demand, that all these, and the labor they sustain, shall be safeguarded, by voting for a bill which in its provisions for this new and minor industry alone emphasizes the indifference of its supporters to the welfare of the country and its industries as a whole. [Applause on the Republican side.]

Then there is the provision for a tariff commission, heretofore opposed, reviled and condemned by Democrats of high and low degree. With what amazing suddenness, at the suggestion of the President, is it tolerated, approved, embraced, raised to the dignity of honorable mention in a party platform. No wonder the gentleman from North Carolina, who is a reasonably consistent Democrat, is a trifle bewildered and not wholly convinced. What is the occasion of this sudden conversion compared with which that of Saul of Tarsus on the road to Damascus was a slow and plodding process. [Laughter on the Republican side.] Is the Democracy fully converted to the theory of a protective tariff? If not, why a tariff commission?

It remains as true to-day as when stated on this floor by the gentleman from Alabama [Mr. UNDERWOOD], then the leader of the Democratic Party in the House, that a free trader or a believer in tariff for revenue only has no sort of use for a tariff commission. The facts he seeks relative to industries, so far as he seeks any at all, relate not to comparative costs of production but to availability for revenue-producing purposes. They can all be found in records of consumption and importation. The facts that a fair, impartial, unbiased, unprejudiced, uninfluenced tariff commission would seek to secure, analyze, and publish would be as valueless as a guide or rule of action to a free trader or tariff-for-revenue Democrat in framing a revenue bill as would a copy of Hoyle to him who sought to solve the problems of the fourth dimension. [Laughter on the Republican side.]

Why, then, do our Democratic friends seek a tariff commission? With a view of getting facts as to comparative wage scales and production costs here and abroad? Do men seek those things that from their viewpoint are inconsequential unless they seek them with the hope and the expectation that if they serve no purpose from the viewpoint of their philosophy they may be so marshaled and presented as to tend to confound the arguments of those who seek such facts as a basis of action?

I shall not say that the President suggested, and his party approved, the policy of a tariff commission with the idea of securing only such facts as might be pleasing from their viewpoint, or of coloring or arranging or adjusting facts for the purpose of disproving the claim of wide differences in cost of production at home and abroad; I will not say that, even though it may run through my mind [laughter]; but I do say, in all sincerity and with regret, that I should not expect appointments to this tariff commission, if the provision be enacted into law, such as would inspire me with any considerable confidence in the result of its labors.

Then there is the antidumping clause—the unfair-competition provision, as they call it. Of all the admissions, direct and indirect, that have been wrung from an unwilling Democracy of the truth of the Republican contentions, none is so extraordinary as this—that many of our industries, under our high wage scale and standard of living, would not be able, unaided and unprotected, to withstand the fierce competition of underpaid labor abroad seeking a market for its products at the close of the European war. They now make no denial of the importance—aye, the necessity—of some action to prevent the overwhelming invasion of our markets when at the close of the war impoverished Europe, its people inured to privation and hardship, shall struggle desperately for a market for their products.

Democratic leaders having admitted this danger, having testified to its imminence, the natural and logical move would have been to have prepared against this threatened invasion, as has been done in this bill in the matter of dyestuffs, by placing protective duties sufficiently high to enable the American producer to live, and yet not so high as to prevent reasonable importations. This bill to raise revenue, and claimed by its proponents to be intended in this paragraph to be protective against dumping competition, would have been just the place to provide for the raising of increased revenue through the protection of the American producer.

But instead, we have section 601. This so-called unfair competition section, if intended in good faith, as we should assume it was, reflects little credit on those who drafted or those who will support it. [Applause on the Republican side.] If I were inclined to attribute questionable and improper intent and motive in its drafting, I should say that it is an indefensible joker, fraud, and fake, without even the left-handed virtue of adroit construction, for its iniquity is impudently gauzy and

transparent. No effort is made to prevent dumping of foreign goods in our market at prices below cost of production, unless such dumping be the result of a far-reaching conspiracy.

The major portion of the industries of the country might be ruined, or temporarily paralyzed without any thought on the part of those disposing of dumped foreign goods here to conspire, to destroy or injure an industry. If such a conspiracy were to actually exist, it would in the majority of cases be utterly impossible to prove it. Whatever the intent of the draftsman of this legislation was, as a means of preventing the selling here of foreign-made goods at a price not warranted by their average cost of production, this provision would be utterly valueless and ineffective. But the danger that confronts us is not, by any means, confined to so-called dumping of products. Conditions in Europe at the end of the war are likely to produce lower wage rates and production costs than ever before and the sale in our markets in the ordinary way of articles so produced presents a menace which the provision in question does not even pretend or seek to remedy.

The gentleman from North Carolina [Mr. KITCHIN] wants to know if we do not want to vote to repeal the stamp taxes. Of course, we do. Those of us who were here at the time that iniquity was committed and voted and talked against it are already on record. [Applause on the Republican side.] We did not vote to lay the stamp taxes on the American people. The responsibility for them is not ours. We will vote to keep the section repealing them in the bill, of course, but we are in nowise bound, obligated, or disposed, to lay other and heavy burdens on the American people simply because by so doing we incidentally vote for the repeal of the stamp tax. The Democratic Party in a belated spasm of virtue now admits that all we have said about the villiany of the stamp taxes is true. We welcome this eleventh-hour conversion, but it is not a convincing argument on behalf of further tax burdens that you are proposing to relieve the people of some you never should have placed upon them.

In his most engaging manner the gentleman from North Carolina [Mr. KITCHIN] insisted that Republicans having voted for large and unusual expenditures for all or part of the so-called preparedness programs, were in honor bound to vote for the bill through which it was proposed to pay at least a part of the bills. That argument is about the most unsubstantial of any of the transparent bids that have been made for Republican support of this measure. If it were good now, it would be good whenever revenue legislation is pending, for under all administrations the major portion of the appropriations made, if not actively approved, are at least acquiesced in by substantial majorities made up of men of all parties. The fact that the necessity of appropriations may be acquiesced in by a part, even a major part, of the minority, and receive their support, never has and never can be be properly and legitimately considered as binding the minority to the majority's plan of revenue legislation.

My recollection is that during the years of Republican control in the House the Democratic minority voted with practical unanimity, and frequently with enthusiasm, for the expenditures which they afterwards criticized as criminally extravagant. I never heard that fact urged as a legitimate reason for Democratic support of Republican revenue legislation. In the Fifty-fifth Congress, in which the Democrats were largely responsible for bringing on the War with Spain, after war was declared and the boys were rallying to the colors and we needed money to arm and feed them, our Democratic friends, with less than half a dozen exceptions, if my memory serves me right, voted against the revenue measure brought in by the Republican majority to raise the funds necessary to prosecute the war.

The present honored Speaker of this House; the gentleman from Alabama [Mr. UNDERWOOD]; the gentleman from Virginia [Mr. HAY], now chairman of the Military Committee; the gentleman from Virginia [Mr. JONES], chairman of the Committee on Foreign Relations; the gentleman from Texas [Mr. HENRY], chairman of the Committee on Rules; and other distinguished Democrats occupying seats on this floor, were among those who voted against a Republican bill to raise war revenue at that time, when war was actually in progress.

In view of these facts it strikes me as being about the limit of brazen assurance for the gentleman on the other side to urge Republican support of their revenue bill on the ground that they have voted for, or have not been able to prevent, great expenditures. So far as I am personally concerned, I feel no responsibility for the fact that the total of appropriations is as great as it is. It is true, I have under protest as to some of their items voted for all of the so-called preparedness bills to date, but if I could have had my way their total would have been considerably reduced, and I shall not support the increases which have been made in another body to some of these bills. But whether I voted for them or not, I should feel justified in reserving my right to vote against a revenue plan I did not approve. Because one sees fit to join the dance, it does not follow that one is bound to be bullied in the matter of the way to raise the coin with which we shall pay the fiddler.

Passing to those provisions of the bill which the gentleman from North Carolina, Mr. Kitchen, was pleased to call nonpartisan, I entirely agree with him that a Republican Congress would undoubtedly pay a part, at least, of increased expenditures out of revenue derived from income taxes, but as the Democratic Party was not justified in levying stamp taxes, obnoxious and burdensome, in time of peace, so it is not now justified in levying what is equivalent to a war income tax. This is particularly true when it is not expected to pay actual war expenses, if war should come, out of revenues so raised, but to pay them out of money secured from the sale of bonds.

The States have heretofore looked upon inheritance taxes as one of their legitimate fields for securing revenue. Forty-two of the States now secure revenue from such sources. The Federal Government is not justified in invading this field of State taxation except as a war measure. We are not at war. If we get into war, we are told the administration expects to sell bonds to finance it.

As one of those who has not been in sympathy with the extreme clamor for so-called preparedness and inclined to the opinion that those making money out of war munitions were, to a certain extent, responsible for the height of the preparedness furor, I might be expected to be enthusiastic about the proposition to tax war munitions manufacturers. I am in favor of it within reason and justice, but a provision which proposes a tax of from 5 to 8 per cent, without regard to the amount of profit, if any, above 10 per cent, on the total receipts of a year's business, half of which has been transacted, and in most cases all contracted, before the tax was proposed, comes perilously near being taking property without due process of law. I have no love for the war munitions business. In my philosophy it is a sad and sorry and an unenviable way to make money, but even a war munition manufacturer is entitled to some consideration and some notice of the burdens that are to be placed on his business.

I am not informed as to what, if any, motion to recommit will be made by the minority. So far as I am personally concerned, I do not consider the presentation of an alternative plan of raising revenue necessary to justify my opposition to and my vote against this bill. The fact that in the face of the admitted danger and menace to our industries, which the close of the European war will present, no attempt was made to secure revenue by such increases of rates as would at least reasonably protect our industries, is in itself sufficient to justify my vote against the measure whatever it may contain, which, standing alone, I might support. [Applause on the Republican side.]

What would we do under these circumstances has been asked. Had the Republican Party been in control, the circumstances would in all probability have been entirely different. We should not have had exactly this situation to meet. We should have made a start toward real preparedness last year, and there would have been therefore less excuse and less demand for extraordinary appropriations this year. We would not have had on hand the expensive and deplorable Mexican situation, for a Republican administration would not have created the muddle that makes heavy expenditures on the border necessary.

We would have had a large real surplus in the Treasury, not a largely fictitious one as at present, made up of disbursing officers' balances already pledged, and all the uncurrent and battered coin and small change in the Federal till. If under our control more funds were necessary, we would raise them largely from the foreigner seeking our market. While replenishing the Treasury, we would build up our industries and profitably employ the Nation's workers.

Why should we now draft the details of a Republican bill, when we know and you know that no bill prepared on this side, no matter how wise and fair, reasonable, just, helpful, would get a single vote on the Democratic side or have the slightest chance of passage? It would be a case of virtue's labor lost. It might well be likened to casting jewels before swine.

But do not be downcast or discouraged gentlemen on the other side. You will not have long to wait to see the details of a Republican revenue measure. The remnant of you gentlemen on the Democratic side who are here after the 4th of next March will become familiar with just what we propose to do. The measure then presented will have for its purpose the rais-

ing of necessary revenue for the support of the Government with the minimum of annoyance and burden upon the citizen. Its provisions will be fair and just to all. Incomes will pay their fair share, but we shall not penalize thrift or industry. Those who seek our great market shall make their goodly contribution to the National Treasury. Our labor will be protected in its wage, our home industries within reason in their market. In the meantime, the responsibility is yours, not ours. If you insist on your plan of revenue, you can not reasonably expect our support of it, even though some of its provisions pay the Republican Party the sincere flattery of adopting some of its policies. We still have in mind the ancient warning, long since crystallized into a proverb, "Beware of the Greeks bearing gifts." [Applause on the Republican side.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. Will the gentleman from Michigan give me five minutes more?

Mr. FORDNEY. I have more requests for time than I have time left; otherwise I would be glad to.

I yield 10 minutes to the gentleman from New York [Mr. ROWE].

Mr. ROWE. Mr. Chairman, on June 30 the report on the income tax showed that $124,867,430 had been collected in this country during the fiscal year. Now, before I begin to talk I wish to say that I have always felt that an income tax might be a correct tax, and I was one of the men that helped to support it in the State of New York. But, like every other tax, an income tax, when properly administered, can be a just tax, and can be a most unjust tax if administered wrongly.

Now, after hearing the address of the chairman of the Ways and Means Committee, I thought I would like to find out a few more facts which he was not able to give in the 2 hours and 30 minutes of his address, and I went to the Treasury Department, that I might get started right. I found out that out of the $125,000,000 the State of New York paid $45,000,000, or 36 per cent of all the money collected under the income-tax law.

I found another very interesting thing, that the part of the year ending June 30, 1915—I desired to bring the facts down to 1916 but could not get the figures—the surcharge tax that New York paid was 48 per cent of all the surcharge tax of the United States. [Applause on the Republican side.]

Is it any wonder that the chairman of the Ways and Means Committee never mentioned New York in his two hours and a half address? Four States—Massachusetts, New York, Pennsylvania, and Illinois—pay almost two-thirds of this entire tax. I thought I would like to know just in what way this affected other States. Can it be possible that the State of New York has 36 per cent of the wealth of this Nation? Let me give you a list: Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, North Carolina, South Carolina, Tennessee, Texas, and Virginia—11 States—put together have a billion more capital than the State of New York, and they are very powerful in this Congress, having the chairmanship of almost every committee. But, gentlemen, how much of this tax do they pay? They pay the sum of $6,494,995, and New York State pays more than $45,000,000.

Now, I thought it must be that New York State was getting the benefit of these appropriations that we make in this House, and so I turned to the river and harbor bill, and I found that New York State got an appropriation of $2,917,500 all told; that the 11 States I have mentioned got the very nice little sum of $9,168,698—almost four times as much, although they pay one-third as much into the Treasury of the United States. [Applause on the Republican side.]

I found some other things that might be interesting, not connected with these States but other States. I found that the very wealthy State, the State which claims it has more automobiles per resident than any other State in the Union, the State that has more money in the savings and other banks per capita—the State of Iowa—paid into the Treasury, notwithstanding the enormous amount of money they have, but $277,000 as individual taxes and $517,000 in corporation taxes.

I would like to know why it is that no New Yorker, no Tammany man, no Democrat in this House, has come forward and stated these facts. They are taken entirely from the Treasury Department reports, and are public to every Member of this House. We have on that committee members of Tammany Hall; and why have they not brought out these figures and saved their own State? I do not believe, gentlemen, that this is good politics for any party. I do not believe that any party in this Nation has the right to loot the State of New York. [Laughter and applause on the Republican side.]

Nor do I believe that the money that we raise in this House by our votes should be put out in any one section of this Nation. It belongs to us all, and the money should be spent over this vast land to develop our country for the present and for the future. [Applause on the Republican side.]

Mr. Chairman, I yield back the balance of my time.

Mr. FORDNEY. Mr. Chairman, I yield to the gentleman from Indiana [Mr. WOOD].

Mr. WOOD of Indiana. Mr. Chairman, if there is any one thing which the Democratic Party, with its record of inconsistency, has consistently opposed it is the protective-tariff idea. For more than half a century and until its last national convention this party each four years in its platform has declared that a protective tariff is robbery and that it is unconstitutional. And some of the apostles of Democracy have gone so far as to advocate the entire abolition of customhouse duties.

At the St. Louis convention, held a few days ago, the Democratic Party, true to its antecedents, reaffirmed its belief in the doctrine of free trade, or a tariff for revenue only, by heartily indorsing the Underwood tariff law. The Underwood tariff law since its enactment has been held up before us by its champions as a model piece of legislation, as a realization of the dream of free traders. So far as its practical working is concerned, it is entitled to all that has been claimed for it. From the time it went into effect until the outbreak of the present European war it was outstripping all of its predecessors in closing the mills and factories of the country, rendering idle millions of workingmen, and depleting the Public Treasury. So well was it doing its work that the railroads of the country, instead of building more miles of main track, were building more miles of sidetrack on which to store their idle cars and engines. Not only was it breaking down and ruining the manufacturing industries of the country but it was also giving the American farmer a beautiful exhibition of what it was going to do to him in the months and years that were immediately to follow. This is best illustrated by what was said in commendation of the practical working of the Underwood tariff bill by Secretary of Commerce Redfield in a speech delivered before the chamber of commerce in the city of Hamilton, Ohio, on February 25, 1914. In that speech he said:

> For example, take the last three months of 1912 and the last three months of 1913. In the former we imported 112,000 cattle; in the latter, 341,000.
>
> In the former we brought in 253,000 bushels of corn; in the latter, 4,450,000 bushels.
>
> In the former, 13,600 bushels of oats; in the latter, 13,230,000 bushels.
>
> In the same period of 1912, 865,000 pounds of fresh meat; in 1913, 33,500,000 pounds.
>
> In 1912, 41,000 bushels of potatoes; in 1913, 2,800,000 bushels.

From the above statement, given us by the business expert of this administration, it is plain to be seen what would have happened to the American farmer had it not been for the intervention of the European war. And in spite of the fact that Germany and Austria are shut out of our markets by the battleships of the allies, and France and Belgium and even Great Britain are in a large measure shut out of our markets by reason of their reduced productive capacity, the imports into this country are increasing by leaps and bounds.

In March we had imports of $214,000,000. This is $31,500,000 more than the imports of March, 1914, before the war and immediately after Mr. Wilson's administration and his Congress had thrown open our tariff floodgates. It is nearly $55,000,000 more than in March of 1913, when Mr. Wilson first went into the White House. It is $74,000,000 more than in March, 1911. It is $81,000,000 more than in March, 1909. It is $125,000,000 more than in March, 1908.

This war in Europe can not last forever. It will end one of these days, and when it does end and the millions who are now engaged in the shedding of blood shall become engaged in rebuilding their devastated countries and shall find employment at low wage in the factories that are now idle, and when those factories for the purpose of reestablishing their now destroyed foreign trade will sell their wares at such reduced price that American competition will be impossible, then will we see our imports grow, great as they now are, manyfold. With all those nations selling us, as they can sell us and will sell us after the war, there is scarcely any conceivable limit which one can put upon our imports then, so far as foreign sellers are concerned. Against this evil day, if this Congress is wise, it will erect a protective-tariff barrier to shield our country and its producers against this flood of imports. [Applause on the Republican side.] If this is not done our markets will be wrecked, our industries crippled almost to destruction, our wage earners will find little to do, and soup houses will again have to be provided to feed their hungry mouths.

Before this European war commenced there were more than 4,000,000 wage earners idle in the United States, and this army was increasing day by day. For the most part, they have found temporary employment, made possible by reason of the

great demand on this country for munitions of war and the incidents thereto. When this war is over there will no longer be a demand for this employment and they will be compelled to find employment elsewhere or else become idle again. With the opening of the factories abroad and with the output of those factories coming without limit and without hindrance into our country, the prospect of the American workman is not encouraging, to say the least. Every dollar's worth of goods sold in this country which is the product of a foreign laboring man takes 90 cents away from the American laboring man, for 90 per cent of all the manufactured goods in the world is the proportion contributed by labor. [Applause on the Republican side.]

I am told that when the Underwood bill passed this House its author was frank enough to say upon the floor of this House that its passage would mean the ruin of the sugar industry in this country. But, notwithstanding this fact, and desiring above all things else to remain true to the traditions of the Democratic Party, he voted to bring this ruin upon one of the great and growing industries of our country. That his prophetic vision was correct has been amply demonstrated. A few weeks ago, when the Flood Control Committee of this House visited the State of Texas to inspect the flood conditions arising from the overflow of the Brazos and Colorado Rivers, we spent a week in the Delta country of this great State, which was rapidly becoming one of the largest sugar and rice producing sections of the country. Thousands and thousands of acres had been broken from virgin soil and planted to cane. Thousands and thousands and thousands of acres had been prepared for the cultivation of rice, and it takes lots of money and lots of labor to prepare a rice field. Thousands and thousands of dollars had been expended in the building of canals and irrigating ditches and for pumps and other machinery to provide the water with which to flood these rice fields. And through the alluring prospects afforded and with the reasonable belief that such an industry would not be ruined by the legislative branch of our Government, millions of dollars in capital were invested in the building of sugar mills and rice mills throughout this section.

But what happened to it all? The Democratic Party, that has ever adhered and still adheres to the policy of free trade, with full knowledge of the possibility of these great industries, and with a full knowledge of what would happen to them if they were not given the protection that would warrant their continuance, enacted a law placing their products upon the free list. The result is that these thousands and thousands and thousands of acres that had been planted in sugar cane and in rice have been permitted to go back to grass, and these mills that had been built for the making of sugar and the hulling and polishing of rice are idle. We found and heard of but one mill in all that country that is making any pretense of running at all. That mill is located at Sugar Land, in Texas. The general manager of that mill informed us that had it not been for the Underwood tariff law, plenty of cane would have been raised in the immediate vicinity to have kept it running day and night. That now this mill could grind all of the cane raised in that whole section of Texas, which is available by reasons of railroad transportation, in less than 30 days. This mill is running in spite of the efforts of the Democratic Party to destroy it. It gets its raw sugar from Cuba, however, and the management is living in hopes that the striking example of the ruinous effects of free trade in the manufacture of sugar which is afforded in that section will be sufficient to cause this Congress, or the Republican Congress that is to follow it, to enact into law a protective tariff upon sugar that will insure it from future blight like that now affecting it.

What has been said with reference to the cane-sugar industry of the South may also be said with reference to the beet-sugar industry of the West. Prior to the Underwood tariff bill there were 15 States engaged in the raising of sugar beets. The acreage was constantly increasing, and a goodly return was being brought to the raiser of the beets and to the manufacturer of the sugar therefrom. Six hundred and twenty-four thousand acres in these 15 States were devoted to this crop last year, but this was a mere drop in the bucket in comparison to the possibilities of sugar-beet raising in this country. We are told by those who have made the investigation that there are 274,000,000 acres in the United States adapted to the growth of sugar beets. It has been demonstrated that this plant is the best possible plant for enriching the soil and bringing its productivity up to the fullest measure. All of these facts were known at the time the Underwood bill was enacted into law. But notwithstanding all this the Democratic Party elected to sacrifice this business, and all that it means for the present and the future, to the Democratic fetish of free trade.

We were in hopes that when the present tariff bill failed to produce revenue enough to run this Government under ordinary circumstances and it became necessary to repeal the clause of the Underwood bill putting sugar absolutely upon the free list the Democratic Party had awakened to the fact that they had made a woeful mistake in providing that sugar should be put upon the free list, and that in acknowledgment of their mistake they meant to correct it by keeping permanently a protective-tariff duty upon sugar. But the leaders of the Democratic Party say that this is not to be done; that the duty of 1 cent now upon sugar is only temporary, and is only left there for the purpose of helping to meet the present emergency, and that as soon as this emergency is past they will carry out their original intention of putting sugar absolutely upon the free list. Those who are engaged in the sugar industry at present and who had hopes of becoming engaged in it in the future should take notice of this fact and govern themselves accordingly. For it has been demonstrated beyond a question of a doubt that in order to raise sugar cane and sugar beets in this country at a profit a protective tariff must be maintained thereon, and that the measure of such protection should be the difference between the cost of raising and manufacturing sugar in this country and the sugar-producing countries abroad.

Experience, the wisest teacher men ever had, seems impotent when it comes to teaching Democrats the utter fallacy of the theory of free trade when applied to our industries and in demonstrating to them the practicability of a protective tariff.

A quarter of a century ago, when all of the tin and the tin manufactures used in this country were made abroad, protective-tariff leaders advocated that tin could be successfully made in this country. This advocacy was derided by the Democratic leaders in Congress and out of it. But, notwithstanding their derision, a protective tariff was placed upon tin and the manufactures from tin, and we all know what the result has been. When the first tin-plate factory was located in Indiana, Democratic speakers and Democratic newspapers all over the country denounced it as a fraud. They even went so far as to say that the output of that factory was not manufactured there at all; that the whole scheme was gotten up as a Republican trick and that its utter failure would soon be announced; that tin could not be profitably made in this country. Instead of this dire disaster coming to pass, however, this industry, from that small beginning, has grown until it is one of the greatest industries in the United States, giving employment to thousands upon thousands of men at splendid wage and affording profitable investment to millions upon millions of capital.

It was also suggested that pearl buttons could be successfully made from fresh-water pearl shells. This, too, was derided by the Democrats, who made all sorts of fun of the project, and many facetious and humorous speeches were indulged in by the Democrats of this House upon this proposition. Nevertheless, a protective tariff was put upon this industry, and what is the result?

In 1914 there was manufactured in this country 26,181,405 gross of pearl buttons, with a value of $7,369,208, representing 43.2 per cent of the total quantity and 45.4 per cent of the total value of all the buttons manufactured in the United States. Of this amount 21,664,436 gross, valued at $4,879,844, were made from fresh-water pearls, and 4,516,969 gross, valued at $2,489,364, from mother-of-pearl, or ocean pearl. This pearl-button industry, under the fostering care of a protective tariff, has grown in the last 25 years from nothing until to-day it is looked upon as one of the great industries of the Nation. Button factories have been built in almost every State in the Union. The mussel shells in every fresh-water creek and stream have become an asset of great value, and the gathering of these shells and the manufacture of them into buttons affords lucrative employment to thousands of people. All of which would never have been had the Democratic Party had its way.

The present war in Europe has demonstrated the absolute necessity for the aniline dyes, that we use in many kinds of manufactures, to be manufactured here, that hereafter we may not find ourselves in the predicament in which we are now placed on account of a shortage of aniline dyes. The present duty on aniline dyes is 30 per cent ad valorem; an amount entirely insufficient to encourage the investment of American capital in this much-needed industry. In 1913 we imported aniline dyes amounting to 44,000,000 pounds, valued at $13,200,000. The duty paid on this importation amounted to $3,960,000. Those who have investigated the subject and who have examined into the cost of the manufacture of these dyes, and the difference in the cost of manufacturing them here and in Eu-

rope, tell us that, in addition to the 30 per cent ad valorem duty now on them, there should be a specific duty of 7½ cents per pound, and that unless such an approximate increase in duty is made, American capital can not be encouraged to invest for the manufacture of the same. The bill that we have before us proposes to reenact the present duty of 30 per cent ad valorem, but only adds a specific duty of 2½ cents per pound. If the gentlemen who claim to know the facts are correct, this added duty will have but little or no effect in encouraging investment in the manufacture of dyes. If a specific duty of 7½ cents per pound is added to the ad valorem duty, taking the importation of 1913 as a basis, it would make an added duty only of $1,584,000. If a duty of 2½ cents only is added, the amount derived from this source will be but a little more than one-fourth of $1,584,000.

The estimated total yearly value of the woolen, silk, cotton, leather, and hosiery industry in this country amounts to $1,860,000,000. Of this amount it is estimated that 85 per cent, or $1,554,180,000 worth of these articles are dyed to a more or less extent. Objection has been urged to putting 7½ cents per pound specific rate on aniline dyes, in addition to the 30 per cent ad valorem duty, for the reason that it would afford too great a profit to the maufacturer. Let us admit for the sake of the argument that this entire amount of $1,584,000 went into the profits of the manufacturer. How much of it would the individual user of dyed goods pay? It would not make more than one-thirtieth of a cent per yard upon all the yards of goods manufactured in these great industries using the same, which have a combined yearly value of $1,860,000,000. Thus showing that the increase in cost to the individual user is so insignificant that it amounts to nothing and would not be felt by anyone. If this added increase of 7½ cents represents the difference between the cost of the manufacture of these dyes in this country and abroad, why is it not the part of wisdom to grant the increase? And when these factories are once established and have reached a point beyond the experimental stage it will be easy enough to ascertain the facts, and if it is found that too large a profit is being made by the manufacturer, it will be very easy to reduce the tariff on this commodity. Without this encouragement I do not believe that much capital will be found to invest itself in this kind of industry. On the other hand, we are assured that with the proper amount of protection there is abundant capital ready and willing to immediately start building large dye establishments sufficient to supply the wants of all the industries using aniline dyes.

We have been saying much and doing much with reference to preparedness against war. There is nothing more important along this line than that we have in our own country dye factories that will manufacture not only the dyes to supply our manufacturing industries, but which will in time of war manufacture the materials for high explosives which will be so imperatively needed in large quantities for the defense of the Nation.

If the American people had held steadily to the protective policy of the Republican Party we would not now be depending upon foreign nations to furnish us with dyestuffs, but, on the other hand, we would have had ample industries of our own manufacturing this great necessity. A number of coal-tar dye industries did spring up in this country under the tariff of 1882, and they were increasing in number and importance until the duty was reduced by a Democratic Congress, which caused their abandonment.

There may be other wars and there is many an emergency that may arise besides war which might prevent our getting dyes sufficient for our use from abroad; and if we profit by the experience which this war has afforded and is affording us, we will not take a chance on being placed again in the precarious condition that we now find ourselves on account of an insufficient amount of dyes to provide for our wants.

It was the dream of William McKinley, the great apostle of protection to American labor and American industries, that the time would come when our national policy would be that of protection to American labor and American industry, and that when that time did come the question of protection would no longer be a political issue, bandied about by the political parties of the country. If there ever was a time more fitting than another for the establishment of this national policy, it is now. Now, when we are made to realize as never before the absolute necessity of a protective tariff, not only for the maintenance of our domestic industries and the labor of our country, but, which is also so essential, for the proper protection of our country itself against the other nations of the earth.

But it seems that the time is not yet ripe for this to be; that those who have so long advocated the free-trade theory are not sufficiently aroused to the importance of the necessity of such a national policy. That they are not in accord with this principle has been evidenced on this floor almost every day since this session of Congress began, and it was likewise forcibly evidenced in the national convention at St. Louis a few days ago, when in the face of all this public necessity the Democratic Party reaffirmed its devotion to and belief in the Underwood tariff bill, which was acclaimed to the world as a tariff for revenue only, or a free-trade law. And we are told that when any revision of that law is made it shall be made in keeping with its free-trade tendencies if there is a Democratic majority in Congress at the time. Yet, in view of all this evidence of their adherence to the theory of free trade, the majority has presented in the pending bill a provision for the establishment of a tariff commission. How many Democrats are there in this House who honestly and earnestly believe in a tariff commission? The leader of the majority, Mr. KITCHIN, in his speech on day before yesterday, was frank enough to admit that until within a very few weeks the idea of a tariff commission was repugnant to the believers in true Democratic principles. What has transpired to change their ideas in this respect? What marvel has come to pass to cause the leopard to so suddenly change its spots?

Is it not the mandate coming from the gentleman on the hill that they are bowing down to rather than obeying the dictates of their own conscience? Is it not a mere expedient to which they are resorting as a subterfuge to carry them over the breakers that they see immediately ahead? That this latter is the real reason that has prompted this sudden change I think is quite well evidenced by what the President himself has to say upon this subject of a tariff commission. In his letter of January 26 last to the leader of the majority side of this House, Mr. KITCHIN, the President, amongst other things, said:

> Our conversation yesterday made me realize that in my letter of the 24th I had not set forth as I should have set them forth my reasons for changing my mind on the question of creating a tariff board, for I must frankly admit that I have changed my mind since I last spoke on that subject—

A most remarkable performance on the part of the President—

> I have changed my mind because all the circumstances of the world have changed, and it seems to me that in view of the extraordinary and far-reaching changes which the European war has brought about it is absolutely necessary that we should have a competent instrument of inquiry along the whole line of the many questions which affect our foreign commerce.
>
> I have had in this change of mind no thought whatever of a change of attitude toward the so-called protective question. That is neither here nor there. A commission such as I have suggested would have nothing to do with theories of policy. They would deal only with facts, and the facts which they would seek ought to be the actual facts of industry and of the conditions of economic exchange prevailing in the world, so that legislation of every kind that touch these matters might be guided by the circumstances disclosed in its inquiries.

From the above quotation we have it from the President himself that while he has changed his mind on almost everything else he has not changed it upon the question of protection; and if he has not changed his mind—and we have not heard from him to the contrary to-day—he is a free trader still. He always has been a free trader, and he is one of the gentlemen who have heretofore subscribed to the proposition that a protective tariff is unconstitutional.

I dare say that the gentleman from Pennsylvania [Mr. BAILEY] expressed the real belief of the majority of the Democratic Members of this House when he said in his open letter of February 14, addressed to the majority leader, Mr. KITCHIN, that—

> As I view it, the measure—

Referring to the creation of a tariff commission—

> is distinctly misleading in character as a whole and in certain provisions it is a concession to ideas utterly at war with Democratic principles.
>
> For many years I have fought the tariff-commission plans as they have been pressed from time to time by Republicans. In this I was in full agreement with my party and with the best teachings of those to whom the party has looked for light and leading. Tariff commissions in the past have been a farce. They have never, even in a slight degree, changed the essential aspects of the problem with which they have sought to deal and in vital particulars the information they have collected has been valueless.

Further on in this letter Mr. BAILEY says:

> Personally I can not become a party to such a betrayal of the Underwood tariff, to such a disregard of Democratic principles and pledges, to such a brazen appropriation of a Republican plan. If there are to be cheaper prices after the war—as I feel perfectly confident there will be—I want my people to have the benefits thereof. I have not fought the trusts and combines for a quarter of a century merely for the pleasure of surrendering to them now under the guise of what I deem a piece of rank false pretense. For the Democrats to reverse their traditional policy on this question, as they are being urged to reverse their traditional policy toward militarism, adopting the one Republican idea as they are being exhorted to adopt the other, would be almost too much. It certainly would be too much for me. And candor compels me to acquaint you with my feelings on the subject. My views, of course, may be of little consequence, but at least they are honest, and I think they are consistent with Democratic principles.

The difference between the President of the United States and Mr. BAILEY is that the President is willing to resort to a subterfuge and a false pretense in order to cover up for the

time being the damage that the present tariff law has done and is doing to this country, while Mr. BAILEY is frank enough and honest enough to admit that such a thing is a mere false pretense, and that it is Pharisaical in character and a fraud upon its face.

The real purpose and function of a tariff commission honestly constituted is to ascertain the facts which will show the difference in the cost of producing a given article at home and abroad. And what can be the purpose of ascertaining these facts if it is not to use them in formulating a tariff to be placed upon that article which will represent the difference between the cost of manufacture at home and abroad? And what does that mean but placing a protective tariff upon that given article? It means no more; it means no less.

If Mr. Wilson has not changed his mind with reference to protection, has he not subjected himself in recommending a tariff commission to the criticism made by the gentleman from Pennsylvania [Mr. BAILEY] that the whole thing is a farce and a false pretense? If we are to have free trade or a tariff for revenue only after this proposed tariff commission is established, the same as we have a tariff for revenue only now, why the necessity of going to all this trouble? Why the necessity of the great outlay of money that will be incident to the establishment of this commission? If, as Mr. BAILEY says, a tariff commission has "never, even in a slight degree, changed the essential aspects of the problem with which they have sought to deal, and in vital particulars the information they have collected has been valueless," what can be the purpose of the proposed tariff commission?

The information gathered by tariff commissions heretofore has been valueless to the Democratic Party, because the information afforded by them have pointed to but one result, and that is to a protective tariff as being essential to the industries of our country. That is the reason why they have not been adopted, and it was because of this fact that a Democratic Congress abolished the tariff commission that was created by a Republican Congress and absolutely refused to accept or consider the facts that had been collected by that tariff commission. In view of this attitude of the Democratic Party and of individual Democrats toward a tariff commission are we not to believe Mr. BAILEY when he says that this attempt on the part of the Democrats to create a tariff commission for any good purpose is a farce and a false pretense?

My prediction is that when this commission is established, if it is established, it will be found that instead of its being used in aid of legitimate investigation and providing the facts whereby the business industries of this country can have a fair measure of protection and the laboring men of this country a like protection it will be used for the purpose of delving into the privacy of our own business institutions to their detriment.

The Republicans of this country have long been in favor of and are now in favor of a tariff commission, the purpose of which will be to aid the legitimate business industries of this country and to aid the honest wage earners of this country. A commission which shall have as its guiding star that policy of protection to American industry and American labor that was the dream of William McKinley; that will make honest and earnest investigation to ascertain the facts for the use of this Congress which will enable it to fix the tariff upon importations so that the American manufacturer shall not be destroyed for the benefit of the foreign manufacturer; so that the American laboring man shall have fair compensation for his labor and shall not be made to compete with the pauper labor of Europe. Such a tariff commission will be a boon to the Nation and it will be hailed with delight by all who are interested in the future welfare of our country. Such a commission will not be a farce or a false pretence. It will be an actuality, designed to do the greatest good for the greatest number. [Applause on the Republican side.]

Mr. FORDNEY. Mr. Chairman, I yield one minute to the gentleman from Ohio [Mr. KEARNS].

Mr. KEARNS. Mr. Chairman, Portsmouth, Ohio, is a city of about 40,000 inhabitants and is located in my district. New Boston is a suburb of Portsmouth. For about 17 years a great steel plant has been in operation in the village of New Boston. Two years ago I was in New Boston, and that great steel plant had reduced its force to about four or five hundred men, working four or five days a week. For 15 years prior to that time it had employed every day in the week, except Sunday, 1,800 men. I was in New Boston again about two months ago. The steel plant was running full blast, with some 2,000 men employed. I met one of the foremen on the street and asked him about it. He said, "Yes; we are running every day. We can not fill our orders. We have war orders." His name is Bill Jenkins. Bill said, "These war orders are coming in faster than we can fill them, but in order to reach this market we have to climb over a wall of dead men. We all know this, and we are helping to make that wall of dead men, and we are ashamed of our jobs." [Applause on the Republican side.]

I wish the United States were full of men with consciences as keen as the conscience of Bill Jenkins; then we would never be called upon to listen to the boasts of Democratic Members of this House rejoicing in America's present prosperity, because that prosperity which appears in spots in this country is soaked in the blood of Germany.

Mr. KITCHIN. Mr. Chairman, I yield to the gentleman from Tennessee [Mr. HULL] such time as he may desire.

Mr. HULL of Tennessee. Mr. Chairman, I consider it most unfortunate that the House has not given more consideration to the tax measures embraced in this bill. We have general complaint in the municipalities, in the counties, in the States, and some in the General Government, with respect to our tax conditions. This bill embraces a number of most important tax provisions, and, in my judgment, it is a matter of deep regret that the membership here has avoided their discussion, except to a very partial extent, but insisted as a rule upon rehearsing and rehashing old campaign speeches. Of course I can understand and appreciate the severe stress of politics, as it appears to some of my ultrastandpat friends in the House; but laboring even under these conditions, it does seem to me that having several weeks ahead of us we could have delivered our campaign speeches later on and consumed the time allotted to this debate in an elaborate explanation and discussion of the merits and demerits of these tax proposals for the information and benefit of our respective constituencies. I listened yesterday with amazement to the declaration of the gentleman from Massachusetts [Mr. GILLETT], one of the oldest and ablest leaders upon his side of the House, when he practically notified the House and the country that he and those cooperating with him would disregard whatever obligation they owed to carry out the preparedness legislation, which has been partially enacted and the remainder of which is pending, unless whatever tax measures might be passed for that purpose should have as their fundamental features the old-time doctrine of standpat protection.

It is inconceivable to me that any Member of this House who advocated this legislation looking to the enlargement of the Army and the Navy and the increase of our fortifications, unless he was merely bluffing or playing politics, would now arise, when we reach the most important stage of that program, and announce that he proposes to hold up the entire movement to enlarge our Army and Navy and increase our fortifications unless the United States Steel Trust, The American Woolen Trust, and all that long list of favored and fattened creatures of the former system of special privilege shall have inserted as the fundamental feature of whatever revenue bill is considered a provision that would first guarantee to them such additional excesses of profits as they might see fit to write into the bill. These bills providing for the increase of the Army and the Navy and the expenses of our fortifications have not yet become laws in the main, and it is not too late to recall much or most of the provisions in those measures if gentlemen who have prated loudest and longest in favor of preparedness in this country are now selfishly going to reverse their attitude when they reach the most important stage of the legislation. I feel as to that matter very much as my distinguished friend from Connecticut [Mr. HILL] expressed himself in March last, when the sugar tariff provision was under consideration. He said at that time:

> I do not believe there is a Member of this House, in the face of the exigencies that confront this country, who is ready to stand and quibble as to how the money shall be raised; but, first of all, he will show his patriotism and raise it, and then criticize the methods used in the next campaign, if he chooses to do so. That is the doctrine upon which I stand, not only with reference to this bill but with reference to all supplementary revenue measures; and the leader of the Democratic side will find me occupying that position during the remainder of this session whenever he can demonstrate that the exigency exists.

[Applause on the Democratic side.]

Mr. Chairman, there have been many rash and inaccurate statements made during this discussion.

Mr. HILL. Mr. Chairman, does the gentleman object to a question at this point?

Mr. HULL of Tennessee. If the gentleman will allow me to make my statement, I will be glad then to yield for any question and try to answer any question that may be asked about the bill.

Mr. HILL. I desire to ask a question in reference to the quotation which the gentleman just made.

Mr. HULL of Tennessee. I shall take pleasure, then, in yielding to the gentleman. I was surprised, even during a campaign year, to hear so many utterly inaccurate and unfounded assertions made by gentlemen who, it must be admitted, are facing political extremities. The gentleman from Michigan

[Mr. FORDNEY], the ranking Republican member on the Committee on Ways and Means, in the course of his speech, not questioning the extraordinary conditions that we must meet, admitting all of them, dismissed the entire consideration of the revenue emergency by the flippant remark that the Payne law, if enacted, or if now in operation, would meet those exigencies, and that no other revenue legislation would be required.

Mr. Chairman, any 10-year-old schoolboy in America knows better than that. Why, Mr. Chairman, it is utterly ridiculous, and I know the gentleman, for whose personality and ability I have great respect, was not in earnest when he made this statement. I have gathered just a few figures to show the absurdity of that contention, which he affects seriously to put forward to the House and to the country as a solution of this revenue situation. He said that the increase of imports under the present law was $357,000,000 over those under the Payne law for the corresponding period of 1913, and that the Payne rates applied to this increase would get the necessary taxes. Now, as a matter of fact, just two items entirely dispose of the suggestion. I find by glancing at the figures of values in our imports that, for the 10 months ending April, 1916, compared with the corresponding 10-months period of 1913, the increase in values was $248,000,000. Only increases of quantity and not of value would enable the specific rates of the Payne law to produce more revenue. Add the other item of $134,000,000 of increased imports that are on the free list under the present law and were likewise on the free list under the Payne law, and the total more than absorbs the gentleman's $357,000,000 to which he was attempting to apply the Payne tariff rates. Now, as a matter of fact, I had hoped that gentlemen on both sides of the House, in view of the serious conditions through which this country, and through which the world, is passing, would readily admit and recognize the plain facts that we alike gather from every avenue of information. Everybody knows that during this war this country has largely ceased to import manufactured goods. For the 11 months ended May, 1916, the imports of manufactures ready for consumption were $281,834,633; for the corresponding period in 1915 they were $312,612,228; while for the corresponding period of 1913, under the Payne law, they were $383,084,000. The amount of imports of manufactures ready for consumption, and from which we get our chief tariff taxes, have largely fallen off and are far below similar imports under the Payne law. The situation is that we are, and have been, during the war, importing from South America and Canada and Asia and Africa and other countries a tremendous amount of raw material, manufacturing it into finished products, and sending and selling them back to the different countries of the world.

For example, we imported for the 11 months ended May, 1915, crude materials for use in manufacturing, $513,000,000, while for the corresponding period ended May, 1916, these imports jumped to $843,614,000, showing an increase of $330,000,000; for the same period ended May, 1915, imports of manufactures for further use in manufacturing amounted to $213,356,000, while the same imports for the corresponding period ended May, 1916, were $313,711,000, an increase of $100,000,000. These two items of imports alone account for $430,000,000 of the so-called increase, about which our Republican friends talk so much in connection with the raising of more tariff taxes.

They have contended until recently that the war acted as a high protective tariff to this country. They now ignore that contention and point to our large imports of raw materials, most of which have been free under all tariff laws, as a desirable source of tariff taxation to meet present revenue necessities.

Why do they not now carry their old-time contention to its logical conclusion and say that the Underwood law has thus allowed the United States to be flooded with imports, and in consequence is driving American manufacturers out of business? They well know that these free imports of raw materials are a boon to our domestic manufacturers. This Republican argument is an insult to the intelligence of every manufacturer in the country.

Mr. Chairman, it is axiomatic that every citizen owes certain duties to the Government under which he lives. He must pay taxes for its maintenance in time of peace and fight for its preservation in time of war. It is a great tribute to our citizenship of the past and present that those who have not had the ability to pay taxes have been ready and willing in times of danger to the Nation to leave family and fireside and hazard both life and limb on the battle field in defense of our free institutions. The question of taxation is always serious and important. It has ever been, and ever will be, a subject of constant controversy. An irrepressible conflict has been waged for thousands of years between the strong and the weak, the former always striving to heap the chief tax burdens upon the latter. That conflict still continues.

Mr. Chairman, the United States to-day finds itself confronted with the problem of levying extraordinary revenues to meet extraordinary expenditures. The General Government is considerably expanding its appropriations for the enlargement of the Army and Navy and our coast defenses, and is also assuming a measurable proportion of expenditures which have heretofore been treated as belonging to the States.

The Army, Navy, and fortifications items have been deliberately increased by the membership of this House without regard to party—each party assuming and claiming its share of the responsibility. The proposed increase of revenues does not involve permanent tax legislation. It simply involves whatever amount of revenue may become necessary to meet almost in its entirety the expenditures of our recent Army and Navy and fortification legislation. Everyone understands that when this duty has been performed and this burden met these tax rates, these tax measures, will naturally be modified or repealed and made to conform to normal conditions and normal expenditures. We may make changes in the income-tax rates periodically, just as every country that has that law changes the rates; we may lower them next year; we may change them again the year after. They are intended to be raised or lowered annually if necessary in order to meet the changing conditions of the Treasury. I still earnestly hope that the proposed normal tax will be 1½ per cent.

The American citizen who enjoys the blessings and benefits of our Federal and State and local governments must pay taxes alike for the support and maintenance of each. His chief concern, therefore, is not to whom he pays but that taxes imposed in support of these respective governmental agencies shall in their aggregate fall as fairly and equitably as possible upon all taxpayers. On account of our dual system of government, it is difficult to impose all these taxes strictly according to this standard. The taxing jurisdictions, as well as the authority to make expenditures, being entirely independent and unrelated, double taxation, conflicts of jurisdiction, and rivalry as to the subjects of taxation often occur. There is no uniformity or coordination between the States and the General Government with respect to either taxation or expenditures.

Until within a recent period both the Federal Government and the States and their subdivisions were able to meet their respective revenue necessities without extended and comprehensive systems of taxation. We are now facing a somewhat new condition. Prior to the Civil War customs receipts met the demands of the Federal Treasury. They averaged less than $20,000,000 a year during the period from 1791 to 1861. They averaged but little over $200,000,000 a year from 1861 to 1916. They averaged less than $275,000,000 a year under the Dingley and Payne tariff tax laws from 1897 to 1913.

Many persons have had the erroneous impression that tariff taxes come from an inexhaustible source of revenue to be tapped at will by the Federal Government and capable of meeting the most extraordinary expenditures. The truth is that the yield of our internal taxes has exceeded the customs yield during 14 separate years from 1861 to 1913.

It is plainly evident that in the future no political party in charge of the Government will ever be able to impose tariff taxes that will yield an amount greatly in excess of $300,000,000, whereas our annual Federal expenditures to be met by taxes alone will aggregate more than $850,000,000. In the very nature of things the tax on whisky and beer will be more liable to decrease than to increase in the future. As far back as 1909 the framers of the Payne tariff law, in search of revenue under normal conditions, were obliged to turn to internal taxes as a means of supplementing the estimated deficient tariff tax yield. They first incorporated in the Payne bill and reported to the House a graduated inheritance tax provision and one taxing coffee. Even these items left a deficit of $10,000,000. Later the special excise tax law on corporations was substituted in the Payne tariff law as a necessary means of meeting the normal expenditures of the Government. In 1913 the framers of the Underwood tariff law inserted a comprehensive and permanent tax on the incomes of individuals and corporations, both as a means of raising adequate revenue and equalizing the tax burdens. This permitted the removal of the tariff from many articles of common necessity and the material reduction of the rates on many other articles of general use by the masses. The customs provisions of the Underwood law will, during normal times, yield near $100,000,000 in excess of the customs laws of any other nation.

With its increases of internal taxes the Payne tariff law yielded less than half the normal revenue. It was impossible as far back as 1909 for even our Republican friends to draft a tariff law that would yield anything near one-half our ordinary receipts. How much less would they be able to do so now! The truth is that our internal taxes were greater

than the tariff taxes during three of the four years of the existence of the Payne law. Having thus been first to turn to internal taxes, Republicans affect now to criticize us for similar action to meet even an emergency. The taxes on whisky and tobacco were together in excess of customs taxes each year but one. Now, the truth is, Mr. Chairman, that every country only receives a comparatively small amount of its revenues from customs duties. We have heard a good deal from high protectionists of Germany and France having very desirable tariff systems. Why, Germany only derives $162,000,000 from her customs duties, and France only $132,000,000. There is a total misapprehension or inconsistency in respect to the arguments of some of my friends on the other side of the House in this connection.

Mr. HILL. Will the gentleman pardon me?

Mr. FORDNEY. Will the gentleman yield for a question?

Mr. HULL of Tennessee. I will be glad to do so.

Mr. FORDNEY. Does the gentleman know the population of France and of Germany is far below our population and therefore the amount raised from revenue is quite in keeping with the amount we raise?

Mr. HULL of Tennessee. If the gentleman will compare the figures he will find the present Underwood law, as conditions were before the war and as they will be after the war, will raise more than a hundred million dollars in excess of any tariff law on the statute books in any European country.

Mr. HILL. If the gentleman will permit, will the gentleman state the per capita of the population of both of those countries is more than double ours?

Mr. HULL of Tennessee. I hope to have space to insert that in my remarks, which I think will justify absolutely my suggestion.

Mr. FORDNEY. Will the gentleman yield for one question?

Mr. HULL of Tennessee. Yes.

Mr. FORDNEY. The gentleman is aware that England raised $3.78 per capita on import duties, whereas we only raised $3.50?

Mr. HULL of Tennessee. The gentleman has exhibited such a distaste of everything English that I have been confining myself to France and Germany. [Applause on the Democratic side.]

Now, Mr. Chairman, the truth is that in Germany the tariff law is not enacted primarily for revenue at all. It is enacted in a manner that the gentleman from Massachusetts [Mr. GILLETT], and those who think as he does, would enact a tariff law, primarily to allow the manufacturers and other special classes and interests to get together and fix up such schedules as satisfy their selfish business purposes at the expense of the masses of the people. The Government has practically nothing to do with it. They appoint a board of business men there, who meet, and after full conference and a decision as to just how much the people will stand without an open revolt, recommended it to the Parliament, and it becomes a law. One result of that class system would have been that Germany would have been in charge of the socialists before now if this war had not broken out.

Mr. SIMS. Will my colleague yield?

Mr. HULL of Tennessee. I will.

Mr. SIMS. What amount of revenue does Germany collect from all other sources compared with the amount of tariff?

Mr. HULL of Tennessee. She gets about $760,000,000 of receipts from many sources. I am sorry that I have not time to go into that again now.

Mr. SIMS. But which would show that the tariff taxes of Germany are much less in proportion to the amount raised than they are in this country?

Mr. HILL. Does not the gentleman know that it is not the manufacturing interests of Germany that control legislation, but it has been, and absolutely, for years the agrarian classes?

Mr. HULL of Tennessee. I am only stating the authorities I have with respect to the German tariff commission. I am only surprised, though, that they have not fallen into the hands of the agrarians a long time earlier.

Mr. Chairman, notwithstanding that since the Civil War our revenue system has been lopsided in its effects, the chief taxes having been imposed on consumption, the people have borne this heavy and unequal burden with small complaint.

Another new factor arising out of the European war necessarily enters into our present revenue considerations. A lesson every nation has long since learned is that during a period of general war tariff taxation becomes utterly unreliable as a means of meeting either ordinary or extraordinary expenditures. Nations, therefore, no longer hesitate, when such wars come, to turn at once to internal duties as the only certain dependence for suitable and adequate revenues. Whatever may be the tariff policy of the political party in charge of this Government in normal or peace times it is likewise compelled under the conditions to seek the chief amount of revenue from internal taxation. It would be worse than economic folly at present to hold to our shattered customs resources as a means of securing any substantial and certain amount of additional revenue. This plain truth, demonstrated by every war, needs no elaboration.

I desire at this time most strongly to point to the fact that whatever views or purposes any political party may profess in regard to an early general revision of the tariff, any such proposed revision made within the next two years would be far worse than no revision. It would be the merest guess and haphazard revision. The most intelligent revision of the tariff that could possibly be made under existing conditions would within two years after the war require a still more general revision in order to meet the new changes in commercial, economic, and financial conditions resulting from the war. No economic truth is more universally recognized than the fact that any tariff revision attempted when the cost of production, prices, and trade conditions in other commercial countries are wholly unnatural, abnormal, and out of joint, would be unintelligible, irrational, and entirely futile. Its chief effect would be to create dreaded suspense, confuson, and practical demoralization in all domestic business affairs until a later revision could be had.

Viewed from any standpoint, the citizen must be selfish, greedy, and shortsighted who would demand or seriously suggest tariff revision before normal conditions develop and reveal themselves.

At the close of the war Europe, commercially and industrially speaking, will be flat on her back. She will be most seriously handicapped by high prices, high wages, inflated currency, destroyed capital, scarcity of skilled labor, loss of export trade, high taxes, burdensome interest, extreme scarcity of all raw materials, and great depletion of her stock of manufactures, both for export and domestic purposes. The principal countries at war will be paying greater annual interest charges than the total amount of taxes annually levied by the United States Government. With these tremendous handicaps, no intelligent person expects Europe to be able to rehabilitate herself commercially and industrially within any short period of time. Many of her best markets have forever been lost to the United States.

Since this Government now has in operation an honest, fair, sound, and well-balanced system of tariff taxation, to which all business has become adjusted, it would be both unwise and suicidal commercially to start an agitation or propaganda to materially change or modify the existing system within the next two or three years and before the manifest results of the European war upon trade, finance, and industry the world over shall become known.

In the meantime the Underwood law, which, notwithstanding its lack of opportunity to be fully tried out, has so far proven so wise, equitable, and beneficial, that it should from every viewpoint continue in permanent operation. It will surely accomplish its share in safeguarding the Treasury and will work no injustice to any legitimate business interests in this country. Whenever new facts shall be developed through the proposed tariff commission or other source which suggest a change in the rate upon a given item here and there and now and then, such change can be promptly made to a competitive basis, with the result that in the end each phase of the present tariff law will become practically and intelligently adjusted to the new conditions to follow the war. This course would avoid the evil and injurious effects on business of constant and useless tariff agitation extending over the next few years.

In my judgment the life of the modernized ultrahigh protective tariff system as heretofore developed in this and one or two other leading countries has reached its end. Apart from its essential injustice to the people, this system has become a positive menace to the peace of all trade countries. It is naturally utilized for purposes of rank discrimination, practical boycotting, undue preferences, and other irritating practices. It also involves, in its logical development, as in Germany, subsidies, bounties, rebates, and drawbacks. The trade practices growing out of the very spirit and operation of these so-called scientific high protective tariff systems have been a source of constant controversy and irritation among the leading commercial nations. It is a matter of common knowledge that the operation of the many unfair, injurious, and trouble-making trade practices and the strenuous trade conquests pursued under these systems chiefly contributed to the outbreak of the present European war.

If I were President of the United States I should, at a later and suitable date, propose to the governments of all commer-

cial nations that at the close of the present European war an international trade conference be held in the city of Washington for the purpose of establishing a permanent international trade congress, the function and duty of such congress to comprise the consideration of all international trade methods, practices, and policies which in their effects are calculated to create destructive commercial controversies or bitter economic wars, and to formulate agreements with respect thereto, designed to eliminate and avoid the injurious results and dangerous possibilities of economic warfare, and to promote fair and friendly trade relations among all the nations of the world.

In the face of Europe's awful condition, it is the shallowest pretense that our giant industries, instead of encouraging their representatives here to perform a patriotic duty by imposing upon them what is comparatively a nominal tax for increased armaments, would threaten to block preparedness legislation and to hold it up unless they are protected by the most exorbitant tariff rates against the millions of former skilled laborers who now lie sleeping in their graves in Europe; against run-down foreign factories that are standing idle; against the women who in a feeble way are trying to turn out enough goods for domestic necessities; against those desolated countries, which, like the South following the Civil War, can not hope to rehabilitate themselves either physically or commercially or financially for years to come.

Gentlemen may undertake to go some distance in the coming campaign on this issue, but in my judgment they will not be successful in getting far.

Mr. HILL. May I ask the gentleman a question, or would he prefer that I should not do so?

Mr. HULL of Tennessee. I shall be glad to yield to the gentleman a little later. I am trying to get on to these bills.

Mr. HILL. I wanted to ask in regard to the $55,000,000 English increase during the last month.

Mr. HULL of Tennessee. I have those increases here and shall try to insert them in my remarks.

The whole trouble with some gentlemen in this House is that they persist in an unreasonable and unseasonable discussion and advocacy of that extreme high system of tariff protection common to two or three European countries, which, I repeat, resulted in such rank discrimination and unfair advantages among different nations that the bitterness and feeling aroused was one of the prime causes of the European war.

While the whole world is undergoing a change in many momentous respects, the United States is not without its own problems. We find that in addition to normal expenditures we must meet two large, separate, extraordinary expenditures, viz, those relating to Mexico and those relating to the increase of the Army and Navy and our fortifications. It is not deemed wise or just that the aggregate amount of both these extraordinary expenditures should be met by taxation in the same year. In accordance with well established fiscal practice under like circumstances the Mexican expenditures should be met by the issuance of bonds; the additional Army and Navy expenditures should be met by increased taxation. This course the committee has pursued.

In looking over the field of internal taxation we found as the most available and equitable sources of additional revenue an increased tax on incomes, an estate tax, and a temporary tax on the manufacture of munitions.

Mr. LONGWORTH. Will the gentleman yield at that point for a question? Has the gentleman made an estimate of the total additional cost so far as the Army and Navy are concerned, as illustrated by the present condition of those bills in the Senate?

Mr. HULL of Tennessee. An estimate was made two or three days ago after very careful inspection, just before the committee's report was written, and after very careful examination of every bill pending and passed, and of all the data on hand by the respective departments.

Mr. LONGWORTH. Can the gentleman state the total amount?

Mr. HULL of Tennessee. I have it here in my papers. I think I shall read it very soon.

Mr. LONGWORTH. Is it more than the $266,000,000 provided in this bill, or in your legislation?

Mr. HULL of Tennessee. Undoubtedly, if those appropriations that are estimated to be expended in 1917 shall all be expended, they will be more.

It can be safely stated that we would not be obliged to broaden the base of Federal taxation to this extent, nor to any additional extent, except as a means of meeting the extraordinary expenditures to which I have alluded. I may say here that I think the Senate is about to overdo these preparedness appropriations. I believe in going to the fullest reasonable extent, but there should also be a reasonable limit. The reasons and the policy in support of increased income taxes are obvious.

I have just listened to my friend from New York, who seemed to be laboring under the misapprehension that the income tax is a head tax, so that a sheepherder in the Rocky Mountain States would pay just as much as Mr. Rockefeller or Mr. Carnegie, so that the plowman in the South would pay just as much as Mr. J. P. Morgan. And under his theory those who amassed 40 per cent of the wealth of the country could segregate themselves in the State of Nevada, for example, and demand that the tax be equal and uniform with respect to every citizen in America and that the little State of Nevada should only be taxed according to population and not wealth. Under this delightful theory wealth could almost entirely exempt itself from all taxation.

I have heard some complaint about these tax rates. Mr. Chairman, some of the European countries have made two or three different increases of their income-tax rates, and either one of those increases has amounted to more in revenue than the entire provisions of this income-tax bill.

Mr. STAFFORD. Will the gentleman yield?

The CHAIRMAN. Will the gentleman from Tennessee yield to the gentleman from Wisconsin?

Mr. HULL of Tennessee. Yes.

Mr. STAFFORD. The gentleman has stated on a couple of occasions that the burden of taxation should be distributed equally among the people.

Mr. HULL of Tennessee. I am soon coming to that point. I have some other items that I wish to refer to before he asks his question.

Mr. STAFFORD. The point I make specifically is why the gentleman levies this burden of four-fifths of the entire revenue of this bill upon one-half of 1 per cent of the people of this country?

Mr. HULL of Tennessee. I am glad the gentleman asked the question, and I am going to ask the gentleman from Ohio [Mr. LONGWORTH] and the gentleman from Connecticut [Mr. HILL] to correct their speeches in that respect before they are sent out as campaign documents.

It has been chronically paraded before the country that the income tax of $124,000,000 was paid by less than one-half of 1 per cent of the population of this country. The fact is that practically one-half of the income tax is paid by some two and one-half million stockholders of 190,000 corporations. You add the three hundred thousand and odd people who have made returns and paid taxes this year to the two and one-half million stockholders and you will have the number of persons who pay the income tax. I should say, too, that our law practically makes the family the unit of income for the purpose of the tax, so that the tax in its chief effects falls on the family, and you would thus properly multiply the number of individual returns by five.

Now, Mr. Chairman, in one foreign country alone an income of over $3,500 pays 10 per cent; of over $5,000, 12½ per cent; over $10,000, 18¾ per cent; over $15,000, 25⅝ per cent; and an income of over $100,000 pays a rise of 33⅓ per cent. For this fiscal year that country expects to realize from its income tax $975,000,000. And yet, when the United States proposes to expend this revenue for the same purpose—building navies and extending fortifications and increasing our armies—we hear complaints because what is relatively a light tax is imposed not permanently but purely for the temporary purpose of meeting these temporary extraordinary expenses.

Mr. DENISON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Tennessee yield to the gentleman from Illinois?

Mr. HULL of Tennessee. Yes.

Mr. DENISON. Will the gentleman state the increase of the income tax in percentages as provided by this bill?

Mr. HULL of Tennessee. I have it here.

Mr. DENISON. The increase in percentages.

Mr. HULL of Tennessee. The increase of percentage runs from 1 to 4 per cent.

Mr. DENISON. I would like the gentleman to state upon what incomes the different percentages are placed.

Mr. HULL of Tennessee. They are set out in the bill.

Mr. DENISON. Is there the same percentage of increase on the large incomes as there is on the small incomes?

Mr. HULL of Tennessee. The normal tax applies to everybody, from the wealthiest man down to the poorest man on the income-tax list. It applies to corporations as well. The normal tax rate has been 1 per cent. We make that 2 per cent. That increases the normal tax rate on everybody alike. On top of that we jump the extreme surtax rate 4 per cent in addition to this 1 per cent levied on everybody, and in addition to that we brought the higher classifications of income much closer to-

gether, so that those with larger incomes will still pay a much larger comparative tax than is apparently indicated under the changed rates.

Mr. DENISON. Then, I understand this bill increases the income tax on the larger incomes as much as it does on the smaller incomes?

Mr. HULL of Tennessee. The gentleman can make his own figures. I will insert in my remarks, if I get time, the effect of the rates on every class of income. The gentleman can make his own figures.

Mr. DENISON. I thought the gentleman had it figured out and could tell us briefly.

Mr. HULL of Tennessee. I am trying to get on to another stage before my time expires. Otherwise I would take pleasure in going into those details.

Now, Mr. Chairman, I want to refer to a charge that is often made—I think it was made by two or three of my colleagues on the committee in my absence yesterday—in line with the suggestion of the gentleman from New York who has just preceded me. Every person in this country knows that an income tax, which, by the way, is universally conceded in every country on earth that is civilized to be the most equitable tax that can be imposed, taxes those who have incomes over a certain amount. Those who unfortunately have them not are not to be required to contribute to this particular tax.

Naturally, when we take a money center like New York, as it is to-day, when we consider the fact that it is the great commercial metropolis of this country, and the gateway to all international trade and finance and commerce, when we consider the fact that the copper mines of Utah, the silver mines of Colorado, the iron ore mines of Minnesota, and the fields, forests, workshops, and factories of all the States South and West and East and North pour one mighty stream of earnings and profits into the city and State of New York annually, every one would agree, if he desired to be fair, that where under our business conditions one great city or one great State draws its wealth alike from every part of the country—everyone must agree that an honest tax, a fair tax, would tax wealth wherever it finds it, and would not permit the income from wealth to segregate itself and seriously challenge the Government to reach it for a reasonable tax.

Now, I wish in that connection to call attention to our tax conditions and tax burdens as they actually exist. If the income tax were the only tax that the American people were going to pay, some of the arguments we hear would be applicable; but it is one of the small items in the aggregate tax laws of this country under which all the people pay.

I have made the most accurate computation possible of all taxes paid by the American people for all governmental purposes, Federal, State, and local, for the year 1913, as follows:

Actual taxes collected in 1913.

General Government	$664,000,000
States	307,000,000
Counties	310,000,000
Municipalities	850,000,000
Total	2,130,000,000

Twenty-two dollars per capita, or $110 per family.

All the people from the hod carrier up were paying to the States and their subdivisions $1,466,000,000, or $15.10 per capita, or $75.50 per family, in 1913.

The masses were also paying to the Federal Government $627,000,000, or $6.46 per capita, or $32.30 per family, in 1913.

It must be agreed that in order to secure equitable tax systems and consequent equitable tax burdens in the United States, the Federal Government, the States, the counties, and the municipalities must, when in the act of imposing new or additional taxes, consider and have in mind all the existing tax laws and the nature and extent of their burdens upon the people. Such new tax legislation would therefore have to conform to the tax conditions already existing.

A recent legislative tax commission of New York in its report on February 14, 1916, in support of an income-tax bill, which it had drafted, stated that under the terms of the bill—

Seventy-two thousand three hundred and forty-five people having incomes less than $3,000 would pay a total of $287,587, while 82 people having the larger incomes in the State would pay a total of $1,809,649. The result is almost startling, and yet the 82 would be paying only their share.

This same report cites a statement from the Wisconsin tax authorities as follows:

Two groups of taxpayers, 667 in number, constitute less than three one-hundredths of 1 per cent of the entire population, but contribute one-half of the income tax.

Another New York State tax commission reported, as most all other State tax commissions agree, that under existing State laws the burden falls principally upon the small property owners.

The Treasury officials estimate that to lower the present Federal exemption to $2,000 and $3,000 would, at existing normal tax rates of 1 per cent, apply to 200,000 additional persons and afford only $4,500,000 additional revenue.

In certain European countries where the income tax is the largest source of revenue and local taxation is comparatively light in its burdens, the exemption is naturally lowered to the small incomes. I should not be very averse to lowering the exemption here, not so much for the revenue which would be small, but to remove the unjust prejudice against the law on account of the exemption.

The Federal Government wants $200,000,000 additional taxes. Where will you get it? Will you turn to the masses who are already paying $1,466,000,000 State and local taxes at the rate of $75.50 per family, and who will pay in addition $550,000,000 in consumption taxes to the Federal Government during the fiscal year 1917? Shall the masses be mulcted for the remainder of the taxes needed? Or shall the additional taxes required be equitably imposed upon the larger owners of income-producing property and from a small graduated estate tax, and a tax upon the profits from the sale of munitions? This latter course will square with every principle of justice and equity in taxation. The present income-tax payers in the United States derive an aggregate annual profit of $7,000,000,000. This amount is easily a 4½ per cent profit on our total national wealth of $200,000,000,000 after deducting the tens of billions owned by the Government, States, counties, municipalities, charitable organizations, and so forth, which would leave not exceeding $150,000,000,000 to $160,000,000,000. If, therefore, a standpatter charges that a compartively small percentage of the total population pay the income tax, the answer is that a still smaller percentage owns or controls practically one-half the total wealth of this country. When you tax wealth—that is, persons according to their ability to pay—you must go where the wealth is.

Take the State of New York, with its greater than $25,000,000,000 of wealth. More than one-half of that wealth consists of intangible and other personal property, and yet it paid practically nothing to the Federal Government, prior to the income-tax law, and but a small amount to the State, or a county, or a municipality; but as to the small property owner, whenever the assessor goes upon his little farm he sees the span of mules, he sees the milch cow, he sees the farm implements, he sees everything on that little farm. There is no chance for it to escape taxation. But when you go to the cities the holders of our $50,000,000,000 of intangible personal property have it in safety vaults and do not pay taxes on more than 5 per cent of it, on the average, in this country. Tangible personality is reached to a greater extent.

Mr. MADDEN. Will the gentleman yield for a question there?

Mr. HULL of Tennessee. Yes.

Mr. MADDEN. Does the gentleman pretend to say that the imposition of this $210,000,000 now proposed to be levied is going to relieve the burden of taxation to the extent of $210,000,000, or is it going to add that much?

Mr. HULL of Tennessee. Certainly, I made no remark that would bear the opposite construction, I hope.

Mr. MADDEN. I understood the gentleman to say that it was going to relieve the burden of taxation on the people to that extent.

Mr. HULL of Tennessee. I was undertaking to say that it was proposed to supplement existing tax laws, in the light of their operation and effects on all the people, by this provision.

Mr. PLATT. Will the gentleman yield for a question?

Mr. HULL of Tennessee. Yes.

Mr. PLATT. Did I understand the gentleman to say that those who have no incomes, or who have incomes below the minimum, are unfortunate enough not to be able to contribute to this tax?

Mr. HULL of Tennessee. Yes; I said that, in the light of the provisions of the law.

Mr. PLATT. Is it the gentleman's theory that the income tax is paid by the people who pay the money over, or does it fall back on others at all?

Mr. HULL of Tennessee. I have read all the authorities I could find on it during the past 10 years, and every reliable authority I have found says that the income tax is less susceptible of being transferred than any other tax that has ever been devised. [Applause on the Democratic side.]

Mr. DAVIS of Texas. Amen!

Mr. PLATT. If that is so, why did the gentleman from Tennessee [Mr. HULL] and the gentleman from Texas [Mr. DAVIS],

who says "Amen," vote in this House only a little while ago to exempt farm loans from the income tax, on the ground that otherwise the tax would go back onto the farmer?

Mr. HULL of Tennessee. I would have been glad to discuss the rural-credit bill as to that feature when the bill was under consideration, but I can not, for utter lack of time, go into that just now.

Mr. HARDY. Will the gentleman yield for a brief question?

Mr. HULL of Tennessee. How much time have I remaining, Mr. Chairman?

The CHAIRMAN. The gentleman has 10 minutes.

Mr. HULL of Tennessee. I hope the gentleman will pardon me for a few moments.

Mr. HARDY. I just want to ask one brief question. If this income tax is all drifted back onto the people, why should those who pay it object to paying it?

Mr. HULL of Tennessee. That question answers itself.

Now, Mr. Chairman, a number of minor changes have been made in the present income-tax law. When it was enacted it was impossible, in the first place, to paragraph it as thoroughly and accurately as should be done, and before the law becomes embedded in the court decisions and the textbooks it was thought by the committee that it should be reparagraphed and a number of kindred provisions in separate parts of the bill brought together under their appropriate headings. These few general changes have been made.

There have been a number of small administrative changes made. There has also been an elaboration of the present provision relating to the taxation of nonresident aliens. This question involves many difficulties. It involves many difficulties to every Government that imposes a tax on incomes and inheritances. That is the matter of avoiding double taxation. My judgment is that by elaborating this provision so that nonresident aliens receiving interest and dividends from our domestic securities would be taxable without discrimination against resident citizens would afford a basis for the working out of a reciprocal agreement through the State Department with such principal countries as Germany, France, and Great Britain, which might later be written into this law. It would be of incalculable convenience and value to each of the leading countries to have an equitable reciprocal agreement which could be incorporated in their respective laws, making a proper allotment of taxes from inheritances and incomes between the different countries. Another change would allow banks loaning money on mortgage or lien notes and issuing bonds secured by such notes and selling them to investors to deduct their bonded interest as an expense.

Now, I wish to say just a few words with respect to the State taxes.

Mr. SHERLEY. Before the gentleman leaves the income-tax provision there is one matter I would like to ask him about. Under the existing law the income tax as it applies to persons permits a deduction by the individual of any interest that he might pay during the year. When it comes to corporations, only interest in certain cases and to a certain extent paid by corporations is permitted to be deducted. Now, why?

Mr. HULL of Tennessee. I have an idea as to the phase of this matter that the gentleman has in mind.

Mr. SHERLEY. No; before I come to the particular matter about which I talked to the gentleman, I want to understand this basic matter. Perhaps I can direct him by saying that the only reason I have been able to find from anybody has been the suggestion that otherwise a corporation, by distributing its earnings in the form of interest on a debt to its stockholders, might avoid the payment of a tax, but the provision has resulted in endless confusion in the department, conflicting rulings, and more trouble than almost any other single paragraph in the income-tax law.

Mr. HULL of Tennessee. There was a somewhat drastic provision on that subject in the special excise tax law of 1909, which was carried in modified form into the present law, and we have undertaken to relax that to some extent. I think the original theory of the matter was that corporations could issue quite a lot of watered stock, transfer that into bonds, mortgage their property, and incur interest, and make a great many shifts in many ways that would result in avoiding the real purpose of the law. This bill allows them to deduct interest on an amount of indebtedness double their capital stock.

Mr. SHERLEY. Well, but the interest that it pays upon its debt, if it be a legitimate debt, is in turn accounted for by individuals when they come to make their returns as individuals. Now I can see why, when you do not tax individuals but only tax corporations, you should have a particular provision touching interest payments. But now you are taxing both the corporation and the individual, and I wanted to find out whether the committee had considered the simplification of the law by providing that the corporation should do as individuals do, and that all interest paid should be considered as an expense of doing business, assuming of course that it is a legitimate one. If it is a fraudulent one, it can be checked up otherwise. This would cut out a multitude of questions as to the character of business a corporation is doing and whether or not it is entitled to deduct this interest.

Mr. HULL of Tennessee. Many laws let corporations pay taxes with respect to dividends and interest. The corporation excise tax law partially required that. This law carries out the same provision, in a measure, in line with that theory that the corporation would not be allowed the same deduction in view of the manner in which it was organized and its superior business advantages that the individual would.

Mr. SHERLEY. Yes, but why? I want to get the reason and not the fact. I know that you made the distinction between taxing a corporation and an individual. Why should not the corporation that legitimately pays the interest on its debt be entitled to the deduction that the individual is? Why should the corporation that needs to borrow money to do business be penalized, whereas a corporation that does not have to borrow is benefited?

Mr. HULL of Tennessee. There is no relation so far as taxation is concerned between the bondholder and a corporation. The law exacts of the bondholder tax on the entire interest received from whatever source. As to corporations I might repeat the statement already made, but I do not think that is necessary. The original provision was modified, but it was not thrown wide open.

Mr. SHERLEY. This is a most important question, more important than political discussion, and I would like to have some discussion on the form of the bill.

Mr. STAFFORD. The gentleman can not get that under the rule.

Mr. SHERLEY. Oh, yes; but gentlemen over there are as guilty as they are on this side, for they have taken up the time in political discussion.

Mr. STAFFORD. I would rather have it under the five-minute rule.

Mr. HULL of Tennessee. I wish in the brief time I have left to call attention to the proposed tax on estates and comment on the objections offered on account of the fact that the States have many inheritance-tax laws. I found, Mr. Chairman, as has been suggested by some of the ablest economical writers and students in this country, that the inheritance tax is absolutely equitable and just. I found that it is, possibly, the oldest tax law in existence. It is common to every country, old and young, large and small, throughout the world. It is the quickest and the easiest tax collected that can possibly be devised. Some countries, with half our wealth, have been during peace and normal times realizing more than $100,000,000 on this particular tax levy, and without complaint from anybody.

Mr. MADDEN. How about the case where the tax is duplicated?

Mr. HULL of Tennessee. I will take that up now. The objection is offered that it results in duplication or double taxation as they generally state it. Double taxation is offensive and unfair in the sense that it is unequal. But if one State imposes a tax rate on real estate and the county imposes a tax on the same real estate, and the municipality imposes a tax on the same real estate, that is duplicate taxation, but it is not double taxation in an objectionable sense. [Applause.]

Dr. E. R. A. Seligman, one of the ablest economic writers in this country, and the most effective advocate of taxes on incomes and inheritances, has recently pointed out in a magazine article the fact that inheritances afford the largest untapped field of taxation in this country and suggests the wisdom of a Federal tax. I am in hearty accord with his views, although I confess, in common with many others, a former bias in favor of reserving this source entirely to the States. It is self-evident that the Federal Government in the future must look to internal taxes for more than $500,000,000 of revenue. In view of the far greater revenue requirements of the General Government and the comparatively small amount of taxes derived in the aggregate by the States after many years of experimentation with inheritance-tax laws, it is difficult to escape the conclusion that by far the most practical recourse of the Federal Government is to estate or inheritance taxes. The most recent returns show that the 42 States having inheritance-tax laws in some form derive only $29,000,000 revenue therefrom, whereas England, with less than half of our wealth, derives over $100,000,000 from her estate tax alone.

Some governmental agency should derive a substantial amount of tax from this undeveloped source. The justness and the

policy of this tax is not questioned; it is cheap and easy of collection and affords a constant and regular yield of revenue. There is a general demand among the people throughout the country for a substantial tax on the transmission of property. The States are under a number of handicaps in their efforts to impose comprehensive inheritance taxes. They are hampered by lack of jurisdiction; harsh double taxation constantly results from conflicting State laws; great difficulties in reaching intangible and other personal property for taxation are experienced at every step. Claims and counterclaims between different States as to the domicile of a decedent frequently result in protracted legal controversies.

It is utterly impossible thus far for the States to secure any sort of uniformity with respect to these handicaps. Another most serious drawback to the State laws is the fact that when one State undertakes to establish a substantial scale of rates wealthy taxpayers change their domicile to a State having lower rates or none at all. New York tax authorities estimated that $400,000,000 left that State within the first eight months after the legislature increased the inheritance tax rates. All these difficulties would not interfere with the successful operation of a Federal law. While it is true that the General Government has the exclusive right to impose customs taxes, it is equally true that far less than half the requisite amount of revenue can be obtained from this source. It is also true that the States are given sole power to impose direct taxes in this country. They have the power to impose direct taxes on our total real and personal property. The value of real property and improvements alone is about $110,000,000,000.

The power of the States to impose special, business, license, and other taxes is well understood. European Governments have found from experience that Federal uniformity in estate and inheritance taxation is both wise and measurably necessary. The German Empire levies a federal inheritance tax and distributes one-third of it among the States. Great Britain likewise imposes a combination of so-called death duties, including estate, legacy, and other taxes, and distributes 33⅓ per cent of their receipts to her subdivisions. It would be highly desirable for the States and the Federal Government to secure $150,000,000 a year from estate and inheritance taxes. Should one-third go to the States they would thus receive a far greater inheritance tax yield—almost double—than they have heretofore derived from their local laws. In my opinion, citizens interested in developing this tax to a substantial revenue producing point would find it highly desirable to give attention to the problem of State and Federal coordination. I am not concerned so much as to the method as I am in seeing the States and Federal Government agree on a basis that would award to each their equitable proportions of an annual yield of $150,000,000 of estate and inheritance tax revenue. I have prepared for discussion and consideration a measure designed to accomplish this result. I contemplate formally introducing it at a later date.

The effect of the rates carried in the pending estate-tax bill when considered as a supplement to our State taxes on shares of estates will not be unjust or unreasonable; on the contrary, the State laws and the proposed Federal law, when considered as a combined tax measure, so supplement each other as to make the entire taxes imposed by each more equitable than heretofore. The State laws have a rather high graduation on the shares of collaterals which the proposed measure does not impose. The States tax the smaller estates and shares thereof. The two systems taken together, therefore, do not conflict, but constitute a better rounded piece of fiscal legislation.

The proposed estate tax would also harmonize with the present income-tax law in that the estate tax would in effect come from those receiving unearned income and not from those receiving earned income. There can be no possible objection offered to the effect that this tax would injure or affect capital. Wealth increases more rapidly in this country, perhaps, than in any other. The present annual increase of our national wealth must be around $12,000,000,000. The proposed estate tax, therefore, would amount to less than one-half of 1 per cent of our annual increase of wealth and would never touch capital.

From 1904 to 1912 our national wealth increased $80,000,000,000, or $10,000,000,000 a year. An estate or inheritance tax of $150,000,000 equitably and uniformly adjusted would only be 1½ per cent of the annual increase of our national wealth and only one-twelfth of 1 per cent of the value of our total national wealth in 1912, which was $187,739,000,000. The wealth of this country is more than double the wealth of the United Kingdom, or any other country in the world. The revenue derived from the combined State inheritance-tax laws aggregates about $29,000,000, which is about three-tenths of 1 per cent of our annual increase of wealth prior to 1913, amounting to $10,000,000,000, or one-sixtieth of 1 per cent of our total national wealth.

In this connection the fact should not be overlooked that during the life of the owner not exceeding 50 per cent of the value of his realty and from 5 to 20 per cent of the value of his personalty is reached for any kind of taxation. Who, therefore, can object to the payment by his estate left at death of a trivial emergency tax such as the proposed measure imposes?

Experience teaches us that three-fourths of the value of real estate passing by death goes to direct heirs. The reason the States get very little revenue from their inheritance laws which impose a tax chiefly on collaterals is obvious. The most wholesale evasion of the State inheritance-tax laws by people possessing large estates at death is constantly occurring. The various methods of evasion are too generally known to require further reference. Another serious disadvantage under which our State laws labor relates to the properties of many public-service and other corporations.

I am informed, for example, that the street car system of Milwaukee is valued at $50,000,000 and that the stock of this corporation is vested in a holding company in New York. Virtually none of the stockholders reside in Wisconsin. Naturally, Wisconsin gets practically nothing under its inheritance-tax law from this immense property. I think this condition is somewhat general throughout the country. It is easy for the real owners of stocks and other valuable properties, especially of an intangible nature, to domicile themselves in States with low inheritance-tax rates or none at all, and thus render it most difficult of access to their estates under our State laws.

An estate tax in this country should carry suitable rates and should be combined with a well-balanced system of share taxes when viewed as a permanent tax measure. The proposed estate tax, therefore, is not within itself a comprehensive bill, but is primarily intended to aid in meeting the temporary and extraordinary armament expenditures. In pursuit of exact equity under State share tax laws the estate is divided and subdivided, and often again subdivided, until the shares become so small that even very high rates afford but comparatively small and disappointing revenues. Under the general laws of descent the proposed estate tax would be first taken out of the net estate before distribution, and distribution made under the same rule that would otherwise govern it. Where the decedent makes a will he can allow the estate tax to fasten on his net estate in the same manner, or if he objects to this equitable method of imposing it upon the entire net estate before distribution he can insert a residuary clause or other provision in his will, the effect of which would more or less change the incidence of the tax.

In view of that portion of the increased expenditures for the Army and Navy and fortifications which will be permanent, and the course of the Federal Government in taking over many important expenditures heretofore considered as belonging to the States and their localities, such as public roads and other appropriations, it is evident that in the future the Federal Government will be obliged to impose a reasonable tax on incomes, estates, or inheritances, tobacco, and whisky as internal duties, in addition to the tariff taxes.

In my judgment, a well-balanced system of coordination between the States and the Federal Government, with respect to both income and inheritance taxes will prove wise, necessary, and feasible. With such plan in operation, the States could repeal their general property-tax systems and the people would enjoy a system of equitable taxation not at all burdensome. This method would embrace reciprocal arrangements for the assessment and collection of the taxes. The Federal Government would properly allow each State imposing similar taxes access to its records, showing in strict confidence the returns of taxpayers under the income tax law. I should be glad to see that provision in the proposed measure. This country is to-day facing the great problem of devising a broad, comprehensive system of equitable taxation, which will meet the revenue requirements of all governmental agencies from Federal to municipal, so that the burden as a whole will fall in just proportion upon each citizen.

Mr. Chairman, during the war almost every nation has been obliged to enact temporary war emergency-tax laws, imposing such as excess-profit taxes, excess-income taxes, and other excess or super taxes. This action has been based upon revenue emergencies and necessities.

In the pending bill the committee sought to eliminate all the special taxes possible, and has the hope that the remainder may be eliminated within a short time. At the same time, in accordance with the sound policy pursued by several other nations, a provision has been reported in this bill imposing a tax upon the profits from the sale of certain munitions and like products. The rates thus imposed are lighter in their effects than those of any other excess-profits tax law. Canada imposes a rate of

25 per cent of excess profits, Germany and England each 50 per cent, and France a graduated tax of from 5 per cent to 30 per cent.

I regret that my time does not permit me to discuss the provisions of this bill, and in fact some of the other tax provisions of this omnibus measure, in detail.

I hope that, taken as a whole, the pending measure will meet the approval of this House, and I am confident it will, under the circumstances, meet the approval of the country.

Mr. KITCHIN. Mr. Chairman, I yield to the gentleman from Illinois [Mr. WM. ELZA WILLIAMS].

[Mr. WM. ELZA WILLIAMS addressed the committee. See Appendix.]

Mr. KITCHIN. Mr. Chairman, how much time is there remaining?

The CHAIRMAN. The gentleman from Michigan [Mr. FORDNEY] has 37 minutes remaining and the gentleman from North Carolina 15 minutes.

Mr. MANN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MANN. Thirty-seven minutes and 15 minutes will carry us past half past 1 o'clock. What is the order of the House?

Mr. KITCHIN. We were to have two hours and a half.

Mr. MANN. My impression is—I was not here—that the order was that general debate would expire at half past 1.

The CHAIRMAN. The Chair is informed that it was extended two hours and a half without reference to the particular hour.

Mr. KITCHIN. I understand there was unanimous consent to an extension of two hours and a half, an hour and a quarter on each side. We thought that we might get through at 1.30.

Mr. FORDNEY. Mr. Chairman, I yield 30 minutes to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. Mr. Chairman, Congressman QUIN, a Democrat from the State of Mississippi, one of the Democratic leaders of the House, in a speech on the floor yesterday on the pending bill, said in substance in reply to a charge of Democratic extravagance:

> Is it extravagance to shut out the intrenched privilege gang that has so long controlled the burglars who dominate the Grand Old Party? We have shut the door in their faces and said, "No more shall you put your heads inside of the people's Congress."

Mr. QUIN boasted of the determination of his party to collect the taxes to maintain the Government from the North, while they allow the South to escape. He said:

> Through your pernicious and insidious protective tariff you want to rob the farmer and tax all his farming implements and everything he buys.

From the amount of applause that QUIN's remarks received from Democrats on the floor it seems evident that he was expressing the sentiments of his party.

Four Northern States, Massachusetts, Pennsylvania, New York, and Illinois, paid $85,000,000 of the $124,000,000 collected from income taxes during the fiscal year closed June 30, 1916, while 12 Southern States, Mississippi, from which the gentleman, Mr. QUIN, comes, Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia, paid a total of $5,389,670. Twelve Northern States paid for the fiscal year 1916, $409,000,000 out of the $512,000,000 internal taxes, while the other 36 States, including Mississippi, paid only $103,000,000.

The Democratic Party is claiming through its newspaper organs that they have provided appropriations of $669,000,000 in the preparedness program. The truth is that the pending naval bill carries $228,000,000 more than the naval bill for last year, and the Army bill $166,000,000 more, making $394,000,000. There is considerable difference between $669,000,000 and $394,000,000, or was when I went to school. The pending bill proposes to double the income tax, and provides that $197,000,000 shall be raised under the provisions of the bill. The Democratic leader of the House, Mr. KITCHIN, in his speech explaining the bill, said that the proposition is to raise $266,000,000, $69,000,000 of this to be taken out of the surplus in the Treasury. The plan outlined in the bill does not contemplate raising revenues for the expense incurred in the Mexican fiasco, but it is proposed to issue $125,000,000 of bonds to meet whatever expense is incurred in connection with the mobilization of the militia and the concentration of the Army on the Mexican border.

It must be a matter of regret to every American to watch the vacillating attitude of the Democratic administration in connection with American interests in Mexico. The naval fleet is sent to Vera Cruz to get a salute to the flag. It comes back with the flag drooping at the masthead expressing its regret at having failed to receive the salute. The flag bows its head in shame as it passes American citizens on its way home, because of the impotency of the administration that sent it there. Instead of coming back filled with pride as it would like to do, it comes back draped in mourning for the lives of those who fell in its defense at Vera Cruz. Huerta was driven out of Mexico and an alliance was entered into with Carranza and Villa by the administration.

Ammunition is allowed to be sent to Mexicans across the border to be used against the Americans and for the destruction of American property. Our citizens are allowed to be killed without protest. Carranza and Villa are allowed to destroy property without a murmur of complaint and, finally, they turn their guns with ammunition allowed to be supplied to them by American manufacturers against American soldiers, and even within the last few weeks it is said that we have allowed 3,000,000 rounds of ammunition to pass the American border into Mexico to be used against American soldiers. They ambush our soldiers at Carrizal, a number of whom are left dead upon the field. Others are taken prisoners, and the administration makes no protest on account of those who were killed, but demands the release of those who were captured as one of the conditions of peace. It is a humiliating spectacle and makes every American bow his head in shame. Nobody wants war, and I pray God that no war will come, but everybody under the American flag wants to maintain the honor of the Nation and it should be maintained at any cost. [Applause on the Republican side.]

The Democratic administration has been conspicuous for its inefficiency and extravagance as well as for its vacillating foreign policy, and because of this extravagance and lack of courage to meet the situation in Mexico, we find ourselves considering a revenue bill to impose new burdens upon the American people. There would be no necessity for this bill had the administration been conducted under systematic economical business methods.

Twenty million dollars appropriated for a nitrate plant could have been saved. At least $25,000,000 of the $43,000,000 carried in the river and harbor bill is wasted. You have levied a $44,000,000 charge upon the Treasury to pay the salaries of those occupying 30,000 useless places that you have created outside the civil service. You have levied a tax of $75,000,000 upon the people for Federal road building, which could just as well have been postponed until the present emergency was passed.

Fifty million dollars has been recently appropriated for flood control, which, under the method applied, will be useless, for it must be agreed by all that you can not control floods at the outlets of the streams while nothing is done to regulate them at the source.

You have appropriated $50,000,000 to buy ships, not one of which can be secured for more than three years to come.

Eleven million dollars has been thrown away for the establishment of an armor-plate plant, and it will be just $11,000,000 of junk before you make a pound of armor plate.

This $255,000,000 need not have been expended. In addition to this, your argument to the contrary notwithstanding, the imports exceed between three and four hundred million dollars those of any other year in the country's history, and the revenues from these imports are approximately $110,000,000 less than ever before, and you have lost all that to the Treasury.

If the savings I have indicated had been made and the proper charge had been levied against the shippers of foreign goods into American ports, we would have $365,000,000 to use in the development of the program of preparedness. [Applause on the Republican side.] Instead of that the people of the North are compelled to pay additional taxes in order that you gentlemen from the South, who are in control of the Government, may continue in your mad rush of extravagant expenditures.

You have constantly expressed the opinion that the rich men of the country should pay the taxes because the rank and file fight the Nation's battles to protect their property, but it is not only evident that the North is called on to pay the taxes to maintain the Government, while the South absorbs the revenues, but the North has supplied the men to meet the call of the President for the country's defense, while it is said that, with the exception of Maryland, Texas, and the District of Columbia, not a single man has gone to the borders of Mexico from a southern State. Even the great State of Texas was unable to muster out of its 3,200 members of the National Guard more than about 2,100 men, 1,067 men having refused to respond to the President's call or to take the oath required by the resolution of Congress.

Mr. HARDY. Mr. Chairman, I would like to know where the gentleman gets that information?

Mr. MADDEN. I got that information from the source where it lies.

Mr. HARDY. My letters come to me from Texas soldiers who have gone to the front in any number.

Mr. MADDEN. I do not yield to the gentleman. I give the gentleman the figures.

You have forfeited your right to the people's confidence. You have not reduced the cost of living as you promised to do when you were appealing for votes in 1912. On the contrary, you have opened the ports of America to the free entry of the products of the world, while the cost of living has continually gone up.

You have refused to economize in the conduct of the Government's business.

You have given no protection to the lives and property of American citizens in foreign lands.

You have proved your unfitness for government.

You have been brazen in your determination to levy tribute in the form of taxation upon business enterprise.

You are taking away from the States the revenue which belongs to them by the application of the principle involved in the inheritance-tax section of this bill.

The State of Illinois alone collected in 1914 $1,400,000 from inheritance taxes, and in 1915 $1,995,000, and I am told that the State of New York collected as a result of an inheritance tax last year more than $11,000,000.

If it had not been for the war in Europe the business of the Nation would be paralyzed, and there is growing evidence of the fact that unless a change of administration takes place at the coming election and some economic policy is adopted to conserve the rights of America and Americans to their own market, there will be an invasion of foreign-made products into American ports that will close every mill and workshop and drive every workingman into a state of idleness, want, and despair.

You have levied taxes on the corporations without limit in the belief that they are all gold mines. You believe that every form of corporate enterprise is a menace to the life of the Nation. You do not understand the business needs of the American people. You are not familiar with the industrial side of American life. You are not qualified to run a great business enterprise like the Government of the United States. [Prolonged applause on the Republican side.]

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. FORDNEY. Mr. Chairman, I yield five minutes to the gentleman from Kentucky [Mr. LANGLEY.]

Mr. LANGLEY. Mr. Chairman, I congratulate my distinguished friend from North Carolina [Mr. KITCHIN] and his associates on that side of the House upon the progress they are making in purloining Republican policies. [Applause and laughter on the Republican side.] I can almost hear yet the echo of their denunciation of the Republican plan of a tariff commission, and of course we all well remember their mad haste when they got into power to abolish the tariff board. Now, after all that, they are proposing to give us a tariff commission. It is funny, is it not? [Laughter.] I think some of you have overlooked the main reason for their apparent change of heart on this question. When they were abolishing the tariff board and opposing so strenuously a tariff commission they were flushed with victory. They were drunk with power. They had been commanded by a tremendous minority of the people to settle all of these great problems at first hand. They did not want any scientific advice on the tariff. Neither did they want a nonpartisan tariff. They wanted to handle the whole proposition themselves without the aid or consent of anybody else. [Laughter.] Now that they have handled it and made a mess of it, and knowing that they are going out of power in a few months, they have made up their minds that they, too, want a tariff commission, but they want a free-trade tariff commission, named by Woodrow Wilson. I am in favor of a tariff commission, too, but I am not in favor of one of the character that he would name. I want a tariff commission that is not saturated with the dogmas and sophistries of free trade. I want the kind of a tariff commission that President Hughes will appoint. [Applause on the Republican side.]

Why, they even give us a little tidbit of protection in this bill, too. Knowing as well as I do the personal views of the gentleman from North Carolina I am not surprised that he wants even this little pill sugar-coated before he takes it. But in the fullness of time he will have to take a much larger pill, and that, too, without any sugar coating, for the country is getting ready to go back to that good old Republican policy of protection. [Applause on the Republican side.]

I will have to confess that there are some good features in this bill—things that I would like to vote for as separate propositions—but I can not vote for the bill as a whole. The purpose and effect of it are manifest. It is designed to permanently fasten upon this Government a fiscal policy totally at variance with our traditional policy of protection under which our country has grown and prospered so much. I am unalterably opposed to doing that. I believe that at least $100,000,000 of the vast sum you are proposing to raise ought to be raised by an increased duty on imports. It would be infinitely better for the country to do it in that way, not only because it would keep out that much foreign competition and thus stimulate home production but it would make lighter the enormous burden of taxation which you are proposing by this bill to place upon the people.

As I watch the alarming growth in our annual appropriations under this Democratic régime and the frantic efforts of you Democrats to devise means whereby to raise the money to pay them, my memory runs back to the time when you were restored to power in the House. While the then chairman of the Ways and Means Committee, Mr. UNDERWOOD, and the present chairman, Mr. KITCHIN, and the distinguished Speaker of this House, and other Democratic leaders, were lambasting us Republicans, accusing us of extravagant appropriations, of squandering the peoples' money, and of otherwise betraying their trust, some of you gentlemen who are sitting over there now on the Democratic side, who, having just entered Congress were on the job, cast contemptuous commiserating glances across the aisle at us Republicans, and you looked to me as if you wanted to say, "Are not you fellows ashamed of yourselves to treat the people the way you have? How can you have the nerve, after what you have done, to again come back here and take the oath of office and sit down among us anointed of the Lord?" But what a change has come over the spirit of your dreams! How calm and docile you are now! Some of you have changed your attitude toward us so radically that you even concede that we are patriotic and loyal to the flag of our country. Your distinguished floor leader has become so pacific and nonpartisan that he did us the honor the other day to appeal to us to cast aside partisanship and vote to help pull the Democrats out of the hole they have fallen into. [Laughter.] Why, you have become so meek and domesticated that even the gentleman from Washington [Mr. HUMPHREY] can get up here and hammer you for half an hour on the failures and mistakes you have made, and there is scarcely one of you who will lift up your head, much less your voice, in feeble protest. [Laughter.]

Mr. CARTER. Will the gentleman yield?

Mr. LANGLEY. Oh, I can not yield, as I have but little time. If I had the time, I would gladly do so.

Yea, verily, it is a wonderful change; and it has a meaning, too. "Coming events cast their shadows before." It is the calm that comes before the breaking of the storm. It denotes the beginning of the end of the rule of Democracy.

Charles Evans Hughes will be elected President [applause on the Republican side] and he will bring with him to Washington a Republican House and a Republican Senate, and then peace, happiness, and real, universal prosperity will come again to all the people. [Loud applause on the Republican side.] Therefore, Mr. Chairman, I am not going to worry so much if this bill does became a law. Really, I think that, as a matter of retributive justice, we deserve a dose of this kind for being fools enough to split up among ourselves and allow you fellows to get back into power. [Applause.] It will only be a few months until we will wipe all of it that is bad off the books and put in its place a genuine Republican revenue law.

Mr. Chairman, I had prepared what I think was a pretty good 15-minute speech, and I had secured the allotment of sufficient time to deliver it here this afternoon, but the pressure for time on this side of the House was very great and being always liberal and good natured I have yielded up the most of my time to others who desire to speak. I shall, however, take advantage of the privilege which has been accorded of extending my remarks in a later issue of the RECORD; and I invite your special attention to one chapter of it which will be entitled: "The psychological processes involved in the mind changing of President Wilson and his party, the subjects on which they have changed, and the chronological order in which the changes have occurred." [Laughter and applause.]

Mr. FORDNEY. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. STERLING]. [Applause.]

Mr. STERLING. Mr. Chairman, on yesterday afternoon there was some discussion on the question as to whether the American consumer or the importer paid the tariff duty. I wish briefly to address myself to that question. I have had an impression since I studied political economy in my school days that the American consumer paid every cent of a Democratic free-trade tariff. I have also had the impression that the American consumer never paid all the Republican protective tariff;

that he sometimes paid a part of it, and frequently none; and when the consumer has at any time paid any part of a Republican protective tariff it was only temporary until such time as American competition, competition among our own industries, reduced the cost to the American consumer below the cost at which he bought from the importer. My experience and my observations have confirmed that impression; and I have the conviction now that every dollar of a Democratic free-trade tariff is paid by the American consumer, and that never all of a Republican protective tariff is paid by the consumer—that sometimes a part and frequently none is paid by the American consumer. I think I can demonstrate it to a fair mind that such is the fact. The difference between the Democratic free trader and the Republican protectionist is not a difference in rates. The fundamental difference between them is on the question of what imports shall bear a duty. Sometimes Democratic rates have been higher than Republican rates. The Democratic Party has said that the tariff duty should always be imposed on noncompetitives—things the like of which we do not produce in this country—and if we do not raise enough revenue in that way to run the Government they then impose a tariff on competitive articles, but always taking care that the rate shall be so low that it does not interfere with foreign competition.

The Republican Party has said that the tariff should be imposed on competitive articles; on things the like of which were produced in this country, and if we did not in that way produce sufficient revenue to run the Government, then they impose a tariff on noncompetitive articles, so far as possible confining it to the luxuries of life. Let us go back to the days when Democratic free trade was in its original purity. Take any Democratic administration from Jefferson to the Civil War. Let us go with the customhouse officer to a ship coming from a foreign port. When he takes the inventory of the ship's cargo under a Democratic administration, he finds that it is made up of noncompetitive articles—a hundred things, the like of which are not produced in the United States. Sugar in those days was a noncompetitive article, or tea, or numerous drugs, or a hundred things which are not produced here. The Democratic customhouse officer tells the importer that under this administration a very heavy rate of duty is imposed upon those things. The importer says "That is all right; no apology is necessary. How much is the duty?" He pays it into the Treasury of the United States, adds the duty to the price of his article, and sells to the American consumer at the increased price. And why should he not do so? There is no competition in this country. We were not in those days producing sugar. We did not produce tea or quinine or camphor, or a thousand things that grow in other latitudes and in other climes, and on these things the Democratic Party imposed a high tariff. The importer added it to the price of his goods, and the American consumer paid it back to him in the price he paid for the goods.

Another ship comes in loaded with competitive articles. It carries in its cargo, wool grown on a hundred American farms, cutlery made in a hundred American factories, manufactured cotton, in which industry many American workmen are engaged, and a hundred other things produced in this country. To this importer the Democratic officer from the customhouse says, "On many of these things no duty is charged or on some of them a very low duty, but not enough to interfere with you in the American market. We desire to encourage your importation of these things into the United States in order to produce competition against the American producer, and thus we have imposed a very small, and in many instances no duty at all, so you will have an advantge in the American market against the American producer." The importer thanks the Democratic customhouse officer for his kindly consideration, pays the little duty imposed into the Treasury of the United States, adds the amount paid to the price of his goods, and sells it to the American consumer at the increased price, because after adding the duty to the original price of his goods he can still undersell the American producer.

So it seems clear to me that the American consumer pays every dollar of the Democratic free-trade tariff, whether it be a heavy duty on noncompetitive imports or the low duty on competitive imports.

Let us see how it works in the case of a Republican protective tariff. Take any Republican administration from the time of the Civil War until Mr. Taft retired from the presidency. Let us accompany a Republican customhouse officer to some ship from a foreign port. We find the cargo is made up of competitive articles, things the like of which are produced in the United States. The importer is informed that on account of the fact that Americans are engaged in the production of those things the Government has seen fit to impose a somewhat heavy duty on imports of that kind. He tells him that millions of capital are invested in American farms and factories producing those same things, and that millions of American workmen are engaged in their production, and for this reason the importer is required to pay a protective duty.

The importer pays it, and if he can add all of that duty to the price of his goods and still undersell the American producer, then it is not a protective duty. If he can add one-half of the duty to the price of his goods and still undersell the American producer he does so and sells it to the American consumer at a price increased by one-half of the amount of the duty, and the American consumer pays that one-half. The importer pays the other half out of his profits. If he can only add 10 per cent of the duty to the price of his goods and undersell the American producer he adds that amount, and the American consumer pays that 10 per cent of that protective duty and the importer pays the other 90 per cent. If he can not undersell the American producer by adding any part of the duty to the price of the goods he adds none, and in that case the American consumer pays none and the importer pays it all, and is willing to do so for the privilege of getting into the splendid American market.

Mr. HARDY. Will the gentleman yield for a brief question?

Mr. STERLING. Very brief.

Mr. HARDY. If the manufacturer can charge the consumer more for his goods under a low tariff than a high tariff, why does the manufacturer oppose a low tariff?

Mr. STERLING. No one pretends that the American manufacturer can charge more for his goods under a low tariff than he can under a high tariff, and he does not charge more, but under any kind of a tariff he sells his goods to the American people cheaper than the foreigner does when there is no tariff. The importer of foreign goods always takes advantage of the situation and sells to America at an exorbitant price when he has a monopoly of the American market. A protective tariff destroys that monopoly because it creates competition in our own country. If, however, the ship from the foreign port is laden with noncompetitive articles, such as tea and coffee, used on every table in the land, or if it brings quinine, camphor, and medicines from foreign climes, or a hundred other things used but not produced in the United States, the Republican customhouse officer gives the importer welcome to the American market with a hope that he may sell his foreign goods as cheap as possible to the American people, collects no duty on these goods, and gives him a parting God-speed away to foreign lands for another cargo.

I have already said that it may be that the American consumer pays a part—never all, and sometimes none—of the protective tariff, but I say further that in no instance, and I challenge any man on the floor of this House to cite a single case where under proper protection an American industry has sprung up and in time has not produced to the American consumer the article cheaper than he bought it from the foreigner. I believe it is the case in every instance in all our history that American competition at home, when encouraged by a protective tariff, has ultimately reduced the price to the consumer.

Mr. KITCHIN. I suggest to the gentleman the dyestuffs industry. You have protected it for 50 years, and that is a failure.

Mr. STERLING. I do not say that the Republican Party has protected every industry it ought to have protected.

Mr. KITCHIN. Why did it protect the dye industry?

Mr. STERLING. It never did protect it, due, doubtless, to Democratic opposition; but every industry it has protected has produced to the American consumer in the end his goods cheaper than the foreigner sold them to him under free trade.

Let me say another thing. The Democratic Party imposed a tariff on sugar as long as it was noncompetitive. We produced a little sugar in Louisiana, but it was an inconsequential factor in the supply of sugar, and they imposed a tariff for 50 years on sugar that was higher much of that time than any Republican protective tariff that was ever put on sugar.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. FORDNEY. I yield the balance of my time to the gentleman.

Mr. STERLING. Yes; you imposed a tariff on sugar because it was a noncompetitive article, because we did not produce it in this country, and it went on that way for 50 years. You never raised your voice against a tariff on sugar until it became a competitive article, until in 16 States of the Union splendid and prosperous factories were built up, until the farmers of the United States were receiving millions of dollars every year for their beet production. Not until that time did the Democratic Party raise its voice against a tariff on sugar, and when that time came you tried to smite down that splendid

industry by putting it on the free list. [Applause on the Republican side.]

In 1816 the Democratic Party placed an exorbitant tax on sugar. Brown sugar paid 3 cents per pound, white sugar paid 4 cents per pound, and loaf sugar 10 cents per pound. There was no time down to the Civil War when that party did not maintain a tariff on sugar, and every dollar was paid by the American consumer, because there was no competition in this country. When the beet-sugar industry sprang up under the wise protection of Republican legislation the Sugar Trust was threatened with competition, and the Democratic Party rushed to its rescue by striking down this competition, by putting sugar on the free list.

It is true you have restored that Republican tariff to sugar. You did not restore it with a view of encouraging an American industry. You did it to make up the deficits caused by Democratic extravagance. At the beginning of this session the Treasury was nearly bankrupt. The last Congress had appropriated more money than its revenue bills had produced, and you put a tariff on sugar to make up that deficit. I think I know what some gentlemen on that side will say. They will lay it to the war in Europe, and say it was necessary to restore the sugar tariff to raise money to carry out the preparedness program. That is hardly a fair excuse. You had no preparedness program when you determined to do this. Your President—and he is my President, too—on the second day of this session urged the restoration of Republican tariff rates on sugar. In that same message he set forth his plan of preparedness. He wanted only 140,000 men in the Regular Army and a very modest increase in the Navy. No great, expensive war program at that time was in mind, and it was not thought by the administration that the additional revenue was needed for such purpose; but the deficits due to excessive appropriations did then exist and this revenue was intended to make them up. But, whatever your purpose, it is to be hoped that the American sugar industry will be saved from destruction even though you did not intend that result.

Mr. KITCHIN. Mr. Chairman, I yield to the gentleman from Missouri [Mr. CLARK].

Mr. CLARK of Missouri. Mr. Chairman and gentlemen, the tariff question, like the poor, we have with us always. The first general bill put upon the statute books in the United States was a tariff bill, and we have had them at intervals ever since. After going through four general revisions, I have come to the conclusion that there are more fables told touching the tariff, and more post hoc ergo propter hoc argumentation on it, than on any other question that mortal man ever concerned his mind about. [Laughter.]

Some men are very much in the habit of making epigrams. President Cleveland was. I think the wisest epigram that he ever made was, "It is a condition and not a theory that confronts us," and certainly that is the case here to-day.

By reason of the enormous and extraordinary sums which we have appropriated, because of the trans-Atlantic war, we must increase our revenues proportionately. We all know that. The question confronting us is, "How can we most equitably increase the revenues to meet the requirements of the situation into which circumstances not of our own making have forced us—circumstances over which we have had no control whatever?" Most assuredly partisan politics should find no place in the solution of a problem so grave and which so nearly affects the country and the whole country. I am not going to argue about these tariff rates one way or another. I have done that in days gone by until it is absolutely distasteful to me. I have won at it and I have lost at it; I have been on top and I have been on the bottom in this matter. I have heard every argument made on the floor of the House on the tariff, from the building of the great Chinese wall and Augustus Cæsar's almost absolutely perfect tariff system—that is, if a tariff system is intended solely to get money out of people—down to absolute free trade, preached by Richard Cobden, John Bright, and Sir Robert Peel.

Everybody dislikes to increase taxation. I know that I do, and do not consider myself peculiar in that regard. You all do. We are all of one mind on that proposition. I take it for granted that every sane man dislikes to vote against a bill that decreases taxes. Taxes are a necessary evil. Nobody likes to pay them. If we lived according to the golden rule we would not have very much use for taxes, anyway. We would not have to have all the machinery of government for prosecuting criminals and collecting revenues and of building jails and penitentiaries, and maintaining them, and all that. Unfortunately we do not obey the golden rule, hence the mountain of taxes in every civilized country under the sun.

You can not eat your cake and keep it, too. The American people seem to have demanded extraordinary expenditures, not only for the Army and the Navy and all the appurtenances thereto but for a variety of other things. Tax bills have gone on increasing, and it seems they are going on increasing. The people demand constantly that the Federal Government shall discharge new functions, because—and I say it with genuine regret—to a large extent the State governments have abdicated their functions. It is an old saying that "Those who dance must pay the fiddler." If the people command the Congress to do new stunts in legislation, they must expect to foot the bills; and reasonable folks do expect to do so.

Senator Aldrich said a few years ago, and his saying was quoted in one of the Washington papers this morning, that if the Government were run as a man would run his private business we could save $300,000,000 a year. I do not know whether he overstated it or not.

Before I go to this bill at all I want to say this: I am proud of the record that this House has made in this Congress. [Applause.] With the exception of the Christmas holidays, we have only adjourned over two days since we assembled here in December. No set of legislators at any time or in any land ever toiled more assiduously than we have in the discharge of our duties or ever accomplished more in the same length of time. We have performed our duties faithfully and well—a fact of which the people will show their appreciation in due time.

The newspapers that accused us of dawdling and marking time did not know what they were talking about. For instance, during the two weeks of the national conventions it was said that we were marking time. We were doing nothing of the sort. We passed more bills during those two weeks than ordinarily we would have passed in four weeks, and two of them were appropriation bills, at that.

When this bill is disposed of there are only three bills which will be fairly estimated as very important bills left on the calendars of the House—the McGillicuddy compensation bill, the Alexander marine insurance bill, and the Rucker campaign-contributions bill. Of course, there are others of more or less importance, but not of such pressing necessity. We have done well. We deserve well of the country. If there is any evidence needed that we have passed good bills, beginning with the first of the last Congress and continuing down to the present hour, we have proof positive, because on every great bill, except the original war-revenue bill and the Philippine bill, a large percentage of the Republicans in this House voted with us. [Applause on the Democratic side.] Also nearly all the independents and Progressives. If our bills were not good bills, why did you Republicans vote for them? [Applause on the Democratic side.] When you get out on the stump this summer you will not have any bills to attack except the Philippine bill and the original war-revenue bill.

Everybody that has a quantum sufficit of information knows that this stupendous war across the sea in its beginning disarranged half the business of this country, and in the most unexpected ways. For instance, I was out in California last fall, part of the time in Mr. KETTNER's district, and the war in Europe had completely destroyed the lemon industry, because that war cut off the natural market of the Italian lemons in Europe, so that they brought them over here almost for nothing—brought them here in ballast—so that in hundreds and hundreds of lemon groves in California the fruit was not picked at all. That is one example. There are plenty of them, but I am not going to give any more. It would be superfluous and would only serve to weary you.

There is a certain amount of money to be raised. I do not believe we are ever going to have a direct tax in this country for Federal purposes, and I will tell you why. The so-called direct tax that is arranged for in the Constitution is in practice really a head tax, and not a property tax. People will not submit to that tax as permitted in the Constitution. So, unless you amend the Constitution we can not have a direct tax. Then how are we going to get the money to run the Government? There are only three or four ways to get it. One is by a tariff tax; another is by an income tax; another is by the inheritance tax. Still another is the internal-revenue tax, proper, as we have been considering it in days gone by.

There is a maximum revenue-producing tariff rate on every article commonly used or consumed by the American people. If I had carte blanche to arrange a tariff bill and was given mathematicians or arithmeticians enough to figure out what is the maximum revenue producer from tariff rates on every item commonly used by the American people, except two or three, such as salt, and so forth, I would put the maximum revenue-producing rate on every item. I can take this tariff

schedule and so arrange it that the American people will not have to pay any more than they are paying and at the same time the Government would receive twice as much out of the tariff system as we are getting now.

The whole philosophy of it is this: You begin at a zero tariff. You go up until you strike this maximum revenue producer on any item. Up to that point the protectionist gets what he wants, and the revenue man gets what he wants, and human ingenuity can not separate them. The very minute you pass that maximum revenue-producing rate on every item the protection increases and the revenue falls off, until you carry it to its ultimate result, where you get what my friend from Michigan [Mr. FORDNEY] wants, and what he will never get, and that is that anything that can be produced both at home and abroad shall not be imported into this country at all. [Laughter.]

The fairest and justest tax ever levied since men invented a tax system is a graduated income tax with reasonable exemptions. [Applause on the Democratic side.] In the very first speech I ever made in this House on the subject of the tariff I stated that I was in favor of a stiff graduated income tax, and as long as the world spins on its axis and slides down the ecliptic no political party is ever going to the country on a proposition to repeal the income tax. [Applause on the Democratic side.] It taxes men on what they have and not on what they consume. It raises necessary revenue from the abundance with which God has blessed some of us, and not from the wants of the poor. You may pass a law to change it, remodel it, to perfect it—but to repeal it, never! It is not an experiment among legislators. The English have had it ever since the Napoleonic wars, except for two years. Then they went back to it again, and have reduced it to almost an exact science; in Germany they derive a large revenue from an income tax; it is a feature of the fiscal system of every civilized country, and I congratulate the gentleman from North Carolina [Mr. KITCHIN] and his committee on increasing the income tax in order to meet these extraordinary expenses that have been piled up under stress of circumstances. [Applause on the Democratic side.]

People who pay the income tax are to be congratulated on having the income on which to pay it. Those who do not pay it because they have not sufficient income are to be condoled with. There is not a man or woman betwixt the two oceans who would not like to have income enough on which to pay an income tax.

In England they have a budget. I do not know whether we are ever going to have one or not. They bring in a budget, and if they need more money all they do is to slip up the income tax a little. If they have more money than they need, all they do is to scale down the income tax a little. It is easy to arrange, either to increase the income tax or to diminish the income tax.

When President Taft was inaugurated—and I will give my opinion that he is a very fine man, even if he was defeated for President [applause on the Republican side]—he declared in his inaugural address that there was liable to be a deficiency of a hundred million dollars, and the way to raise the money to pay for that deficiency was by a graded inheritance tax. For some reason—I never knew why—that suggestion was not followed.

When the Payne bill was in process of formation, I was there, not exactly consenting, but I was there. [Laughter.] The only reason that ever I heard urged against an inheritance tax in that committee was this—and so far as it went it was a very good reason—that 26 States of the Union had inheritance taxes of their own, and I do not know whether there are that many now or more. But anyhow, the inheritance tax, to some extent like the income tax, taxes people on what they have, and therefore it is better than to tax them on the necessaries of life. In exempting from its operation estates of less than $50,000, the committee acted wisely and humanely.

How much further we are going with the expenses that primarily grew out of the European war I do not know. If it had not been for that war, there would not have been any hullaballoo beyond the average about this preparedness problem, because it has been going on for years in slowly but constantly increasing volume. That war precipitated that question in this country. It started everybody to thinking about it, and along the Atlantic seaboard people were afraid that they would be bombarded overnight, notwithstanding we are, thank God, at peace with all the world. The great quantity of talk on that subject in this country originated in that region. During the Spanish war our Boston friends lived in perpetual terror of being shelled by Spanish ships. They had a great deal to say about it, and with far-resounding, ear-splitting voices.

The third thing that this bill does to raise revenue is absolutely just. No set of men in America, or on the face of the earth, have made as much money in the last two years, or as much profit, as the manufacturers of all sorts of munitions of war. They ought to be made to pay a part of it in taxation. Every dollar of the income tax, every dollar of the inheritance tax, every dollar of the munitions tax, goes directly into the Treasury of the United States to pay these enormously increased expenses which have come upon us within the last year or two.

I congratulate the House on the fact that this bill is going to pass by a good deal more than the Democratic vote. [Applause on the Democratic side.] That is evident when such eminent Republicans as the gentleman from Ohio [Mr. LONGWORTH], the gentleman from Massachusetts [Mr. GARDNER], the gentleman from Iowa [Mr. GREEN], all three of them staunch protectionists, see their duty to help the country out of a hole regardless of politics. [Applause.]

Actions speak louder than words. Here are some of the things we have done and on which we stand:

We passed a great tariff bill—the best ever placed on the statute books. It contains many excellent changes from the Payne-Aldrich-Smoot monstrosity, and it contains one new feature that would make it the best of all tariff bills, even if the rest of it were as bad as the last Republican tariff bill, which most emphatically it is not. That new feature is the income tax.

We had for more than half a century a financial system of shreds and patches, with a currency system almost wholly devoid of elasticity—one of the most necessary and valuable features of any correct currency system. The one we had was a standing invitation and temptation to panic makers. Whenever it suited their convenience they created panics and things went to smash, producing stupendous loss and widespread suffering.

It is a wonder we got along with it as well as we did. For a generation our Republican friends had been tinkering it—always promising but never achieving currency reform.

The Democrats, with the assistance of patriotic Progressives and a patriotic contingent of Republicans, placed on the statute book the national reserve-bank act, which is now praised by all business men, big and little, which provides for elasticity and provides an abundant supply of currency, and which, it is believed, will render panics impossible in the future, a consummation devoutly to be wished.

It enables farmers to borrow money on farm lands—the best security in the world—tends to prevent the draining of all the money into a few great cities, retaining it so far as possible in the communities where it belongs. Does any sane man believe that we would have escaped a most destructive panic during the over-seas war if we had not enacted the reserve-bank law?

We passed an antitrust law which tends to promote legitimate business and to crush illegitimate business. Under the old antitrust law the then existing trusts flourished like a tree planted by the rivers of water and new trusts sprang up as suddenly and as numerously as mushrooms in a damp cellar.

Under the new law trusts are being dissolved and are rearranging their business on a legitimate basis.

We passed a bill to open up our amazingly rich Alaskan empire for the benefit of all our people and to prevent that marvelous storehouse of wealth from being exploited by the few and for the benefit and behoof of the few.

The policy of locking up Alaska was preposterous; the policy of throwing it wide open to exploiters and looters was criminal. We have chosen the better part by authorizing the building of railroads into Alaska to open it up for homes for our children and our children's children.

When I was a child my father used to put me to sleep by singing a song the refrain of which was "Uncle Sam is rich enough to give us all a farm." He was then, but he is not now. So we are looking out for posterity.

Very little land worth entering now belongs to him outside of Alaska, which bids fair to be not only a great mining region, but also a great agricultural and grazing section.

The Democratic policy seeks to utilize in perpetuity the vast wealth of that marvelous territory for the benefit of the American people.

We enacted the Alexander-La Follette seamen's bill, which to a great extent, liberates American seamen from a condition of semiserfdom which was a disgrace to American civilization. We hope it will prove a great boon to American shippers.

The Trades Commission law is, so far as our country is concerned, a new venture in legislation, intended to regulate trade so that it will be fair trade—fair to all, big and little. Of course, being of recent date, we have not had time to set the machinery under it to working at its best, but much good is expected from its operations.

The rural-credits bill will undoubtedly prove a great blessing to the farmers. The most valuable features of it are the long

term which the loans run, the plan for amortization, and the low rate of interest. These will give a permanency never known before on this side of the Atlantic to agricultural pursuits, and will, it is hoped, induce more people to own their own homes, a great desideratum. The rural-credits bill, taken in connection with the reserve-bank bill, ought to give great impetus to the oldest of human occupations—that of tilling the soil. In America the rural-credits scheme is new, but in Europe it is old, having been started by Frederick the Great at the close of the Seven Years' War, a century and a half ago. The rural-credits bank, or landschaft, which he started is still doing business.

The bad wagon roads of America are a sad commentary on our sense, for, stated in briefest terms, they constitute wicked and wanton waste. We easily lead the world in railroads, but we are badly behind Europe in wagon roads. We consider the Romans of 2,000 years ago old fogies, and yet they were ahead of us, much ahead, in the matter of country roads. When they entered a country their habit was to build roads. The Appian Way is the most famous highway in the world, and the rock roads which they constructed across the Pyrenees are still traveled by the children of men. The Shackleford good-roads bill is a long step in the direction of giving us a system of wagon roads which will be of permanent and vast utility to all our people, particularly to farmers, reducing the cost of transporting food products to market, thereby reducing the high cost of living and increasing the joy of living.

After many years of agitation in favor of electing United States Senators by the popular vote, we secured a constitutional amendment authorizing it and passed laws to put the amendment into effect. Not one of the dire evils predicted touching that plan has been fulfilled. No man ever possessed ingenuity enough to produce a valid argument against it. The new plan is working well.

What is known as the Rucker corrupt-practice act will go far to lift our politics to a higher plane, into a purer atmosphere. That it is perfect no man claims, but it will be amended and improved until the corrupt use of money in politics is reduced to the minimum. On the purity of politics depends the perpetuity of the Republic.

We have passed grain-grading and cotton-future bills to prevent swindles upon the public and to aid honest trade in those necessary commodities.

We have passed a carefully prepared and thoroughly discussed water-power bill which will put an end to the attempted monopoly of water-power sites and the charging of exorbitant charges for power.

We passed amended and better bills for the government of Porto Rico and the Philippines, giving more of self-government to the peoples of those islands.

The House has passed the Alexander ship bill, intended to resuscitate the American merchant marine, which all wise and patriotic Americans favor. It is to be hoped that it will pass the Senate at an early day and that once more our flag will float over every sea and in every harbor of the world. That bill will enable us to prevent exorbitant charges for ocean freights.

The House has passed a good, conservative "Overflow-prevention bill," which we hope will prove valuable in preventing the appalling loss of life and property caused by the great floods. That bill is now on the calendar of the Senate.

We have passed such bills for defense of our country by land and sea as public opinion demands.

The last three Congresses—including the present one—have done more to improve the conditions under which wage earners live and move and have their being than all the preceding Congresses put together.

DAVID J. LEWIS, the able chairman of the Labor Committee in the House, also the next Senator from Maryland—a student, philosopher, and worker—recently in an analytical speech in the House enumerated 15 important statutes touching labor which have passed the House in the last six years, 13 of which are now laws, the other two awaiting the action of the Senate. Every man with brains in his head and love of country and of humanity in his heart rejoices in these laws intended to improve the condition of the laborers of the land. We have passed many other good laws which I have not mentioned.

The chances are the voters of America will act on the sage dictum of Abraham Lincoln, that 'it is unwise to swap horses while crossing the stream," and continue the Democrats in power.

The people seem to have absolute confidence in the pilot of the ship of state, Woodrow Wilson, and are not likely to drop him overboard in midocean while the storm whips the waters into fury.

He did his duty; the Democratic House did its duty; the Democratic Senate did its duty, and the word "duty" is the sublimest word in our vernacular. We submit that we deserve well of the Republic—all of us. Thomas Campbell said:

I watch the wheels of nature's mazy plan,
And read the future from the past of man.

Having discharged our duty and been faithful to our trust so far, the people will assume that we will do our duty and be faithful even unto the end.

It is written: "By their works ye shall know them." Men are measured more by what they do than by what they say. We rest our case upon the things we have accomplished as an earnest of what we will accomplish if continued in power.

Ours is a magnificent, a wonderful record, which anybody save a stark idiot can easily and successfully defend. Upon that unequaled record we confidently appeal to the grand inquest of the Nation in the impending campaign.

The CHAIRMAN. All time has expired, and the Clerk will read the bill.

The Clerk read the bill, as follows:

A bill (H. R. 16763) to increase the revenue, and for other purposes.

Be it enacted, etc.

Title I.—Income tax.

PART I.—ON INDIVIDUALS.

SEC. 1. (a) That there shall be levied, assessed, collected, and paid annually upon the entire net income received in the preceding calendar year from all sources by every individual, a citizen or resident of the United States, a tax of 2 per cent upon such income; and a like tax shall be levied, assessed, collected, and paid annually upon the entire net income received in the preceding calendar year from all sources within the United States by every individual, a nonresident alien, including interest on bonds, notes, or other interest-bearing obligations of residents, corporate or otherwise.

(b) In addition to the income tax imposed by subdivision (a) of this section (herein referred to as the normal tax) there shall be levied, assessed, collected, and paid upon the total net income of every individual, or, in the case of a nonresident alien, the total net income received from all sources within the United States, an additional income tax (herein referred to as the additional tax) of 1 per cent per annum upon the amount by which such total net income exceeds $20,000 and does not exceed $40,000, 2 per cent per annum upon the amount by which such total net income exceeds $40,000 and does not exceed $60,000, 3 per cent per annum upon the amount by which such total net income exceeds $60,000 and does not exceed $80,000, 4 per cent per annum upon the amount by which such total net income exceeds $80,000 and does not exceed $100,000, 5 per cent per annum upon the amount by which such total net income exceeds $100,000 and does not exceed $150,000, 6 per cent per annum upon the amount by which such total net income exceeds $150,000 and does not exceed $200,000, 7 per cent per annum upon the amount by which such total net income exceeds $200,000 and does not exceed $250,000, 8 per cent per annum upon the amount by which such total net income exceeds $250,000 and does not exceed $300,000, 9 per cent per annum upon the amount by which such total net income exceeds $300,000 and does not exceed $500,000, and 10 per cent per annum upon the amount by which such total net income exceeds $500,000.

For the purpose of the additional tax there shall be included as income dividends on the capital stock or from the net earnings of any corporation, joint-stock company or association, or insurance company, except that in the case of nonresident aliens such income derived from sources without the United States shall not be included.

All the provisions of this title relating to the normal tax on individuals, so far as they are applicable and are not inconsistent with this subdivision and section 3, shall apply to the imposition, levy, assessment, and collection of the additional tax imposed under this subdivision.

(c) The foregoing normal and additional tax rates shall apply to the entire net income, except as hereinafter provided, received by every taxable person in the calendar year 1916 and in each year thereafter.

INCOME DEFINED.

SEC. 2. (a) That, subject only to such exemptions and deductions as are hereinafter allowed, the net income of a taxable person shall include gains, profits, and income derived from salaries, wages, or compensation for personal service of whatever kind and in whatever form paid, or from professions, vocations, businesses, trade, commerce, or sales, or dealings in property, whether real or personal, growing out of the ownership or use of or interest in real or personal property, also from interest, rent, dividends, securities, or the transaction of any business carried on for gain or profit, or gains or profits and income derived from any source whatever: *Provided*, That the term "dividends" as used in this title shall be held to mean any distribution made or ordered to be made by a corporation out of its earnings or profits and payable to its shareholders, whether in cash or in stock of the corporation.

(b) Income received by estates of deceased persons during the period of administration or settlement of the estate, shall be subject to the normal and additional tax and taxed to their estates, and also income of estates or any kind of property held in trust, including income accumulated in trust for the benefit of unborn or unascertained persons, or persons with contingent interests, shall be likewise taxed, the tax in each instance to be assessed to the executor, administrator, or trustee, as the case may be.

Such trustees, executors, administrators, and other fiduciaries are hereby indemnified against the claims or demands of every beneficiary for all payments of taxes which they shall be required to make under the provisions of this title, and they shall have credit for the amount of such payments against the beneficiary or principal in any accounting which they make as such trustees or other fiduciaries.

(c) Of the gain derived or loss sustained from the sale of real estate, stocks, bonds, securities, or other property, acquired before March 1, 1913, not bought and sold in the course of trade by the taxpayer, only such proportion shall be included as the time between March 1, 1913, and the date of sale bears to the entire time between the date of acquisition and the date of sale.

ADDITIONAL TAX INCLUDES UNDISTRIBUTED PROFITS.

SEC. 3. For the purpose of the additional tax, the taxable income of any individual shall include the share to which he would be entitled of the gains and profits, if divided or distributed, whether divided or distributed or not, of all corporations, joint-stock companies or associations, or insurance companies, however created or organized, formed or fraudulently availed of for the purpose of preventing the imposition of such tax through the medium of permitting such gains and profits to accumulate instead of being divided or distributed; and the fact that any such corporation, joint-stock company or association, or insurance company, is a mere holding company, or that the gains and profits are permitted to accumulate beyond the reasonable needs of the business, shall be prima facie evidence of a fraudulent purpose to escape such tax; but the fact that the gains and profits are in any case permitted to accumulate and become surplus shall not be construed as evidence of a purpose to escape the said tax in such case unless the Secretary of the Treasury shall certify that in his opinion such accumulation is unreasonable for the purposes of the business. When requested by the Commissioner of Internal Revenue, or any district collector of internal revenue, such corporation, joint-stock company or association, or insurance company shall forward to him a correct statement of such gains and profits and the names of the individuals who would be entitled to the same if divided or distributed.

INCOME EXEMPT FROM LAW.

SEC. 4. The following income shall be exempt from the provisions of this title:

The proceeds of life-insurance policies paid to individual beneficiaries upon the death of the insured; the amount received by the insured as a return of premium or premiums paid by him under life insurance, endowment, or annuity contracts, either during the term or at the maturity of the term mentioned in the contract or upon the surrender of the contract; the value of specific property acquired by gift, bequest, devise, or descent (but the income from such property shall be included as income); interest upon the obligations of a State or any political subdivision thereof or upon the obligations of the United States or its possessions; the compensation of the present President of the United States during the term for which he has been elected, and the judges of the Supreme and inferior courts of the United States now in office, and the compensation of all officers and employees of a State, or any political subdivision thereof, except when such compensation is paid by the United States Government.

DEDUCTIONS ALLOWED.

SEC. 5. That in computing net income in the case of a citizen or resident of the United States—

(a) For the purpose of the tax there shall be allowed as deductions—

First. The necessary expenses actually paid in carrying on any business or trade, not including personal, living, or family expenses.

Second. All interest paid within the year on his indebtedness.

Third. Taxes paid within the year imposed by the authority of the United States, or its Territories, or possessions, or any foreign country, and any State, county, school, or municipal taxes, not including those assessed against local benefits.

Fourth. Losses actually sustained during the year incurred in business or trade or arising from fires, storms, shipwreck, or other casualty, and from theft, when not compensated for by insurance or otherwise.

Fifth. In transactions entered into for profit but not connected with his business or trade, the losses actually sustained therein during the year to an amount not exceeding the profits arising therefrom.

Sixth. Debts due to the taxpayer actually ascertained to be worthless and charged off within the year.

Seventh. A reasonable allowance for the exhaustion, wear, and tear of property arising out of its use or employment in the business or trade, and in the case of mines, including oil wells or gas wells, a reasonable allowance for depletion of ores and of other natural deposits not to exceed 5 per cent of the gross value at the mine of the output for the year for which the computation is made, and in the case of timber a reasonable allowance for stumpage not in excess of the cost of or capital actually invested in the timber sold or removed during the year for which the return is made: *Provided*, that no deduction shall be allowed for any amount paid out for new buildings, permanent improvements, or betterments made to increase the value of any property or estate, and no deduction shall be made for any amount of expense of restoring property or making good the exhaustion thereof for which an allowance is or has been made.

CREDITS ALLOWED.

(b) For the purpose of the normal tax only, the income embraced in a personal return shall be credited with the amount received as dividends upon the stock or from the net earnings of any corporation, joint-stock company or association, or insurance company, which is taxable upon its net income as hereinafter provided.

(c) A like credit shall be allowed as to the amount of income, the normal tax upon which has been paid or withheld for payment at the source of the income under the provisions of this title.

NONRESIDENT ALIENS.

SEC. 6. That in computing net income in the case of a nonresident alien—

(a) For the purpose of the tax there shall be allowed as deductions—

First. The necessary expenses actually paid in carrying on any business or trade conducted by him within the United States, not including personal, living, or family expenses.

Second. The proportion of all interest paid within the year by such person on his indebtedness which the gross amount of his income for the year derived from sources within the United States bears to the gross amount of his income for the year derived from all sources within and without the United States, but this deduction shall be allowed only if such person includes in the return required by section 8 all the information necessary for its calculation.

Third. Taxes paid within the year imposed by the authority of the United States, or its Territories, or possessions, and any State, county, school, or municipal taxes, paid within the United States, not including those assessed against local benefits.

Fourth. Losses actually sustained during the year, incurred in business or trade conducted by him within the United States, and losses of property within the United States arising from fires, storms, shipwreck, or other casualty, and from theft, when not compensated for by insurance or otherwise.

Fifth. Debts arising in the course of business or trade conducted by him within the United States due to the taxpayer actually ascertained to be worthless and charged off within the year.

Sixth. A reasonable allowance for the exhaustion, wear and tear of property within the United States arising out of its use or employment in the business or trade; and in the case of mines within the United States, including oil wells or gas wells, a reasonable allowance for depletion of ores and of other natural deposits, not to exceed 5 per cent of the gross value at the mine of the output for the year for which the computation is made; and in the case of timber within the United States, a reasonable allowance for stumpage not in excess of the cost of, or capital actually invested in, the timber sold or removed during the year for which the return is made: *Provided*, That no deduction shall be allowed for any amount paid out for new buildings, permanent improvements, or betterments, made to increase the value of any property or estate, and no deduction shall be made for any amount of expense of restoring property or making good the exhaustion thereof for which an allowance is or has been made.

(b) There shall also be allowed the credits specified by subdivisions (b) and (c) of section 5.

PERSONAL EXEMPTION.

SEC. 7. (a) That for the purpose of the normal tax only, there shall be allowed as an exemption in the nature of a deduction from the amount of the net income of each individual taxpayer, the sum of $3,000; except where such person is the head of a family, when the said exemption shall be $4,000: *Provided*, That the aggregate net income of all the members of any family, composed of one or both parents and one or more minor children, or of husband and wife living together, shall for the purpose of the normal tax only, constitute one taxable income to be returned by, and taxed to, the husband or the head of said family, and the tax thereon shall be payable by such husband, or head of the family, but if not paid by him may be enforced against any person whose income is included in the assessment; but the member of the family who pays the tax shall have the legal right of reimbursement against each other member of the family in the proportion that the net income of such other member bears to the combined net income: *Provided further*, That the wife may elect to make an independent return of income derived from her separate estate, in which case she shall be entitled to an exemption of $2,000, and the husband to an exemption of $2,000; but the total exemption to husband, wife, and minor children living together shall in no case exceed $4,000: *Provided further*, That guardians or trustees shall be allowed to make this personal exemption as to income derived from the property of which such guardian or trustee has charge in favor of each ward or cestui que trust: *Provided further*, That in no event shall a ward or cestui que trust be allowed a greater personal exemption than $3,000 or $4,000, as provided in this paragraph, from the amount of net income received from all sources.

(b) A nonresident alien individual may receive the benefit of the exemption provided for in this section only by filing or causing to be filed with the collector of internal revenue a true and accurate return of his total income, received from all sources, corporate or otherwise, in the United States, in the manner prescribed by this title; and in case of his failure to file such return the collector shall collect the tax on such income, and all property belonging to such nonresident alien individual shall be liable to distraint for the tax.

RETURNS.

SEC. 8. (a) The tax shall be computed upon the net income, as thus ascertained, of each person subject thereto, received in each preceding calendar year ending December 31.

(b) On or before the 1st of March, 1917, and the 1st of March in each year thereafter, a true and accurate return under oath shall be made by each person of lawful age, except as hereinafter provided, having a net income of $3,000 or over for the taxable year to the collector of internal revenue for the district in which such person has legal residence, or, in the case of a person residing in a foreign country, in the place where his legal residence or principal business is carried on within the United States, or if there be no legal residence or place of business in the United States, then with the collector of internal revenue at Baltimore, Md., in such form as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall prescribe, setting forth specifically the gross amount of income from all separate sources, and from the total thereof deducting the aggregate items of allowances herein authorized: *Provided*, That the Commissioner of Internal Revenue shall have authority to grant a reasonable extension of time, in meritorious cases, for filing returns of income by persons residing or traveling abroad who are required to make and file returns of income and who are unable to file said returns on or before March 1 of each year: *Provided further*, That the aforesaid return may be made by an agent when by reason of illness, absence, or nonresidence the person liable for said return is unable to make and render the same, the agent assuming the responsibility of making the return and incurring penalties provided for erroneous, false, or fraudulent return.

(c) Guardians, trustees, executors, administrators, receivers, conservators, and all persons, corporations, or associations acting in any fiduciary capacity shall make and render a return of the income of the person, trust, or estate for whom or which they act, and be subject to all the provisions of this title which apply to individuals. Such fiduciary shall make oath that he has sufficient knowledge of the affairs of such person, trust, or estate to enable him to make such return and that the same is true and correct, and be subject to all the provisions of this title which apply to individuals: *Provided*, That a return made by one or two or more joint fiduciaries filed in the district where such fiduciary resides, under such regulations as the Secretary of the Treasury may prescribe, shall be a sufficient compliance with the requirements of this paragraph.

(d) All persons, firms, companies, copartnerships, corporations, joint-stock companies, or associations, and insurance companies, except as hereinafter provided, in whatever capacity acting, having the control, receipt, disposal, or payment of fixed or determinable annual or periodical gains, profits, and income of another individual subject to tax, shall, in behalf of such person, deduct and withhold from the payment an amount equivalent to the normal tax upon the same and make and render a return as aforesaid, but separate and distinct, of the portion of the income of each person from which the normal tax has been thus withheld, and containing also the name and address of such person, or stating that the name and address or the address, as the case may be, are unknown: *Provided*, That the provision requiring the normal tax of individuals to be deducted and withheld at the source of the income shall not be construed to require the withholding of such tax according to the 2 per cent normal tax rate herein prescribed until on and after January 1, 1917, and the law existing at the time of the passage of this act shall govern the amount withheld or to be withheld at the source until January 1, 1917.

That in either case mentioned in subdivisions (c) and (d) of this section no return of income not exceeding $3,000 shall be required, except in the case of estates or trusts not entitled to any exemption and except as hereinafter provided.

(e) Persons carrying on business in partnership shall be liable for income tax only in their individual capacity, and the share of the profits of a partnership to which any taxable partner would be entitled if the same were divided, whether divided or otherwise, shall be returned for taxation and the tax paid under the provisions of this title; and any such partnership, when requested by the Commissioner of Internal Revenue or any district collector, shall render a correct return of the earnings, profits, and income of the partnership, setting forth the items of gross income and the deductions allowed by this title, and the names of the individuals who would be entitled to the net earnings, profits, and income if distributed.

(f) In every return shall be included the income derived from dividends on the capital stock or from the net earnings of any corporation, joint-stock company or association, or insurance company, except that in the case of nonresident aliens such income derived from sources without the United States shall not be included.

(g) The collector or deputy collector shall require every return to be verified by the oath of the party rendering it. If the collector or deputy collector have reason to believe that the amount of any income returned is understated, he shall give due notice to the person making the return to show cause why the amount of the return should not be increased, and upon proof of the amount understated may increase the same accordingly.

Such person may furnish sworn testimony to prove any relevant facts, and, if dissatisfied with the decision of the collector, may appeal to the Commissioner of Internal Revenue for his decision under such rules of procedure as may be prescribed by regulations.

(h) An individual keeping accounts upon any basis other than that of actual receipts and disbursements, unless the Commissioner of Internal Revenue finds that such other basis does not clearly reflect his income, may, subject to regulations made by such commissioner, with the approval of the Secretary of the Treasury, make his return upon the basis upon which his accounts are kept, in which case the tax shall be computed upon his income as so returned.

ASSESSMENT AND ADMINISTRATION.

SEC. 9. (a) That all assessments shall be made by the Commissioner of Internal Revenue and all persons shall be notified of the amount for which they are respectively liable on or before the 1st day of June of each successive year, and said amounts shall be paid on or before the 15th day of June, except in cases of refusal or neglect to make such return and in cases of erroneous, false, or fraudulent returns, in which cases the Commissioner of Internal Revenue shall, upon the discovery thereof, at any time within three years after said return is due, or return made is found to be erroneous, false, or fraudulent, make a return upon information obtained as provided for in this title or by existing law, or require the necessary corrections to be made, and the assessment made by the Commissioner of Internal Revenue thereon shall be paid by such person or persons immediately upon notification of the amount of such assessment; and to any sum or sums due and unpaid after the 15th day of June in any year, and for 10 days after notice and demand thereof by the collector, there shall be added the sum of 5 per cent on the amount of tax unpaid, and interest at the rate of 1 per cent per month upon said tax from the time the same became due, except from the estates of insane, deceased, or insolvent persons.

(b) All persons, firms, copartnerships, companies, corporations, joint-stock companies or associations, and insurance companies, in whatever capacity acting, including lessees or mortgagors of real or personal property, trustees acting in any trust capacity, executors, administrators, receivers, conservators, employers, and all officers and employees of the United States having the control, receipt, custody, disposal, or payment of interest, rent, salaries, wages, premiums, annuities, compensation, remuneration, emoluments, or other fixed or determinable annual or periodical gains, profits, and income of another person, exceeding $3,000 for any taxable year, other than income derived from dividends on capital stock, or from the net earnings of corporations and joint-stock companies or associations, or insurance companies, the income of which is taxable under this title, who are required to make and render a return in behalf of another, as provided herein, to the collector of his, her, or its district, are hereby authorized and required to deduct and withhold from such annual or periodical gains, profits, and income such sum as will be sufficient to pay the normal tax imposed thereon by this title, and shall pay the amount withheld to the officer of the United States Government authorized to receive the same; and they are each hereby made personally liable for such tax, and they are each hereby indemnified against every person, corporation, association, or demand whatsoever for all payments which they shall make in pursuance and by virtue of this title.

In all cases where the income tax of a person is withheld and deducted and paid or to be paid at the source, such person shall not receive the benefit of the personal exemption allowed in section 7 of this title except by an application for refund of the tax unless he shall, not less than 30 days prior to the day on which the return of his income is due, file with the person who is required to withhold and pay tax for him a signed notice in writing claiming the benefit of such exemption, and thereupon no tax shall be withheld upon the amount of such exemption: *Provided*, That if any person for the purpose of obtaining any allowance or reduction by virtue of a claim for such exemption, either for himself or for any other person, knowingly makes any false statement or false or fraudulent representation, he shall be liable to a penalty of $300.

And where the income tax is paid or to be paid at the source, no person shall be allowed the benefit of any deduction provided for in sections 5 or 6 of this title unless he shall, not less than 30 days prior to the day on which the return of his income is due, either (1) file with the person who is required to withhold and pay tax for him a true and correct return of his gains, profits, and income from all other sources, and also the deductions asked for, and the showing thus made shall then become a part of the return to be made in his behalf by the person required to withhold and pay the tax, or (2) likewise make application for deductions to the collector of the district in which return is made or to be made for him: *Provided*, That when any amount allowable as a deduction is known at the time of receipt of fixed annual or periodical income by an individual subject to tax, he may file with the person, firm, or corporation making the payment a certificate, under penalty for false claim, and in such form as shall be prescribed by the Commissioner of Internal Revenue, stating the amount of such deduction and making a claim for an allowance of the same against the amount of tax otherwise required to be deducted and withheld at the source of the income, and such certificate shall likewise become a part of the return to be made in his behalf.

If such person is absent from the United States, or is unable owing to serious illness to make the return and application above provided for, the return and application may be made by an agent, he making oath that he has sufficient knowledge of the affairs and property of his principal to enable him to make a full and complete return, and that the return and application made by him are full and complete.

(c) The amount of the normal tax hereinbefore imposed shall be deducted and withheld from fixed or determinable annual or periodical gains, profits, and income derived from interest upon bonds and mortgages, or deeds of trust or other similar obligations of corporations, joint-stock companies, associations, and insurance companies, whether payable annually or at shorter or longer periods, although such interest does not amount to $3,000, subject to the provisions of this title requiring the tax to be withheld at the source and deducted from annual income and returned and paid to the Government.

(d) And likewise the amount of such tax shall be deducted and withheld from coupons, checks, or bills of exchange for or in payment of interest upon bonds of foreign countries and upon foreign mortgages or like obligations (not payable in the United States), and also from coupons, checks, or bills of exchange for or in payment of any dividends upon the stock or interest upon the obligations of foreign corporations, associations, and insurance companies engaged in business in foreign countries.

And the tax in such cases shall be withheld, deducted, and returned for and in behalf of any person subject to the tax hereinbefore imposed, although such interest or dividends do not exceed $3,000, by (1) any banker or person who shall sell or otherwise realize coupons, checks, or bills of exchange drawn or made in payment of any such interest or dividends (not payable in the United States), and (2) any person who shall obtain payment (not in the United States), in behalf of another of such dividends and interest by means of coupons, checks, or bills of exchange, and also (3) any dealer in such coupons who shall purchase the same for any such dividends or interest (not payable in the United States), otherwise than from a banker or another dealer in such coupons.

(e) Where the tax is withheld at the source, the benefit of the exemption and the deductions allowable under this title may be had by complying with the foregoing provisions of this section.

(f) All persons, firms, or corporations undertaking as a matter of business or for profit the collection of foreign payments of such interest or dividends by means of coupons, checks, or bills of exchange shall obtain a license from the Commissioner of Internal Revenue, and shall be subject to such regulations enabling the Government to ascertain and verify the due withholding and payment of the income tax required to be withheld and paid as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall prescribe; and any person who shall knowingly undertake to collect such payments as aforesaid without having obtained a license therefor, or without complying with such regulations, shall be deemed guilty of a misdemeanor and for each offense be fined in a sum not exceeding $5,000, or imprisoned for a term not exceeding one year, or both, in the discretion of the court.

(g) The tax herein imposed upon gains, profits, and income not falling under the foregoing and not returned and paid by virtue of the foregoing shall be assessed by personal return under rules and regulations to be prescribed by the Commissioner of Internal Revenue and approved by the Secretary of the Treasury. The intent and purpose of this title is that all gains, profits, and income of a taxable class, as defined by this title, shall be charged and assessed with the corresponding tax, normal and additional, prescribed by this title, and said tax shall be paid by the owner of such income, or the proper representative having the receipt, custody, control, or disposal of the same. For the purpose of this title ownership or liability shall be determined as of the year for which a return is required to be rendered.

The provisions of this title relating to the deduction and payment of the tax at the source of income shall only apply to the normal tax hereinbefore imposed upon individuals.

PART II.—ON CORPORATIONS.

SEC. 10. That there shall be levied, assessed, collected, and paid annually upon the total net income received in the preceding calendar year from all sources by every corporation, joint-stock company or association, or insurance company organized in the United States, no matter how created or organized, but not including partnerships, a tax of 2 per cent upon such income; and a like tax shall be levied, assessed, collected, and paid annually upon the total net income received in the preceding calendar year from all sources within the United States by every corporation, joint-stock company or association, or insurance company organized, authorized, or existing under the laws of any foreign country, including interest on bonds, notes, or other interest-bearing obligations of residents, corporate or otherwise, and including the income derived from dividends on capital stock or from net earnings of resident corporations, joint-stock companies or associations, or insurance companies whose net income is taxable under this title.

The foregoing tax rate shall apply to the total net income received by every taxable corporation, joint-stock company or association, or insurance company in the calendar year 1916 and in each year thereafter, except that if it has fixed its own fiscal year under the provisions of existing law the foregoing rate shall apply to the proportion of the total net income returned for the fiscal year ending prior to December 31, 1916, which the period between January 1, 1916, and the end of such fiscal year bears to the whole of such fiscal year, and the rate fixed in Section II of the act approved October 3, 1913, entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," shall apply to the remaining portion of the total net income returned for such fiscal year.

CONDITIONAL AND OTHER EXEMPTIONS.

SEC. 11. (a) That there shall not be taxed under this title any income received by any—

First. Labor, agricultural, or horticultural organization;

Second. Mutual savings bank not having a capital stock represented by shares;

Third. Fraternal beneficiary society, order, or association operating under the lodge system or for the exclusive benefit of the members of a fraternity itself operating under the lodge system, and providing for the payment of life, sick, accident, or other benefits to the members of such society, order, or association, or their dependents;

Fourth. Domestic building and loan association;
Fifth. Cemetery company owned and operated exclusively for the benefit of its members;
Sixth. Corporation or association organized and operated exclusively for religious, charitable, scientific, or educational purposes, no part of the net income of which inures to the benefit of any private stockholder or individual;
Seventh. Business league, chamber of commerce, or board of trade, not organized for profit and no part of the net income of which inures to the benefit of any private stockholder or individual;
Eighth. Civic league or organization not organized for profit, but operated exclusively for the promotion of social welfare;
Ninth. Club organized and operated exclusively for pleasure, recreation, and other nonprofitable purposes, no part of the net income of which inures to the benefit of any private stockholder or member;
Tenth. Farmers' mutual hail, cyclone, or fire insurance company, mutual or cooperative telephone company, or like organization of a purely local character, the income of which consists solely of assessments, dues, and fees collected from members for the sole purpose of meeting its expenses;
Eleventh. Farmers', fruit growers', or like association, organized and operated as a sales agent for the purpose of marketing the products of its members and turning back to them the proceeds of sales, less the necessary selling expenses, on the basis of the quantity of produce furnished by them; or
Twelfth. Corporation or association organized for the exclusive purpose of holding title to property, collecting income therefrom, and turning over the entire amount thereof, less expenses, to an organization which itself is exempt from the tax imposed by this title.

(b) There shall not be taxed under this title any income derived from any public utility or from the exercise of any essential governmental function accruing to any State, Territory, or the District of Columbia, or any political subdivision of a State or Territory, nor any income accruing to the government of the Philippine Islands or Porto Rico, or of any political subdivision of the Philippine Islands or Porto Rico: *Provided*, That whenever any State, Territory, or the District of Columbia, or any political subdivision of a State or Territory, has, prior to the passage of this title, entered in good faith into a contract with any person or corporation, the object and purpose of which is to acquire, construct, operate, or maintain a public utility, no tax shall be levied under the provisions of this title upon the income derived from the operation of such public utility, so far as the payment thereof will impose a loss or burden upon such State, Territory, or the District of Columbia, or a political subdivision of a State or Territory; but this provision is not intended to confer upon such person or corporation any financial gain or exemption or to relieve such person or corporation from the payment of a tax as provided for in this title upon the part or portion of the said income to which such person or corporation shall be entitled under such contract.

DEDUCTIONS.

SEC. 12. (a) In the case of a corporation, joint-stock company or association, or insurance company, organized in the United States, such net income shall be ascertained by deducting from the gross amount of its income received within the year from all sources—

First. All the ordinary and necessary expenses paid within the year in the maintenance and operation of its business and properties, including rentals or other payments required to be made as a condition to the continued use or possession of property to which the corporation has not taken or is not taking title or in which it has no equity.

Second. All losses actually sustained within the year and not compensated by insurance or otherwise, including a reasonable allowance for the exhaustion, wear and tear of property arising out of its use or employment in the business or trade; and in the case of mines, including oil wells or gas wells, a reasonable allowance for depletion of ores and of other natural deposits, not to exceed 5 per cent of the gross value at the mine of the output for the year for which the computation is made; and in the case of timber, a reasonable allowance for stumpage not in excess of the cost of, or capital actually invested in, the timber sold or removed during the year for which the return is made: *Provided*, That no deduction shall be allowed for any amount paid out for new buildings, permanent improvements, or betterments, made to increase the value of any property or estate, and no deduction shall be made for any amount of expense of restoring property or making good the exhaustion thereof for which an allowance is or has been made; and in case of insurance companies the net addition, if any, required by law to be made within the year to reserve funds and the sums other than dividends paid within the year on policy and annuity contracts: *Provided*, That mutual fire insurance companies requiring their members to make premium deposits to provide for losses and expenses shall not return as income any portion of the premium deposits returned to their policyholders, but shall return as taxable income all income received by them from all other sources plus such portions of the premium deposits as are retained by the companies for purposes other than the payment of losses and reinsurance reserves: *Provided further*, That mutual marine insurance companies shall include in their return of gross income gross premiums collected and received by them less amounts paid for reinsurance, but shall be entitled to include in deductions from gross income amounts repaid to policyholders on account of premiums previously paid by them and interest paid upon such amounts between the ascertainment thereof and the payment thereof, and life insurance companies shall not include as income in any year such portion of any actual premium received from any individual policyholder as shall have been paid back or credited to such individual policyholder, or treated as an abatement of premium of such individual policyholder within such year.

Third. The amount of interest paid within the year on its indebtedness to an amount of such indebtedness not in excess of the sum of (a) the entire amount of the paid-up capital stock outstanding at the close of the year, or, if no capital stock, the entire amount of capital employed in the business at the close of the year, and (b) one-half of its interest-bearing indebtedness then outstanding: *Provided*, That for the purpose of this title preferred capital stock shall not be considered interest-bearing indebtedness, and interest or dividends paid upon this stock shall not be deductible from gross income: *Provided further*, That in cases wherein shares of capital stock are issued without par or nominal value, the amount of paid-up capital stock, within the meaning of this section, as represented by such shares, will be the amount of cash, or its equivalent, paid or transferred to the corporation as a consideration for such shares: *Provided further*, That in the case of indebtedness wholly secured by personal property collateral, tangible or intangible, the subject of sale in the ordinary business of such corporation, joint-stock company, or association as a dealer in the property constituting such collateral, the total interest paid by such corporation, company, or association within the year on any such indebtedness may be deducted as a part of its expenses of doing business, but interest on such indebtedness shall only be deductible on an amount of such indebtedness not in excess of the actual value of such personal property collateral: *Provided further*, That in the case of bonds or other indebtedness, which have been issued with a guaranty that the interest payable thereon shall be free from taxation, no deduction for the payment of the tax herein imposed, or any other tax paid pursuant to such guaranty, shall be allowed; and in the case of a bank, banking association, loan or trust company, interest paid within the year on deposits or on moneys received for investment and secured by interest-bearing certificates of indebtedness issued by such bank, banking association, loan or trust company.

Fourth. Taxes paid within the year imposed by the authority of the United States, or its Territories or possessions, or any foreign country, and any State, county, school, or municipal taxes, not including those assessed against local benefits.

(b) In the case of a corporation, joint-stock company or association, or insurance company, organized, authorized, or existing under the laws of any foreign country, such net income shall be ascertained by deducting from the gross amount of its income received within the year from all sources within the United States—

First. All the ordinary and necessary expenses actually paid within the year out of earnings in the maintenance and operation of its business and property within the United States, including rentals or other payments required to be made as a condition to the continued use or possession of property to which the corporation has not taken or is not taking title, or in which it has no equity.

Second. All losses actually sustained within the year in business or trade conducted by it within the United States and not compensated by insurance or otherwise, including a reasonable allowance for the exhaustion, wear and tear of property arising out of its use or employment in the business or trade; and in the case of mines, including oil wells and gas wells, a reasonable allowance for depletion of ores and of other natural deposits, not to exceed 5 per cent of the gross value at the mine of the output for the year for which the computation is made; and in the case of timber, a reasonable allowance for stumpage not in excess of the cost of, or capital actually invested in, the timber sold or removed during the year for which the return is made: *Provided*, That no deduction shall be allowed for any amount paid out for new buildings, permanent improvements, or betterments, made to increase the value of any property or estate, and no deduction shall be made for any amount of expense of restoring property or making good the exhaustion thereof for which an allowance is or has been made; and in the case of insurance companies the net addition, if any, required by law to be made within the year to reserve funds and the sums other than dividends paid within the year on policy and annuity contracts: *Provided further*, That mutual fire insurance companies requiring their members to make premium deposits to provide for losses and expenses shall not return as income any portion of the premium deposits returned to their policyholders, but shall return as taxable income all income received by them from all other sources plus such portions of the premium deposits as are retained by the companies for purposes other than the payment of losses and expenses and reinsurance reserves: *Provided further*, That mutual marine insurance companies shall include in their return of gross income gross premiums collected and received by them less amounts paid for reinsurance, but shall be entitled to include in deductions from gross income amounts repaid to policyholders on account of premiums previously paid by them, and interest paid upon such amounts between the ascertainment thereof and the payment thereof, and life insurance companies shall not include as income in any year such portion of any actual premium received from any individual policyholder as shall have been paid back or credited to such individual policyholder, or treated as an abatement of premium of such individual policyholder, within such year.

Third. The amount of interest paid within the year on its indebtedness to an amount of such indebtedness not in excess of the proportion of the sum of (a) the entire amount of the paid-up capital stock outstanding at the close of the year, or, if no capital stock, the entire amount of the capital employed in the business at the close of the year, and (b) one-half of its interest-bearing indebtedness then outstanding, which the gross amount of its income for the year from business transacted and capital invested within the United States bears to the gross amount of its income derived from all sources within and without the United States: *Provided*, That in the case of bonds or other indebtedness which have been issued with a guaranty that the interest payable thereon shall be free from taxation, no deduction for the payment of the tax herein imposed shall be allowed; and in case of a bank, banking association, loan or trust company, or branch thereof, interest paid within the year on deposits by or on moneys received for investment from either citizens or residents of the United States and secured by interest-bearing certificates of indebtedness issued by such bank, banking association, loan or trust company, or branch thereof.

Fourth. Taxes paid within the year imposed by the authority of the United States, or its Territories, or possessions, and any State, county, school, or municipal taxes, paid within the United States, not including those assessed against local benefits.

(c) In the case of assessment insurance companies, whether domestic or foreign, the actual deposit of sums with State or Territorial officers, pursuant to law, as additions to guarantee or reserve funds shall be treated as being payments required by law to reserve funds.

RETURNS.

SEC. 13. (a) The tax shall be computed upon the net income, as thus ascertained, received within each preceding calendar year ending December 31: *Provided*, That any corporation, joint-stock company or association, or insurance company, subject to this tax, may designate the last day of any month in the year as the day of the closing of its fiscal year and shall be entitled to have the tax payable by it computed upon the basis of the net income ascertained as herein provided for the year ending on the day so designated in the year preceding the date of assessment instead of upon the basis of the net income for the calendar year preceding the date of assessment; and it shall give notice of the day it has thus designated as the closing of its fiscal year to the collector of the district in which its principal business office is located at any time not less than 30 days prior to the 1st day of March of the year in which its return would be filed if made upon the basis of the calendar year.

(b) Every corporation, joint-stock company or association, or insurance company, subject to the tax herein imposed, shall, on or before the 1st day of March 1917, and the 1st day of March in each year thereafter, or, if it has designated a fiscal year for the computation

of its tax, then within 60 days after the close of such fiscal year ending prior to December 31, 1916, and the close of each such fiscal year thereafter, render a true and accurate return of its annual net income in the manner and form to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, and containing such facts, data, and information as are appropriate and in the opinion of the commissioner necessary to determine the correctness of the net income returned and to carry out the provisions of this title. The return shall be sworn to by the president, vice president, or other principal officer, and by the treasurer or assistant treasurer. The return shall be made to the collector of the district in which is located the principal office of the corporation, company, or association, where are kept its books of account and other data from which the return is prepared, or in the case of a foreign corporation, company, or association to the collector of the district in which is located its principal place of business in the United States. All such returns shall as received, be transmitted forthwith by the collector to the Commissioner of Internal Revenue.

(c) In cases wherein receivers, trustees in bankruptcy, or assignees are operating the property or business of corporations, joint-stock companies or associations, or insurance companies, subject to tax imposed by this title, such receivers, trustees, or assignees shall make returns of net income as and for such corporations, joint-stock companies or associations, and insurance companies, in the same manner and form as such organizations are hereinbefore required to make returns, and any income tax due on the basis of such returns made by receivers, trustees, or assignees shall be assessed and collected in the same manner as if assessed directly against the organizations of whose businesses or properties they have custody and control.

(d) A corporation, joint-stock company or association, or insurance company, keeping accounts upon any basis other than that of actual receipts and disbursements, unless the Commissioner of Internal Revenue finds that such other basis does not clearly reflect its income, may, subject to regulations made by such commissioner, with the approval of the Secretary of the Treasury, make its return upon the basis upon which its accounts are kept, in which case the tax shall be computed upon its income as so returned.

ASSESSMENT AND ADMINISTRATION.

SEC. 14. (a) All assessments shall be made and the several corporations, joint-stock companies or associations, and insurance companies shall be notified of the amount for which they are respectively liable on or before the 1st day of June of each successive year, and said assessment shall be paid on or before the 15th day of June: *Provided*, That every corporation, joint-stock company or association, and insurance company, computing taxes upon the income of the fiscal year which it may designate in the manner hereinbefore provided, shall pay the taxes due under its assessment within 105 days after the date upon which it is required to file its list or return of income for assessment; except in cases of refusal or neglect to make such return, and in cases of erroneous, false, or fraudulent returns, in which cases the Commissioner of Internal Revenue shall, upon the discovery thereof, at any time within three years after said return is due, make a return upon information obtained as provided for in this title or by existing law; and the assessment made by the Commissioner of Internal Revenue thereon shall be paid by such corporation, joint-stck company or association, or insurance company immediately upon notification of the amount of such assessment; and to any sum or sums due and unpaid after the 15th day of June in any year, or after 105 days from the date on which the return of income is required to be made by the taxpayer, and after 10 days' notice and demand thereof by the collector, there shall be added the sum of 5 per cent on the amount of tax unpaid and interest at the rate of 1 per cent per month upon said tax from the time the same becomes due.

(b) When the assessment shall be made, as provided in this title, the returns, together with any corrections thereof which may have been made by the commissioner, shall be filed in the office of the Commissioner of Internal Revenue and shall constitute public records and be open to inspection as such: *Provided*, That any and all such returns shall be open to inspection only upon the order of the President, under rules and regulations to be prescribed by the Secretary of the Treasury and approved by the President: *Provided further*, That the proper officers of any State imposing a general income tax may, upon the request of the governor thereof, have access to said returns or to an abstract thereof, showing the name and income of each such corporation, joint-stock company or association, or insurance company, at such times and in such manner as the Secretary of the Treasury may prescribe.

(c) If any of the corporations, joint-stock companies or associations, or insurance companies aforesaid shall refuse or neglect to make a return at the time or times hereinbefore specified in each year, or shall render a false or fraudulent return, such corporation, joint-stock company or association, or insurance company shall be liable to a penalty of not exceeding $10,000.

PART III.—GENERAL ADMINISTRATIVE PROVISIONS.

SEC. 15. That the word "State" or "United States" when used in this title shall be construed to include any Territory, the District of Columbia, Porto Rico, and the Philippine Islands, when such construction is necessary to carry out its provisions.

SEC. 16. That sections 3167, 3172, 3173, and 3176 of the Revised Statutes of the United States as amended are hereby amended so as to read as follows:

"SEC. 3167. It shall be unlawful for any collector, deputy collector, agent, clerk, or other officer or employee of the United States to divulge or to make known in any manner whatever not provided by law to any person the operations, style of work, or apparatus of any manufacturer or producer visited by him in the discharge of his official duties, or the amount or source of income, profits, losses, expenditures, or any particular thereof, set forth or disclosed in any income return, or to permit any income return or copy thereof or any book containing any abstract or particulars thereof to be seen or examined by any person except as provided by law; and it shall be unlawful for any person to print or publish in any manner whatever not provided by law any income return or any part thereof or the amount or source of income, profits, losses, or expenditures appearing in any income return; and any offense against the foregoing provision shall be a misdemeanor and be punished by a fine not exceeding $1,000 or by imprisonment not exceeding one year, or both, at the discretion of the court; and if the offender be an officer or employee of the United States he shall be dismissed from office or discharged from employment.

"SEC. 3172. Every collector shall, from time to time, cause his deputies to proceed through every part of his district and inquire after and concerning all persons therein who are liable to pay any internal-revenue tax, and all persons owning or having the care and management of any objects liable to pay any tax, and to make a list of such persons and enumerate said objects.

"SEC. 3173. It shall be the duty of any person, partnership, firm, association, or corporation, made liable to any duty, special tax, or other tax imposed by law, when not otherwise provided for, (1) in case of a special tax, on or before the 31st day of July in each year, (2) in case of income tax on or before the 1st day of March in each year, or on or before the last day of the 60-day period next following the closing date of the fiscal year for which it makes a return of its income, and (3) in other cases before the day on which the taxes accrue, to make a list or return, verified by oath, to the collector or a deputy collector of the district where located, of the articles or objects, including the amount of annual income charged with a duty or tax, the quantity of goods, wares, and merchandise, made or sold and charged with a tax, the several rates and aggregate amount, according to the forms and regulations to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, for which such person, partnership, firm, association, or corporation is liable: *Provided*, That if any person liable to pay any duty or tax, or owning, possessing, or having the care or management of property, goods, wares, and merchandise, articles or objects liable to pay any duty, tax, or license, shall fail to make and exhibit a list or return required by law, but shall consent to disclose the particulars of any and all the property, goods, wares, and merchandise, articles, and objects liable to pay any duty or tax, or any business or occupation liable to pay any tax as aforesaid, then, and in that case, it shall be the duty of the collector or deputy collector to make such list or return, which, being distinctly read, consented to, and signed and verified by oath by the person so owning, possessing, or having the care and management as aforesaid, may be received as the list of such person: *Provided further*, That in case no annual list or return has been rendered by such person to the collector or deputy collector as required by law, and the person shall be absent from his or her residence or place of business at the time the collector or a deputy collector shall call for the annual list or return, it shall be the puty of such collector or deputy collector to leave at such place of residence or business, with some one of suitable age and discretion, if such be present, otherwise to deposit in the nearest post office a note or memorandum addressed to such person, requiring him or her to render to such collector or deputy collector the list or return required by law within 10 days from the date of such note or memorandum, verified by oath. And if any person, on being notified or required as aforesaid, shall refuse or neglect to render such list or return within the time required as aforesaid, or whenever any person who is required to deliver a monthly or other return of objects subject to tax fails to do so at the time required, or delivers any return which, in the opinion of the collector, is erroneous, false, or fraudulent, or contains any undervaluation or understatement, or refuses to allow any regularly authorized Government officer to examine the books of such person, firm, or corporation, it shall be lawful for the collector to summon such person, or any other person having possession, custody, or care of books of account containing entries relating to the business of such person, or any other person he may deem proper, to appear before him and produce such books at a time and place named in the summons, and to give testimony or answer interrogatories, under oath, respecting any objects or income liable to tax or the returns thereof. The collector may summon any person residing or found within the State or Territory in which his district lies; and when the person intended to be summoned does not reside and can not be found within such State or Territory, he may enter any collection district where such person may be found and there make the examination herein authorized. And to this end he may there exercise all the authority which he might lawfully exercise in the district for which he was commissioned: *Provided*, That 'person,' as used in this section, shall be construed to include any corporation, joint-stock company or association, or insurance company when such construction is necessary to carry out its provisions.

"SEC. 3176. If any person, corporation, company, or association fails to make and file a return or list at the time prescribed by law, or makes, willfully or otherwise, a false or fraudulent return or list, the collector or deputy collector shall make the return or list from his own knowledge and from such information as he can obtain through testimony or otherwise. Any return or list so made and subscribed by a collector or deputy collector shall be prima facie good and sufficient for all legal purposes.

"If the failure to file a return or list is due to sickness or absence, the collector may allow such further time, not exceeding 30 days, for making and filing the return or list, as he deems necessary.

"The Commissioner of Internal Revenue shall assess all taxes, other than stamp taxes, as to which returns or lists are so made by a collector or deputy collector. In case of any failure to make and file a return or list within the time prescribed by law or by the collector, the Commissioner of Internal Revenue shall add to the tax 50 per cent of its amount except that, when a return is voluntarily and without notice from the collector filed after such time and it is shown that the failure to file it was due to a reasonable cause and not to willful neglect, no such addition shall be made to the tax. In case a false or fraudulent return or list is willfully made, the Commissioner of Internal Revenue shall add to the tax 100 per cent of its amount.

"The amount so added to any tax shall be collected at the same time and in the same manner and as part of the tax unless the tax has been paid before the discovery of the neglect, falsity, or fraud, in which case the amount so added shall be collected in the same manner as the tax."

SEC. 17. That it shall be the duty of every collector of internal revenue to whom any payment of any taxes is made under the provisions of this title to give to the person making such payment a full written or printed receipt, expressing the amount paid and the particular account for which such payment was made; and whenever such payment is made such collector shall, if required, give a separate receipt for each tax paid by any debtor on account of payments made to or to be made by him to separate creditors, in such form that such debtor can conveniently produce the same separately to his several creditors in satisfaction of their respective demands to the amounts specified in such receipts; and such receipts shall be sufficient evidence in favor of such debtor to justify him in withholding the amount therein expressed from his next payment to his creditor; but such creditor may, upon giving to his debtor a full written receipt, acknowledging the payment to him of whatever sum may be actually paid and accepting the amount of tax paid as aforesaid (specifying the same) as a further satisfaction of the debt to that amount, require the surrender to him of such collector's receipt.

SEC. 18. That if any individual liable to make the return or pay the tax aforesaid shall refuse or neglect to make such return at the time

or times hereinbefore specified in each year, he shall be liable to a penalty of not less than $20 nor more than $1,000. Any individual or any officer of any corporation, joint-stock company or association, or insurance company required by law to make, render, sign, or verify any return, who makes any false or fraudulent return or statement with intent to defeat or evade the assessment required by this title to be made, shall be guilty of a misdemeanor, and shall be fined not exceeding $2,000 or be imprisoned not exceeding one year, or both, in the discretion of the court, with the costs of prosecution.

SEC. 19. That jurisdiction is hereby conferred upon the district courts of the United States for the district within which any person summoned under this title to appear to testify or to produce books shall reside, to compel such attendance, production of books, and testimony by appropriate process.

SEC. 20. That the preparation and publication of statistics reasonably available with respect to the operation of the income-tax law and containing classifications of taxpayers and of income, the amounts allowed as deductions and exemptions, and any other facts deemed pertinent and valuable, shall be made annually by the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury.

SEC. 21. That all administrative, special, and general provisions of law, including the laws in relation to the assessment, remission, collection, and refund of internal-revenue taxes not heretofore specifically repealed and not inconsistent with the provisions of this title, are hereby extended and made applicable to all the provisions of this title and to the tax herein imposed.

SEC. 22. That the provisions of this title shall extend to Porto Rico and the Philippine Islands: *Provided*, That the administration of the law and the collection of the taxes imposed in Porto Rico and the Philippine Islands shall be by the appropriate internal-revenue officers of those governments, and all revenues collected in Porto Rico and the Philippine Islands thereunder shall accrue intact to the general governments thereof, respectively: *Provided further*, That the jurisdiction in this title conferred upon the district courts of the United States shall, so far as the Philippine Islands are concerned, be vested in the courts of the first instance of said islands: *And provided further*, That nothing in this title shall be held to exclude from the computation of the net income the compensation paid any official by the governments of the District of Columbia, Porto Rico, and the Philippine Islands, or the political subdivisions thereof.

SEC. 23. That section 2 of the act approved October 3, 1913, entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," is hereby repealed, except as herein otherwise provided, and except that it shall remain in force for the assessment and collection of all taxes which have accrued thereunder, and for the imposition and collection of all penalties or forfeitures which have accrued or may accrue in relation to any of such taxes, and except that the unexpended balance of any appropriation heretofore made and now available for the administration of such section or any provision thereof shall be available for the administration of this title or the corresponding provision thereof.

SEC. 24. That income on which has been assessed the tax imposed by section 2 of the act entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," approved October 3, 1913, shall not be considered as income within the meaning of this title.

Title II.—Estate tax.

SEC. 100. That when used in this title—

The term "person" includes partnerships, corporations, and associations;

The term "United States" means only the States, the Territories of Alaska and Hawaii, and the District of Columbia;

The term "executor" means the executor or administrator of the decedent, or, if there is no executor or administrator, any person who takes possession of any property of the decedent; and

The term "collector" means the collector of internal revenue of the district in which was the domicile of the decedent at the time of his death, or, if there was no such domicile in the United States, then the collector of the district in which is situated the part of the gross estate of the decedent in the United States, or, if such part of the gross estate is situated in more than one district, then the collector of internal revenue at Baltimore, Md.

SEC. 101. That a tax (hereinafter in this title referred to as the tax), equal to the following percentages of the value of the net estate, to be determined as provided in section 103, is hereby imposed upon the transfer of the net estate of every decedent, whether a resident or nonresident of the United States:

One per cent of the amount of such net estate not in excess of $50,000;

Two per cent of the amount by which such net estate exceeds $50,000 and does not exceed $150,000;

Three per cent of the amount by which such net estate exceeds $150,000 and does not exceed $250,000;

Four per cent of the amount by which such net estate exceeds $250,000 and does not exceed $450,000; and

Five per cent of the amount by which such net estate exceeds $450,000.

SEC. 102. That the value of the gross estate of the decedent shall be determined by including the value at the time of his death of all property, real or personal, tangible or intangible, wherever situated:

(a) To the extent of the interest therein of the decedent at the time of his death which after his death is subject to the payment of the charges against his estate and the expenses of its administration and to distribution as part of his estate;

(b) To the extent of any interest therein of which the decedent has at any time made a transfer, or with respect to which he has created a trust, in contemplation of or intended to take effect in possession or enjoyment at or after his death, except in case of a bona fide sale for a fair and adequate consideration in money or money's worth. Any transfer of a material part of his property in the nature of a final disposition or distribution thereof, made by the decedent within four years prior to his death without such a consideration, shall, unless shown to the contrary, be deemed to have been made in contemplation of death within the meaning of this title; and

(c) To the extent of the interest therein held jointly or as tenants in the entirety by the decedent and any other person, or deposited in banks or other institutions in their joint names and payable to either or the survivor, except such part thereof as may be shown to have originally belonged to such other person and never to have belonged to the decedent.

For the purpose of this title stock in a domestic corporation owned and held by a nonresident decedent shall be deemed property within the United States, and any property of which the decedent has made a transfer or with respect to which he has created a trust, within the meaning of subdivision (b) of this section, shall be deemed to be situated in the United States, if so situated either at the time of the transfer or the creation of the trust, or at the time of the decedent's death.

SEC. 103. That for the purpose of the tax the value of the net estate shall be determined—

(a) In the case of a resident, by deducting from the value of the gross estate—

(1) Such amounts for funeral expenses, administration expenses, claims against the estate, unpaid mortgages, losses incurred during the settlement of the estate arising from fires, storms, shipwreck, or other casualty, and from theft, when not compensated for by insurance or otherwise, support during the settlement of the estate of those dependent upon the decedent, and other charges against the estate, as are allowed by the laws of the jurisdiction, whether within or without the United States, under which the estate is being administered; and

(2) An exemption of $50,000;

(b) In the case of a nonresident, by deducting from the value of that part of his gross estate which at the time of his death is situated in the United States that proportion of the deductions specified in paragraph (1) of subdivision (a) of this section which the value of such part bears to the value of his entire gross estate, wherever situated. But no deductions shall be allowed in the case of a nonresident unless the executor includes in the return required to be filed under section 105 the value at the time of his death of that part of the gross estate of the nonresident not situated in the United States.

SEC. 104. That the tax shall be due one year after the decedent's death. If the tax is paid before it is due, a discount at the rate of 5 per cent per annum, calculated from the time payment is made to the date when the tax is due, shall be deducted. If the tax is not paid within 60 days after it is due, interest at the rate of 10 per cent per annum from the time of the decedent's death shall be added as part of the tax, unless because of claims against the estate, necessary litigation, or other unavoidable delay the collector finds that the tax can not be determined, in which case the interest shall be at the rate of 6 per cent per annum from the time of the decedent's death until the cause of such delay is removed, and thereafter at the rate of 10 per cent per annum. Litigation to defeat the payment of the tax shall not be deemed necessary litigation.

SEC. 105. That the executor, within 30 days after qualifying as such, or after coming into possession of any property of the decedent, whichever event first occurs, shall give written notice thereof to the collector. The executor shall also, at such times and in such manner as may be required by the regulations made under this title, file with the collector a return under oath in duplicate, setting forth (a) the value of the gross estate of the decedent at the time of his death, or, in case of a nonresident, of that part of his gross estate situated in the United States; (b) the deductions allowed under section 103; (c) the value of the net estate of the decedent as defined in section 103; and (d) the tax paid or payable thereon; or such part of such information as may at the time be ascertainable. If there is no net estate subject to the tax, no notice or return shall be required.

SEC. 106. That if no administration is granted upon the estate of a decedent, or if no return is filed as provided in section 105, or if a return contains a false or incorrect statement of a material fact, the collector or deputy collector shall make a return, and the Commissioner of Internal Revenue shall assess the tax thereon.

SEC. 107. That the executor shall pay the tax to the collector or deputy collector. If for any reason the amount of the tax can not be determined, the payment of a sum of money sufficient, in the opinion of the collector, to discharge the tax shall be deemed payment in full of the tax, except as in this section otherwise provided. If the amount so paid exceeds the amount of the tax as finally determined, the Commissioner of Internal Revenue shall refund such excess to the executor. If the amount of the tax as finally determined exceeds the amount so paid, the commissioner shall notify the executor of the amount of such excess. From the time of such notification to the time of the final payment of such excess part of the tax interest shall be added thereto at the rate of 10 per cent per annum, and the amount of such excess shall be a lien upon the entire gross estate, except such part thereof as may have been sold to a bona fide purchaser for a fair and adequate consideration in money or money's worth.

The collector shall grant to the person paying the tax duplicate receipts, either of which shall be sufficient evidence of such payment, and shall entitle the executor to be credited and allowed the amount thereof by any court having jurisdiction to audit or settle his accounts.

SEC. 108. That if the tax herein imposed is not paid within 60 days after it is due, the collector shall, unless there is reasonable cause for further delay, commence appropriate proceedings in any court of the United States, in the name of the United States, to subject the property of the decedent to be sold under the judgment or decree of the court. From the proceeds of such sale the amount of the tax, together with the costs and expenses of every description to be allowed by the court, shall be first paid, and the balance shall be deposited according to the order of the court, to be paid under its direction to the person entitled thereto.

SEC. 109. That unless the tax is sooner paid in full, it shall be a lien for 10 years upon the gross estate of the decedent, except that such part of the gross estate as is used for the payment of charges against the estate and expenses of its administration, allowed by any court having jurisdiction thereof, shall be divested of such lien.

If the decedent makes a transfer of, or creates a trust with respect to, any property in contemplation of or intended to take effect in possession or enjoyment at or after his death (except in the case of a bona fide sale for fair and adequate consideration in money or money's worth) and if the tax in respect thereto is not paid when due, the transferee or trustee shall be personally liable for such tax, and such property, to the extent of the decedent's interest therein at the time of such transfer, shall be subject to a like lien equal to the amount of such tax. Any part of such property sold by such transferee or trustee to a bona fide purchaser for fair and adequate consideration in money or money's worth, shall be divested of the lien, and a like lien shall then attach to all the property of such transferee or trustee, except any part sold to a bona fide purchaser for a fair and adequate consideration in money or money's worth.

SEC. 110. That whoever knowingly makes any false statement in any notice or return required to be filed by this title shall be liable to a penalty of not exceeding $5,000, or imprisonment not exceeding one year, or both, in the discretion of the court.

Whoever fails to comply with any duty imposed upon him by section 105, or, having in his possession or control any record, file, or paper, containing or supposed to contain any information concerning the estate of the decedent, fails to exhibit the same upon request to the Commis-

sioner of Internal Revenue or any collector or law officer of the United States, or his duly authorized deputy or agent, who desires to examine the same in the performance of his duties under this title, shall be liable to a penalty of not exceeding $500, to be recovered, with costs of suit, in a civil action in the name of the United States.

SEC. 111. That all administrative, special, and general provisions of law, including the laws in relation to the assessment and collection of taxes, not heretofore specifically repealed are hereby made to apply to this title so far as applicable and not inconsistent with its provisions.

SEC. 112. That the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall make such regulations, and prescribe and require the use of such books and forms, as he may deem necessary to carry out the provisions of this title.

TITLE III.—MUNITION MANUFACTURER'S TAX.

SEC. 200. That when used in this title—

The term "person" includes partnerships, corporations, and associations;

The term "manufacture" and its derivatives, except as used in section 201, include the terms "smelt," "refine," "alloy," and their derivatives;

The term "taxable year" means the 12 months ending December 31. The first taxable year shall be the 12 months ending December 31, 1916; and

The term "United States" means only the States, the Territories of Alaska and Hawaii, and the District of Columbia.

SEC. 201. That every person manufacturing gunpowder or other explosives shall pay for each taxable year an excise tax equivalent to the following percentages of the gross receipts during such year from the sale or disposition of such explosives manufactured in the United States, except blasting powder and dynamite:

Five per cent of the amount of such receipts not in excess of $1,000,000; and

Eight per cent of the amount by which such receipts exceed $1,000,000.

Every person manufacturing (a) cartridges, loaded or unloaded, caps or primers; or (b) projectiles, shells, or torpedoes of any kinds, including shrapnel, loaded or unloaded, or fuses; or (c) firearms of any kind, including small arms, cannons, machine guns, rifles, and bayonets; or (d) any parts of any of the articles mentioned in (a), (b), or (c), shall pay for each taxable year an excise tax equivalent to the following percentages of the gross receipts during such year from the sale or disposition of any such articles manufactured in the United States:

Two per cent of the amount of such receipts not in excess of $250,000;

Three per cent of the amount by which such receipts exceed $250,000 and do not exceed $500,000;

Four per cent of the amount by which such receipts exceed $500,000 and do not exceed $1,000,000; and

Five per cent of the amount by which such receipts exceed $1,000,000.

Every person smelting copper ore, refining metallic copper, or alloying copper shall pay for each taxable year an excise tax equivalent to the following percentages of the gross receipts during such year from the sale or disposition of refined copper or copper alloys and from the sale or disposition of crude or unrefined copper if sold or disposed of for any purpose except for refining or alloying:

One per cent of the amount by which such receipts exceed $25,000 and do not exceed $1,000,000;

Two per cent of the amount by which such receipts exceed $1,000,000 and do not exceed $10,000,000; and

Three per cent of the amount by which such receipts exceed $10,000,000.

SEC. 202. If any person during any taxable year or part thereof, whether under any agreement, arrangement, or understanding, or otherwise, sells or disposes of any such article at less than the fair market price obtainable therefor, either (a) in such manner as directly or indirectly to benefit such person or any person directly or indirectly interested in the business of such person, or (b) with intent to cause such benefit, the amount of the gross receipts of such person during such year or part thereof from the sale or disposition of such article shall be taken to be the amount which would have been received from the sale or disposition of such article if sold at the fair market price.

SEC. 203. That if the net profit derived during such year from the sale or disposition of such articles manufactured in the United States is less than 10 per cent, no tax shall be levied, collected, and paid; and if the payment of the tax would reduce such net profit below 10 per cent, the tax to be levied, collected, and paid shall be equal to the net profit in excess of 10 per cent. Such net profit shall be computed on the amount actually invested in the United States in the manufacture of such articles, making reasonable allowance, in the case of the increase or decrease of such amount during the taxable year, for the proportion of such year during which such increased or decreased amount has been employed in the manufacture of such articles.

In cases where such person has undivided capital invested in the manufacture of the articles specified in section 201 and of other articles, the amount invested in the manufacture of the articles specified in section 201 shall be considered as in the same ratio to the total amount invested as the gross receipts from the sale and disposition of such articles bear to the total gross receipts from the sale and disposition of all articles manufactured.

The duty of establishing to the satisfaction of the Commissioner of Internal Revenue the fact that the net profit is less than 10 per cent or that the payment of the tax would reduce the net profit below 10 per cent shall devolve upon the person subject to the tax.

SEC. 204. That when used in this title the term "net profit" means the aggregate gross receipts during the taxable year from the sale and disposition of such articles manufactured in the United States less the following items, or the proportionate part thereof chargeable to the manufacture of such articles, any deductions not kept separate from similar items arising in connection with the joint manufacture of other articles not specified in section 201 being ascertained according to the ratio above prescribed for the determination of the amount invested:

(a) The cost of raw materials entering into the manufacture;

(b) Running expenses, including rentals, cost of repairs and maintenance, heat, power, insurance, management, salaries, and wages;

(c) Interest paid within the taxable year on debts or loans contracted to meet the needs of the business, and the proceeds of which have been actually used to meet such needs;

(d) Taxes of all kinds paid during the taxable year with respect to the business or property relating to the manufacture;

(e) Losses actually sustained within the taxable year in connection with the business of manufacturing such articles, including losses from fire, flood, storm, or other casualty, and not compensated for by insurance or otherwise; and

(f) A reasonable allowance, according to the conditions peculiar to each concern, for amortization of the values of buildings and machinery, account being taken of the exceptional depreciation of special plants.

SEC. 205. Any person manufacturing any of the articles specified in section 201 through the agency of a subsidiary concern or of a subcontractor, shall, for the purposes of this title, be deemed the manufacturer of such articles, instead of the subsidiary concern or the subcontractor.

SEC. 206. Every person manufacturing in the United States any of the articles mentioned in section 201 shall, on or before February 1 of each year, make a return under oath to the collector of internal revenue of the district wherein the principal office or place of business in the United States is located, stating the amount of gross receipts from the sale and disposition of such articles during the preceding taxable year. All such returns shall be transmitted forthwith by the collector to the Commissioner of Internal Revenue, who shall, on or before March 1, notify the person making such return of the amount of tax for which such person is liable, and such person shall pay the tax to the collector on or before April 1.

SEC. 207. The tax may be assessed on any person for the time being owning or carrying on the business or on any person acting as agent for that person in carrying on the business, or, where a business has ceased, on the person who owned or carried on the business or acted as agent in carrying on the business immediately before the time at which the business ceased.

SEC. 208. No person employed by the United States shall communicate or allow to be communicated to any person not legally entitled thereto any information obtained under the provisions of this title or allow any such person to inspect or have access to any return furnished under the provisions of this title.

SEC. 209. Whoever violates this title or the regulations made thereunder, or knowingly makes a false statement in any return, is guilty of a misdemeanor, and upon conviction, shall, in addition to paying any tax to which liable, be fined not more than $10,000, or imprisoned not exceeding one year, or both, in the discretion of the court.

SEC. 210. All administrative, special, and general provisions of law, including the laws in relation to the assessment and collection of taxes, not heretofore specifically repealed are hereby made to apply to this title so far as applicable and not inconsistent with its provisions.

SEC. 211. The Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall make all necessary regulations for carrying out the provisions of this title.

Title IV.—Miscellaneous taxes.

SEC. 300. That there shall be levied, collected, and paid a tax of $1.50 on all beer, lager beer, ale, porter, and other similar fermented liquor, brewed or manufactured and sold, or stored in warehouse, or removed for consumption or sale, within the United States, by whatever name such liquors may be called, for every barrel containing not more than 31 gallons; and at a like rate for any other quantity or for the fractional parts of a barrel authorized and defined by law. And section 3339 of the Revised Statutes is hereby amended accordingly.

SEC. 301. (a) That upon all still wines, including vermuth, and upon all artificial or imitation wines hereafter produced in or imported into the United States, and upon all like wines which on the date this section takes effect shall be in the possession or under the control of the producer, holder, dealer, or compounder, there shall be levied, collected, and paid taxes at rates as follows:

On wines containing not more than 14 per cent of absolute alcohol, 4 cents per wine gallon, the per cent of alcohol taxable under this section to be reckoned by volume and not by weight.

On wines containing more than 14 per cent and not exceeding 21 per cent of absolute alcohol, 10 cents per wine gallon.

On wines containing more than 21 per cent and not exceeding 24 per cent of absolute alcohol, 25 cents per wine gallon.

All such wines containing more than 24 per cent of absolute alcohol shall be classed as distilled spirits and shall pay tax accordingly: *Provided*, That on all unsold still wines in the actual possession of the producer at the time this title takes effect, upon which the tax imposed by the act approved October 22, 1914, entitled "An act to increase the internal revenue, and for other purposes," and the joint resolution approved December 17, 1915, entitled "Joint resolution extending the provisions of the act entitled 'An act to increase the internal revenue, and for other purposes,' approved October 22, 1914, to December 31, 1916," has been assessed, the tax so assessed shall be abated, or, if paid, refunded under such regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe.

(b) That the taxes imposed by this section shall be paid by stamp on removal of the wines from the customshouse, winery, or other bonded place of storage for consumption or sale, and every person hereafter producing, or having in his possession or under his control when this title takes effect, any wines subject to the tax imposed in this section shall file such notice, describing the premises on which such wines are produced or stored; shall execute a bond in such form; shall make such inventories under oath; and shall, prior to sale or removal for consumption, affix to each cask or vessel containing such wine such marks, labels, or stamps as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may from time to time prescribe; and the premisces described in such notice shall, for the purpose of this section, be regarded as bonded premises. But the provisions of this subdivision of this section, except as to payment of tax and the affixing of the required stamps or labels, shall not apply to wines held by retail dealers, as defined in section 3244 of the Revised Statutes of the United States, nor subject to regulations prescribed by the Commissioner of Internal Revenue, shall the tax imposed by this section apply to wines produced for the family use of the producer thereof and not sold or removed from the place of manufacture and not exceeding in any case 200 gallons per year. The Commissioner of Internal Revenue is hereby authorized to have prepared and issue such stamps denoting payment of the tax imposed by this section as he may deem requisite and necessary; and until such stamps are provided the taxes imposed by this section shall be assessed and collected as other taxes are assessed and collected, and all provisions of law relating to assessment and collection of taxes, so far as applicable, are hereby extended to the taxes imposed by this section.

(c) That under such regulations and official supervision and upon the giving of such notices, entries, bonds, and other securities as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe, any producer of wines taxable under the provisions of this section may withdraw from any fruit distillery or special bonded warehouse grape brandy, or wine spirits, for the fortification of such wines on the premises where actually made: *Provided*, That there shall be levied and assessed against the producer

of such wines a tax of 10 cents per proof gallon of grape brandy or wine spirits so used by him in the fortification of such wines during the preceding month, which assessment shall be paid by him within 90 days from the date of notice thereof: *Provided further*, That nothing herein contained shall be construed as exempting any wines, cordials, liqueurs, or similar compounds from the payment of any tax provided for in this section.

That sections 42, 43, and 45 of the act of October 1, 1890, as amended by section 68 of the act of August 27, 1894, are further amended to read as follows:

"SEC. 42. That any producer of pure sweet wines may use in the preparation of such sweet wines, under such regulations and after the filing of such notices and bonds, together with the keeping of such records and the rendition of such reports as to materials and products as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe, wine spirits produced by any duly authorized distiller, and the Commissioner of Internal Revenue, in determining the liability of any distiller of wine spirits to assessment under section 3309 of the Revised Statutes, is authorized to allow such distiller credit in his computations for the wine spirits withdrawn to be used in fortifying sweet wines under this act.

"SEC. 43. That the wine spirits mentioned in section 42 herein mentioned is the product resulting from the distillation of fermented grape juice, to which water may have been added prior to, during, or after fermentation, for the sole purpose of facilitating the fermentation and economical distillation thereof, and shall be held to include the product from grapes or their residues commonly known as grape brandy, and shall include commercial grape brandy which may have been colored with burnt sugar or caramel; and the pure sweet wine which may be fortified with wine spirits under the provisions of this act is fermented or partially fermented grape juice only, with the usual cellar treatment, and shall contain no other substance whatever introduced before, at the time of, or after fermentation, except as herein expressly provided: *Provided*, That the addition of pure boiled or condensed grape must or pure crystallized cane or beet sugar, or pure dextrose sugar or water, or any or all of them, to the pure grape juice before fermentation, or to the fermented product of such grape juice, or to both, prior to the fortification herein provided for, either for the purpose of perfecting sweet wines according to commercial standards or for mechanical purposes, shall not be excluded by the definition of pure sweet wine aforesaid: *Provided, however*, That the cane or beet sugar, or pure dextrose sugar so used shall not be in excess of 11 per cent of the weight of the wine to be fortified: *And provided further*, That the addition of water herein authorized shall be under such regulations and limitations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may from time to time prescribe: *Provided, however*, That records kept in accordance with such regulations as to the percentage of saccharine, acid, alcoholic, and added water content of the wine offered for fortification shall be open to inspection by any official of the Department of Agriculture thereto duly authorized by the Secretary of Agriculture; but in no case shall such wines to which water has been added be eligible for fortification under the provisions of this act, where the same, after fermentation and before fortification, have an alcoholic strength of less than 5 per cent of their volume.

"SEC. 45. That under such regulations and official supervision, and upon the execution of such entries and the giving of such bonds, bills of lading, and other security as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall prescribe, any producer of pure sweet wines as defined by this act may withdraw wine spirits from any special bonded warehouse in original packages or from any registered distillery in any quantity not less than 80 wine gallons, and may use so much of the same as may be required by him under such regulations, and after the filing of such notices and bonds and the keeping of such records and the rendition of such reports as to materials and products and the disposition of the same as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall prescribe, in fortifying the pure sweet wines made by him, and for no other purpose, in accordance with the foregoing limitations and provisions; and the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, is authorized whenever he shall deem it to be necessary for the prevention of violations of this law to prescribe that wine spirits withdrawn under this section shall not be used to fortify wines except at a certain distance prescribed by him from any distillery, rectifying house, winery, or other establishment used for producing or storing distilled spirits, or for making or storing wines other than wines which are so fortified, and that in the building in which such fortification of wines is practiced no wines or spirits other than those permitted by this regulation shall be stored in any room or part of the building in which fortification of wines is practiced. The use of wine spirits for the fortification of sweet wines under this act shall be under the immediate supervision of an officer of internal revenue, who shall make returns describing the kinds and quantities of wine so fortified, and shall affix such stamps and seals to the packages containing such wines as may be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury; and the Commissioner of Internal Revenue shall provide by regulations the time within which wines so fortified with the wine spirits so withdrawn may be subject to inspection, and for final accounting for the use of such wine spirits and for rewarehousing or for payment of the tax on any portion of such wine spirits which remain not used in fortifying pure sweet wines."

(d) That under such regulations and upon the execution of such notices, entries, bonds, and other security as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe, domestic wines subject to the tax imposed by this section may be removed from the winery where produced, free of tax, for storage on other bonded premises or for exportation from the United States or for use as distilling material at any regularly registered distillery: *Provided, however*, That the distiller using any such wine as material shall, subject to the provisions of section 3309 of the Revised Statutes of the United States, as amended, be held to pay the tax on the product of such wines as will include both the alcoholic strength therein produced by fermentation and that obtained from the brandy or wine spirits added to such wines at the time of fortification.

(e) That upon all domestic and imported sparkling wines, liqueurs, and compounds remaining in the hands of dealers when this title takes effect, or thereafter removed from the place of manufacture or storage for sale or consumption, there shall be levied and paid, by stamp, taxes as follows:

On each bottle or other container of champagne or sparkling wine, 3 cents on each one-half pint or fraction thereof.

On each bottle or other container of artificially carbonated wine, 1 cent on each one-half pint or fraction thereof.

On each bottle or other container of liqueurs, cordials, compounds, or preparations containing distilled spirits of wine, 1½ cents on each one-half pint or fraction thereof.

The taxes imposed by this section shall not apply to wines, liqueurs, or cordials on which the tax imposed by the act approved October 22, 1914, entitled "An act to increase the internal revenue, and for other purposes," and the joint resolution approved December 17, 1915, entitled "Joint resolution extending the provisions of the act entitled 'An act to increase the internal revenue, and for other purposes,' approved October 22, 1914, to December 31, 1916," has been paid by stamp, nor to medicinal compounds prepared by retail druggists on physician's prescription, where the quantity of such compound does not exceed one-half pint.

The Commissioner of Internal Revenue is hereby authorized to have prepared suitable revenue stamps denoting the payment of the taxes imposed by this section; and all provisions of law relating to internal-revenue stamps, so far as applicable, are hereby extended to the taxes imposed by this section.

(f) That any person who shall evade or attempt to evade the tax imposed by this section, or any requirement of this section or regulation issued pursuant thereof, or who shall, otherwise than provided in this section, recover or attempt to recover any spirits from domestic or imported wine, or who shall rectify, mix, or compound with distilled spirits any domestic wines, other than in the manufacture of liqueurs, cordials, preparations, or compounds taxable under the provisions of this section, shall, on conviction, be punished for each such offense by a fine of not exceeding $5,000, or imprisonment for not more than five years, or both, and all wines or spirits as to which such violation occurs shall be forfeited to the United States. But the provision of this subdivision of this section and the provision of section 3244 of the Revised Statutes of the United States, as amended, relating to rectification, or other internal-revenue laws of the United States, shall not be held to apply to or prohibit the mixing or blending of wines subject to tax under the provisions of this section with each other or with other wines for the sole purpose of perfecting such wines according to commercial standards.

(g) That the Commissioner of Internal Revenue, by regulations to be approved by the Secretary of the Treasury, may require the use at each fruit distillery of such spirit meters, and such locks and seals to be affixed to fermenters, tanks, or other vessels and to such pipe connections as may in his judgment be necessary or expedient; and the said commissioner is hereby authorized to assign to any such distillery and to each winery where wines are to be fortified such number of gaugers or storekeeper-gaugers in the capacity of gaugers as may be necessary for the proper supervision of the manufacture of brandy or the making or fortifying of wines subject to tax imposed by this section; and the compensation of such officers shall not exceed $5 per diem while so assigned, together with their actual and necessary traveling expenses, and also a reasonable allowance for their board bills, to be fixed by the Commissioner of Internal Revenue, but not to exceed $2.50 per diem for said board bills.

(h) That the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, is hereby authorized to make such allowances for unavoidable loss of wines while on storage or during cellar treatment as in his judgment may be just and proper, and to prepare all necessary regulations for carrying into effect the provisions of this section.

SPECIAL TAXES.

SEC. 302. That on and after January 1, 1917, special taxes shall be, and hereby are, imposed annually, as follows, that is to say:

First. Bankers shall pay $1 for each $1,000 of capital, surplus, and undivided profits used in any of the activities or functions of banking, including such sums as may be invested in or loaned upon stocks, bonds, mortgages, real estate, or other securities. The amount of such annual tax shall in all cases be computed on the basis of the capital, surplus, and undivided profits for the preceding fiscal year. Every person, firm, or company, and every incorporated or other bank, having a place of business where credits are opened by the deposit or collection of money or currency, subject to be paid or remitted upon draft, check, or order, or where money is advanced or loaned on stocks, bonds, bullion, bills of exchange, or promissory notes, or where stocks, bonds, bullion, bills of exchange, or promissory notes are received for discount or sale, shall be deemed a banker under this section: *Provided*, That any postal savings bank, or savings bank having no capital stock, and whose business is confined to receiving deposits and loaning or investing the same for the benefit of its depositors, and which does no other business of banking, shall not be subject to this tax.

Second. Brokers shall pay $30. Every person, firm, or company, whose business it is to negotiate purchases or sales of stocks, bonds, exchange, bullion, coined money, bank-notes, promissory notes, or other securities, for others, shall be regarded as a broker: *Provided*, That any person having paid the special tax as a banker shall not be required to pay the special tax as a broker.

Third. Pawnbrokers shall pay $50. Every person, firm, or company whose business or occupation it is to take or receive, by way of pledge, pawn, or exchange, any goods, wares, or merchandise, or any kind of personal property whatever, as security for the repayment of money loaned thereon, shall be deemed a pawnbroker.

Fourth. Ship brokers shall pay $20. Every person, firm, or company whose business it is as a broker to negotiate freights and other business for the owners of vessels, or for the shippers or consignors or consignees of freight carried by vessels, shall be regarded as a ship broker under this section.

Fifth. Customhouse brokers shall pay $10. Every person, firm, or company whose occupation it is, as the agent of others, to arrange entries and other customhouse papers, or transact business at any port of entry relating to the importation or exportation of goods, wares, or merchandise, shall be regarded as a customhouse broker.

Sixth. Proprietors of theaters, museums, or concert halls, where a charge for admission is made, located in a city, town, or village with a population not exceeding 1,000, according to the last preceding census of the United States, shall pay $10; located in a city, town, or village having a population in excess of 1,000 but not in excess of 2,000, shall pay $15; located in a city, town, or village having a population in excess of 2,000 and not in excess of 3,000, shall pay $20; located in a city, town, or village having a population in excess of 3,000, shall pay one-half of 1 per cent of their gross receipts from admission. Every edifice used for the purpose of dramatic or operatic or other representations, plays, or performances, for admission to which entrance money is received, not including halls or armories rented or used occasionally for concerts or theatrical representation, shall be regarded as a theater.

Every proprietor of such theater, museum, or concert hall located in a city, town, or village having a population in excess of 3,000 inhabitants shall, on or before the 15th day of March, 1917, and on or before the 15th day of June, September, December, and March there-

after, make a return, under oath, to the collector of internal revenue of the district wherein they are located, stating the gross receipts from admissions for the preceding quarter. The collector shall, within five days of receipt of the return, notify the proprietor of the amount of the tax for which such person is liable, and such person shall pay the tax to the collector on or before the 1st day of the next month.

Seventh. The proprietor or proprietors of circuses shall pay $100. Every building, space, tent, or area where feats of horsemanship or acrobatic sports or theatrical performances not otherwise provided for in this section are exhibited shall be regarded as a circus: *Provided*, That no special tax paid in one State, Territory, or the District of Columbia shall exempt exhibitions from the tax in another State, Territory, or the District of Columbia, and but one special tax shall be imposed for exhibitions within any one State, Territory, or District.

Eighth. Proprietors or agents of all other public exhibitions or shows for money not enumerated in this section shall pay $10: *Provided*, That a special tax paid in one State, Territory, or the District of Columbia shall not exempt exhibitions from the tax in another State, Territory, or the District of Columbia, and but one special tax shall be required for exhibitions within any one State, Territory, or the District of Columbia: *Provided further*, That this paragraph shall not apply to Chautauquas, lecture lyceums, agricultural or industrial fairs, or exhibitions held under the auspices of religious or charitable associations: *Provided further*, That an aggregation of entertainments known as a street fair shall not pay a larger tax than $100 in any State, Territory, or in the District of Columbia.

Ninth. Proprietors of bowling alleys and billiard rooms shall pay $5 for each alley or table. Every building or place where bowls are thrown or where games of billiards or pool are played, and that are open to the public with or without price, shall be regarded as a bowling alley or a billiard room, respectively.

SEC. 303. That on and after January 1, 1917, special taxes on tobacco, cigar, and cigarette manufacturers shall be, and hereby are, imposed annually as follows, the amount of such annual taxes to be computed in all cases on the basis of the annual sales for the preceding fiscal year:

Manufacturers of tobacco whose annual sales do not exceed 50,000 pounds shall each pay $3:

Manufacturers of tobacco whose annual sales exceed 50,000 and do not exceed 100,000 pounds shall each pay $6;

Manufacturers of tobacco whose annual sales exceed 100,000 and do not exceed 200,000 pounds shall each pay $12;

Manufacturers of tobacco whose annual sales exceed 200,000 pounds shall each pay at the rate of 8 cents per thousand pounds or fraction thereof;

Manufacturers of cigars whose annual sales do not exceed 50,000 cigars shall each pay $2;

Manufacturers of cigars whose annual sales exceed 50,000 and do not exceed 100,000 cigars shall each pay $3;

Manufacturers of cigars whose annual sales exceed 100,000 and do not exceed 200,000 cigars shall each pay $6;

Manufacturers of cigars whose annual sales exceed 200,000 and do not exceed 400,600 cigars shall each pay $12;

Manufacturers of cigars whose annual sales exceed 400,000 cigars shall each pay at the rate of 5 cents per thousand cigars or fraction thereof;

Manufacturers of cigarettes whose annual sales do not exceed 1,000,000 cigarettes shall each pay $12; and

Manufacturers of cigarettes whose annual sales exceed 1,000,000 cigarettes shall each pay at the rate of 25 cents for every 10,000 cigarettes, or fraction thereof

In arriving at the amount of special tax to be paid under this section, and in the levy and collection of such tax, each person, firm, or corporation engaged in the manufacture of more than one of the classes of articles specified in this section shall be considered and deemed a manufacturer of each class separately.

Every person who carries on any business or occupation for which special taxes are imposed by this title, without having paid the special tax therein provided, shall, besides being liable to the payment of such special tax, be deemed guilty of a misdemeanor, and upon conviction thereof shall pay a fine of not more than $500, or be imprisoned not more than six months, or both, in the discretion of the court.

SEC. 304. That all administrative or special provisions of law, including the law relating to the assessment of taxes, so far as applicable, are hereby extended to and made a part of this title, and every person, firm, company, corporation, or association liable to any tax imposed by this title shall keep such records and render, under oath, such statements and returns, and shall comply with such regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may from time to time prescribe.

SEC. 305. That the act approved October 22, 1914, entitled "An act to increase the internal revenue, and for other purposes," and the joint resolution approved December 17, 1915, entitled "Joint resolution extending the provisions of the act entitled 'An act to increase the internal revenue, and for other purposes,' approved October 22, 1914, to December 31, 1916," are hereby repealed, except sections 3 and 4 of such act as so extended, which sections shall remain in force till January 1, 1917, and except that the provisions of the said act shall remain in force for the assessment and collection of all special taxes imposed by sections 3 and 4 thereof, or by such sections as extended by said joint resolution, for any year or part thereof ending prior to January 1, 1917, and of all other taxes imposed by such act, or by such act as so extended, accrued prior to the taking effect of this title, and for the imposition and collection of all penalties or forfeitures which have accrued or may accrue in relation to any of such taxes.

SEC. 306. That the Commissioner of Internal Revenue, subject to regulation prescribed by the Secretary of the Treasury, may make allowance for or redeem stamps, issued, under authority of the act approved October 22, 1914, entitled "An act to increase the internal revenue, and for other purposes," and the joint resolution approved December 17, 1915, entitled "Joint resolution extending the provisions of the act entitled 'An act to increase the internal revenue, and for other purposes,' approved October 22, 1914, to December 31, 1916," to denote the payment of internal-revenue tax, and which have not been used, if presented within two years after the purchase of such stamps.

SEC. 307. That the provisions of this title shall take effect on the day following the passage of this act, except where otherwise in this title provided.

Title V.—Dyestuffs.

SEC. 400. That on and after the day following the passage of this act, except as otherwise specially provided for in this title, there shall be levied, collected, and paid upon the articles named in this section when imported from any foreign country into the United States or into any of its possessions, except the Philippine Islands and the islands of Guam and Tutuila, the rates of duties which are prescribed in this title, namely:

FREE LIST.

Group I. Acenaphthene, anthracene, benzol, carbazol, cresol, cumol, fluorene, methylanthracene, methylnaphthalene, naphthalene, pyridin, quinolin, toluol, xylol, crude coal tar, pitch of coal tar, dead or creosote oil, anthracene oil, all other distillates which on being subjected to distillation yield less than 5 per cent of tar acids in the portion distilling below 200° C., and all other products that are found naturally in coal tar, whether produced or obtained from coal tar or other source, and not otherwise specially provided for in this title, shall be exempt from duty.

DUTIABLE LIST.

Group II. Amidonaphthol, amidophenol, amidosalicylic acid, aniline oil, aniline salt, anthraquinone, binitrobenzol, binitrotoluol, binitronaphthalene, binitrochlorbenzol, benzaldehyde, benzylchloride, benzidin, chlorphthalic acid, cumidin, dianisidin, dimethylanilin, dioxynaphthalene, diphenylamin, methylanthraquinone, metanilic acid, nitrobenzol, nitrotoluol, nitronaphthalene, nitraniline, nitrophenylenediamine, nitrotoluenediamine, naphthylamine, naphthol, naphthylenediamine, phenol, phthalic acid, phthalic anhydride, phenylenediamine, phenylnaphthylamine, resorcin, salicylic acid, sulfanilic acid, toluidin, tolidin, toluylenediamine, xylidin, or any sulfoacid or sulfoacid salt of any of the foregoing, all other distillates which on being subjected to distillation yield 5 per cent or more of tar acids in the portion distilling below 200° C., and all other products obtained, derived, or manufactured in whole or in part from the products provided for in Group I, all the foregoing not colors, dyes, or stains, photographic chemicals, or explosives, and not otherwise provided for in this title, 15 per cent ad valorem.

Group III. All colors, dyes, or stains, whether soluble or not in water, color acids, color bases, color lakes, photographic chemicals, or explosives, not otherwise specially provided for in this title, when obtained, derived, or manufactured in whole or in part from any of the products provided for in Groups I and II, including natural alizarin and indigo, 30 per cent ad valorem.

SEC. 401. That on and after the day following the passage of this act, in addition to the duties provided in section 400, there shall be levied, collected, and paid upon all articles contained in Group II a special duty of 2½ cents per pound, and upon all articles contained in Group III (except natural and synthetic alizarin and dyes obtained from alizarin, anthracene, and carbazol; and natural and synthetic indigo and all indigoids (whether or not obtained from indigo), a special duty of 5 cents per pound.

During the period of five years beginning five years after the passage of this act such special duties shall be annually reduced by 20 per cent of the rate imposed by this section, so that at the end of such period such special duties shall no longer be assessed, levied, or collected; but if at the expiration of five years from the date of the passage of this act the President finds that there is not being manufactured or produced within the United States as much as 60 per cent in value of the domestic consumption of the articles mentioned in Groups II and III of section 400, he shall by proclamation so declare, whereupon the special duties imposed by this section on such articles shall no longer be assessed, levied, or collected.

SEC. 402. That paragraphs 20, 21, 22, and 23 of Schedule A of section 1 of an act entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," approved October 3, 1913, and paragraphs 394, 452, and 514, and the words "carbolic" and "phthalic," in paragraph 387 of the "free list" of section 1 of said act, and so much of said act or any existing law or parts of law as may be inconsistent with this title are hereby repealed.

Title VI.—Tariff Commission.

SEC. 500. That a commission is hereby created and established, to be known as the United States Tariff Commission (hereinafter in this title referred to as the commission), which shall be composed of six members, who shall be appointed by the President, by and with the advice and consent of the Senate, not more than three of whom shall be members of the same political party. In making said appointments members of different political parties shall alternate as nearly as may be practicable. The first members appointed shall continue in office for terms of 2, 4, 6, 8, 10, and 12 years, respectively, from the date of the passage of this act, the term of each to be designated by the President. The President shall also designate biennially the chairman and vice chairman, but their successors shall be appointed for terms of 12 years, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he shall succeed. No person shall be eligible for appointment as a member of the commission who has been elected to or served in the Senate or House of Representatives of the United States. No member shall engage actively in any other business, function, or employment. Any member may be removed by the President for inefficiency, neglect of duty, or malfeasance in office. A vacancy shall not impair the right of the remaining members to exercise all the powers of the commission, but no vacancy shall extend beyond any session of Congress.

SEC. 501. That each commissioner shall receive a salary of $10,000 per year, payable monthly. The commission shall appoint a secretary, who shall receive a salary of $6,000 per year, payable in like manner, and it shall have authority to employ and fix the compensations of such special experts, examiners, clerks, and other employees as the commission may from time to time find necessary for the proper performance of its duties.

With the exception of the secretary, a clerk to each commissioner, and such special experts as the commission may from time to time find necessary for the conduct of its work, all employees of the commission shall be a part of the classified civil service.

All of the expenses of the commission, including all necessary expenses for transportation incurred by the commissioners or by their employees under their orders in making any investigation or upon official business in any other places than at their respective headquarters, shall be allowed and paid on the presentation of itemized vouchers therefor approved by the commission.

Unless otherwise provided by law, the commission may rent suitable offices for its use, and purchase such furniture, equipment, and supplies as may be necessary.

The principal office of the commission shall be in the city of Washington, but it may meet and exercise all its powers at any other place. The commission may, by one or more of its members, or by such agents as it may designate, prosecute any inquiry necessary to its duties in any part of the United States or in any foreign country.

SEC. 502. That it shall be the duty of said commission to investigate the administration and fiscal effects of the customs laws of this country now in force or which may be hereafter enacted, the relations between the rates of duty on raw materials and finished or partly finished products, the effects of ad valorem and specific duties and of compound specific and ad valorem duties, all questions relative to the arrangement of schedules and classification of articles in the several schedules of the customs law, and, in general, to investigate the operation of customs laws, including their relation to the Federal revenues, and to submit reports of its investigations as hereafter provided.

SEC. 503. That the commission shall put at the disposal of the President of the United States, the Committee on Ways and Means of the House of Representatives, and the Committee on Finance of the Senate, whenever requested, all information at its command, and shall make such investigations and reports as may be requested by the President or by either of said committees or by either branch of the Congress, and shall report to Congress on the first Monday of December of each year hereafter a statement of the methods adopted and all expenses incurred, and a summary of all reports made during the year.

SEC. 504. That the commission shall have power to investigate the tariff relations between the United States and foreign countries, commercial treaties, preferential provisions, the effect of export bounties and preferential transportation rates, the volume of importations compared with domestic production and consumption, and conditions, causes, and effects relating to competition of foreign industries with those of the United States, including dumping and cost of production.

SEC. 505. That upon the organization of the commission, the Cost of Production Division in the Bureau of Foreign and Domestic Commerce in the Department of Commerce shall be transferred to said commission, and the clerks and employees of said division shall be transferred to and become clerks and employees of the commission, and all records, papers, and property of the said division and of the former tariff board shall be transferred to and become the records, papers, and property of the commission.

SEC. 506. That for the purposes of carrying this title into effect the commission or its duly authorized agent or agents shall have access to and the right to copy any document, paper, or record, pertinent to the subject matter under investigation, in the possession of any person, firm, copartnership, corporation, or association engaged in the production, importation, or distribution of any article under investigation, and shall have power to summon witnesses, take testimony, administer oaths, and to require any person, firm, copartnership, corporation, or association to produce books or papers relating to any matter pertaining to such investigation. Any member of the commission may sign subpœnas, and members and agents of the commission, when authorized by the commission, may administer oaths and affirmations, examine witnesses, take testimony, and receive evidence.

Such attendance of witnesses and the production of such documentary evidence may be required from any place in the United States at any designted place of hearing. And in case of disobedience to a subpœna the commission may invoke the aid of any district court of the United States in requiring the attendance and testimony of witnesses and the production of documentary evidence, and such court within the jurisdiction of which such inquiry is carried on may, in case of contumacy or refusal to obey a subpœna issued to any corporation or other person, issue an order requiring such corporation or other person to appear before the commission, or to produce documentary evidence if so ordered, or to give evidence touching the matter in question; and any failure to obey such order of the court may be punished by such court as a contempt thereof.

Upon the application of the Attorney General of the United States, at the request of the commission, any such court shall have jurisdiction to issue writs of mandamus commanding compliance with the provisions of this title or any order of the commission made in pursuance thereof.

The commission may order testimony to be taken by deposition in any proceeding or investigation pending under this title at any stage of such proceeding or investigation. Such depositions may be taken before any person designated by the commission and having power to administer oaths. Such testimony shall be reduced to writing by the person taking the deposition, or under his direction, and shall then be subscribed by the deponent. Any person, firm, copartnership, corporation, or association, may be compelled to appear and depose and to produce documentary evidence in the same manner as witnesses may be compelled to appear and testify and produce documentary evidence before the commission, as hereinbefore provided.

Witnesses summoned before the commission shall be paid the same fees and mileage that are paid witnesses in the courts of the United States, and witnesses whose depositions are taken and the persons taking the same, except employees of the commission, shall severally be entitled to the same fees and mileage as are paid for like services in the courts of the United States: *Provided*, That no person shall be excused, on the ground that it may tend to incriminate him or subject him to a penalty or forfeiture, from attending and testifying, or producing books, papers, documents, and other evidence, in obedience to the subpœna of the commission; but no natural person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing as to which, in obedience to a subpœna and under oath, he may so testify or produce evidence, except that no person shall be exempt from prosecution and punishment for perjury committed in so testifying.

SEC. 507. That the said commission shall in appropriate matters act in conjunction and cooperation with the Treasury Department, the Department of Commerce, the Federal Trade Commission, or any other departments, or independent establishments of the Government, and such departments and independent establishments of the Government shall cooperate fully with the commission for the purposes of aiding and assisting in its work, and, when directed by the President, shall furnish to the commission, on its request, all records, papers, and information in their possession relating to any of the subjects of investigation by said commission and shall detail, from time to time, such officials and employees to said commission as he may direct.

SEC. 508. It shall be unlawful for any member of the United States tariff commission, or for any employee, agent, or clerk of said commission, or any other officer or employee of the United States, to divulge, or to make known in any manner whatever not provided for by law, to any person, the trade secrets or processes of any person, firm, copartnership, corporation, or association embraced in any examination or investigation conducted by said commission, or by order of said commission, or by order of any member thereof. Any offense against the provisions of this section shall be a misdemeanor and be punished by a fine not exceeding $1,000, or by imprisonment not exceeding one year, or both, in the discretion of the court, and such offender shall also be dismissed from office or discharged from employment.

SEC. 509. That there is hereby permanently appropriated, for the purpose of defraying the expense of the establishment and maintenance of the commission, including the payment of salaries herein authorized, out of any money in the Treasury of the United States not otherwise appropriated, the sum of $300,000 for the fiscal year ending June 30, 1917, and each fiscal year thereafter.

Title VII.—Unfair competition.

SEC. 600. That when used in this title the term "person" includes partnerships, corporations, and associations.

SEC. 601. That it shall be unlawful for any person importing or assisting in importing any articles from any foreign country into the United States, to commonly and systematically sell or cause to be sold such articles within the United States at a price substantially less than the actual market value or wholesale price of such articles, at the time of exportation to the United States, in the principal markets of the country of their production, or of other foreign countries to which they are commonly exported, after adding to such market value or wholesale price, freight, duty, and other charges and expenses necessarily incident to the importation and sale thereof in the United States: *Provided*, That such act or acts be done with the intent of destroying or injuring an industry in the United States, or of preventing the establishment of an industry in the United States, or of restraining or monopolizing any part of trade and commerce in such articles in the United States.

Any person who violates or combines or conspires with any other person to violate this section is guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine not exceeding $5,000, or imprisonment not exceeding one year, or both, in the discretion of the court.

Any person injured in his business or property by reason of any violation of, or combination or conspiracy to violate, this section, may sue therefor in the district court of the United States for the district in which the defendant resides or is found or has an agent, without respect to the amount in controversy, and shall recover threefold the damages sustained, and the cost of the suit, including a reasonable attorney's fee.

SEC. 602. That if any article produced in a foreign country is imported into the United States under any agreement, understanding, or condition that the importer thereof or any other person in the United States shall not use, purchase, or deal in, or shall be restricted in his using, purchasing, or dealing in, the articles of any other person, there shall be levied, collected, and paid thereon, in addition to the duty otherwise imposed by law, a special duty equal to double the amount of such duty.

SEC. 603. That the Secretary of the Treasury shall make such rules and regulations as are necessary for the carrying out of the provisions of section 602.

Title VIII.

SEC. 700. That if any clause, sentence, paragraph, or part of this act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of said act but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SEC. 701. That unless otherwise herein specially provided, this act shall take effect on the day following its passage, and all provisions of any act or acts inconsistent with the provisions of this act, are hereby repealed.

Mr. KITCHIN. Mr. Chairman, with the consent of the gentleman from Illinois [Mr. MANN] and the gentleman from Michigan [Mr. FORDNEY], I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. FOSTER, Chairman of the Committee of the Whole House on the state of Union, reported that that committee had had under consideration the bill (H. R. 16763) to increase the revenue, and for other purposes, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent leave of absence was granted to Mr. HOWELL, indefinitely, on account of important business.

HOUR OF MEETING ON MONDAY.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 10 o'clock on Monday.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that when the House adjourns to-day it adjourn to meet at 10 o'clock a. m. on Monday next. Is there objection?

There was no objection.

LEAVE TO EXTEND REMARKS.

Mr. KELLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing an address delivered by my colleague, Dr. FESS, of Ohio, before the National Educational Association in New York yesterday, upon the subject of a national university.

The SPEAKER. The gentleman from Michigan [Mr. KELLEY] asks unanimous consent to extend his remarks in the RECORD by printing an address by Dr. FESS before the National Educational Association at New York yesterday on the subject of a national university. Is there objection?

There was no objection.

Mr. JAMES. I ask unanimous consent to extend my remarks in the RECORD on the subject of treaties.

The SPEAKER. The gentleman from Michigan [Mr. JAMES] asks unanimous consent to extend his remarks in the RECORD on the subject of treaties. Is there objection?

There was no objection.

INFANTILE PARALYSIS.

Mr. SIEGEL. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution offered by me this morning, authorizing the Department of Labor to extend to the city of New York the use of Federal hospitals for the treatment of patients suffering from infantile paralysis.

The SPEAKER. The gentleman from New York [Mr. SIEGEL] asks unanimous consent for the present consideration of a resolution authorizing the use of Federal hospitals in New York for the treatment of children suffering from infantile paralysis. Is there objection?

Mr. MANN. Let us have the resolution reported first.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House joint resolution 257.

Resolved, etc., That until November 1, 1916, the Secretary of Labor be, and he is hereby, authorized in his discretion to utilize the available hospital facilities at the immigration station at Ellis Island, New York Harbor, for the purpose of housing and caring for indisposed persons from the city of New York and vicinity, under such conditions as the Secretary of Labor shall prescribe.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, why should the General Government take care of these people who are ill in New York City?

Mr. SIEGEL. The General Government is not going to do that.

Mr. MANN. That is what this provides for.

Mr. SIEGEL. That is not the intention of the department.

Mr. BENNET. Mr. Speaker, if the gentleman will permit me, at Ellis Island——

Mr. MANN. I am talking about the resolution that is pending. That is what the resolution says.

Mr. BENNET. The resolution simply permits the Department of Labor to utilize what is known as the Third Island, at Ellis Island, in connection with the epidemic of infantile paralysis that unfortunately has attained large proportions in New York City. There is a third island there, where some ten or a dozen hospital buildings were built a few years ago, with the idea that they would be needed for diseases of children. The quarantine laws were changed, and they were not needed. Those buildings stand there to-day practically empty and unused, and the city of New York really needs those hospital facilities. I do not know whether that is an answer to the suggestion of the gentleman from Illinois.

Mr. MANN. It is not. I will ask the gentleman from New York whether it is expected under this resolution that the people of New York City will pay all the expenses of caring for these patients, or whether it is expected that the General Government shall contribute.

Mr. SIEGEL. No; the city of New York is to pay all the expenses. In addition to that, the Secretary of Labor has written a letter, which I have here, wherein he urges the adoption of this resolution.

Mr. MANN. Oh, well, of course, that is nothing.

Mr. SIEGEL. I may say also that at my request on Thursday the United States Public Health Service was instructed to take charge, because this disease is spreading all over the country, and to-day no one knows from whence it comes or how it originates, or how to treat it. The city of New York is only asking to have the use of these premises, and will pay all the expenses.

Mr. MANN. There is no such provision in the resolution, but if that is the understanding, I do not think I shall object.

Mr. BURNETT. Mr. Speaker, let us have the resolution reported again.

The SPEAKER. Without objection, the resolution will be again reported.

The resolution was again read.

The SPEAKER. Is there objection?

Mr. FOSTER. Mr. Speaker, reserving the right to object, it seems to me that the resolution ought to provide that the Secretary of Labor may authorize the use of these buildings by the city of New York without expense to the Government.

Mr. GARNER. Strike out the words "caring for" in the resolution.

Mr. SIEGEL. I want to say that the resolution as prepared by me this morning reads somewhat differently from the one prepared by the department. The resolution which has been read was prepared by the department this morning after I had offered my other resolution. The Secretary of Labor has written a letter asking that the resolution be offered in this form, and he has done this after consulting the Solicitor General. I know him and have the most implicit faith in him.

Mr. MANN. The resolution as read provides that the Secretary of Labor shall utilize the hospital for caring for these patients.

Mr. FOSTER. As I understand the gentleman, the intention is that there shall be authority given to the Secretary of Labor to permit the use of these hospital buildings by the city of New York for the care of these patients.

Mr. HOWARD. At their own expense.

Mr. GARNER. But the resolution does not say that.

Mr. SIEGEL. That is the intention.

Mr. GARNER. That may be the intention, but it does not say so.

Mr. SIEGEL. Without expense to the United States Government.

Mr. GARNER. That is all right.

Mr. FOSTER. Why not word it so as to permit the use of these buildings by the authorities of the city of New York without expense to the Federal Government?

Mr. SIEGEL. My resolution made some such provision, but the department changed the language and wrote this letter, which uses the language I have offered, as the Secretary of Labor would have the discretion under it to make such terms and conditions as he deems just.

Mr. KITCHIN. I suggest to the gentleman that he add the words "without expense to the United States Government."

Mr. SIEGEL. Mr. Speaker, I ask unanimous consent to add the words "without expense to the United States Government."

The SPEAKER. The gentleman from New York [Mr. SIEGEL] asks unanimous consent to add the words "without expense to the United States Government." Is there objection?

There was no objection.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. HOWARD. Mr. Speaker——

Mr. SHERLEY. May we have the resolution reported?

The SPEAKER. What part of it? It has been read twice.

Mr. SHERLEY. I want to hear enough of it to know what it provides. I was unable to hear it.

The SPEAKER. Without objection, it will be reported a third time.

Mr. BURNETT. Let it be reported as amended under the suggestion of the gentleman.

The SPEAKER. It will be reported this time as amended.

The Clerk read as follows:

Resolved, etc., That until November 1, 1916, the Secretary of Labor be, and he is hereby, authorized, in his discretion, to utilize the available hospital facilities at the immigration station at Ellis Island, New York Harbor, for the purpose of housing and caring for indisposed persons from the city of New York and vicinity under such conditions as the Secretary of Labor shall prescribe, but without expense to the Government of the United States.

Mr. HOWARD. Mr. Speaker, reserving the right to object, I desire to ask the gentleman just one or two questions. Are any of the buildings adjacent to the hospital that you desire used for this purpose by the city of New York used in any manner now for adult patients in the Immigration Service?

Mr. SIEGEL. Originally these buildings were erected by the United States Government on what is known as the Third Island of Ellis Island. At that time it was intended to use them for children's cases, but the city of New York through the health department handled children's cases, and these buildings are now idle and are not used. They have every facility for handling children's cases.

Mr. HOWARD. What I am trying to get at is whether or not the Government of the United States uses these buildings for children or anyone else that the gentleman is asking Congress to permit the city of New York to use for these cases?

Mr. SIEGEL. No; they are not being used.

Mr. HOWARD. Is there any likelihood of any of these adjacent buildings being used between now and November 1 for any patients of the Government?

Mr. SIEGEL. No; for the reason that immigration has so dropped down. These buildings are not used, and were rarely used at the time when immigration was at its flood.

Mr. HOWARD. Are these hospitals furnished or empty?

Mr. SIEGEL. They are partially empty.

Mr. HOWARD. Does the gentleman know whether they are furnished or unfurnished?

Mr. SIEGEL. They are partially furnished, as I am informed by the department.

Mr. HOWARD. Does the city of New York propose to use the beds and furniture and appliances there in the hospital that are now owned by the Government or does the city propose to clean them out and furnish everything?

Mr. SIEGEL. Whatever the city of New York uses will have to be destroyed, because that is the fundamental basis of the treatment of this kind of disease.

Mr. HOWARD. That is what I was coming to.

Mr. SIEGEL. I would like to finish my answer to the gentleman, and to state to him that I am pleading for the infants of New York City.

Mr. HOWARD. I have got all of the information that I need, so far as I am concerned, about the use of these buildings, and for the present I am going to object to the consideration of this resolution for this reason. I may not object on Monday, but this is a very serious proposition. The States are now preparing to quarantine against New York City because of infantile paralysis. It is a horrible disease. About 25 or 30 per cent of the cases are fatal, and I do not think it is right to allow the city of New York to go into a governmental institution and use that building and then later have immigrants come there and occupy the building, when the greatest scientists of the country do not know whether it is a contagious disease or not, and in that way possibly permit the scattering of it all over the United States so that thousands of little children may be killed. I am going to object to it.

Mr. SIEGEL. I will ask the gentleman to reserve his objection for a moment.

Mr. HOWARD. I reserve it, of course.

Mr. SIEGEL. These buildings are separate and distinct from the other buildings that are being used by the Government. They were built there for the purpose of being used and they are not being used. There are over a thousand cases in the city of New York to-day. Our hospitals are filled. These buildings were prepared for infants. The death rate in New York has reached 23 per cent.

Mr. BURNETT. They were prepared for the infants of immigrants?

Mr. SIEGEL. Now or then?

Mr. BURNETT. Then, when they were constructed?

Mr. SIEGEL. They were prepared for it at that time, it is true, but the idea as I was about to say was this, that whatever the city of New York uses will have to be replaced, because everything that is used in the treatment of infantile paralysis must be destroyed, as I am informed.

Mr. BURNETT. Let me ask the gentleman right there, who will replace those things, the city of New York or the Government?

Mr. SIEGEL. We make provision here that whatever is done shall be done within the discretion of the Secretary of Labor and without expense to the Government.

Mr. BURNETT. That does not provide that the city of New York or the State of New York shall replace those things.

Mr. SIEGEL. I desire to call attention to the fact that the United States Public Health Service was ordered to take charge of this fight against this disease because it affects the entire Nation, and I will ask the gentleman to accept the following modification:

And the State of New York or the city of New York, or both, shall pay to the Government for any property that may be destroyed or used while the same is so occupied.

Mr. BURNETT. I will state that that ought to be in it anyway.

Mr. FOSTER. Mr. Speaker, I will ask the gentleman to please yield to me for a moment. I want to say this, that New York, as I understand it, is having a very serious struggle with infantile paralysis. The Public Health Service has been called into cooperation with the State and city authorities in New York. There is now dying in New York City one child every hour of the 24, a very serious situation it seems to me. If the Federal Government has to give up these buildings at the end of their use by the city of New York, when the hospitals of that city are filled with more than a thousand of these little children who are afflicted with this horrible disease, even if they have to be torn down and rebuilt, it is all done in the interest of these little children and these unfortunate families, and it seems to me that this great Government of ours can well afford to permit the use of these buildings now. [Applause.]

I know that my friend from Georgia [Mr. HOWARD] is looking well to the future and fears that there might be infection received from those who might be housed in the buildings in the future, but as has been said here, every article of furniture would be taken out and destroyed, the buildings thoroughly fumigated as well as all the surroundings which it is possible to do to prevent that disease, and if it should be necessary, aye, to destroy those buildings, I believe it would be in the interest of humanity to do so. I hope my friend from Georgia will not object. I know him to be one of the kindest, best men I ever knew. He is as sympathetic for those in distress as any man and will do all he can to relieve suffering.

Mr. SMITH of Minnesota. Will the gentleman yield for a question?

Mr. FOSTER. Yes.

Mr. SMITH of Minnesota. Is it not true that if these hospitals should be used for taking care of these children who are infected that it would serve to prevent the spread of the disease, and that the sooner it is done the better?

Mr. FOSTER. That is undoubtedly true. The medical profession does not know all about infantile paralysis. It is a terrible disease, and yet there is not very much known about it; at least the knowledge of its germ and communication it is hoped may be known soon.

Mr. SMITH of Minnesota. Does the medical profession know whether or not it is contagious?

Mr. FOSTER. It is judged that it is an infectious disease, and will spread if children are permitted to congregate, so the case must be isolated. However, I do not know; nobody else knows, and that is what the profession would like to know more about.

Mr. FESS. I would like to ask the Member from New York whether the city authorities have taken every precaution in excluding children from the moving-picture shows and such places?

Mr. SIEGEL. We have. We closed the libraries yesterday and to-day we closed all the playgrounds, and we have closed every moving-picture house in New York City.

Mr. FESS. And it is rapidly increasing?

Mr. SIEGEL. At the rate of 100 cases a day.

Mr. FESS. There are people in my town who have been sent from Brooklyn to get rid of the dread disease.

Mr. SIEGEL. They are leaving New York City by thousands. A hundred thousand have left in the last three days, going all over the country.

Mr. FOSTER. From the newspaper reports there have been cases occurring in other cities of the country as far west as Chicago.

Mr. BURNETT. Does the gentleman think it is the duty of the Federal Government to provide against all these things in all these cities? Does not the gentleman think that would be a monstrous precedent to be established for the Federal Government?

Mr. FOSTER. I think this. Here is an isolated hospital unused by the Federal Government and, after New York has housed as many of these afflicted children as possible, they now ask that they might use this hospital for the isolation of those who may become infected in the future. So I think while it is not the duty of the Federal Government to take care of this disease, yet the Federal Government in every such crisis of this kind coming upon the country has given its assistance, and I am glad that it has done so. I believe in this case Congress ought to do this. I am as sincere about it as anyone could be, and I hope there will be no objection to this resolution and that it may go through unanimously.

Mr. BURNETT. Does not the gentleman believe not only the beds and cots but other appurtenances there would have to be destroyed, and that perhaps the buildings themselves would have to be destroyed?

Mr. FOSTER. I do not know whether it will be or not, that is something that can be decided in the future. But, as I said before, this is a small matter to me. Here is a condition in which it is said that 24 children at least every 24 hours die in the city of New York. Now if these buildings—I do not know how expensive they are, I do not care very much how expensive they are—if it is for the purpose of taking care of these unfortunate children and helping to stamp out this disease so that others can not become infected with it, I will tell the gentleman human life can not be counted in dollars.

Mr. HOWARD. If the gentleman will permit, if it was the intention of the gentleman from New York by this resolution to isolate all the children in New York who had this disease on a Government reservation on the Third Island, I would not object to it, but it does not remedy the spread of this disease, and I am just as sympathetic as my distinguished friend from Illinois [Mr. FOSTER].

Mr. FOSTER. I am sure of that.

Mr. HOWARD. What could appeal to me or any other man with a heart in him any more than the thought of little children suffering with infantile paralysis, but it is a question whether or not we expect to use this island exclusively for the isolation of infantile paralysis cases, whether you will continue to crowd the hospitals in New York City——

Mr. SIEGEL. You can not house them all there.

Mr. HOWARD (continuing). Or use Ellis Island, on Government property, without any additional benefit to the city of New York except the mere usage of the buildings.

Mr. FOSTER. Let me say this to my friend from Georgia. If they have this disease they should be placed in some hospital if possible——

Mr. HOWARD. That is true; I agree with the gentleman about that.

Mr. FOSTER. Where they can have proper treatment for this disease, and, as has been said here, the hospitals of New York have been filled up.

Mr. BURNETT. Are they? Is that a fact?

Mr. SIEGEL. It is a fact.

Mr. FOSTER. They go into certain isolated wards, I do not mean the whole hospital is filled with these children.

Mr. HOWARD. Mr. Chairman, to eliminate any further discussion, and fearing that what I have said may be misunderstood by my colleagues in reference to having these poor little children cared for, I will withdraw any objection I have made. [Applause.]

Mr. BURNETT. Now, Mr. Speaker, may I ask the gentleman as to the modification to the effect that the city or the State of New York will bear the expense? What is the provision?

Mr. SIEGEL. Without expense to the Government.

Mr. BURNETT. Suppose the buildings are to be torn down and the cots or beds have to be destroyed?

The SPEAKER. The Clerk will report the resolution with amendments.

The Clerk read as follows:

Resolved, etc., That until November 1, 1916, the Secretary of Labor be, and he is hereby, authorized in his discretion to utilize the available hospital facilities at the immigration station at Ellis Island, New York Harbor, for the purpose of housing and caring for indisposed persons from the city of New York and vicinity under such conditions as the Secretary of Labor shall prescribe, but without expense to the Government of the United States. And the State or city of New York, or both, shall compensate the Government of the United States for any and all loss sustained by the Government in the use and occupation of such buildings.

Mr. GARRETT. Mr. Speaker, of course the immediate occasion for this is the epidemic, if it can be called an epidemic, of infantile paralysis. Equally, of course, the resolution is not confined to that at all. It can be open to every indisposed person, no matter whether afflicted with infantile paralysis or whatever it may be.

Mr. SIEGEL. Will the gentleman yield?

Mr. GARRETT. Certainly.

Mr. SIEGEL. I have a letter here from the Department of Labor——

Mr. GARRETT. Certainly I am not going to object to it, but I want to call attention to that and the utterance of the gentleman, at least, that that is the purpose.

Mr. SIEGEL. That is the purpose.

Mr. GARRETT. I think it ought to go into the RECORD that that is the purpose and intent.

Mr. SIEGEL. That is the purpose and intent, and I wish the Clerk would read this letter showing that that is the understanding.

The SPEAKER. Is there objection?

Mr. BURNETT. All of the speech of the gentleman from Illinois [Mr. FOSTER] has been made on the idea that it was for those who are afflicted or liable to be afflicted with infantile paralysis, and I understand from the reading of that resolution that it is not confined to that at all. It takes in everybody, those who are recovering from a protracted drunk, or everything else.

Mr. FOSTER. Will the gentleman yield? It does not so state, it is true, but the statement is made here by the Member from New York that the city has asked for the use of this hospital for this purpose, and I take it that such will be the case. If it is necessary to incorporate that in the resolution, I think it ought to be done.

Mr. BURNETT. Why, certainly.

Mr. FOSTER. I have no objection. I am willing to meet every technicality that is necessary to be met in order to get the use of this hospital.

Mr. GARRETT. Is it the hope of the gentleman to get this resolution passed this afternoon?

Mr. SIEGEL. It is.

Mr. GARRETT. The Senate has adjourned, has it not?

Mr. SIEGEL. That is true, but I hope to get it through here this afternoon and get it to the Senate early Monday morning. This resolution was prepared by the Department of Labor. I have a letter here that states it is to be confined to these cases.

Mr. GARRETT. I understand the resolution does not confine it to them.

Mr. MANN. I think the gentleman's criticism is a good one, but here is a letter from Mr. Wilson, the Secretary of Labor, in which he refers to the epidemic of infantile paralysis in New York and suggests this resolution. Now, the resolution provides that the use of the hospital shall be under such conditions as the Secretary of Labor shall prescribe. And I think, perhaps, it will be perfectly safe, under the circumstances, to pass the resolution, with the knowledge on the part of the Secretary that he has asked for this only for care of patients suffering with infantile paralysis, and with the knowledge that that is the understanding of the House as well.

Mr. GARRETT. Mr. Speaker, I have stated that I did not intend to object to the consideration of the resolution. I really feel like there ought to be in the resolution itself a definite and specific statement of the purposes for which these buildings are to be used. But these things appeal to our sympathies; and with the letter that has been read by the gentleman from Illinois, I think we ought to understand that if this matter comes up again we will be able to at least point to the letter as to some understanding of what the buildings are to be used for.

Mr. MANN. It is a loosely drawn resolution.

Mr. GALLAGHER. Why does the gentleman say in his resolution that this hospital shall be open to "persons"?

Mr. SIEGEL. In answer to that I will say that the resolution was drawn by the Department of Labor.

Mr. GALLAGHER. I do not care by whom it is drawn. The resolution says that this hospital shall be open to "persons." If all this sympathy is going out, the resolution ought to say "children."

Mr. SIEGEL. The letter itself says that it is infantile paralysis.

Mr. GALLAGHER. I am talking about the resolution. It says that this hospital shall be open to "persons."

Mr. PLATT. Does not the gentleman know that this disease is not confined to children, but people of his age might take it?

Mr. SIEGEL. Let me say to the gentleman from Illinois that infantile paralysis may be gotten by an adult. I do not see how it can, and no one seems to know. This letter from the department says it refers to infantile paralysis. The department put the word "persons" in there.

Mr. GALLAGHER. I have no objection to it.

The SPEAKER. Is there objection to the present consideration of this resolution? [After a pause.] The Chair hears none.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

Mr. SIEGEL. Mr. Speaker, I ask leave to insert in the RECORD the letter which I referred to.

The SPEAKER. The gentleman from New York asks unanimous consent to insert in the RECORD the letter he referred to. Is there objection?

There was no objection.

Following is the letter referred to:

DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, July 8, 1916.

Hon. ISAAC SIEGEL, M. C.,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: In reference to the call of your secretary, in regard to a resolution which you contemplate introducing in the House, having for its object the utilization of certain hospital facilities at Ellis Island, in relieving the existing situation in New York and vicinity brought about by the epidemic of infantile paralysis, I have to state that this department would favor the enactment of a joint resolution substantially as follows:

"*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That until November 1, 1916, the Secretary of Labor be, and he is hereby, authorized in his discretion to utilize the available hospital facilities at the immigration station at Ellis Island, New York Harbor, for the purpose of housing and caring for indisposed persons from the city of New York and vicinity, under such conditions as the Secretary of Labor shall prescribe."

Respectfully, yours,

W. B. WILSON, *Secretary.*

MARINE HOSPITAL, CLEVELAND, OHIO.

Mr. CROSSER rose.

The SPEAKER. For what purpose does the gentleman from Ohio rise?

Mr. CROSSER. To ask unanimous consent for the present consideration of the bill (S. 2845) to permit the sale of the Cleveland Marine Hospital in order to invest the funds in another marine hospital and allow the present site to be used for a depot. It has been holding up all improvements there for quite a little while.

The SPEAKER. Is there a House bill here of similar character?

Mr. CROSSER. I do not think so. I think it is reported in an omnibus bill, but not separately.

Mr. MANN. Reserving the right to object, Mr. Speaker, I know what the bill is. I have no objection to passing the bill permitting the sale of the marine hospital at Cleveland, but this bill provides that after the sale the Public Health Service shall use the money at any place they please in the United States by building a new marine hospital or putting in new equipment.

In other words, the department in drawing this bill entirely overlooked all safe limitations. Such a bill can not pass by unanimous consent.

The SPEAKER. Is there objection?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 34 minutes p. m.) the House adjourned, pursuant to the order previously made, until Monday, July 10, 1916, at 10 o'clock a. m.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and a joint resolution were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. JOHNSON of Kentucky, from the Committee on the District of Columbia, to which was referred the bill (H. R. 14824) to prevent fraud at public auctions in the District of Columbia, reported the same without amendment, accompanied by a report (No. 932), which said bill and report were referred to the House Calendar.

Mr. BARKLEY, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 10496) to prohibit the manufacture, sale, or transportation in interstate commerce of misbranded articles, to regulate the traffic therein, and for other purposes, reported the same with amendment, accompanied by a report (No. 934), which said bill and report were referred to the House Calendar.

Mr. STOUT, from the Committee on Irrigation of Arid Lands, to which was referred the joint resolution (S. J. Res. 51) appropriating money for the payment of certain claims on account of labor, supplies, materials, and cash furnished in the construction of the Corbett Tunnel, reported the same with amendment, accompanied by a report (No. 935), which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. JOHNSON of Kentucky, from the Committee on the District of Columbia, to which was referred the bill (H. R. 9760) for the relief of James T. Petty, Charles W. Church, and others, executors of Charles B. Church, deceased, Jesse B. Wilson, and George T. Dearing, reported the same without amendment, accompanied by a report (No. 933), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills and resolutions were introduced and severally referred as follows:

By Mr. DENISON: A bill (H. R. 16866) authorizing the Secretary of War to donate to the new armory at Carbondale, Jackson County, Ill., two suitable cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. SISSON: A bill (H. R. 16867) to provide for the purchase of a site and the erection of a public building thereon at Okolona, in the State of Mississippi; to the Committee on Public Buildings and Grounds.

By Mr. BURKE: A bill (H. R. 16868) to amend section 2 of an act entitled "An act to promote the welfare of American seamen in the merchant marine of the United States, to abolish arrest and imprisonment as a penalty for desertion, and to secure the abrogation of treaty provisions in relation thereto, and to promote safety at sea"; to the Committee on the Merchant Marine and Fisheries.

By Mr. GOULD: A bill (H. R. 16869) authorizing the Secretary of War to donate cannon and balls; to the Committee on Military Affairs.

By Mr. FIELDS: A bill (H. R. 16870) to authorize the Secretary of War to furnish one condemned cannon to the John T. Parker Post No. 57, Kentucky Grand Army of the Republic, of the city of Vanceburg, Lewis County, Ky.; to the Committee on Military Affairs.

By Mr. CAMPBELL: A bill (H. R. 16871) to prevent the publication of false reports and rumors affecting the international relations of the United States; to the Committee on the Judiciary.

By Mr. WICKERSHAM: A bill (H. R. 16872) to amend section 831 of the Compiled Laws of the Territory of Alaska; to the Committee on the Territories.

By Mr. KITCHIN: A bill (H. R. 16873) to authorize the adoption of a national trade-mark for the manufactures of the United States, particularly for export purposes, and to authorize the Secretary of Commerce to license manufacturers to use the same, and for other purposes; to the Committee on Appropriations.

By Mr. McCULLOCH (by request): A bill (H. R. 16874) proposing an amendment to section 2 of the act of March 3, 1905 (33 Stats., p. 1021); to the Committee on Indian Affairs.

By Mr. CRISP: A bill (H. R. 16875) granting the consent of Congress to Crisp County, Ga., to construct a bridge across Flint River, Ga., between Crisp and Sumter Counties; to the Committee on Interstate and Foreign Commerce.

By Mr. SPARKMAN: A bill (H. R. 16876) to amend section 4414 of the Revised Statutes of the United States; to the Committee on the Merchant Marine and Fisheries.

By Mr. COLEMAN: Joint resolution (H. J. Res. 256) to authorize the Secretary of the Treasury to accept from the city of Pittsburgh certain lands in exchange for other lands of equal area; to the Committee on Mines and Mining.

By Mr. HULBERT: Resolution (H. Res. 296) directing the Secretary of the Treasury to report to Congress as to the advisability of establishing free ports, etc.; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills were introduced and severally referred as follows:

By Mr. EAGAN: A bill (H. R. 16877) granting an increase of pension to Egnitz Rensing; to the Committee on Invalid Pensions.

By Mr. KIESS of Pennsylvania: A bill (H. R. 16878) granting a pension to Willie L. Rogers; to the Committee on Pensions.

By Mr. KING: A bill (H. R. 16879) granting an increase of pension to Gen. F. M. Bean; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16880) granting a pension to Mary Trower; to the Committee on Invalid Pensions,

Also, a bill (H. R. 16881) granting an increase of pension to Mathew O'Brien; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16882) granting an increase of pension to David H. Tulles; to the Committee on Invalid Pensions.

By Mr. McCULLOCH: A bill (H. R. 16883) granting a pension to Willard Kolp; to the Committee on Pensions.

By Mr. OLDFIELD: A bill (H. R. 16884) granting an increase of pension to Charles E. Frizzell; to the Committee on Invalid Pensions.

By Mr. RAMSEYER: A bill (H. R. 16885) granting an increase of pension to Joseph Ohman; to the Committee on Pensions.

By Mr. RUSSELL of Missouri: A bill (H. R. 16886) granting a pension to Joel H. Haden; to the Committee on Invalid Pensions.

By Mr. STEPHENS of California: A bill (H. R. 16887) granting an increase of pension to Patrick F. Nealon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16888) granting an increase of pension to Frederick J. Cressey; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. DALE of New York: Memorial of Equal Suffrage League of Baltimore, Md., relative to woman-suffrage amendment; to the Committee on the Judiciary.

By Mr. EAGAN: Petitions of German-American Button Co., of Rochester, N. Y., and Packard Motor Car Co., Detroit, Mich., against bill to prohibit time study; to the Committee on Labor.

By Mr. HOWELL: Petition of J. R. Smith, Joseph Thompson, and 50 other citizens of Uinta County, Utah, against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. PRATT: Petition of W. A. Simkin and sundry citizens of Pine City and Elmira, N. Y., opposing the passage of House bill 13778, authorizing the Postmaster General to exclude from the mails certain publications; to the Committee on the Post Office and Post Roads.

By Mr. STINESS: Petition of Rhode Island Bankers' Association, favoring passage of House bill 12998, relative to amend-

ing Federal-reserve act; to the Committee on Banking and Currency.

Also, papers to accompany House bill 14723, granting an increase of pension to Mary E. Caswell; to the Committee on Invalid Pensions.

Also, papers to accompany a bill granting an increase of pension to Ellener R. Potter; to the Committee on Invalid Pensions.

Also, papers to accompany a bill granting an increase of pension to Margaret Brayton; to the Committee on Invalid Pensions.

SENATE.

MONDAY, *July 10, 1916.*

(Legislative day of Friday, July 7, 1916.)

The Senate reassembled at 11 o'clock a. m., on the expiration of the recess.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll and the following Senators answered to their names:

Ashurst	Gronna	Norris	Smoot
Bankhead	Hollis	O'Gorman	Sterling
Brady	Husting	Overman	Stone
Brandegee	James	Pittman	Sutherland
Bryan	Johnson, Me.	Poindexter	Swanson
Chamberlain	Johnson, S. Dak.	Ransdell	Taggart
Chilton	Jones	Reed	Thomas
Clapp	Kenyon	Saulsbury	Thompson
Clark, Wyo.	Kern	Shafroth	Vardaman
Colt	La Follette	Sheppard	Wadsworth
Culberson	Lane	Sherman	Walsh
Cummins	McCumber	Shields	Williams
Curtis	Martin, Va.	Simmons	Works
Fletcher	Martine, N. J.	Smith, Ga.	
Gallinger	Nelson	Smith, S. C.	

Mr. MARTINE of New Jersey. I desire to announce that the Senator from Montana [Mr. MYERS] is detained from the Senate by illness.

The VICE PRESIDENT. Fifty-eight Senators have answered to the roll call. There is a quorum present.

RELIEF OF SYRIAN SUFFERERS.

Mr. STONE. Mr. President, before the unfinished business is taken up I ask leave to report back from the Committee on Foreign Relations Senate resolution 209, introduced by the Senator from West Virginia [Mr. CHILTON], and I submit a report (No. 652) thereon. The resolution was unanimously agreed to by that committee. It is exactly in line with other resolutions relating in the main to similar subjects. I call the attention of the Senator from West Virginia to the resolution.

Mr. CHILTON. Mr. President——

Mr. GALLINGER. Let the resolution be read for the information of the Senate.

The VICE PRESIDENT. The Secretary will read the resolution.

The Secretary read Senate resolution 209, submitted by Mr. CHILTON June 2, 1916, and referred to the Committee on Foreign Relations, as follows:

Whereas the attention of the people of the United States has been directed to the helpless situation in which many of the Syrians in the Mount Lebanon district have been placed, and that many thousands have perished from hunger and exposure; and

Whereas thousands of citizens of the United States in practically every State of the Union were either born in Syria or are the children of Syrians born in that country, and that thousands of American citizens are related by blood and affinity to many of the said suffering and helpless people; and

Whereas the people of the United States have demonstrated their sympathy for the suffering people on all sides in the great European war, having helped in a practical way the people of Belgium, Serbia, Ireland, Poland, and others, as becomes a nation which is neutral in this war and on friendly terms with all the belligerents: Therefore be it

Resolved, That appreciating the sufferings of the Syrian people it is suggested that the President of the United States set aside a day upon which a direct appeal to the sympathy of all American citizens shall be made and an opportunity shall be given for our public-spirited people to contribute to a much needed fund for the relief of the Syrian people.

Mr. CHILTON. Mr. President, I had intended to submit briefly some observations to the Senate upon this resolution, but in view of the fact that we are working now by virtue of the courtesy of those in charge of the Agricultural appropriation bill, I will content myself with asking unanimous consent for the immediate consideration of the resolution.

Mr. SMOOT. May I ask the Senator whether it is a Senate resolution?

Mr. CHILTON. It is a Senate resolution. It is simply a suggestion as we have done in the case of all the suffering people in Poland and elsewhere. It is the customary resolution.

Mr. SMOOT. Of course it is not in the power of the Senate to pass a resolution directing the President.

Mr. CHILTON. He is not directed. It is merely a suggestion. We could not direct him.

Mr. SMOOT. I see it is a mere suggestion, and therefore a Senate resolution is proper.

Mr. NORRIS. Permit me to ask a question.

The VICE PRESIDENT. Does the Senator from West Virginia yield to the Senator from Nebraska?

Mr. CHILTON. With pleasure.

Mr. NORRIS. I wish to ask the Senator if there will be any difficulty in the transmission of the funds that are collected in this way to the Syrian people.

Mr. CHILTON. I take it there will be some difficulty, but funds have been successfully transmitted from private sources to those people. I think we will find some way to transmit them if we can get the funds.

Mr. NORRIS. Of course I think it should be known that the people intended to be benefited by these contributions would get them and that there will be no difficulty in the way of the funds reaching them. If it is known that there will be no difficulty in the way of getting it to them the subscriptions will be a great deal more liberal. I asked the question for the purpose of bringing out that idea.

Mr. CHILTON. I will say in reply that there are a great many of these people who live in my State and a great many of them who live in my home city. They are very prosperous people in this country, and funds have been collected in a private way by my neighbors and friends and successfully transmitted to their people in Asia. I do not think there will be any trouble in transmitting the funds if we can raise them.

The VICE PRESIDENT. Is there objection to the consideration of the resolution? The Chair hears none, and the resolution is adopted.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by E. T. Taylor, jr., one of its clerks, announced that the House had passed a joint resolution (H. J. Res. 257) permitting the use of certain hospital facilities belonging to the United States, in which it requested the concurrence of the Senate.

TREATMENT OF INFANTILE PARALYSIS.

Mr. O'GORMAN. Mr. President, this is an emergency measure which has just come from the House. It has reference to the treatment of the plague that is now afflicting New York City and some other parts of the country. It permits the local authorities to make use of certain governmental stations at Ellis Island. I ask unanimous consent for the immediate consideration of the joint resolution.

The VICE PRESIDENT. The Chair lays the joint resolution before the Senate.

The joint resolution (H. J. Res. 257) permitting the use of certain hospital facilities belonging to the United States was read the first time by its title.

Mr. SMOOT. Mr. President, this being an emergency matter, of course I shall not insist upon its taking the regular course, but if it were not for the urgency of it I would insist upon a reference.

The VICE PRESIDENT. Is there objection to waiving the rule which would require the joint resolution to be submitted to a committee? The Chair hears none. The Secretary will read the joint resolution.

The joint resolution was read the second time at length, as follows:

Resolved, etc., That until November 1, 1916, the Secretary of Labor be, and he is hereby, authorized, in his discretion, to utilize the available hospital facilities at the immigration station at Ellis Island, New York Harbor, for the purpose of housing and caring for indisposed persons from the city of New York and vicinity, under such conditions as the Secretary of Labor shall prescribe, but without expense to the Government of the United States; and the State or city of New York, or both, shall compensate the Government of the United States for any and all losses sustained by the Government in the use and occupation of such buildings.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

TRADE AGREEMENT ABROAD (S. DOC. NO. 491).

Mr. STONE. Mr. President, I ask the Senator in charge of the Agricultural appropriation bill to allow me a few moments to present a question I deem to be of grave international import, and to ask that certain documents I have on my desk may be printed as a public document.

I have put in as brief form as I could what I desire to say to the Senate, and I should like to have, if I can, the considerate attention of the Senate. What I am about to say relates to Senate resolution 220, which I presented June 29, and which was agreed to on the following day. The resolution relates to the recent economic conference or convention held in Paris.

Mr. BRANDEGEE. Mr. President, will the Senator from Missouri be kind enough to state the number of the resolution which he is discussing? I did not catch it.

Mr. STONE. I am addressing my remarks to Senate resolution No. 220.

Mr. President, all of us are deeply sensible of the horrors incident to the great war in Europe. It would be useless for me to dwell upon that. I do not know, nor do you, how this mighty struggle will eventuate. No doubt we entertain individual opinions as to that, but such opinions are of necessity speculative and uncertain; moreover, it would not be thought to be the proper thing for any of us in this presence and at this time to express an opinion on that subject. All that we can assert is that sometime in the not distant future this stupendous butchery of men—men representing what is of the best in our Christian civilization—must end. To be sure whatever this great neutral Nation of ours may properly do to hasten that end should be done, and no doubt will be done. But my present purpose does not lead me into that consideration. For the present my eye is upon the end of the conflict, whenever and however that end may come. My eye is fixed upon the possible, may I not say probable, consequences of that end upon the well-being of this country. I am for the present confining my vision to our own horizon. Already the great nations engaged in this struggle have, as we know, reached a point of great embarrassment to all of them—financially, industrially, economically. If the war should go on to a bitter end—that is, to a final arbitrament of armed strength and endurance—the embarrassment alluded to will of necessity be enormously increased.

After it is all over what will the party victorious do, or be inclined to do, and in what way may the post-bellum policies of the victorious party affect our country and people? Of late I have been observing various things bearing upon this question. The things I have been observing relate to the possible policies of the victor, whoever that may be, when the doubtful issue of victory has been decided. Whether from the standpoint of the central—Germanic—powers or from the standpoint of the entente allies, it follows inevitably that whatever they have in mind to do is—at least, in large measure—dependent upon the final outcome of the struggle. The defeated party will likely have little to say; the victorious party will have much to say.

Mr. President, ought not we to be giving serious thought and attention to the outline of policies—the tentative, conditional policies—of these combatant nations as these outlines come to us? What does Germany have in mind to do in a commercial way if her arms should compel her enemies to yield? And what will the great powers of the entente alliance have in mind to do if victory should rest in the end upon their banners? I am not for the moment concerned about maps, about territorial changes, about successions to thrones, about governmental autonomies. I have in mind the things that may directly and immediately concern the material welfare of this country in particular, and in a larger sense of this hemisphere in general. It is not my present purpose to discuss these questions at length or with particularity of detail; perhaps we have not yet reached the point where that can be done advisedly. I wish merely to call passing and urgent notice to some of the things that have challenged my thought and attracted my attention.

First, let it be supposed that Germany should be the victor. What would the German policy be with respect not only to her enemy belligerent nations, but with respect to the world at large? Of course I can not answer this question satisfactorily, much less authoritatively. Still some things come to us it is worth while to take note of. Among other things to which my attention has been called is an article written by Gustaf Sioesteen—written in Berlin and printed in a Swedish publication. From that article I wish to make the following significant quotation:

> A commencement of this new economical connection is being made by the negotiations entered on by representatives of Austria-Hungary and Germany concerning the proposed formation of a customs union. Since this union would include 120,000,000 individuals, it must be evident what an immense attraction it must exert on the surrounding smaller nations. Swithzerland and Holland can scarcely escape this attraction, and the Scandinavian countries, it is said, would probably find it to their advantage, together with a liberated Finland, to form a northern customs union, which later, on an independent basis, could enter in close union with the vast "Zollverein" of central Europe.
>
> This "Zollverein" would then include about 175,000,000 individuals. The adhesion of Italy to the vast union would not be inconceivable, and then the combination of the United States of Europe, founded on a voluntary commercial union, would be approaching its realization.
>
> Such a commercial union, embracing various peoples, could only lead to moderation in foreign politics and would be the best guaranty for the peace of the universe. A brisk interchange of commodities, a fruitful interchange of cultural ideas, would result from such a union, connecting the polar seas with the Mediterranean and the Netherlands with the Steppes of southern Russia.

Of course this is not official or in any sense authoritative, but I have some good reason, although I do not feel at liberty to state the grounds of that reason, to believe that it is in some large way expressive of German governmental policy. That is all I care to say at this time on that subject. If true, it is very important.

I turn now to the other side—that of the entente allies. Whatever may be said about the German policy following the war—and as to that, it must be admitted, our information, at least so far as I have information, is somewhat nebulous and uncertain—the allies have given us a more definite cue as to their policy. Some months ago a movement was set afoot for the holding of an economic or commercial conference between the principal nations associated in what is known as the entente alliance. The proposal for such a congress was extensively discussed in Great Britain, France, and other countries. My attention has been called to a discussion had in the British House of Lords concerning this congress antedating the meeting thereof, and I have read various articles expressive of British public opinion relating to the subject appearing in the leading trade and commercial publications of that and other countries. I can not, of course, speak with assurance; but, reading and attempting to digest many of these things, I can not escape the belief that these war-involved and so-called allied nations have in mind a mutual policy to accomplish certain results beneficial to themselves and that may not be in accord with the interests of this country.

Primarily it appears to be the chief mutual purpose of these allied nations to wage a commercial war against Germany after Germany has been defeated on the field of physical combat. As to that there has been no attempt to disguise their purpose; but, as I have gone along reading the various discussions which have come under my notice, I am impressed with the apprehension that there may be, and probably is, a purpose having a larger reach.

There is talk of an international understanding between them that the allied powers, after the war, would work with each other and for themselves as against not only Germany but the balance of the world. There is much talk of fiscal and economical policies looking to that end, the underlying purpose being to aid each other in recouping and rehabilitating themselves. I am impressed with the notion of a purpose and tendency toward a close and somewhat exclusive commercial and industrial union of that character.

I wish to read at this point a brief extract from a speech recently delivered by the Right Hon. William Morris Hughes, the Australian premier and one of the dominating men in carrying forward the British policy. It is a somewhat remarkable thing that a man from far-away Australia, who has reached supreme power in that self-governing colony, should go to London and in the Parliament and on public opinion in the United Kingdom exert an influence that can hardly be second to that of any other man. He must be a man of great force. He was one of the leading men representing the British Empire at this Paris conference. Here is what he said, outlining his view of the general policy of the country for which he spoke—patriotically spoke:

> Then we have to prepare to meet the demand for machinery, ships, goods of all kinds which have either been destroyed by the war or which could not be manufactured during the war. We have to retain our hold on the sea-carrying trade and to dispose of our products in the markets of the world. The central powers have recently entered into a very close economic alliance, and Germany is using all its genius for organization to make it effective. Then, the neutral nations, growing rich while we grow daily poorer, are making great preparations to capture the world's markets and oust us from our position. All these things confront us. We must face them, and we must master them. And I am quite sure we can do so if we but go the right way to work.
>
> The only possible solution of the great problem lies in organization. We must not only put energy into the work, but brains; the best brains of the country. And we must call science to our aid.
>
> The material basis of every industry is its raw material. Without this, industry is helpless. The Paris conference sets out the position in one of its resolutions. Common sense and our own bitter experiences have made us realize how vital to national safety and welfare the raw materials of our basic industries are. We have seen what the control of dyes, tungsten, spelter, and other metals by Germany means to this Nation. It is profoundly true that if one great power controlled practically all the supplies of such things as copper, lead, zinc, tungsten, petrol, rubber, and cotton all the world would be suppliant at its feet.

Perhaps we would have no well-founded right to quarrel with these nations if what is suggested should turn out to be the absolute truth. They have suffered together, and together have seen their vast accumulations wasted, to say nothing of their losses in life and losses in other ways. Perhaps it would be only natural for these nations, being victorious in the war, to turn a cold, icy face to America and all the balance of the

world, crush Germany industrially as well as physically, and join in a common effort to rebuild their shattered fortunes by some form of concerted action without deference to other nations.

Mr. President, I think a policy of that kind would be short-sighted, resulting in retaliatory measures, and that the wounded nations would suffer most if they entered upon a struggle of that kind against the neutral nations of the world who might be most helpful in a time of such dire stress, and when the friendship of strong nations—nations opulent in every way and capable of aiding in every way—should be at the side of all the combatants to aid them instead of being driven into an unwilling enmity against any of them. But their views and ours may not be in accord.

Mr. President, I think this is as far as I care to go into this subject at this time. I shall conclude for the present by asking the unanimous consent of the Senate to print as a public document certain papers I hold in my hand bearing on this general subject, to which I respectfully invite the attention of my colleagues and of the country. I also ask that the remarks I have just made may be printed as a sort of explanatory introduction to this public document and as a part of it.

Mr. President, these papers, to which I have but barely alluded, contain, as I think, a great fund of valuable information to the Senate, to the Congress, and to the country. I should like to have the matter printed in the way I have suggested—as a public document—and I ask that the papers may be printed in the order in which I have arranged them.

Mr. GALLINGER. Mr. President, if the Senator please——

Mr. STONE. I am through.

Mr. GALLINGER. May I ask the Senator if the documents relate to economic questions exclusively and to the apparent purposes of the combatant nations of Europe?

Mr. STONE. Oh, absolutely.

The VICE PRESIDENT. Is there any objection to the request of the Senator from Missouri? The Chair hears none.

Mr. STONE. I understand permission is given to have the document printed.

The VICE PRESIDENT. Yes.

Mr. LODGE. Mr. President, the Senator from Missouri [Mr. STONE], in what he has said, and which has so much interested, as it ought to interest, the Senate, has considered the possibilities of what may happen, first, in the case of the victory of the central powers and, second, in the case of the victory of the allied powers, as they are called. This resolution, however, relates only to the conference said to have been held in Paris. It relates only to the possible action of the allies. I think it extremely desirable that, as the Senator from Missouri himself has said, we should have also any information that can be had from the State Department with relation to the possible action of the central powers.

This resolution should not be confined to what the allied powers intend to do at the close of the war but it should give us every possible information as to what Germany and Austria propose to do, so far as can be learned from the utterances of their public men and from writings of authority, such as that quoted by the Senator from Missouri.

That there is such information about the designs of the central powers is shown by what the Senator from Missouri has read. I think that it is very important that we should know the intentions of both sides, so far as they can be known.

The resolution, it will be observed, deals only with economic arrangements. The Senator from Missouri said that he was not concerned with maps, by which I understood him very properly to mean that he was not concerned with what may be called the political aspects of the war, or with the treaty between Russia and Japan, which has been announced, and which we have reason to understand is a political and not an economic agreement.

I am sure, Mr. President, that we ought to have all the information we possibly can get in regard to every phase of the economic situation. At this time, of course, that situation must be very largely matter of pure speculation. All that we absolutely know is that the greatest war which has ever afflicted mankind has been raging for two years in Europe, and that, whatever its physical and political results may be, such a convulsion can not but bring in its train, when peace comes, enormous economic changes. What the various powers will do when peace comes, whether defeated or victorious, no man can accurately say; but we may be perfectly certain that they will devote every effort to restoring normal conditions, and to bringing back as rapidly as possible—and it will be a slow process at best—sound economic conditions in their respective countries. That they will attempt legislation or agreements for that purpose I think is not an unreasonable inference; but what concerns us in the United States and alone concerns us is to be as well prepared as we can be for a future which necessarily can not be known, but about which we can only guess. We know that the results will be of the most far-reaching character, and beyond that we can only conjecture.

It seems to me, Mr. President, that the only wise course for this country is, so far as possible, to be prepared for any contingency. There are two forms of preparation—what I may call the physical and the economic. I am very deeply convinced of the necessity of such preparation on the physical side as to make the application of force and violence to the United States as remote as possible. I wish such preparation had been begun long ago. It is not too late even now, although much precious time has been lost, and we ought to make every possible preparation for our own defense, both by sea and by land. I believe that we are about to make suitable preparation by sea. I wish I could say the same as to our preparation by land. But the physical preparation is, comparatively speaking, simple. We must have such an armament for defense as will secure our own peace, as will be sufficient to make it apparent to all the world that we are not to be attacked with impunity by anybody, either on our Pacific or our Atlantic coasts. Into this question of physical defense and preparation I do not care to enter further at this moment. When the naval bill is before the Senate I shall venture to say something further upon this point.

Now, as to the industrial situation: We know that the temporary prosperity, so called, due to the vast expenditure of foreign money in this country during the last two years, is wholly artificial and unreal. We know it can not last. The purchases for foreign account are said to be declining already owing to the fact that the allies at least are now largely supplying their own needs. Those vast expenditures by foreign governments in this market will cease, they will cease absolutely on the coming of peace, and we shall find ourselves in a world in which we know this to be certain, that the purchasing power of the nations who have hitherto bought of us largely in normal times will have been immensely diminished. We shall also find ourselves in a world where capital has been destroyed in unheard of amounts, where industry has been paralyzed, and where all the stricken countries will be working in desperation to restore their industrial fortunes. These conditions, at least, we know we shall have to meet.

We shall require to be prepared in this direction also by what is generally referred to as industrial organization. Into the details of this organization of our industries it will be impossible at this moment to enter; but I will say this much, and I say it without any party suggestion, because I think I am stating a general principle, that if we are to meet some of the international combinations which are likely to occur, if we are to be able to meet some of the tariffs which are likely to be imposed, we must remember that the great weapon in our hands is the fact that we have the best market in the world both for import and for export, and that if we keep that weapon sharp and bright, if we hold it with a strong hand, the nations of the world will think twice before they throw that market away or attempt to destroy exports which are essential to their being.

That they will try to close the gates of trade and commerce upon us in many directions I regard as highly probable, although the aim and extent of the effort must remain at present a matter of speculation. But if we are to meet this situation successfully we must be prepared economically and industrially as I believe we should be prepared physically and in arms. To the end the essential thing is so to organize our industries that they will be strong, independent, and ready for the conflict when and if it comes. Certainly in order to organize the industries in order to make them a bulwark and a barricade against the economic struggles we may have to face, the first thing that is necessary is not to cripple but to encourage them. We must try to put them in a condition so that they can stand behind the people and the Government, be able to meet any test, and make the world clearly understand, as we must make them understand in the matter of armaments, that we can not be invaded, either physically or economically, with impunity.

Such, Mr. President, seems to me the true, the vital policy to be followed by this country in both directions. The first obvious step is that we should have all the information that it is possible and proper to give us now or later, not only as to one group of belligerents but as to the purposes and intentions of all the nations now engaged in war.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had, on July 10, 1916, approved and signed the following acts:

S. 1388. An act to authorize the Secretary of the Interior to furnish hot water from the hot springs on the Hot Springs Reservation for drinking and bathing purposes free of cost to the Leo N. Levi Memorial Hospital Association; and

S. 1843. An act to authorize the Secretary of the Interior to acquire certain right of way near Engle, N. Mex.

MESSAGE FROM THE PRESIDENT (S. DOC. NO. 490).

The VICE PRESIDENT. The Chair lays before the Senate a message from the President of the United States, which will be read.

The Secretary read as follows:

To the Senate of the United States:

In response to the resolution of the Senate of June 29, 1916, requesting the President to obtain information as far as possible as to the character, form, and purpose of the agreement or treaty concluded by the allied nations at Paris regarding their future joint and several industrial and commercial interests, I transmit herewith a report of the Secretary of State furnishing the information requested so far as it is now in the possession of the Department of State.

WOODROW WILSON.

THE WHITE HOUSE,
Washington, July 10, 1916.

The VICE PRESIDENT. This is in response to the resolution of the Senator from Missouri. The Chair would inquire whether he desires it to be added to the public document?

Mr. STONE. I have not seen the information conveyed by the President, but I should like to have it incorporated in the document I have asked to have printed, so that it may be in one cover.

Mr. SMOOT. And printed also in the usual way.

Mr. STONE. It can be printed as a separate document and should be, I assume. Is there objection to having it printed in the usual way as a document and at the same time embodying it in the document I have asked to have printed?

Mr. GALLINGER. I will ask the length of the reply.

The VICE PRESIDENT. Apart from the formal part setting out the resolution, which the Chair thinks need not be read, it consists of about 10 pages.

Mr. GALLINGER. I made the inquiry for the reason, and I will defer entirely to the judgment of the distinguished Senator from Missouri in reference to the matter, I thought it would be most interesting to the Senate to have it read. If there are only 9 or 10 pages, it will not take long.

Mr. STONE. If the Senator from South Carolina [Mr. SMITH], who has charge of the Agricultural appropriation bill to-day, and upon whose time we are trespassing, will not object.

Mr. SMITH of South Carolina. I hear considerable requests around me to have it read, and I will yield for that purpose.

Mr. GALLINGER. I think it would be very illuminating in view of the discussion which has taken place this morning.

Mr. BRANDEGEE. Before that is done will the Senator from Missouri let me ask him a question? Would the Senator think it would be inappropriate to have the remarks of the Senator from Massachusetts upon the resolution incorporated in the document as well as the Senator's?

Mr. STONE. Is the Senator addressing me?

Mr. BRANDEGEE. Yes; would the Senator from Missouri object to having the remarks just made by the Senator from Massachusetts in relation to this very subject incorporated in the Senate document, inasmuch as his own remarks have gone in?

Mr. STONE. I certainly would not.

Mr. BRANDEGEE. Then I ask unanimous consent that that may be done.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. GALLINGER. Let the reply to the resolution be read.

The VICE PRESIDENT. The Chair thinks it is not necessary to read the prefatory matter, which simply shows the receipt of the resolution and the response thereto.

Mr. GALLINGER. Simply the matter communicated by the President.

Mr. FLETCHER. I suggest that the whole matter be printed in the RECORD, including the portion not read.

Mr. GALLINGER. All right.

The Secretary read as indicated, and the matter entire is as follows:

To the Senate of the United States:

In response to the resolution of the Senate of June 29, 1916, requesting the President to obtain information as far as possible as to the character, form, and purpose of the agreement or treaty concluded by the allied nations at Paris regarding their future joint and several industrial and commercial interests, I transmit herewith a report of the Secretary of State furnishing the information requested so far as it is now in the possession of the Department of State.

WOODROW WILSON.

THE WHITE HOUSE,
Washington, July 10, 1916.

DEPARTMENT OF STATE,
Washington.

The PRESIDENT:

The undersigned, the Secretary of State, to whom was referred by your direction the resolution of the Senate of the United States dated June 29, 1916, and reading as follows:

"Whereas it has been widely stated in the public press that a conference was recently held in Paris, France, by authorized representatives of several of the Governments of Europe, now engaged in the European war as allies of France, with the object and purpose of arriving at an agreement between them with respect to their future joint and several industrial and commercial interests; and

"Whereas it is also similarly stated that a commercial treaty was entered into at said conference between France, Great Britain, and other allied countries, which treaty it is alleged is now being drafted and is to become operative after the end of said war, with the declared object and purpose of establishing a boycott against the enemies of the high contracting parties to said treaty, both during the war and after the war, and also to promote commercial independence from the central powers; and

"Whereas in a statement relating to said treaty, issued by the British Board of Trade, published in the American press, it is stated, among other things, that 'the allies declare their common determination to insure the reestablishment of countries suffering from acts of destruction, spoliation, and unjust requisition, and decide to join in devising means to secure the restoration of those countries by giving to them a prior claim on raw materials, industrial and agricultural plants and stock, and mercantile fleets, or by assisting them in reequipping themselves in these respects'; * * * that 'the allies are to conserve all their natural resources during the period of reconstruction after the war for common use'; that 'in order to defend their commerce against economic aggression resulting from dumping or any other mode of unfair competition, the allies decide to fix by agreement a period during which the commerce of the enemy powers will be submitted to special treatment and the goods originating in their countries will be subjected to prohibition or to a special régime of an effective character'; * * * that 'the allies' mutual trade is to be fostered in every possible way'; and that 'the above steps are to be put into operation immediately': Therefore be it

"*Resolved*, That the President of the United States be, and hereby is, requested to ascertain and send to the Senate at the earliest practicable moment exact information, so far as that may be possible, as to the precise character, form, and full purpose of this agreement or treaty, especially with the view of disclosing to the Senate whether, and to what extent, neutral nations, especially the United States, may be affected thereby"—has the honor to make the following statement:

Instructions were sent by cable in June last to the American Embassay at Paris to study, in cooperation with the consul general, very carefully the deliberations of the commercial conference to be held in that city by the allies, and to report promptly all information which they were able to obtain.

The department has now received a dispatch from the American Embassy at Paris inclosing, with translation, the recommendations of the economic conference of the allies which sat in Paris from the 14th to the 17th of June, 1916, together with a list of the delegates from the various countries represented. A copy of this dispatch is submitted for communication to the Senate if deemed appropriate.

Respectfully submitted.

ROBERT LANSING.

Inclosures: From France, No. 3311, June 22, 1916, with inclosures.

DEPARTMENT OF STATE,
Washington, July 6, 1916.

[No. 3311.]

PARIS, *June 22, 1916.*

The Hon. SECRETARY OF STATE,
Washington.

SIR: In confirmation of my telegram, No. 1449, of the 20th instant I have the honor to inclose herewith, in copy and trans-

lation, the recommendations of the Economic Conference of the Allies which sat in Paris on the 14th, 15th, 16th, and 17th of June, 1916, together with a list of the names of the delegates from the various countries represented.

These recommendations apply to two separate periods—the period of the duration of the war and the period of reconstruction after the termination of hostilities.

For the first period the recommendations have reference to measures for the prohibition of trade with the enemy countries and for the elimination of the enemy firms in the allied countries.

For the second period the measures adopted are designed to give the allied countries a prior claim on their own natural resources and to prevent the dumping of merchandise of enemy manufacture or origin.

The commission also recommended permanent economic measures for rendering the allied countries economically, industrially, and agriculturally independent and for encouraging trade relations between the allied countries by the improvement of shipping, telegraphic, and postal facilities.

I have the honor to be, sir,

Your obedient servant,

ROBERT WOODS BLISS,
(For the Ambassador).

Inclosures: 1. Copy as above. 2. Translation. 3. List as above.

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[Translation.]

ECONOMIC CONFERENCE OF THE ALLIED GOVERNMENTS.

The representatives of the allied Governments have met in Paris, Mr. Clementel, minister of commerce, presiding, on the 14th, 15th, 16th, and 17th of June, 1916, for the purpose of fulfilling the mandate which was confided to them by the conference of Paris on March 28, 1916, to put into practice their solidarity of views and interests and to propose to their respective Governments suitable measures for realizing this solidarity.

They perceive that the central powers of Europe, after having imposed upon them their military struggle in spite of all their efforts to avoid the conflict, are preparing to-day, in concert with their allies, a struggle in the economic domain which will not only survive the reestablishment of peace but at that very moment will assume all its amplitude and all its intensity.

They can not in consequence conceal from themselves that the agreement which is being prepared for this purpose amongst their enemies has for its evident object the establishment of their domination over the production and the markets of the whole world and to impose upon the other countries an inacceptable hegemony.

In the face of such a grave danger the representatives of the allied Governments consider that it is their duty, on the grounds of necessary and legitimate defense, to take and realize from now onward all the measures requisite on the one hand to secure for themselves and the whole of the markets of neutral countries full economic independence and respect for sound commercial practice, and on the other to facilitate the organization on a permanent basis of this economic alliance. For this purpose the representatives of the allied Governments have decided to submit for the approval of their Governments the following resolutions:

MEASURES FOR WAR PERIOD.

I.

Laws and regulations prohibiting trading with the enemy shall be brought into accord for this purpose:

A. The allies will prohibit their own subjects and citizens and all persons residing in their territories from carrying on any trade with the inhabitants of enemy countries of whatever nationality, or with enemy subjects, wherever resident, persons, firms, and companies whose business is controlled wholly or partially by enemy subjects or subject to enemy influence, whose names will be included in a special list.

B. The allies will also prohibit importation into their territories of all goods originating or coming from enemy countries.

C. The allies will further devise means of establishing a system of enabling contracts entered into with enemy subjects and injurious to national interests to be canceled unconditionally.

II.

Business undertakings, owned or operated by enemy subjects in the territories of the allies, are all to be sequestrated or placed under control. Measures will be taken for the purpose of winding up some of these undertakings and realizing the assets, the proceeds of such realizations remaining sequestrated or under control. In addition, by export prohibitions, which are necessitated by the internal situation of each of the allied countries, the allies will complete the measures already taken for the restriction of enemy supplies both in the mother countries and the dominions, colonies, and protectorates:

1. By unifying lists of contraband and export prohibition, particularly by prohibiting the export of all commodities declared absolute or conditional contraband.

2. By making the grant of licenses to export to neutral countries, from which export to the enemy territories might take place, conditional upon the existence in such countries of control organizations approved by the allies, or in the absence of such organizations, upon special guaranties, such as the limitation of the quantities to be exported, and supervision by allied consular officers, etc.

TRANSITORY MEASURES FOR THE PERIOD OF THE COMMERCIAL, INDUSTRIAL, AGRICULTURAL, AND MARITIME RECONSTRUCTION OF THE ALLIED COUNTRIES.

I.

The allies declare their common determination to insure the reestablishment of the countries suffering from acts of destruction, spoliation, and unjust requisition, and they decide to join in devising means to secure the restoration to those countries, as a prior claim, of their raw materials—industrial, agricultural, plant, and stock—and mercantile fleet, or to assist them to reequip themselves in these respects.

II.

Whereas the war has put an end to all treaties of commerce between the allies and enemy powers, and it is of essential importance that during the period of economic reconstruction the liberty of none of the allies should be hampered by any claim put forward by enemy powers to most-favored-nation treatment, the allies agree that the benefit of this treatment will not be granted to those powers during a number of years to be fixed by mutual agreement among themselves.

During this number of years the allies undertake to assure each other, so far as possible, compensatory outlets for trade in case consequences detrimental to their commerce should result from the application of the undertaking referred to in the preceding clause.

III.

The allies declare themselves agreed to conserve for the allied countries, before all others, their natural resources during the whole period of commercial, industrial, agricultural, and maritime reconstruction, and for this purpose they undertake to establish special arrangements to facilitate the interchange of these resources.

IV.

In order to defend their commerce and industry and their agriculture and navigation against economic aggression resulting from dumping or any other mode of unfair competition the allies decide to fix by agreement a period of time during which commerce with the enemy powers will be submitted to special treatment, and goods originating from their countries will be subjected either to prohibitions or to a special régime of an effective character. The allies will determine by agreement, through diplomatic channels, the special conditions to be imposed during the above-mentioned period on the ships of enemy powers.

V.

The allies will devise measures, to be taken jointly or severally, for preventing enemy subjects from exercising in their territories certain industries or professions which concern national defense or economic independence.

C.

PERMANENT MEASURES OF MUTUAL ASSISTANCE AND COLLABORATION AMONG THE ALLIES.

I.

The allies decide to take the necessary steps without delay to render themselves independent of enemy countries in so far as regards raw materials and manufactured articles essential to the normal development of their economic activities. These measures will be directed to assuring the independence of the allies, not only so far as concerns sources of supply but also as regards their financial, commercial, and maritime organization. The allies will adopt such measures as seem to them most suitable for the carrying out of this resolution according to the nature of the commodities and having regard to the principles which govern their economic policy. They may, for example, have recourse to either enterprises subsidized and directed or controlled by the Governments themselves or to the grant of financial assistance for the encouragement of scientific and technical research and the development of national industries and resources, or to customs duties or prohibitions of a temporary or permanent character, or to a combination of these different methods.

Whatever may be the methods adopted, the object aimed at by the allies is to increase the production within their territories, as a whole, to a sufficient extent to enable them to maintain and develop their economic position and independence in relation to enemy countries.

II.

In order to permit the interchange of their products the allies undertake to adopt measures facilitating mutual trade relations, both by the establishment of direct and rapid land and sea transport services at low rates and by the extension and improvement of postal, telegraphic, and other communications.

III.

The allies undertake to convene a meeting of technical delegates to draw up measures for the assimilation, so far as may be possible, of their laws governing patents, indications of origin, and trade-marks. In regard to patents, trade-marks, literary and artistic copyright which come into existence during the war in enemy countries, the allies will adopt, so far as possible, an identical procedure to be applied as soon as hostilities cease. This procedure will be elaborated by the technical delegates of the allies.

D.

Whereas for the purpose of their common defense against the enemy the allied powers have agreed to adopt a common economic policy on the lines laid down in the resolutions which have been passed, and whereas it is recognized that the effectiveness of this policy depends absolutely upon these resolutions being put into operation forthwith, the representatives of the allied Governments undertake to recommend that their respective Governments shall take, without delay, all the measures, whether temporary or permanent, requisite to giving full and complete effect to this policy forthwith and to communicate to each other the decisions arrived at to attain the object.

PARIS, *June 17, 1916.*

Have signed these resolutions:

For France: M. E. Clementel, Ministre du Commerce et de l'Industrie; M. G. Doumergue, Ministre des Colonies; M. M. Sembat, Ministre des Travaux Publics; M. A. Metin, Ministre du Travail et de la Prévoyance Sociale; M. J. Thierry, sous-Secrétaire d'Etat de la Guerre (Service de l'Intendance); M. L. Nail, sous-Secrétaire d'Etat de la Marine (Marine Marchand); M. J. Cambon, Ambassadeur de France, Secrétaire général du Ministère des Affaires étrangères; M. A. Masse, Secrétaire Général du Ministère de l'Agriculture; M. J. Branet, Directeur Général des Douanes; M. P. de Margerie, Ministre Plénipotentiaire, Directeur des Affaires Politiques et Commerciales au Ministère des Affaires étrangères.

For Belgium: M. de Broqueville, Président du Conseil, Ministre de la Guerre; M. le Baron Beyens, Ministre des Affaires étrangères; M. van de Vyvere, Ministre des Finances; M. le Comte Goblet d'Alviella, Membre du Conseil des Ministres.

For Great Britain: M. le Marquis de Crewe, Lord President du Conseil privé; M. A. Bonar Law, Ministre des Colonies; M. W. M. Hughes, Premier Ministre d'Australie; Sir George Foster, Ministre du Commerce du Canada.

For Italy: E. Exc. M. Tittoni, Ambassadeur d'Italie à Paris; M. Daneo, Ministre des Finances.

For Japan: M. le Baron Sakatani, Ancien Ministre des Finances.

For Portugal: M. le Docteur Alfonso Costa, Ministre des Finances; M. le Docteur Augusto Soares, Ministre des Affaires étrangères.

For Russia: M. Pokrowsky, Controleur de l'Empire, Conseiller privé; M. Prilejaieff, Adjoint au Ministre du Commerce et de l'Industrie, Conseiller privé.

For Servia: M. Marinkovitch, Ministre du Commerce.

The following persons, who are diplomatic representatives of the allied countries in Paris, have been appointed as a permanent committee of the economic conference:

BELGIUM.

M. G. Peltzer, vice president of the Union Economique Belge.

FRANCE.

M. Denys Cochin, minister of State, president of the committee; M. Gout, minister plenipotentiary, under-secretary of the foreign office; Contre Amiral Amet, vice president of the committee.

ITALY.

Prince Ruspoli, minister plenipotentiary Italian Embassy in Paris; Commandeur del Abbadessa, assistant general director of the customs; Col. Brancaccio.

JAPAN.

Tatsuke, counsellor of the Japanese Embassy in Paris.

GREAT BRITAIN.

Earl Granville, counsellor of the British Embassy in Paris.

PORTUGAL.

M. de Vilhena.

RUSSIA.

Sevastopoulo, counsellor of the Russian Embassy in Paris; Batcheff, commercial attaché at the Russian Embassy in Paris.

SERVIA.

Voulovitch, deputy; Kapetanovitch, deputy.

General secretary: Bosseront d'Angiade, minister plenipotentiary.

The VICE PRESIDENT. Does the Senator from New Hampshire desire the signatures read as affixed by the delegates?

Mr. GALLINGER. I think not, Mr. President. The text is all I desire to have read.

Mr. STONE. Mr. President, I understand that the communication from the President entire will be printed as a separate document and also printed as a part of the document which the Senate has authorized shall be printed in accordance with the request I have made.

The VICE PRESIDENT. Is there objection. The Chair hears none, and it is so ordered.

ENROLLED BILLS SIGNED.

The VICE PRESIDENT announced his signature to the following bills, which had heretofore been signed by the Speaker of the House:

H. R. 3673. An act to establish a term of the United States circuit court of appeals at Asheville, N. C.;

H. R. 8351. An act to accept a deed of gift or conveyance from the Lincoln Farm Association, a corporation, to the United States of America, of land near the town of Hodgenville, county of Larue, State of Kentucky, embracing the homestead of Abraham Lincoln and the log cabin in which he was born, together with the memorial hall inclosing the same, and, further, to accept an assignment or transfer of an endowment fund of $50,000 in relation thereto; and

H. R. 11878. An act to amend section 99 of the act to codify, revise, and amend the laws relating to the judiciary.

AGRICULTURAL DEPARTMENT APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12717) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1917, and for other purposes.

Mr. REED. Mr. President, I assume that this very important matter that has been before the Senate is now disposed of. If it is not, I do not intend at this time to go on; but if it is, I desire to submit some observations on the pending bill.

Mr. President, I am obliged to leave the Senate this evening, to be absent for two or three days, and therefore am interjecting my remarks at this time in regard to an amendment which I intend to offer to the bill as soon as the pending amendment is disposed of. I am embracing this opportunity to make a few observations which I may not have the opportunity to make if I defer them until a later day.

At the proper time, Mr. President, I shall move to strike from the bill the following language, which is found on page 58:

For all necessary expenses for enforcing the provisions of the act approved March 4, 1913 (37 Stat. L., pp. 847, 848), relating to the protection of migratory game and insectivorous birds, and for cooperation with local authorities in the protection of migratory birds, and for necessary investigations connected therewith, $50,000.

I desire, if I can, to challenge the attention of the Senate to this matter. I undertake to say that it stands alone as an example of the fact that men will insist upon expending the Government's money with full knowledge that they are spending it in violation of the Constitution of the United States and in utter disregard of their duty as Members of Congress.

The so-called Federal game law, when it was advanced upon the floor of the Senate by its author was admitted by him to be of doubtful constitutionality. I remember distinctly a colloquy taking place between that Senator and myself when I inquired, in substance and effect, under what clause of the Constitution the Senator asserted the right of the Federal Government to undertake to interfere with the right of the State over the game wihin the borders of the State. His answer, in substance, was that he was not prepared to discuss that question. I can readily

understand why he should not have been prepared to discuss the question, in view of the settled law of the land as it has stood for many years, and now particularly in view of the decisions of three of the great courts of our country.

Let me say, by way of introduction, that no one is more ready than myself, by all proper and legal means, to protect the game of this country. What I have objected to is an attempt on the part of Congress to take over to itself rights which it does not possess under the Constitution, and by so doing to lead all of those men in the country who believe in the protection of game and who would naturally resort to State legislatures to the belief that their proper forum of remedy is Congress. Thus they have directed their energies to Congress and away from the State legislatures and have wasted years in trying to have Congress do something which, under the Constitution of the United States, it has no power to do.

The worst enemy of law and order is not the man who opposes any remedial legislation, but he who comes forward with some proposition which is unconstitutional, which can not be enforced, but which serves the purpose of convincing the people, who desire a reform or an enforcement of law or remedial legislation, that that remedial legislation is being carried forward. I do not mean that the author of this law had any such purpose in his mind; but, however good his purpose may have been, he three years ago gave to the country the impression that in the Congress of the United States lay the remedy. If it does not lie within the powers of Congress, then three years of valuable time have been wasted, and the longer this farce is enacted and carried on the further we shall be from the passage or the enforcement of laws in the several States that will protect the game of this country.

With that as a preface, let us for a moment examine this law. It has been settled for nearly a century of time that the fish in the rivers and the birds of the air and of the field belong to the State in which they happen to be. There is a line of decisions upon that question running back nearly a century, absolutely unbroken and unchallenged. The present law, if it can be sustained at all, must be sustained upon the theory that all of these cases, all of the opinions of law writers to the effect that the game of a country belongs to the State in which the game happens to be, are to be overturned, reversed, and set at naught.

It is true that some men thought this power could be invoked under the interstate-commerce clause. These intelligent gentlemen had the idea that a bluejay on the western side of the Kansas and Missouri line having eaten an angleworm and flying across the State line into Missouri was engaged in interstate commerce. Some of them entertained the highly intelligent notion that the powers of the Government of the United States could be reached out far enough so that if a bass swallowed a minnow on one side of a State line and swam over into the waters of another State, that fish was engaged in interstate commerce, and ought to be brought within the jurisdiction and control of the Interstate Commerce Commission; but no lawyer ever thought that very seriously or contended for it very earnestly.

Mr. President, whatever may have been the original opinions of these gentlemen, these Hornadays of legislation, it is time now, at least, that Congress cease spending money in the enforcement of this act. I propose to submit to the consideration of the few members of the Senate who are considering this bill—and I do not blame them for getting tired and going away—three decisions of three great courts, all of them squarely holding that the Federal migratory-game law is unconstitutional.

First, I call attention to the case of United States against Shauver, decided by the United States District Court of Arkansas May 25, 1914. An application for rehearing was made on July 9, 1914, and after full argument was denied. The case was appealed to the Supreme Court of the United States.

Mr. THOMPSON. Mr. President, that is the Arkansas case, is it not?

Mr. REED. That is the Arkansas case.

Mr. THOMPSON. The case which is now pending undecided in the Supreme Court of the United States?

Mr. REED. Yes. In that case the court repeatedly announced the doctrine that—

> The wild game within a State at common law belongs to the sovereign, and in this country to the people in their collective capacity, and the State therefore has a right to say when it shall not become the subject of commerce, and in like manner the State has the right to say when it shall be the subject of commerce.

In support of this doctrine the court takes almost half a page of the record to cite by title the cases and authorities sustaining the foregoing doctrine.

Mr. SMITH of South Carolina. Who rendered the opinion?

Mr. REED. Judge Trieber, of the United States district court of Arkansas. I do not intend to take the time of the Senate to read this case. It was put in the CONGRESSIONAL RECORD of June 1, 1914, and will be found at page 9508 of the permanent RECORD.

Mr. President, even before that case had been decided the Department of Justice so doubted the constitutionality of this law that, as I stated upon the floor of the Senate in the debate on this question at a previous session of Congress, that it absolutely refused to bring test cases, even though I brought to it information and stated that responsible citizens were prepared to admit the killing of ducks contrary to the regulations of the board, offered it the names of responsible witnesses to the fact, and tendered it the written affidavits as to the facts. But I proceed with the citation of cases.

Finally, and after a long delay, the Department of Agriculture worked its courage up to the sticking point in another case, and it filed a charge in the United States district court of Kansas. That case is entitled "The United States of America against George L. McCullough." The case was decided by Judge Pollock, who stands among the foremost of the jurists who now adorn the Federal bench. I furnish to the Secretary the manuscript opinion and ask that it may be printed in the RECORD as a part of my remarks.

The VICE PRESIDENT. Without objection, it will be so ordered. [See Appendix.]

Mr. REED. In that decision the court, in language that is clear, by logic that is unanswerable, supported by authorities that are as numerous as those quoted by Judge Trieber in the case to which I have referred, the Shauver case, declares that the game being the property of the respective States the United States Government is without power under the Constitution to interfere with the game laws of the several States or in any manner to impose any penalty upon any citizen for the killing of game. In like manner he holds, as did Judge Trieber, that game flying from one State to the other is not engaged in interstate commerce. He pays that silly argument the compliment of sufficient attention to brush it aside.

I shall not take the time of the Senate to read this opinion. I state its effect; and if the author of the bill, who sits in the Chamber, desires to examine the manuscript or to challenge my statement of the opinion I shall gladly send it to him.

The next case to which I call attention is a decision of the Supreme Court of Maine. That is the case of the State against Sawyer, and was decided by the Supreme Judicial Court of Maine July 21, 1915. In that case a man in Maine was being tried for violating the Maine statute, and the defense interposed was that the killing of game was a subject for Federal control, and that Congress having undertaken to exercise that power its legislation superseded the legislation of the State of Maine. The court said, among other things:

> In considering this question these fundamental and universally admitted principles should be kept in mind, that the Federal Government is one of enumerated powers, possessing such powers only as have been actually granted to it, and that all other powers of legislation, though not enumerated and defined because it was unnecessary and perhaps inexpedient that they should be, were retained by the States and remained in the States after the adoption of the Federal Constitution as before, except so far as they were abridged by it. It must also be admitted as fundamental that before the Federal Government was created the States had the right to exercise almost every legislative power, and among them, undoubtedly, that of establishing laws and regulations for the preservation of the wild game within their borders for the common good of their people, a doctrine which seems never to have been questioned in any jurisdiction.
>
> In State v. Snowman (94 Me., 99, 111; 46 Atl., 815; 50 L. R. A., 544; 80 Am. St. Rep., 380) our court said:
>
> "The fish in the waters of the State and the game in its forests belong to the people of the State in their sovereign capacity, who, through their representatives, the legislature, have sole control thereof and may permit or prohibit their taking."

I omit part of the opinion, because I do not want to take the time to read all of it; but at this point I ask to insert this opinion as a part of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered. (See appendix.)

Mr. REED. I will read a little further:

> The commerce clause authorizes Congress "to regulate commerce with foreign nations, and among the several States and with the Indian tribes." (Const., Art. I, par. 8.) Certainly the passage of wild birds in their flight from one State to another is not commerce between the States. However difficult it may be to define with precision the term "commerce," as used in that clause of the National Constitution, it is undoubtedly limited to the acts of man, and does not include the natural and uncontrolled movements of wild game.

Think of the situation our Interstate Commerce Commission would be in if the passage of wild game from one State to another were declared to be interstate commerce! The first thing we would know we would find some Hornaday, or his mouthpiece, asking the Interstate Commerce Commission to control the flight of wild geese, or to do some other equally preposterous thing.

I read on:

Nor can we perceive any reasonable ground for a contention that the commerce clause confers on Congress power to regulate the taking of wild game within the States. Indeed, it would seem that all possible contention on this score has been already held untenable by the Supreme Court of the United States in several cases where the question has been exhaustively considered. In the case of Geer *v.* Connecticut, supra, the validity of a statute of that State, which prohibited the transportation of game out of the State, was involved. The case was carried to the Supreme Court of the United States on the sole ground that, as the game in question was killed in the State lawfully the statute prohibiting its transportation out of the State was in violation of the commerce clause of the National Constitution. But the court decided otherwise, holding that the wild animal and bird life within a State belongs to the State in trust for the people of the State, and that the State has the authority to legislate for its protection and preservation for the common good, and that such power of legislation embraces game that has been reduced to the possession of an individual by lawfully killing it in the State.

Omitting now part of the opinion, I quote again:

In Judson on interstate commerce, paragraph 11, the author says:
"Thus the wild game within a State, at common law, belongs to the sovereign, and in this country to the people, in their collective capacity, and the State therefore has a right to say that it shall not become the subject of commerce."
Our conclusion, therefore, is that the power to legislate respecting the protection and preservation of wild game within the States was not conferred upon Congress through the commerce clause of the Constitution.
Nor do we find such power in the general welfare clause—

And so forth.

Now, Mr. President, here are three decisions by great courts of record. There have been other decisions that are not reported. I challenge the author of this bill, who sits in the Senate, to name me a single court of last resort which has not declared this law invalid and unconstitutional when the question was raised?

Mr. McLEAN. Mr. President, in answer to the challenge of the Senator from Missouri I will say that no court of last resort has yet passed upon this question. The only court which can pass upon it is the Supreme Court of the United States, in the case which is now pending in that court.

Mr. REED. A court of last resort has passed on it. That is the Supreme Judicial Court of Maine, which is the court of last resort for that State, unless a right under the Constitution of the United States is claimed, which was not the case here. But I change the form of my challenge. I challenge the Senator from Connecticut to name a single court of record that has not declared this law unconstitutional when the question was raised. I am not talking about pleas of guilty in "fake" cases, where it was agreed that the fine would be a nominal sum. Name me a court of record that has decided the law constitutional when the question was raised.

Mr. McLEAN. I will say, in answer to the Senator from Missouri, that a district judge in the State of North Dakota decided the question where it was directly raised, and sustained the law, and overruled the demurrer.

Mr. REED. A district judge?

Mr. McLEAN. Yes.

Mr. REED. Who was he?

Mr. McLEAN. If the Senator will be patient a minute, I will find his name.

Mr. REED. I will be patient, I am always patient. It is a leading trait of my character.

Mr. McLEAN. This law became effective in October, 1913. During the first year of its operation 17, and during the second year 3, cases were tried in the district courts of Oregon, California, South Dakota, Nebraska, Minnesota, Michigan, and Arkansas, which all resulted in convictions. Among these was the case against Alfred N. Shaw in the district of South Dakota, in which the demurrer interposed in behalf of the defendant, attacking the constitutionality of the law, was overruled by Judge Elliott, and a fine of $100 was imposed April 18, 1914.

Mr. REED. What was done with the fine? It was remitted, was it not, in order to save an appeal?

Mr. McLEAN. I do not know about that. I know that the law was sustained by the court.

Mr. REED. There has not been a hundred-dollar fine paid. I am about to show that. Now, the Senator has stated that there is one judge in North Dakota, in a case where there was a demurrer interposed to the indictment, who overruled the demurrer.

Mr. McLEAN. I will say to the Senator from Missouri that the case was tried in South Dakota, not North Dakota.

Mr. REED. Very well. The Senators from those two States can settle between themselves which one of them is to admit that this judge holds court in his State.

Mr. STERLING. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from South Dakota?

Mr. REED. I do.

Mr. STERLING. I can inform the Senator that Judge Elliott is the United States district judge for the district of South Dakota, and is a very able and distinguished Federal judge.

Mr. REED. Is the Senator familiar with this case?

Mr. STERLING. I am not familiar with it.

Mr. REED. Is there any report of it anywhere?

Mr. STERLING. I have not seen a report of the case.

Mr. REED. Does the Senator know whether or not the fine was ever paid?

Mr. STERLING. I do not know as to that. I know none of the circumstances of this particular case, but I do know Judge Elliott very well.

Mr. REED. Mr. President, it goes without saying that the Agricultural Department is making as good a report as it can make. I hold in my hand the report of the solicitor for that department for 1914. I show you now the result of the expenditure of $50,000 of the people's money:

Thirty-eight cases were reported to the Department of Justice for prosecution.

I have seen that law violated 38 times in a minute, or, at least, in five minutes. It has been violated not 38 times in 1914—if it be a law at all, which it is not—but it has been violated 38,000 times any day when the shooting was good in any State of this country.

Thirty-eight cases were reported to the Department of Justice. Let us see what came out of that.

Two cases were pending at the close of the preceding year.
A total of $55 in fines was assessed.

That would not have paid for the cartridges or bacon, to say nothing of the wet goods, that one well organized band of hunters would carry out with them for a single day's shooting or a week's shooting at most.

I read on:

In one case $10—

Ah, when we get all the machinery of this mighty Government at work we draw blood.

In one case $10, in another $20, and in a third $25. Grand juries refused to indict in six, the statute was held unconstitutional in four, and two were dismissed without action. Twenty-five cases were pending at the close of the year.

And for that we spent $50,000, and the author of this bill wants $50,000 more, and Hornaday wants $50,000 more, the Biological Survey wants $50,000 more. Instead of coming here to Congress and telling us, as it ought, that there is no use of appropriating any money under this act until its sponsors have been satisfied by the final decree of the Supreme Court of the United States they come here asking more money. Men of that kind are not fit to be in charge of the Government's business.

Now, reading from the report of the solicitor further, at a different period in 1914:

The act of Congress of March 4, 1913, became fully operative throughout the United States on October 1, 1913, by the approval by the President of regulations adopted by the Department of Agriculture fixing closed seasons. Prosecutions for violations of the act were instituted in 14 cases, of which 13 resulted in convictions—

Now, let us see what kind of convictions they were—

in 7 of which fines were imposed aggregating $140, and in 6 of which sentences were suspended. The prosecution of Alfred M. Shaw, in the district of South Dakota, which resulted in a plea of guilty and the imposition of a fine of $100, the court overruled the defendant's contention that the law is unconstitutional.

Mr. President, I know there has not been a decision of the constitutionality of the law. Here was a plea of guilty first interposed, and then a demurrer, and, of course, there could be no real decision of the question.

Mr. SMITH of Georgia. Could not a demurrer have raised it?

Mr. REED. It could have, but after the man had pleaded guilty it could not.

Mr. SMITH of Georgia. No; but the demurrer might have raised the constitutional question, and that might have been decided, and the act having been held constitutional he simply pleaded guilty.

Mr. REED. He pleaded guilty instead of pleading not guilty and saving his point and going on.

Mr. SMITH of Georgia. I am not obligating myself by the suggestion to enter into the constitutional discussion.

Mr. REED. No; I understand.

In United States *v.* Shauver (214 Fed., 154), a demurrer to the indictment, on the ground that the act is unconstitutional, was sustained. Motion on behalf of the Government for a rehearing was pending at the close of the year.
Regulations under the migratory-bird law, prepared by the Biological Survey, which is in charge of the administration of the act, were examined and aid was given by this office in putting them into final form.

Mr. President, that is the enforcement during two years of the time this law was in effect—seven pleas of guilty and fines set aside in six of them; and $50,000, and then another $50,000, $100,000, expended for this magnificent result.

Now, I call attention to the report of 1915. I read from the report of the Secretary of Agriculture, page 245:

Under the Federal migratory-bird law, approved by the President March 4, 1913, the regulations fixing close season on migratory game birds were prepared and promulgated October 1, 1913, and amended October 1, 1914.

They promulgated them October 1, 1913, and amended them the next year.

During the year—

Now, listen—

During the year the number of district inspectors was increased from 15 to 17.

So we had 15 inspectors during each of these two years, in one of which they got seven pleas of guilty with an agreement that the fines would be set aside in six of them, not one-half of one plea of guilty or one conviction for each inspector. But that is not all. The inspectors were increased from 15 to 17—

And the warden force from 172 to 196.

They got six pleas of guilty with an agreement that the fines would be set aside.

Cooperation with the game departments of most States has resulted in the better enforcement of State laws and Federal regulations. Since the law went into effect 470 alleged violations have been reported by district inspectors and Federal wardens, but in many cases the evidence was too meager to justify prosecution.

Mr. President, on any day when the ducks are flying a blind man can guide himself from lake to lake and swamp to swamp by the drum beat of the guns, if I can mix up a metaphor in that way.

The evidence was not sufficient. There were 470.000 violations of this law that year, if it be a law, and its author knows it is not a law as he sits there smiling.

Mr. McLEAN. Mr. President——

The PRESIDING OFFICER (Mr. SHAFROTH in the chair). Does the Senator from Missouri yield to the Senator from Connecticut?

Mr. REED. I yield.

Mr. McLEAN. I appreciate the kindly reflections on my opinion in regard to this case.

Mr. REED. I am complimenting the Senator's intelligence by ascribing to him an opinion that is in accordance with the law.

Mr. McLEAN. I have stated several times on the floor of the Senate that, in my opinion, the law is constitutional.

Mr. REED. I have not heard the Senator ever go that far.

Mr. McLEAN. At the last session the Senator from Missouri, it will be remembered, attacked the law most violently and asserted several times that there was no respectable lawyer in the country who believed for a minute that the law is constitutional. Since that time the Supreme Court has had the case and it has been argued there. They held it up for some months and ordered it returned to the docket for reargument. So the Senator from Missouri must now admit that some of the justices of the Supreme Court of the United States believe the law is constitutional.

Mr. REED. I do not admit anything of the kind.

Mr. McLEAN. I think that is the opinion of Senators outside of the State of Missouri who are respectable lawyers.

Mr. REED. Oh, if the Senate please, the Senator who undertakes to say that the Supreme Court of the United States is divided upon this question is assuming a good deal. As I understand the matter, questions of this character, involving directly the constitutionality of an act of Congress, are never decided except by a full bench, if the court has any reasonable ground to expect a full bench; and a vacancy having occurred upon the bench after argument, the case was carried over. I may be in error about that, but that is the opinion I entertain.

But let us follow on. Since the Senator wants me to withdraw what I intended as a compliment, I will withdraw it:

Since the law went into effect 470 alleged violations have been reported by district inspectors and Federal wardens—

Over 200 of these gentlemen—

but in many cases the evidence was too meager to justify prosecution; 53 cases have been referred to the Department of Justice for action, fines were imposed in 12 cases, 9 cases were dismissed, and the remainder are still pending. In two United States district courts the law has been held unconstitutional: (1) In the eastern district of Arkansas, May, 1914, in the case of United States *v.* Harvey C. Shauver, charged with violating regulation No. 9; and (2) in the district of Kansas, on March 20, 1915, in the case of United States *v.* George L. McCullagh, charged with violating the same regulation.

Mr. President, where is the enforcement of the law? All that we have expended, I believe $100,000 up to date, has been with this result: The law is habitually disregarded in every county of the United States. It is obeyed only by those people who prefer not to incur the possibility of arrest even under an unconstitutional act. The Department of Justice and the Department of Agriculture have repeatedly refused to make cases with the evidence before them. Instructions have been sent to district attorneys not to bring any indictment in these cases. That is a fact which is well known to the author of this bill.

Mr. McLEAN. Mr. President, the Senator from Missouri challenges me frequently. I do not desire to interrupt him and I would not except for the statement which he makes, the latest being that I know the law is not enforced in any county in the Union. He is entirely mistaken. The law is enforced in a very large portion of the Union as I shall undertake to show after the Senator has concluded his remarks. I do not care to interrupt him.

Mr. REED. I am surprised that the Senator will make that statement. I read from the report, in connection with the Senator's statement:

That the violations reported by no means approximate the number that have occurred is to be expected and is due to the impossibility, in many cases, of procuring evidence sufficient to convict. Inspectors and wardens appointed under authority of this law have no power of arrest or search, and hence many violators escape. A further difficulty is that the limited number of inspectors necessitates unduly large districts, some of them difficult of effective patrol.

* * * * * * *

Notwithstanding many violations of the regulations in different sections of the country, the law was generally observed by sportsmen.

I know if that gentleman means to say that it receives support from the ordinary hunter he made a statement that is absolutely untrue, because the facts are not at all as he states them. But he admits enough himself to show the nonenforcement of the law in the language which precedes it.

Mr. McLEAN. The Senator knows that the number of prosecutions brought under criminal statutes are no indication of the degree that is it enforced. Men commit burglary and theft and there are a great many cases prosecuted. Anyone who is disposed to argue, as is the Senator from Missouri, could easily show to the Senate that the law against burglary and larceny is not enforced. But we all know that a great many law-abiding people in this country have respect for the law and when they know what it is they do not rush to their constituents and advise them to break it.

On the contrary, they are advised obedience to the law until its constitutionality is tested. I do not know what state of society we would have in this country if we did take the course followed by the Senator from Missouri. I fancy it would resemble somewhat the conditions now existing in Mexico.

Mr. REED. Mr. President, we will come to a condition like that in Mexico when men who step into the Senate Chamber and hold up their hands to Almighty God and swear they will support the Constitution of the United States and protect it can be found in sufficient numbers in the Senate to say that a majority are willing to disregard that Constitution and pass laws and insist upon appropriating money to enforce laws that are in violation of the fundamental law of our country, the Constitutiton of the United States. We will never come to the condition of Mexico while men stand on the floor of the Senate to defend the Constitution of the United States. But the Senator from Connecticut would rather be successful in legislating for one blue jay that flew across a State line than he would to protect the ark of the covenant of the liberties of our people; that is, the Constitution. He would rather take the advice of Hornaday than he would take the opinion of courts of last resort or great courts of record.

I invite the gentleman any time he wants to discuss the question of anarchy to give consideration to that variety of anarchist who marches under a blood-red flag as an open violator of the law and who defies all law, and that other class of men who, charged with the high responsibility to protect the Constitution, do not hesitate in the very Halls of Congress to trample it under their feet.

Now, Mr. President, so much for that digression. We had Mr. Nelson, of the Biological Survey, before the committee. He gave his testimony. He has gone over it with a pencil and changed practically every sentence in it. Among other things, the Senator from New York [Mr. WADSWORTH] asked him if the Biological Survey enforced the law in New York. Mr. Nelson answered:

As far as it can be done. We are working under the orders of the Attorney General, you know. We are not independent.

Senator WADSWORTH. What are his orders in respect to conflict with the New York law?

Mr. NELSON. I would not say orders; but the suggestion from the Attorney General's office is that we do not start proceedings.

Then this gentleman took that language and changed it:

Mr. NELSON. So far as I am aware, the United States Attorney General issued no instructions concerning New York.

I say frankly, I think a little investigation of Mr. Nelson is quite as important as any other job Congress may have before it. If that was the only correction or change in his testimony I would not comment on it, but the manuscript is replete with changes equally radical. He continues in the same paragraph from which I read:

If they have proceedings they have to be started through the Attorney General's office, and they do not want to start anything while this law is pending in the Supreme Court.

A square declaration that there were no proceedings in New York. I suppose that is one of the States in which the Senator from Connecticut claims the law is being enforced. But Mr. Nelson changed that phrase, and he made it read:

Court proceedings must be instituted through the United States Attorney General's office.

And he cut out all the rest of it.

Senator WADSWORTH. Have you referred any cases in New York prior to his request?

Mr. NELSON. No; I do not think we referred any cases.

He changes that:

No; I don't think we have referred many cases, but—

He continues—

I think we have cases. We have hundreds of cases that we have been gathering, that our inspectors have gathered from various parts of the country.

He changes that to—

I think we have a number from the States—

And so forth.

I read that because it points to the fact that even this Biological Survey has found in regulations made by it a square conflict with the laws of the State of New York and have not dared to proceed in that State.

That brings me to one other topic that I propose briefly to discuss, because it is another phase of the unconstitutionality of this act. The act contains the following clause:

The Department of Agriculture is hereby authorized and directed to adopt suitable regulations to give effect to the previous paragraph—

That is, the one prohibiting the killing of game—

by prescribing and fixing closed seasons, having due regard to zones of temperature, breeding habits, times, and line of migratory flight, thereby enabling the department to select and designate suitable districts for different portions of the country.

And now notice:

It shall be unlawful to shoot or by any device kill or seize and capture migratory birds within the protection of this law during said closed seasons.

That is the close season fixed by the Agricultural Department.

Any person who shall violate any of the provisions or regulations of this act shall be fined not more than $100 or imprisoned not more than 90 days, or both.

Now, let us stop and examine that provision. The Congress of the United States does not undertake to say it shall be unlawful to kill wild geese in the State of Connecticut between the 1st day of March and the 30th day of March or any other period that it may specify, but Congress undertakes to say that it shall be unlawful to kill wild geese or other game when what is indefinitely described as the Agricultural Department says it shall be unlawful. This lawmaking power does not say when it shall be lawful and when it shall be unlawful, but this lawmaking power undertakes to confer the right upon the Agricultural Department, whatever that may mean in law, to say when it shall be lawful and when it shall be unlawful. It is as plain a delegation of legislative power or attempt to delegate it as ever was made.

Under that law as we have passed it let us see what will happen. A sovereign citizen in the State of Kansas represented by my friend Senator THOMPSON, living within that sovereign State, goes out to shoot ducks on the 1st day of March. He is on the Kansas side of the line. I go out to shoot ducks on the same day on the Missouri side of the line. We read the act of Congress and we find there is no place where Congress has said that you shall not shoot ducks in Kansas on that day or that you shall not shoot ducks in Missouri on that day, and we each shoot a duck. I do not know whether my friend from Kansas could hit one or not, and I do not know whether I could or not, but let us assume that we could and did. We are haled into court, and what is the charge? That on, to wit, a certain day each of us shot a duck in violation of what—a law of the United States? Before you can show that either one of us killed a duck in violation of any law, you have to show that the Agricultural Department said that you could not shoot a duck at a certain time. Accordingly we find that the Agricultural Department printed an order, in which it said that on the first day of that particular month you should be sent to jail if you shot a duck on the Kansas side of the line; but upon the Missouri side of the line it said you had an open season. Accordingly my friend goes to jail and I go free. He goes to jail, why? Because Congress said you should not shoot ducks on that day in that place? No; but because three or four little whippersnappers down here in the Agricultural Department, who would need a guide to get them around over a good-sized Kansas farm, said that you should go to jail if you shot birds on that day. To that absurd and ridiculous length have we gone in the legislation of this country!

Mr. THOMPSON. Mr. President——

Mr. REED. Now, if my friend from Kansas wants me to get him out of jail, I will pause long enough to let him out.

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Kansas?

Mr. REED. Yes, sir.

Mr. THOMPSON. Mr. President, instead of going to jail I would simply step over to Missouri, where I would have a right to shoot.

Mr. REED. And when you got over there, if anybody arrested you on an order of the Agricultural Department instead of under a law of this country, I would get out a writ of habeas corpus and keep you out of jail.

Mr. THOMPSON. I would be glad of that.

Mr. REED. But let me show you to what extent this absurdity has gone. Congress abdicated its power to say when and where it should be a crime for a citizen to do a certain act, and has undertaken to turn it over to that vague and indefinite thing called the Agricultural Department, for such is the language of the law, that the Agricultural Department shall prescribe the seasons, fix the times, and so forth. It transpired, however, that when the matter got into the Department of Agriculture it was turned over to some gentlemen, known as the Biological Survey. Just what this Biological Survey is or may be "deponent sayeth not," for he has neither knowledge nor information sufficient to form a belief. All I have ever seen of it is a gentleman named Nelson, who finds it necessary to correct his testimony to an extent I have not hitherto witnessed.

But what does Brother Nelson do? What does the Biological Survey do? The car of moral progress and reform is in full head; change is the order of the day. It has finally penetrated the Agricultural Department. So that dignified body proceeds to organize an advisory board and turn over to that advisory board the right to make these regulations. It is true Brother Nelson tried to avoid that conclusion, but I shall show you enough of his evidence to convince you that that is exactly what they have done. Let us see. Mr. Nelson was on the stand, but our economical Agricultural Committee have not printed his evidence. I do not know why.

Mr. SMITH of Georgia. I think it is printed.

Mr. REED. No; it is not in the Senate hearings.

Mr. McLEAN. I suggest to the Senator from Missouri that probably the reason it was not printed is that the Agricultural Committee was considered a poor place to test the constitutionality of an act of Congress.

Mr. REED. Mr. President, I suppose they would also consider that committee a poor place in order to find out how the money heretofore appropriated had been expended and how the money asked to be appropriated was to be expended, according to the logic of the Senator from Connecticut. That is what we were investigating; that is what the Agricultural Committee had a right to inquire into. I do not blame the Senator from Connecticut or any other sponsor of this law for not wanting any of this testimony printed, but it is going to be printed. I ask leave to have it printed as a part of my remarks.

Mr. SMITH of Georgia. Mr. President, I do not think the Senator wants all of that testimony printed. I was under the impression that it had already been printed by the Agricultural Committee. We will direct the clerk of the Agricultural Committee to have it printed at once. I wanted it printed, and I shall endeavor to have it done.

Mr. REED. Very well; that is satisfactory to me.

Mr. SMITH of Georgia. I think that would be better than to put the testimony into the CONGRESSIONAL RECORD.

The PRESIDING OFFICER. Does the Senator from Missouri ask for the insertion in the RECORD of the testimony to which he refers?

Mr. REED. I am content with the statement which is made by the Senator from Georgia [Mr. SMITH]. I knew he would want to do the right thing.

Mr. SMITH of Georgia. I thought it had been printed. I supposed that of course it had been printed.

Mr. REED. Now, let us see. Dr. Nelson is on the stand. They are most of them doctors down there.

Mr. SMITH of Georgia. What is he doctor of?

Mr. REED. I do not know what he is doctor of; but judging by the way he testifies and afterwards changes his testimony, I hardly think he is a doctor of divinity. I am now reading from some of his testimony:

Senator REED. What is your name?
Dr. NELSON. E. W. Nelson, Assistant Chief of the Biological Survey.

Now, we have gone from the Chief to the Assistant Chief of the Biological Survey.

Senator REED. Is that the bureau of the Department of Agriculture that has charge of the enforcement of the game laws?
Dr. NELSON. Yes, sir.
Senator REED. Who actively has charge of that bureau of the department?
Dr. NELSON. Mr. George E. Lawyer has charge of that work.

Dr. Nelson has made some changes in his testimony at this point, but I pay no attention to the changes. I am following the text.

Senator REED. Have you down there what is known as an advisory council?
Dr. NELSON. The advisory council consists, I think, of 15 gentlemen. After the migratory-bird law was passed and the administration of it placed under the Department of Agriculture in the Biological Survey, which handles all Federal matters relative to birds and game—it was suggested that in making the regulations it would be a good plan for the Secretary to name a number of prominent gentlemen from various parts of the country, who, after the Biological Survey had presented a set of proposed regulations, should go over and consider those regulations, and would express their opinion to the Secretary as to whether those regulations were, in their opinion, practicable or not; in other words, merely to get a little wider expression of opinion than would be afforded by the decision of the bureau.

You will note, when you read that fairly, that Congress put this authority in the Department of Agriculture, and the Department of Agriculture turned it over to the Chief of the Bureau of the Biological Survey, and he, in turn, turned it over to Dr. Nelson.

Then they make out some regulations, and do what? They submit those regulations to a board of outside gentlemen to pass upon. It is the court of review, and it is to tell them—and I use the language of the witness—whether the regulations are practicable or not. It is the final judge. Of course, the matter comes back in a manner and form to the Biological Survey or the Department of Agriculture, which issues the mandate.

So these gentlemen in New York and this Biological Survey determine when I can shoot a duck in Missouri without going to jail, and when you shall go to jail if you do shoot one!

Now, who are this advisory council? Dr. Nelson got out a list and read. The names are as follows:

John B. Burnham, New York, chairman; Clark MacAdams, St. Louis; W. L. Finley, Portland, Oreg.; F. W. Chambers, Salt Lake City, Utah; E. H. Forbush, Boston; Edward C. Bradford, Wilmington, Del.; Dr. George B. Grinnell, New York; Dr. William T. Hornaday, New York; Marshall McLean, New York; T. Gilbert Pearson, New York; George Shiras, Washington, D. C.; Gen. John C. Speaks, Columbus, Ohio; William P. Taylor, Berkeley, Cal.; John H. Wallace, Montgomery, Ala.; Clinton M. Odell, Minneapolis.

Now, you will notice that this advisory board is scattered all over the United States of America. This testimony continues:

Senator REED. Now, let me ask you this question: Has this advisory board, scattered, as it is, all over the United States, ever held a meeting?
Dr. NELSON. Yes, sir.
Senator REED. Where?
Dr. NELSON. In New York.
Senator REED. When?
Dr. NELSON. They have held a number of meetings; I could not give you the dates.
Senator REED. About how many?
Dr. NELSON. Well, I could not tell you as to the number.
Senator REED. Who paid their expenses?
Dr. NELSON. No one has; they pay their own expenses. The Government never paid them a dollar.
Senator REED. Why did they come to hold this large number of meetings?
Dr. NELSON. Did you say why?
Senator REED. Yes.
Dr. NELSON. With respect to questions that come up for discussion in regard to the migratory bird law, and other things that information is desired upon, as being gentlemen of knowledge on the subject and experience.
Senator REED. What was their opinion asked upon?
Dr. NELSON. It was recently asked on the new regulations. They have been asked principally as to the regulations which have been proposed or put out.

That is why they held these meetings; that is why they came together. It was to decide the question as to when the regulations shall show that it is illegal to shoot game in Tennessee or any other State and when it is not. This self-constituted board—do I state that too broadly? Wait a minute and I think I can furnish convincing evidence.

But we do not stop there. This law-making power, before it decides, goes out and consults the hunters; and we have another referendum. It tries to agree with the hunters as to what time will be satisfactory to them, and if they do not agree and the hunters are a little obstreperous when dealing with such a self-constituted board, then it punishes the hunters by putting in a time that is especially obnoxious to them. Here is a little of that:

Senator REED. Particularly the advisory board, I suppose.
Dr. NELSON. Now I will come to that in a moment, Senator. My proposition, and the one that the Biological Survey offered to the Middle West, would give them the full shooting season to themselves and give them a month in the spring from the 10th of February to the 10th of March. That was the offer we sent to the men placed out West, who talked with different organizations there, etc., and quite a number of people were rather inclined to accept them, but a majority of them wanted until March 31. After Mr. Holthaus and other agitators—

And, by the way, Mr. Holthaus has done more for the protection of game in the State of Missouri than all the Hornadays and all the Nelsons ever born of woman. He has been a perfect crank for the protection of game, if you can call a man a crank who has proceeded intelligently and effectively to protect the game.

After Mr. Holthaus and other agitators who were claiming——

Mr. McLEAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Connecticut?

Mr. McLEAN. I will not ask to interrupt the Senator if he does not care to be interrupted.

Mr. REED. I am perfectly willing to be interrupted.

Mr. McLEAN. I should like to ask the Senator if the open season on waterfowl in his State does not extend until the 1st of May, or did until very recently?

Mr. REED. I can not answer that.

Mr. McLEAN. I think that is the case.

Mr. REED. I think the game law in Missouri on ducks—I do not speak of waterfowl generally, because there is a difference as to waterfowl—ends on the 1st day of April.

Mr. McLEAN. If the Senator will yield for just a moment further, I think that must be a very recent amendment, if that is the case. I know that when I looked up the law of that State I found it was permissible to shoot ducks up to the 1st of May, after the ducks had mated and were hatching their eggs.

Mr. REED. That does not at all meet the proposition that I am making, that Mr. Holthaus has been an earnest advocate of the protection of game and one of the most earnest advocates of game protection in the West.

Mr. HARDWICK. Mr. President——

Mr. REED. I yield to the Senator from Georgia.

Mr. HARDWICK. I want to ask the Senator this question: What constitutional right or power has the Congress of the United States to establish game laws throughout the country?

Mr. SMITH of Georgia. The Senator from Missouri has been discussing that question.

Mr. HARDWICK. I have just come into the Chamber.

Mr. REED. I have put into the RECORD the decisions of two Federal courts and of the Supreme Court of Maine to the contrary.

Mr. HARDWICK. The Senator does not believe that it has any such power?

Mr. REED. Oh, no; but I am now discussing the other question, that, even assuming that there is such power, we have attempted to delegate it.

After Mr. Holthaus and other agitators—

Says Dr. Nelson—

who were claiming what we think is unreasonable, rejected the offer of any compromise, then the Biological Survey thought it was useless to continue this proposition for the spring months' shooting, and let the regulations remain just as they were.

They go out and offer compromises with a few game shooters, and they get together with the game shooters and together determine when it shall be legal and when it shall be illegal for me to shoot game. Absurdity can not run further than this thing has proceeded. And when these men refuse to compromise, then they proceeded to punish them. Here Dr. Nelson says:

The Biological Survey thought it was useless to continue this proposition for the spring months' shooting, and let the regulations remain just as they were, because apparently we would succeed in getting not only the continued attacks from that section but also bring upon our backs the attacks of other people who were opposed to any spring shooting whatever. There is a very great number of sportsmen * * * opposed to any spring shooting.

I omit part of his answer, because it is not important here.

Senator REED. Now, let us stop here. We are getting along pretty fast. You had complaints from the Middle West, particularly by agitators like Mr. Holthaus, and you concluded something ought to be done, perhaps; and so you went out there and tried to come to some kind of agreement with Mr. Holthaus and some of these other people, did you?
Dr. NELSON. Yes, sir.

Here is the board to which the Agricultural Department undertook to delegate the power that Congress undertook to delegate to it to say when it shall be legal and when it shall not be legal

for a citizen of the United States to do a particular act, going out West to come to an agreement with a man named Holthaus, whom they describe as an agitator; and if they had come to an agreement with Mr. Holthaus the time when it would have been illegal would have been a different time than it is now. I have no doubt the constitutional authority from Connecticut will find no difficulty in that proposition.

Senator REED. And they would not agree to be satisfied unless you gave them until March 31—

That is, extend the time of the shooting—

That is right, is it?

Dr. NELSON. Yes, sir; they demanded that.

Senator REED. And thereupon you concluded that as they would not agree to be satisfied unless you gave them until March 31, you would not make any change in the regulations at all?

Dr. NELSON. Because they absolutely refused to consider it.

He has changed that to "our proposition." In other words, they went out to bargain with men as to when there should be a law and when there should not be a law—as to when an act should be a crime and when it should not be a crime.

Senator REED. In other words, in determining a zone under the law, when it would be and when it would not be criminal to shoot, you went out and consulted with a man whom you denominate as an agitator, and because you could not agree with him you refused the relief that otherwise would have been given; and that is the way the Agricultural Department is enforcing this law?

Dr. NELSON. I think, Senator, you are putting that a little unfairly. The point was that if those people were absolutely honest and rejected that and refused to accept what we had suggested——

Senator REED. What did they have to do with accepting or rejecting anything when you had a sworn duty to perform?

Dr. NELSON. We were trying to get on some satisfactory footing, and, furthermore, the proposed regulations that we were suggesting were merely to be considered at hearings and subsequently changed. They are to have 90 days in which they are to be considered and changes made in them. Those were not final regulations and were not considered to be such when we put them out.

Senator REED. But they were final enough so that for the time being they undertook to make an act criminal which otherwise would not be criminal.

Dr. NELSON. I beg your pardon. Those regulations are merely put out tentatively under the law for 90 days and are not to be put in force in any way.

So we have another peculiar thing. Congress undertakes to delegate a power to the Agricultural Department, whatever that is; the Agricultural Department undertakes to delegate the power to the Biological Survey, whatever that is; the Biological Survey undertakes to delegate it to an assistant, whoever or whatever he is; the assistant sends some unnamed representatives out West to consult with people, whoever they may be, and then they propose to put out regulations which are only to be of an experimental character for 90 days, and are not to be enforced during the 90 days. If there is anything that can be devised or thought of that comes further from the making and enforcing of a law than that, I do not know what it is.

At the expiration of 90 days any changes that are thought advisable may be made in the hearings. We advertise and ask for hearings as to whether we shall change them. We have already decided to make one change in the proposed regulations. That went to New York. These proposed regulations themselves were referred—

Now, let us see whether they have not turned this over to the advisory committee—

These proposed regulations themselves were referred to the advisory committee and the advisory committee came back with the recommendation that we grant that month in the spring to the Middle West, and we accepted that recommendation, and that recommendation is now in the proposed regulations.

Who said, then, when it should be lawful or unlawful to shoot ducks? A board gathered from all parts of the United States and sitting in New York, a board of private citizens, the moving spirit of which is Dr. Hornaday, hunter of monkeys and skinner of orang-outangs, for pay, likewise slanderer of the Senate, insulter of courts, and the author of a libelous document which he has circulated among Senators.

The Biological Survey had no feeling about the matter one way or the other—

I continue to read from Dr. Nelson—

and when the advisory board advised that they thought it would be well to put that in, then we said all right, that we were perfectly willing to do so.

Who wrote the law, or the alleged law, for us in Missouri? The advisory board. Who is the advisory board? A self-constituted body of private citizens, only one of whom lives in Missouri, so far as I know, and I think he only moved back there recently, and probably is the best man on the board at that. Dr. Nelson continues:

The only reason we left it out was that the Middle West appeared to absolutely reject it, and we are ready to put it in, and it is in the proposed regulations.

I summed up this gentlemans' position in a question, which I will read:

Senator REED. Then, if I understand you, being charged with the duty under the law of making these various districts in such manner and form that it would give effect to this bill, carrying out the terms of the bill which provide for the protection of these birds, you went out and consulted with the agitators and they did not behave just to suit you, and you concluded you would do nothing. Their misbehavior or failure to agree with you was sufficient reason for your not going on and making these districts, as it was your duty to do under the law and as you would have done if they had agreed to them, and then, after that the advisory committee advised you nevertheless to go on and change your regulations, because the advisory committee advised it, and you did change them.

If that be not a complete demonstration of the fact that this board abdicated whatever powers it ever may have had, if any it had, then I do not know how demonstration can be made.

There is a lot more of this testimony along this line. I do not pause to read it. I call attention simply to one matter.

Mr. Holthaus testified:

This is a statement made to me by Dr. Nelson: The bureau had decided to permit duck shooting in the Middle West States from February 10 to March 10, but Dr. Hornaday refused to give his approval to the change, so I made a trip to New York to confer with Dr. Hornaday on the matter, and I had Dr. Hornaday dine with me, and after our conference the doctor agreed to permit shooting of ducks in the Middle West States from February 10 to March 10.

Why, here is the state of facts now. Let me sum it up. Under the Constitution of the United States, under the structure of our Government, the game of the country belongs to the respective States in which it happens for the time being to be found. In violation of the Constitution of the United States Congress undertakes to usurp a power it does not posses and to assume control of the game. That, I repeat, is the decision of two Federal courts, of the Supreme Court of Maine, and in principle it is the decision of several cases decided by the Supreme Court of the United States, and it is in harmony and consistent with an unbroken line of decisions found in the various States.

The second step: Congress, having undertaken to usurp this power of the States, undertakes in turn to transfer to that vague and indefinite thing known as the Agricultural Department the right to say when it shall be legal and when it shall be criminal to shoot wild game.

Step 3: The Agricultural Department assigns this task to the Biological Survey, whatever that may be.

Step 4: The Chief of the Biological Survey turns it over to the assistant chief.

Step 5: The assistant chief or the Biological Survey or the Agicultural Department or somebody else organizes an advisory board.

Step 6: The agents, now, of the Agricultural Department are sent out to agree with hunters and sportsmen as to when it shall be lawful and when it shall not be lawful under the laws of the United States to shoot game.

Step 7: Having failed to arrive at a satisfactory agreement, the Biological Survey proceeds to determine when and where it shall be legal and when and where it shall be criminal to shoot game, especially basing its decision in the Middle West upon the fact not of the equities of the case, but upon the circumstance that the game shooters have not been willing to agree.

Step 8: Having prepared its decree as to when and where it should be lawful to shoot game, the Biological Survey goes into consultation with an advisory board consisting of private citizens, and upon the suggestion of the advisory board substitutes the opinion of the advisory board for the opinion it had previously formed.

Step 9: Before the opinion of the advisory board could be accepted and made the law of the land it was necessary to consult Dr. Hornaday. Thereupon the Assistant Chief of the Biological Survey goes to New York, has Dr. Hornaday come in to dinner, and lays the matter at the feet of that eminent man—that gentleman whose book, Ninety Days in the Jungles, written by himself, describes the special delight that is to be found in shooting female orang-outangs as they flee with their babes in their arms, and the ecstasy that thrills the heart of the sportsman as he tears the skin from the bodies of these half-human things. So at his proud feet the right is finally laid to say when it shall be legal and when it shall be illegal to kill birds. His consent being granted, his approval, his order being gained, the ipse dixit arrived at in this circumlocutory manner becomes a law; and because the Assistant Chief of the Biological Survey had a dinner with Dr. Hornaday in New York, and Dr. Hornaday granted his gracious consent to a certain order, it is now a crime or it is not now a crime for a citizen of the United States to kill game at a certain time or place.

Mr. President, three great courts have declared this law unconstitutional. There has been collected, I think, up to date, a total of about $140 in fines. I do not believe it was that much, for nearly all the fines were remitted. We have a horde of men out over the country parading around and pretending they are going to enforce a law which they have no idea of attempting to enforce. We are asked to squander another $50,000. We have

spent, I believe, $100,000 up to this date. The only arrest that was ever made in connection with this law in the State of Missouri was when their game warden out there was arrested for a crime not related to the hunting of wild birds. I protest against the carrying of that clause in the bill, and I move to strike it out.

APPENDIX.

In the district court of the United States for the district of Kansas, first division.

United States of America, plaintiff, *v.* George L. McCullagh, defendant. No. 4197—Criminal.

MEMORANDA OF DECISION ON DEMURRER TO INFORMATION.

The information filed against defendant in this case reads as follows:

"Comes now Fred Robertson, United States attorney for the district of Kansas, leave of court having first been obtained, and by authority and direction of the Attorney General gives the court to understand and be informed, upon the oath of A. S. Rickner, a Federal game warden for the United States Department of Agriculture, that in the county of Cherokee, in the third division of the district of Kansas, and within the jurisdiction of this court, one George L. McCullagh did then and there, on or about the 2d day of April, 1914, unlawfully, knowingly, and willfully shoot and kill 40 migratory wild ducks in violation of the rules and regulations for the protection of migratory birds adopted by the United States Department of Agriculture and approved by the President of the United States and promulgated and made public October 1, 1913, said rules and regulations having been made, published, and declared by authority of the act of Congress approved March 4, 1913; and this he, the said George L. McCullagh, did contrary to the form of the statute in such cases made and provided and against the peace and dignity of the United States of America."

It is thus seen the sole offense charged by the information against defendant lies in the fact that he killed wild ducks on April 2, 1914, a date falling within the open season for such game as provided by the laws of the State.

The act of Congress on which this prosecution is based is as follows:

"All wild geese, wild swans, brant, wild ducks, snipe, plover, woodcock, rail, wild pigeons, and all other migratory game and insectivorous birds which in their northern and southern migrations pass through or do not remain permanently the entire year within the borders of any State or Territory shall hereafter be deemed to be within the custody and protection of the Government of the United States, and shall not be destroyed or taken contrary to regulations hereinafter provided therefor. The Department of Agriculture is hereby authorized and directed to adopt suitable regulations to give effect to the previous paragraph by prescribing and fixing closed seasons, having due regard to the zones of temperature, breeding habits, and times and line of migratory flight, thereby enabling the department to select and designate suitable districts for different portions of the country; and it shall be unlawful to shoot or by any device kill or seize and capture migratory birds within the protection of this law during said closed seasons, and any person who shall violate any of the provisions or regulations of this law for the protection of migratory birds shall be guilty of a misdemeanor and shall be fined not more than $100 or imprisoned not more than 90 days, or both, in the discretion of the court. The Department of Agriculture, after the preparation of said regulations, shall cause the same to be made public, and shall allow a period of three months in which said regulations may be examined and considered before final adoption, permitting, when deemed proper, public hearings thereon, and after final adoption shall cause the same to be engrossed and submitted to the President of the United States for approval: *Provided, however,* That nothing herein contained shall be deemed to affect or interfere with the local laws of the States and Territories for the protection of nonmigratory game or other birds resident and breeding within their borders nor to prevent the States and Territories from enacting laws and regulations to promote and render efficient the regulations of the Department of Agriculture provided under this statute."

To this information defendant demurs.

The question presented by the demurrer involves alone the constitutional validity of the act.

In ruling this question certain fundamental principles so firmly established in the laws of this country as to become truisms must be borne in mind. As the act assailed on constitutional grounds expresses the deliberate action and intent of a coordinate branch of government, it must be either upheld and enforced or its invalidity must be made to appear so clearly as to be beyond all question of doubt.

Our National Constitution is one of purely delegated powers. When the validity of an act asserted to have been passed in pursuance of power thereby conferred on Congress is challenged in due form and proper manner, as in this case, the plaintiff must point to some provision therein found which either in express terms or by necessary implication authorizes and sustains the act. When the Government engages her citizens in litigation in her courts the cause of each is entitled to and must receive at the hands of the court the same fair and just consideration and judgment. It is neither the purpose nor the desire of Government that any of her citizens shall in any manner be interfered with in the exercise of any right, except such interference be for the common good and in pursuance of lawful authority.

In the present case the Government asserts the power by Congress exercised in the passage of the act challenged is found in either what is commonly called the general welfare clause, subsection 2 of section 3, Article IV, of the Constitution, which reads as follows:

"The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular State."

Or to be authorized by the commerce clause, which reads:

"To regulate commerce with foreign nations and among the several States and with the Indian tribes."

It is quite evident the thought in the mind of Congress which gave rise to the passage of the act in question, and the common good thereby sought to be accomplished, was the preservation of the migratory bird life of the country from extermination, as has in past been the lot of some species of its wild game animals and birds. However, no matter how laudable the purpose of Congress in the passage of the act in question may have been or how great the ultimate end sought thereby to be attained for the common good, such end does not justify the means employed if it be found on examination to lie beyond constitutional bounds. In such event the only proper course lies in amendment of the Constitution.

There can be no doubt but that a uniform system of laws on the subjects of marriage and divorce in this country would terminate many serious evils and accomplish inestimable good. Had Congress the power to so legislate, a few comparatively simple provisions would accomplish this much desired result. However, this has been neither done nor attempted by Congress. The same may be said of many subject matters of legislation under our system of government lodged in the State but denied to the Nation. As then the will of Congress to accomplish the much desired result, without the power of accomplishment, will not suffice, no matter how great the exigencies of the case or how impotent the powers of the States to protect may be; therefore those provisions of the Constitution relied upon by the plaintiff in this case to confer the power on Congress attempted to be exercised by it in the passage of this act in question must be examined in the light of reason and authority controlling here before a determination of the question presented can be reached.

In so far as the commerce clause is concerned, it does not appear much reliance is placed thereon by the plaintiff in its briefs and argument, and this, no doubt, for the reason contention on this score would seem to have been foreclosed by the Supreme Court in such exhaustive decisions as to leave nothing more to be said on this head, as reference to a few leading cases will show. In the case of Geer *v.* Connecticut (161 U. S., 519), it appears the State of Connecticut had enacted a statute for the protection of wild game of that State. Among other provisions, the act prohibited, under penalty, the transportation of game out of the State. Geer, a citizen of Massachusetts, went into the State of Connecticut and there had in his possession wild grouse taken in compliance with the privilege to so do accorded by the laws of the State. Having the game so taken in his possession, he was proceeding, contrary to the provisions of the act under which it was taken, to carry it as his individual personal property out of the State, for which offense he was tried, convicted, and sentenced under the laws of the State. The case was carried to the Supreme Court on the sole ground as the grouse had been lawfully taken in the State of Connecticut, in pursuance of her laws, in face of the commerce clause of the National Constitution the State of Connecticut was without power to prevent him as owner of his individual personal property from carrying it in interstate commerce. In an exhaustive review of this question, as shown by the opinion delivered by Mr. Chief Justice White, certain principles were laid down as the settled law of the land: (1) The wild animal and bird life present in a State is the common heritage of all the people of that State; the title thereto is vested in the State, not in its sovereign capacity but in trust for all the people of the State; (2) the extent of the personal or individual right which anyone may acquire in such game by the act of lawfully taking and reducing to his exclusive possession is not absolute in its nature, as is the like taking and possession of such goods and chattels as grain, fruits, vegetables, domestic animals, etc., but constitutes a mere qualified right in the taker to use or dispose of it in such manner as the laws of the State may admit. Hence, it was there held Geer had no right under the commerce clause of the National Constitution to carry the grouse out of Connecticut in violation of her laws. In other words, it is there held the power of the State over game within its territorial limits is not terminated by the act of the individual in reducing it to his exclusive and lawful possession, but, on the contrary, the power of the State follows the game into the hands of the lawful exclusive possessor, and in the assertion of its title held therein in trust for all the people of the State it may so control its use and disposition as to absolutely forbid and prohibit its coming under the protection and control of the commerce clause of the National Constitution. And the reason for the rule is apparent. If the State, either by its laws or in the absence of prohibitive laws, once permits game to come under authority of the commerce clause of the National Constitution, then all State control or authority thereover of necessity must cease to exist and its trust title for the common good of all the people of the State be cut off and destroyed.

Hence, by the very force of logic itself it must follow, if Congress by the simple fact of the exercise of its claimed legislative power expressed in the act in question has drawn into national custody and under the protection and control of national laws the migratory wild-bird life named in the act, by the same token it has not alone, without the expressed consent of the States, deprived them of the title under which they have heretofore held that portion of such life as comes within their borders in trust for all the people of the State, but the same being now under the protection of the Constitution and laws of the Nation, migratory game birds have become the subject of interstate commerce, and the case of Geer *v.* Connecticut is no longer applicable thereto.

The power of the States by their laws in the protection of their trust title for the common good of all the inhabitants of the State to exclude wild bird and animal life lawfully reduced to the exclusive possession of the individual from the operation of the commerce clause of the National Constitution, as was held in Geer *v.* Connecticut, supra, has been uniformly maintained by the courts of this country. (Martin *v.* Waddell, 16 Pet., 367; Smith *v.* Maryland, 18 How., 71; Manchester *v.* Massachusetts, 139 U. S., 240; Lawton *v.* Steele, 152 U. S., 133; The Abby Dodge, 223 U. S., 166; United States *v.* Shauver, 214 Fed., 154.) It is thus clear no reliance whatever may be placed by the plaintiff on the commerce clause of the Constitution to uphold the act in question.

Does the act find any basis for its support in what is called the general welfare clause of the Constitution above quoted? It is to be noted the purpose of that provision is to guarantee to the Federal Government the power to dispose of and regulate by law or rule its territorial domains and all other property or property rights held by it. If therefore it may be justly said the General Government has either a property right or a proprietary interest in things farræ naturæ, such as the migratory wild game birds here in question, then its power to enact the law in controversy is sustained thereunder, otherwise not.

As has been seen, the basic principle on which the decision of Geer *v.* Connecticut, supra, rests is that the exclusive title and power to control the taking and ultimate disposition of the wild game of this country resides in the State, to be parted with and exercised by the State for the common good of all the people of the State, as in its wisdom may seem best. Following the decision in that case, there came before the Supreme Court the case of Ward *v.* Race Horse (163 U. S., 504) in which the facts, briefly stated, were as follows: Race Horse was a member of the Bannock Tribe of Indians, living on the Fort Hale In-

dian Reservation in Idaho. By article 4 of a treaty duly consummated between the United States and his tribe in 1868 it was provided, as follows:

"The Indians herein named agree, when the agency house and other buildings shall be constructed on their reservations named, they will make said reservations their permanent home, and they will make no permanent settlement elsewhere, but they shall have the right to hunt upon the unoccupied lands of the United States so long as game may be found thereon, and so long as peace subsists among the whites and Indians on the borders of the hunting districts."

By act of Congress thereafter passed a Territorial form of government was provided for the Territory of Wyoming. This act provides as follows:

"Nothing in this act shall be construed to impair the rights of persons or property now pertaining to the Indians in said Territory, so long as such rights shall remain unextinguished by treaty between the United States and such Indians."

Wyoming was admitted as a State of the Union in 1890. In July, 1895, the legislature of that State passed an act regulating the killing of game within the State. Thereafter, in October, Race Horse killed elk in Uinta County, in that State, on public lands of the United States, as he was authorized to do under the treaty made between the United States and his tribe, but in violation of the act of the Legislature of the State of Wyoming. Being prosecuted under the law of the State, he justified his conduct under the provision of the treaty with his tribe above quoted. He was convicted and sentenced under the State law. His application for discharge on a writ of habeas corpus being denied him, he appealed to the Supreme Court. Both the State law and the treaty being in full force at the time he killed the elk the question presented was which should yield, the law of the State or the treaty of the Government with his tribe made by virtue of express authority of the National Constitution? Mr. Chief Justice White, delivering the opinion of the sourt, said:

"The power of a State to control and regulate the taking of game can not be questioned. (Geer *v.* Connecticut, 161 U. S., 519.) * * *

"The argument now advanced in favor of the continued existence of the right to hunt over the land mentioned in the treaty, after it had become subject to State authority, admits that the privilege would cease by the mere fact that the United States disposed of its title to any of the land, although such disposition when made to an individual would give him no authority over game, and yet that the privilege continued when the United States had called into being a sovereign State, a necessary incident of whose authority was the complete power to regulate the killing of game within its borders. This argument indicates at once the conflict between the right to hunt in the unoccupied lands within the hunting districts and the assertion of the power to continue the exercise of the privilege in question in the State of Wyoming in defiance of its laws. * * *

"The power of all the States to regulate the killing of game within their borders will not be gainsaid, yet if the treaty applies to the unoccupied land ot the United States in the State of Wyoming that State would be bereft of such power, since every isolated piece of land belonging to the United States as a private owner, so long as it continued to be unoccupied land, would be exempt in this regard from the authority of the State."

It was there held the simple fact of the admission of Wyoming into the Union as a State, possessing like and equal unrestricted control over the wild-animal life within her borders, authorized the legislature of the State, in the exercise of such plenary power of control, to prohibit and make criminal the doing of an act guaranteed by solemn treaty of the Government to Race Horse as a member of his tribe.

To the fact that the title and exclusive power of control over wild game coming within the borders of a State of this country resides in the State and not in the Nation the following cases bear indisputable proof: Geer *v.* Connecticut, supra; Ward *v.* Race Horse, supra; Phelps *v.* Racey (60 N. Y., 10); In re Deininger (108 Fed., 623); The Abby Dodge, supra; Commonwealth *v.* Savage (155 Mass., 278); Organ *v.* State (56 Ark., 270); State *v.* Geer (61 Conn., 144); State *v.* Northern Pacific Express (58 Minn., 403); State *v.* Rodman (58 Minn., 393); American Express Co. *v.* People (133 Ill., 649); Ex parte Maier (103 Cal., 476); People *v.* Collison (85 Mich., 105); State *v.* Heger (194 Mo., 707); State ex rel *v.* Warner (197 Mo., 650); State *v.* Weber (205 Mo., 36); State *v.* Repp (104 Iowa, 305); Bering Sea Arbitrators' Decisions (32 Am. L. Reg., 901).

The precise question here involved was presented to and considered by the District Court of the United States for the Eastern District of the State of Arkansas in the case of the United States *v.* Shauver (214 Fed., 154); in which case Judge Trieber, in an able and exhaustive opinion, arrived at the same conclusion here reached.

The act challenged is believed to be the single instance in the entire legislative or judicial history of this Nation or the composing States in which a contrary view has been expressed.

Unless a departure, as radical in theory as it is important in its effects, is to be made from fundamental principles long established by our laws and long acquiesced in by our people, the act in question must be held incapable of support by any provision of the organic law of our country. If the act in question shall, on any ground or for any reason, be upheld and enforced, it must surely follow the many laws of the separate States of this Union must hereafter be held inoperative, for there can be no divided authority of the Nation and the several States over the single subject matter in issue with either safety to the Nation or security to the citizen. And this for the reason although a power of control be delegated by the Constitution to the National Government, still such power may be exercised by the States until Congress acts. But so soon as Congress, in pursuance of its delegated power, occupies the field, all State laws become automatically suspended and inoperative. (Sturges *v.* Crowninshield, 4 Wheat., 122; Ogden *v.* Saunders, 12 Wheat., 213; Boyle *v.* Zacharie, 6 Pet., 348; Cook *v.* Moffatt et al., 5 How., 295; The Bank of Tennessee, etc., *v.* Horn, 17 How., 157; Baldwin *v.* Hale, 1 Wall., 223; Baldwin *v.* Bank of Newbury, 1 Wall., 234; Gilman *v.* Lockwood, 4 Wall., 409; Crapo *v.* Kelly, 16 Wall., 610; Sherlock et al. *v.* Alling, administrator, 93 U. S., 99; Gloucester Ferry Co. *v.* Pennsylvania, 144 U. S., 196; Smith *v.* Alabama, 124 U. S., 465; Nashville, etc., Railway *v.* Alabama, 128 U. S., 96; Cole *v.* Cunningham, 133 U. S., 107; Geilinger *v.* Philippi, 133 U. S., 246; Brown *v.* Smart, 145 U. S., 454; Butler *v.* Goreley, 146 U. S., 303; Gulf, Colorado, etc., Railway *v.* Heffey, 158 U. S., 98; Reid *v.* Colorado, 187 U. S., 137; Southern Ry. Co. *v.* Reid, 22 U. S., 424; Nor. Pac. Ry. *v.* Washington, 222 U. S., 370; Second Employers' Liability Cases, 223 U. S., 1.)

In Smith *v.* Alabama, supra, Mr. Justice Matthews, delivering the opinion of the court, said:

"The grant of power to Congress in the Constitution to regulate commerce with foreign nations and among the several States, it is conceded, is paramount over all legislative powers which, in consequence of not having been granted to Congress, are reserved to the States. It follows that any legislation of a State, although in pursuance of an acknowledged power reserved to it, which conflicts with the actual exercise of the power of Congress over the subject of commerce, must give way before the supremacy of the national authority."

In Second Employers' Liability Cases, supra, Mr. Justice Van Devanter, delivering the opinion of the court, said:

"True, prior to the present act the laws of the several States were regarded as determinative of the liability of employers engaged in interstate commerce for injuries received by their employees while engaged in such commerce. But that was because Congress, although empowered to regulate that subject, had not acted thereon, and because the subject is one which falls within the police power of the States in the absence of action by Congress."

Not only is this true, but the argument of necessity, so strongly urged on the part of the Government at the hearing, to preserve the migratory bird life of the country from extinction, would seem to the thoughtful mind more fanciful than real, and for this reason: The several States, as has been seen, possess the most absolute and plenary power of control over the subject matter of wild animal and wild bird life within their territorial domains it is possible to either conceive or to grant. In the exercise of this unlimited power, the States acting together may beyond all question prohibit absolutely and unconditionally the taking of any such wild life in any part of this country, either temporarily or for all time. Hence, it turns out, the argument of necessity for action on the part of the Government arises not so much from any want of power to control on the part of the several States as from dissatisfaction as to the manner in which such plenary power possessed by the several States is exercised. It is quite obvious differences of opinion and difficulties of the nature involved are inherent in the very form and structure of this Government, subject to change or correction, however, only in the manner prescribed by its founders.

It follows, the demurrer to the information must be sustained. It is so ordered.

The same order will enter in cases No. 4196, United States *v.* Savage, and in No. 4198, United States *v.* Sapp, which cases were submitted with that under consideration.

JOHN C. POLLOCK, *Judge.*

KANSAS CITY, KANS., *March 20, 1915.*

(Indorsed:) No. 4197, memorandum of decision on demurrer to information. Filed March 20, 1915. Morton Albaugh, clerk.

UNITED STATES OF AMERICA, *District of Kansas, ss:*

I, Morton Albaugh, clerk of the district court of the United States of America for the district of Kansas, do hereby certify the within and foregoing to be a true, full, and correct copy of memoranda of decision on demurrer to information in the suit of United States of America *v.* George L. McCullagh, case No. 4197, in said court.

In testimony whereof I have hereunto set my hand and affixed the seal of said court, at my office in Topeka, in said district of Kansas, this 9th day of April, 1915.

[SEAL.]

MORTON ALBAUGH, *Clerk.*
By T. L. CAMPBELL, *Deputy Clerk.*

Supreme Judicial Court of Maine. July 21, 1915.

STATE V. SAWYER.

1. GAME—STATUTES—CONSTRUCTION.

Act of Congress of March 4, 1913, chapter 145, 37 Statutes, 847 (U. S. Comp. St., 1913, par. 8837), declaring that all migratory and insectivorous birds shall be deemed within the custody and protection of the Government of the United States, and shall not be destroyed or taken contrary to regulations provided for and providing for regulations of the taking of such game, purports to exclusively regulate the matter and deprive the States of control over such game.

2. COURTS—STATE COURTS—JURISDICTION.

While the Federal Supreme Court has the authority to make the final determination of the question of the constitutionality of an act of Congress, the State courts may, where the enforcement of a State statute depends upon the constitutionality of a Federal law, determine the question.

3. GAME—STATUTES—VALIDITY.

As the States retained all powers not granted to the Federal Government, the States, as sovereignties, have the exclusive right to regulate the taking and capturing of wild game, unless such right is conferred upon the Federal Government.

4. COMMERCE, WHAT CONSTITUTES.

The commerce clause of the Constitution, giving Congress the right to regulate commerce with foreign nations, among the several States, and with the Indian tribes, does not warrant act of Congress of March 4, 1913, purporting to regulate the killing and taking of migratory and insectivorous birds within the several States; the killing or taking of such birds not being an act of "commerce."

5. GAME—WILD GAME—REGULATIONS.

Nor does the general welfare clause, declaring that Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States, for wild game is not property belonging to the Federal Government.

6. ARREST—SERVICE OF WARRANT—AUTHORITY OF FISH WARDEN.

Accused, who was charged with unlawfully shooting ducks from a point in the open sea near an island within the jurisdiction of the State, can not complain that the warrant against him was directed to and served by a fish warden, for Laws 1913, chapter 206, paragraph 45, declares that the general supervision of the sea and shore fisheries is extended to islands and to game and birds found thereon, and that such department shall have charge of the enforcement of laws relating to sea and shore fisheries and fish wardens, who are empowered to enforce all laws relating thereto, and have the same power to serve criminal process as sheriffs.

Report from supreme judicial court, Hancock County, at law.

Chester Sawyer was convicted in municipal court for violating the game law and he appealed. On report. Judgment affirmed.

Argued before Savage, C. J., and Spear, Cornish, King, Bird, and Hanson, JJ.

Herbert L. Graham, county attorney, of Bar Harbor, for the State. George A. Hadlock for respondent.

King, J. The respondent was tried before the Bar Harbor municipal court and found guilty of shooting two migratory game birds or wild ducks on Sunday, October 4, 1914, in violation of a provision of the fish and game laws of the State of Maine. He appealed, and the case is reported to this court on an agreed statement of facts. The alleged offense was committed while the respondent was in a boat on the open sea one-fourth of a mile from Bakers Island, which forms a part of the town of Cranberry Isles, Hancock County, Me.

It is not contended that the respondent did not violate a law of the State prohibiting the killing of wild ducks, for Sunday is a closed time, when it is unlawful to hunt, kill, or destroy game or birds of any kind, under the penalties imposed therefor during other closed seasons (chap. 206, P. L., 1913, par. 50), and there is an annual closed season on all varieties of ducks from January 1 to August 31 of each year, with a specified penalty for its violation (sec. 45, chap. 206, supra). Now is it contended, as we understand the agreed statement, that the place where the act was committed is not within the State of Maine, for it was only one-fourth of a mile from an island "within its jurisdiction." It is claimed, however, that any power which the States had to make and enforce laws and regulations concerning the killing of migratory game birds became suspended and inoperative by reason of the act of Congress of March 4, 1913, and the regulations thereunder. That act contains the following provisions:

"All wild geese, wild swans, brant, wild ducks, snipe, plover, woodcock, rail, wild pigeons, and all other migratory game and insectivorous birds which in their northern and southern migrations pass through or do not remain permanently the entire year within the borders of any State or Territory, shall hereafter be deemed to be within the custody and protection of the Government of the United States, and shall not be destroyed or taken contrary to regulations hereinafter provided therefor.

"The Department of Agriculture is hereby authorized and directed to adopt suitable regulations to give effect to the previous paragraph by prescribing and fixing closed seasons, having due regard to the zones of temperature, breeding habits, and times and line of migratory flight, thereby enabling the department to select and designate suitable districts for different portions of the country, and it shall be unlawful to shoot or by any device kill or seize and capture migratory birds within the protection of this law during said closed seasons, and any person who shall violate any of the provisions or regulations of this law for the protection of migratory birds shall be guilty of a misdemeanor and shall be fined not more than $100 or imprisoned not more than 90 days, or both, in the discretion of the court.

"The Department of Agriculture, after the preparation of said regulations, shall cause the same to be made public, and shall allow a period of three months in which said regulations may be examined and considered before final adoption, permitting, when deemed proper, public hearings thereon, and after final adoption shall cause the same to be engrossed and submitted to the President of the United States for approval: *Provided, however*, That nothing herein contained shall be deemed to affect or interfere with the local laws of the States and Territories for the protection of nonmigratory game or other birds resident and breeding within their borders, nor to prevent the States and Territories from enacting laws and regulations to promote and render efficient the regulations of the Department of Agriculture provided under this statute."

In pursuance of the authority of the act, the Department of Agriculture adopted suitable regulations, which have been approved by the President, one of which fixes a closed season on wild ducks in Maine between December 16 and September 1 next following.

If Congress had the power to control and regulate the killing of migratory game birds within the State, and if, in the exercise of that power, it has made regulations that are exclusive of or in conflict with the State regulations, then the Federal regulations must be regarded as supreme and to have suspended the power of the State to make and enforce regulations respecting the same subject matter.

The Federal act provides that wild ducks and other specified migratory game birds "shall hereafter be deemed to be within the custody and protection of the Government of the United States, and shall not be destroyed contrary to the regulations hereinafter provided for." This language indicates a legislative purpose that the Federal regulations were to be exclusive. And this idea seems to be further indicated in the provision:

"That nothing herein contained shall be deemed to affect or interfere with the local laws of the States and Territories for the protection of nonmigratory game or other birds resident and breeding within their borders, nor to prevent the States and Territories from enacting laws and regulations to promote and render efficient the regulations of the Department of Agriculture provided under this statute.

We do not, therefore, feel inclined to hold in this case that the Federal regulations as to migratory game birds, if valid, are not to be regarded as exclusive of and in conflict with the State regulations which the respondent violated. Accordingly, it becomes necessary, we think, to consider whether the act of Congress of March 4, 1913, and the regulations thereunder adopted are valid as against the State regulations for the preservation of wild ducks within its borders.

Notwithstanding the well-recognized principle that the authority to make a final and controlling determination of the question of the constitutionality of an act of Congress is in the Supreme Court of the United States, and for that reason a State court does not ordinarily assume the consideration of such question; nevertheless, if, as in this case, before that question is finally decided by the Supreme Court, the enforcement of a State law depends upon whether Congress had power, under the Constitution, to pass an act, the effect of which is to suspend the State law, then it becomes the duty of the State court to act in accordance with its own decision of that question until such time at least as it may be otherwise finally determined by the supreme tribunal.

In considering this question, these fundamental and universally admitted principles should be kept in mind that the Federal Government is one of enumerated powers, possessing such powers only as have been actually granted to it, and that all other powers of legislation, though not enumerated and defined because it was unnecessary and perhaps inexpedient that they should be, were retained by the States and remained in the States after the adoption of the Federal Constitution as before, except so far as they were abridged by it. It must also be admitted as fundamental that before the Federal Government was created the States had the right to exercise almost every legislative power, and among them, undoubtedly, that of establishing laws and regulations for the preservation of the wild game within their borders for the common good of their people, a doctrine which seems never to have been questioned in any jurisdiction.

In State *v.* Snowman (94 Me., 99, 111; 46 Atl., 815; 50 L. R. A., 544; 80 Am. St. Rep., 380), our court said:

"The fish in the waters of the State and the game in its forests belong to the people of the State in their sovereign capacity, who, through their representatives, the legislature, have sole control thereof and may permit or prohibit their taking."

This doctrine is recognized by all the American courts and has had the uniform approval of the Supreme Court of the United States whenever the question has been considered by it. In Geer *v.* Connecticut (161 U. S., 519; 16 Sup. Ct., 600; 40 L. Ed., 793), the leading case perhaps on the subject, Mr. Justice White, now the Chief Justice, learnedly analyzed the principles upon which this doctrine rests and exhaustively reviewed the precedents in which it is securely established. And it would be needless, indeed, to cite here the many authorities supporting this unquestioned principle that the States, prior to the formation of the National Legislature, had the power to make laws and regulations for the protection and preservation of the wild game within their borders.

Has that power been granted to the Federal Government? If so, it must be found in either what is called the commerce clause or the general-welfare clause of the Federal Constitution.

The commerce clause authorizes Congress "to regulate commerce with foreign nations and among the several States and with the Indian tribes." (Const., art. 1, par. 8.) Certainly the passage of wild birds in their flight from one State to another is not commerce between the States. However difficult it may be to define with precision the term "commerce," as used in that clause of the National Constitution, it is undoubtedly limited to the acts of man and does not include the natural and uncontrolled movements of wild game. Nor can we perceive any reasonable ground for a contention that the commerce clause confers on Congress power to regulate the taking of wild game within the States. Indeed, it would seem that all possible contention on this score has been already held untenable by the Supreme Court of the United States in several cases where the question has been exhaustively considered. In the case of Geer *v.* Connecticut, supra, the validity of a statute of that State, which prohibited the transportation of game out of the State, was involved. The case was carried to the Supreme Court of the United States on the sole ground that, as the game is question was killed in the State lawfully the statute prohibiting its transportation out of the State was in violation of the commerce clause of the National Consitution. But the court decided otherwise, holding that the wild animal and bird life within a State belongs to the State in trust for the people of the State, and that the State has the authority to legislate for its protection and preservation for the common good, and that such power of legislation embraces game that has been reduced to the possession of an individual by lawfully killing it in the State; or, in other words, that, in view of the peculiar nature of such property and its ownership by the State for the benefit of all its citizens, the State may prohibit its transportation out of the State, although lawfully killed wihin the State, because such a prohibition may tend to restrict its lawful killing within the State and the better preserve it for its own people. And it was there held that while game, taken lawfully, might be considered a subject of commerce within the State where taken, it did not become the subject of interstate commerce within the commerce clause of the Federal Constitution. See also New York ex rel. Silz *v.* Hesterberg (211 U. S., 34; 29 Sup. Ct., 10; 53 L. Ed., 75), where it is held that a statute of New York prohibiting the possession of certain game during closed time did not violate the commerce clause of the Federal Constitution. In Judson on Interstate Commerce, paragraph 11, the author says:

"Thus, the wild game within a State, at common law, belongs to the sovereign, and in this country to the people, in their collective capacity, and the State therefore has a right to say that it shall not become the subject of commerce."

Our conclusion, therefore, is that the power to legislate respecting the protection and preservation of wild game within the States was not conferred upon Congress through the commerce clause of the Constitution.

Nor do we find such power in the general-welfare clause, which reads as follows:

"The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States, and nothing in this Constitution shall be construed as to prejudice any claim of the United States, or of any particular State."

We have already hereinbefore pointed out, as the universally accepted doctrine, that the ownership of wild game, so far as it is capable of ownership, is in the States for the benefit of all their people in common. It follows, therefore, that Congress acquired no power under the general-welfare clause to make regulations concerning wild game, because wild game is not "property belonging" to the United States. And we need here only repeat what has been before said in substance, that the basic principle on which all the decisions of both the State and Federal courts upholding the State game laws rest is that the State is the owner of the wild game within its borders, and that principle has been consistently adhered to.

The question of the constitutionality of the act of March 4, 1913, and the regulations thereunder, has been directly considered in two recent cases in the Federal courts, viz, United States *v.* Shauver (D. C.) (214 Fed., 154), decided by the district court for the eastern district of Arkansas, and United States *v.* McCullagh (D. C.) (221 Fed., 288), decided by the district court for the district of Kansas. In each of those cases, in an exhaustive opinion, the court reaches the same conclusion here reached, that Congress has not the power to regulate the taking of migratory game birds within the States, and that therefore the act of March 4, 1913, is unconstitutional. In each of those cases the respondent was prosecuted in the Federal court for a specific violation of the Federal regulations.

Our conclusion, therefore, is that the power of the State of Maine to enact laws and regulations for the protection and preservation of wild game within her borders, including migratory game birds, was in no way suspended or abridged by the act of Congress of March 4, 1913, and the regulations adopted thereunder, and that the provision of the game laws of the State of Maine which the respondent violated was operative and enforceable against him.

There is no merit in the respondent's suggestion that, because the warrant against him in this case was directed to a fish warden and served by him, the proceedings were defective. Fish wardens are empowered by statute to "enforce all laws and the rules and regulations relating to sea and shore fisheries, arrest all violators thereof, and prosecute all offenses against the same; they shall have the same power to serve criminal processes against such offenders, and shall be

allowed the same fees as sheriffs for like services; they shall have the same right as sheriffs to require aid in executing the duties of their office."

Section 45 of chapter 206, Public Laws, 1913, reads as follows:

"The general supervision of the department of sea and shore fisheries as heretofore fixed by law is hereby extended to embrace all the islands in the sea within the jurisdiction of the State, the deer and other game and birds found thereon, and said department shall have charge of the enforcement of the laws relating to all ducks, shore, and other birds on the seacoast of the State 1 mile inland, including all bays and inlets so far as the tide ebbs and flows, except the Kennebec River above the city of Bath."

We entertain no doubt that the fish warden, to whom the warrant against the respondent was directed, and by whom it was served, had ample authority conferred upon him by statute to act in the premises.

Judgment of lower court affirmed.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Texas [Mr. SHEPPARD].

Mr. REED. I have made another motion.

The PRESIDING OFFICER. Only one motion can be pending at a time.

Mr. SHEPPARD. There is no objection to mine, I believe.

Mr. SMITH of Georgia. Yes; there is. I desire to make the point of order upon the amendment of the Senator from Texas that it is general legislation and can not be attached to an appropriation bill.

The PRESIDING OFFICER. Does the Senator from Texas desire to be heard upon the point of order?

Mr. SHEPPARD. I realize that the amendment is subject to the point of order, but it carries no appropriation, and I did not think it would meet with objection. The Secretary of Agriculture has no power at present to accept the lands that might be donated for these purposes.

Mr. SMITH of Georgia. And I am opposed to his accepting any, Mr. President. I think it is a State function, and not a national function. If parties in the States wish to give a little piece of land to be used for game in the State, I am opposed to putting the National Government in charge of those little reserves.

It is entirely a State matter, and I object to it because I am unwilling to see the Secretary of Agriculture embark in local rather than in general work. At least, that is my view of it at present without further study; and on its face, as the legislation is general and objectionable, I felt that the proper thing for me to do—representing the committee for the first time today—was to make the point.

Mr. SHEPPARD. I wish to say to the Senator that there are 40 or 50 of these reservations in existence already, and the amendment involves no new policy.

Mr. SMITH of Georgia. Those, I think, are reservations where the Government already owned the land, and they fell to the Government by necessity. If we now go further and adopt this general plan of accepting anything that is tendered anywhere, it will be hard to tell where we would stop. I would rather it should not be attached to the bill at this time.

Mr. SHEPPARD. I say to the Senator that I shall endeavor to bring this amendment before the committee and shall endeavor to show him that it is proper and desirable.

Mr. SMITH of Georgia. I may not object to it then; but it just comes to me now, with the responsibility on me, I feel I must object.

The PRESIDING OFFICER. The point of order made by the Senator from Georgia is sustained.

Mr. McCUMBER. Mr. President, what amendment is before the Senate now?

The PRESIDING OFFICER. The amendment of the Senator from Missouri [Mr. REED] is before the Senate at the present time. It will be stated.

The SECRETARY. On page 58, it is proposed to strike out lines 3 to 10, both inclusive.

Mr. GALLINGER. Let the language be read.

Mr. SMITH of Georgia. Mr. President, the motion of the Senator from Missouri, as I understand it, is to strike out the appropriation for the enforcement of the migratory-bird law; and to that I will address myself only for a moment.

It is hardly necessary for me to say that I will not defend Dr. Hornaday. Some little time ago he made some remarks about the Senate and members of the Finance Committee of the Senate which were entirely untrue. I do not say that he did not think they were true when he made them, but they were utterly false and unjust, and I joined in the not entirely favorable view of the Senator from Missouri about the accuracy of Dr. Hornaday's publications. Nor shall I defend Mr. Nelson, whom the Senator from Missouri calls Dr. Nelson.

I think he has been in the Biological Survey a good long time, but one thing he has recently done has not commended itself to me; but I do not intend to discuss that now. I think he, in an effort to get a man of his choice into the work, utterly disregarded the civil-service rules and perpetrated a violation of them for which he might well be criticized.

But, Mr. President, that is not the question that confronts us. I shall not discuss the constitutionality of this migratory-bird law. I shall not meet the Senator from Missouri and defend it. The Senate passed it. The House passed it. The President approved it. It stands upon our statute books, until repealed, as one of the laws of this country, and we put the Agricultural Department to work enforcing it. It was their duty to enforce it as best they could. We spent $50,000 one year and $50,000 the next year. They have an organization by which they are seeking to enforce this law, partly by criminal prosecutions, much more, I think, by persuasion. It may be that they will accomplish more by persuasion than by cirminal prosecution. It may be the part of wisdom to rely upon persuasion. But one of those criminal prosecutions, decided against the Government, has been carried to the Supreme Court of the United States, and the constitutionality of this act is now pending before the Surpeme Court of the United States. It was argued some months ago, and, as I understand it, the court, after hearing argument not before a full bench, subsequently determined not to pass upon the question without a full bench. It is generally supposed that that means that those who heard the question were divided in their view with reference to it. At any rate, the Supreme Court of the United States has the constitutionality of this legislation before it and has postponed decision that it may be considered, as I am advised, by a full bench; and it is confidently expected that a decision will be reached and announced in the early fall.

Now, the Agricultural Department has made an organization to enforce the law. It has an organization composed of men most of whom have had two years' experience; and the question which was before the Committee on Agriculture and Forestry, we thought, was not the constitutionality of the law, not what we would prefer the law to be. We felt that the proper course was to follow the action of the House and continue this appropriation, without undertaking at this time to pass in detail upon the legislation, and await the decision of the Supreme Court of the United States, which would come in a few months. We did not think we ought now to go into a constitutional investigation of the legislation passed several years ago—I think three years ago—and break up an organization that had been created, as the result of the act of Congress, by the Department of Agriculture. We thought we ought to let the organization go on, and furnish the funds to keep it going a few months longer, if not permanently, and await the action of the Supreme Court of the United States.

That was the line of thought which influenced the committee.

Mr. REED. Let me ask the Senator if there was not another line of thought which influenced the committee—that the committee had stricken out this item a year ago and Congress finally put it back in the bill, and the committee felt that that was a sort of instruction?

Mr. SMITH of Georgia. I believe that is true also. I think the Senate put it back in. I think the committee struck it out or reduced it greatly at one time, and the Senate put it back in. But there was more reason to keep it in now than even then, for now we have the organization in existence, and we are soon to have a decision as to the constitutionality of the law; and, of course, if it is held unconstitutional the work will stop, and the balance of the appropriation will be turned back into the Treasury.

Mr. REED. Mr. President, before the Senator takes his seat, let me ask him another question. When we are dealing with an organization that in three years' time has had about half a dozen cases decided on pleas of guilty, and then has had the fines remitted in all of those cases but three or four, does the Senator think the disorganization of that kind of an organization would be very much of a calamity to the United States?

Mr. SMITH of Georgia. Why, Mr. President, the very best organization that could be made for the enforcement of a criminal law would be the organization which secured compliance with the law without criminal indictments.

Mr. REED. Oh, but the Senator knows this law has not been complied with.

Mr. SMITH of Georgia. To what extent this organization has succeeded in inducing recognition of the law without indictments I can not say. I do not think we can measure the efficiency of their work by the number of criminal prosecutions they were compelled to institute. I really believe this is true about the organization: I think, pending the decision of the Supreme Court, it has largely been engaged in an effort to induce game wardens to cooperate with Government officials and induce recognition of and compliance with the law, rather than to enforce it through criminal procedure. I think that is true.

Mr. REED. Does not the Senator know that the enforcement of the law up to this time has been something worse than a farce? I say to the Senator that in my State, and in that part of the State of Kansas with which I am at all familiar, in that

whole section of the country, while at first men drew back from doing anything that apparently was prohibited by the Federal Government, as soon as they understood the question they began to exercise their right and to conform to the State law, and the State law of Missouri is a hundred times better than the decrees of this court. Now, why should we continue to pay out this $50,000? Of course, it is only $50,000, and $50,000 is a very small trifle in the Senate of the United States, but with this horrible record, how can the Senator ask us to go on paying out money under a law he knows is unconstitutional?

Mr. SMITH of Georgia. No; I do not know it.

Mr. REED. Well, the Senator believes it.

Mr. SMITH of Georgia. I have never expressed my opinion in favor of its constitutionality, but I have found often that I was mistaken in thinking a law was unconstitutional, when it turned out under the decisions of the Supreme Court of the United States that it was constitutional. I have somewhat modified my original views of what made a law unconstitutional. A part of our Constitution creates the Supreme Court of the United States to adjudicate those questions finally. I recognize the wisdom of that provision in the Constitution, and I recognize my own error when they hold differently from the way I might have held.

I wish to answer the Senator just a little further, if I can. I had finished all I wanted to say. I do not know that the law is disregarded everywhere. I have not a knowledge myself of the condition in all of the States. I had understood that in a great many of the States the game wardens of the States, in cooperation with Government officials, had induced quite a respect for the law, and that it was being recognized and obeyed in many parts of the United States. I naturally understand that in a State where the United States district court judge held it unconstitutional the impression would exist that the law was unconstitutional and there would be quite a disposition to disregard it entirely.

Mr. REED. I call attention in this connection to a statement which the testimony shows was made by Mr. W. F. Bancroft, administrative assistant to the Bureau of Biological Survey, as follows:

> I tell you now frankly we can not enforce the Federal law and we know we can not enforce it. The law, as far as enforcement at this time is concerned, is a farce. We have about 500 cases on file in the bureau, but the Department of Justice has given us orders that no more cases will be taken up for prosecution until the Supreme Court renders a decision as to the constitutionality of the law.

I put in that statement because here is a gentleman who ought to know whether the law is being enforced or not.

I want to say at this point, since the question was asked by the Senator from Connecticut [Mr. McLEAN] about the laws of Missouri, and asked rather in a way to intimate that we did not protect game there, that I have here the game laws of Missouri, and I just want to read one section, which will show that game birds are protected in that State to a remarkable degree:

> No person shall take, capture, or kill by any means whatever any game birds, except the following game birds, between the following dates:
>
> Wild turkey, November 1 to December 31—

That is a 60-day period.

> Quail, from November 1 to December 31—

That was, until the last legislature met, limited, I think, to 20 days for several years. The birds multiplied, and it was extended to 60 days.

> Ducks, geese, and brant, January 1 to April 30 and September 15 to December 31—

A regulation absolutely in conformity to the seasons of the State, and one that absolutely cuts off the killing during the time the birds are mating or nesting.

> Snipe, January 1 to April 30 and September 15 to December 31 of each year.
>
> Plover, September 1 to December 31 of each year.
>
> Doves, September 1 to December 31 of each year.
>
> Any person who shall violate any of the provisions of this section shall, upon conviction thereof, be punished by a fine of not less than $25 nor more than $50 for each offense, and an additional fine of $5 for each bird injured, killed, or possessed.

There are to be found in the act a great many other regulatory and prohibitive provisions—the killing by nets, the destroying or getting of certain kinds of animals by baits or hooks or other devices. So that, taken all in all, our general assembly, composed of men from every part of the State, knowing the habits of the birds, have passed a most stringent game law, and to the passage of that law I gave my earnest and hearty approval. I do not care how much more stringent the law may be made, but I want the people of my State to have the right to attend to their own business, and I want the people of my State who know the habits of game in that State and the season when game mate or when birds nest to have the right to regulate their affairs in their own way without interference by Dr. Hornaday or a board of gentlemen who live in other States.

I call attention to the fact that when I asked Dr. Nelson what experience he had had in Missouri he answered that he had hunted ducks in Alaska or had investigated Alaska, I have forgotten which. I want every other State to have the same rights that Missouri has, those rights which the Constitution of the United States gives them, and I do not want Congress to pass this bill paying $50,000 to violate the constitutional rights of the States and of the people thereof.

Mr. McLEAN. Mr. President, I am very glad that the Senator from Georgia, who is on the Agricultural Committee, has given to the Senate the reason why the committee reported in favor of this appropriation this year. The Senate will remember that last session the committee cut the appropriation down to $10,000, and the Senate restored it to $50,000.

I think the Senator from Georgia has stated all that need be said in favor of this appropriation. I do not care to debate it, as I am anxious to get a vote upon it. The Senate will remember that the Senator from Missouri, last year and the year before, attacked the law on the ground that it was unconstitutional. He said then that no respectable lawyer believed for a minute that it was constitutional. But since that time the question has gone to the Supreme Court of the United States in the Arkansas case. It was argued there, and, of course, every single argument the Senator has adduced here in opposition to the law was presented to the Supreme Court by the attorneys for the duck shooters. Mr. Underwood, of the Department of Justice, prepared a brief in support of the law. It seems to me a very strong brief. He laid very little stress upon the interstate-commerce clause. I have Mr. Underwood's brief here. I do not care to have all of it printed in the RECORD, and I do not want to take the time of the Senate to read it, because I do not think this is the place to test the constitutionality of the law, but I will ask unanimous consent to have printed in the RECORD four or five pages of the brief upon which Mr. Underwood bases his opinion that the law is constitutional under section 3 of Article IV of the Constitution, which provides that "Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States."

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

ARGUMENT.

The sole question presented in this case is the constitutionality of the act. The Government maintains that it is authorized by paragraph 2, section 3, Article IV, and paragraph 3, section 8, Article I, of the Constitution.

I.—THE MIGRATORY BIRD LAW IS AUTHORIZED BY THE SECOND PARAGRAPH OF SECTION 3 OF ARTICLE IV OF THE CONSTITUTION, WHICH PROVIDES: "THE CONGRESS SHALL HAVE POWER TO DISPOSE OF AND MAKE ALL NEEDFUL RULES AND REGULATIONS RESPECTING THE TERRITORY OR OTHER PROPERTY BELONGING TO THE UNITED STATES."

That the ownership of wild game is in the sovereign is a legal principle founded entirely on interpretation given to the common law. In no instance does it rest on any statute or other written declaration of the sovereign.

In this case the question is what sovereign owns the migratory wild life in the United States, whether the Nation as a whole or the several States. On account of the peculiar dual nature of our Government, decisions other than our own are not very helpful in determining conflicts between Federal and State rights and powers. Therefore the decisions of foreign courts will not assist us except in establishing the principle that such ownership is in the sovereign, a conclusion reached by the courts of all nations. (Geer *v.* Connecticut, 161 U. S., 519.)

The question of ownership of wild game has arisen in this country only in cases which did not involve claim of ownership in the United States Government or the distinction between migratory animals and those local to a particular State. In several cases the courts have referred to these questions, but in each instance expressly declined to pass on them, leaving them open for future determination, as was done by this court in the cases of The Abby Dodge (223 U. S., 166) and Manchester *v.* Massachusetts (139 U. S., 240).

The question presented in this case, therefore, is an original one involving the nature and source of property rights, and this decision, being the first of its kind, must declare the common law determining such rights, and may do so upon principle, uninfluenced by supposed authority.

"* * * The first statement presents the principle as certainly as the last. Multiplication of declarations merely adds certainty. For, after all, the common law is but the accumulated expressions of the various judicial tribunals in their efforts to ascertain what is right and just." (Kansas *v.* Colorado, 206 U. S., 46, 97.)

The question involved being justiciable and necessarily one of common law, the court in this case must declare "what is right and just" in this particular matter, based upon present-day conditions.

"Constitutional provisions do not change, but their operation extends to new matters as the modes of business and the habits of life of the people vary with each succeeding generation." (In re Debs, 158 U. S., 564, 591.)

Let us, then, examine this common-law principle of the sovereign's title to animals *feræ naturæ* and endeavor to apply it to present conditions in the United States, keeping in mind that the people is the sovereign.

Animals *feræ naturæ* are common property, belonging, by the law of nature, in common to all citizens of the sovereignty. This has been recognized from time immemorial, not only by common-law writers but also by the civilians.

"Like recognition of the fundamental principle [common ownership] upon which the property in game rests has led to similar history and identical results in the common law of Germany, in the law of Austria, Italy, and, indeed, it may be safely said in the law of all the countries of Europe. (Saint Joseph Concordance, vol. 1, p. 68.) The common law of England also based property in game upon the principle of common ownership, and therefore treated it as subject to governmental authority. (Geer *v.* Connecticut, 161 U. S., 519, 526.)

"Thus it appears by the common law that a property in those living creatures which, by reason of their swiftness or fierceness, were not naturally under the power of man, was gained by the mere caption or seizure of them, and that all men had an equal right to hunt and kill them. (Vol. 4, Bacon's Abridgement, Title 'Game,' p. 435.)

"Whilst the fundamental principles upon which the common property in game rests have undergone no change, the development of free institutions has led to the recognition of the fact that the power or control lodged in the State, resulting from this common ownership, is to be exercised, like all other powers of government, as a trust for the benefit of the people, and not as a prerogative for the advantage of the Government as distinct from the people, or for the benefit of private individuals as distinguished from the public good. Therefore, for the purpose of exercising this power, the State, as held by this court in Martin *v.* Waddell (16 Pet., 410), represents its people, and the ownership is that of the people in their united sovereignty. (Geer *v.* Connecticut, 161 U. S., 519, 529.)

"Here [in the United States] the sovereign power is in the people, and the principle, founded upon reason and justice, obtains, that by the law of nature every man, of whatever rank or station, has an equal right of taking, for his own use, all creatures fit for food that are wild by nature, so long as he does no injury to another's right." (Sterling *v.* Jackson, 69 Mich., 488.)

The property being common to all citizens, each has the same right to its enjoyment. That this right may be safeguarded and rendered available to all the common law vests the title to animals *feræ naturæ* in the Government, in trust for the people, "in order to protect them from undue destruction so that the right of the common owners, the public, to reduce to possession may be ultimately efficaciously enjoyed." (Ohio Oil Co. *v.* Indiana, 177 U. S., 190, 210.)

The only reason or purpose subserved by so placing the title is that the common property may be protected and controlled. If there is no government which has power to protect there is no reason for a trustee, and the title, as well as the beneficial ownership, may well rest in the people. The Government's title, therefore, to animals *feræ naturæ* has its source in and depends upon its ability to protect and control same for the benefit of all. This being true, the common law in case of conflict will uphold the title of that Government which has the superior power to protect and control such property for the benefit of its common owners.

Let us apply this principle to our peculiar system of governments within a government.

The State, in contradistiction to the United States, has for the benefit of and in trust for its people ownership of all wild animals remaining permanently within its territorial limits. Having entire control over such animals, the State can protect and conserve them by its laws for all of its people. From this power of control and protection the common law, as interpreted by both Federal and State courts, has deduced State ownership of animals *feræ naturæ*.

In the case of migratory wild life, however, the several States have not such control or power over same as renders possible its protection by the States for the benefit of the people. While such animals are on other territory than their own they have absolutely no power over them and can not enter into treaties with other governments for their protection or even make agreements concerning the same among themselves without consent of Congress. For the greater part of the time a particular State has, therefore, because of express provisions of the Constitutiton, no power to control or protect migratory wild life. The Federal Government alone can protect and regulate at all times animals *feræ naturæ* remaining permanently within the limits of the United States yet migrating over several States, and is also the only Government which can enter into treaties with foreign countries where such animals migrate beyond the limits of the United States. Therefore, by reasoning from this exclusive power analogous to that which vests title to local game in the State, the common law should declare ownership of migratory birds to be in the United States as trustee for all the people.

* * * "There is a domain which the States can not reach and over which Congress alone has power, *and if such power be exerted to control what the States can not it is an argument for, not against, its legality.*" Its exertion does not encroach upon the jurisdiction of the States. (Hoke *v.* United States, 227 U. S., 308, 321.) Italics ours.

"Our dual form of government has its perplexities, State and Nation having different spheres of jurisdiction, as we have said; but it must be kept in mind that we are one people, and the powers reserved to the States and those conferred on the Nation are adapted to be exercised, whether independently or concurrently, to promote the general welfare, material and moral." (Hoke *v.* United States, 227 U. S., 308, 322.)

"The genius and character of the whole Government seem to be that its action is to be applied to all the external concerns of the Nation, and to those internal concerns which affect the States generally, but not to those which are completely within a particular State, which do not affect other States, and with which it is not necessary to interfere for the purpose of executing some of the general powers of the Government." (Gibbons *v.* Ogden, 9 Wheat., 1, 195.)

This common-law interpretation of property rights fits in with our constitutional system of enumerated powers. When the Constitution of the United States was ratified a new and distinct sovereignty and people were created. This new Government emanated from the people, and not from the States as such.

"Its powers are granted by them and are to be exercised *directly on them and for their benefit.* * * * It is the Government of all; its powers are delegated by all; it represents all and acts for all." (McCulloch *v.* Maryland, 4 Wheat., 316, 405.) Italics ours.

By ratifying the Constitution the people expressly delegated to the Federal Government the exclusive right to protect wild life by treaties with foreign nations, and at the same time withdrew from the States the right without the consent of Congress to make among themselves agreements for such purpose, thus vesting in Congress the ultimate control and protection of same. By thus stripping the States of all power to protect migratory wild life for the greater part of the time, and expressly granting such power to the Federal Government, the people, by necessary implication from these express grants and the nature of the property, changed their trustee and vested the title to all migratory animals feræ naturæ in the Federal Government in trust for themselves, the people of the United States and the common owners of such animals.

By analogous reasoning this court seems to have upheld the constitutionality of a statute enacted for the protection of Indians.

"The power of the General Government over these remnants of a race once powerful, now weak and diminished in numbers, is necessary to their protection as well as to the safety of those among whom they dwell. It must exist in that Government, because it never has existed anywhere else, because the theater of its exercise is within the geographical limits of the United States, because it has never been denied, and because it alone can enforce its laws on all the tribes." (United States *v.* Kagama, 118 U. S., 375, 384–385.)

The principle announced in the Kagama case has been repeatedly upheld, and the above excerpt has been quoted with approval by this court in the following cases: United States *v.* Sandoval (231 U. S., 28, 46), Tiger *v.* Western Investment Co. (221 U. S., 286, 312), Lone Wolf *v.* Hitchcock (187 U. S., 553, 566, 567), Cherokee Nation *v.* Southern Kansas Ry. Co. (135 U. S., 641, 655), United States *v.* Thomas (151 U. S., 577, 586), Stephens *v.* Cherokee Nation (174 U. S., 445, 486).

In this connection see also the opinions in Downes *v.* Bidwell (187 U. S., 244)—especially the concurring opinion, page 287—and Jones *v.* United States (137 U. S., 202).

The total extinction of three species of birds, including the prolific carrier pigeon, which formerly existed in enormous numbers, as well as the appaling decrease in other species, until now only approximately 10 per cent of their previous number exists (Appendix, p. 35), show the impotency of State protection. The following excerpt from a report to the Legislature of Ohio in 1857 shows how incredible to the legislators of that time would have been the prophecy that the last of these "myriads" would die in 1914, caged as a curiosity in a zoological park. Yet such has been the fate of this now extinct bird:

"The passenger pigeon needs no protection. Wonderfully prolific, having the vast forests of the North as its breeding grounds, traveling hundreds of miles in search of food, it is here to-day and elsewhere to-morrow, and no ordinary destruction can lessen them or be missed from the myriads that are yearly produced."

On the other hand, the remarkable increase since the passage of the migratory bird law, reported by the officials of 40 States of the Union, show the efficiency of Federal protection and control. (See Appendix, p. 35.)

The doctrine that the United States own migratory wild game is not contrary to existing authority. In the cases cited to establish the claim that wild game belongs exclusively to the several States, we find that in each either the animals were local to the particular State, as in the cases involving the taking of oysters and sponges, or the question of their migratory character was not raised.

Furthermore, we find that the decisions of this court have expressly left open the question of ownership and regulation of migratory wild life by the Federal Government.

"Again, in Manchester *v.* Massachusetts (139 U. S., 240), in upholding a statute of the State of Massachusetts, regulating the taking of menhaden in Buzzards Bay, the doctrine of the case just cited was expressly reiterated. True, further in that case, probably having in mind the declaration made in the opinion in the McCready case, that fish running within the tidewaters of the several States were subject to State ownership 'so far as they are capable of ownership while so running,' the *question was reserved as to whether or not Congress would have the right to control the menhaden fisheries.* But here also for the reason that the question arising relates only to sponges growing on the soil covered by water *we are not concerned with the subject of running fish and the extent of State and National power over such subject.*" (The Abby Dodge, 223 U. S., 166, 174–175.) (Italics ours.)

From the above quotation, in which all of the pertinent decisions of this court were referred to, it will be seen that the court, in their latest expression on the subject, took pains to say that this question had not been decided and would be left open for future determination.

But even had the courts decided that migratory animals were subject to State jurisdiction, nevertheless such decisions would still not be hostile to the present argument. Until the enactment of this law Congress had not assumed control over the subject, and it was therefore entirely within the police power of the several States to pass laws for the protection of wild game until Congress should act.

* * * "But there is no occasion to consider the power of the United States to regulate or control, either by treaty or legislation, the fisheries in these waters, because there are no existing treaties or acts of Congress which relate to the menhaden fisheries within such a bay. * * * And the subject is one which a State may well be permitted to regulate within its territory, in the absence of any regulation by the United States. * * * If it [the Federal Government] does not assert by affirmative legislation its right or will to assume the control of menhaden fisheries in such bays, the right to control such fisheries must remain with the State which contains such bays. (Manchester *v.* Massachusetts, 139 U. S., 240, 264, 265, 266.)

"Aside from the authority of the State derived from the common ownership of game and the trust for the benefit of its people which the State exercises in relation thereto, there is another view of the power of the State in regard to the property in game which is equally conclusive. The right to preserve game flows from the undoubted existence in the State of a police power to that end, which *may be none* the less efficiently called into play, because by doing so interstate commerce may be remotely and indirectly affected. (Kidd *v.* Pearson, 128 U. S., 1; Hall *v.* De Cuir, 95 U. S., 485; Sherlock *v.* Alling, 93 U. S., 99, 103; Gibbons *v.* Ogden, 9 Wheat., 1.) Indeed, the source of the police power as to game birds (like those covered by the statute here called in question) flows from the duty of the State to preserve for its people a valuable food supply. (Geer *v.* Connecticut, 161 U. S., 519, 534.)

"While the State can not, under cover of exerting its police power, directly regulate or burden interstate commerce, a police regulation which has real relation to the proper protection of the people, and is reasonable in its terms, and does not conflict with any valid act of Congress, is not unconstitutional because it may incidentally affect interstate commerce." (Savage *v.* Jones, 225 U. S., 501, headnote 7.)

In the Geer case the court held that the State has the power to protect wild game subject to its jurisdiction by the exercise of the police power and also by virtue of its common ownership of such game. It is not claimed in this argument, however, that the United States have the right to protect migratory wild birds by the exercise of a general police power independent of the ownership or authority granted by the Constitution, such as was declared, in the Kansas-Colorado case, not to exist in the Federal Government; but it is maintained that the United States have such power by virtue of their ownership of migratory birds as trustee for all the people of the United States. It is a question of ownership of property and not of extending the power to "make all needful rules and regulations respecting the territory" of the United States to embrace "legislative control

over the States." The act merely provides "needful rules and regulations" respecting property of the United States within the territory of the several States, a power daily exercised by the Federal Government.

While there are many features of this case that appeal to the esthetic and one longs to see upheld a law that will conserve for the future the fascinating creatures which charm us with their song and beauty, amaze us by their marvelous skill and wonderful flight, or delight us in the chase, nevertheless, the case is not here because of these features, but because property rights of great economic value are involved, the property in birds which afford annually a food supply valued at millions of dollars (Appendix, p. 36), and which by their policing of the air save our forests, our animals, and our crops.

"It was clearly shown that the economic aspect was twofold. The game birds yield a considerable and an important amount of highly valued food, and if given adequate protection will be a constant valuable asset. The insectivorous migratory birds destroy annually thousands of tons of noxious weed seed and billions of harmful insects. These birds are the deadliest foe yet found of the boll weevil, the gypsy and brown-tailed moths, and other like pests. The yearly value of a meadow lark in a 10-acre field of cotton, corn, or wheat is reckoned by experts at $5. The damage done to growing crops in the United States by insects each year is estimated, by those who have made the matter a special study, at about $800,000,000." (House committee report on migratory bird bill, 49th Cong. Rec., pt. 2, p. 1485.)

Excerpts from official publications of the Department of Agriculture, and treatises of ornithologists of recognized authority, quoted in the appendix (pp. 23–34), show how great is the insect peril and how dependent we are upon the migratory insectivorous birds for protection against it.

Migratory birds, therefore, being property of the United States, Congress, by virtue of the authority granted by the Constitution to "make all needful rules and regulations respecting the territory or other property belonging to the United States," may pass any laws it may deem proper for the protection of same, though such laws may have the quality of police regulations. (Hoke *v.* United States, 227 U. S., 308, 323.)

"All the public lands of the Nation are held in trust for the people of the whole country." (United States *v.* Trinidad Coal Co., 137 U. S., 160.) And it is not for the courts to say how that trust shall be administered. That is for Congress to determine. (Light *v.* United States, 220 U. S., 523, 537.)

The General Government doubtless has a power over its own property analogous to the police power of the several States, and the extent to which it may go in the exercise of such power is measured by the exigencies of the particular case. (Camfield *v.* United States, 167 U. S., 518, 525.)

Mr. McLEAN. The Senator from Missouri has assailed this law, as I have said, at two previous sessions of Congress and his position is decidedly weaker to-day than ever before, because the Supreme Court instead of repudiating the law at once as he prophesied held it under consideration for some months and then ordered it returned to the docket for reargument, the fair presumption being that the court was divided. The law will be argued probably next autumn, but it is doubtful if a decision will be reached before February, and this gives another entire season for the enforcement of the law.

The Senator from Missouri insists that the law is not enforced, and bases his statement upon the paucity of prosecutions and the smallness of the fines. We all know that this is no criterion to go by, law-abiding citizens and respectable sportsmen will recognize and obey a Federal statute.

I know there is in Missouri a very strong association of sportsmen. Sometimes I think the Senator from Missouri is not as hostile to this law as his statements would indicate. I know it is reported that these sportsmen have hounded and vexed the Department of Agriculture, and it is possible that they have annoyed the Senator from Missouri, and he has felt it to be his duty to do what he could to secure a longer open season in his State for these duck butchers. I know that the Secretary of Agriculture extended the season in Missouri from February 1 to the middle of March, which I think was a mistake. I do not think that any waterfowl should be shot after the 1st of March. They mate the latter part of February, the eggs form in March. The Senator from Missouri insists that his State is very careful in its protection of the game. Of course no one who is familiar with the subject will for a minute concede that ducks should be killed as late as the 30th of April, which is the law in Missouri at the present time, I understand.

I want to say most emphatically that the remarks of the Senator from Missouri have demonstrated one thing and, I think, one thing only, and that is that unless the Federal Government protects the migratory useful birds they will be exterminated in a very few years. The Senator from Missouri called our attention to the fact that during the last season guns could be heard like the rolling of a drum, in his State, and I assume from his view of the law those guns were rolling in the close season; that they were in the hands of these men who did not believe the law was constitutional and therefore defied it, and so——

Mr. REED. Mr. President——

Mr. McLEAN. We find that unless we have Federal regulation the jealousies of the sportsmen in the several States, their eagerness to kill everything that is living before it is killed in an adjoining State, will soon result in the extermination of birds unless there is intelligent Federal protection.

Mr. REED. The Senator has seen fit to criticize the Missouri game law. I should like to ask the Senator if he ever hunted in Missouri?

Mr. McLEAN. No; I have not.

Mr. REED. Did you ever hunt in that general neighborhood?

Mr. McLEAN. No; I have not hunted in Missouri.

Mr. REED. Do you know anything about the seasons out there except what you see in the almanac?

Mr. McLEAN. I will say to the Senator from Missouri that I have given great attention to this subject for something like 30 years. I think I have hunted in most of the States of the Union. I have observed the habits of waterfowl very closely. I have belonged to a great many game clubs in my day, but I belong to none of them now, because I realized several years ago that unless the sportsmen assisted in the protection of the game it would very soon be exterminated. I know that in no State of the Union can waterfowl be killed in April without destroying embryo flocks of birds that may return in the fall. I know they are hardly fit to eat in the spring. I know that the only pleasure that these duck butchers get is in seeing a bird fall to the water and bleed to death.

Mr. REED. Mr. President, the Senator has made a statement that he knows certain things to be true of certain States. He has never shot a gun in Missouri; he has never hunted in that neighborhood. He lives up in Connecticut, a very nice little State, where they have an entirely different variety of duck from what we have in our part of the country; they come from a different section of the world. I say to the Senator it is a rare thing to find the ponds, the little lakes, in the State of Missouri open until about the 1st of April, and that when he states these ducks are not good to eat in the month of April he never was more mistaken about anything in his life. He is absolutely talking about a matter relating to the State of Missouri that he is not conversant with, just as I am not conversant with the seasons or the game life of his State except in the most general way. I do know——

Mr. McLEAN. Mr. President, the Senator has discussed this question for more than two hours. I think I will have to decline further interruption.

Mr. REED. I thought the Senator had yielded the floor.

Mr. McLEAN. No; I had not yielded the floor.

Mr. REED. Very well; let me finish my sentence as an act of courtesy. I do know that the ducks that frequent the coast are, generally speaking, of a different variety from those that come into the great interior of the country. What I object to is the Senator from Connecticut undertaking to regulate the business of Missouri. I do not want, on the other hand, to regulate the business of Connecticut.

Mr. McLEAN. I am trying to leave the regulation of the shooting seasons in Missouri to Congress and the Supreme Court. The Senator from Missouri is trying to substitute his opinion for that of Congress and the Supreme Court.

I want to say to the Senator from Missouri that I do know something about the subject, I think, and I want to say to him that the sportsmen in his State are making a fatal mistake in their opposition to this law. They shoot at these birds when they are going south in the autumn; they shoot at them when they are returning to their nesting places in the spring. This means extermination.

If the Senator's friends in Missouri who are so anxious to butcher the few birds that are left will exercise a little patience and assist in the effective protection of the migratory waterfowl, it is my belief and it is the belief of ornithologists of this country who know more about it than I do, that waterfowl will in a few years be cheaper in the markets of the country than beef or poultry. My purpose in trying to save the birds is not in the interest of the millionaire sportsmen in Missouri who have put up this contest against this law in order that they may kill birds at any season of the year. My purpose is, and my hope is, if the law is enforced, that the time will come when the game birds will be within the reach of the humblest families in the country, and not confined solely to the rich man's table.

Mr. REED. Mr. President, the Senator referred to the millionaire sportsmen of Missouri. I want to ask him what he knows about it. There are not enough millionaires in Missouri to kill the ducks that would light on a half-acre pond in one flight if they were all present.

Mr. McLEAN. My information is——

Mr. REED. Your information comes from Hornaday; mine is correct.

Mr. McLEAN. I think my information is very correct.

Mr. President, the Senator from Missouri says this law is inoperative. I think the proof of the pudding is in the eating. I have reports here from nearly all the States in the Union as to

the effect of this law upon the increase of birds. Of course, the Senator knows that the principal purpose of the law is to protect the insectivorous birds. The other day when the item in the Agricultural appropriation bill was before the Senate appropriating money for the purchase of seed the Senator discussed at length the value of a grain of wheat. I think he stated that any new variety of wheat of exceptional productive quality was worth more than all the gold mines in the country. Now, one purpose of this law is to provide a bird that will save that grain of wheat from destruction by insects when it sprouts out of the ground. The estimated loss per annum to agriculture by reason of the ravages of insects is estimated at something like $800,000,000 a year. If the birds will save 10 per cent of that, I think it is good economy to remain loyal to this law.

I do not want to take the time of the Senate to read these reports. They come from all over the Union. Here is one from Kansas relating to water fowl signed by the Federal warden and State fish and game warden:

MIGRATORY WILD FOWL—KANSAS—INCREASE.

The waterfowl were more plentiful than I have seen them in a great many years and everyone had good shooting. If conditions were such each and every year in the future there would be no kick among sportsmen for the spring shooting.

In connection with spring shooting, I can say that general appearances this year would show anyone of a large increase since the migratory-bird law went into effect.

W. C. Tegmeier, Federal warden and State fish and game warden, to bureau, June 2, 1916.

I ask unanimous consent to have these reports put in the RECORD.

Mr. REED. I object.

Mr. McLEAN. They are all very short.

The PRESIDING OFFICER (Mr. THOMPSON in the chair). Is there objection?

Mr. REED. I am going to object to printing them if they are bulky. If they are short I do not object.

Mr. McLEAN. There are not more than a dozen lines in any one of them.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. REED. I should like to ask who collected these reports before consent is given.

Mr. McLEAN. They are largely reports made by the Federal game wardens and State game commissions in the several States.

Mr. REED. To whom?

Mr. McLEAN. To the Secretary of Agriculture.

Mr. REED. Very well, I shall not object.

The PRESIDING OFFICER. Without objection, the reports will be printed in the RECORD.

The matter referred to is as follows:

MIGRATORY WILD FOWL—INDIANA—INCREASE.

"There have been more waterfowl in Indiana this spring than for a number of years past, judging from reports that have come from various sources to this department."

E. C. Shireman, fish and game commissioner, Indianapolis, to bureau, May 29, 1916.

MIGRATORY BIRD LAW—INDIANA—APPROVAL.

"In regard to my opinion as to whether the migratory bird law is a beneficial measure for the protection of our wild fowl, I wish to say that I have always been in favor of Federal control of our migratory birds. I think the reasons for Federal control of our migratory birds are too obvious to call for any proof."

E. C. Shireman, State game and fish commissioner, Indianapolis, to bureau, May 29, 1916.

MIGRATORY BIRD LAW—NEBRASKA—APPROVAL.

"I am very much in favor of the migratory bird law as a beneficial measure for the protection of birds."

Gust Rutenbeck, chief deputy, game and fish commission, to bureau, Lincoln, June 9, 1916.

MIGRATORY WILD FOWL—NEBRASKA—INCREASE.

"We have more waterfowl all over the State, as well as in the city of Lincoln, at the present time than we have ever had to my knowledge. The number of waterfowl in this State at the present time, as compared with the number during the period preceding the enactment of the Federal law is from 50 to 75 per cent greater."

Gust Rutenbeck, chief deputy, game and fish commission, to bureau, June 9, 1916.

MIGRATORY WILD FOWL—OHIO—INCREASE.

"I have no hesitancy in saying that wild waterfowl have increased since the migratory law went into effect, and this is the common opinion. Personally there is no question but what the prohibition of spring shooting is the chief factor in accounting for the increased flight."

John C. Speaks, chief warden, Columbus, to bureau, June 5, 1916.

MIGRATORY BIRD LAW—OHIO—APPROVAL.

"I favor the migratory law as a beneficial measure, but feel some amendments and corrections should be made. * * * However, there is also a considerable number of hunters who feel that spring shooting should be prohibited."

John C. Speaks, chief warden, Columbus, to bureau, June 5, 1916.

MIGRATORY BIRD LAW—CALIFORNIA—PRACTICAL WORKING.

"* * * I will say that I believe the enforcement of these regulations is working wonders for waterfowl in California, especially in the northern district, comprising 22 northern counties of the State."

F. M. Newbert, president fish and game commission, Sacramento, to bureau, June 1, 1916.

MIGRATORY BIRD LAW—CALIFORNIA—APPROVAL.

"I am heartily in favor of any law beneficial to our waterfowl."

F. M. Newbert, president fish and game commission, Sacramento, to bureau, June 1, 1916.

MIGRATORY WILD FOWL—CALIFORNIA—INCREASE.

"Breeding and nesting ducks show a large increase over previous years before the Federal and State laws became effective."

F. M. Newbert, president fish and game commission, Sacramento, to bureau, June 1, 1916.

MIGRATORY BIRD LAW—DELAWARE—APPROVAL.

"I have been a most earnest advocate of Federal protection for migratory birds ever since the subject first began to receive consideration, and naturally am deeply solicitous about the decision of the Supreme Court of the United States of its constitutionality." "This law has undoubtedly done much to protect and preserve our migratory birds, especially in the matter of abolishing spring shooting, and would do much more for Delaware than it already has were it not flagrantly violated by numerous shortsighted and irresponsible offenders."

Hon. Edw. G. Bradford, jr., president board of game and fish commissioners, Wilmington, Del., May 29, 1916.

MIGRATORY BIRD LAW—WEST VIRGINIA—APPROVAL.

"According to my own observation there has been a noticeable increase of the migratory waterfowl throughout the State of West Virginia, and I am of the opinion that this has been brought about largely by the abolition of spring shooting and the enforcement of the migratory bird law. It is a matter of comment throughout the whole State of West Virginia that birds of all kinds are increasing at a very rapid rate, and I am of the opinion that we have two or three times as many birds in West Virginia as we had three or four years ago. I am heartily in favor of the provisions of the migratory bird law and believe that it is doing much good throughout the State of West Virginia."

J. A. Viquesney, State forest, game, and fish warden, Belington, W. Va., May 31, 1916.

MIGRATORY BIRD LAW—PENNSYLVANIA—APPROVAL.

"I approve the prohibition of spring shooting everywhere in the United States, and I believe that in time good results will appear from such prohibition."

Charles B. Penrose, president board of game commissioners, Philadelphia, to bureau, June 1, 1916.

MIGRATORY BIRD LAW—PRACTICAL WORKING—MONTANA.

"I am pleased to report that we feel that the migratory bird law has been a success. It is beneficial in that it cuts out much spring shooting, giving us a much better local hatch of ducks, and in a general way we feel that the migratory bird law is the correct system under which migratory birds may be cared for."

J. L. De Hart, warden, Helena, to bureau, May 31, 1916.

MIGRATORY WILD FOWL—CONNECTICUT—INCREASE.

"It is certainly an unquestioned fact, one that can not be disputed, that since the enactment of this law there is an increase in the migratory birds, especially in ducks, and I attribute the result obtained to the sunrise and sunset law as well as the spring shooting. The black ducks have shown a very decided increase and are nesting along our shores in previously unheard-of numbers, and if this law continues in force for a few years Connecticut will undergo a very radical change for the better."

John M. Crampton, superintendent, State board of fisheries and game, Hartford, to bureau, June 5, 1916.

PRACTICAL WORKING OF MIGRATORY BIRD LAW—WYOMING.

"Although the State of Wyoming can not be compared with many other States with respect to having proper conditions necessary for the breeding waterfowl, yet we are well pleased with the migratory bird law as passed by the Federal Government and believe it very essential if we are to preserve and increase our present supply."

Nate P. Wilson, State game warden, to bureau, June 5, 1916.

MIGRATORY BIRD LAW—SOUTH CAROLINA—APPROVAL.

"The abolition of spring shooting has beyond doubt increased the number of birds, though I am frank to say that the Government laws have not been strictly enforced or obeyed. I am heartily in favor of the migratory bird law, knowing that this law is a beneficial measure for the protection of our disappearing wild fowl."

A. A. Richardson, chief game warden, 1308 Palmetto Bank Building, Columbia, S. C., May 29, 1916.

MIGRATORY BIRD LAW—TENNESSEE—PRACTICAL WORKING.

"You are advised that, in my opinion, a proper enforcement of the law would be very beneficial to all the States."

W. D. Howser, State warden, Nashville, to bureau, May 29, 1916.

MIGRATORY BIRD LAW—NEW JERSEY—APPROVAL.

"All of our wardens from the waterfowl sections tell us in strong terms of a great increase in birds, and that there are thousands of birds now where they have not been for years. This is, without question, due to the protection afforded the birds by the Federal migratory bird law, and the increase began after the first year's enactment of the law. The factor which has contributed most to the multiplication of the waterfowl is undoubtedly the abolition of spring shooting, and I do not appear to have words enough to express my feelings in regard to the benefit of the law as a beneficial measure for the protection of our wild fowl, which had been rapidly disappearing.

"The good effects of the law in producing a greater supply of birds has been so manifest that our board deemed it not necessary to go into detail as to data on the increase."

Also gives some statements as to birds nesting in greater numbers and places where they had not done so for years.

Ernest Napier, president fish and game commissioners, Trenton, N. J., May 31, 1916.

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MIGRATORY WILD FOWL—NORTH DAKOTA.

"We figure that the waterfowl, and, in fact, all the migratory birds, have increased about 50 per cent in the past few years.

"Waterfowl has increased wonderfully during the period of the enactment of the Federal law. The abolition of spring shooting has increased the number of waterfowl, and we find them nesting and making their habitat in almost any location desirable at the present time, and attribute this to the abolition of spring shooting. They do not seem to fear mankind and one can approach them almost anywhere."

J. T. Purcell, secretary game and fish board, Fargo, to bureau, June 2, 1916.

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MAGRATORY BIRD LAW—NORTH DAKOTA—PRACTICAL WORKING.

"* * * Will say that my experience has been that the migratory bird law has certainly improved conditions in this State. We find that a larger majority of migratory birds stop over in our State since they are not molested during the hatching period, consequently have a greater number at all times."

J. T. Purcell, secretary game and fish board, Fargo, to bureau, June 2, 1916.

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MIGRATORY WILD FOWL—MAINE—INCREASE.

"In my opinion the prohibition of spring shooting has tended to materially increase the number of birds in this State."

Harry B. Austin, Augusta, commissioner, to bureau, June 8, 1916.

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MIGRATORY BIRD LAW—MAINE—PRACTICAL WORKING.

"I would say that the Federal regulations on migratory birds have been generally satisfactory in this State. While local criticism of some features has been offered, on the whole the people of this State generally feel that there is no doubt but what the supply of waterfowl has materially increased during the past two seasons."

Harry B. Austin, Augusta, to bureau June 8, 1916. Commissioner of inland fisheries and game.

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MIGRATORY WILD FOWL—TEXAS—INCREASE.

"From my observation I feel safe in saying that since these laws have been in effect the waterfowls have increased to a great extent, and it is my opinion that our best citizens are also in favor of this law."

Will W. Wood, game and oyster commissioner, Austin, to bureau June 2, 1916.

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MIGRATORY BIRD LAW—TEXAS—PRACTICAL WORKING.

"I take pleasure in saying that, in my opinion, the migratory bird law is a benefit in protecting and preserving the wild fowls which inhabit our State at different seasons of the year."

Will W. Wood, game fish and oyster commissioner, Austin, to bureau June 2, 1916.

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MIGRATORY BIRD LAW—MONTANA—APPROVAL.

"I am decidedly in favor of the migratory bird law as a beneficial measure for the protection of our disappearing wild fowl. The word 'disappearing' as applied to ducks in this State is incorrect since the Federal migratory bird law has been in force. The birds are really increasing in number."

E. P. Mathewson, chairman game and fish commission, Anaconda, to bureau June 1, 1916.

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MIGRATORY WILD FOWL—MONTANA—INCREASE.

"Since the migratory bird law has been in effect there is a wonderful increase in the number of ducks hatching in this State and in the number in the fall flight from the North.

"* * * The abolition of spring shooting has tended wonderfully to increase the number of birds."

E. P. Mathewson, chairman Montana Game and Fish Commission, to bureau June 1, 1916.

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MIGRATORY WILD FOWL—WISCONSIN—INCREASE.

"We do know, however, that reports from all over the State where waterfowl congregate during the spring of the year show that during the spring of the present year more waterfowl, particularly ducks and geese, were seen than in many years during the past. Here at Madison more ducks were found in our surrounding lakes during the month of March than have been seen for the past 10 or 15 years."

R. S. Scheibel, secretary conservation commission, Madison, to bureau, May 29, 1916.

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MIGRATORY BIRD LAW—PRACTICAL WORKING—WISCONSIN.

"We beg to advise you that in our opinion the practical working of the migratory bird law and the regulations thereunder are working out to the best possible advantage in the State of Wisconsin."

R. S. Scheibel, secretary State conservation commission, Madison, to bureau, May 29, 1916.

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MIGRATORY BIRD LAW—KENTUCKY—APPROVAL.

"The Kentucky commission is in favor of the migratory bird law for the conservation of our decreasing wild fowl, but it will be impossible to enforce this law or to secure the support and cooperation of the representative sportsmen of Kentucky until this matter is passed upon by the Supreme Court o the United States."

J. Quincy Ward, executive agent game and fish commission, Frankfort, to bureau, May 31, 1916.

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MIGRATORY WILD FOWL—KENTUCKY—INCREASE.

"As to increase of birds due to the abolition of spring shooting, will say that there is evidently an increase, which would be greater if the law was enforced. Under present conditions migratory game birds are now only protected where there is a strong sentiment for the game laws, which is usually in territory adjacent to larger cities."

J. Quincy Ward, executive agent game and fish commission, Frankfort, to bureau, May 31, 1916.

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MIGRATORY BIRD LAW—PRACTICAL WORKING—ARIZONA.

"I will say without reservation that the migratory bird law is surely bringing the desired results, considering the slight degree to which it has been enforced. When its constitutionality is no longer questioned, when the various States have made their laws to conform to it, and when there is provision made for its better enforcement there can be no question but what the beneficial results will be more noticeable."

G. M. Willard, State game warden, Phoenix, to bureau, May 31, 1916.

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MIGRATORY WILD FOWL, ARIZONA—INCREASE.

"* * * I have heard many comments of hunters that clearly indicate that the influx of waterfowl was much greater last fall and winter than for several years past, and we can attribute such conditions only to the effects of the migratory bird law."

G. M. Willard, State game warden, Phoenix, to bureau, May 31, 1916.

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MIGRATORY BIRD LAW, GEORGIA—APPROVAL.

"Since entering upon the duties of this office I have just as heartily as were possible cooperated with the Federal wardens in this State, and directed all of my appointees to give to the migratory birds, whether game or not, the best possible protection. The result has been very satisfactory, and I am pleased to report that there is a very strong and rapidly growing sentiment in this State favorable to the protection of migratory birds, and I predict as time passes there will be not only no conflict between this department and your department but most hearty and sympathetic cooperation.

"I am entirely in sympathy with the efforts made by the Federal Government to protect the migratory birds, and do not underestimate the worth of their efforts to my own State and, of course, to other States."

Chas. S. Arnow, game and fish commissioner, Atlanta, May 30, 1916.

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MIGRATORY WILD FOWL, GEORGIA—INCREASE.

"The abolition of spring shooting has tended to greatly increase the number of birds, and if these regulations are generally enforced on the entire coast there is no question but that the result will be a great and rapid increase in such birds."

Chas. S. Arnow, game and fish commissioner, Atlanta, May 30, 1916.

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MIGRATORY BIRD LAW, RHODE ISLAND—PRACTICAL WORKING.

"I am glad to say that in my opinion, and in that of almost everyone I talk with (and I take pains to get the views of others), the law is a most salutary one and in this State is working well. * * * To just what extent the abolition of spring shooting has increased the number of birds, I could not say, but that it has done so there can be no question."

George G. Phillips, commissioner of birds, Greene, R. I., June 17, 1916.

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MIGRATORY BIRD LAW, RHODE ISLAND—APPROVAL.

"Of all the measures for the protection and increase of birds, I believe the abolition of spring shooting the most important. I am most emphatically in favor of the migratory bird law. It did not come soon enough, and needs to be strengthened in some directions rather than weakened."

George G. Phillips, commissioner of birds, Greene, R. I., June 17, 1916.

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MIGRATORY BIRD LAW—UTAH—APPROVAL.

"I am heartily in favor of the migratory bird law. It is a very beneficial measure and should have the full support of every State in the Union. It not only protects the waterfowl but the migratory song and insectivorous birds. No commissioner or set of sportsmen in any State should do other than uphold and sustain it."

Fred W. Chambers, Salt Lake City, commission of fish and game, to bureau, June, 1916.

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MIGRATORY WILD FOWL—UTAH—INCREASE.

"In making my trips through the marshes this season I have noticed a splendid increase in every section of the State, due especially to the enforcing of the State law as well as the Federal law by the wardens. The abolishing the spring shooting is an excellent thing and tends to increase the birds everywhere."

F. W. Chambers, State game commissioner, Salt Lake City, to bureau, June, 1916.

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MIGRATORY WILD FOWL—ARKANSAS—INCREASE.

"However, apparently this spring there were more ducks of different kinds in this part of the country and they appeared to stay longer than usual, but whether or not this apparent increase in number is attributable to the fact that they were not disturbed and came out more in the open and remained longer or whether there were greater numbers was not fully demonstrated.

"The abolition of the spring shooting undoubtedly has a tendency to increase the number of birds to some extent, but I am of the opinion that the bag limit provided for by the Arkansas law, and the prohibition of allowing hunters to sell birds will have a greater tendency to decrease the kill than anything else if properly enforced."

D. G. Beauchamp, chairman, game and fish commission, Paragould, to bureau, May 29, 1916.

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MIGRATORY BIRD LAW—ARKANSAS—APPROVAL.

"I am most assuredly heartily in favor of the migratory bird law as a beneficial measure for the protection of the migratory fowls, and would very much dislike to see it abandoned, but would like to see the law passed on at an early date by the Supreme Court and declared constitutional and strictly enforced with such minor modifications as might be necessary to meet the approval of the sportsmen and also conserve the birds.

"I hold myself ready at all times to cooperate with your department."
D. G. Beauchamp, chairman, fish and game commission, Paragould, to bureau, May 29, 1916.

MIGRATORY BIRD LAW—VIRGINIA—APPROVAL.

"We feel that the regulations of the migratory bird law has worked to the great benefit of this State and should remain just as it is with possibly some slight changes as to the open hunting periods. * * *
"I am of the opinion if the migratory bird law were abolished that many species of our migratory birds would soon be wiped out by the hunters, whose numbers are continually increasing."
M. D. Hart, Richmond, to bureau, May 30, 1916.

MIGRATORY BIRD LAW—LOUISIANA—APPROVAL.

"I am pleased to say that the members of our commission who have made a study of the waterfowl here in Louisiana are to a unit in agreeing that the assistance this law gives the State authorities in bringing about an observance of our law is more than satisfactory. * * *
"This commission is decidedly in favor of the migratory bird law, and I believe that all of the right-thinking sportsmen and market gunners believe as we do. * * *
"We do believe that in a few more seasons that there will be even more evidence, based on actual conditions, to prove that the Federal migratory bird law is a most beneficial measure for our game and other birds."
M. L. Alexander, president Conservation Commission of Louisiana, New Orleans, La., May 31, 1916.

MIGRATORY BIRD LAW—MICHIGAN—APPROVAL.

"This department is thoroughly in accord with the provisions of the migratory bird law and regulations thereunder promulgated by the Federal department. We trust this law will be held constitutional, as it has had a good effect in this State in protecting migratory birds, as well as waterfowl. There is a noticeable increase in both of these different species in this State, and we are sure that the restraining hand of the Government under this provision will continue to be more beneficial each year in preserving the wild life protected by the same."
W. R. Oates, commissioner game, fish, and forest-fire department, Lansing, Mich., June 1, 1916.

MIGRATORY BIRD LAW—OKLAHOMA—APPROVAL.

"I am certainly in favor of the migratory bird law, but I don't think our season here for spring shooting is sufficient."
John Chenowith, State fish and game warden, Oklahoma City, to Bureau, May 30, 1916.

MIGRATORY BIRD LAW—MARYLAND—INCREASE.

"The general opinion is that there were more wild fowl in Maryland waters last year than for some time, and this is to be accounted for, in my judgment, in two ways—increased protection and the abolition of spring shooting."
James P. Curley, State game warden, Baltimore, to Bureau, May 31, 1916.

MIGRATORY WILD FOWL—VIRGINIA—INCREASE.

"The supply of waterfowl and the song and insectivorous birds from all the responsible information I can gather shows a very satisfactory increase.
"The stopping of spring shooting thus shortening the open hunting seasons at the height of the migration is undoubtedly a potent factor in the increase."
M. D. Hart, Richmond, to Bureau May 30, 1916.

MIGRATORY BIRD LAW: PRACTICAL WORKING—MARYLAND.

"So far as my observation goes, and from such information as I have been able to obtain, the Federal law has worked well and is a great factor in protecting our migratory birds."
James P. Curley, State game warden, Baltimore, to bureau, May 31, 1916.

MIGRATORY BIRD LAW: PRACTICAL WORKING—WASHINGTON.

"* * * The fact that we have changed our State law to conform to the Federal law is the best answer as to whether or not we consider the Federal migratory bird law a beneficial measure."
L. H. Darwin, State game warden, Seattle, to bureau, June 2, 1916.

MIGRATORY WILD FOWL: INCREASE—VERMONT.

"I feel that there is a noticeable increase in both the waterfowl and song and insectivorous birds, and when I say 'waterfowl' I am not able to comment much upon anything except the wild ducks, which were very abundant last season and which are very abundant this spring. I have always attributed the increase—and I think the sportsmen do—to the protection afforded by the migratory bird law, which means also the abolition of spring shooting, and as a result the wild ducks were more abundant last fall. I see no other reason for it than the protection afforded by the migratory bird law."
J. W. Titcomb, commissioner fisheries and game, Lyndonville, to bureau, June 7, 1916.

MIGRATORY BIRD LAW: PRACTICAL WORKING—NORTH CAROLINA.

"I think, however, that the law has been generally beneficial, especially that part of it which prohibits spring shooting."
Dr. R. H. Lewis, president Audubon Society of North Carolina, letter to bureau, June 7, 1916.

MIGRATORY BIRD LAW: APPROVAL—NORTH CAROLINA.

"On the whole it is my opinion that migratory bird law is a beneficial measure and should be continued."
R. L. Harris, president Audubon Society of North Carolina, to bureau, June 1, 1916.

MIGRATORY BIRD LAW—ALABAMA—APPROVAL.

"By reason of the fact that birds know no State lines and by reason of the further fact that the State statutes for the protection of birds of the migratory variety vary so widely, scarcely a semblance of protection of these migrants can be had unless a migratory-bird law remains upon the statute books and is vigorously enforced. To repeal it or to modify it to any appreciable extent would be a distinct backward step and likewise an invitation for the wholesale destruction and slaughter of the migratory wild life of the continent."
John H. Wallace, jr., commissioner department of game and fish, Montgomery, Ala., May 29, 1916:
"I am confident that the abolition of spring shooting has been a controlling factor in increasing the numbers of these birds."

MIGRATORY BIRD LAW—COLORADO—APPROVAL.

"Personally I am heartily in favor of the closing of all spring shooting; but, unfortunately, the sportsmen and the legislature of this State do not agree with me."
W. B. Fraser, game and fish commissioner, Denver, to bureau, June 5, 1916.

Mr. McLEAN. I also submit the following:

THE ATCHISON GLOBE,
Atchison, Kans., June 12, 1916.

Dr. W. T. HORNADAY,
Director Zoological Gardens, New York City, N. Y.

DEAR SIR: As a sportsman and as an ardent duck shooter who has followed the game consistently for the last 15 years, I wish to register this protest against the proposal to extend the open season in the spring later than March 10. The advisory board has been extremely liberal to the Middle West shooters, and their fight against the appropriation for the enforcement of the law is not indorsed by a majority of the sportsmen in this part of the country.
We read in the St. Louis Globe Democrat that Missouri has a good law and that it protects the game. I live across the river from Missouri. For 15 years I have hunted nearly every fall and nearly every spring, and I have yet to see a Missouri game warden.
Wild ducks are sold openly in the Kansas City and St. Joe hotels. Young ducks and old ducks are slaughtered all summer long on the Missouri lakes; and if there ever was a joke, it is the system of game protection as practiced from Kansas City to St. Joe in the lakes along the river bottom.
If the United States Senate does not allow that meager appropriation for the enforcement of the Federal law, I am satisfied that in a very few years our waterfowl will be practically exterminated and our song birds will be greatly lessened in numbers.
Those who desire to shoot all during March insist the birds do not mate early in the spring. This is not true. I have personally observed wild mallards in the act of mating in the first week in February.
W. F. Bancroft, of the Biological Survey, was a visitor in Atchison on March 14 of this spring. He accompanied me on a trip to several of the Missouri lakes in this vicinity, and I showed that 80 per cent of the wild ducks on those lakes were mated and paired off.
We saw all species of ducks common to this section, from the bluewing teal to redheads and mallards, and 80 per cent, putting it conservatively, were mated.
I write this letter to let you know that conditions in the Middle West have been grossly misrepresented by selfish shooters, and that a great wrong will be done if the United States Government is not permitted to protect our rapidly vanishing waterfowl. We have good shooting here, both in the fall and in February and the first week in March. A later season than this is unthinkable.
Sincerely, yours,

EUGENE A. HOWE,
Editor Atchison Globe.

Mr. President, there is another reason why I think this appropriation should be made. It seems to me that it is a controlling reason. The Senate will remember that more than two years ago a resolution was adopted requesting the President of the United States to negotiate treaties with foreign countries for the protection of migratory birds. I am happy to state to the Senate that a treaty with Great Britain, after many delays, has been approved, and I expect it will be in the Senate very soon. Our request to Great Britain to approve this treaty was based upon our good faith in the enforcement of this law, and it seems to me to be incredible that the Senate having originated the request will at this time make a "mere piece of paper" of the very statute upon which the treaty is based. Of course, I do not know what the terms of the treaty are, but it is fair to assume that the United States agrees to enforce the regulations of this law in substance, and Great Britain on her part agrees to enforce similiar and suitable regulations in the Dominion of Canada.

It seems to me that it is folly to go into the discussion of the constitutionality of this law at this time. While I think it is constitutional, while I believe it will be held constitutional, yet it seems to me that in any view of the case we are in good faith bound to support this law until the Supreme Court renders its decision because of our negotiations with Great Britain. If the treaty is ratified the courts will unquestionably have power to enforce its provisions and Congress will have power to enact any supplementary legislation that may be necessary.

Mr. REED. Does the Senator hold that a treaty can abdicate the Constitution of the United States?

Mr. McLEAN. The treaty will not abdicate the Constitution. I do not think it is worth while to enter into a discussion of the treaty at this time. I know that former Senators Root and Heyburn before they left the Senate had no question about the authority of Congress to enforce the provisions of a treaty with Great Britain protecting migratory birds.

Mr. REED. If that were true, all that we would need to do to annul the Constitution of the United States, adopted by the respective States and the people thereof, would be for the President and one branch of Congress, to wit, the Senate, to negotiate a treaty with a foreign Government.

Mr. McLEAN. That is the view of the Senator from Missouri. Eleven foreign States now protect their migratory birds by treaty. We have in the past entered into treaties with Great Britain for the control of fisheries. The cases in the United States Reports, of Ware against Hylton, Third Dallas, down to the present time, make it very clear, I think, that the courts and Congress will have the power to enforce the provisions of this treaty if it is ratified, as I sincerely hope it will be.

The PRESIDING OFFICER. The question is on the motion of the Senator from Missouri to strike out the language from the bill which will be read.

The SECRETARY. On page 58 it is proposed to strike out lines 3 to 10, inclusive, in the following words:

For all necessary expenses for enforcing the provisions of the act approved March 4, 1913 (37 Stat. L., pp. 847, 848), relating to the protection of migratory game and insectivorous birds, and for cooperation with local authorities in the protection of migratory birds, and for necessary investigations connected therewith, $50,000.

Mr. GALLINGER. There are Senators absent who desire to be present when the question is voted upon, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hardwick	McLean	Smith, Ga.
Bankhead	Hitchcock	Martin, Va.	Smith, S. C.
Borah	Hollis	Martine, N. J.	Smoot
Brady	Hughes	Nelson	Sterling
Brandegee	Husting	Norris	Swanson
Bryan	James	O'Gorman	Thomas
Chamberlain	Johnson, Me.	Oliver	Thompson
Chilton	Johnson, S. Dak.	Overman	Tillman
Clapp	Jones	Poindexter	Townsend
Clark, Wyo.	Kenyon	Pomerene	Underwood
Cummins	Kern	Ransdell	Vardaman
Curtis	La Follette	Reed	Wadsworth
du Pont	Lane	Shafroth	Warren
Fletcher	Lewis	Sheppard	Weeks
Gallinger	Lippitt	Sherman	Williams
Gronna	Lodge	Simmons	
Harding	McCumber	Smith, Ariz.	

Mr. KERN. I desire to announce the unavoidable absence of my colleague [Mr. TAGGART]. He is paired with the Senator from Vermont [Mr. PAGE]. This announcement will stand for the day.

Mr. TOWNSEND. I desire to announce the absence of my colleague [Mr. SMITH of Michigan]. He is paired with the junior Senator from Missouri [Mr. REED]. This announcement may stand for the day.

The VICE PRESIDENT. Sixty-six Senators have answered to the roll call. There is a quorum present. The question is on the amendment of the Senator from Missouri to strike out lines 3 to 10, inclusive, on page 58.

Mr. McLEAN. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CATRON (when his name was called). I am paired with the Senator from Oklahoma [Mr. OWEN] and during his absence I withhold my vote.

Mr. CHILTON (when his name was called). I announce my pair with the Senator from New Mexico [Mr. FALL] and withhold my vote.

Mr. CLARK of Wyoming (when his name was called). I have a general pair with the senior Senator from Missouri [Mr. STONE], who is not at present in the Chamber. I therefore withhold my vote.

Mr. TILLMAN (when his name was called). I transfer my pair with the Senator from West Virginia [Mr. GOFF] to the Senator from Tennessee [Mr. LEA] and vote "nay."

Mr. WALSH (when his name was called). I inquire whether or not the Senator from Rhode Island [Mr. LIPPITT] has voted?

The VICE PRESIDENT. He has not voted.

Mr. WALSH. I have a pair with that Senator, which I transfer to the Senator from Oklahoma [Mr. GORE] and vote "yea."

Mr. WILLIAMS (when his name was called). I have a standing pair with the senior Senator from Pennsylvania [Mr. PENROSE], but I understand that if he were present he would vote "nay" on the pending proposition. Intending to myself vote "nay" thereon, I consider myself released from the pair on this particular amendment. I vote "nay."

The roll call was concluded.

Mr. LIPPITT. The Senator from Montana [Mr. WALSH], with whom I am paired, being present, I vote "nay."

Mr. GRONNA (after having voted in the negative). I ask if the senior Senator from Maine [Mr. JOHNSON] has voted?

The VICE PRESIDENT. He has not.

Mr. GRONNA. I transfer my pair with that Senator to the Senator from California [Mr. WORKS] and will let my vote stand.

Mr. CURTIS. Mr. President, I am requested to announce the following pairs:

The Senator from Rhode Island [Mr. COLT] with the Senator from Delaware [Mr. SAULSBURY];

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from Vermont [Mr. PAGE] with the Senator from Indiana [Mr. TAGGART]; and

The Senator from Utah [Mr. SUTHERLAND] with the Senator from Arkansas [Mr. CLARKE].

The result was announced—yeas 8, nays 52, as follows:

YEAS—8.

Borah	Hardwick	Overman	Thomas
Bryan	James	Reed	Walsh

NAYS—52.

Ashurst	Harding	Martine, N. J.	Smith, Ga.
Bankhead	Hitchcock	Nelson	Smith, S. C.
Beckham	Hollis	Norris	Sterling
Brady	Hughes	O'Gorman	Swanson
Brandegee	Husting	Oliver	Thompson
Chamberlain	Jones	Poindexter	Tillman
Clapp	Kenyon	Pomerene	Townsend
Cummins	La Follette	Ransdell	Underwood
Curtis	Lane	Shafroth	Vardaman
du Pont	Lippitt	Sheppard	Wadsworth
Fletcher	Lodge	Sherman	Warren
Gallinger	McCumber	Simmons	Weeks
Gronna	McLean	Smith, Ariz.	Williams

NOT VOTING—35.

Broussard	Goff	Myers	Shields
Catron	Gore	Newlands	Smith, Md.
Chilton	Johnson, Me.	Owen	Smith, Mich.
Clark, Wyo.	Johnson, S. Dak.	Page	Smoot
Clarke, Ark.	Kern	Penrose	Stone
Colt	Lea, Tenn.	Phelan	Sutherland
Culberson	Lee, Md.	Pittman	Taggart
Dillingham	Lewis	Robinson	Works
Fall	Martin, Va.	Saulsbury	

So Mr. REED's amendment was rejected.

Mr. THOMPSON. Mr. President, in connection with the amendment just voted on, I desire to have inserted in the RECORD a letter from the former fish and game warden of Kansas, Prof. L. L. Dyche, now deceased.

Prof. Dyche was one of the greatest zoologists and naturalists this country has ever produced. He was professor of zoology and curator of birds and mammals of the Kansas University for 20 years. He made 23 scientific expeditions and hunted all over North America, including Greenland and the Arctic regions, resulting in securing for the University of Kansas the largest and finest collection of large North American mammals in the world. He was State game and fish warden of Kansas from 1909 until his death about a year ago. In that capacity, as one of his last official acts, he wrote me this letter concerning the value of the migratory-bird law.

The VICE PRESIDENT. Without objection, permission to do so will be granted.

The letter referred to is as follows:

STATE OF KANSAS,
FISH AND GAME DEPARTMENT,
ON THE KANSAS FISH CAR ANGLER NO. 1,
Oberlin, Kans., April 22, 1914.

W. H. THOMPSON,
Senate Chamber, Washington, D. C.

MY DEAR SENATOR: I am aware that the appropriations for enforcing the Federal migratory-bird law are in danger of being cut off. I do hope that you can see your way clear to give your hearty support to a decent bill making appropriations for the enforcement of this law. The great mass of Kansas people, practically all the farmers, are in favor of it. The law has been generally respected in our State, for we are a law-abiding people. In some localities there have been some violations by thoughtless or ignorant persons. The law is a good one and if enforced will save from extermination many valuable birds and make water fowls more plentiful in a very few years. Nothing but a Federal law can protect the migratory birds with fairness to all the people of the various States. Kansas wants to be fair and be treated fairly in this matter. All the real sportsmen that I have met, and I have been pretty well over the State this spring, seem to favor the Federal law and think it is a good thing. Some false reports have been circulated about the law, which did some damage and caused some violations. Very few people take exceptions to the law when they understand it. I favor the law because I believe that it is a good one. Song and insect-eating birds should not be killed at any time. Game birds have been reduced in numbers until many species that were common a few years ago are rare now. They should not be killed in the springtime when they are mating and going to their breeding grounds. Better protect them in the spring and kill them in the fall when they are young and good to eat.

Very sincerely, yours,

L. L. DYCHE,
State Fish and Game Warden.

Mr. JOHNSON of South Dakota. Mr. President, if I am in order, I desire to call up an amendment to the pending bill which I offered last week, and I now ask for action upon it.

The VICE PRESIDENT. The amendment proposed by the Senator from South Dakota will be stated.

The SECRETARY. On page 104, at the end of section 4, it is proposed to insert the following:

Provided, That any corn or grains of any kind that is sold and graded at the home market under this act for interstate shipment may be regraded at any intermediate or terminal point, and if the grade there given shall be higher than the grade given at the local home market, the seller shall have the benefit of the higher grades given and shall receive the amount of additional price he should have received had his grain been given the correct grade at his home market, and said difference in price shall be paid him upon demand by the purchaser of his grain after it shall be determined by the grade established at the intermediate or terminal point that he was entitled to a higher grade than that given him at his home market.

Mr. GALLINGER. Mr. President, may I ask the Senator from South Dakota a question?

Mr. JOHNSON of South Dakota. Certainly.

Mr. GALLINGER. The Senator's amendment provides that grain may be graded at an intermediate point, and if the grading is higher than at the initial point the highest grade shall govern. I ask the Senator what will happen if the grain is graded at a lower figure at the intermediate point? What then?

Mr. JOHNSON of South Dakota. Mr. President, that would be a question for the one who bought the grain at a certain grade to determine. If the grain was graded at a lower grade at the terminal, the producer who shipped it would have to abide by it.

Mr. President, I had intended to discuss this question at some length, for I believe it of the greatest importance to the grain grower, but I shall not do so and shall now only take a short time on the subject.

I am very deeply interested in the bill reported from the Committee on Agriculture and Forestry, of which this subject forms a part. I have the honor to be a member of that committee, and these matters were discussed in the committee.

Mr. SMITH of South Carolina. Mr. President, if the Senator from South Dakota will allow me merely to make a suggestion in a few words as to what seems to be the difficulty in the settlement of this matter, I desire to state that we had this same difficulty in reference to the grading of cotton. I should like to have the Senator from South Dakota and the Senator from North Dakota both see if this is not really a solution of the question which we are now striving to settle, namely, to have the Government establish standard grades for grain, create a court of appeal to determine in case of dispute whether or not the grain is of a certain standard, furnish the different States with a set of the standard samples in as many places as grain is assembled for shipment, and allow the several States to determine in what manner they shall proceed in putting into effect the standard grades. It is like fixing a standard of 36 inches as a yard. We do not prescribe in a particular case what a yard shall be; but whenever you sell anything for a yard, it must be 36 inches in length. The State determines the procedure. So, in case the buyer or the seller is dissatisfied with the grading he can take his sample and submit it to the proper Federal authority, and whatever they determine it to be under the standard, let that be settled as the price of the standard grain so determined at the date of the sale.

I wish to say to the Senator that we have also what is known as the fertilizer-inspection law in my State. Manufacturers of fertilizer under that law manufacture fertilizer and send it out after having marked on the bag or the container the contents of the chemicals which enter into it. Each manufacturer sends out his fertilizer as he sees fit and prints on the bag its contents. If I, a buyer of that fertilizer, have reason to believe that it does not come up to the standard, I go and, in the presence of a notary public, or other duly qualified officer, make complaint, He takes out a sufficient amount to determine its chemical analysis, and sends it to Clemson College for a decision of the question; and at the college the value is determined.

It seems to me, as to the settlement of this seemingly vexed question, it would be sufficient for the buyer and the seller to agree upon the Government fixing a standard or standards for grain, and then allowing each State to put that standard into effect as it saw fit. Then, upon dissatisfaction either upon the part of the buyer or the seller, a sample of the grain in dispute should be taken and sent to the proper authorities in order to have the question decided and the settlement made according to that sample. It seems to me that would be the simplest possible way of solving this seemingly very vexed question. If the Senator from South Dakota [Mr. JOHNSON] will allow me, I should like to ask the Senator from North Dakota if that proposition does not meet his approval?

Mr. GRONNA. Mr. President——

The VICE PRESIDENT. Does the Senator from South Dakota yield to the junior Senator from North Dakota?

Mr. JOHNSON of South Dakota. Yes.

Mr. GRONNA. I will say that, so far as I am personally concerned, I should be very well pleased with the suggestion made by the Senator from South Carolina [Mr. SMITH]; and I can assure him that I shall have no objection to any bill that will permit the Federal Government to standardize grain and which will then permit people to transact business in their own way, ultimately allowing an appeal to the Secretary of Agriculture. I certainly shall have no objection to that proposition; in fact, that is what I have been trying to do; to amend the bill which was reported from the Committee on Agriculture and Forestry, so as to make it conform to the idea suggested by the Senator from South Carolina.

Mr. SMITH of South Carolina. Mr. President, if the Senator from South Dakota will allow me further, I desire to state to the senior Senator from North Dakota [Mr. MCCUMBER] that in our State, under the State-inspection act for fertilizer, it does in miniature just what this proposition would do in reference to grain from a Government standpoint. It works most admirably, and there are no hardships connected with its operation, because there is an impartial court to determine disputed questions. No matter where grain might originate in the United States, so long as it is kept in its integrity and separately from other grain—no matter where such grain may be found, if its identity is established and either the buyer or the seller is dissatisfied with the grading, he could submit a sample of the grain to the proper authority; and, upon a decision of such authority, the price of the grain would be fixed according to the sample on the day on which the transaction took place.

Mr. SHAFROTH. Mr. President, if the Senator from South Dakota will yield to me, I desire to state that there is a provision in this bill which, it seems to me, covers the situation exactly. It is part of section 4, and reads as follows:

That there is hereby established in the Department of Agriculture a board of grain appeals. Such board shall consist of five members, to be appointed by the Secretary of Agriculture. The salaries of the members of this board shall be —— per annum.

The amount is not fixed here—

The board of grain appeals shall, under such rules and regulations as the Secretary of Agriculture may prescribe, pass on all appeals which may be taken from the inspection and grading of grain by inspectors licensed under this act.

Then, there is also a provision that where there has been an appeal to the State authorities there can be an appeal taken from the State authorities to the board created under this bill. That provision reads:

But in States where there have been established systems of grain inspection with State boards of appeals, appeals shall be considered only from the findings of such State boards of appeals.

In other words, if a shipper applies to the State board of appeals and gets a decision there he still has the right of appealing to the board of appeals of the Department of Agriculture.

The board of appeals shall also, under the direction of the Secretary of Agriculture, pass on the qualifications of applicants for license under this act.

It seems to me, Mr. President, that that provision fully covers the ground both as to the purchaser and the seller if either shall be dissatisfied. If a man ships grain which he has inspected at the home market, it goes to another market, and there it is reinspected, and if he is dissatisfied with the reinspection, he has the right of appeal to this board of appeals; and consequently, if on appeal the grain is graded higher, the farmer is entitled to the difference in price, and he unquestionably should have it; and if it is found that on inspection the grain has been graded too high at the point of shipment there is necessarily involved the right of having the true grade established, the farmer to remit whatever the court of appeals might determine the excess price to be.

Mr. SMITH of South Carolina. Mr. President, it seems to me that the argument of the Senator indicates that we would have a duplicate standard of grading. I gave an illustration a moment ago in connection with the conduct of the fertilizer business in my State and also in connection with cotton grading which I think can be applied to the grain business. Let the Government establish uniform standards, furnish them to the several grain States, and then allow the States to decide the methods by which they will enforce conformation to the standard. Then, under whatever rule or regulation it may be found wise to adopt, if the buyer or the seller is dissatisfied, let him be allowed an appeal to the proper authorities, and let them decide the grade of the grain according to the particular sample furnished. If the law were framed to work along that line there would be no duplication.

As I understand, under this provision there will be a State system of inspection, and if the seller or the purchaser is dissatisfied he can appeal to the Federal authorities. The plan which I suggest is to have uniform standards fixed and samples

to be furnished to the several States for the guidance and benefit of all concerned, whether buyers or sellers.

It is somewhat similar to the question of measures. If a merchant measures and sells me a yard of goods, that yard must be 36 inches. If I am dissatisfied with his measure, I may have an appeal to the authorities who determine standards, weights, and measures.

It seems to me that the whole matter may be simplified by fixing uniform standards, promulgating such standards, and then allowing the several States to put them into operation as they see fit, with a final appeal to those who fix the standards.

Mr. SHAFROTH. Mr. President, the difficulty with the position of the Senator is that there are Members of this body who believe that the inspection system provided by the States from which they come is the most perfect inspection system in the world, and therefore they do not want to surrender it.

Mr. SMITH of South Carolina. Let there be the State inspection—and I do not care how rigid it may be—but let the standard of comparison be uniform.

Mr. SHAFROTH. That would be the case under the provisions of this bill, for whenever the grain enters into interstate commerce it must conform to the standards fixed by the United States Government, unless the shipper concludes to ship without reference to a grade.

Mr. SMITH of South Carolina. Certainly; I think that would be understood.

Mr. GRONNA. Mr. President——

The VICE PRESIDENT. Does the Senator from South Dakota yield to the Senator from North Dakota?

Mr. JOHNSON of South Dakota. I yield.

Mr. GRONNA. Mr. President, I am very glad that the Senator from Colorado [Mr. SHAFROTH] has called attention to the provision read by him. The amendment to which he has directed attention was adopted, I believe, on Friday or Saturday last, and I think that it will fully take care of what the Senator from South Carolina [Mr. SMITH] has suggested. The grain would have to be graded according to the Federal standards, which would be uniform; but in States where they have State inspection, if the buyer or the seller were dissatisfied with the inspection he could appeal, first, to the State board of inspection, and then he could appeal to the board of appeals, and ultimately, if he were still dissatisfied, as a final resort, he could appeal to the Secretary of Agriculture, who, under the provisions of this measure, would have the right to appoint an appeal board at that particular place. I believe the language just read by the Senator from Colorado is comprehensive and efficient; and if it is not, then we ought to amend it.

If the Senator from South Dakota will allow me further, I will say that so far as I am concerned I should be very glad to vote for his amendment. I am not so sure that it would be workable, because he knows when grain goes to the terminal market it is mixed with other grain. Of course, where it is shipped in carload lots to a terminal before it loses its identity it would be possible to reinspect it and then to give the shipper of the grain the benefit if it should be determined that the grain should be graded higher. I shall be very glad to vote for the amendment offered by the Senator from South Dakota.

Mr. JOHNSON of South Dakota. Mr. President, the Senator from North Dakota [Mr. GRONNA] has well answered the Senator from South Carolina [Mr. SMITH].

Now, as to the question of the Senator from Colorado [Mr. SHAFROTH], I wish to say that in section 6, on pages 104 and 105, there is a provision that if the shipper is not satisfied with the grading that he receives at the terminal he may appeal to the Secretary of Agriculture. Now, let us see what that means to a man who ships his own grain. Suppose he wanted to ship a carload from South Dakota or from North Dakota. He has to ship that grain without Federal inspection at home. He does not know anything about what grade he is going to get until the grain reaches the terminal point and is there graded. Then, if the grade given is not satisfactory to him, he must serve notice and take an appeal to the Secretary of Agriculture. He must also put up a certain amount of money—whatever may be required by the Secretary of Agriculture. This is a question that is most important to the grain raisers in my section of the country, and I believe of every State in the Union that raises grain. The shipper would have to wait for a week or, perhaps, two weeks; he would have to pay storage; and he would have to wait all of this time to find what his grade was before he would know what quality he had. Mr. President, that is the very reason why I introduced this amendment.

I do not believe there is a Senator in the Chamber who would not like to have the farmers and grain growers of his State able to drive into the market and have his grain graded and sold, if he wanted to do so, and to know right then and there what he was selling. I know that is the desire of the grain growers in my section of the country; and I speak advisedly. I have stood at a bank counter window for 10 years and paid for all grain that three or four elevators in my town have bought during all of that time, and I have heard more complaints, and more just complaints, about the grading of the grain than about any other subject, not excepting the price paid.

This provision for an appeal, which the Senator from Colorado cites, is found in section 6, page 104, and it reads as follows:

SEC. 6. That whenever standards shall have been fixed and established under this act for any grain and any quantity of such grain which has been sold, offered for sale, shipped, or delivered for shipment in interstate or foreign commerce shall have been inspected and a dispute arises as to whether the grade as determined by such inspection of any such grain in fact conforms to the standard of the specified grade, any interested party may appeal the question to the Secretary of Agriculture, and the Secretary of Agriculture is authorized to cause such investigation to be made and such tests to be applied as he may deem necessary and to determine the true grade.

Mr. President, this bill makes it possible to have a Government grain inspector in every town in the United States and in every village in the United States without one dollar's expense to this Government. It provides that, upon application and showing of qualifications, any man may become an inspector. That is clear. Now, what I should like to make possible would be that very thing, that every town in the United States where grain is bought and handled might have a Government inspector under this bill, and that that inspector or grader should have a check upon him somewhere. You will not find many grain graders under this bill who would be appointed who would be any more honest than the rest of us. That is the general complaint. If a grain grader were appointed out in the State of Minnesota or North Dakota under this act and he knew while he was grading grain that there was going to be a check on his grade at the other end, he would have to know his business as a grain grader before he would apply and receive such an appointment, and he should know the business, and know it well.

There is not a bit of reason why a man in any of the country places of the grain-producing States should not be just as well qualified and just as competent to grade grain as any one of the graders at the eastern terminal points, and, Mr. President, that is my object in presenting this amendment. I have not a selfish motive in the world regarding it. I want to make this bill popular with the people all over the United States, because I think it is a good bill, and I do not know any way in which I could help to do that more than by this process of providing a grain grader at every station that applied for it and having a check on him at the other end of the line or the terminal point.

Mr. McCUMBER. Mr. President——

The VICE PRESIDENT. Does the Senator from South Dakota yield to the Senator from North Dakota?

Mr. JOHNSON of South Dakota. I do.

Mr. McCUMBER. May I ask the Senator if I fully understand the purport of his amendment? If I understand it correctly, he desires to secure for the farmer bringing a load of grain to an elevator, which, we will say, is graded as No. 2, and when that same grain is shipped to the terminal it is graded as No. 1, the benefit of that No. 1 grade. Is that correct?

Mr. JOHNSON of South Dakota. Mr. President, that is my exact object—to give to the producer the specific grade and advantages that his grain calls for.

Mr. McCUMBER. Mr. President, let me call the Senator's attention to another feature of that case. The farmer, of course, will bring in but a single load at a time. If his grain was graded No. 2, it would be put into a bin with other grain that was graded No. 2, and then if the whole bin was shipped out holding, say, 1,000 or 1,500 bushels and it graded No. 1, how would you know it was that particular farmer's load that gave it the No. 1 status? Perhaps the other grain might have brought it up to that standard.

I can see the purpose of the Senator, but I confess I fail to see how it could be carried out and carried into effect so far as the individual farmer is concerned.

Mr. JOHNSON of South Dakota. Mr. President, there is no possible way in which grain could be graded or regraded as specific grain after it is mixed up with other grain, but my purpose is this: I want to protect the farmer that comes to town and has a carload of grain to ship. I want to protect him in two ways. I want to protect him in order that he may get the grade he is entitled to right there, and I want to protect him so that he may get away from the middleman if he wants to and ship his own grain and know what grade he has to ship.

Mr. McCUMBER. Mr. President, may I again interrupt the Senator?

Mr. JOHNSON of South Dakota. Certainly.

Mr. McCUMBER. I assume that under the course of business the farmer who ships a carload of grain will have nothing to do with the elevator man at all. There will be no necessity for his dealing with him. He, of course, would ship his own grain, and would accept whatever was received from the terminal. I do not understand that even under this bill as it is construed by those having it in charge it would be necessary for that farmer to have his carload of grain graded before he shipped it into another State. Therefore, it would make no difference to him who was the inspector at that particular place. Am I not right in that?

Mr. JOHNSON of South Dakota. It would make this difference, Mr. President. He would ship that grain, or he would sell it, as he saw fit. If he sold the grain to an elevator man there he would know just exactly what grade he had to sell on; and if he shipped it himself he would know what grade he had to sell on, unless his grade was changed at his terminal point; but under this amendment this would be a rare occurrence.

It would not only do that for men with a carload lot, but it would do it for the smaller men. Two or three men might band together and bring in a carload of grain and have it graded and shipped; and I think it would be a step in the right direction. I believe it would give justice to the fellow who does the work, the fellow who produces the grain; and I believe this bill is lame in that respect, or I certainly would not have introduced this amendment.

Mr. McCUMBER. Will the Senator tell me why either one farmer, or three farmers together, or any number, shipping a carload of grain to a terminal, would want it inspected in the State of its origin? They would sell it at the terminal at whatever the terminal inspection showed it was entitled to receive.

They could not sell it from its home-inspection certificate. Inasmuch as there are no inspectors, except, possibly, under this bill, there will be provision made for every elevator man being made a Government inspector if the bill is changed. Even then I would hardly give it the construction that the farmer would be compelled to submit his carload of grain to his competitor to give it a grade; and if he would not, then I can not see that there is any necessity whatever for any initial grading by him.

Mr. JOHNSON of South Dakota. Mr. President, in answer to that, I will say that the farmer would not be compelled to do either one thing or the other, but would have his choice. It seems to me that it would free the farmer, or the man who produces the grain, to act for his best interests, as he is certainly entitled to do.

Mr. President, we have heard a great deal of talk in the last few months about preparedness for defense. I want to say to you that the basis of preparedness is your agriculturist. You could not do without the producer. He produces everything that we use, everything that we wear, everything that we eat, and everything that we have ever had. He produces food, and food makes life, and life makes government. Without the producer you would have no life, and without life you would have no government. If there is anything in the world, as I look at it, that should have our closest attention and our best consideration, it is the man that grows the foodstuffs of the world. I want to throw every safeguard around him that I possibly can.

I shall vote for this bill whether this amendment is accepted or not, because I realize that it will do a great deal of good to our country. I could enumerate in various ways the great help that it would be; but if this bill is passed in its present condition, without giving the farmers of the country a chance to haul their grain into market, and to grade that grain, and to know what grade they have, and then take their choice of selling or shipping, you are going to have a good deal of dissatisfaction, and that is the only thing I am trying to avoid.

Mr. President, I was much astonished the other day to hear upon the floor of this Chamber a statement made by the Senator from Minnesota, I believe, or by the Senator from South Dakota—I am not sure which—that this Government had spent over $700,000 in the last 10 years on grain grading, and the only Federal grade that they have been able to establish is that of corn. They have not been able to establish grades on wheat, nor on oats, nor on any small grain. But in taking it up with the Department of Agriculture, they advise me that they expect to be able to establish a Federal grade on those very necessary things in a short time, and I hope they will; and I hope the Senate will take into consideration the advantages which, as I see it, this amendment carries to the bill, and that they will vote for this amendment. There is not one dollar of appropriation asked. There is nothing except to open the gates wide to the men that produce, and give them a chance to put their grain into the markets of the world through any channels they desire, and to know at home what grade and thereby sell to advantage.

Mr. SHAFROTH. Mr. President, the Senator's amendment is, of course, intended to be a safeguard in the interest of the farmer. I am sure that is his object, and it is a very commendable object; but the Senator wrote this amendment before the adoption of the amendment of the junior Senator from North Dakota [Mr. GRONNA]. That amendment, offered by the junior Senator from North Dakota, and accepted and made a part of the bill, it seems to me does away with the necessity of adopting the provision proposed by the Senator from South Dakota. In other words, it provides for a system of appeals, so that there can be no difficulty whatever. The difficulty of shipment and of having an inspector at the point where the farmer brings his grain is not provided for in the amendment offered by the Senator from South Dakota. What the Senator from South Dakota has provided is a rule of compensation, namely, that in the event that the result of the appeal is to the effect that the grade is higher at the terminal point than at the lower point, then there shall be a compensation made to him. Now, that necessarily follows from the amendment which has already been adopted and which was offered by the Senator from North Dakota [Mr. GRONNA]. That being the case, it seems to me this amendment is unnecessary.

The Senator from South Dakota says he wants an inspector at every point. This amendment of his does not provide for that.

Mr. JOHNSON of South Dakota. Mr. President, the bill provides for it, though.

Mr. SHAFROTH. No; the bill does not provide that there shall be an inspector at every point. The bill permits the Secretary of Agriculture to appoint or to license such numbers of inspectors as he may deem proper, and he is evidently going to take the inspectors that are now operating under the State law; but as to the appointment of new inspectors, I doubt very much whether any of them will be appointed.

In other words, the very system which the Senator commends so highly was up for consideration in this body a year ago, and it was turned down because it was thought that it was too big an undertaking at this time; that there would be too many inspectors in the United States; and while they might not be paid their salaries out of the Treasury of the United States, yet the supervision that would be needed and the number of officers that would be required, would make a very heavy burden upon the part of the United States.

The amendment of the Senator from North Dakota [Mr. GRONNA] provides specifically for appeals, and provides exactly the line of conduct that would follow the shipment of grain to a terminal point. If it were given a higher grade there than at the lower point, the farmer would get the amount of money that was due. It would also, if it were given a lower grade, compel a deduction from the amount which the farmer had already received, or which it was contracted he should receive. That is fair, because if you are going to have appeals you must not have the appeal all on one side, with no right whatever as to the party that won the decision before the inspectors below.

For that reason, Mr. President, it seems to me that the amendment of the Senator from South Dakota should be rejected.

Mr. JOHNSON of South Dakota. Mr. President, as I understand the amendment of the Senator from North Dakota, it does not cover the question at issue at all. The thing I am trying to do is to provide for inspection at home. His amendment provides for an appeal. The bill also provides for an appeal.

The VICE PRESIDENT. The question is on the amendment of the Senator from South Dakota. [Putting the question.] The Chair is in doubt.

Mr. JOHNSON of South Dakota. I call for a division.

The VICE PRESIDENT. Those in favor of the amendment will rise. [A pause.] Those opposed will rise. [A pause.] The amendment is agreed to.

Mr. SHAFROTH. Mr. President, I ask for the yeas and nays on that question. I think this amendment negatives the provision of the bill.

Mr. McCUMBER. It is too late after it is adopted; is it not?

Mr. SHAFROTH. Very well; I will not call for the yeas and nays, then.

The VICE PRESIDENT. The Chair has ruled that a Senator has two rights—one to call for a division and one to call for the yeas and nays. The Senator can reserve it for a vote in the Senate.

Mr. McCUMBER. Mr. President, the amendment which I offered on Saturday was temporarily withdrawn by my col-

league because it came up during my absence, as he did not desire to have it acted upon at that time. I now offer the same amendment, with the addition that I have included in that amendment a portion of the second proviso of section 4 of the bill, which provided as follows: It is the third proviso now:

That any such grain sold, offered for sale, or consigned for sale by any of the grades fixed therefor in the official grain standards may, upon compliance with the rules and regulations prescribed by the Secretary of Agriculture, be shipped in interstate or foreign commerce without inspection from a place at which there is no inspector licensed under this act—

I struck out the words "inspector licensed under this act," because my substitute does not have anything to do with inspectors, and changed the wording so that it would read:

At which there is no inspection service to a place at which there is no such service, subject to the right of either party to the transaction to refer any dispute as to the grade of the grain to the Secretary of Agriculture, who may determine the true grade thereof.

While I did not think that was necessary, the Senator from Minnesota thought it ought to be retained, and I think my colleague also agreed with that. It certainly can do no harm, and, therefore, I have added it to the end of section 4.

Mr. GRONNA. Mr. President, I suggest to my colleague that that would not, in my opinion, take care of our State, because we ship from a State where there is no inspection to a State where there is inspection. The Senator's amendment takes care of a condition where shipment is made from a place where there is no inspection to a place where there is likewise no inspection, but it does not take care of a condition such as really exists in our State and in many other States, and thus permit grain to enter into foreign and interstate commerce from a State where there is no inspection to a State where there is inspection.

Now, Mr. President, I do not wish to be misunderstood. I do not wish to oppose the amendment of my colleague unless I thought that it would seriously affect the business as it is actually done in our State. I believe the first provision of section 4 in the amendment of my colleague would hamper the business of our State just as much as it did in the original provision of the bill.

Mr. McCUMBER. Mr. President, I will go over that, and we will see if it does. My colleague and myself, of course, want the same thing. I have drawn the substitute for this purpose, and for this purpose only: First, to provide for Federal standardization of grain; second, to provide that all grain which is sold by grades shall be sold by the Federal grades; third, to prohibit the use of the older names of grades in lieu of those fixed by the Federal grades; fourth, to provide the proper penalty for disobedience of the provisions of the act.

I do not intend to go any further than that, and I do not intend to interfere with the present system in the slightest degree; and under the provisions of section 4, as I am going to make clear to my colleague, we can ship just exactly as we do to-day. I do not interfere; I do not touch upon that subject. My section 4 simply provides that when it is sold by a standard it must conform to that standard. It does not provide that it shall be sold by any standard whatever. You can ship it from my State or from any other State without its being certified or without its being inspected.

Mr. GRONNA. Mr. President, will my colleague yield to me?

Mr. McCUMBER. Certainly.

Mr. GRONNA. I call attention to the language used by the Senator:

That whenever standards shall have been fixed and established under this act for any grain, thereafter all such grain entering into interstate and foreign commerce and bought or sold by grade shall conform in quality and character—

The Senator does not refer to the standard, but refers to the quality and character of the grain. Now, then, suppose No. 1 grain is bought at my home town. It enters into interstate commerce and is sold as No. 2. It is a violation of section 8 of the Senator's amendment, which provides a penalty of a thousand dollars fine or a year's imprisonment. Now, I know that my colleague does not wish to incorporate that in the law.

Mr. McCUMBER. Why, no. I have changed that entirely. Now, let us see if it does. Let us take section 4 just as I have written it, and if I have not written that clearly enough I am willing to have it modified so that it will read just exactly as I intend:

That whenever standards shall have been fixed and established under this act for any grain thereafter all such grain entering into interstate or foreign commerce and bought or sold by grade shall conform in quality and character to the standard so fixed—

In other words, if you are selling No. 2 United States northern grade, it shall conform to the standard fixed by the department for No. 2 northern grade, and to no other standard. That is all it says, and that is all it is intended to mean.

And established for such grade.

That is all that this section provides. Now, I will read it again:

That whenever standards shall have been fixed and established under this act for any grain, thereafter all such grain entering into interstate or foreign commerce, and bought or sold by grade, shall conform in quality and character to the standard so fixed and established for such grade.

In other words, if the Federal Government shall have a standard known as "United States No. 2 northern," and provided that United States No. 2 northern shall weigh at least 58 pounds to the measured bushel, and shall be clear and of good color, then anyone selling grain for No. 2 United States northern standard must sell a grain that will measure up 58 pounds, clean, and so forth, whatever the standard may mean. That is all there is in it. If you do not sell by any grade, you can ship as you have a mind to. I mean, you can ship without grading at all, if you so desire, under this.

As I say, the first provision is:

That the standards so fixed and established shall be known as the official grain standards.

And when you have adopted the official grain standards, and sell by those grain standards, your quality and character must measure up to those standards. In other words, neither the Minneapolis board of exchange nor any other board of exchange could make a different character or quality conform to the United States standard of No. 1 or No. 2, whatever the case may be.

Mr. GRONNA. Mr. President, is it not true that the shipper would not know what the grade was until the Minneapolis board fixed the standard?

Mr. McCUMBER. Why, certainly.

Mr. GRONNA. He would not know what the real standard was.

Mr. McCUMBER. Yes.

Mr. GRONNA. Now, then, suppose an elevator man takes grain into his elevator. There is foreign matter in it, we will say, to the extent of 5 or 10 pounds to the bushel. Suppose he cleans that grain and it is shipped out as clean grain. He has bought the grain as No. 2, but he has cleaned it—had it, so to speak, in a hospital, and improved it—and he ships it out as No. 1. Does the Senator believe that the provisions of his amendment would be violated if it were shipped out as No. 1?

Mr. McCUMBER. Why, certainly. The provision would be violated if grain was taken in as No. 2 and by a mere cleaning process was shipped out as No. 1, because under the rules in the State of Minnesota they would take out the dockage and then give the balance of the grain whatever grade it was entitled to. The only point I am trying to make by this language is that when the standards are adopted, then the grain entering into interstate commerce must adopt the United States grades; that is all.

Mr. GRONNA. But, Mr. President, if my colleague will allow me further, the Senator knows that Minnesota is the only State in the Union, I believe, that has adopted a dockage system. Now, neither the Senator nor I knows what kind of a system will be adopted.

It has been argued on this floor by several Senators that if there are 2 pounds of dirt or 2 pounds of foreign matter in a bushel of wheat, instead of grading that wheat whatever the wheat actually was and docking the foreign matter, it ought to be reduced in the grade. Now, neither of us knows what the system is going to be, so I think the Senator ought to strike out the words "in quality and character" and simply refer it to the grade.

Mr. McCUMBER. Well, "quality and character" means the description. In other words, I can not strike out those words without impairing the true meaning. If we are speaking of No. 1 hard wheat, and require that it shall be Scotch fyfe, for instance, that is the character. The quality would mean how much it weighs to the measured bushel. If the Government standard for No. 1 hard should declare that it should be Scotch fyfe weighing not less than 60 pounds to the measured bushel, be of good color, and free from smut, and so forth, then it must measure up to that quality; that is all.

Mr. STERLING. Mr. President, how would the Senator enforce any Government standard at all unless the seller by grade were required to have the wheat which was sold conform in quality and character to the Government grade?

Mr. McCUMBER. It could not be done, of course.

Mr. STERLING. It seems to me that the junior Senator from North Dakota, the colleague of the Senator who has the floor, if he is in favor of Government standardization at all,

must be in favor of a requirement that will cause the dealer to conform to the grade thus established.

Mr. GRONNA. If the Senator asks me that question, I will tell him very briefly how it should be done. I am not even a cornfield lawyer, and I dislike very much to go up against two eminent lawyers; but the facts are that if you are going to permit anyone to ship grain out of a State where there is inspection, it is not necessary to say in that language that it must conform in quality and character to any specific grade.

Mr. STERLING. Yes; but——

Mr. GRONNA. If the Senator will pardon me until I finish the sentence, all that would be necessary would be to say that it shall conform to the standards adopted by the Federal Government.

Mr. STERLING. Mr. President, the Government, in fixing a certain standard, has determined it from the quality and the character of the grain, and has based the standard upon that.

Mr. GRONNA. The trouble with the Senator from South Dakota is that he confuses the Federal Government with the man who buys the grain in the first instance.

Mr. McCUMBER. Mr. President, I think it is as clear, at least, as I can possibly draw it, that if you are going to sell your grain by grade, it must conform to the Government's standard for that grade in quality and character.

That is all I mean to say there—that you can not sell it by some other kind of a grade. You can not sell it by grades fixed in Milwaukee or in Superior under the present plan or in Chicago under another system. That is what we are trying to get rid of, so that you shall adopt the Government system and sell it by their grade in quality; that is, when you are selling by a grade, simply that it shall conform. This does not say that you can not ship it unless it is graded before or that there is any necessity for grading at all when you are shipping it; only that whatever grade it is sold by must be the United States standard, and not any other standard. That is all it is intended to mean.

Then I go on to make that more definite:

That no person shall in any certificate or in any contract or agreement or sale or agreement to sell by grade, either oral or written, involving or in any invoice or bill of lading or other shipping document relating to the shipment or delivery for shipment in interstate or foreign commerce of any grain for which standards shall have been fixed and established under this act describe or in any way refer to any of such grain as being of any grade other than a grade fixed therefor in the official grain standards of the United States.

Then we have the next provision, which follows, and which the Senator from Minnesota seems to think necessary to cover those cases where you would ship from a place where there is no inspector in one State to a place where there is no inspector in another. I do not think it is necessary to inspect at all there, or to even take an appeal different from what you would take in other cases, because, so far as I know the trade in such cases, if the parties differ, each of them would send a sample of that grain to the State's department for certification, and that certification would govern certainly in Minnesota, and, so far as I know, in other cases. But the Senator thinks that we ought to have this in:

And provided further, That any such grain sold, offered for sale, or consigned for sale by any of the grades fixed therefor in the official grain standards, may, upon compliance with the rules and regulations prescribed by the Secretary of Agriculture, be shipped in interstate or foreign commerce without inspection from a place at which there is no inspection service—

As there would be in my State—

to a place at which there is no such service—

As it would be in some places if you desire to ship it away from the great terminals—

subject to the right of either party to the transaction to refer any dispute as to the grade of the grain to the Secretary of Agriculture, who may determine and certify the true grade.

And the rules are provided.

That is the substance of the changes which have been made. The balance of the amendment is practically the same as that which is in the bill at the present time.

I want to get rid of connecting the Federal Government with any responsibility for the appointment of employees at the great terminal elevators to do the inspection, and unless you provide for Government inspection entirely and substitute Government inspectors the Government is forced to give the certificate to these employees of the boards of trade at the several cities, and in the end that would be far more dangerous than it would be to allow it to run as it is and allow an appeal from the action of the inspectors at such place as the Secretary of Agriculture would designate. I hope within another year, if we can not get it done at this session, I shall be able to demonstrate the necessity of the Government going further than the mere fact of standardization and supervision, but in addition to that to do the inspecting itself.

Mr. STERLING. Of course the Senator does not intend to prevent the sale of grain by sample.

Mr. McCUMBER. Oh, no; there is a provision that you may sell by sample or sell in any way you wish. All I want to provide is that if you are going to sell by grade you must sell by the Government's standardization, and outside of that I do not want to interfere with the present proposition.

Mr. STERLING. There is a distinct provision for sale by sample.

Mr. McCUMBER. It says here when it is sold by grade it will have to conform, and so forth. That would necessarily imply that in other cases it does not need to be sold by grade, because that of itself indicates that this law shall apply only to cases where the sale is made by grade.

Mr. STERLING. I just had in mind the place in the substitute where the expression "by grade" occurs, and I thought in order to clear up any doubt in regard to it that might exist a second proviso to the one the Senator has already added to section 4 might be quite appropriate, simply saying—

And provided further, That nothing herein contained shall prevent a sale by sample or type.

Mr. McCUMBER. I will accept that if the Senator will offer it.

Mr. STERLING. I will offer it.

Mr. McCUMBER. I will accept it as an amendment to my amendment.

Mr. STERLING. I have not written it out, but I suggest as another proviso to the proviso in the fourth section suggested by the Senator from North Dakota——

Mr. McCUMBER. At the end of section 4.

Mr. STERLING. Yes; to add the following words:

And provided further, That nothing herein contained shall prevent the sale or shipment or delivery for shipment of grain by sample or by type.

Mr. McCUMBER. I accept that amendment. I offer the substitute as now amended.

Mr. SHAFROTH. Mr. President, before that is done, I should like to make an explanation in regard to the amendment of the Senator from North Dakota [Mr. GRONNA], which he and I have agreed to and which was accepted by the committee.

On page 6 of the reprint of part B, at line 5, strike out the word "five" and insert "three," so that it would make the board consist of three members instead of five.

The Secretary read as follows:

Such board shall consist of three members, to be appointed by the Secretary of Agriculture.

Mr. SHAFROTH. And there is a blank in line 3, which we thought ought to be filled by inserting $3,000.

The SECRETARY. So as to read:

The salaries of the members of this board shall be $3,000 per annum.

Mr. SHAFROTH. That is right.

Mr. NELSON. I will say to the Senator from Colorado that $3,000 a year is exactly what we pay the members of our board of grain appeals in Minnesota.

Mr. SHAFROTH. They are not employed all the year around, and I think it is a fair salary for them. That will be accepted, then without objection.

Mr. NELSON. That will be an amendment to the committee bill as amended. The Senator from North Dakota offers a substitute for that.

Mr. SHAFROTH. Yes; I want to discuss the substitute just a few moments, or, rather, I want to contrast the substitute and the bill with the amendments which have been agreed to.

As we have stated before, the distinction between the substitute offered by the Senator from North Dakota [Mr. McCUMBER] and the bill as now amended lies in the fact that that which is contained in the bill now with the amendments provides for a grading of the grain and a Federal supervision, which consists of the United States Government licensing the men who are already in the business now and who do the grading now under State law. The amendment offered by the Senator from North Dakota provides simply for the standardization and punishment for shipments when they ship grain otherwise than according to the United States standards. There is no supervision upon the part of the Federal Government, but a right of appeal to the Federal Government. The right of appeal exists in both cases. Consequently the real difference between the two provisions is that the provision as it is now contained in the bill provides for supervision and the substitute offered by the Senator from North Dakota does not provide for supervision.

Mr. President, it seems to me that the advantages are in favor of the provisions contained in the bill now. We determined a year ago that we could not have Federal inspection at all these points and that is not attempted by anyone now, I understand, in injecting an mendment in the bill. No matter

how desirable it might be, it is evidently deemed that it is not practicable to present it now. Consequently the question is whether we want Federal supervision or not. We all want Federal grading. That seems to be recognized as being proper by all, and the question is whether we shall have no supervision on the part of the Federal Government except the right of appeal, or whether we shall have cooperation with the State authorities, which would be indicated by licensing under a Federal license the people who grade the grain now and thereby making cooperation between the Federal Government and the State government which does not exist now, and which would not exist, in my judgment, under the substitute offered by the Senator from North Dakota.

Mr. McCUMBER. May I ask a question right here?

Mr. SHAFROTH. Yes, sir.

Mr. McCUMBER. I know we want to arrive at a clear understanding.

Mr. SHAFROTH. Yes; that is what I am anxious to do.

Mr. McCUMBER. The only supervision we would have directly would be through the appeal and also through the fixing of standards. I would assume necessarily that under the provisions of the bill the Secretary of Agriculture would furnish sufficient agents, and so forth, to see whether the standards were being lived up to by the several departments. Under either bill there would be that supervision. Let me ask the Senator is there anything in the bill which would compel the employment by a board of trade or chamber of commerce of anyone to whom the Government might issue a license to do the inspecting?

Mr. SHAFROTH. No; I do not think so, not under the bill now.

Mr. McCUMBER. On the other hand, is it not true then that the only one who would receive the inspector's license would be those who were employed by the boards of trade and chambers of commerce, and so forth, and who are presented by them to the department for license?

Mr. SHAFROTH. It just simply maintains the same system that exists now.

Mr. McCUMBER. Yes.

Mr. SHAFROTH. And licenses the same parties that do the grading now under State law.

Mr. McCUMBER. Then it is admitted, is it not, that the Government by granting a license to anyone would not insure the employment of that person by any of these departments?

Mr. SHAFROTH. No.

Mr. McCUMBER. On the other hand, the several exchanges, and so forth, could secure the licensing of all their employees.

Mr. SHAFROTH. No; I think this——

Mr. McCUMBER. Unless, of course, they would fail in some kind of an examination.

Mr. SHAFROTH. I think the bill contemplates that there shall be a Federal inspector at the 35 or 40 principal markets of grain in the United States.

Mr. McCUMBER. It does not say so, does it?

Mr. SHAFROTH. No; it does not; but it can be done unquestionably under the bill. I have not any doubt about that.

Mr. McCUMBER. I should like it very much better if the bill would really provide that. There is no grading provided for it or anything of the kind.

Mr. SHAFROTH. The Senator believes in inspection at every point by a Government inspector, and that we thought could not be presented. I think I voted for the Senator's bill a year ago.

Mr. McCUMBER. I am certain the Senator did.

Mr. SHAFROTH. Nevertheless, we are now trying to get something as a compromise, and it seems to me we can not go to the extent of employing inspectors at every point. I know the Senator from Oklahoma believes that under this bill you can have a Federal inspector at each of the points where are the great markets for grain, and that is going to be a decided check.

Mr. McCUMBER. Would the Senator have any objection to an amendment of the bill that would directly provide that there should be a Government inspector at each one of the great terminals who would have authority to inspect and supervise the inspection at those places?

Mr. SHAFROTH. I must say that, personally, it suits me to have that, but I would have to confer with my colleague before I could determine upon it. I think that ought to be done.

Mr. McCUMBER. I think so, too.

Mr. SHAFROTH. That is my judgment about it.

Mr. McCUMBER. That is just simply getting one further step.

Mr. SHAFROTH. Just one further step.

Mr. McCUMBER. I hope before the bill passes we will agree upon that and put it in.

Mr. SHAFROTH. Yes; it may be we can; but I want to discuss the differences between the provision now in the bill and the substitute offered by the Senator from North Dakota.

Mr. CUMMINS. Mr. President——

Mr. SHAFROTH. I yield to the Senator from Iowa.

Mr. CUMMINS. Is there anything in the bill that would prevent the appointment of an inspector in a town of, say, 2,000 inhabitants having no board of trade, no State authority behind it?

Mr. SHAFROTH. It is not contemplated that——

Mr. CUMMINS. The Senator from Colorado says it is not contemplated, but it is directly authorized in the bill if the Secretary of Agriculture desires to appoint.

Mr. SHAFROTH. But only $250,000 is appropriated, and consequently it is not supposed that he will have such inspectors.

Mr. CUMMINS. There is nothing appropriated for the payment of inspectors; but if one with a proper recommendation in a town of the kind I have indicated were to apply for a license as a Government inspector, the Secretary of Agriculture could appoint him, could he not?

Mr. SHAFROTH. I am inclined to think he could, but it is not contemplated.

Mr. CUMMINS. And having been so appointed, there could not be a bushel of grain shipped from that town by grade without the inspection of this inspector? Could there be?

Mr. SHAFROTH. Of course the farmer has the option of shipping it without reference to grade.

Mr. CUMMINS. The farmer has long since lost his interest in it; he has sold it to the middleman in my State, at least; but in the case I have suggested, with the appointment of such an inspector, there could not be one bushel of grain shipped to Chicago, for instance, or Minneapolis, without inspection by the local inspector. I assume now that I am stating the correct interpretation of the bill. Does the Senator from Colorado think that is a good plan?

Mr. SHAFROTH. Yes; for the farmer, if he is not satisfied with the grading, or if he does not desire to ship by grade, can ship by inspection or by samples.

Mr. CUMMINS. The farmer does not ship at all in my State; at least, he ships very rarely. He sells to a middleman, an elevator man, and he sells upon a grade. There is nothing in this bill that will prevent him from selling upon a grade, inspector or no inspector, as I shall presently show; but when the middleman comes to ship to Chicago or to any point beyond the State, if there be an inspector in that locality or in that community, his grain must be inspected by that person. Otherwise he ships it under the prohibition of the statute and becomes criminally liable.

The way it would work in my State would be about like this: Here are three elevators in a small town—and a great many towns of the size I have suggested have three elevators—and some one in that little locality would be licensed as a Government inspector. The influences of a little community of that sort the Senator from Colorado well knows. The inspector would be allied socially or industrially or commercially with one or the other of the companies that are operating the elevators—not within the terms of the amendment offered by the Senator from North Dakota, but so that there would be the keenest sort of prejudice against him on the part of the other elevators. Now, does the Senator from Colorado think that a person so appointed, under those circumstances, ought to inspect all of the grain that is shipped from that community?

Mr. SHAFROTH. Well, Mr. President, I feel this way with relation to the measure: The right of appeal is given; the right of inspection is given; consequently at the terminal point the person who is dissatisfied with the inspection can have another inspection. Then an appeal is given to the board established in the Agricultural Department, and all the safeguards are thrown around the transaction to insure a proper administration of the proposed law. For that reason it seems to me that you can not fail, unless you employ Government inspectors absolutely free from any influence whatever, to have as perfect an inspection as you might desire. With this right of appeal, in view of the fact that the Senate has turned down the proposition of complete Federal inspection and has allowed the inspection provided for under this bill, I take it, at the principal points, and has also allowed a regrading at the principal points, it seems to me that all the safeguards that reasonably can be expected are included in the measure.

Mr. CUMMINS. One more question, and I ask it purely for information. Although I have looked at the bill carefully, I am not able to determine the matter. In the case I have

mentioned the grain could not be shipped without the inspection of this inspector, and he would therefore be left to charge for his labor whatever fee or compensation he might think reasonable, would he not?

Mr. SHAFROTH. No. I must say that, according to my understanding of the bill, as to the exact provision—though the extent of authority may be greater than I think it to be—and the understanding of the bill by the Agricultural Committee, the people who are inspecting grain now in every State in the Union, inspections being made by boards of trade in some States and under State regulation in others, are provided with a Federal license. That Federal license, to some extent, ties them to the Federal Government and makes probably a closer connection with the Federal Government in inducing them to adopt the standard established by the Government.

As to the fees of inspectors, whatever may be the fees which prevail in the various places will unquestionably be the fees which will prevail under this proposed law.

There is going to be progression, and there is not any doubt but that new legislation will be enacted. It has, however, been deemed wise not to take the entire inspection system into the hands of the Government at this time. The system, of course, may be perfected in time, but it is not considered to be feasible at present.

Mr. CUMMINS. Mr. President, what the Senator from Colorado has stated as his view of the matter, he undoubtedly holds sincerely; but there is no such limitation in the proposed law. I am speaking about what the law authorizes. If the view of the Senator from Colorado is correct, we might just as well say to the Secretary of Agriculture—if we could do so constitutionally—"Go forward and do whatsoever you think best in this matter." I believe that when a law is passed it ought to be fairly complete and fairly protective and fairly guarded.

I do not intend to enter upon an argument now with regard to this bill; but when the Senator from Colorado shall have concluded, I shall endeavor to point out some of its defects; defects which, in my opinion, have never been considered by the Committee on Agriculture; applications which have never been in the minds of the members of that committee.

Mr. SMITH of South Carolina. Mr. President, if the Senator from Colorado [Mr. SHAFROTH] will allow me just now—for I want to make an observation and to state an idea in conjunction with what the Senator from Iowa [Mr. CUMMINS] who has just taken his seat has said—I desire to say that if this amendment were properly worded, there would be absolutely no use for inspectors anywhere. Establish your Government standards, promulgate at proper points your samples, and then, when grain is bought or sold, if the buyer or the seller be dissatisfied with the grading, he would have a right to take his sample or samples from the bulk of the grain that is under negotiation, send it to the proper authorities, and then, upon whatever they agree as being the Government standard, let that be the final basis of settlement.

We have that character of law in the State of South Carolina, providing for the inspection of fertilizers. The manufacturers manufacture fertilizer, stamp its ingredients on the bag which they send out, and they sell it without let or hindrance. If I, as a purchaser of that fertilizer, have reason to believe that it is not up to the standard, in the presence of an officer I can have an original package of it broken, a certain amount taken out, sent to Clemson College, and there have it analyzed. If it is up to the standard, that ends the matter; but if it is below the standard, the manufacturers of the fertilizer make good the difference.

To have inspectors in the grain business would be exactly like it is in the cotton business. We of the South in that business would not submit to a Government inspector on our platforms deciding as to cotton what was middling, good ordinary, or strict middling; but we have our set of standard samples, and if we believed that a buyer would not agree to the fixing of the proper grades we would appeal to the court established, which fixes the standards, and whatever they determined to be the grade of a certain set of samples we would settle by that.

Mr. SHAFROTH. Mr. President, I now desire to point out the difference between the substitute proposed by the Senator from North Dakota [Mr. MCCUMBER] and the provision of the bill as reported from the Committee on Agriculture and Forestry.

The practical difference between them is simply that the provisions of the bill as reported by the committee provide for supervision. The provisions in regard to grading are the same in the substitute of the Senator from North Dakota as those contained in the bill reported by the committee. The system of appeals provided for is practically the same in each instance, so that all rights are protected in both instances.

As to the supervision over the grain shipped which is given to the Federal Government under the committee bill, that supervision, as I take it, must of necessity involve the employment of supervisors at the principal terminal points, so that they can ascertain whether the grain shipped to the principal market conforms to the standards established. It seems to me that that one difference is practically the only difference between the substitute offered by the Senator from North Dakota and the provision advocated by the Committee on Agriculture and Forestry.

That being the only practical difference between them, it seems to me that supervision should be provided for. There is no doubt that supervision by men employed by the Government at the principal markets or licensed by the Government—and those so licensed would probably be men now engaged in the business of inspecting grain—would be wholesome in the way of insuring that the requirements of the statute with relation to the grades were conformed to. It may be that absolute inspection by the Federal Government will come, and perhaps it ought to come. I voted for such a provision when a grain grading and inspection bill was before the Senate a year or so ago; but, inasmuch as it seems that the House has not considered that suggestion, and inasmuch as the Senate has discarded that provision, thinking that it would involve the creation of a bureau employing many thousands of men, it occurs to me that as between the substitute of the Senator from North Dakota and the provisions of the committee bill the question of supervision is of immense value, and that the licensing of inspectors by the Federal Government would aid materially in securing a conformation to the grades established.

The appointment of such supervisors would establish a connection between the State inspectors and the Federal Government which would make them, at least, try to conform with the wishes of the Agricultural Department in the grading of grain; but no injustice, it seems to me, would be worked under the provisions contained in the bill as reported by the committee, because the right of appeal exists, the right of reinspection exists, and the right of supervision at terminal points exists. That being the case, it seems to me that the provisions in the committee bill are far preferable to the provisions of the substitute offered by the Senator from North Dakota.

The Senator from Wisconsin [Mr. LA FOLLETTE] has called my attention to the fact that we adopted an amendment several days ago which was proposed by the Senator from North Dakota [Mr. GRONNA], to the effect that no person shall be appointed as an inspector who has an interest adverse to that of the seller. That provision reads as follows:

Provided, That no inspector or deputy inspector licensed by the Secretary of Agriculture to inspect or supervise the grading of grain shall during his term of service be interested, directly or indirectly, in the handling, storing, shipping, purchasing, or selling of grain, nor shall he be in the employment of any person or corporation financially interested in the handling, storing, shipping, purchasing, or selling of grain.

Mr. President, the result of that would be that if there are men now acting as inspectors who are interested in buying or handling grain they can no longer act as inspectors or receive certificate or be licensed by the United States Government. It will necessarily compel the employment of disinterested persons. Of course, the State authorities now no doubt employ men who are entirely disinterested, who secure their compensation from fees taxed upon the grain itself at so much per bushel. It seems to me that that provision will prevent any discrimination against persons who might come to a given market and desire to sell their grain there. So, I repeat, that when it is taken into consideration that the right of reinspection exists the right of appeal exists, and in those States where they have a State board of appeals the right to take a further appeal from that board to the Agricultural Department exists, I think it is evident that the provisions contained in the committee bill are as well safeguarded as it is possible to safeguard a measure.

Mr. MCCUMBER. Mr. President, may I ask the Senator a question for information?

Mr. SHAFROTH. Certainly; I yield to the Senator from North Dakota.

Mr. MCCUMBER. Suppose that this bill should become a law and before next October the Secretary of Agriculture should establish standard grades, where would he get inspectors able to stand examination to conduct inspections at Chicago, St. Louis, Kansas City, New York, Baltimore, and New Orleans? In such cities practically all of those who have any knowledge of inspecting grain at all are men who have been employed by the boards of exchange in the several communities. The boards of exchange, of course, are composed of those who are interested in the handling of grain. While such boards may be corpora-

tions, their membership is made up of men who are interested in the buying and selling of grain. Would not the Government therefore be compelled by the necessity of the situation to give certificates to men who had been employed by such boards; and if we put in the bill a provision that such men shall not be employed, then where will the Secretary of Agriculture get them?

Mr. SHAFROTH. Oh, Mr. President, I always believed that the duties of an office do not have to cease absolutely because the person who may perform those duties dies or resigns. There will always be found other men who are capable of performing the same duties. But, outside of that, this provision would not affect a man, although he may have been employed to grade grain by those interested in the handling of grain, if he changes his relation to them and becomes an employee of the Federal Government. It is similar to the condition under the Federal reserve act. We provided in that act that there should be no connection between the members of the Federal Reserve Board and any banking institution.

That did not mean that a man who had occupied a position or was at that time occupying a position as an official of a bank could not resign that position, sever his connection with the bank, sell his stock, and become an officer of the Federal Government. In the same way, if this provision becomes a law, it seems to me that it might be desirable to have some of the men who have been engaged in this business employed, if they sever their relations with corporations or individuals buying and selling grain and become employees of the Federal Government. We can not help but assume that under such circumstances they would give good service to the Federal Government.

Mr. McCUMBER. If the Senator will allow me, he would be absolutely right, provided we had taken over the work of inspection in accordance with the terms of the bill heretofore urged by me upon the Senate. Then, they would be Government employees, and would be paid either by the Government directly or out of fees assessed against the cargo to be inspected. My bill so provided; but I want to call the Senator's attention to the fact that while we use the word "employee," the person employed will receive compensation for his services from some one else. Now, you can hardly say that he was the employee of the Government simply because he had a Government certificate of the right to do certain work. He is, nevertheless, paid by these exchanges and employed by these exchanges; and notwithstanding the fact that he receives from the Government his license to be employed, the employment, even under the provisions of this bill, must be of the persons who have charge of the inspection at the several terminals.

Mr. SHAFROTH. The answer to that is simply this: In the amendment which has been offered by the junior Senator from North Dakota, the colleague of the Senator who has just spoken, there is a provision——

Mr. NELSON. Mr. President, will the Senator yield to me?

Mr. SHAFROTH. I yield to the Senator from Minnesota.

Mr. NELSON. I desire to say to the Senator from Colorado that under our inspection system in Minnesota all the grain inspectors are bonded. They have to give a bond—I think a bond in the sum of $5,000—to the State; and anyone who can show that he has been injured by the work of the inspectors can get the benefit of that bond. They will be authorized to sue, or the State can sue for them, and they will get whatever damages inure to them. They are all bonded officers under our inspection system.

I want to say further to the Senator that under the provisions of section 7 of the bill, while the Federal Government does not pay these men that are licensed, yet they are licensed by the Federal Government, and the bill provides that they can be removed for cause by the department. So whether they are paid by the Federal Government or not I regard them as quasi-Federal officials. There can not be any doubt about that, because no one can act in this capacity if that section 7 remains in the bill until he receives this Federal license; and if these men fail to perform the duties conformably to the law they can be removed, after hearing and trial, by the Government. That is my understanding; so that they are, in that sense, Federal employees.

Mr. SHAFROTH. I thank the Senator for his clear statement of the laws of Minnesota and the operation of the system there, as well as his interpretation of the measure that is before us.

Mr. NELSON. If the Senator will allow me, I want in this connection to state another thing, and that is one defect of your warehouse provision. In Minnesota we not only require all terminal warehouses to obtain a State license and to be bonded, but we require them to carry insurance on all the grain and the contents of their elevators. That insurance inures to the benefit of everybody that has elevator tickets, as we call them, tickets for wheat stored; so that every man who has a ticket for grain stored in one of those terminal elevators has the benefit of the insurance.

Mr. SHAFROTH. Now, Mr. President, to conclude in a few words——

Mr. STERLING. Mr. President, if the Senator will excuse me just a moment, I should like to ask the Senator from Minnesota, if he will permit me, by whom the inspectors are employed in the State of Minnesota under the State-inspection law?

Mr. NELSON. They are appointed by the railroad and warehouse commission.

Mr. STERLING. And by whom are they paid?

Mr. NELSON. They are paid by the State; and we have in connection with it, if the Senator will allow me——

Mr. SHAFROTH. I yield.

Mr. NELSON. We have in connection with our inspection department a branch that we call the weighing department, and we regard that almost as important as the inspection department, for this reason: Lots of times farmers ship their grain to Minneapolis or Duluth, to the terminal point, by carload lots; and under the old system, before we adopted the present system, it frequently happened that a farmer would load up a car with eight hundred or a thousand bushels of wheat, and when it came to the terminal elevators they would report much less, and when he made complaint they would say the car had leaked. We get around that now by having a weighing department that does the weighing before the car is emptied. If the car is emptied either into a mill or into a terminal elevator, it is weighed by a State official, so that the shipper knows exactly that he gets the right and correct weight.

Mr. SHAFROTH. Mr. President, under the explanations that have been made by the Senator from Minnesota, who has thoroughly studied the question of State inspection, a good many of these "ifs" and "ands" that are suggested fall to nothing. The immediate question that is before the Senate now is whether or not the McCumber amendment is a better provision than the provision which is contained in the bill. The difference between them is simply the question as to whether or not the Government shall supervise, both of them requiring a standard, both of them providing for appeals, but the bill as contained in the Agricultural appropriation bill providing that in addition to the grading, in addition to the appeal, in additon to the reinspection, they shall have supervisors, which unquestionably, I believe, will be at the leading markets of the United States. Then, there will be a unity of purpose between the Federal Government and the inspectors that inspect the wheat at the points of shipment. There will be a license and a supervision of them by the Federal Government, which will have a tendency to make them conform to the standards that are adopted, and make them more strict in making the grain conform in all respects to the standards.

Mr. McCUMBER. Mr. President, will the Senator yield to me?

Mr. SHAFROTH. I yield.

Mr. McCUMBER. The Senator on a previous occasion, after I had offered my amendment, suggested an amendment to the original bill which he agreed to—in other words, perfected it. Now, the Senator has stated several times that the bill would allow supervisors or expert men at these several terminals who could assist in the matter of inspection. Will the Senator accept, before a vote is taken upon my amendment, a provision to this effect, at the end of section 4, so as to perfect his bill, so that we will all know that it reads just as he intends it shall mean?

It shall be the duty of the Secretary of Agriculture to appoint one or more expert grain inspectors at each of the important grain terminals in the United States, who shall have authority to inspect or supervise the inspection of grain at the terminal to which he is assigned, and whose duties shall be to secure just and fair inspection and grading, and to see that the grading is made to conform to the standards fixed and established by the Secretary of Agriculture.

Mr. SHAFROTH. I think if the Senator would strike out the word "inspector" in each one of those places, and put in "supervisor," with the powers he has named, I will confer with the other members of the committee and see if we can not accept it.

Mr. McCUMBER. Yes; but you would want an expert grain inspector to do the supervising, would you not? He would not be a very good supervisor unless he was an expert.

Mr. SHAFROTH. No; that is true; but the inspection part of the bill is what the House has avoided. It has avoided the question of inspection, but has provided for supervision.

Mr. McCUMBER. Well, I am willing to change that.

Mr. SHAFROTH. Let me see just a minute. Will the Senator read the amendment again?

Mr. McCUMBER. The way I had it it read:

It shall be the duty of the Secretary of Agriculture to appoint one or more expert—

I will make it read "grain supervisors" there if the Senator desires that. I had it reading in this way:

One or more expert grain inspectors at each of the important grain terminals in the United States, who shall have authority to inspect——

Mr. SHAFROTH. I suggest to the Senator that he strike out the word "inspect" and put in "supervise."

Mr. McCUMBER (reading)—

and supervise the inspection of grain at the terminal to which he is assigned, and whose duty shall be to secure just and fair inspection and grading and to see that the grading is made to conform to the standards fixed and established by the Secretary of Agriculture.

Mr. SHAFROTH. Does that mean that the Senator would withdraw his substitute, then? If this is accepted, will the Senator withdraw his substitute?

Mr. McCUMBER. No; I simply want to perfect this, as the Senator suggested. That would probably be some ground for some Senators voting against my substitute.

Mr. SHAFROTH. Well, I do not know. The Senator from Iowa might come up and demonstrate that that was a very pernicious thing. Consequently, I do not know. It suits my view at the present time. I will say that.

Mr. CUMMINS. Mr. President, the Senator from Iowa would like to know who is to pay the supervisors.

Mr. McCUMBER. Oh, we will have to make provision for it. The Government must pay them.

Mr. SMITH of Georgia. The supervising would be paid for by the department out of the general appropriation for this purpose, I should think.

Mr. SHAFROTH. I do not know. It might be by fee fixed on the grain inspected. I do not think you had better specify the character of the compensation.

Mr. CUMMINS. It seems to me rather a novel procedure to arrange for the appointment of 100 or more men without a word about their salaries or who is to pay their salaries.

Mr. SHAFROTH. Well, there are possibly objections to the provision. I will ask the Senator to read it again.

Mr. McCUMBER. Not a hundred; 30 or 40, I think, would be required.

Mr. CUMMINS. That is a mere estimate. I do not know whether it would be 30 or 40 or 100.

Mr. SHAFROTH. Will the Senator give that language to us as he has it now?

Mr. McCUMBER (reading)—

It shall be the duty of the Secretary of Agriculture to appoint one or more expert grain supervisors, qualified to inspect and grade grain—

That simply gives their qualifications.

Mr. SHAFROTH. Yes.

Mr. McCUMBER (reading)—

At each of the important grain terminals—

Mr. SHAFROTH. Does not the Senator think we had better limit that? He says there are about 35 of them. A town of 10,000 people might come up and say, "Why, we are important," and they might want one there. For that reason it is a little indefinite, unless the Senator should name the cities. If he will name the cities, all right.

Mr. McCUMBER. I think if we adopt this we can fix the number.

Mr. SHAFROTH. Suppose you say "to the number of not exceeding 40."

Mr. McCUMBER. Very well.

Mr. SHAFROTH. Put that in.

Mr. SMITH of Georgia. "At the principal points, not to exceed 40." That creates a standard.

Mr. SHAFROTH. I think the Senator had better make it 35, because that has been talked about in the committee all the time. It has been stated frequently that there are 35 leading markets.

Mr. McCUMBER. We could make it read in this way:

It shall be the duty of the Secretary of Agriculture to appoint one or more expert grain supervisors, not exceeding 40 in number——

Mr. SHAFROTH. That will do.

Mr. McCUMBER (reading)—

qualified to inspect and grade grain, at each of the important grain terminals in the United States, who shall have authority to inspect and supervise the inspection of grain at the terminal to which he is assigned and whose duty shall be to secure just and fair inspection and grading and to see that the grading is made to conform to the standards fixed and established by the Secretary of Agriculture.

Mr. SHAFROTH. Very well, Mr. President.

Mr. CUMMINS. Mr. President, may I ask a question before the Senator takes his seat?

Mr. McCUMBER. Yes.

Mr. CUMMINS. Does the proposed amendment contemplate that there shall be one of these supervisors at each of the terminal markets?

Mr. McCUMBER. Yes; at least one. It says, "one or more."

Mr. CUMMINS. Does it not confine the appointment to one at each place? There are some places where there ought to be more than one.

Mr. LA FOLLETTE. "One or more," he says.

Mr. McCUMBER. I say "one or more"—"at least one."

Mr. CUMMINS. "At least one"—yes.

Mr. McCUMBER. "One or more"—that is the way it reads—"expert grain supervisors."

Mr. GRONNA. There can not be more than one at each place, because there are about 35 grain terminals now.

Mr. McCUMBER. It depends on what you call the important ones. We have provided here for 40. At some of them you could have two.

Mr. CUMMINS. Does the limitation of 35 apply to the places, or to the number of inspectors?

Mr. McCUMBER. I suppose it would apply to the number of inspectors. They would have to be distributed at the most important places.

Mr. GRONNA. May I ask my colleague how one man could do the business in a terminal like Minneapolis where on some days they receive a thousand cars?

Mr. McCUMBER. He is not to do the business, under this. He is simply a supervisor; that is all. He is not to do the actual inspecting.

Mr. NELSON. The Senator has the word "inspector" in there.

Mr. McCUMBER. No; I have the word "supervisor."

Mr. NELSON. No; read on.

Mr. SHAFROTH. I would rather have the Senator take out the word "inspection" all the way through, leaving it to read "supervision."

Mr. McCUMBER. I have here simply this language:

And supervise the inspection of grain.

Mr. CUMMINS. I should like to ask the Senator from Minnesota how that would harmonize with the Minnesota law. Could there be a Federal supervisor holding one thing, and a State board of reinspection or appeal holding another?

Mr. NELSON. It would not harmonize with it at all; and what is more, frequently during the grain season we have more than a thousand cars, sometimes 2,000 cars, come into the terminal at Minneapolis or Duluth, all required to be inspected on the same day. What could one Federal man do at each of these places? All he could do would be that if anybody complained of the work of the inspectors of these cars, he might hear them and consider the complaint. But it is wholly unnecessary, because if you adhere to the plan in the original bill, you provide that the grain is to be inspected first by the State system, then by the board of appeals, and finally by an appeal to the Department of Agriculture, in which you establish a board of grain appeals.

If you adopt the provisions of the Senate bill as they have been amended by the amendments of the Senator from North Dakota and others, these men would be simply supernumeraries, that is all. They would not accomplish any effective or rational purpose at all, because in Minnesota, under our inspection laws, the inspectors grade the grain, and then the owner of the grain or his representative can immediately call for a reinspection by two other inspectors, not the ones that passed upon it first; and then, immediately after that, if he is dissatisfied, he can bring the case before the board of grain appeals.

If you will leave that as you have it in the Senate provision, with the amendment proposed by the Senator from North Dakota that you adopted the other day, you will have it amply covered and provided for.

Mr. STERLING. Mr. President, I should like to ask the Senator from Minnesota a question bearing upon this matter. Minnesota having a State inspection law now, I understood the Senator to say the other day that the system of grading which they have there under the law would have to be readjusted to conform to this bill if it becomes a law, and that they would have to have in Minnesota the same standards.

Mr. NELSON. Not necessarily. We would have to have the same standards as to grain entering into interstate commerce, but any grain shipped in the State—from any part of the State to the mills at Minneapolis—would be subject to State inspection and to the State system.

Mr. STERLING. All grain entering into interstate commerce in the Senator's State——

Mr. NELSON. This would apply only to grain entering into interstate commerce.

Mr. STERLING. Exactly. Now, may I ask the Senator, would not the business of a supervisor such as is suggested by the Senator from North Dakota be to supervise or superintend generally the State inspection of grain in interstate commerce? Could not that be done?

Mr. NELSON. That might be; but I can not see what good it would do, because, first, you have a reinspection under our system; then you have a State board of appeals; and then, under the bill as amended, you have an appeal to a Federal board of appeals, and what more do you need?

Mr. STERLING. It occurred to me that such an inspector or supervisor, having the Federal standards in view, might see to it that the inspection in the State conformed thereto.

Mr. NELSON. I regard him as merely a supernumerary officer. It is simply giving places to another set of officials wholly unnecessarily.

Mr. McCUMBER. Mr. President——

Mr. NELSON. I want to say further, before I am through, that I have studied the substitute of the Senator from North Dakota, and, while the provisions of the Senate bill are not entirely satisfactory to me, yet, with the amendments that have been offered by the committee, by the Senator from Oklahoma, and by the junior Senator from North Dakota grafted into it, I think it is a much better law than the substitute of the senior Senator from North Dakota.

Mr. McCUMBER. Mr. President, I think we will make it better before we get through if we give it the same construction.

Mr. NELSON. The trouble is that the Senator from North Dakota has his own grain bill in his head and he can not see anything beyond that.

Mr. McCUMBER. It is quite evident that the Senator from Minnesota can not see anything except the old argument that has been put up year after year in defense of the Minnesota system.

Now, I am not going into a contest with the Senator over the Minnesota system. The Senator from Colorado [Mr. SHAFROTH] declares in a statement made before the Senate to-day that it is expected under the provisions of this bill that there will be a supervisor at each of the great terminals. He says that that is contemplated.

Evidently the Senator from Minnesota does not think so, and there is a disagreement. A great many persons are inclined to vote for it according to the idea that it is better than my substitute, because it does contemplate the appointment of these supervisors. If it contemplates the appointment of these supervisors, let us make that clear and definite. I do not think they will do any harm. I think they can do a whole lot of good even in Minneapolis or Chicago or in any one of the great terminals. It certainly will not do any harm in supervising the inspection of these places to see that they conform to the standard. If this is adopted I will say to the Senator I am willing to withdraw my substitute. If you will provide in your bill just what you say is contemplated, so there can be no possibility of misunderstanding, then there will be no objection on my part to withdrawing my amendment. May I hear from the Senator from Colorado?

Mr. SHAFROTH. How is that?

Mr. McCUMBER. I know the Senator is busy. I stated if the Senator will make his bill conform to what he says is contemplated in the bill, that there shall be a Federal supervisor at each one of these terminals who will supervise the inspection and grading to see that they conform to the standards fixed by the Agricultural Department, I will gladly withdraw my offered substitute.

Mr. SHAFROTH. I should like to ask the Senator whether that requires a salary in the employment which is made. Will the Senator read it so that we may see?

Mr. McCUMBER. Certainly. It does not say here what the salary shall be, but it must be paid by the Government of the United States.

Mr. SHAFROTH. The question is not whether by this supervision they could have a tax——

Mr. McCUMBER. Certainly, just as they are doing now.

Mr. SHAFROTH. For that supervision.

Mr. McCUMBER. If the Secretary of Agriculture should see fit, he could provide for 5 cents or 3 cents more to be paid on a carload to cover the expenses of these supervisors.

Mr. SHAFROTH. I will say that the opinion of the Senator from Minnesota [Mr. NELSON] weighs very much with me, but I believe we ought to solve this problem, and that was the original intention which the bill conveyed. It may be that these are supernumerary employees; but it has to be worked out to some extent in conference and with the understanding that we can deal with it as the conferees think best, all things considered, my opinion being still that the supervisors ought to exist, I would be willing, if the Senator withdraws his substitute, to accept the same.

Mr. McCUMBER. I will do that.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER (Mr. CHILTON in the chair). Does the Senator from North Dakota yield to his colleague?

Mr. McCUMBER. I yield.

Mr. GRONNA. I wish to say to my colleague that I am not opposed to the proposition except in this way: It places a limitation upon the effective work which the Agricultural Department may do. I want to read from the hearings before the House committee on the bill to show how ineffective this proposition is. Mr. Emerson, who I believe was the chief inspector of the Minnesota board of inspection, testified as follows:

> Mr. HAUGEN. If they have the number they know exactly who takes the appeal, do they not?
>
> Mr. EMERSON. No; they do not. That is the list that is in the clerical department of the inspection department. The appeal board have no more idea of who that man is than you have.
>
> Mr. HAUGEN. After all, it would be possible to advise the board of appeal, giving the number of car shipped?
>
> Mr. EMERSON. That is true. You can clear anything of that kind; but, gentlemen, for the month of November we handled 74,400 cars in Minneapolis and Duluth. You can see how nobody could inform the inspection department or the appeal board in regard to the number of cars.

Now, here is what I wanted to call attention to:

> Mr. ANDERSON. How many inspections does the inspector make, ordinarily, in the course of a day?
>
> Mr. EMERSON. Well, under our present system, if a man inspects 85 or 90 cars from daylight to 11 o'clock he has done a big day's work.

Every man who ships grain is interested in that one particular car, and my colleague can readily see, I believe, that it would be a physical impossibility for these few inspectors to supervise as it ought to be supervised, because you place the limitation upon the effectiveness and upon the work that the Department of Agriculture may do. Under the proviso which was introduced the other day and accepted by the committee, providing for a board of appeals in the Agricultural Department, there is the right to appoint as many supervisors as they see fit, and we increased the appropriation from $125,000 to $250,000 for this very purpose. You can readily perceive that it is better to adopt the provision as it is in the bill coming from the committee than the provision offered by my colleague.

I regret exceedingly that I have to oppose it, but it would be ineffective. It would do a lot of harm. The hands of the Secretary of Agriculture would be tied. He could not appoint to exceed 40 men. There are at least 35 terminals, and it would mean only one man at each point.

Mr. McCUMBER. One would think by his argument that my colleague expects that this is to be a sort of a board of appeals. It is to be nothing more nor less than a system of supervision. As I understand the bill, there is no provision for supervision in it. I will candidly say that I do not think the present appropriation in the bill would give inspectors at every one of these points. If it would take only a thousand dollars a year each, and you appoint 40, there is $40,000 for that alone. But the number provided for here is deemed to be adequate, at least as a starter.

If I believed that you had supervisors unlimited under the provisions of the bill who could go to those terminals and do the supervising, I would agree entirely with my colleague. But I do not so construe the law. I am certain the Senator from Minnesota does not construe it that way, because if I understood his argument, we ought not to have these; that they are needless. However, the Senator from Colorado does so construe the law to mean that it at least contemplates that. I am not satisfied with the mere contemplation, and I want to be dead certain that we may get some kind of supervision. I would be glad to put the number at 50 or 100 or any number that would be necessary; but if we find that 40 are not sufficient at the present time, if we can get into the bill something that is definite, something that says there shall be supervisors, and get it in now, though the number be not enough, then when the Secretary of Agriculture comes back and says, "I need more supervisors," we can proceed to give him the extra number. It is on that theory that I am trying to make this definite. Both my colleague and myself agree entirely that we want inspection, and if we can not get inspection we want some method of compelling that the inspection which is provided shall measure up to the United States standards. If we differ at all, it is only in the method by which we are to secure this. I understand now that the Senator from Colorado accepts this amendment.

Mr. NELSON. Let the amendment be voted upon.

Mr. McCUMBER. All right. I withdraw my proposed amendment, this having been accepted.

The PRESIDING OFFICER (Mr. SWANSON in the chair). The Chair hears no objection, and the amendment of the Sen-

ator from North Dakota is withdrawn. The question is on agreeing to the amendment to insert, on page 104, at the end of section 4 of part B, what will be read.

The Secretary read as follows:

It shall be the duty of the Secretary of Agriculture to appoint one or more expert grain supervisors, not exceeding 40 in number, qualified to inspect and grade grain, at each of the important grain terminals in the United States, who shall have authority to supervise the inspection of grain at the terminal to which he is assigned, and whose duty shall be to secure just and fair inspection and grading and to see that the grading is made to conform to the standards fixed and established by the Secretary of Agriculture.

The amendment was agreed to after a division.

Mr. CUMMINS. As I understand it, there is now pending no amendment, and I desire to offer some observations upon the bill itself.

Mr. GRONNA. Mr. President——

Mr. CUMMINS. I yield to the Senator from North Dakota.

Mr. GRONNA. I want to say that I thought the Senate was voting upon the substitute offered by my colleague. I was not in favor of the substitute. I am in favor of the other amendment, and would have voted for it. I voted under a misapprehension.

Mr. SHAFROTH. I will state to the Senator from Iowa that there is no question before the Senate now in relation to this amendment unless a motion to strike out is made.

Mr. CUMMINS. I suppose the bill itself is before the Senate.

Mr. SHAFROTH. Yes.

Mr. CUMMINS. And is open for discussion.

Mr. SHAFROTH. Certainly, and also to a motion to strike out any part of it.

Mr. CUMMINS. Mr. President, I may or may not offer a motion to strike out certain parts of the bill that have been under discussion for the last week or more. Whether I do present such an amendment depends very much upon the information given to me by members of the committee concerning the true meaning and interpretation of those sections which are called in the bill part B. I am very reluctant to prolong the discussion, but I live in a part of the country which will be deeply affected by this measure if it shall become a law, and while I have given some study to it, I am not able to fully understand its application to the business of the State in which I live.

The Senator from Colorado [Mr. SHAFROTH] on Saturday read the resolutions of certain grain dealers' associations and other associations of that general character, and among them one or two emanating from my own State. I believe that I appreciate the sentiment among the grain dealers of Iowa, for I have had some occasion to confer with them respecting the general regulation of the subject. I believe that they are uniformly in favor of Federal grades. They are in favor of these grades because it is hoped that they can be made uniform throughout the country. I have some doubt personally whether there can be uniform grades established in all kinds of grain; that is to say, whether any standard that may be established with regard to a particular kind of grain can be made applicable to all parts of the United States. But I yield my doubt in that respect to what seems to be the deliberate judgment of those who are far better acquainted with the subject than am I.

I therefore favor that part of the bill which confers upon the Secretary of Agriculture the authority to establish uniform grades throughout the United States. I do not think, however, that the grain dealers throughout the country have adequately studied the bill so far as inspection is concerned. I might favor Federal inspection, although I would come to that conclusion with extreme reluctance, largely because I fear that we are creating a Federal machine so tremendous in its proportion, so comprehensive in its operation that one of these days it will break down simply because it is so unwieldly and so difficult to operate.

I think I am not known as an illiberal interpreter of the Constitution, and I have not been upon the side of those who have sought to limit Federal functions within narrow bounds, but sometime or other we must halt in the policy of recent years in constantly adding to Federal power, in constantly creating new Federal functions. Whenever it becomes necessary and it is within our constitutional rights we ought to do it, but it ought clearly to appear that there is an evil to be remedied, serious in its character, widespread in its scope, before we undertake to substitute the Federal power for the State or the local authority.

I do not pass upon that question so far as Federal inspection is concerned. I have been somewhat inclined toward that plan, and it may very well be that when the question arises I will be found on the side of those who favor complete Federal inspection, eliminating entirely the State authority from the grading and inspection of grain.

But there are certain things with regard to this hybrid which is now presented, which ought to be further investigated and more fully explained. This is an attempt to combine Federal and State authority in the inspection of grain, which I fear is destined to complete failure. I do not believe we can combine the Federal authority and the State authority and produce satisfactory results. In discussing this matter and in asking the questions which I intend to ask, I shall, mentally at least, be applying this bill to the business of my own State, for I am more familiar with that than with the course of trade in any other State. I intend to analyze the bill, and I intend to do it with some care, for as yet the provisions of this measure have not been analyzed. The debate has raged around the inspection of grain at terminal points, and has not been devoted to the situation in a section of country like my own.

Passing sections 1, 2, and 3, I come to section 4; and what I have to say with regard to the matter is not in any manner modified by the amendments which have already been adopted. With most of those amendments, especially those that have been offered by the Senator from North Dakota [Mr. GRONNA], I am in entire sympathy; I think they very greatly improve the provisions of the bill. Section 4 provides:

SEC. 4. That whenever standards shall have been fixed and established under this act for any grain, no person thereafter shall ship or deliver for shipment from any State, Territory, or District—

That is now changed to interstate or foreign commerce; but it means the same thing—

to or through any other State, Territory, or District, or to any foreign country, any such grain which is sold, or offered for sale, by grade unless the grain shall have been inspected and graded by an inspector licensed under this act and the grade by which it is sold, or offered for sale, be one of the grades fixed therefor in the official grain standards of the United States.

Mr. STONE. Mr. President——

The PRESIDING OFFICER (Mr. OVERMAN in the chair). Does the Senator from Iowa yield to the Senator from Missouri?

Mr. CUMMINS. I do.

Mr. STONE. The Senator from Iowa is telling us about what section 4 contains. I should like to vote for or against this provision before I leave the Chamber. Does the Senator mean to go through the bill by sections at this stage of the proceedings?

Mr. CUMMINS. What is the purpose of the Senator's question?

Mr. STONE. It concerns my personal convenience. If the purpose of the Senator from Iowa is to go through the bill by sections, I——

Mr. CUMMINS. I expect to refer to some three sections of the bill; but while I would be very glad to inform the Senator from Missouri for his own convenience, I do not recognize his right to ask me what I intend to do.

Mr. STONE. I was merely making a polite request for information. If the Senator from Iowa means to go through the bill by sections, I would be glad if he would tell me; and, if he does not—either one way or the other—I would be very much obliged to him.

Mr. CUMMINS. I can not hear the Senator from Missouri.

Mr. STONE. I said if the Senator from Iowa could tell me whether his purpose was to go through this bill by sections and to discuss them, or whether he had one or two matters or more to discuss, it would be a source of great personal convenience to me to know. The Senator need not answer the question I propound; but he would oblige me if he will do so. Of course I mean it in the utmost courtesy. If he can tell me his purpose I shall be obliged to him.

Mr. CUMMINS. I expect to review some three sections of this bill and to point out how I think they would affect the business of my own State. I shall probably require three-quarters of an hour, or possibly an hour, to accomplish the end I have in mind.

Mr. STONE. I am very much obliged to the Senator.

Mr. CUMMINS. If the Senator from Missouri has any desire to take up any other matter, I should not interfere with his pleasure.

Mr. STONE. I have none.

Mr. CURTIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Kansas?

Mr. CUMMINS. I yield.

Mr. CURTIS. I desire to ask a question in reference to section 4 in its amended form, and I should like the judgment of the Senator from Iowa upon it. I desire to know whether or not the inspection must be before the grain is shipped?

Mr. CUMMINS. Under section 4 the inspection must be before the grain is either offered for shipment or shipped. There are exceptions to that section to which I intend to refer.

Mr. CURTIS. Mr. President, I intended to offer an amendment to provide that the inspection shall be before the sale, but I understood the amendments which had been agreed to covered that point.

Mr. CUMMINS. I think not. Mr. President, this general prohibition is against the sale or the consignment for sale or the offering for sale by grade.

Mr. TOWNSEND. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Michigan?

Mr. CUMMINS. I do.

Mr. TOWNSEND. Do I understand the sale referred to to be the sale by the farmer who raises the wheat or the sale by the middleman?

Mr. CUMMINS. I am coming to that. I had intended to ask the distinguished chairman of the committee what his view was upon that question, for I think it is a very vital one. I will again read from section 4, and I will read it in the language in which it is now found:

> No person thereafter shall ship or deliver for shipment in interstate or foreign commerce any such grain which is sold, offered for sale, or consigned for sale, by grade unless the grain shall have been inspected and graded by an inspector licensed under this act.

If this prohibition stood unmodified it would paralyze the grain business of this country, and, of course, in my State it would be utterly impossible to transact our affairs. There are certain exceptions in the bill, but before I go to them I assume—and I ask the attention now of the members of the committee—whether the words "ship or deliver for shipment" mean either the delivery or the offer of delivery of the grain to a common carrier for transportation beyond the State? If I am wrong in that assumption I shall be glad if the Senator from Colorado or the Senator from Georgia will correct me at this time.

Mr. SHAFROTH. Mr. President, will the Senator kindly indicate the exact line and page to which he is referring?

Mr. CUMMINS. In the reprint it is found on page 3, line 8. I repeat that the prohibition is against the shipment or delivery for shipment of any grain without inspection, and that the transaction here prohibited is the shipment by or delivery for shipment to a common carrier of grain to be transported beyond the State in which the transaction occurred. Is that the construction which the Senate committee places upon this language?

Mr. SHAFROTH. Mr. President, it seems to me that that is true as to all shipments where the grain is sold by grade.

Mr. CUMMINS. I am speaking only of the shipments in which the grain is sold by grade, because the prohibition relates to that kind of shipments alone.

Mr. SHAFROTH. The right of the farmer, of course, or of any person, to ship the grain by sample or for inspection is preserved in the measure.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from North Dakota?

Mr. CUMMINS. I yield to the Senator from North Dakota.

Mr. GRONNA. I stated the other day, Mr. President, that I feared that the provision would go much further than has been indicated by the Senator from Colorado. When a farmer takes his grain to an elevator he sells it or delivers it for shipment, and I think that, instead of the language applying to delivery to a common carrier, it applies as well to the producer. That is one of the reasons why I was opposed to this provision.

Mr. CUMMINS. Mr. President, the question just suggested by the Senator from North Dakota is one of the questions which has perplexed me with respect to this bill. I instance now the course of affairs in my State: A farmer produces corn. He gathers it at the proper time and stores it in a crib on his own farm in order to cure it or dry it so that it will bear storage in an elevator after being shelled, to be ready for transportation. In that situation oftener than otherwise the farmer sells the corn. He sells it before it is shelled and sells it upon a grade which he believes and which the buyer believes will be finally attained by the corn and for delivery at a certain time. At that time the farmer either shells the corn himself and hauls it to his home market for delivery to the person who has bought it or he transports it in the ear to the home market, and the buyer shells it and either stores it in an elevator or loads it in a car for immediate transportation to Chicago or some other great market.

My doubt with respect to this matter—and it perplexes me a great deal, because, if answered in one way, it would be ruinous to the people of my State—is whether the sale by the farmer to the middleman is covered by the proposed law, and I should like to know before I vote for the measure or against it whether the transaction which I have meagerly described is a transaction within the terms of this measure? The farmer sells his corn either shelled or unshelled; of course, he sells it by the bushel, and a bushel of corn is a certain weight of corn. He sells it upon a grade, believing that the corn will finally reach that grade after being cured. He sells it to a middleman. He does not know whether the middleman intends to send it to Chicago, to be sold upon the Chicago Board of Trade, or whether the middleman intends to send it to Cedar Rapids, to be converted into starch in one of the factories there; but the middleman may, and in many cases does, when the time comes to ship the corn beyond the State. Now, will the Senator from Colorado or the Senator from Georgia or some other Senator who has become familiar with this bill tell me, so that I can assure the men in my State whether the transaction between the farmer and the middleman is covered or is affected by the proposed law? I should like to hear before we have gone much further just to what extent the measure is expected to go.

Mr. SHAFROTH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Colorado?

Mr. CUMMINS. I yield.

Mr. SHAFROTH. If the Senator desires an answer with respect to that, I will say that my construction is that it does not cover the transaction which the Senator has described. In the first place, the transaction is between the farmer and the purchaser of the grain at his home market; the farmer does not know whether it is going to go into interstate commerce at all. The farmer does not sell it upon grade; he sells it by the wagonload, or, as the Senator says, in the cob or shelled, and it seems to me that that character of transaction is not intended to be covered by the provisions of the bill.

Mr. CURTIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Kansas?

Mr. CUMMINS. I yield to the Senator.

Mr. CURTIS. But what if a farmer in Kansas under this provision attempted to ship to Kansas City, Mo., a carload of grain to be sold? This provision contains the words "or consigned for sale" and surely he would come under the provision.

Mr. SHAFROTH. Certainly he would; but that is not the provision to which the Senator from Iowa has referred.

Mr. CUMMINS. I quite agree to that; that is not the case I put to the Senator from Colorado.

Mr. SHAFROTH. The case which the Senator from Kansas puts, it seems to me, clearly would come within the operations of this provision.

Mr. CUMMINS. Mr. President, I believe that the interpretation of the Senator from Colorado is correct. In my opinion a sale by the farmer to the middleman, absolute in its terms, with no power on the part of the farmer to direct the course of the grain after it is sold, without any specific knowledge that the grain is to go into the channels of interstate commerce, would not be governed by the proposed law, and he might sell it by grade without committing an offense even though such a sale is not excepted. There are, however, lawyers who differ radically from me in that respect; and I for one am not willing to leave an important subject of that kind in the uncertainty in which we find it in the bill.

But I proceed now one step further. I will come presently to the exceptions that are proposed in the bill. We have already had the case of the farmer who has produced the grain and who has sold it to the middleman. He may sell it to the middleman before it is grown. There are very many instances in the agricultural business of my State in which the corn grower sells his corn before it is matured.

Mr. SMITH of South Carolina. Mr. President——

The PRESIDING OFFICER (Mr. OVERMAN in the chair). Does the Senator from Iowa yield to the Senator from South Carolina?

Mr. CUMMINS. I do.

Mr. SMITH of South Carolina. Mr. President, having the bill in charge at this time, I wish to ask the Senator if it will be agreeable to him to have an executive session now and to continue his remarks in the morning?

Mr. SMITH of Georgia. Mr. President, I hope we will go on now.

Mr. CUMMINS. It is perfectly agreeable to me if the bill is laid aside.

Mr. SMITH of South Carolina. I move, then, that the Senate proceed to the consideration of executive business——

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Colorado?

Mr. SMITH of South Carolina. Let me finish what I had started to say. I move that the Senate proceed to the consideration of executive business, and that afterwards it take a recess to meet to-morrow morning at half past 11 o'clock.

The PRESIDING OFFICER. The question is on the motion of the Senator from South Carolina.

Mr. THOMAS. I hope that motion will not prevail.

Mr. SMITH of Georgia. So do I. I hope we will go on with this bill to-day.

The PRESIDING OFFICER. The Senator from Colorado has the floor.

Mr. THOMAS. We met here this morning at 11 o'clock, and we have been doing so for several days. We must get through at some time if we are to complete our duties and go home. I can see no reason why we should lay aside this very important bill and take up executive business now, when we can just as well take it up at some other time. I hope the Senate will stay here for some time yet, and I hope that we will meet to-morrow at 11 o'clock and hold our sessions until later in the evening. I shall oppose this motion.

Mr. SMITH of South Carolina. Mr. President, there are several Senators who have given notice in good faith that they desire to have something to say on certain provisions of the bill. It is now 15 minutes to 6 o'clock. I have been requested to ask for an executive session. I now repeat my motion that the Senate proceed to the consideration of executive business, and that when a recess is taken it be until half past 11 o'clock to-morrow morning, to comply with a promise that was made in good faith to those who have left the Chamber.

Mr. OLIVER. Mr. President——

Mr. SMITH of Georgia. I think we will make a mistake if we do not go on with this bill until 7 o'clock to-night.

Mr. CUMMINS. Until what time?

Mr. SMITH of Georgia. Until 7 o'clock. I should like to go on until 9 o'clock.

Mr. SMITH of South Carolina. The Senator would not have a quorum if he did so.

Mr. SMITH of Georgia. I do not know what may happen to-morrow. I do not know how many more speeches will be made. I thought we were nearly ready to vote on this matter.

Mr. SHEPPARD. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator from Texas will state his point of order.

Mr. SHEPPARD. Debate is out of order on a motion to proceed to the consideration of executive business.

Mr. SMITH of Georgia. I think that is true; but it was accompanied also with a motion to take a recess.

The PRESIDING OFFICER. The question is upon the motion of the Senator——

Mr. McCUMBER. I make the point of order that two separate motions have been made.

Mr. SMITH of South Carolina. Then I move that the Senate proceed to the consideration of executive business.

Mr. McCUMBER. Before that is done, will the Senator agree to have the bill reprinted?

Mr. SHEPPARD. A point of order, Mr. President.

Mr. McCUMBER. I would like to have the grain-grades section as it has been amended reprinted.

Mr. SHEPPARD. I insist on the point of order—that debate is out of order on this motion.

The PRESIDING OFFICER. The question is on the motion of the Senator from South Carolina, that the Senate proceed to the consideration of executive business.

Mr. THOMAS. I call for the yeas and nays.

The yeas and nays were not ordered.

Mr. McCUMBER. I ask for a reprint of part B as amended, being the so-called grain-grades section of the pending bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION.

Mr. SMITH of South Carolina. I renew my motion.

The PRESIDING OFFICER. The question is on the motion of the Senator from South Carolina, that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 15 minutes spent in executive session the doors were reopened.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by E. T. Taylor, jr., one of its clerks, announced that the Speaker of the House had signed the following enrolled bills and joint resolution:

H. R. 16287. An act granting the consent of Congress to the county of Sumter, or to the county of Dooly, both of the State of Georgia, acting jointly or separately, and their successors and assigns, to construct a bridge across the Flint River;

H. R. 16641. An act granting the consent of Congress to Julian B. McCurry, A. G. McCurry, P. W. Walton, and J. J. Fretwell to construct a bridge across the Savannah River; and

H. J. Res. 257. Joint resolution permitting the use of certain hospital facilities belonging to the United States.

PETITIONS AND MEMORIALS.

Mr. PHELAN presented a petition of the State Water Problems Conference, of Modesto, Cal., praying for the enactment of legislation to provide for the reclamation of arid lands and authorizing Government aid therefor, which was referred to the Committee on Irrigation and Reclamation of Arid Lands.

Mr. CLAPP presented a memorial of the Daytons Bluff State Bank, the City Bank, the Peoples Bank, the Commercial State Bank, the St. Paul Bank, the Ramsey County State Bank, the Citizens State Bank, the Western State Bank, the Snelling State Bank, the Twin City State Bank, the Security State Bank, the St. Anthony Park State Bank, the Merriam Park State Bank, the Great Northern State Bank, and the Produce Exchange Bank, all of St. Paul, in the State of Minnesota, remonstrating against the enactment of legislation to establish a branch banking system in the United States, which was referred to the Committee on Banking and Currency.

Mr. GALLINGER presented a petition of the New Hampshire State Letter Carriers' Association, praying for the enactment of legislation to grant pensions to employees in the Postal Service, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Storer Post No. 1, Department of New Hampshire, Grand Army of the Republic, of Portsmouth, N. H., praying for the enactment of legislation to grant increased pensions to widows of veterans of the Civil War, which was ordered to lie on the table.

Mr. FLETCHER presented a memorial of sundry citizens of Plant City, Fla., remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which was ordered to lie on the table.

REPORTS OF COMMITTEE ON MILITARY AFFAIRS.

Mr. CHAMBERLAIN, from the Committee on Military Affairs, to which was referred the bill (H. R. 16699) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1917, reported it with amendments and submitted a report (No. 651) thereon.

Mr. CHAMBERLAIN. I am directed by the Committee on Military Affairs, to which was referred the bill (S. 2525) to place Bernard A. Schaaf on the retired list of the Army, to report adversely thereon and to ask that the bill be postponed indefinitely.

The PRESIDING OFFICER. The bill will be postponed indefinitely.

Mr. CHAMBERLAIN, from the Committee on Military Affairs, to which was referred the bill (H. R. 8267) to place Bernard A. Schaaf on the retired list of the Army, reported it without amendment and submitted a report (No. 653) thereon.

THE COASTWISE TRADE (S. DOC. NO. 492).

Mr. FLETCHER, from the Committee on Printing, reported the following resolution (S. Res. 226), which was considered by unanimous consent and agreed to:

Resolved, That the report submitted by the Interstate Commerce Commission on May 11, 1916, entitled "Corporate Interests of Railroads in Vessels or Steamship Lines Engaged in the Coastwise Trade of the United States," in response to Senate resolution No. 364, adopted May 16, 1914, be printed as a Senate document.

WAGES OF RAILROAD EMPLOYEES (S. DOC. NO. 493).

Mr. FLETCHER, from the Committee on Printing, reported the following resolution (S. Res. 227), which was considered by unanimous consent and agreed to:

Resolved, That the report submitted by the United States Board of Mediation and Conciliation on May 15, 1916, on "The Effects of Arbitration Proceedings upon Rates of Pay and Working Conditions of Railroad Employees," in response to Senate resolution No. 181, adopted May 3, 1916, be printed as a Senate document.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. TAGGART:

A bill (S. 6597) granting an increase of pension to Frank T. Bolton; and

A bill (S. 6598) granting a pension to Arthur Franz (with accompanying papers); to the Committee on Pensions.

By Mr. JONES:
A bill (S. 6599) granting an increase of pension to William H. Thompson; to the Committee on Pensions.
By Mr. O'GORMAN:
A bill (S. 6600) granting a pension to Frances I. Wallace; to the Committee on Pensions.
By Mr. OLIVER:
A bill (S. 6601) for the enlargement of the post-office building at Pittsburgh, Pa.; to the Committee on Public Buildings and Grounds.
By Mr. LEA of Tennessee:
A bill (S. 6602) for the relief of John Patrick; to the Committee on Military Affairs.
By Mr. OLIVER:
A joint resolution (S. J. Res. 150) to authorize the Secretary of the Treasury to accept from the city of Pittsburgh certain lands in exchange for other lands of equal area (with accompanying papers); to the Committee on Mines and Mining.

AMENDMENT TO MILITARY ACADEMY BILL.

Mr. O'GORMAN submitted an amendment providing that the present manager of the cadet store shall on his own application after 40 years' service as clerk, superintendent, and manager be entitled to be placed on the retired list of the Army with the pay of a retired pay clerk, Quartermaster Corps, of the same period of service, intended to be proposed by him to the Military Academy appropriation bill (H. R. 16699), which was ordered to be printed and, with the accompanying paper, ordered to lie on the table.

CLAIMS ATTORNEYS.

Mr. JONES submitted an amendment intended to be proposed by him to the bill H. R. 3690, repealing certain sections contained in the urgent deficiency act approved December 22, 1911, which was referred to the Committee on the Judiciary and ordered to be printed.

AMENDMENT OF FEDERAL RESERVE ACT.

Mr. OWEN. Mr. President, I desire to give notice that to-morrow morning I should like to call up the amendments to the Federal reserve act, which have been pending for two months now. I hope the Senate may permit me to dispose of the matter to-morrow morning, during the morning hour. I hope that when the session concludes to-day it will be by an adjournment, rather than by a recess.

RECESS.

Mr. SMITH of South Carolina. I move that the Senate take a recess until 11.30 o'clock to-morrow morning.
The motion was agreed to; and (at 6 o'clock p. m. Monday, July 10, 1916) the Senate took a recess until to-morrow, Tuesday, July 11, 1916, at 11.30 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate July 10 (legislative day of July 7), 1916.

CONSULS GENERAL.

CLASS 3.

Edwin N. Gunsaulus, of Ohio, now a consul of class 2, to be a consul general of class 3 of the United States of America.
George A. Chamberlain, of New Mexico, now a consul of class 3, to be a consul general of class 3 of the United States of America.

CLASS 5.

George N. West, of the District of Columbia, now a consul of class 3, to be consul general of class 5 of the United States of America.

CONSULS.

CLASS 2.

John P. Bray, of North Dakota, now a consul general of class 3, to be a consul of class 2 of the United States of America.

CLASS 3.

Robert Frazer, jr., of Pennsylvania, now a consul of class 5, to be a consul of class 3 of the United States of America.
John F. Jewell, of Illinois, now a consul of class 4, to be a consul of class 3 of the United States of America.

CLASS 4.

Samuel T. Lee, of Michigan, now a consul of class 6, to be a consul of class 4 of the United States of America.
Charles K. Moser, of Virginia, now a consul of class 5, to be a consul of class 4 of the United States of America.
William J. Pike, of Pennsylvania, now a consul general of class 5, to be a consul of class 4 of the United States of America.

CLASS 5.

Charles L. Hoover, of Missouri, now a consul of class 6, to be a consul of class 5 of the United States of America.
James Oliver Laing, of Missouri, now a consul of class 7, to be a consul of class 5 of the United States of America.
Stuart K. Lupton, of Tennessee, now a consul of class 6, to be a consul of class 5 of the United States of America.
Gebhard Willrich, of Wisconsin, now a consul of class 6, to be a consul of class 5 of the United States of America,

CLASS 6.

Ralph C. Busser, of Pennsylvania, now a consul of class 7, to be a consul of class 6 of the United States of America.
Clarence E. Gauss, of Connecticut, now a consul of class 8, to be a consul of class 6 of the United States of America.
Wilbur T. Gracey, of California, now a consul of class 7, to be a consul of class 6 of the United States of America.
Jesse B. Jackson, of Ohio, now a consul of class 7, to be a consul of class 6 of the United States of America.

CLASS 7.

Robertson Honey, of New York, now a consul of class 8, to be a consul of class 7 of the United States of America.
Graham H. Kemper, of Kentucky, now a consul of class 8, to be a consul of class 7 of the United States of America.
John R. Silliman, of Texas, now a consul of class 9, to be a consul of class 7 of the United States of America.
Felix Willoughby Smith, of New York, now a consul of class 8, to be a consul of class 7 of the United States of America.
Henry P. Starrett, of Florida, now a consul of class 8, to be a consul of class 7 of the United States of America.
Henry M. Wolcott, of New York, now a consul of class 9, to be a consul of class 7 of the United States of America.

CLASS 8.

Charles C. Broy, of Virginia, now a consular assistant, to be a consul of class 8 of the United States of America.
William E. Chapman, of Alluwe, Okla., to be a consul of class 8 of the United States of America.
Louis G. Dreyfus, jr., of California, now a consular assistant, to be a consul of class 8 of the United States of America.
John W. Dye, of Minnesota, now a consular assistant, to be a consul of class 8 of the United States of America.
Ely E. Palmer, of Rhode Island, now a consular assistant, to be a consul of class 8 of the United States of America.
DeWitt C. Poole, jr., of Illinois, now a consular assistant, to be a consul of class 8 of the United States of America.
Ripley Wilson, of Illinois, now a consular assistant, to be a consul of class 8 of the United States of America.

CLASS 9.

Charles H. Albrecht, of Pennsylvania, now a consular assistant, to be a consul of class 9 of the United States of America.
Tracy Lay, of Alabama, now a consular assistant, to be a consul of class 9 of the United States of America.

REGISTERS OF LAND OFFICES.

F. C. Farr, of Imperial, Cal., to be register of the land office at El Centro, Cal., a new land office to be established under the provisions of the act of Congress approved June 15, 1916 (Public—No. 93).
Robert Connaghan, of Riverton, Wyo., to be register of the land office at Lander, Wyo., vice John W. Cook, whose term will expire August 8, 1916.

RECEIVER OF PUBLIC MONEYS.

Philip W. Brooks, of Holtville, Cal., to be receiver of public moneys at El Centro, Cal., a new land office to be established under the provisions of the act of Congress approved June 15, 1916 (Public, No. 93).

UNITED STATES ATTORNEY.

John E. Kinnane, of Bay City, Mich., to be United States attorney for the eastern district of Michigan, vice Clyde I. Webster, whose term will expire on August 5, 1916.

UNITED STATES MARSHAL.

Frank O'Connor, of Wausau, Wis., to be United States marshal for the western district of Wisconsin, vice Rockwell J. Flint, whose term has expired.

CAPTAIN OF ENGINEERS IN COAST GUARD.

First Lieut. of Engineers John Brown Coyle to be captain of engineers in the Coast Guard of the United States, to rank as such from July 1, 1916, in place of Capt. of Engineers Nathaniel E. Cutchin, retired.

PROMOTIONS IN THE ARMY.

INFANTRY ARM.

To be colonels with rank from July 1, 1916, to fill original vacancies.

Lieut. Col. Joseph P. O'Neil, Thirtieth Infantry.
Lieut. Col. Clarence E. Dentler, Twenty-third Infantry.
Lieut. Col. Henry D. Styer, Infantry, unassigned.
Lieut. Col. Robert H. Noble, Twenty-second Infantry.
Lieut. Col. Benjamin C. Morse, Thirteenth Infantry.
Lieut. Col. John P. Finley, Fourth Infantry.
Lieut. Col. Frederick R. Day, Infantry, detailed in the Inspector General's Department.
Lieut. Col. Carl Reichmann, Twenty-fifth Infantry.
Lieut. Col. Leon S. Roudiez, Infantry, detailed in The Adjutant General's Department.
Lieut. Col. Abraham P. Buffington, Infantry, unassigned.
Lieut. Col. William M. Wright, Infantry, detailed in The Adjutant General's Department.
Lieut. Col. André W. Brewster, Infantry, detailed in the Inspector General's Department.
Lieut. Col. Charles H. Muir, Fifth Infantry.
Lieut. Col. Almon L. Parmerter, Nineteenth Infantry.
Lieut. Col. Samuel E. Smiley, Eighteenth Infantry.
Lieut. Col. Daniel B. Devore, Tenth Infantry.
Lieut. Col. Beaumont B. Buck, Infantry, unassigned, subject to examination required by law.

To be colonels with rank from July 1, 1916, to fill original vacancies created by section 25 of an act of Congress approved June 3, 1916, "with a view further to equalize inequalities in past promotions of officers of the line of the Army," all to be additional officers in that grade.

Lieut. Col. William F. Martin, Infantry, detailed in the General Staff Corps.
Lieut. Col. Evan M. Johnson, Twenty-ninth Infantry.
Lieut. Col. David J. Baker, jr., Twenty-first Infantry.
Lieut. Col. Benjamin A. Poore, Fifteenth Infantry.

To be colonels with rank from July 1, 1916, to fill casual vacancies.

Lieut. Col. James H. McRae, Infantry, detailed in The Adjutant General's Department, vice Col. Frederick R. Day, detailed in the Inspector General's Department.
Lieut. Col. Walter H. Gordon, Twenty-seventh Infantry, vice Col. William M. Wright, detailed in The Adjutant General's Department.
Lieut. Col. Armand I. Lasseigne, Eleventh Infantry, vice Col. André W. Brewster, detailed in the Inspector General's Department.
Lieut. Col. James H. Frier, Twelfth Infantry, vice Col. William F. Martin, detailed in the General Staff Corps.
Lieut. Col. Frank L. Winn, Sixteenth Infantry, vice Col. James H. McRae, detailed in The Adjutant General's Department.

To be lieutenant colonels with rank from July 1, 1916, to fill original vacancies.

Maj. Charles Gerhardt, Infantry, unassigned.
Maj. James T. Dean, Twenty-first Infantry.
Maj. Ulysses G. McAlexander, Infantry, unassigned.
Maj. William K. Jones, Fourteenth Infantry.
Maj. Edmund Wittenmyer, Infantry, unassigned.
Maj. Michael J. Lenihan, Second Infantry.
Maj. Mark L. Hersey, Eighteenth Infantry.
Maj. Frank H. Albright, Twenty-fifth Infantry.
Maj. Frederic D. Evans, Fourth Infantry.
Maj. Earl C. Carnahan, Twenty-eighth Infantry.
Maj. Edson A. Lewis, Sixth Infantry.
Maj. Charles E. Tayman, First Infantry.
Maj. James W. McAndrew, Fourteenth Infantry.
Maj. Edward R. Chrisman, Twenty-ninth Infantry.
Maj. Peter C. Harris, Infantry, detailed in The Adjutant General's Department.
Maj. Munroe McFarland, Infantry, detailed in the General Staff Corps.
Maj. William T. Wilder, Twenty-seventh Infantry.

To be lieutenant colonels with rank from July 1, 1916, to fill casual vacancies.

Maj. William R. Sample, Twentieth Infantry, vice Lieut. Col. Joseph P. O'Neil, Thirtieth Infantry, promoted.
Maj. William R. Dashiell, Second Infantry, vice Lieut. Col. Clarence E. Dentler, Twenty-third Infantry, promoted.
Maj. Eli A. Helmick, Twenty-eighth Infantry, vice Lieut. Col. Henry D. Styer, unassigned, promoted.
Maj. William C. Bennett, Infantry, detailed in The Adjutant General's Department, vice Lieut. Col. Robert H. Noble, Twenty-second Infantry, promoted.
Maj. Frederic H. Sargent, Twenty-seventh Infantry, vice Lieut. Col. Benjamin C. Morse, Thirteenth Infantry, promoted.
Maj. Wilson Chase, Twenty-first Infantry, vice Lieut. Col. John P. Finley, Fourth Infantry, promoted.
Maj. Charles B. Hagadorn, Fifth Infantry, vice Lieut. Col. Carl Reichmann, Twenty-fifth Infantry, promoted.
Maj. Harry R. Lee, Ninth Infantry, vice Lieut. Col. Abraham P. Buffington, unassigned, promoted.
Maj. Francis E. Lacey, jr., First Infantry, vice Lieut. Col. Charles H. Muir, Fifth Infantry, promoted.
Maj. Sydney A. Cloman, Eighth Infantry, vice Lieut. Col. Almon L. Parmerter, Nineteenth Infantry, promoted.
Maj. Charles Crawford, Tenth Infantry, vice Lieut. Col. Samuel E. Smiley, Eighteenth Infantry, promoted.
Maj. William S. Graves, Infantry, detailed in the General Staff Corps, vice Lieut. Col. Daniel B. Devore, Tenth Infantry, promoted.
Maj. Frank D. Webster, Twenty-second Infantry, vice Lieut. Col. Beaumont B. Buck, unassigned, promoted.
Maj. Joseph D. Leitch, Twenty-seventh Infantry, vice Lieut. Col. Evan M. Johnson, Twenty-ninth Infantry, promoted.
Maj. Samuel Burkhardt, jr., Nineteenth Infantry, vice Lieut. Col. David J. Baker, jr., Twenty-first Infantry, promoted.
Maj. Robert Alexander, Seventeenth Infantry, vice Lieut. Col. Benjamin A. Poore, Fifteenth Infantry, promoted.
Maj. William O. Johnson, Eleventh Infantry, vice Lieut. Col. Walter H. Gordon, Twenty-seventh Infantry, promoted.
Maj. James R. Lindsay, Fifteenth Infantry, subject to examination required by law, vice Lieut. Col. Armand I. Lasseigne, Eleventh Infantry, promoted.
Maj. Fred W. Sladen, Fifteenth Infantry, vice Lieut. Col. James H. Frier, Twelfth Infantry, promoted.
Maj. Harry H. Bandholtz, Thirtieth Infantry, vice Lieut. Col. Frank L. Winn, Sixteenth Infantry, promoted.
Maj. Henry T. Ferguson, Thirtieth Infantry, vice Lieut. Col. Peter C. Harris, detailed in The Adjutant General's Department.
Maj. Henry G. Learnard, Infantry, detailed in The Adjutant General's Department, vice Lieut. Col. Munroe McFarland, detailed in the General Staff Corps.
Maj. Peter Murray, Twenty-ninth Infantry, vice Lieut. Col. William S. Graves, detailed in the General Staff Corps.
Maj. Paul A. Wolf, Fourth Infantry, vice Lieut. Col. Henry G. Learnard, detailed in The Adjutant General's Department.

To be majors with rank from July 1, 1916, to fill original vacancies.

Capt. John C. McArthur, Tenth Infantry, subject to examination required by law.
Capt. Frank D. Ely, Thirteenth Infantry.
Capt. Edwin Bell, Fifteenth Infantry.
Capt. Otho B. Rosenbaum, Second Infantry.
Capt. George H. Estes, Twentieth Infantry.
Capt. Oliver Edwards, Fifth Infantry, subject to examination require by law.
Capt. John S. Battle, Twenty-fourth Infantry.
Capt. William E. Welsh, Thirtieth Infantry.
Capt. Frederick G. Stritzinger, jr., Twenty-third Infantry.
Capt. Charles C. Smith, Twentieth Infantry.
Capt. Frank L. Wells, Twenty-sixth Infantry.
Capt. Briant H. Wells, Twenty-ninth Infantry, subject to examination required by law.
Capt. John W. Barker, Third Infantry, subject to examination required by law.
Capt. James P. Harbeson, Twenty-first Infantry.
Capt. Hugh D. Wise, Twenty-fifth Infantry.
Capt. Pegram Whitworth, Infantry, unassigned.
Capt. James A. Moss, Twenty-ninth Infantry.
Capt. Ulysses G. Worrilow, Infantry, unassigned.
Capt. Frank J. Morrow, Eighteenth Infantry.
Capt. Henry C. Clement, jr., Twenty-ninth Infantry.
Capt. Robert S. Offley, Twenty-first Infantry.
Capt. Murray Baldwin, Infantry, detailed in the Quartermaster Corps, subject to examination required by law.
Capt. Samuel P. Lyon, Twenty-fifth Infantry.
Capt. Jens Bugge, Twenty-first Infantry, subject to examination required by law.

Capt. Charles H. Paine, Twenty-ninth Infantry, subject to examination required by law.
Capt. Thomas W. Darrah, Infantry, unassigned.
Capt. Americus Mitchell, Twenty-fifth Infantry.
Capt. Perry L. Miles, Fourteenth Infantry.
Capt. James A. Lynch, Eighth Infantry.
Capt. Milton L. McGrew, Fifth Infantry, subject to examination required by law.
Capt. Lorrain T. Richardson, Infantry, unassigned.
Capt. Charles R. Howland, Twenty-first Infantry.
Capt. Louis M. Nuttman, Fourth Infantry.
Capt. Glenn H. Davis, Twelfth Infantry.
Capt. Franklin S. Hutton, Twelfth Infantry.
Capt. Fine W. Smith, Fourth Infantry.
Capt. Walter S. McBroom, Twenty-eighth Infantry.
Capt. Benjamin T. Simmons, Infantry, unassigned, subject to examination required by law.
Capt. Girard Sturtevant, Twenty-fourth Infantry.
Capt. Louis H. Bash, Sixth Infantry.
Capt. Frank B. Watson, Twenty-sixth Infantry.
Capt. Oscar J. Charles, Twenty-second Infantry.
Capt. Thomas A. Pearce, Eighth Infantry.
Capt. Robert H. Allen, Eighth Infantry.
Capt. Dwight W. Ryther, Infantry, unassigned.
Capt. William F. Creary, Sixteenth Infantry.
Capt. Edward T. Hartmann, Third Infantry.
Capt. Frederick B. Shaw, Twenty-sixth Infantry.

To be majors with rank from July 1, 1916, to fill casual vacancies.

Capt. William B. Cochran, Second Infantry, vice Maj. Charles Gerhardt, unassigned, promoted.
Capt. Harry F. Rethers, Infantry, detailed to the Quartermaster Corps, vice Maj. James T. Dean, Twenty-first Infantry, promoted.
Capt. Herschel Tupes, First Infantry, vice Maj. Ulysses G. McAlexander, unassigned, promoted.
Capt. George H. Shelton, Twenty-ninth Infantry, subject to examination required by law, vice Maj. William K. Jones, Fourteenth Infantry, promoted.
Capt. Isaac Newell, Twenty-second Infantry, vice Maj. Edmund Wittenmyer, unassigned, promoted.
Capt. Lawrence B. Simonds, Twentieth Infantry, vice Maj. Michael J. Lenihan, Second Infantry, promoted.
Capt. Merch B. Stewart, Fifth Infantry, subject to examination required by law, vice Maj. Mark L. Hersey, Eighteenth Infantry, promoted.
Capt. Frederick W. Lewis, Twenty-fourth Infantry, vice Maj. Frank H. Albright, Twenty-fifth Infantry, promoted.
Capt. Dennis E. Nolan, Infantry, detailed in the General Staff Corps, subject to examination required by law, vice Maj. Frederic D. Evans, Fourth Infantry, promoted.
Capt. James N. Pickering, Tenth Infantry, subject to examination required by law, vice Maj. Earl C. Carnahan, Twenty-eighth Infantry, promoted.
Capt. William A. Burnside, Twenty-sixth Infantry, vice Maj. Edson A. Lewis, Sixth Infantry, promoted.
Capt. Reynolds J. Burt, Infantry, detailed in the Quartermaster Corps, vice Maj. Charles E. Tayman, First Infantry, promoted.
Capt. Russell C. Langdon, Twenty-second Infantry, vice Maj. James W. McAndrew, Fourteenth Infantry, promoted.
Capt. Harry H. Tebbetts, Tenth Infantry, subject to examination required by law, vice Maj. Edward R. Chrisman, Twenty-ninth Infantry, promoted.
Capt. Arthur R. Kerwin, Sixth Infantry, vice Maj. William T. Wilder, Twenty-seventh Infantry, promoted.
Capt. George S. Goodale, Twenty-ninth Infantry, subject to examination required by law, vice Maj. William R. Sample, Twentieth Infantry, promoted.
Capt. Frank C. Bolles, Third Infantry, vice Maj. William R. Dashiell, Second Infantry, promoted.
Capt. James W. Clinton, Twelfth Infantry, vice Maj. Eli A. Helmick, Twenty-eighth Infantry, promoted.
Capt. Alexander T. Ovenshine, Seventh Infantry, vice Maj. Frederic H. Sargent, Twenty-seventh Infantry, promoted.
Capt. Henry E. Eames, Twenty-fifth Infantry, vice Maj. Wilson Chase, Twenty-first Infantry, promoted.
Capt. Carroll F. Armistead, Twenty-first Infantry, vice Maj. Charles B. Hagadorn, Fifth Infantry, promoted.
Capt. Robert Field, Fifth Infantry, subject to examination required by law, vice Maj. Harry R. Lee, Ninth Infantry, promoted.
Capt. Paul Giddings, Infantry, unassigned, vice Maj. Francis E. Lacey, jr., First Infantry, promoted.
Capt. Edward S. Walton, Seventeenth Infantry, vice Maj. Sydney A. Cloman, Eighth Infantry, promoted.
Capt. Alfred T. Smith, Twelfth Infantry, vice Maj. Charles Crawford, Tenth Infantry, promoted.
Capt. Fred L. Munson, Infantry, detailed in the Quartermaster Corps, subject to examination required by law, vice Maj. Frank D. Webster, Twenty-second Infantry, promoted.
Capt. Thomas M. Anderson, jr., Seventh Infantry, vice Maj. Joseph D. Leitch, Twenty-seventh Infantry, promoted.
Capt. John E. Hunt, Ninth Infantry, vice Maj. Samuel Burkhardt, jr., Nineteenth Infantry, promoted.
Capt. Charles D. Roberts, Tenth Infantry, subject to examination required by law, vice Maj. Robert Alexander, Seventeenth Infantry, promoted.
Capt. Claude H. Miller, Infantry, detailed in the Quartermaster Corps, vice Maj. William O. Johnson, Eleventh Infantry, promoted.
Capt. Harold B. Fiske, Twenty-eighth Infantry, vice Maj. James R. Lindsay, Fifteenth Infantry, promoted.
Capt. John H. Hughes, Third Infantry, vice Maj. Fred W. Sladen, Fifteenth Infantry, promoted.
Capt. George W. Helms, Nineteenth Infantry, vice Maj. Harry H. Bandholtz, Thirtieth Infantry, promoted.
Capt. Rufus E. Longan, Twenty-fifth Infantry, vice Maj. Henry T. Ferguson, Thirtieth Infantry, promoted.
Capt. Edward A. Roche, Twenty-sixth Infantry, vice Maj. Peter Murray, Twenty-ninth Infantry, promoted.
Capt. William M. Fassett, Twenty-seventh Infantry, vice Maj. Paul A. Wolf, Fourth Infantry, promoted.
Capt. Henry M. Dichmann, Eighth Infantry, vice Maj. Murray Baldwin, detailed in the Quartermaster Corps.
Capt. Halstead Dorey, Fourth Infantry, subject to examination required by law, vice Maj. Harry F. Rethers, detailed in the Quartermaster Corps.
Capt. George F. Baltzell, Fifth Infantry, vice Maj. Dennis E. Nolan, detailed in the General Staff Corps.
Capt. Edgar T. Conley, Thirtieth Infantry, vice Maj. Reynolds J. Burt, detailed in the Quartermaster Corps.
Capt. Edgar T. Collins, Tenth Infantry, vice Maj. Fred L. Munson, detailed in the Quartermaster Corps.

To be captains with rank from July 1, 1916, to fill original vacancies.

First Lieut. Harry W. Gregg, Nineteenth Infantry.
First Lieut. Staley A. Campbell, Seventh Infantry.
First Lieut. John R. Brewer, Eighteenth Infantry.
First Lieut. Leo A. Dewey, Infantry, unassigned.
First Lieut. John P. McAdams, Eleventh Infantry.
First Lieut. Nolan V. Ellis, Nineteenth Infantry.
First Lieut. Richard Wetherill, Sixth Infantry.
First Lieut. John B. Barnes, Fifth Infantry.
First Lieut. Thomas T. Duke, Eighteenth Infantry.
First Lieut. Harry A. Wells, Eleventh Infantry.
First Lieut. George W. Harris, Twenty-eighth Infantry.
First Lieut. Edward C. McCleave, Sixteenth Infantry.
First Lieut. John K. Cowan, Fourth Infantry.
First Lieut. Pat M. Stevens Twenty-third Infantry.
First Lieut. George S. Gillis, Infantry, detailed in the Signal Corps.
First Lieut. Deas Archer, Twenty-sixth Infantry.
First Lieut. John J. Fulmer, Infantry, unassigned.
First Lieut. Francis C. Endicott, Fourteenth Infantry.
First Lieut. Frederick E. Wilson, Sixth Infantry.
First Lieut. Henry Hossfeld, Third Infantry.
First Lieut. John J. Mudgett, Twenty-third Infantry.
First Lieut. Wilford Twyman, Fifth Infantry, subject to examination required by law.
First Lieut. William St. J. Jervey, Thirtieth Infantry.
First Lieut. Channing E Delaplane, Eleventh Infantry.
First Lieut. Laurance O. Mathews, Infantry, unassigned.
First Lieut. Thorne Strayer, Seventeenth Infantry.
First Lieut. Francis B. Eastman, Thirtieth Infantry.
First Lieut. Kneeland S. Snow, First Infantry.
First Lieut. Robert G. Caldwell, Fifteenth Infantry.
First Lieut. Hugh A. Parker, Twenty-eighth Infantry.
First Lieut. Charles W. Tillotson, Nineteenth Infantry.
First Lieut. Will D. Wills, Fifth Infantry, subject to examination required by law.
First Lieut. Arthur T. Dalton, Second Infantry, subject to examination required by law.
First Lieut. Otho E. Michaelis, Sixteenth Infantry, subject to examination required by law.
First Lieut. William C. Stoll, Seventh Infantry.
First Lieut. Ira A. Smith, Twelfth Infantry.
First Lieut. James E. Ware, Twenty-second Infantry.

First Lieut. William J. Davis, Twenty-second Infantry.
First Lieut. John F. Clapham, Nineteenth Infantry.
First Lieut. Kenneth P. Williams, Infantry, unassigned.
First Lieut. William A. Alfonte, Eighteenth Infantry.
First Lieut. Daniel A. Nolan, Fifth Infantry.
First Lieut. Charles E. Swartz, Infantry, detailed in the Signal Corps.
First Lieut. Benjamin D. Foulois, Infantry, detailed in the Signal Corps.
First Lieut. Ralph H. Leavitt, Sixth Infantry.
First Lieut. Goodwin Compton, Twenty-sixth Infantry.
First Lieut. Launcelot M. Purcell, Twenty-sixth Infantry.
First Lieut. James E. McDonald, Infantry, unassigned, subject to examination required by law.
First Lieut. William F. C. Jepson, Fourteenth Infantry, subject to examination required by law.
First Lieut. Carl F. von dem Bussche, Fourteenth Infantry.
First Lieut. Fay W. Brabson, Twenty-third Infantry.
First Lieut. Royden E. Beebe, Eighth Infantry.
First Lieut. William J. O'Laughlin, Eleventh Infantry.
First Lieut. Charles T. Smart, Infantry, unassigned, subject to examination required by law.
First Lieut. Girard L. McEntee, Thirteenth Infantry.
First Lieut. Charles Keller, Twenty-ninth Infantry, subject to examination required by law.
First Lieut. John Scott, Fourth Infantry.
First Lieut. Keorge C. Rockwell, Twenty-first Infantry.
First Lieut. Smith A. Harris, Fourteenth Infantry.
First Lieut. Noble J. Wiley, Fifth Infantry, subject to examination required by law.
First Lieut. George C. Marshall, jr., Sixteenth Infantry, subject to examination required by law.
First Lieut. Robert L. Meador, Ninth Infantry.
First Lieut. Samuel T. Mackall, Eighteenth Infantry.
First Lieut. Charles C. Herman, jr., Twenty-sixth Infantry, subject to examination required by law.
First Lieut. Walter C. Short, Sixteenth Infantry.
First Lieut. John C. Waterman, Infantry, unassigned, subject to examination required by law.
First Lieut. Austin M. Pardee, Twentieth Infantry.
First Lieut. Frank F. Jewett, Infantry, unassigned.
First Lieut. Hunter Harris, Ninth Infantry, subject to examination required by law.
First Lieut. Augustus F. Dannemiller, Twelfth Infantry.
First Lieut. James W. Everington, Infantry, unassigned.
First Lieut. William R. Leonard, Ninth Infantry.
First Lieut. Alfred A. Hickox, Infantry, unassigned, subject to examination required by law.
First Lieut. Samuel G. Talbott, Twenty-eighth Infantry.
First Lieut. Edwin P. Thompson, Twentieth Infantry.
First Lieut. John E. Green, Infantry, unassigned, subject to examination required by law.
Firt. Lieut. Jason M. Walling, Third Infantry.
First Lieut. Robert L. Weeks, Eighteenth Infantry.
First Lieut. Albert G. Goodwyn, Twenty-ninth Infantry.
First Lieut. Charles A. Hunt, Eighteenth Infantry.
First Lieut. Harry S. Adams, Twenty-sixth Infantry.
First Lieut. Gilbert H. Stewart, detailed in the Ordnance Department.
First Lieut. Edward J. Moran, Twenty-fourth Infantry.
First Lieut. John R. McGinness, Infantry, unassigned.
First Lieut. Henry M. Nelly, Fifteenth Infantry.
First Lieut. Frederick F. Black, Twenty-fifth Infantry.
First Lieut. James M. Hobson, jr., Twenty-first Infantry.
First Lieut. David H. Bower, Infantry, detailed in the Signal Corps.
First Lieut. Hiram M. Cooper, Twenty-first Infantry.
First Lieut. Benjamin F. Miller, Seventeenth Infantry.
First Lieut. Louis Soléliac, Twelfth Infantry.
First Lieut. Charles M. Blackford, Eighteenth Infantry.
First Lieut. Walter O. Boswell, Twenty-first Infantry, subject to examination required by law.
First Lieut. Deshler Whiting, Thirtieth Infantry.
First Lieut. Gulielmus V. Heidt, Infantry, unassigned, subject to examination required by law.
First Lieut. Samuel J. Sutherland, Infantry, unassigned, subject to examination required by law.
First Lieut. Emory S. Adams, Infantry, unassigned.
First Lieut. Ralph W. Drury, Thirteenth Infantry.
First Lieut. John C. Fairfax, Twenty-first Infantry.
First Lieut. Fred C. Miller, Thirtieth Infantry.
First Lieut. Charles L. Mitchell, Thirtieth Infantry.
First Lieut. Robert John West, Sixteenth Infantry.
First Lieut. Odiorne H. Sampson, Twenty-eighth Infantry.
First Lieut. Albert Hardman, Fourth Infantry.
First Lieut. William E. Holliday, Infantry, unassigned.
First Lieut. Frank B. Kobes, Fourteenth Infantry.
First Lieut. Jesse M. Holmes, Twenty-third Infantry.
First Lieut. Maynard A. Wells, Tenth Infantry, subject to examination required by law.
First Lieut. Hans O. Olson, Eighteenth Infantry.
First Lieut. Alfred Brandt, Thirteenth Infantry.
First Lieut. Charles A. Thuis, Seventeenth Infantry.
First Lieut. Claremont A. Donaldson, Twelfth Infantry.
First Lieut. Franklin T. Burt, Twenty-third Infantry.
First Lieut. Rutherford S. Hartz, Twenty-first Infantry.
First Lieut. Townsend Whelen, Twenty-ninth Infantry.
First Lieut. Charles S. Hamilton, Eleventh Infantry.
First Lieut. Oscar K. Tolley, Twenty-sixth Infantry.
First Lieut. Joseph F. Ware, Fifth Infantry.
First Lieut. Harry L. Jordan, Twentieth Infantry.
First Lieut. Dean Halford, Twenty-third Infantry.
First Lieut. Ralph W. Kingman, Infantry, unassigned.
First Lieut. Donald D. Hay, Twenty-fifth Infantry.
First Lieut. Philip G. Wrightson, Infantry, unassigned, subject to examination required by law.
First Lieut. George W. Ewell, Third Infantry.
First Lieut. Claire R. Bennett, Second Infantry.
First Lieut. Bowers Davis, Twenty-sixth Infantry.
First Lieut. John McE. Pruyn, Nineteenth Infantry.
First Lieut. Henry W. Fleet, Nineteenth Infantry, subject to examination required by law.
First Lieut. Charles G. Sturtevant, Ninth Infantry.
First Lieut. Francis H. Burr, Twenty-eighth Infantry.
First Lieut. John C. Ashburn, Nineteenth Infantry.
First Lieut. Robert T. Phinney, Twentieth Infantry, subject to examination required by law.
First Lieut. Charles H. Mason, Infantry, detailed in the Signal Corps, subject to examination required by law.
First Lieut. Nicholas W. Campanole, Sixth Infantry.
First Lieut. John G. Macomb, Fourteenth Infantry.
First Lieut. L. Worthington Moseley, Infantry, unassigned, subject to examination required by law.
First Lieut. Reginald H. Kelly, Fourth Infantry.
First Lieut. Edward H. Pearce, Sixteenth Infantry, subject to examination required by law.
First Lieut. Joseph O. Mauborgne, Eighth Infantry.
First Lieut. Joseph M. Cummins, Eighteenth Infantry.
First Lieut. Thomas C. Musgrave, Seventeenth Infantry.
First Lieut. Converse R. Lewis, Twenty-third Infantry.
First Lieut. George A. Lynch, Infantry, unassigned.
First Lieut. Samuel M. Parker, Infantry, unassigned, subject to examination required by law.
First Lieut. Robert M. Lyon, Second Infantry.
First Lieut. Francis H. Farnum, Infantry, unassigned.
First Lieut. Benjamin E. Grey, Infantry, unassigned, subject to examination required by law.
First Lieut. Elvid Hunt, First Infantry.
First Lieut. Benjamin F. McClellan, Second Infantry.
First Lieut. Campbell B. Hodges, Fourth Infantry.
First Lieut. Jacob W. S. Wuest, Twenty-eighth Infantry, subject to examination required by law.
First Lieut. Max B. Garber, Infantry, unassigned.
First Lieut. Leo I. Samuelson, Infantry, unassigned, subject to examination required by law.
First Lieut. Corbit S. Hoffman, Twenty-third Infantry.
First Lieut. Walter V. Gallagher, Ninth Infantry.
First Lieut. Clifton M. Butler, Twenty-second Infantry, subject to examination required by law.
First Lieut. E. Llewellyn Bull, Twenty-third Infantry.
First Lieut. Truman W. Carrithers, Twenty-ninth Infantry, subject to examination required by law.
First. Lieut. George F. Rozelle, jr., Twenty-second Infantry, subject to examination required by law.
First Lieut. Arthur E. Ahrends, Twentieth Infantry, subject to examination required by law.
First Lieut. Charles F. Severson, Seventeenth Infantry.
First Lieut. Harry S. Grier, Twenty-fourth Infantry.
First Lieut. Reuben C. Taylor, Eighth Infantry.
First Lieut. Charles B. Moore, Fourth Infantry.
First Lieut. Clark Lynn, Thirteenth Infantry.
First Lieut. C. Stockmar Bendel, Twelfth Infantry.
First Lieut. Robert E. Boyers, Fifth Infantry, subject to examination required by law.
First Lieut. Burt W. Phillips, Fourteenth Infantry.
First Lieut. Ben F. Ristine, Infantry, unassigned.
First Lieut. George R. Guild, Twenty-ninth Infantry, subject to examination required by law.
First Lieut. Stuart A. Howard, Thirtieth Infantry.

First Lieut. John F. Franklin, Seventh Infantry.
First Lieut. William C. Russell, Eleventh Infantry.
First Lieut. Roland W. Boughton, Twenty-seventh Infantry.
First Lieut. John S. Upham, Third Infantry.
First Lieut. Keith S. Gregory, Sixth Infantry.
First Lieut. Irving M. Madison, Infantry, detailed in the Signal Corps.
First Lieut. Ellery Farmer, Fifth Infantry, subject to examination required by law.
First Lieut. Everett N. Bowman, Thirteenth Infantry.
First Lieut. Homer N. Preston, Twenty-fourth Infantry.
First Lieut. Jesse Gaston, Seventeenth Infantry.
First Lieut. William F. Harrell, Ninth Infantry.
First Lieut. Jesse D. Elliott, Sixth Infantry.
First Lieut. Edward H. Tarbutton, Thirtieth Infantry.
First Lieut. Carroll B. Hodges, Infantry, unassigned.
First Lieut. Fitzhugh B. Allderdice, Twenty-third Infantry.
First Lieut. James M. Churchill, Tenth Infantry, subject to examination required by law.
First Lieut. Philip H. Bagby, Fifteenth Infantry.
First Lieut. Luther R. James, Infantry, unassigned, subject to examination required by law.
First Lieut. Andrew D. Chaffin, Eleventh Infantry.
First Lieut. Ernest B. Smalley, Infantry, unassigned.
First Lieut. Frederick W. Boschen, Seventeenth Infantry.
First Lieut. Manfred Lanza, Eighteenth Infantry.
First Lieut. Louis Farrell, Infantry, unassigned.
First Lieut. Fred W. Pitts, First Infantry.
First Lieut. James B. Nalle, Twelfth Infantry.
First Lieut. William F. Robinson, jr., Fifteenth Infantry.
First Lieut. John J. Burleigh, Third Infantry.
First Lieut. Manuel M. Garrett, Twenty-third Infantry.
First Lieut. Augustine A. Hofmann, Infantry, unassigned.
First Lieut. Henry S. Brinkerhoff, Third Infantry, subject to examination required by law.
First Lieut. James Blyth, Thirtieth Infantry.
First Lieut. Edwin Gunner, Tenth Infantry.
First Lieut. Resolve P. Palmer, Infantry, unassigned.
First Lieut. Edward E. McCammon, Third Infantry.
First Lieut. Philip Remington, Infantry, unassigned.
First Lieut. Charles H. Rich, Twenty-fifth Infantry.
First Lieut. Paul C. Potter, Thirtieth Infantry.
First Lieut. Albert T. Rich, Third Infantry.
First Lieut. David P. Wood, Sixteenth Infantry.
First Lieut. Donald W. Strong, Seventh Infantry.
First Lieut. Edgar Z. Steever, 3d, Eleventh Infantry.
First Lieut. Hornsby Evans, Seventeenth Infantry.
First Lieut. Walton Goodwin, jr., Fifth Infantry, subject to examination required by law.
First Lieut. Philip B. Peyton, Fourteenth Infantry, subject to examination required by law.
First Lieut. Karl Truesdell, Twenty-fifth Infantry.
First Lieut. Frederick B. Terrell, Twenty-second Infantry.
First Lieut. Charles A. Dravo, Twenty-ninth Infantry, subject to examination required by law.
First Lieut. James G. McIlroy, Infantry, unassigned.
First Lieut. Jay L. Benedict, Fourteenth Infantry, subject to examination required by law.
First Lieut. Joseph W. Stilwell, Twelfth Infantry.
First Lieut. Richard J. Herman, Twenty-fourth Infantry.
First Lieut. Edward L. Hooper, Twelfth Infantry.
First Lieut. Irving J. Phillipson, Twenty-eighth Infantry.
First Lieut. Robert C. Richardson, jr., Twenty-third Infantry.
First Lieut. Edmund B. Gregory, Twenty-seventh Infantry.
First Lieut. Wilber A. Blain, Infantry, detailed in the Signal Corps.
First Lieut. Gordon R. Catts, Infantry, unassigned.
First Lieut. Ursa M. Diller, Infantry, unassigned.
First Lieut. Edwin Butcher, Twenty-ninth Infantry, subject to examination required by law.
First Lieut. Russell V. Venable, Twenty-second Infantry.
First Lieut. Arthur J. Davis, Twenty-fourth Infantry.
First Lieut. Roderick Dew, Seventeenth Infantry.
First Lieut. Martin C. Wise, Twenty-fourth Infantry.
First Lieut. Andrew J. White, Twenty-second Infantry.
First Lieut. Walter S. Drysdale, Twentieth Infantry.
First Lieut. Charles A. Meals, Twenty-fifth Infantry.
First Lieut. Matthew H. Thomlinson, Sixth Infantry.
First Lieut. Joseph A. Atkins, Twenty-ninth Infantry.
First Lieut. Charles F. Thompson, Sixteenth Infantry.
First Lieut. Augustus B. Van Wormer, Twenty-second Infantry.
First Lieut. Thomas L. Crystal, Second Infantry.
First Lieut. Arthur D. Budd, Tenth Infantry, subject to examination required by law.
First Lieut. Ralph R. Glass, Twenty-first Infantry.
First Lieut. Erle M. Wilson, Twenty-ninth Infantry, subject to examination required by law.
First Lieut. Merrill E. Spalding, Seventeenth Infantry.
First Lieut. John D. Burnett, First Infantry.
First Lieut. Joseph A. McAndrew, Second Infantry.
First. Lieut. Robert B. Hewitt, Fourth Infantry.
First Lieut. William F. L. Simpson, Sixth Infantry.
First Lieut. Richard R. Pickering, Infantry, unassigned, subject to examination required by law.
First. Lieut. Lowe A. McClure, Sixteenth Infantry.
First Lieut. Clement H. Wright, Seventh Infantry.
First. Lieut. William R. Scott, Twenty-first Infantry.
First Lieut. William W. Harris, jr., Infantry, detailed in the Signal Corps.
First Lieut. Napoleon W. Riley, Twelfth Infantry.
First Lieut. Otto L. Brunzell, Twentieth Infantry.
First Lieut. George C. Lawrason, Tenth Infantry, subject to examination required by law.
First Lieut. Robert P. Harbold, Twenty-fifth Infantry.
First Lieut. James B. Woolnough, Twenty-first Infantry.
First Lieut. Walter S. Fulton, Infantry, unassigned.
First Lieut. Sherburne Whipple, Third Infantry.
First Lieut. Harry Hawley, Ninth Infantry.
First Lieut. Thomas N. Gimperling, Sixth Infantry.
First Lieut. Hugh L. Walthall, Eleventh Infantry.
First Lieut. John B. Richardson, Second Infantry.
First Lieut. Anton C. Cron, Tenth Infantry, subject to examination required by law.
First Lieut. George W. Edgerly, Fifth Infantry, subject to examination required by law.
First Lieut. Oscar W. Hoop, Infantry, unassigned.
First Lieut. John C. Moore, Infantry, detailed in the Signal Corps.

To be captains with rank from July 1, 1916, to fill casual vacancies.

First Lieut. William F. Pearson, Eighth Infantry, vice Capt. John C. McArthur, Tenth Infantry, promoted.
First Lieut. James A. Ulio, First Infantry, vice Capt. Frank D. Ely, Thirteenth Infantry, promoted.
First Lieut. Frank Moorman, Eighteenth Infantry, vice Capt. Edwin Bell, Fifteenth Infantry, promoted.
First Lieut. Harry H. Bissell, Nineteenth Infantry, vice Capt. Otho B. Rosenbaum, Second Infantry, promoted.
First Lieut. Charles B. Elliott, Infantry, unassigned, vice Capt. George H. Estes, Twentieth Infantry, promoted.
First Lieut. John B. Corbly, Twenty-fifth Infantry, vice Capt. Oliver Edwards, Fifth Infantry, promoted.
First Lieut. Fitzhugh L. Minnigerode, Twenty-first Infantry, vice Capt. John S. Battle, Twenty-fourth Infantry, promoted.
First Lieut. Joseph L. Topham, jr., Twenty-fourth Infantry, vice Capt. William E. Welsh, Thirtieth Infantry, promoted.
First Lieut. Charles L. Sampson, Twelfth Infantry, vice Capt. Frederick G. Stritzinger, jr., Twenty-third Infantry, promoted.
First Lieut. John M. True, Twenty-fourth Infantry, vice Capt. Charles C. Smith, Twentieth Infantry, promoted.
First Lieut. Bruce R. Campbell, Eleventh Infantry, vice Capt. Frank L. Wells, Twenty-sixth Infantry, promoted.
First Lieut. John C. French, Seventh Infantry, vice Capt. Briant H. Wells, Twenty-ninth Infantry, promoted.
First Lieut. Benjamin B. McCroskey, Fifteenth Infantry, vice Capt. John W. Barker, Third Infantry, promoted.
First Lieut. James H. Van Horn, Twenty-second Infantry, subject to examination required by law, vice Capt. James P. Harbeson, Twenty-first Infantry, promoted.
First Lieut. Cassius M. Dowell, Eleventh Infantry, vice Capt. Hugh D. Wise, Twenty-fifth Infantry, promoted.
First Lieut. Marvin E. Malloy, Twenty-sixth Infantry, vice Capt. Pegram Whitworth, Infantry, unassigned, promoted.
First Lieut. Albert B. Kaempfer, Infantry, unassigned, subject to examination required by law, vice Capt. James A. Moss, Twenty-ninth Infantry, promoted.
First Lieut. Forrest E. Overholser, Seventeenth Infantry, vice Capt. Ulysses G. Worrilow, Infantry, unassigned, promoted.
First Lieut. Charles W. Mason, Twenty-ninth Infantry, subject to examination required by law, vice Capt. Frank J. Morrow, Eighteenth Infantry, promoted.
First Lieut. Allan R. Williams, Twenty-ninth Infantry, subject to examination required by law, vice Capt. Henry C. Clement, jr., Twenty-ninth Infantry, promoted.
First Lieut. Loren C. Grieves, Thirtieth Infantry, vice Capt. Robert S. Offley, Twenty-first Infantry, promoted.
First Lieut. Aristides Moreno, Twenty-eighth Infantry, vice Capt. Samuel P. Lyon, Twenty-fifth Infantry, promoted.

First Lieut Richard D. La Garde, Ninth Infantry, vice Capt. Jens Bugge, Twenty-first Infantry, promoted.

First Lieut. Wm. Lay Patterson, Infantry, detailed in the Signal Corps, subject to examination required by law, vice Capt. Charles H. Paine, Twenty-ninth Infantry, promoted.

First Lieut. Charles W. McClure, Eighth Infantry, vice Capt. Thomas W. Darrah, unassigned, promoted.

First Lieut. Ambrose R. Emery, Twenty-seventh Infantry, vice Capt. Americus Mitchell, Twenty-fifth Infantry, promoted.

First Lieut. Edmund C. Waddill, Infantry, unassigned, vice Capt. Perry L. Miles, Fourteenth Infantry, promoted.

First Lieut. Rolland W. Case, Twenty-seventh Infantry, vice Capt. James A. Lynch, Eighth Infantry, promoted.

First Lieut. Norman F. Ramsey, Sixth Infantry, vice Capt. Milton L. McGrew, Fifth Infantry, promoted.

First Lieut. De Witt C. T. Grubbs, Sixth Infantry, vice Capt. Lorrain T. Richardson, unassigned, promoted.

First Lieut. Thomas W. Hammond, Eighth Infantry, vice Capt. Charles R. Howland, Twenty-first Infantry, promoted.

First Lieut. Calvin P. Titus, Fifteenth Infantry, vice Capt. Louis M. Nuttman, Fourth Infantry, promoted.

First Lieut. William C. Miller, Eighth Infantry, vice Capt. Glenn H. Davis, Twelfth Infantry, promoted.

First Lieut. Frederick W. Manley, Fourth Infantry, subject to examination required by law, vice Capt. Franklin S. Hutton, Twelfth Infantry, promoted.

First Lieut. Arthur W. Lane, Infantry, unassigned, vice Capt. Fine W. Smith, Fourth Infantry, promoted.

First Lieut. Bernard Lentz, Twenty-first Infantry, vice Capt. Walter S. McBroom, Twenty-eighth Infantry, promoted.

First Lieut. Frederick C. Test, Tenth Infantry, subject to examination required by law, vice Capt. Benjamin T. Simmons, unassigned, promoted.

First Lieut. Owen S. Albright, Twenty-second Infantry, subject to examination required by law, vice Capt. Girard Sturtevant, Twenty-fourth Infantry, promoted.

First Lieut. Fred H. Baird, Nineteenth Infantry, vice Capt. Louis H. Bash, Sixth Infantry, promoted.

First Lieut. Clifford C. Early, Fifteenth Infantry, vice Capt. Frank B. Watson, Twenty-sixth Infantry, promoted.

First Lieut. George F. Waugh, Twenty-second Infantry, vice Capt. Oscar J. Charles, Twenty-second Infantry, promoted.

First Lieut. Allan Rutherford, Fifth Infantry, subject to examination required by law, vice Capt. Thomas A. Pearce, Eighth Infantry, promoted.

First Lieut. William S. Weeks, Fifteenth Infantry, vice Capt. Robert H. Allen, Eighth Infantry, promoted.

First Lieut. Avery D. Cummings, Thirtieth Infantry, vice Capt. Dwight W. Ryther, unassigned, promoted.

First Lieut. Charles F. Caffery, Fifth Infantry, subject to examination required by law, vice Capt. William F. Creary, Sixteenth Infantry, promoted.

First Lieut. Allen W. Gullion, Twentieth Infantry, vice Capt. Edward T. Hartmann, Third Infantry, promoted.

First Lieut. Louis A. Kunzig, Twenty-first Infantry, vice Capt. Frederick B. Shaw, Twenty-sixth Infantry, promoted.

First Lieut. John P. Bubb, Sixteenth Infantry, vice Capt. William B. Cochran, Second Infantry, promoted.

First Lieut. Joseph E. Barzynski, Twenty-fourth Infantry, vice Capt. Herschel Tupes, First Infantry, promoted.

First Lieut. Ben W. Feild, Twenty-seventh Infantry, vice Capt. George H. Shelton, Twenty-ninth Infantry, promoted.

First Lieut. Bloxham Ward, Sixteenth Infantry, vice Capt. Isaac Newell, Twenty-second Infantry, promoted.

First Lieut. Paul H. Clark, Twenty-seventh Infantry, vice Capt. Lawrence B. Simonds, Twentieth Infantry, promoted.

First Lieut. Thomas H. Lowe, First Infantry, vice Capt. Merch B. Stewart, Fifth Infantry, promoted.

First Lieut. Torrey B. Maghee, Twenty-first Infantry, vice Capt. Frederick W. Lewis, Twenty-fourth Infantry, promoted.

First Lieut. George W. Maddox, Eighth Infantry, vice Capt. James N. Pickering, Tenth Infantry, promoted.

First Lieut. Walter E. Pridgen, First Infantry, vice Capt. William A. Burnside, Twenty-sixth Infantry, promoted.

First Lieut. James W. H. Reisinger, jr., Twenty-fourth Infantry, vice Capt. Russell C. Langdon, Twenty-second Infantry, promoted.

First Lieut. Rupert A. Dunford, Tenth Infantry, subject to examination required by law, vice Capt. Harry H. Tebbetts, Tenth Infantry, promoted.

First Lieut. Charles C. Bankhead, First Infantry, vice Capt. Arthur R. Kerwin, Sixth Infantry, promoted.

First Lieut. John P. Adams, Eighth Infantry, vice Capt. George S. Goodale, Twenty-ninth Infantry, promoted.

First Lieut. Ira Longanecker, Twenty-second Infantry, vice Capt. Frank C. Bolles, Third Infantry, promoted.

First Lieut. William C. Whitener, Nineteenth Infantry, vice Capt. James W. Clinton, Twelfth Infantry, promoted.

First Lieut. Frederick J. Ostermann, Infantry, unassigned, vice Capt. Alexander T. Ovenshine, Seventh Infantry, promoted.

First Lieut. William J. Connolly, Eleventh Infantry, vice Capt. Henry E. Eames, Twenty-fifth Infantry, promoted.

First Lieut. Everett D. Barlow, jr., Eighth Infantry, vice Capt. Carroll F. Armistead, Twenty-first Infantry, promoted.

First Lieut. Lawrence E. Hohl, Sixteenth Infantry, vice Capt. Robert Field, Fifth Infantry, promoted.

First Lieut. James G. Boswell, Twentieth Infantry, vice Capt. Paul Giddings, unassigned, promoted.

First Lieut. Arthur D. Minick, Infantry, detailed in the Ordnance Department, subject to examination required by law, vice Capt. Edward S. Walton, Seventeenth Infantry, promoted.

First Lieut. Charles A. Lewis, Ninth Infantry, vice Capt. Alfred T. Smith, Twelfth Infantry, promoted.

First Lieut. Paul R. Manchester, Second Infantry, vice Capt. Thomas M. Anderson, jr., Seventh Infantry, promoted.

First Lieut. Byard Sneed, First Infantry, vice Capt. John E. Hunt, Ninth Infantry, promoted.

First Lieut. Oscar Westover, Fourteenth Infantry, vice Capt. Charles D. Roberts, Tenth Infantry, promoted.

First Lieut. Martyn H. Shute, Twenty-sixth Infantry, vice Capt. Harold B. Fiske, Twenty-eight Infantry, promoted.

First Lieut. Fred A. Cooke, Nineteenth Infantry, vice Capt. John H. Hughes, Third Infantry, promoted.

First Lieut. George G. Bartlett, Fifteenth Infantry, vice Capt. George W. Helms, Nineteenth Infantry, promoted.

First Lieut. Henry B. Clagett, Tenth Infantry, subject to examination required by law, vice Capt. Rufus E. Langdon, Twenty-fifth Infantry, promoted.

First Lieut. Clyde R. Abraham, Second Infantry, vice Capt. Edward A. Roche, Twenty-sixth Infantry, promoted.

First Lieut. Richard H. Jacob, Eighth Infantry, vice Capt. William M. Fassett, Twenty-seventh Infantry, promoted.

First Lieut. Ralph A. Jones, Twentieth Infantry, subject to examination required by law, vice Capt. Henry M. Dichmann, Eighth Infantry, promoted.

First Lieut. Hugo D. Schultz, Twentieth Infantry, vice Capt. Halstead Dorey, Fourth Infantry, promoted.

First Lieut. Max A. Elser, Eighth Infantry, vice Capt. George F. Baltzell, Fifth Infantry, promoted.

First Lieut. George R. Byrd, Twenty-seventh Infantry, vice Capt. Edgar T. Conley, Thirtieth Infantry, promoted.

First Lieut. William T. MacMillan, Infantry, unassigned, vice Capt. Edgar T. Collins, Tenth Infantry, promoted.

First Lieut. Jacob E. Fickel, Thirteenth Infantry, vice Capt. George S. Gillis, detailed in the Signal Corps.

First Lieut. Jesse W. Boyd, Eleventh Infantry, vice Capt. Charles E. Swartz, detailed in the Signal Corps.

First Lieut. Ebenezer G. Beuret, Seventeenth Infantry, vice Capt. Benjamin D. Foulois, detailed in the Signal Corps.

First Lieut. Rush B. Lincoln, Infantry, unassigned, subject to examination required by law, vice Capt. Gilbert H. Stewart, detailed in the Ordnance Department.

First Lieut. Walter F. L. Hartigan, Fourteenth Infantry, vice Capt. David H. Bower, detailed in the Signal Corps.

First Lieut. Bruce Magruder, Eighth Infantry, vice Capt. Wilber A. Blain, detailed in the Signal Corps.

First Lieut. George H. Huddleson, Twenty-sixth Infantry, vice Capt. William W. Harris, jr., detailed in the Signal Corps.

First Lieut. George C. Keleher, Twenty-fifth Infantry, vice Capt. John C. Moore, detailed in the Signal Corps.

First Lieut. Harry H. Pritchett, Thirtieth Infantry, vice Capt. William Lay Patterson, detailed in the Signal Corps.

First Lieut. Edgar L. Field, Twenty-sixth Infantry, vice Capt. Arthur D. Minick, detailed in the Ordnance Department.

To be first lieutenants with rank from July 1, 1916, to fill original vacancies.

Second Lieut. Jacob H. Rudolph, Twenty-ninth Infantry, subject to examination required by law.

Second Lieut. Elbe A. Lathrop, Fourteenth Infantry.
Second Lieut. Raymond C. Baird, Twenty-first Infantry.
Second Lieut. Matthew A. Palen, Twelfth Infantry.
Second Lieut. Joseph T. Clement, Ninth Infantry.
Second Lieut. Fredrick C. Rogers, Sixteenth Infantry.
Second Lieut. Clarence E. Partridge, Thirteenth Infantry.
Second Lieut. Edward A. Everts, Eighth Infantry.
Second Lieut. Thom Catron, Twenty-third Infantry.
Second Lieut. Philip Hayes, Infantry, unassigned.

Second Lieut. Franz A. Doniat, Infantry, detailed in the Ordnance Department.
Second Lieut. Carl A. Baehr, Twenty-second Infantry.
Second Lieut. James G. Ord, Thirtieth Infantry.
Second Lieut. Wallace C. Philoon, Twenty-fifth Infantry.
Second Lieut. Herbert L. Taylor, Twenty-first Infantry.
Second Lieut. Delos C. Emmons, Thirtieth Infantry.
Second Lieut. Arnold N. Krogstad, Twenty-second Infantry.
Second Lieut. Eley P. Denson, Twenty-fifth Infantry.
Second Lieut. Roy H. Coles, Twenty-third Infantry.
Second Lieut. Robert L. Eichelberger, Twenty-second Infantry.
Second Lieut. Edwin F. Harding, Fourteenth Infantry.
Second Lieut. Joseph C. Morrow, jr., Infantry, detailed in the Signal Corps, subject to examination required by law.
Second Lieut. Arthur R. Underwood, Twentieth Infantry.
Second Lieut. Robert Sears, First Infantry.
Second Lieut. Thomas S. Bowen, Infantry, detailed in the Signal Corps.
Second Lieut. Lee D. Davis, Fourteenth Infantry, subject to examination required by law.
Second Lieut. Frank L. Purdon, Eighteenth Infantry, subject to examination required by law.
Second Lieut. Merl P. Schillerstrom, Twenty-fourth Infantry.
Second Lieut. Carlin C. Stokely, Eighth Infantry.
Second Lieut. Louis P. Ford, Fifteenth Infantry.
Second Lieut. John M. McDowell, Eighth Infantry, subject to examination required by law.
Second Lieut. Clifford Bluemel, Twenty-second Infantry.
Second Lieut. Wentworth H. Moss, Third Infantry.
Second Lieut. John Pullman, Twelfth Infantry.
Second Lieut. Manton C. Mitchell, Twenty-fourth Infantry.
Second Lieut. William H. Simpson, Sixth Infantry.
Second Lieut. Walker E. Hobson, Ninth Infantry.
Second Lieut. Vernor G. Olsmith, Twenty-third Infantry.
Second Lieut. Ralph E. Jones, Thirteenth Infantry.
Second Lieut. James A. McGrath, Eleventh Infantry.
Second Lieut. Courtney H. Hodges, Sixth Infantry.
Second Lieut. Rollo C. Ditto, Twentieth Infantry.
Second Lieut. Clarence M. McMurray, Thirteenth Infantry.
Second Lieut. Guy I. Rowe, Twenty-first Infantry.
Second Lieut. Charles M. Everitt, Twenty-sixth Infantry.
Second Lieut. Robert E. Jones, Thirteenth Infantry.
Second Lieut. Alexander W. Cleary, Thirteenth Infantry.
Second Lieut. George M. Parker, jr., Twenty-first Infantry.
Second Lieut. James I. Muir, Thirteenth Infantry.
Second Lieut. Daniel H. Torrey, Twenty-third Infantry.
Second Lieut. John R. Emory, jr., Twenty-ninth Infantry, subject to examination required by law.
Second Lieut. Durward S. Wilson, Thirteenth Infantry.
Second Lieut. Parker C. Kalloch, jr., Twenty-eighth Infantry.
Second Lieut. Maurice D. Welty, Third Infantry.
Second Lieut. Joseph E. Carberry, Infantry, detailed in the Signal Corps, subject to examination required by law.
Second Lieut. Frank F. Scowden, Eleventh Infantry.
Second Lieut. Emmett W. Smith, Eighteenth Infantry.
Second Lieut. Herbert E. Marshburn, Twenty-second Infantry.
Second Lieut. Thomas S. Bridges, Sixth Infantry.
Second Lieut. Walter H. Frank, Twenty-fifth Infantry.
Second Lieut. Fred B. Carrithers, Twentieth Infantry, subject to examination required by law.
Second Lieut. Frederick E. Uhl, Eighteenth Infantry.
Second Lieut. Harvey H. Fletcher, Twenty-ninth Infantry, subject to examination required by law.
Second Lieut. Jasper A. Davies, Seventeenth Infantry.
Second Lieut. John F. Landis, Eighteenth Infantry.
Second Lieut. Joseph S. Leonard, Fifteenth Infantry.
Second Lieut. Walter Moore, Ninth Infantry.
Second Lieut. Oscar W. Griswold, Fifteenth Infantry.
Second Lieut. Robert H. Dunlop, Thirteenth Infantry.
Second Lieut. John R. Walker, Twelfth Infantry.
Second Lieut. John E. Beller, Tenth Infantry, subject to examination required by law.
Second Lieut. Emil F. Reinhardt, Eighth Infantry.
Second Lieut. Harrison C. Browne, Sixteenth Infantry.
Second Lieut. John G. Thornell, Fourth Infantry.
Second Lieut. William A. Beach, Thirteenth Infantry.
Second Lieut. James A. Stevens, Ninth Infantry.
Second Lieut. Emmert W. Savage, Twenty-sixth Infantry.
Second Lieut. Tolbert F. Hardin, Twentieth Infantry.
Second Lieut. David O. Byars, Seventh Infantry.
Second Lieut. Whitmon R. Conolly, Seventeenth Infantry.
Second Lieut. Frank A. Sloan, Second Infantry.
Second Lieut. Russell P. Hartle, Twentieth Infantry.
Second Lieut. Oswald H. Saunders, Twenty-sixth Infantry.
Second Lieut. Spencer B. Akin, Twenty-third Infantry.
Second Lieut. Robert G. Sherrard, Thirtieth Infantry.
Second Lieut. Leon M. Logan, Sixth Infantry.
Second Lieut. Horace G. Ball, Infantry, unassigned.
Second Lieut. Marion P. Vestal, Twelfth Infantry.
Second Lieut. Frederick R. Palmer, Twentieth Infantry.
Second Lieut. Alexander Wilson, Fourth Infantry.
Second Lieut. Xavier F. Blauvelt, Twenty-fourth Infantry, subject to examination required by law.
Second Lieut. Frank D. Lackland, Thirteenth Infantry.
Second Lieut. Mason W. Gray, Ninth Infantry.
Second Lieut. Albert S. Peake, Sixth Infantry.
Second Lieut. Floyd D. Carlock, Seventeenth Infantry.
Second Lieut. Arthur Boettcher, Eighteenth Infantry.
Second Lieut. Fred L. Walker, Seventeenth Infantry.
Second Lieut. Alvan C. Gillem, jr., Twelfth Infantry.
Second Lieut. Rapp Brush, Twenty-sixth Infantry.
Second Lieut. Bert M. Atkinson, Infantry, detailed in the Signal Corps.
Second Lieut. Edward G. McCormick, Eighteenth Infantry.
Second Lieut. William A. Reed, Twenty-fourth Infantry, subject to examination required by law.
Second Lieut. Harry R. Kutz, Infantry, detailed in the Ordnance Department.
Second Lieut. Thompson Lawrence, Fifth Infantry, subject to examination required by law.
Second Lieut. Harry J. Keeley, Ninth Infantry.
Second Lieut. Charles P. Hall, Twentieth Infantry.
Second Lieut. William E. Larned, Fifth Infantry, subject to examination required by law.
Second Lieut. Alfred J. Betcher, Eighteenth Infantry.
Second Lieut. Charles L. Byrne, Fifth Infantry, subject to examination required by law.
Second Lieut. George R. Hicks, Fifteenth Infantry.
Second Lieut. Haig Shekerjian, Twenty-fourth Infantry.
Second Lieut. Charles S. Floyd, Thirtieth Infantry.
Second Lieut. Benjamin C. Lockwood, jr., Twenty-second Infantry.
Second Lieut. Carroll A. Bagby, Sixteenth Infantry.
Second Lieut. Oliver S. McCleary, Third Infantry.
Second Lieut. Frederick G. Dillman, Third Infantry.
Second Lieut. Gregory Hoisington, Fourteenth Infantry.
Second Lieut. Ziba L. Drollinger, Sixteenth Infantry.
Second Lieut. Frank B. Clay, Seventeenth Infantry.
Second Lieut. Jesse A. Ladd, Twenty-fourth Infantry.
Second Lieut. Paul W. Baade, Eighth Infantry.
Second Lieut. James R. N. Weaver, Ninth Infantry.
Second Lieut. Emanuel V. Heidt, Thirteenth Infantry.
Second Lieut. William H. H. Morris, jr., Ninth Infantry.
Second Lieut. Sidney H. Foster, Twenty-fourth Infantry.
Second Lieut. Carl F. McKinney, Twenty-eighth Infantry.
Second Lieut. Roscoe C. Batson, Tenth Infantry, subject to examination required by law.
Second Lieut. Allen R. Kimball, Third Infantry.
Second Lieut. Ira A. Rader, Infantry, detailed in the Signal Corps, subject to examination required by law.
Second Lieut. Alvan C. Sandeford, Twenty-second Infantry.
Second Lieut. William J. Calvert, Twenty-third Infantry.
Second Lieut. Kenneth E. Kern, Eleventh Infantry.
Second Lieut. David H. Cowles, Twenty-second Infantry.
Second Lieut. Ira T. Wyche, Thirtieth Infantry.
Second Lieut. Arthur C. Evans, Eighth Infantry.
Second Lieut. Joseph D. Patch, Twenty-sixth Infantry.
Second Lieut. Archibald D. Cowley, Eighth Infantry.
Second Lieut. Patrick Frissell, Eleventh Infantry.
Second Lieut. Edward L. Hoffman, Twenty-fourth Infantry.
Second Lieut. Casper B. Rucker, Eighteenth Infantry.
Second Lieut. John P. Edgerly, Twenty-fourth Infantry.
Second Lieut. Lindsay McD. Silvester, Twenty-fourth Infantry.
Second Lieut. Herbert M. Pool, Tenth Infantry, subject to examination required by law.
Second Lieut. Leonard T. Gerow, Nineteenth Infantry.
Second Lieut. George D. Murphy, Tenth Infantry, subject to examination required by law.
Second Lieut. Norman W. Peek, Sixth Infantry.
Second Lieut. Mord P. Short, Fifteenth Infantry.
Second Lieut. William C. Rose, Eighteenth Infantry.
Second Lieut. Wesley F. Ayer, Fifteenth Infantry.
Second Lieut. George C. Elsey, Tenth Infantry, subject to examination required by law.
Second Lieut. James A. O'Brien, Twenty-sixth Infantry.
Second Lieut. George A. Sanford, Sixteenth Infantry.
Second Lieut. Maxon S. Lough, Thirtieth Infantry.
Second Lieut. Ford Richardson, Nineteenth Infantry.
Second Lieut. Lester M. Wheeler, Eighth Infantry.

Second Lieut. William R. Van Sant, Fifth Infantry, subject to examination required by law.
Second Lieut. Eugene W. Fales, Twenty-fourth Infantry.
Second Lieut. John T. Rhett, Sixth Infantry, subject to examination required by law.
Second Lieut. Livingston Watrous, Twenty-fifth Infantry.
Second Lieut. Lester Gehman, Eighth Infantry.
Second Lieut. J. Pendleton Wilson Fifteenth Infantry.
Second Lieut. Charles S. Little, Twenty-fourth Infantry.
Second Lieut. Herbert A. Wadsworth, Tenth Infantry, subject to examination required by law.
Second Lieut. George M. Halloran, Second Infantry.
Second Lieut. William E. Brougher, Tenth Infantry, subject to examination required by law.
Second Lieut. Medorem Crawford, jr., Twenty-ninth Infantry, subject to examination required by law.
Second Lieut. Sumner Waite, Fifth Infantry, subject to examination required by law.
Second Lieut. Albert M. Jones, Twenty-first Infantry.
Second Lieut. John E. Creed, Fifteenth Infantry.
Second Lieut. Harrison McAlpine, Twenty-ninth Infantry, subject to examination required by law.
Second Lieut. Samuel H. Houston, Twenty-eighth Infantry.
Second Lieut. James R. Alfonte, Seventh Infantry.
Second Lieut. Gerald E. Cronin, Ninth Infantry.
Second Lieut. Glenn P. Wilhelm, Fourth Infantry.
Second Lieut. Andrew G. Gardner, Twenty-second Infantry.
Second Lieut. Albert S. Kuegle, Twenty-eighth Infantry.
Second Lieut. Matthew J. Gunner, Tenth Infantry, subject to examination required by law.
Second Lieut. Herbert E. Pace, Twenty-sixth Infantry.
Second Lieut. Harold H. Taintor, Twenty-first Infantry.
Second Lieut. James R. Jacobs, Twenty-eighth Infantry.
Second Lieut. Robert S. Lytle, Third Infantry.
Second Lieut. Henry Terrell, jr., Twenty-ninth Infantry, subject to examination required by law.
Second Lieut. Thomas J. Camp, Second Infantry.
Second Lieut. Harry A. Musham, Twenty-ninth Infantry, subject to examination required by law.
Second Lieut. Frank C. Mahin, Fifteenth Cavalry.
Second Lieut. Lawrence S. Churchill, Seventh Infantry.
Second Lieut. George E. Arnemann, Twenty-eighth Infantry.
Second Lieut. Dale F. McDonald, Eighth Infantry.
Second Lieut. Paul K. Johnson, Thirteenth Infantry.
Second Lieut. Edward H. Bertram, Seventh Infantry.
Second Lieut. Hayes A. Kroner, Fifteenth Infantry.
Second Lieut. Allan S. Boyd, jr., Twenty-ninth Infantry, subject to examination required by law.
Second Lieut. Harry L. Twaddle, Fourteenth Infantry.
Second Lieut. John H. Harrison, Twenty-seventh Infantry.
Second Lieut. Clarence L. Tinker, Twenty-fifth Infantry.
Second Lieut. William R. White, Seventh Infantry.
Second Lieut. Donald B. Sanger, Nineteenth Infantry.
Second Lieut. Martin F. Scanlon, Nineteenth Infantry.
Second Lieut. William H. Gill, Eighth Infantry.
Second Lieut. Lee H. Stewart, Twenty-first Infantry.
Second Lieut. Harry Gantz, Infantry, detailed in the Signal Corps.
Second Lieut. Gilbert P. Strelinger, Eighteenth Infantry.
Second Lieut. Thomas J. Hayes, Fourth Infantry.
Second Lieut. d'Alary Fechét, Fifth Infantry, subject to examination required by law.
Second Lieut. William H. Wilbur, Infantry, unassigned.
Second Lieut. Edgar S. Gorrell, Infantry, detailed in the Signal Corps.
Second Lieut. Basil D. Edwards, Infantry, unassigned.
Second Lieut. Davenport Johnson, Nineteenth Infantry.
Second Lieut. Wade H. Haislip, Nineteenth Infantry.
Second Lieut. William Dean, Twenty-seventh Infantry.
Second Lieut. Walter M. Robertson, Twenty-fourth Infantry.
Second Lieut. Harry J. Malony, Twenty-sixth Infantry.
Second Lieut. John H. Hinemon, jr., Twenty-second Infantry.
Second Lieut. Charles N. Sawyer, Thirtieth Infantry.
Second Lieut. Gilbert R. Cook, Twenty-seventh Infantry, subject to examination required by law.
Second Lieut. Max W. Sullivan, Twenty-seventh Infantry.
Second Lieut. Franklin C. Sibert, Eighteenth Infantry.
Second Lieut. Archibald V. Arnold, Fifth Infantry, subject to examination required by law.
Second Lieut. John N. Smith, jr., First Infantry.
Second Lieut. Stephen J. Chamberlin, Eighth Infantry.
Second Lieut. William H. Hobson, Twenty-seventh Infantry.
Second Lieut. Walter G. Kilner, Infantry, detailed in the Signal Corps, subject to examination required by law.
Second Lieut. Raymond O. Barton, Thirtieth Infantry.
Second Lieut. Walton H. Walker, Nineteenth Infantry.
Second Lieut. Millard F. Harmon, jr., Twenty-seventh Infantry.
Second Lieut. Edward C. Rose, First Infantry.
Second Lieut. Albert E. Brown, Fourth Infantry.
Second Lieut. Ralph C. Holliday, Second Infantry.
Second Lieut. William G. Weaver, Twenty-seventh Infantry.
Second Lieut. Adrian K. Polhemus, Second Infantry.
Second Lieut. Charles C. Drake, Seventh Infantry.
Second Lieut. James D. Burt, Twenty-seventh Infantry.
Second Lieut. Max S. Murray, Twenty-second Infantry.
Second Lieut. William J. Morrissey, Twenty-ninth Infantry, subject to examination required by law.
Second Lieut. Robert T. Snow, First Infantry.
Second Lieut. Henry C. McLean, Twenty-ninth Infantry.
Second Lieut. Gustav J. Gonser, First Infantry.
Second Lieut. Frank V. Schneider, First Infantry.
Second Lieut. Frank J. Riley, First Infantry.
Second Lieut. Benjamin F. Delamater, jr., Nineteenth Infantry.
Second Lieut. Theodore W. Martin, Second Infantry.
Second Lieut. Ralph S. Kimball, Seventeenth Infantry.
Second Lieut. Francis B. Mallon, Twenty-seventh Infantry.
Second Lieut. Lathrop B. Clapham, Twenty-eighth Infantry.
Second Lieut. Carl J. Adler, Nineteenth Infantry.
Second Lieut. Otto G. Pitz, Seventh Infantry, subject to examination required by law.
Second Lieut. Theophilus Steele, Fourteenth Infantry.
Second Lieut. George H. Gardiner, Thirteenth Infantry.
Second Lieut. Dabney C. Rose, Twenty-sixth Infantry.
Second Lieut. Hamilton Templeton, Twenty-eighth Infantry.
Second Lieut. Edward F. Witsell, Second Infantry.
Second Lieut. Alfred L. Rockwood, Second Infantry.
Second Lieut. George W. Polhemus, Twenty-ninth Infantry, subject to examination required by law.
Second Lieut. Floyd C. Hecox, Seventh Infantry.
Second Lieut. Carl A. Hardigg, Second Infantry.
Second Lieut. Carl L. Cohen, Second Infantry.
Second Lieut. William R. Gruber, Tenth Infantry, subject to examination required by law.
Second Lieut. William T. Pigott, jr., Twenty-seventh Infantry.
Second Lieut. Albert J. Lawes, Fourth Infantry.
Second Lieut. Robert C. Williams, Twenty-ninth Infantry, subject to examination required by law.
Second Lieut. Paul X. English, Tenth Infantry, subject to examination required by law.
Second Lieut. Estil V. Smith, Fifteenth Infantry.
Second Lieut. Troy H. Middleton, Seventh Infantry.
Second Lieut. Roland F. Walsh, Twenty-seventh Infantry.
Second Lieut. Paul Murray, Fifth Infantry.
Second Lieut. Robert G. Calder, Second Infantry.
Second Lieut. William D. Faulkner, Eighth Infantry.
Second Lieut. Edgar A. Stadden, Fifteenth Infantry.
Second Lieut. Roy M. Jones, First Infantry.
Second Lieut. Arthur R. Christie, Infantry, detailed in the Signal Corps, subject to examination required by law.
Second Lieut. Percy E. Van Nostrand, Twenty-eighth Infantry.
Second Lieut. Frederic V. Hemenway, Tenth Infantry, subject to examination required by law.
Second Lieut. Clarence M. Dodson, Eighth Infantry.
Second Lieut. Virgil V. Enyart, First Infantry.
Second Lieut. James M. Moore, Nineteenth Infantry, subject to examination required by law.
Second Lieut. Percie C. Rentfro, Fourteenth Infantry.
Second Lieut. Sidney B. Colquitt, Tenth Infantry, subject to examination required by law.
Second Lieut. Carl J. Ballinger, Twenty-fifth Infantry.
Second Lieut. Richard T. Taylor, Twenty-fifth Infantry.
Second Lieut. George LeR. Brown, jr., Fifth Infantry.
Second Lieut. John R. Baxter, First Infantry.
Second Lieut. John C. P. Bartholf, Fifth Infantry.
Second Lieut. James P. Cole, Fourth Infantry.
Second Lieut. Robert H. Barrett, Thirteenth Infantry.
Second Lieut. Ernest J. Carr, Twenty-fifth Infantry.
Second Lieut. Patrick J. Hurley, Tenth Infantry, subject to examination required by law.

To be first lieutenants with rank from July 1, 1916, to fill casual vacancies.

Second Lieut. Donald R. McMillen, Twenty-seventh Infantry, vice First Lieut. Harry W. Gregg, Nineteenth Infantry, promoted.

Second Lieut. Hugh B. Keen, First Infantry, vice First Lieut. Staley A. Campbell, Seventh Infantry, promoted.

Second Lieut. Ora M. Baldinger, Twenty-fifth Infantry, vice First Lieut. John R. Brewer, Eighteenth Infantry, promoted.

Second Lieut. Lewis K. Underhill, Fifteenth Infantry, subject to examination required by law, vice First Lieut. Leo A. Dewey, unassigned, promoted.

Second Lieut. Harold S. Martin, Infantry, detailed in the Signal Corps, vice First Lieut. John P. McAdams, Eleventh Infantry, promoted.

Second Lieut. John H. Van Vliet, Fifteenth Infantry, vice First Lieut. Nolan V. Ellis, Nineteeth Infantry, promoted.

Second Lieut. Leland S. Devore, Twenty-fifth Infantry, vice First Lieut. Richard Wetherill, Sixth Infantry, promoted.

Second Lieut. Charles A. Ross, Fourteenth Infantry, subject to examination required by law, vice First Lieut. John B. Barnes, Fifth Infantry, promoted.

Second Lieut. Douglass T. Greene, Second Infantry, vice First Lieut. Thomas T. Duke, Eighteenth Infantry, promoted.

Second Lieut. Clarence H. Danielson, Twenty-seventh Infantry, vice First Lieut. Harry A. Wells, Eleventh Infantry, promoted.

Second Lieut. James N. Peale, First Infantry, vice First Lieut. George W. Harris, Twenty-eighth Infantry, promoted.

Second Lieut. Francis R. Fuller, Twenty-ninth Infantry, subject to examination required by law, vice First Lieut. Edward G. McCleave, Sixteenth Infantry, promoted.

Second Lieut. Clinton W. Russell, Eighth Infantry, vice First Lieut. John K. Cowan, Fourth Infantry, promoted.

Second Lieut. William R. Schmidt, Twenty-second Infantry, vice First Lieut. Pat M. Stevens, Twenty-third Infantry, promoted.

Second Lieut. George L. Hardin, Twenty-eighth Infantry, vice First Lieut. Deas Archer, Twenty-sixth Infantry, promoted.

Second Lieut. Otis K. Sadtler, First Infantry, vice First Lieut. John J. Fulmer, unassigned, promoted.

Second Lieut. William H. Jones, jr., Twelfth Infantry, vice First Lieut. Francis C. Endicott, Fourteenth Infantry, promoted.

Second Lieut. John E. Ardrey, Twelfth Infantry, vice First Lieut. Frederick E. Wilson, Sixth Infantry, promoted.

Second Lieut. David B. Faulk, jr., Twenty-second Infantry, vice First Lieut. Henry Hossfeld, Third Infantry, promoted.

Second Lieut. Henry P. Perrine, jr., Fourteenth Infantry, vice First Lieut. John J. Mudgett, Twenty-third Infantry, promoted.

Second Lieut. Dennis E. McCunniff, Sixth Infantry, vice First Lieut. Wilford Twyman, Fifth Infantry, promoted.

Second Lieut. Henry B. Lewis, Twentieth Infantry, vice First Lieut. William St. J. Jervey, Thirtieth Infantry, promoted.

Second Lieut. Henry B. Cheadle, Twenty-eighth Infantry, vice First Lieut. Channing E. Delaplane, Eleventh Infantry, promoted.

Second Lieut. Samuel A. Gibson, Twenty-first Infantry, vice First Lieut. Laurance O. Mathews, unassigned, promoted.

Second Lieut. Paul W. Newgarden, Twenty-first Infantry, vice First Lieut. Thorne Strayer, Seventeenth Infantry, promoted.

Second Lieut. Harley B. Bullock, Twenty-third Infantry, vice First Lieut. Francis B. Eastman, Thirtieth Infantry, promoted.

Second Lieut. Charles A. King, jr., Twenty-sixth Infantry, vice First Lieut. Kneeland S. Snow, First Infantry, promoted.

Second Lieut. Dana Palmer, Third Infantry, vice First Lieut. Robert G. Caldwell, Fifteenth Infantry, promoted.

Second Lieut. Alexander M. Patch., jr., Eighteenth Infantry, vice First Lieut. Hugh A. Parker, Twenty-eighth Infantry, promoted.

Second Lieut. Charles B. Lyman, Second Infantry, vice First Lieut. Charles W. Tillotson, Nineteenth Infantry, promoted.

Second Lieut. Robert L. Spragins, Nineteenth Infantry, vice First Lieut. Will D. Wills, Fifth Infantry, promoted.

Second Lieut. George W. Krapf, Twenty-sixth Infantry, vice First Lieut. Arthur T. Dalton, Second Infantry, promoted.

Second Lieut. Charles H. Corlett, Thirtieth Infantry, vice First Lieut. Otho E. Michaelis, Sixteenth Infantry, promoted.

Second Lieut. Hans R. W. Herwig, Third Infantry, vice First Lieut. William C. Stoll, Seventh Infantry, promoted.

Second Lieut. Howard C. Davidson, Twenty-seventh Infantry, vice First Lieut. Ira A. Smith, Twelfth Infantry, promoted.

Second Lieut. William L. Roberts, Eleventh Infantry, vice First Lieut. James E. Ware, Twenty-second Infantry, promoted.

Second Lieut. William A. McCulloch, First Infantry, vice First Lieut. William J. Davis, Twenty-second Infantry, promoted.

Second Lieut. William A. Rafferty, Nineteenth Infantry, vice First Lieut. John F. Clapham, Nineteenth Infantry, promoted.

Second Lieut. Lathe B. Row, Eleventh Infantry, vice First Lieut. Kenneth P. Williams, unassigned, promoted.

Second Lieut. Frank B. Jordan, Thirteenth Infantry, vice First Lieut. William A. Alfonte, Eighteenth Infantry, promoted.

Second Lieut. Alfred E. Sawkins, Twenty-fifth Infantry, vice First Lieut. Daniel A. Nolan, Fifth Infantry, promoted.

Second Lieut. Roy M. Smyth, Fourth Infantry, subject to examination required by law, vice First Lieut. Ralph H. Leavitt, Sixth Infantry, promoted.

Second Lieut. Cleveland H. Bandholtz, Twenty-ninth Infantry, vice First Lieut. Goodwin Compton, Twenty-sixth Infantry, promoted.

Second Lieut. Fritz P. Lindh, Twenty-third Infantry, vice First Lieut. Launcelot M. Purcell, Twenty-sixth Infantry, promoted.

Second Lieut. Harry C. Ingles, Fourteenth Infantry, vice First Lieut. James E. McDonald, unassigned, promoted.

Second Lieut. James L. Bradley, Nineteenth Infantry, vice First Lieut. William F. C. Jepson, Fourteenth Infantry, promoted.

Second Lieut. Willis J. Tack, Twenty-eighth Infantry, vice First Lieut. Carl F. von dem Bussche, Fourteenth Infantry, promoted.

Second Lieut. Floyd R. Waltz, Fourth Infantry, vice First Lieut. Fay W. Brabson, Twenty-third Infantry, promoted.

Second Lieut. Weldon W. Doe, Fifteenth Infantry, vice First Lieut. Royden E. Beebe, Eighth Infantry, promoted.

Second Lieut. Carl Spatz, Infantry, detailed in the Signal Corps, vice First Lieut. William J. O'Loughlin, Eleventh Infantry, promoted.

Second Lieut. Harold R. Bull, Thirtieth Infantry, vice First Lieut. Charles T. Smart, unassigned, promoted.

Second Lieut. Charles M. Milliken, Thirtieth Infantry, vice First Lieut. Girard L. McEntee, Thirteenth Infantry, promoted.

Second Lieut. James F. Byrom, Nineteenth Infantry, vice First Lieut. Charles Keller, Twenty-ninth Infantry, promoted.

Second Lieut. Woodfin G. Jones, Second Infantry, vice First Lieut. John Scott, Fourth Infantry, promoted.

Second Lieut. Paul C. Paschal, Thirtieth Infantry, vice First Lieut. George C. Rockwell, Twenty-first Infantry, promoted.

Second Lieut. John L. Parkinson, Twentieth Infantry, vice First Lieut. Smith A. Harris, Fourteenth Infantry, promoted.

Second Lieut. Rudolph G. Whitten, Thirtieth Infantry, vice First Lieut. Noble J. Wiley, Fifth Infantry, promoted.

Second Lieut. Louis T. Byrne, Twenty-ninth Infantry, subject to examination required by law, vice First Lieut. George C. Marshall, jr., Sixteenth Infantry, promoted.

Second Lieut. Francis R. Kerr, Thirtieth Infantry, vice First Lieut. Robert L. Meador, Ninth Infantry, promoted.

Second Lieut. Francis M. Brannan, Sixteenth Infantry, vice First Lieut. Samuel T. Mackall, Nineteenth Infantry, promoted.

Second Lieut. William R. Orton, Sixteenth Infantry, vice First Lieut. Charles C. Herman, jr., Twenty-sixth Infantry, promoted.

Second Lieut. Francis H. Forbes, Fifth Infantry, subject to examination required by law, vice First Lieut. Walter C. Short, Sixteenth Infantry, promoted.

Second Lieut. Rufus S. Bratton, First Infantry, vice First Lieut. John C. Waterman, unassigned, promoted.

Second Lieut. Thomas G. Lanphier, Fifth Infantry, subject to examination required by law, vice First Lieut. Austin M. Pardee, Twentieth Infantry, promoted.

Second Lieut. Jefferson R. Davenport, Tenth Infantry, subject to examination required by law, vice First Lieut. Frank F. Jewett, unassigned, promoted.

Second Lieut. Benjamin G. Weir, Fourth Infantry, vice First Lieut. Hunter Harris, Ninth Infantry, promoted.

Second Lieut. Ralph Royce, Infantry, detailed in the Signal Corps, vice First Lieut. Augustus F. Dannemiller, Twelfth Infantry, promoted.

Second Lieut. Harry M. Brown, Twenty-second Infantry, vice First Lieut. James W. Everington, unassigned, promoted.

Second Lieut. Thomas H. Monroe, Sixth Infantry, vice First Lieut. William R. Leonard, Ninth Infantry, promoted.

Second Lieut. Roger B. Harrison, Fourth Infantry, vice First Lieut. Alfred A. Hickox, unassigned, promoted.

Second Lieut. Cedric W. Lewis, Fifth Infantry, subject to examination by law, vice First Lieut. Samuel G. Talbott, Twenty-ninth Infantry, promoted.

Second Lieut. George P. Nickerson, Seventeenth Infantry, vice First Lieut. Edwin P. Thompson, Twentieth Infantry, promoted.

Second Lieut. Clifford J. Mathews, Sixteenth Infantry, vice First Lieut. John E. Green, unassigned, promoted.

Second Lieut. Howard P. Milligan, Twenty-fifth Infantry, vice First Lieut. Jason M. Walling, Third Infantry, promoted.

Second Lieut. Frank W. Milburn, Fifth Infantry, subject to examination required by law, vice First Lieut. Robert L. Weeks, Eighteenth Infantry, promoted.

Second Lieut. J. Warren Weissheimer, Seventeenth Infantry, vice First Lieut Albert G. Goodwyn, Twenty-ninth Infantry, promoted.

Second Lieut. Isaac Gill, jr., Ninth Infantry, vice First Lieut. Charles A. Hunt, Eighteenth Infantry, promoted.

Second Lieut. Walter C. Gullion, Twentieth Infantry, vice First Lieut. Harry S. Adams, Twenty-sixth Infantry, promoted.

Second Lieut. Hamner Huston, Fourteenth Infantry, vice First Lieut. Edward J. Moran, Twenty-fourth Infantry, promoted.

Second Lieut. Jens A. Doe, Eleventh Infantry, subject to examination required by law, vice First Lieut. John R. McGinness, unassigned, promoted.

Second Lieut. Sheldon H. Wheeler, Twenty-fifth Infantry, vice First Lieut. Henry M. Nelly, Fifteenth Infantry, promoted.

Second Lieut. Lester L. Lampert, Twenty-third Infantry, vice First Lieut. Frederick F. Black, Twenty-fifth Infantry, promoted.

Second Lieut. John W. Hyatt, Fifth Infantry, subject to examination required by law, vice First Lieut. James M. Hobson, jr., Twenty-first Infantry, promoted.

Second Lieut. Parley D. Parkinson, Twentieth Infantry, subject to examination required by law, vice First Lieut. Hiram M. Cooper, Twenty-first Infantry, promoted.

Second Lieut. Charles W. Ryder, Thirtieth Infantry, vice First Lieut. Benjamin F. Miller, Seventeenth Infantry, promoted.

Second Lieut. Joseph T. McNarney, Twenty-first Infantry, vice First Lieut. Louis Soléliac, Twelfth Infantry, promoted.

Second Lieut. Omar H. Bradley, Fourteenth Infantry, vice First Lieut. Charles M. Blackford, Eighteenth Infantry, promoted.

Second Lieut. Paul J. Mueller, Twenty-first Infantry, vice First Lieut. Walter O. Boswell, Twenty-first Infantry, promoted.

Second Lieut. Leland S. Hobbs, Twelfth Infantry, vice First Lieut. Deshler Whiting, Thirtieth Infantry, promoted.

Second Lieut. Charles C. Benedict, Twenty-first Infantry, vice First Lieut. Gulielmus V. Heidt, unassigned, promoted.

Second Lieut. Vernon Evans, Twenty-second Infantry, vice First Lieut. Samuel J. Sutherland, unassigned, promoted.

Second Lieut. Roscoe B. Woodruff, Ninth Infantry, vice First Lieut. Emory S. Adams, unassigned, promoted.

Second Lieut. Lewis C. Davidson, Twenty-first Infantry, vice First Lieut. Ralph W. Drury, Thirteenth Infantry, promoted.

Second Lieut. Dwight D. Eisenhower, Eighteenth Infantry, vice First Lieut. John C. Fairfax, Twenty-first Infantry, promoted.

Second Lieut. Harold W. James, Twenty-first Infantry, vice First Lieut. Fred C. Miller, Thirtieth Infantry, promoted.

Second Lieut. James B. Ord, Sixth Infantry, vice First Lieut. Charles L. Mitchell, Thirtieth Infantry, promoted.

Second Lieut. John E. Rossell, Sixth Infantry, vice First Lieut. Robert John West, Sixteenth Infantry, promoted.

Second Lieut. Whitten J. East, Sixteenth Infantry, vice First Lieut. Odiorne H. Sampson, Twenty-eighth Infantry, promoted.

Second Lieut. Sidney C. Graves, Sixteenth Infantry, vice First Lieut. Albert Hardman, Fourth Infantry, promoted.

Second Lieut. Jo H. Reaney, Twentieth Infantry, vice First Lieut. William E. Holliday, unassigned, promoted.

Second Lieut. John W. Leonard, Sixth Infantry, vice First Lieut. Frank B. Kobes, Fourteenth Infantry, promoted.

Second Lieut. John A. McDermott, Eighteenth Infantry, vice First Lieut. Jesse M. Holmes, Twenty-third Infantry, promoted.

Second Lieut. Clyde R. Eisenschmidt, Twenty-first Infantry, vice First Lieut. Maynard A. Wells, Tenth Infantry, promoted.

Second Lieut. James A. Van Fleet, Third Infantry, vice First Lieut. Hans O. Olsen, Eighteenth Infantry, promoted.

Second Lieut. Louis A. Merillat, jr., Third Infantry, vice First Lieut. Alfred Brandt, Thirteenth Infantry, promoted.

Second Lieut. Edward G. Sherburne, Twenty-eighth Infantry, vice First Lieut. Charles A. Thuis, Seventeenth Infantry, promoted.

Second Lieut. Michael F. Davis, Sixth Infantry, vice First Lieut. Claremont A. Donaldson, Twelfth Infantry, promoted.

Second Lieut. Luis R. Esteves, Twenty-third Infantry, vice First Lieut. Franklin T. Burt, Twenty-third Infantry, promoted.

Second Lieut. Stuart C. MacDonald, Eleventh Infantry, vice First Lieut. Rutherford S. Hartz, Twenty-first Infantry, promoted.

Second Lieut. Metcalfe Reed, Eleventh Infantry, vice First Lieut. Townsend Whelen, Twenty-ninth Infantry, promoted.

Second Lieut. Benjamin G. Ferris, Twelfth Infantry, vice First Lieut. Charles S. Hamilton, Eleventh Infantry, promoted.

Second Lieut. Charles S. Ritchel, Twenty-sixth Infantry, vice First Lieut. Oscar K. Tolley, Twenty-sixth Infantry, promoted.

Second Lieut. Thomas G. Hearn, Sixth Infantry, vice First Lieut. Joseph F. Ware, Fifth Infantry, promoted.

Second Lieut. Donald Henley, Eleventh Infantry, vice First Lieut. Harry L. Jordan, Twentieth Infantry, promoted.

Second Lieut. Alfred S. Balsam, Twenty-fourth Infantry, vice First Lieut. Dean Halford, Twenty-third Infantry, promoted.

Second Lieut. George Pulsifer, jr., Twenty-third Infantry, vice First Lieut. Ralph W. Kingman, unassigned, promoted.

Second Lieut. Otto A. B. Hooper, Eighteenth Infantry, vice First Lieut. Donald D. Hay, Twenty-fifth Infantry, promoted.

Second Lieut. Howard Donnelly, Seventeenth Infantry, vice First Lieut. Philip G. Wrightson, unassigned, promoted.

Second Lieut. John N. Robinson, Twentieth Infantry, subject to examination required by law, vice First Lieut. George W. Ewell, Third Infantry, promoted.

Second Lieut. Tom Fox, Twenty-fourth Infantry, vice First Lieut. Claire R. Bennett, Second Infantry, promoted.

Second Lieut. Thomas J. Hanley, jr., Twenty-third Infantry, vice First Lieut. Bowers Davis, Twenty-sixth Infantry, promoted.

Second Lieut. Jacob J. Gerhardt, Twenty-third Infantry, vice First Lieut. John McE. Pruyn, Nineteenth Infantry, promoted.

Second Lieut. Vernon E. Prichard, Seventeenth Infantry, vice First Lieut. Henry W. Fleet, Nineteenth Infantry, promoted.

Second Lieut. Robert B. Lorch, Seventh Infantry, vice First Lieut. Charles G. Sturtevant, Ninth Infantry, promoted.

Second Lieut. Adlai H. Gilkeson, Eleventh Infantry, vice First Lieut. Francis H. Burr, Twenty-eighth Infantry, promoted.

Second Lieut. Gilbert S. Brownell, Seventeenth Infantry, vice First Lieut. John C. Ashburn, Nineteenth Infantry, promoted.

Second Lieut. Richard C. Stickney, Seventh Infantry, vice First Lieut. Robert T. Phinney, Twentieth Infantry, promoted.

Second Lieut. Philip K. McNair, Fourth Infantry, vice First Lieut. Nicholas W. Campanole, Sixth Infantry, promoted.

Second Lieut. Jesse B. Hunt, Sixteenth Infantry, vice First Lieut. John G. Macomb, Fourteenth Infantry, promoted.

Second Lieut. John B. Duckstad, Fourth Infantry, vice First Lieut. L. Worthington Moseley, unassigned, promoted.

Second Lieut. John R. Mendenhall, Seventh Infantry, vice First Lieut. Reginald H. Kelly, Fourth Infantry, promoted.

Second Lieut. Norman Randolph, Twenty-eighth Infantry, vice First Lieut. Edward H. Pearce, Sixteenth Infantry, promoted.

Second Lieut. Joseph M. Murphy, Third Infantry, vice First Lieut. Joseph O. Mauborgne, Eighth Infantry, promoted.

Second Lieut. George E. Stratemeyer, Seventh Infantry, vice First Lieut. Joseph M. Cummins, Eighteenth Infantry, promoted.

Second Lieut. Leroy H. Watson, Eleventh Infantry, vice First Lieut. Thomas C. Musgrave, Seventeenth Infantry, promoted.

Second Lieut. Henry H. Dabney, Infantry, unassigned, vice First Lieut. Converse R. Lewis, Twenty-third Infantry, promoted.

Second Lieut. John H. C. Williams, Twelfth Infantry, vice First Lieut. George A. Lynch, unassigned, promoted.

Second Lieut. Melchior McE. Eberts, Third Infantry, vice First Lieut. Samuel M. Parker, unassigned, promoted.

Second Lieut. Oscar A. Straub, Twentieth Infantry, vice First Lieut. Robert M. Lyon, Second Infantry, promoted.

Second Lieut. Earl M. Price, Fourteenth Infantry, subject to examination required by law, vice First Lieut. Francis H. Farnum, unassigned, promoted.

Second Lieut. Arthur A. White, Twenty-sixth Infantry, vice First Lieut. Benjamin E. Grey, unassigned, promoted.

Second Lieut. John Keliher, Third Infantry, vice First Lieut. Elvid Hunt, First Infantry, promoted.

Second Lieut. Benjamin W. Mills, Ninth Infantry, vice First Lieut. Benjamin F. McClellan, Second Infantry, promoted.

Second Lieut. Thomas F. Taylor, Sixteenth Infantry, vice First Lieut. Campbell B. Hodges, Fourth Infantry, promoted.

Second Lieut. Marshall H. Quesenberry, Twelfth Infantry, vice First Lieut. Jacob W. S. Wuest, Twenty-eighth Infantry, promoted.

Second Lieut. Robert L. Williams, Seventeenth Infantry, vice First Lieut. Max B. Garber, unassigned, promoted.

Second Lieut. Charles C. Herrick, Eleventh Infantry, vice First Lieut. Leo I. Samuelson, unassigned, promoted.

PROMOTIONS IN THE NAVY.

Commander William D. MacDougall to be a captain in the Navy from the 13th day of June, 1916.

Lieut. Commander William L. Littlefield to be a commander in the Navy from the 13th day of June, 1916.

Lieut. Joseph O. Fisher to be a lieutenant commander in the Navy from the 13th day of June, 1916.

Lieut. (Junior Grade) Jacob H. Klein, jr., to be a lieutenant in the Navy from the 17th day of April, 1916.

James Watt, a citizen of New York, to be an assistant surgeon in the Medical Reserve Corps of the Navy from the 28th day of June, 1916.

First Lieut. Edward W. Sturdevant to be a captain in the Marine Corps from the 12th day of June, 1916.

Second Lieut. George K. Shuler to be a first lieutenant in the Marine Corps from the 12th day of June, 1916.

Paymaster's Clerk Henry L. Battle to be a chief pay clerk in the Navy from the 1st day of July, 1915.

Lieut. William T. Conn, jr., to be a lieutenant commander in the Navy from the 1st day of July, 1916.

POSTMASTERS.

ARKANSAS.

J. R. Cotham to be postmaster at Monticello, Ark., in place of E. T. Luckey. Incumbent's commission expires August 8, 1916.

G. B. Greenhaw to be postmaster at Leslie, Ark., in place of W. T. Moore. Incumbent's commission expires August 8, 1916.

FLORIDA.

J. M. Hewitt to be postmaster at Leesburg, Fla., in place of J. F. Stunkel. Incumbent's commission expired February 8, 1916.

GEORGIA.

Mary R. Blacker to be postmaster at Fort Oglethorpe (late Dodge), Ga., in place of Mary R. Blacker, to change name of office.

ILLINOIS.

Mary E. Sullivan to be postmaster at Riverside, Ill., in place of Mary E. Sullivan. Incumbent's commission expires August 22, 1916.

W. J. Wangerow to be postmaster at Clearing, Ill. Office became presidential July 1, 1916.

INDIANA.

Herman Doyle to be postmaster at Hebron, Ind., in place of J. E. Carson. Incumbent's commission expired June 5, 1916.

Grover S. Spahr to be postmaster at Walkerton, Ind., in place of Thompson Turner. Incumbent's commission expires August 9, 1916.

KANSAS.

Stephen J. Ross to be postmaster at Coats, Kans. Office became presidential July 1, 1916.

KENTUCKY.

Ernest E. Birkhead to be postmaster at Hartford, Ky., in place of Ransom B. Martin. Incumbent's commission expired June 12, 1916.

Otho Dexter, to be postmaster at Beaver Dam, Ky., in place of Everett P. Taylor. Incumbent's commission expired March 13, 1916.

Conrad Maraman, to be postmaster at Shepherdsville, Ky., in place of Charles F. Troutman. Incumbent's commission expires July 13, 1916.

William E. Wooton, to be postmaster at Madisonville, Ky., in place of J. B. Harvey. Incumbent's commission expires July 18, 1916.

MARYLAND.

Margaret T. Bowdoin, to be postmaster at College Park, Md. Office became presidential July 1, 1916.

MASSACHUSETTS.

Thomas F. Maguire, to be postmaster at East Walpole, Mass., in place of J. F. Smith. Incumbent's commission expired December 12, 1915.

MISSOURI.

George B. Anderson to be postmaster at Garden City, Mo., in place of D. L. Bishop. Incumbent's commission expires August 6, 1916.

James Coday to be postmaster at Mansfield, Mo., in place of M. E. Gorman. Incumbent's commission expires August 24, 1916.

Walter N. Watkins to be postmaster at Appleton City, Mo., in place of J. W. Schempp. Incumbent's commission expires August 6, 1916.

NEW JERSEY.

Thomas E. Ludlam, jr., to be postmaster at Sea Isle City, N. J. Office became presidential July 1, 1916.

NEW YORK.

William H. Campbell to be postmaster at Warsaw, N. Y., in place of W. R. Crawford. Incumbent's commission expires July 13, 1916.

W. F. Keating to be postmaster at Victor, N. Y., in place of H. E. Snyder. Incumbent's commission expired December 16, 1914.

George M. Lamb to be postmaster at Coxsackie, N. Y., in place of Francis Worden. Incumbent's commission expires July 27, 1916.

Daniel W. Quinn to be postmaster at Valhalla, N. Y., in place of Frank C. Sweeny, deceased.

C. M. Stearne to be postmaster at Sacket Harbor, N. Y., in place of Mary A. Wilson. Incumbent's commission expires July 13, 1916.

NORTH DAKOTA.

John H. Walters to be postmaster at New England, N. Dak., in place of Jesse C. Ireland, removed.

OHIO.

Alfred L. Foreman to be postmaster at College Corner, Ohio, in place of Charles E. Bake. Incumbent's commission expires August 6, 1916.

OKLAHOMA.

James D. Kivlehen to be postmaster at Edmond, Okla., in place of A. D. Dailey. Incumbent's commission expires August 24, 1916.

Roy M. Mobley to be postmaster at New Wilson, Okla., in place of Laurence L. Dunlap, removed.

PENNSYLVANIA.

Joseph A. Schroeder to be postmaster at Matamoras, Pa. Office became presidential July 1, 1916.

Charles O. Wherry to be postmaster at Brackenridge, Pa., in place of Louis F. Senn. Incumbent's commission expires July 13, 1916.

TENNESSEE.

E. M. Beasley to be postmaster at Coal Creek, Tenn. Office became presidential July 1, 1916.

TEXAS.

Albert P. Hinton to be postmaster at Columbus, Tex., in place of Louis Weete. Incumbent's commission expires August 23, 1916.

UTAH.

Nephi O. Palmer to be postmaster at Farmington, Utah. Office became presidential July 1, 1916.

WEST VIRGINIA.

William M. Davis to be postmaster at Bridgeport, W. Va., in place of A. D. Fitzhugh. Incumbent's commission expires August 23, 1916.

CONFIRMATIONS.

Executive nominations confirmed by the Senate July 10 (legislative day of July 7), 1916.

RECORDER OF DEEDS.

John F. Costello to be recorder of deeds for the District of Columbia.

APPOINTMENTS IN THE ARMY.

GENERAL OFFICERS.

Brig. Gen. Albert L. Mills to be major general.
Col. Charles G. Morton to be brigadier general.
Col. Granger Adams to be brigadier general.
Col. Edward H. Plummer to be brigadier general.
Col. Clarence P. Townsley to be brigadier general.

DENTAL CORPS.

Acting Dental Surgeon Lowell B. Wright to be dental surgeon, with the rank of first lieutenant.

Acting Dental Surgeon Walter Lee Reesman to be dental surgeon, with rank of first lieutenant.

Acting Dental Surg. James G. Morningstar to be dental surgeon, with the rank of first lieutenant.

To be second lieutenants with rank from June 13, 1916.

CORPS OF ENGINEERS.

Cadet John Howard Wills.
Cadet Raymond George Moses.
Cadet Wilhelm Delp Styer.
Cadet John Woodman Fraser.
Cadet Charles Holmes Cunningham.
Cadet Dwight Frederick Johns.
Cadet William Arthur Snow.

Cadet Thomas Dewees Finley.
Cadet William Hamilton Britton.
Cadet Elroy Sandy Jackson Irvine.
Cadet Notley Young Du Hamel.
Cadet Wilburn Henry Henderson.
Cadet Robert George Guyer.
Cadet Edward Clark Smith.
Cadet Robert Allen 3harrer.
Cadet Ludson Dixon Worsham.
Cadet Edward Goring Bliss.
Cadet Ralph Gillett Barrows.
Cadet Holland Luley Robb.
Cadet Frederick Walker Bonfils.
Cadet Robert Reese Neyland, jr.
Cadet William Morris Hoge, jr.
Cadet Stanley Lonzo Scott.
Cadet Tattnall Daniell Simkins.

CAVALRY ARM.

Cadet James Knox Cockrell.
Cadet William Spence.
Cadet John White Rafferty.
Cadet De Rosey Carroll Cabell, jr.
Cadet Ralph Irvine Sasse.
Cadet William Ewen Shipp.
Cadet William Hieatt Cureton.
Cadet Fay Brink Prickett.
Cadet Calvin De Witt, jr.
Cadet James Mitchell Crane.
Cadet Lucien Samuel Spicer Berry.
Cadet Victor William Beck Wales.
Cadet Joseph Merit Tully.
Cadet Pettus Harvey Hemphill.
Cadet Hugh Mitchell.
Cadet Robert Le Grow Walsh.
Cadet Clarence Scott Maulsby.
Cadet George Sidney Andrew.
Cadet Roland Paget Shugg.
Cadet Spencer Albert Townsend.
Cadet Craigie Krayenbuhl.
Cadet Arthur Marion Jones.

FIELD ARTILLERY ARM.

Cadet Stanley Eric Reinhart.
Cadet Dean Hudnutt.
Cadet Louis Emerson Hibbs.
Cadet Jesse Frank Tarpley, jr.
Cadet Horace Logan McBride.
Cadet Hamilton Ewing Maguire.
Cadet Ray Corrigan Rutherford.
Cadet William Roscoe Woodward.
Cadet Alfred King King.
Cadet Henry Crampton Jones.

COAST ARTILLERY CORPS.

Cadet Albert William Draves.
Cadet Benjamin Sloan Beverley.
Cadet Frederick James Williams.
Cadet Carl Lee Marriott.
Cadet James Arthur Pickering.
Cadet Hugh Allen Ramsey.
Cadet Willis McDonald Chapin.
Cadet Robert Bruce McBride, jr.
Cadet Paul Vincent Kane.
Cadet Carl Smith Doney.
Cadet James de Barth Walbach.
Cadet Richard Mar Levy.
Cadet Weir Riché.
Cadet Ellicott Hewes Freeland.
Cadet James Cornelius Ruddell.
Cadet Joseph James O'Hare.
Cadet William George Patterson.
Cadet Frank Clark Scofield.
Cadet Ferdinand Francis Gallagher.
Cadet Barrington Lockhart Flanigen.

INFANTRY ARM.

Cadet Latham Loomis Brundred.
Cadet Leslie Thomas Saul.
Cadet Charles Augustus Bayler, jr.
Cadet Fred Beele Inglis.
Cadet Richard Parker Kuhn.
Cadet John Alexander Street.
Cadet Sidney Herkness.
Cadet William Earl Chambers.
Cadet Warner William Carr.
Cadet Thomas Lyle Martin.
Cadet Geoffrey Prescott Baldwin.
Cadet John Bennington Bennet.
Cadet Kenneth Macomb Halpine.
Cadet William Rosser Wilson.
Cadet Raymond Potter Campbell.
Cadet Richard Clarke Birmingham.
Cadet Felix Rosseter McLean.
Cadet John Edward Martin.
Cadet Paul Barrows Parker.
Cadet William Edgerton Morehouse, jr.
Cadet Thomas Green Peyton.
Cadet Joseph Hamilton Grant.
Cadet Arthur Monroe Ellis.
Cadet Maurice Levi Miller.
Cadet Junius Henry Houghton.
Cadet Abram Vorhees Rinearson, jr.
Cadet Benjamin Anthony Yancey.
Cadet Douglas Jenkins Page.
Cadet James Nephew Caperton.
Cadet Charles Compton Smith.
Cadet Harrison Herman.
Cadet George Joseph Newgarden, jr.
Cadet John David Miley.
Cadet William Edwin Coffin, jr.
Cadet John Forest Goodman.
Cadet Spencer Atkins Merrell.
Cadet William Worth Dempsey.
Cadet Robert Kenneth Whitson.
Cadet Otto Frederick Lange.
Cadet Harland Leslie Mumma.
Cadet George Hollenbeck Blankenship.
Cadet Alexander Mathias Weyand.
Cadet Walter David Mangan.
Cadet Robert Rau Duncan McCullough.
Cadet Elon Albert Abernethy.
Cadet Nelson Bateman Russell.
Cadet Henry Parker Blanks.

Cadet Bartlett James to be second lieutenant of Infantry, with rank from June 29, 1916.

MEDICAL RESERVE CORPS.

To be first lieutenants with rank from June 29, 1916.

Walter Palmer Anderton.
John Clifton Anthony.
Abner Lowe Atwood.
William Lloyd Aycock.
Forrest Pitt Baker.
Moses Horen Baker.
Charles Eldridge Barnett.
Joseph Nicholson Barney.
Robert Woodworth Bell.
Peter Alfred Bendexen.
James Dewitt Benjamin.
Edwin Saxton Bennett.
Fred Grey Benton.
Conrad Berens, jr.
David Mayo Berkman.
William Dixon Berry.
Joseph Cooper Birdsall.
Lewis Clyde Bixler.
Kenneth Daniel Blackfan.
Maurice Lamm Blatt.
Lewis Booker.
Paul Newkirk Bowman.
Henry Boxer.
Karl Trueblood Brown.
Charles Perry Burke.
Sidney Rogers Burnap.
James Clark Burt.
John Harve Carlisle.
John Egerton Cannaday.
Ernest Worth Cavaness.
Archibald Eastwood Chace.
Ralph Stephen Chappell.
Frank Samuel Child.
Joseph Patrick Cleary.
James Livingston Cobb.
Robert Carlyle Cochrane.
Thomas Cottrell.
Frederick Aloysius Coughlin.
Francis Asbury Coward.
James Porter Crawford.
Edgerton Lafayette Crispin.

John Mulchinock Cruice.
John Homer Cudmore.
Condict Walker Cutler.
Channing Ellery Dakin.
Robert Edward Davison.
Raymond Rudolf Decker.
Leon Ephraim DeYoe.
Heman Laurence Dowd.
Allison Harold Dugdale.
Arthur Storer Driscoll.
Charles Daniel Easton.
John Robert Espey.
Harold Clarence Ernst.
William George Eyman.
Roy Edwin Fallas.
Merton Almond Farlow.
Burr Ferguson.
Karl Dean Figley.
Charles E. B. Flagg.
James Murray Flynn.
Allan Adams Foster.
Matthias Lauckton Foster.
Willard Clyde Foster.
Harry Freudenberger.
William Dixon Fullerton.
Arthur Howell Gerhard.
Ninde Troy Gillette.
Thomas Wray Grayson.
Evan Henry Montgomery Griffiths, jr.
Harold Louis Hall.
Josiah Newhall Hall.
Jacob Roscoe Harry.
Eugene Henderson Hayward.
Julius Goodwin Henry.
William Eugene Hervey.
William Henry Heuschele.
Ernest Levi Hicks.
Carl Albert Hoberecht.
John Homans.
Alfred William Hornbogen.
Allen Richmond Howard.
Frederic Hollis Howard.
Frederick Brown Humphreys.
Francis Brattie Hutton, jr.
Henry James.
William Benjamin Jones.
Mortimer Harvie Jordan.
Arthur Matthew Kane.
Evan O'Neill Kane.
Peter Laurence Keough.
Paul Ernest M. Kersten.
Theodore Anthony Kreuser.
George Benjamin Kunkel.
William Edwards Ladd.
Lucian Hyppolite Landry.
William Raphael Larkin.
Willis W. Lasher.
Cornelius Arthur Leenheer.
Raymond Williams Lewis.
Fred Bates Lund.
William Clifton Lyle.
Douglas Macfarlan.
Norman Earl McBeath.
Malcolm McBurney.
Benjamin Rush McClellan.
Charles Buckley Maits.
Jacob Ludwig Mathesheimer.
William Fewell Merchant.
Evan William Meredith.
Charles Howard Miner.
Harry Staats Moore.
Jacob E. K. Morris.
Myron Louis Morris.
Alexis Victor Moschcowitz.
Frank George Murphy.
Howard Christian Naffziger.
Robert Nelson.
Thomas Walter Nuzum.
Mahlon Dickerson Ogden.
Theodore Eugene Oertel.
Lester Joery Palmer.
Alwin Max Pappenheimer.
Francis Le Jau Parker.
George Platt Pilling, jr.
Maurice Charles Pincoffs.
Henry Pleasants, jr.
William Alexander Quinn.
Thomas Ragan.
Joseph Louis Ransohoff.
Maurice Snowden Redmond.
Charles Benjamin Reitz.
Charles Barnett Reynolds.
Frederick Talmage Rice.
Ezra Clark Rich.
Waldemar Tissot Richards.
William Humes Roberts.
Oswald Hope Robertson.
Roy Thomas Rodaway.
Gaston Wilder Rogers.
George Gorgas Ross.
William Patrick Ryan.
Ernest Sachs.
David E. Schmalhorst.
Walter Francis Scott.
Jerome Selinger.
Nicholas George Lynn Shillito.
Francis Wayles Shine.
Samuel Ruff Skillern, jr.
Arthur Ralph Smeck.
Marshall Ashby Smith.
Robert Baylor Shackelford.
Donald Benjamin Steenburg.
Raymond St. Clair.
Fordyce Barker St. John.
Walter Leonard Stranberg.
Norman Brown Tooker.
Leo Stewart Trask.
George Albert Traylor.
Percy Rivington Turnure.
Henry Johnson Ullman.
Vite Edgar Van Kirk.
Allen Haines Vance.
David Mayo Vogt.
William Richard Warren.
Charles Lee Washburne.
Francis Elwood Weatherby.
Edward Tubbs Wentworth.
Lawrence Richardson Wharton.
Rae Wygant Whidden.
Allen Oldfather Whipple.
Cortland Yardley White, jr.
William Essex Whitson.
Clarence Cicero Wiley.
Lochlin Minor Winn.
Rowland Daniel Wolfe.
Charles Henry Young.
Channing Whitney Barrett.
Clarence Sydney Brown.
Daniel Nathan Eisendrath.
David Sturgis Fairchild, jr.
Arthur Henry Geiger.
Frank James Lemon.
George Mantingh.
Bial Francis Bradbury.
William Elston Leighton.
Hugh Farber McGaughey.

PROMOTIONS IN THE ARMY.

CORPS OF ENGINEERS.

Capt. Ulysses S. Grant, 3d, to be major.
Capt. Julian L. Schley to be major.
First Lieut. Gilbert Van B. Wilkes to be captain.
First Lieut. John C. H. Lee to be captain.
First Lieut. Frank S. Besson to be captain.
Second Lieut. Joseph D. Arthur, jr., to be first lieutenant.
Second Lieut. Ernest F. Miller to be first lieutenant.
Second Lieut. John S. Bragdon to be first lieutenant.

FIELD ARTILLERY ARM.

Lieut. Col. John E. McMahon to be colonel.
Maj. William S. McNair to be lieutenant colonel.
Maj. William J. Snow to be lieutenant colonel.
Maj. George G. Gatley to be lieutenant colonel.
Capt. John E. Stephens to be major.
Capt. Thomas E. Merrill to be major.
First Lieut. Emery T. Smith to be captain.
First Lieut. Robert M. Danford to be captain.
First Lieut. Leo P. Quinn to be captain.
Second Lieut. Frank A. Turner to be first lieutenant.

Second Lieut. George G. Seaman to be first lieutenant.
Second Lieut. Charles C. Reynolds to be first lieutenant.
Second Lieut. George S. Gay to be first lieutenant.
Second Lieut. Fred C. Wallace to be first lieutenant.

CAVALRY ARM.

Maj. Sedgwick Rice to be lieutenant colonel.
Maj. Arthur Thayer to be lieutenant colonel.
Capt. Powell Clayton to be major.
Capt. Frank A. Barton to be major.
Capt. George C. Barnhardt to be major.
Capt. James H. Reeves to be major.
First Lieut. Walter D. Smith to be captain.
First Lieut. Harry B. Jordan to be captain.
First Lieut. John T. Sayles to be captain.
First Lieut. Frank P. Lahm to be captain.
First Lieut. Orlando C. Troxel to be captain.
First Lieut. Creed F. Cox to be captain.
First Lieut. Robert McC. Beck, jr., to be captain.
Second Lieut. Cuthbert P. Stearns to be first lieutenant.
Second Lieut. James R. Hill to be first lieutenant.
Second Lieut. Horace H. Fuller to be first lieutenant.
Second Lieut. Thomas De W. Milling to be first lieutenant.
Second Lieut. Henry D. F. Munnikhuysen to be first lieutenant.

INFANTRY ARM.

Lieut. Col. James M. Arrasmith to be colonel.
Lieut. Col. William H. Johnston to be colonel.
Lieut. Col. Benjamin W. Atkinson to be colonel.
Maj. Charles H. Martin to be lieutenant colonel.
Maj. William Weigel to be lieutenant colonel
Maj. Thomas G. Hanson to be lieutenant colonel.
Maj. Herman Hall, Infantry, to be lieutenant colonel.
Maj. Marcus D. Cronin, Infantry, to be lieutenant colonel.
Maj. Charles S. Farnsworth to be lieutenant colonel.
Capt. Hamilton A. Smith to be major.
Capt. Hunter B. Nelson to be major.
Capt. Mathew E. Saville to be major.
Capt. Frank E. Bamford to be major.
Capt. Fredrik L Knudsen to be major.
Capt. Charles W. Castle to be major.
Capt. Paul B. Malone to be major.
Capt. S. J. Bayard Schindel to be major.
Capt. John F. Preston to be major.
Capt. Frederick G. Lawton to be major.
Capt. Amos H. Martin to be major.
Capt. Charles F. Crain to be major.
Capt. Frank S. Cocheu to be major.
Capt. Ora E. Hunt to be major .
First Lieut. Robert J. Binford to be captain.
First Lieut. John A. Brockman to be captain.
First Lieut. Sheldon W. Anding to be captain.
First Lieut. William G. Murchison to be captain.
First Lieut. John S. McCleery to be captain.
First Lieut. Elvin H. Wagner to be captain.
First Lieut. Thomas W. Brown to be captain.
First Lieut. Otis R. Cole to be captain.
First Lieut. Shelby C. Leasure to be captain.
First Lieut. Charles F. Herr to be captain.
First Lieut. Fred H. Turner to be captain.
First Lieut. Edwin O. Saunders to be captain.
First Lieut. Walter Krueger to be captain.
First Lieut. Asa L. Singleton to be captain.
First Lieut. Arthur L. Bump to be captain.
First Lieut. Willis E. Mills to be captain.
Second Lieut. William G. Langwill to be first lieutenant.
Second Lieut. James A. Sarratt to be first lieutenant.
Second Lieut. Frank M. Kennedy to be first lieutenant.
Second Lieut. John T. Harris to be first lieutenant.
Second Lieut. Albert S. J. Tucker to be first lieutenant.
Second Lieut. Marion O. French to be first lieutenant.
Second Lieut. George W. C. Whiting to be first lieutenant.
Second Lieut. Charles W. Elliott to be first lieutenant.
Second Lieut. James D. Rivet to be first lieutenant.
Second Lieut. George R. Koehler to be first lieutenant.
Second Lieut. James A. Merritt to be first lieutenant.
Second Lieut. Oliver S. Wood to be first lieutenant.
Second Lieut. Allen M. Burdett to be first lieutenant.
Second Lieut. Herbert C. Fooks to be first lieutenant.
Chaplain Marinius M. Londahl, Thirtieth Infantry, to be chaplain, with the rank of captain.
Second Lieut. John C. Walker, jr., to be first lieutenant.
Chaplain Robert R. Fleming, jr., to be chaplain, with the rank of captain.

APPOINTMENTS, BY TRANSFER, IN THE ARMY.

Second Lieut. Frederick G. Dillman, Third Infantry, to be second lieutenant in the Coast Artillery Corps.
Second Lieut. Samuel J. Heidner, Coast Artillery Corps, to be second lieutenant of Infantry.

POSTMASTERS.

CALIFORNIA.

Wilhelm T. Botzbach, Galt.
John A. Perry, jr., Chowchilla.

COLORADO.

Nettie Cornwell, De Beque.

LOUISIANA.

Thomas F. Frere, Franklin.
Thomas E. Wright, Houma.

MAINE.

Charles M. Guptill, Berwick.

MASSACHUSETTS.

Lorna H. Leland, Templeton.
Alexander H. McDonald, Littleton.
Patrick R. Mullany, Hatfield.

MISSOURI.

Clarence L. Chandler, Malden.
Effie Chitwood, Carl Junction.
George J. Goeltz, Bismarck.
George Hutchinson, Aurora.

NEW JERSEY.

Winfield H. Stephens, Bradley Beach.
Godfrey R. Stocker, Stewartsville.

OHIO.

S. E. Bethel, Flushing.
W. H. Bucke, Eaton.
P. J. Curren, Sabina.
Karl B. Hummel, Wilmington.
E. E. Moore, Richwood.
G. V. Riddile, Barnesville.

PENNSYLVANIA.

J. C. Billman, Herndon.
Joseph T. King, Lawrenceville.
George B. Montgomery, Kane.

SOUTH CAROLINA.

Lawrence O. Harper, Honea Path.

TEXAS.

W. E. Abbe, Dublin.
H. C. Jordan, Sanderson.
William A. Medlen, Royse City.
John H. Wood, Rockport.

VIRGINIA.

Samuel A. Hersperger, Round Hill.

WASHINGTON.

Frank D. Clark, Vader.
D. B. Heath, Raymond.
L. A. Rochford, Rockford.

WEST VIRGINIA.

William E. Patterson, Davis.

WISCONSIN.

Andrew Baertsch, Fountain City.
Wiley H. Ferguson, Crandon.
Jacob Lang, Kaukauna,
W. S. Manning, Ladysmith.
Lawrence Murphy, Wautoma.
Alger C. Pearson, Baraboo.
R. A. Tenney, Livingston.
Silas A. Towne, Lavalle.
Herbert Winkler, Florence.

WITHDRAWALS.

Executive nominations withdrawn July 10 (legislative day of July 7), 1916.

John F. Stunkel to be postmaster at Leesburg, in the State of Florida.
W. F. L. Merrill to be postmaster at Hazleton, in the State of Iowa.
J. P. Delaney to be postmaster at Sea Isle City, in the State of New Jersey.
Alfred P. Hinton to be postmaster at Columbus, in the State of Texas.

HOUSE OF REPRESENTATIVES.

MONDAY, *July 10, 1916.*

The House met at 10 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Lord, deliver us, we pray Thee, from the demon of selfishness, the root of all evil, and fill our souls with a love so deep, so broad, so strong that we shall be impelled to practice the golden rule, the highest, noblest attainment Heaven has set for man, without which peace on earth, good will to man shall never come; without which the kingdom of God shall never be fulfilled. Hear us, O God our Father, and help us to fulfill the law and the prophets by the grace revealed in the Holy One of Israel. Amen.

The Journal of the proceedings of Saturday, July 8, 1916, was read and approved.

LEAVE TO EXTEND REMARKS.

Mr. MEEKER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing an article written by the gentleman from Minnesota [Mr. SCHALL].

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD by printing an article by the gentleman from Minnesota [Mr. SCHALL]. Is there objection?

There was no objection.

FUNERAL OF SOLDIERS WHO DIED AT CARRIZAL, MEXICO.

Mr. BENNET. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk, providing for the appointment of the Union and Confederate veterans of the Civil War, and of the Spanish War veterans who are Members of the House, to be a committee to attend the funeral at Arlington of the officers and men of the Tenth Cavalry who died at Carrizal, Mexico.

The SPEAKER. The gentleman from New York asks unanimous consent for the present consideration of a resolution which will be reported by the Clerk.

The Clerk read as follows:

House resolution 297.

Resolved, That the Members of the House who are Union and Confederate veterans of the Civil War, and the Members of the House who are veterans of the Spanish-American war, be, and they are hereby, elected a committee for the purpose of attending at Arlington Cemetery, as a mark of respect on the part of this House, at the funeral of the officers and men of the Tenth Cavalry who died at Carrizal, Mexico.

The SPEAKER. Is there objection?

There was no objection.

The resolution was agreed to.

ONE-CENT LETTER POSTAGE.

Mr. BRITT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of a 1-cent rate for letter postage by inserting a list of organizations favoring such postage.

The SPEAKER. The gentleman from North Carolina [Mr. BRITT] asks unanimous consent to extend his remarks in the RECORD on the subject of 1-cent letter postage. Is there objection?

There was no objection.

REVENUE.

The SPEAKER. The House automatically resolves itself into the Committee of the Whole House on the state of the Union for the further consideration of the revenue bill, with the gentleman from Illinois [Mr. FOSTER] in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 16763) to increase the revenue, and for other purposes.

Mr. KITCHIN. Mr. Chairman, we have some amendments that we desire to offer this morning.

The CHAIRMAN. The gentleman from North Carolina offers an amendment which the clerk will report.

The Clerk read as follows:

Amendment by Mr. KITCHIN on behalf of the committee: Page 4, line 17, after the word "corporation," insert a comma and the following: "which stock dividend shall be considered income to the amount of its cash value."

Mr. KITCHIN. Mr. Chairman, this was suggested at a meeting of the full committee by the gentleman from Ohio [Mr. LONGWORTH], to make certain the status of stock dividends, and I think it is unanimously recommended by the committee.

Mr. STAFFORD. Mr. Chairman, is this to cure the inequality that was pointed out by the gentleman from Kentucky [Mr. SHERLEY]?

Mr. KITCHIN. No; this is not that one. We will get to that later.

Mr. STAFFORD. What is the real purpose of this amendment?

Mr. KITCHIN. This is to make it certain that when stock dividends are issued, the cash value of those dividends shall be considered as a part of the income.

Mr. STAFFORD. May we have the amendment reported once more, Mr. Chairman?

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

The amendment was again read.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina.

The amendment was agreed to.

Mr. KITCHIN. Mr. Chairman, I present another amendment.

The CHAIRMAN. The gentleman from North Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. KITCHIN: Page 5, line 2, after the word "be," insert a colon and the following:

"*Provided*, That where the income is to be distributed annually or regularly between existing heirs or legatees the rate of tax and method of computing the same shall be based in each case upon the amount of the individual share to be distributed."

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina.

The amendment was agreed to.

Mr. KITCHIN. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from North Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 8, line 25, after the word "made," insert a comma and the following: "but with respect to timber purchased prior to March 1, 1913, a reasonable allowance, not in excess of the fair cash value of such timber on March 1, 1913."

Mr. KITCHIN. I will say, Mr. Chairman, that that amendment is suggested by the minority members of the committee. We think it is a fair and proper amendment. I will say further to the gentleman from Michigan [Mr. FORDNEY] that we have the same amendment to offer in two other places.

Mr. FORDNEY. Wherever those same words appear?

Mr. KITCHIN. Yes.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina [Mr. KITCHIN].

The amendment was agreed to.

Mr. KITCHIN. I offer the following amendment.

The CHAIRMAN. The gentleman from North Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 11, line 10, after the word "made," insert a comma and the following: "but with respect to timber purchased prior to March 1, 1913, a reasonable allowance, not in excess of the fair cash value of such timber on March 1, 1913."

Mr. KITCHIN. That is the same amendment in another place?

Mr. FORDNEY. Yes.

Mr. LONDON. Mr. Chairman, will the gentleman kindly explain the reason for this?

Mr. KITCHIN. The constitutional amendment providing for an income tax went into effect on March 1, 1913, and we think that the value at that time, and not what was paid for it perhaps 10 or 15 years before the constitutional amendment took effect, should control.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina.

The amendment was agreed to.

Mr. KITCHIN. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from North Carolina offers another amendment, which the Clerk will report.

The Clerk read as follows:

Page 13, line 24, after the word "residence," insert "or has his principal place of business."

Mr. KITCHIN. I will say that this is in the present income-tax law and was omitted at this point. We want to restore it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina.

The amendment was agreed to.

Mr. HILL. I would like to ask the gentleman from North Carolina if this gives the option to the taxpayer, or does it give the option to the Government?

Mr. KITCHIN. It gives it to the taxpayer. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from North Carolina offers the following amendment, which the Clerk will report.

The Clerk read as follows:

Amend, on page 30, line 6, by striking out the colon and all of the matter beginning with line 7 down to and including the word "*Provided,*" in line 16, and insert a comma and the following: "but with respect to timber purchased prior to March 1, 1913, a reasonable allowance not in excess of the fair cash value of such timber on March 1, 1913; and in the case of insurance companies the net addition, if any, required by law to be made within the year to reserve funds and the sum other than dividends paid within the year on policy and annuity contracts: *Provided,* That no deduction shall be allowed for any amount paid out for new buildings, permanent improvements, or betterments, paid to increase the value of any property or estate, and no deduction shall be made for any amount of expense of restoring property or making good the exhaustion thereof for which an allowance is or has been made: *Provided further*"——

Mr. KITCHIN. This puts in the stumpage amendment, and in the print, on page 30, we have in the no-deduction clause the insurance reserve. That should be ahead of the no-deduction provision. They want to be just transferred. It was a mistake in printing.

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. KITCHIN. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from North Carolina offers a further amendment, which the Clerk will report.

The Clerk read as follows:

Amend, on page 32, line 4: After the word "*further*" and the comma strike out all the matter, beginning with the word "That," down to and including the word "collateral," in line 8, and insert "That in case of indebtedness wholly secured by property collateral, tangible or intangible, the subject of sale or hypothecation in the ordinary business of such corporation, joint-stock company, or association as a dealer only in the property constituting such collateral or in loaning the funds thereby procured."

Mr. KITCHIN. I will say to the gentleman from Wisconsin [Mr. STAFFORD] that that is the Sherley proposition.

Mr. STAFFORD. Does that cover the entire proposition as to taxing them twice?

Mr. KITCHIN. Yes.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. KITCHIN. Mr. Chairman, I offer the following further amendment.

The CHAIRMAN. The gentleman from North Carolina offers a further amendment, which the Clerk will report.

The Clerk read as follows:

Amend, page 34, line 7: After the word "made" strike out the colon and all the matter down to and including the word "contracts," in line 16, and insert a comma and the following: "but with respect to timber purchased prior to March 1, 1913, a reasonable allowance, not in excess of the fair cash value of such timber on March 1, 1913; and in the case of insurance companies the net addition, if any, required by law to be made within the year to reserve funds and the sum other than dividends, within the year on policy and annuity contracts: *Provided,* That no addition shall be allowed for any amount paid out for new buildings, permanent improvements, or betterments made to increase the value of any property or estate, and no deduction shall be made for any amount of expense of restoring property or making good the exhaustion thereof for which an allowance is or has been made.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was considered and agreed to.

Mr. KITCHIN. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 55, line 12, strike out "sixty" and insert "ninety."

Mr. KITCHIN. I will say to the gentleman from Michigan that this is in accordance with the suggestion made to change it from 60 to 90 days and give a year and ninety days.

The question was taken, and the amendment was agreed to.

Mr. KITCHIN. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, on page 61, line 23: After the word "ore" insert "or copper concentrates."

Mr. STAFFORD. Mr. Chairman, I desire to ask a question as to the amendment just adopted, changing the time when the penalty should attach to those in default of paying inheritance taxes from 60 to 90 days. Do I understand that the person obligated to pay the tax is given a year and 90 days in which to do so?

Mr. KITCHIN. Yes, sir.

Mr. STAFFORD. What is the idea in granting an additional 90 days to the year in which they have to pay the taxes?

Mr. KITCHIN. Because in several of the States in the settling up of an estate they have a year and three months. In other words, they have 15 months in some States in which to settle and in which claims against the estate can be filed.

Mr. STAFFORD. Under this provision the executor or administrator has the privilege of paying the amount at any time without an order of the court.

Mr. KITCHIN. Yes, at any time.

Mr. STAFFORD. So the gentleman is granting additional time of 30 days before penalty attaches?

Mr. KITCHIN. But if he pays within a year he gets 5 per cent discount.

Mr. STAFFORD. I understand. The gentleman is just extending the time 30 days more?

Mr. KITCHIN. Yes.

Mr. McLAUGHLIN. Will the gentleman yield further?

Mr. KITCHIN. I will.

Mr. McLAUGHLIN. It often happens there is difficulty in settling estates and collecting the assets of the estate, and of course until the assets have been collected one can not tell whether the bequests that have been made and inheritances to be received will be available to be paid in full or not. Would it not be advisable to have a proviso saying that on the certificate of the judge of the court—I have the wording in mind—that the condition of the estate is such that the exact amount can be determined?

Mr. KITCHIN. We have that provision further on in the bill just exactly carrying out the gentleman's idea; so that at any time after the administration begins the administrator can pay what he thinks will be the proper or sufficient amount, and if he pays too much the Commissioner of Internal Revenue will pay it back without red tape.

Mr. STAFFORD. I call the gentleman's attention to lines 15 to 22, page 55, which cover that matter.

Mr. KITCHIN. That is correct.

Mr. MANN. Will the gentleman yield for a question in that connection?

Mr. KITCHIN. Yes.

Mr. MANN. The inheritance tax runs against the value of real estate?

Mr. KITCHIN. Yes; the whole estate, real, personal, mixed.

Mr. MANN. Suppose an estate consists almost exclusively or exclusively of real estate. It may take some time to sell the real estate and pay the taxes.

Mr. KITCHIN. Yes. The smallest estate that is taxed under this bill after paying all debts must be over $50,000 net, as an exemption of $50,000 is allowed, and I imagine that the executor or administrator of such an estate could borrow money enough to pay taxes without trouble.

Mr. MANN. I do not know under what authority the gentleman thinks the administrator could go out and borrow money to pay taxes.

Mr. KITCHIN. In every State in the Union they can do that. They would do it in order to make the 5 per cent premium or discount, if such an estate had no cash on hand.

Mr. MANN. What security would he give?

Mr. KITCHIN. Any executor or administrator, if the estate is worth over $50,000 net, can go out and get enough to pay the 1 per cent tax.

Mr. MANN. I do not imagine he could do anything of the kind.

Mr. GREEN of Iowa. Will the gentleman yield further?

Mr. KITCHIN. I will.

Mr. GREEN of Iowa. I think the suggestion made by the gentleman from Michigan [Mr. McLAUGHLIN] is rather better than the form provided in the bill. Now, in the bill it is provided that the question of delay shall be determined by the collector. In my opinion it would be much better for the judge of the court to determine whether the estate was in condition to make payment in the manner the gentleman from Michigan suggested.

Mr. KITCHIN. I think it is a great deal more convenient and a great deal less expensive to an administrator by permitting the collector to determine the question of delay than for him to go into court. We considered that and thought this was a good deal more convenient to the taxpayer and a great deal less expensive than going to the court for a determination in the matter.

Mr. GREEN of Iowa. There would not be any expense involved——

The CHAIRMAN. The time of the gentleman has expired.

Mr. KITCHIN. I think it had better remain like it is in the bill.

Mr. ELSTON. Will the gentleman yield?

Mr. KITCHIN. I will.

Mr. ELSTON. In connection with this estate tax, I would like to ask the gentleman a question. On page 53, lines 8 to 14, there is a clause to the effect that any transfer made by the decedent——

Mr. KITCHIN. What page?

Mr. ELSTON. Page 53, lines 8 to 14, inclusive.

Mr. KITCHIN. Now, in what line?

Mr. ELSTON. Lines 8 to 14, inclusive, beginning with the word "any." The gentleman will notice that any part of the decedent's estate that is transferred within four years prior to his death is presumed to be subject to tax, whether his death is imminent at the time of the transfer or not. Any property that may be given, we may say, to a daughter on her marriage or by gift to the wife within four years of decedent's death, although the transfer is made during full and perfect health and not in contemplation of death, is presumed to be taxable if there is not a full consideration in money or money's worth.

Mr. KITCHIN. If it is a gift four years before his death, there is a presumption that it is given or transferred in contemplation of death. I will say that two-thirds of the States that have an inheritance tax have substantially similar provisions, and if we did not have that provision in the gentleman can see what great fraud could be perpetrated upon the estate-tax law.

Mr. ELSTON. I differ with the gentleman about that. This changes the presumption and is a departure from the usual provisions in the laws of the States.

Mr. KITCHIN. It is to be presumed, unless the contrary be shown.

Mr. ELSTON. How is the contrary to be shown? By a quiet title suit on the part of the transferee?

Mr. KITCHIN. Just exactly like any deed or conveyance presumed to be fraudulent unless shown to the contrary.

Mr. ELSTON. Let me present one great difficulty to the gentleman in this connection. This will cloud every title that is transferred by any decedent without a money consideration, or the equivalent of it, because there is no possibility of telling whether or not the grantor will die four years thereafter; and any transfer made by any man living, without the consideration of money, or money's worth, will be presumed to have the Federal inheritance-tax lien upon it, and it will require a quiet title to clear the property of this cloud.

Mr. KITCHIN. The gentleman has not read the section.

Mr. ELSTON. I have read the section. I say that it clouds every title that is transferred after the passage of this act.

Mr. KITCHIN. If it is given away within four years before the death of the donor it is simply presumed to have been given in contemplation of death, unless the contrary is shown; that is, such presumption may be rebutted.

Mr. ELSTON. I say that, so far as I can recollect, it is entirely contrary to any collateral inheritance-tax law in any State statute. The State laws do not militate against a gift or any kind of transfer for a good consideration. As this clause stands it will cloud every title transferred after the law goes into effect.

Mr. KITCHIN. Making the statement that this provision is contrary to the inheritance-tax law of every State is evidence that the gentleman is unacquainted with the inheritance laws of the States.

The CHAIRMAN. The amendment offered by the gentleman from North Carolina [Mr. KITCHIN], on page 61, has not been adopted.

Mr. HAYDEN. I would like to have the amendment reported.

The CHAIRMAN. The Clerk will again report the amendment.

The Clerk read as follows:

Page 61, line 23, after the word "ore," insert "or copper concentrates."

Mr. HAYDEN. I would like to inquire of the chairman the purpose of the amendment.

Mr. KITCHIN. This is considered to cover copper in rock that is not in ore and which ought to be taxed.

Mr. HAYDEN. I am opposed to the entire tax.

Mr. KITCHIN. We will reach that later.

Mr. STEPHENS of Texas. Mr. Chairman, I desire to make this suggestion: I think it would be proper to change it in this way, "for every person smelting or concentrating copper ore."

Mr. KITCHIN. We have had that up, but we thought that this was the proper way to put it.

Mr. STEPHENS of Texas. It may be technically correct. They have smelting plants and concentrating plants.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina [Mr. KITCHIN].

The question was taken, and the amendment was agreed to.

Mr. KITCHIN. Mr. Chairman, I send the following amendments to the desk.

The CHAIRMAN. The Clerk will report the first amendment.

The Clerk read as follows:

Amend, on page 84, by striking out all of lines 24 and 25 and, on page 85, strike out lines 1, 2, and 3, and insert:

"Manufacturers of cigarettes shall each pay at the rate of 3 cents for every 10,000 cigarettes or fraction thereof."

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina.

Mr. STAFFORD. I would like to have the gentleman explain whether this reduces the tax which the manufacturers of cigarettes are obliged to pay under existing law or whether it increases it?

Mr. KITCHIN. It increases it in this way: Under the existing law there is a flat license tax. Under that the small fellows paid at the rate of 20 or 25 cents—and sometimes more—per 10,000, but the biggest fellows only paid at the rate of about one-third of a cent for every 10,000.

I will give you an illustration. Liggett & Myers, who make 7,000,000,000 cigarettes a year, under the present law pay only $2,496 as a flat tax, which would only equal about a third of a cent for every 10,000. Under this bill they would pay about $21,000.

Mr. STAFFORD. Will the gentleman from North Carolina inform the House whether the manufacturer of cigarettes—the small manufacturer—will pay a higher rate than under the existing law by reason of these new provisions?

Mr. KITCHIN. The small manufacturer would pay a lower rate and the large manufacturer would pay a higher rate under the pending bill than under the present law.

Mr. STAFFORD. Under the present law where the annual sales do not exceed 2,000,000 they pay $24 a year, while under the proposed law they would pay 25 cents for every 10,000 cigarettes?

Mr. KITCHIN. No; it would be less for the small fellows; only 3 cents per 10,000 under the proposed bill. All manufacturers would pay at same rate for 10,000.

Mr. STAFFORD. Would that be a greater amount than under the existing law?

Mr. KITCHIN. That would be less for the small fellows, who make a relatively small quantity.

Mr. STAFFORD. Then is it the idea that these small cigarette manufacturers need encouragement and should not be taxed?

Mr. KITCHIN. No; that is not the purpose. It is to equalize the taxation. Now they pay 25 cents and over, while the big ones pay only from one to one-third of a cent per 10,000. Does the gentleman object to that?

Mr. STAFFORD. I am opposed to having their taxes reduced from the present rate. Now, one further question. What is the total amount estimated that will result from the large manufacurers as compared with the existing revenue?

Mr. KITCHIN. It will be from $30,000 to $40,000 more from the large manufacturers.

Mr. STAFFORD. Thirty thousand, not thirty million?

Mr. KITCHIN. Yes.

Mr. STAFFORD. A great amount.

Mr. KITCHIN. We are collecting from them over twenty millions in addition to the proposed tax. This is simply a license tax.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from North Carolina.

The amendment was agreed to.

Mr. KITCHIN. Mr. Chairman, I send up another amendment.

The CHAIRMAN. The gentleman from North Carolina offers another amendment, which the Clerk will report.

The Clerk read as follows:

Amend, page 89, in line 3, by striking out the word "other."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from North Carolina.

The amendment was agreed to.

Mr. KITCHIN. Mr. Chairman, I send to the Clerk's desk the following amendment.

The CHAIRMAN. The gentleman from North Carolina offers another amendment, which the Clerk will report.

The Clerk read as follows:

Amend, page 89, line 10: After the word "title" and the comma insert "and provided for in the paragraphs in the act of October 3, 1913, which are hereinafter specifically repealed by section 402," and a comma.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from North Carolina.

Mr. STAFFORD. Mr. Chairman, will the gentleman kindly give some explanation on that?

Mr. KITCHIN. Yes. In this proposed bill medicinals would be only 15 per cent, and by that change it would throw it back to the 25 per cent ad valorem rate, as the law is now.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from North Carolina.

The amendment was agreed to.

Mr. MAGEE. Mr. Chairman, I move to amend by striking out the last word on page 51, line 10.

The CHAIRMAN. The gentleman from New York moves to strike out the last word.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and the Speaker having resumed the chair, a message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved and signed bills and joint resolutions of the following titles:

On July 6, 1916:

H. R. 14303. An act making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

On July 8, 1916:

H. R. 228. An act to amend the United States homestead law in its application to Alaska, and for other purposes;

H. R. 6923. An act to authorize the construction, maintenance, and operation of a bridge across Little River at a point where the line between townships 12 and 13 north, range 8 east, crosses said river;

H. R. 7256. An act providing for the refund of duties collected on certain tobacco cuttings;

H. R. 7430. An act for the relief of William Foglio;

H. R. 9615. An act to reimburse certain Indians for labor done in building a schoolhouse at Queets River, Quiniault Indian Reservation, in the State of Washington;

H. R. 10849. An act granting the consent of Congress to Ashley County, Ark., to construct a bridge across Bayou Bartholomew;

H. R. 10925. An act authorizing Ashley County, Ark., to construct a bridge across Bayou Bartholomew;

H. R. 12362. An act granting the consent of Congress to the Dallas & Southwestern Motorway Co. to construct a bridge across the Brazos River in the State of Texas;

H. R. 12954. An act for the establishment of Northport, Chopaka, and Laurier, in the State of Washington, as ports of entry for immediate transportation without appraisement of dutiable merchandise;

H. R. 13715. An act granting the consent of Congress to C. M. Simpson, Z. T. Hedges, J. C. Hackney, and Mark Brown to construct a bridge across Bayou Bartholomew, Ashley County, Ark.;

H. R. 14484. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 14630. An act to quiet title in certain citizens to certain lands lying within the meander line on the St. Francis River, and being parts of lots and tracts of land lying in Craighead County, Ark.; and

H. R. 15347. An act to amend existing laws relating to the use of alcohol, free of tax, by scientific institutions or colleges of learning.

REVENUE.

Mr. MAGEE. Mr. Chairman, am opposed to this bill. The several subjects bunched together therein should be considered upon their merits in separate bills. This bill is a hodgepodge of ill-considered legislation, the most of which ought to be relegated to the political junk heap. [Applause on the Republican side.] I am especially opposed to the transfer tax upon estates. That source of revenue ought to be left to the several States. No such emergency exists as can justify the Federal Government in committing itself to such method of taxation.

The report of the committee states that 30 States have laws imposing inheritance taxes both upon direct and collateral heirs, and that 12 other States have laws imposing inheritance taxes upon collateral heirs. One of the 30 is New York. The report further states that the inheritance-tax laws of the various States have never been a source of large revenue. This statement may seem true to the party in power, that has during this session of Congress voted millions upon millions of dollars from the Public Treasury for projects not pressing or experimental, and not having anything to do with the question of preparedness. However, as concerns New York, and as we view it, the inheritance-tax law is a source of large annual revenue. The net amount of such tax for the year ending September 30, 1915, was $8,263,893.67, and for the year ending September 30, 1914, $11,162,478.40.

The total expenditures of New York for the year 1914 amounted to $116,893,469.95, and for the year 1915, $94,902,371.71. The material difference in expenditures for the two years is accounted for in an increased expenditure in 1914 for canal and highway purposes.

While a Federal transfer tax upon estates would not be in New York legally double taxation, yet it would be, as a matter of fact, double taxation, and create a condition that eventually would probably result in depriving the State of such source of revenue. The property of the people can not be confiscated, and the Federal Government should not attempt to exercise its sovereign power in taxation unnecessarily, and to the great detriment and embarrassment of the States.

The report of the committee estimates that for the year ending June 30, 1917, the revenue from this source will be $17,000,000. By June 30, 1917, existing conditions are likely to be entirely changed and laws then in force may be amply sufficient to provide all revenue required. Further, if this sum is deemed necessary, it can be provided in other ways.

The committee estimates that $125,000,000 will be needed to meet expenses occasioned by the Mexican situation. Since March 4, 1913, we have had two wars with Mexico. [Laughter on the Republican side.] The cause of the first war was Huerta's refusal to salute the flag. We attacked and captured Vera Cruz, with a loss of some 19 men, and at an expenditure of millions of dollars. Finally, after making the city sanitary, upon the demand of the de facto President of Mexico we evacuated Vera Cruz and our forces came home. But I have not heard yet that Huerta saluted the flag.

The cause of the second war was the attempt of our Government to catch a bandit with an army. It is proverbial that an army "crawls upon its stomach," and it is not apparent to the average mind how an army could catch a bandit. I do not know how many men we have lost, or how many millions of dollars have been expended in this second expedition; but it looks as if this war terminated at Carrizal, where our brave troopers were ambushed and shot to pieces. Happily, it looks now as if the two contending Governments will have a love feast, resulting in the American troops backing out of Mexico.

As substantially all American property and money in Mexico have been already confiscated, it is now proposed, if one can rely upon the press, that Americans be again encouraged to put additional money into Mexico for further confiscatory purposes. [Laughter.]

Thus it will be seen that the $17,000,000 desired could probably under existing conditions be saved from the estimated amount for the Mexican situation, or, if desired, be included in any proposed bond issue.

If a protective tariff should be enacted, probably six times $17,000,000 could be raised in one year, paid by foreigners, to the great relief of our own heavily burdened taxpayers. [Applause on the Republican side.] However, you can hardly expect protection from the Democratic Party. You can not cause a leopard to change its spots any more than you can make a whistle out of a pig's tail or a silk purse out of a sow's ear. [Laughter.]

This bill proposes to repeal some of the stamp taxes now in force under the concurrent resolution extending the stamp-tax act to December 31, 1916. The people are accustomed to these taxes, and if additional revenue is needed, this act should remain in force temporarily. However, it seems to me that you are bent upon such repeal because you think it politically expedient to do so.

Thus no substantial reason exists for the Federal Government entering upon the policy of taxing estates. Furthermore, there may be grave doubt as to whether such an enactment would be constitutional.

Subdivision 4 of section 9 of Article I of the Federal Constitution provides:

> No capitation or other direct tax shall be laid unless in proportion to the census or enumeration hereinbefore directed to be taken.

The sixteenth amendment to the Federal Constitution provides:

> The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States and without regard to any census or enumeration.

The State of New York has always borne her full burden in large expenditures for the public benefit. The State is now completing the Barge Canal at a cost of some $130,000,000, which will be of great benefit to the country at large. New York City is a great gateway for immigration into this country, and the State pays the cost for the maintenance of the alien insane

within its borders, an expense that ought to be borne by the Federal Government. The average net cost per year to the State for the maintenance of the alien insane for the last four years is $2,602,634.

So I urge that you leave to the States, as sources of revenue to meet their ever-increasing expenditures, the taxation of estates. If you persist in a continuation of this kind of legislation you soon will find New York as rock-ribbed Republican as Pennsylvania. [Applause on the Republican side.] When you consider that of the money raised by the Government by direct taxation, New York alone pays materially more than one-third thereof, it is apparent that the State is overburdened with governmental taxation and the raising of funds for distribution in other States.

From the Dominion to Pennsylvania, from Lake Erie to Montauk Point, the cry goes forth, "Give us a legislative rest." [Applause and laughter on the Republican side.]

Mr. COX. Mr. Chairman, this is the best revenue measure ever reported to Congress, barring none. It is the first successful attempt to make wealth bear its just and proportionate burden of taxation. It is full of patriotism, and stamps its authors as men of unquestioned ability and integrity. It should command the earnest and loyal support of every Member of the House, without regard to politics, creed, or religion; but when the roll is called few will be the names of the Republicans who will support it. Many Members on that side of the Chamber are unable to give a satisfactory reason why they oppose it, but, like the gentleman from Michigan [Mr. FORDNEY], who labored for one and a half hours explaining his objections to it, finally summed up his arguments by saying, "It is a Democratic measure, and that is enough to justify me to vote against it." In looking over the long list of wise constructive measures passed during this administration the gentleman from Michigan is the one stalwart of stalwarts who has never voted for a single one of these measures. All that the gentleman from Michigan wants to see is the word "Democrat" written into a measure and he immediately lines up against it. [Laughter.] My friend from Connecticut [Mr. HILL], for whom I have great affection, should give his earnest and loyal support to the measure as it now stands. At the opening of Congress last December he was early upon the floor in his logical and forceful way telling the House and the country of the direful conditions soon to befall us unless Congress acted promptly in increasing the rates of duty upon dyestuffs. I listened to his speech with rapt pleasure and attention, and the facts adduced by him convinced me of the justness of his cause, and from that day until this I have ardently believed Congress should increase the rates of duty upon dyestuffs in order to keep our manufacturing plants going in this country which use dyestuffs. The gentleman is a member of the Ways and Means Committee, and he and his colleagues on the committee have reported in this bill a provision increasing the rates of duty on dyestuffs giving all the protection needed, and perhaps more. Yet the gentleman launches into an attempted vehement criticism of the bill. He argued long and loud the nonnecessity of legislation of this kind, produced a lot of ancient history and figures to prove the unsoundness of his logic, all of which the country to-day is not interested in at all. I wonder whether or not his real objection to the bill is not bottomed upon the fact that the bill imposes a small tax upon munitions of war, at least 50 per cent of which is manufactured in New England, and a very large part of which is manufactured in the gentleman's own State—Connecticut. [Laughter.]

The rates of duty upon munitions of war are exceedingly low. They could have been much higher, and the country would have unanimously approved of it. The gentleman from Connecticut went into voluminous statistics endeavoring to show the failure of the Underwood bill, both as a revenue producer and failing to protect the laboring men of the country. In the course of his remarks he said 69,000 freight cars were idle in the spring of 1914, and that a large number of people were maintained at public expense, one of these places being maintained in his own town, a thing unheard of prior to that time. Elaborately he undertook to place all these conditions at the door of the Underwood tariff, holding it and it alone responsible for conditions existing at that time. But the gentleman from Michigan and the gentleman from Connecticut are not the only false prophets sitting upon that side of the Chamber. [Laughter.] Three years ago these false prophets filled columns upon columns of the CONGRESSIONAL RECORD prophesying the awful and frightful conditions which would overtake and swallow up the country in a perfect holocaust if the Underwood bill became a law, but out of their own mouths they stand dumbfounded and confused to-day by the indisputable facts following the enactment of the Underwood bill into law.

If the Underwood bill was the sole cause of business depression three years ago, it is equally fair to give it credit for bringing about the unequaled and unexampled prosperity in the country to-day.

Mr. Chairman, in my judgment the people are too busy to-day to either review or study past conditions; they are not giving a rap about what happened 100 years ago, 50 years ago, 20 years ago, or even 3 years ago; they are too busy at work at the present time. [Applause on the Democratic side.] What is going on now? What are the people doing? Is labor universally employed, or is there an army of unemployed labor throughout the land? What is the outlook for to-morrow or the future? These are questions confronting the American people to-day. The people are more interested to-day in trying to fill orders than they are in past history.

Long ago I was taught "Beware of false prophets who appear in sheep's clothing but inwardly are ravening wolves." [Laughter.]

I would advise these false prophets not to live in dreams of the past, not to have nightmares about past events, not to see ghosts and hobgoblins of a century ago, but to live in the present, observe things round and about them to-day as they really are, and in the language of Judge Gary and the late lamented James Hill, "Don't talk; go to work."

How many freight cars are now idle in the United States? Not one. For months and months every seaport terminal in the United States, and every sidetrack leading to every seaport has been gorged with freight cars for 50 miles distant awaiting their turn to unload goods produced on American farms and in American mines, mills, and factories for both home and foreign trade. Under the tremendous volume of business done under the Underwood bill transportation systems on land and on water have completely broken down; railways are unable to handle the freight and passenger traffic; two bills are on the calendar awaiting their turn to be enacted into laws to study the railway transportation traffic with a view of facilitating both internal and external commerce. How many idle men are there in the United States to-day? In every city on every billboard, almost at every street crossing, including the city of the gentleman from Connecticut, are all kinds of signs and ads, "All kinds of men wanted for all kinds of jobs." Every man and woman in the United States who wants to labor has a job with the best wages ever paid, with full dinner pails, working shorter hours, in better sanitary conditions than were ever known in the history of the American Government under the highest protective tariff ever passed by Congress. For months every big daily paper in Boston, New York, Philadelphia, Chicago, and all the other cities carry the following ads: "Five thousand carpenters wanted; 10,000 construction men wanted; 50 000 brick and stone masons wanted at the highest wages ever known." The call is for all kinds of labor, skilled and unskilled. The anthracite coal fields of Pennsylvania are calling them; the bituminous coal fields of Ohio, Indiana, Illinois, and Kentucky are calling them; the wheat fields of Kansas, Nebraska, the Dakotas, Minnesota, Illinois, and Indiana are sending up the same signals of distress, calling for laborers in the fields at the rates of $3 per day and board. [Applause on the Democratic side.]

Mr. CLINE. Will the gentleman yield?

Mr. COX. For a brief statement.

Mr. CLINE. The New York World on Sunday contained 48 columns of solid type of advertisements "Help wanted."

Mr. COX. That is the story, the same story, from the Atlantic to the Pacific. More laboring men have bought and paid for homes under the Underwood bill than during any similar time under the highest protective tariff ever known in the country. More laboring men have bought and paid for automobiles during the existence of the Underwood bill than was ever known in the history of this industry. Never in the history of the American steel industry was this business so thriving as it is to-day. Orders for steel for home consumption are to-day being sold 18 months in advance.

Every steel mill in the United States able to make a pound of steel is running at full capacity, many of them double shifts, some of them treble shifts, and yet unable to supply the American demand for steel. The big coal operators throughout the Nation are now, and for several months past have been, making five-year contracts for full delivery of their output. With every bank in the United States—Federal, State, private, and trust companies—bursting with gold, cheap money, cheap interest on long-time investments, with banks seeking opportunities to make investments not only at home but abroad, American capital is going to South America seeking investments as never before in the history of the Western Hemisphere. It is no time for calamity howling or criticism by either the gentleman from Michigan or the gentleman from Connecticut, or anyone else. [Ap-

plause on the Democratic side.] The people are too busy at work to take any counsel of the past whatever. Never did a President utter a more truism than did President Wilson in his message to Congress prior to the enactment of the Underwood bill, when he said:

> The time has come for us to unshackle commerce, free it, and let it reach to the remotest corners of the earth.

Congress, acting upon the wisdom of his advice, enacted the Underwood bill into a law, and American commerce is now flowing to every corner of the earth, bringing home products not produced here, and which our people must have in order to make them prosperous. To-day, under the Underwood bill, 100,000,000 people stand up and testify as a unit to prosperity unequaled and unheard of through all the history of the past. The necessity for this legislation is apparent to all. Had it not been for the abnormal increases of the Army and Navy, both of which were supported by Republicans and Democrats, there would be no necessity for the increased income-tax rates, no necessity for the inheritance tax, or even a tax upon munitions of war. The current revenues would easily have met the ordinary expenditures of the Nation. At the close of the current year, June 30, there was a balance in the general fund of the United States Treasury of $170,000,000, the largest balance at the close of any fiscal year for the past 20 years except one. And yet our Republican friends say, "Failure, failure." Not one of them believes it, but it is the old campaign cry of the past. [Applause on the Democratic side.]

The Army appropriation bill for last year carried $101,000,000. The bill as reported to the Senate this year carries $325,000,000, an excess of $225,000,000 over last year. The naval bill last year carried an appropriation of $151,000,000. This year the bill as it passed the House carried an appropriation of upwards of $272,000,000, and as reported to the Senate this year it carries $322,000,000, an excess this year over last of $171,000,000, making a necessary increase in appropriations of these two items alone of approximately $400,000,000.

The appropriation bill for fortifications last year carried an appropriation of $8,000,000; this year $34,000,000, an increase of $26,000,000 over last year.

These are abnormal and unexpected appropriations, throwing an additional strain on the Treasury in appropriations for the defense of our country of more than $425,000,000. These increased appropriations have to be met. The bills must be paid, money must be raised, and it can only be raised by taxation, and the question must be met, How is this money to be raised? Shall it be raised by taxing the necessities of life, increasing the burdens of the poor, or shall the money be raised by compelling wealth to stand its equitable proportion of this vast increase in appropriations? The Democratic members of the Ways and Means Committee have patriotically met the issue and submit the bill under consideration. The issues are made up, the line of cleavage between the two parties is well defined. The Democratic Party, following the modern progressive, humane course, is asking that the wealth of the country be not ruinously taxed, but that it be taxed in order that it pay its just dues. [Applause on the Democratic side.] The Republican Party, adhering to its old worn-out and threadbare arguments, contend that everybody should be taxed—the weak, the poor, the lowly, the humble, the wage earners—not in proportion to his wealth but in proportion to his consumption of the necessities of life, and equally contend that this measure will impose undue and burdensome hardships upon those who through class legislation have grown wealthy beyond the dreams of avarice. The Republican Party says, "Tax everything, from the swaddling clothes in which the babe is wrapped to the shroud in which it is finally buried." The Democratic Party answers and says, "Tax the swollen fortunes of the immensely wealthy and death-dealing missiles of munitions of war." [Applause on the Democratic side.]

Mr. Chairman, on this issue alone the Democratic Party submits the issue with sublime confidence that the people at the next November election will indorse its course and return the Democratic Party to power from the White House to the Congress of the United States. To meet this increased burden of taxes the Ways and Means Committee proposes three methods to raise the money—first, to increase the rate of tax; second, to impose an inheritance tax; third, to place a tax on munitions of war. Under the increased income tax it is proposed to raise $107,000,000 additional revenue, under the inheritance tax it is proposed to raise $17,000,000 this year, and under the tax on munitions of war it is proposed to raise $71,000,000; under the item of miscellaneous taxes it is proposed to raise $2,000,000, making a total of $197,000,000 to be raised under this bill, not upon the wealth of the Nation but upon those best able to pay. No patriotic man or woman can oppose an increased income-tax rate. Any man with a net income of $3,000 per year ought to be willing, without a murmur or protest, to readily pay the increased income-tax rate imposed upon him in this bill. Why should not inheritances be taxed? What sound logic or reason can be made against it? It is not within the ability of any human being in the short course of one human life to amass a fortune of $100,000,000, much less a fortune eight times this amount, if recent reports of newspapers can be believed, unless he has been favored by special legislation inuring to his direct and immediate benefit and of which he has been quick to avail himself. Fortunes of this magnitude have never been worked out by the individual brain of man. They have been worked out through a combination of brains taking advantage of special legislation and special conditions to the injury of the many. It is not fair, nor is it just, in either morals or reason, to transmit to posterity these abnormal fortunes. [Applause on the Democratic side.] Instead of benefiting posterity it does it a positive injury; instead of benefiting the immediate recipients it does them a positive wrong. It breeds up in this country a class of unproductive men and women without energy, without initiative, without knowing any of the hardships or toils of life. It makes them consumers instead of producers. It throws additional burdens upon the producers of wealth which is unjust. No person should be permitted to transmit to his or her posterity fortunes amounting to $100,000,000. A large part of it should be taken by the Federal Government in the way of inheritance taxes and put in the Treasury of the United States, and to this extent relieve the toiling masses of taxation. I recently observed in the press of the passing away of a prominent lady in New York, leaving a fortune estimated from $80,000,000 to $100,000,000, and at this very moment the dread disease of infantile paralysis is raging like a fire in New York City among the poor, underfed, underclothed, undercared-for people. It is unjust, un-American, and undemocratic to let such tremendous fortunes as this be transmitted to her heirs without an inheritance tax laying its hands upon a part of her estate.

The proposed tax on munitions of war is a most just, wise, and humane tax. The idea of taxing the necessities of life, food, raiment, medicine, shelter, and letting deadly and dangerous missiles of war go untaxed, as they have gone in the past, is contrary not only to the principles of our form of government, but is inhuman, unbelievable, unthinkable. [Applause.] My one regret is that the tax is not high enough upon this item, even though Hudson Maxim, president of one of the munitions of war trusts, may characterize legislation of this kind as a crime. But I would prefer taxing the output of Hudson Maxim and the Du Pont Powder Trust than to tax the necessities of life. The idea of taxing sugar, clothing, medicines, and permitting revolvers, powder, dynamite, swords, and sabers to go untaxed to me is unthinkable, uncomprehendable, and, if I had my way about it, a tax upon munitions of war would bear a very large part of the burden of taxes in this country. I would tax them to the limit, and see to it that the bills were promptly paid. [Applause on the Democratic side.]

Mr. Chairman, strenuous objection has been waged against this bill by the able gentlemen from New England, Mr. HILL, of Connecticut, and Mr. GILLETT, of Massachusetts. Strenuous objections have been waged against it by the gentleman from Pennsylvania [Mr. MOORE] and by the gentleman from Illinois [Mr. MADDEN] and many others. They have argued the unjustness of the income tax, the inheritance tax, the tax upon munitions of war. They have sought to raise sectionalism; they have placed figures in the CONGRESSIONAL RECORD showing that a large part of the income tax is paid by these four States; but let me remind these gentlemen that the cotton fields of the South, the wheat fields of the West and Northwest, the corn belt of the great Mississippi Valley, our mines and ore beds of the West, worked by the hand of labor, have poured into these States raw materials which have produced the wealth in these States, and instead of making a sectional argument defending their States against payment of this income tax they should be proud of it, and instead of these States condemning this legislation through their respective Members in the House they should commend the measure by showing their patriotism, that while they are in favor of putting our country in a state of preparedness they are not only willing but anxious to stand their part of the cost. The gentleman from Chicago, Mr. MADDEN, as well as others, have criticized the Democratic Party not only for its incompetency but for its extravagance. The gentleman from Chicago, Mr. MADDEN, says we could have saved $255,000,000 by practicing economy, and to make up this item he says we appropriated $20,000,000 for a nitrate plant, and yet the gentleman voted for it. He says we have appropriated $75,000,000 for good roads. In this he is mistaken. Only five millions will be appropriated

this year for this purpose, and yet the gentleman voted for the bill when it passed the House last January.

He says we have thrown away $11,000,000 for the building of an armor-plate factory, and yet the gentleman voted for it. [Applause on the Democratic side.] It is hardly fair for any Member of this House to criticize the Democratic Party for making appropriations when he by his vote has assisted in doing it.

The gentleman further says that we have levied $44,000,000 upon the Treasury to pay the salaries of 30,000 useless places created outside the civil service. In this criticism the gentleman may be correct. I know nothing about it; I express no opinion upon it; but the gentleman is willing to retire postal employees at the age of 65 years upon a pension of $600 per year, a thing which I am not in favor of doing. The Republican Party should quit voting for Democratic measures or quit criticizing them. [Applause on the Democratic side.]

Mr. Chairman, one of the most important provisions in this bill is the tariff commission. More good will eventually flow to the people as a result of this legislation than any other item in it. The people have made up their minds not to have any more tariff tinkering in Congress if they can avoid it. This tariff-commission bill does not go as far as I would have it go, but it establishes the principle and definitely commits the party to it. I give it my earnest support. I firmly believe that in less than 10 years Congress will invest this commission with quasi judicial powers, enabling it to fix maximum rates of duty upon goods imported into this country. [Applause on the Democratic side.] Of course the argument will be made that such a law would be unconstitutional. The same argument was made from 1870 to 1887 that Congress did not have the constitutional power to create an Interstate Commerce Commission with power to fix maximum rates on railroads, but public opinion never stopped; it never ceased; it fought its way to Congress until Congress finally bowed to the will of public opinion, created an Interstate Commerce Commission, gave it power to fix rates, and no one would to-day feel like repealing it. The same constitutional grant gives Congress power to clothe this commission with quasi judicial power to fix the maximum rate of duty upon goods imported into the country. Then, and not until then, will this ever-troublesome question of tariff be taken out of politics. The Republican Party declared for a tariff commission in 1912 and in 1916 in their platform. For the past four years this has been one of their cardinal doctrines. This was their promise four years ago, and is their promise to-day. Will the apostles of high protection fulfill this promise by voting for this tariff commission when the roll is called, or will they repudiate it? Here is your time to redeem your promises. Here is the time to make good. But when the roll is called there will not be a dozen Republican Members of this House vote for this tariff commission, although it is one of their solemn promises in their platform this year. Talk about parties changing positions and repudiating platform pledges, the Republican Party is to-day swapping horses faster than old Dave Harum ever did in his palmiest days. [Applause.]

Mr. Chairman, this bill is going to become a law, and it will be a law forever. [Applause on the Democratic side.] No party in the future will have the temerity to repeal a single paragraph in it. The party that repeals it will at the ensuing election be relegated to the political limbo of the "has beens." [Applause on the Democratic side.] Mr. Chairman, notwithstanding the criticism heaped upon the head of President Wilson, he will be elected this fall by a greater victory than four years ago. He has been criticized, ridiculed, held up to contempt and scorn more than any President in the long life of our Nation, except Washington and Lincoln, but amidst this cruel and pitiless storm of criticism, calm and serene, he has stood aiding in every way possible to work out the world-wide problems of democracy. No President since the day that Jefferson's pen fell from his matchless hand has any President been charged with such responsibility and no President since the days of Lincoln has discharged his duties with such fidelity to duty as has President Wilson. [Applause on the Democratic side.] He has been criticized by a muckraking press, by campaign orators on the stump for not going to war with some one somewhere, some place, but has he made a mistake in refusing to go to war and in keeping our country at peace? The blood-soaked battle fields of Europe answer back this criticism and say, "No mistake; no mistake." Thank God Almighty that we do not have millions of weeping wives and mothers and wailing orphan children with arms as long as eternity and fingers as bony as death, with faces grim visaged and determined, pointing to President Wilson and saying, "You did it," as they are now pointing to every king, emperor, czar, and sultan of Europe to-day.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COX. I ask for two minutes more.

The CHAIRMAN. The gentleman from Indiana asks for two minutes more. Is there objection?

Mr. MOORE of Pennsylvania. Reserving the right to object, I would like to inquire whether the majority has finished offering amendments.

Mr. KITCHIN. So far as I know now we have.

Mr. MOORE of Pennsylvania. It enters into the question of extension. I have no objection.

Mr. COX. Thank God he has found a way to avoid war with Mexico; that instead of sending our soldiers to that grief-stricken nation to die and to kill the starving peons, he is about to find a way to put the starving peon to work. If the Republican Party in the coming campaign chooses to pitch their battle upon their criticism of President Wilson's failing to go to war, we will meet them on this argument in every home of the land. In every home on election day, whether in States having woman suffrage or not, there will be a wife—a mother—pleading the cause of Woodrow Wilson, because of his peace policy, because their husbands and their sons have not been sent as fodder to the cannon mouths. The Democratic Party invites an open discussion of this issue in the coming contest. Even the wealth of the Nation has and will rejoice at his peace policies, because he has kept us out of war and made it possible for men to continue the peaceful pursuits of life at a time when half the world is on fire. "Peace hath her victory no less renowned than war." Beat President Wilson in the coming contest! You can not touch the hem of his garment, and ere the ides of November roll around, a wireless message will be flashed to every home between the seas, "We have met the enemy, and they are ours." [Applause on the Democratic side. Laughter on the Republican side.]

Ah, you can laugh now, but let me tell you it is the man that laughs last who laughs best. If you want to laugh because millions of men are being slaughtered in Europe to-day, if you want to laugh because Wilson refuses to spill the blood of our American boys, we will meet you on that issue. [Applause on the Democratic side.]

On our splendid record of prosperity at home and peace abroad we submit our cause to the judgment of the people in the coming contest. In the election of 1910 the people decreed that the Republican Party was incompetent and unfit to handle the business affairs of our Nation. They followed this victory up in 1912 with an overwhelming victory, which crushed all opposition, and in the coming contest the people stand ready to repeat the same thing again. [Applause on the Democratic side.]

The CHAIRMAN. The question is on the amendment of the gentleman from New York to strike out the last word.

The amendment was rejected.

Mr. HILL. Mr. Chairman, I offer the following amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Connecticut offers the following amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. HILL: Strike out the whole of the text under "Title V—Dyestuffs," on page 87, and following and substitute in lieu thereof:

"TITLE V.

"TO PROVIDE REVENUE FOR THE GOVERNMENT AND TO ESTABLISH AND MAINTAIN THE MANUFACTURE OF DYESTUFFS.

"SEC. 400. That on and after the day following the passage of this act, except as otherwise specially provided for in this act, there shall be levied, collected, and paid upon the articles named herein when imported from any foreign country into the United States or into any of its possessions, except the Philippine Islands and the islands of Guam and Tutuila, the rates of duties which are herein prescribed, namely:

"DUTIABLE LIST.

"First. All products produced in commercial quantities through the destructive distillation of coal or otherwise, such as benzol, toluol, xylol, cumol, naphthalin, methylnaphthalin, azenaphten, fluoren, anthracene, phenol, cresol, pyridin, chinolin, carbazol, 5 per cent ad valorem.

"Second. All the so-called 'intermediates,' made in whole or in part from the products referred to in paragraph 1, not colors or dyes, not specially provided for, 3½ cents per pound and 15 per cent ad valorem.

"Third. All colors or dyes, including natural alizarin and indigo, and all color salts, color acids, or color bases, made, in whole or in part, from products referred to in paragraphs first and second, 7½ cents per pound and 30 per cent ad valorem.

"FREE LIST.

"Fourth. Acids: Acetic or pyroligneous, arsenic or arsenious, chromic, fluoric, hydrofluoric, hydrochloric or muriatic, nitric, phosphoric, prussic, silicic, sulphuric or oil of vitriol, and valerianic.

"Fifth. Coal tar, crude, pitch of coal tar, wood or other tar, dead or creosote oil.

"SEC. 401. That paragraphs 20, 21, 22, and 23 of Schedule A of section 1 of an act entitled 'An act to reduce tariff duties and to provide revenue for the Government, and for other purposes,' approved 9 o'clock and 10 minutes post meridian, October 3, 1913, and paragraphs 387, 394, 452, and 514 of the 'free list' of section 1 of said act, and so much of any heretofore existing law or parts of law as may be inconsistent with this act, are hereby repealed.

"SEC. 402. Whenever an impartial tariff commission shall hereafter have been created and established by law, it shall be the duty of such commission to investigate the rates of duty provided herein and their adaptation to the purposes and objects specified in the title hereof, and report the facts and their findings based thereon to the Ways and Means Committee of the House of Representatives and the Finance Committee of the Senate."

Mr. HILL. Mr. Chairman, now that the political fireworks have all been exploded, I would like to ask the members of the House to get down to a plain matter of business very seriously affecting this country not only industrially, but in the way of national defense as well. The arrival of the German U-boat at Baltimore this morning marks a very significant situation in the history of the world. It means several things. First, that the mastery of the seas hereafter will be equally under the control of the small nations as well as of the great naval powers of the world. It means another thing; it means the beginning of a renewed attempt on the part of Germany to continue the monopoly of the dyestuff production of the world as she had it on the 1st of August, 1914, and it means also a renewed attempt to strengthen her strangle hold upon the defensive power of every nation in the world in the production of high explosives.

Now, if the rates of duty which are prescribed in this bill will prevent that, I am for the rates of duty in this bill if they will also develop the science of organic chemistry in the United States. If they will not, I want to appeal to you as practical business men and as patriotic citizens of this country to do that thing which will relieve this Nation from monopoly control by any power in the world—I do not care whether it is Germany, Great Britain, or Japan, for all have started in this industry since the war began.

We ought not to be left in a position where we have not one single particle of capacity or ability to produce the high explosives which are incidental to modern warfare as the whole world was left up to the 1st of August, 1914.

Now, I want to take a few minutes of time to show you why I think these duties will not do that thing.

Mr. FESS. Will the gentleman yield?

Mr. HILL. Certainly.

Mr. FESS. Does not this raise another question as to whether there is such a thing as an effective blockade?

Mr. HILL. It absolutely raises the question, and ought to give us very serious thought as to the naval outfit that we propose to make, whether we go to building 1 battleship that will cost $25,000,000 or 16 or 20 harbor or over-sea submarines that can go anywhere in this world. [Applause.] That is the serious question. [Applause.] But it is a question that I do not want to discuss now.

The proposition which I offer provides for 7½ cents duty on the finished dyestuffs instead of 5, as proposed by the majority, and for 3¾ cents specific duty on intermediates instead of 2½ cents, and then at the end I submit the whole question to an impartial tariff commission. Now why do that? Because it is essential that work should be begun promptly.

Last January men came before the Committee on Ways and Means and one of them said he would put $5,000,000 into the development of his plant if such protection was given. Another said he would put $2,000,000 in at once and more as fast as he could if this protection was given. Since then another has come to me and said they would immediately put in $20,000,000, and another from the Pacific coast has told me they are prepared to put $15,000,000 into a plant to develop products of coal distillation and oil distillation on the Pacific coast. It ought to have been done last December within 24 hours after the bill was introduced. France has done it, Japan has done it, England has done it, Russia has done it, while we have been quibbling over 2½ cents a pound [applause on the Republican side], and to-day they are ready not only to supply the industrial products to their own people into which dyestuffs and chemicals enter as constituent parts but to meet competition in the cotton trade of the world where we can not meet it now.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HILL. I would like to have a little more time, I would like to have at least 15 minutes.

Mr. KITCHIN. Mr. Chairman, I would like to say there is no objection on this side of the Chamber to the gentleman having as much time as he may desire.

Mr. HILL. I assure the gentleman I will not trespass upon his courtesy.

The CHAIRMAN. Is there objection to the request of the gentleman? [After a pause.] The Chair hears none.

Mr. HILL. Mr. Chairman, I have never taken this matter up from the beginning as a political question. The chairman of the committee will bear me out in that I brought it to him as a commercial proposition and said to him, "If you will evolve a better plan than this, I will support your plan. If you can not evolve a better plan than this, I want the House to support a plan, not of mine—I did not evolve it—but that of 10,000 chemists in the United States of America made before the beginning of this session of Congress by more than a year." When this war broke out these gentlemen from all over the country, North, South, East, and West, foresaw the serious problem that was sure to arise, and the New York section appointed a committee composed of the following gentlemen: Bernard C. Hesse, a free trader, avowed, open, and aboveboard, and he so informs me; J. J. Herreshoff; H. A. Metz, a former Democratic Member of this House, president of the American Chemical Co., a German manufacturer as well as a manufacturer of the United States; I. F. Stone, president of the New York Aniline & Chemical Co.; D. W. Jayne; J. Merrett Matthews, chemical expert for the textile industries of the United States, cotton, woolen, and so forth; and Allen Rogers.

They were appointed as a committee to find out what was necessary, not from the political side of it but what was necessary from the practical side, to determine how we could best meet the crisis which they knew was coming. After careful investigation they made a long report, which I have not time to read, but I will read the conclusion:

That a 30 per cent duty on some coal-tar dyes for over 30 years has not produced a real coal-tar dye industry in this country.

Your committee submits its conclusions, as follows:

"To prevent the unfair underselling alleged to be practiced by foreigners in this country, the adoption of an effective antidumping clause.

"The so-called coal-tar 'intermediates,' which are the basis of the coal-tar chemical industry, inclusive of explosives, medicinals, and dyestuffs, should be assessed one-half of whatever the finished dyes are taxed for tariff purposes; all coal-tar dyes without exception to be taxed alike, namely, 30 per cent ad valorem and 7½ cents per pound specific."

I am glad to say the medicinals have now been included in this measure, upon amendment offered by the gentleman from North Carolina. A year passed by, and I wrote to the chairman of this committee, when I found that this report had been made and presented to the House a year before by a Democratic Member from New York and no attention paid to it. I then introduced it as a bill, and wrote to Dr. Hesse and asked him if there was any reason for changing their opinion. Their reply was to this effect:

This committee herewith unanimously reaffirms its belief that the rates proposed in this report of November, 1914, are the lowest—

Now, understand, gentlemen, this man was a freetrader who wrote this report. He does not hesitate to say so, and I want to call your attention to the fact that when he was asked before the committee if these were the lowest rates that would provide for the development of this industry, his reply was—I quote it, substantially—

I do not look at it as an industrial proposition but as a matter of national equipment.

Every other consideration should be wiped off the slate in comparison with the overwhelming importance of this side of the question. [Applause.] But, they say:

The committee herewith unanimously reaffirms its belief that the rates proposed in its report of November 4, 1914, are the lowest at which a self-contained, complete, independent coal-tar chemical and dye industry can be created in this country, and which at the same time offers a legitimate incentive to legitimate capital for a legitimate effort to produce these goods in this country. Whether capital will avail itself of this advantage or not this committee expresses no opinion.

I call as my next witness to the insufficiency of these duties Mr. Herman Metz, whom many of you know, a German manufacturer himself and an American manufacturer as well.

I have a circular in my pocket, received yesterday from him, dated July 6, offering German dyes. Is it not significant that a shipload of 750 tons arrived yesterday? When Mr. Metz was before the committee I asked this question:

Mr. Metz, as a manufacturer, importer, and dealer, you have twice stated in writing that the provisions of this bill are necessary to establish an independent and permanent industry in this country if the country wishes to establish it.

Mr. METZ. Yes, sir.

Mr. HILL. It is not too high, but that it is high enough.

Mr. METZ. That is the minimum.

Mr. HILL. That is the minimum?

Mr. METZ. On anything less you will be off, anyway. I do not know whether that is high enough.

Mr. TOWNER. Will the gentleman yield?

Mr. HILL. Yes, sir.

Mr. TOWNER. Will the gentleman state, in that connection, what would be the ultimate cost, if the final consumer had to pay every particle of this, for 1 yard of cloth?

Mr. HILL. About one-thirtieth of 1 cent per yard is the lowest figure I have seen; and I have seen it stated as high, in some cases, as one-tenth of 1 cent per yard. The probable fig-

ure is one-thirtieth of a cent, and on blue denim for overalls it will be about a cent per pair for the indigo.

Mr. TOWNER. So that if every cent was paid by the ultimate consumer it would not be appreciable or would not be considered in the final price.

Mr. HILL. This country has lost more because of the German monopoly since the 1st day of August, 1914, than all of the extra cost that could possibly accumulate in a century. Furthermore, the point about the case that I want to urge upon your attention is that the duty placed too low will add to the amount which the gentleman says, but if placed high enough to develop the domestic competition, will wipe it out in 30 days. [Applause on the Republican side.]

Mr. SABATH. Will the gentleman yield for a question for information?

Mr. HILL. Certainly.

Mr. SABATH. What were the duties under the Payne-Aldrich bill?

Mr. HILL. I do not want to discuss it.

Mr. SABATH. I would like to know.

Mr. HILL. They were 30 per cent. They had been an average of 30 per cent, except that they were 25 per cent in 1894, ever since 1882. I do not want to make any comparison between this and the other bills.

Mr. SABATH. What are the duties in the bill now pending presented by you?

Mr. HILL. Thirty per cent, and 7½ cents a pound.

Mr. SABATH. We have been increasing it?

Mr. HILL. For 30 years we have been trying to develop the industry, with little or no success.

Mr. BURNETT. The purpose, of course, of this is to get the dyes in this country?

Mr. HILL. To make them in this country.

Mr. BURNETT. Suppose that this tariff does not induce the construction of factories. Is there any provision in your amendment or in your bill by which a board can then change the rates so that they will make it?

Mr. HILL. There is no committee amendment. I will stop and explain right there. May I ask the attention of the chairman of the committee? The question involves a statement which I did not wish to make. I want to refer to the question of the gentleman from Alabama [Mr. BURNETT]. Practically the suggestion was made to gentlemen who appeared before the Ways and Means Committee in January, and who had offered to enlarge their plants to provide for the estimated dyestuff demands of the United States, for a lower rate of duty, and I submitted that proposition to them by request. They felt that they had committed themselves, two of them, to the expenditure of $7,000,000 immediately, $5,000,000 on the part of one of them and $2,000,000 on the part of another. I happen to know that one of them contemplated $20,000,000. The reply I got from one of the gentlemen was substantially this:

My board of directors have decided to back me up in the proposition that I made, but they will not consent to even my carrying that out if the rate of duty is reduced, because the industry can not be developed at any lower rate of duty.

Let me read you an extract from a letter in regard to a conference that was held later:

I note with interest copy of your letter to Dr. Beckers, and for your information I may tell you that it was I who was asked to serve on this committee; but as I refused to go on account of the press of business, Dr. Beckers was appointed in my stead. Aside from this, however, I felt that Mr. KITCHIN fairly understood my position in the matter to the effect that the rates mentioned in the bill were the very smallest that would suffice to build up the industry, and really I did not see that there was any use of spending any more time in arguing the matter. Furthermore, as you know, I positively refused, and still refuse, to agree to any reduction of duties at any specified time, but was and am perfectly willing to leave this matter in the hands of some competent and nonpartisan tariff commission.

He knew that the bill of Mr. RAINEY was then pending. He says:

I want you to understand that I am as firmly convinced as ever that the rates mentioned in your bill are the lowest that will establish this industry in the United States, and I have never so much as intimated to anybody, by word of mouth or otherwise, that anything less would do the trick, and I believe that Mr. KITCHIN, Mr. PRATT, etc., thoroughly understand my position.

Now, what was the proposition? He says, substantially: "I will put $2,000,000 into this industry, to be expended immediately, not waiting for a final decision, and if you will give me assurance that these rates shall be prescribed; and after I have spent my money and put it in, and the Congress then provides for a tariff commission, as they say they will, I ask that you submit this whole proposition to the tariff commission for determination whether these rates are too low or too high"; and he said to me that he would abide by that decision, as, of course, he would have to if Congress said so, but he would have put in his $2,000,000 in advance, and Dr. Beckers would have put in his $5,000,000 in advance and would have accepted afterwards the decision or recommendation of an impartial, nonpartisan tariff commission. Could anything be fairer?

Mr. ALLEN. Will the gentleman yield?

The CHAIRMAN (Mr. SABATH). The time of the gentleman has expired.

Mr. KITCHIN. I thought the gentleman had indefinite time.

The CHAIRMAN. The Chair was informed——

Mr. KITCHIN. I ask unanimous consent that the gentleman may have time to conclude his remarks.

Mr. ALLEN. Will the gentleman yield?

The CHAIRMAN. What is the request—for five minutes more?

Mr. HILL. That I may be allowed to conclude my remarks.

Mr. STAFFORD. I think we should provide some limit as to the time.

Mr. HILL. I should like about 15 minutes. It is a very important matter.

Mr. ALLEN. If the gentleman from Connecticut will yield——

The CHAIRMAN. Does the gentleman from Wisconsin [Mr. STAFFORD] object to the gentleman proceeding without limitation of the time?

Mr. STAFFORD. Yes. I make that objection.

Mr. KITCHIN. I ask unanimous consent, Mr. Chairman, that the gentleman from Connecticut [Mr. HILL], a member of the committee, be given time to conclude his remarks.

The CHAIRMAN. It is objected to by the gentleman from Wisconsin.

Mr. STAFFORD. A great number of Members want to offer amendments to this bill. There should be some limit. The gentleman says he can conclude in 15 minutes.

Mr. HILL. I can if I am not interrupted.

Mr. ALLEN. I simply want to say to the gentleman from Connecticut that——

Mr. STAFFORD. The time has not been granted yet.

Mr. KITCHIN. How much time does the gentleman desire?

Mr. HILL. If not interrupted I can easily conclude in 15 minutes, but if I am interrupted, of course I can not.

Mr. KITCHIN. I ask unanimous consent, Mr. Chairman, that the gentleman from Connecticut be permitted to proceed for 15 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The CHAIRMAN. The gentleman from Connecticut is recognized for 15 minutes more.

Mr. ALLEN. Now does the gentleman from Connecticut yield?

The CHAIRMAN. Does the gentleman yield?

Mr. HILL. Certainly.

Mr. ALLEN. I want to say in connection with what the gentleman from Connecticut has just stated that there is a concern in Cincinnati that is putting a million dollars into a plant to make dyestuffs without waiting for Congress to take any action on a dyestuff tariff.

Mr. HILL. Yes. Now the bill comes into the House with the duty lowered from 7½ to 5 cents a pound on finished products; from 3¾ to 2½ cents a pound on intermediates, and crudes go from 5 per cent to the free list. Like the gentleman from Cincinnati, other people have trusted to the protective sentiment of the United States in this matter. I do not mean as a general proposition, but in this matter they have trusted to the protective sentiment of the United States, and have been putting their money into this industry. I know nothing about the Cincinnati concern, but I have here a telegram from Mr. Dow, of the Dow Chemical Works, of Saginaw, Mich. Some of you may know him. He appeared before the Committee on Ways and Means, and stated that he had been making large experiments in the development of synthetic indigo, and he succeeded in making a satisfactory dye, and brought the samples of cloth which had been treated. I received a letter yesterday from Dr. Herty, of North Carolina, president of the American Chemical Society, transmitting to me this telegram to him, and saying I might read it. I read:

SAGINAW, MICH., *July 7, 1916.*

CHARLES H. HERTY,
Care Chemist Club, New York.

We know of no reason for excluding synthetic indigo and very much regret to learn that discrimination is contemplated. We appreciate your aid. If we are discriminated against, we will call directors meeting to consider withdrawal from indigo manufacture, although we have already spent $102,000 on plant now under construction.

H. H. DOW.

Now, what does that mean? I have tried to show by the testimony that a specific duty of 5 cents is not sufficient; that 7½ cents is the minimum. Since that statement of Dr. Hesse I called on him in New York two weeks ago, and I said, "Dr. Hesse, has anything occurred from the time your report was made until now that would justify you in lowering that duty?" He again repeated to me, "Mr. HILL, you know I am a free trader, but I say to you that if you want to establish this industry in the United States you can not do it at less than 7½ cents a pound."

I have just read to you from Mr. Dow, who says he will request his directors to cancel or withdraw the $102,000 investment from the indigo industry, which, if I am not mistaken, will leave the United States without one single, solitary manufactory of indigo if that is done.

Now, I want to call your attention to a telegram from Dr. Beckers. I understood the chairman of the committee, when he made his remarks at the opening of the discussion on the bill, to say that Dr. Beckers had agreed to the rates of duty fixed in this bill. If I am mistaken, I would like to be corrected now.

Mr. KITCHIN. I did not say he agreed to it. I said he said that under the rates of this bill in five years he could make dyestuffs more cheaply than any German manufacturer.

Mr. HILL. I think he could, if he had 7½ cents a pound duty.

Mr. KITCHIN. He said he could under this bill.

Mr. HILL. I will read now a telegram I received yesterday from Dr. Beckers. He says:

BROOKLYN, N. Y., *July 7, 1916.*

Hon. E. J. HILL,
House of Representatives, Washington, D. C.:

Exceptions made in dyestuffs tariff bill with regard to indigo, alizarin, and all their derivatives are, according to my opinion, very detrimental to the American dyestuffs industry. Foreign manufacturers can easily develop these lines of dyestuffs to such an extent that they will largely substitute the aniline colors, and the duty in general will then average about 30 per cent, same as now. As most of the intermediate products are used for the different lines we can not properly develop only one line in this country and have the others come from abroad. These exceptions, furthermore, will create a discrimination among the dyestuffs consumers and, strange to say, the alizarins and their derivatives are used for the higher class of textiles, while the anilines are used for the cheaper goods. Please use all efforts to eliminate these exceptions.

W. BECKERS.

Furthermore, the bill provides that at the end of five years, if we have not produced 60 per cent of the consumption of the United States, it is made the duty of the President to so declare, and all duties go off and go back to where they were before. Twenty-seven per cent of our entire consumption cut out by being left without the benefit of any specific duty whatever, leaves it to Germany to sell us only 13 per cent, and then the President has got to order the suspension of all the duties.

Is it fair to ask men to put their money into an industry and try to develop it here under those conditions? I do not care as to the ultimate effect of these provisions in the bill relating to restrictions five years from now, because I have great hopes that something is going to happen so that five years from now we will alter all these provisions. [Applause on the Republican side.]

But the point about it is—and I am sorry I said that, because it is the first political allusion I have made with reference to this matter from beginning to end; I am sorry, gentlemen, that these restrictions are there, because neither you nor I nor any sensible man would invest capital by the millions now, under such conditions as these, and I do not want them in the bill. I am perfectly willing to put it to any fair-minded man that the proposition shall be passed at 7½ cents a pound, and leave the future to an impartial and nonpartisan tariff commission.

Mr. BURNETT. Mr. Chairman, will the gentleman yield?

Mr. HILL. Yes.

Mr. BURNETT. Would you give that commission the power to reduce it or merely the power to recommend to Congress?

Mr. HILL. They can not have the power to reduce or raise the rates. It is a power of investigation and recommendation, and an honest recommendation from an honest commission in this country will be heeded and acted upon by an honest Congress five years from now.

Mr. BURNETT. That has not been the rule. I remember that on print paper and pulp wood they did not do that.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. HILL. Certainly.

Mr. FESS. Suppose we adopt the gentleman's substitute and increase the rate upon indigo, how much higher, in the gentleman's judgment, will indigo sell in five years from now than we pay the German monopolies?

Mr. HILL. I think it will sell at a lower price. I do not think there is any sort of question about it whatever. I think that within two years, as a result of protected domestic competition, every additional penny of these duties that are put on by this bill will be absorbed and dyestuffs will sell in the United States of America lower than anywhere else in the world. [Applause on the Republican side.]

Mr. GORDON. But that will wipe out the industry, then?

Mr. HILL. Not at all. The whole question, my good friend from Ohio, is this: This is a question affecting not only dyestuff, but it affects every ounce of cotton goods that is made in the United States. I have the petition or resolution passed unanimously by 700 southern cotton mills in Atlanta in April, asking for the passage of this bill. I have in my office the expression of the National Association of Cotton Manufacturers at their annual convention in Boston asking for it.

Mr. COOPER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. HILL. Certainly.

Mr. COOPER of Wisconsin. The gentleman said that the National Association of Cotton Manufacturers and the Southern Association of Cotton Manufacturers asked for the passage of "this bill."

Mr. HILL. I meant to say for the passage of the bill which I introduced. We had a committee, consisting of six men, representing an output of three and a half to four billions of dollars of products in this country, saying that they had become converted by the exigencies that had arisen, and where five years ago some of them came here and protested, those very men came here now and said they wanted to take it all back and ask for the passage of the bill which I introduced.

Mr. FESS. Then the gentleman's contention is simply not for the manufacturer, but for the ultimate consumer, who will get the product cheaper after the industry is established in this country?

Mr. HILL. Certainly. The question is, What shall we do? Every other nation in the world found itself in the same position that we were in on the 1st of August, 1914. We are in competition with everyone of those producing nations all over the world. Our cotton goods meet their cotton goods in China, in the Philippine Islands, all over the world. They have established their own plants.

The British Government has put $15,000,000 into theirs. Japan has guaranteed 8 per cent profit, whether they make it or not, on any Japanese capital going into this business. We have voted $20,000,000 of Government money to make fertilizers and nitrates. We have voted $11,000,000 of Government money to build an armor-plate factory. Here men stand, and I can give you the names of the men, representing private capital and agreeing to put $42,000,000 of their own good American money into this industry, from California to New York, if we will simply give to them a rate of duty and a protection against the awful struggle which is bound to come when this war closes; and if we do so, they will begin their investment and the relief of the American people right now. [Applause on the Republican side.] It is up to you gentlemen on the Democratic side. This is not a question of protection or free trade. You have agreed now to what you think is a protective duty. The policy in this case is determined by an emergency, not by past moss-grown theories, either upon your part or upon mine. It is a question of an existing emergency, and I ask you as patriotic American citizens to meet that emergency now and make the United States an independent Nation upon this matter—independent of all the world. [Applause on the Republican side.]

The CHAIRMAN. The time of the gentleman from Connecticut has again expired.

Mr. KITCHIN. Mr. Chairman, I should like to ask the gentleman from Ohio [Mr. LONGWORTH] if there will be any more speeches on that side on the substitute amendment now pending? If so, I should like to hear them now, because there will be only one on this side on the question.

Mr. LONGWORTH. I do not care to speak, and unless there is some other gentleman who does——

Mr. FORDNEY. I want to say to the gentleman from North Carolina that there are a great many amendments to be offered here. I wanted to speak on this, but there has been so much time taken that I will not do so.

Mr. KITCHIN. So there will be no other speeches in favor of this amendment?

Mr. FORDNEY. We will take the time on some other amendment.

Mr. KITCHIN. So we can take a vote on it after I finish my remarks?

Mr. FORDNEY. Yes.

Mr. KITCHIN. Mr. Chairman, my friend from Connecticut [Mr. HILL] has exhibited, as he always does in discussing any

matter, an ebullition of enthusiasm and earnestness that always has a tendency to convince one who does not know the facts that he is absolutely right about the matter under discussion. He says that under the provisions of the pending bill the dyestuff industry, according to the testimony of the dyestuff manufacturers, can not be established and can not be maintained, and he reads from telegrams and letters from the presidents of the two big dyestuff manufacturers in the United States, and from one or two other gentlemen more or less interested. There will be only two dyestuff manufacturers in the United States if the substitute of the gentleman from Connecticut [Mr. HILL] is enacted into law. I want every Democrat and every Republican in this House to know that, according to the testimony of these two dyestuff manufacturers themselves, if the Hill substitute is carried and becomes a law, there will be an absolute monopoly of the manufacture of dyestuffs, consisting of two manufacturers, in the United States.

Mr. Schoelkopf and Dr. Beckers, whom the gentleman produced as witnesses, represent the two big dyestuff manufacturing plants of the United States. Mr. Schoelkopf is president of the Schoelkopf, Hartford & Hanna Co., Buffalo, N. Y., and Dr. Beckers is president of the W. Beckers Aniline & Chemical Works, Brooklyn, N. Y.

They testified before our committee on January 14, 1915, that if the Hill substitute becomes a law each of them would make 50 per cent of the dyestuffs in the United States. Each testified that he would make 50 per cent, and they testified that both together would make all the dyestuffs in the United States. I asked them if they would not have a monopoly. Each said that his company expected to make 50 per cent of our total consumption if the Hill bill was passed. They knew that the high rates of that bill, which is the substitute before the House, would enable them to effect and maintain an absolute monopoly. So, gentlemen, I want every Member who votes for the Hill substitute to know that he is voting for a dyestuff monopoly consisting of only two manufacturers in this country, and those two manufacturers testified to that themselves, and the gentleman from Connecticut [Mr. HILL] will not and can not deny it.

Now, let us see whether the dyestuff industry can be established and maintained with this reasonable and fair provision which is contained in the pending bill. The gentleman from Connecticut has Mr. Schoelkopf declaring, as I understand, that he would not put a dollar into the industry; that he could not maintain it and could not establish it in this country unless the rates were at least as high as those in the Hill bill; that that was the least protection that would enable them to establish and maintain a dyestuff industry in this country. Why, this same Mr. Schoelkopf testified before our committee that he was then making about three times more dyestuffs than he made when the war broke out; that he enlarged his plant over three times its former capacity, and when in a few months from then his enlarged plant would be in full operation he would then be making nearly five times as much. That this enlargement of capital and plant was made without expecting or thinking of any additional tariff to that of the Underwood Act. He further testified that during the European war he was making, and would continue to make, such excessive profits from the high prices he was getting that he was justified in putting in the additional capital. He declared that when the war stopped he would have made enough profit to be able to charge up to profit and loss all the additional capital he had put into the enlarged plant, and if his plant should forever remain idle thereafter he had made enough profit to compensate him. He testified at the 1909 tariff hearings that from 1900 to 1909 he had about trebled his annual output under the Dingley Act, which was no higher on dyestuffs than the Underwood Act. And yet he wants us now to believe, according to the gentleman from Connecticut, that his industry will be destroyed unless we more than double the tariff rate of the Dingley, Payne, and Underwood Acts.

Mr. COOPER of Wisconsin. Will the gentleman permit a question?

Mr. KITCHIN. Yes.

Mr. COOPER of Wisconsin. The war, in so far as that industry is concerned, has acted as a prohibitive tariff.

Mr. KITCHIN. Yes.

Mr. COOPER of Wisconsin. The Underwood tariff has nothing to do with it.

Mr. KITCHIN. Absolutely nothing to do with it. If it enabled the American manufacturer to charge from three to ten times the normal prices for dyestuff which he is now charging, it ought to be repealed. The war had everything to do with these enormous prices and profits of our dyestuff plants and with every other dyestuff plant in the world except in Germany.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CRISP. I ask unanimous consent that the time of the gentleman from North Carolina be extended 15 minutes.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent that the time of the gentleman from North Carolina be extended 15 minutes. Is there objection?

There was no objection.

Mr. KITCHIN. Before this stir up about war and the making of dyestuffs for explosives for "preparedness," and so forth, before Congress got so excited and nervous, in 1909 this same man, Mr. Schoelkopf, testified before the Ways and Means Committee that if Congress would give him 40 per cent ad valorem tariff on dyestuffs he would make dyestuffs as cheaply as any country and would compete with Germany or any nation in the world. He said he only wanted and that the dyestuff industry only needed 40 per cent ad valorem. This same gentleman again appeared before the Ways and Means Committee at the tariff hearings in 1913. He then testified that the dyestuff industry needed only 35 per cent ad valorem, that this would be a fair and reasonable rate and would enable them to compete successfully with Germany or any other country. The bill under consideration gives for 10 years more than 40 per cent ad valorem. So, gentlemen, if you Republicans want to give a fair and reasonable tariff, and if the Democrats want to give a fair and reasonable tariff, why not support the provisions of the pending bill? Why do you want to give by this substitute a higher tariff by nearly 100 per cent than Mr. Schoelkopf, the largest dyestuff manufacturer in the United States, himself testified in 1909 and 1913 was needed? [Applause on the Democratic side.]

Mr. TOWNER. Will the gentleman yield?

Mr. KITCHIN. I will.

Mr. TOWNER. Before the commencement of the war we were producing about 3,000 tons of dyestuffs.

Mr. KITCHIN. We were producing 3,300 tons, it is estimated, about 20 per cent of the dyestuffs used in this country.

Mr. TOWNER. In the neighborhood of that. That means that we are producing one-fifth of the total consumption required in the United States.

Mr. KITCHIN. We were producing about that much prior to the war. They say that we are now producing over one-third.

Mr. TOWNER. These men that you are talking about are the men who were engaged in the business in the commencement or during the war.

Mr. KITCHIN. Two of them.

Mr. TOWNER. And it is necessary now if we want to establish the economic independence of the United States on this proposition to increase more than five times the present amount of those engaged in the business.

Mr. KITCHIN. The gentleman will pardon me. I have not the time now to go into a discussion of that.

The gentleman from Connecticut produces another witness, a Mr. Dow, president of the Dow Chemical Co., Saginaw, Mich., and says that Mr. Dow had written or wired him that he is not going to put any capital into the manufacturing of indigo if the present bill passes; that the 30 per cent ad valorem is not enough, and that unless indigo is given, in addition to this 30 per cent, 5 cents per pound his company will withdraw from making indigo. He invested that $102,000, to which he refers in that telegram, with indigo on the free list, and yet, while this bill takes indigo from the free list and puts a tariff of 30 per cent ad valorem on it, he now sends to Mr. Hill this bluffing wire that he will stop the manufacture of indigo unless we give him 5 cents per pound additional. Let him stop. We will not give it to him. He put his money into the indigo business, like all the manufacturers of dyestuffs, to get the benefit of the big profits of the high-war prices and not upon any expectation of a change or increase of the tariff. This same gentleman testified before our committee, in the hearings on the Hill bill, practically the substitute now before the House, that he was not so much interested in tariff protection—and was not asking for it—as he was in something to prevent unfair methods of competition on the part of foreign manufacturers. In this bill we give not only 30 per cent ad valorem on indigo, which is now and has been on the free list, but a full, ample, and drastic remedy against such unfair methods of competition as he mentioned. Mr. Dow's telegram to Mr. Hill, of July 7, is absolutely refuted by his testimony before the committee.

The gentleman from Connecticut said that the efficacy of the bill is destroyed because we do not give alizarin and indigo the 5 cents per pound in addition to the 30 per cent ad valorem, as we do the other dyes and colors. Indigo and alizarin have been on the free list under the Dingley Act, the Payne Act, and the Underwood Act—all the time on the free list—and, gen-

tlemen of the committee, Mr. HILL's bill, which he introduced and upon which we had hearings in January, put indigo on the free list. [Applause on the Democratic side.]

Mr. Schoelkoff, Mr. HILL's star authority and witness, in a statement filed with our committee on January 14, asked that indigo and alizarin be kept on the free list, and yet we put them in the same class as other colors, so far as the ad valorem duty goes, and give them 30 per cent each. [Applause on the Democratic side.] And now they want this House and the country to believe that this bill destroys the whole dyestuff industry because we put 30 per cent on these two articles that have always been on the free list without adding the 5 cents per pound specific duty. [Applause on the Democratic side.]

Now he brings another witness, Dr. Herty, president of the American Chemical Society, and he says that Dr. Herty knows that unless the Hill bill rates are enacter into law that this industry can not be established; that after the war it will be ruined. Dr. Herty knows no such thing. He testified before our committee in January that he knew absolutely nothing about what the rates should be—whether they are too high or too low in the Hill bill.

Mr. MOORE of Pennsylvania. Did not Dr. Herty testify that it would be absolutely essential for the continuation of the business to have these rates?

Mr. KITCHIN. No; absolutely not.

Mr. MOORE of Pennsylvania. And did he not favor the Hill bill?

Mr. KITCHIN. Yes; he favored the Hill bill because the two big manufacturers of dyestuffs had fooled him into the belief that it was necessary in order to build up the industries, but he did not know anything about the rates, whether they were reasonable or unreasonable. He showed that all he knew about the rates was what the manufacturers wanted, what the manufactures desired to satisfy their avarice for profits, and that was the rates of the Hill bill—the rates of this substitute he offers. Our bill is what the industry needs in this emergency, and that is all that any honest and patriotic man, whether a Republican or a Democrat, ought to vote for. [Applause on the Democratic side.]

This is the testimony of Dr. Herty: Mr. GARNER asked, "What do you say as to the rates of the Hill bill?" Dr. Herty said, "I have no judgment on that. I am not a dyestuff expert or manufacturer." [Applause on the Democratic side.]

Mr. HILL. Might I ask the gentleman if he would read the telegram dated day before yesterday from Dr. Herty, which I handed to him?

Mr. KITCHIN. Yes; send it to me.

Mr. HILL. I have sent for it.

Mr. KITCHIN. All right; send for it. Let me quote something else this witness testified in answer to a question of the gentleman from Missouri [DICKINSON] as to how long the industry would require protection:

> Five or six years will be enough, I think, to get the majority of our manufactures in good shape where we can not only hold our own but more than hold our own with Germany.

[Applause on the Democratic side.]

We give in our bill five years, and thereafter a reduction of the specific duty of 20 per cent a year for five years, at the end of which time all the specific duty is removed and the 15 per cent ad valorem on intermediate and the 30 per cent ad valorem on finished dyes and colors remains permanently. Bring on that telegram. [Laughter.]

Mr. HILL. I have sent for it.

Mr. KITCHIN. I know there must be something in that telegram the gentleman did not want to read, otherwise he would have read it himself. [Laughter.]

Mr. HILL. I have got a lot I did not have time to read. That is from Dr. Herty, from the State of North Carolina, the gentleman's State.

Mr. KITCHIN. I know he is from North Carolina, and he is an honest and candid witness. He is the president of the American Chemical Society. He does not make dyestuffs. He is not interested in getting profits, and, as I quoted, he declared that the industry only needed a fair and reasonable tariff for five or six years. Dr. Beckers, of the Beckers Aniline Oil & Chemical Works, is another witness called in this debate by the gentleman from Connecticut. I will tell you what Dr. Beckers thought and said about the provisions of the present bill.

A month or two ago he, Mr. Waters, of the Germantown Dye Works, and Mr. Wigglesworth came to Washington as a committee representing the dyestuff manufacturers, including the Schoellkopf Co., and also the textile and other dyestuff-using industries and had a conference with the gentleman from Maine [Mr. MCGILLICUDDY] and the gentleman from Tennessee [Mr. HULL] and myself with respect to dyestuff legislation. We discussed at length the Hill bill and its rates and the provisions and rates which we proposed, which were practically the same as are contained in the pending bill with reference to dyestuffs. After a full and free discussion Dr. Beckers said that while naturally they wanted all the tariff they could get he was satisfied that the rates and provisions which are contained in the pending bill were all that the dyestuff industry needed, and with such provisions and rates enacted into law the industry would be so well established within the five years that he would be producing dyestuffs as cheap or cheaper than the Germans or any other foreign manufacturers could, and that the industry in this country could compete successfully with the industry of Germany or any other country; that after five years, as provided in this bill, the gradual reduction for each of the succeeding five years could be made on the specific duty on the intermediates and finished dyes or colors until such specific duties were completely removed without injury to American dyestuff industries. He said further that he was so confident that this could be done that he would be perfectly satisfied to have inserted, as was suggested by us, a clause in the bill requiring the specific duty to be at once removed after the termination of five years if the home industry at that time was not producing 70 or 75 per cent of the domestic consumption. Dr. Beckers impressed me most favorably as a gentleman of marked candor, intelligence, and integrity. This position of Dr. Beckers was approved and confirmed by Mr. Wigglesworth and Mr. Waters. So Dr. Beckers, one of the gentleman's star witnesses before the Ways and Means Committee and this committee who came to Washington to see us, does not sustain the contentions and arguments of the gentleman from Connecticut.

Now I will read for the gentleman the Dr. Herty telegram just handed me:

NEW YORK, *July 7, 1916.*

Hon. E. J. HILL,
House of Representatives, Washington, D. C.:

Have consulted many chemists and manufacturers to-day, and all agree that the exclusion of alizarin and indigo and their derivatives from the 5 cents special duty would be a serious mistake in the effort to build up a complete American dyestuffs industry, and that such exclusion has no scientific or technical basis. It would seem that the framers of the bill should be willing to explain on the floor of the House the grounds on which such exceptions are made.

CHAS. H. HERTY, *President.*

Dr. Herty, no doubt in the interest of Mr. Dow, president of the Dow Chemical Co., the only indigo manufacturer, who, on the same date of the Herty telegram just read, had wired the doctor about the indigo rate, demands an explanation on the floor of the House by the framers of the bill why the specific duty of 5 cents per pound was not given indigo and alizarin. I have in part explained it and will do so further. Dow himself never contended for it in his testimony before the committee. He declared that he was more concerned about a remedy against unfair methods of competition; that in five or six years, if we could prevent unfair competition, the indigo industry could be established and maintained here without a tariff; that we could produce it here by that time more cheaply than the Germans or other foreign manufacturers could.

Mr. FORDNEY. Will the gentleman quote all of Mr. Dow's testimony in connection with that?

Mr. KITCHIN. Yes; let me read exactly what he said on that point. Mr. DICKINSON, of Missouri, asked him the following question:

> I make that inquiry because the general position of the manufacturer is that he has to have this tariff in order to manufacture his product and to stay in business in competition with foreign trade. That is not your position?

Mr. Dow replied:

> No; that is not our position. In a line where so much is consumed, as is the case with indigo, the American manufacturer can hold his own with any foreign maker, I am satisfied, provided he is not subjected to unfair competition, due to the combining against him, and also provided he has had five or six years' experience in manufacturing.

[Applause on the Democratic side.]

I want to say that when Dr. Herty sent this hurry-up telegram to the gentleman from Connecticut to help him out in this debate he did not know that the Hill bill, the very bill in the interest of which he appeared before the Ways and Means Committee last January, put indigo on the free list, as it is now under the present law and was under the Dingley Act and Payne Act; he did not know that Mr. Schoellkopf, the biggest dyestuff manufacturer in the United States, had asked at the hearings before the committee in 1909 for only 40 per cent ad valorem on dyestuffs, and in 1913 for only 35 per cent as "adequate protection," and declared that that was all the industry needed; he did not know that Mr. Schoellkopf, in his statements before the Ways and Means Committee in

1909 and in 1913, and before our committee at the hearings in January this year, asked that alizarin and indigo be kept on the free list; he did not know that Mr. Dow, of the Dow Chemical Co., the only manufacturer of indigo so far, testified before our committee in his, the doctor's, presence that he was not asking so much for a tariff as he was for some provision preventing unfair methods of competition on the part of foreign manufacturers; he did not know that we knew that he had solemnly testified before our committee at the hearings in January last, that he knew absolutely nothing about rates, what they should be, how high or how low; he did not know that when he sent that telegram for Mr. HILL to use in boosting the Hill bill, or substitute, that, owing to these facts, we would know that his opinion expressed in the telegram is as valueless as the scrap of paper on which it is written. The only other witness the gentleman summons to his aid to-day is Dr. B. C. Hesse, of the American Chemical Society, and chairman of a self-constituted chemical and dyestuff committee, who made a report recommending the provisions of the Hill bill.

The gentleman from Connecticut says that since the hearings before our committee in January, at which the doctor testified, he has seen Dr. Hesse, and he is still of the opinion that the dyestuff industry can not be established and maintained with rates lower than those in the Hill bill or substitute.

It is clearly shown in Dr. Hesse's testimony before the committee in January that he knows absolutely nothing about rates, whether the Hill bill or substitute rates are too high or too low. He candidly admitted that he had not made a comparison of cost production here and abroad. He further candidly admitted that the rates of the Hill bill recommended by his self-constituted so-called "dyestuff committee" was based on the statement of Mr. Schoellkopf filed by him, for his company, with the Ways and Means Committee at the hearings on the Payne bill of 1909. He and his committee took the statement of a manufacturer, financially interested in the highest possible rates, without question or inquiry, and upon this filed a report urging the rates of the Hill bill, and the gentleman from Connecticut invokes such evidence as a warrant for his contentions. Be it remembered, however, that Mr. Schoellkopf, author of the statement upon which Dr. Hesse and his committee based the Hill bill rates, only asked in 1909, on that statement, a tariff of 40 per cent ad valorem, declaring it "adequate protection," while this Hesse committee on the same statement now, or did at the hearings in January, recommend rates nearly 100 per cent higher.

Now, gentlemen, I submit that the facts, the condition of the dyestuff industry, the testimony of his own witnesses, refute the statements and contentions of the gentleman from Connecticut [Mr. HILL] Even if you take the testimony of these gentlemen who are interested in making a profit, in January of this year and at the tariff hearings in 1909 and in 1913, no Democrat is justified in voting for the substitute of the gentleman from Connecticut [Mr. HILL], which will make an absolute monopoly and put at its mercy all the textile and other dyestuff-using industries of this country. [Applause on the Democratic side.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina [Mr. KITCHIN].

Mr. MOORE of Pennsylvania. Mr. Chairman, is the discussion closed by arrangement?

The CHAIRMAN. The Chair understood the gentleman from North Carolina had made the statement that the time would be consumed.

Mr. KITCHIN. I made the statement that when I concluded the vote would be taken.

Mr. MOORE of Pennsylvania. Does the gentleman object to my having three minutes to answer the statement of the gentleman as to Mr. Herty's testimony?

Mr. KITCHIN. The gentleman can have it at some other time.

Mr. MOORE of Pennsylvania. It is quite appropriate now, but if you do not want it now I will make it some other time.

Mr. KITCHIN. Let me have three minutes afterwards, then, and then we will have the vote.

The CHAIRMAN. The gentleman from North Carolina [Mr. KITCHIN] asks unanimous consent that the gentleman from Pennsylvania have three minutes and that he himself shall have three minutes, and that debate shall then be closed. Is there objection? [After a pause.] The Chair hears none.

Mr. MOORE of Pennsylvania. Mr. Chairman, the gentleman from North Carolina [Mr. KITCHIN] devoted a part of his answer to Mr. HILL to a statement to Dr. Herty. The doctor is professor of chemistry at the University of North Carolina. He appeared before the Ways and Means Committee, and his statement appears in the hearings. He was wholly in favor of the so-called Hill bill. In the course of his statement he said:

Prof. HERTY. Mr. Chairman and gentlemen of the Ways and Means Committee, I am president of the American Chemical Society and professor of chemistry at the University of North Carolina.

* * * * * * *

Let me say to you gentleman on the left side of the House, as a fellow Democrat, that I wrestled with this question a long time before I could bring my mind to the point of advocating a protective tariff, as it was naturally against the convictions which I had acquired earlier in life in a Democratic atmosphere; but I was finally driven to it from whatever line I tried to solve this problem, and am convinced that if we are to have such an industry in this country we must have protection for it in the way of a tariff.

* * * * * * *

I think this tariff should pass, and I think it should be passed promptly, because the industry will then get the idea at once that this Congress is favorable to the industry, and it will work this way: The German dyestuffs coming into this country after the war will pay a higher tax, and the revenues of the country will not be changed for a while, but will gradually disappear, and then competition between men in this country will result in cheaper dyestuffs. But the idea of the dyestuff users in this country to compete in a foreign market with the men who have control of the dyestuffs business, I can not see it. I believe it is to the interest of the men who are looking forward to export trade in dyed cotton goods in this country to have an American dyestuff industry from which to get their dyes, rather than be dependent upon their chief competitors to get their dyes. I do not see how we can hope to compete with Germany in dyed articles in foreign markets unless we have a dyestuff industry of our own.

Now, then, after the gentleman from Texas [Mr. GARNER] had led the gentleman from North Carolina, Dr. Herty, along a little bit, this colloquy ensued:

Mr. GARNER. Then you do not need this tariff as long as there is a war?

Prof. HERTY. Yes. The British Navy is the best protection, only we do not know how long it will be on the job.

Mr. MOORE. Doctor, you are president of the American Chemical Society?

Prof. HERTY. Yes.

Mr. MOORE. And your home is in North Carolina?

Prof. HERTY. Yes.

Mr. MOORE. And you say this is not a political question?

Prof. HERTY. Absolutely not—to my mind.

Mr. MOORE. You advocate a tariff on chemicals in order to protect the industry in the United States?

Prof. HERTY. To protect it during the period of starting.

Mr. MOORE. And also to avoid the dumping of foreign materials upon the United States, in view of our present inability to supply the demand in the United States?

Prof. HERTY. I think the dumping would take place later, in any event, whether we had a tariff or not, because we are manufacturing 10 per cent, for instance, for our needs, to 100 per cent of Germany's manufacture. We will be on a small scale of manufacture even when we supply all our needs.

Mr. MOORE. Is it your opinion that if we should pass this bill the American producer generally would be benefited?

Prof. HERTY. Yes.

Mr. MOORE. You favor the bill, then, as it is written, providing for a protective tariff upon these chemical commodities? You favor the fixing of rates of duty to protect these chemicals in the United States?

Prof. HERTY. Yes, sir; absolutely.

Mr. MOORE. And you fear that there may be a dumping of foreign materials upon the United States market, if we do not pass this bill, after the war?

Prof. HERTY. I think, even though you pass this bill, there will be a dumping.

Mr. MOORE. You fix a limitation of five years during which you think there ought to be protection such as is suggested in this bill? What after the five years?

Prof. HERTY. I think we would be ready then for a gradual reduction of the duty.

Mr. MOORE. Do you think that by that time the American manufacturer of chemicals would be in such shape as to effectively compete with the German manufacturer?

Prof. HERTY. My statement was from six to eight years. I think there will be a great number of lines developed in six years that can stand on their own feet.

Mr. MOORE. But in order to establish the industry at this time you think there should be a raising of the duties as suggested in this bill?

Prof. HERTY. As suggested by the report of that New York committee.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. Now, the gentleman from North Carolina [Mr. KITCHIN] has quoted a witness without fully quoting what the witness said.

Mr. KITCHIN. You read just a little too much for yourself. You began just a few lines too late. He says he does not know anything about the rates—whether it should be 1 per cent or 7 cents—but he does know that with a fair and reasonable tariff they can establish the industry in five or six years, and that thereafter it does not taper off in five or six years like this bill. So you read exactly what I did. I agree with Dr. Herty.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut [Mr. HILL] in the way of a substitute.

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. MANN. Mr. Chairman, I ask for a division.

The committee divided; and there were—ayes 96, noes 122.

Mr. MANN. I ask for tellers, Mr. Chairman.

Tellers were ordered, and Mr. CRISP and Mr. HILL took their places as tellers.

The committee again divided; and the tellers reported—ayes 116, noes 143.

So the amendment in the nature of a substitute was rejected.

Mr. HAYDEN, Mr. MOORE of Pennsylvania, and Mr. MANN rose.

The CHAIRMAN. The Chair will recognize the gentleman from Arizona [Mr. HAYDEN].

Mr. HAYDEN. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Arizona [Mr. HAYDEN] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. Hayden: Amend by striking out all of lines 23, 24, and 25, on page 61, and all of lines 1 to 10, inclusive, on page 62, which read as follows:

"Every person smelting copper ore and copper concentrates, refining metallic copper, or alloying copper, shall pay for each taxable year an excise tax equivalent to the following percentages of the gross receipts during such year from the sale or disposition of refined copper or copper alloys and from the sale or disposition of crude or unrefined copper if sold or disposed of for any purpose except for refining or alloying:

"One per cent of the amount by which such receipts exceed $25,000 and do not exceed $1,000,000.

"Two per cent of the amount by which such receipts exceed $1,000,000 and do not exceed $10,000,000.

"Three per cent of the amount by which such receipts exceed $10,000,000."

Mr. HAYDEN. Mr. Chairman, I have offered this amendment because, after careful consideration, I have reached the conclusion that the proposed tax on copper is unjust in that it discriminates against the leading industry of my State.

It is true that the bulk of this tax will be collected from the refiners and alloyers of copper, but I trust that no Member present will insist that the revenue thus obtained will actually come out of the pockets of those who "manufacture" copper, as the bill describes it. The refiners and alloyers can not pass the burden on to the consumers by adding the tax to the price of their products, because refined copper and brass are sold in a world market, where the price is regulated by supply and demand. But the refiner can, and will, recoup himself by either increasing the refining charges or by reducing the price paid for unrefined copper. Therefore, this is a tax upon production that must ultimately be paid by those who mine copper ores.

This tax dates back to January 1, 1916, and the amount due for this calendar year must be paid on or before April 1, 1917. The United States Geological Survey recently estimated that at the present rate of production over 600,000,000 pounds of copper will be produced in Arizona in 1916. This is nearly twice the output of any other State, and represents over one-third of the copper produced in the United States. Six hundred million pounds of copper at an average price of 25 cents a pound equals gross receipts aggregating $150,000,000 that will be subjected to taxation. The maximum tax under this bill is 3 per cent, but presuming that advantage is taken of that other provision of the bill which allows a net profit of 10 per cent on the amount actually invested in the "manufacture" of copper, still it is safe to assume that this tax will yield a return of 2 per cent on the gross output. In that event, at least $3,000,000 will be collected from the copper produced in my State.

Now, those who mine copper in Arizona are as patriotic as any other body of Americans. They are willing to pay a fair share of the cost of preparedness, but they do object to having copper singled out for double taxation while no such discrimination is practiced against any other metallurgical industry. As a matter of fact, this bill provides for triple taxation of large quantities of copper. First, the refiner must pay a tax on the gross receipts of his business. Then the alloyer, who purchases the refined copper that has once been the basis of a tax, is taxed on his gross receipts. The alloyer sells brass to a munition maker, who must pay a tax on the gross amount he receives for the cartridges and other war material he has sold. A pound of copper that follows this course will, in all probability, be used as a basis for at least a 2 per cent tax paid by the refiner, another 2 per cent tax paid by the alloyer, and still another tax of at least 4 per cent paid by the munition manufacturer. I am sure that the Committee on Ways and Means could not have given much study to the effect of this double and triple taxation of copper or certainly they would not have included this form of raising revenue in the bill.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield there?

The CHAIRMAN. Does the gentleman from Arizona yield to the gentleman from Pennsylvania?

Mr. HAYDEN. With pleasure.

Mr. MOORE of Pennsylvania. The gentleman has just indicated that he is opposed to a provision in this bill which he says will militate against the interests of the people of his district. Did the gentleman vote for the Hill amendment, which would help some other industries in that gentleman's district?

Mr. HAYDEN. I do not offer this amendment upon the theory that it will confer a special privilege upon the copper producers of my State, but I do insist that they shall not be discriminated against. That is the difference between my amendment and the Hill amendment.

We are all agreed that the munition industry has been enjoying exceptional prosperity and the profits derived therefrom are therefore a fit object for temporary taxation. We know that this industry has reached its maximum growth and no one contends that this unusual tax is expected to remain on the statute books for more than a year. Except as to copper the tax will practically repeal itself when the shipments of munitions to Europe shall cease. I understand that the committee considers that the necessity for this tax will end whenever the inheritance tax is in full operation.

The production of copper, upon the contrary, is a permanent industry, the prosperity of which is vital to our national welfare. Without asking for or receiving any favoritism by legislation, such as a protective tariff or any other special privilege, the output of copper has steadily and legitimately increased until the United States now leads the world in the production of this red metal, without which the present electrical age would be impossible. Why, then, should this, rather than the other metallurgical industries, be especially chosen to contribute to the cause of national defense at this time?

It is true that the producers of copper are now enjoying great prosperity, but they have justly earned this reward by passing through a period of depression as the result of embargoes and unfriendly legislation like the English orders in council declaring copper to be contraband. Shortly after the beginning of the European war the production of copper almost ceased, and thousands of miners were either thrown out of work or employed on half time at reduced wages. Under the circumstances I feel that the copper industry should, in all fairness, be allowed to enjoy its present prosperity. I suspect that the real reason for this tax is that the committee has associated copper with munitions on account of the large amount of this metal that is used in making war material.

I would like to inquire why copper has been taxed in this bill and no tax has been placed upon steel? If copper is to be taxed because it enters into the manufacture of munitions, why has not steel been taxed for a similar reason?

Mr. SNYDER. Mr. Chairman, will the gentleman yield for a moment?

The CHAIRMAN. Does the gentleman from Arizona yield to the gentleman from New York?

Mr. HAYDEN. Yes; I yield.

Mr. SNYDER. Does the gentleman expect that the producers of copper in his State are going to pay this tax?

Mr. HAYDEN. I certainly do.

Mr. SNYDER. Does not the gentleman believe they will immediately pass it on to us men in the East who use copper?

Mr. HAYDEN. That might be possible if the producers could increase the price of copper, but they can not. As I have said before, the market price is fixed by supply and demand.

Mr. SNYDER. Then we will pay that, and the income tax, and the inheritance tax. We will pay this also?

Mr. HAYDEN. No; this tax, like any other element that enters into the cost of production, will have nothing to do with the price of copper.

But steel is used to make cannon and shells, small arms and machine guns, railroads and bridges, and every other war use from barbed wire to battleships. Yet there is no tax on steel ingots or billets in this bill. If there is to be double taxation of copper because it is used in making munitions, why should not steel also be twice taxed? Everyone knows that vastly more steel and iron is used in modern warfare than any other single metal.

In addition to copper and iron all of the other metals have advanced in price owing to the demand created by the European war. Lead and antimony are used to make bullets and shrapnel. Aluminum is required for aeroplanes, Zeppelins, and automobiles. The manufacture of projectiles and armor plate makes a market for nickel, and quicksilver is used to make priming explosives. A vast quantity of zinc is consumed in the form of brass and to galvanize barbed wire. If copper is to be taxed, why ignore these metals? There is no double taxation on any of these articles in this bill.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. HAYDEN. I yield to my friend from Ohio.

Mr. FESS. Is this copper only used for munitions?

Mr. HAYDEN. I am glad that the gentleman asked that question, because it seems unreasonable that copper which is not made into munitions should be taxed. As a matter of

fact, the greater part of the copper produced in this country is used in our domestic arts and industries. In 1914, when such a thing as exporting munitions of war was undreamed of, over 700,000,000 pounds of copper, or about one-half of the total production, was consumed in the United States. It is safe to say that even a larger amount of copper will be used this year in America in a manner not even remotely connected with the war. Certainly it is a misnomer to call this a munitions tax when the greater portion of the copper upon which the collections are based is used for peaceful purposes.

The CHAIRMAN. The time of the gentleman from Arizona has expired.

Mr. HAYDEN. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. FESS. Mr. Chairman, is that the purpose under this clause, munition manufactures, and so on, to tax articles that happen to be used for munitions and also tax them when used for other purposes, too?

Mr. HAYDEN. That is the effect of the bill. It makes no difference what the use is, a tax is levied on all copper sold.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. HAYDEN. Gladly.

Mr. LONGWORTH. Is it a matter of fact that the copper is smelted at the mines?

Mr. HAYDEN. Sometimes copper is smelted at the mines, but oftentimes it is smelted at a distance. It is usually smelted at the mines if water is easily obtainable.

Mr. JAMES. Mr. Chairman, will the gentleman yield?

Mr. HAYDEN. Certainly.

Mr. JAMES. I want to say, so far as that is concerned, that every mine in Michigan, with the exception of one or two small mines, smelts and refines its own copper.

Mr. LONGWORTH. Then, this would be a tax on the copper as it comes from the earth, no matter what the purpose is?

Mr. JAMES. Yes; and the tax will continue after the war is over.

Mr. HAYDEN. It can not be possible that this tax is to be levied merely because the copper industry can afford to pay it. I hope this House will not settle upon the policy of taxing prosperity whenever it appears. The English kings practiced that kind of extortion on the Jews of York, but no political economist will recommend such a proceeding, even as an extraordinary method of raising revenue.

If Congress is to tax the copper industry because it is profitable, then consistency demands a like tax on steel. Only last Saturday Henry Clews, that great student of financial and business conditions, gave out this statement:

> The steel trade positively is suffering from overconsumption. Production is operated at the limit, yet there is no cessation in the pressure of orders, no signs of weakness in prices, and the steel mills would welcome a respite from the urgent demands of consumers.

I defy anyone to name a copper stock that has advanced from $30 to $530 a share, as did Bethlehem Steel as a result of the munitions traffic. Why should not the steel industry, that pampered pet of protection, whose demands have been insistently presented to the American people in every political campaign for the past 50 years, after having been fed with favors by law, now that it is prosperous why should not its profits be directly taxed to pay for a program of preparedness that will require more steel than any other metal? There are no two ways about it. Either steel should be taxed or copper should not.

Mr. SABATH. Mr. Chairman, will the gentleman yield?

Mr. HAYDEN. I yield to the gentleman from Illinois.

Mr. SABATH. Are we producing largely the amount of copper that we use is this country?

Mr. HAYDEN. The United States produces twice as much copper as is consumed in this country.

Mr. SABATH. Does not the gentleman think it is better to tax prosperity than poverty?

Mr. HAYDEN. Certainly; if the tax is levied equally on all prosperous industries.

There is another matter that I want to draw to the particular attention of the friends of labor in this House. I have been discussing this tax from the point of view of the owners of the producing mines in Arizona whose property is assessed this year for purposes of State and county taxation at a valuation of over $170,000,000, but I would have this House remember that Congress can not levy a copper tax which will not also be a burden upon the 30,000 men who are employed in mining and ore reduction in my State. More than $35,000,000 will be paid in wages this year to these men, but the wage varies directly with the price of copper. If you put this tax on copper, you reduce the wages of the men employed in its production. I ask you to impose these taxes in such a way that no part of the burden can be shifted onto the laboring man.

A tax of 2 per cent on copper at 25 cents a pound means only a half cent on each pound, which does not sound like a very heavy burden. But a half cent a pound on 600,000,000 pounds means $3,000,000 that must be raised from the copper industry in Arizona. Does anyone here believe that those who labor in Arizona's copper mines will not share this burden? The friends of labor in this House will therefore vote with me to prevent a reduction in the wages paid to the miners and smelter men of the greatest copper-producing State in the Union.

The gentleman from Tennessee has said that there are two supreme duties which a citizen owes to his country—to fight for it and to pay taxes. In answer to the President's call for soldiers to protect the Mexican border there are more men under arms to-day from Arizona in proportion to her population than from any other State in this Union. Not content with receiving this liberal offering of the blood of her sons to defend the Nation, this bill proposes to seize the treasure of Arizona by an unfair and discriminating tax upon her leading industry. I would be unfaithful to the trust that has been reposed in me if I did not raise my voice in protest against this injustice. [Applause.]

Mr. MOORE of Pennsylvania. Mr. Chairman, I rise to oppose the amendment offered by the gentleman from Arizona. This illustrates better than anything else the manner in which this bill was framed. If you touch an industry in certain States, you are running into danger. You are against the trusts and combines, and the great refiners, and so forth, but the moment you begin to raise a little taxation from them down in Arizona, "the friend of the people and of the downtrodden" rises in his place to protest. [Laughter and applause on the Republican side.] The theory on which this tax was laid in this bill was that copper enters into the manufacture of munitions of war.

Mr. HAYDEN. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. HAYDEN. Does not steel enter even more largely into the manufacture of munitions of war?

Mr. MOORE of Pennsylvania. Yes; and steel is heavily taxed.

Mr. HAYDEN. Not directly. There is no double tax on steel.

Mr. MOORE of Pennsylvania. You catch steel going and coming; but when it comes to "my ox," be very careful how you gore it! Why, cotton enters into the manufacture of munitions of war, and a little while ago there was a solid vote upon your side of the House against the further use of cotton in mercantile industries, when you failed to recognize the necessity of a tariff upon dyestuffs. Yet what man upon the Ways and Means Committee on that side of the House, from Tammany Hall down to Texas, ever suggested that we should put a single cent of tax on your more than 10,000,000 bales of cotton, much of which enters into the manufacture of munitions of war? When your ox is gored, oh, how you holler! Do not tax anything that God produces for you, nothing that comes from the soil, nothing that comes from the plantations, nothing that you find in the mines, though they produce the greatest fortunes of all. Do not tax these! But the minute man begins to fabricate your cotton, the minute man begins to mold your iron and copper ore into something worth while, tax him. [Laughter on the Republican side.] He is using his labor. You gentlemen over there stand united to impose further taxes on everything that the hand of man improves. You are taxing everything in my State; yet when it appears that we are paying higher prices for everything we buy from Arizona or Texas or even Iowa, you tax us, while your own profits are increasing daily; you have not got the courage to put a little bit of the burden upon yourselves.

Mr. HAYDEN. I judge from the gentleman's remarks that he also owns an ox.

Mr. MOORE of Pennsylvania. Yes; I have an ox—my State is the ox—and it is pretty well gored, and it has been gored by your side of the House, which has been attacking its very vitals. While you in Arizona are riding in automobiles to-day, we are still walking the streets of the city of Philadelphia. You come here willing to tax our labor, while you let the speculators go scot free. Talk of trusts and combines, talk of minions of wealth, talk of the men who are despoiling the poor, talk of the men who are grinding down the toilers! Yes, but do not touch your copper smelters, or your refiners, or the owners of big mines in Arizona and elsewhere. Let them go! Tax only labor the minute it begins to employ itself in improving what God has given you. [Applause on the Republican side.]

Mr. MANN. Mr. Chairman, I ask that I may proceed for 10 minutes, and I may want a little more time. [Applause.]

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for 10 minutes. Is there objection?

There was no objection.

Mr. MANN. Mr. Chairman, probably the most difficult task which confronts any governing power is to raise and properly apportion the taxes necessary to be collected to carry on government. Through all time in the history of governments that has proved to be a task almost if not quite beyond satisfactory solution. The prime purpose in raising taxation should be to collect sufficient money and fairly apportion the burden on those who receive the benefits of government.

We are called upon now to raise a considerable excess of money because of the preparedness program which we have adopted. If the preparedness program and the taxation program were linked together, I am so much in favor at the present time of preparation for the existing and prospective emergency that I would not lightly vote against any bill providing proper preparation and connecting with it any means of raising the money. But we have before us a bill for the raising of money which brings to us the responsibility of determining how the money should be raised by taxation, regardless of the purpose for which the money is to be expended. It is always easy for those who do not pay taxes to favor taxes against those who do pay taxes. [Applause.] The great problem in a republican form of government in the end will be whether the burden of taxation shall be distributed among all who receive the benefits or whether the great majority shall put the burden of taxation only upon a few. I believe that all the people are willing to bear the necessary burdens when they are equitable and just, but I do not believe that the Government will be successful where those who may be in the majority will draw the line exempting themselves from the burdens of government while they enjoy the benefits of government to put upon a few all the burdens of government. [Applause on the Republican side.]

I think there are ways of raising money now without, perhaps, exacting unjust taxes. If we were at a crisis where the life of our Nation depended upon taxes, all would give freely all that they have. [Applause on the Republican side.] But we have not reached that position, and I hope that we never may.

The present bill proposes to raise the additional money asked for by putting all the burdens upon a few. It proposes that all the people shall enjoy the benefits of government and the preparation which is made, but that the few shall bear all the burdens of taxation. We raise now a considerable sum of money by income taxes and a considerable sum by other internal-revenue taxes and a considerable sum by customs duties. If the present method is at all equitable, then in your increase of taxes the burdens should be distributed among the different ways now used in collecting money, and the large proportion of the additional revenue might well be exacted at the customhouses, equally distributing the burden and at the same time guaranteeing the American industrial independence of the world. [Applause on the Republican side.]

I propose very briefly to call attention to the income-tax proposition because whether you call it in this bill income tax or inheritance tax or munitions tax, it is in fact all a tax on income.

I wish to call attention to the figures in reference to the collection of the income tax for the last fiscal year just ended a few days ago.

The corporation tax for last year paid by the first Illinois or Chicago district was $5,109,164. During the same year Alabama and Mississippi combined paid $279,665, Arkansas paid $112,074, Florida paid $108,664, Georgia paid $367,291, North Carolina paid $324,532, Oklahoma paid $404,600, South Carolina paid $173,188, Tennessee paid $329,015, Louisiana paid $406,416, and Kentucky paid $411,843.

The 11 States of Alabama, Mississippi, Arkansas, Florida, Georgia, North Carolina, Oklahoma, South Carolina, Tennessee, Louisiana, and Kentucky, with 95 Members of Congress, paid of the corporation tax last year $2,917,288 as against $5,109,164 that Chicago paid.

Iowa paid last year $517,887, Kansas paid $377,189, Nebraska paid $332,705, New Mexico and Arizona paid $321,563, North and South Dakota paid $176,141, Oregon paid $197,795, Washington and Alaska paid $398,638, and the 20 States of Alabama, Mississippi, Arkansas, Florida, Georgia, North Carolina, Oklahoma, South Carolina, Tennessee, Louisiana, Kentucky, Iowa, Kansas, New Mexico, Arizona, North and South Dakota, Oregon, Washington, and Alaska paid a total corporation tax of $5,239,206, as against $5,109,164 paid by the city of Chicago.

Now, as to the individual-income tax: The Chicago district paid last year $4,848,593, Alabama and Mississippi paid $177,440. Arkansas paid $44,278, Florida paid $133,560, Georgia paid $199,546, North Carolina paid $175,932, Oklahoma paid $489,415, South Carolina paid $76,250, Tennessee paid $207,316, Louisiana paid $296,341, Kentucky paid $165,109, Iowa paid $276,098, Kansas paid $139,303, Nebraska paid $160,206, New Mexico and Arizona paid $94,523, North and South Dakota paid $58,594, Oregon paid $118,437, Washington and Alaska paid $219,167, Texas paid $672,456, Virginia paid $289,631, Indiana paid $410,319, Montana, Idaho, and Utah paid $225,728. The 26 States which I have named paid a total income tax of $4,630,639, as against $4,848,593 paid by the city of Chicago.

Mr. GARNER. Will the gentleman yield?

Mr. MANN. Yes.

Mr. GARNER. Is the gentleman opposed to an income tax?

Mr. MANN. I am opposed to this bill.

Mr. GARNER. Is the gentleman opposed——

Mr. MANN. If the gentleman will sit down I will answer the question in the proper time. The gentleman need not worry, I am not afraid to make my position known, I am not from Texas. [Laughter and applause on the Republican side.]

Last year Illinois paid of the corporation tax $5,579,551, New York paid $14,944,077, Pennsylvania paid $6,790,230. The three States of New York, Pennsylvania, and Illinois paid $27,313,479. The 48 States and Territories of the United States, $56,000,000. Of the income tax last year Illinois paid $5,166,689, New York paid $30,286,607, Pennsylvania paid $6,312,204. These three States paid $41,765,501, as against a total individual-income tax of $67,957,488.

The three States of New York, Pennsylvania, and Illinois paid a total income and corporation tax last year of $69,078,981. And the other 45 States of the Union paid $55,788,488, or excluding Massachusetts, the other States paid $48,926,431.

The total membership of this House is 435. New York has 43, Pennsylvania, 36; Illinois, 27; a total of 106. All of the other States have 329. The 3 States I have enumerated, with 106 Members of the House and 6 Senators, paid $69,078,981.37 of the income tax, and the other 45 States, with 329 Members, paid $55,788,448.91. Including Massachusetts, the 4 States of New York, Pennsylvania, Illinois, and Massachusetts, with 122 Members of the House and 8 Senators, paid $75,940,999.27 of the corporation and income tax, and the other 44 States, with 313 Members and 88 Senators, paid $48,926,431.01. The 4 States of Pennsylvania, New York, Illinois, and Massachusetts, paid $27,014,568.26 more of the tax than the other 44 States of the Union. [Applause on the Republican side.]

Mr. Chairman, this may be an argument to some gentlemen in favor of voting for this bill because there is a desire everywhere to put the burden of taxation on the other fellow, and yet the American people, in my judgment, do not believe in trying to locate the burden of all taxes upon a few, to make thrift only the object of taxes, to give the benefit to all, but to tax only the few. I do not believe that the American people are in favor of singling out a few because they have acquired wealth, and making them bear all of the burdens. I do believe that we may properly make wealth bear a larger proportion of taxes than poverty, that those who have accumulated fortunes may pay a larger proportion of income than those who have a small income, but the effort of the Democratic side of the House to make the few pay all of the burdens in my judgment stamps the bill as improper legislation of which we should not be guilty. [Applause on the Republican side.]

I append herewith as an extension of my remarks the following tables from which I have quoted:

Corporation tax, 1916.

[Disregarding cents.]

First Illinois, or Chicago, district $5,109,164

State.	Members of Congress.	Amount collected.
Alabama and Mississippi	18	$279,665
Arkansas	7	112,074
Florida	4	108,664
Georgia	12	367,291
North Carolina	10	324,532
Oklahoma	8	404,600
South Carolina	7	173,188
Tennessee	10	329,015
Louisiana	8	406,418
Kentucky	11	411,843
	95	2,917,288
Iowa	11	517,887
Kansas	8	377,189
Nebraska	6	332,705
New Mexico and Arizona	2	321,563
North and South Dakota	6	176,141
Oregon	3	197,795
Washington and Alaska	5	398,638
Total	136	5,239,206

Individual income tax, 1916.

[Disregarding cents.]

First Illinois, or Chicago, district $4,848,593

State	Members of Congress.	Amount collected.
Alabama and Mississippi	18	$177,440
Arkansas	7	44,278
Florida	4	133,560
Georgia	12	199,546
North Carolina	10	175,922
Oklahoma	8	489,415
South Carolina	7	76,250
Tennessee	10	207,316
Louisiana	8	296,341
Kentucky	11	165,109
	95	1,965,177
Iowa	11	277,098
Kansas	8	139,303
Nebraska	6	160,206
New Mexico and Arizona	2	94,523
North and South Dakota	6	58,594
Oregon	3	118,437
Washington and Alaska	5	219,167
Texas	18	672,456
Virginia	10	[1] 289,631
Indiana	13	410,319
Montana, Idaho, and Utah	6	225,728
Total	183	4,630,639

[1] Not including Accomac and Northampton Counties.

Income tax for fiscal year ending June 30, 1916.

State.	Corporation.	Individual income.
Illinois	$5,109,164.99	$4,848,593.96
	172,301.65	90,362.39
	169,753.98	178,740.36
	127,931.37	48,993.20
	5,579,151.99	5,166,689.91
Massachusetts	2,668,144.82	4,193,873.08
New York	648,514.10	1,751,547.57
	9,237,778.23	14,713,305.36
	2,869,293.42	10,618,663.03
	646,389.73	1,500,339.99
	443,589.64	472,456.77
	1,098,512.44	1,230,294.89
	14,944,077.56	30,286,607.61
Pennsylvania	3,153,890.79	3,756,186.27
	202,329.16	170,615.55
	428,480.90	461,048.11
	3,005,529.16	1,924,354.36
	6,790,230.01	6,312,204.29
New York	14,944,097.56	30,286,607.61
Pennsylvania	6,790,230.01	6,312,204.29
Illinois	5,579,151.99	5,166,689.91
	27,313,479.56	41,765,501.81

THREE STATES.

Corporation	$27,313,479.56	
Individual	41,765,501.81	
	69,078,981.37	
Total corporation		$56,909,941.78
Total individual		67,957,488.50
Total both		124,867,430.28
Total New York, Pennsylvania, and Illinois		69,078,981.37
Total all other States		55,788,448.91

MASSACHUSETTS.

Corporation	$2,688,144.82	
Individual	4,193,873.08	
		6,862,017.90
Total 44 other States		48,926,431.01

Total House membership		435
New York	43	
Pennsylvania	36	
Illinois	27	
	106	
All other States		329
Massachusetts	16	
4 States (New York, Pennsylvania, Illinois, and Massachusetts)	122	
44 other States		313
106 Members (3 States)		$69,078,981.37
329 Members (45 States)		55,788,448.91
122 Members (4 States) (8 Senators)		75,940,999.27
313 Members (44 States) (88 Senators)		48,926,431.01
Excess of the 4 States over 44 States		27,014,568.26

WASHINGTON, D. C., *July 4, 1916.*

Secretary McAdoo to-day made public the following receipts from corporations and individuals under the income-tax law, paid into the Treasury during the fiscal year ended June 30, 1916, listed by internal-revenue districts. These figures are subject to revision upon analysis of complete returns:

Districts.	Corporation income tax.	Individual income tax.
Alabama (Alabama and Mississippi)	$279,665.43	$177,440.48
Arkansas	112,074.11	44,278.79
First California (includes Nevada)	1,477,773.84	952,576.28
Sixth California	460,992.73	540,813.24
Colorado (Colorado and Wyoming)	573,503.74	364,102.37
Connecticut (Connecticut and Rhode Island)	1,692,183.43	2,132,866.89
Florida	108,664.80	133,560.83
Georgia	367,291.95	199,546.46
Hawaii	341,938.37	112,144.95
First Illinois	5,109,164.99	4,848,593.96
Fifth Illinois	172,301.65	90,362.39
Eighth Illinois	169,753.98	178,740.36
Thirteenth Illinois	127,931.37	48,993.20
Sixth Indiana	666,812.66	347,875.55
Seventh Indiana	147,395.32	62,444.50
Third Iowa	517,887.96	277,098.45
Kansas	377,189.51	139,303.47
Second Kentucky	34,195.83	8,734.57
Fifth Kentucky	277,159.06	103,183.91
Sixth Kentucky	28,252.37	12,985.61
Seventh Kentucky	45,717.31	33,991.88
Eighth Kentucky	26,520.97	6,216.78
Louisiana	406,416.45	296,341.35
Maryland (Maryland, Delaware, District of Columbia, and Accomac and Northampton Counties of Virginia)	1,787,680.69	2,741,761.76
Third Massachusetts	2,668,144.82	4,193,873.08
First Michigan	1,680,447.64	1,730,859.95
Fourth Michigan	340,025.52	145,885.67
Minnesota	1,854,447.24	866,557.90
First Missouri	1,031,501.65	818,411.74
Sixth Missouri	551,734.96	388,316.93
Montana (Montana, Idaho, and Utah)	735,027.04	225,728.01
Nebraska	332,705.69	160,206.31
New Hampshire (New Hampshire, Maine, and Vermont)	507,536.98	556,570.31
First New Jersey	357,474.11	697,997.95
Fifth New Jersey	1,180,259.69	2,230,302.18
New Mexico (New Mexico and Arizona)	321,563.21	94,523.23
First New York	648,514.10	1,751,547.57
Second New York	9,237,778.23	14,713,305.36
Third New York	2,869,293.42	10,618,663.03
Fourteenth New York	646,389.73	1,500,339.99
Twenty-first New York	443,589.64	472,456.77
Twenty-eighth New York	1,098,512.44	1,230,294.89
Fourth North Carolina	116,802.67	52,439.44
Fifth North Carolina	207,730.69	123,483.23
North and South Dakota	176,141.82	58,594.39
First Ohio	727,979.96	515,339.32
Tenth Ohio	765,438.82	262,010.74
Eleventh Ohio	286,080.86	229,258.43
Eighteenth Ohio	1,868,139.25	1,389,672.34
Oklahoma	404,600.80	489,415.08
Oregon	197,795.61	118,437.49
First Pennsylvania	3,153,890.79	3,756,186.27
Ninth Pennsylvania	202,329.16	170,615.55
Twelfth Pennsylvania	428,480.90	461,048.11
Twenty-third Pennsylvania	3,005,529.16	1,924,354.36
South Carolina	173,188.91	76,250.01
Tennessee	329,015.11	207,316.37
Third Texas	897,670.97	672,456.10
Second Virginia	367,234.40	239,984.88
Sixth Virginia	279,554.76	49,647.24
Washington (Washington and Alaska)	398,638.64	219,167.13
West Virginia	331,947.96	132,064.13
First Wisconsin	597,898.64	503,143.74
Second Wisconsin	180,437.27	56,805.24
Total	56,909,941.78	67,957,488.50

Mr. HULL of Tennessee. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to proceed for 10 minutes. Is there objection?

There was no objection.

Mr. HULL of Tennessee. Mr. Chairman, the gentleman from Illinois [Mr. MANN] would leave the impression upon the House, and, if possible, upon the country, that the only matter of tax consideration in this measure is that pertaining to taxation of incomes. We should consider the entire amount of all taxes. According to the most reliable figures the masses of the people of this country alike are paying, or were in 1913, the sum of $2,130,000,0000. Over $1,000,000,000 of that sum constituted general and personal property taxes. The remainder was paid as different special taxes. That remainder included $604,000,000 paid to the Federal Government in tariff taxes and internal-revenue taxes. The question now is one of sound economic policy, whether in accordance with the rule of imposing taxes according to the ability to pay, and the further rule of determining the ability to pay by one's income, we will impose an income tax to supplement this burden of $2,130,000,000 now imposed upon the masses of the American people to pay our preparedness bill. I want to call attention to certain

facts in order to correct a popular misapprehension. When we deduct from our total national wealth the property of the Government and the States, and the property of churches and educational institutions and other exempt property, we have not over $160,000,000,000 of national wealth. The annual net income returned by the present income-tax payers of the country under the present law amounts to more than $7,000,000,000, as I am informed.

The net income of the present income-tax payers would therefore amount to 4½ per cent annual profit upon our total national wealth. If we should assume that our entire national wealth earns 9 per cent, then the present income-tax payers own or control one-half of the income-producing property in the United States.

I have one other similar suggestion in connection with the proposed estate tax. Our national wealth has been increasing at the rate of over $10,000,000,000 a year. We might levy a combined State and Federal inheritance tax of $150,000,000 a year, and that would be only 1½ per cent, not of our national wealth, but of our annual increase in wealth. The proposed estate tax would only amount to about one-half of 1 per cent on the annual increase of our wealth, and yet some gentlemen intimate that we are imposing much larger tax burdens on the American people to meet these new expenditures.

I find here a statement from the report of the Wisconsin State tax commission on the Wisconsin income-tax law, which shows more fully the distribution of income-producing property. It states that one group of 315 taxpayers having incomes of over $15,000 each constitutes less than two one-hundredths of 1 per cent of the population of the State, and yet this group, added to one other, making 667 in number, constitutes less than three one-hundredths of the population of the State, and they pay nearly one-half of the total income-tax of the State of Wisconsin. The New York State tax commission made a report a few months ago in support of an income-tax bill it had drafted, and cited the manner in which wealth is congested, and illuminated the sources from which the income of this country is largely derived. It sets out some tables. One statement is that 72,345 people having incomes of less than $3,000 would pay a total of $287,000 tax under the proposed New York income tax, while 82 people having larger incomes in the State would pay a total of $1,809,000.

Mr. Chairman, this is the (to many) surprising experience wherever this question of the size, source, and relative number of incomes is investigated. It has been the experience of the New York tax commission which investigated tax conditions and drafted a proposed income-tax law, and of most State tax commissions, and in fact all tax authorities. This showing is elaborated in the report of the Wisconsin tax commission, and I hope that gentlemen before becoming so rash in their assertions as to the incidence and burden of this proposed income tax will look and see the real facts as to the effect of them, both in their application to wealth and to the owners of wealth, and they will conclude, if they consider it in the spirit of fairness, that this small supplemental income tax does not scarcely scratch the skin of our annual increase of wealth, much less touch any of the capital of the people of this country. This statement may also include the estate tax.

As to the remarks of the gentleman from Arizona [Mr. HAYDEN] relative to the amendment he offered to the copper provision, I desire to say this:

We found that a great many countries have levied a special combination tax, called in some cases an "excess-profits" tax—Canada, Germany, France, England, Sweden, and other countries, In every case those tax laws exempted agriculture and live stock. They found it to be sound policy, notwithstanding their revenue necessities, to exempt agriculture and certain other classes of business. Now, in this case the committee undertaking to meet a temporary extraordinary expenditure, found that certain products of business in this country have derived abnormal, peculiar, and colossal profits incidental to the sale of munitions and kindred products since the outbreak of the war.

It also appeared that many of these companies had been declaring extra dividends from 5 to 10 and up to 200 per cent, and their profits, according to all available sources, have been in many cases so swollen as to be almost unbelievable. When we came to the copper situation we found that this industry was supplying Europe almost one-half of the domestic product, and that the net increase, making a most liberal allowance for normal profits according to normal rates and prices, and only computing an increase of 10 cents a pound on the total volume of copper handled in this country, showed a profit, an abnormal profit, of from $210,000,000 to $250,000,000. We would much have preferred to have imposed those taxes in only one place as it related to the copper industry, but we found that the smelter was selling an immense amount of crude copper to Europe as well as to different sections of this country. We found also it was impossible to place it on the refiner alone or on the alloyer alone, or on the consumer alone, so, in view of these enormous increases of war profits, we thought that to spread ten or twelve millions dollars over the entire industry in the most equitable manner possible would do no one an injustice. Besides, we would expect these munition prices and profits soon to cease and the law to be repealed within a few months.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HILL. Mr. Chairman, I would ask that the gentleman have five minutes additional.

The CHAIRMAN. The gentleman from Connecticut asks unanimous consent that the time of the gentleman from Tennessee be extended for five minutes. Is there objection?

Mr. HILL. I desire to ask the gentleman one question for information. The industry is a very large one in my State and I would like——

Mr. ELSTON. Mr. Chairman, reserving the right to object, I have an amendment which I desire to offer, and I inquired of the Chairman to get a little time to introduce the amendment which I have and the time is going so speedily I do not believe I will have that opportunity, especially if these extensions be given.

Mr. HULL of Tennessee. I will not insist on time. I think I have stated the situation.

Mr. HILL. The gentleman has been spending weeks and months in the consideration of the terms of this bill and he can answer any question concerning it——

Mr. ELSTON. If the gentleman will permit me to discuss my matter with him I will be glad to withdraw my objection.

Mr. MANN. Mr. Chairman, reserving the right to object, I shall not object now, the gentleman from Connecticut should remember he offered an amendment this morning and talked for half an hour on it, and other gentlemen talked nearly half an hour. There are a lot of gentlemen who desire to offer amendments and I think we will soon get to the point where there can be no extensions.

Mr. HULL of Tennessee. I do not ask for any more time.

Mr. MANN. I do not object to the gentlemen's extension.

The CHAIRMAN. The gentleman from Montana [Mr. EVANS] is recognized for five minutes.

Mr. EVANS. Mr. Chairman, the question——

Mr. HILL. I would like to ask if it is intended the refiner and alloyer of copper——

Mr. EVANS. I will yield the gentleman a minute out of my five minutes.

Mr. HILL. I would like to ask the gentleman if it is intended under the terms of this law to collect a tax from the proceeds of the refined and alloyed copper that is going into the making of products and then collect from the products into which the brass is made, outside of cartridges, for instance, bedsteads, tubing, and all that sort of thing? Under the terms of the bill it seems to me there is a double tax, provided it is done in separate departments of a factory.

Mr. HULL of Tennessee. Well, I would say to the gentleman that in a large number of cases one concern refines and alloys the copper, and they may then make it into cartridges. In that case it would only pay a tax on the gross receipts from the sale of the cartridges, because it is the only case where there are gross receipts derived. In working this out we tried to make this as equitable as possible to the entire industry; and to that end, where the smelter sells to the refiner or the alloyer, he would pay no tax. Again, any concern smelting or refining or alloying copper would pay the tax on the gross receipts of whatever form of the product he sells, whether sold in the form of alloy or refined or smelted copper.

Mr. HILL. Let me ask the gentleman further. Gross receipts—does it mean, for instance, a product that sells as tubing as it stands or does it mean simply the copper that is in it?

Mr. HULL of Tennessee. It depends upon whether the manufacturer of tubing refines his copper.

Mr. HILL. Oh, he certainly does; I am putting that case.

Mr. HULL of Tennessee. It is measured by the gross receipts of his alloyed products, because otherwise no one would pay any tax. It is impossible to separate the copper munitions from these other kinds of copper products, because some of the munition products are sold direct to Europe by the smelter, others by the refiner, and still others by the alloyer. If the tax were placed upon the cartridge manufacturer alone the larger portion of copper going into munitions would escape the tax. It was therefore considered most feasible and equitable to fix the copper rates at but little over half the other munition rates and let them spread over the industry.

Mr. HILL. I am not talking about munitions. What I want to get at is the ordinary products of peace, like tubing and bed-

steads, and all that sort of thing. Does it cover the zinc that is in it in the final——

Mr. HULL of Tennessee. It covers whatever makes up the gross receipts of any alloy product of which copper constitutes the chief value.

Mr. HILL. That is what I want to know. One-third zinc and two-thirds copper.

Mr. EVANS. Mr. Chairman, this particular item in this bill can not help but strike me as being unjust and inequitable and as being class legislation. Our people in the State of Montana who are large producers of copper do not desire to shift any of the burden. We are willing to pay our taxes—inheritance, income, and other taxes—as levied on the rest of the people of the country; but, in addition to that, you are levying upon the State of Montana, with its about 500,000 people, $3,000,000 in addition to what you are levying upon the other people of the land. This is about $5 a head. My estemed friend, the gentleman from Pennsylvania [Mr. MOORE], says the people from the copper-producing States are complaining because we are attempting in this bill to take from them a portion of the money to support the Government, and says that it makes a difference whose ox is gored and that if we, in the tariff bill, had placed a duty upon the manufactured articles of his city it would not now be necessary to levy a direct tax.

Well, of course, it makes a difference whose ox is gored. The gentleman from Pennsylvania stands for a high protective tariff. He wants all the people of the country to pay an additional price for manufactured articles of his city that a few favored ones may profit thereby. But we of the copper-producing States are not asking any such protection. We are only asking to be treated as are the other people of the country.

Suppose you should levy on the city of Philadelphia an additional tax of $5 on every man, woman, and child, they would have a right to complain as we have in this instance.

We are not asking any protection. We ask that what we produce we may spend ourselves and utilize ourselves as well as the other people of the land. Why, Mr. Chairman, if they limited this proposition to the copper that went into munitions of war, I should not complain, and I do not believe our people would complain; but we do protest against the effort to single out a special industry and tax it for the benefit of all the people.

We are now electrifying 450 miles of transcontinental railroad in Montana. It is an event in the history of the Nation; but this provision of the bill penalizes the efforts of our people to develop the natural resources of the country or to promote its transportation facilities.

Mr. MONDELL. The gentleman is making his argument to this part of the House. He knows that we are not responsible for this copper tax and are not going to vote for it.

Mr. EVANS. Maybe you will help me vote against it, then?

Mr. MONDELL. The gentleman should make his plea to that side of the House.

Mr. EVANS. I understand those gentlemen know where I stand upon the proposition.

As I suggested to you, we are willing to bear our proportion of this burden if necessary. I have not complained that you did not put any duty upon wool or upon the other products of the State of Montana. I have not complained on that score. We do not ask that, but as to our own resources we think we should be called upon to bear only an equitable distribution of taxes.

This provision of the bill discloses the astounding fact that the entire business of copper smelting and refining is classified with the manufacturers and sale of munitions of war; and, in my opinion, such a classification is wholly unjust and unwarranted, and is an indefensible discrimination against the principal industry of my State and a number of other States in the Rocky Mountain country. This tax will amount in instances at least to 10 per cent of the total net income of the copper business under normal conditions and is highly discriminatory against business in Montana because of the high wages, heavy freight rates, and other costs of production. It is class legislation and unjustified as a legislative measure, because copper mining and smelting should not be classified as munition manufacturing unless we should also so classify the production of steel, lead, zinc, antimony, and numerous metals that go into munitions of war.

As compared with the quantities of this metal used in the arts and industries, the amount used in munitions of war is quite small. And yet all the industries in which copper is used must bear an additional burden because it so happens that a small quantity of this metal is used in the manufacture of munitions of war. Our people are not asking for any exemption from taxation for the copper that is actually used for war material, but we do protest against this unfair discrimination of a tax against the peaceful industry in our State.

Mr. COX. What proportion of copper mined in Montana goes into the manufacture of munitions?

Mr. EVANS. I do not know. I know a large part of the copper goes into the industrial development of this country. I know that we are trying to do everything we can under the so-called conservation laws to develop the water power of that country. We must have the copper for that purpose.

The CHAIRMAN. The time of the gentleman has expired.

Mr. EVANS. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by printing a large number of telegraphic protests against this clause in the bill.

The telegrams are as follows:

ANACONDA, MONT., *July 8, 1916.*

Hon. J. M. EVANS,
United States Representative from Montana, Washington, D. C.:

The revenue bill now under consideration in Congress imposes a 3 per cent tax on gross revenue of copper producers. Our city depends entirely on the production of copper, and the proposed tax would cripple our industry, involving our city, with population of 20,000. Please use your utmost endeavor to have copper producers omitted from the bill, as such are not manufacturers of munitions.

ANACONDA BUSINESS MEN'S ASSOCIATION,
D. R. MCRAE, *President,*
F. W. HARRISON, *Secretary.*

—

GREAT FALLS, MONT., *July 8, 1916.*

J. M. EVANS,
Washington, D. C.:

The Great Falls Commercial Club urges you to oppose that provision of proposed revenue bill which levies special tax on copper as a munition of war. Such tax is not only class legislation, but would result in casting a burden upon the State of Montana so disproportionate to its just share of the burdens of taxation as to be manifestly unjust.

GREAT FALLS COMMERCIAL CLUB.

—

BUTTE, MONT., *July 8, 1916.*

Hon. JOHN M. EVANS,
Representative of Montana, Washington, D. C.:

The attention of the Butte Rotary Club has been called through the columns of the Associated Press of the proposed general revenue measure now before Congress, which, if true, vitally affects the principal industry of this city and State, and which we consider an open and unjust discrimination against every interest in investment in this Commonwealth. We most strenuously and vigorously oppose this part of the measure and insist that every honorable means at your command be used for its elimination from the proposed act. We will use every means at our command, locally and nationally, to accomplish this purpose. This is of such vital importance that we wish to be informed of what action you may take in the premises, and you can rest assured that you will have our earnest cooperation and hearty support to the end that the interests of this State may be protected.

MALCOM GILLIS, *President.*

—

GREAT FALLS, MONT., *July 8, 1916.*

Hon. JOHN M. EVANS,
Washington, D. C.:

Personally, am sure public opinion whereby the proposed revenue bill, which levies special tax on copper as munition of war, will not be fair or equitable, as it will cause an apparent and distinct unjust burden of taxation on Montana. Trust that you will oppose that particular provision.

A. J. BREITENSTEIN.

—

MISSOULA, MONT., *July 8, 1916.*

Hon. JOHN M. EVANS,
Washington, D. C.:

Section 201, general revenue bill, reported last Saturday, is considered by us to be entirely indefensible as applied to persons smelting or refining copper ores. A tax of 3 per cent on gross sales in excess $10,000,000 places outrageous burden on principal industry this State, which we vigorously condemn. We heartily urge every effort on your part to prevent enactment clause referred to.

MISSOULA CHAMBER OF COMMERCE,
By W. G. FERGUSON, *Secretary.*

—

BUTTE, MONT., *July 8, 1916.*

Hon. J. M. EVANS,
Representative from Montana, Washington, D. C.:

The text of the proposed general revenue measure now before Congress has reached Montana, and we have just become apprised of its contents, and examination of title 3 of the act disclosed the astounding fact that the entire business of copper smelting and refining is classified with the manufacture and sale of munitions of war. This is wholly unwarranted classification, and, in our opinion, is an unjust and indefensible discrimination against the principal industry of the State. The tax proposed is as follows, based upon the gross receipts obtained from the sale of the metal: One per cent on receipts above $25,000 to a million dollars a year, 2 per cent on receipts from a million to ten million dollars a year, and 3 per cent on all gross receipts above $10,000,000. In normal times this tax would amount to more than 10 per cent of the total net income of the copper business. It is particularly discriminatory against the business in Montana, where, on account of high wages, heavy freight rates, and other costs of production, the Montana producer is seriously handicapped in competing with the production of other States and countries. It is wholly unjustified as a legislative measure, because copper mining and smelting should not in any event be classified as munition manufacturing. In normal times the amount of copper which goes into munitions of war as compared with the quantities used in the arts and industries is inconsequential, and even under the present extraordinary conditions, compared with the amount of the total production which is going into munitions of war, is relatively small. The imposition of this tax will work a hard-

ship upon the copper producer and upon the various industries in which copper is used, entirely aside from that of manufacturing munitions. It is discriminatory because copper is the only raw material that has been selected and placed in the category of manufactured munitions as compared with the other articles classified as munition manufactures; it is discriminatory because express provision is made in the measure limiting the application of the tax to the particular portion of the output of the manufactory which goes into war material and exempting such part of the output of the factory as is made for peaceful industry. But with copper, all copper produced, no matter for what purpose used, is taxed. We are not asking for any exemption from taxation of the copper industry, which under the present general income-tax law is paying its proportion, the same as other industries with which it is properly allied and classified. We feel that the entire State of Montana will be vitally and unjustly affected by the discrimination imposed upon the principal industry of this State, and respectfully urge you to protest vigorously against this provision of the proposed measure and endeavor to secure its elimination from the act.

BUTTE CHAMBER OF COMMERCE.

—

LIVINGSTON, MONT., *July 9, 1916.*

Hon. J. M. EVANS,
Member of Congress, Washington, D. C.:

Title 3 of the general revenue measure, imposing an extraordinary tax on copper, classifying its production and refining with the manufacture and sale of munitions of war, is absolutely indefensible, discriminating, unjust, and an outrage on every mountain State; promoting foreign copper development and production and retarding its production in the United States. Proposed tax is an especial outrage on Montana. Even in this unusual time of war but a small percentage of copper is going into military channels, and in times of peace this consumption is inconsiderable. Copper is asking no favors. The industry is now bearing its full share of public burdens, as compared with other metallic industrials; and we ask that you immediately and strenuously protest against the proposed outrageous discrimination. This county and this State have many copper beds to be developed, and under this law development never could be secured; but if passed, while killing the copper industry of the Rocky Mountains of the United States, will tremendously promote it throughout the copper areas of Mexico, Central and South America.

S. H. FRANK, *President,*
O. M. HOLMES, *Secretary,*
Park County Chamber of Commerce.

—

HELENA, MONT., *July 9, 1916.*

Hon. JOHN M. EVANS,
House of Representatives, Washington, D. C.:

This association, whose membership is composed of representative men and firms engaged in manufacturing, agricultural, stock-raising, banking, commercial, and mining industries, does strenuously protest against that portion of the general revenue measure now before Congress which classifies copper smelting and refining with the manufacture and sale of munitions of war. This proposed tax on the principal industry of Montana is not only discriminatory and unjust to all engaged in the production of copper but it will indirectly penalize the various other lines of human endeavor in our State, as the farmer, stockman, and manufacturer are dependent on the mining and smelting centers for a market for their products. It discriminates unjustly inasmuch as all copper would be taxed as munitions of war, whereas the portion thus used is negligible when compared to the greater amount used in industrial enterprises. We respectfully urge you to use all honorable means to have this unjust portion eliminated from the act.

STATE OF MONTANA ADVANCEMENT ASSOCIATION,
By J. E. WOODARD, *President.*

—

BUTTE, MONT., *July 8, 1916.*

Hon. JOHN M. EVANS, M. C.,
Washington, D. C.:

Section 201 et seq. of proposed revenue law, classifies copper smelting and refining under munition manufacturers tax and proposes a levy entirely disproportionate considering the character of the business taxed; the proposed schedule would impose upon the copper industry of this State a burden of approximately $3,000,000 at normal prices. The tax would amount to more than 10 per cent of the net income of the business. It does not seem possible that this provision was incorporated with a full understanding of the situation. We can not comprehend why the copper business should be singled out for such an excessive, unjust, and discriminatory tax, nor why it should bear disproportionately a burden not imposed upon other metals nor upon agricultural products and innumerable lines of manufacture, all of which are benefiting incidentally by reason of present current high prices. We urge upon your attention that the proposed measure will unjustly burden the principal industry of this State and that without logic it places upon the copper producers of the United State a burden that it will be practically impossible to bear. We respectfully urge the exercise of your utmost efforts to have this unjust provision stricken from the proposed measure.

C. F. KELLEY.

—

VIRGINIA CITY, MONT., *July 8, 1916.*

Montana Congressman EVANS,
Washington, D. C.:

The text of the proposed general revenue measure now before Congress has reached Montana and we have just become apprised of its contents, disclosing the astounding fact that the entire business of copper smelting and refining is classified with manufactures and sale of munitions of war. This is a wholly unwarranted classification and in our opinion is an unjust and indefensible discrimination against the principal industry of this State. This tax would amount to more than 10 per cent of the total net income of the copper business under normal conditions. It is particularly discriminatory against the business in Montana, where, on account of high wages, heavy freight rates, and other costs of production, the Montana producer is seriously handicapped in competing with the production of other States and countries. It is wholly unjustified as a legislative measure because copper mining and smelting should not in any event be classified as munition manufacturing. In normal times the amount of copper which goes into munitions of war as compared with the quantities used in the arts and industries, is inconsequental and then under the present extraordinary conditions compared with the amount of the total production which is going into munitions of war, is relatively small. The imposition of this tax will work a hardship upon the copper producer and upon the various industries in which copper is used. Entirely aside from that of manufacturing munitions, it is discriminatory because copper is the only raw material that has been selected and placed in the category of manufactured munitions, as compared with the other articles classified as munitions manufactures. It is discriminatory because express provision is made in the measure limiting the application of the tax to the particular portion of the output of the manufacturing which goes into war material and exempting such parts of the factory as is made for peaceful industry; but with copper, all copper produced, no matter for what purpose used, is taxed. We are not asking for any exemption from taxation of the copper industry which under the present general income tax law is paying its proportion the same as other industries with which it is properly allied and classified. We feel that the entire State of Montana will be virtually and unjustly affected by the discrimination imposed upon the principal industry of this State and respectfully urge you to protest vigorously against this provision of the proposed measure.

J. Z. CLEM,
Secretary, the Madison Club.

—

BUTTE, MONT., *July 8, 1916.*

Hon. JOHN M. EVANS,
Capitol, Washington, D. C.:

Organized labor in Montana emphatically protests against the increased tax upon copper production as contained in the general revenue bill now before Congress classifying this business with the manufacture of war munitions. Its passage will have the effect of seriously handicapping the mines of this State, thereby jeopardizing the employment of thousands of people.

MONTANA STATE FEDERATION OF LABOR,
By M. M. DONOGHUE, *President.*
O. M. PARTELOW, *Secretary.*

—

GREAT FALLS, MONT., *July 8, 1916.*

Hon. JOHN M. EVANS,
Washington, D. C.:

Much interest has been aroused here over the provision of the pending revenue bill which includes copper as a munition of war and levies a heavy tax upon the output. Of the same Montana uses enormous quantities in electrical and power development, which would by said tax be seriously retarded, as would development of the State.

LEADER PUBLISHING CO.

—

GREAT FALLS, MONT., *July 8, 1916.*

Hon. JOHN M. EVANS,
Washington, D. C.:

My attention is directed to provision of pending revenue bill, which includes copper as a munition of war and levies an enormous tax upon the output of same. Enactment of such law would be gross injustice to State of Montana and would retard the great electrical and power development of this State that is now going on.

PARIS GIBSON.

—

HELENA, MONT., *July 8, 1916.*

Hon. J. M. EVANS,
House of Representatives, Washington, D. C.:

We strongly protest the passage of Kitchin income-tax bill taxing smelter copper production as unjust and placing an unequal burden on both large and small mining interests of the country. We ask you to use your best efforts for its elimination. The provision as it now stands affects mining, mercantile, and labor interests.

Helena Commercial Club, by H. G. Pickett, president, L. M. Rheem, secretary; the Banking Corporation of Montana, by George L. Ramsey, president; Stephen Carpenter, R. Lockey, A. C. Johnson, N. J. Gould, Jos. P. Latsch, T. R. King, C. H. Fortman, E. R. McPherson, P. Oreilly, A. L. Smith, T. B. Miller, P. A. Danaher, M. S. Weiss, Geo. W. Lanstrum, O. W. McConnell, Albert J. Galen, Geo. R. Metten, Ed Phelan, R. A. Weisner, Fred E. Hoss; L. S. Ropes, mining engineer; J. W. Christie, J. Switzer; Independent Publishing Co., by Will A. Campbell; John Baker; the Montana Record-Herald, by P. B. Snellson, editor; Jas. W. Scott; W. F. Karbel, Flaherty & Kohler, M. J. Delano; State Publishing Co., by W. J. Machiffie; M. L. Gans, Eugene Meyer, W. R. Murray, Albert E. Richie; Interstate Lumber Co., by Blum; Helena Electric Co., by C. Shannon; Henry Fisher, S. L. Smithers, N. B. Holter, D. R. Wallace, J. J. Brazier, H. W. Larson, E. E. Shatrow, C. M. Batch; J. C. Currah, by O. E. Milot; E. J. Palmquist, Clarke Fisk; Klein & Bourne Co., by E. P. Bourne; Frazer & Smith, D. B. Price, Sands Bros. Dry Goods Co., Isaac Boyer, M. V. Wilson, Helena Hardware Co., John Sturrock, James G. Bain, Geo. W. Nickerson, W. R. Church, Wm. L. Halloway, George B. Conway, H. H. Pigott, Louis Johnson, E. R. Erb, W. R. Miles, Emil Starz, J. P. Bahnsen, W. T. Gleason, Sam Goodman, J. H. Urquhart, D. F. Williams, O. G. Beck; Helena Mining Bureau (Inc.), by L. M. Rheem, secretary.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

The Chair recognizes the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. Mr. Chairman, I can not say much in five minutes. I do not wish to repeat what has often been said.

This bill is unlike anything in the heavens above or the waters beneath the earth. When you come to read it you will find that there is a spirit, I might say, of unfairness in it. It is a war measure, and yet we are not at war. There are 100,000 soldiers down on the border, part of the Regular Army, and yet we are not at war, so it is said, although there is practically war over in Mexico. We are still paying to get out indigent citizens. We will have a chance to vote for an additional appropriation for that purpose in a short time.

This is not the first revenue bill that has been introduced since I have been a Member of Congress. I recollect that in the war with Spain—and it is sometimes useful to walk in the present in the light of former experience—we authorized an issue of $500,000,000 of 3 per cent bonds. One hundred and ninety-eight million dollars' worth of them were issued. The people took them at popular subscription, and it was oversubscribed seven times. There was a stamp tax imposed at that time, internal revenue, and it was submitted to generally because war had already been declared. And yet when we came to introduce the bill and consider it in the House, there were only six Democrats for it, and under the lead of the present Speaker of the House and Senator LEWIS, who was then a Member of the House, and others, there was a solid vote against it outside of those mentioned. Now, why? Juet let me stir up your minds by way of remembrance a little bit. Amos J. Cummings, a Member of Congress from New York, voted for the bill. Mr. CLARK, now Speaker, led against it, strong then as he is strong now. I have great respect for him personally, but yet upon one matter he is radical, always has been radical, and that is upon matters from an economic standpoint. He believes there ought to be free trade with all the world. [Applause on the Democratic side.] I hear Members applaud on that side.

We Republicans believe in raising the larger share of the revenue through the customhouse. [Applause on the Republican side.] You believe in excise taxes so placed, as you say, that we will not have much need for revenues through the customhouse, and what there is levied you say should be for revenue only. We hold a different view. I will not discuss it now. It has been discussed time in and time out, but I am just a little bit desirous of calling your attention to the tenor of the discussion when the war appropriation bill was passed in 1898. By the way, it was repealed in 1902, less than five years after it was enacted. There was $198,000,000 of money borrowed; that is all. The balance was raised by taxation.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. BURNETT. Mr. Chairman, I ask unanimous consent that the gentleman may have five minutes more.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that the gentleman from Illinois may have five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. CANNON. Now, then, I want to just read a bit. After the bill was passed Mr. LEWIS, now Senator, but then a Member of this House, attacked Amos J. Cummings on the Democratic side and read him out of the party. The "devil was to pay, and no pitch hot," from the Lewis standpoint. [Laughter.] I have not the time to read it to you in full, but possibly I may put some of it in the RECORD.

In his own defense Mr. Cummings said that after "a Democratic administration had issued $300,000,000 of bonds to run the Government in time of peace a Republican administration might be allowed to sell bonds to run the Government in time of war." The present Speaker, then a Member of the House, proceeded to make a pretty long speech and a very bitter one. He said:

> You talk like you brought on this war. This is not a Republican war. * * * My Republican friends, we took you by the scruff of the neck and dragged you into it, and that will be the verdict of history. We started the fire among the people, and they heated you so hot that at last you had to go into it or go out of business.

Now, then, when we came to vote for the funds to carry it on he voted against it, and said, amongst other things:

> We say we are willing to vote every dollar necessary to carry the war to a speedy and successful conclusion, but that a bonded debt is not necessary, and we offer to coin the $42,000,000 silver seigniorage now in the Treasury, to vote $150,000,000 in full legal-tender greenbacks, and to levy an income on all our incomes above $2,000, which would raise $90,000,000 more annually without one dollar of interest. We offer you all the money the Government needs, but you rejected our proposition. We offer you a noninterest-bearing currency. Nothing will do you but an interest-bearing debt. There we part company. We offer you abundant money to carry on the war, but you are bent on a debt carrying $18,000,000 annually.

As to Mr. Cummings, I just want to read a little bit touching what he said on the proposition to read him out of the Democratic Party. The Speaker denounced him fiercely, saying:

> If it were not for my personal affection for the gentleman from New York, I would inaugurate a movement among the Democrats in this and the other end of the Capitol to read out of the Democratic Party by name every man on this floor who voted for the bond bill the other day. To issue bonds when there is no earthly necessity for it is an un-Democratic performance. Genuine Democrats do not propose that such action shall be charged to them.

Mr. CLARK accused Mr. Cummings of committing "the unpardonable sin" in calling the Cleveland administration a Democratic administration, and declared that there had been no Democratic administration in this country since the 4th of March, 1861. He denied that Grover Cleveland had ever been a Democrat, and said:

> There are but two men in all the hoary registers of time that Cleveland's name ought to be associated with—Judas Iscariot and Benedict Arnold. Shades of Arnold, forgive the profanation. He at least did not hire a substitute to do his fighting. The blood which he shed at the storming of Quebec and on the heights of Saratoga was American blood. The shattered leg which was buried in his grave of obloquy was an American leg, broken by British bullets in the holy cause of liberty. Arnold was at one time both a hero and a patriot. He fell headlong from his high estate to everlasting infamy. Upon reflection I think really I ought to beg the pardon of Judas Iscariot, because after his treason he did have the grace to go out and hang himself.
>
> Yes; Grover Cleveland by his unfaithfulness did the cause of free trade more harm than all the McKinleys and Dingleys could do in 100 years. He could not kill it. Nobody can do that. But he did set it back for perhaps a generation. The tariff barons ought to build a monument to his odoriferous memory.

You may ask, Why read this? I read it because he led then, and leads now, largely, in the public position and the thought of the Democratic side of the House in this legislation and similar legislation to follow. The gentleman from Indiana [Mr. Cox] declares to-day that this legislation will stand and never be repealed. You want to put the whole thing over by direct taxation and tear down the customhouses. My friends, the Speaker has not changed in that respect, although I doubt if he would make it as radical now as he made it when he uttered the remarks.

Now you say, "Oh, you Republicans, come and vote for this. We have made a tariff board and we have made an antidumping provision." If you were to live to be as old as Methuselah nobody could ever be convicted under that antidumping provision. It is a pretense, a cheat, and a fraud. [Applause on the Republican side.]

Take your Tariff Commission. You have been suddenly converted, not permanently converted, as Saul was when he was journeying from Jerusalem to Damascus.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. CANNON. May I have just one minute more?

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CANNON. I want to turn to this side of the House, the Republican side, a minute. Who put on the stamp tax? The Democrats, against a solid Republican vote. Who continued that tax a year longer, last December? The Democrats, the Republicans voting against it. Now, they seek to repeal it, hoping to get votes to keep them in power. What do they say? "Oh," said the gentleman from North Carolina [Mr. KITCHIN], "it is unpopular." I asked him whether he proposed to refund that which had been paid. He said, "Oh, yes; we considered it, but it would take too much clerk hire to reckon and distribute the $40,000,000 which has been paid under that law." Now they propose to repeal it.

Now, I want to say to this side of the House, If they have got anything in this bill that you think ought to be in it, let them present it singly. [Applause on the Republican side.] Do you want to vote for this bill because they have put in a false prayer and made false pretenses? I am for an income tax; not this income tax, but for a sound, well-arranged income tax. [Laughter on the Democratic side.] I say a sound, well-arranged income tax, that will distribute well and equitably the burden required for the protection which the Government affords to all the people. [Applause on the Republican side.]

Mr. LONDON. Mr. Chairman, the real enemy of society is the standpatter, the man who refuses to recognize the fact that the world moves forward, the man who would not see that new forces are at work.

For once the Democrats have got the better of the Republicans. When the astute and resourceful leader of the minority, Mr. MANN, of Illinois, found himself unable to give a direct answer to a direct question, whether he was for or against the income tax, no better proof was necessary that the Democrats had succeeded in putting the Republicans in a hole. [Applause on the Democratic side.]

How can the Republicans justify their opposition to the bill? They can not oppose the antidumping provision, and they have not argued against it, for it is a protectionist measure. They can not oppose the tariff-commission provision, and they have not argued against that, because it is originally a Republican proposition. They can not oppose the dyestuffs industry protection feature. While this bill does not give them as much protection for the dyestuffs industry as they would have liked to have, it gives them a great deal. All of these three provisions of the bill are essentially Republican in character. In spite of it all, their leader advises them to vote against the bill. But what will make them vote against this bill, if they vote against

it? The income tax. And the amusing part of it is that they have not the courage to say so. [Applause on the Democratic side.] Afraid to disclose the real reason for their hostility to the measure before us, they argue in a roundabout way that because a small portion of the population located in a geographically small section of the country pays the larger share of the income tax, that the tax is unequal and unjust. They point to New York as paying one-third of the total of the entire personal tax. They point to Chicago as too large a contributor. Is there anything in that argument? They might as well complain that there is more blood in the heart than in any other portion of the human body. New York is the industrial heart of America. Both New York and Chicago are our industrial, financial, and commercial centers, and it stands to reason that the larger proportion of wealth being in those places they should pay a larger proportion of the income tax.

The last Speaker, Mr. CANNON, suggested that there should be a tax on everybody, on the bricklayer as well as on the millionaire. What should be the principle of an income tax? It should not be a burden on the worker. We should not tax the man who renders service and whose only source of income is his service. The overwhelming majority of those who earn less than $3,000 a year belong to the class who work for a living.

The Republicans should be the last in the world to complain that certain States are poor and other States are rich. It was mainly under Republican management and a Republican tariff and a Republican protective policy, and under Republican stimulation of trusts and monopolies that the wealth of this country has been concentrated in the hands of a small number. [Applause on the Democratic side.] It is interesting to see how the minds of these men work. The gentleman from Illinois [Mr. MANN] drew a parallel between the number of Representatives sent here by certain States of the Union and the amount of taxes that they are called upon to pay. He found a great disproportion between the amount of taxes some States contribute and the number of Representatives they have in Congress.

I would like him to study the franchise system of the Prussian Landtag. He will find that the Prussian statesmen have followed the reasoning of the gentleman from Illinois. Under the Prussian three-class system, representation in the Landtag is determined entirely by a tax qualification. The taxpayers are divided into three classes. The smallest class numerically, which pays one-third of the taxes, has one-third of the representatives in the Prussian Landtag; the next class is somewhat larger numerically, pays one-third of the taxes, and has one-third of the representation; and finally, they have the great majority of the people who pay the last third of the taxes and have one-third representation. Under this ideal system the great majority of the people are always sure to have a minority in the legislative body. Leave it to the Republicans and we may some day be blessed with the same system in the United States. [Applause on the Democratic side.]

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. Waldorf, one of its clerks, announced that the Senate had passed without amendment joint resolution of the following title:

H. J. Res. 257. Joint resolution permitting the use of certain hospital facilities belonging to the United States.

REVENUE.

The committee resumed its session.

Mr. HELVERING rose, and was recognized by the Chairman.

Mr. HAYDEN. Mr. Chairman, a parliamentary inquiry. Has not debate on my amendment been exhausted?

Mr. MOORE of Pennsylvania. I demand the regular order.

The CHAIRMAN. Debate on the amendment has been exhausted. It has been proceeding by unanimous consent, and the Chair has recognized the gentleman from Kansas [Mr. HELVERING].

Mr. MOORE of Pennsylvania. Mr. Chairman, I make the point of order that debate is now out of order. We are proceeding under the five-minute rule, and I demand the regular order. There are legitimate amendments here that must be offered, and if we are to be gagged on this bill as we have been on most of the other important bills we wish to know it.

Mr. HELVERING. Will not the gentleman withhold his demand for a moment?

Mr. MOORE of Pennsylvania. I will, at the request of a member of the committee; but I will not hereafter. We want to get down to business or know the reason why.

Mr. HELVERING. Mr. Chairman, I do not intend to talk politics, but there is one question suggested by the gentleman from Connecticut [Mr. HILL] which is very pertinent to this section and affects the amendment offered by the gentleman from Arizona [Mr. HAYDEN].

Some gentlemen seem to have the impression that this tax refers to all the manufactured articles into which composition copper enters, where the capital is invested in part in the manufacture of war munitions and in part in the manufacture of articles of commerce. That is not the fact. Section 201 levies a tax, but on page 63, lines 11 to 19, inclusive, it is provided that—

> In cases where such person has undivided capital invested in the manufacture of the articles specified in section 201 and of other articles, the amount invested in the manufacture of the articles specified in section 201 shall be considered as in the same ratio to the total amount invested as the gross receipts from the sale and disposition of such articles bear to the total gross receipts from the sale and disposition of all articles manufactured.

In other words, the proportionate amount of the capital invested in manufacturing articles entering into commercial lines can be deducted from the total amount of the gross output. Therefore in the case referred to in the question of the gentleman from Connecticut [Mr. HILL], where $500,000 of the output consisted of munitions of war and $500,000 of the output consisted of commercial articles, the tax would only be levied against the one-half manufactured into munitions of war.

Mr. HULL of Tennessee. Practically one half the copper has been sold to Europe during this war at war prices, and that fixed the domestic price of the other half. The bill fixes the copper rate at about one-half the other munitions rate, so that really it bears only about one-half the average on all other munition rates.

Mr. HELVERING. Then, I wish to call attention to another phase of the bill. Unless the net profit exceeds 10 per cent the manufacturer or smelter would not be taxed.

Mr. HAYDEN. That profit is the net profit of the man from whom the tax is collected. For instance, if the refiner pays the tax he can pass it back to the producer of copper, and there is nothing in the bill which says that the producer is allowed to make a profit of 10 per cent on his investment.

Mr. HELVERING. But all the running expenses of the manufacturing concern can be deducted.

Mr. HAYDEN. That applies to the man from whom the tax is collected, but if the tax is collected from the refiner he can shift the tax to the producer, and nothing is said about allowing the producer to make a profit of 10 per cent.

Mr. JAMES. Will the gentleman yield for an interruption?

Mr. HELVERING. Yes.

Mr. JAMES. In normal times not over 2 per cent of the copper produced in this country is used for munition purposes.

Does not the gentleman think there should be a limit as to the length of time that this tax should continue to be imposed?

Mr. HELVERING. I am perfectly willing, because it was not in the anticipation of the committee that this should be a continuing tax.

Mr. JAMES. Will the gentleman consent to a limitation of two years?

Mr. BURNETT. The war may continue longer than that.

Mr. HELVERING. I do not know what effect that would have on the tax. We want the tax to continue as long as the exorbitant profits continue.

Mr. JAMES. Would the gentleman be willing to accept an amendment providing that the tax should cease after the war in Europe is over?

Mr. HELVERING. Unless we have a war here.

Mr. JAMES. I do know that in normal times not over 2 per cent of the copper produced in this country is used in the manufacture of war munitions.

Mr. HULL of Tennessee. I take it that it is the intention of everybody that this provision relating to war munitions shall be only temporary, and that it is not intended to continue during the normal conditions that the gentleman speaks about, after the conclusion of the war.

Mr. JAMES. Under present conditions there would be a tax levied on mining corporations that is not levied on other corporations. My people would be satisfied to pay the tax with the provision that everybody else pays it, on the excess over 10 per cent net profits.

Mr. HULL of Tennessee. That has been impossible in this country. We are not levying anything like the amount or kind of taxes that are being levied in other countries.

The CHAIRMAN. The question is on the amendment proposed by the gentleman from Arizona [Mr. HAYDEN].

The question being taken, on a division (demanded by Mr. HULL of Tennessee) there were—ayes 57, noes 46.

Mr. HULL of Tennessee. I ask for tellers, Mr. Chairman.

Tellers were ordered, and the Chairman appointed Mr. HAYDEN and Mr. CASEY.

The committee divided; and the tellers reported—ayes 50, noes 78.

Accordingly the amendment of Mr. HAYDEN was rejected.

Mr. MOORE of Pennsylvania. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The Clerk read as follows:

Page 100, line 2, after the word "States," insert a semicolon and the following:

"*And provided further*, That it shall not be lawful for any person to import into the United States any foreign articles the product, in whole or in part, of any child under 16 years of age, of any convict, or of any workingman or woman employed for wages less than are paid for corresponding work in the United States."

Mr. HULL of Tennessee. Mr. Chairman, to that I reserve a point of order. I will make it if the gentleman from Pennsylvania does not desire to discuss it.

Mr. MOORE of Pennsylvania. I do desire to discuss it if the point of order is to be made. The committee has brought in a bill here in which it proposes under title 7, headed "unfair competition," to protect the United States markets against importation of articles calculated to destroy the United States markets. It is commonly known as the antidumping clause. It is a protective measure or intended so to be, though I question from the language used whether it is as protective as it would seem to be on its face.

My amendment proposes an extension of the majority committee program so as actually to protect the American people against the unfair importation of articles from any foreign country into the United States, "commonly and systematically," as herein set forth with a view to injuring the prices in the United States. This House has passed a bill which provides that convict goods shall not be passed from State to State, and another bill that goods made by child labor shall not be passed from State to State. It has passed other bills pretending to protect the labor of the United States and to limit the hours of employment.

Now, my amendment is simply an extension of the protective provision apparently set forth in the article headed "Title 7." It proposes to protect the people of the United States against the importation of articles that are made by convict labor in foreign countries, which is a part of the American law. It proposes to protect people of the United States against the importation of articles made by child labor under 16 years of age, which is in line with legislation passed by this House. It proposes to protect the people of the United States against the importation from foreign countries of articles made by men or women who are employed a greater number of hours a day in foreign countries than they are employed in the United States, and who receive less wages in foreign countries than they receive in the United States. In several instances these amendments have been offered and have been held in order.

Mr. KITCHIN. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I will.

Mr. KITCHIN. Will the gentleman state whether any such provision was included in the Dingley bill or the McKinley bill or the Payne-Aldrich bill?

Mr. MOORE of Pennsylvania. I regret to say that there was not as I have offered it. There was as to convict labor.

Mr. KITCHIN. So your party never put any such provision into any tariff bill?

Mr. MOORE of Pennsylvania. This side of the House has voted unanimously that this provision in substance should be attached to several measures brought in by the gentleman from North Carolina and his colleagues, but in each case the Democratic Party has voted in opposition to it.

Mr. KITCHIN. But when the gentleman's party was in power and had the power they never put any such provision in a bill?

Mr. MOORE of Pennsylvania. The Dingley bill amply protected labor against unfair competition. Likewise under the Payne bill we protected it under our system.

Mr. KITCHIN. I will tell the gentleman why his party never did it. Because $190,000,000 of silk was imported into this country, made by children 8 or 9 or 10 years old.

Mr. MOORE of Pennsylvania. If the gentleman's statement is true, the practice should be discontinued.

Mr. KITCHIN. And then there is tea, which is made by children in China and Japan 9 to 16 years old. Of course the Republican Party would not put any such provision in the tariff bill, and these things were imported from China and Japan.

Mr. MOORE of Pennsylvania. If that is true, will the gentleman tell me why his party has recently voted down the protective amendments we tried to put into other bills?

Mr. KITCHIN. Just like the Republican Party did, when they were in power 16 years and never put any such provision in the bill.

Mr. MOORE of Pennsylvania. The answer is that we protect the people in this country by putting sufficient tariff rates on competitive imports. Tea and coffee are not produced in the United States.

Mr. KITCHIN. How could you protect silk and tea when they were on the free list? [Laughter and applause on the Democratic side.]

Mr. MOORE of Pennsylvania. The gentleman will find, if he examines the bills carefully, that the Republican Party has generally taken care of American labor where there was unfair foreign competition.

Mr. BURNETT. How about 1907?

Mr. MOORE of Pennsylvania. Oh, that is a nightmare of the Democrats. That was a financial panic which was not due to the tariff at all. That began with the failure of a bank in New York.

Mr. GOODWIN of Arkansas. How about 1873?

Mr. STAFFORD. What does the gentleman mean—the crime of '73?

Mr. MOORE of Pennsylvania. Mr. Chairman, has the Chair ruled on this point of order?

The CHAIRMAN. No; the gentleman has not discussed the point of order.

Mr. HULL of Tennessee. Mr. Chairman, I make the point of order.

Mr. MOORE of Pennsylvania. This matter was held in order, I think, on the convict-labor bill. I do not happen to have it before me now, but we have had a vote on this question on two or three bills that have been before the House. We had a vote upon it when the Underwood tariff bill was up.

Mr. STAFFORD. Mr. Chairman——

The CHAIRMAN. The Chair is ready to rule.

Mr. STAFFORD. Very well, if the Chairman's mind is made up.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. STAFFORD. I believe the present occupant of the chair was in the chair when a similar amendment was offered on another bill, and he held that the amendment was in order. When the bill was brought back to the House the Speaker ruled that it was not in order. But this amendment differs from the situation in the bill then under consideration, because the bill now before us applies not only to one subject but to many subjects relating to the tariff. There is the provision for the tariff commission. There is this provision to which this amendment is submitted, pertaining to unfair competition. Unfair competition may be of several kinds. It may be as suggested and as covered by the amendment in the bill or it may be by the amendment proposed and submitted by the gentleman from Pennsylvania [Mr. MOORE]. This bill contains numerous subjects of legislation. I do not think that there is any precedent that would rule it out of order. I assume the only ground that can be raised against it is that it is not germane, and yet we have here in the precedents many instances where if there are more than two provisions relating to different subjects a third provision is in order. I respectfully submit that the amendment is in order.

The CHAIRMAN. The Chair wishes to state that at one time while presiding in the Committee of the Whole he was called upon to make a ruling on the convict-labor bill, which admitted an amendment similar to this, but that in the House it was overruled. The Chair has great respect for the wisdom and fairness of the Speaker of the House, a higher authority than the Chairman of the Committee of the Whole. In this case the Chair takes it that we are operating under Rule XXI, paragraph 3, which has reference to amendments offered to revenue bills. The paragraph in question, section 601, provides for preventing unfair competition, which contains the following, "Such market value and wholesale price, freight, duty, and other charges," and refers solely, as the Chair understands it, to the question of price of imported goods.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the Chair permit an interruption?

The CHAIRMAN. Certainly.

Mr. MOORE of Pennsylvania. Mr. Chairman, I desire to call the Chair's attention to the fact that this amendment is suggested to a revenue bill, which takes it somewhat out of the category referred to by the chairman, I think. There is existing law which justifies at least a portion of this amendment—that pertaining to convict-made goods. This perhaps would answer the gentleman from North Carolina [Mr. KITCHIN]. The existing tariff law provides that "no goods, wares, merchandise, manufactured in whole or in part in any foreign country by convict labor, shall be entitled to entry into any of the ports" of the United States, and that importation thereof is prohibited.

The amendment now before the Chair carries a prohibition as to goods made by child labor. We already have legislation in a revenue bill, the so-called Underwood Act of October 3, 1913, justifying the prohibition of the importation of goods made by convict labor. Why would it not be germane to extend that prohibition to goods made by child labor?

The CHAIRMAN. Let the Chair ask the gentleman this question. Does this section of this paragraph refer at all to any part of the amendment that the gentleman has offered, or does not this section refer entirely to a different subject, that of price, and so on?

Mr. MOORE of Pennsylvania. Mr. Chairman, I looked over this antidumping provision very carefully, and it appeared to me that this was the only place in which I could insert an amendment of this kind. You were going to admit certain kinds of goods, but we have a prohibition upon them to a certain extent if they were made by convicts in foreign countries. Therefore the only thing that could be done in order to prohibit the importation of child-labor products of foreign countries would be to tack this amendment on at this place.

The CHAIRMAN. The Chair is not called upon to rule upon the question of whether there is another paragraph to which this might be offered, but the Chair submits, and I think the gentleman from Pennsylvania understands, that this section does not refer to any unfair competition in reference to the kind of labor that might be employed here or in Europe, but refers only to the price, and so forth. Under the circumstances the Chair can not see, and feels sure that the gentleman from Pennsylvania on reflection would decide the same way, that it is not in order.

Mr. MOORE of Pennsylvania. I do not wish to argue with the Chair, but I ask the Chair's indulgence——

The CHAIRMAN. This amendment, in the judgment of the Chair, is not germane. It does not refer to the special item in the section contained in the bill, and the Chair sustains the point of order.

Mr. MOORE of Pennsylvania. Mr. Chairman, then I offer the amendment as a separate paragraph.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment as a separate paragraph, which the Clerk will report.

The Clerk read as follows:

Page 101, to follow line 3, insert as a new paragraph the following:
"*And provided further*, That it shall not be lawful for any person to import into the United States any foreign articles the product in whole or in part of any child under 16 years, of any convict, or of any working man or woman employed for wages less than are paid for corresponding work in the United States."

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask to modify that amendment by striking out the words preceding the word "person" after the word "that," so that it will read "No person shall import," and so forth.

The CHAIRMAN. Without objection, the Clerk will note the modification.

Mr. KITCHIN. Mr. Chairman, I make the point of order on that.

Mr. MOORE of Pennsylvania. Mr. Chairman, I would like to be heard for a moment on the point of order.

The CHAIRMAN. The Chair is ready to rule, but will be glad to hear the gentleman.

Mr. MOORE of Pennsylvania. I wish the Chair to be informed that in the world of labor what is known as "unfair labor" includes convict-made goods, and in this same world of labor what is known as "unfair labor" or "unfair goods" includes goods made by children below the lawful age.

Unfair goods or unfair labor would include such foreign goods as are made by labor which is paid less than is paid in the United States. Therefore it seems to me that under the Chair's ruling the proposition now is germane and can be considered in this bill.

The CHAIRMAN. The Chair begs to state that the gentleman from Pennsylvania is now offering his amendment as a separate paragraph to section 603——

Mr. MOORE of Pennsylvania. I offer it as a new section, Mr. Chairman.

The CHAIRMAN. The gentleman from Pennsylvania, as the Chair understood, stated it as a new paragraph.

Mr. KITCHIN. Mr. Chairman, of course it makes no difference whether it is offered as a new paragraph or not; it is plainly subject to the point of order.

The CHAIRMAN. Rule XXI—the gentleman from Pennsylvania is no doubt as familiar with the rules as the Chair is, or probably more so—paragraph 3 of Rule XXI is as follows:

No amendment shall be in order to any bill affecting revenue which is not germane to the subject matter in the bill; nor shall any amendment to any item of such bill be in order which does not directly relate to the item to which the amendment is proposed.

The Chair clearly thinks, whatever his private views may be as to the exclusion of convict-labor-made goods, he must follow the rules of the House, and having that in mind, without relation to the merits of the amendment at all, but under the rules of the House, which must be followed, the Chair feels constrained to sustain the point of order and does sustain the point of order.

Mr. MOORE of Pennsylvania. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 99, line 14, after the word "than," strike out all down to and including the word "States," in line 21, and insert the following:
"The actual market value or wholesale price of such articles in the United States at the time of the export of any such articles to the United States, the American price of such articles, and not the foreign price, to be the determining factor."

Mr. MOORE of Pennsylvania. Mr. Chairman, I regret sincerely we could not obtain a vote on a question of such great importance to the labor of the country as the admission into the country free, in competition with American labor, of goods made by child labor in Europe, goods made by convict labor in Europe, and goods made by labor in Europe at a less wage than is paid for corresponding work in the United States, which labor in foreign countries works more hours than does labor doing corresponding work in the United States. I regret that the Democratic Party, the champions of "the downtrodden of this land," who have inveighed against convict labor, who have shed bitter tears over the child labor of the country which they presume to protect, are not now willing to protect that child labor, or the honest and fair adult labor of this country against the child labor of Europe, against the convict labor of Europe, against the poorly paid labor of Europe, but are willing to sidestep on a point of order under a rule by which there can be no fair, square vote upon the question.

I have offered this amendment to show the weakness of the antidumping clause, a sop to the Republican Party, with a view of catching votes for this extraordinary deficiency bill. Here is an antidumping clause supposed to contain Republican doctrine, which enables the foreigner to fix the price of the goods he is to send to the United States.

Under this splendid scheme of yours all the foreigner has to do is to manufacture for export only, looking, of course, to our rich market, the best market in the world, for his customers. He can send his goods in here at the convict-wage price, at the child-labor price, at the low-wage price, and thus clean up the American wage earner who normally, under Republican rule, and now due to the war in Europe, has been making a pretty fair wage. My amendment proposes that when these foreign goods, including convict-labor-made goods, these child-labor-made goods, these low-wage-made goods come into the United States they shall be appraised upon this side of the water at the American price, and that they shall not be accepted on this side of the water under this Democratic spider-web bill at the price fixed by the foreign competitor. [Applause on the Republican side.] Oh, you have a smart scheme here; but if you want to play fair with the American workman, let the appraisers at the ports of the United States say what the price of those convict-labor-made goods is, these child-labor-made goods, these low-wage-made goods that you propose shall enter into competition with goods made in the United States. Adopt this Democratic antidumping clause as it has been written, and the foreigner will manufacture for export only, so that his foreign price can not be ascertained, and he will make us swallow the price he fixes upon his goods before they leave the other side. I hope Republicans will stand by the amendment I have offered. [Applause on the Republican side.]

Mr. BURNETT. Mr. Chairman, I ask to be recognized for five minutes.

The CHAIRMAN. The gentleman from Alabama.

Mr. BURNETT. Mr. Chairman, it ill becomes the gentleman from Pennsylvania [Mr. MOORE] to stand here as the pretended friend of American labor. [Applause on the Democratic side.] I have been for years pleading in this House for an antidumping law against the dumping of European pauper labor, and unless that bill is passed it will be because the Senate will not pass it, and that body will be responsible for its defeat if it is defeated. But the gentleman has been standing for 12 years pleading for the admission of more of that class of laborers to this country.

He stands now and draws his sanctimonious garments about him and sheds crocodile tears as the self-constituted friend of labor. And I saw gentlemen over there applauding those tears who were given an opportunity just a few weeks ago to stop the dumping of the laborers themselves that will come over here after the war and beat down the wages of American wage earners and take the bread from the mouths of their children.

Yet the gentleman always raises his voice and casts his vote in favor of more dumping. And therefore I say that he is the last man on this floor, after speaking so loudly, and so often, and so vociferously, and so volubly against the laboring man in this country, that wants to be protected against the foreign laborer himself, to talk about protecting labor against bringing in the goods made by the foreign laborer, when he wants the man himself to come here and beat down the price of the toil of the man that works. [Applause on the Democratic side.]

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. BURNETT. Yes.

Mr. MOORE of Pennsylvania. Does not the gentleman understand the position of the gentleman from Pennsylvania in that there is a difference between when flesh and blood are concerned and the goods that are made by flesh and blood?

Mr. BURNETT. Yes. I have always understood that the gentleman stood for the goods and not for the flesh and blood. Away back yonder, 2,000 years ago, the question was asked, "How much better is a man than a sheep?" The gentleman has always stood for the sheep and against the man whenever he had an opportunity to stand for the man as against the sheep.

Labor is not deceived by his cries, Mr. Chairman; they have taken an appraisement of the gentleman's words and of his attitude to them, and no man that toils in this wide land is deceived by the wails of the jeremiads of the gentleman in the interest of labor. [Applause on the Democratic side.]

Mr. MOORE of Pennsylvania. Will the gentleman from Alabama yield for one question further? I merely want to ask the gentleman whether he favors taxing the human being or whether he favors taxing the goods made by the human being?

Mr. BURNETT. On that question the gentleman can not shake his gory locks at me. He knows where I stand. I stand and have always stood for the protection of the human being as against the protection of the goods from foreign lands.

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Pennsylvania [Mr. MOORE].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. MOORE of Pennsylvania. Division, Mr. Chairman.

The committee divided; and there were—ayes 81, noes 76.

Mr. KITCHIN. Tellers, Mr. Chairman.

Tellers were ordered, and Mr. MOORE of Pennsylvania and Mr. COLLIER took their places as tellers.

The committee again divided; and the tellers reported—yeas 99, noes 113.

So the amendment was rejected.

Mr. GREEN of Iowa. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 99, line 21, after the words "United States," strike out, beginning with the word "*Provided*," all the remainder of the paragraph.

Mr. GREEN of Iowa. Mr. Chairman, this is an amendment to the antidumping clause. I do not propose to discuss this matter in any political way, although, as the gentleman from Pennsylvania [Mr. MOORE] has stated, the purpose and the object of an antidumping clause embodies good Republican doctrine; but if it is intended to make this provision anything more than a scarecrow, the proviso which my amendment seeks to strike out will have to go.

The antidumping clause reads as follows, in section 601:

SEC. 601. That it shall be unlawful for any person importing or assisting in importing any articles from any foreign country into the United States, to commonly and systematically sell or cause to be sold such articles within the United States at a price substantially less than the actual market value or wholesale price of such articles, at the time of exportation to the United States, in the principal markets of the country of their production, or of other foreign countries to which they are commonly exported, after adding to such market value or wholesale price, freight, duty, and other charges and expenses necessarily incident to the importation and sale thereof in the United States.

Now, this clause has enough in it right there, and if it puts any more in it by way of proviso or exceptions it takes the teeth entirely out of the whole provision. I am opposed, and I believe every gentleman on this side is opposed, to articles being commonly or systematically sold upon this side of the water in competition with American products for less than they are sold for in the country of their production. If gentlemen upon the other side are also opposed to that condition of affairs, that dumping upon our side of articles made upon the other side of the water for less than they are sold in the country where they are produced, they will take out the proviso, which reads as follows:

Provided, That such act or acts be done with the intent of destroying or injuring an industry in the United States, or of preventing the establishment of an industry in the United States, or of restraining or monopolizing any part of trade and commerce in such articles in the United States.

Now, anyone who has ever acted as prosecuting attorney, or ever sat in the capacity of a judge trying criminal cases, knows how extremely difficult and often impossible it is to prove the intent with which a certain act is done. In fact it is easy to see that the effect of the importation of articles in this manner and selling them commonly or systematically on this side might be in the long run, or even at the time, to destroy the industries on this side, and yet such might not, in fact, have been the intent. Intent is a purpose of the mind. It is absolutely impossible to show except from inference and deduction. It has been claimed that the intent would follow from the mere proof of the sale for less here than it was sold for abroad. But that is not the principle that prevails in any court. The intent would have to be shown by the results that were accomplished, and the results might not always be sufficient.

So, Mr. Chairman, I maintain that if this antidumping clause is to be real and effective, and if it is meant actually and intended to protect the manufacturers of this country, this proviso must be taken out.

The CHAIRMAN (Mr. FERRIS). The time of the gentleman from Iowa has expired.

Mr. HELVERING. Mr. Chairman, by the amendment offered by the gentleman from Iowa it is clear that he intends to invoke a criminal statute by one sale, whether dumping goods into this country or not is intended. It is very evident, I think, to every Member of this House that intent must be shown in all criminal prosecutions.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. HELVERING. I will.

Mr. GREEN of Iowa. This is not a criminal matter at all.

Mr. HELVERING. I do not know what it would be considered when we impose a penitentiary sentence and a fine of $5,000.

Mr. GREEN of Iowa. And I will further say that the gentleman is not correct as to his general principle. There are many crimes where there is not any intent; for instance, for violation of the revenue laws.

Mr. HELVERING. Mr. Chairman, in carrying out the provisions of this law, we can not say, because a man has sold an article once in this country, that such transaction is dumping. We must show that from the continued selling there is an attempt to dump goods into this country to the detriment of our industries. A man may buy in the old country one consignment of goods and bring it in here and sell it out, and we could not prosecute him under this law. As I understand, the gentleman would desire if one sale were made—that is to say, if a consignment of goods were made to a merchant on this side of the water at a low price—that he be prevented from entering into such a contract without ascertaining the price in this country.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield? I do not want the gentleman to misrepresent me. I did not move to strike out the words "to commonly and systematically sell or cause to be sold such articles within the United States at a price substantially less than the actual market value or wholesale price of such articles, at the time of exportation to the United States, in the principal markets of the country of their production, or of other foreign countries to which they are commonly exported," and so forth. I simply proposed to strike out the proviso, "That such act or acts be done with the intent of destroying or injuring an industry in the United States, or of preventing the establishment of an industry in the United States, or of restraining or monopolizing any part of trade and commerce in such articles in the United States."

Mr. HELVERING. That is what I was trying to show. It is desired to show that the person importing or assisting in importing any articles from any foreign country into the United States intends to injure an industry in the United States by dumping goods into this country and continuing that practice, and making it a business, to the detriment of the industries of this country.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Iowa [Mr. GREEN].

The question was taken, and the amendment was rejected.

Mr. JOHNSON of Kentucky and Mr. SLOAN rose.

Mr. JOHNSON of Kentucky. Mr. Chairman, I yield to the gentleman from Nebraska [Mr. SLOAN].

Mr. SLOAN. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Nebraska offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SLOAN to section 102: Amend by striking out the period in line 5, page 54, and adding thereto the following:

"*Provided*, That in States which at this time or which may hereafter become subject to a State inheritance tax similar to or greater than the tax herein provided, the same shall be exempt from the imposition of the tax provided by this act."

Mr. SLOAN. Mr. Chairman, I think that an estate tax or an inheritance tax should be left to the States as one of their means of meeting their own expenditures.

When the Constitution of the United States gave to the General Government the sole right to collect duties at our ports and prohibited the States from raising any revenue upon goods coming across their borders, it was an invitation to the States of the Union to use the field furnished by the inheritance or the estate tax.

It was well said by Speaker CLARK the other day, in discussing the inheritance or estate tax, that a strong reason given against the imposition of the estate tax at a former Congress was that at that time 36 States had an inheritance tax. At this time there are 42 States which have either inheritance taxes or estate taxes. The rate or amount of exemption and surtax varies in different States. It seems to me that in levying this tax where the States have preempted this tax field as their own the United States should not come in and make a double taxation upon property that passes by reason of the death of an individual.

This amendment will not destroy or prevent the collection of a considerable number of taxes on estates, because a large number of the States have not preempted the field in the nature of estate taxes, but only in the matter of legacies, devises, and bequests. So it seems to me that the amendment I present is eminently fair to the Government and fair to the States. Automatically the Government estate tax would attach when the State has not imposed an equal or greater tax, and to the extent which a tax at this time or hereafter may be imposed is or shall be less than that by this bill imposed, the Government tax would be retained, giving way only to the imposition of the State taxing power.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Nebraska [Mr. SLOAN].

The question was taken, and the amendment was rejected.

Mr. JOHNSON of Kentucky. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Kentucky offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Kentucky: Page 69, line 24, after the word "Revenue," insert a comma and the words "with the approval of the Secretary of the Treasury" and a comma.

Mr. KITCHIN. Mr. Chairman, we accept that amendment. It should have been in several places there.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Kentucky.

The amendment was agreed to.

Mr. JOHNSON of Kentucky. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Kentucky.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Kentucky: Page 74, line 23, after the word "Revenue," insert a comma and the words "with the approval of the Secretary of the Treasury" and a comma.

Mr. KITCHIN. We accept that amendment also.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Kentucky.

The amendment was agreed to.

Mr. JOHNSON of Kentucky. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Kentucky: Page 77, line 3, after the word "Revenue," insert a comma and the words "with the approval of the Secretary of the Treasury" and a comma.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. JOHNSON of Kentucky. I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Kentucky.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Kentucky: Page 78, line 23, after the word "Revenue," insert a comma and the words "with the approval of the Secretary of the Treasury" and a comma.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. JOHNSON of Kentucky. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Kentucky: On pages 77 and 78, strike out lines 22, 23, and 24 on page 77, and lines 1, 2, 3, 4, 5, and 6 on page 78.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. JOHNSON of Kentucky. The reasons I see for striking out these lines are as follows: That part of the bill which I wish to strike out proposes to relieve wine, and wine alone, from the operation of section 3244 of the Revised Statutes, which relates to rectifiers or adulterators of alcoholic beverages. If these lines should not be stricken out, then a man can adulterate wine without paying the license heretofore required of every adulterator of all other alcoholic beverages.

In addition to that, if these lines should not be stricken out, section 3244 of the Revised Statutes would be repealed, in so far as it relates to wine, by permitting a rectifying establishment to be nearer than 600 feet to a distillery. It has been the policy of the law for many years that no rectifying establishment should be closer than 600 feet to a distillery, for the reason that frauds may result by spirits being transferred from one to the other.

Mr. WM. ELZA WILLIAMS. Spirited from one to the other?

Mr. JOHNSON of Kentucky. These are the principal reasons, and they have been agreed to as being sufficient by the Internal Revenue Department and by the committee having the bill in charge.

Unless this amendment should be adopted it is also possible, as all law as to adulterating wine is repealed by the proposed item in the bill, that imitations of wine would not have to be so branded under the pure food and drugs act.

The part of section 3244 of the Revised Statutes referred to is as follows:

Third. Rectifiers of distilled spirits shall pay $200. Every person who rectifies, purifies, or refines distilled spirits or wines by any process other than by original and continuous distillation from mash, wort, or wash, through continuous closed vessels and pipes, until the manufacture thereof is complete, and every wholesale or retail liquor dealer who has in his possession any still or leach tub, or who keeps any other apparatus for the purpose of refining in any manner distilled spirits, and every person who, without rectifying, purifying, or refining distilled spirits, shall, by mixing such spirits, wine, or other liquor with any materials, manufacture any spurious, imitation, or compound liquors for sale, under the name of whisky, brandy, gin, rum, wine, spirits, cordials, or wine bitters, or any other name, shall be regarded as a rectifier and as being engaged in the business of rectifying: *Provided*, That nothing in this section shall be held to prohibit the purifying or refining of spirits in the course of original and continuous distillation through any material which will not remain incorporated with such spirits when the manufacture thereof is complete: *And provided further*, That no officer shall collect any special tax for rectifying distilled spirits on any premises distant less than 600 feet in a direct line from any distillery. And every officer who collects any special tax in violation of this (section) (proviso) shall be liable to a penalty of $5,000 for each offense.

Fourth. Retail dealers in liquors shall pay $25. Every person who sells, or offers for sale, foreign or domestic distilled spirits or wines in less quantities than 5 wine gallons at the same time shall be regarded as a retail dealer in liquors.

Wholesale liquor dealers shall pay $100. Every person who sells, or offers for sale, foreign or domestic distilled spirits or wines in quantities of not less than 5 wine gallons at the same time shall be regarded as a wholesale liquor dealer. But no distiller who has given the required bond and who sells distilled spirits of his own production at the place of manufacture, in the original packages to which the tax stamps are affixed, shall be required to pay the special tax of a wholesale liquor dealer on account of such sales.

Mr. KITCHIN. We accept that amendment.

Mr. MEEKER. In this connection I ask unanimous consent to extend my remarks in the RECORD by printing a number of amendments which I will endeavor to offer, but which possibly for lack of time can not be offered, and also a statement of the brief of the case of the Missouri, Michigan, Illinois, Ohio, and New York vineyard and wine men as against the California organization. If time permits, I will offer certain amendments to this bill.

Mr. JOHNSON of Kentucky. Reserving the right to object, I think we ought to dispose of the amendments before the House before going into other matters.

Mr. MEEKER. I simply ask permission to extend my remarks.

Mr. JOHNSON of Kentucky. I do not object to that.

The CHAIRMAN. The gentleman from Missouri [Mr. MEEKER] asks unanimous consent to extend his remarks in the RECORD. Is there objection.

There was no objection.

The CHAIRMAN. The question now recurs on the amendment of the gentleman from Kentucky [Mr. JOHNSON].

The amendment was agreed to.

Mr. LONGWORTH. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Ohio, a member of the Committee on Ways and Means, offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. LONGWORTH: Page 91, line 10, after the word "Senate," strike out the words "not more than three of whom shall be members of the same political party" and insert in lieu thereof the following: "Three members shall be named from each of the two greater political parties as represented in Congress, and in making the first appointment the membership of each party shall be assigned to equal length of service."

Mr. LONGWORTH. Mr. Chairman, I would like to have the attention of the gentleman from North Carolina [Mr. KITCHIN] and the gentleman from Illinois [Mr. MANN]. The amendments that I am now offering are those agreed upon by the minority of the commitee, and are suggested for the improvement of the bill, and I am now going to ask unanimous consent to offer another amendment on this same subject, to be considered as pending with this amendment that I have just offered.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to offer an additional amendment, to be considered as pending during the consideration of the others. Is there objection?

Mr. FITZGERALD. Let the amendment be reported.

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

Amendment by Mr. LONGWORTH: Page 91, line 14, after the word "four," insert the word "and." In line 15 strike out the words "eight, ten, and twelve." In line 19 strike out the word "twelve" and insert in lieu thereof the word "six."

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LONGWORTH. Mr. Chairman, as this bill stands at present the preliminary terms of the members of this board are, respectively, 2, 4, 6, 8, 10, and 12 years, and then the term is 12 years thereafter. There is no provision whatever as to the way the membership of the different parties shall be selected—as to the length of the terms. For instance, the three members of one party could be assigned to the three long terms and the three members of another party to the three short terms. The object of my amendment is to cut down the term to six years, which, under the circumstances, seems to me to be a sufficient period.

It further provides that in making the appointment the President shall designate the members of opposite parties to the same length of term. In other words, under my amendment the President would first appoint a Democrat and a Republican to the two-year term, a Democrat and a Republican to the four-year term, and a Democrat and a Republican to the six-year term, insuring absolute fairness. I have no question but that the gentleman from Illinois and the gentleman from North Carolina want to see a fair, nonpartisan commission established.

Mr. FITZGERALD. Will the gentleman yield for a question?

Mr. LONGWORTH. Yes.

Mr. FITZGERALD. The first amendment the gentleman offers provides for the selection of the members of this commission from the two political parties as represented in the House of Representatives.

Mr. LONGWORTH. Yes.

Mr. FITZGERALD. Would it not be fairer to base the representation upon the popular electoral vote of the last presidential election?

Mr. LONGWORTH. In view of the fact that this House is the authority responsible for the creation of this board, we thought better to let the House be the basis of representation.

Mr. FITZGERALD. Would it not be better to have the real sentiments of the people of the country as expressed in the presidential campaign represented on this board, rather than to have the accidental occupancy of seats in this House determine a question of that magnitude?

Mr. LONGWORTH. May I ask the gentleman from New York if he would prefer that on this board there should be three Democrats and three Progressives, and if he thinks they would make a better board, and if that is the reason of his question?

Mr. FITZGERALD. Did the gentleman say three Democrats and three Progressives?

Mr. LONGWORTH. That seems to be what the gentleman is driving at.

Mr. FITZGERALD. There is no real difference between a real Democrat and a real Progressive. [Applause on the Democratic side.]

Mr. LONGWORTH. There is no difference to-day between a real Progressive and a real Republican. [Applause on the Republican side.] The gentleman will find that out to his cost.

Mr. FITZGERALD. The gentleman is mistaken; he means the counterfeit Progressives are real Republicans. The real Progressives are coming into the Democratic Party [Laughter on the Democratic side.]

Mr. LONGWORTH. I would like to ask the gentleman from Illinois whether he does not think that this is a fair amendment?

Mr. RAINEY. I do not think so.

Mr. LONGWORTH. In what respect does not the gentleman think it is a fair proposition?

Mr. RAINEY. We provide in this bill that no more than three members of any one party shall serve upon this board. That is as fair as we can make it. Now, the effect of the gentleman's amendment is to shorten up the length of service from 12 years to 6 years. By this amendment you seek to appoint as many members on the commission as the bill now provides for, and as soon as they become efficient by having served a few years under this amendment, if it prevails, they would be retired. The gentleman has overlooked a clause in this bill.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. RAINEY. Mr. Chairman, I ask that the time of the gentleman from Ohio be extended five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. RAINEY. One effect of this amendment is to prevent the grouping of three Democrats together, giving three Democrats a long term. The gentleman from Ohio has overlooked the clause in the bill just ahead of his proposed amendment, which reads:

In making said appointments members of the different political parties shall alternate as nearly as may be practicable.

In other words, the bill provides that members of the different parties shall alternate. So it is impossible to give three Democrats or three Republicans the long terms. If there is any change in the political complexion of the country, provision is here made so that it is possible to select another chairman and another vice chairman, giving the President that right. It also gives, in the event of inefficiency, the right of removal.

Mr. LONGWORTH. The gentleman's real objection is that the 12-year term is none too long?

Mr. RAINEY. Yes; the 12-year term is none too long.

Mr. LONGWORTH. The gentleman can not, I think, quote any law passed before this which provides for a term of 12 years.

Mr. RAINEY. This is a commission which will require technical knowledge in order to carry out the duties of the commission. The longer a member serves on a commission of this kind, provided he is efficient and does not neglect his duties, the better qualified he is. His duties are judicial.

Mr. LONGWORTH. I think not.

Mr. RAINEY. To a considerable degree, and it requires that kind of talent.

Mr. LONGWORTH. I do not desire to waste any time, Mr. Chairman. I regret that the gentleman can not consent to accept the amendment, which, I think, is in the interest of fairness and efficiency of the board. I will ask for a vote on the amendment.

Mr. HILL. Mr. Chairman, I move to strike out the last word. For many years I have been in favor of an impartial tariff commission, and I am in favor of such commission now, and if this was an independent question I should vote for an independent tariff commission. But you put me in a position where I can not do it. I want to say to the gentleman from Illinois [Mr. RAINEY] that I hold in my hand the pronunciamento that he sent to the country when he introduced his tariff commission bill. It reads as follows, referring to his position on the character of the commission:

This would mean three Democrats and three Republicans, and from a political standpoint the membership of the committee would be equally balanced between the parties which favor different methods of imposing the tariff.

That is certainly what this amendment does, but he said he was in favor of it when this bill was introduced in the House, and this is the original document which I hold in my hand which was sent out with the bill. We who favor a tariff commission on this side want a fair one, and if this is a fair one we are in favor of it. I want to say now that I want to see a tariff commission so arranged that it shall not be as the Federal Reserve Board is—all Democrats—that it shall not be as the Federal Trade Commission is—three Democrats and two original Progressives, and now both of them Democrats. [Laughter on the Republican side.] We want to see a fair tariff commission, and if you will give us such a fair tariff commission, if we can get a chance for some of us on this side to vote for it independently and separately, we will gladly do

so. Why does the gentleman from Illinois repudiate his own statement sent out to the country at the time his bill was introduced in Congress?

Mr. RAINEY. Mr. Chairman, we stand for the very fairest kind of a tariff commission, and in response to the suggestion of the gentleman from Connecticut [Mr. HILL] himself, we put here in this bill a provision requiring that members of this commission of different political parties shall alternate in their appointments. In response to the suggestion of the gentleman from Connecticut [Mr. HILL] himself, we provided for a biennial selection of chairman and vice chairman. In response to the suggestions of the gentleman from Connecticut [Mr. HILL], we provided in this connection that vacancies should not be carried over one session of Congress in order that at no time over half of this commission should belong to any one political party.

I undertake to say that this commission will be selected from the majority parties always, provided one party is perhaps not nearly equally divided. If the commission had been selected three years ago when the party which is now the minority party in this House, carried only two small States of this Union, if at that time we were selecting members of this commission upon the basis of the popular vote instead of by presidential candidates, then I think even the gentleman from Connecticut will agree with me that under those circumstances the party to which he belongs would not have been entitled, under the position he now takes, to three members on the commission. It is the boast of that side of the House that Progressive Republicans and regular Republicans upon the tariff question in their theories and in their ideals are absolutely united.

It is their boast that at the last national election, adding together the Progressive vote and the straight Republican vote, the tariff theories for which they both say they stand won in this country. This is a tariff commission to investigate tariff questions, so what difference does it make to them whether its members are selected from the Progressives or from the Republicans? But, as I have stated, in my judgment—and I speak for no one except myself—this commission ought to be selected and will always be selected from those two major parties which are divided in their positions upon tariff theories, and I do not think the suggestions made by the gentleman from Ohio [Mr. LONGWORTH] makes this a fairer bill. The provision in this bill that we alternate between members of political parties is as much as he expects to accomplish by his amendment, and he certainly does not provide for a more effective tariff commission by doubling it up and by only permitting members to serve six years.

Mr. WHEELER. Mr. Chairman, I move to strike out the last two words. I want to state most emphatically that I am in favor of a tariff commission, but I object to the way this bill is framed up. There are such objectionable features in the bill that I do not see how I can vote for it as a whole. What we want is a nonpartisan tariff commission made up of men with free, open minds, and if there is a tariff commission created by the passage of this bill I hope the Democrats will not repudiate it as they did the last tariff board created some years ago.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. WHEELER. Yes.

Mr. MOORE of Pennsylvania. The gentleman knows that the other side of the House unanimously rejected the Taft Tariff Board?

Mr. WHEELER. Absolutely.

Mr. MOORE of Pennsylvania. They did not want information of that kind?

Mr. WHEELER. They did not.

Mr. MOORE of Pennsylvania. They were entirely satisfied with the information they got from the departments?

Mr. WHEELER. That is true.

Mr. MOORE of Pennsylvania. And they thought that this would be an extravagance?

Mr. WHEELER. Yes.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Ohio [Mr. LONGWORTH].

The question was taken; and on a division (demanded by Mr. LONGWORTH) there were—ayes 95, noes 109.

So the amendment was rejected.

Mr. RAKER rose.

Mr. LONGWORTH. Mr. Chairman, a parliamentary inquiry. Are not members of the committee entitled to recognition first before gentlemen who are not members of the committee?

The CHAIRMAN. That is correct.

Mr. LONGWORTH. Mr. Chairman, I desire to offer a few amendments, which will not be debated to any length, and I think we ought to dispose of those before we have amendments from gentlemen who are not members of the committee. All of these amendments to which I refer relate to the tariff commission section. I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment by Mr. LONGWORTH: Page 91, line 22, after the word "succeed," strike out the words "no person shall be eligible for appointment as a member of the commission who has been elected to or served in the Senate or House of Representatives of the United States."

Mr. LONGWORTH. Mr. Chairman, under the bill as presented to the committee, no man who has ever served in the Senate of the United States or in the House of Representatives is eligible to appointment upon this commission. The gentleman from Illinois [Mr. RAINEY] undertook to explain the other day that this provision was asked by somebody, some gentlemen in New York, I believe, who gave as a reason for this provision that Members of the House and the Senate had become too firmly wedded to the opinions they held either for or against the system of protection, and hence could not be trusted to render a strictly unbiased opinion as to facts. I can not support any such contention, even if they should be avowed believers in a principle. I think it unjustifiable to assume that they will not give their honest and fair opinions when the time comes.

Mr. TOWNER. Mr. Chairman, will the gentleman yield?

Mr. LONGWORTH. Yes.

Mr. TOWNER. Is not that abundantly disproved by the change of sentiment over on the other side of the House upon these tariff questions? [Applause and laughter on the Republican side.]

Mr. LONGWORTH. The gentleman is entirely correct. Mr. Chairman, I do not care to say anything more about this. If this House wants to vote that no Member heretofore or hereafter shall be eligible to serve on the tariff commission, so far as I am concerned, it may do so.

Mr. RAINEY. Mr. Chairman, the gentleman misunderstood my remarks on this subject the other day. I did not attempt to quote any gentleman in New York or anywhere else. I stated the reasons, as they seemed to me appeals to this country in the matter of appointing former Members of Congress and Members of Congress elect upon this commission. The object is to make this commission as fair and as nonpartisan as possible, not to put upon it Members of Congress who are elected always on account of their positions taken either for or against certain tariff policies. They frequently become the most active kind of partisans on tariff matters. This bill in its present form, containing this particular clause, has been approved by the Tariff Commission League of the United States. It has been approved by the United States Chamber of Commerce. It has been approved by commercial organizations throughout the country, and it meets with the approval of the country.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. RAINEY. Yes.

Mr. LONGWORTH. Does not the gentleman think that possibly in the distant future he and I would be pretty fair members of that commission, and that we could, regardless of our opinions and differences on matters of principle, give an honest judgment?

Mr. RAINEY. The gentleman may be right about that. [Laughter.] I am very sure that he would make a very excellent and a very fair member of the commission.

Mr. LONGWORTH. And I am sure that the gentleman would, and I do not want to penalize him.

Mr. RAINEY. Unfortunately for me and for the gentleman, the Constitution of the United States would prevent our being members of that committee.

Mr. LONGWORTH. Oh, no.

Mr. RAINEY. At any rate, during our term of office.

I want to show what the sentiment of the country is, and I want to read from the Philadelphia Public Ledger of this morning.

To-day's Philadelphia Public Ledger states the argument as it has been made by editorial writers and published throughout the country. It is as follows:

WHAT SORT OF TARIFF COMMISSION?

We are going to have a tariff commission. With both parties committed to the resumption of the experiment, there is nothing that can stop it. The pending revenue bill makes provision for a commission which, if it shall be permitted, may perform a useful service for the Nation. But the big "if" in the proposition is what makes the business men of the country more or less doubtful as to the real utility of the provision. Unless there can be some guarantee in the law creating the commission that its membership shall be closed to politicians of the "lame duck" variety, it will be viewed with doubt for some time to come.

If the commission is to be composed of ex-Members of Congress for whom the political powers that be feel under obligations to provide, then it may be taken for granted that the tariff is not going to be "taken out of politics" to any great extent. On the other hand, if the commission is properly constituted it will gain the confidence of the coun-

try, and, possessing that confidence, it should exercise an important influence in the shaping of future tariff legislation. Nobody imagines, of course, that any commission, however carefully constituted, is going to be allowed to usurp the functions of the elected representatives of the people. But then, too, no one of intelligence imagines that a commission made up of cast-off political hacks, or even of "deserving Democrats" and "deserving Republicans," selected as such, is going to be able to investigate industrial conditions here and abroad with an unbiased mind or to formulate conclusions that will command confidence and respect. The House and Senate ought to understand that the country will not be satisfied with a tariff commission that is no more than a name; it wants the substance.

And in this morning's Washington Post, commenting upon this very question editorially I read from one of the editorials——

The CHAIRMAN. The time of the gentleman has expired.

Mr. RAINEY. Just one minute more.

The CHAIRMAN. The gentleman desires one minute more. Is there objection? [After a pause.] The Chair hears none.

Mr. RAINEY (reading)—

No place on the tariff commission should be given for political favor or advantage No applicants for a place should even be considered. Lame ducks should be barred out. The President should go into the open market and find the best business men available. It is a business problem that must be handled.

Now, I have read those two most recent expressions of editorial opinion from to-day's issues of two great newspapers, and those arguments have been running for weeks in the great metropolitan papers of this country. No matter how good a member of the commission the gentleman from Ohio [Mr. LONGWORTH] may make at some time hereafter, no matter how good a member I would make, or any other Member of this House, at the present time the country and the business interests of the country demand that this commission shall be as fair and as nonpartisan as it is possible to make it, and they do not think it can be so made by appointing men who during many of the active years of their lives have been partisan upon tariff questions.

Mr. MANN. Mr. Chairman, I am in favor of a tariff commission, but even the birds with their small brains have sense enough not to foul their own nests. [Applause on the Republican side.] I am not willing to say when a man is elected to Congress that is proof that he has neither the brains nor the honesty to serve as a member of a tariff commission. [Applause on the Republican side.]

Mr. CANNON. Will the gentleman from Ohio yield me the balance of his time?

Mr. LONGWORTH. I do not think there is any time remaining.

The CHAIRMAN. There is no time remaining.

Mr. CANNON. Mr. Chairman, then I rise to oppose the amendment, to strike out the last word, or to make any motion necessary in order to say a word.

The CHAIRMAN. The Chair understands the amendment offered by the gentleman from Ohio is to strike out a certain portion of the bill. Without objection, the gentleman from Illinois will be recognized for five minutes.

Mr. CANNON. Mr. Chairman, I indorse what my colleague has just said. After making ineligible anybody if they serve in Congress, the bill proceeds:

No member shall engage actively in any other business, function, or employment—

And so forth.

I recollect a commission you gentlemen did not appropriate for which had on it ex-Representative Howard, a distinguished man, who commanded the respect of this side of the House, a man who believed in Democratic policies, an honest, able man. I would rather have him on a commission than some man who had no color, some man who is an intellectual eunuch. I do not object to red blood. Oh, we quarrel on the different sides of the House here; we do not agree with each other about this bill. You are determined that this bill shall pass without amendment. We are determined to vote against the bill and try to furnish sufficient reasons therefor. In this we are honest, and I think that you are honest; but I can pick out gentlemen, looking in your faces, who, if you were upon a tariff board, from your experience in Congress, from your knowledge of public affairs, I would infinitely sooner trust to make an honest investigation touching questions of fact—and if a tariff board is worth three whoops in that place that burns with fire and brimstone it will assuredly report facts; they have no power beyond that—I would sooner trust that man than some man who never saw anything of public life. I agree with what has been said by the gentleman from Illinois, and I hope that this amendment will prevail. [Applause.]

Mr. DECKER. Mr. Chairman, I move to strike out another word——

The CHAIRMAN. There is not——

Mr. DECKER. I would like to talk.

The CHAIRMAN. Debate has been exhausted on the amendment. Does the gentleman ask unanimous consent to proceed?

Mr. DECKER. I ask unanimous consent that I may proceed for five minutes.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. DECKER. Mr. Chairman and members of the committee, I would like to indorse what has been said by the distinguished gentleman from Illinois [Mr. CANNON]. If being a Member of this body disqualifies any honest man from any honorable avocation, I want to get out of it. [Applause.] Of course I may get out of it anyway, but I want to get out if service here disqualifies a man to serve in any high honorable position. I would like to see a tariff commission here that would, as far as possible, take the tariff out of politics, and I would like to have the business men of this country satisfied, but I am tired of this kind of sentiment that is going around the country, that in order for a man to have any business sense he has to be a retired millionaire. [Applause.]

I think there ought to be somebody on this tariff commission that would take into consideration the poor people who are affected by the tariff as well as the rich people. And, as the gentleman from Illinois says, you can have some man on this tariff commission who is nonpartisan, but you can not have a man on a tariff commission or on anything else that is nonpartisan on an important subject provided he has any sense. [Applause.] All you can expect on this commission, all the country can expect, and all the business people can expect, is to have honest men on it who will not be working for the interests of the Democratic Party or for the interests of the Republican Party but working for the interests of all the people of this country. [Applause.] Because a man is a Democrat it does not mean that he is a partisan; because a man is a Republican it does not mean he is a partisan. He either believes one way or believes another on this subject if he has given it any study.

And I am in favor of striking out this provision, just as the distinguished gentleman from Ohio [Mr. LONGWORTH] has moved to do, and let us show a little nonpartisanship here now by using our own judgment in striking it out. [Applause.] How would OSCAR UNDERWOOD do on a commission like this? If there is any man here that thinks OSCAR UNDERWOOD would not make a good man on a tariff commission, provided you could get him to serve, let him vote against this amendment of the gentleman from Ohio. If there is any man here that does not believe that Mr. FORDNEY, from a Republican standpoint, would make an honest and fair member from that standpoint, let him vote against this commission. I know he is partisan in the sense that he believes in protection, but he is an honest man, and that is all you are going to get on the commission. [Applause.] I would rather have some man like that than one of these milk-and-water fellows, well defined by the gentleman from Illinois [Mr. CANNON] as intellectual and political eunuchs. We have too many of them in the country now. [Applause.] And Speaker CLARK would serve in that capacity, or as President of the United States, or anywhere else. [Loud applause.]

There is a man running against me in my district now and all he has in the newspapers is, "Put a business man in Congress." That is, you have to be rich, you have to make $1,000 a week in some occupation, before you have the ability to perform a public duty and serve your country, and I am against that kind of a doctrine. [Applause and laughter.] These so-called business men who spend their time after the almighty dollar, accumulating money and amassing fortunes are not always the best men to put on any kind of commission that will look after the interests of all the people. The man who runs the bank is a business man. The man who owns an oil well or a mine is a business man. The man who works in the ditch for $1.50 a day is also a business man from my standpoint. The man that sits with his hand on the throttle and his eye on the rail while some of us are asleep on the cushions is also a business man from my standpoint. There are 100,000,000 people in this country interested in business, and I say it is an insinuation against the integrity, against the intelligence, against the patriotism of the people themselves to say that their Representatives in this great legislative body shall never, regardless of their qualifications, become members of this great tariff commission. [Applause.]

Mr. RAINEY. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. SLOAN. Mr. Chairman, I desire to ask whether or not the majority has made any arrangement for the extension of

time for the presentation of amendments and their consideration, and especially those amendments by the members of the Committee on Ways and Means who have not had opportunity to present them?

Mr. RAINEY. I will say to the gentleman from Nebraska that the members of the Committee on Ways and Means will be given preference in recognition by the Chairman. There has been no change in the rule, of course, to vote on this bill at 5 o'clock.

Now, I contend, as I have always contended, that this commission ought to be absolutely impartial; and in order to make it effective, in order that it may command the respect of the country, we have to listen to the opinions expressed in the country upon this question. The gentleman from Missouri and other gentlemen appeal to the patriotism of this body. They call attention to the fact that Members elected here have enough education, enough ability, to serve on commissions of this kind. Why, of course they have enough education and ability; but we know on both sides of this aisle how these commissions are frequently filled up, how selections are made, from Members of Congress who have been defeated. At the present time four or five ex-Members of Congress, I am advised, are opposing this provision in this bill. One or two of them have been frank enough to say they are candidates for positions on this commission. I think they are splendidly qualified for positions on this commission. This is a proposition presented here in this clause which appeals to the unselfishness and to the patriotism of this body. It closes the doors to positions upon this commission to ex-Members of Congress, and I am afraid most of them have been partisan upon this question.

Now, take the gentleman from Missouri [Mr. DECKER], who has just addressed this House. He probably never made a political speech in his life upon the tariff that was not partisan. Like all the rest of us, he is partisan upon tariff questions, and he makes most forceful and effective speeches at all times. He acts with his party in party matters, and during the period of his service here the tariff has been the subject of bitter partisan controversy. Every Member of this body, when he retires from it, goes out with his convictions upon the tariff, and the impression in the country is that he would not become an unprejudiced member of this great tariff jury. This is a jury, and he who goes upon it with prejudices one way or another, which must be overcome, is not in a position to render the fairest service. Whether this is true or not, the country has got that sort of an impression. If this body wants to make a good impression on the country in this particular, the very best way to do it is to close the doors of this commission to lame ducks, whoever they may be. [Applause on the Democratic side.]

Mr. HARDY. Mr. Chairman, will the gentleman yield for a question before he takes his seat?

Mr. RAINEY. If I have any more time, I will.

Mr. MANN. Mr. Chairman, I ask for the regular order.

Mr. CLARK of Florida rose.

The CHAIRMAN. For what purpose does the gentleman from Florida rise?

Mr. CLARK of Florida. I wish the gentleman from Illinois would indulge me for a minute.

Mr. MANN. The gentleman can ask for unanimous consent to speak on the amendment.

Mr. CLARK of Florida. I want to ask unanimous consent for three minutes, Mr. Chairman.

Mr. MANN. Mr. Chairman, I ask unanimous consent that the debate on the amendment close in three minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the debate on the amendment close in three minutes. Is there objection?

There was no objection.

Mr. CLARK of Florida. Mr. Chairman, I simply wanted to say that I am absolutely in favor of this amendment. [Applause on the Republican side.]

Ever since I have been in this House Congress has been legislating to the discredit of Members of Congress. [Applause.] We have pandered to the public sentiment that Members of Congress can not be trusted.

A good deal has been said about the business man. Now, I have no possible objection to the business man, but the business of the business man is to trade and traffic. That is his chief business. Some business men have been known to carry their chief business into official positions. The old habit of trading and trafficking stuck to them still. It is an outrage, it seems to me, for this Congress to solemnly write into an enactment that a Member of Congress is not fit to fill a position created by Congress itself. [Applause.] I do not know that any Member of Congress or any man who has ever been a Member would be an applicant for appointment upon this commission, but if he should be, the fact that he had served here and had acquired by experience the peculiar knowledge to fit him for service on it ought not to discredit him and weigh in the balance against him. We only pander to the general sentiment that a Member of Congress is not what he ought to be when we put legislation of this kind upon the statute books, and I am sick and tired of it. If Congress has not any respect for itself, it can not ask the public to treat it with any respect. [Applause.]

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Ohio [Mr. LONGWORTH].

The question was taken, and the amendment was agreed to.

Mr. LONGWORTH. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The gentleman from Ohio [Mr. LONGWORTH] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. LONGWORTH: On page 94, line 17, after the word "production," strike out the period and insert a comma and the words "and the nature and causes of the advantages and disadvantages of American as compared with foreign producers, and the possibility of establishing new industries or of expanding industries already in existence through scientific and practical processes in such a manner as substantially to promote the prosperity of the United States."

Mr. LONGWORTH. Mr. Chairman, on the 24th of last January the President of the United States addressed a letter to the gentleman from North Carolina [Mr. KITCHIN], urging the need of a tariff commission. This letter you will find published on page 10529 of the RECORD. In this letter the President made a series of statements as to what he thought ought to be done by the kind of tariff commission he advocated. The President did not do things by halves in this case. When he was converted he was converted all the way. When he changed his mind he changed it completely, and he favored granting powers and prescribing duties for the commission, to make it just the same kind of a powerful, useful commission that the Republican Party has always demanded.

In this case, however, while nine-tenths of his recommendations were adopted by the majority of the Committee on Ways and Means, one very important recommendation was left out. That was the recommendation you have just heard read by the Clerk of the House of Representatives. The President asked, and asked properly, that we should have, as the result of the investigations of this tariff commission, this kind of information: "The nature and causes of the advantages and disadvantages of American as compared with foreign producers, and the possibility of establishing new industries or of expanding industries already in existence through scientific and practical processes in such a manner as substantially to promote the prosperity of the United States."

The amendment I have offered is the precise language written by the President in his letter to the gentleman from North Carolina [Mr. KITCHIN].

Why is it, gentlemen on the other side, while you have adopted every other recommendation in the precise language that the President used in his letter, you refuse to give him here what he asks for? Are you not in favor of investigating the question of the advantages and disadvantages of American as compared with foreign producers? Are you opposed to the development of American industries? Do you think that it should ignore the investigation of practical processes, as the President suggests, to substantially promote the prosperity of the United States? Are you against the United States being prosperous? If so, you will vote against your President.

Now, I challenge the other side of this House to vote down the recommendation of their acknowledged leader, the President of the United States. [Applause on the Republican side.]

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Ohio [Mr. LONGWORTH].

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. LONGWORTH. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 95, noes 118.

So the amendment was rejected.

Mr. FITZGERALD. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. FITZGERALD: Page 98, line 24, after the word "hereby," strike out the word "permanently," and on page 99, in line 5, before the word "each," insert "for," and in line 6 strike out the period and insert "a like sum is authorized to be appropriated."

Mr. FITZGERALD. Mr. Chairman, the section in the bill to which this amendment is offered provides a permanent annual appropriation of $300,000 for the expenses of the tariff commis-

sion. The amendment which I have offered provides $300,000 for the fiscal year ending June 30, 1917, and authorizes a similar appropriation to be made annually each year thereafter for the purposes of the commission.

During my entire service in the House, one of the vicious evils of legislation which has come under my observation has been the practice indulged in at odd times of making permanent annual appropriations for the maintenance of some particular service of the Government. To make this permanent annual appropriation removes this commission entirely from Congress. No one will scrutinize its work. No one will keep track of its administration. It eventually will result in such a condition as to make strong opposition to its existence. The bill provides for six commissioners, at $10,000 a year, and a secretary at $6,000—$66,000 annually. In addition it transfers from the Bureau of Commerce and Labor, in the Department of Commerce, the Division of Cost of Production. The appropriation for the field service of that bureau is $50,000 annually. The bill provides that with the exception of the commissioners, the secretary, a clerk to each commissioner, and such technical experts as may be required, all of the employees shall be in the classified service, and it authorizes the commission to fix the compensation of all of its employees excepting the secretary of the commission. In every department of the Government clerks are appointed and paid under the provisions of the Revised Statutes. Four classes of clerks are recognized, and clerks can not be given any compensation additional to that provided for those four classes, except under specific authority of Congress. Under this bill the clerks in the tariff commission can be paid any compensation the commission determines. In other services chief clerks and chiefs of division are all paid definite, designated compensations that run uniformly through the departments. Whenever any service has been created and authorized to appoint employees and to fix their compensation, the inevitable and invariable rule has been for such service to fix the compensation in excess of that uniformly paid in all the departments of the Government.

I know it is the belief that by fixing the appropriation permanent this commission is taken so far away from Congress that it can never be abolished. It is feared that perhaps a statutory commission like the one provided in this bill may share the fate of the old Taft Tariff Board by practically being legislated out of office by refusal of appropriations for its support. But, Mr. Chairman, the mere fact that the service has a permanent annual appropriation will not protect it if a majority of Congress want to abolish it. To-day we are in a peculiar situation. Every one is for a tariff commission, some from conviction, some from expediency, some because they are practical men, some, like myself, because of their helplessness. [Laughter.] I know I am in a very small minority. Whenever a majority of Congress determines to abolish the tariff commission, if it ever does, the mere fact that it has a permanent annual appropriation will not preserve it; and in the interest of good, orderly legislation and correct administration of the Government no service should be given a permanent appropriation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FITZGERALD. I ask for one minute more.

The CHAIRMAN. The gentleman asks unanimous consent that his time be extended one minute. Is there objection?

There was no objection.

Mr. FITZGERALD. While I have been chairman of the Committee on Appropriations a great deal of the time of my committee has been spent in endeavoring to have repealed permanent appropriations, and the movement to repeal the permanent appropriations has been persistent, because wherever permanent appropriations exist abuses are found, bad administration exists, and the sentiment is so persistent and so prevalent that those services have been put on the annual basis and compelled to submit annual estimates to Congress, compelled to run the gauntlet of the House and the Senate, and to demonstrate the necessity for the employment of those upon their pay rolls. There is no more reason why the tariff commission should have its employees carried on the pay rolls at a time when there may be no need for them, simply because they have the appropriation, than that any other service of the Government should have a definite sum, regardless of its needs. I hope the amendment will be adopted.

Mr. RAINEY. Mr. Chairman, I desire to be recognized in opposition to the amendment. The object of this clause in the bill is to make this tariff commission as permanent as this body can make it. We do not take it away from Congress. It is required to report once every year to this body, and it is required also to report whenever——

Mr. HAMILTON of Michigan. May I ask the gentleman a question?

Mr. RAINEY. Yes.

Mr. HAMILTON of Michigan. The gentleman states that this commission is required to report to this body. He means that it is required to report to the Ways and Means Committee, does he not?

Mr. RAINEY. No; to report to Congress.

Mr. HAMILTON of Michigan. Has the bill been amended to that effect?

Mr. RAINEY. No; that is in the bill.

Mr. HAMILTON of Michigan. On what page?

Mr. RAINEY. And it also reports to the Ways and Means Committee of the House whenever they want a report; to the Finance Committee of the Senate whenever they want it; and it makes any special reports that Congress may require at any time. Now, as I remember, the platforms of this year and the platform expressions of former years, so far as they have gone, whether they have been State platforms or national platforms, they have declared always in reference to this commission that it shall be permanent and nonpartisan. I think that proposition is in every platform that has been adopted this year by any political party. The charge has been made that the method of dropping such commissions heretofore was by discontinuing appropriations. I contend that there never has been a tariff board appointed under any law since the law of 1882. We are making this as permanent as we can, in response to the demand of the country.

Mr. HAMILTON of Michigan. Will the gentleman yield?

Mr. RAINEY. Yes.

Mr. HAMILTON of Michigan. The gentleman says the bill provides that this commission shall report to Congress?

Mr. RAINEY. Yes.

Mr. HAMILTON of Michigan. On what page?

Mr. RAINEY. Section 503, on page 94.

Mr. HAMILTON of Michigan. Will the gentleman read the precise language which he says makes such requirement?

Mr. RAINEY. Page 94, lines 5 and 6—

And shall report to Congress on the first Monday of December of each year hereafter.

Mr. HAMILTON of Michigan. What shall they report?

Mr. RAINEY—

A statement of the methods adopted and all expenses incurred, and a summary of all reports made during the year.

Mr. HAMILTON of Michigan. Yes; and that is all.

Mr. RAINEY. Is not that enough?

Mr. HAMILTON of Michigan. That does not include the findings of the commission.

Mr. RAINEY. The investigations of the commission can be reported whenever this body wants them reported, and whenever one of these great committees wants a report. I am now answering the gentleman from New York [Mr. FITZGERALD], when he says that a permanent appropriation takes this commission entirely away from this body. This annual report is intended to show how much money they have expended during the year, and how they expended it, in connection with other matters.

Mr. STAFFORD. Will the gentleman yield?

Mr. RAINEY. Yes.

Mr. STAFFORD. Suppose the commission, in view of the Committee on Appropriations expend money in an extravagant way for salaries of clerks or chief clerks beyond what they do in any other service, what opportunity has the House to check this extravagance under this permanent appropriation?

Mr. RAINEY. The House ascertains how the money has been expended every year when the commission makes its report, and if they have abused the privileges conferred upon them and extravagantly expended money, the House can and will take proper action.

Mr. STAFFORD. The gentleman knows that the House would be powerless to change it.

Mr. MANN. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. MANN. Mr. Chairman, I think the amendment offered by the gentleman from New York [Mr. FITZGERALD] ought to prevail. There is an erroneous opinion on the part of many people outside of Congress in reference to the so-called Taft Tariff Board. That board was not created by a legislative provision of law. It was created by an appropriation, and when further appropriation was refused it fell to the ground. But here is a proposition to create by legislative enactment a tariff commission. I can recall no case where Congress provided by law for the creation of an office and then refused to make the appropriation necessary for that office.

Talk about the tariff commission being permanent! The office of the President of the United States is permanent, but we do not

make a permanent appropriation for the payment of his salary. We make appropriation annually, and the purpose of having Congress make the appropriation annually for a tariff commission is not for the purpose of refusing to make an appropriation, but to compel reasonable economy in the expenditure of the money. There is no case where officials having the general authority to expend money without making a report and submitting to determination by the Committee on Appropriations that they do not become grossly extravagant. It would be so in this case. We ought to hold the purse strings of the Government in our hands. [Applause.] I am not in favor of assuming that Congress in the future will not have sense enough or patriotism enough to make the necessary appropriations for the commission which it has created and which it maintains. [Applause.]

Mr. HUMPHREY of Washington. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. HUMPHREY of Washington. Mr. Chairman, I have listened to the discussion of this bill, and I can not understand any reason why a Republican should give it support. I was especially struck by the two speeches made by the veterans of this House, the former Speaker of the House, Mr. CANNON, and the present Speaker of the House, Mr. CLARK. Mr. CANNON, the gentleman from Illinois, called attention to the fact that if Republicans were expected to vote for the bill they ought to have an opportunity to express themselves on its different provisions.

For the first time in our history in time of peace, during this administration, a direct tax is placed upon the people to raise money to meet the expenses of government. I can not understand why any Republican should vote for the pending bill. It is opposed to the very foundation principles of the Republican Party. It is the British system of taxation transferred to this country.

I know it is argued that the Republicans have voted for preparedness, and that a large part of the money to be raised is to be used for expenditures made necessary for this reason, and therefore that the Republicans are bound to support the method of getting the revenue because they supported the preparedness legislation. I submit that this is a strange and unusual argument that does not greatly appeal to me. Had the question been first submitted to us, and we had given our consent that the money for preparedness might be raised in this way, there would be some foundation for such argument. But the true Democratic policy has been followed of increasing expenses first and providing some way of securing the money afterwards.

Suppose you were in partnership with 435 other men and it was agreed that for the good of the partnership certain expenditures must be made and these were decided upon and the improvements contracted for and that you favored these improvements, but when the final decision came as to how the money should be raised the majority decided that the best and most expeditious way to get the cash would be by robbery. Would you feel under such circumstances that you must therefore turn highwaymen, whatever nice conscientious scruples you might have about the method, and help secure the money by such methods simply because you had said that the money was needed for a legitimate expenditure?

When there is a perfectly plain and sure remedy at the customhouse are we called upon as Republicans to violate all political integrity, to disregard the very foundation principles of our party, and help the majority to place a burden upon the people, and leave our industries open to foreign invasion simply because the majority insist that it shall be done their way and no other?

The Good Book says, "In vain the net is spread in the sight of any bird." The Republicans who vote for this bill will show more confidence and less wisdom than the birds of the air, for the net has not only been spread by the distinguished Speaker of the House in your full view but your attention has been specifically called to it. He asked the Republicans a very pertinent question when he said, "If this bill is not a good one why are you going to vote for it?" This will be the chief Democratic argument in the coming campaign, that Republicans have supported a great many of their measures. How are you going to meet it? The party that has to stop to explain in a campaign is lost. [Applause on the Republican side.]

It will avail you little to say that it was a Republican bill. If the Democrats are enacting Republican measures, helped by Republican votes, what more could the Republican Party do if placed in power? Do you believe the people will listen with any patience while you argue that the Democrats should be defeated to give the Republicans an opportunity to do exactly what they have already done? The most powerful weapon that the Democrats will have in the coming campaign will be that the Republicans helped to pass this bill.

Those who vote for this bill will be pursuing the same policy that the Democratic administration has been pursuing toward Mexico. We will furnish the Democrats the guns and ammunition to destroy us. [Applause on the Republican side.] This fall when you go out upon the stump the Republicans who vote for this bill will find that they will be done to death by the very weapons that they have given to their enemy. I have never yet been able to defeat an enemy by praising him. I have never yet been able to lick a man by being too proud to fight him. I have never yet known a political party to win victory by working with its opponents. [Applause on the Republican side.]

But they tell us that this bill has some protective features in it. That is true. As the distinguished gentleman from North Carolina [Mr. KITCHIN] has said, "it is a sugar-coated pill." It has been fixed especially to tickle the palates of frightened Republicans. It is a thin coating of protection sugar that covers a deadly dose of Democratic free trade, and the Republican who takes it will cry out in his agony as the prophet of old when he said, "It was in my mouth sweet as honey, and as soon as I had eaten it my belly was bitter." [Laughter and applause on the Republican side.] Those who swallow this Democratic concoction, if this law remains upon the statute books when peace comes in Europe, will experience inward nausea that will make seasickness a genuine delight by comparison. [Laughter.]

But they tell us that this bill has good things in it. It may be so. An enthusiastic optimist in a moment of delirium once exclaimed that there were good things in hell and Texas. I am not prepared to dispute that statement in its entirety—I have only been in Texas. [Laughter.] But suppose the statement is true, is that any reason why Republicans without further ceremony should move bodily into the enemy's favorite country?

If the unexpected should happen and we should fail to capture either House or Senate and this law should remain upon the statute books until the end of the bloody struggle in Europe, then 60 days from that time we will seee 2,000,000 idle men in this country; cheap foreign goods will be invading this country as never before; our mills and factories will be closing and millions of the unemployed, the ragged and hungry, will again fill the highways and byways of this Nation as they did in the days under the Underwood tariff law before the war in Europe began. [Applause on the Republican side.] If that time comes, the people will demand what excuse a Republican had for voting for a law directly taxing the people while leaving our country defenseless against this destructive invasion by the products of foreign cheap pauper labor. They will demand to know why we gave support to a free-trade measure when it was perfectly apparent that this deluge of industrial ruin was certain to come. [Applause on the Republican side.] On that day the people are going to look at things as they are, and he will stand defenseless who must explain why he joined hands with the Democrats in placing this law upon the statute books.

This expenditure for preparedness is made to protect us from the foreigner. The foreigner, and not the American, should be compelled to pay this expense. All money for preparedness made necessary by the foreigner should be raised by making the foreigner pay for the privilege of competing in our markets with the product of American labor, with the product of the American farmer, with the product of the American manufacturer. In other words, make the foreigner pay for "preparedness" by making him pay for the privilege of selling in American markets. Let the Republicans take that position and all the powers of darkness and Democracy can not prevail against it. [Applause on the Republican side.]

Mr. EMERSON. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. GOOD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. That is not in order.

Mr. MOORE of Pennsylvania. I call for the regular order.

Mr. GOOD. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

Mr. MOORE of Pennsylvania. I demand the regular order.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to proceed for five minutes.

Mr. MOORE of Pennsylvania. For the present I object.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. FITZGERALD].

The question was taken; and on a division (demanded by Mr. RAINEY) there were—ayes 144, noes 55.

So the amendment was agreed to.

Mr. FORDNEY. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

After the word "alloying," on page 62, line 4, add the following:
"*Provided, however*, That copper used for any purpose other than the making of munitions shall not be subject to said tax."

Mr. FORDNEY. Mr. Chairman, all I wish to say respecting the amendment is that the committee fears they might not cover copper that is used for ammunition if they offer an amendment similar to this. I offer this amendment in the hope that it might be accepted by the majority members of the committee as covering that point. It was prepared by my colleague, Mr. JAMES, of Michigan.

Mr. KITCHIN. Mr. Chairman, I hope that amendment will not prevail. It will be impossible to ever separate the uses of this copper after it passes out of the hands of the refiner and smelter.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. MOORE of Pennsylvania. Mr. Chairman——

The CHAIRMAN. Debate is closed.

Mr. KELLEY. But five minutes have not been used, Mr. Chairman.

Mr. HAMILTON of Michigan. I ask unanimous consent that the gentleman from Michigan [Mr. JAMES] may proceed for five minutes.

The CHAIRMAN. The rule provides that one Member shall be permitted to speak for an amendment and one against.

Mr. STAFFORD. But the rule says five minutes.

Mr. KELLEY. And there has not been a five-minute speech made upon it.

The CHAIRMAN. The Chair so rules. The Chair will submit the request for unanimous consent. The gentleman from Michigan [Mr. HAMILTON] asks unanimous consent that the gentleman from Michigan [Mr. JAMES] may proceed for five minutes. Is there objection?

Mr. KITCHIN. Mr. Chairman, I hope that there will be no objection to that.

There was no objection.

Mr. JAMES. Mr. Chairman, on page 60 of this bill, on line 4, we find these words, "Title III, Munition Manufacturers' Tax."

One would naturally suppose from the title that this bill proposed to lay a tax on all munitions of war, and personally I would have no objection to a bill that did propose to tax all munitions of war.

What does the word "munitions" mean? The dictionary states that the word "munitions" means "military stores or material."

The word "munitions," according to the resolution introduced by the Senator from Nebraska [Mr. HITCHCOCK] apparently means "arms, ammunition, artillery, and explosives of any kind."

The word "munitions," according to the resolution introduced by the gentleman from Missouri [Mr. SHACKLEFORD], seems to be as follows, according to his bill introduced on December 6, 1915:

That upon the following munitions of war, to wit, all guns, shells, and cartridges, except such as are ordinarily used for hunting or sport; ordnance, pistols, cannon, mortars, machine guns, grenades, bombs, torpedoes, mines, battleships, battle cruisers, gunboats, torpedo boats, torpedo-boat destroyers, submarines, monitors, armor plate, bayonets, and swords manufactured in the United States there shall be levied a tax of 20 per cent of their value.

According to the gentleman from Wisconsin [Mr. CARY] munitions includes all of the above and mules, horses, automobiles, and even chewing gum in addition.

But according to this bill called "munition manufacturers' tax," we find no mules, automobiles, zinc, cotton, and so forth, taxed.

We find ammunition and firearms of all kinds taxed; and one metal, and one metal alone—copper—taxed.

Zinc, copper, lead, steel, and cotton are all used in the manufacture of munitions; but none but copper are included in this bill.

There can be no objection to an income tax if it picks no favorites. An income tax would not be fair that proposed to only tax incomes received from the sale of some metal; it would not be fair if it proposed to tax only incomes received from the sale of automobiles alone, or of horses and mules alone, or of zinc alone.

It would be even more unfair if it proposed to tax only those who received their income from copper alone, or steel alone, or any other kind of metal alone; it would be absolutely unfair if it only taxed those who received an income from a certain make of automobile and exempted those who received incomes from all other makes of automobiles.

It would be more unfair still if it proposed that in case an income was 10 per cent from the sale of a certain kind of metal and 90 per cent from other sources, or 10 per cent from the sale of a certain make of auto and 90 per cent from other sources, the tax should apply on the entire income because part of the income was received from the sale of a certain make of auto or a certain kind of metal.

An inheritance tax would be unfair if it stated that the only inheritances that should be taxed was those that consisted of interests in automobiles alone or inheritances received from interests in mining properties alone.

The bill would be more unfair still if it stated that the only inheritances that should be taxed was inheritances where the estate consisted of stocks in a particular kind of automobile stock, or only to be taxed when the estate consisted of copper mining stocks.

It would be more unfair still if it stated that in cases where the estate consisted of 20 per cent of stock in a particular automobile stock or a particular kind of mining stock, and the other 80 per cent consisted of some other kind of stock, the inheritance tax was to apply on the entire 100 per cent.

A corporation tax would not be fair if it only applied to corporations engaged in mining or in the automobile industry or the cotton trade and let every other corporation go "scot free." It would be still more unfair if it provided that those who engaged in copper mining should pay a tax and all other mining companies went free. It would be unfair if the bill provided that a certain make of automobile should pay a corporation tax but that all other automobile manufacturers needed to pay no taxes.

It would be more unfair still if it stated that in case a corporation had part of its capital invested in a certain kind of automobile stock and the most of its capital in real estate it should pay a tax on the 100 per cent simply because a small part of its capital was invested in automobiles.

This bill does these very things. It states that owners of cotton pay no tax and owners of zinc-mining properties pay no tax, although both cotton and zinc are used in the making of munitions. This bill, as I have stated, only levies a tax on one metal—copper—and levies it on all copper, regardless of the fact that at least 50 per cent of our copper is not used in the making of munitions of war.

As I have stated, I would vote for a tax on munitions of war if it covered all munitions of war. I would not want to see a tax levied on zinc alone, on mules and horses alone, on cotton alone, and neither do I want to see a tax levied on copper alone. I would not believe it fair to put a tax on all Missouri mules because part of them are being shipped to Europe for war purposes.

It may be that the makers of this bill believed that the smelting of copper was handled by middlemen alone, and that they thought that these men were making enormous profits out of this kind of business. I do not know the situation in other parts of the country, but in Michigan nearly all our companies own their own smelters, and therefore the mining company is the smelter and refiner as well.

In normal times not over 2 per cent of the copper produced goes into cartridge metal or metal for munitions, but under the proposed bill the copper producer has to pay a tax on all of its output, regardless of the fact of how much or how little may be used for the making of munitions.

The unfair part of it is that unless the bill is amended those in the copper business will be paying an excise tax after the war is over, even if only 2 per cent is used for munitions of war. The result will be that in the long run a large part of this tax will be shifted onto the miner of the copper.

If the committee believes that all corporations engaged in any business shall pay an excess-profits tax on all profit over 10 per cent, and will amend this bill so that everybody will be placed on the same basis, then I have no objection to it, but we do not want to be singled out as the one industry to be hurt.

Page 25, entitled part 2, provides for a corporation tax. You will note by the wording of the bill that all corporations pay a tax of 2 per cent on their annual net income. This applies to those engaged in the copper business as well as those engaged in other business. In addition, they will pay the tax I am now trying to amend.

If the proposed law goes through, it will mean a tax of about $1,300,000 to one county in my district alone. The State of Montana will pay more than $3,000,000; it will mean more than $3,000,000 a year to the State of Arizona, and about $1,500,000 to the State of Utah.

The following article from the Mining Gazette, of Houghton, Mich., of July 6, 1916, will give you some idea of what it will cost some of the States:

[From the Mining Gazette, Thursday, July 6, 1916.]

THAT TAX ON COPPER.

If the general revenue bill just introduced into Congress is enacted into law in its present form, the copper producers of the country will be called upon to pay a heavy toll.

The section aimed at the copper industry provides for a graduated tax on the gross receipts from the sale of refined copper or copper alloys, as follows: One per cent in excess of $25,000 and not exceeding $1,000,000; 2 per cent exceeding $1,000,000 and not exceeding $10,000,000; and 3 per cent in excess of $10,000,000.

Copper can hardly be expected to sell so low that such companies as Anaconda, Calumet & Hecla, Inspiration, Kennecott, Nevada Consolidated, Ray Consolidated, and Utah Copper would ever pay less than 3 per cent of their gross receipts, while with copper at 25 cents per pound the list would be considerably expanded.

In a rough way the proposed tax would fall upon various producers as follows, with copper at 25 and 15 cents per pound, respectively:

	Copper at 25 cents.	Per share.	Copper at 15 cents.	Per share.
Ahmeek	$125,000	$0.60	$75,000	$0.37
Allouez	50,000	.50	30,000	.30
Anaconda	2,250,000	1.00	1,350,000	.60
Calumet & Arizona	600,000	1.00	360,000	.60
Calumet & Hecla	562,500	5.50	337,500	3.37
Copper Range	300,000	.75	120,000	.30
Inspiration	900,000	.80	540,000	.50
Kennecott	1,275,000	.40	765,000	.25
Miami	375,000	.50	150,000	.20
Mohawk	60,000	.60	36,000	.36
Nevada Consolidated	600,000	.30	360,000	.18
North Butte	125,000	.25	25,000	.18
Old Dominion	175,000	.60	100,500	.33
Osceola	100,000	1.00	60,000	.60
Quincy	100,000	1.00	60,000	.60
Ray Consolidated	515,000	.30	350,000	.20
Utah Copper	1,425,000	.90	855,000	.45

It will be noted that with the exception of Calumet & Hecla the tax with copper at 15 cents per pound would make little impression on earnings per share, but with copper at 25 cents several companies would have to pay the Government close to $1 per share earned, Calumet & Hecla topping the list with a tax which would be the equivalent of $5.50 per share on its 100,000 shares outstanding.

The following editorials, from the Washington Times of July 8 and the Washington Herald of July 7, show that the profits of the munitions business is rapidly coming to an end. From these editorials I believe the Members of this House will be shown that in a short time the only ones that will be paying this tax will be the copper producers. I know that this is not what the committee intends. I trust, therefore, before this bill is completed it will be so amended that it will not be levied after 1917, or after the war in Europe is over.

If I have an opportunity, I expect to offer an amendment limiting this tax to December 31, 1917. If this is defeated, and I have an opportunity, I shall offer the following amendment: "After the word 'alloying,' on page 62, line 4, add the following: 'Upon the signing of treaty of peace at the conclusion of the so-called "great war" said tax shall cease.'"

[From the Washington Times, Friday, July 7, 1916.]

TIDE OF WAR TRADE TURNS.

A Pittsburgh dispatch says that the Westinghouse Air Brake Co., having completed a contract for 1,250,000 18-pound shrapnel shells, is preparing to dismantle the plant in which they were made. There is no more business of the kind in prospect, and the plant is useless in its present form.

So far as observed, this is the first case of the kind; but there will be more in plenty. At the outset of munition making the hard-headed supply companies in this country insisted on prices high enough to insure them from loss if they built plants especially for the business. The du Pont company demanded, and got, $1 per pound for smokeless power that had previously been made profitably for half that sum. This was not extortion; it was safe business; for it was necessary, in turning out the immense quantities the allies wanted, to construct new plants which must be paid for from contracts actually in hand. One-half the price was stipulated to be paid when the order was given, in order that it might be used in building emergency plants.

[From the Washington Herald, July 8, 1916.]

UNITED STATES WAR BOOM ON ITS LAST LEGS—EUROPE NOW ABLE TO SUPPLY ITS OWN ARMS AND AMMUNITION.

NEW YORK, *July 7.*

The manufacturing boom that has been sweeping the United States as the result of the allies' war orders is about to wane.

A big slump is looked for in the business of making munitions for the entente powers, and, in fact, has already set in.

Thousands of workmen have been dismissed by various firms who have closed the doors of plants created or enlarged for the purpose of putting out arms, ammunition, and war material for England, France, and Russia.

Most of the contracts let early in the war have been filled. In many cases there were no renewals. One reason for this is the fact that some of the American output has proved inferior in quality. The main cause for the let-up in the "war business," however, is the fact that the allied countries have now sufficiently mobilized their industries to turn out their own arms, ammunition, and material.

If I get an opportunity, in order to see how many Members from the States of Arkansas and Missouri believe in a tax on horses and mules, I shall offer an amendment to have this tax also apply on mules and horses. The dealers in horses and mules have also made a nice profit in the last two years. The following article from the New York World of July 9 shows the horse-and-mule situation to-day:

[From the World, July 9, 1916.]

DEARTH OF MULES AND HORSES FOR AMERICAN ARMY—RANCHES WITHIN 100 MILES OF THE BORDER HAVE BEEN STRIPPED BY AGENTS FROM ABROAD—PLENTY IN THE REMOTE INTERIOR OF MEXICO—UNITED STATES IS BUYING AT PRICES 25 PER CENT HIGHER THAN A YEAR AGO.

FORT SAM HOUSTON, TEX., *July 8.*

Notwithstanding the fact that there are now more than 600 Army trucks in service within the jurisdiction of the southern military department, which has its headquarters here, the demand for horses and mules for the additional military units that will soon be in the field is larger than can be promptly supplied. It is stated by Army commissary officers that besides the 26,550 Cavalry horses, 15,900 Artillery horses, 8,100 wheel mules, 8,100 lead mules, 8,000 pack mules, and 192 light draft horses, which have already been authorized to be purchased, probably double this number will be required a little later on.

Much difficulty is being met in finding the right kind of animals in Texas. This State has been scoured for good horses and mules during the last three years by French and English Army buyers. The farms and ranches have been depleted of most of the animals that come up to Army specifications.

PRICES HAVE GONE UP.

The scarcity of first-class horses and mules is causing a big rise in prices of these animals, and those that are now being bought by the Government cost fully 25 per cent more than they would have sold for a year ago.

As my colleague, Mr. FORDNEY, stated the other day, the shipments to Europe on horses and mules for the 10 months prior to the war amounted to only $3,533,000 and for the 10 months of the fiscal year just closed amounted to $84,293,000—why not put a tax on the lowly Missouri mule?

For the 10 months prior to the war we exported $6,000,000 worth of brass—the 10 months of the present fiscal year just closed the exports amount to $103,000,000; why not place brass on the same basis as copper?

Automobiles and parts thereof have increased from $29,000,000 to $116,000,000—and a great profit on every automobile; why not place automobiles on the same basis as copper?

If I have an opportunity I shall introduce an amendment to have this tax also apply on producers and dealers in cotton, as cotton is also used in the making of munitions of war. Not that I expect to see the amendment pass, but because I would like to see how many Congressmen from the Southern States will vote to place a tax on cotton.

If it is reasonable to place a tax on all copper, because part of the copper production is used in the production of munitions, it is also fair and reasonable to place a tax on all cotton because part of the cotton crop is used in the making of munitions of war.

It is true, as my colleague, Mr. FORDNEY, stated a day or so ago, that one firm in this country alone has used since August, 1914, 611,000 bales of cotton in the manufacture of explosives. In a letter to Mr. FORDNEY they state that they know of over 300,000 bales used by other manufacturers for the same purpose.

At least $70,000,000 worth of cotton has gone into the manufacture of explosives. Why not put a tax on cotton?

Shipments of zinc abroad have increased from 328,000 to 36,800,000 pounds during the 10 months of the last fiscal year. Why not a tax on zinc?

Mr. BARKLEY. Mr. Chairman, will the gentleman yield now?

Mr. JAMES. Yes.

Mr. BARKLEY. Mr. Chairman, I am in sympathy with the purposes of the gentleman's amendment, but I am bothered by the question of how it can be separated at the refinery or the mine or anywhere else before it gets into the manufactured product so as to determine how much is used for the purpose of manufacturing munitions of war.

Mr. JAMES. I do not know exactly how it can be done, but if the Committee on Ways and Means can levy this tax, it certainly would have the authority and would know exactly how to arrange it. I might say that so far as my district is concerned, we mine, smelt, and refine all of the copper that we produce.

Mr. BARKLEY. How does the gentleman arrive at the statement of 40 per cent at this time as being used in the manufacture of munitions of war?

Mr. JAMES. That is what I am informed, with only 2 per cent in normal times.

As I have stated, if we believe that every corporation or every person receiving an excess of 10 per cent net profit from the manufacture of munitions of war ought to pay a tax, let us amend this bill so that every person and every corporation getting over 10 per cent will pay a tax on that income, and personally would vote for such an amendment, but I do object to having one industry singled out and paying this tax, and I hope that my amendment will prevail.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Michigan.

The question was taken; and on a division (demanded by Mr. JAMES) there were—ayes 101, noes 116.

So the amendment was rejected.

Mr. FORDNEY. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 51, line 10, strike out "Title II.—Estate tax," and after line 10 strike out all the provisions included under said title, the same being sections 100 to 112, inclusive, of the bill.

Mr. FORDNEY. Mr. Chairman, I am ready to submit the questions.

[Mr. GOOD addressed the committee. See Appendix.]

Mr. MOORE of Pennsylvania. Mr. Chairman, I demand the regular order.

Mr. GOOD. I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman has that privilege.

Mr. MANN. Mr. Chairman, I ask for the regular order.

The CHAIRMAN. The question is upon the amendment offered by the gentleman from Indiana.

Mr. DILLON. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. MANN. Mr. Chairman, I ask for the regular order.

Mr. DILLON. Mr. Chairman, I wish to speak to the amendment. Nobody has spoken on the amendment.

Mr. MANN. Regular order.

Mr. CULLOP. Mr. Chairman, there are five minutes remaining.

Mr. DILLON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MANN. We are simply wasting time. Why does not the Chair put the question?

The CHAIRMAN. The Chair understands that the gentleman from Michigan did not occupy five minutes. If so, there is five minutes debate.

Mr. MANN. There is no time left. There has been time consumed on both sides.

Mr. DILLON. Mr. Chairman, a parliamentary inquiry.

Mr. CULLOP. Mr. Chairman, I ask to be recognized.

Mr. FORDNEY. I yielded the balance of the five minutes to my colleague from Michigan [Mr. JAMES].

Mr. CULLOP. Mr. Chairman, I ask to be recognized.

The CHAIRMAN. The Chair does not recognize the gentleman.

Mr. MANN. Mr. Chairman, regular order.

The CHAIRMAN. The question is upon the amendment offered by the gentleman from Michigan.

The question was taken and the amendment was rejected.

Mr. MOORE of Pennsylvania, Mr. CROSSER, and Mr. CULLOP rose.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. MOORE], a member of the committee, is recognized to offer an amendment, which the Clerk will report.

The Clerk read as follows:

Page 18, line 14, after the word "within," strike out the word "three" and insert the word "two."

Mr. MOORE of Pennsylvania. Mr. Chairman, I hope the chairman of the committee will accept this amendment. Section 9, page 17, gives the Commissioner of Internal Revenue the right to overhaul all income-tax accounts for three years after settlement has been made. I am suggesting that the time be reduced from three years to two years, so that a man who has paid his taxes may not have to wait three years before he knows whether he can dispose of his books and papers.

Mr. HULL of Tennessee. Will the gentleman yield.

Mr. MOORE of Pennsylvania. I yield.

Mr. HULL of Tennessee. I call the gentleman's attention to the fact that there is a limitation really on the department which is in the interest of the proposition the gentleman favors.

Mr. MOORE of Pennsylvania. I have no interest in "fraudulent" returns; I am thinking of errors discovered by the department after a term of years.

Mr. HULL of Tennessee. The Government would simply take the taxpayer into court instead of making an assessment, and have the entire transaction overhauled. And I think you would find this much better for him.

Mr. MOORE of Pennsylvania. My thought is that three years is too long a period now to hold a taxpayer in suspense, after he has his receipt in hand.

Mr. HULL of Tennessee. I think the gentleman will find it is to the benefit of the taxpayers to deal with the commissioner in that way rather than to turn them over to the courts in connection with any return they fail to make.

Mr. MOORE of Pennsylvania. I submit it to the committee as a matter of convenience to the taxpayers.

Mr. HULL of Tennessee. The gentleman is aware that the statute of limitations does not run on the Government with respect to these tax matters. They would simply take the taxpayer into the court instead of making his assessment, if you strike out that three years and make it two years.

Mr. MOORE of Pennsylvania. I do not wish to argue it further. Let the committee act.

Mr. FESS. Mr. Chairman, I rise in opposition to the gentleman's amendment.

Mr. Chairman and members of the committee, last Saturday the Speaker of this House made a very earnest plea, not on behalf of the bill, but for votes; not for votes on that side of the House, because he has them, but for votes on this side of the House; not because he needs them, since this bill will pass, if necessary, without a single Republican vote cast for it.

You have already enough Democratic votes, and it is a pertinent question to be asked now, Why the concern of the leader of the majority and the distinguished Speaker of this House to get Republican votes on this measure? [Applause on the Republican side.] It is not to pass the bill, but it is to estop argument against the direct-tax system to which the Democratic Party is committed, and to foreclose argument in the days preceding November. [Applause on the Republican side.] And in order to win the votes on this side they have thrown out many specific sops. The first is the tariff commission, that they opposed, and are now willing to swallow in the hope that we will vote for it. Our support of the tariff commission does not depend upon the action to-day. We will write it after March 4. We will not attempt to deceive the people. The commission will not be created to avoid the repeal of the Underwood bill, as now designed by the Democrats, but to do that specific thing, in order to place a protective law on the statute books. The second sop is an antidumping clause, that they ridiculed in the discussion of the Underwood tariff bill, when we Republicans urged it upon them, and now they swallow it in the hope that they will get votes from this side of the House, not to carry it; they have the votes to do that, but they want this side to surrender to their scheme. We will write an antidumping clause that will be a revision of the Underwood tariff bill, and write it in a protective measure. [Applause on the Republican side.] The dyestuff proposition is another effort of estoppel. They say it is protective, and my distinguished friend from North Carolina [Mr. KITCHIN] literally holds his nose, because it is hard to swallow. Why do you swallow it? To get Republican votes. Why? To use as arguments against us when the discussion is on in the days between now and next November against your method of raising the tax totally by the direct method in opposition to and supersession of the protective tariff system. Another sop is the repeal of the Democratic deficiency tax, deceptively called war tax. It never should have been passed; it was enacted over the protest of a solid Republican vote. Our position on this tax is too well known to require an affirmative vote on your abandonment of the indirect method of taxation.

Our position on the income tax is an equitable taxation; not a class discrimination.

Our position on an inheritance tax does not require a support of this bill, which threatens the necessity of State revision of their system for State support.

The real purpose of these pleas is not to secure the money, but to find an excuse for not rewriting the Underwood bill and to estop the Republicans from a demand for the restoration of the protective system. [Applause on the Republican side.]

Mr. BORLAND. Will the gentleman yield?

Mr. FESS. No. Do not take my time.

I will not vote for this measure, because I will not allow the Democrats under a claim of an emergency to manufacture arguments against the protective system. [Applause on the Republican side; laughter on the Democratic side.] It is not an emergency, for that is covered by your proposed bond issue.

You voted $50,000,000 on a ship-purchase bill that I opposed.

Mr. SABATH. The bill must be a good bill, then.

You voted $45,000,000 to be dumped into the mouth of the Mississippi for flood control, that I opposed; $43,000,000 for rivers and harbors, that I opposed; $20,000,000 for a nitrate plant—a vicious proposition—that I opposed; $11,000,000 for a munition plant, at the very moment when you were offered its manufacture at the Government's own price, a measure that I opposed; $36,000,000 of an increased pay roll, that all Republicans opposed. You voted, with your eyes wide open to what you called emergency situations $205,000,000 of extravagant

expenditures, not a dollar of which should have been authorized at this time, if at all, and you only ask to raise $197,000,000 here, eight millions less than you wasted. [Applause on the Republican side.] If you would save on your wasteful expenditure you would not need to saddle upon the country this sort of a bill; and even if you did need it, there is a better way to do it. Rewrite your broken-down, concededly mistaken, dismally disappointing revenue-producing tariff; rewrite it by the protective system, that always raises enough revenue and starts the business of the country in the employment of labor. [Applause on the Republican side.] This proposed scheme expresses not alone your desire to meet a condition of deficient revenue, but it is to fix a system of taxation that prompts this moving appeal of Democratic leaders to silence our opposition. It is the same old Democratic wail against an American system of protection on behalf of an English free-trade scheme. I will not vote for your measure. But after March 4 we will restore the protective system, and these other Republican measures you offer as a sop will be cared for. [Loud applause on the Republican side.]

Mr. MANN. Mr. Chairman, I ask for the regular order.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. MOORE].

The amendment was rejected.

Mr. SLOAN, Mr. CULLOP, Mr. CROSSER, Mr. KENT, and Mr. WOOD of Indiana rose.

The CHAIRMAN. The gentleman from Nebraska [Mr. SLOAN] is recognized.

Mr. SLOAN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Nebraska offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend section 305 by striking out the period after the word "taxes," page 86, and inserting as follows: "*Provided*, That the United States shall reimburse from any moneys in the United States Treasury not otherwise appropriated all persons to the extent they have heretofore purchased from the Government or its agents stamps, as provided in the act which is repealed by this section: *And be it further provided*, That all persons who have purchased such stamps from the original purchasers shall have a legal demand against such original purchasers to the amount of their respective purchases, enforceable in any court having jurisdiction thereof."

Mr. SLOAN. Mr. Chairman, the purpose of this amendment is to reimburse those who have purchased stamps under the law that we on this side have denounced as an outrage. It was agreed by the chairman of the Committee on Ways and Means, in his speech the other day, to have been an outrage. If the American Congress has perpetrated an outrage, it ought to be manly enough to correct it. Therefore it ought to reimburse purchasers of these stamps.

Mr. DAVIS of Texas. Mr. Chairman, will the gentleman yield there?

Mr. SLOAN. I have not the time. I desire to ask unanimous consent, Mr. Chairman, to present two or three more amendments, so that they may be voted upon without debate. I understand that a great many gentlemen here desire to present amendments, but are waiting for the members of the Ways and Means Committee to exhaust their right of precedence. If the amendments presented by the members of the committee are fully debated, these Members may not have time to offer their amendments. I ask therefore that certain of my amendments may be offered and voted upon without further debate.

The CHAIRMAN. The gentleman from Nebraska asks unanimous consent to offer amendments to be voted upon without debate. Is there objection?

Mr. KITCHIN. Reserving the right to object, Mr. Chairman——

Mr. DAVIS of Texas. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DAVIS of Texas. Does this amendment include the return of the Republican Spanish war taxes that they collected?

Mr. SLOAN. Certainly not.

A MEMBER. That was for war purposes.

Mr. SLOAN. Everybody knows that; and they, being war taxes, are not in the same class with stamp taxes levied after the first recent Mexican War, and are now being repealed as the second Mexican War seems to begin.

Mr. KITCHIN. Mr. Chairman, I call for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nebraska [Mr. SLOAN].

The question was taken, and the amendment was rejected.

Mr. SLOAN. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The gentleman from Nebraska offers a further amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SLOAN: Amend section 200 by striking out the word "sixteen" on line 14 of page 60 and inserting "fifteen" in lieu thereof.

Mr. SLOAN. Mr. Chairman, I am ready to have that voted upon without debate.

Mr. EMERSON. Mr. Chairman, I rise in opposition to that.

Mr. KITCHIN. Mr. Chairman, I thought it was understood that we would vote without debate on that proposition.

Mr. EMERSON. I did not so understand it. No unanimous consent was granted.

The CHAIRMAN. The gentleman from Ohio [Mr. EMERSON] is recognized.

Mr. EMERSON. Mr. Chairman and gentlemen of the House, I have read this bill with much interest, and especially the income-tax exemption part of the bill. I was very much surprised to find on page 7, among the exemptions, one that interested me very much, and that was the exemption of the present President of the United States from the operation of this income-tax law and for the term for which he has been elected.

Mr. HULL. Mr. Chairman, will the gentleman yield?

Mr. EMERSON. No; I can not yield.

Mr. KITCHIN. Of course, it is unconstitutional.

Mr. EMERSON. Why, then, did the Ways and Means Committee have to write it into this bill? If it is unconstitutional, it is unnecessary to write it into the law. This Congress can not make a law that is unconstitutional, and if it is unconstitutional for the President of the United States to pay an income tax out of his compensation, under paragraph 6 of section 1 of Article II of the Constitution, why did you write it into the law? Tell me that.

Mr. GORDON. It is excepted.

Mr. EMERSON. If you do not write it into the law, then the President would have to come in and claim his exemption under the Constitution. This exception saves him that trouble.

Mr. CROSSER. Let the gentleman offer his amendment.

Mr. EMERSON. Give me a chance and I will offer it. What an injustice to our present President, and how inconsiderate of all future Presidents. Note the wording: The compensation of the present President," and not in the compensation of succeeding Presidents. But the compensation of the present President is to be exempted for the term for which he has been elected. No assumption that he will be reelected, but his compensation for the last year of his term, and the only year he will ever serve, is exempted from the operation of this law.

Now, who asked the members of the Ways and Means Committee to exempt the compensation of the present President of the United States? Why did they exempt the present President from the operation of this law, and why did they deny him the privilege of paying this tax, which no doubt he would be glad to pay? No doubt he would be just as glad to pay this tax as he is to ask others to pay the tax.

Did the present President ask that this exemption be made? Was it placed there by some friend of the present President? Is it possible his friend the gentleman from North Carolina [Mr. KITCHIN] asked that this exemption be made?

I wish some one would tell this Congress and the people of this country why the present President is denied this privilege of helping bear the burden of national taxation.

What a rank injustice to our present President, what an insult to his patriotism. It can not be that he, the present President, who has asked patriotic men to enlist to fight for their country, and, if necessary, die for their country, would himself ask to be relieved of this patriotic duty. But how about future Presidents? Poor souls, they are not exempted. When Charles E. Hughes becomes President of the United States on the 4th day of next March the first person who will confront him is the income-tax collector. No exemption for poor Hughes; he will have to pay. But the Ways and Means Committee were so thoughtful that they looked out for our present President and neglected all future Presidents. How did these distinguished members of the Ways and Means Committee come to this wonderful conclusion? By what process of reasoning did they arrive at this conclusion? God only knows.

But patriotic Democrats will say that paragraph 6 of section 1 of Article II of the Constitution of the United States protects the present President. Well, if it does, which I doubt, let him claim his protection under the Constitution itself. Do not presuppose that he wants the exemption. Wait until he asks for it. If the present President is protected by the Constitution in his compensation, the only one who has the right to claim the protection of the Constitution is the one affected. Well, if the Constitution protects the compensation of the present President,

why write it into this law? It is unnecessary, as the Constitution of the United States is greater than any law which Congress can make. The facts are that if this exemption is not written into the law, the present President, in order to get his exemption, would either have to go into court and claim it, or would have to specifically ask for it, which would be very embarrassing to the present President, especially at this particular time. Is that the reason this exemption was written into the law? I stand for an opportunity for the present President to pay the income tax. This will be the last opportunity the present President will have. Perhaps he would cheerfully pay it; perhaps the Ways and Means Committee have gone altogether too far; perhaps the exemption is uncalled for.

I am for giving the present President a chance to at least pay the income tax during the last year he is in office. If he does not wish to pay, let him claim his exemption under the Constitution. The Democrats have talked a good deal about the Constitution, now let them use it.

Let no Ways and Means Committee dictate to the present President. [Applause on the Republican side.]

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Nebraska [Mr. SLOAN].

The question was taken, and the amendment was rejected.

Mr. GREEN of Iowa. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GREEN of Iowa: Page 92, line 8, after the word "of," strike out the figures "$10,000" and insert in lieu thereof "$7,500"; and in line 10 strike out "$6,000" and insert in lieu thereof "$5,000."

Mr. GREEN of Iowa. Mr. Chairman, I shall not discuss this but very briefly. It reduces the salary of the tariff commissioners from $10,000 to $7,500 and the salary of the secretary from $6,000 to $5,000.

I know of no reason why the salaries should have been fixed at this exorbitant amount in the first place. The House has just recently adopted an amendment making Members of Congress eligible on the commission, and I know no reason why they should get a higher salary, if appointed on this commission, than they receive now. The salaries provided by this amendment would be as large as any ever received by any similar commission. They are as large as ought to be received. The salary of the secretary is large and quite sufficient to get an able and competent man to fill this position. [Applause on the Republican side and cries of "Vote!" "Vote!"] Mr. Chairman, I ask for a vote.

Mr. RAINEY. Mr. Chairman, the salary is placed at $10,000 in the bill in order that we can secure the services of the most competent men—of the best men—as members of this commission. The salary is in harmony with other salaries. We fixed the salaries of the members of the Federal Trade Commission at $10,000 and the members of the Federal Reserve Board receive $12,000 and the members of the Board of Tariff Appraisers receive $9,000. This is a board superior, of course, to the Board of Tariff Appraisers. The gentleman from Iowa [Mr. GREEN] by his amendment would make it inferior in rank by reducing the salary to $7,500. These salaries are $1,000 more than those received by the members of the Board of Tariff Appraisers.

Mr. CULLOP rose.

The CHAIRMAN. For what purpose does the gentleman from Indiana rise?

Mr. CULLOP. I want to speak in behalf of the amendment offered by the gentleman from Iowa [Mr. GREEN].

The CHAIRMAN. Without objection, the gentleman from Indiana will be recognized. Is there objection? [After a pause.] The Chair hears none.

Mr. CULLOP. Mr. Chairman, I hope the amendment offered by the gentleman from Iowa [Mr. GREEN] will be adopted.

Ten thousand dollars seems to have been a stereotyped salary that has been fixed here for almost every office which has been created. When the rural-credit bill was up I offered an amendment, and it was adopted in the committee and by the House, fixing the salary of the members of the board at $7,500, and I believe that is an adequate compensation for the members of this board and that as good men can be obtained to act in this capacity for $7,500 a year as could be secured for $10,000 a year. It was my purpose to offer the same amendment here, but the gentleman from Iowa [Mr. GREEN] has beat me to it, and hence I join in requesting the adoption of his. While we are raising the salaries of the higher-up men, the men who do the real work are the low-paid men in the Government service, and this distinction that has been made all along ought to be obviated and the salaries put in proper proportion to the labor that is rendered. Therefore I hope the amendment offered by the gentleman from Iowa will be adopted. It will secure men abundantly qualified to perform the function and the labors of this commission and men who will perform them in a satisfactory manner, perform duties that will be of great credit to the service of the country.

Mr. Chairman, we are about to spread upon the statute books one of the most splendid measures that has ever been adopted by Congress in the history of this Government. [Applause on the Democratic side.] I am glad to see the gentleman from Iowa [Mr. GOOD] come out and indorse the measure. He already understands the public mind and the public sentiment bearing on this question, and gentlemen on that side must admit that their opposition to this measure is not because it is a bad measure, but because it emanates from the Democratic Party, and they do not want the Democratic Party to have the proper credit. [Applause on the Democratic side.]

Let me remind them of the fact that while they were in power the people of this country were demanding an income tax as one of the methods of raising the revenue of this great Government; they also demanded an inheritance tax, but they refused their demand, and now we propose to put both measures on the statute books. [Applause on the Democratic side.] We propose to respond to the wishes of the people and give them revenue legislation which will properly adjust the burdens of taxation in keeping with the governmental protection afforded; and in thus distributing the burdens, we will do justice to all the people.

Gentlemen on that side ask us to return to the tariff taxation. Aye, gentlemen, if we return to a Republican tariff, we will get no revenue, for the reason goods are not being imported from which duties could be collected. The gentleman from Iowa clearly showed that if their party when in power had adopted the preparedness program which the Democratic Party has put through they would have had to resort to some other method of taxation; they would have been driven to the method we are now adopting. If we were to return to the customhouse methods and adopt tariff duties, high protection, the customhouses of this country would not collect adequate revenues. The theory of the gentlemen on that side, who have advanced that plan of raising revenue, know it would be a failure because foreign goods are not coming into this country, and having no products admitted into the country, there would be no tariff collected. [Applause on the Democratic side.] This being true, some other method must be resorted to, and we are in this measure adopting the one most universally used. It is the popular one, the one the people demanded when the Republicans were in power, but they refused to adopt it, and the people commissioned the Democratic Party with power and instructed it to place the method into law, whereby it could be enforced, and we are obeying instructions. [Applause on the Democratic side.]

Gentlemen well know if their theory of protection was carried into practice it would not raise a single dollar of revenue. The theory carried to its ultimate analysis is that we should produce all of everything we consume. Buy nothing abroad. If we did that then a protective tariff would not raise a single dollar of revenue at any customhouse in this Union. No goods under such circumstances would be imported, and if no goods were imported then no tariff taxes could be collected, and in such event some other method of taxation for the purpose of supporting the Government would have to be adopted. If the Republican Party was in power and would attempt to enforce its theory of taxation it would prove futile. But that is out of the question. It is out of power, and by its course in this matter, it earned the opposition of the people, and they do not propose that it shall soon again get control of this Government. [Applause on the Democratic side.] It has been repudiated by the people, its policies condemned, and by its course on this measure it is demonstrating its incapacity, its want of accord with the thought, sentiment, and best interest of the people.

By its course in this matter it clearly demonstrates that it is still reactionary, hostile to progressive legislation, and unwilling to employ constructive legislation to promote the welfare of the people. Men on that side of the Chamber who shape and direct the policies of the Republican Party, so blinded with partisan zeal and actuated by partisan prejudice, have declared in this debate they would not vote for this measure because it was a Democratic measure, and have advised their colleagues to vote against it for the same reason. Such a thing in this enlightened age is almost inconceivable.

But it has so happened. Is it possible that men intrusted with high position are so blinded by party zeal and party prejudice that they would vote to defeat a concededly meritorious measure and punish the people because such measure was pro-

posed by the Democratic Party, the party in power? Men think of it and consider the degeneracy of those who would resort to such indefensible methods of party bigotry and party subserviency. Such a thing is almost incomprehensible. Such speeches have been made here to-day, such advice has been given. What will their constituents think when they learn of their course, and how will the country look upon them? When apprised of their attitude will not the verdict of all enlightened men be they are unworthy of the trust confided, unsuited for the positions they hold, and should be retired to private life, where they properly belong and should forever remain? [Applause on the Democratic side.]

Oh, banish such a thought, lay aside prejudice, cast out the bigotry, and come join us in the great work we are about to perform and show the country that you are too big to resort to such unpardonable things, and that above all you are patriots, serving your country and promoting its best interest, to advance the welfare of all its people. Remember that "he who serves his country best serves his party best." [Applause on the Democratic side.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. GREEN].

The question was taken; and on a division (demanded by Mr. GREEN of Iowa) there were 125 ayes and 86 noes.

Mr. RAINEY. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chairman appointed Mr. RAINEY and Mr. GREEN of Iowa.

The committee again divided; and the tellers reported that there were 143 ayes and 96 noes.

So the amendment was agreed to.

Mr. KITCHIN. Mr. Chairman, since we have had so many political speeches, it has deprived many Members who have important amendments, or amendments which they consider important, and perhaps they are kept from offering them. It will be impossible for us to debate all these amendments, and I believe that they should be placed before the House and be voted upon. I do not know as we can ask unanimous consent in the Committee of the Whole, but I will make this suggestion, and I hope it will be agreed to, that from now on until the committee has to rise, under the rule, all gentlemen who have amendments may send them up to the desk, have them read, and voted on, as soon as possible.

Mr. FORDNEY. Without debate.

Mr. KITCHIN. Without debate, because one amendment and debate would take up all the time.

Mr. HAMILTON of Michigan. When do we vote?

Mr. KITCHIN. The committee will rise at 5 o'clock.

Mr. HAMILTON of Michigan. That will give us 12 minutes to offer amendments.

The CHAIRMAN. The gentleman from North Carolina requests that those having amendments may offer them at this time and have them voted upon without debate.

Mr. BENNET. Reserving the right to object, this will be a useless mechanical performance. If we can not have time to consider an important bill like this, this automatic device for considering amendments is a waste of time, and I object.

Mr. KENT. Mr. Chairman, I wish to offer three amendments, as follows:

Page 67, line 14, strike out the words "including vermouth."
Page 67, line 22, strike out "4" and insert in lieu thereof "3."
Page 68, line 2, strike out "10" and insert in lieu thereof "7."

The first amendment is intended to provide more revenue for the Government. Vermouth is not a wine in a strict sense, but a wine compound, which is provided for in section 301 (e), page 76, line 11, at the rate of 24 cents a gallon. Taking vermouth out of its class and putting it in the wine column will result in a loss of revenue of something like $70,000, without any excuse at all. The use of vermouth is practically confined to the making of mixed drinks, and it could stand as high a tax as distilled liquor without appreciable effect on the price to the consumer.

The next two amendments are the result of more than five months of careful work with the best expert service that I could obtain. California produces about 90 per cent of the wine of the United States. The emergency-revenue tax of 8 cents a gallon almost resulted in the destruction of the dry-wine business, while the tax on brandy used for fortifying sweet wine has not been collected because the manufacture of sweet wine has been largely abandoned, owing to the impossibility of financing the fortifying tax. It has been my task to endeavor to remedy this condition and, at the same time, to provide a maximum possibility of revenue for the Government.

A bill was drafted with the aid of the Treasury Department, which provided a sliding scale of taxes based on alcohol content. As a compromise measure and for the sake of simplification in the schedule we concluded that the industry could stand a tax of 3 cents a gallon on dry wine up to 14 per cent alcohol content, and I had supposed that this was satisfactory to the committee, and this is the rate which I wish to replace the 4-cent rate reported in the bill. Dry wines are made from grapes that grow best on rocky hillsides, which are oftentimes unfit for any other crop. It is land of this sort that produces the best wine, and the discouragement of the industry by overtaxation works harm and hardship that are lasting.

On page 68, line 2, we find a rate of tax levied by the bill on sweet wines which run above 14 per cent in alcohol. These wines are largely grown on rich bottom land, and the tonnage product is much higher than of grapes grown on the hills for dry-wine purposes. In the manufacture of sweet wine grape brandy is used to add to the alcohol strength, with the intent of stopping fermentation and saving unfermented a portion of the natural sugar of the grape, which is nearly all fermented out in the process of making dry wine. The bill provides for a tax on the brandy used for fortification of 10 cents a gallon, and inasmuch as it takes about three-elevenths of a gallon of brandy to fortify a gallon of wine the added tax from the use of the brandy amounts to about 3 cents. In other words, sweet wines under the terms of this bill are taxed 10 cents on alcohol content plus 3 cents on the brandy used for fortification, making a total tax on the sweet wines of 13 cents a gallon. These wines are sold at so low a price as to make this tax almost prohibitive, and the result will be that those who have heretofore made sweet wine will avoid the tax of fortification and make an enormous quantity of dry wine, which will not be as good as the dry wine produced in the proper dry-wine districts. This, in my opinion, will at the present time cause a dislocation of the industry and will add to the burden of the dry-wine manufacturers, who are already suffering severely as a result of the previous tax measure.

I sincerely hope that these amendments may be adopted. I am certain that from the mere standpoint of revenue better results will obtain with the more moderate tax that I have suggested, the industry will be saved, and this is the opinion of the Treasury Department.

The CHAIRMAN. The question is on the amendment of the gentleman from California.

The question being taken, the amendment was rejected.

Mr. CROSSER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. CROSSER: In paragraph (b) of section 1, Title I, beginning with the words "exceeds $20,000," in line 12, page 2, strike out everything through the words "exceeds $500,000," in lines 6 and 7, page 3, and substitute the following: "and does not exceed $50,000, 2 per cent per annum upon the amount by which such total net income exceeds $50,000 and does not exceed $75,000, 3 per cent per annum upon the amount by which such total net income exceeds $75,000 and does not exceed $100,000, 4 per cent per annum upon the amount by which such total net income exceeds $100,000 and does not exceed $125,000, 5 per cent per annum upon the amount by which such total net income exceeds $125,000 and does not exceed $150,000, 6 per cent per annum upon the amount by which such total net income exceeds $150,000 and does not exceed $175,000, 7 per cent per annum upon the amount by which such total net income exceeds $175,000 and does not exceed $200,000, 8 per cent per annum upon the amount by which such total net income exceeds $200,000 and does not exceed $250,000, 9 per cent per annum upon the amount by which such total net income exceeds $250,000 and does not exceed $300,000, 10 per cent per annum upon the amount by which such total net income exceeds $300,000 and does not exceed $400,000, 11 per cent upon the amount by which such total net income exceeds $400,000 and does not exceed $500,000, 12 per cent per annum upon the amount by which such total net income exceeds $500,000."

Mr. CROSSER. Mr. Chairman, because of the rule giving preference to the members of the committee in charge of a bill, I have not been allowed time enough to discuss fully the amendment which I have offered for the purpose of increasing the supertax on annual incomes of $60,000 and over. I am therefore submitting a statement explaining the amendment.

The rates proposed in the bill submitted by Representative KITCHIN require amendment for the following reasons:

1. They discriminate unjustly against the taxpayer of modest income and in favor of the multimillionaire class. Under the proposed law the tax upon persons with incomes of from $3,000 to $20,000 is increased 100 per cent, while the supertax rate upon persons with incomes over $500,000 is increased only 66⅔ per cent. In no case is the supertax upon persons with incomes over $100,000 increased more than 80 per cent, and in the class with incomes of from $100,000 to $150,000 the increase is only 25 per cent.

This is shown in the following table, which compares the rates under the old and new laws. As several changes in classi-

fication have been made in the new bill there are several overlapping rates:

Supertax rates.

Class.	Old rate.	Rate proposed by pending bill.	Increase.
Normal tax upon incomes of unmarried men from $3,000 to $20,000 and upon incomes of married men from $4,000 to $20,000	Per cent. 1	Per cent. 2	Per cent. 100
$20,000 to $40,000	1	1	
$40,000 to $50,000	1	2	100
$50,000 to $60,000	2	2	
$60,000 to $75,000	2	3	50
$75,000 to $80,000	3	3	
$80,000 to $100,000	3	4	33⅓
$100,000 to $150,000	4	5	25
$150,000 to $200,000	4	6	50
$200,000 to $250,000	4	7	75
$250,000 to $300,000	5	8	60
$300,000 to $500,000	5	9	80
$500,000 and over	6	10	66⅔

2. The rate increases are extremely irregular, varying from no increase whatever in certain cases to 100 per cent in others, without regard to the question of discrimination.

3. The rate increases rise too sharply in the lower classes. It will be noted that the supertax rate increases 4 per cent in the first $100,000 and then increases to 8 per cent only after the $300,000 mark is passed, and for the next $200,000 increases only 1 per cent.

4. The corporation tax, which is increased from 1 per cent to 2 per cent, only serves to increase the discriminatory features of these rates. This arises from the fact that the corporation tax is not a tax upon corporations or upon the stockholders of corporations, but almost entirely a tax upon the consuming public. The tax is paid by the corporations, but is shifted directly to the consumers by addition to the price. This is most clearly seen in the case of railroads and other public utilities, who are permitted by courts and commissions to add such taxes to their costs in ascertaining what their rates should be.

5. The discrimination is particularly unjustified and subject to criticism in the case of the multimillionaire class, whose incomes are derived principally from dividends and interest on tax-free bonds. These wealthy individuals pay practically no normal tax, since under the law all income upon which the tax is paid at the source is exempt from further normal tax.

The extent to which such wealthy persons are exempt from the normal tax is shown by official figures compiled by the Bureau of Internal Revenue for the 173 individuals reporting incomes over $500,000 in 1914. These figures show that while the total gross incomes of these multimillionaires were $246,327,000, the following amounts were exempt from the normal tax—dividends, $153,699,000; salaries, $2,674,000, and at least 50 per cent of $29,986,000 interest on bonds, of which it is safe to assume that at least half are tax-free. In addition, reductions for expenses, and so forth, to the amount of $42,662,000 were allowed. Thus the normal tax was paid on not more than $30,000,000 out of the entire $246,000,000 gross income, or a little more than 12 per cent.

Such men as John D. Rockefeller, whose incomes are derived from securities, pay practically no normal tax. The greater part of the normal tax is paid by men with incomes derived from salaries, professions, and businesses, which they themselves own and operate. To tax this class in favor of the idle rich is the rankest kind of discrimination, and no individual or party can defend it before the country.

PROPOSED RATES.

The rates proposed in the amendment have been arranged to make the increases as nearly equitable as possible. This is done by leaving the classifications under $100,000 as they were in the Underwood Act, and subdividing into $25,000 increases the classifications from $100,000 to $200,000. This makes the increases much more gradual and uniform. The supertax rate increases 3 per cent in the first $100,000, 4 per cent in the second $100,000, and 5 per cent thereafter.

A complete comparison of the proposed rates with those submitted by Representative KITCHIN is made in the table on the attached sheet.

The proposed rates are not only more equitable, but will yield about $10,000,000 more revenue. The burden is placed where it can most easily be borne—upon the multimillionaire class with incomes over $250,000.

Comparison of rates—Kitchin bill and proposed rates.

NORMAL AND SUPER TAX RATES COMBINED.

Class.	Kitchin bill. Rate.	Kitchin bill. Increase over Underwood Act.	Class.	Proposed rates. Rate.	Proposed rates. Increase over Underwood Act.
	Per cent.	Per cent.		Per cent.	Per cent.
Normal tax	2	100	Normal tax	2	100
$20,000 to $40,000	2–1	50	$20,000 to $50,000	2–1	50
$40,000 to $50,000	2–2	100	$50,000 to $75,000	2–2	33⅓
$50,000 to $60,000	2–2	33⅓	$75,000 to $100,000	2–3	25
$60,000 to $75,000	2–3	66⅔	$100,000 to $125,000	2–4	20
$75,000 to $80,000	2–3	20	$125,000 to $150,000	2–5	40
$80,000 to $100,000	2–4	30	$150,000 to $175,000	2–6	60
$100,000 to $150,000	2–5	40	$175,000 to $200,000	2–7	80
$150,000 to $200,000	2–6	60	$200,000 to $250,000	2–8	100
$200,000 to $250,000	2–7	80	$250,000 to $300,000	2–9	83⅓
$250,000 to $300,000	2–8	66⅔	$300,000 to $400,000	2–10	100
$300,000 to $500,000	2–9	83⅓	$400,000 to $500,000	2–11	116⅔
$500,000 and over	2–10	71⅔	$500,000 and over	2–12	100

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. CROSSER].

The amendment was rejected.

Mr. WOOD of Indiana. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Indiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. WOOD of Indiana: Pages 79 and 80, strike out all of section 302 after the word "say," in line 11, on page 79, down to and including the word "tax," in line 6, on page 80.

SEVERAL MEMBERS. Vote! Vote!

Mr. WOOD of Indiana. Just a word, gentlemen. This is worth your while. This limits the tax on banks. Every bank in the United States has some interest in this amendment. The section I seek to amend clearly presents a case of double taxation. You say you are trying to do the best for the greatest number of people. There are a very great many people in very moderate circumstances who have some concern in this amendment, who have some little holdings in little banks in villages and towns throughout the United States. You are subjecting every bank, by reason of the bill as it is now presented, to double taxation. You are putting upon them a tax that you are not putting upon any other character of corporation, and I dare say that if you will stop and consider for a few minutes you will conclude that there is absolutely no necessity for singling out the banking institutions of this country and subjecting them to this extraordinary amount of tax. [Cries of "Vote!"] Every institution, every bank in this country, is now paying its full share of income tax as a corporation. If this extra tax goes upon the banks of the country, the interest rate will have to be made higher or the interest on deposits made lower. I wish to say to you, gentlemen, that if the banks of this country are to be subjected to this extraordinary tax there is but one of two ways whereby the banks can meet it.

One is that they will have to raise the interest charged upon the loans that they are making, or else reduce the rate of interest they are paying on deposits. There are many of the banks of this country that are not now paying dividends to their stockholders. It may be that in the large commercial centers they do, but what I say applies to many of the banks and many of the trust companies in the smaller towns and cities of this country, and there is no reason why this amendment should not be adopted in the interest of fair play and common justice.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana.

The question was taken; and on a division (demanded by Mr. WOOD of Indiana) there were—ayes 136, noes 104.

Mr. KITCHIN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed Mr. RAINEY and Mr. WOOD of Indiana to act as tellers.

The Committee again divided; and the tellers reported—ayes 169, noes 114.

So the amendment was agreed to.

The CHAIRMAN. The hour of 5 o'clock having arrived, and all pending amendments having been voted on, under the rule the committee will rise and report the bill to the House with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. FOSTER, Chairman of the Committee of the Whole House on the state of the Union, reported that that com-

mittee had had under consideration the bill (H. R. 16763) to increase the revenue, and for other purposes, and had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. KITCHIN. Mr. Speaker, I demand a separate vote on the amendment just adopted, offered by the gentleman from Indiana [Mr. WOOD].

Mr. RAINEY. Mr. Speaker, I demand a separate vote on the Fitzgerald amendment affecting the permanency of the commission.

Mr. RAGSDALE. Mr. Speaker, I demand a separate vote upon the salary amendment of the gentleman from Iowa [Mr. GREEN].

Mr. RAINEY. I also demand a separate vote on the Longworth amendment respecting ex-Members of Congress.

The SPEAKER. Is a separate vote demanded on any other amendment? [After a pause.] If not, the Chair will put them in gross. The question is on agreeing to the amendments.

The question was taken; and on a division (demanded by Mr. KITCHIN) there were—ayes 221, noes 5.

So the amendments were agreed to.

The SPEAKER. The Clerk will report the first of these amendments, upon which a separate vote is demanded.

Mr. KITCHIN. Mr. Speaker, I understand that the gentleman from South Carolina [Mr. RAGSDALE] withdraws his demand for a vote on the salary amendment.

Mr. MANN. We have to vote upon it, anyway.

The SPEAKER. The Clerk will report the first amendment to be voted upon.

The Clerk read as follows:

Amendment by Mr. LONGWORTH: Page 91, line 22, after the word "succeed," strike out the words "no person shall be eligible for appointment as a member of the commission who has been elected to or served in the Senate or House of Representatives of the United States."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. LONGWORTH) there were—ayes 239, noes 76.

So the amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment by Mr. FITZGERALD: Page 98, line 24, after the word "hereby," strike out the word "permanently," and on page 99, in line 5, before the word "each" insert the word "for," and in line 6, strike out the period and insert "a like sum is authorized to be appropriated."

Mr. FITZGERALD. Mr. Speaker, I ask that the paragraph may be reported as it would read if amended.

The SPEAKER. Without objection the paragraph will be reported as it will read should it be amended.

There was no objection.

The Clerk read as follows:

That there is hereby appropriated for the purpose of defraying the expense of the establishment and maintenance of the commission, including the payment of salaries herein authorized, out of any money in the Treasury of the United States not otherwise appropriated, the sum of $300,000 for the fiscal year ending June 30, 1917, and for each fiscal year thereafter a like sum is authorized to be appropriated.

The SPEAKER. The question is on the amendment.

The question was taken and the Speaker announced the ayes seemed to have it.

Mr. RAINEY. Mr. Speaker, I demand the yeas and nays on the amendment.

The SPEAKER. The gentleman from Illinois demands the yeas and nays on this amendment. [After counting.[Twenty-two gentlemen have arisen, not a sufficient number, and the yeas and nays are refused. [Applause.] The Clerk will report the next amendment.

The Clerk read as follows:

Amendment by Mr. GREEN of Iowa: Page 92, line 8, after the word "of" strike out the figures "$10,000" and insert in lieu thereof "$7,500; in line 10, strike out "$6,000" and insert "$5,000."

The SPEAKER. The question is on the amendment.

The question was taken and the amendment was agreed to. [Applause.]

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment by Mr. WOOD of Indiana: Pages 79 and 80, strike out all of section 302 after the word "say," in line 11, on page 79, down to and including the word "tax," in line 6, on page 80.

The SPEAKER. The question is on the Wood amendment.

The question was taken, and the Speaker announced the ayes seemed to have it.

Mr. KITCHIN. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. DILLON. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. DILLON. I would like to have the amendment again reported.

The SPEAKER. Without objection, the Clerk will again report the amendment.

There was no objection.

The amendment was again reported.

The question was taken; and there were—yeas 202, nays 167, answered "present" 10, not voting 55, as follows:

YEAS—202.

Anderson	Fess	La Follette	Rowe
Anthony	Focht	Lehlbach	Rowland
Ashbrook	Fordney	Liebel	Russell, Ohio
Austin	Foss	Littlepage	Sanford
Bacharach	Frear	Longworth	Schall
Barchfeld	Freeman	Loud	Scott, Mich.
Beales	Fuller	McAndrews	Scott, Pa.
Bennet	Gardner	McArthur	Sells
Bowers	Garland	McCracken	Shallenberger
Britt	Gillett	McCulloch	Siegel
Britten	Glass	McDermott	Sinnott
Browne	Glynn	McKenzie	Slemp
Browning	Good	McKinley	Sloan
Buchanan, Tex.	Gould	McLaughlin	Smith, Idaho
Butler	Green, Iowa	McLemore	Smith, Mich.
Campbell	Greene, Mass.	Madden	Smith, Minn.
Cannon	Greene, Vt.	Magee	Snell
Carter, Mass.	Griest	Mann	Snyder
Chandler, N. Y.	Hadley	Mapes	Stafford
Charles	Hamilton, Mich.	Martin	Steele, Pa.
Chiperfield	Hamilton, N. Y.	Matthews	Stephens, Cal.
Coleman	Harrison	Miller, Del.	Sterling
Cooper, Ohio	Haskell	Miller, Minn.	Stiness
Cooper, W. Va.	Hawley	Mondell	Stone
Cooper, Wis.	Hayes	Montague	Stout
Copley	Heaton	Mooney	Sulloway
Costello	Helgesen	Moore, Pa.	Sutherland
Crago	Hernandez	Moores, Ind.	Sweet
Cramton	Hicks	Morgan, Okla.	Swift
Curry	Hill	Morin	Switzer
Dale, Vt.	Hinds	Mott	Temple
Dallinger	Hollingsworth	Mudd	Timberlake
Danforth	Hopwood	Nelson	Tinkham
Darrow	Hull, Iowa	Nichols, Mich.	Towner
Davis, Minn.	Humphrey, Wash.	Nolan	Treadway
Dempsey	Humphreys, Miss.	Norton	Vare
Denison	James	Oakey	Venable
Dewalt	Johnson, S. Dak.	Olney	Walsh
Dillon	Johnson, Wash.	O'Shaunessy	Ward
Doughton	Kearns	Page, N. C.	Wason
Dowell	Keister	Parker, N. J.	Watson, Pa.
Drukker	Kelley	Parker, N. Y.	Wheeler
Dunn	Kennedy, Iowa	Platt	Williams, T. S.
Dupré	Kennedy, R. I.	Pratt	Williams, Ohio
Edmonds	Kent	Ramseyer	Wilson, Ill.
Ellsworth	Kettner	Reavis	Wilson, La.
Elston	Kiess, Pa.	Ricketts	Winslow
Emerson	King	Roberts, Mass.	Wood, Ind.
Esch	Kinkaid	Roberts, Nev.	Young, N. Dak.
Estopinal	Kreider	Rodenberg	
Farr	Lafean	Rogers	

NAYS—167.

Abercrombie	Dale, N. Y.	Howard	Reilly
Adair	Davenport	Huddleston	Riordan
Adamson	Davis, Tex.	Hughes	Rouse
Aiken	Decker	Hulbert	Rubey
Alexander	Dent	Hull, Tenn.	Rucker
Allen	Dickinson	Igoe	Russell, Mo.
Almon	Dies	Jacoway	Saunders
Aswell	Dill	Johnson, Ky.	Scully
Ayres	Dixon	Keating	Sears
Bailey	Dooling	Kincheloe	Sherley
Barkley	Doolittle	Kitchin	Shouse
Beakes	Eagan	Konop	Sims
Bell	Evans	Lazaro	Sisson
Blackmon	Farley	Lee	Small
Booher	Ferris	Lesher	Sparkman
Borland	Finley	Lever	Steagall
Bruckner	Fitzgerald	Lewis	Stedman
Brumbaugh	Flood	Lieb	Stephens, Miss.
Buchanan, Ill.	Flynn	Linthicum	Stephens, Nebr.
Burke	Gallivan	Lloyd	Stephens, Tex.
Burnett	Gandy	Lobeck	Sumners
Byrnes, S. C.	Gard	London	Taggart
Byrns, Tenn.	Garner	McClintic	Tague
Caldwell	Garrett	McGillicuddy	Talbott
Candler, Miss.	Godwin, N. C.	McKellar	Tavenner
Caraway	Goodwin, Ark.	Maher	Taylor, Ark.
Carew	Gordon	Mays	Taylor, Colo.
Carlin	Gray, Ala.	Moss, Ind.	Thomas
Carter, Okla.	Gray, Ind.	Neely	Thompson
Cary	Griffin	Oldfield	Tillman
Casey	Hamill	Oliver	Tribble
Church	Hamlin	Overmyer	Van Dyke
Clark, Fla.	Hardy	Padgett	Vinson
Cline	Hastings	Park	Volstead
Coady	Haugen	Patten	Walker
Collier	Hay	Phelan	Watkins
Connelly	Hayden	Price	Watson, Va.
Conry	Helm	Quin	Whaley
Cox	Helvering	Ragsdale	Williams, W. E.
Crisp	Hensley	Rainey	Wingo
Crosser	Hilliard	Raker	Young, Tex.
Cullop	Hood	Randall	

ANSWERED "PRESENT"—10.

Dyer	Langley	Paige, Mass.	Wise
Gallagher	Meeker	Sabath	
Holland	Morrison	Steenerson	

NOT VOTING—55.

Barnhart	Gray, N. J.	Lindbergh	Powers
Black	Gregg	Loft	Rauch
Burgess	Guernsey	McFadden	Rayburn
Callaway	Hart	Miller, Pa.	Shackleford
Cantrill	Heflin	Moon	Sherwood
Capstick	Henry	Morgan, La.	Slayden
Doremus	Houston	Moss, W. Va.	Smith, N. Y.
Driscoll	Howell	Murray	Smith, Tex.
Eagle	Husted	Nicholls, S. C.	Steele, Iowa
Edwards	Hutchinson	North	Tilson
Fairchild	Jones	Oglesby	Webb
Fields	Kahn	Peters	Wilson, Fla.
Foster	Key, Ohio	Porter	Woods, Iowa
Graham	Lenroot	Pou	

So the amendment was agreed to.

The Clerk announced the following pairs.

For the session:

Mr. CANTRILL with Mr. LANGLEY.

On this vote:

Mr. SHACKLEFORD (against amendment) with Mr. DYER (for).

Mr. HEFLIN (against amendment) with Mr. GRAHAM (for).

Mr. STEELE of Iowa (against amendment) with Mr. MEEKER (for).

Mr. BLACK (against amendment) with Mr. CAPSTICK (for).

Mr. SLAYDEN (against amendment) with Mr. FAIRCHILD (for).

Mr. FIELDS (against amendment) with Mr. GRAY of New Jersey (for).

Mr. BURGESS (against amendment) with Mr. Moss of West Virginia (for).

Mr. NICHOLLS of South Carolina (against amendment) with Mr. HUTCHINSON (for).

Mr. WILSON of Florida (against amendment) with Mr. PORTER (for).

Until further notice:

Mr. DOREMUS with Mr. HOWELL.

Mr. GREGG with Mr. STEENERSON.

Mr. CALLAWAY with Mr. PETERS.

Mr. SHERWOOD with Mr. WOODS of Iowa.

Mr. WEBB with Mr. MILLER of Pennsylvania.

Mr. DRISCOLL with Mr. TILSON.

Mr. HOUSTON with Mr. GUERNSEY.

Mr. RAUCH with Mr. HUSTED.

Mr. RAYBURN with Mr. KAHN.

Mr. KEY of Ohio with Mr. POWERS.

Mr. MOON with Mr. NORTH.

Mr. POU with Mr. MCFADDEN.

Mr. LANGLEY. Mr. Speaker, did my colleague, Mr. CANTRILL vote?

The SPEAKER. He did not.

Mr. LANGLEY. I have a general pair with him, Mr. Speaker. I voted "yea," and wish to change that and answer "present."

The name of Mr. LANGLEY was called, and he answered "Present."

Mr. GALLAGHER. Mr. Speaker, I wish to change my vote from "yea" to "present."

The name of Mr. GALLAGHER was called, and he answered "Present."

Mr. SABATH. Mr. Speaker, I voted "yea." I desire to withdraw that vote and answer "present."

The name of Mr. SABATH was called, and he answered "Present."

Mr. MEEKER. Mr. Speaker, I am paired with the gentleman from Iowa [Mr. STEELE] on the bill and all amendments, and I wish to change my vote from "yea" to "present."

The name of Mr. MEEKER was called, and he answered "Present."

Mr. FOSTER. Mr. Speaker, I was called out of the Hall, and when I returned my name had been called.

The SPEAKER. The gentleman does not come within the rule.

Mr. FOSTER. I desired to vote.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the engrossment and third reading of the bill.

Mr. FORDNEY. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. The gentleman from Michigan offers a motion to recommit, which the Clerk will report.

The Clerk read as follows:

Mr. FORDNEY moves to recommit H. R. 16763 to the Committee on Ways and Means with instructions to amend the bill so as to raise an equitable portion of the required revenue from a protective tariff, "Sufficient to protect adequately American industry and American labor, and to be so adjusted as to prevent undue exactions by monopolies or trusts," paying particular attention to the conditions inevitable at the close of the present European war, with a view to insuring the industrial independence of the United States.

[Applause on the Republican side.]

Mr. KITCHIN. Mr. Speaker, I make a point of order against that.

The SPEAKER. What is the point of order?

Mr. KITCHIN. That it is contrary to Rule XXI, section 3, and it is not germane to the subject matter or to any item in it.

The SPEAKER. The point of order is sustained.

Mr. MANN. Mr. Speaker, I respectfully appeal from the decision of the Chair.

The SPEAKER. The gentleman from Illinois [Mr. MANN] appeals from the decision of the Chair.

Mr. MANN. And on that I ask for the yeas and nays.

Mr. FITZGERALD. Mr. Speaker, I move to lay the appeal on the table.

Mr. GARDNER. Mr. Speaker, a parliamentary inquiry. May the gentleman from New York move to lay the appeal on the table after the yeas and nays are ordered?

Mr. FITZGERALD. They are not ordered yet.

The SPEAKER. Does the gentleman from Illinois renew the demand for the yeas and nays?

Mr. MANN. I ask for the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. The question is on the motion of the gentleman from New York [Mr. FITZGERALD] to lay on the table the appeal of the gentleman from Illinois [Mr. MANN] from the decision of the Chair. Those in favor of the motion will, when their names are called, answer "yea"; those opposed will answer "nay."

The question was taken; and there were—yeas 199, nays 181, answered "present" 5, not voting 49, as follows:

YEAS—199.

Abercrombie	Dies	Jacoway	Rauch
Adair	Dill	Johnson, Ky.	Reilly
Adamson	Dixon	Jones	Riordan
Aiken	Dooling	Keating	Rouse
Alexander	Doolittle	Kent	Rubey
Allen	Doughton	Kettner	Rucker
Almon	Dupré	Kincheloe	Russell, Mo.
Ashbrook	Eagan	Kitchin	Sabath
Aswell	Estopinal	Konop	Saunders
Ayres	Evans	Lazaro	Scully
Bailey	Farley	Lee	Sears
Barkley	Ferris	Lesher	Shallenberger
Beakes	Finley	Lever	Sherley
Bell	Fitzgerald	Lewis	Shouse
Blackmon	Flood	Lieb	Sims
Booher	Flynn	Liebel	Sisson
Borland	Foster	Linthicum	Small
Bruckner	Gallagher	Littlepage	Sparkman
Brumbaugh	Gallivan	Lloyd	Steagall
Buchanan, Ill.	Gandy	Lobeck	Stedman
Buchanan, Tex.	Gard	London	Stephens, Miss.
Burke	Garner	McAndrews	Stephens, Nebr.
Burnett	Garrett	McClintic	Stephens, Tex.
Byrnes, S. C.	Glass	McDermott	Stone
Byrns, Tenn.	Godwin, N. C.	McGillicuddy	Stout
Caldwell	Goodwin, Ark.	McKellar	Sumners
Candler, Miss.	Gordon	McLemore	Taggart
Caraway	Gray, Ala.	Maher	Tague
Carew	Grav, Ind.	Mays	Talbott
Carlin	Griffin	Montague	Tavenner
Carter, Okla.	Hamill	Moon	Taylor, Ark.
Casey	Hamlin	Morrison	Taylor, Colo.
Church	Hardy	Moss, Ind.	Thomas
Clark, Fla.	Harrison	Neely	Thompson
Cline	Hastings	Oldfield	Tillman
Coady	Hay	Oliver	Tribble
Collier	Hayden	Olney	Van Dyke
Connelly	Helm	O'Shaunessy	Venable
Conry	Helvering	Overmyer	Vinson
Cox	Hensley	Padgett	Walker
Crisp	Hilliard	Page, N. C.	Watkins
Crosser	Holland	Park	Watson, Va.
Cullop	Hood	Patten	Webb
Dale, N. Y.	Howard	Phelan	Whaley
Davenport	Huddleston	Price	Williams, W. E.
Davis, Tex.	Hughes	Quin	Wilson, La.
Decker	Hulbert	Ragsdale	Wingo
Dent	Hull, Tenn.	Rainey	Wise
Dewalt	Humphreys, Miss.	Raker	Young, Tex.
Dickinson	Igoe	Randall	

NAYS—181.

Anderson	Carter, Mass.	Dallinger	Farr
Anthony	Cary	Danforth	Fess
Austin	Chandler, N. Y.	Darrow	Focht
Bacharach	Charles	Davis, Minn.	Fordney
Barchfeld	Chiperfield	Dempsey	Foss
Beales	Coleman	Denison	Frear
Bennet	Cooper, Ohio	Dillon	Freeman
Bowers	Cooper, W. Va.	Dowell	Fuller
Britt	Cooper, Wis.	Drukker	Gardner
Britten	Copley	Dunn	Garland
Browne	Costello	Edmonds	Gillett
Browning	Crago	Ellsworth	Glynn
Butler	Cramton	Elston	Good
Campbell	Curry	Emerson	Gould
Cannon	Dale, Vt.	Esch	Green, Iowa

Greene, Mass.	Kreider	Nolan	Snyder
Greene, Vt.	Lafean	Norton	Stafford
Griest	La Follette	Oakey	Stephens, Cal.
Hadley	Lehlbach	Paige, Mass.	Sterling
Hamilton, Mich.	Lindbergh	Parker, N. J.	Stiness
Hamilton, N. Y.	Longworth	Parker, N. Y.	Sullowav
Haskell	Loud	Platt	Sutherland
Haugen	McArthur	Pratt	Sweet
Hawley	McCracken	Ramseyer	Swift
Hayes	McCulloch	Reavis	Switzer
Heaton	McKenzie	Ricketts	Temple
Helgesen	McKinley	Roberts, Mass.	Timberlake
Hernandez	McLaughlin	Roberts, Nev.	Tinkham
Hicks	Madden	Rodenberg	Towner
Hill	Magee	Rogers	Treadway
Hinds	Mann	Rowe	Vare
Hollingsworth	Mapes	Rowland	Volstead
Hopwood	Martin	Russell, Ohio	Walsh
Hull, Iowa	Matthews	Sanford	Ward
Humphrey, Wash.	Miller, Del.	Schall	Wason
James	Miller, Minn.	Scott, Mich.	Watson, Pa.
Johnson, S. Dak.	Mondell	Scott, Pa.	Wheeler
Johnson, Wash.	Mooney	Sells	Williams, T. S.
Kearns	Moore, Pa.	Siegel	Williams, Ohio
Keister	Moores, Ind.	Sinnott	Wilson, Ill.
Kelley	Morgan, Okla.	Slemp	Winslow
Kennedy, Iowa	Morin	Sloan	Wood, Ind.
Kennedy, R. I.	Mott	Smith, Idaho	Young, N. Dak.
Kiess, Pa.	Mudd	Smith, Mich.	
King	Nelson	Smith, Minn.	
Kinkaid	Nichols, Mich.	Snell	

ANSWERED "PRESENT"—5.

Dyer	Meeker	Steele, Pa.	Steenerson
Langley			

NOT VOTING—49.

Barnhart	Gray, N. J.	Loft	Rayburn
Black	Gregg	McFadden	Shackleford
Burgess	Guernsey	Miller, Pa.	Sherwood
Callaway	Hart	Morgan, La.	Slayden
Cantrill	Heflin	Moss, W. Va.	Smith, N. Y.
Capstick	Henry	Murray	Smith, Tex.
Doremus	Houston	Nicholls, S. C.	Steele, Iowa
Driscoll	Howell	North	Tilson
Eagle	Husted	Oglesby	Wilson, Fla.
Edwards	Hutchinson	Peters	Woods, Iowa
Fairchild	Kahn	Porter	
Fields	Key, Ohio	Pou	
Graham	Lenroot	Powers	

So the motion to table the appeal was agreed to.

The Clerk announced the following additional pairs:

On the vote:

Mr. BLACK (for) with Mr. CAPSTICK (against).

Mr. SLAYDEN (for) with Mr. FAIRCHILD (against).

Mr. FIELDS (for) with Mr. GRAY of New Jersey (against).

Mr. BURGESS (for) with Mr. Moss of West Virginia (against).

Mr. NICHOLLS of South Carolina (for) with Mr. HUTCHINSON (against).

Mr. WILSON of Florida (for) with Mr. PORTER (against).

Mr. STEELE of Iowa (for) with Mr. MEEKER (against).

Mr. DOREMUS (for) with Mr. HOWELL (against).

Mr. GREGG (for) with Mr. STEENERSON (against).

Mr. HEFLIN (for) with Mr. GRAHAM (against).

Mr. SHACKLEFORD (for) with Mr. DYER (against).

Until further notice:

Mr. MURRAY with Mr. NORTH.

Mr. BARNHART with Mr. HUSTED.

Mr. LANGLEY. Mr. Speaker, I voted "no," but I am paired with my colleague Mr. CANTRILL. I desire to withdraw my vote and answer "present."

The SPEAKER pro tempore (Mr. CRISP). The Clerk will call the gentleman's name.

The Clerk called the name of Mr. LANGLEY, and he answered "Present."

The result of the vote was announced as above recorded.

The announcement of the result was greeted with applause on the Democratic side.

The SPEAKER. The question is on the passage of the bill.

Mr. MANN. Mr. Speaker, I demand the yeas and nays.

Mr. KITCHIN. Yeas and nays, Mr. Speaker.

Mr. CULLOP. I demand the yeas and nays.

The SPEAKER. The gentleman from North Carolina [Mr. KITCHIN] and the gentleman from Illinois [Mr. MANN] and the gentleman from Indiana [Mr. CULLOP] demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and there were—yeas 238, nays 142, answering "present" 4, not voting 50, as follows:

YEAS—238.

Abercrombie	Aswell	Browne	Caldwell
Adair	Ayres	Bruckner	Candler, Miss.
Adamson	Bailey	Brumbaugh	Caraway
Aiken	Barkley	Buchanan, Ill.	Carew
Alexander	Beakes	Buchanan, Tex.	Carlin
Allen	Bell	Burke	Carter, Okla.
Almon	Blackmon	Burnett	Cary
Anderson	Booher	Byrnes, S. C.	Casey
Ashbrook	Borland	Byrns, Tenn.	Church
Clark, Fla.	Good	Lobeck	Sears
Cline	Goodwin, Ark.	London	Shallenberger
Coady	Gordon	Longworth	Sherley
Collier	Gray, Ala.	McAndrews	Shouse
Connelly	Gray, Ind.	McClintic	Sims
Conry	Green, Iowa	McCulloch	Sinnott
Cooper, Wis.	Griffin	McDermott	Sisson
Copley	Hamill	McGillicuddy	Sloan
Cox	Hamlin	McKellar	Small
Crisp	Hardy	McLemore	Smith, Minn.
Crosser	Harrison	Maher	Sparkman
Cullop	Hastings	Mays	Stafford
Dale, N. Y.	Hawley	Miller, Minn.	Steagall
Davenport	Hay	Montague	Stedman
Davis, Minn.	Hayden	Moon	Steele, Pa.
Davis, Tex.	Helgesen	Morgan, Okla.	Steenerson
Decker	Helm	Morrison	Stephens, Cal.
Dent	Helvering	Moss, Ind.	Stephens, Miss.
Dickinson	Hensley	Neely	Stephens, Nebr.
Dies	Hilliard	Nolan	Stephens, Tex.
Dill	Holland	Norton	Stone
Dillon	Hood	Oldfield	Stout
Dixon	Howard	Oliver	Sumners
Dooling	Huddleston	Olney	Sweet
Doolittle	Hughes	O'Shaunessy	Taggart
Doughton	Hulbert	Overmyer	Tague
Dowell	Hull, Tenn.	Padgett	Talbott
Dupré	Humphreys, Miss.	Page, N. C.	Tavenner
Eagan	Igoe	Park	Taylor, Ark.
Ellsworth	Jacoway	Patten	Taylor, Colo.
Elston	Johnson, Ky.	Phelan	Thomas
Esch	Johnson, S. Dak.	Price	Thompson
Estopinal	Jones	Quin	Tillman
Evans	Keating	Ragsdale	Tribble
Farley	Kent	Rainey	Van Dyke
Farr	Kettner	Raker	Venable
Ferris	Kincheloe	Ramseyer	Vinson
Finley	Kinkaid	Randall	Volstead
Fitzgerald	Kitchin	Rauch	Walker
Flood	Konop	Reavis	Watkins
Flynn	Lazaro	Reilly	Watson, Va.
Foster	Lee	Riordan	Webb
Gallagher	Lesher	Roberts, Nev.	Whaley
Gallivan	Lever	Rouse	Williams, W. E.
Gandy	Lewis	Rubey	Wilson, La.
Gard	Lieb	Rucker	Wingo
Gardner	Liebel	Russell, Mo.	Wise
Garner	Lindbergh	Sabath	Young, N. Dak.
Garrett	Linthicum	Saunders	Young, Tex.
Glass	Littlepage	Schall	
Godwin, N. C.	Lloyd	Scully	

NAYS—142.

Anthony	Fordney	Kreider	Rowland
Austin	Foss	Lafean	Russell, Ohio
Bacharach	Frear	La Follette	Sanford
Barchfeld	Freeman	Lehlbach	Scott, Mich.
Beales	Fuller	Loud	Scott, Pa.
Bennet	Garland	McArthur	Sells
Bowers	Gillett	McCracken	Siegel
Britt	Glynn	McKenzie	Slemp
Britten	Gould	McKinley	Smith, Idaho
Browning	Greene, Mass.	McLaughlin	Smith, Mich.
Butler	Greene, Vt.	Madden	Snell
Campbell	Griest	Magee	Snyder
Cannon	Hadley	Mann	Sterling
Carter, Mass.	Hamilton, Mich.	Mapes	Stiness
Chandler, N. Y.	Hamilton, N. Y.	Martin	Sullowav
Charles	Haskell	Matthews	Sutherland
Chiperfield	Haugen	Miller, Del.	Swift
Coleman	Hayes	Mondell	Switzer
Cooper, Ohio	Heaton	Mooney	Temple
Cooper, W. Va.	Hernandez	Moore, Pa.	Timberlake
Costello	Hicks	Morin	Tinkham
Crago	Hill	Mott	Towner
Cramton	Hinds	Mudd	Treadway
Curry	Hollingsworth	Nelson	Vare
Dale, Vt.	Hopwood	Nichols, Mich.	Walsh
Dallinger	Hull, Iowa	Oakey	Ward
Danforth	Humphrey, Wash.	Paige, Mass.	Wason
Darrow	James	Parker, N. J.	Watson, Pa.
Dempsey	Johnson, Wash.	Parker, N. Y.	Wheeler
Denison	Kearns	Platt	Williams, T. S.
Drukker	Keister	Pratt	Williams, Ohio
Dunn	Kelley	Ricketts	Wilson, Ill.
Edmonds	Kennedy, Iowa	Roberts, Mass.	Winslow
Emerson	Kennedy, R. I.	Rodenburg	Wood, Ind.
Fess	Kiess, Pa.	Rogers	
Focht	King	Rowe	

ANSWERING "PRESENT"—4.

Dewalt	Dyer	Langley	Meeker

NOT VOTING—50.

Barnhart	Gray, N. J.	Loft	Powers
Black	Gregg	McFadden	Rayburn
Burgess	Guernsey	Miller, Pa.	Shackleford
Callaway	Hart	Moores, Ind.	Sherwood
Cantrill	Heflin	Morgan, La.	Slayden
Capstick	Henry	Moss, W. Va.	Smith, N. Y.
Doremus	Houston	Murray	Smith, Tex.
Driscoll	Howell	Nicholls, S. C.	Steele, Iowa
Eagle	Husted	North	Tilson
Edwards	Hutchinson	Oglesby	Wilson, Fla.
Fairchild	Kahn	Peters	Woods, Iowa
Fields	Key, Ohio	Porter	
Graham	Lenroot	Pou	

So the bill was passed.

During the roll call,

Mr. MOORES of Indiana (when his name was called). Mr. Speaker, I ask to be excused from voting, and I have a right after the roll call to state my reasons.

A MEMBER. I object.

The SPEAKER pro tempore (Mr. FITZGERALD). The gentleman can not interrupt the roll call. He will either answer to his name or keep silent.

The Clerk completed the first calling of the roll.

The SPEAKER pro tempore. The Clerk will call the names of Members failing to respond on the first roll call.

Mr. MOORES of Indiana (when his name was called on the second roll call). Mr. Speaker, if there is objection to my request to be excused, I will vote "nay."

The Clerk resumed and completed the calling of the roll.

The Clerk announced the following additional pairs:

For the session:

Mr. DEWALT with Mr. MCFADDEN.

Until further notice:

Mr. MURRAY with Mr. PORTER.

Mr. POU with Mr. DALE of Vermont.

Mr. FIELDS with Mr. MILLER of Pennsylvania.

On this vote:

Mr. WILSON of Florida (for bill) with Mr. HUSTED (against).

Mr. SHACKLEFORD (for bill) with Mr. DYER (against).

Mr. HEFLIN (for bill) with Mr. GRAHAM (against).

Mr. DOREMUS (for bill) with Mr. HOWELL (against).

Mr. STEELE of Iowa (for bill) with Mr. MEEKER (against).

Mr. NICHOLLS of South Carolina (for bill) with Mr. HUTCHINSON (against).

Mr. BURGESS (for bill) with Mr. Moss of West Virginia (against).

Mr. HART (for bill) with Mr. GRAY of New Jersey (against).

Mr. SLAYDEN (for bill) with Mr. FAIRCHILD (against).

Mr. BLACK (for bill) with Mr. CAPSTICK (against).

Mr. DEWALT. Mr. Speaker, I voted "aye." I am paired with the gentleman from Pennsylvania, Mr. MCFADDEN, and I wish to withdraw my vote and answer "present."

Mr. LANGLEY. Mr. Speaker, I voted against the bill; but I am paired with my colleague Mr. CANTRILL. I wish to withdraw that vote and answer "present."

Mr. MOORES of Indiana. Mr. Speaker, I ask to be excused from voting on this proposition for the reason that I own five or six thousand dollars' interest in dyestuffs. I have voted "no," but I would like to be excused.

The SPEAKER. If that rule should prevail, there would be no vote in the House, for every Member is more or less interested in the result of the bill. The gentleman from Indiana asks to be excused. Is there objection?

Mr. RAINEY. Reserving the right to object, what was the ground of the request?

The SPEAKER. The request of the gentleman from Indiana is to be excused from voting because he owns an interest in dyestuffs to the amount of five or six thousand dollars.

Mr. MANN. Every honest man in this House pays an income tax under the law.

The SPEAKER. He pays it not because he is honest, but because the Sergeant at Arms takes it out of his salary. [Laughter.] The gentleman from Indiana asks to be excused from voting. Is there objection?

Mr. RAINEY. I have no objection to the gentleman withdrawing his vote and answering "present." I do not think a man ought to be excused from voting for the reason stated. Every Member in this body has exactly the same reason.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none; the gentleman's vote is withdrawn and he is excused. The Chair does not want this off-hand decision taken as a precedent. The Chair investigated the matter once, but he has forgotten what the conclusion was.

Mr. GARRETT. Mr. Speaker, the gentleman from Indiana is exercising a constitutional right.

Mr. MANN. I ask for the regular order; that matter has been disposed of.

The SPEAKER. The Chair recalls this although he does not know where to put his hand on it. One time the House undertook to make John Quincy Adams vote. He wrangled with them for two or three weeks, introduced resolutions, but they never did make him vote. That is the reverse side of this question.

The result of the vote was then announced as above recorded.

On motion of Mr. KITCHIN, a motion to reconsider the vote whereby the bill was passed was laid on the table.

LEAVE OF ABSENCE.

Mr. CAPSTICK, by unanimous consent, was given leave of absence for 10 days, on account of illness.

LEAVE TO ADDRESS THE HOUSE.

Mr. BYRNS of Tennessee. Mr. Speaker, I ask unanimous consent that I may be permitted to address the House for 30 minutes to-morrow morning immediately after the reading of the Journal.

Mr. MANN. I understand the gentleman has a matter of personal privilege, but he makes this request for unanimous consent.

Mr. BYRNS of Tennessee. Not a matter of personal privilege, but more in the nature of a House privilege.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that to-morrow, immediately after the reading of the Journal and the clearing up of business on the Speaker's table, he may address the House for 30 minutes. Is there objection?

There was no objection.

VOTING DEVICE.

Mr. LLOYD. Mr. Speaker, I wish to present a report (No. 940) on House resolution 223, known as the voting device, and I ask unanimous consent that the minority may have leave to file minority views at once.

Mr. FITZGERALD. Mr. Speaker, I reserve all points of order.

The SPEAKER. Who is the minority?

Mr. LLOYD. Mr. MILLER of Delaware represents the minority.

Mr. MANN. Give him until to-morrow.

Mr. LLOYD. Mr. Speaker, I also ask in that connection, at the instance of the minority, that the views be printed separately.

The SPEAKER. The gentleman from Missouri asks unanimous consent, at the instance of the minority, that the views be printed separately. Is there objection? [After a pause.] The Chair hears none. When will the gentleman from Delaware file them?

Mr. MILLER of Delaware. I am going to file them to-night, Mr. Speaker.

The SPEAKER. Well, it will go on the House Calendar.

ENROLLED BILLS SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and joint resolution of the following titles, when the Speaker signed the same:

H. R. 16287. An act granting the consent of Congress to the county of Sumter, or to the county of Dooly, both of the State of Georgia, acting jointly or separately, and their successors and assigns to construct a bridge across the Flint River;

H. R. 16641. An act granting the consent of Congress to Julian B. McCurry, A. G. McCurry, P. W. Walton, and J. J. Fretwell to construct a bridge across the Savannah River; and

H. J. Res. 257. Joint resolution permitting the use of certain hospital facilities belonging to the United States.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills:

H. R. 3673. An act to establish a term of the United States circuit court of appeals at Asheville, N. C.;

H. R. 8351. An act to accept a deed of gift or conveyance from the Lincoln Farm Association, a corporation, to the United States of America of land near the town of Hodgenville, county of Larue, State of Kentucky, embracing the homestead of Abraham Lincoln and the log cabin in which he was born, together with the memorial hall inclosing the same; and further, to accept an assignment or transfer of an endowment fund of $50,000 in relation thereto; and

H. R. 11878. An act to amend section 99 of the act to codify, revise, and amend the laws relating to the judiciary.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

Mr. CONRY. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. MANN. Mr. Speaker, I ask for the regular order.

The SPEAKER. The regular order is the motion to adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 3 minutes p. m.) the House adjourned to meet to-morrow, Tuesday, July 11, 1916, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of South Bristol Harbor, Me. (H. Doc. No. 1278), was taken from the Speaker's table, referred to the Committee on Rivers and Harbors, and ordered to be printed with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and a joint resolution were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. CURRY, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill (H. R. 8816) authorizing the Commissioner of Navigation to cause the sailing vessel *Golden Gate* to be registered as a vessel of the United States, reported the same with amendment, accompanied by a report (No. 936), which said bill and report were referred to the House Calendar.

Mr. LENROOT, from the Committee on the Public Lands, to which was referred the bill (H. R. 8844) for the relief of H. B. Rogers, reported the same with amendment, accompanied by a report (No. 937), which said bill and report were referred to the Private Calendar.

Mr. COLEMAN, from the Committee on Mines and Mining, to which was referred the joint resolution (H. J. Res. 256) to authorize the Secretary of the Treasury to accept from the city of Pittsburgh certain lands in exchange for other lands of equal area, reported the same without amendment, accompanied by a report (No. 939), which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII.

Mr. MAYS, from the Committee on the Public Lands, to which was referred the bill (H. R. 11860) for the relief of Halvor Nilsen, reported the same without amendment, accompanied by a report (No. 938), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills and resolutions were introduced and severally referred as follows:

By Mr. HULL of Iowa: A bill (H. R. 16889) authorizing the Secretary of War to donate condemned cannon and balls; to the Committee on Military Affairs.

By Mr. STEENERSON: A bill (H. R. 16890) granting the consent of Congress to the village of Climax and Vineland Township, Polk County, Minn., and Traill County, N. Dak., to construct a bridge across the Red River of the North on the boundary line between said States; to the Committee on Interstate and Foreign Commerce.

By Mr. HELGESEN: A bill (H. R. 16891) granting the consent of Congress to Traill County, N. Dak., and to Polk County, Minn., to construct a bridge across the Red River of the North; to the Committee on Interstate and Foreign Commerce.

By Mr. LIEBEL: A bill (H. R. 16892) to appropriate funds for the erection of an addition to the present post-office building in the city of Erie, Pa.; to the Committee on Appropriations.

By Mr. RIORDAN: A bill (H. R. 16893) to prohibit the use of harbors, rivers, canals, etc., owned, operated, or maintained by the United States, to vessels for the transportation of waste material collected from cities contiguous thereto; to the Committee on Rivers and Harbors.

By Mr. MOORE of Pennsylvania: Resolution (H. Res. 298) directing the Secretary of the Treasury to inform the House of Representatives as to the relations of the Director of the Mint to the Democratic national campaign committee and as to the compensation paid to said director; to the Committee on Expenditures in the Treasury Department.

By Mr. ROGERS: Resolution (H. Res. 299) calling upon the Secretary of the Treasury for information concerning exportations to Mexico; to the Committee on Interstate and Foreign Commerce.

By Mr. CALDWELL: Joint resolution (H. J. Res. 258) authorizing the President to appoint a commission to conduct negotiations concerning the purchase of certain portions of northern Mexico; to the Committee on Foreign Affairs.

By Mr. KETTNER: Joint resolution (H. J. Res. 259) authorizing and directing the Interstate Commerce Commission to ascertain the cost to the Southern Pacific Co., and the amounts expended by it, at the request of President Roosevelt, and under stress of great emergency, in closing and controlling the break in the Colorado River and preventing the overflow and destruction of the Imperial Valley, in southern California, as well as saving to the Government the Laguna Dam and the irrigation project connected therewith in Arizona; to the Committee on Claims.

By Mr. COX: Joint resolution (H. J. Res. 260) appropriating $500,000 for the purpose of combating infantile paralysis; to the Committee on Appropriations.

By Mr. GRIFFIN: Joint resolution (H. J. Res. 261) directing that the sum of $100,000 be appropriated to the United States Public Health Service for the investigation, treatment, and eradication of infantile paralysis; to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills were introduced and severally referred as follows:

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOWERS: A bill (H. R. 16894) granting a pension to M. M. Sayers; to the Committee on Invalid Pensions.

By Mr. CRISP: A bill (H. R. 16895) for the relief of Mrs. Gertrude Harper; to the Committee on Claims.

By Mr. DOOLITTLE: A bill (H. R. 16896) for the relief of James R. Gristy; to the Committee on Military Affairs.

By Mr. EMERSON: A bill (H. R. 16897) granting an increase of pension to Robert W. Irvine; to the Committee on Pensions.

By Mr. FOSTER: A bill (H. R. 16898) granting an increase of pension to Pitzer Ingram; to the Committee on Invalid Pensions.

By Mr. HOLLINGSWORTH: A bill (H. R. 16899) granting an increase of pension to Storer Packer; to the Committee on Invalid Pensions.

By Mr. KEARNS: A bill (H. R. 16900) granting a pension to Robert E. Boggs; to the Committee on Invalid Pensions.

By Mr. LIEBEL: A bill (H. R. 16901) granting a pension to Mary J. Ensign; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16902) granting an increase of pension to Gertrude W. Brown; to the Committee on Invalid Pensions.

By Mr. MOON: A bill (H. R. 16903) to remove the charge of desertion from the name of William H. Travis; to the Committee on Military Affairs.

By Mr. OVERMYER: A bill (H. R. 16904) granting an increase of pension to Vinel E. McCreary; to the Committee on Invalid Pensions.

By Mr. SANFORD: A bill (H. R. 16905) granting an increase of pension to Henry Garvey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16906) granting an increase of pension to Lawrence O'Toole; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16907) granting an increase of pension to Martin Lockwood; to the Committee on Invalid Pensions.

By Mr. TAGGART: A bill (H. R. 16908) granting an increase of pension to John S. Albright; to the Committee on Invalid Pensions.

By Mr. WATSON of Pennsylvania: A bill (H. R. 16909) granting an increase of pension to George W. Pierson; to the Committee on Invalid Pensions.

By Mr. WINSLOW: A bill (H. R. 16910) to correct the military record of Edward Maher; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of Illinois Branch, Congressional Union for Woman Suffrage, in re Susan B. Anthony amendment; to the Committee on the Judiciary.

By Mr. DALE of New York: Memorial of 11,000 members of the Department of New York, Woman's Relief Corps, Grand Army of the Republic of the United States, relative to increase in widows' pensions; to the Committee on Invalid Pensions.

Also, petition of Mrs. Mary C. Walker, of Denver, Colo., favoring woman-suffrage amendment; to the Committee on the Judiciary.

Also, petition of A. M. Hayes, Long Island City, N. Y., against passage of the Borland resolution; to the Committee on Labor.

By Mr. DAVIS of Texas: Petition of J. W. Young, Galveston, Tex., against passage of Senate bill 6239; to the Committee on the Merchant Marine and Fisheries.

By Mr. FLYNN: Petition of 11,000 members of the Department of New York, Woman's Relief Corps, relative to increase in widows' pensions; to the Committee on Invalid Pensions.

By Mr. GRAHAM: Petition of citizens of Philadelphia, Pa., favoring a Christian amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. HAMILTON of Michigan: Petition of citizens of Bangor, Mich., against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. IGOE: Petition of E. F. Caldwell, Burlington Junction, Mo., against passage of House bill 16307, relative to register for pure-bred stock; to the Committee on Agriculture.

Also, petitions of Merchants' Exchange of St. Louis and Third National Bank of St. Louis, Mo., relative to amendments to bill-of-lading bill; to the Committee on Interstate and Foreign Commerce.

By Mr. KENNEDY of Rhode Island: Petitions of Ava C. Mishner, Emily B. Ellis, Annie O. Heath, of Providence, and Mrs. James H. Rickard, of Woonsocket, R. I., favoring woman-suffrage amendment; to the Committee on the Judiciary.

Also, petition of Providence (R. I.) Chamber of Commerce, favoring aero coast patrol system in connection with Naval Militia; to the Committee on Naval Affairs.

By Mr. LIEBEL: Papers to accompany House bill for relief of Gertrude W. Brown; to the Committee on Invalid Pensions.

Also, papers to accompany House bill for relief of Mary J. Ensign; to the Committee on Invalid Pensions.

By Mr. MILLER of Minnesota: Petition and protest against proposed change in banking law, permitting national banks to establish branches; to the Committee on Banking and Currency.

By Mr. SCULLY: Petition of National Association of Woolen and Worsted Overseers, Clinton, Mass., favoring a protective tariff; to the Committee on Ways and Means.

Also, petition of Business Men's Association, Plainfield, N. J., favoring bill relative to leave for aged employees of the Postal Service;; to the Committee on the Post Office and Post Roads.

Also, petition of Society of the Chagres, relative to compensation for employees of Panama Canal; to the Committee on Appropriations.

By Mr. SMITH of Michigan; Papers to accompany House bill 15798, in pension case of Sidney W. Davy; to the Committee on Invalid Pensions.

By Mr. VAN DYKE: Memorial of Minnesota Bankers' Association by H. Von Der Veyer, president, in re House bill 16763; to the Committee on Banking and Currency.

Also, memorial of Minnesota Bankers' Association, opposing continuation bankers special tax and increase in corporation income tax in revenue bill; to the Committee on Ways and Means.

SENATE.

TUESDAY, *July 11, 1916.*

(Legislative day of Friday July 7, 1916.)

The Senate reassembled at 11 o'clock and 30 minutes a. m., on the expiration of the recess.

Mr. LEWIS. Mr. President, will the Senator in charge of the Agricultural appropriation bill yield to me for a couple of minutes out of order?

Mr. SMITH of South Carolina. When we recessed yesterday afternoon the Senator from Iowa [Mr. CUMMINS] had the floor. I see that he is present, and he has the floor.

RAILROAD LANDS IN OREGON.

The VICE PRESIDENT. Out of order the Chair lays before the Senate a communication signed by sundry citizens of the United States, notifying the Senate that an act approved June 9, 1916, is unconstitutional. It will be printed in the RECORD.

The communication was referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

To the UNITED STATES OF AMERICA;
To the CONGRESS OF THE UNITED STATES;
To the Hon. WOODROW WILSON, *President of the United States;*
To the Hon. FRANKLIN K. LANE, *Secretary of the Interior of the United States;*
To the Hon. DAVID F. HOUSTON, *Secretary of Agriculture of the United States;*
To the Hon. JOHN BURKE, *Treasurer of the United States;* and
To the honorable the ATTORNEY GENERAL OF THE UNITED STATES:

You are hereby respectfully notified that each of the undersigned claims and asserts that that certain act of Congress, approved June 9, 1916, and entitled "An act to alter and amend an act entitled 'An act granting lands to aid in the construction of a railroad and telegraph line from the Central Pacific Railroad, in California, to Portland, in Oregon,' approved July 25, 1866, as amended by the acts of 1868 and 1869, and to alter and amend an act entitled 'An act granting lands to aid in the construction of a railroad and telegraph line from Portland to Astoria and McMinnville, in the State of Oregon,' approved May 4, 1870, and for other purposes," is a violation of the property rights of the Oregon & California Railroad Co. and of the rights of each of the undersigned; that the Congress of the United States had no power or authority to pass said act or any part thereof, or any act which assumes to have the effect of revesting or vesting in the United States without the consent of said Oregon & California Railroad Co. the title to the lands or property of said company, or any part thereof, or to any money arising out of its grant lands, and that said act as a whole is, and that all its provisions are, unconstitutional, null, and void.

You are further notified that the undersigned do not and that any of them does not in anywise assent to or acquiesce in the provisions of said act of June 9, 1916, or any provision thereof.

The undersigned protest and each of them protests against the United States making or asserting any claim of title or ownership in or to any of the lands, the title to which is, by section 1 of said act, declared to be revested in the United States or in or to any of the money arising out of said grant lands, the title to which is declared by section 8 of said act to be vested in the United States, or against its interfering with the possession of said lands by the Oregon & California Railroad Co., and against any step, action, or proceeding of any kind being taken by any officers or officer or agent of the Government in furtherance or pursuance of said act or for the purpose of carrying out its provisions.

The undersigned are not, and any of them is not, willing that the Government should pay, on behalf of the Oregon & California Railroad Co., any taxes on the lands which are declared by section 1 of said act to be revested in the United States; and they protest, and each of them protests, against the Treasurer of the United States making any payment of the taxes on said lands as prescribed in said act, or any part of said taxes, and against the Secretary of the Interior ordering the payment of said taxes or any part thereof.

And you are further notified that any payment of such taxes or ordering of the payment of the same by the respective officers mentioned will be made upon their own responsibility and at their peril and that of the United States.

Dated June 30, 1916.

[SEAL.] OREGON & CALIFORNIA RAILROAD CO.,
By W. SPROULE, *President*
G. S. KING, *Assistant Secretary.*

[SEAL.] SOUTHERN PACIFIC CO.,
By W. SPROULE, *President.*
G. S. KING, *Assistant Secretary.*
STEPHEN T. GAGE,
Individually and as Trustee.

[SEAL.] UNION TRUST CO. OF NEW YORK,
Individually and as Trustee.
By CARROLL C. RAWLINGS, *Vice President.*

Attest:
O. W. HARTSHORNE,
Assistant Secretary.

CALLING OF THE ROLL.

Mr. CUMMINS rose.

Mr. KENYON. Mr. President——

The VICE PRESIDENT. Does the Senator from Illinois yield to the Senator from Iowa?

Mr. KENYON. I wanted to suggest the absence of a quorum; that is all.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gallinger	Norris	Smoot
Beckham	Gronna	Overman	Sterling
Brady	Hitchcock	Owen	Swanson
Brandegee	Hughes	Pittman	Thomas
Bryan	James	Poindexter	Tillman
Catron	Johnson, S. Dak.	Pomerene	Townsend
Chamberlain	Kenyon	Ransdell	Underwood
Clapp	Kern	Saulsbury	Vardaman
Clark, Wyo.	La Follette	Shafroth	Wadsworth
Colt	Lane	Sheppard	Walsh
Culberson	Lee, Md.	Sherman	Warren
Cummins	Lewis	Simmons	Works
Curtis	McCumber	Smith, Ariz.	
du Pont	Martine, N. J.	Smith, Ga.	
Fletcher	Nelson	Smith, S. C.	

Mr. KERN. I wish to announce the unavoidable absence of my colleague [Mr. TAGGART]. He is paired with the Senator from Vermont [Mr. PAGE].

The VICE PRESIDENT. Fifty-seven Senators have answered the roll call. There is a quorum present. The Senator from Illinois.

RUSSIA-JAPAN TREATY.

Mr. LEWIS. Mr. President, by the courtesy of the Senator from Iowa [Mr. CUMMINS], I interrupt the proceedings on the Agricultural appropriation bill to tender a resolution, and I ask to have it read. I also desire to be heard for a moment, and then I wish to submit a motion to the Senate which may call for unanimous consent.

The VICE PRESIDENT. The resolution submitted by the Senator from Illinois will be read.

The Secretary read the resolution, as follows:

Resolved, That the Secretary of State of the United States of America be requested to obtain information and report the same to the United States Senate as to what will be the effect of the new contract between Japan and Russia known as the Russia-Japan treaty, executed in the first week of July, upon the trade arrangements, trade contracts, trade treaties now existing or under consideration, or commercial opportunities of the United States in Japan, China, and Russia.

Mr. LEWIS. Mr. President, this matter, as suggested in this resolution, has been in my mind for some time, but, understanding that the Committee on Foreign Relations had a cognate subject under consideration, I preferred, out of deference to that committee, to wait for such disposition as the committee should make of the subject. Yesterday morning, however, an incidental matter relating to the subject was referred to by the chairman of the Committee on Foreign Relations [Mr. STONE] and the Senator from Massachusetts [Mr. LODGE], the ranking member of the minority of that same committee. I was attracted by the fact that the observations of those eminent Senators were

confined wholly to the effect of tariff arrangements between France and England and the United States; that is, as to the effect that those relations would have upon the United States. There was a complete omission as to anything touching the effect upon the people and interests of the United States of the compact which we now know has been entered into between Japan and Russia.

Mr. President, twice in this body I have had the boldness to prophesy this event. In my speech upon the Panama tolls bill I took the liberty to state to the Senate that I thought I saw a coming disposition on the part of these nations by arrangement to eliminate the United States from the oriental sphere.

Later, in discussing the Philippine bill and the amendment of the Senator from Arkansas [Mr. CLARKE], I then alluded again to what I saw would ultimately transpire; and stated that, among the reasons to be given, would be that we were excluding these people from our sphere, and that they therefore had the right to exclude both ourselves and our goods from theirs; that Japan and her allies would assume to establish an Asiatic Monroe doctrine, excluding the Western Hemisphere from the affairs of Asia.

Now, Mr. President, my attention is particularly directed to the words of that compact if correctly reported. When in London, having the honor to represent this body at the Safety at Sea Conference, I was attracted by the first publication of the then tentative agreement between England and Japan. That tentative treaty contained a provision of offensive and defensive against the United States, as well as against other nations of the world. That threatening provision was subsequently eliminated. I observe, however, that the very provisions which were eliminated in the Japanese and English treaty, as it was at first proposed, are now in effect comprehended in the proposed compact between Russia and Japan as against the United States.

Mr. President, I am not, of course, complaining that these countries have not a right to make any contract they please; but I take the liberty of inviting the attention of this honorable body to this thought which is in my mind: I think I clearly see the purpose on the part of these nations to duplicate Cæsar's observation as to Gaul—dividing the world into three parts. First, it is comprehended that France and England shall control all Europe. Second, that Russia and Japan shall control all Asia, bringing in China as an incident, something akin to the relation that South America occupies to the Western Hemisphere, and to leave to the United States the control of the Western Hemisphere—North America and South America—if it can, for business uses and governmental purposes, and here limit, restrict, and confine us.

Mr. President, it seems to me that if the United States sits silently and allows these contracts to be entered into without any assertion on our part of what we believe to be our rights of trade and the rights of our people in the territory of Asia, Asia will have a right in equity to say that, as we sat silent and made no protest, it was equivalent to a tacit consent; and that after these contracts have been consummated it does not lie well in our mouth then to raise objection and to produce confusion, calling for the undoing of that which has been consummated. Japan and Russia will invoke their new European allies as their aid against us.

Mr. President, we may go out of the Philippines; we may not. We may go out within 10 years; we may not go out within this generation. What I wish to accent to the distinguished Senators sitting around me is this: That as long as we are in the Orient we are a part of that oriental civilization to some extent, and any arrangement that looks to the exclusion of the United States in the enjoyment of full and complete trade relations in Asia, or of citizenship in common with Europeans, should attract our attention, and before they are finally consummated the United States of America should make its interests known and assert the needs of its welfare. Upon this our country could make its demands.

That these provisions of these Asiatic compacts are clearly addressed in retaliation for our excluding the Asiatics from our sphere, I have not a doubt; and that they have an equity in their behalf on this point from the standpoint of the Asiatic I do not dispute; but I respectfully urge at this time that it is well for the Senate to be informed as to how far these new arrangements will go in effect and purpose to repeal and abrogate any arrangements which have been made heretofore under previous administrations, and the present one which authorize the United States to enjoy certain trade privileges in the Orient and certain reciprocal privileges respecting our citizens, our finance, and our Government. For that reason I have tendered the resolution asking that the Secretary of State inform this body, after investigation, what effect this new arrangement will have upon the present existing contracts or arrangements touching the United States and its commercial welfare and the status our people will have as a result.

Mr. President, I would therefore ask to have the resolution passed and ask unanimous consent of the body that it be passed this morning.

Mr. SMITH of Arizona. I move, Mr. President, that the resolution be referred to the Committee on Foreign Relations.

Mr. SMITH of Georgia. Mr. President, I do not understand that unanimous consent has been given to present the resolution. I ask for the regular order. I do not understand that the unfinished business has been laid aside.

Mr. LEWIS. Mr. President, permit me to say that I would not ask that the resolution be passed instanter—if, as I was about to continue when interrupted—Senators representing the Foreign Relations Committee feel that it contains matters which they consider should more appropriately be sent to that committee for consideration. To their view I would yield, of course. I had asked permission—the Senator from Georgia probably did not hear me—to tender the resolution out of order, and asked the Senator from Iowa [Mr. CUMMINS] if he would yield, as I did not wish to interfere with the discussion of the Agricultural appropriation bill. The Senator from Iowa yielded. I did not understand there was any objection or I would not have proceeded at this moment.

The VICE PRESIDENT. The Chair understood the Senator from Illinois to state that he tendered the resolution out of order and would subsequently ask unanimous consent for its consideration. That was the understanding of the Chair.

Mr. LEWIS. The Chair is correct; and I asked for that unless the members of the Foreign Relations Committee felt that in propriety, or for reasons satisfactory to them, it should be sent to the Foreign Relations Committee.

Mr. SMITH of Arizona. If unanimous consent for the introduction of the resolution is granted out of order——

Mr. SMITH of Georgia. It has not been.

Mr. SMITH of Arizona. Then, as I am a member of that committee, I ask its reference to the committee.

Mr. SMITH of Georgia. I object to the unanimous consent, and I object to laying aside the regular business, Mr. President; and I do not understand that that subject has been submitted to the Senate at all. The Senator from Illinois stated what he intended to do. He had a right to speak even though the Agricultural appropriation bill was before the Senate. We could not prevent any Senator from indulging in any line of discussion that he desired. I object to any suspension of the consideration of the unfinished business, and I ask for the regular order.

The VICE PRESIDENT. The Senator from Georgia objects to the resolution going to the Committee on Foreign Relations?

Mr. SMITH of Georgia. I object to its being introduced. It has not been introduced, Mr. President.

The VICE PRESIDENT. Very well; then the regular order is before the Senate.

Mr. LEWIS. Mr. President, a parliamentary inquiry. Do I understand that the call for the regular order while the Agricultural bill is pending prevents the introduction of the resolution?

The VICE PRESIDENT. We are now on the unfinished business. There is no morning hour. No Senator has a right to introduce anything except by unanimous consent, and the Senator from Georgia objects to granting unanimous consent.

Mr. LEWIS. Of course, with that understanding, I am powerless against the objection. I shall revive the question at an early day.

The VICE PRESIDENT. The Chair is likewise powerless to grant the request. The Senator from Iowa is entitled to the floor.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED.

The VICE PRESIDENT announced his signature to the following enrolled bills and joint resolution, which had previously been signed by the Speaker of the House of Representatives:

H. H. 16287. An act granting the consent of Congress to the county of Sumter, or to the county of Dooly, both of the State of Georgia, acting jointly or separately, and their successors and assigns, to construct a bridge across the Flint River;

H. R. 16641. An act granting the consent of Congress to Julian B. McCurry, A. G. McCurry, P. W. Walton, and J. J. Fretwell to construct a bridge across the Savannah River; and

H. J. Res. 257. Joint resolution permitting the use of certain hospital facilities belonging to the United States.

AGRICULTURAL DEPARTMENT APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12717) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1917, and for other purposes.

Mr. CUMMINS. Mr. President, I repeat and emphasize what I said yesterday in this respect. I am not discussing this bill from a hostile point of view—that is, I am not opposed to the principle of the bill, the object sought to be accomplished. I am, however, insisting that the measure now before us will not accomplish the desired purpose, and that it will do vastly more harm than good. Especially will it injure that very large class of our citizens, the farmers, who are the objects of special solicitude in the bill.

I had pointed out before I yielded the floor yesterday the course of business in my own State, and I am taking that as a fair example of the grain States. I had suggested that a very large proportion of the grain, especially corn, sold by our farmers, was sold to middlemen at varying times during the growth of the crop and after it had matured. It was stated by the Senator from Colorado that the sale by the farmer to the middleman under the circumstances I have suggested would not be embraced within the terms of this bill. I concur with his opinion in that respect, and that without regard to whether there is or is not an inspector appointed at the place of delivery—that is, at the place at which the farmer delivers the grain to the elevator man or the grain buyer.

I repeat my conclusion, therefore, that this bill does not safeguard at all the farmer's interests. He sells his grain upon grade, but it is a grade fixed by the buyer in the local market or agreed upon, if you please, between the buyer and the farmer, and it matters not what may happen to that grain thereafter; the contract between the farmer and the grain buyer is not affected or disturbed. Whether the grade of the grain in the terminal market to which it may eventually be shipped is raised or lowered the farmer in the one case does not receive the advantage nor, in the other case, must he bear the disadvantage of a reduction in the grade of his grain.

I am thoroughly in favor of a system of inspection, and inasmuch as there are so many States without an adequate law in this respect I have inclined toward a Federal system of inspection; but this system is without beginning or end. It is crude. It is imperfect. It will be unsatisfactory in its operation, and the Senate has no right to impose upon the people of this country, in order to attain a desired object, a bill which is so full of imperfections as this one. I am not impeaching, of course, the care of the Senate committee, because the committee, as I understand, had very little to do with the preparation of this particular part of the bill.

Mr. SMITH of Georgia. Mr. President, I want to say to the Senator, if he will permit me, as one member of the committee, that I did not think myself that we would be capable of preparing a bill along that line. Our earnest desire was that the Senators from the grain States, who were considered masters on the subject, should work it out, and those of us who were not familiar with the grain trade wanted to cooperate with them to help them get what they thought would really serve their people. I do not pretend to be master of it.

Mr. CUMMINS. I am sure that is the desire and has been the purpose of the Senator from Georgia.

Mr. SMITH of Georgia. The Senator's colleague [Mr. KENYON] is on the Agricultural Committee, and the Senator from North Dakota [Mr. GRONNA] is on it, and the Senator from Colorado [Mr. SHAFROTH], and the Senator from Nebraska [Mr. NORRIS].

Mr. CUMMINS. Mr. President, I think the difficulty has arisen because the committee surrendered the idea of presenting a system of Federal inspection, thinking that it would not be accepted by Congress, and in order to take some step in the direction it adopted this particular bill, the defects of which and the shortcomings of which I am attempting to point out.

I now ask Senators to take with me the next step in the progress of the corn that I have used as an illustration. I will ask you to imagine that you are with the grain buyer when he purchases the grain from the farmer. You will remember we have already agreed, many of us at least, that the transaction between the grain buyer and the farmer is not affected by this law, and that neither of the parties can derive any advantage whatsoever from the terms of the law.

What does the buyer then do? If he is not a speculator, he does this: If he has bought a thousand bushels of grain from the farmer to be delivered at a certain time at his warehouse or elevator in the small town, which I have imagined, he immediately sells upon the Chicago Board of Trade a thousand bushels of corn of the same grade—that is, the grade the farmer has agreed to deliver to him. That is the way in which he protects himself against fluctuations of the market.

Now, the transaction between the grain buyer and the Chicago Board of Trade, or some member of the Chicago Board of Trade, which consists in a sale of a thousand bushels, we will assume, of No. 2 corn for a certain delivery, involves the shipment of no grain at that time, and certainly involves the shipment of no grain from one State to another. His contract is made in Chicago.

Mr. CLARKE of Arkansas. Mr. President——

Mr. CUMMINS. In just a moment. His contract of sale in Chicago involves the delivery of a thousand bushels of corn—not the corn he bought from the farmer, but any corn which will answer the grade which he has agreed that it shall answer. I yield to the Senator.

Mr. CLARKE of Arkansas. If the Iowa farmer can sell on the Chicago Grain Exchange a thousand bushels of No. 2 corn, the person from whom he bought it could not deliver to him oats or potatoes or anything of that kind.

Mr. CUMMINS. He could not.

Mr. CLARKE of Arkansas. Then, it is not exactly like the cotton business.

Mr. CUMMINS. No; it is very different from the cotton business. We are not met with the difficulties which the cotton planter and the cotton dealer must meet. When our grain buyer sells upon the Chicago Board of Trade a thousand bushels of No. 2 corn he must deliver that quantity of corn which sustains that grade.

Now, how does he do it ordinarily? In three cases out of four when the contract matures he buys in upon the Chicago Board of Trade and in that way fulfills his contract of delivery. Now, I ask the Senator from Colorado or any other Senator who may be interested in this subject whether, in his opinion, that transaction is affected in any way by this bill?

Mr. SMITH of South Carolina. Mr. President, the contemplation of this bill, I think, meets the point the Senator has raised. It is the contemplation of the bill that certain uniform standards of grain shall be established by the Agricultural Department and promulgated. That is my idea; so that the transaction is covered which the Senator referred to as between the buyer and the farmer. When he buys from that farmer after you have promulgated your standard he buys No. 2 corn. It is so stated in his purchase from the farmer. The farmer requires it. The corn is delivered to him. Now, if the farmer for any reason believes that his corn is above or below that or if the buyer believes that it is above or below it, you have a court of appeals to which a sample of this corn may be taken.

Mr. CUMMINS. There is nothing of that sort in this bill.

Mr. SMITH of South Carolina. I was just reading an amendment here, and it was my idea that that would answer the objection of the Senator from Iowa if the bill could be so amended as to make that provision.

Mr. CUMMINS. I reserve my judgment with reference to that when the bill is so amended. I only say at this time, even with the amendment offered by the Senator from North Dakota, there is no appeal, there is no inspection, there is no inspector authorized to do the work in the grading of grains in the transaction between the farmer and a grain buyer, and consequently it depends entirely upon the agreement between the two.

Mr. McCUMBER. Mr. President——

Mr. CUMMINS. I yield to the Senator from North Dakota.

Mr. McCUMBER. As I understand the Senator, the proposition which he makes is not a sale in interstate trade at all; it is purchasing upon the board of trade in Chicago. It does not imply the shipment of any grain except as he may ship it himself afterwards, and therefore it would not be a case of interstate grain trade.

Mr. CUMMINS. That depends, of course, upon whether the Senator from North Dakota is referring to the suggestion of the Senator from South Carolina or to my inquiry put to the Senator from Colorado in regard to the Chicago Board of Trade.

Mr. McCUMBER. I was referring to the inquiry made by the Senator from Iowa, and I say that in that case it involves no shipment at all.

Mr. CUMMINS. The Senator from North Dakota is quite right about that. The transaction I have mentioned does not fall within the terms of the bill. While it is an interstate transaction that, in my opinion, could be regulated by law under our power to regulate commerce among the States, yet it is not affected by this bill, because, as the Senator from North Dakota has just stated, the bill involves the shipment or the offer for shipment of grain to be transported from one State to another.

I therefore answer the Senator's question in the way he has already suggested. So far I assume I am right, because my position is not challenged.

Then we have another transaction in the course of the sale of grain that is not regulated by this bill, and neither party to

the transaction is protected by the bill against any infirmities that may be in the transaction.

Now, I come to the next transaction. Some time, possibly at the date of the contract or the date upon which he has agreed to deliver the grain in Chicago, the grain buyer does ship the thousand bushels of corn which he has bought from the farmer. He either ships it in fulfillment of the contract of sale or he ships it upon consignment for sale.

That transaction is covered by the bill, and the thousand of bushels of corn which he ships must be inspected under the terms of the bill.

Mr. McCUMBER. Mr. President, may I call the Senator's attention right there to the amendment on page 5 of the reprint, which, I think, avoids the necessity for inspection. It reads as follows:

And provided further, That in any State where there has not been established, either by the laws of the State or by the rules and regulations of any commercial exchange, a system of grain inspection—

Like there is not, I presume, in Iowa or North Dakota—

this act shall not apply so far as it relates to the shipment or delivery of grain entering into interstate or foreign commerce, but such grain shall be inspected at the terminal point if shipped to a State having a system of inspection, and if shipped to a foreign country through a State having a system of inspection it shall be inspected at the most convenient point within such State.

Does not that cover that proposition?

Mr. CUMMINS. No; it does not, Mr. President, I think.

Mr. McCUMBER. It simply means that the shipper from Iowa or North Dakota can ship grain without its being inspected at the place of shipment.

Mr. CUMMINS. I have no doubt of that. That could have been done under the bill before the amendment was offered by the Senator from North Dakota. The bill very clearly provided for that contingency originally.

I come back to my proposition. When the grain buyer comes to ship the thousand bushels of grain to Chicago, we will assume the grain must be inspected. I am not now concerning myself with the point of inspection. It must be inspected, and in that respect the bill is good, for the grain ought to be inspected. But there is no improvement over the present method of inspection; that is to say, if there be no inspector at the point of origin—and I am discussing the bill now upon that hypothesis—the grain buyer must send his thousand bushels of corn to Chicago, and it is inspected there under the terms of this bill precisely as it is inspected now under the general system which prevails.

Mr. SHAFROTH. Mr. President——

Mr. CUMMINS. In just a moment. Now, the only benefit which the grain buyer can possibly derive in the inspection service that is here provided for is in the standardization of grain. I am thoroughly in favor of that, and in favor of the bill which provides for uniform grades of grain throughout the United States; but tell me what real practical advantage is conferred upon the grain buyer by the license which is issued by the Government to some one in Chicago authorizing him to inspect grain?

Mr. SHAFROTH. Mr. President, it seems to me the very fact that the inspector, although he may be a State inspector, has a license from the United States Government, evidently places him in closer touch with the United States Government and with the standards which the United States Government has established, and that together with the right of appeal which exists is a perfect protection it seems to me to the man who sends wheat to the Chicago market.

Mr. CUMMINS. I do not consider the right of appeal as of any value at all. The right of reinspection is of some value, and if the inspector into whose hands this grain finally falls were a United States official, not only clothed with the power of an officer of the law but burdened with a responsibility that follows an appointment by the Government, there would be very much in the argument of the Senator from Colorado. But I do not believe in power without responsibility; it is always abused, and the confused proposal contained in the bill can be described better than in any other way by declaring that it is giving power without attaching responsibility. What responsibility has the inspector in Chicago? He is selected, we will say, by the Chicago Board of Trade. I do not know what the law of Illinois is with respect to that subject, but they have some system there for the appointment of inspectors. We will assume that he is appointed by the Chicago Board of Trade. He is paid by the Chicago Board of Trade. He recognizes the Chicago Board of Trade as his superior. He is paid by salary or paid by fees, which are collected ultimately from the farmer who is actually excluded from all the benefits of the law.

Mr. NELSON. Will the Senator allow me?

Mr. CUMMINS. I yield.

Mr. NELSON. I am quite confident that Illinois has a system of State inspection under State law.

Mr. CUMMINS. I think that is quite probable, but this bill covers not only State authorities such as we have in Minnesota and possibly in Illinois, although I am not familiar with the law of Illinois, but it covers the fugitive authority of commercial associations and boards of trade and all other sources of employment.

I am opposed to this part of the bill simply because of what may be done under it. I can imagine that it could be administered so that no harm would flow from it; but, on the other hand, it can be administered so as to introduce into the present disordered system a great many faults that are not there now.

Now, so much for that particular transaction. I do not see any good which can be conferred upon the people engaged in this traffic that is the equivalent for the chaos that will ensue in trying to mingle State agents with Federal agents with a divided authority. I can not see the equivalent of $250,000 which you propose to pay out in order to introduce the system. Why not come fairly and squarely to the issue itself and provide a system that will protect every man who must depend upon the grade of his grain for the price at which he sells it? I think the Senator from Nebraska was about rising.

Mr. HITCHCOCK. I was unable to understand the nature of the Senator's objection. Does he fear that the State inspectors or the local inspectors will fail to conform with the United States standard?

Mr. CUMMINS. I do not.

Mr. HITCHCOCK. They will accept the United States standard.

Mr. CUMMINS. Just as thoroughly as if they were licensed by the Government.

Mr. HITCHCOCK. And will make their inspection in accordance with that standard?

Mr. CUMMINS. Certainly.

Mr. HITCHCOCK. And report in accordance with it. Then how can confusion arise under it?

Mr. CUMMINS. The confusion arises because the officer is a quasi Federal officer and also a State officer or a board of trade officer. He gets his compensation from one source and his authority from another, and there will not be the same inducement to be faithful and independent as between those who are interested as though the inspecting officer had one authority from a government, if you please, from the United States Government, from a State government, or from a private institution.

Mr. HITCHCOCK. I had some doubt, such as I thought possibly the Senator harbored, but I reached the conclusion that any local inspector or State inspector would be compelled practically to accept the United States standard and to carry it out faithfully because if there came a doubt as to whether a certain market accepted the United States standard and enforced it shippers would be very apt to discriminate against the market, and in self-defense the authority in the market would be compelled to put into effect the United States standards.

Mr. CUMMINS. It is only very rarely that a shipper can discriminate against a market.

Mr. HITCHCOCK. Certainly.

Mr. CUMMINS. In my part of the country his market is determined by more potential factors than the inspection of his grain.

All lines of commerce are perfectly well established, and it is very difficult for any individual farmer or grain buyer to depart from them; but the effect of my remarks is this: The only person who can possibly be benefited by the license system that is hereby proposed is the grain buyer, and he is no more likely to receive an advantage under this proposed law than under the present system. I am thinking all the time of a plan that will protect the isolated farmer who has no association, no connection, but who must deal with one who is in the business and deal with him always under disadvantageous conditions.

I take up now another phase of the matter, and I want the attention of the Senator from Colorado [Mr. SHAFROTH] to that.

Mr. JOHNSON of South Dakota. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from South Dakota?

Mr. CUMMINS. I yield to the Senator from South Dakota.

Mr. JOHNSON of South Dakota. Mr. President, it seems to me that the vital part of this whole bill is the question of whether this body is favorable to permitting, under the provisions of the bill, the grain grower or the farmer to have a grain grader at his home place. The question of selling——

Mr. CUMMINS. Mr. President, I yielded for a question only, for I very much desire to conclude.

Mr. JOHNSON of South Dakota. Then, Mr. President, I may say that it seems to me the most important matter to be con-

sidered is the complete elimination of any connection between grading and the business of buying and selling and shipping.

Mr. CUMMINS. Mr. President, I think the Senator from South Dakota has reached the very heart of the whole matter. I do not believe that the grain buyers now need the further protection of double inspection. I do not know of any instances in which he is particularly oppressed. I think he would be greatly benefited by the establishment of uniform grades throughout the United States, so that every grain buyer and farmer could understand precisely the standard by which all grains were to be measured or tested; but, so far as discrimination is concerned, so far as disadvantage is concerned, I have not heard that the grain buyer has suffered any great disadvantage.

Mr. McCUMBER. Mr. President, let me suggest to the Senator from Iowa that, if he means the buyer at the terminal, that is certainly true; he is taking care of himself; but the final purchaser for milling purposes has been without an adequate remedy to secure the proper grade of grain even under the rules by which it has been graded. The grain has been invariably certified to him as being of a higher grade than it really was.

Mr. CUMMINS. Mr. President, so far as the field with which I am familiar is concerned, I very much doubt that. The grain buyer, if he be a large one, has many elevators and covers a wide territory. He has a very close association with the commission merchant at the terminal point, and the combination of the grain buyers and their commission merchants usually, I think, exercises quite as much control and influence as does any other interest about the terminal.

Mr. McCUMBER. Mr. President, the Senator from Iowa must have misunderstood me. I have stated that that class of buyers were well protected, that they were able to take care of themselves; but that the final purchaser for milling purposes, the man who is compelled, as the owner of the mill, to buy at these great terminals a certain grade of grain, has not been protected in buying that grade for milling purposes.

Mr. CUMMINS. That may be and probably is true, but I am as zealously and as earnestly for a system of inspection that will apply honestly and intelligently the standards that are established as can be the Senator from North Dakota.

However, I come back now to another phase of this bill. I have been discussing it so far upon the assumption that there were no local inspectors; that there was no local inspector at the point from which I have originated the shipment. This bill gives the Secretary of Agriculture the authority to license just as many inspectors as he desires and to license them wherever he desires.

I assume that he will look upon it as an authority that ought to be exercised. Why else is it given to him? Inasmuch as it costs the Government of the United States nothing and does not add to the expenditure, I predict that the Secretary of Agriculture will appoint an inspector at every place for which an application for such appointment is made. Why should he not do so? If anyone can suggest any reason why the Secretary of Agriculture should not appoint an inspector who is not to be compensated by the Government, and for whom the Government undertakes no responsibility whatever, I should like to hear it.

The Senator from Colorado says that that is not in his contemplation, and I believe that; but if it is not in his contemplation, why are we proposing to authorize the Secretary of Agriculture to do it? I intend to consider the bill, and I shall vote, upon the hypothesis that the Secretary of Agriculture will do what he is authorized to do, and that when responsible persons ask for a license in a town of 2,000 people in my State and sufficient proof is given that the person sought to be appointed is competent to discharge the duties of the place he will be appointed.

Mr. McCUMBER. Mr. President——

Mr. CUMMINS. I yield to the Senator from North Dakota.

Mr. McCUMBER. I merely wish to ask the Senator from Iowa right here if he can not go further and say that if the elevator man who is competent as an inspector says that he desires to inspect his grain and to ship it out at a certain grade, how can the Secretary of Agriculture refuse to grant him the right to make that inspection?

Mr. CUMMINS. I do not well see how the Secretary can do so. It would be a plain abdication of his duty if he were to refuse.

I now desire to bring you back to the case of a town of 2,000 people in Iowa, with three elevators, we will assume, and an inspector is appointed to grade grain at that point. Who will probably secure the appointment of the inspector? The bill has provided that he must not be an employee of either of the elevator companies and that he must not be directly interested in the business; but I assert that it is utterly impossible to select a man in a community of that sort and of that extent who will not be in sympathy with one of these elevator companies. Somebody will surround him with the influence necessary to secure the license, or the appointment, as I prefer to call it, because nobody else can inspect grain but the one licensed by the Federal Government. He is, however, in effect appointed by the Federal Government, without compensation and without responsibility.

Now, let us assume that two of these elevators are owned by capitalists or by independent men, who are buying, legitimately, of course, for their own profit. The other is owned by a farmers' organization—and we have a great many instances of that kind in Iowa, as I suppose they have elsewhere—where a body of farmers associate themselves together, and when their grain is ready to be put in the elevator they haul it to town and put it in the elevator until ready for shipment, and then it is shipped to some terminal point. I am not imagining a situation. You will find that in 40 places in my State, and probably more, perhaps in a hundred places. I assert now—and the Senator from Colorado will not dispute me—that every bushel of grain shipped from that point must be inspected by the local inspector.

Mr. SHAFROTH. If it is shipped by grade; yes.

Mr. CUMMINS. We ship all grain by grade, practically; there are some exceptions, but I do not know of any grain in a substantial way that is dealt in without being dealt in by grade. Mr. President, that will be an intolerable condition in my State, and I believe it will be intolerable in every State. If the Secretary of Agriculture were appointing an inspector for a given district or a given locality, if you please, and were to select him for the place he is to fill and were to pay him his compensation and exact from him the responsibilities which follow an appointment, I would be willing to trust an inspector of that kind, no matter how small the community; but that is not this bill. The inspector is simply licensed; he must be paid by somebody. Who pays him? He will be paid by those whose grain he inspects. He can not receive compensation in any other way.

Now, let us assume that he has been appointed under certain influences which incline him to one or other of the corporations or associations doing business at that point, and yet every pound of grain that is shipped from that point, no matter how sharp the competition, is to be graded by an inspector who is practically an ally of one or other of the persons who may be carrying on the grain business. I tell you, Mr. President, that if you impose an inspector of that kind upon the people of Iowa the farmers who are carrying on the cooperative grain business will repudiate the law. It will be intolerable to them to have an inspector grading their grain, licensed under the influence of their rivals, who, no matter how honest he may try to be, will be subject to all the prejudices which arise out of conditions of that kind.

Mr. SHAFROTH. Mr. President, the illustration the Senator from Iowa gives as to his State is one to which the rule which he invokes would not be applied. There was an amendment offered to this bill and adopted, which I will read. It is found on page 5 and reads:

And provided further, That in any State where there has not been established, either by the laws of the State or by the rules and regulations of any commercial exchange, a system of grain inspection, this act shall not apply so far as it relates to the shipment or delivery of grain entering into interstate or foreign commerce, but such grain shall be inspected at the terminal point if shipped to a State having a system of inspection, and if shipped to a foreign country through a State having a system of inspection it shall be inspected at the most convenient point within such State.

It seems to me that as Iowa has no State inspection system, the condition to which the Senator calls attention could not arise, and the farmer in Iowa would not be affected by reason of provisions calling for inspection. That amendment, it seems to me, obviates the very difficulty which the Senator has suggested. In the case of a State inspection such as Minnesota has, of course, the inspectors are absolutely disinterested.

I want to call attention to this fact: I take it that the inspectors, whether or not they operate under a license, as the Senator said in response to a question propounded to him by the Senator from Nebraska [Mr. HITCHCOCK], would gladly adopt the United States standard. Furthermore, when a license is given by the Federal Government that license can be revoked by the Federal Government, and if it is revoked the inspector will have no right to issue any certificate of inspection because of the fact that he no longer is licensed by the United States Government. That, I think, is going to tie him to the United States Government more than it will tie him to any interest that may have had an influence in his appointment.

Mr. CUMMINS. Mr. President, I want no misunderstanding upon one point. I am in favor of the establishment of uniform grades and in favor of this measure so far as it provides for them, and I am assuming that thereafter every inspector, no matter who may appoint him and what his authority may be,

will be compelled to adopt and apply the uniform grades; but the Senator from Colorado is either very much mistaken about the meaning of the amendment which he had just read, or I am mistaken. I think that that applies wholly to a case where there is no inspector. If there be no inspector appointed in Iowa, then the amendment gives us the right to ship freely and without any obstruction or regulation to a terminal point at which the grain is to be inspected, but the amendment does not modify that part of the law which gives the Secretary of Agriculture the authority to appoint inspectors wherever he may desire to appoint them.

It does not modify that part of the law which says that, if there be an inspector at the point of origin, the grain shall be inspected by him at that point and before it is delivered for shipment. There is no modification of the statute in that respect.

Mr. HITCHCOCK. Mr. President, I confess there might be some danger of discrimination against the farmer and in favor of the grain buyer in the case stated by the Senator, but does not the Senator think that that in a measure has been met by the amendment inserted, beginning at the bottom of page 5, which provides:

That any corn or grains of any kind that is sold and graded at the home market under this act for interstate shipment may be regraded at any intermediate or terminal point, and if the grade there given shall be higher than the grade given at the local home market the seller shall have the benefit of the higher grade given and shall receive the amount of additional price he should have received had his grain been given the correct grade at his home market?

Mr. CUMMINS. Mr. President, that does not apply to the farmer at all. I have already shown that, whether there is an inspector at the point or not, the transaction between the farmer and the grain buyer is not covered by the provisions of this measure.

Mr. HITCHCOCK. The amendment uses the word "seller," and if the seller be the farmer, would it not apply to him?

Mr. CUMMINS. No; it only applies to grain that is shipped or offered for shipment in interstate commerce. When the farmer sells his grain to a grain buyer in his own State and delivers it to him in his wagon, he is not delivering the grain in interstate commerce or for shipment from one State to another, and therefore the act does not apply to him at all.

Mr. HITCHCOCK. I should imagine that the word "seller" must indicate the man who sold the grain at the time it was inspected.

Mr. CUMMINS. The Senator from Colorado will not so affirm.

Mr. SHAFROTH. Not as to the farmer. I think the Senator is right as to the farmer; but as between the person who sells the grain, whether it is a person who purchased it from the farmer or not, and the inspection at the terminal point, that rule would also apply.

Mr. CUMMINS. I think that is true so far as the person who ships the grain is concerned, and the person to whom it is shipped.

Mr. HITCHCOCK. Mr. President, will the Senator answer another question? Suppose, in the case that the Senator speaks of, an inspection at a local market were found to be persistently below grade by these reinspections, how long does the Senator from Iowa think that would be tolerated? How long would the Government continue to license an inspector who so habitually made an inspection that defrauded the farmers or the shippers?

Mr. CUMMINS. I do not know, Mr. President. It depends entirely on the character of the administration. I have seen things done and tolerated in this administration which rob me of a great deal of the confidence I otherwise would have. I have seen things done under former administrations that lead me to be skeptical about such things. I simply do not want to put this power in the hands of any administration unless it will do some good. Why should we give the Secretary of Agriculture this power unless it will really do some good? Why should we spend $250,000 unless it will really benefit the people of the country? I am pointing out why I think that instead of bettering our condition it will make it a great deal worse.

Mr. President, I call attention to one other thing before I close. There are two or three exceptions made to section 4. The first I will not read, because it is not an exception at all. I do not know why the committee put it in, although it is a very common thing in legislation, but it ought not to be encouraged. The first proviso of section 4, purporting to be an exception, does not operate in that way, because the thing that is supposed to be released is not included in the original prohibition at all. But there is an exception of this kind:

And provided further, That any such grain sold or offered for sale by any of the grades fixed therefor in the official grain standards may, upon compliance with the rules and regulations prescribed by the Secretary of Agriculture, be shipped without inspection from a place at which there is no inspector licensed under this act to a place at which there is no such inspector, subject to the right of either party to refer any dispute as to the grade of the grain to the Secretary of Agriculture, who may determine and certify the true grade thereof.

That means that if any shipper in my State desires to ship grain to another State and there is no inspector either at the point of origin or at the point of destination, the grain may be shipped by grade wihout inspection. But mark the effect of that: We give the Secretary of Agriculture the power to put this law into effect wherever he desires and to except all the localities which he may desire. If he wants to appoint an inspector in Iowa at a particular point no grain can be shipped out of that point without the examination of the inspector. Now, all that he has to do in order to take Iowa out of the law is to remove the inspector. If he wants to bring us again within the operation of the law all that he has to do is to appoint an inspector at the place to which the grain is to be shipped.

Does the Senator from Colorado think that it is either constitutional or wise to confer upon the Secretary of Agriculture the power to discriminate between the States of the Union as he deems best—to have this law in operation in one part of the country and suspend it in another part of the country? I agree that Congress has the power to pass a law that is not uniform. There is no such constitutional restriction with regard to Congress; but I deny that you can give the Secretary of Agriculture the power to apply a law in one place and relieve another community from its operation.

In the hands of a wise Secretary it might work well, but in the hands of a Secretary who would be inclined to abuse his power it might be used to the very great disadvantage of the people, and I always measure the desirability of a law upon the assumption that the power which we grant may be abused. Therefore it is my view of the law always to limit the discretion of an administrative officer within the narrowest practicable bounds.

Mr. President, I have reviewed——

Mr. SHAFROTH. Mr. President, before the Senator proceeds to another point, my attention was distracted from the first part of this point which he makes. Does the Senator refer to the fact that the Secretary has the power to license or not license, by which he can discriminate against one State in favor of another State?

Mr. CUMMINS. Not entirely. I referred to the third proviso of section 4.

Mr. SHAFROTH. On what page?

Mr. CUMMINS. Of the reprint?

Mr. SHAFROTH. Yes.

Mr. CUMMINS. It is on page 4 of the first reprint. It is the amendment which the Senator read a few moments ago. However, it is simply a slight revision of the proviso as it was in the bill.

Mr. SHAFROTH. Does the Senator mean beginning with "*And provided further*, That in any State where there has not been"——

Mr. CUMMINS. No——

Provided further, That any such grain sold, offered for sale, or consigned for sale by grade may be shipped or delivered for shipment in interstate or foreign commerce without inspection at point of shipment by an inspector licensed under this act when shipped from a place at which no such licensed inspector is located, to or through any place at which an inspector licensed under this act is located, subject to be inspected by a licensed inspector—

And so forth.

What I mean, my application of it, is this: Suppose we were shipping grain from Des Moines to St. Joseph, Mo., with no inspector at either place. We would not be governed by the provisions of the bill. We could ship grain freely by grade without any limitation. Suppose, however, the Secretary of Agriculture should appoint an inspector at Des Moines. That privilege would instantly cease, and the grain that was shipped from Des Moines to St. Joseph must be inspected by the inspector licensed at Des Moines. Upon these facts I was suggesting that you were giving the Secretary of Agriculture the right to make this law applicable to one community and not to another. He could, if he wanted to, relieve the entire country of all the effect of the law. I do not even suggest that he would, but you are giving him the lawful power to do it, because if he appointed no inspectors the law would not be operative at all; or, if he appointed an inspector in Iowa, and therefore brought it in that way under the law, by simply removing the inspector we would be free to ship grain to any point at which there was no inspector.

Mr. SHAFROTH. Would not that condition exist if this were a regular United States grain-inspection bill? Would he not have the right to appoint inspectors at one place or to remove them, in his discretion?

Mr. CUMMINS. That is not the question. It would be his duty, if he removed one, to appoint another.

Mr. SHAFROTH. Yes; but, as to the discrimination against a State, it seems to me it would be the same under this measure as if there were a general inspection bill and he were authorized or empowered to appoint inspectors at every place where he deemed it necessary that an inspector should exist.

Mr. CUMMINS. Of course, the bill might be framed in that way, but it is not necessary that it shall be framed in that way.

Mr. McCUMBER. Mr. President, allow me to suggest that the only bill that has been framed along that line has provided for inspection only at the important terminals in interstate grain trade.

Mr. CUMMINS. That probably is the first step that should be taken. That is the natural, reasonable way in which to regulate this subject. But when I think of the confusion and chaos that will be brought about if the Secretary of Agriculture does as he is authorized to do under this act, and appoints inspectors throughout the country, I confess to a good deal of apprehension and alarm; and I do not think the committee having in charge the agricultural interests of the country ought to permit a bill to be passed which can be used in that way. If the Federal Government undertakes the inspection of grain at the great terminal points, no one can complain, and it is bound to be of great benefit to the country. But the very moment that you put restrictions upon the shipment of property, the sale of property from one State to another, the very moment you interpose an inspection under some circumstances and remove the necessity under other circumstances, you are doing something the effect of which you can not possibly predict at this time. That is my only objection to the bill. You are interrupting the course of commerce without any advantage to the people.

If it were perfectly clear that we could reach back to the farmer and protect him, and insure that he always received the proper grade for the grain sold, that would be a compensation for some of these difficulties that you are interposing in the way of commerce. But I have stood here for an hour or two just to show that you are not doing the farmer any good whatsoever. You are conferring no right upon him, and you are placing obstacles in the channels of commerce that will simply be vexatious, and render all such business transactions uncertain, without accomplishing anything for the benefit either of grain dealers or of grain buyers.

Mr. President, I conclude my remarks upon this question by offering the following amendment: I move to strike out sections 4, 5, 6, 7, 8, 9, and 10 of that part of the bill which is known as Part B and to insert as section 4 the matter which I send to the desk, the other sections to be renumbered accordingly.

The PRESIDING OFFICER (Mr. POINDEXTER in the chair). The amendment offered by the Senator from Iowa will be stated.

The SECRETARY. On page 102, beginning with section 4, it is proposed to strike out sections 4 to 10, both inclusive, of that part of the bill known as part B and to insert the following:

SEC. 4. No person shall in any certificate or in any contract or agreement of sale or agreement to sell by grade, either oral or written, involving, or in any invoice or bill of lading, or other shipping document relating to, the shipment or delivery for shipment, in interstate or foreign commerce, of any grain for which standards shall have been fixed and established under this act, describe, or in any way refer to, any of such grain as being of any grade other than a grade fixed therefor in the official grain standards of the United States.

That any person who shall violate any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not more than $500.

Mr. CUMMINS. Mr. President, this amendment, if adopted, would limit part B of the bill to the establishment of standard grades. It contains a provision which prohibits any contract for sale or shipment being made upon any other basis than the standard grades so established by the Secretary of Agriculture. It attaches a penalty for the disobedience of the law, and makes an appropriation for the use of the Secretary of Agriculture in ascertaining and establishing the grades. I do not think it ought to be $250,000, for I think a very much less sum is adequate for that purpose; but it removes every element of inspection so far as Federal authority is concerned. It leaves traffic just as it is. It does not disturb the business of the country, but it does require every inspector, no matter where or how he may be appointed, it requires every person who deals in grain, in entering into contracts of sale or shipment, to observe the Government standards as thus fixed. It seems to me that it is much wiser than to attempt to go forward in this somewhat chaotic way by the licensing of inspectors everywhere, and especially the licensing by the Federal Government of State officials, appointees of boards of trade, chambers of commerce, and the like.

Mr. SHAFROTH. Mr. President, I am glad that the Senator from Iowa has offered the amendment which he has presented, because until that was presented I had no idea what his position was. He criticized particular parts of the bill, but not until the last few minutes has he suggested a remedy which he believes is sufficient to cover some of the evils which exist.

During a part of his argument I imagined that he was in favor of United States inspection, because he criticized the idea of the United States Government issuing a license to somebody who was appointed by a board of trade or some one by a State official, which indicated, to my mind, that he was in favor of the appointment of inspectors by the United States Government. Yet I remembered that on yesterday he said that inspection on the part of the United States Government would take thousands and thousands of men, and that it would create a bureau here in Washington which would of necessity be a great cost, which he thought would be improper and would involve the Government in an enormous expenditure of money. It seems now that he has come to the proposition that there should be an adoption of grades, and that is all.

I concede that there are three lines of thought in the consideration of the grain-grading business. The first is, as the Senator has suggested, the grading proposition. It is true that the position of the farmer and the position of all people dealing in grain would be better than it is now if we had simply the grain-grading proposition.

Then there comes another element which has a great many followers, and with whom, I must say, I have great sympathy, and that is that the United States Government should not only establish grades, but it should also have inspectors to enforce those grades. As a matter of fact, a great many people differ from that, and they say no, that will not do. The position which the Senator from Iowa took on yesterday is a very strong argument to me against the bureau, which would have such a powerful influence with relation to the great agricultural interests of our Nation.

Mr. CUMMINS. I am sure the Senator from Colarado wants to be absolutely accurate in describing my position.

Mr. SHAFROTH. Certainly.

Mr. CUMMINS. I am in regard to Federal inspection much as I am in regard to the Government regulation of common carriers of interstate commerce; I want to try it out; I want to try the system we have now and see if it will afford a reasonable protection to the people. It is just so with regard to grain inspection. I want to establish Government grades and see if the adoption of those grades or the enforcement of those grades by the inspectors who are provided for in other ways will not fairly accomplish the purpose. If not, then I am for Federal inspection.

Mr. SHAFROTH. Mr. President, the position which the Senator has taken, it seems to me, accords exactly with our view, except that he does not adopt the part of what we think is necessary to make that transformation. The argument of the Senator from Iowa on yesterday with relation to the number of employees and the great bureau that will be established is somewhat of an obstacle in the passage at one time of inspection by the Federal Government, and on that account I hesitated and the committee hesitated. But the committee felt that there ought to be a limited amount of authority exercised by the Federal Government with relation to this matter in order to see that the standards are enforced, so far as the provision is concerned.

I can not conceive of a man who believes in Federal inspection who would say, "No; I will not take Federal supervision; I will take the standardization, but not the supervision," because supervision is a step in that direction unquestionably, and supervision will, in my judgment, if it operates well, produce inspection upon the part of the Federal Government. That being the case, I can not understand why these objections that are made should be made as to supervision when its tendency is toward making a compliance with the standards that may be adopted.

Every bill is imperfect to some extent. No person can conceive of all the points but that some further objections may be made. The Senator from Iowa has very ably pointed out some of those objections, some of which are true, others of which I do not think are of the importance which is attached to them by the Senator from Iowa.

But I must say that the objection that a license given by the Federal Government would not have any control or influence over the person appointed, it seems to me, is contrary to human nature. Inspectors, according to the bill, are not to be the employees of or directly interested in the business. Even if they did not have the supervision it would be a step in the right direction—in giving to the farmers and shippers from a State an advantage over what they have now. For

that reason it seems to me it ought to stand even if there is no supervision.

But when you take into consideration that the Federal Government also grants the license to that man and provides that he can not grade unless he has that license the whip handle is in the Federal Government, and for that reason there is a supervision which will be effective. No inspector of grain is going to run the hazard of losing his right to inspect grain by a violation of the standard or a failure to enforce the standards of the United States. For that reason it may not be quite as perfect as if the United States Government appointed and paid the inspector. Perhaps there is not quite as complete control over it, yet there is a control that is far better than that which exists now, when there is no restraining influence upon the part of the Government that establishes these standards.

For that reason it seems to me that supervision is a great step in the way of enforcing these standards which all of us seem to be quite willing may be established on the part of the Federal Government.

Now, the object and purpose of the bill is to prevent the buying of grain from the farmer at a low grade and selling it at a high grade. That is one of the most important points in the entire bill. When we do that we have accomplished for the farmer, we have accomplished for the seller in those States, something that is of substantial benefit to him. By reason of that, while the supervision and control may not be as perfect, it does not also run the hazards and the risks which were pointed out yesterday by the Senator from Iowa.

So, Mr. President, it seems to me that when we take into consideration that there are three thoughts upon this proposition, one in favor of the grades alone, another in favor of total Federal inspection and the wiping out of all State inspection, and another that gets into the operation and influence of the United States Government the very men who are doing the inspecting now—and the Senator from Iowa says they would readily adopt the Federal standards—it seems to me that we are accomplishing a great deal in the interest of grain grading and a great deal in the interest of the farmer.

Consequently any supervision, even if it were not as great as that which is provided in this bill, is a step in the right direction. I believe in testing it, just as the Senator from Iowa has said, to see whether this supervision is going to aid and assist in the proper grading of grain. If it is deemed wise to experiment for a while, to adopt the standard of inspection by the Federal Government under persons who are not even suggested by the interests of elevators or boards of trade or State laws, it seems to me that we will have made a step in that direction, and we can very readily then determine whether we will adopt the whole system by which the Federal Government would have the entire control of it. But as to that the Senate has passed upon it, the Senate has said "No" as to total Federal inspection, and for that reason it seems to me we ought to get as near to it as possible.

Mr. President, I called attention the other day to a number of resolutions that had been passed by various farmers' organizations, elevator organizations, and millers' organizations, showing that those men have examined into the provisions of the Rubey bill or the Moss bill and that they have approved of the same. There is a difference between them as to whether there should be Federal inspection or Federal supervision. All seem to agree that there should be grain grading.

Now, when we take into consideration that these various organizations have agreed almost unanimously in favor of adopting the provision as to the supervision of the Federal Government, when probably they are influenced to some extent by the fact that this body refused to adopt the grain-inspection business by the Federal Government, it seems to me we ought to give caution to what they say.

I want to call attention to one which has just been held, which was handed to me a few moments ago. I will read it. It will not take long:

The second annual convention of the Northwestern Grain Dealers' Association was held at Hunters Hot Springs, Mont., on June 22, 23, and 24, and was a splendid success, both in point of attendance and in the interest shown in the meetings.

Though the new association is but two years old, it already boasts of a membership of 300, composed of line houses, small country dealers, and farmers' elevators.

The association embraces the States of Montana, Wyoming, Utah, and Washington at present, but it is expected that eventually some of this immense territory will be surrendered to other State associations which will in time be formed as the great northwestern country develops its grain resources.

At the present rate of development in Montana the "Stubtoe State" will alone contain enough grain dealers before long to form one of the biggest State grain associations in the country.

It would have been a source of surprise and pleasure to some of the members of the national association and the older State associations to see the enthusiasm displayed by the northwestern dealers in the work of their organization. In the round-table talks the grain men showed that they had an intimate knowledge of the problems of the trade, both State and national.

While most of the problems discussed related to conditions in Montana and adjoining States, subjects of a national character were not overlooked. Among the resolutions passed was one favoring the early passage of the Rubey bill, or grain-grading amendment to the Agricultural appropriation bill, as it is now known. This resolution was wired to Senator GORE, chairman of the Senate Committee on Agriculture and Forestry. Senator GORE has charge of the measure in the Senate. The resolution is as follows:

"Whereas there is pending in the United States Senate the Agricultural appropriation bill, H. R. 12717—

Which is the Rubey bill—

"And whereas this bill, which has passed the House, carries an amendment known as the grain-grading amendment, which is designed to place under Federal supervision the grading of all grain entering into interstate commerce;

"*Resolved by the Northwestern Grain Dealers' Association in convention assembled at Hunters Hot Springs, Mont., on June 24, 1916*, That we heartily favor the speedy passage by Congress of this amendment, which amendment would, we believe, if enacted into law, bring relief to the grain trade from the present unsatisfactory system of grading.

"*Resolved*, That a copy of this resolution be wired at once to Hon. THOMAS P. GORE, chairman of the Senate Committee on Agriculture and Forestry."

Mr. President, these farmers and these grain men have looked into the question with a great deal of care. I have not any doubt that they have looked into it more than nine-tenths of the Members of this body. They have come to the conclusion that the establishing of standards is one thing that they believe ought to be adopted. They believe, further, that supervision on the part of the Federal Government is something that should be enacted into law. They are silent as to the question of Federal inspection. That being the case, they ought to know what is for their interest. Unquestionably this supervision is in the interest of honesty and fair dealing, and for that reason it seems to me we ought to adopt it.

If the position which is taken by the Senator from Iowa prevails, it will destroy the bill. It will leave nothing whatever except grading. It will wipe out of existence the admirable amendment which was offered by the Senator from North Dakota to the effect that inspectors or supervisors shall be appointed by the Federal Government at the leading markets of the United States. That is in the interest of Federal inspection, it is true, but it is also Federal supervision, and that Federal supervision coupled with the direct touch which it will have upon each inspector in the United States under State laws or under boards of trade, it seems to me, will give a command, desires, and wishes of the Federal Government that will not be ignored by them.

Inasmuch as Federal inspection seems to be out of the question, the supervision which is provided in this bill ought to make a very satisfactory arrangement, and it has made a very satisfactory arrangement to most of the farmers' organizations in the entire United States. For that reason I hope the amendment offered by the Senator from Iowa will be voted down.

Mr. McCUMBER. Mr. President, I think the bill in its present shape is far preferable to what it would be if the amendment offered by the Senator from Iowa should prevail, and I hope therefore that it will not prevail. The Senator will find in the bill as it now stands everything that he contends for, and in addition he will find some other things that are quite essential to the proper operation of the other provisions.

The bill as it now stands does provide for the fixing of Government standards. The bill as it now stands does provide that these standards when fixed shall be the standards at which all grains sold by grade shall measure up to at the terminal. The bill as it now stands goes a step further and provides for proper supervision of the grading at the terminals.

There are things in the bill which I do not entirely agree with, and which I believe can be easily met either by amendment in the Senate or agreement by the committee of conference.

One of the principal objections made by the Senator from Iowa was as to the appointment of inspectors at the place of origin. I agree with the Senator from Iowa that there should be no inspectors at such place. The Senator in charge of the bill declares that it is not contemplated that there will be any inspectors at the place of origin, because if you provide for inspectors at these places you will have as many inspectors as there are little villages and stations all over the United States at which grain is sold.

I know the bill does not contemplate that, and yet it does not prohibit the Secretary of Agriculture from making an appointment at such a place if some person asks to be appointed.

It may be possible that the Secretary of Agriculture can, by rule, under this bill provide that the department shall exercise

the right to say that an inspector should not be appointed at such place unless there was a real demand for an inspector, and undoubtedly the Secretary would have the right to refuse to make such appointment; but we could make that simple and clear by a slight amendment either in the Senate or by the committee of conference. They could accept one of these provisions with a further amendment providing that inspectors shall be appointed only at the important terminals in the interstate grain trade. That would cure that difficulty, and would be in accordance with what is contemplated.

I see no objection to an amendment of that kind. That would, therefore, meet the objections of the Senator from Iowa [Mr. CUMMINS] directed to the possibility of inspectors being appointed at these country places. There is no need of inspectors at such places, and I agree that if one were appointed and farmers were compelled to submit to his inspection it would be a great detriment to the trade in grain.

The next proposition—and I must admit that there is something in that, although I do not know whether the Senator from Iowa discussed it, though I think he did to some extent—is the appointment of the inspectors at the great terminals. As a matter of fact, in my candid judgment you would be compelled to appoint the men who have been appointed and given places by the exchanges and the boards of trade. If you do not appoint them you would have no one to do the inspecting. Of course, you might in time develop a class of men who could do the inspecting, but at the present time you must draw your army of inspectors from those who have had some experience, and the people who have had experience are those who have been employed at the great terminals by boards of trade, by chambers of commerce, and so forth. That, however, could be easily provided for, as I have said, either by amendment in the Senate or in the committee of conference, to make the bill harmonious and workable, and I trust that that will be done.

When we have covered that point we have met the principal objection against the measure as it now stands. It will then provide, first, for the standardization of grain; second, that when the grades have been established all grain sold in interstate commerce by grades must conform to the standard fixed by the Secretary of Agriculture; and third, a prohibition against the use of any other grades.

In addition to that, by the amendment which was adopted yesterday, we shall secure real supervision. Supervision by appeal only amounts to very little indeed, but if we have one or more experts at each of the great terminals who have the right to inspect, to supervise the inspecting department, and to report to the Secretary of Agriculture whether or not the grades which are being promulgated and which are being applied conform to the standards, we will secure a great advantage by such supervision. I would not lose that provision, if possible, from this bill. I think it is the most important provision in the bill. Therefore, by striking out all of section 4, which the amendment of the Senator from Iowa contemplates, you would strike out the most important provision in the bill. So I hope, Mr. President, that the amendment will not prevail, for I am certain that the objection made by the Senator from Iowa can be remedied either by further amendment in the Senate or, as the bill now stands, such remedy can be afforded by proper amendment which may be made by the committee of conference.

Mr. NELSON. Mr. President, I am unwilling to detain the Senate for any length of time in this discussion, and I have heretofore avoided as much as possible taking part in the debate with a view to expediting the passage of the bill.

I must say, however, that I entirely concur in the views of the Senator from Iowa [Mr. CUMMINS]. I think that if the Federal Government establishes standards for all kinds of grain entering into interstate commerce, it has gone far enough; that there is no need of its going any further, because those standards can always be referred to and used in all interstate transactions. Whatever impediments or restrictions are placed upon the grain trade react on the farmer.

It has always seemed to me, and I think it will be found in practice to be, a most difficult problem for the Federal Government to establish what I may term interstate grades. People who are not familiar with the subject imagine that is it an easy thing to grade wheat, for instance, imagining that you can fix a set of grades—No. 1, No. 2, and No. 3—that will apply equally well to the whole country. Those, however, who are conversant with the subject, know that you can not establish a grade that is applicable to the whole country, but that you must establish grades in the different localities which may be properly applied to the kind and quality of wheat raised in those localities.

There is an immense difference between spring wheat raised in Minnesota and Manitoba and the spring wheat raised in Montana and in the States on the Pacific coast. The Minnesota and Canadian wheat is what we call glutinous wheat; it contains a very large proportion of gluten and is very much desired by the millers for the manufacture of flour. They like glutinous wheat because they can take an inferior grade of wheat, a starchy grade, and mix with the glutinous wheat, and still get a good, fair quality of baker's flour.

As you go west into Montana, and as you go south into the southern edge of the spring wheat belt into northern Iowa, Nebraska, and northern Wisconsin, you will find spring wheat of a different variety from that grown in Manitoba or in Minnesota. It is a softer and a more starchy wheat, and it is used by the millers to mix with the hard wheat of Minnesota.

To fix a proper grade in these different cases you would be obliged to establish one series of grades for what I term hard varieties of spring wheat, and then you would have to establish another series of grades for what I call the soft varieties of spring wheat.

What I have stated in reference to spring wheat applies equally and to the same extent to winter wheat. There are very many varieties of winter wheat. There is what is called in the trade red winter wheat and white winter wheat. There is also a soft winter wheat and a hard winter wheat.

Some years ago there was imported from abroad—I think from Russia—into Kansas and Nebraska a variety of hard winter wheat which was called Turkey red. That variety of wheat resembled more than does any other of the winter wheats the hard wheat which is raised in Minnesota. That is true to such an extent that the millers in Minnesota import some of that Turkey red hard winter wheat and mix a little of it with the hard spring wheat in the manufacture of flour.

Therefore, in the fixing of grades by the Government there will be many obstacles encountered. For instance, if you make a moisture test for wheat, somewhat akin to that which has been established by the Department of Agriculture in respect to corn, those who have been complaining a great deal in the past will find themselves considerably embarrassed. In large portions of North Dakota, in portions of South Dakota, and in portions of Minnesota, in what is called the Red River Valley, where there are many large farms and where help is scarce, the farmers are in the habit of not stacking their grain. They simply reap it, shock it, and let it stand in the field until they are ready to thrash, and then they thrash it from the shock. When there is a dry fall, with little or no rain, that is not a very dangerous method to pursue. To be sure, if the grain stays a long while in the shock it is apt to become somewhat bleached, but it is otherwise all right. However, it oftentimes happens that in the course of the fall there is considerable rain, and when that is the case the wheat not only becomes bleached, but becomes damp and moist. The farmers thrash that wheat from the shock as soon as it will bear thrashing; and, what is more, the big farmers are accustomed to haul the wheat right from the thrashing machine to the railway station and there they usually load it into cars or else place it in elevators. The result is that wheat in that condition, when it reaches the terminals, is likely to heat and to spoil; and the farmer shipping the grain will fail to get the grade which he expected to receive. If there is a moisture test, that character of grain will be graded as of an inferior quality.

In all the grain States there are two systems of grain inspection. There is what is called the State system, the most perfect example of which, as I have heretofore explained to the Senate, is the Minnesota system. I think next to that system comes the system in vogue in Missouri. State-inspection systems also exist in Illinois and in a number of other States, but where there is not a State system of inspection there is what is known as the board-of-trade inspection system or the chamber-of-commerce system. All along the eastern seaboard, where grain is shipped to Europe, the last-named system of inspection prevails. Most of the grain is shipped originally according to the local system of inspection, and some of the grain that goes to the seaboard for export, if it is shipped from Duluth, Minn., or from Manitoba is bought and sold upon the Duluth or the Winnipeg inspection, which is considered superior to the board-of-trade inspection.

If you establish a Government standard for grain shipped in interstate commerce and leave the application of the law to the different States, either under the State system of inspection or under the board-of-trade inspection, the law will be as effective as it possibly can be under the system proposed in the pending bill, and you will avoid endless and needless expense.

Many men who talk about Federal inspection and about having Federal inspectors appointed to do the work scarcely comprehend the volume of the business and the vast number of

employees that would be necessary. During the grain season, when the farmers are busy thrashing their grain and shipping it to market, there are very many days in the course of the fall when as great a number as four or five thousand cars arrive at the terminal at Minneapolis or Duluth to be inspected. The most that one inspector can do—and then he will be obliged to work from daylight until dark—will be to inspect from 75 to 80 cars a day, perhaps 90 as an extreme. Just imagine the enormous number of inspectors who would be required to inspect the cars if prompt inspection were desired; and it is important that grain should be inspected as soon as it arrives at the terminal, otherwise the shipper must pay demurrage on the car.

All that is needed in the matter of grain inspection is—and I take it that that is really what the exporters of grain want—to have grain when it is shipped abroad so labeled as to indicate that it conforms to the United States standard; in other words, so labeled as to indicate that it is graded according to the standard provided; and if we adopt the plan suggested by the Senator from Iowa we should be taking as long a step as we ought at this time to take.

Mr. President, the historian Macaulay well said that all legislation is of an experimental nature. In adopting Federal grades we are entering upon an entirely new field of legislation; and it seems to me that the safest and most prudent way to proceed would be to provide for Federal standards. After we have tried that experiment under the existing systems of inspection which prevail throughout the country, we shall then know whether any further remedial legislation is needed.

It is not difficult, if grain is bought and sold under a Federal standard, to enforce conformity to that standard. There are inspectors in every State, either under the State system of inspection or under the board-of-trade system of inspection, who will continue to inspect the grain; and if it is bought according to Federal standards, the inspectors will of necessity have to be guided by those standards, and in case of complaint being made, the action of the inspectors can be checked and restrained.

To go into the field of licensing a lot of inspectors is something that should give us pause. It would not be so bad if it were merely proposed to license inspectors in States where there is an organized force of inspectors; but in States where there is no such force, where the inspection is merely a private matter, it would be rather a dangerous and risky thing to appoint an unlimited number of inspectors, and leave the inspection to a multitude of such inspectors who, in many cases, would be subject to be swayed by private interests.

The complaint against the present system is not that it has not worked well locally, but that it has not resulted in uniformity. This Federal inspection can be of no benefit or advantage to the farmers of the country. They sell their grain to the local buyer; and this Federal inspection that is talked about is simply an inspection that governs the trade of the middlemen, the men why buy from the farmers and ship to the millers, or who ship their grain abroad. The whole system of inspection, in whatever form you put it, does not operate directly for the benefit of the farmer. It is a system that operates simply for the benefit of those who deal in wheat, the middlemen, the men who buy from the farmers, and the men who, having bought from the farmers, sell the grain to the millers, or sell it for shipment abroad. The whole inspection system reaches them; and the idea that is being spread abroad that a Federal system of inspection can be of any benefit or advantage to the farmers is, in my opinion, far-fetched in the extreme.

The Minnesota farmer, for instance, comes with his load of grain to the country elevator, and we perhaps have between one and two thousand such elevators or grain houses in our State. Many of them are owned by big companies called line companies. Others, again, are known as farmers' elevators. When the farmer comes to town with his load of grain and sells it to the elevator man, the elevator man takes that wheat and says: "I grade this wheat so much, and I will pay you so much a bushel for it." If the farmer sells his grain at that time—if he sells it on the spot to the elevator man—that is the end of the transaction. If he sees fit not to sell it, he gets what is termed a storage ticket, stating that he has stored so many bushels of No. 1 or No. 2 or No. 3 wheat, as the case may be; that it is subject to certain dockage; and that he must pay certain elevator charges in proportion to the length of time the grain remains in the elevator.

So it is a difficult problem. I have never been able to see how any system of inspection, either State or Federal, would be of any benefit directly to the farmer. It is the middlemen who are benefited. The men who within the last year have become clamorous for this legislation are not the farmers, they are not the ordinary elevator men, but the millers. They claim that they will be able to get better and more satisfactory grades under a Federal system.

Assuming that to be so, Mr. President, I think that if we establish a Federal standard of quality we have gone far enough. While this bill as reported from the committee, with the amendments that have been ingrafted upon it, is not so bad as it might be; while the amendments that have been injected into it, partly on the motion of the members of the committee and partly on the motion of the junior Senator from North Dakota [Mr. GRONNA], have greatly improved the bill; yet, after all, I am thoroughly convinced that it will be for the best interests of the business of the country to so limit this bill as to make it simply a Federal standardization bill. That is practically, as I understand, what you have done in the matter of cotton, is it not? I will ask the Senator from Georgia in regard to that.

Mr. SMITH of Georgia. It does not go far beyond simply the work of standardization.

Mr. NELSON. That is it exactly; and I appeal to you men of the South to extend to us the same beneficial system as to our great product that we have extended to yours. We have not interfered with your cotton legislation. We have told you to name the system you desired, and we have accorded it to you; and you have adopted the same plan as to cotton that the Senator from Iowa and I are now advocating as to grain. You have simply adopted a Federal standard, and beyond that you have not provided for any Federal inspection. Am I not correct?

Mr. SMITH of Georgia. That is practically the effect of it.

Mr. NELSON. Yes. You have not, either directly or indirectly, provided for any Federal inspection?

Mr. SMITH of Georgia. I do not think so; and, as the Senator appeals to us, I will say that we wish to give the grain-producing States what their representatives deem best. We wish, as far as possible, to refrain from deciding their question. We have sought to induce the Senators upon the committee from the grain States to prepare the legislation for themselves. I wish to assure the Senator from Minnesota that we are not trying to put anything on them. We are trying to let them have what they wish. The difficulty has been that there has not been a harmonious view. We worked out practically without any dissent from the cotton States the cotton problem.

In one breath we are told by certain Senators that they are entitled to certain protection; that they are entitled to certain legislation; that it is wrong not to give it to them. In the next breath Senators in whom we have equal confidence object to our giving what some of the Senators from the grain States say is essential. I wish we could have left it to the grain-State Senators to fix it for themselves, and that is practically what we are seeking to do. So far as I am concerned, and so far as those of us who are from the Southern States on the committee are concerned, we are following the majority on the committee of the grain-State Senators.

Mr. NELSON. I realize fully the force of what the Senator from Georgia has said, and I want to congratulate him and his associates from the South on the fact that they have been able to unite upon a program. You have adopted a very sensible idea in reference to cotton. You have simply established a Federal standard, and you have stopped at that. You have not provided either for a Federal or a State inspection. I think if we did in respect to wheat what you have done in respect to cotton we would be going far enough. I submit, Mr. President, that we ought at all events to stop and try that experiment, and see whether or not it will work satisfactorily.

It is curious to observe what a reaching out there has been in recent years to absorb the activities of the States. Yesterday I received a letter, which I am sorry I have not here, from a prominent constituent of mine in Minnesota. He said, "I understand there is legislation contemplated to put the creameries and the cheese factories of the country under a system of Federal inspection. I understand that the oleomargarine people are pressing for such legislation. It will be a most dangerous thing," he said, "to put our creameries and our cheese factories under Federal inspection. We would not know how to get along."

If you keep on extending this system, if you adopt, first, Federal grain inspection, the next step will be that inspection of our creameries will be demanded, and they will want to inspect the milk and cream entering into interstate commerce. You are getting milk and cream here in Washington from across the river in Virginia. It comes into the District of Columbia, and it is a part of interstate commerce. The butter and the cheese we use in the country enter into interstate commerce. There is no limit to how far you may go if you adopt this principle of Federal regulation in respect to all these things.

There will be as much clamor by and by—and as plausible an argument will be made in its favor—for a Federal inspection of the creameries throughout the country of the butter and cheese that are sold in interstate trade, and of the milk and cream that are sold in interstate trade. If you follow up this program, no limit can be fixed to the absorption by the Federal Government of the activities of the States and of their people.

I sincerely trust that the amendment of the Senator from Iowa [Mr. CUMMINS] may be adopted. I have taken more time than I intended to take. I have endeavored to avoid, as I said at the outset, delaying action on this bill. I think Senators on the other side of the Chamber must admit that in one way or another, although not directly upon this provision of the bill, they have consumed more time than have we on this side.

Mr. McCUMBER. Mr. President, most of these remarks have been directed more or less to the Senator from Georgia [Mr. SMITH], who seems to be the only one on that side who is giving close attention, at least, to the bill. As he has indicated a desire on the part of those on that side, and especially those from the cotton-growing States, to give us what we want and what we ought to have, let me present this question to him from the standpoint of a North Dakota farmer—not from the standpoint of a Minneapolis buyer—and possibly he will see some distinction between the viewpoint of the two.

Let us remember that when our fathers adopted the Constitution of the United States and provided in that Constitution that Congress should have control over interstate and foreign commerce, there was some reason for it. There was some reason for taking it away from the States, and vesting that power in a Congress of all the States of the Union. Now, what was it? It was well known at that time that the people of some States must market their produce in another State, in a State whose rules and regulations and laws were beyond their control, and which rules, regulations, and laws might be used for the benefit of the purchasers of their products, and against the interests of the producers of the same products.

Every bushel of grain that is raised in the State of North Dakota, outside of a small percentage which is manufactured into flour there and the other percentage which must be used for seed, must be sold at our great terminals. The great terminals can pass laws and rules over which we have no control. You can be absolutely certain that the regulations for the handling of that grain will not be made for the benefit of the North Dakota farmer. They will be made for the benefit of the parties that are dealing in that grain.

That power has been used in the past to the great detriment of our people. We have been struggling for years to get rid of that condition, so much so that our legislature passed a law to purchase a terminal elevator which would be under the control of our own State; and that being found to be unconstitutional the people of my State voted an amendment to the constitution so that they would have the power to purchase or build an elevator at one of these great terminals and thereby escape the injustices that have been heaped upon them at these great terminals under the rules and regulations adopted by them. Our last legislature failed to make the appropriation, and so to-day we have in our State a nonpartisan league, and that nonpartisan league nominated every man for the State legislature on both the Republican and the Democratic tickets. The men that they put up were nominated, and the men that they put up will be elected this fall.

All this grew out of the abuses that the people of that State have had to submit to because they have no voice in the rules or regulations governing the final sale of their product.

Now, they are coming to the only authority in the United States that can deal with interstate commerce and can give them a moiety of protection—the Congress of the United States. They ask of you, and have asked for years, not only for Federal standardization but for Federal inspection.

So far you have failed to give them either. You now have a promise, at least, of giving us the Federal standardization, and as soon as we are about to get that and get it in a law that can be made effective, we find the same forces that say they are in favor of Federal standardization wishing to cripple the law so that you can not make your Federal standardization effective. How can you make it effective? You can only make it effective when you have at these great terminals some Federal officer that can examine into the grading and inspection of the grain, and if it does not measure up to the standard that is fixed by the department then the department can take some action. These great terminals do not want a Federal officer "spooking" around their work. The farmer does want him there, and that is the best part of your bill—a provision, not by mere expectation in your bill that the Secretary of Agriculture will do so but that he absolutely must appoint those supervisors.

The Senator from Minnesota [Mr. NELSON] has at some length expressed his opposition to Federal inspection. This is not Federal inspection. We are not asking, so far at least, in this discussion, for Federal inspection. We are asking that you make your Federal standardization what it ought to be—real Federal standardization—by giving a proper supervision. The amendment of the Senator from Iowa cuts out that supervision. If all the rest of section 4 was eliminated and this one provision kept in, I would have no serious objection to the amendment of the Senator from Iowa.

The Senator from Minnesota says Federal inspection can not in any way benefit the farmer and even that Federal standardization can not benefit the farmer. I am going to tell you right where it does benefit the farmer. I am going to tell you right where it does benefit him. The Senator is laboring under the idea that there is some lack of understanding between the elevator owner or purchaser at the point of shipment and the farmer. As a matter of fact, in nine hundred and ninety-nine cases out of a thousand they are in exact sympathy.

The elevator man does want to give the farmer the grades that his grain is entitled to receive. His business with that farmer depends upon securing for him the very best grades that he can at the terminal. But he must make the grade according to the grade he receives at the terminal. If he knows that the farmer has brought him a grade which, under the standard, would grade as good No. 1 northern and wishes to give it to him and after he has sent out a carload or two of that and has received only No. 2 northern at the terminal, then he can only give the farmer No. 2 northern for his No. 1 northern. The whole conflict is between the elevator in the State and the inspection department at the great terminal. The farmer will get whatever that elevator man will get at the terminal, and if he gets a fair and just inspection the farmer in the country who is his customer is going to get the benefit of it.

That is not all. There is another benefit, and that benefit comes from the other end of the transaction. Suppose there is a miller. He knows what is good No. 1 grain. He wants to buy that grain and he contracts for 100,000 bushels at the great terminals, say, for No. 1 northern wheat raised in the Northwest, where the gluten property is very excellent. He gets a grade that is certified to him as No. 1, which is in fact little better than No. 3. For the second hundred thousand bushels that he buys of No. 1 grade, which is in reality No. 3, he will pay only a No. 3 price. That fixes, then, the price of No. 1 at a No. 3 basis, and the farmer suffers for every bushel that he has in his granary, because his No. 1 grade does not receive its fair and honest standard at the great terminal.

There can be no possibility of any injury or injustice being done by reason of having supervisors at these terminals whose duty it will be to see that the inspection which is made measures up to the national standard. We have a right to expect that if we are going to put this bill into operation. We want to make it effective. We not only want to make it effective, Mr. President, but we want confidence in our grades.

If you will read the testimony of the foreign buyer of the American miller you will find that at the bottom of everything there is lack of confidence in the grades. The testimony given here but a year or two ago stated that no miller will ever buy grain upon the Chicago grades; that he will send his own man to inspect the grain and then will buy it according to the quality that he observes in the grain rather than by the certificate which is attached to it.

That lack of confidence in grades as between Canada and the United States has given the Canadian wheat, which is no better than ours, a character in the markets of the world that realizes for it from 5 to 8 cents a bushel more than is given for the same grade of American grain, because the foreign buyer, under our rules, must buy according to the certificate that is issued in this country, and he lacks confidence in our certificate. He has confidence in the certificate that is given under the inspection in Canada.

The very fact that we have Federal supervisors that will insist that the inspectors, whether they are State inspectors or board of trade inspectors, shall inspect and certify according to the real intent of the standards fixed by the Secretary of Agriculture, will insure a confidence that will tend to press upward the prices of all grain sold by standard. That is all that we are asking in this case. For that reason I sincerely hope that you will give us that which the Senator in charge of the bill has consented to, the services of the supervisors at the great terminals.

Mr. CUMMINS. Mr. President, it is easy to understand why the Senator from North Dakota is satisfied with the bill. He has put into the bill all that he has ever claimed before this body. He has induced those who are in charge of the bill to accept

his view of the matter. He is willing to accept the bill because it is Federal inspection. I do not oppose Federal inspection, but the Senator from North Dakota is willing to have Federal inspection all over the State of Iowa, all over the State of North Dakota, all over every other State in the Union, in order to get Federal inspection in Minneapolis. I am not. That is the whole difference between us.

I have no objection to Federal supervision in Minneapolis or in Chicago or in any other of these terminal points. I would not oppose the bill a single moment if that were the effect of it. But when the effect is to give the Secretary of Agriculture power to appoint local inspectors without pay, without responsibility, and, having appointed them, to permit that system to interrupt the business of my State and the shipment of grain from my State to some other, I protest. I would not object to any system of inspection in Chicago, Minneapolis, or St. Louis; but why does the Senate committee insist that we shall have local inspectors appointed, as I have heretofore suggested, whose very presence will oftentimes paralyze the very industry which this system is intended to stimulate and encourage?

That is the whole question here. I would rather have no Federal inspection, no Federal supervision, than the Federal inspection and the Federal supervision provided for in this bill.

Mr. McCUMBER. Mr. President, the Senator from Iowa must recognize the injustice of his statement of my position in this matter. He must recognize that I do not believe in having inspectors all over the State of North Dakota. On the contrary——

Mr. CUMMINS. I did not say that.

Mr. McCUMBER. The Senator says I am willing to have them all over the State of North Dakota and Iowa. I do not want an inspector at any place except at the great terminals in interstate grain traffic.

Mr. CUMMINS. What I said was that the Senator from North Dakota is willing to accept these inspectors in order to secure Federal supervision in Minneapolis.

Mr. McCUMBER. No, Mr. President, I do not think there will be any inspectors appointed in Iowa or in North Dakota. While it is not absolutely prohibited by the bill, I conceive that it would be within the power of the Secretary of Agriculture to refuse to appoint inspectors where they were not needed, and they are not needed under the provisions of the bill in North Dakota or in Iowa.

Not only that, but I stated at least twice, and I will repeat it, that I am in favor of a further amendment which shall provide that inspectors shall be appointed only at the important terminals in interstate grain trade. I think that that should either be made on the Senate floor or by the committee of conference. In other words, if it is contemplated that none shall be appointed there, I should like to make it clear that they should not be appointed at those places.

I have not introduced all the amendments that I wanted in this bill. The Senator intimates that it is a Federal grain inspection bill. It is not. There is no provision for the appointment of a single Federal inspector. All there is in the bill is that the Federal inspector shall grant the license the same as the Government grants a license to run a boat on the Missouri. But the owner of the boat line does the employing. It is not a Government-run boat because the captain or the pilot must have a Government certificate of navigation. He is governed by no law relative to interstate traffic simply because he receives that certificate; he is under the control entirely of his employer.

So there is no use of our saying that this is Government inspection. Possibly before we get through with this measure there will be an opportunity for all of us without taking any time for argument to vote directly on the question as to whether or not we want both Federal standardization and Federal inspection. If I can not get that much I am willing to take what I can get.

The PRESIDING OFFICER (Mr. NORRIS in the chair). The question is on the amendment of the Senator from Iowa [Mr. CUMMINS].

Mr. McCUMBER. There being very few Senators in the Senate Chamber I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll and the following Senators answered to their names:

Bankhead	Chamberlain	du Pont	Hughes
Borah	Chilton	Fletcher	James
Brady	Clapp	Gallinger	Johnson, S. Dak.
Brandegee	Clarke, Ark.	Gronna	Jones
Broussard	Culberson	Harding	Kenyon
Bryan	Cummins	Hardwick	Kern
Catron	Curtis	Hitchcock	La Follette
Lane	Overman	Simmons	Tillman
Lee, Md.	Owen	Smith, Ariz.	Underwood
Lewis	Pittman	Smith, Ga.	Vardaman
Lippitt	Poindexter	Smith, S. C.	Wadsworth
McCumber	Pomerene	Smoot	Walsh
Martine, N. J.	Ransdell	Sterling	Weeks
Nelson	Saulsbury	Swanson	
Norris	Shafroth	Thomas	
Oliver	Sheppard	Thompson	

Mr. MARTINE of New Jersey. I desire to announce that the Senator from Montana [Mr. MYERS] is detained at home through illness.

The PRESIDING OFFICER. Sixty-one Senators have answered to their names. There is a quorum present.

Mr. SHAFROTH. I should like to have the amendment read before the vote is taken.

The PRESIDING OFFICER. The amendment will be read.

The SECRETARY. In part B of the bill, the portion relating to grain in interstate commerce, the Senator from Iowa [Mr. CUMMINS] moves to strike out all of sections 4 to 10, both inclusive, and to insert in lieu the following:

SEC. 4. No person shall in any certificate or in any contract or agreement of sale or agreement to sell by grade, either oral or written, involving, or in any invoice or bill of lading or other shipping document relating to, the shipment or delivery for shipment in interstate or foreign commerce, of any grain for which standards shall have been fixed and established under this act describe, or in any way refer to, any of such grain as being of any grade other than a grade fixed therefor in the official grain standards of the United States.

That any person who shall violate any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not more than $500.

Mr. GRONNA. Mr. President, I shall detain the Senate but a moment.

I said when this measure was first presented to the Senate that I should prefer to have all the provisions following section 3 stricken out unless the measure should be amended. I am glad to say that those who are in charge of the bill have been generous enough to accept amendments which I believe are very beneficial.

As I said when I tried to analyze this bill the first day it was being discussed, it would have been impossible for the people of my State to have shipped grain unless it had been shipped by sample or by type. Every bushel of grain sold by the farmers of my State, unless they ship it themselves, is bought and sold by grade. It is brought to the local elevator and there sold by grade.

But, Mr. President, the chairman of the committee has been generous enough to accept an amendment, which I believe takes care of that.

Another amendment has been accepted which prohibits the issuance of a license to those who are directly and financially interested in the grain trade. I believe that is one of the most important amendments accepted by the committee, and it is now incorporated in the bill.

Another amendment has been accepted which provides for a board of grain appeals. I may say, Mr. President, that I have discussed this matter with those who are supposed to administer this law if it becomes a law and I am told that there will be ample authority for the Secretary of Agriculture to appoint men at the terminals who would supervise the inspection of grain, and if it does not, my colleague has offered an amendment which has also been accepted by the committee which provides for at least one supervisor at every one of the terminals.

I said on yesterday that I believe that would hamper the Secretary of Agriculture. If this appointment is only in addition to the appointments which may be made by the Secretary then I believe it is right and proper. If it is not, I still believe that it is a limitation upon the power of the Secretary of Agriculture.

Mr. President, there is another amendment that has been adopted since the bill came to the Senate which allows the buyer or the seller to buy or sell grain and ship it regardless of grades, to ship it by type or to sell it by sample or by type. That is a copy of the Canadian law. I think it is important not only for the grain trade in the United States but it is important affecting the foreign trade. But I do not care to go into that because I do not wish to delay the proceedings of the Senate any longer.

If the bill had not been amended I should have voted to strike out everything after section 3 and amend section 3 in some respects, providing that these grades shall be the official grades of every contract both in interstate commerce and in foreign trade.

I believe, Mr. President, with the amendments which have been accepted and which are now incorporated in the bill it is a better bill than it would be to strike out everything after section 3 and make it only a standardization act.

I am simply making this explanation because I shall vote for the bill as it has been amended; and while I am on my feet I want to express my appreciation to the Senators from the South, and especially to the Senator from Georgia]Mr. SMITH[and the Senator from South Carolina [Mr. SMITH], who are my associates upon the Committee on Agriculture and Forestry. I know how anxious those Senators are to do something for the benefit and for the best interests of those who are engaged in agriculture. I also appreciate what the Senator from Georgia said yesterday, that he is willing to leave it to the Senators from the grain States to agree upon a bill that would be satisfactory to their part of the country.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Iowa [Mr. CUMMINS].

The amendment was rejected.

Mr. BRYAN. Mr. President, I offer the amendment, which I send to the desk.

The PRESIDING OFFICER. The amendment proposed by the Senator from Florida will be stated.

The SECRETARY. On page 19, after line 23, it is proposed to insert:

Provided further, That the unexpended balance of the appropriation of $300,000 for the emergency caused by the infectious nature and continued spread of the destructive disease of citrus trees, known as citrus canker, made in the further urgent-deficiency act approved February 28, 1916, is hereby reappropriated and made available for the fiscal year 1917.

Mr. SMITH of Georgia. Mr. President, in the consideration of this question, both in the subcommittee and in the general committee, we were under the impression that the bill as framed carried exactly the provision which the Senator from Florida [Mr. BRYAN] has just introduced. I do not understand why the Senator proposes the amendment. I know we had a consultation with the Secretary of Agriculture as to what the department would need, and he estimated that they would use the unexpended balance. We also gave him an additional sum which he desired outside of the unexpended balance. If there is any doubt about it, this amendment should be added, because that is what the committee propose to do; that was our intention; and that was in accordance with the calculation of the Secretary of Agriculture.

Mr. BRYAN. Mr. President, it is for the very reason that the appropriation lapses that I have offered the amendment.

Mr. SMOOT. I will ask the Senator from Florida how much of an unexpended balance is there?

Mr. BRYAN. About $75,000.

Mr. SMOOT. Does the Senator from Florida know why that sum was not expended?

Mr. SMITH of Georgia. The department merely did not finish the work.

Mr. BRYAN. I only know what was the report of the Secretary of Agriculture, and I know there is unexpended about $75,000.

Mr. SMITH of Georgia. I think we on the committee know more about it than does the Senator from Florida who was not present. We had an expert before our committee——

Mr. BRYAN. I have, however, read the hearings, Mr. President, and the title of the bill is not sufficient to carry that sum on into this fiscal year, as I understand.

Mr. SMOOT. That is true; I have not any doubt about that.

Mr. BRYAN. And it was the intention of the committee and of the Secretary of Agriculture to use that amount and to supplement it by the second amount here appropriated. I am trying to carry out that purpose.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from North Dakota?

Mr. BRYAN. I yield to the Senator.

Mr. GRONNA. I will say that, as stated by the Senator from Georgia [Mr. SMITH], it was the understanding of the committee—at least it was the understanding on my part—that the unexpended balance should be reappropriated for this particular purpose. Indeed, we had under consideration the question of doubling the appropriation, but that was not done. The committee, however, did agree that whatever balance there was unexpended should be used for the eradication of this disease of citrus canker.

Mr. SMITH of South Carolina. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from South Carolina?

Mr. BRYAN. I do.

Mr. SMITH of South Carolina. I think the proposition of the Senator from Florida is correct.

Mr. BRYAN. I do not think there is any doubt about it.

Mr. SMITH of South Carolina. We sent a communication to the Secretary of Agriculture, my recollection now is, making inquiry in regard to the matter, and I think he stated that this appropriation plus the unexpended balance was all he thought would be necessary. Does not the Senator from Georgia recall that?

Mr. SMITH of Georgia. There is no question about that. We simply made a mistake in not providing for it.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Utah?

Mr. BRYAN. I yield.

Mr. SMOOT. The first appropriation that was made for the eradication of the disease of citrus trees was in an urgent deficiency appropriation bill. That appropriation, I think, was $75,000 to carry on the work up to the end of that fiscal year. Last year there was an appropriation of $300,000 for this same purpose. What I am now trying to get at is, What is the use of appropriating $250,000, as this bill does, and appropriating $75,000 of an unexpended balance, making $325,000, if during the last year the department has only expended $225,000, and that, too, at a time when the disease was prevailing in its most virulent form?

Mr. SMITH of Georgia. Mr. President, any of us who were present at the hearing could answer that question, but as the Senator from Florida [Mr. BRYAN] is present, he also can answer it, of course.

Mr. BRYAN. The reason for this appropriation is very simple. In the winter, when there were not many rains, the disease seemed to be under control, and there was not as much money spent as it was thought it would be necessary to spend.

Mr. SMOOT. And that will happen again, will it not?

Mr. BRYAN. That will happen again, but now, since rains have come on, and the disease is beginning to again spread, they find the necessity for an additional expenditure. In the hearings which were held in May the condition was brought before the committee, and a representative of the Agricultural Department stated that they expected to have on hand at the end of the fiscal year something like $100,000, and that they felt sure an appropriation of $250,000, with the estimated amount, would be sufficient, although he expressed some doubt as to that, and stated that if it were not sufficient it would certainly carry the work through until Congress met at its next regular session.

Mr. GALLINGER. Mr. President, if the Senator from Utah will yield to me a moment, I desire to ask the Senator from Florida if his proposed amendment is not on all fours with one which was adopted the other day, which was submitted by the Senator from Massachusetts for the Senator from New Hampshire, reappropriating a sum for the suppression of the white pine blister rust, which appeared in the same bill as did the Senator's item?

Mr. BRYAN. That is true, Mr. President, and the Senator from New Hampshire and I investigated the question together as to whether or not the amount would lapse, and we came to the conclusion, after consulting with the Clerk of the Committee on Appropriations, that there was no question but that it would lapse. It is for that reason that I have offered the amendment.

I will say to the Senator from Utah that $325,000, in my judgment, is inadequate for the stamping out of this disease. I am disappointed that the Secretary of Agriculture did not ask for a greater amount. I offered an amendment to double the amount. Since February the Department have spent over $200,000 in four months, and yet they are expecting to go ahead through a whole year with $250,000. I do not believe it can be done; I have no idea it can be done, in view of the fact that the disease, while it has been controlled somewhat, has broken out in a great many places in several other States. When this appropriation was made, the disease had not been discovered in the State of Georgia; but it is there now, and it is also in all of the Gulf States.

Mr. SMITH of Georgia. It is now in Alabama, Louisiana, and Mississippi, as well as in Florida.

Mr. BRYAN. Yes; it has progressed as far west in Texas as San Antonio, and almost up to California. If it shall reach there, of course there will be a great deal more trouble.

Mr. SMOOT. Mr. President, I am quite sure the amendment ought to be adopted to the bill if the unexpended balance is to be used for this fiscal year. There is no doubt about that. The only question in my mind was whether it was absolutely necessary to reappropriate it. Last year $300,000 was appropriated. This bill appropriates $250,000, and there is an unexpended balance of $75,000.

Mr. VARDAMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Mississippi?

Mr. SMOOT. I shall do so in a moment, as soon as I get through with the sentence. Adding the unexpended balance of

$75,000 would make the appropriation amount to $325,000 for this year. Last year there was an appropriation of $300,000, only $225,000 of which was used. If it is now absolutely necessary that the amount of $325,000 shall be appropriated, I have not any objection at all, because I know that the disease is playing havoc with the citrus trees in the South, and far be it from me to make an objection to such an appropriation as would be sufficient to eradicate that dread disease. But I wanted some explanation as to why an appropriation of $325,000 was desired for this year when only $225,000 was expended last year.

Mr. VARDAMAN. Mr. President——

Mr. BRYAN. Mr. President, if the Senator from Mississippi will permit me, I wish to state here that $200,000 have been spent since February or March. In addition, the State of Florida alone expended $125,000 in six months, so that there has been spent $325,000 within the last fiscal year.

Mr. SMOOT. But that does not change the condition of affairs at all. No matter where the money was spent, it was only $225,000 which was expended.

Mr. BRYAN. Here is what Dr. Kellerman said in reply to a question propounded to him by my colleague [Mr. FLETCHER]:

Senator FLETCHER. I have only a few question in this direction. I would like to ask whether or not the doctor—

Who was Dr. Kellerman—

would agree with Mr. Newell—

Who was plant commissioner of Florida—

that some additional inspectors could be used.

Dr. KELLERMAN. Under the present situation there is no doubt that additional men are needed. I have just received a telegram this morning from Commissioner Newell giving details of the recent infections. Four new areas are found infected—

And so forth. Dr. Kellerman continues:

It will be immediately necessary to increase our force in the Elfers region by from 25 to 50 men, depending on how bad these infections turn out to be.

The CHAIRMAN. You say that ought to be increased how much?

Dr. KELLERMAN. From 25 to 50 additional men will have to be put in the field.

So the conditions are really as bad as they were when the work started. They are controlled in the places where it was discovered, the places of infection, but the disease has broken out in new places. There have been some 800 or a thousand places of infection. There have been a half million nursery trees destroyed and a half million row trees destroyed in Florida alone. In Texas they have a force of 86 men, in Mississippi 14, in Louisiana 19, in Alabama 59, in Georgia 3, and in Florida 294.

Mr. VARDAMAN. Mr. President, if the Senator from Utah will pardon me for a moment, I will say that the record shows that the manner of using this appropriation convinces me that it is being used with prudence. That the amount asked for by the department is needed, and needed badly, I think there is no question whatever. It seems to me if the department has made a mistake at all it was in not asking for more, because the sooner this disease is eradicated the better; and the only way to eradicate it is to take hold of it and extirpate and destroy it. You can not temporize with it; and the more money you have got to spend, the more people you have at work, the sooner you will exterminate the germ and the greater will the economy be to the people of the United States and the Government, because it is manifestly the purpose, as it is the duty of the Government, to eliminate this evil which is destroying millions and millions of dollars worth of property. I hope there will be no objection to making this money available. Now, only a small portion of my State along the Gulf coast is affected by it; but it means, unless the disease shall be exterminated, the destruction of the citrus fruit industry of the United States is inevitable. In the face of such a disaster the Senate, I am sure, will act with great circumspection. There is too much at stake for the Senate to do anything hastily or without due consideration. The appropriation carried in the bill is needed, and I hope it will be agreed to.

Mr. SMOOT. Mr. President, I agree with everything the Senator from Mississippi [Mr. VARDAMAN] has said. I agree that the disease ought to be taken in hand with vigor and all the energy possible should be expended to eradicate it, because the sooner it is eradicated the better it will be for the entire country. I agree with the Senator that if it will take more than $325,000 to bring about that result the department ought to have it. The only question that brought me to my feet was——

Mr. FLETCHER. Mr. President, will the Senator allow me?

Mr. SMOOT. In just a moment I will yield to the Senator. The only question in my mind was that while we appropriated $325,000 for this purpose last year——

Mr. BRYAN. This year.

Mr. SMOOT. Last year; that is, for the fiscal year ending June 30, 1916.

Mr. BRYAN. The appropriation was made in February.

Mr. SMOOT. The appropriation of $300,000 expired on June 30 of this year.

Mr. BRYAN. But it was made in February of this year.

Mr. SMOOT. That may be true, but of the $300,000 only $225,000 was expended, leaving an unexpended balance of $75,000. I thought if they did not use $300,000 there was no necessity whatever of appropriating $325,000. However, there is no need of discussing the subject further. If Senators say that the department claims that $325,000 is necessary, and that is the sum they want, I have not another word to say.

Mr. SMITH of Georgia. Mr. President, not only is that true, but in one word I can tell the Senator why it is true. They have to train their force, and a large force is required. At first, as stated by the representatives of the department, they did not have a force that understood how to do the work. It is also true that the disease has spread into other States, and the department needs more men to do the work now. For the committee we accept the amendment, as far as we can.

Mr. FLETCHER. Mr. President, I was just going to say that in considering the amount of the appropriation for this purpose to go into this bill it was kept in mind by the committee that the former appropriation had been made, and it was estimated that that appropriation would be entirely exhausted. So the amendment now offered is simply to exhaust the appropriation which the committee assumed would be exhausted in addition to the appropriation carried by this bill. The amendment does not carry any new appropriation.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Florida [Mr. BRYAN].

Mr. STERLING. I ask that the amendment be stated.

The PRESIDING OFFICER. The Secretary will again state the amendment.

The SECRETARY. On page 19, line 23, after the word "destroyed," it is proposed to insert:

Provided further, That the unexpended balance of the appropriation of $300,000 for the emergency caused by the infectious nature and continued spread of the destructive disease of citrus trees known as citrus canker, made in the further urgent deficiency act, approved February 28, 1916, is hereby reappropriated and made available for the fiscal year 1917.

Mr. STERLING. Mr. President, I offer the amendment, which I send to the desk, as a substitute.

Mr. FLETCHER. Mr. President, as I understand, the amendment offered by my colleague has been adopted.

The PRESIDING OFFICER. No; it has not yet been adopted. The Senator from South Dakota has offered a substitute for it, which the Secretary will state.

The SECRETARY. On page 19, after the word "and," in line 13, it is proposed to strike out the remainder of line 13 and all of lines 14, 15, 16, 17, 18, and 19, down to and including the word "purposes," and to insert:

for communicating and distributing to citrus-fruit growers in the United States the results of such investigations, together with such recommendations as to the eradication or control of such disease as in the judgment of the Secretary of Agriculture may be necessary, $150,000; and the Secretary of Agriculture is authorized to pay such expense and employ such persons and means in the city of Washington and elsewhere, and to cooperate with such authorities of the States concerned, organizations of growers, or individuals as he may deem necessary in the conduct of such investigations and the distribution of information relative thereto"; so that the paragraph, beginning with line 11, shall read:

"For conducting such investigations of the nature and means of communication of the disease of citrus trees known as citrus canker and for communicating and distributing to citrus-fruit growers in the United States the results of such investigations, together with such recommendations as to the eradication or control of such disease as in the judgment of the Secretary of Agriculture may be necessary, 150,000; and the Secretary of Agriculture is authorized to pay such expense and employ such persons and means in the city of Washington and elsewhere and to cooperate with such authorities of the States concerned, organizations of growers, or individuals as he may deem necessary in the conduct of such investigations and the distribution of information relative thereto."

Mr. BRYAN. Mr. President——

Mr. STERLING. I yield to the Senator from Florida.

Mr. BRYAN. Does the Senator offer that as a substitute for the amendment which I have offered?

Mr. STERLING. Yes.

Mr. BRYAN. The Senator's amendment, as I understand, is to the text of the bill. My amendment comes after line 23. I suggest to the Senator that he allow the amendment to be acted upon, and then his amendment will apply.

Mr. STERLING. Very well; I think that is the proper order.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Florida [Mr. BRYAN].

The amendment was agreed to.

The VICE PRESIDENT. The question now is on the amendment offered by the Senator from South Dakota [Mr. STERLING].

Mr. STERLING. Mr. President, I desire to offer a few observations——

Mr. VARDAMAN. Will the Senator permit the amendment to be stated?

Mr. STERLING. The amendment has been stated, but I have no objection to the Secretary again stating it.

Mr. VARDAMAN. I withdraw the request.

Mr. STERLING. Mr. President, I am quite aware that in an appropriation bill carrying $23,000,000, as does this bill, the saving of a few hundred thousand dollars, or even of a million, is a matter of apparently little consequence. As we approach the consideration of items in the bill which run into the hundreds of thousands we are apt to think that an addition of $10,000, more or less, to any such item is not very material, and that he who is inclined to protest is parsimonious and lacking in that liberal spirit which should characterize gentlemen who deal in millions.

But, Mr. President, it is the items that go to make up the grand aggregate. Economy must begin, if at all, in some scrutiny of these individual items. And there will be no scrutiny unless we have some patience with details and a mind to study the item in connection with the circumstances and the supposed public need which alone can justify the item.

So we can not quite escape our responsibility by denouncing the bill in general terms or the appropriations as a whole or the unsatisfactory system under which all general appropriation bills are formulated and presented to us here for our consideration. The system is yet with us, and this bill is one of its products. It is impossible to change the system now and adopt a more scientific one. Some future Congress may ignore the activities of departments and their readiness to encourage anything that promises departmental expansion and declare for a budget, but certainly not the Sixty-fourth Congress.

So the practical question is, How shall we deal with the problems actually before us and in the form in which they come? The estimates of the departments should, as long as we are under this system, furnish some guide, but they should not be our only guide. As already intimated, the departments are always ambitious to extend their activities, not that the heads of departments or the heads of bureaus in departments willfully and knowingly enter upon projects involving waste and not demanded by the public welfare, but they are ever ready to listen to suggestions coming from particular sections or special interests and to in turn give assurance that a given enterprise is within the scope of the department's activities, and if Congress but opens the purse they will do the rest.

No department compares with the Department of Agriculture in this respect. What with its Weather Bureau, its Bureau of Animal Industry, of Plant Industry, of Soils, of Chemistry, of Entomology, of Biological Survey, of Crop Estimates, its Office of Public Roads and Rural Engineering, of Markets and Rural Organization, it takes cognizance of everything cast upon the earth or that grows out of the earth, or that walks upon the earth, "of every living thing, of all flesh, * * * of fowls after their kind, and of cattle after their kind, of every creeping thing after his kind"—both male and female—it studies them all and instructs us which to conserve and which to destroy; it looks after the corn—first the seed, then the blade, then the ear; after that the full corn in the ear; after that the road to the corn market, and then the market itself. Time forbids more than this slight mention of the activities of this great and, I will say, too, beneficent department, and of the interests it serves.

As I look through this bill, however, in many respects a duplicate of previous appropriation bills, the term "special interests" becomes somewhat vague and shadowy or else has lost its once familiar meaning. Manufacturing, commercial, and transportation interests or corporate business interests generally have been all along regarded as special interests. They were the interests against which the shibboleth of the farmer was directed. Equal rights to all; special privileges to none. As against such special interests, especially as their business is interstate, we have enough restrictive and regulatory Federal legislation to fill a volume. Of this I am not complaining; but glancing over the bulky Agricultural appropriation acts of recent years, together with this bill of 127 pages, I find enough for two volumes of congressional legislation enacted and proposed for the benefit of other interests, such as those of the cattleman, the sheepman, and the raiser of swine, for the grower of corn, of cotton, who is a favored beneficiary, or wheat or fruit, and even for the man who keeps a hen house. It compasses the whole range of the agricultural industry even to minutest details. As though there was some fear that the husbandman's contest with nature might prove to him an unequal contest if left to his own devices, with no other help than his own hands and brain, a great and beneficent Government donates its many millions and summons the highest expert knowledge and all the resources of science and invention to aid him in combating every natural foe of every plant or animal product in which he is interested.

Those who hear will bear witness with me that every succeeding Agricultural appropriation bill enlarges and extends the sphere of Government activities for the benefit of the farmer, the stockman, and the horticulturist. Nor are the benefits confined to Agricultural appropriation bills proper. We remember something about the most liberal and generous appropriations in the agricultural college extension act.

I remember that as an argument in favor of free trade or the greatly reduced tariff provided for by the act of 1913 it was urged that competition with foreign-made goods would so sharpen the wits of our own producers that they could devise the means or methods to meet it, and in the end would suffer no loss. But with the producer it was too much a question of cold figures, the effect of which, the lesson of which, no wisdom of his could withstand or deny. Having exhausted his ingenuity in seeking to reduce the cost of production and in finding a fair or living market for his product, he was obliged to submit to the inevitable and close down or run on half time to the great detriment, of course, of both himself and his men.

But, Mr. President, while "necessity is the mother of invention," and difficulties but stir men of energy and determination to greater effort, there is another field than that of manufacturing in which the principle laid down in the argument for free trade is more applicable—a more elemental field—the farmer's field. There experiments are not at an end. Breeds in stock, varieties in grains and fruits may be further improved. Scientific farming will bring a better yield in quality and quantity.

While not disparaging the help the Department of Agriculture has been, it is well to remember that agriculture itself had reached a high state of development before there was such a department; that the needs and exigencies of the industry had found new machinery, new methods, new ways of conserving the soil; it knew something about how to cope with both animal and plant diseases, and unmistakably had learned something about the eradication of weeds—either with the hoe, the scythe, the cultivator, or, when too "close to the hill," with the hand. And so, unaided by Government appropriation, there had developed in the United States a strong, hardy, self-reliant, and most reliable class—the agricultural class. I venture to say that the most important and effective work done by the Agricultural Department is the collection and dissemination of knowledge gained from a study of the methods of the more advanced and progressive farmers.

But the department does not consider its functions as so limited. Already a colossus, it grows by what it feeds upon. These successive appropriation bills show the growing paternalism. The Department of Agriculture undertakes the solution of every problem, the relief from every untoward condition, and would leave nothing which the farmer may think out for himself or on which to "whet his wits." It would deprive him of the strength and the pride which comes from independent individual achievement. I am reminded of some things said some years ago by Mr. Whitelaw Reid, our former distinguished ambassador to Great Britain and editor for some time of the New York Tribune, in an address delivered by him on The Strength of the Republic. Respect for authority and individual initiative were the two cardinal principles, according to Mr. Reid, on which depends the strength of the Republic.

Mr. VARDAMAN. Mr. President——

The VICE PRESIDENT. Does the Senator from South Dakota yield to the Senator from Mississippi?

Mr. STERLING. I do.

Mr. VARDAMAN. Will the Senator, just at this point in his very interesting discourse, point out one single instance where the Agricultural Department has done anything that has taken the initiative from the farmer? Everything it has done, so far as I have been able to observe—and I have paid some attention to it—has been cooperative. It has been rather to assist the farmer, to suggest to the farmer, to encourage the farmer in the evolution of plants and the development of systems of cultivation, all of which tends to the betterment of the farmer's condition and adds to the total wealth of the American people.

Mr. STERLING. Mr. President, the amendment I have offered, I think, is suggestive of the thing I am contending for here, and a couple of other amendments that I hope to be able to offer represent the same principle. I think these amendments themselves will indicate, and what I may have to say

very briefly in regard to them, that the farmer is not left enough to his own initiative. The Government, in addition to disseminating the knowledge and giving him the instruction—all of which is proper and most commendable—does in some cases the work which the farmer or fruit grower himself ought to do.

Mr. VARDAMAN. How does it do the work? In what way?

Mr. STERLING. It does the work in exterminating the citrus-fruit canker, for one thing—the subject to which my present amendment is directed.

Mr. VARDAMAN. The Government only renders assistance, you know. It does not do the work itself or have the work done. The agent of the Agricultural Department goes among the farmers and instructs them how to plant and how to cultivate and how to select their seed, and all that. The Government does not do the work. It only assists by directing the farmer in doing the work himself. There is no question about the beneficence of the policy, for by its fruits you must judge it.

Mr. STERLING. Here is the quotation from the address of Mr. Reid. He says:

> We found the individual initiative in the necessities of an untamed continent; were driven to it, shut up to it at every turn in the imperative beginning of orderly self-government at a thousand isolated spots; in the long, protracted struggle with wild lands, wild beasts, and wild men—till it became the inheritance of the race, till under its stimulus men found their solitary way through trackless woods to make lonely clearings or start frontier settlements across the Alleghenies, through trackless prairies to possess the Mississippi Valley, through alkali deserts to wrest their gold from the mountains, and at last through the Sierras to scatter up and down the enchanted shore of the Pacific. To such a continental conquest of nature and of men have those two traits of the fathers brought us—their respect for authority and their widest freedom of individual initiative.

Mr. President, I think it is this freedom of individual initiative that these prodigal and multitudinous appropriatons tend to destroy. Let us keep on at this pace, and all the pride we have taken in the achievements flowing from individual initiative and the strong, vigorous, self-reliant spirit of the farming classes will be but a memory, and instead there will grow up a habit of dependence on government for aid in overcoming every difficulty, and there will be a resulting loss of that healthy mental and moral fiber which is the best guaranty of our stability and of our true progress.

I do not want to be understood as speaking in disparagement of much of the work—I will say the greater part of the work—of the Agricultural Department. It has accomplished great things. But the tendency, and especially in these latter years, is to overdo, and to enter upon those things for which there is no need and for which there is no general demand.

Mr. President, we do not own the millions which we appropriate. We are rather, in a very large sense, the trustees of the millions, not for special interests, but for the whole people, on whom we in turn call to provide the means out of their property, their income, and their toil.

It seems to me almost farcical to talk about economy, however, in the face of some of the items in this appropriation bill. At a time when we are talking economy, at a time when there is great need for economy, at a time when necessary increases in appropriations will amount to several hundred millions, at a time when we will soon, in a few days, be confronted with a revenue bill which will propose new methods of taxation, and give us some new subjects of taxation, probably—at such a time we find these greatly increased appropriations in the Agricultural bill. One question now is, where we have in certain items appropriated outright without asking for any cooperation on the part of the community or the State which is primarily benefited, whether we shall not ask that State or that community to cooperate with the General Government and spend something itself toward the particular interest for which the appropriation is made. Another proposition is, just as in this citrous-canker appropriation, to which my amendment is directed, whether the citrus-fruit grower should not be satisfied under these conditions, when, as I say, there is such need for economy, to let the Government appropriate the money for investigation and instruction through agents or otherwise, leaving the citrus-fruit growers themselves to do the work.

There is one industry here, Mr. President, in which I am interested, perhaps, or the people of the West and the Northwest are interested, and that is the dairy industry.

You provide $277,000 for that industry, for investigations in it, and for work done by the department in it. Mr. President, I would not favor striking out the appropriation, but would provide that the State or county or other agencies in the State should contribute as much as the General Government to investigations for the benefit of that industry, which is primarily for the benefit of the people of the State. I would provide, as I have provided in the amendment which I propose to offer, that no part of the appropriation here shall be available until the Secretary of Agriculture is satisfied that the local authorities will contribute as much as the General Government contributes.

Mr. GALLINGER. Mr. President, will the Senator permit me?

Mr. STERLING. Yes; I yield to the Senator from New Hampshire.

Mr. GALLINGER. It seems to me that in these appropriations we are getting in the habit of practically duplicating many of them. For instance, I turn to page 70. I find four items there regarding road building. For inquiries in regard to systems of road management throughout the United States and for giving expert advice on this subject there is an appropriation of $39,540. For investigations of the best methods of road making, especially ordinary sand-clay, and dirt roads, and the best kinds of road-making materials, and for furnishing expert advice on road building and maintenance there is an appropriation of $142,780. For investigations of the chemical and physical character of road materials there is an appropriation of $42,780.

Mr. STERLING. From what page is the Senator reading?

Mr. GALLINGER. Page 70. "For conducting field experiments in various methods of road construction and maintenance, and investigations concerning various road materials and preparations," and so forth, there is an appropriation of $60,000. There is $280,000, or thereabouts, for this purpose, and if anyone is wise enough to differentiate as to the work that is to be done under those different items it is more than I can do. It seems to me that it is a practical duplication of work.

Mr. STERLING. And especially, Mr. President, would that seem true in regard to the second and third items which the Senator from New Hampshire read.

Mr. GALLINGER. Yes.

Mr. STERLING. Where they are to investigate, in the first of the two I mention the best kinds of road-making materials, and in the next they are to make investigations of the chemical and physical character of road materials.

Mr. GALLINGER. It looks to me like a duplication of the work.

Mr. STERLING. Now, Mr. President, calling attention to the particular amendment which I have introduced, I wish to state to the Senate just what it proposes to do. The paragraph beginning with line 11 on page 19 provides:

> For conducting such investigations of the nature and means of communication of the disease of citrous trees, known as citrous canker, and by applying such methods of eradication or control of the disease as in the judgment of the Secretary of Agriculture may be necessary, $250,000.

The amendment I propose strikes out the word "applying," so that the application of the remedies proposed by the Secretary of Agriculture shall be left to the citizens, the owners of citrous trees, those who grow the fruit. It seems to me that in these times the Government ought not to be called upon to do the work of actually going out and cutting down the citrous-growing trees and burning them, but that that much, with the advice and with the help of the Department of Agriculture, ought to be contributed by the people who are to be affected by this appropriation.

Mr. BRYAN. Mr. President, much of the Senator's carefully prepared and written-out extemporaneous speech refers to the bill as a whole. Only in the last sentence or two did he refer to the particular item in the bill covered by his amendment; and in his reference to that, Mr. President, the Senator displays the fact that he is ignorant of the nature of this disease.

It is not much trouble to cut down an orange tree, or to set it afire. Any farmer could do that; but if he undertook to do that, he would spread the disease. The Department of Agriculture has discovered that the only way to destroy the tree so as not to spread the disease is to leave it standing, to take experts to spray it and to burn it as it stands there, without its being touched by anybody. That is a class of work that the ordinary farmer can not perform. It is a class of work that nobody can perform unless he is taken in hand and given about three weeks instruction, according to the statements made before the committee.

I shall not refer to the matter any further. I think the basis upon which this appropriation is asked is very well understood by the Senate.

The VICE PRESIDENT. The question is on the amendment of the Senator from South Dakota.

The amendment was rejected.

Mr. STERLING. I now offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 13, at the end of line 24, after the numerals "$277,470," it is proposed to add the following proviso:

Provided, That no part of this appropriation shall be available for investigations and experiments in the dairy industry in any State until assurances satisfactory to the Secretary of Agriculture shall be given that such State or the proper county authorities or other agencies within the State will provide and contribute a sum equal to 50 per cent of the amount required for such work, and that of the above appropriation no greater part shall be expended than a sum which, together with the amount so provided and contributed by or under the authority of the State, county, or other agencies within the State, may be necessary for such work of investigation and experiment.

Mr. STERLING. Mr. President, just a word with reference to this amendment. I do not think this amendment particularly affects Senators from Southern States. More particularly it will affect the Senators from Northern, Western, and perhaps some of the Eastern States.

While the term "cooperative" is used in the paragraph sought to be amended, my amendment provides for real cooperation. It provides for an expenditure on the part of the State, on the part of the community, the county or the dairy interests themselves within the State, of an amount equal to that expended by the Government.

Mr. President, primarily the investigation and all work done by the department is in the interest of the people there, and they ought to be willing to make a contribution on their part to the experiments conducted by the Government. So I have provided in the amendment that no part of this sum of $277,470 shall be available until the Secretary of Agriculture is satisfied that the State or the community within which the investigation is to be carried on will itself provide and contribute as much as the Government does.

It seems to me that is eminently fair and just. It lightens the burden to be borne by the Government, and it simply calls upon the State to contribute what it justly should contribute.

Mr. CLAPP. Mr. President, will the Senator pardon me?

Mr. STERLING. I yield to the Senator from Minnesota.

Mr. CLAPP. I did not notice, in the reading of the amendment, whether the amendment is limited to contributions for the inspection of renovated-butter factories and markets, or whether it applies to the investigations and experiments in the dairy industry.

Mr. STERLING. I will say to the Senator that the amendment applies to the investigations and experiments in the dairy industry. It does so in terms and does not relate to the latter part of the paragraph, the inspection of the renovated-butter factories and markets.

Mr. CLAPP. Does it relate to the first item, "for all necessary expenses for investigations and experiments in dairy industry"?

Mr. STERLING. I think it does.

Mr. CLAPP. Then I think it very unfortunate. Unfortunately, whoever wrote this bill added some language here in order to make it cover everything, and that same objection is often seen in the bill.

Primarily, there was an appropriation for the department to make investigations and experiments in dairy industry, which is a very proper thing for the department to do, entirely disassociated with any State activity or any State contribution. Unfortunately, then, somebody desiring to make it as elastic as possible added "cooperative investigations of the dairy industry in the various States, inspection of renovated-butter factories and markets."

If the Senator's amendment applies to the entire section it would simply paralyze the Department of Agriculture in its efforts to make investigations and experiments in the dairying industry—something it ought to make without any reference to any State cooperation, and something that it can not very well make in conjunction with State cooperation.

Mr. STERLING. Mr. President, I appreciate the force of the remarks of the Senator from Minnesota, and yet I am not so sure but that the amendment should apply to all investigations and experiments in dairy industry. However, I think the terms of the amendment show that it is to be applied only to those States in which cooperative investigations are carried on. The amendment surely relates to States and communities within the States.

Mr. CLAPP (reading)—

Provided, That no part of this appropriation shall be available for investigations and experiments in the dairy industry in any State until assurances satisfactory to the Secretary of Agriculture shall be given that such State or the proper county authorities—

The Senator, I think, is correct. It would only apply to investigations in the industry in the various States.

Mr. STERLING. I think so.

Mr. CLAPP. And that ought to be stricken out of the bill anyway, probably.

Mr. STERLING. I think that is all I have to say in regard to the amendment, Mr. President.

The VICE PRESIDENT. The question is on the amendment of the Senator from South Dakota. [Putting the question.] By the sound the noes seem to have it.

Mr. STERLING. I call for a division on that proposition, Mr. President.

The VICE PRESIDENT. All in favor of the amendment will rise. [A pause.] Those opposed will rise. [A pause.] The amendment is agreed to.

Mr. STERLING. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 13, beginning after the words "dipping vats," in line 11, it is proposed to strike out all down to and including the word "Industry," in line 18, on said page, and to insert the following words:

or for the purchase of materials or mixtures for use in dipping vats, but that the expense of such construction and of the purchase of all such materials shall be borne by the State, county, municipality, or other agency within the State in which such experimental or demonstration work in the eradication of southern cattle ticks is carried on by the officials or agents of the Bureau of Animal Industry.

Mr. VARDAMAN. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Gronna	Norris	Smith, S. C.
Borah	Harding	O'Gorman	Smoot
Brady	Hardwick	Oliver	Sterling
Broussard	Hitchcock	Overman	Swanson
Catron	James	Owen	Thomas
Chamberlain	Johnson, S. Dak.	Pittman	Thompson
Chilton	Jones	Poindexter	Tillman
Clapp	Kenyon	Ransdell	Underwood
Clarke, Ark.	Kern	Shafroth	Vardaman
Culberson	La Follette	Sheppard	Wadsworth
Cummins	Lane	Sherman	Walsh
Curtis	McCumber	Simmons	Williams
Fletcher	Martine, N. J.	Smith, Ariz.	Works
Gallinger	Nelson	Smith, Ga.	

Mr. KERN. I desire to announce the unavoidable absence of my colleague [Mr. TAGGART]. This announcement will stand for the day.

Mr. WALSH. My colleague [Mr. MYERS] is absent, his absence being due to continued illness.

The VICE PRESIDENT. Fifty-five Senators have answered to the roll call. There is a quorum present. The pending question is on the amendment offered by the Senator from South Dakota [Mr. STERLING].

Mr. STERLING. Mr. President, in the event of the adoption of the amendment I have offered the entire first proviso in the second paragraph on page 13 would read as follows:

Provided, however, That no part of this appropriation shall be used in the purchase of materials for or in the construction of dipping vats upon land not owned solely by the United States, except at fairs or expositions where the Department of Agriculture makes exhibits or demonstrations; nor shall any part of this appropriation be used in the purchase of materials or mixtures for use in dipping vats except in experimental or demonstration work carried on by the officials or agents of the Bureau of Animal Industry.

It will be seen that the entire appropriation, Mr. President, provided for in the bill, as presented by the committee, is $782,400. I was interested in seeing what the estimate had been in regard to this work of eradicating the southern cattle tick and I find that the estimate is $582,400. The amendment of the committee, therefore, increases the estimate just $200,000. The estimate made by the department is for the most part for salaries. As I remember that estimate, $431,000 is for salaries to be paid agents and inspectors engaged in the work of eradicating the cattle tick.

Mr. SMITH of South Carolina. The Senator said a moment ago that the estimate is $582,400.

Mr. STERLING. $582,400.

Mr. SMITH of South Carolina. According to the figures furnished by the clerk of the committee and also to the committee when we were investigating it, the amount estimated for by the department was $657,400, and by the House $632,400. The amount last year was $438,800. The amount for live-stock demonstration work provided by the House was $50,000, and the estimate was $75,000, which we did not change.

If the Senator will allow me right in this connection, I want to say that in the State of South Carolina I have had some personal experience with this matter. My county was within the tick zone. I had some doubt as to the practicability of this work and what they claimed. My own herd of cattle now are absolutely clean of the ticks. They have not appeared within

nearly two years, and in that county alone I believe enough value in live stock has been preserved and saved by this process to go largely to pay for the amount here appropriated. You must remember that we have a vast zone where cattle are liable to be infected where this tick is indigenous, and I think this is a very modest sum.

Mr. WADSWORTH. With the consent of the Senator from South Dakota, may I ask the Senator from South Carolina a question?

Mr. STERLING. I yield.

Mr. SMITH of South Carolina. With pleasure.

Mr. WADSWORTH. I am very much interested in the personal experience the Senator has had with respect to the matter. Will he tell the Senate whether the Federal Government is building dipping vats in which the cattle are to be dipped?

Mr. SMITH of South Carolina. They did not; they depended almost entirely on spraying them. They found that that was available and was adequate. I furnished the hands and they furnished the man.

Mr. WADSWORTH. Will the Senator yield for another question? Does he know whether the Federal Government in his community in the zone with which he is familiar built any dipping vats?

Mr. SMITH of South Carolina. I do not think they did. If they did, I am not aware of it; but I do not think they did.

Mr. WADSWORTH. I asked the question because, as I understand it, the amendment provides, in effect, that the Government shall not build dipping vats or supply the material therefor.

Mr. SMITH of South Carolina. The bill provides that they shall be built only upon Government land.

Mr. WADSWORTH. Except at fairs and expositions.

Mr. SMITH of South Carolina. That would not cost very much. It would be only for a temporary use and would be an effective way of demonstrating it, because people are there gathered together, and one vat would demonstrate to the vast crowds who come the practicability of putting them on their own private property.

Mr. WADSWORTH. If I may be permitted to interpolate a remark, it seems to me almost inconceivable that the officials of any of our State fairs would allow a dipping vat to be placed on their grounds and having cattle driven there to be disinfected. Furthermore, it is impossible to build a temporary dipping vat of any different material from a permanent one. It takes quite a vat to hold a steer.

Mr. SMITH of South Carolina. That may be true; I am not familiar with that part of it; but, if the Senator will allow me, I think an ocular demonstration of the feasibility of it would be worth a great deal. I do not know about the cost of putting in a vat, but I think a sample vat—one that perhaps would not be required for a great herd—would be quite an educative process. At any rate I do not know of anything in all that southern zone, where cattle are liable to this infection, where there has been such a practical result as in tick eradication.

Mr. STERLING. Mr. President, I do not doubt but that the work of the Government in the eradication of the southern cattle tick has been of the greatest benefit, nor would I deprive the people interested in the raising of cattle of the benefit of Government work, Government demonstration, Government investigation; but I would have the people of the community in the States interested contribute something to this work and not leave it all to be done at Government expense.

Mr. President, reference was made a moment ago by the Senator from South Carolina to the estimates. I take my figures from the Book of Estimates for the year 1917, and the estimates by the department there are $582,400. As I said, $431,000 of this amount is paid out in salaries to 416 Government inspectors, agents, and veterinarians. An army of 416 men is employed in that work now, and they estimate for that number of men for the fiscal year 1917. For what is the extra $200,000 added by the committee? It must be for the building of vats and for the purchase of material for use in the vats.

Mr. SMITH of South Carolina. If the Senator will allow me, as he is making these objections I know his object is to get the greatest good out of this appropriation and to justify this appropriation or to prove that it is not justifiable. The process is to divide a county up into certain districts and to send an agent with the proper ingredients, because they have found that where these chemicals are not properly mixed it may destroy the cattle, for if they make it too strong it burns them. I think some claims have been made against the Government and that they have been paid on that very account.

These men have a territory over which they have to go. Almost every one has three or four or five, and some have greater herds. In order to eradicate the tick from a certain area every single animal in that zone or in that area has to be visited, as the ticks have to be taken from it. As soon as they are all destroyed during the breeding period, in the course of three years they declare that herd immune, and in my experience they do not come back. Therefore, it takes a vast number of men who understand it. I do not believe there is an appropriation in this bill that is any more justified by results than this one.

Mr. STERLING. Mr. President, I only proposed to cut down the appropriation $200,000. I will say to the Senator I propose to leave as much appropriated as the department has estimated for, $582,000. I have before me the Book of Estimates, and the entire appropriation for the year 1916 was $388,800. The total estimate for 1917 is $582,400, according to the Book of Estimates.

Mr. SMITH of South Carolina. The Senator is talking about a particular paragraph. Here is the Book of Estimates sent out for all necessary expenses, and I read from page 41:

> General expenses, Bureau of Animal Industry—continued.
> For all necessary expenses for the eradication of southern cattle ticks, $438,800—

That was last year, now "$657,400."

Then it goes on and specifies how that should be divided, and the estimate from the department is $657,400.

Mr. STERLING. Mr. President, it may be that that is the estimate of the department, but I have the figures in detail here, showing the number of veterinary surgeons, the number of inspectors, the number of agents employed in this service, making a total of 416. Here are 27 veterinary inspectors, at $1,800 each; 26 veterinary inspectors, at $1,620 each; 8 agents in tick eradication, at $1,380 each; and down further I find 83 agents in tick eradication, $1,200 each; 65 agents in tick eradication, at $1,000 each; 47 agents in tick eradication, $900 each, and so on, numerous others given at stated salaries for each, according, I suppose, to their class or grade.

There is the force employed by the Government in this service. There is force enough, I will say to the Senator from South Carolina, it seems to me, in these 416 men to cover the entire field, and there is no need of an appropriation for any more men. The Government has furnished what the department estimated, the number of men, with the stated salaries to be paid each man here. Then, in addition to the $431,000 for salaries, there is $139,000 for traveling expenses; for supplies and equipment, $5,000; for miscellaneous expenses, $7,400, making a total of $582,400, as against $388,800 for the last year.

The only way in which I could figure it out that $200,000 more was needed than this $582,000 was for the purpose of buildings and for buying materials for use in the dipping vats. The bill provides that—

> *Provided, however,* That no part of this appropriation shall be used in the purchase of materials for or in the construction of dipping vats upon land not owned solely by the United States, except at fairs or expositions where the Department of Agriculture makes exhibits or demonstrations; nor shall any part of this appropriation be used in the purchase of materials or mixtures for use in dipping vats except in experimental or demonstration work carried on by the officials or agents of the Bureau of Animal Industry.

I had not thought of the objection interposed by the Senator from New York [Mr. WADSWORTH] to the building of vats at State fairs and expositions and the danger there was in it so far as that is concerned, but evidently the $200,000 is meant to be used in the construction of vats or in buying materials for use in the vats at such places as the Government intends to construct the vat under this appropriation bill.

Mr. President, my sole contention is simply this, that if the Government contributes $582,400 in paying salaries and in furnishing equipment for building vats, and so forth, the people themselves who are interested ought to furnish the $200,000, if that is necessary, to construct the vats. They ought to make that much of a contribution. Otherwise it is paternalism pure and simple, and the Government with its mighty arm is going down there into the South and doing everything, paying all the salaries and constructing the vats and paying every cent of the expense for eradicating the southern cattle tick. It is one of the faults I find running through this bill; it is a fault in regard to the citrus-fruit appropriation. It seems to me that people ought to be energetic enough, and I will put it stronger than that, they ought to be patriotic enough in this time of need for great economy to do that much to assist the Government in bearing this burden.

Mr. SMITH of South Carolina. Mr. President, I am very sorry that the question of section has been injected into this argument, because I am persuaded that the Senator in his eloquence against my section has forgotten——

Mr. STERLING. If the Senator will pardon me, I do not intend to refer particularly to a section. The dairy industry in regard to which my amendment was adopted a while ago is not an industry peculiar to one section, and I said, with reference to

that, that the people ought to cooperate with the Government and contribute as much as the Government does toward investigations for the dairy industry.

Mr. SMITH of South Carolina. I should not have said what I did had not the Senator specifically referred to the South in the eradication of the cattle tick and in the protection of the citrus industry. I wondered if the Senator had forgotten that within the last year, I believe, the foot-and-mouth disease broke out in a section other than the South, and not $672,000 but something like $3,000,000 was appropriated to stamp it out. There was an estimate made of over $4,000,000 to reimburse those whose herds were destroyed.

Mr. STERLING. That was a disease peculiar to no section, but was universal over the whole United States, so there could not be the same concentrated effort in coping with that disease as there can be with this.

Mr. SMITH of South Carolina. It may have become universal in time, but at the time it happened not to be, and there was no sectional line drawn. It is also true of the cattle tick from the South that when the cattle are shipped from the South to the North with ticks on them they convey what is called the Texas fever.

I want to call the Senator's attention also to the hog cholera. It is notorious that the corn belt is the great meat belt, and when the hog cholera appeared there there was a plea made here for a million dollars to stamp it out. I heard no man then raise the cry that we were appropriating a million dollars for the purpose of conferring a benefit upon one section as against another.

Mr. WORKS. Mr. President, I wish to remind the Senator that I very earnestly opposed that appropriation. I do not want the Senator to say that nobody was opposed to it.

Mr. SMITH of South Carolina. I said that when it was asked for this section nobody opposed it as being sectional.

Mr. SMITH of Georgia. On sectional grounds.

Mr. SMITH of South Carolina. Mr. President, I deplore the fact that sectionalism has entered into this debate at all. We are not any more responsible for the presence of that insect than you were for the presence of the foot-and-mouth disease, and I was just as loyal in helping you to stamp that out as I am in asking you to help us to stamp this out. Both are a menace to the meat supply of our common country.

Mr. STERLING. Mr President, the only difference between the Senator from South Carolina and myself is simply this: I want to give all that I think should be reasonably given for the purpose; but the $200,000 extra for the building of vats, and so forth, I think should be paid by the people who are most directly interested in it.

Mr. SMITH of South Carolina. Mr. President, we have a department whose business it is to study conditions and make estimates and our very rules provide that no amendments to a bill carrying appropriations shall be in order unless it is estimated for. We have turned this matter over to them. This department has estimated that this amount is necessary. It seems to me that they are better qualified than the Senator to say just how much is needed for the prosecution of this very necessary work.

I think some Senator has proposed an amendment looking to the auditing of the accounts of the different departments. Until that is done this is the best source of advice for the Senate. With my knowledge of the necessity for this work, covering as it does now 50,000 square miles where they have eradicated this tick and put our cattle where they could be made available for beef and for other uses in different parts of the country by shipment, I think the wonderful practicability of the expenditure of this money has been demonstrated.

Mr. NORRIS. Mr. President——

The VICE PRESIDENT. Does the Senator from South Carolina yield to the Senator from Nebraska?

Mr. SMITH of South Carolina. I do.

Mr. NORRIS. It is quite important to a great many of us in voting on the amendment to know just what the estimate of the department is. There seems to be a dispute between the Senator from South Carolina and the Senator from South Dakota as to what the estimate is.

Mr. SMITH of South Carolina. If the Senator will allow me, all I can go by is the estimate furnished the Agricultural Committee by this department and from the House. I have in my hand the volume, Estimates of Appropriations for the Department of Agriculture Required for the Service of the Fiscal Year Ending June 30, 1917, prepared for the use of the Committee on Agriculture, House of Representatives. Here they have a detailed statement following that estimate of $657,400. I do not know from what the Senator from South Dakota was reading. I know what came before the committee. I know what the Secretary of Agriculture himself said about the matter, and here it is printed. That is all I can tell the Senate about it.

Mr. FLETCHER. Mr. President, I do not want to delay a vote by any observations on the provision of the bill that is under consideration, but I do feel that I ought not to let pass the remark which has been repeated over and over again in connection with the item for making an appropriation for the eradication of citrus canker. The Senator from South Dakota says that people ought to be patriotic enough and public spirited enough to cooperate with the Government in the communities where the infection exists. He instanced the citrus-canker item as one where apparently that is not to be done. I want to remind the Senator that the Legislature of Florida appropriated $195,000 and the people themselves raised $200,000, and that that State alone has cooperated to the extent of over $400,000 in the eradication of this disease, and that there are six infected States, so that Florida is only one of the six. I wanted this statement to appear so that no improper inference could be drawn from the Senator's remark.

Mr. UNDERWOOD. Mr. President, I am not a member of the Committee on Agriculture and Forestry, and I am not as well informed on these questions as the gentlemen who are members of the committee, but I have some personal knowledge of the conditions and the facts that relate to the amendment now pending before the Senate. I am satisfied that the Senator who has offered the amendment has offered it under an entire misapprehension of the facts.

As I understand the increased appropriation asked for by the Agricultural Department, it does not ask for this money to build vats with. If the Senator has any information coming from the Agricultural Department which would lead him to believe that they proposed to use this $200,000 for the building of vats, I would be glad if he would inform me from what source he got the information.

Mr. STERLING. Mr. President, I will say to the Senator from Alabama that I have no direct information upon the subject at all other than——

Mr. UNDERWOOD. Well, then——

Mr. STERLING. If the Senator will excuse me—none other than that furnished by the bill itself; but, since the bill shows the committee increase to $782,400, since the bill itself permits the building of vats by the Government and the purchase of material for certain vats, and since the Book of Estimates gives $582,000 as the amount required for this service, I supposed that the $200,000—and I think it is a reasonable inference—was to be used in the building of vats which the bill permits to be built by the Government.

Mr. UNDERWOOD. If the Senator will allow me, I think I can clear up his misapprehension on that question. I do not speak by the card from the Agricultural Department, for I am not a member of the Agricultural Committee, and I do not know. I can only tell the Senator what I know to be the fact where this work is being carried on.

I know that for many years the people of my State contributed their share to Federal taxes, to appropriations, starting away up on the northern line, for eradicating cattle tick. It moved south, county by county, until it came down through Kentucky and Tennessee, until it reached north Alabama. In the meantime we had cattle tick, but we could not eradicate it until it was eradicated in the territory of our neighbors. The Agricultural Department very properly started up north and moved south, county by county. There was no complaint at that time. It is now approaching the Gulf coast. I am satisfied the Senator from South Dakota has offered this amendment under an entire misapprehension of the conditions. I do not say that the Agricultural Department does not use some small portion of this money with which to build vats to eliminate the cattle tick; but I do say that, if so, it is a very small portion of it. I will tell the Senator why.

I do not presume the department would make any difference in the treatment of the cattle-tick problem in Alabama from what they are making in other States; and I know that within the last 18 months in one of the counties in the district which I formerly represented in the other House, in north Alabama, when the Government experts had reached there to do this work they called on the farmers to organize clubs to build vats in each precinct. What you call a township in the North, we call a precinct in the South. I am entirely familiar with this matter, because I myself contributed money to build one of these vats.

I know those vats were not built by the Government, but that they were built by the local people, who took great pride in building them at their own expense. I know that to be the condition throughout Alabama.

I do not say that there have not been possibly some places in Alabama and some places in other portions of the United States where they have used a portion of this money with which to build experimental vats, so as to demonstrate to the

farmers how to build and how to use such vats; but when the Senator from South Dakota attempts to change this appropriation and to have this amendment adopted on the basis that the people of the Southern States in fighting the cattle tick are not themselves building these vats, he is acting under an absolute misapprehension of the facts.

Mr. STERLING. Mr. President, will the Senator from Alabama give me his idea as to what this increase is meant for, if it is not for the purpose of building vats?

Mr. UNDERWOOD. I will. The question of eradicating cattle ticks is largely an educational question. In a large portion of the South, if not in the North, there is a great deal of fallow land; we in the South have a great deal of land that is not under fence. The people who have not large plantations, but the moderately well-to-do farmers have fenced in the lands which they cultivate and they allow their cattle to roam at large on what they call the public land, but, in fact, probably very little of it belongs to the United States Government, though some of it does belong to the State of Alabama. Much of the land in private ownership is not fenced, and the people have allowed their cattle to range at large.

When you come to the question of eradicating cattle tick you have to pen up your cattle; you have to feed your cattle, at least for a certain time, and take them off this common pasture, where otherwise they would come in contact with the tick as soon as they were dipped. To get a whole community of not rich farmers, but of poor farmers, farmers who have small farms, to realize that it was for their benefit to pen up their cattle, to keep them under control for several years, to put them through these dipping vats so that the cattle tick would die in the common pasture and might be eradicated from the community requires education. The farmers had to be convinced of the necessity of that to begin with. I understand the agents employed by the Government have been doing that work.

It is not a work of dipping the cattle or building dipping vats, but it is the question of education, of creating a public sentiment to get the people to agree to it. Although I am glad to say to-day there is a very strong sentiment in Alabama for the eradication of the tick, a few years ago there was a strong public sentiment against it. That is the work that the Agricultural Department is doing.

I know the department is not using this money to build vats indiscriminately, but that those vats are being built by the people themselves. I think, probably—although I do not know that to be a fact—that here and there the Department of Agriculture has used some of this money to build a demonstration vat so that they could bring it to the attention of the people and could demonstrate to them the way to build the vat, the way to put the cattle into the vat, and then let the people go out through other parts of the county or a section of the State and build their own vats.

I do not state this on the authority of the Agricultural Department, I do not state it from information which I have gotten out of some document, but I state it because of the fact that I live in a community where these vats are being built, and I know that they are being built by the people.

Why should the Senator's amendment be adopted under the idea and apprehension that the people of these States are doing nothing for themselves, when the fact is that they are building these vats for themselves right along, and he would take away from the Agricultural Department the power to occasionally build an experimental vat to demonstrate how such vats should be built and how the work should be done?

Mr. STERLING. Mr. President——

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from South Dakota?

Mr. UNDERWOOD. I do.

Mr. STERLING. The Senator from Alabama has not yet answered my question as to what is to be done with the proposed increase?

Mr. UNDERWOOD. I will answer it.

Mr. STERLING. If the Senator will permit me, I wish to know what is to be done with the proposed increase over the estimate and the proposed increase of $149,600 over the House bill, if the money is not to be used for the building of vats?

Mr. UNDERWOOD. I have no doubt as to what will be done with it. I am not a member of the Agricultural Committee; I was not before the committee when the Agricultural Department made their report; so I can not speak by the card; but I have no doubt in the world that what will be done with the proposed increase is exactly what is being done and has for many years been done with what has been appropriated in the bill; that is, that the agents of the Agricultural Department will go out into this country and educate the people as to the necessity of eradicating the cattle tick; will show them how to build the vats and how to dip the cattle. There is a vast territory there. If you will give enough money, we can carry on this educational work and get rid of these cattle ticks in a couple of years; but the Government has not pursued the matter along that line; it has made small appropriations, and has gradually drifted down from the Northern States to the States of the South.

We have waited for many years for this work to reach us. If you would appropriate millions for this purpose, as you did for the eradication of the foot-and-mouth disease, the cattle tick would have been out of our country before now.

Mr. SMITH of Georgia. It would have been wiped out in a year.

Mr. UNDERWOOD. We would have wiped it out in a year, or in three years, anyway. You have not, however, pursued the work in that way. The proposed increase is simply to advance the work along the old lines, in the same way that you have advanced the work for a decade or more in the past. The only purpose that could be accomplished by the amendment proposed by the Senator from South Dakota is that you would say to the agricultural experiment people when they went into communities to advance the work that they could not build a demonstration vat and show the people how it ought to be built. That is all the Senator will accomplish by the amendment.

Mr. STERLING. Mr. President——

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from South Dakota?

Mr. UNDERWOOD. I do.

Mr. STERLING. The Senator from Alabama referred to appropriations made for the eradication of the foot-and-mouth disease.

Mr. UNDERWOOD. I did not hear the Senator.

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from South Dakota? The Senator from South Dakota is taking the floor by the courtesy of the Senator from Alabama.

Mr. STERLING. I beg pardon for infringing any of the rules. I wish to say, however, Mr. President, that the Senator from Alabama refers to the appropriation made for the eradication of the foot-and-mouth disease. As I recall, that was made only two years ago, and the appropriation for cattle-tick eradication was also made two years ago.

Mr. UNDERWOOD. Oh, no.

Mr. STERLING. The Government was just as early in making appropriations for that purpose as it was for the purpose of eradicating the foot-and-mouth disease.

Mr. UNDERWOOD. Oh, no; Mr. President, the Senator from South Dakota is speaking under an entire misapprehension of the facts. The Government has been making appropriations for the eradication of the cattle tick for now more than 10 years. Indeed, the appropriation may date back far beyond that, but to my personal knowledge the appropriation has been made for more than 10 years.

Mr. STERLING. Mr. President——

The VICE PRESIDENT. Does the Senator from Alabama again yield to the Senator from South Dakota?

Mr. UNDERWOOD. I do.

Mr. STERLING. I am not laboring under any misapprehension. My point is simply that the Government aid in eradicating the cattle tick has been as early, at least, as has been Government aid in the eradication of the foot-and-mouth disease; and, according to the Senator's statement, it has been very much earlier.

Mr. UNDERWOOD. Undoubtedly it had been very much earlier; but the Senator from South Dakota has attempted to reflect on the constituency that I in part represent by saying that our people are unwilling to carry their share of the burden of the eradication of that disease when they are carrying practically all of the burden, except the educational influences of the department itself. The statement which the Senator made is a reflection on those people, and I stand here simply to repudiate a statement that is not justified by the facts. I know the Senator made the statement without knowledge of the facts, and he has so stated; but I know the facts, and I am not willing to let a statement go by which does reflect upon the constituency which I represent and which is not jusified by the facts.

Now, as to the foot-and-mouth disease, I voted for the appropriation to eradicate it, and I am willing to do so again; but I want to say to the Senator that there is not one case of the foot-and-mouth disease in the Southern States. That is no reason, however, why we should not make an appropriation for that purpose. It is a serious menace not only to the cattle interests of this country, but it is a serious menace to a food

product upon which the people are dependent; and so I very cheerfully voted for millions to eradicate that disease in the Northern States. Now, when we have in the South a condition that is a menace to the cattle interests of the South and a menace to the food supply, after we have voted millions of dollars for the eradication of the foot-and-mouth disease, to say that you are not willing to increase this appropriation $200,000 is a position that is not defensible.

Mr. GALLINGER. Mr. President, will the Senator from Alabama permit a question?

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from New Hampshire?

Mr. UNDERWOOD. I do.

Mr. GALLINGER. I am ready to vote any reasonable amount for this or any other purpose that relates to the food supply of the country; but, upon referring to the Book of Estimates—and the only official estimates are those coming through the Secretary of the Treasury; the Secretary of Agriculture submits his estimates to the Secretary of the Treasury, and the Secretary of the Treasury sends them to Congress—I find that that book shows that the estimate made does not include this $200,000. Does the Senator really feel that the exigency is such that that amount is necessary?

Mr. UNDERWOOD. I will state to the Senator from New Hampshire that, as I said in the beginning, I am not a member of the Committee on Agriculture and Forestry, and I have not informed myself as to the estimates. I understand that there has been a supplemental estimate of some kind, but I am not advised particularly as to that. I have been perfectly willing, and am willing now, to stand on what the department states is necessary to do this work. If they say they need $200,000 additional, I think it should be provided. The thing I stand here to combat is a misapprehension as to the condition of our own people. It has been charged here that we are not willing to do our share of the work, when we are doing all of the work, so far as the actual work of building vats and dipping cattle is concerned.

Mr. GALLINGER. The Senator will understand that I have taken no part in that controversy. The Senator has had large experience as a member of the Committee on Appropriations in the other House——

Mr. UNDERWOOD. I served on that committee.

Mr. GALLINGER. The Senator served on that committee, and he is serving on the similar committee in the Senate, and we were all glad to welcome him on it. The Senator knows that the simple fact that the Agricultural Department has written a letter saying they need more money does not meet the requirements of the law that the estimate shall come through the Secretary of the Treasury; but if there is an emergency, and Senators from the States where this wretched condition exists feel that more money is needed than has been estimated for in the regular form and found in the Book of Estimates, I am not going to haggle about it for a moment.

Mr. UNDERWOOD. I will say to the Senator from New Hampshire that I do not know whether this estimate is in the regular form, because, as I have said, I am not a member of the committee and have not investigated it; but I call the Senator's attention to the fact that, if I recollect aright, in the Committee on Appropriations, of which we jointly are members, last fall there was a request for an additional sum for the eradication of the foot-and-mouth disease, and we passed that without any regular estimate because of the urgency of the case. We did not wait, there being an emergency, for the estimate to come through the regular channels, but we accepted it because we recognized the condition that existed.

I am not prepared to say as to the emergency of this question, because I do not know. I am content to leave that to members of the committee. I merely wanted to repudiate a statement which I felt—and I am not reflecting on the Senator who has offered the amendment, because he said that he did not know the facts—reflected on my people, and I do not want this case to be decided on that question.

Mr. GALLINGER. I will say to my friend the Senator from Alabama that my recollection is that the supplemental estimates concerning the foot-and-mouth disease came through the Secretary of the Treasury in the regular form; but it is possible that we may have added something that did not come in that way.

Mr. UNDERWOOD. I think we did; that is my recollection.

Mr. SMITH of Georgia obtained the floor.

Mr. STERLING. Mr. President, will the Senator from Georgia yield to me for just a moment?

Mr. SMITH of Georgia. Yes.

Mr. STERLING. The Senator from Alabama has stated two or three times in the course of his remarks that I reflected upon his people or the people of the South. I want, Mr. President, to disclaim any intention of reflecting upon the people of the South. On the contrary, instead of reflecting upon them, I would rather express my high admiration for the people of the South generally.

I merely looked at this item in the bill. I saw the estimate of $582,400 for this entire service, which I supposed included the educational agents to which the Senator from Alabama has referred. I saw the House item of $632,000, an increase over the $582,000. I at once supposed, since the bill permitted the Government to build vats and purchase materials for use in those vats, that the difference between $582,400 and $782,400, a difference of $200,000, was to be used in the building of vats; and it simply occurred to me, without thinking particularly as to how many vats had been constructed by the people of the South, that it was for the purpose of building vats here and there throughout the South. I confess, Mr. President, that the Senator from Alabama has not yet, in my view, quite answered the question as to what is to be done with the difference between the $582,400 and the $782,400.

Mr. UNDERWOOD. Mr. President, if the Senator from Georgia will allow me, as I said in the beginning, I am not familiar with the estimates, and I will leave that to the members of the committee to answer.

Mr. SMITH of Georgia. Mr. President, the estimate of the Agricultural Department for this purpose, amounting to $657,000, will be found on page 41 of the Estimates of Appropriations for the Department of Agriculture for the Fiscal Year Ending June 30, 1917, Prepared for the Use of the Committee on Agriculture, House of Representatives.

Mr. STERLING. Well, Mr. President——

Mr. SMITH of Georgia. Excuse me, I will go on and finish what I have to say, and I think the Senator will understand it when I get through. That was the estimate of the Agricultural Department as to what they needed. Anyone interested in knowing why this increase was made would only have to read the note following the estimate. From that he would have found out why the Agricultural Department wished the increase. It was because the eradication of the tick is a work that should not be postponed from year to year. If money enough were spent for tick eradication, in a couple of years the entire work might be accomplished.

The States and the communities are contributing so much to the work and there is such an interest in the work that the department feels that the Government should spend more in directing the work.

I want to say, Mr. President, that the work has been continued in the State in which I live just as the Senator from Alabama [Mr. UNDERWOOD] has described it in his State. The vats have been built by the communities and not out of Government money. They have been built by the counties; and men with farms of considerable size build vats on their own farms for themselves exclusively. I have not heard of the Government building any vats in Georgia, except experimental or instruction vats.

This bill does not allow the Government to build vats generally. It limits their construction to Government land and in connection with expositions and fairs. The Government has no land in Georgia. Georgia is not a public-land State, and there is practically no Government land throughout that section. It is not like the northwestern section, with which the Senator from South Dakota is familiar. I think that language came down from past bills, when the tick was being fought in sections where the Government did own large bodies of public land.

Mr. GRONNA. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from North Dakota?

Mr. SMITH of Georgia. Certainly.

Mr. GRONNA. May I suggest to the Senator from Georgia that the department is prohibited by act of Congress from building vats except for demonstration purposes?

Mr. SMITH of Georgia. Well, I am sure that they have never built any in my State except for demonstration purposes.

Mr. GRONNA. I was just going to suggest that the vats have been built, as the Senator from Alabama [Mr. UNDERWOOD] has stated, by the counties and by communities.

Mr. SMITH of Georgia. And very much more has been spent locally than the Government has contributed. The Government's contribution has really been but a small part of the expenditures in this work.

The Senator from South Dakota asks why this increase. It is not for the purpose of building vats, for the act of Congress forbids that, but it is for the purpose of progressing more rapidly with the work and contributing more rapidly to its completion.

Now, let me read what the Secretary of Agriculture said on this subject before the House committee:

> The question is whether we shall get rid of it relatively quickly or whether we shall let the work drag. It is not a question of an indefinite continuance of appropriations or of endless annual increases, but of

larger appropriations over a few years instead of smaller ones for a long period. We can get rid of this nuisance with a less aggregate expenditure in the long run if we combat it vigorously. The time required will depend on the amount of money at the disposal of the Federal authorities and the active cooperation of the States. With the proper attitude on the part of the people, with ample funds from communities or from the States, or both, and with the requisite Federal appropriation to meet any amount they may put up, we can rapidly exterminate the cattle tick and get through with the business.

The House committee in their report then say:

Deeming it wise, in the interest of economy and of the rapid increase of the meat supply, that the work should be pushed as rapidly as possible, the committee believes that the increase recommended is fully justified. As showing the interest of the States in the work and their realization of its importance, attention is called to the fact that the States and counties now under quarantine are planning to expend during the next fiscal year, in cooperation with the Federal Government, approximately $975,000.

New language has been added to make $75,000 of the appropriation immediately available, so that preliminary work looking to the wise expenditure of the increase in the appropriation may be undertaken before the beginning of the next fiscal year.

In connection with the estimate for an appropriation of $657,000, the department says:

Many of the State legislatures have greatly increased, and in some cases have more than doubled, their appropriations to carry on the work in cooperation with the Department of Agriculture. During the present calendar year, up to September 15, 37,308 square miles of territory had been released from Federal quarantine for cattle ticks, and, effective December 1, an additional area will be released, which in all probability will bring the amount up to 50,000 square miles freed from ticks and released from quarantine during the calendar year 1915. As a result of increased activities and educational work, active steps will be taken during the year 1916 in the eradication of the ticks, and more money and more men will be urgently needed to successfully carry on the work in the various States under quarantine.

So that really it is a question of getting over the territory and getting rid of the tick. The more money that is spent, the more rapidly the ground will be covered. As the States are doubling their appropriations, and as the Agricultural Department saw the opportunity for using more, they asked for more.

Now, I will state how the increase happened in the Senate. The chairman of the committee was very deeply interested in the tick fight, and made statements about facts within his own knowledge, and the increase was made on the motion of the chairman of the committee. But the Agricultural Department and the Secretary asked $657,400 by their first suggestion, and the Secretary himself said on the hearing that if we could give him more it would really be an economy, and he would get rid of the tick at less cost to the Government.

Mr. RANSDELL. Mr. President, I should like to corroborate what my brethren from the cattle-tick States have had to say about the efforts of the local people. Just about one week ago the Legislature of the State of Louisiana passed a most stringent law making it a serious criminal offense for anyone to refuse to dip his cattle. The people are determined to eradicate the cattle tick from that State, and they are doing everything in their power along that line.

You know that people must regard it as very serious when they make it a crime to refuse to dip cattle. I live in the extreme northeast part of the State, and I have a small herd of cattle. I have dipped them persistently every 21 days for the past two years except in the cold weather. The dipping vats were all built by the parish of East Carroll, in which I live. The Government had nothing to do with building those vats. There was a specialist employed by the Government who went around East Carroll and the adjoining parish, from place to place, instructing the people how to dip their cattle and trying to see in a personal way that the cattle were properly dipped. The Government furnished the educational agency. The people themselves furnished the expense. The laborers to take the cattle to the vats, the vats themselves, all the great expense of this eradication, was furnished by the people; and, as I said a moment ago, they have now gone to the great length of making it a criminal offense not to dip cattle.

Mr. President, is this a national question? Let me give you a few facts to show you that the whole Nation is interested in it. This work was undertaken in 1906—and I speak with some knowledge, because I had the honor of introducing the first bill ever introduced in the American Congress for eradicating the cattle tick. My bill proposed to appropriate $100,000 for that purpose. It was introduced in the spring of 1906, when the honorable gentleman from New York, Mr. Wadsworth, was chairman of the Committee on Agriculture of the House. The people of New England at that time—and I am glad to see the distinguished Senator from New Hampshire here—were very much interested in the eradication of the gypsy moth, and they asked at the same time $100,000 to eradicate it. We did not get very much encouragement for either of those appropriations from the chairman of the House Committee on Agriculture, and before it was settled the people of New England, fighting the gypsy moth, and the people from the South, fighting the cattle tick, were working hand and hand. The result was that the bill carried $82,500 to begin the work of gypsy-moth eradication and $82,500 to begin the work of cattle-tick eradication. I have the act in my hand.

Mr. GALLINGER. Mr. President——

The VICE PRESIDENT. Does the Senator from Louisiana yield to the Senator from New Hampshire?

Mr. RANSDELL. I gladly yield.

Mr. GALLINGER. I think the Senator would be a little more accurate—but I do not want him to think that I am against this appropriation—if he said that the boll-weevil and the gypsy-moth appropriations went hand in hand.

Mr. RANSDELL. I beg pardon; I remember it well. I have the act here. On the same page is $82,500 to prevent the continued spread of gypsy moth and brown-tail moth, and in the very next paragraph there is $82,500 to assist, in cooperation with the State authorities, in eradicating the ticks transmitting southern cattle fever.

Mr. GALLINGER. Is there not likewise an appropriation for the boll weevil?

Mr. RANSDELL. There may have been. I do not recall that. I know that the Government has from time to time made appropriations for eradicating boll weevil.

Mr. GALLINGER. Yes; there is no question about it. It has been in every appropriation bill for a great many years.

Mr. RANSDELL. We have appropriated considerable money and we have done a great work in eradicating the boll weevil.

I want to say, in speaking of the gypsy moth, that I was delighted to assist in getting an appropriation for it in 1906, and I am still delighted to assist in getting annual appropriations for it. We carry in this bill for the gypsy moth—not the eradication of it, because they say you can not eradicate the gypsy moth—$305,050. Last year the bill carried $310,000 for the same purpose. Here is what the Entomologist, Dr. Howard, says about it in answer to the chairman of the House Committee on Agriculture:

The CHAIRMAN. In answer to Mr. HAWLEY'S question, you say it is not your hope to ever exterminate the gypsy and brown-tail moths?

Dr. HOWARD. I am afraid we shall never be able to exterminate them.

The CHAIRMAN. Your position now is one of control?

Dr. HOWARD. Our position is now one of control and protection to the rest of the country.

The CHAIRMAN. Quarantine and control?

Dr. HOWARD. Quarantine and control. We have protected the rest of the country. There is no doubt about that. The appropriations that Congress has made for the past eight years have undoubtedly relieved the country from a great scourge.

The CHAIRMAN. This appropriation, therefore, may as well be considered a permanent appropriation, you might say?

Dr. HOWARD. I fear so. It may be that the parasites will reduce the species to such a number that we can rely simply on quarantine measures.

And so forth.

Now, Mr. President, we are giving, and according to that testimony we probably shall give, for all time, something like $300,000 a year to prevent the gypsy moth from spreading to the balance of the United States. I, for one, say that if we can prevent that awful pest, which is now such a scourge in New England, from spreading to the rest of this Nation, we will have made a very wise expenditure of public funds, and the New England people can get my vote for it just as often as they need it, and for as much more as the department says is needed.

Mr. President, let me give you a few figures to show you that this cattle-tick pest in the South is a national evil. These figures from the Department of Agriculture show that the average weight of cattle in the States of Florida, Georgia, Louisiana, Alabama, and Mississippi in 1915 was 340 pounds, 419 pounds, 471 pounds, 500 pounds, and 550 pounds, respectively. Please listen to these figures, now. That was the average weight of cattle in the southern cattle-tick area. "Ridiculously small weights," you will say. Of course you will. Here are the weights in the West where they have no ticks. The cattle of Wyoming, Idaho, and Montana, which are tick-free States, average 985 pounds, 966 pounds, and 938 pounds, respectively. The average values of cattle in these ticky States are, in Georgia $18, in Florida $18, in Alabama $20, in Mississippi $22. In a few of the tick-free States the average values of all cattle are as follows: Wyoming, $64; Montana, $60; Ohio, $56; Illinois, $56; Indiana, $54.

The value of cattle in the tick-free States is more than twice the value of cattle in the tick States.

Is it because the animals are any better? Is it because the sun shines brighter in those States, or the rain is sweeter, or the grass more nutritious? No, Mr. President, it is because in those States they have not this terrible enemy of cattle life. It is because in the southern tick States we have this awful pest; no animal can thrive when it has a cattle tick upon it,

when that tick is giving it fever, a fearful disease which kills a great many thousands of them.

A few years ago, sir, it was estimated by the Department of Agriculture that the cattle tick in the South caused an annual loss of $65,000,000 to $75,000,000. Is not that a national question—an annual loss of $65,000,000 to $75,000,000? Southern agriculturists estimated that loss at $100,000,000 to $150,000,000 every year. We are talking now constantly about the "high cost of living," the high price of meat and foodstuffs of every sort. If we could eradicate the cattle tick from the South—as, thank God, we are rapidly doing now—we would have a splendid area, producing animals ten times, indeed I believe fifty times, as fast as we are producing them now, and the whole American people would be the beneficiaries.

Why should we not give this additional appropriation, Mr. President? The committee has asked that it be done. The Secretary tells you that if it is done he can do the work more rapidly. I can speak personally of my own State, and I tell you that last year we were doing this eradication work in only a few parishes of Louisiana. There was opposition to it among some of the farmers of the State. But now we have passed a stringent law, and we are determined to drive the tick into the Gulf of Mexico. We can not do that without considerable additional help from the Government. We must have a number of trained men, experts, to go there and assist our people, and I have no doubt that other Southern States are in the same position as Louisiana. Why wait a dozen years for something that can be done in three or four?

I certainly hope this provision will be allowed to remain in the bill.

Mr. VARDAMAN. Mr. President, I shall not detain the Senate very long because I am quite sure that it is not necessary for me or any other Senator to speak to this amendment in order to defeat it; but I was somewhat shocked at the discordant note which my amiable and much-respected friend, the honorable Senator from South Dakota [Mr. STERLING] sounded a few moments ago. It does not accord with my preconception of that honorable gentleman.

Mr. President, the statesman who thinks along sectional lines, whose thoughts are affected by the geography of his residence, or whose heart is too small to embrace in its kindly consideration the people of every section of this Republic is an object of commiseration to me. The voice of sectionalism at this time is as discordant with the spirit of this age in America and as much out of place to-day as the voice of the donkey in a French opera.

Now, I am not a member of the Committee on Agriculture and Forestry. I wish I were, because I think it has to do with matters of more vital concern to the material interests of the people of this Republic than any other committee of the Senate. As I have said on former occasions, every dollar carried in this bill which is to be invested in the interests of the agriculturists of this country will bring larger returns than any other money which this Government appropriates. I do not care whether this policy of exterminating ticks is carried out in North or South Dakota, Florida, Mississippi, or Alabama, if it adds to the farmer's wealth, to his happiness, and his prosperity it contributes to the well-being of every man, woman, and child in the Republic.

This is no place to practice parsimony. You are not giving anything. You are simply making an investment for the benefit of all the American people. I do not know whether this money is going to be expended in the building of vats or not; but if it is going to be expended that way; if it is going to improve the breed of cattle; if it is going to increase the number of cattle; if it is going to add to the prosperity of the people of the South, it will necessarily add to the total wealth of the people of the United States, because you can not benefit the people of Minnesota without at the same time in this way helping the people of my own State. You can not contribute to the well-being of the agriculturists of the State of Washington without helping the citizens of Alabama and Florida. A successful experiment by the Department of Agriculture in one section of the country will be taken advantage of and, therefore, benefit the farmers of the entire Republic.

The thing in which I am interested is whether the money is going to be invested for the purposes for which the appropriation is made. I have voted for every measure that has been proposed looking to the improvement, the amelioration of the condition of the farming classes and the advantage of the agriculturists of the United States, and I do not care whether the money is to be spent in the North, in the South, or in the East, or in the West. I never ask a question as to that.

When the time comes that I find my mind so distorted by passions or sectional prejudices that I can not see in the light of true altruism all questions which come before this body for solution, then I shall feel that I am no longer fit to perform well the proper functions of an American Senator. The question with me, I hope, shall always be whether or not it is best for the people of America, not the people of the South, the North, the East, or the West, but for the people of America.

Those considerations have controlled me in the past, and, so help me God, they shall control my vote in the future so long as I have the honor of being a Member of this honorable body.

Mr. STERLING. Mr. President, just one word suggested by a statement made by the Senator from Mississippi.

I am sorry indeed that he has evinced so much sensitiveness in regard to the amendment I have proposed. I must say, however, that I do not consider it very material whether I am the object of the Senator's commiseration for the stand I have taken or not, although I appreciate, of course, his regard and his respect. But I would have the Senator understand that I, too, have some sense of my obligation as a Senator. I appreciate the position and feel its responsibility quite as much as the Senator from Mississippi feels the responsibility of this high place. Feeling that responsibility, Mr. President, after looking at the Book of Estimates and what the Secretary of Agriculture had estimated and recommended, looking, too, at the bill as it was presented to the Senate by the committee, and seeing an increase of $200,000 over the estimate made by the Secretary of Agriculture for this service, not having had opportunity to go further into the matter, and yet not saying now that that would have changed my opinion, I offered this amendment, and that is all there is to it.

I did not intend at all to reflect upon the patriotism or the energy of the people of any particular section; but I thought in these times of stress, of extraordinary demands upon the Treasury, when if ever there is need for economy, indeed under all the circumstances as I saw them, and which I have already explained, this amendment was justifiable and proper. It is for that reason that I introduced it, and I have no apology whatever to offer to the Senator from Mississippi.

Mr. KENYON. Mr. President, a few days ago the Senator from Mississippi [Mr. VARDAMAN], in the course of the debate, paid a tribute to the State of Iowa. I was not in the Chamber at the time, or I should have at that time expressed my personal thanks, and the appreciation of the people of my State, for the kindly expression of the distinguished Senator from Mississippi, who has such a warm place in the hearts of our people.

I wish to place in the RECORD, along the same line, without stopping to read it, an article by Herbert Quick, in the American Magazine of July, 1916, on the subject of "Can any State beat Iowa?" I ask that it may be published in the RECORD.

The VICE PRESIDENT. Without objection, it will be so ordered.

The matter referred to is as follows:

[From the American Magazine of July, 1916.]

THE GLORY OF THE STATES—CAN ANY STATE BEAT IOWA?—BEFORE STARTING AN ARGUMENT, READ HOW WONDERFUL IOWA IS.

[By Herbert Quick.]

When a father prepares a festival for his children, he keeps back his most perfect gift for the last. After all the things have been presented which affection can prepare, or filial hope anticipate, the climax of generosity is reached when the last and most precious gift is discovered, a beneficence conferred in a seeming extravagance of giving. In the gradual ascent to the apex of perfections in uncovering the varied regions of the world to his children, the All-Father's masterpiece is Iowa.

Nothing has been left undone by nature to complete the work. First, Destiny covered Iowa with the waters of the sea, and for millions of years there dropped to the dark levels of this primordial ocean the lime, the gypsum, and the clays which form the basis and provide for the renewal of her soil. There fell also the sandstones for her buildings, when man should come to make them. Then the seabed rose, the waters receded, and in the hot, moist breath of the Carboniferous era were laid down the coals, so that when man came he might find the sun's heat stored for him, clay for that heat to convert to brick, and lime, gypsum, and clay to combine with heat into that liquid rock which pours like water and turns to living stone.

But His hand was stretched out still. The clays and ledges and sands were then no better than those of any other land. They would not do for the Masterpiece. So there came on the earth a great chill, and the waters were made into a plow, and with that plow of ice the granites of the north were ground up that their potash might be made soil, and the phosphates were mingled with the potash, and through all ran the lime; and the glacial plow passed over Iowa and made of her a great plain of smooth tilth, and strewed it with black drift fit for the pigmy plows of man.

Then Destiny waited while the waters made channels for themselves. And the swamps dried up. And for millions of years the forces of nature stored nitrogen in the black soil, and filled it with vegetable mold like that which delighted the children of Israel when they spied out the Promised Land of Canaan, and reported that it was a goodly land.

And there it lay, a great green savanna, veined with tiny embroideries of forest along the streams, its ground swell the unending succession of low and rounded hills, its ripples the shadows made by the wind in the waving grass. Destiny kept Iowa one vast, cleared field fit for the plow. Destiny laid the Missouri along her western border and the Mississippi as her eastern boundary, that commerce might find them arms of the sea for her future trade. And God looked on His work and found it good; but in order that it might be superlative, He tilted the surface a little to the south so that the sun might the better work with the rain, and both with that matchless soil for the good of man.

And still Iowa was not yet born. It was not time. Iowa could not be the home of a free people so long as Liberty was obliged to remain "the mountain nymph." Now the motto "Montani Semper Liberi" on the great seal of our most typical mountain State is about the only thing that State offers which reminds us of the stern democracy of Switzerland or Norway, while Iowa contrives fairly well—even though her great sweep of plains would in a past age have invited the tyranny of an Attila or a Genghis Khan—to make good in a middling, muddling, American way on her heraldic declaration, "Our liberties we prize and our rights we will maintain." Destiny covered Iowa with her palm until Liberty could be safe on the plains, and thus make possible such States as Wisconsin, Kansas, Nebraska, Minnesota, the Dakotas, and Iowa, where, 500 years ago, if the land had been peopled by the white race, we should have seen a Poland, a Great Russia, or a Siberia.

Then the curtain was drawn aside from the Western Continent. And still Destiny was not ready for Iowa. American institutions had to be developed and somewhat perfected. At last the hour struck for the discovery of Iowa. It was like the unveiling of a lovely picture—a great undulating green sea enameled with flowers. Not parched by drought like the regions to the west. Not sodden and swampy like the rain-soaked forests to the east. Not stony and sterile like regions farther south. Not in the region of fugacious summers of the north—but just in the right place. In the heart of the empire of corn, the realm of wheat, the kingdom of the paddock, the pasture, the meadow, and good brown earth, where winter is cold enough to rest and revivify the soil and summer warm enough and long enough to flood the world with produce.

To the unveiling of Iowa came all the peoples of America. This gives the Hawkeye the power to understand all America. Up along the rivers came the cavaliers from Kentucky and Virginia, and the woodsmen of Missouri and Tennessee. There came also the Southern Hoosiers from Indiana, and the long Suckers from Egypt. Iowa was settled as a southern State. Her river cities were southern. The first business life of Iowa was southern, and her great men were southern in their sympathies and characteristics. South of the "Q" one still finds the political and social life profoundly affected by the early settlers of the Boone and Crockett stripe. Here and there are the descendants of the French voyageurs and coureurs de bois.

But there came sifting in through Illinois, Michigan, Ohio, and Wisconsin the sturdy stocks of New York and Pennsylvania—and the New England conscience in its migration from New England gave Iowa to local self-government and the common school. And after old-fashioned Americanism had become intrenched in the towns and on the farms, there came the best people of Europe—Danes, Northmen, Celts, Germans, British—and filled the State with their virile strains and their democratic philosophies.

God is the supreme opportunist. He proved it by keeping back the best lands in the world for the best peoples in the world and then turning the plant over to the stockholders—the people of Iowa.

Iowa's wealth is staggering. Her farms are worth more than all those of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New Jersey, Delaware, Maryland, West Virginia, South Carolina, Florida, Alabama, Arizona, Utah, Nevada, New Mexico, Montana, and Wyoming combined. Her farm buildings are of more value than all those in New Hampshire, Vermont, Rhode Island, Delaware, Florida, Louisiana, Montana, Idaho, Wyoming, Arkansas, New Mexico, Utah, Nevada, Oregon, Washington, and West Virginia combined. The live-stock industry in Iowa is now suffering from depression, but her live stock is worth more than all that of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New Jersey, Delaware, Maryland, Florida, Arizona, Utah, Nevada, West Virginia, Louisiana, and New Mexico combined.

She is fifteenth in population among the States and twenty-third in area, but she ranks first in total value of farm products, in value of live stock, in value of farm property per farm, in percentage of farm property improved, in percentage of total area in farms, in number of automobiles per thousand of population, in the value of her horses, in the value of her cattle, in the value of her swine, in poultry, in egg production, in farm implements, in tonnage of forage crops—in spite of the alfalfa of Kansas and the West—in corn production. Her wheat crop is of greater value than that of all Canada or the Argentine. Her corn crop is worth more in money than all the iron ore, or anthracite coal, or petroleum products, or the gold, copper, or silver of all the United States. Iowa is a poor apple State, she thinks, but she has more bearing apple trees than any two of the Pacific States, and in apple production falls below the States of New York, Pennsylvania, Michigan, and Missouri only. Her swine production is worth more than all the farm crops of any of the 11 Mountain and Pacific States except California. The cattle she markets every year are worth more than the whole tobacco crop of the United States. Her women and children sell more eggs every year than would buy all the oranges grown in the United States.

The swine of Iowa exceed in value all the farm crops of Maine, New Hampshire, Vermont, Massachusetts Rhode Island, Connecticut, New Jersey, Maryland, West Virginia, Florida, Delaware, Montana, Idaho, Wyoming, Colorado, New Mexico, Arizona, Utah, Nevada, or Oregon.

The horses of Iowa, in spite of her automobiles, exceed in value the total farm crops of 27 States.

And now I come to Iowa's peril. She is too rich. God has turned over to her people the greatest plant for generating human happiness which the world has ever seen. He has given it to them under the most favorable auspices Will she prove herself equal to the task? Will she see to it that her wonderful soil is kept for her people and not for some of her people? Will she keep herself from going in an American way the downward road of Poland—a rich upper class living on an oppressed peasantry? Her boast that the increase of the farm-land values of the State in 10 years is greater than the increase in value of all the farm land in Montana, Idaho, Wyoming, Colorado, New Mexico, Arizona, Utah, Nevada, Arkansas, Louisiana, and Oregon combined is true, and, in a certain sense, a justifiable boast; but to the statesmen of Iowa it should be the warning of Iowa's greatest danger. When land becomes too precious, like jewels and gold, it passes from the possession of the poor.

The greatest possession of Iowa is not her wealth, nor her power of producing wealth, though both are stupendous. It lies in her people, in her free institutions, in her growing body of great traditions. She has produced many great men and women; but her greatest wealth is in that fine body of great men and women of whom the world does not hear. To them is committed the keeping of a State which is so wonderful that all its neighbor States make their proudest boast when they assert that those portions of them which lie next the Iowa border are "as good as Iowa."

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from South Dakota [Mr. STERLING].

The amendment was rejected.

EXTENSION OF PAYMENTS ON LAND ENTRIES.

Mr. JONES. Mr. President, I desire to submit a conference report. I think it will take but a moment, and I ask unanimous consent for its present consideration.

Mr. SMITH of Georgia. Mr. President, I think we had better not stop the consideration of the Agricultural bill.

The VICE PRESIDENT. This is a matter which, by the rules of the Senate, is privileged.

Mr. SMITH of Georgia. A conference report is privileged?

The VICE PRESIDENT. Certainly. The presentation of a conference report is always privileged.

Mr. GALLINGER. The presentation of the report is privileged, but not its consideration.

The VICE PRESIDENT. The conference report will be read.

The report was read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6057) to amend section 14 of the reclamation-extension act approved August 13, 1914, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter inserted by the amendment of the Senate insert the following: "that where the applicant for such acceptance is in arrears on construction charges, he shall at the time of acceptance pay such installments of the construction charge as he would have been required to pay had he been accepted this act within the time limit hereinabove fixed, plus the penalties that would have accrued had he so accepted, and such applicant shall thereafter be upon the same status that he would have been had he accepted the provisions of this act within the time limit hereinabove fixed"; and on page 2 of the bill, line 8, strike out the words "upon the"; and the Senate agree to the same.

M. A. SMITH,
HARRY LANE,
W. L. JONES,
Managers on the part of the Senate.
EDWARD T. TAYLOR,
JOHN E. RAKER,
M. P. KINKAID,
Managers on the part of the House.

Mr. SMITH of Georgia. Mr. President, my objection was misunderstood by the Chair. Of course, I understood that the presentation of the conference report was privileged; but the Senator from Washington also expressed a desire to have action taken upon it, and it was to that that I was objecting.

The VICE PRESIDENT. There is no doubt that if there is an objection the only way it can be taken up is by a motion. There being no motion——

Mr. JONES. Mr. President, we can adopt the report in just a second. I hope there will be no objection.

Mr. SMITH of Georgia. I withdraw my objection, then, Mr. President.

Mr. JONES. I move the adoption of the conference report.

The report was agreed to.

AGRICULTURAL DEPARTMENT APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12717) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1917, and for other purposes.

Mr. THOMPSON. Mr. President, I desire to call up an amendment which I have, on page 22, line 14, of the bill, and have it acted upon.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 22, line 14, it is proposed to substitute "sugar-plant" for "sugar-beet."

Mr. THOMPSON. Read the balance of the amendment, please.

The SECRETARY. On page 22, line 18, it is proposed to substitute "$51,495" for "$41,495," and after the word "*Provided*," in line 18, to insert:

That not less than $10,000 of this sum shall be used for the development and improvement of American strains of sugar-beet seed and for the establishment of a permanent sugar-beet seed industry in the United States: *Provided further*——

Mr. THOMPSON. I understand that the last paragraph of this amendment has been substantially adopted by the adoption of the amendment of the junior Senator from Michigan [Mr. TOWNSEND]. I desire to address myself briefly to the entire amendment.

Mr. SMOOT. Let the amendment be stated, so that we will understand just what the Senator alludes to.

Mr. SMITH of South Carolina. I should like to have the page and the line stated.

The SECRETARY. Page 22, line 14.

Mr. SMITH of South Carolina. Now, I should like to have the amendment stated.

Mr. TOWNSEND. Mr. President, will the Senator yield? As I understand, all the Senator is attempting to do is to change one word.

Mr. THOMPSON. I think that is what it will amount to eventually.

Mr. TOWNSEND. The latter part of the Senator's amendment has already been adopted by the Senate.

The VICE PRESIDENT. The amendment will be again stated.

The SECRETARY. On page 22, line 14, substitute "sugar-plant" for "sugar-beet," so as to read "for sugar-plant investigations."

On page 22, line 18, substitute "$51,495" for "$41,495."

Mr. SMOOT. That has been agreed to.

Mr. THOMPSON. The latter part of the amendment in substance has been agreed to.

The SECRETARY. After the word "*Provided*," in line 18, insert:

That not less than $10,000 of this sum shall be used for the development and improvement of American strains of sugar-beet seed and for the establishment of a permanent sugar-beet seed industry in the United States: *Provided further.*

Mr. THOMPSON. I will withdraw that part of the amendment, as it has been substantially adopted, but I desire to address myself briefly to the other portion of the amendment and the importance of the whole amendment.

Mr. President, the development of the sugar-beet seed industry in this country since the commencement of the European war has demonstrated what the American farmer can do when necessity requires. Before the European war not a pound of sugar-beet seed was raised in this country, and over a million dollars was spent every year in Germany and Austria for the purchase of sugar-beet seed to be sown in this country.

Since necessity has required the raising of the seed it has been developed that we can raise a better quality and in greater quantity per acre than can be done in Germany or Austria or any other country.

It was contended before necessity required the raising of the seed here that we did not have the proper soil nor the proper climatic conditions, and that the process of raising was too tedious and too expensive for the American farmer. All these theories have been completely exploded in the two short years of experimentation and investigation of the work in this country.

Mr. SMOOT. Mr. President——

Mr. THOMPSON. I yield to the Senator from Utah.

Mr. SMOOT. I will say to the Senator that as good beet seed as was ever grown in the world has been grown in the State of Utah. The climatic conditions are perfect, the soil is just as good as any soil in the world for the production of beet seed, but we found that it was very much cheaper to buy beet seed from Germany and Russia and Austria than to raise beet seed in the State.

That came about on account of the greater expense attached to the raising of seed. I will say that I have predicted many times that the time would come when the beet growers and the sugar manufacturers would be compelled to rely upon the raising of their own beet seed. That time has arrived. I am heartily in favor of the proposed appropriation, and expect to see before many years a good part of the beet seed needed in this country raised on American farms.

There is no question in my mind but that the seed can be raised in any part of this country wherever the beet can be grown successfully. The only question I have ever heard against the raising of beet seed was the heavy expense of doing so.

Mr. THOMPSON. Mr. President, I thank the Senator from Utah for the explanation he has made and the experience he has given relative to the raising of sugar-beet seed in Utah. I was about to remark that it has been demonstrated in every section where sugar beets can be successfully raised in this country that we can also raise the beet seed; and within two short years of experimental work we now raise one-third of the seed which is necessary for the sugar-beet acreage, which is gradually increasing in this country, amounting to 767,000 this year, an increase of 100,000 acres over last year.

Mr. PHELAN. I should like to ask the Senator from Kansas the reason for substituting the word "plant" for "beet"? Sugar plant and sugar beet mean substantially the same, do they not?

Mr. THOMPSON. The reason was suggested by the department itself. If the Senator will observe the language of the bill, he will see that this investigation includes the appropriation of money for not only the sugar-beet and sugar-beet-seed investigations, which is expressly stated in the bill, but $10,000 is provided for—

investigations in connection with the production of table sirup, including the breeding, culture, and diseases of cane, and the methods of manufacture, standardization, and marketing of sirup, and the utilization of cane by-products.

To clear up that language and to facilitate the work of the sugar investigation generally which has been carried on by the same department it has been suggested by Dr. C. O. Townsend, the pathologist in charge of the beet-sugar investigations, that this be done, so as to cover every scope of the work. It does not change in the least the appropriation for the investigation of the sugar-beet and sugar-beet-seed industry, in which I am just as much interested as the Senator from California.

Mr. SHAFROTH. I understand the amendment is to strike out the words "sugar beet" and insert "sugar plant." Why would it not be better to insert "sugar plant," making the investigation as broad as they may want to make it? It seems to me it would be better to insert that, instead of striking out "sugar beet," because I think the investigation ought to be very largely as to the raising of the sugar beet itself. I do not see why the words "sugar beet" should be stricken out and "sugar plant" inserted in lieu thereof, when the purpose would be better served by adding to the words "sugar beet" the words "sugar plant."

Mr. THOMPSON. The only reason for that is that the term "sugar plant" expresses the whole subject. It includes the sugar beet, and it would be superfluous to leave in the words if we interline the words "sugar plant," which includes "sugar beet," as I understand it. "Sugar plant" is a broader term and includes every investigation that can be made of the sugar industry.

Mr. PHELAN. If it is the recommendation of the department it would be agreeable to me as one interested in the industry.

Mr. THOMPSON. It is recommended by the department. As I said, it was recommended by Dr. Townsend, the pathologist in charge of the sugar-beet investigations, to facilitate the work in that department, including every phase of the sugar investigations for which this appropriation is made.

Mr. GALLINGER. Mr. President——

Mr. THOMPSON. I yield to the Senator from New Hampshire.

Mr. GALLINGER. Did I understand the Senator correctly to say that prior to the war the industry of beet raising was not carried on in this country to any extent?

Mr. THOMPSON. Not to any great extent.

Mr. GALLINGER. But during the past two years one-third of the required product has been raised?

Mr. THOMPSON. Yes, sir; that is my understanding.

Mr. GALLINGER. That comes, does it not, from the fact that the European war is a prohibitive tariff as between Germany and the United States?

Mr. THOMPSON. No; I think the tariff has nothing to do with it.

Mr. GALLINGER. I am not talking about the tariff; I am talking about the war being a prohibitive tariff.

Mr. THOMPSON. No; the tariff question does not enter into it when we can not get any seed at all from abroad. It arises from the fact that we can not import any seed at all.

Mr. GALLINGER. Of course we can not, but what is going to happen when the war is closed? Will you not then come again in competition with the cheaper product from Germany?

Mr. THOMPSON. I think not. I think when the war closes, as has been demonstrated by the experiments we have already made, that the people of this country can take care of themselves and can compete with Germany or any other country in the raising of sugar-beet seed or anything else.

Mr. GALLINGER. I am glad the Senator is so optimistic, but I think we will meet the same competition we had before.

The German product will be raised cheaper than we can raise it in this country, and the result will be that the Senator's dreams will not be fulfilled.

Mr. THOMPSON. We can produce sugar-beet seed in this country at a profit of about $50 to $100 per acre, which ought to be enough for anybody. Everybody knows that there has been very little importation of anything from Europe during the present war. This has been especially true respecting sugar-beet seed, so largely that in my old home town, Garden City, Kans., where 2,500 bags of seed were ordered a year ago only 63 bags were delivered. So it is a question of necessity in this country at the present time, by reason of the absolute inability of getting any seed from abroad.

I simply wanted to call the attention of the Senate and the country to the fact that it has developed that every claim which was made relative to the inability to raise seed in this country is not founded upon fact. While the European war has caused the necessity for raising and manufacturing a great many things in this country, we have shown that when we are obliged to we can do it just as well and as cheaply as any other country in the world. It is only an exemplification of the truth of the old axiom that "Necessity is the mother of invention."

It requires 140,000 bags of seed to plant the sugar-beet acreage in this country, and it would require an acreage of something like 14,000 to produce that amount of seed. We have now developed in two years nearly one-third of that acreage.

Mr. GALLINGER. And, Mr. President——

Mr. THOMPSON. And with another year or so of demonstration work I am satisfied that we can raise all the seed that is necessary to be raised in this country without the importation from any country, which is the result we all hope to attain.

Mr. GALLINGER. Will the Senator yield for a question?

Mr. THOMPSON. I yield to the Senator from New Hampshire.

Mr. GALLINGER. Can the Senator tell me what a ton of beet seed ordinarily sells at?

Mr. THOMPSON. I can tell what a pound sells at, and the Senator can figure it for a ton. Under ordinary conditions it is worth about 10 cents a pound, which would be $200 per ton. Under these extraordinary conditions its value is hard to estimate, but it ranges from 30 to 50 cents, if the seed is to be had at all.

Mr. GALLINGER. I ask the Senator if he is acquainted with the fact that Germany pays an export duty of $5 a ton on seed exported from that country?

Mr. THOMPSON. Yes; but this makes no material difference. I see that the Senator is unable to appreciate the fact that when there is absolutely no importation whatever of any article the tariff is not involved at all in the controversy. It is simply a question of getting nothing or producing it ourselves.

Mr. GALLINGER. When there is no exportation we do not need a tariff. The wall is built by the European war regarding this and a great many other things.

Mr. THOMPSON. There is one good thing, if no other, which has resulted to this country from the awful, causeless, and useless conflict in Europe, and that is the fact that it has impressed upon us the necessity of raising everything that we want to eat in this country and of manufacturing everything we need to wear and to use in our industrial pursuits. I hope the time will come when we will raise all the beet seed and sugar that we consume in this country, and then there will be no question of tariff in connection with the article.

Mr. SHAFROTH. Mr. President——

Mr. THOMPSON. I yield to the Senator from Colorado.

Mr. SHAFROTH. I should like to make an observation with relation to the statement made by the Senator from New Hampshire. I believe we are not going to have the competition we have had from Europe. You can not destroy, disable, and kill 10,000,000 men unless you make a shortage in labor, and whenever you make a shortage in labor you make a high price of labor, and the high price of labor is going to enter into the price of whatever they in future are going to export.

Mr. GALLINGER. I will ask——

Mr. SHAFROTH. Just a moment. Then add to that that Germany never will be able any more to give bounties for the exportation of anything that she may have. Then add to that the enormous taxation that is going to be imposed upon the land that raises sugar beets and sugar-beet seed. You will find that they are no longer going to be competitors with the United States. These factors are plain and clear, and for that reason our industry now is upon a very stable basis.

Mr. GALLINGER. With the permission of the Senator from Kansas, I will ask the Senator from Colorado if he does not know that every foot of ground in Germany to-day is being cultivated by intensive methods, and that they are raising to-day as much as they ever raised in the history of the world?

Mr. SHAFROTH. Oh, no.

Mr. GALLINGER. And even more.

Mr. SHAFROTH. Whatever they are raising there is raised, I think, largely by prisoners; and that is not a permanent condition.

Mr. GALLINGER. It is raised by children and women largely.

Mr. SHAFROTH. To some extent that is true, but you can not take out of the industrial army 10,000,000 men disabled and slain without its impress upon the price of labor. It is going to make a shortage of labor, and that shortage of labor, according to the principle of supply and demand, is bound to make a high price of the products that they attempt to raise.

Mr. GALLINGER. Of course that is speculation merely.

Mr. THOMPSON. Mr. President, I will yield the floor in a moment. The argument has branched off into a different direction from what I intended. In conclusion, I simply wish to have inserted in the RECORD, without reading, as a part of my remarks a letter from Mr. F. A. Gillespie, treasurer of the Garden City Sugar & Land Co., showing the difficulty to secure sugar-beet seed under present conditions, and also a letter from Dr. C. O. Townsend, pathologist in charge of the sugar-beet investigations, giving a history of the development of the sugar-beet seed industry in this country and offering suggestions as to improvements in the methods employed to lessen the cost of production.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

THE GARDEN CITY SUGAR & LAND CO.,
Garden City, Kans., June 20, 1916.

Hon. WILLIAM H. THOMPSON,
Washington, D. C.

MY DEAR SENATOR THOMPSON: My attention has been called to the fact that while there has been an appropriation made covering the investigations and other work in connection with sugar beets and sugar cane no appropriation has been made covering the beet-seed industry. The present war that is being waged in Europe, as you know, brought all beet-sugar companies to a severe realization of the fact that their entire industry is wholly dependent upon procuring seed from the present warring nations, and you are undoubtedly aware of the past efforts and the extraordinary expense that has been entailed to get what little beet seed has been procured. For instance, out of our contracts existing with beet-seed growers located within these warring nations, amounting in total to about 2,500 bags, we have secured the grand total of 63 bags of seed, and were it not for the fact that we had provided ourselves with sufficient seed for this year's crops before the war we would have been entirely unable to have planted any acreage this year, and our factory would have been put entirely out of commission. As it is, we do not know now at this writing where nor how we are going to procure our seed for the year 1917. Two or three concerns, including the Great Western Sugar Co., the Utah-Idaho Sugar Co., and the United States Beet Seed Co., are endeavoring to grow seed, and it appears to us that the Government should make an appropriation of a reasonable amount to assist in this work. * * *

* * * * * * * *

Yours, truly,

F. A. GILLESPIE,
Treasurer Garden City Sugar & Land Co.

UNITED STATES DEPARTMENT OF AGRICULTURE,
BUREAU OF PLANT INDUSTRY,
Washington, D. C., June 21, 1916.

GROWING OF BEET SEED.

Hon. W. H. THOMPSON,
United States Senate.

DEAR SENATOR THOMPSON: Replying to your inquiry relative to the situation in regard to the beet-seed industry in this country, I take pleasure in stating that sugar-beet seed is now being grown to some extent in Michigan, Colorado, Montana, Utah, Idaho, and California. The acreage in Michigan increased from approximately 60 acres last year to about 500 acres this year. In Colorado and Montana the acreage increased from approximately 240 acres last year to nearly 3,000 acres this year. There was also a large increase in the acreage in Utah and Idaho. However, only a small part of the seed required for planting each year is produced at present in this country. We are therefore still dependent upon foreign-grown seed for the planting of considerably more than half of our present acreage of sugar beets.

The efforts that have been made in the growing of sugar-beet seed in the past indicate that sugar-beet seed of superior quality may be produced in this country. If this is true of the spasmodic efforts that have been made in growing sugar-beet seed in the United States, it stands to reason that when well-established strains of American beet seed are produced under proper supervision and direction the yield and quality of the roots and of the seed itself will be greatly increased. If we were obliged to depend entirely upon our home-grown seed at the present time for our sugar supply, not more than one-tenth of the sugar consumed in the United States could be grown in continental United States. Our sugar-beet growers need not less than 140,000 bags of beet seed annually to meet their requirements. About 14,000 acres in seed annually would be necessary to supply this amount of seed. If the sugar-beet industry were to develop in this country to the extent of producing all the sugar required in the United States, together with the cane sugar now produced in the Southern States, more than 50,000 acres in beet seed would be required each year. The value of this seed crop under normal conditions would be at least $5,000,000. Under existing conditions more than $1,000,000 annually are being sent abroad for the purchase of sugar-beet seed.

The indications are that there is abundant soil located under suitable climatic conditions within the United States for the production of this seed. There is nothing mysterious or unusually difficult in the pro-

duction of sugar-beet seed. Like all other enterprises of this kind, close attention to details is necessary in order to keep up the high standard of quality and to increase the yield. The roots are selected in the fall, the leaves are removed, the roots stored by piling them on the ground and covering with earth to a sufficient depth to keep them from freezing; they are then planted in the spring, as early as soil and climatic conditions will permit. At the base of each leaf which developed the first year there is a bud which remains dormant during the winter and from which seed stalks are produced the second year. These stalks are more or less branched, and grow to a height of from 4 to 5 feet, and vary in number from two or three to several dozen per plant. The flowers are produced on these stalks, and especially on the branches, and usually occur in clusters of two to seven flowers per cluster. When the seed develops from these flowers and has matured, each flower cluster has formed what is known as a seed ball, containing usually from two to seven germs per ball. It is possible for a single plant to produce a pound or more of these seed balls. At present this seed is harvested by hand, thrashed, cleaned, and cured, and is then ready for planting.

The object of our investigations is not only to increase the sugar content of the roots produced from this seed, but also to reduce so far as possible the cost of seed production. The cost of producing a unit quantity of beet seed may be reduced either by increasing the yield per acre without materially increasing the cost of production or by actually reducing the labor cost per acre or per unit quantity. The average yield of beet seed per acre is approximately 1,000 pounds, while the possibilities are more than four times that amount. Hence it is fair to assume that the yield may be greatly increased when proper attention is given to details.

One of the largest items of expense in growing sugar-beet seed is that of planting the roots in the spring. This expense, we believe, can be greatly reduced by proper methods. There is also sometimes considerable losses in the spoliation of the beets during the winter. This can be eliminated by proper attention to details. The cost of harvesting the seed is likewise a heavy expense, inasmuch as the stalks are now cut by hand, a sickle being used for this purpose. These expenses and losses we feel sure can be greatly reduced by a careful study of conditions, but even with the present cost of growing the seed it is apparent that American-grown seed can compete with the imported seed, especially in view of the better germination and the improved quality of the seed when produced under proper supervision and direction.

Very truly, yours,

C. O. TOWNSEND,
Pathologist in Charge Sugar-Beet Investigations.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Kansas [Mr. THOMPSON].

The amendment was agreed to.

Mr. CUMMINS. Mr. President, I move to amend the bill by striking out all that part of it beginning with line 24 on page 108 of the original print to and including line 15 on page 123. The amendment I have proposed, and I do not intend to discuss it at any great length, because I have been convinced there is no disposition on the part of the Senate to modify the bill in any essential particular, is to eliminate that part of it which provides for the licensing of warehouses. It is known in the bill as part C, and it is termed the United States warehouse act.

My objection to the proposed legislation is, first, that it is unconstitutional as now expressed. Section 2 of part C, which is fundamental, says "that the term 'warehouse' as used in this act shall be deemed to mean every building, structure, or other protected inclosure in which any agricultural product is or may be stored for interstate or foreign commerce." I can not conceive that there is a lawyer in this body who will assert that this description of the warehouse that may be licensed comes this description of the warehouse which may be licensed comes within a stone's throw of the provision of the Constitution which authorizes Congress to regulate commerce among the States.

It will be observed that every structure or building or inclosure in which an agricultural product is or may be stored for interstate or foreign commerce may be brought within the operation of the bill.

I do not at all dispute the fact that there are many warehouses so connected with commerce, so used as one of the facilities for transporting grain or other agricultural products from one State to another, or so connected with the general business of carriage that they fall within the constitutional power. I have no doubt whatsoever about that; but he who insists that any building or structure in which a product is or may be stored—agricultural products—which ultimately may pass into the channels of interstate commerce is within the power of Congress is simply calling upon his imagination rather than upon his knowledge of the constitutional provision.

I object to the bill for another reason. It is that this legislation will, in so far as any particular warehouse is brought within its provisions, supersede and abrogate all the State legislation upon warehouses; will render useless and futile all the legislation of the States with regard to warehouse receipts, their form, the obligation of the parties to them, and everything connected with the regulations which have been adopted by the States.

Mr. SMITH of Georgia. Mr. President, will the Senator from Iowa allow me to ask him a question?

Mr. CUMMINS. I will.

Mr. SMITH of Georgia. Could not the criticism which the Senator from Iowa has just made upon the bill be relieved by adding a section—say, section 34—providing:

That nothing in the provisions of part C shall affect the validity of State regulation of warehouses?

Mr. CUMMINS. Mr. President, I am not sure of that. The Supreme Court of the United States has held very many times that where Congress attempts to occupy a certain field of legislation its legislation is exclusive, and that State legislation, which may not be at all inconsistent or repugnant to anything that has been adopted by Congress, is, nevertheless, rendered null and void. The most prominent instance of the principle I have just suggested is in the case of Groninger against The Express Company which was decided a few years ago—three or four years ago—interpreting what is known as the Carmack amendment. That was an amendment added to the interstate-commerce law in 1906. It touched the effect of bills of lading issued by common carriers. It regulated the bills of lading only in one respect, namely, so as to make the initial carrier responsible for the loss or damage that might occur in carriage, no matter by what company or through what company or transportation line the damage happened. The Supreme Court, in passing upon that amendment, held that it abrogated all the laws of the States, all the judicial decisions of the States with respect to the liability of common carriers upon bills of lading, and rendered nugatory the statutes and decisions in more than one-half the States which had declared that a common carrier could not limit its liability for damage suffered on account of carelessness or negligence.

I infer from that decision—and it is the most pronounced, probably, of its kind—that if we pass this bill we have repealed the laws of all the States regulating warehouses and warehouse receipts in so far as the owners of warehouses ask for and receive a license from the Federal Government.

I need not say to Senators that this is a subject full of difficulty; I need not say to you that nearly every State—I think every State, probably—has a warehouse law, which has been developed through long experience and through much study, and that the statutes relating to warehouses and warehouse receipts are of the utmost importance in the business of the various States.

I do not question the right of Congress to adopt a code with regard to warehouse receipts and the rights of warehousemen and those who deal with them, so far as the receipts are issued for goods that are offered for shipment or are being shipped from one State to another; but this bill does not attempt to fully codify the law upon this subject. As I remarked about the previous measure, it is crude; it is imperfect; it is inadequate. It does not touch a great many of the vital phases of warehousemen's liability or the standing of warehouse receipts in the commerce of the world. I think it is simply absurd and ridiculous for the Congress of the United States to pass a law of this sort without the most serious consideration, without the completest study of the proposal on the part of some committee especially designed to study and consider matters of this character.

Why, suppose a bill of this kind were introduced. It would either be referred to the Committee on the Judiciary or to the Committee on Interstate Commerce, and the whole subject would be most carefully examined. This part of the bill has not been studied at all, simply because it has been added, through a vicious and indefensible practice, to an appropriation bill, and we are about to adopt it without half a dozen Senators in the body knowing what it contains or what changes it will make in the law of the land.

Mr. President, every lawyer knows that the American Bar Association has for years been considering the question of bills of lading and warehouse receipts, with the object of making, if possible, a uniform bill of lading and a uniform warehouse receipt throughout the country, so that the rights of all the parties to those instruments will be as well known in one part of the land as in another; but if any Senator would undertake to examine the code which has been proposed time and again by this association and would compare it with the proposal of this bill, he would be shocked to find how inadequate this proposed legislation is.

My third objection, Mr. President, is that we have here another set of grain inspectors. Not satisfied with what has already been done in the way of appointing inspectors throughout the country for the classification and grading of grain, the warehouse provision adds still another army of grain graders and inspectors. I read from section 11, on page 113:

SEC. 11. That the Secretary of Agriculture may, upon presentation of satisfactory proof of competency, issue to any person a license to classify any agricultural product or products, stored or to be stored in

a warehouse licensed under this act, according to grade or otherwise and to certificate the grade or other class thereof, or to weigh the same and certificate the weight thereof, or both to classify and weigh the same and to certificate the grade or other class and the weight thereof, upon condition that such person agree to comply with and abide by the terms of this act and of the rules and regulations prescribed hereunder so far as the same relate to him.

Mr. President, this not only introduces another body of grain inspectors and graders but it attaches the inspector to the particular warehouse that may be licensed, and it authorizes him to classify and grade grain in the warehouse, whether it is intended to be transported or carried beyond the State or whether it is intended to be used in the State in which it is graded. There is no limitation in that respect. The warehouseman himself must have a warehouse in which grain or other agricultural products may be stored.

I suppose that any warehouse would fall within that definition, because it is hard to conceive of a warehouse or a corncrib—and this would cover a corncrib just as completely as it would cover the most elaborate elevator or warehouse—in which there may not come at some time agricultural products which ultimately find their way into the channels of interstate commerce; but once the structure is brought within the terms of the law, then everything that is stored in the building and which may be the subject of a receipt is to be classified and graded by an inspector who may be employed under the terms of this act. It certainly can not be that Congress desires to adopt legislation so disastrous to the laws of the country and of such far-reaching effect without the most careful and reflective consideration.

I do not refer to other provisions of the bill. There are very many excellent things in the measure—that is, they would be excellent in the regulation of a warehouse—but until we are ready to present to the country a complete law upon this subject which can safely be substituted for the warehouse laws of the States, I sincerely hope that Congress will not embody this feature in an appropriation bill.

I have often heard, as all of you have, of a book known as "Every Man His Own Lawyer." It is generally conceded that whenever a man is his own lawyer he has a fool for a client. Now, this bill might very well be described as "Every Man His Own Warehouseman," for it is so broad and sweeping that if I care to put my corncrib at the disposal of my neighbor for the storage of his corn I may have a license under this measure as a warehouseman.

Mr. SHERMAN. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Illinois?

Mr. CUMMINS. I yield to the Senator from Illinois.

Mr. SHERMAN. I am much impressed with what the Senator says, and I am in sympathy with his criticism. I should like to have the Senator, before he yields the floor, express his opinion as to the ability under the provisions of this bill of a warehouseman of what is commonly called class A or class B in the primary market centers to do business and not to be bankrupted. I call particular attention to the fact that under the provisions of this bill the warehouseman is made an absolute insurer. If lightning were to strike a warehouse in which a million dollars worth of grain was stored, under the provisions of this proposed act the warehouseman would be liable as an insurer, because under section 21, on page 119, is the following language—I do not want to take the floor away from the Senator, and do not want to subject him to a point of order——

Mr. CUMMINS. I am quite willing to have the Senator go ahead.

Mr. SHERMAN. The language of that section, without quoting it entire, provides that the warehouseman shall, on the presentation of a warehouse certificate and its proper indorsement, deliver the goods stored.

There is no exception; he shall deliver them; and if he does not deliver them he becomes liable and his license may be revoked. Under all the State acts—and they are based on long experience—in the primary markets where grain is stored in bulk and its identity lost, there is always some provision to limit liability. In the greatest primary grain market in the Western Hemisphere—Chicago—they have had a long experience not only in grain grading, but in the warehouse business, and the acts that properly safeguard both the warehouseman and the owners of the grain stored expressly exempt the warehouseman from liability for loss by fire, unless caused by the negligence of the warehouseman. It exempts him from liability for the destruction of grain by the heating or chemical change of the grain caused by the inherent qualities of the grain itself. In the smaller cities, where there is a man with $50,000 invested in the warehouse business, a large part of the grain of North Dakota or of Iowa might be in the ordinary course of business transported to Chicago, and so come within the limits of this act. A warehouseman could be utterly destroyed under the provisions of this bill by a stroke of lightning. It might consume the warehouse and he might lose his property, together with the entire contents, and he could not exempt himself by showing that it was utterly beyond his power to have prevented the loss.

Mr. CUMMINS. Mr. President, the Senator from Illinois emphasizes very clearly what I have already said. If we were to attempt to impose this law upon the people of Illinois without their consent, I do not think it would have a single supporter. Compare the elaborate law of Illinois—of which I know something—concerning warehouses with this meager and unsatisfactory provision, and one will be at once impressed with the entire inadequacy of this proposal. Why, in Illinois the warehouse business is of such magnitude and importance that, as I remember, the public-utility commission to which is given the administration of the regulation of railroads is called the railroad and warehouse commission.

I very sincerely hope that all of part C will be stricken out, and that we defer such legislation until some committee of the Senate is ready to consider an adequate bill upon the subject of interstate warehouses.

Upon my motion I ask for the yeas and nays.

The VICE PRESIDENT. Is the request seconded?

Mr. SMITH of Georgia. Mr. President, the motion is to strike out the entire measure, is it not?

Mr. CUMMINS. The whole thing.

Mr. SMITH of Georgia. If the motion is voted down, then, under the rules, will the provision still be subject to amendment?

The VICE PRESIDENT. Undoubtedly it will be subject to amendment.

Mr. SHERMAN. Mr. President, before this matter—which is of extreme importance to the primary grain markets—is voted on, I should like to discuss it a little. I do not want to undertake it at this time in the evening. If I am not running counter to any of the desires of the management of business here, I should like to offer some brief reasons why this portion of the bill would be exceedingly disastrous to the warehouse business. I will yield at any time when any Senator wishes to change the course of business or to move a recess. I do this because I am not always advised of the wishes of either the majority or those who assume very often to speak for the minority side of the Chamber.

Mr. SMITH of Georgia. Mr. President, if the Senator from Illinois will yield to me just a moment——

The VICE PRESIDENT. Does the Senator from Illinois yield to the Senator from Georgia?

Mr. SHERMAN. I do.

Mr. SMITH of Georgia. We wish to move that when the Senate separates to-day it shall be by recess until 11 o'clock to-morrow morning. I make that motion.

The VICE PRESIDENT. The question is on the motion of the Senator from Georgia.

The motion was agreed to.

Mr. THOMAS. What is the motion?

Mr. SMITH of Georgia. That when the session ends to-day it shall be by a recess until 11 o'clock to-morrow morning.

Mr. KENYON. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Iowa will state it.

Mr. KENYON. I should like to know at what time we will take a recess to-night?

Mr. THOMAS. At 8 o'clock.

Mr. GALLINGER. Oh, no.

Mr. SMOOT. Mr. President, I will ask the Senator from Colorado if he speaks with authority when he says that a recess is to be taken at 8 o'clock?

Mr. THOMAS. I am a member of the committee which so determined this morning. If it was changed, I am not aware of it.

Mr. GALLINGER. If the Senator will permit me, the Senator was not consulted, but some of us have had the assurance that we will take a recess about 6 o'clock to-night and take up the matter at a conference to-morrow.

Mr. THOMAS. That may be, Mr. President. I answered, as the Senator will notice, somewhat guardedly, because there may be some other arrangement, and I have no authority to speak for the committee, as the chairman has.

Mr. MARTIN of Virginia. Mr. President, I was not present at the meeting of the committee to which allusion has been made, but quite a number of Senators have complained that if the Senate was to be held as late as 8 o'clock it ought not to be done until after some notice had been given. I mentioned the matter to the chairman of the Democratic steering committee, and he said he thought there was reason in that, and that as far as he

was concerned he would expect the Senate to adjourn about 6 o'clock this afternoon. That is what the Senator from Indiana [Mr. KERN] told me. I think there is strong justification for that course, and that the Senate ought to adjourn about 6 o'clock.

Mr. SMITH of Georgia. Mr. President, the Senator will recall that on yesterday I brought this matter to the attention of the Senate, and gave notice that I would insist upon the Senate remaining together until we disposed of the bill; and when a Senator called attention to the fact that I had no authority to give such a notice, or that it did not amount to anything, I suggested that my sole object was that if to-day, upon seeking to press for a later session, the plea should be made that no prior notice of a late session had been given we wished to be prepared against such an objection.

Mr. GALLINGER. I am afraid the Senator from Georgia is revealing the secrets of executive sessions.

Mr. SMITH of Georgia. That statement was made as in legislative session.

Mr. MARTIN of Virginia. Mr. President, to take the sense of the Senate about this matter, I move that at 6 o'clock p. m. to-day the Senate take a recess until 10 o'clock to-morrow morning.

Mr. GALLINGER. Not 10, but 11.

Mr. MARTIN of Virginia. We had better commence——

Mr. SMOOT. I wish to say to the Senator that there are a number of committee meetings to be held at 10.30 to-morrow.

Mr. JAMES. It has already been agreed that when we take a recess it will be until 11 o'clock. That motion has already been agreed to.

Mr. MARTIN of Virginia. What was agreed to?

Mr. JAMES. That when we do take a recess it shall be until 11 o'clock to-morrow.

Mr. MARTIN of Virginia. Then I am willing to modify my motion, and move that we take a recess at 6 o'clock to meet to-morrow morning at 11 o'clock.

Mr. SMITH of Georgia. Mr. President, I hope the Senator will let us dispose of a few matters. There are two or three matters that Senators want to dispose of before that motion is made.

Mr. MARTIN of Virginia. Mr. President, I will withdraw the motion for the present. I was simply anxious to make some headway. I believe we will talk here until Christmas unless there is some new departure taken. I do not see any possibility of terminating the session unless we sit longer hours. We will have to work longer hours if we wish to end the work of this session before frost.

Mr. SMITH of Georgia. I understood that the Senator was objecting to working longer hours.

Mr. MARTIN of Virginia. Not at all. I said that as Senators complained that they had not had notice of this more stringent service——

Mr. SMITH of Georgia. But they have had notice.

Mr. MARTIN of Virginia. They have had the personal notice of the Senator from Georgia; and he can put that motion when he wishes, and we will see whether or not the Senate will support him. That is all there is to it.

Mr. SMITH of Georgia. Any Senator has a right to give notice that he intends to move to take a recess at a certain time.

Mr. MARTIN of Virginia. Certainly; and he has a right to take the sense of the Senate on the matter. It takes a vote of the Senate to control the sessions. It seems to me, in fairness, as so many protests have come in, that the course I have suggested should be taken.

Mr. SMITH of Georgia. I gave the notice from the committee in charge of this bill. It was entirely appropriate that it should be done without waiting for the steering committee——

Mr. MARTIN of Virginia. Entirely proper.

Mr. SMITH of Georgia. As the Senator from Virginia has given it when he was in charge of a bill.

Mr. MARTIN of Virginia. I have not objected to it at all. The Senator had a perfect right to do it, and the Senate has the right to act on it and to fix it as it sees fit.

Mr. SMITH of Georgia. That is true; but I object to the suggestion that no notice has been given, when Members in charge of the bill gave the notice. That is the custom.

Mr. MARTIN of Virginia. The Senator is entirely mistaken. I did not say that no notice had been given. On the contrary, I stated that the Senator from Georgia had given the notice and that it was for the Senate to say whether or not they would pursue the policy outlined in his notice. There was so much dissatisfaction, as I say, with holding the Senate here until 8 o'clock that the chairman of the Democratic steering committee told me he would expect the Senate to adjourn at 6 o'clock, and I made that motion. It is for the Senate to determine.

I move that at 6 o'clock the Senate take a recess until 11 o'clock to-morrow morning.

Mr. TOWNSEND. Why not make it now?

Mr. MARTIN of Virginia. There is a desire for an executive session, and I am willing to withhold that motion in order that there may be an executive session.

EXECUTIVE SESSION.

Mr. SMITH of South Carolina. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives by D. K. Hempstead, its enrolling clerk, announced that the House disagrees to the amendments of the Senate to the bill (H. R. 4767) authorizing the Director of the Census to collect and publish statistics of cotton seed and cottonseed products, requests a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HELM, Mr. HOUSTON, and Mr. HINDS managers at the conference on the part of the House.

The message also announced that the House had passed a bill (H. R. 16763) to increase the revenue, and for other purposes, in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. WARREN. I present a telegram in the nature of a memorial from the Utah Chapter of the American Mining Congress remonstrating against the placing of a tax on copper. I ask that the telegram may be printed in the RECORD and referred to the Committee on Finance.

There being no objection, the telegram was referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

SALT LAKE CITY, UTAH, *July 7, 1916.*

Hon. F. E. WARREN,
United States Senate, Washington, D. C.:

We note that the Ways and Means Committee has reported favorably on a proposed bill to tax copper smelting and refining for additional revenue. We, representing the mining interests of Utah, seriously object to the passage of such a bill, classing the copper business as war industry. If the law is enacted it will seriously injure mining companies and be a great blow to mines in the Western States. Utah Chapter of the American Mining Congress solicits your earnest efforts to defeat this provision of the revenue act.

UTAH CHAPTER AMERICAN MINING CONGRESS.
A. B. APPERSON, *Governor.*

Mr. WARREN. I have a telegram from the Denver (Colo.) Post urging the enactment of legislation to provide arbitration for the difficulties between railroads and their employees. I ask that the telegram be printed in the RECORD and referred to the Committee on Interstate Commerce.

There being no objection, the telegram was referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

DENVER, COLO., *July 10, 1916.*

Senator FRANCIS E. WARREN,
Washington, D. C.:

The unanimous opinion of the people throughout the West is utterly against the impending railroad strike, and the Denver Post urges you to help secure such legislation before Congress adjourns as will have this trouble settled, either by arbitration under the Newlands law or by Interstate Commerce Commission. Certainly there is strife enough in the world at present without our country becoming involved in any general railroad strike, which would be at this time a great national disaster.

THE DENVER POST,
By F. G. BONFILS.

Mr. VARDAMAN. I wish to ask the privilege of presenting, for the purpose of having printed in the RECORD without reading, a number of telegrams from bankers in Mississippi protesting against extraordinary taxation. This is the first voice I have heard from the people on the subject of bearing the expense of preparedness. But it is not the last voice that we shall hear. When the taxgatherers come around we shall hear a very lusty protest against that unnecessary burden.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

GREENVILLE, MISS., *July 11, 1916.*

Senator VARDAMAN,
Washington, D. C.:

We understand the Kitchin revenue bill increases the corporation tax from 1 to 2 per cent and continues bankers' special tax of $1 for each $1,000 of capital, surplus, and undivided profits. This seems discriminatory and grossly unfair. Want you to give the matter your attention.

FIRST NATIONAL BANK.

—

HATTIESBURG, MISS., *July 8, 1916.*

Senator JAMES K. VARDAMAN,
Washington, D. C.:

Kitchin bill doubles corporation income tax and fails to repeal special tax of $1 per thousand on the value of bank shares. We think it unjust

that this special tax be retained. All corporations should be taxed alike, banks having a hard time. We beg you to use your influence to have special tax on bank shares repealed.

FIRST NATIONAL BANK OF COMMERCE.

—

DODDSVILLE, MISS., *July 10, 1916.*

Senator JAMES K. VARDAMAN,
Washington, D. C.:

For God's sake use your influence to prevent any additional tax being imposed on banks. Little country banks have now more burden than can bear.

HENRY HART.

—

MERIDIAN, MISS., *July 8, 1916.*

Hon. JAMES K. VARDAMAN,
United States Senate, Washington, D. C.:

Inform Kitchin revenue bill, H. R. 16773, provides for increased corporation tax from 1 to 2 per cent and continues banks' special tax of $1 for each thousand capital, surplus, and undivided profits, which the banks consider manifestly unfair, as they should not be taxed in excess of other corporations. Your usual careful, prompt consideration earnestly requested.

WALKER BROACH,
First National Bank.

—

WEST POINT, MISS., *July 11, 1916.*

Hon. JAMES K. VARDAMAN,
Senate, Washington, D. C.:

We protest against the injustice of reenactment of special bankers' tax if corporation income tax is to be increased, and urge that you use all effort to eliminate former from the bill.

FIRST NATIONAL BANK.
BANK OF WEST POINT.
CITIZENS' BANK.

Mr. COLT presented a petition of the Rhode Island Bankers' Association, of Providence, R. I., praying for the adoption of certain amendments to the Federal reserve act, which was referred to the Committee on Banking and Currency.

Mr. PHELAN presented memorials of George R. Close and sundry other citizens of Napa County, and of sundry citizens of Lassen County, in the State of California, remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which were ordered to lie on the table.

He also presented a memorial of the Board of Supervisors of Contra Costa County, Cal., remonstrating against the proposed inheritance tax, which was referred to the Committee on Finance.

PENSIONS AND INCREASE OF PENSIONS.

Mr. SMOOT (for Mr. JOHNSON of Maine), from the Committee on Pensions, to which was referred the bill (H. R. 16290) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, reported it with amendments and submitted a report (No. 654) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CULBERSON:

A bill (S. 6603) to amend section 245 of the Criminal Code of the United States; to the Committee on the Judiciary.

By Mr. McLEAN:

A bill (S. 6604) granting an increase of pension to Elizabeth Daniels (with accompanying papers); to the Committee on Pensions.

By Mr. BROUSSARD:

A bill (S. 6605) granting an increase of pension to Eugenia L. Williams; to the Committee on Pensions.

By Mr. SHERMAN:

A bill (S. 6606) granting a pension to Amanda B. Birch; and

A bill (S. 6607) granting an increase of pension to Edward Nugent; to the Committee on Pensions.

By Mr. GALLINGER (for Mr. GOFF):

A bill (S. 6608) granting an increase of pension to Jacob P. Marling; to the Committee on Pensions.

By Mr. SHERMAN:

A bill (S. 6609) granting a pension to Mary E. Bradshaw; to the Committee on Pensions.

By Mr. GALLINGER:

A bill (S. 6610) to provide for the payment of assessments for benefits for the opening of streets, avenues, roads, and alleys in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

A bill (S. 6611) granting an increase of pension to Jeremiah B. Davis (with accompanying papers); to the Committee on Pensions.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. WARREN submitted an amendment proposing to appropriate $7,000 for the completion of the Saratoga (Wyo.) fisheries station, etc., intended to be proposed by him to the general deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

He also submitted an amendment proposing to appropriate $10,000 for general construction and finishing of the Court of Appeals Building adjacent to the courthouse, Washington, D. C., intended to be proposed by him to the general deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. O'GORMAN submitted an amendment proposing to appropriate $500,000 for improvement of the East River, N. Y., with a view to providing a channel 35 feet deep from Long Island Sound to the navy yard, intended to be proposed by him to the naval appropriation bill (H. R. 15947), which was ordered to lie on the table and be printed.

PROPOSED GOVERNMENT ARMOR PLANT.

Mr. TILLMAN. I ask unanimous consent for the publication in the RECORD of the matter I send to the desk. It is from the Manufacturers' Record, of Baltimore, an acknowledged authority on such matters, and relates to the Government armor plant. The point of view by the Record is well worth very serious consideration. The bill providing for an armor plant, which passed both the House and Senate, was put in the naval appropriation bill, and contains the following provision:

said factory or factories to have an annual capacity of not less than 20,000 tons of armor; to be located at a place or places approved by the General Board of the Navy, with especial reference to considerations of safety in time of war.

The General Board of the Navy has had the matter under consideration for some time as to where the armor plant ought to be located. I have transmitted to them through the Secretary of the Navy all the matter I am asking to have published in the RECORD. It is of vital importance that all the information possible be had on this question. It will not be disputed that if, as the Baltimore paper contends, we could be cut off from our supply of ore on Lake Superior or elsewhere by war, then we ought, as a matter of common sense, to see to it that the plant we build is at a place where no such catastrophe can occur. The war in Europe has demonstrated the vital importance of munitions plants and an almost endless supply of ammunition, shells, and so forth.

Sound policy indicates the vital importance of having these in more places than one. They should be far enough from the border, and from the coast, too, to make it impossible for any enemy landing on our shores or invading us from the north to capture them. I do not believe it possible that the United States and England will ever go to war; but then no one can tell what might happen, and prudence, as well as statesmanship, makes us know that the armor factory which we are to construct ought to be located somewhere in the South, and that the manufacture of munitions should also be developed there.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

THE PROPOSED GOVERNMENT ARMOR PLANT—THE MISTAKEN POLICY OF THE BETHLEHEM STEEL CO. AND WHY THE GOVERNMENT SHOULD NOT ACCEPT ITS OFFER.

Starting some months ago with a threat to the Government that if the latter undertook to build an armor-plate plant the Bethlehem Steel Co., with a view to its amortization of the investment in its armor plant, would increase the price of its armor plate to the country—a threat which good judgment on the part of the officials of the Bethlehem Co. should never have permitted them to make—that company has steadily shifted its position from one proposition to another until it has now reached the point where it offers to sell armor plate at exact cost to the Government.

The fight of the Manufacturers' Record has certainly driven that company from its position of dictation to the Government, with which it began this campaign, to the position in which it has expressed its recognition of some of its mistakes in dealing with the public and to the point where it has made various propositions, each one of them more favorable to the Government than the preceding one.

The last proposition is to sell armor plate to the Government at cost.

The first proposition was to add largely to the cost of armor plate if the Government built its own plant.

The Manufacturers' Record has in this fight, we believe, at least saved the Government many millions of dollars. But that is not the thing for which we are fighting. We have been antagonizing the Bethlehem propositions on a far broader basis than that of the saving in the cost of armor plate, and with the best of personal feeling for its officers, but with a duty to the public above personal feelings or friendships.

The Manufacturers' Record antagonized the threat of the Bethlehem Co. and said that self-respect demanded that the Government should place itself in a position which would make impossible any similar threat in the future. The Manufacturers' Record, however, took the broader ground that, entirely outside of this threat, it was unwise to the danger point for all the armor plate of the country to be made in one limited area, all of it being centered in Pennsylvania and dependent upon sources of ore supply which could be instantly cut off in time of war.

As it is almost criminal folly for the Government to permit all the munition-making plants of the country to continue longer to be located immediately along the Atlantic coast, subject to capture by an invading enemy, so it is folly for it to permit all of its armor-plate making business to be in the same area and subject to the same dangers. This is the broad national viewpoint, as some munition plants should be

established in the Central South or in the Central West, far away from the Lake region or from dependence upon Lake ores.

This is not in any sense from a sectional point of view. If there are in the Central West as far out as Colorado better locations than the South, then the Manufacturers' Record emphatically advises that the best location should be selected. Some petty suggestions by narrow-minded people not familiar with the broad question have been raised to the effect that the Government could not profitably establish a plant in the South or West, and that the ores of that section were not suitable for armor, and that the Lake ores are not used in armor-plate making. These criticisms, which will be answered in full next week, are too petty to be given serious consideration.

The Manufacturers' Record is as much opposed to the Government accepting the charity of the Bethlehem Co. and getting its armor plate at cost as it was to the Government yielding to the threat of that company when it announced that it would advance the price of armor plate if the Government dared to build a plant of its own. The Bethlehem Co. appears in the foreground in this matter. We do not know whether other armor-plate companies are cooperating with it or not, but we believe they are not. If they are, we would extend to them exactly the same criticism we are giving to the open announcements of the Bethlehem Co.

Upon the announcement, in its desperate effort to prevent the building by the National Government of an armor-plate plant, that the Bethlehem Co. had offered to sell armor plate to the Government at cost, the editor of the Manufacturers' Record wrote to Charles M. Schwab and to President Grace, of the Bethlehem Co., and wired to Senator TILLMAN as follows:

BALTIMORE, MD., *June 21, 1916.*

Mr. CHARLES M. SCHWAB,
Chairman Bethlehem Steel Co., South Bethlehem, Pa.

MY DEAR MR. SCHWAB: This country has not reached a point where from an economic standpoint or from good business morals it is proper for it to make a dicker to change its avowed policy in order to buy any material at the cost of production. This, I think, you will readily recognize.

I am constrained, therefore, to feel that the Bethlehem offer to sell armor plate to the Government at cost in order to prevent the Government from building a plant of its own is from every point of view a mistaken one. It is, I think, as unfortunate as was the threat of the Bethlehem Co. to advance its price of armor plate if the Government should decide to build a plant when this Government-owned plant was first proposed last fall.

I wish you and your associates would consider this situation from the broad viewpoint of the extreme danger to the country, in the event of war, so long as our munition-making business, our armor-plate plants, and 95 per cent of our steel are wholly dependent upon an ore supply that could be instantaneously shut off.

If you for a moment say that there is no danger of the capture or the blocking of our ore supply, then you immediately say that there is no danger of war, and therefore no necessity for building up a navy and creating an army, and no reason, therefore, for making armor plate.

You know the industry too well not to recognize the dangers of the present situation. You know that in the event of war the entire limited supply of foreign ores could instantaneously be cut off. You know that the 50,000,000 tons or more of Lake Superior ores, which come through the Soo Canal, could be shut off with equal facility and without a moment's warning. And yet all of your plants and all other plants in the country producing munitions of war, and the steel plants that produce 95 per cent of the steel of the country, are subject to this danger.

The danger is exactly as real as the danger of war. If there is no danger of war with any outside power, then there is no danger of this upsetting of all the steel industry of the country. In that case, however, as just stated, there would be no necessity whatever for building a navy or constructing fortifications and equipping them with great guns.

Upon the iron and steel men, who have been enriched by the vast opportunities of this country and of the facilities which this country has afforded to them, rests a very serious responsibility. They can, to their own advantage and at the same time to the Nation's welfare, develop these industries in other sections. They can create enterprises away from the coast and not dependent upon Lake Superior or foreign ores for the production of war supplies, and so long as they fail to do so may I not suggest that they are failing as patriots to recognize their responsibilities to the Nation, though they are asking the Nation to develop an army and a navy to protect all interests, their's included.

Will you not give serious thought to this consideration?

Some great iron and steel man must take the lead, and whoever does so will do a patriotic work for the country which will forever redound to his credit. I shall be glad to see you and your associates lead in the matter.

Upon the announcement of the offer of the Bethlehem Co. to sell armor plate to the Government at cost, I felt that your proposition was so unsound from the economic standpoint of the Government's welfare, and from good business judgment, that I wired to Senator TILLMAN as per the inclosed copy. It directly antagonizes the position of the Bethlehem Co., and I trust that it may be helpful in defeating your plan; for, however much may be my esteem personally for you and your associates, I am constrained to say that it seems to me you are making a very serious mistake in this campaign in which you have so vigorously assailed the building of an armor-plate plant by the Government, and in doing this have created a widespread hostility to your interests and to the interests of other great industrial corporations.

Very truly, yours,

RICHARD H. EDMONDS, *Editor.*

TELEGRAM TO SENATOR TILLMAN.

BALTIMORE, MD., *June 21, 1916.*

Hon. BENJAMIN R. TILLMAN,
United States Senate, Washington, D. C.:

The offer of Bethlehem Steel Co. to sell armor plate at cost does not in the slightest change the situation that to permit all armor-plate and munition-making business to continue concentrated in a limited territory dependent wholly on Lake Superior ores, or on foreign ore, both of which could be cut off without a moment's warning in time of war, would be criminal folly on the part of our Government. If the Bethlehem Co. and other armor-plate makers would offer to supply armor without cost to the Government, this Nation would still be recreant to its responsibilities if it permitted existing conditions in iron and steel, munition and armor making to last any longer. It should be emphasized over and over again that about 95 per cent of the steel production of the United States comes out of ores from the Lake Superior region, which pass through a short canal which could at any moment be blocked by the explosion of a few sticks of dynamite. In such an event, the entire iron and steel industry and all interests dependent upon them throughout the country would instantaneously collapse, for the South and Southwest produce only about 5 per cent of the steel made in the United States. This condition should never have been permitted to exist prior to the war, but now that the world's attention has been called to this amazing situation and its danger brought to national attention by Europe's struggle, it will be unspeakable folly to permit it to continue longer. If the Bethlehem or other armor-plate makers want to show their patriotism, it should be done by building armor plate and munition plants far away from the coast and not dependent upon Lake Superior ores, or else in a spirit of broad national patriotism sink their own individual interests and encourage the Government to build such plants where they would be safe in time of war. Any other policy on the part of armor-plate or munition-making interests would indicate a lack of broad patriotism, which, for their honor and the honor of the country, it is to be hoped will never have to be charged against the great industrial leaders of the country.

RICHARD H. EDMONDS,
Editor Manufacturers Record.

TELEGRAM FROM SENATOR TILLMAN.

WASHINGTON, D. C., *June 21.*

MANUFACTURERS' RECORD,
Baltimore, Md.:

In reply to your wire, just received, the power to locate the armor plant authorized by the Senate and agreed to in the House naval appropriation bill is placed in the Secretary of the Navy, subject to the approval of the General Board. The Naval Committee has no power to change this responsibility. But I will call the attention of the Secretary to the strong argument presented in your telegram. I shall urge on him the wisdom of the facts you present, and no doubt he will give them serious consideration. Of course, you know already that materials for making armor plate are found in Alabama, Virginia, and in Pennsylvania, to say nothing about other places. If the Lake Superior ores were not obtainable, we still would not lack for material to make armor. But the structural steel and other steel needed by commerce and the business interests of the country would be very difficult to obtain, of course.

B. R. TILLMAN.

SECOND TELEGRAM TO SENATOR TILLMAN.

BALTIMORE, MD., *June 22, 1916.*

Hon. BENJAMIN R. TILLMAN,
United States Senate, Washington, D. C.:

Acknowledging yours of June 21, just received. You apparently have overlooked the fact that the entire steel industry of Pennsylvania is dependent on Lake Superior ores, excepting to the extent of a very small supply of foreign ores. Pennsylvania makes one-half of the steel produced in the United States, but all of this is made out of ores brought from Lake Superior district and a limited amount of foreign ores, the entire production of iron ores in Pennsylvania being too small to be given any consideration and amounting to only about 1 per cent of the total amount of ores used in the State. My contention has been to try to save the Government from making the fatal blunder of continuing armor-plate making in Pennsylvania, where all of it is now centered, since that State and its steel interests are just as dependent upon Lake Superior ores as are western steel-making districts. There are great iron-ore supplies in Alabama and Virginia, as you suggest, as well as in other Southern States, but it will take time to adequately develop them in order to save the Government from its present dependence upon Lake Superior ores, and this development should be begun on a large scale at once. Permit me to suggest that you are mistaken in supposing that "if the Lake Superior ores were not obtainable" the Government still "would not lack for material to make armor." The Government would be just as helpless and unable to secure the materials for armor-plate as would be the commercial interests of the country in their inability to secure "structural steel and other steel needed by commerce." When once the Lake Superior district supply has been shut off, Pennsylvania's iron and steel interests would collapse as completely as would iron and steel interests of the Lake Superior region, for all alike depend upon Lake Superior ores. The only possible salvation of the situation, and it will be a fearful mistake for the Government not to recognize this, is to build armor-plate and munition plants in the Central South or Southwest, so that all of these interests may not be dependent wholly upon one ore supply, as they are at present. Please do not overlook the fact that under existing conditions the Government could no more secure the materials for armor-plate making if the Lake Superior district were shut off than could the business interests of the country secure the material for structural iron and steel, and this likewise applies to guns, large and small, and to munitions of war. To fail to take account of this situation would be a mistake of incalculable possibilities of evil.

RICHARD H. EDMONDS,
Editor Manufacturers' Record.

President Grace, of the Bethlehem Co., published a letter which he had written Senator TILLMAN, offering to sell armor plate at cost, and, called forth by that, the following letter was sent to Mr. Grace:

BALTIMORE, MD., *June 23, 1916.*

Mr. E. G. GRACE,
President Bethlehem Steel Co., South Bethlehem, Pa.

DEAR SIR: In the first paragraph on the last page of the printed copy of your letter of June 10 to Senator TILLMAN you say:

"This question should not be determined with reference to the interests of the Bethlehem Steel Co., but with supreme regard to adequate national defense and sound public policy."

I inclose a copy of our Daily Bulletin, containing copies of a letter to Mr. Schwab and telegrams to and from Senator TILLMAN in regard to the proposition made by your company to provide the armor plate to the Government at cost. I have, at various times, invited the attention of the Bethlehem Co. to the danger of having all of our armor plate and munition plants located in a limited area in the East and dependent upon sources of ore supply which could be immediately cut off in time of war. I invite your attention to the statements made in the letter to Mr. Schwab and the telegrams to Senator TILLMAN.

In connection with the statement in your letter to Senator TILLMAN, to the effect that this question should be decided "*with supreme regard for adequate national defense and sound public policy*," it is with supreme regard for adequate national defense that I have pressed upon the country's attention the necessity of developing armor making and iron and steel production in other sections than those now dependent upon foreign and Lake Superior ores. I have discussed this subject wholly from the standpoint of adequate national defense. No one could be more fully aware of the danger of the present situation, with 95 per cent of our steel dependent upon ores the supply of which could be shut off at any moment in time of war, than you and your associates, and I am glad that in your letter to Senator TILLMAN you have taken the ground that this question should be determined not with reference to the interests of your company, but with supreme regard for adequate national defense and sound public policy.

I have repeatedly asked if, in view of the danger of the present situation, your company or other armor-plate companies would, individually or unitedly, agree to build in some other part of the country an armor-plate plant in order to give to the Government an assurance which it can not possibly have under existing conditions, if the Government did not build an armor plant. To this question I have not been able to secure any reply. I am sure that your company individually, or your company in connection with other armor-plate makers, could well afford, in the interest of the Nation's welfare, which means the protection of every dollar invested in all of the iron and steel interests dependent upon Lake Superior ores, to build an armor plant far away from existing plants and not dependent upon the same source of ores, if it was done even with the distinct understanding that it would not be put into operation except in a case of emergency. Nevertheless, I am sure that a plant of this kind, in connection with other iron and steel interests, could be made profitable, but if it did not make a dollar of profit, or if it did not go into operation, but should be built merely as a means of safety in time of need, it would be a wise investment on the part of the steel interests of the country.

The Government is proposing to spend hundreds of millions of dollars to enlarge its Navy merely to provide against contingencies. Manufacturing plants often have duplicate power facilities, so that in the event of accident to one the other can be immediately utilized, and this is considered a wise investment. Hydroelectric plants sometimes spend large sums to build auxiliary steam plants to be used in case of emergency should any disaster happen to their water-power plant. Would not the steel interests of the country, who have billions of dollars staked on getting a regular, unbroken supply of Lake Superior ores, be justified in following so wise an example? The iron and steel interests, the munition industries, the armor-plate makers, with all the billions invested in their plants and in interests dependent upon iron and steel, have not a single dollar invested as insurance against this danger by owning plants in other sections dependent upon other sources of ore, except the Steel Corporation, which has one plant in Alabama.

Permit me to quote an extract from a letter written yesterday to Secretary Daniels:

"With all of the armor plants now existing wholly dependent upon Lake Superior ores, with all of the munition factories in the country dependent upon the steel produced from Lake Superior ores, with every shipbuilding industry in the country, even including those on the Pacific coast and those at Norfolk and at Newport News, dependent upon steel from Lake Superior ores, with every locomotive plant in the country wholly dependent upon Lake Superior ores, and every steel-rail mill in the country, with the exception of one in Birmingham and one in Colorado, dependent upon Lake Superior ores, you can readily appreciate that the situation is one to alarm to a serious degree every thoughtful man."

In view of these facts and of that broad statement in your letter to Senator TILLMAN to the effect that this question should be decided with supreme regard for adequate national defense, may I not ask if it is possible to provide adequate national defense so long as you can not guarantee your supply of foreign ores or of Lake Superior ores to be available in time of war, and I need not remind those so well informed on this subject as you and your associates of the possibility of a complete cutting off of these sources of ore, which is certainly equally as great as was the possibility of Europe's awful struggle two years ago.

Very truly, yours,

RICHARD H. EDMONDS, *Editor*.

The Manufacturers' Record has received from Mr. W. S. Pilling, of Pilling & Crane, Philadelphia, dealers in iron, steel, and ores, a letter taking exception to some of these statements in regard to armor-plate making and the availability of the South for this industry. Mr. Pilling's letter and a reply which we think will entirely satisfy him that it would have been much wiser if he had never written it will appear in the Manufacturers' Record next week. If anybody else wants to take issue with the statements made by the Manufacturers' Record on these points, he is invited to come on.

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THE ARMOR-PLATE QUESTION AGAIN—SOME CRITICISMS THAT LACK FOUNDATION—THE SOUTH'S ABILITY TO PRODUCE HIGH-GRADE STEEL.

As stated in the Manufacturers Record last week, Mr. W. S. Pilling, of Pilling & Crane, whose business is iron and steel and ores, has taken sharp exception to the campaign of the Manufacturers Record looking to the building of an armor-plate plant in the South. Mr. Pilling's letter hardly deserves the space it occupies or that necessary to reply to it; nevertheless, as he is afraid that we have not the fairness to publish his letter, we take great pleasure in permitting him to have his say, and in reply thereto giving some additional facts on the subject:

PILLING & CRANE,
IRON, STEEL, ORES, COAL, COKE.
REAL ESTATE TRUST BUILDING,
BROAD AND CHESTNUT STREETS,
Philadelphia, Pa., June 23, 1916.

EDITOR MANUFACTURERS RECORD:

I beg to acknowledge receipt of the editorial in your Daily Bulletin under date of June 22.

In this editorial you speak of the "sad lack of knowledge" on the part of Senator TILLMAN. This lack of knowledge, if it existed, would be quite pardonable, but I can not see how it is pardonable in respect to yourself. Senator TILLMAN is not supposed to be an iron manufacturer nor especially familiar with the steel trade. Your paper has posed as representing the iron interests, and you ought to be familiar with actual conditions. In the first place, armor plate is not produced from ore principally shipped from Lake Superior nor from abroad. Armor plate is produced from low-phosphorous pig iron, and the production of this quality of iron is from ores mined principally in the United States, and not in the Lake Superior district. In addition to this, you seem to lose sight of a very important fact, namely, that Lake Superior ores, if needed, can be shipped by all rail to any point in the United States where blast furnaces exist. It is quite true that this would mean some additional freight, but this factor is unimportant as compared with the value of the product. You should also know that there is no ore produced in Alabama which is suitable or could be used in the manufacture of armor plate, and even if there was such ore, it could be transported by rail to any of the now existing armor plants, some of which are sufficiently removed from the Atlantic seaboard to be immune from foreign attack or interference. It is, no doubt, quite pardonable on your part to endeavor to stimulate industries in the South and Southwest, as that has always been the function of your paper, but I can not see that you are justified in distorting facts nor in criticizing capable and patriotic men who have certainly presented to the Government a proposition which is so eminently fair and liberal that there would seem to be no just ground for criticism but only for approval.

I do not know that you have the fairness to publish this letter, but you are privileged to do so if you are willing to place the other side of the question before the public.

There is every reason why the South should be developed, but this development should be along the lines of natural resources, and not by forcing an industry into a locality where there are neither raw materials nor the skilled labor which are convenient to localities where this industry naturally flourishes.

W. S. PILLING.

Copy to Senator TILLMAN.
Copy to Mr. Schwab.

When Mr. Pilling suggests that the ore mined in the Lake Superior region could be suddenly shifted from water transportation to rail he displays a lack of knowledge of rail transportation and of the utter inability of the railroads to meet such a condition as to make the rest of his letter hardly worthy of serious consideration.

Mr. Pilling makes the statement that there is no ore produced in Alabama which is suitable or could be used in the manufacture of armor plate.

We did not specify Alabama, but have always referred to the South in general. Senator TILLMAN mentioned "Alabama and Virginia," and, therefore, we quoted from him in that respect; but the contention of the Manufacturers Record did not specify any one particular Southern State. But, as to whether Alabama ore is suitable or not, we leave Mr. Pilling to the tender mercy of the actual facts presented by Mr. James Bowron, president of the Gulf States Steel Co., Birmingham, and Mr. Paschal Shook, of that city. Mr. Shook calls attention to the fact that Alabama pig iron was tested satisfactorily under Mr. Corey's administration of the Carnegie Co. in the production of armor plate. Mr. Bowron says that Germany's armor plate is made from the same kind of steel that is now being produced in Alabama, and he shows the low phosphorous content of the steel which is being made in that State by his company, and doubtless by the Tennessee Coal, Iron & Railroad Co.

Mr. Pilling and the Iron Age are about on a par in their attempt to belittle this situation. The Iron Age, in referring to this discussion, says:

"Even allowing for every happening in this hysterical program for the blowing up of all the locks at Sault Ste. Marie—there are now three, with a fourth building—it would take only about 10 good trainloads of ore from Lake Superior mines to provide for the wants of the proposed armor-plate factory for an entire year, to say nothing of the millions of tons of ore that are carried in reserve in furnace yards and on Lake Erie docks. But, of course, while the hysteria is on, one must think of the possibility of all the railroads leading from Lake Superior to Central Western furnaces being blown up by bombs from enemy aeroplanes, and of every railroad and blast furnace and steel plant in the South being entirely exempt from any such visitation. There are some reasons for building an armor-plate plant in the South and for the establishment of munitions manufacture there, but those who ask serious consideration for them will want to separate them from this rubbish of putting the rest of the country's steel works out of business by dynamiting the Soo Canals."

As this is in keeping with Mr. Pilling's erroneous view, a few facts may possibly enlighten the Iron Age as well as Mr. Pilling.

The suggestions in regard to the possibility of the Soo Canal or canals being destroyed by dynamite is based on statements made by leading engineers, one of them for many years one of the foremost men in the Government service, entirely familiar with the whole situation. It is possible that these engineers know as much about the matter as either the Iron Age or Mr. Pilling.

The suggestion that 10 good trainloads of ore from Lake Superior would provide for the wants of armor plate indicates a degree of vacuity of mind difficult to comprehend coming from a reputable publication like the Iron Age. If the supply of Lake Superior ore were cut off, and no one can deny that this is feasible, the question at issue would not be simply finding enough ore to run the armor-plate plants, but to take care of the whole iron and steel industry dependent on Lake Superior ores. If a complete collapse of the iron and steel business to the extent of 90 to 95 per cent of the steel output of the country had been brought about by the capture of the Lake Superior district or the shutting off of the canal, neither the miners nor the railroads would be in any position to furnish ore to run armor-plate plants or any other steel plants in the region dependent upon these lake ores for their steel product. A collapse so severe as would then have taken place would put the armor-plate plants in Pennsylvania entirely out of business.

The Iron Age's suggestion of "hysterical program" is in keeping with the arguments used in England for many years against preparedness, for which England is now paying a fearful penalty. Does the Iron Age want to see this country follow the same policy?

The suggestion in Mr. Pilling's letter that Lake Superior ores could, if necessary, be shipped by rail to any point in the United States where blast furnaces exist displays a sad lack of proper consideration of the question of such importance to the Nation. It is not so much the question of getting a few thousand tons that might be needed for armor plate itself as it is of handling the Lake Superior ore to take care of the steel industry of the country. But suppose the Lake Superior ore district had been captured. That in itself would immediately settle this supposed argument of Mr. Pilling.

The shipment of Lake Superior ore by water amounts to over 50,000,000 tons a year. This ore goes to furnaces all the way, say, from Chicago, roughly 500 miles from the iron-ore region, to eastern Pennsylvania points, approximately 1,300 miles. Measuring the average distance and the quantity shipped to various points, these ores, if carried by rail, would have to be hauled an average of about 750

to 1,000 miles. It is conservative to put the amount at 800 miles. The facilities for handling this ore by rail are limited. The docking arrangements in the Lake region have been very largely built for water shipment and could not be easily adjusted to rail shipment. Existing railroads could not largely increase the handling of these ores except after many months of improving their facilities. But just how the facilities would be improved when the district had been captured or when the whole territory had been upset by the blocking of the canal no one of average intelligence has yet tried to figure out, because it is recognized as an impossibility.

If we take 800 miles as the average distance which these ores would have to be hauled, provided the canal had been blocked but that the mining region was still open, the entire traffic would amount to over 40,000,000,000 mile-tons. The total mileage of the Pennsylvania Railroad in its east and west lines is a fraction over 12,000 miles, and the total mile-tons for last year was 38,926,000,000 tons. Therefore railroad facilities, to get the 50,000,000 tons of ore out of the Lake Superior district to the furnaces now dependent upon these ores, would mean an amount equal to the entire traffic of the Pennsylvania Railroad suddenly thrown on to existing lines. Some of this traffic, of course, is now handled from the Lakes to Pittsburgh and to eastern Pennsylvania furnaces, but a moment's consideration by anyone would show the utter absurdity of supposing that in the event of a war this traffic of 40,000,000,000 mile-tons could suddenly be shifted from water transportation to rail transportation. Anyone who advances that argument has not much knowledge as to the railroad situation of the country nor as to the chaotic condition that the railroads of the whole East and West would be in in the event of war. Congestion on these roads has been bad enough of late without war conditions. It is a pity that so intelligent a publication as the Iron Age permits itself to publish so serious a blunder on so serious a question as that which concerns national welfare and thus bemuddle a situation of national importance and national safety.

The letters from Mr. Bowron and Mr. Shook are a complete and overwhelming answer of facts against Mr. Pilling's visionary and unsubstantial theories, and Mr. Bowron's statement about the lake and rail transportation applies with equal force to the Iron Age's mistakes on that point.

FACTS IN REGARD TO THE CHARACTER OF SOUTHERN-MADE STEEL AND OTHER MATTERS OF INTEREST TO THE PUBLIC AS WELL AS TO MR. PILLING.

GULF STATES STEEL CO.,
JAMES BOWRON, PRESIDENT,
Birmingham, Ala., June 26, 1916.

EDITOR MANUFACTURERS RECORD:

I am in receipt of your favor of June 24, inclosing copy of letter received by you from Mr. W. S. Pilling, of the firm of Pilling & Crane, dealers in iron, steel, ores, etc., in Philadelphia, dated June 23, 1916. I am impressed, after perusal thereof, with the idea that Mr. Pilling must be a professor of psychology, remembering the Scottish anecdote, "Sandy, what is psychology?"

"Jock, psychology is when ae feller undertakes to tell til anither thet whilka he dinna ken his ainsel."

If I ever saw this aptly illustrated, it is in the present case, where a dealer in iron, steel, and ores who is supposed to be "especially familiar with the steel trade," and one who "has posed as representing the iron interests and familiar with actual conditions," undertakes to write such nonsense to a poor newspaper man who is not supposed to be especially familiar.

It would seem from his letter that he is unaware that the States of Michigan, Wisconsin, and Minnesota are in the United States and that their shipment of ore is by the Great Lakes, commonly, for brevity's sake, designated as the Lake Superior district. If Mr. Pilling, who is a dealer in ores, will specify any other large source in the North of low phosphorous ores used in the production of steel, if would be a source of interest to the trade to have the location and the tonnage specified.

In the next place Mr. Pilling certainly should be aware of the fact that the mines tributary to the Lake district are largely arranged for lake shipment, and for that only, and that the terminals and necessary provision of hoppers, bins, trestles for railroad loading do not exist, and that it would be necessary, if water transportation were temporarily interrupted in time of war to build in and construct for at least a year the necessary railroad communications and facilities for shipment to take care of the transportation of 1,000,000 loaded cars per annum to take the place of the present water transportation. The cars themselves could not be provided within the time any more than could the necessary loading facilities.

In the next place Mr. Pilling makes a marvelous error for one so familiar with the trade, where he bases the quality of the finished steel upon the quality of the ore, utterly neglecting the transmutation resulting from the intermediate process. He should be aware that the principal sources of steel for the manufacture of armor plate and everything else in the German Empire is ore which is highly phosphoric; so much so that they find it necessary to manufacture both by the basic Bessemer process, where the excess phosphorus is burned in the converter, and by the relatively wasteful process known as the duplex, where the phosphorus is eliminated in the open hearth.

What the Germans can do Americans can do. As a matter of fact, this company has been for years manufacturing with perfect ease steel by the open-hearth basic process from highly phosphoric pig iron. The average of the pig iron which we produce at Gadsden is 1.15 per cent, which is considerably higher than that produced in the immediate Birmingham district, which does not exceed 0.85 of 1 per cent. Notwithstanding our high starting point, we have not the slightest difficulty in delivering steel of as low phosphorus as our customers desire. Taking heats within the past week or 10 days, I give you the following:

Heat No.	Phosphorus percentage.
6136	0.017
6135	.025
6134	.012
6133	.018
6132	.012
6131	.016
6130	.015
6129	.021
6128	.016
6127	.014
6126	.016
6125	.015

These are sufficient as an example. I could give you ten times as many if it were necessary.

Starting with this low-carbon, low-phosphorus steel, any additional qualities may be given to it that may be desired for the purpose contemplated in its completion.

It may be recarburized, or casehardened, or have such additions made as desired of nickel, chrome, vanadium, tungsten, or otherwise, to give it the desired hardness on its face, its own homogeneous softness and toughness making it perfect for the back.

There is nothing special in what we are doing. I am not in a position to speak for the operations of the Tennessee Coal, Iron & Railroad Co., a subsidiary of the United States Steel Corporation, but I do know that when I was an active officer thereof and we were making basic pig iron for the Carnegie Steel Co., Illinois Steel Co., and other northern concerns, we sent around the assistant to the general manager, Mr. Paschal Shook, to see the uses to which our customers were putting the steel produced from our pig iron. The phosphorous limit in this iron on our contract notes was that it should be under 1 per cent. When Mr. Shook came to Homestead works of the Carnegie Steel Co., he asked Mr. W. E. Corey if he would permit some of it to be used in the armor-plate department, to see how it worked, and this was done while he stayed there for a week, and worked perfectly satisfactorily.

I do not propose to enter into any controversy that might seem to reflect upon the Bethlehem Steel Co. I have the highest regard not only for the commanding technical ability of its management, but also for their patriotism, and I entertain personally a warm sympathy with Mr. C. M. Schwab and Mr. E. M. Grace in the way in which they have submitted their case to Congress.

That, however, is not at the present moment under discussion. I only wish to make it clear that in writing what I am doing I am not writing in any way to attack their plants, their methods, or their policies, but to say that which is true and which is known to all competent students of the situation, viz, that the Birmingham district possesses the necessary materials, the means of transportation, and the necessary men with experience and brain power to undertake any class of development of the iron and steel industry which the requirements of the United States may involve, whether the same be for military, naval, or transportation purposes, and that anyone who is quixotic enough to put a lance in rest and tilt against the Birmingham district might as well tilt, like the Spanish knight, against a revolving windmill. This district can not be harmed by the most thorough investigation of the truth, and any such letter as that from Mr. Pilling simply affords a text upon which the truth may be preached.

JAS. BOWRON, *President.*

SOUTHERN STEEL SATISFACTORILY USED IN THE MAKING OF ARMOR PLATE.

SHOOK & FLETCHER SUPPLY CO. (INC.),
PIG IRON, STEEL, ORE, COAL, COKE,
Birmingham, Ala., June 26, 1916.

EDITOR MANUFACTURERS RECORD:

Mr. James Bowron, president of the Gulf States Steel Co., invited me into his office this morning to read over some correspondence between himself and yourself and also a copy of a letter addressed to you by Mr. Pilling. I have read Mr. Bowron's reply, and agree with him fully in his position, and think he has very completely answered Mr. Pilling.

While in Mr. Bowron's office, and during a discussion of the armor-plate matter, I reminded him of a trip that I took North in 1896, soon after the Tennessee Coal, Iron & Railroad Co. began the manufacture of basic iron at Alice furnace, in Birmingham, and the shipment of this iron North to plants which had basic open-hearth furnaces. He has requested me to write you a letter in to-night's mail confirming statement I made to him with reference to the use of Alice iron at the Homestead steel works at that time, some of which was converted into steel that went into armor plate.

This incident will have no significance to steel men or to anyone entirely familiar with the steel business. It is a well-known fact and a well-established fact that the basic iron manufactured in the South is just as suitable for making basic open-hearth steel as any iron manufactured in the country. The usual limit of phosphorous in southern basic permits a little higher phosphorous than is probably found in the northern basic, but this element, as you know, and is well known to the steel trade, can easily be dealt with in the basic open-hearth furnace.

The first basic iron made in the South was at the Alice furnace of the Tennessee company in the summer of 1895. In 1896 I visited all of the plants in the North, not only in the Pittsburgh district and at Pencoyd, near Philadelphia, but also Cleveland, Ohio, Granite City, Ill., and other places, for the purpose of reporting on the use of Alice basic, which was then a new venture in the iron business of the South.

The Carnegie Co. had bought about 25,000 tons of Alice basic iron, which was shipped to Homestead. This iron was being used extensively in their mixture, and I had the pleasure of seeing it charged into the open-hearth furnace, cast into ingots, and these ingots rolled into the various forms of finished products manufactured at the Homestead plant, and also saw some of it made into ingots large enough for armor and these ingots taken to the armor-plate plant and forged into finished plates.

As stated, this is of no significance to the steel men, as the ability to make high-quality basic steel from Southern iron was demonstrated beyond question as soon as the furnace people of the South were able to meet the analysis specifications required by the steel.

P. G. SHOOK, *President and Treasurer.*

The Manufacturers Record recently received word from a leading metallurgist to the effect that the lowest phosphorus pig iron made in the United States was being produced by the Cranberry Furnace Co. at Johnson City, Tenn. In reply to an inquiry on that point, Mr. F. P. Howe, president of the Cranberry Co., writes:

"Low-phosphorous pig iron is usually sold under specifications that require that the phosphorous shall not exceed .035. We have no difficulty in keeping within that in pig iron manufactured from Cranberry ore. There is a furnace at Standish, N. Y., that makes low-phosphorus pig iron from Chateaugay ore magnetically concentrated, the phosphorus in which runs lower than ours, being frequently down to .025 or lower. Mr. Pilling is interested in the furnace which makes this iron."

We take it for granted that the Iron Age is aware of the fact that it is generally understood, and common sense would so dictate, if under existing Army conditions we were engaged in war with a strong power, and our Navy had been defeated, the Army would not make any attempt to defend any portion of the country from Maine to Carolina, knowing full well that it would be impossible within that section to repel an invading army from a country whose navy had already destroyed ours. This entire section, so it is generally stated, under existing conditions

would be abandoned to the enemy, and it would be the effort of the Army to make a rallying point beyond the mountains and there gradually build up a force sufficient to keep the invaders from overrunning the entire country. Under such conditions, of what value would be munition plants or iron and steel industries or iron-making enterprises anywhere in the East or Middle States? And without such establishments immediately available in the central South or West what hope could we have for ever creating an Army to save the whole Nation from being overrun?

It is to be hoped that this condition will never develop, but France and Belgium hoped and anticipated that their iron and steel regions would never be overrun and captured by the Germans.

Prudence demands that somewhere back of the mountain range and away from the possible destruction of an invading army will be built armor-plate and munition plants by the National Government, if individual enterprise refuses to undertake the work.

According to a Washington dispatch to the Iron Trade Review, the proposed naval building program "as recommended by the Senate subcommittee to the full Committee on Naval Affairs provides for four dreadnaughts and four battle cruisers for the coming fiscal year. This would call for practically 46,000 tons of armor, by far greater than any tonnage manufacturers have ever bid on. It exceeds by about 16,000 tons the annual combined capacity of the three armor-making plants in the United States."

If this program is to be carried out, where is the armor plate to come from; for the quantity needed, according to the Iron Trade Review, would far exceed the total capacity of existing plants? Will one of these armor-plate concerns agree to build a plant somewhere in the South or West to meet this situation and at the same time to meet the dangers of the location of existing plants, or will they all, by refusing to do this, compel the Government to build its proposed plant?

PRESIDENTIAL APPROVAL.

A message from the President of the United States by Mr. Sharkey, one of his secretaries, announced that the President had, on July 11, 1916, approved and signed the following act:

S. 3346. An act conferring jurisdiction on the Court of Claims to adjudicate the claims of the State of Massachusetts.

COTTONSEED STATISTICS.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 4767) authorizing the Director of the Census to collect and publish statistics of cotton seed and cottonseed products and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. CHILTON. I move that the Senate insist upon its amendments and agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to, and the Vice President appointed Mr. CHILTON, Mr. SHEPPARD, and Mr. LA FOLLETTE conferees on the part of the Senate.

HOUSE BILL REFERRED.

H. R. 16763. An act to increase the revenue, and for other purposes, was read twice by its title and referred to the Committee on Finance.

RECESS.

Mr. JAMES. I move that the Senate take a recess until to-morrow morning at 11 o'clock.

The motion was agreed to; and (at 5 o'clock and 55 minutes p. m., Tuesday, July 11, 1916) the Senate took a recess until to-morrow, Wednesday, July 12, 1916, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate July 11 (legislative day of July 7), 1916.

ASSISTANT TREASURER.

Robert I. Hunt, of Decatur, Ill., to be Assistant Treasurer of the United States at Chicago, Ill., in place of Irving Shuman, resigned.

PROMOTIONS IN THE ARMY.

QUARTERMASTER CORPS.

Lieut. Col. Albert D. Kniskern, Quartermaster Corps, to be colonel from July 1, 1916, subject to examination required by law, to fill an original vacancy.

Maj. William G. Gambrill, Quartermaster Corps, to be lieutenant colonel from July 1, 1916, subject to examination required by law, to fill an original vacancy.

Maj. Alexander M. Davis, Quartermaster Corps, to be lieutenant colonel from July 1, 1916, subject to examination required by law, vice Lieut. Col. Albert D. Kniskern, promoted.

CORPS OF ENGINEERS.

To be colonels with rank from July 1, 1916, to fill original vacancies.

Lieut. Col. Charles S. Riché, Corps of Engineers.

Lieut. Col. Thomas H. Rees, Corps of Engineers.

To be lieutenant colonels with rank from July 1, 1916, to fill original vacancies.

Maj. Robert R. Raymond, Corps of Engineers.

Maj. William B. Ladue, Corps of Engineers, subject to examination required by law.

To be lieutenant colonels with rank from July 1, 1916, to fill casual vacancies.

Maj. William J. Barden, Corps of Engineers, subject to examination required by law, vice Lieut. Col. Charles S. Riché, promoted.

Maj. Edward H. Schulz, Corps of Engineers, subject to examination required by law, vice Lieut. Col. Thomas H. Rees, promoted.

To be majors with rank from July 1, 1916, to fill original vacancies.

Capt. William H. Rose, Corps of Engineers.

Capt. Richard C. Moore, Corps of Engineers.

Capt. Lewis M. Adams, Corps of Engineers.

Capt. Charles R. Pettis, Corps of Engineers.

To be majors with rank from July 1, 1916, to fill casual vacancies.

Capt. William D. A. Anderson, Corps of Engineers, vice Maj. Robert R. Raymond, promoted.

Capt. Ralph T. Ward, Corps of Engineers, vice Maj. William B. Ladue, promoted.

Capt. John J. Kingman, detailed in the General Staff Corps, vice Maj. William J. Barden, promoted.

Capt. Robert P. Howell, Corps of Engineers, subject to examination required by law.

ORDNANCE DEPARTMENT.

Lieut. Col. George W. Burr, Ordnance Department, to be colonel from July 1, 1916, subject to examination required by law, to fill an original vacancy.

Maj. John H. Rice, Ordnance Department, to be lieutenant colonel from July 1, 1916, subject to examination required by law, to fill an original vacancy.

Maj. David M. King, Ordnance Department, to be lieutenant colonel from July 1, 1916, subject to examination required by law, vice Lieut. Col. George W. Burr, promoted.

SIGNAL CORPS.

Maj. Edgar Russel, Signal Corps, to be lieutenant colonel from July 1, 1916, to fill an original vacancy.

Capt. Basil O. Lenoir, Signal Corps, to be major from July 1, 1916, to fill an original vacancy.

Capt. William Mitchell, Signal Corps, to be major from July 1, 1916, vice Maj. Edgar Russel, promoted.

CAVALRY ARM.

To be colonels with rank from July 1, 1916, to fill original vacancies.

Lieut. Col. John B. McDonald, detailed in the Inspector General's Department.

Lieut. Col. Tyree R. Rivers, Thirteenth Cavalry.

Lieut. Col. Henry T. Allen, Eleventh Cavalry.

Lieut. Col. John W. Heard, detailed in The Adjutant General's Department.

Lieut. Col. William W. Forsyth, Fourth Cavalry.

Lieut. Col. John C. Waterman, Twelfth Cavalry.

Lieut. Col. George H. Cameron, detailed in the General Staff Corps.

To be colonels with rank from July 1, 1916, to fill original vacancies created by section 25 of an act of Congress approved June 3, 1916, "with a view further to equalize inequalities in past promotions of officers of the line of the Army," all to be additional officers in that grade.

Lieut. Col. Robert D. Walsh, Cavalry, unassigned.

Lieut. Col. George W. Read, detailed in The Adjutant General's Department.

Lieut. Col. De Rosey C. Cabell, Tenth Cavalry.

Lieut. Col. Farrand Sayre, Second Cavalry, subject to examination required by law.

Lieut. Col. Grote Hutcheson, Fifteenth Cavalry.

Lieut. Col. George O. Cress, Cavalry, unassigned.

Lieut. Col. Robert A. Brown, Fourteenth Cavalry.

Lieut. Col. Willard A. Holbrook, Eighth Cavalry.

Lieut. Col. Lewis M. Koehler, Ninth Cavalry.

Lieut. Col. Robert E. L. Michie, detailed in the General Staff Corps.

Lieut. Col. Selah R. H. Tompkins, Seventh Cavalry.

To be lieutenant colonels with rank from July 1, 1916, to fill original vacancies.

Maj. Charles C. Walcutt, jr., detailed in the Bureau of Insular Affairs.

Maj. Peter E. Traub, Cavalry, unassigned.

Maj. Jesse McI. Carter, Twelfth Cavalry.

Maj. Malvern Hill Barnum, detailed in the General Staff Corps.

Maj. Edmund S. Wright, Fourth Cavalry.
Maj. William H. Hay, Fifteenth Cavalry.
Maj. Stephen H. Elliott, Cavalry, unassigned, subject to examination required by law.

To be lieutenant colonels with rank from July 1, 1916, to fill casual vacancies.

Maj. John M. Jenkins, Eleventh Cavalry, subject to examination required by law, vice Lieut. Col. Tyree R. Rivers, Thirteenth Cavalry, promoted.
Maj. P. D. Lochridge, detailed in the General Staff Corps, vice Lieut. Col. Henry T. Allen, Eleventh Cavalry, promoted.
Maj. Nathaniel F. McClure, Fifth Cavalry, vice Lieut. Col. William W. Forsyth, Fourth Cavalry, promoted.
Maj. William C. Rivers, Second Cavalry, vice Lieut. Col. Daniel L. Tate, Fifth Cavalry, promoted.
Maj. Ellwood W. Evans, Tenth Cavalry, vice Lieut. Col. John C. Waterman, Twelfth Cavalry, promoted.
Maj. Thomas Q. Donaldson, detailed in the Inspector General's Department, vice Lieut. Col. Robert D. Walsh, unassigned, promoted.
Maj. Francis H. Beach, Third Cavalry, vice Lieut. Col. De Rosey C. Cabell, Tenth Cavalry, promoted.
Maj. Alonzo Gray, Fourteenth Cavalry, vice Lieut. Col. Farrand Sayre, Second Cavalry, promoted.
Maj. Alexander L. Dade, Seventh Cavalry, vice Lieut. Col. Grote Hutcheson, Fifteenth Cavalry, promoted.
Maj. John S. Winn, detailed in the Inspector General's Department, vice Lieut. Col. George O. Cress, unassigned, promoted.
Maj. Charles A. Hedekin, Fourth Cavalry, vice Lieut. Col. Robert A. Brown, Fourteenth Cavalry, promoted.
Maj. Francis J. Koester, detailed in The Adjutant General's Department, vice Lieut. Col. Willard A. Holbrook, Eighth Cavalry, promoted.
Maj. John D. L. Hartman, Third Cavalry, vice Lieut. Col. Lewis M. Koehler, Ninth Cavalry, promoted.
Maj. Robert L. Howze, Eleventh Cavalry, vice Lieut. Col. Selah R. H. Tompkins, Seventh Cavalry, promoted.
Maj. Guy H. Preston, Second Cavalry, vice Lieut. Col. Charles C. Walcutt, jr., detailed in the Bureau of Insular Affairs.
Maj. Edward Anderson, Third Cavalry, vice Lieut. Col. Melvern-Hill Barnum, detailed in the General Staff Corps.
Maj. George E. Stockle, Twelfth Cavalry, vice Lieut. Col. P. D. Lochridge, detailed in the General Staff Corps.
Maj. William T. Littebrant, First Cavalry, vice Lieut. Col. Thomas Q. Donaldson, detailed in the Inspector General's Department.
Maj. Matthew C. Butler, jr., Sixth Cavalry, vice Lieut. Col. John S. Winn, detailed in the Inspector General's Department.

To be majors with rank from July 1, 1916, to fill original vacancies.

Capt. Kirby Walker, Fourteenth Cavalry.
Capt. Claude B. Sweezey, First Cavalry.
Capt. Sterling P. Adams, Fourteenth Cavalry.
Capt. Julian R. Lindsey, Eleventh Cavalry.
Capt. Edmund M. Leary, Seventh Cavalry.
Capt. Julius T. Conrad, Fifteenth Cavalry.
Capt. Howard R. Hickok, Fifteenth Cavalry.
Capt. Samuel B. Arnold, First Cavalry.
Capt. Samuel McP. Rutherford, Tenth Cavalry.
Capt. George W. Kirkpatrick, Eighth Cavalry.
Capt. Cornelius C. Smith, Cavalry, unassigned, subject to examination required by law.
Capt. Joseph E. Cusack, Eleventh Cavalry.
Capt. Walter M. Whitman, detailed in the Quartermaster Corps.
Capt. Lincoln C. Andrews, Ninth Cavalry.
Capt. William R. Smedberg, jr., Second Cavalry.
Capt. John M. Morgan, Twelfth Cavalry.
Capt. Andrew E. Williams, Sixth Cavalry.
Capt. Walter C. Babcock, Thirteenth Cavalry.
Capt. Herbert B. Crosby, First Cavalry.
Capt. Benjamin B. Hyer, Fourth Cavalry.

To be majors with rank from July 1, 1916, to fill casual vacancies.

Capt. Mathew C. Smith, Ninth Cavalry, vice Maj. Peter E. Traub, unassigned, promoted.
Capt. Kenzie W. Walker, detailed in the Quartermaster Corps, vice Maj. Jesse McI. Carter, Twelfth Cavalry, promoted.
Capt. Harry H. Pattison, First Cavalry, vice Maj. Edmund S. Wright, Fourth Cavalry, promoted.
Capt. Francis LeJ. Parker, detailed in the General Staff Corps, vice Maj. William H. Hay, Fifteenth Cavalry, promoted.
Capt. George F. Hamilton, Second Cavalry, vice Maj. Stephen F. Elliott, unassigned, promoted.
Capt. William H. Paine, Fifteenth Cavalry, vice Maj. John M. Jenkins, Eleventh Cavalry, promoted.
Capt. John W. Craig, Twelfth Cavalry, subject to examination required by law, vice Maj. Nathaniel F. McClure, Fifth Cavalry, promoted.
Capt. Hugh D. Berkeley, Eighth Cavalry, vice Maj. William C. Rivers, Second Cavalry, promoted.
Capt. Albert E. Saxton, detailed in the Quartermaster Corps, vice Maj. Ellwood W. Evans, Tenth Cavalry, promoted.
Capt. Hamilton S. Hawkins, Fourth Cavalry, vice Maj. Francis H. Beach, Third Cavalry, promoted.
Capt. Frank Parker, Eleventh Cavalry, vice Maj. Alonzo Gray, Fourteenth Cavalry, promoted.
Capt. George Vidmer, Eighth Cavalry, vice Maj. Alexander L. Dade, Seventh Cavalry, promoted.
Capt. Casper H. Conrad, jr., Eighth Cavalry, vice Maj. Charles A. Hedekin, Fourth Cavalry, promoted.
Capt. Nathan K. Averill, Cavalry, unassigned, vice Maj. John D. L. Hartman, Third Cavalry, promoted.
Capt. Henry LaT. Cavenaugh, Tenth Cavalry, vice Maj. Robert L. Howze, Eleventh Cavalry, promoted.
Capt. Mortimer O. Bigelow, First Cavalry, vice Maj. Guy H. Preston, Second Cavalry, promoted.
Capt. William G. Sills, Fifteenth Cavalry, vice Maj. Edward Anderson, Third Cavalry, promoted.
Capt. August C. Nissen, Seventh Cavalry, vice Maj. George E. Stockle, Twelfth Cavalry, promoted.
Capt. Clyde E. Hawkins, detailed in the Quartermaster Corps, vice Maj. William T. Littebrant, First Cavalry, promoted.
Capt. James S. Parker, Fourth Cavalry, vice Maj. Matthew C. Butler, jr., Sixth Cavalry, promoted.
Capt. Joseph S. Herron, Second Cavalry, vice Maj. Walter M. Whitman, detailed in the Quartermaster Corps.
Capt. George B. Pritchard, jr., Fifteenth Cavalry, vice Maj. Kenzie W. Walker, detailed in the Quartermaster Corps.
Capt. Alvord Van P. Anderson, Sixth Cavalry, vice Maj. Francis Le J. Parker, detailed in the General Staff Corps.
Capt. Le Roy Eltinge, Eighth Cavalry, vice Maj. Albert E. Saxton, detailed in the Quartermaster Corps.
Capt. John B. Christian, detailed in the Signal Corps, vice Maj. Clyde E. Hawkins, detailed in the Quartermaster Corps.
Capt. George W. Moses, Eighth Cavalry, vice Maj. John B. Christian, detailed in the Signal Corps.
First Lieut. George M. Russell, Cavalry, unassigned, to be captain from June 20, 1916, vice Capt. John S. E. Young, Eighth Cavalry, retired from active service June 19, 1916.
First Lieut. Lewis Brown, jr., First Cavalry, to be captain from June 22, 1916, vice Capt. Charles T. Boyd, Tenth Cavalry, who died June 21, 1916.
Second Lieut. Hugh H. McGee, Second Cavalry, to be first lieutenant from June 20, 1916, vice First Lieut. George M. Russell, unassigned, promoted.
Second Lieut. Carleton G. Chapman, detailed in the Aviation Section, Signal Corps, from June 22, 1916, vice First Lieut. Lewis Brown, jr., First Cavalry, promoted.
Second Lieut. Joseph Plassmeyer, jr., Fifteenth Cavalry, to be first lieutenant from June 22, 1916, vice First Lieut. Henry R. Adair, Tenth Cavalry, who died June 21, 1916.
Lieut. Col. William S. Scott, First Cavalry, to be colonel from July 1, 1916.
Lieut. Col. Daniel L. Tate, Fifth Cavalry, to be colonel from July 1, 1916 (subject to examination required by law).
Second Lieut. Archibald T. Colley, Ninth Cavalry, to be first lieutenant from June 12, 1916, vice First Lieut. Robert McC. Beck, jr., Second Cavalry, promoted.
NOTE.—The above-named officer was nominated to the Senate on July 3, 1916, for said promotion under the name of Archibald F. Colley, which nomination is hereby withdrawn.

FIELD ARTILLERY ARM.

To be colonels with rank from July 1, 1916, to fill original vacancies.

Lieut. Col. Charles T. Menoher, Third Field Artillery.
Lieut. Col. Ernest Hinds, detailed in the General Staff Corps.
Lieut. Col. Peyton C. March, detailed in The Adjutant General's Department.
Lieut. Col. William L. Kenly, Field Artillery, unassigned.
Lieut. Col. Edward F. McGlachlin, jr., Fifth Field Artillery.
Lieut. Col. William Lassiter, Second Field Artillery.

To be colonel with rank from July 1, 1916, to fill a casual vacancy.

Lieut. Col. George Le R. Irwin, Fourth Field Artillery.

To be lieutenant colonels with rank from July 1, 1916, to fill original vacancies.

Maj. Le Roy S. Lyon, Fourth Field Artillery.
Maj. Tiemann N. Horn, First Field Artillery.
Maj. Charles P. Summerall, Field Artillery, unassigned.
Maj. William M. Cruikshank, detailed in The Adjutant General's Department.

To be lieutenant colonels with rank from July 1, 1916, to fill casual vacancies.

Maj. Otho W. B. Farr, Field Artillery, unassigned, vice Lieut. Col. Charles T. Menoher, Third Field Artillery, promoted.
Maj. Dwight E. Aultman, Sixth Field Artillery, vice Lieut. Col. William L. Kenly, unassigned, promoted.
Maj. Adrian S. Fleming, Second Field Artillery, vice Lieut. Col. Edward F. McGlachlin, jr., Fifth Field Artillery, promoted.
Maj. Brooke Payne, Sixth Field Artillery, vice Lieut. Col. William Lassiter, Second Field Artillery, promoted.
Maj. William S. Guignard, First Field Artillery, vice Lieut. Col. George Le R. Irwin, Fourth Field Artillery, promoted.
Maj. Albert J. Bowley, Fifth Field Artillery, vice Lieut. Col. William M. Cruikshank, detailed in The Adjutant General's Department.

To be majors with rank from July 1, 1916, to fill original vacancies.

Capt. Fox Conner, Field Artillery, unassigned.
Capt. Henry W. Butner, Sixth Field Artillery.
Capt. Henry L. Newbold, Fourth Field Artillery.
Capt. Ernest D. Scott, Field Artillery, unassigned.
Capt. Wright Smith, Fifth Field Artillery.
Capt. Alfred A. Starbird, Fifth Field Artillery.
Capt. Charles R. Lloyd, First Field Artillery.
Capt. Oliver L. Spaulding, jr., Second Field Artillery.
Capt. Conrad H. Lanza, Fifth Field Artillery.
Capt. Fred H. Gallup, Third Field Artillery, subject to examination required by law.
Capt. Henry B. Farrar, Third Field Artillery.

To be majors with rank from July 1, 1916, to fill casual vacancies.

Capt. Ralph S. Granger, detailed in the Quartermaster Corps, vice Maj. LeRoy S. Lyon, Fourth Field Artillery, promoted.
Capt. Dan T. Moore, detailed in the General Staff Corps, vice Maj. Tiemann N. Horn, First Field Artillery, promoted.
Capt. Frank E. Hopkins, detailed in the Signal Corps, vice Maj. Charles P. Summerall, unassigned, promoted.
Capt. Fred T. Austin, Second Field Artillery, vice Maj. Otho W. B. Farr, unassigned, promoted.
Capt. Charles C. Pulis, Sixth Field Artillery, vice Maj. Dwight E. Aultman, Sixth Field Artillery, promoted.
Capt. Louis T. Boiseau, Second Field Artillery, vice Maj. Adrian S. Fleming, Second Field Artillery, promoted.
Capt. William McK. Lambdin, Fourth Field Artillery, subject to examination required by law, vice Maj. Brooke Payne, Sixth Field Artillery, promoted.

To be captains with rank from July 1, 1916, to fill original vacancies.

First Lieut. Edmund L. Gruber, Fifth Field Artillery.
First Lieut. Carroll W. Neal, Sixth Field Artillery.
First Lieut. Donald C. Cubbison, Fourth Field Artillery.
First Lieut. Louis H. McKinlay, Third Field Artillery.
First Lieut. Thomas D. Osborne, Fourth Field Artillery, subject to examination required by law.
First Lieut. William H. Dodds, jr., Sixth Field Artillery.
First Lieut. John S. Hammond, Field Artillery, unassigned.
First Lieut. Albert T. Bishop, Sixth Field Artillery.
First Lieut. Walter E. Prosser, detailed in the Signal Corps.
First Lieut. James W. Riley, Third Field Artillery.
First Lieut. Harold W. Huntley, Third Field Artillery.
First Lieut. Edwin De L. Smith, Third Field Artillery.
First Lieut. Ralph McT. Pennell, Second Field Artillery.
First Lieut. Walter S. Sturgill, Fifth Field Artillery.
First Lieut. Sherman Miles, Third Field Artillery.
First Lieut. Cortlandt Parker, Field Artillery, unassigned.
First Lieut. Richard C. Burleson, Third Field Artillery.
First Lieut. Joseph R. Davis, Fifth Field Artillery.
First Lieut. John R. Starkey, Sixth Field Artillery.
First Lieut. René E. De R. Hoyle, Sixth Field Artillery.
First Lieut. Dawson Olmstead, Field Artillery, unassigned.
First Lieut. John C. Maul, Fourth Field Artillery.
First Lieut. Albert L. Hall, Second Field Artillery.
First Lieut. George H. Paine, First Field Artillery.
First Lieut. Leroy P. Collins, Fourth Field Artillery.
First Lieut. Ballard Lyerly, First Field Artillery.
First Lieut. Robert H. Lewis, Third Field Artillery.
First Lieut. Phillip W. Booker, Fifth Field Artillery.
First Lieut. Fred T. Cruse, Fourth Field Artillery.
First Lieut. James P. Marley, Sixth Field Artillery.
First Lieut. Waldo C. Potter, Sixth Field Artillery.
First Lieut. Harry Pfeil, First Field Artillery.
First Lieut. Walter W. Merrill, Fourth Field Artillery, subject to examination required by law.
First Lieut. John W. Downer, Third Field Artillery.
First Lieut. Benjamin M. Bailey, Third Field Artillery.
First Lieut. William F. Sharp, Field Artillery, unassigned.
First Lieut. Frank Thorp, jr., Second Field Artillery.
First Lieut. John G. Tyndall, Sixth Field Artillery.
First Lieut. Alfred L. P. Sands, Fourth Field Artillery.
First Lieut. Charles P. George, Sixth Field Artillery.
First Lieut. Charles W. Harlow, Fourth Field Artillery.
First Lieut. William H. Rucker, Field Artillery, unassigned.
First Lieut. William H. Shepherd, Sixth Field Artillery.
First Lieut. Marshall G. Randol, Second Field Artillery.
First Lieut. John N. Greely, detailed in the Signal Corps.
First Lieut. Webster A. Capron, Fifth Field Artillery.
First Lieut. John E. Mort, Second Field Artillery.
First Lieut. Frederick M. Barrows, Fourth Field Artillery, subject to examination required by law.
First Lieut. William E. Dunn, Third Field Artillery.
First Lieut. James H. Burns, detailed in the Ordnance Department.
First Lieut. Everett S. Hughes, detailed in the Ordnance Department.
First Lieut. Thomas J. Smith, detailed in the Ordnance Department.
First Lieut. Roger S. Parrott, Third Field Artillery.
First Lieut. Telesphor G. Gottschalk, Sixth Field Artillery.
First Lieut. Harvey D. Higley, Second Field Artillery.
First Lieut. Edward P. King, jr., Second Field Artillery.
First Lieut. Kenneth S. Perkins, Fifth Field Artillery.

To be first lieutenants with rank from July 1, 1916, to fill original vacancies.

Second Lieut. Burton O. Lewis, Third Field Artillery.
Second Lieut. Herbert R. Odell, Third Field Artillery.
Second Lieut. Clyde A. Selleck, First Field Artillery.
Second Lieut. Ernest J. Dawley, Sixth Field Artillery.
Second Lieut. Louie A. Beard, First Field Artillery.
Second Lieut. Ivens Jones, Fifth Field Artillery.
Second Lieut. Robert C. F. Goetz, First Field Artillery, subject to examination required by law.
Second Lieut. Bernard R. Peyton, Third Field Artillery.
Second Lieut. John Magruder, Third Field Artillery.
Second Lieut. E. Francis Riggs, Fifth Field Artillery, subject to examination required by law.
Second Lieut. Curtis H. Nance, Sixth Field Artillery.
Second Lieut. Freeman W. Bowley, detailed in the Ordnance Department.
Second Lieut. John C. Beatty, Second Field Artillery.
Second Lieut. John E. Hatch, First Field Artillery.
Second Lieut. Charles A. Walker, jr., detailed in the Ordnance Department.
Second Lieut. Bethel W. Simpson, detailed in the Ordnance Department.
Second Lieut. Neil G. Finch, Second Field Artillery.
Second Lieut. Harvey M. Hobbs, Fourth Field Artillery.
Second Lieut. Joseph Andrews, First Field Artillery.
Second Lieut. Thomas G. M. Oliphant, Second Field Artillery.
Second Lieut. Mert Proctor, Sixth Field Artillery.
Second Lieut. William J. Wrona, Second Field Artillery.
Second Lieut. Vincent P. Erwin, Sixth Field Artillery.
Second Lieut. Frank Bloom, Second Field Artillery, subject to examination required by law.
Second Lieut. Vincent Meyer, Fifth Field Artillery.
Second Lieut. Edward H. Hicks, Sixth Field Artillery.
Second Lieut. Norman P. Morrow, Fourth Field Artillery.
Second Lieut. Lloyd E. Jones, Second Field Artillery.
Second Lieut. Newton N. Polk, Second Field Artillery.
Second Lieut. Follett Bradley, Field Artillery, unassigned, detailed in Ordnance Department.
Second Lieut. Jonathan W. Anderson, Second Field Artillery.
Second Lieut. Percy Deshon, First Field Artillery.
Second Lieut. Julian F. Barnes, Fifth Field Artillery.
Second Lieut. Harold C. Vanderveer, First Field Artillery.
Second Lieut. Clift Andrus, First Field Artillery.
Second Lieut. Russell L. Maxwell, detailed in the Ordnance Department.
Second Lieut. Charles J. Browne, Second Field Artillery.
Second Lieut. John N. Hauser, First Field Artillery.
Second Lieut. Karl C. Greenwald, Fifth Field Artillery.

Second Lieut. Richard E. Anderson, Fourth Field Artillery.
Second Lieut. James A. Gillespie, Fifth Field Artillery.
Second Lieut. Wesley M. Bailey, Second Field Artillery.
Second Lieut. John D. von Holtzendorff, Second Field Artillery.
Second Lieut. Walter F. Winton, Fifth Field Artillery.
Second Lieut. Bertram Frankenberger, First Field Artillery.
Second Lieut. Raymond B. Austin, Second Field Artillery, subject to examination required by law.
Second Lieut. Joseph O. Daly, First Field Artillery.
Second Lieut. Edwin P. Parker, jr., Fourth Field Artillery, subject to examination required by law.
Second Lieut. John M. Eager, Fourth Field Artillery.
Second Lieut. Richard C. Scott, Fourth Field Artillery.
Second Lieut. Howard Eager, Fourth Field Artillery, subject to examination required by law.
Second Lieut. William C. Young, Fourth Field Artillery, subject to examination required by law.
Second Lieut. William C. Crane, jr., Fourth Field Artillery.
Second Lieut. Carlos Brewer, Fourth Field Artillery, subject to examination required by law.
Second Lieut. David E. Cain, Third Field Artillery.
Second Lieut. John E. McMahon, jr., Third Field Artillery.
Second Lieut. Herbert S. Clarkson, Sixth Field Artillery.
Second Lieut. Charles L. Kilburn, Third Field Artillery.
Second Lieut. Charles G. Helmick, Sixth Field Artillery.
Second Lieut. Ernst Sedlacek, Sixth Field Artillery.
Second Lieut. Philip L. Thurber, Third Field Artillery.
Second Lieut. William C. Houghton, Sixth Field Artillery.
Second Lieut. John C. Wyeth, Fifth Field Artillery.
Second Lieut. Arthur R. Harris, Third Field Artillery.
Second Lieut. John G. Burr, Fifth Field Artillery.
Second Lieut. John B. Anderson, Sixth Field Artillery.
Second Lieut. William E. Burr, Fifth Field Artillery.
Second Lieut. James A. Lester, Field Artillery, unassigned.
Second Lieut. Herman Beukeman, Third Field Artillery.
Second Lieut. Herbert S. Struble, Fifth Field Artillery.
Second Lieut. Francis J. Dunigan, Fourth Field Artillery.
Second Lieut. Edwin A. Zundel, Sixth Field Artillery.
Second Lieut. Clinton W. Howard, Fourth Field Artillery.
Second Lieut. Charles M. Busbee, Fourth Field Artillery.

To be first lieutenants with rank from July 1, 1916, to fill casual vacancies.

Second Lieut. Albert W. Waldron, Third Field Artillery, vice First Lieut. Edmund L. Gruber, Fifth Field Artillery, promoted.
Second Lieut. John H. Wallace, Third Field Artillery, vice First Lieut. Carroll W. Neal, Sixth Field Artillery, promoted.
Second Lieut. Raymond Marsh, Sixth Field Artillery, vice First Lieut. Donald C. Cubbison, Fourth Field Artillery, promoted.
Second Lieut. Joseph M. Swing, Field Artillery, unassigned, vice First Lieut. Louis H. McKinlay, Third Field Artillery, promoted.

COAST ARTILLERY CORPS.

To be colonels with rank from July 1, 1916, to fill original vacancies.

Lieut. Col. John L. Hayden, Coast Artillery Corps.
Lieut. Col. Edmund M. Blake, Coast Artillery Corps.
Lieut. Col. William G. Haan, Coast Artillery Corps.
Lieut. Col. Morris K. Barrell, Coast Artillery Corps.
Lieut. Col. Delamere Skerrett, Coast Artillery Corps.
Lieut. Col. Archibald Campbell, detailed in The Adjutant General's Department.

To be lieutenant colonels with rank from July 1, 1916, to fill original vacancies.

Maj. William R. Smith, Coast Artillery Corps.
Maj. Henry H. Whitney, Coast Artillery Corps.
Maj. Arthur W. Chase, Coast Artillery Corps.
Maj. Samuel A. Kephart, Coast Artillery Corps.
Maj. Louis R. Burgess, Coast Artillery Corps.
Maj. James A. Shipton, Coast Artillery Corps, subject to examination required by law.
Maj. William Chamberlaine, Coast Artillery Corps, subject to examination required by law.

To be lieutenant colonels with rank from July 1, 1916, to fill casual vacancies.

Maj. Gordon G. Heiner, Coast Artillery Corps, subject to examination required by law, vice Lieut. Col. John L. Hayden, promoted.
Maj. George H. McManus, Coast Artillery Corps, subject to examination required by law, vice Lieut. Col. Edmund M. Blake, promoted.
Maj. Edward J. Timberlake, detailed in the Quartermaster Corps, vice Lieut. Col. William G. Haan, promoted.
Maj. James M. Williams, Coast Artillery Corps, subject to examination required by law, vice Lieut. Col. Morris K. Barroll, promoted.
Maj. Alston Hamilton, Coast Artillery Corps, vice Lieut. Col. Delamere Skerrett, promoted.
Maj. John C. Gilmore, jr., Coast Artillery Corps, subject to examination required by law, vice Lieut. Col. Edward J. Timberlake, detailed in the Quartermaster Corps.

To be majors with rank from July 1, 1916, to fill original vacancies.

Capt. Frederick W. Phisterer, Coast Artillery Corps.
Capt. Robert H. C. Kelton, Coast Artillery Corps.
Capt. Percy P. Bishop, Coast Artillery Corps.
Capt. Henry J. Hatch, Coast Artillery Corps.
Capt. Elmer J. Wallace, Coast Artillery Corps.
Capt. William F. Hase, Coast Artillery Corps.
Capt. William R. Doores, Coast Artillery Corps.
Capt. James F. Howell, Coast Artillery Corps.
Capt. John C. Goodfellow, Coast Artillery Corps.
Capt. John T. Geary, Coast Artillery Corps.
Capt. Edward Carpenter, Coast Artillery Corps.
Capt. Henry M. Merriam, Coast Artillery Corps.
Capt. Harry P. Wilbur, Coast Artillery Corps.
Capt. Elijah B. Martindale, jr., Coast Artillery Corps.
Capt. Le Vert Coleman, detailed in the Quartermaster Corps.
Capt. Jesse C. Nichols, detailed in the Ordnance Department.
Capt. Frank C. Jewell, Coast Artillery Corps.
Capt. Herman W. Schull, detailed in the Ordnance Department.
Capt. Clifton C. Carter, Coast Artillery Corps.

To be majors with rank from July 1, 1916, to fill casual vacancies.

Capt. Henry B. Clark, Coast Artillery Corps, vice Maj. William R. Smith, promoted.
Capt. Francis N. Cooke, Coast Artillery Corps, vice Maj. Henry H. Whitney, promoted.
Capt. Stanley D. Embick, Coast Artillery Corps, vice Maj. Arthur W. Chase, promoted.
Capt. Clarence B. Smith, Coast Artillery Corps, vice Maj. Samuel A. Kephart, promoted.
Capt. Russell P. Reeder, Coast Artillery Corps, vice Maj. Louis R. Burgess, promoted.
Capt. Robert F. McMillan, Coast Artillery Corps, vice Maj. James A. Shipton, promoted.
Capt. Godwin Ordway, Coast Artillery Corps, vice Maj. William Chamberlaine, promoted.
Capt. Charles E. Kilbourne, detailed in the General Staff Corps, vice Maj. Gordon G. Heiner, promoted.
Capt. William H. Monroe, Coast Artillery Corps, vice Maj. George H. McManus, promoted.
Capt. Richard T. Ellis, Coast Artillery Corps, vice Maj. James M. Williams, promoted.
Capt. Frederick W. Stopford, Coast Artillery Corps, vice Maj. Alston Hamilton, promoted.
Capt. Henry H. Sheen, detailed in the Quartermaster Corps, vice Maj. John C. Gilmore, jr., promoted.
Capt. John W. Gulick, Coast Artillery Corps, vice Maj. Le Vert Coleman, detailed in the Quartermaster Corps.
Capt. Ernest R. Tilton, Coast Artillery Corps, vice Maj. Jesse C. Nicholls, detailed in the Ordnance Department.
Capt. Homer B. Grant, Coast Artillery Corps, vice Maj. Herman W. Schull, detailed in the Ordnance Department.
Capt. Leonard T. Waldron, Coast Artillery Corps, vice Maj. Charles E. Kilbourne, detailed in the General Staff Corps.
Capt. Ernest A. Greenough, detailed in the Quartermaster Corps, subject to examination required by law, vice Maj. Henry H. Sheen, detailed in the Quartermaster Corps.
Capt. Alexander Greig, jr., Coast Artillery Corps, vice Maj. Ernest A. Greenough, detailed in the Quartermaster Corps.

To be captains with rank from July 1, 1916, to fill original vacancies.

First Lieut. Alexander G. Pendleton, Coast Artillery Corps.
First Lieut. John C. Henderson, Coast Artillery Corps.
First Lieut. Edward W. Wildrick, Coast Artillery Corps.
First Lieut. Alexander G. Gillespie, Coast Artillery Corps.
First Lieut. John S. Pratt, Coast Artillery Corps.
First Lieut. Edward J. Cullen, Coast Artillery Corps.
First Lieut. Pierre V. Kieffer, Coast Artillery Corps.
First Lieut. Joseph J. Grace, Coast Artillery Corps.
First Lieut. George E. Turner, Coast Artillery Corps.
First Lieut. Harry A. Schwabe, Coast Artillery Corps.
First Lieut. Oscar A. Russell, Coast Artillery Corps.

First Lieut. Walter J. Büttgenbach, Coast Artillery Corps.
First Lieut. Charles O. Schudt, Coast Artillery Corps.
First Lieut. Philip Mathews, Coast Artillery Corps.
First Lieut. Marcellus H. Thompson, Coast Artillery Corps, subject to examination required by law.
First Lieut. William R. McCleary, Coast Artillery Corps.
First Lieut. William W. Rose, Coast Artillery Corps.
First Lieut. John G. Hotz, Coast Artillery Corps.
First Lieut. Albert Gilmor, Coast Artillery Corps.
First Lieut. Clarence A. Mitchell, Coast Artillery Corps.
First Lieut. William P. Currier, Coast Artillery Corps.
First Lieut. Horace F. Spurgin, Coast Artillery Corps.
First Lieut. Ralph D. Bates, Coast Artillery Corps.
First Lieut. Edward A. Brown, Coast Artillery Corps.
First Lieut. John G. Donovan, Coast Artillery Corps.
First Lieut. Guy L. Gearhart, Coast Artillery Corps.
First Lieut. George A. Wildrick, Coast Artillery Corps.
First Lieut. Allen Kimberly, Coast Artillery Corps.
First Lieut. Howard K. Loughry, Coast Artillery Corps.
First Lieut. Thomas A. Clark, Coast Artillery Corps.
First Lieut. William S. Dowd, Coast Artillery Corps.
First Lieut. Richard H. Somers, detailed in the Ordnance Department.
First Lieut. Thomas L. Coles, detailed in the Ordnance Department.
First Lieut. John B. Rose, detailed in the Ordnance Department.
First Lieut. Charles T. Harris, jr., detailed in the Ordnance Department.
First Lieut. Maxwell Murray, Coast Artillery Corps.
First Lieut. Geoffrey Bartlett, Coast Artillery Corps.
First Lieut. William E. Shedd, jr., Coast Artillery Corps.
First Lieut. James A. Gallogly, Coast Artillery Corps.
First Lieut Royal K. Greene, Coast Artillery Corps, subject to examination required by law.
First Lieut. Robert P. Glassburn, Coast Artillery Corps, subject to examination required by law.
First Lieut. Harry K. Rutherford, detailed in the Ordnance Department.
First Lieut. Paul J. Horton, Coast Artillery Corps, subject to examination required by law.
First Lieut. Robert Arthur, Coast Artillery Corps.
First Lieut. John P. Keeler, Coast Artillery Corps.
First Lieut. Lucian D. Booth, Coast Artillery Corps.
First Lieut. Thomas F. McNeill, Coast Artillery Corps.
First Lieut. George M. Peek, Coast Artillery Corps.
First Lieut. Perry M. Gallup, Coast Artillery Corps.
First Lieut. William P. Wilson, Coast Artillery Corps.
First Lieut. Charles L. Williams, Coast Artillery Corps.
First Lieut. Alexander J. Stuart, Coast Artillery Corps.
First Lieut. Chester J. Goodier, Coast Artillery Corps.
First Lieut. John E. Townes, jr., Coast Artillery Corps.
First Lieut. Robert E. Vose, Coast Artillery Corps.
First Lieut. Dean Hall, Coast Artillery Corps, subject to examination required by law.
First Lieut. John S. Williams, Coast Artillery Corps.
First Lieut. George Ruhlen, jr., Coast Artillery Corps.
First Lieut. Junnius Pierce, Coast Artillery Corps.
First Lieut. Henry W. T. Eglin, Coast Artillery Corps.
First Lieut. Halvor G. Coulter, Coast Artillery Corps.
First Lieut. West C. Jacobs, Coast Artillery Corps.
First Lieut. James W. Lyon, Coast Artillery Corps.
First Lieut. Harold Geiger, Coast Artillery Corps.
First Lieut. Rodney H. Smith, Coast Artillery Corps.
First Lieut. Albert L. Loustalot, Coast Artillery Corps.
First Lieut. Richard Donovan, Coast Artillery Corps.
First Lieut. Sanderford Jarman, Coast Artillery Corps.
First Lieut. Clair W. Baird, Coast Artillery Corps.
First Lieut. Edward W. Putney, Coast Artillery Corps.
First Lieut. Gilbert Marshall, Coast Artillery Corps.
First Lieut. Louis L. Pendleton, Coast Artillery Corps, subject to examination required by law.
First Lieut. Thomas A. Terry, Coast Artillery Corps.
First Lieut. Edward N. Woodbury, Coast Artillery Corps.
First Lieut. Ray L. Avery, Coast Artillery Corps.
First Lieut. Edward A. Stockton, jr., Coast Artillery Corps.
First Lieut. James H. Cunningham, Coast Artillery Corps.
First Lieut. Allison B. Deans, jr., Coast Artillery Corps.
First Lieut. Robert R. Welshimer, Coast Artillery Corps.
First Lieut. William W. Hicks, Coast Artillery Corps.
First Lieut. Eugene B. Walker, Coast Artillery Corps.
First Lieut. Karl F. Baldwin, Coast Artillery Corps, subject to examination required by law.
First Lieut. Charles K. Wing, jr., Coast Artillery Corps.
First Lieut. Robert O. Edwards, Coast Artillery Corps.
First Lieut. Robert N. Campbell, Coast Artillery Corps.
First Lieut. Guy A. Mix, Coast Artillery Corps.
First Lieut. John H. Pirie, Coast Artillery Corps.
First Lieut. George R. Norton, detailed in the Ordnance Department.
First Lieut. Eugene Reybold, Coast Artillery Corps.
First Lieut. Hugo E. Pitz, Coast Artillery Corps.
First Lieut. Thomas C. Cook, Coast Artillery Corps.
First Lieut. Olin H. Longino, Coast Artillery Corps.
First Lieut. Peter H. Ottosen, Coast Artillery Corps.
First Lieut. Edgar H. Thompson, Coast Artillery Corps.
First Lieut. Samuel H. McLeary, Coast Artillery Corps.
First Lieut. John N. Reynolds, Coast Artillery Corps.
First Lieut. Louis D. Pepin, Coast Artillery Corps.
First Lieut. Rufus F. Maddux, Coast Artillery Corps.
First Lieut. Herbert A. McCune, Coast Artillery Corps.
First Lieut. Lincoln B. Chambers, Coast Artillery Corps, subject to examination required by law.
First Lieut. Willis C. Knight, Coast Artillery Corps.
First Lieut. John R. Ellis, Coast Artillery Corps.
First Lieut. John Mather, Coast Artillery Corps.
First Lieut. Chester R. Snow, Coast Artillery Corps.
First Lieut. Robert E. M. Goolrick, Coast Artillery Corps.
First Lieut. Walter P. Boatwright, Coast Artillery Corps, subject to examination required by law.
First Lieut. John P. Smith, Coast Artillery Corps.

To be captains with rank from July 1, 1916, to fill casual vacancies.

First. Lieut. Harry R. Vaughan, Coast Artillery Corps, vice Capt. Frederick W. Phisterer, promoted.
First Lieut. Abney Payne, Coast Artillery Corps, vice Capt. Robert H. C. Kelton, promoted.
First Lieut. Edwin K. Smith, Coast Artillery Corps, vice Capt. Percy P. Bishop, promoted.
First Lieut. Clarence T. Marsh, Coast Artillery Corps, vice Capt. Henry J. Hatch, promoted.
First Lieut. Thomas D. Sloan, Coast Artillery Corps, vice Capt. Elmer J. Wallace, promoted.
First Lieut. John B. Maynard, Coast Artillery Corps, vice Capt. William F. Hase, promoted.
First Lieut. Jacob Frank, Coast Artillery Corps, vice Capt. William R. Doores, promoted.
First Lieut. Warren R. Bell, Coast Artillery Corps, vice Capt. James F. Howell, promoted.
First Lieut. Arthur G. Campbell, Coast Artillery Corps, vice Capt. John C. Goodfellow, promoted.
First Lieut. John T. Rowe, Coast Artillery Corps, vice Capt. John T. Geary, promoted.
First Lieut. Frederick L. Martin, Coast Artillery Corps, vice Capt. Edward Carpenter, promoted.
First Lieut. Earl McFarland, detailed in the Ordnance Department, to be captain from June 30, 1916, vice Capt. William S. Bowen, detailed in the Quartermaster Corps.
First Lieut. Joseph A. Green, Coast Artillery Corps, to be captain from June 30, 1916, vice Capt. Earl McFarland, detailed in the Ordnance Department.

To be first lieutenants with rank from July 1, 1916, to fill original vacancies.

Second Lieut. Francis J. Torney, Coast Artillery Corps.
Second Lieut. Edgar B. Colladay, Coast Artillery Corps.
Second Lieut. Frederick R. Garcin, Coast Artillery Corps.
Second Lieut. Douglas C. Cordiner, Coast Artillery Corps.
Second Lieut. Julian S. Hatcher, detailed in the Ordnance Department.
Second Lieut. Ralph W. Wilson, Coast Artillery Corps.
Second Lieut. Fred M. Green, Coast Artillery Corps.
Second Lieut. Delmar S. Lenzner, Coast Artillery Corps.
Second Lieut. Roland W. Pinger, detailed in the Ordnance Department.
Second Lieut. Donald Armstrong, Coast Artillery Corps.
Second Lieut. Franklin Babcock, Coast Artillery Corps.
Second Lieut. Hermann H. Zornig, detailed in the Ordnance Department.
Second Lieut. Gladeon M. Barnes, detailed in the Ordnance Department.
Second Lieut. Earl J. W. Ragsdale, detailed in the Ordnance Department.
Second Lieut. Raycroft Walsh, Coast Artillery Corps.
Second Lieut. Harvey C. Allen, Coast Artillery Corps.
Second Lieut. Edward B. Dennis, Coast Artillery Corps.
Second Lieut. Roger B. Colton, Coast Artillery Corps, subject to examination required by law.
Second Lieut. Oliver L. Spiller, Coast Artillery Corps.
Second Lieut. Ruskin P. Hall, Coast Artillery Corps.

Second Lieut. Walter W. Vautsmeier, Coast Artillery Corps.
Second Lieut. John E. Sloan, Coast Artillery Corps, subject to examination required by law.
Second Lieut. William B. Hardigg, Coast Artillery Corps, subject to examination required by law.
Second Lieut. Charles A. Schimelfenig, detailed in the Ordnance Department.
Second Lieut. Charles R. Baxter, detailed in the Ordnance Department.
Second Lieut. Gustav H. Franke, Coast Artillery Corps.
Second Lieut. Hubert G. Stanton, Coast Artillery Corps.
Second Lieut. Harold F. Nichols, Coast Artillery Corps.
Second Lieut. Franklin Kemble, Coast Artillery Corps.
Second Lieut. Herbert A. Dargue, detailed in the Signal Corps.
Second Lieut. John G. Booton, Coast Artillery Corps.
Second Lieut. James B. Crawford, Coast Artillery Corps.
Second Lieut. Robert W. Clark, jr., Coast Artillery Corps.
Second Lieut. John L. Homer, Coast Artillery Corps.
Second Lieut. Robert C. Gildart, Coast Artillery Corps.
Second Lieut. George D. Holland, Coast Artillery Corps.
Second Lieut. Douglas B. Netherwood, detailed in the Aviation Section, Signal Corps.
Second Lieut. Arnold Heinrich, Coast Artillery Corps.
Second Lieut. Roy T. Cunningham, Coast Artillery Corps, subject to examination required by law.
Second Lieut. Felix E. Gross, Coast Artillery Corps.
Second Lieut. William T. Boyd, jr., Coast Artillery Corps.
Second Lieut. Lawrence A. McLaughlin, Coast Artillery Corps.
Second Lieut. George R. Meyer, Coast Artillery Corps.
Second Lieut. Homer A. Bagg, Coast Artillery Corps, subject to examination required by law.
Second Lieut. Andrew L. Pendleton, jr., Coast Artillery Corps.
Second Lieut. Lewis H. Brereton, Coast Artillery Corps, subject to examination required by law.
Second Lieut. Cherubusco Newton, jr., Coast Artillery Corps, subject to examination required by law.
Second Lieut. Walter Smith, Coast Artillery Corps, subject to examination required by law.
Second Lieut. Hugh J. Knerr, Coast Artillery Corps.
Second Lieut. George F. Humbert, Coast Artillery Corps, subject to examination required by law.
Second Lieut. Arthur W. Ford, Coast Artillery Corps.
Second Lieut. Reuben N. Perley, Coast Artillery Corps.
Second Lieut. Joseph R. Cygon, Coast Artillery Corps.
Second Lieut. John H. Birdsall, Coast Artillery Corps.
Second Lieut. Frank R. Sessions, Coast Artillery Corps, subject to examination required by law.
Second Lieut. Levin H. Campbell, jr., Coast Artillery Corps.
Second Lieut. Harold G. Douglas, Coast Artillery Corps.
Second Lieut. Harold De F. Burdick, Coast Artillery Corps.
Second Lieut. John A. Baird, Coast Artillery Corps.
Second Lieut. Philip G. Blackmore, Coast Artillery Corps.
Second Lieut. Henry C. Davis, jr., detailed in the Ordnance Department, subject to examination required by law.
Second Lieut. Theodore R. Murphy, Coast Artillery Corps.
Second Lieut. Benjamin N. Booth, Coast Artillery Corps.
Second Lieut. George I. Thatcher, Coast Artillery Corps.
Second Lieut. Edwin F. Silkman, Coast Artillery Corps.
Second Lieut. Octave De Carré, Coast Artillery Corps.
Second Lieut. Robert S. Oberly, detailed in the Ordnance Department.
Second Lieut. Claude M. Thiele, Coast Artillery Corps.
Second Lieut. Cedric M. S. Skene, Coast Artillery Corps.
Second Lieut. Avery J. French, Coast Artillery Corps.
Second Lieut. Edward Montgomery, Coast Artillery Corps.
Second Lieut. Robert Edes Kimball, detailed in the Ordnance Department.
Second Lieut. Shepler W. FitzGerald, detailed in the Aviation Section, Signal Corps.
Second Lieut. Leigh F. J. Zerbee, Coast Artillery Corps.
Second Lieut. Carleton U. Edwards, Coast Artillery Corps.
Second Lieut. Coleman W. Jenkins, Coast Artillery Corps.
Second Lieut. Wilmer T. Scott, Coast Artillery Corps.
Second Lieut. Herbert E. Ellis, Coast Artillery Corps.
Second Lieut. Randolph T. Pendleton, Coast Artillery Corps.
Second Lieut. Stewart W. Stanley, Coast Artillery Corps.
Second Lieut. Kenneth T. Blood, Coast Artillery Corps.
Second Lieut. Roy S. Atwood, Coast Artillery Corps.
Second Lieut. Samuel F. Hawkins, Coast Artillery Corps.
Second Lieut. Jesse L. Sinclair, Coast Artillery Corps.
Second Lieut. Oscar Krupp, Coast Artillery Corps.
Second Lieut. Charles Thomas-Stahle, Coast Artillery Corps.
Second Lieut. Charles M. Wood, Coast Artillery Corps.
Second Lieut. Edwin J. O'Hara, Coast Artillery Corps.
Second Lieut. Alden G. Strong, Coast Artillery Corps.
Second Lieut. Rudolf W. Riefkohl, Coast Artillery Corps.
Second Lieut. John P. Leavenworth, Coast Artillery Corps.
Second Lieut. Alexander C. Sullivan, Coast Artillery Corps.
Second Lieut. Harold B. Sampson, Coast Artillery Corps.
Second Lieut. Clarence L. Gilbert, Coast Artillery Corps.
Second Lieut. Arthur E. Rowland, Coast Artillery Corps.
Second Lieut. Leon R. Cole, Coast Artillery Corps.
Second Lieut. Lee R. Watrous, jr., Coast Artillery Corps.
Second Lieut. Joseph D. Brown, Coast Artillery Corps.
Second Lieut. Spencer B. Lane, Coast Artillery Corps.
Second Lieut. Paul L. Ferron, Coast Artillery Corps.
Second Lieut. Leslie MacDill, Coast Artillery Corps, detailed in the Aviation Section, Signal Corps.
Second Lieut. Charles A. French, Coast Artillery Corps.
Second Lieut. John A. Hoag, Coast Artillery Corps.
Second Lieut. Oscar A. Eastwold, Coast Artillery Corps.
Second Lieut. William H. Jouett, Coast Artillery Corps.
Second Lieut. Earl H. Metzger, Coast Artillery Corps.
Second Lieut. Lee O. Wright, Coast Artillery Corps, detailed in the Ordnance Department.
Second Lieut. Lewis A. Nickerson, Coast Artillery Corps, detailed in the Ordnance Department.
Second Lieut. Philip R. Faymonville, Coast Artillery Corps, detailed in the Ordnance Department.
Second Lieut. William C. Harrison, Coast Artillery Corps.

To be first lieutenants with rank from July 1, 1916, to fill casual vacancies.

Second Lieut. John S. Wood, Coast Artillery Corps, vice First Lieut. Alexander G. Pendleton, promoted.
Second Lieut. Robert H. Lee, Coast Artillery Corps, vice First Lieut. John C. Henderson, promoted.
Second Lieut. David McL. Crawford, Coast Artillery Corps, vice First Lieut. Edward W. Wildrick, promoted.
Second Lieut. Oscar J. Gatchell, Coast Artillery Corps, vice First Lieut. Alexander G. Gillespie, promoted.
Second Lieut. Cris M. Burlingame, Coast Artillery Corps, vice First Lieut. John S. Pratt, promoted.
Second Lieut. Raymond V. Cramer, Coast Artillery Corps, vice First Lieut. Edward J. Cullen, promoted.
Second Lieut. Sidney P. Spalding, Coast Artillery Corps, vice First Lieut. Pierre V. Kieffer, promoted.
Second Lieut. Leonard L. Barrett, detailed in the Ordnance Department, vice First Lieut. Joseph J. Grace, promoted.
Second Lieut. Stephen H. MacGregor, Coast Artillery Corps, vice First Lieut. George E. Turner, promoted.
Second Lieut. James Kirk, Coast Artillery Corps, vice First Lieut. Harry A. Schwabe, promoted.
Second Lieut. Robert N. Bodine, detailed in the Ordnance Department, vice First Lieut. Oscar A. Russell, promoted.
Second Lieut. James H. Johnson, Coast Artillery Corps, vice First Lieut. Walter J. Bättgenbach, promoted.
Second Lieut. John H. Lindt, Coast Artillery Corps, vice First Lieut. Charles O. Schudt, promoted.
Second Lieut. Bird S. Du Bois, Coast Artillery Corps, subject to examination required by law, vice First Lieut. Philip Mathews, promoted.
Second Lieut. Cyril A. Phelan, Coast Artillery Corps, vice First Lieut. Marcellus H. Thompson, promoted.
Second Lieut. Earl B. Hochwalt, Coast Artillery Corps, vice First Lieut. William R. McCleary, promoted.
Second Lieut. John W. Churchill, Coast Artillery Corps, vice First Lieut. William W. Rose, promoted.
Second Lieut. Byron R. Coleman, Coast Artillery Corps, vice First Lieut. John G. Hotz, promoted.
Second Lieut. Harry W. Stark, Coast Artillery Corps, vice First Lieut. Albert Gilmor, promoted.
Second Lieut. Stiles M. Becker, Coast Artillery Corps, vice First Lieut. Clarence A. Mitchell, promoted.
Second Lieut. Raymond G. Payne, Coast Artillery Corps, vice First Lieut. William P. Currier, promoted.
Second Lieut. Archie S. Buyers, Coast Artillery Corps, vice First Lieut. Horace F. Spurgin, promoted.
Second Lieut. William A. Borden, Coast Atrillery Corps, subject to examination required by law, vice First Lieut. Ralph D. Bates, promoted.
Second Lieut. Francis T. Armstrong, Coast Artillery Corps, vice First Lieut. Edward A. Brown, promoted.
Second Lieut. Edwin B. Spiller, Coast Artillery Corps, vice First Lieut. John G. Donovan, promoted.
Second Lieut. Cecil G. Young, Coast Artillery Corps, vice First Lieut. Guy L. Gearhart, promoted.

Second Lieut. Carl A. Waldmann, Coast Artillery Corps, detailed in the Ordnance Department, vice First Lieut. George A. Wildrick, promoted.

Second Lieut. Paul W. Evans, Coast Artillery Corps, subject to examination required by law, vice First Lieut. Allen Kimberly, promoted.

Second Lieut. Henry A. Wingate, Coast Artillery Corps, vice First Lieut. Howard K. Loughry, promoted.

Second Lieut. William C. Washington, Coast Artillery Corps, vice First Lieut. Thomas A. Clark, promoted.

Second Lieut. Alfred B. Quinton, jr., Coast Artillery Corps, vice First Lieut. William F. Dowd, promoted.

Second Lieut. Harold A. Strauss, Coast Artillery Corps, subject to examination required by law, vice First Lieut. Maxwell Murray, promoted.

Second Lieut. Cyril A. W. Dawson, Coast Artillery Corps, vice First Lieut. Geoffrey Bartlett, promoted.

Second Lieut. Walter O. Rawls, Coast Artillery Corps, vice First Lieut. William E. Shedd, jr., promoted.

Second Lieut. Francis A. Englehart, Coast Artillery Corps, vice First Lieut. James A. Gallogly, promoted.

Second Lieut. William A. Copthorne, Coast Artillery Corps, vice First Lieut. Royal K. Greene, promoted.

Second Lieut. Selby H. Frank, Coast Artillery Corps, vice First Lieut. Robert P. Glassburn, promoted.

Second Lieut. Robert H. Van Volkenburgh, Coast Artillery Corps, vice First Lieut. Paul J. Horton, promoted.

Second Lieut. Samuel J. Heidner, Coast Artillery Corps, vice First Lieut. Robert Arthur, promoted.

Second Lieut. Junius W. Jones, Coast Artillery Corps, vice First Lieut. John P. Keeler, promoted.

Second Lieut. Manning M. Kimmel, jr., Coast Artillery Corps, vice First Lieut. Lucian D. Booth, promoted.

Second Lieut. Vern S. Purnell, Coast Artillery Corps, vice First Lieut. Thomas F. McNeill, promoted.

Second Lieut. Robert M. Perkins, Coast Artillery Corps, vice First Lieut. George M. Peek, promoted.

Second Lieut. Lawrence B. Weeks, Coast Artillery Corps, vice First Lieut. Perry M. Gallup, promoted.

Second Lieut. William C. Foote, Coast Artillery Corps, vice First Lieut. William P. Wilson, promoted.

Second Lieut. Stewart S. Giffin, Coast Artillery Corps, vice First Lieut. Charles L. Williams, promoted.

Second Lieut. Ward E. Duvall, Coast Artillery Corps, vice First Lieut. Alexander J. Stuart, promoted.

Second Lieut. James B. Gillespie, Coast Artillery Corps, vice First Lieut. Chester J. Goodier, promoted.

Second Lieut. Redondo B. Sutton, Coast Artillery Corps, subject to examination required by law, vice First Lieut. John E. Townes, jr., promoted.

Second Lieut. Francis J. Toohey, Coast Artillery Corps, vice First Lieut. Robert E. Vose, promoted.

Second Lieut. Charles L. Kilburn, Coast Artillery Corps, subject to examination required by law, vice First Lieut. Dean Hall, promoted.

Second Lieut. Joe Eikel, Coast Artillery Corps, vice First Lieut. John S. Williams, promoted.

Second Lieut. Robert D. Brown, Coast Artillery Corps, vice First Lieut. George Ruhlen, jr., promoted.

Second Lieut. Edward O. Halbert, Coast Artillery Corps, vice First Lieut. Junnius Pierce, promoted.

Second Lieut. Harry L. King, Coast Artillery Corps, vice First Lieut. Henry W. T. Eglin, promoted.

Second Lieut. Augustin M. Prentiss, Coast Artillery Corps, vice First Lieut. Halver G. Coulter, promoted.

Second Lieut. Russell A. Osmun, Coast Artillery Corps, vice First Lieut. West C. Jacobs, promoted.

Second Lieut. Lester E. Moreton, Coast Artillery Corps, vice First Lieut. James W. Lyon, promoted.

Second Lieut. La Rhett L. Stuart, Coast Artillery Corps, vice First Lieut. Harold Geiger, promoted.

Second Lieut. Alfred E. Larabee, Coast Artillery Corps, vice First Lieut. Rodney H. Smith, promoted.

Second Lieut. John A. Brooks, jr., Coast Artillery Corps, vice First Lieut. Albert L. Loustalot, promoted.

Second Lieut. Albion R. Rockwood, Coast Artillery Corps, vice First Lieut. Richard Donovan, promoted.

Second Lieut. Frank L. Hoskins, Coast Artillery Corps, vice First Lieut. Sanderford Jarman, promoted.

Second Lieut. John H. Jouett, Coast Artillery Corps, vice First Lieut. Clair W. Baird, promoted.

Second Lieut. Joseph D. McCain, Coast Artillery Corps, vice First Lieut. Edward W. Putney, promoted.

Second Lieut. Eugene Villaret, Coast Artillery Corps, vice First Lieut. Gilbert Marshall, promoted.

Second Lieut. Reiff H. Hannum, Coast Artillery Corps, vice First Lieut. Louis L. Pendleton, promoted.

Second Lieut. Harold F. Loomis, Coast Artillery Corps, vice First Lieut. Thomas A. Terry, promoted.

Second Lieut. Leland H. Stanford, Coast Artillery Corps, vice First Lieut. Edward N. Woodbury, promoted.

Second Lieut. James C. Waddell, Coast Artillery Corps, vice First Lieut. Ray L. Avery, promoted.

Second Lieut. Richard B. Paddock, Coast Artillery Corps, vice First Lieut. Edward A. Stockton, jr., promoted.

Second Lieut. Charles C. Griffith, Coast Artillery Corps, vice First Lieut. James H. Cunningham, promoted.

Second Lieut. James B. Haskell, Coast Artillery Corps, vice First Lieut. Allison B. Deans, jr., promoted.

Second Lieut. James P. Hogan, Coast Artillery Corps, vice First Lieut. Robert R. Welshimer, promoted.

Second Lieut. Gooding Packard, Coast Artillery Corps, subject to examination required by law, vice First Lieut. William W. Hicks, promoted.

Second Lieut. Glenn P. Anderson, Coast Artillery Corps, vice First Lieut. Eugene B. Walker, promoted.

Second Lieut. Adam E. Potts, Coast Artillery Corps, vice First Lieut. Karl F. Baldwin, promoted.

Second Lieut. Henry S. Aurand, Coast Artillery Corps, vice First Lieut. Charles K. Wing, jr., promoted.

Second Lieut. Harold E. Small, Coast Artillery Corps, vice First Lieut. Robert O. Edwards, promoted.

Second Lieut. Henry B. Sayler, Coast Artillery Corps, vice First Lieut. Robert N. Campbell, promoted.

Second Lieut. Albert H. Warren, Coast Artillery Corps, vice First Lieut. Guy A. Mix, promoted.

Second Lieut. John F. Kahle, Coast Artillery Corps, vice First Lieut. John H. Pirie, promoted.

Second Lieut. Reinold Melberg, Coast Artillery Corps, vice First Lieut. Eugene Reybold, promoted.

Second Lieut. Clarence B. Lindner, Coast Artillery Corps, vice First Lieut. Hugo E. Pitz, promoted.

Second Lieut. John H. Cochran, Coast Artillery Corps, vice First Lieut. Thomas C. Cook, promoted.

Second Lieut. Logan W. Searles, Coast Artillery Corps, vice First Lieut. Olin H. Longino, promoted.

Second Lieut. John K. Meneely, Coast Artillery Corps, vice First Lieut. Peter H. Ottosen, promoted.

Second Lieut. Joseph J. Teeter, Coast Artillery Corps, vice First Lieut. Edgar H. Thompson, promoted.

Second Lieut. John S. MacTaggart, Coast Artillery Corps, vice First Lieut. Samuel H. McLeary, promoted.

Second Lieut. Martin J. O'Brien, Coast Artillery Corps, vice First Lieut. John N. Reynolds, promoted.

Second Lieut. Joseph C. Haw, Coast Artillery Corps, vice First Lieut. Louis D. Pepin, promoted.

Second Lieut. Iverson B. Summers, jr., Coast Artillery Corps, vice First Lieut. Rufus F. Maddux, promoted.

Second Lieut. Clifford R. Jones, Coast Artillery Corps, vice First Lieut. Herbert A. McCune, promoted.

Second Lieut. John B. Wogan, Coast Artillery Corps, vice First Lieut. Lincoln B. Chambers, promoted.

Second Lieut. Clesen H. Tenney, Coast Artillery Corps, vice First Lieut. Willis C. Knight, promoted.

Second Lieut. Frank E. Emery, jr., Coast Artillery Corps, vice First Lieut. John R. Ellis, promoted.

Second Lieut. Edward C. Wallington, Coast Artillery Corps, vice First Lieut. John Mather, promoted.

Second Lieut. Carl E. Hocker, Coast Artillery Corps, vice First Lieut. Chester R. Snow, promoted.

Second Lieut. Richmond T. Gibson, Coast Artillery Corps, vice First Lieut. Robert E. M. Goolrick, promoted.

Second Lieut. Edward B. Hyde, jr., Coast Artillery Corps, vice First Lieut. Walter P. Boatwright, promoted.

Second Lieut. Walter W. Hess, jr., vice First Lieut. John P. Smith, promoted.

Second Lieut. Thomas J. Brady, Coast Artillery Corps, vice First Lieut. Harry R. Vaughan, promoted.

Second Lieut. Herbert R. Corbin, Coast Artillery Corps, vice First Lieut. Abney Paine, promoted.

Second Lieut. Hubert R. Harmon, Coast Artillery Corps, vice First Lieut. Edwin K. Smith, promoted.

Second Lieut. Joseph D. Coughlan, Coast Artillery Corps, vice First Lieut. Clarence T. Marsh, promoted.

Second Lieut. Charles H. Chapin, Coast Artillery Corps, vice First Lieut. Thomas D. Sloan, promoted.

Second Lieut. William P. Cherrington, Coast Artillery Corps, vice First Lieut. John B. Maynard, promoted.

Second Lieut. Charles R. Finley, Coast Artillery Corps, vice First Lieut. Jacob Frank, promoted.

APPOINTMENTS IN THE ARMY.

DENTAL CORPS.

Acting Dental Surg. Eugene Milburn to be dental surgeon with the rank of first lieutenant from June 14, 1916, to fill an original vacancy.

Acting Dental Surg. Claudius Gordon Baker to be dental surgeon with the rank of first lieutenant from June 15, 1916, to fill an original vacancy.

PORTO RICO REGIMENT OF INFANTRY.

Capt. Orval P. Townshend, Porto Rico Regiment of Infantry, to be lieutenant colonel from June 3, 1916, to fill an original vacancy.

Capt. John M. Field, Porto Rico Regiment of Infantry, to be major from June 3, 1916, to fill an original vacancy.

Capt. Edwin J. Griffith, Porto Rico Regiment of Infantry, to be major from June 3, 1916, to fill an original vacancy.

Capt. Miles K. Taulbee, Porto Rico Regiment of Infantry, to be major from June 3, 1916, to fill an original vacancy.

PROMOTIONS IN THE NAVY.

Ensign William J. Butler to be a lieutenant (junior grade) in the Navy from the 7th day of March, 1915.

Ensign Anson A. Merrick to be a lieutenant (junior grade) in the Navy from the 5th day of December, 1914.

Ensign Frederick Baltzly to be a lieutenant (junior grade) in the Navy from the 7th day of September, 1915.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 7th day of June, 1916:

Henry L. Abbott,
Cullen H. Want,
Carl T. Hull,
Thomas G. Berrien,
Hamilton V. Bryan,
Elroy L. Vanderkloot,
George B. Junkin,
Louis J. Roth,
Philip C. Ransom, and
William Masek.

Wilfred W. Hawke, a citizen of Pennsylvania, to be an assistant surgeon in the Medical Reserve Corps of the Navy from the 5th day of July, 1916.

Boatswain William De Fries to be chief boatswain in the Navy from the 21st day of December, 1915.

Passed Asst. Surg. Harry Shaw to be a surgeon in the Navy from the 28th day of April, 1915.

CONFIRMATIONS.

Executive nominations confirmed by the Senate July 11 (legislative day of July 7), 1916.

POSTMASTERS.

MASSACHUSETTS.

James Y. Deacon, Nantucket.
John F. McManomin, North Chelmsford.

MICHIGAN.

James R. McCarty, Mackinac Island.
H. Kirk White, Owosso.

MINNESOTA.

Margaret M. Briggs, Princeton.
Catherine I. Cashman, Eden Valley.

NORTH DAKOTA.

Peter Hengel, Anamoose.
Thomas Rowan, Sherwood.
Della C. Tolan, Mayville.

WITHDRAWALS.

Executive nominations withdrawn July 11 (legislative day of July 7), 1916.

First Lieut. Robert F. Tate, Eighth Cavalry, to be captain.

First Lieut. Sebring C. Megill, Cavalry, detailed in the Signal Corps, to be captain.

Second Lieut. Robert S. Donaldson, Thirteenth Cavalry, to be first lieutenant.

NOTE.—The above-named officers were nominated to the Senate for said promotions on June 22, 1916, and their nominations were confirmed by that body on June 29, 1916.

HOUSE OF REPRESENTATIVES.

TUESDAY, *July 11, 1916.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou who art the inspiration of every worthy thought, pure aspiration, and earnest endeavor, give to us great thoughts and help us to weave them into deeds commensurate with the light Thou hast given us. Be with us through the remaining hours of this day, quicken all our activities, and make us profitable servants that we may add to the world's treasures and make it richer that we have lived and wrought, "For whosoever will save his life shall lose it; and whosoever will lose his life for My sake shall find it." Thus inspire, guide, and support us in the spirit of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS.

Mr. DALE of Vermont. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Vermont rise?

Mr. DALE of Vermont. I rise to ask unanimous consent to extend my remarks in the RECORD on the subject of the response of the National Guard.

The SPEAKER. The gentleman from Vermont asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. HUDDLESTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of the repeal of section 4716 of the Revised Statutes.

The SPEAKER. The gentleman from Alabama asks unanimous consent to extend his remarks on the subject of repeal of section 4716 of the Revised Statutes. Is there objection? [After a pause.] The Chair hears none.

LEAVE TO ADDRESS THE HOUSE.

Mr. HENSLEY. Mr. Speaker, I ask unanimous consent that I may be permitted to address the House for five minutes immediately after the gentleman from Tennessee [Mr. BYRNS] has concluded.

The SPEAKER. The gentleman from Missouri [Mr. HENSLEY] asks unanimous consent to address the House for five minutes immediately after the conclusion of the remarks of the gentleman from Tennessee [Mr. BYRNS]. Is there objection? [After a pause.] The Chair hears none.

COTTON PRODUCTS STATISTICS.

Mr. LEVER. Mr. Speaker, I would like to call up the bill H. R. 4767, with Senate amendments, and ask unanimous consent that the House disagree to the Senate amendments and ask for a conference.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read as follows:

H. R. 4767. An act authorizing the Director of the Census to collect and publish statistics of cotton seed and cottonseed products, with Senate amendments.

Mr. LEVER. Mr. Speaker, I am asking that the Senate amendments be disagreed to and a conference be asked.

The SPEAKER. The gentleman asks unanimous consent to disagree to the Senate amendments and ask for a conference. Is there objection? [After a pause.] The Chair hears none.

The SPEAKER appointed the following conferees: Mr. HELM, Mr. HOUSTON, and Mr. HINDS.

PENSION OFFICE APPROPRIATIONS.

The SPEAKER. The gentleman from Tennessee [Mr. BYRNS], under the special order, is recognized for 30 minutes. [Applause.]

Mr. BYRNS of Tennessee. Mr. Speaker, I have asked the indulgence of the House in order that I might make a reply to several statements that have appeared in the Washington city papers accredited to the Pension Commissioner criticizing Congress and particularly the subcommittee which prepared the legislative, executive, and judicial appropriation bill, for its action in the appropriations made for that particular bureau. I regret that I have not had the opportunity to make reply at an earlier date. In what I shall say I do not intend to criticize the Pension Commissioner personally, for personally he is a very agreeable gentleman for whom I have great respect, but I do wish to say something in regard to the statements made, which I consider both remarkable and unusual, because it is the first time within my knowledge that a subordinate, either high or low, in any of the executive departments, has undertaken to criticize directly

and inferentially in the newspapers, Congress and one of its subcommittees, because it saw fit to exercise its constitutional function, and its own judgment in making the appropriations for his bureau rather than to permit him to write the appropriations to suit himself.

No one can dispute the fact that during the past four years Congress has been exceedingly liberal in its recognition of the Union soldier and the services rendered by him in behalf of the Union during the Civil War. Its legislation in his behalf has far exceeded any that was enacted during any of the preceding years. In May, 1912, the Sherwood pension bill, which provides for a more liberal pension, based on age and service, was enacted into law. A law has also been passed providing for an honor roll or an additional pension for those soldiers who rendered distinguished and particular service during the Civil War. A change has been made in the method of paying pensions, so that the pensioner now receives his payment by the simple method of a check from the Pension Office in Washington rather than by the indirect and troublesome voucher system, through the medium of a branch disbursing office. The House has passed a bill raising the pensions of all widows of Civil War veterans from $12 to $20 per month. Congress has also passed many thousands of special bills, raising pensions of those whose physical disabilities and financial condition in its judgment, justify a greater pension than that allowed under the general law. In addition to the foregoing general and special legislation in the interest of the Civil War veterans, Congress has passed other and additional legislation in the interest of the soldiers who have served the country in all of its various wars. It has appropriated every dollar necessary for the payment of the pensions of all persons upon the pension roll, and the adequacy of the appropriations is attested by the unexpended balance which has been returned to the Treasury each year. It has also appropriated every dollar necessary for the work of the Pension Bureau in Washington through which the pension laws are administered, and the pension payments are made. The adequacy of the provision for the bureau is attested by the fact that the work of the bureau is current, and the payment of the pensions is prompt and efficacious.

It is true that I did not vote for some of these measures when they were up for passage; but, coming from the South, as I do, I wish to say that I have always been in favor of a liberal pension for those old soldiers who fought for the Union when their physical and financial conditions justify it. And in saying this I am sure I speak for a generous Southland, from which all traces of bitterness growing out of the Civil War have long since passed away and which to-day is as devoted and as loyal to the flag and the Union as any other section of this great country. [Applause.]

In view of this record I have been very much surprised to read repeated statements in the form of interviews in the Washington City papers by the Commissioner of Pensions, in which Congress has been, in effect, taken to task because it did not allow all the appropriation for a clerical force in the Pension Bureau which this particular official desired. As to the propriety of a subordinate official in an executive department criticizing Congress in the public press because, forsooth, it did not see fit to grant his demands for an increased force I shall have nothing to say, except that, in my judgment, it is, to say the least, unbecoming in a bureau chief, who is charged with the administration of the law, to make declarations in the newspapers criticizing Congress in the exercise of its constitutional function in making appropriations for his bureau, especially when the matters complained of are due to his own lack of proper administration rather than to the inadequacy of the appropriations made by Congress. But, as one who has had something to do with the framing of the legislative, executive, and judicial appropriation bill, which carries the appropriation for the Pension Bureau, I feel that it is proper that I should place in the RECORD the true facts and show the error into which this particular official has fallen. Shortly after the said bill became a law there appeared several statements in the papers of this city, one of which I will quote. It reads as follows:

Commissioner of Pensions Saltzgaber has served notice upon the employees of his bureau that 67 places are to be dropped from the rolls July 1.

This notice has caused much heart burning and unrest in the bureau. He says:

"An arbitrary cut in force is provided by law, and the commissioner is powerless," he says, "to continue the rolls above the number provided."

Acting on the knowledge that a cut would be necessary July 1, the commissioner has saved all vacancies that occurred in the bureau.

As a result 42 vacancies have been held open during the year.

This means that only 25 employees will be dismissed. This number will possibly be slightly further cut by resignations or death.

Commissioner Saltzgaber stated to-day that every effort has been made to find places for those who must be dropped in the other departments and bureaus of the Government here.

These efforts have met with little success, because other offices have declined to take the older employees and have not had salaries available that were high enough to attract the younger ones.

THIRD CUT IN THREE YEARS.

The cut in the Pension force July 1 will be the third in the last three years. Congress abolished 145 positions July 1, 1914, and 93 positions July 1, 1915.

Commissioner Saltzgaber and other administration officials protested further reduction at this time, but the legislative bill wiped out 67 positions.

The commissioner believes the cut will work hardship on a number of deserving employees who have given their lives to the Government service, and he frankly dreads the day of reckoning for them.

Cut in the number of places on the Pension Office rolls has been made by Congress on the ground of diminishing work with diminution of the pension rolls through deaths.

Had this ended the attempt at what it would appear was intended as a propaganda I should have said nothing; but quite recently other and more direct criticism has been made, taking Congress to task for its action with reference to the force, and particularly the subcommittee, of which I happen to have the honor to be chairman. I quote from the Evening Star of June 29 as a sample of these statements which were made in all of the Washington City papers, and which were possibly carried in other papers:

Ten clerks have been "let out" at the Pension Office, and there are to be a series of reductions in salaries or demotions in grade in that branch of the Government service, according to information obtained to-day by a reporter for the Star.

Commissioner Saltzgaber confirmed this statement to-day, saying that the coming reductions will take effect July 1, as the result of action, which he tried to prevent, recently taken by the subcommittee of the House Appropriations Committee before which he appeared to assist in making up the "budget" for the coming appropriations for the office.

As a result of the impending changes, there is a nervous tension among all the clerks of the office, among whom has spread a rumor that there will be about 50 reductions, and some of whom believe that influence of the right kind in Democratic circles may save them. In the course of a statement made to-day by Commissioner Saltzgaber he spoke frankly of the problems which have confronted the office and explained the conditions which made it necessary for this course to be taken.

BLAMES HOUSE COMMITTEE.

The commissioner maintained that the root of the matter is to be traced to the subcommittee of the House Appropriations Committee, before which he appeared to get the appropriation for this year's budget. He stated that this committee insisted that the office was carrying a surplusage on its force; that the salaries paid made too high a total; and that it was advisable to reduce both the number and the sum.

"We made the best fight we could," said the commissioner, "and I personally voiced my opinion that every man on the force was profitably employed at a proper salary. We almost were sustained by the Senate committee, but failed by two votes. The appropriation we obtained from Congress was based upon the figures deemed correct by the subcommittee of the House for our force and their salaries."

The commissioner went on to explain that with the given sum only a fixed number of clerks could be paid a predetermined salary, and that it had become his duty to reduce the force and the salaries in certain instances. Ten clerks had been "let out," he said, already, and the necessary reductions are to be made in the near future.

One would infer from the last sentence of this quotation that more than 10 employees were to be ultimately dropped, whereas I have a letter from the commissioner, dated July 3, in which he states that only 9 were actually dropped from the rolls.

Those familiar with the force in the Pension Office have recognized for many years the fact that it is overloaded with clerks, and that the force should be radically reduced in the interest of economy and good government. This was true before the passage of the Sherwood pension age-and-service act, which has largely reduced the work of the office by the automatic increase of pensions. It was true to such an extent that a Commissioner of Pensions, a number of years ago, in his report commented upon it. Neither he nor Congress, however, ever wished to pursue the drastic remedy of discharging the old soldiers and other faithful employees of the Pension Office by depriving them of their positions.

But to relieve the situation that commissioner did recommend that a law be passed which would provide that in the future no vacancies should be filled until the force was reduced to a proper basis. In accordance with that recommendation Congress made such provision, and it was carried in the appropriation bills for 1907, 1908, and 1909. The action of Congress in changing the method of paying pensions and in the passage of the Sherwood law has resulted in a very steady and rapid decrease of the work of the bureau, and the subcommittee on the legislative, executive, and judicial appropriation bill has been endeavoring for several years to reduce the cost of operating that bureau. Accordingly in 1914 and 1915 the appropriation act included a provision that not more than one-fourth of all the vacancies occurring in the Pension Bureau, either by death, resignation, or transfer, should be filled except by promotion.

Under this provision the commissioner was dropping all the lower-grade places and rapidly raising the average salary of the bureau. The committee therefore incorporated in the current legislative, executive, and judicial appropriation bill a provision intended to prevent more than 25 per cent of the vacancies being filled by promotion or otherwise.

At the hearings before the subcommittee of the House and Senate the Commissioner of Pensions strenuously opposed this provision, stating (House hearings, p. 613) that "our people are all profitably employed. We strained ourselves last year and the year before in order to make a good showing, and we reduced the force really more than we should have done." He also complained (Senate hearings, p. 167) that the limitation on promotions "is a grave injustice to employees" and "prevents recognition of merit," although the fact that employees of the Pension Bureau (including messengers and laborers) will receive in 1917 an average salary of $1,310 a year shows that the appropriation is more than ample to enable the commissioner to pay fair salaries to all the employees if he distributes the places justly. This average salary is far above the average in most Government offices, and is $25 more than the average pay of the Pension Bureau for the last fiscal year. So the truth is that the clerks remaining in the Pension Bureau during this fiscal year will receive an annual average increase of approximately $25, or a total of about $27,000 more than they received last year.

The commissioner has not limited his resistance to protests, but, according to the records of the Civil Service Commission, the law was actually disobeyed during the last year by filling more than 25 per cent of the vacancies. In July, 1915, the first month of the fiscal year 1916, three vacancies occurred, two at $400 (one by resignation and one having been dropped from the rolls) and one at $1,200 by death. Under the law referred to the commissioner was not entitled to fill either of these places, but the records show that he did fill the larger-salaried vacancy at $1,200. This was not done by drawing from the civil-service rolls at the lower initial salary; nor did he promote any one of the lower-paid clerks in the bureau, but a female clerk in the Indian Office drawing $900 was transferred and given the salary of $1,200. In August eight vacancies occurred. These, with those occurring in the preceding month, would have authorized the filling of two places, one of which, as I have stated, had been anticipated in July, leaving only one that could be filled under the law. But, notwithstanding this, three additional places were filled by transfers from other bureaus in the department. Two female clerks in the Indian Office drawing $900 each were transferred to the Pension Office at salaries of $1,200 and $1,000, respectively, and another female clerk in the Geological Survey, drawing $1,000, was transferred to the Pension Office at $1,200. In September 7 vacancies occurred, making a total of 18 for the three months, and which would have authorized the filling of four places under the law. But, as we have seen, these places had been anticipated, contrary to law, in the two preceding months. Notwithstanding this, three new places were filled in the Pension Office by the transfer of a female clerk from the Geological Survey, drawing $1,000, to the Pension Office at a salary of $1,200, and a male clerk, drawing $900 in the Indian Office, to a position paying $1,000 in the Pension Office, and another male clerk, drawing $720 in the Bureau of Mines, to a position in the Pension Office paying $750.

In October, 6 vacancies occurred, making a total of 24 for the four months, which would have authorized the filling of 6 places under the law. But, as we have seen, 7 places had already been filled. Notwithstanding this, he filled 2 new places, 1 by reinstatement at $1,200 and the other by the transfer of a clerk from the Secretary's office, drawing $1,200, to the Pension Office at a salary of $1,400.

Thus, in the first four months of the last fiscal year three more places were filled than were authorized by law. This filling of places continued each month, with the single exception of November, until February, or just about the time the subcommittee of the House Committee on Appropriations began its hearings, when he had an excess of four above the number authorized by law. After this no further places were filled. But so many had been previously filled in plain violation of the law that on May 1, although 51 vacancies had occurred, 14 of them had been filled, or two in excess of the number authorized, one by reinstatement, two by appointment, and the others by transfers from other bureaus, all but three of whom were transferred at salaries in excess of those they were receiving in their former places of employment.

I have cited these facts from the records in order to show why the committee saw fit to recommend a change in the wording of the 25 per cent provision, and also in answer to the alleged assertion of the commissioner that in anticipation of a cut in the force on July 1 he had "saved all vacancies that occurred in the bureau." I may say that the commissioner in his estimates not only did not recommend the dropping of the vacancies actually existing in the office, but he asked Congress to appropriate for all of them for the present fiscal year. And it was only after his attention had been called to the matter at the hearings, and while sitting at the committee table, that after some figuring he suggested that 30 clerks of the $1,000 and $900 class could be dropped. It appeared, too, that the estimates for the Pension Office included 27 high-salaried clerks who perform no service in that office but for a number of years have been detailed to other branches of the department. I do not say that these clerks are not needed where they are employed, but I do say that they should be carried on the rolls where they are actually rendering service. They should not be estimated for as being required in the Pension Office when, as a matter of fact, they are performing services elsewhere. This is a practice which, I regret to say, is too frequently followed, but which Congress has been trying for a long time to correct. In view of what has been said, it is perfectly apparent that had these places been saved in anticipation of a reduction on July 1, which, as the commissioner says, he expected, it would not only not have been necessary to have let 10 clerks go, as the commissioner says he was compelled to do on July 1, but there would have been other vacancies to be filled by appointment.

I repeat that no one who has given a close study to the details of the Pension Office will deny that there has been a largely excessive force in that office in view of its rapidly decreasing work. Last year Congress provided an appropriation of $4,000 for labor-saving machinery, equipments, and supplies necessary to demonstrate and improve methods of paying pensions, which it was confidently claimed would ultimately save a hundred thousand dollars a year in two divisions of the Pension Bureau, and might reasonably be expected to save $20,000 the first year. This appropriation did not obligate the commissioner to accept the system if it did not do what was claimed for it. It was merely for the purpose of showing whether or not the system would reduce the cost and improve the result of the work. Notwithstanding this action of Congress and the claims made in behalf of this system, the commissioner did not use the appropriation but permitted it to lapse. In the hearings he gave as his reason that he was opposed to it, and for that reason declined to use the appropriation as directed by Congress, stating in explanation of his action that "there was a matter of sentiment against the operation of that system if its value consisted in simply reducing the number of our employees." I am unable to understand how a bureau chief who is interested in good administration should so flagrantly disregard the desire of Congress to reduce the cost of operating his bureau. Pension laws have been passed and the Pension Office created for the benefit of the old soldiers, and not merely for the purpose of providing places for fortunate employees. Certainly everyone who is interested in the old soldiers prefers to see the money appropriated for pensions paid to them rather than have a large amount diverted for the payment of an unnecessary large number of clerks, and it was in this spirit and with this idea that Congress enacted the provision referred to.

But, I regret to say, that in this attempt there seems to have been no serious effort to render assistance. It has been confidently asserted that the employment of the system proposed would easily result in a decrease in two divisions alone of 100 clerks, and yet the commissioner declined to use the appropriation provided, which would have served to demonstrate the truth or error of that fact, which was admitted by one of the officers in the bureau, in a prepared statement regarding a plan proposed by the Bureau of Efficiency for paying pensions and auditing accounts of pension payments.

Is it little wonder that the committee, having received no assistance from the commissioner by way of estimate or suggestion, should have felt compelled in the interest of the public service to recommend the provision carried upon the present legislative, executive, and judicial appropriation bill, and which was concurred in by the Senate and the House? It works no injustice to any employee in the Pension Bureau, and I repeat, that if it had been administered with due regard to both the spirit and the letter of the law, and in the interest of economy and good government, there would not have arisen any necessity for the discharge of a single clerk in the Pension Office at the beginning of the present fiscal year. Neither does it deprive the commissioner of making any proper promotion of the clerks in his office, whose services entitle them to it, if he will but exercise his discretion of equalizing the clerks in accordance with their ability to render service.

I wish to repeat with all emphasis that no one desires to see any clerk in the Pension Office who has rendered, or is rendering, faithful service discharged. More especially does this

apply to any old soldier there employed, although he is drawing a pension and has been favored during all these years over his comrades to the extent of the salary he is drawing. However, it might well be contended that in granting pensions for military service all old soldiers should be treated alike and that a favored few who are appointed to the Federal service, largely through political influence, should not be given an average of $1,310 per annum more than their hundreds of thousands of comrades without rendering a fair return in service. But it was with this idea in view that Congress enacted the provision that only 25 per cent of the vacancies occurring should be filled, prefering in this humane way to gradually reduce the force year by year, rather than by following the more drastic method of lopping them all off at once.

In conclusion, let me say that it is difficult for me to understand how a public official, who is charged with the duty of administering such an important bureau, should have failed to take into consideration not only the question of economy in the operation of the bureau but also the interest of the pensioners themselves, and so arrange the affairs of his office as to meet the reductions which he, himself, states that he anticipated would be made on July 1 without injustice to anyone of the great number of faithful employees employed in that bureau.

It is even more difficult for me to understand how such an official could see his way clear to criticize Congress and one of its committees through the public press for having adopted a provision and made an appropriation which, if properly administered, could not possibly have worked an injustice to any employee of the Government, and which was so clearly in the interest of the public service. [Applause.]

Mr. ASHBROOK. Mr. Speaker, will the gentleman yield?

The SPEAKER. Will the gentleman from Tennessee yield to the gentleman from Ohio?

Mr. BYRNS of Tennessee. I yield to the gentleman.

Mr. ASHBROOK. I have followed my friend very carefully, and I fail to discover where the commissioner has been guilty himself of serious criticism of this committee. If I am not mistaken, the criticism the gentleman objects to is largely that of the newspapers and not of the commissioner.

Mr. BYRNS of Tennessee. But if the gentleman had listened——

Mr. ASHBROOK. I have listened patiently from beginning to end.

Mr. BYRNS of Tennessee. If the gentleman had listened to the quotations which I read, he would have seen that they were based on the express statements of the commissioner and that the papers state that he blamed the subcommittee and claimed that its action resulted in great distress to his bureau.

Mr. ASHBROOK. The gentleman undoubtedly has had as much experience with the newspapers as I have had, and therefore he should make due allowance for what some reporter may happen to say.

Mr. BYRNS of Tennessee. I will say to the gentleman that at least one of these quotations is largely made up from what purports to be a literal quotation from the commissioner, placed in quotation marks. I contend that it is exceedingly unbecoming, to say the least, and improper for any bureau chief in an executive department to undertake to criticize Congress or any one of its committees in the newspapers merely because it did not see fit to allow him all the clerks he asked for his particular bureau; and I think I have shown that in the appropriations made for the Pension Bureau there was not only an adequate provision made, but, in the interest of those employed, there was an appropriation made that was even larger than was necessary to carry on the work of that bureau.

Mr. ASHBROOK. I would like to inquire whether or not the gentleman made inquiry of the Commissioner of Pensions as to whether he really made the statement alleged to have been made by him in the public press?

Mr. BYRNS of Tennessee. I have not. But those statements were made, and they were given prominent headlines, and I am sure the gentleman read them at the time——

Mr. ASHBROOK. As they always do when an employee is discharged.

Mr. BYRNS of Tennessee. And, not only by direct deduction but inferentially, they undertook to put upon Congress the burden of whatever criticism might result because any employee of that bureau had been dismissed, whereas I have shown—I think, conclusively—that if the law had been followed and these vacancies had been preserved, as the commissioner is quoted as saying was done, there would not have been any necessity for discharging any clerks in that bureau.

Mr. BYRNES of South Carolina. Mr. Speaker, will the gentleman yield there?

Mr. BYRNS of Tennessee. I will.

Mr. BYRNES of South Carolina. I want to ask the gentleman whether the commissioner ever denied the accuracy of the newspaper quotations?

Mr. BYRNS of Tennessee. Not to my knowledge.

The SPEAKER. The time of the gentleman from Tennessee has expired.

Mr. COOPER of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman may have one minute to answer one question.

The SPEAKER. The gentleman from Wisconsin [Mr. COOPER] asks unanimous consent that the gentleman from Tennessee [Mr. BYRNS] may have one minute to answer a question. Is there objection?

There was no objection.

Mr. COOPER of Wisconsin. Did the commissioner or other official whom the gentleman from Tennessee has quoted impute anything in the way of wrongful motive to any Member of Congress?

Mr. BYRNS of Tennessee. I think if the gentleman will read the article that appeared in the Star he will find that while I would not say he imputed any wrongful motive he imputed to the subcommittee a disinclination to allow him the force necessary in the bureau; and my object in saying what I have this morning was to show that the subcommittee was more than liberal in recommending to the House the appropriation to which the House finally agreed.

Mr. COOPER of Wisconsin. If Congress reserves to itself the right in discussion to criticize executive officials without imputing wrongful motives to them, has not an official a right in a respectful way at any time to make similar criticism of Congress?

Mr. BRYNS of Tennessee. I have no objection, so far as I am concerned, to anyone in any department undertaking to criticize me in my representative capacity, nor, I am sure, has any Member of the House; but I do insist that when some one in an executive department goes out of his way to give interviews, and repeated interviews, in the Washington City papers which were possibly carried over the country, he ought to be careful to confine himself strictly to the facts, and not, as I contend in this instance, undertake to make statements which I am sure are not justified by the record. [Applause.]

The SPEAKER. The gentleman from Missouri [Mr. HENSLEY] is recognized.

Mr. HENSLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. HENSLEY. Mr. Speaker and gentlemen of the House, there is something peculiarly binding and compelling in that influence which is commonly called party loyalty. Not without the strongest and most sufficient reasons will men break away from their party and party associates and give their allegiance and support to another party. It makes it doubly hard where individuals have been the recipients of honors from time to time to turn against those with whom they have been associated so long, and upon the most friendly terms, and contribute their support to the election of another ticket.

Mr. Speaker, I say it requires great courage and patriotism to do this thing. I know how powerful the influences are to keep a Member regular upon all matters which come before Congress, and in some instances this influence is brought to bear in such a terrific way that it becomes thoroughly distressing to the individual.

And yet, this is exactly what a great body of Republicans did in the Sixty-first Congress in 1910. Men whose names I might mention were big enough, courageous enough, and, in some instances, at the sacrifice of their political lives, to go against all of these influences because they truly believed that things were in a bad way, governmentally speaking. They believed that the Government, in many regards, had been and was being removed from the great body of our people. They desired to restore the Government to the people. The people believed in these men, and they believed the charges preferred by them concerning conditions here at the seat of Government, which were at that time under the rule and domination of the "standpatters."

In two great national campaigns the issue was joined upon these charges, the fight made before the American people, and the verdict rendered by them. Many strong Republicans throughout our land, who placed their country higher than their party, acted in accordance with this information and belief, and voted against the reactionaries, which resulted in the Sixty-

second Congress being Democratic and the Sixty-third Congress overwhelmingly Democratic.

Now, Mr. Speaker, the question arises, Was that a false issue submitted to the American people? Were these charges untrue? Were the people misled, and did they make a mistake? Let us briefly and concisely sum up the case.

One of the things severely complained of by the progressive patriots was Cannonism in this House. They charged that legislation was controlled and often throttled by the autocratic power of the Speaker. Immediately upon coming into power the Democrats remedied this condition of affairs by restoring to the membership the right to select the committees of the House without any interference whatsoever from the Speaker. You would not take that power away from the membership of the House to-day and restore it to the Speaker, would you? That being true, were not the Progressives correct in the position they took upon that proposition?

You were in power in the Sixty-first Congress, yet you failed to enact the Sulloway bill, whilst in the Sixty-second Congress, with Speaker CLARK in the Chair, we passed the Sherwood pension law.

I have received no complaints from the old soldiers of my district because of the enactment of this legislation. This law enables them to enjoy some of the comforts in their old age to which they are entitled, and I am sure you would not repeal it, nor would these old patriots restore you to power in order that you might repeal it.

The Underwood tariff law passed the House by a vote of 255 to 104. Republicans voted for it, both here and in the Senate.

The manufacturers' associations had nothing whatever to do with the framing of that bill, nor were there any charges coming from any source regarding improper or corrupt influences exercised in connection with the passage of that law.

The income tax, which requires the wealth of the Nation to bear its just portion of the tax burden of the Government, and to that extent removes the burden from the backs of the poor, was enacted in connection with that tariff law. The people of the Nation for many years demanded an income-tax law yet, notwithstanding you were in undisputed control for 16 long years, you totally failed and refused to respond to their wishes and their demands.

The people will not repudiate the Democratic Party upon that issue, I feel sure.

You no doubt recall how you ridiculed the President when he courageously charged that a powerful and corrupt lobby infested the Capitol and was poisoning the very source and fountainhead of government. You did not believe the charge true, but the record of the investigating committee fairly reeks with testimony which supports the charge made by the President. I could cite many instances and quote from that record if time would permit.

Mr. Littlefield, of Maine, testified before the lobby investigating committee that he was made chairman of a subcommittee of the Committee on the Judiciary, and the duty of this subcommittee was to prevent certain remedial labor legislation from being reported out, and that there were enough Members who stood by him to effect that purpose.

For seven years he was chairman of this subcommittee, and his services were so acceptable to and appreciated by the National Association of Manufacturers that they put $18,000 into his campaign for his reelection to Congress and gave him $3,000 to defray his expenses to the Pacific Coast to recuperate his health. This sort of thing was not right; was not for the good of the Nation, but rather destructive of all good forms of government, and you all know it. And situations like this existed when we came into power.

The great banking houses of New York maintained a clerk, or secret agent, in the Treasury Department to keep them informed in advance upon all important rulings of the department affecting their interests. This was not done for the good of the whole people. Why did you not remove all these evidences of an invisible government while you were in power?

I hope this invisible government and power and its baneful effects to the American people have been destroyed forever, and if that has been accomplished that alone will entitle this administration and President Wilson to the continued confidence and support of the American people.

Thus far the Progressives seem to have been right in the position they took.

The laboring people of this Nation have for many years demanded legislation to which they were entitled, and when presented during this administration many of you on the other side of the aisle voted for it.

Let me inquire of you now, Was it good legislation? If it was not, why did you vote for it? If it was, then why did you not enact such laws when you were in power?

When I was a member of the Committee on Labor we reported out a bill creating a Department of Labor in the Cabinet, and to-day the Hon. W. B. Wilson, who was then the chairman of the Labor Committee, is Secretary of Labor.

The laboring people can well be congratulated upon the selection of Mr. Wilson for that place in the Cabinet, for the Nation could not have a more trustworthy or dependable servant.

"The proof of the pudding is the eating of it." Therefore I am submitting some of these issues as clearly and with as little unnecessary argument as I can.

We have practically put the Government upon the eight-hour basis throughout. The bill to which I refer passed the House without a roll call; no division upon it.

The bill creating the Children's Bureau passed the House without a roll call. On division vote, there were 177 yeas to 17 nays.

The anti-injunction law passed the House by a vote of 243 yeas to 31 nays. This piece of legislation will forever prevent the courts of the land from adjudging individuals guilty of contempt and throwing them into jail without giving them the right of a trial by jury simply because they were pursuing their constitutional rights to better their conditions in life.

The safety of railway employees bill passed the House without a roll call or division.

Mr. Speaker, the passage of all these wholesome laws were not accidental, but were in response to the popular and legitimate demands of the American people. Neither were they thought of and demanded only recently, but they have been demanded for many, many years, but demanded in vain.

The child-labor bill passed the House in the Sixty-fourth Congress by a vote of 337 to 48.

The currency law, which forever prevents Wall Street and the great big eastern banks from visiting paralyzing panics upon the Nation, was passed by a vote of 296 to 60.

Notwithstanding the deadly effects of the many panics through which the country has passed by reason of the defective banking laws, you never as much as attempted in a candid and earnest way to change the old, worn-out system which was largely based upon the bonded indebtedness of our country. Some have said the large banking interests prevented you from doing so. The issue of money under the old system was upon the indebtedness, which was in the main manipulated by the national banks holding the bonds of the Government.

The blessings to the Nation resulting from this piece of legislation is and will continue to be such that the people will not repudiate the party that has responded to their national wants and needs.

A whole speech might be devoted to this one piece of legislation and the prosperity and the security to our country by reason of this law.

In this connection I call attention to the rural-credits law, which when it gets into operation will enable the farmers of the land to borrow money for as low a rate of interest as 5 and 6 per cent. This is good legislation for all the people. If it is not, why did 295 Members vote for it and only 10 against it?

Why did you leave all of these beneficial laws to be enacted by the Democrats when they came into power? You certainly were in power long enough to respond to the needs of the people in all these lines, but you failed to do so.

For many years the people had demanded a change in the Constitution, so that they might have the right to vote directly for candidates for the United States Senate. It remained for the Democrats, when they came into power, to bring about and conclude this great reform. Certainly the people will not complain because of this.

I challenge any Republican to show during all the years you were in power such a list of accomplishments, so many beneficial laws favorable to the masses of our people, and, what is more, so thoroughly responsive to the demands of our people.

For years you charged that the Democratic Party was a party of negation; that if given power it would be unable to serve the Nation's needs, and I fear you made many of our good people believe this charge. But never again will they hearken to your voice upon such charges, for the vast majority of our people are more concerned about the Nation and its welfare than they are about the success of any party.

The masses want the people to rule this country and rule it wisely; and if one party is not obedient to the wishes of the American people and does not respond to their demands, they have the courage and manhood and patriotism to turn to another party for relief.

The Federal Trades Commission law passed the Sixty-third Congress without roll call or division.

This commission will forever put a stop to the old system of watering stocks and unloading them upon the people and then frequently squeezing the water out of the stocks, buying it back, and repeating this process from time to time. It controls the issue of stocks and the conduct of many of the corporations of our country.

A law preventing gambling in cotton passed the House by a vote of 107 to 21.

In the next Congress we should extend this law and its operation so as to include all farm products, so that the farmer's produce will not be subject to the manipulation of gamblers from year to year.

The good-roads bill passed the House by a vote of 252 to 81. The subject of good roads is very near to the hearts of the American people, because there is nothing more important.

The record in nearly every instance is a silent but potential and convincing proof of your confidence in Democratic policies, and it should forever estop you, my Republican friends, from railing and complaining to the American people.

The Lever agricultural extension bill passed the Sixty-third Congress, and upon that issue there was no roll call.

This law permits the States of the Nation to participate in appropriations from the Federal Government and the cooperation by State agricultural experts with our Federal experts in demonstrating and working out many vital questions which are of great importance to the farmers of our country.

The grain-grades bill also passed with no opposition.

The fact of the matter is that the war news has crowded out of the press of the country these internal matters to such an extent that we find few people are advised with reference to the magnificent record, progressive and responsive, passed by the Democratic administration, which the people have been sorely in need of for many years, yet were unable to get while you were in power.

The Clayton anitrust law, which prevents the great trusts and combinations of our country from crushing and putting out of business all small and competing concerns, passed the House in the Sixty-third Congress by a vote of 245 to 52, every Democrat voting for it, with 35 Republicans.

On the question of preparedness this administration has increased the appropriations both to the Navy and the Army several hundreds of millions of dollars. The fact is that the amount carried in the appropriation bills to support this arm of the Government is such that it will be almost impossible to expend it and put it to proper use between now and the time when the next Congress will be, as usual, called upon to provide for these wants.

No one can challenge us upon the great record that this administration has made in providing for the national defenses. And what is more, we are placing the burden for these increases upon incomes, inheritances, and a tax upon ammunition. We are not putting a stamp tax upon gasoline, notes, checks, telegrams, and so forth.

That revenue bill, to meet the emergency which now confronts the country, passed the House by a vote of 240 against 140, 39 Republicans voting for it.

It provides for a tariff commission also, so that the tariff can be treated scientifically in the future as the needs of our country require, thus removing all complaint by the business men of our country that the agitation of that question interferes with and disturbs business.

As to the old charge that has been made so frequently in years past with reference to the rule of Democracy being synonymous to panics and hard times, I need only call your attention to the fact that the resources of this Nation increased in a single year, from March, 1915, to March, 1916, $2,271,000,000, and that the aggregate resources of the national banks of the United States exceeds by $3,000,000,000 the combined resources of the central banks of England, France, Russia, Germany, the Netherlands, Switzerland, and Japan; and the wage scale throughout the United States has been advanced to such an extent that I need not dwell upon that; and the price of all farm products are such that all the farmer need concern himself about is the production of sufficient stuff to get to the market.

Now, Mr. Speaker, what will history record concerning the Progressives of 1910 and 1912 as to their purposes, their courage, patriotism, as well as statesmanship? I maintain they were right, and a vast body of the people of this Nation agreed with them in those campaigns to such an extent that the standpatters, the reactionaries, carried only two little States in 1912—Utah and Vermont. Such a pitiable showing for a great historic party to make.

History will say you were right then, but what will it say if you surrender now by returning to the same old party leaders in 1916 that you contended so courageously against in 1912?

If they are returned to power, have you any assurance that they have reformed and will do different in the future from what they did in the past? Can you teach the "old boys" new tricks? Can the leopard change his spots and the Ethiopian his skin? You may have all your work to do over again.

Having been so courageous heretofore, are you, my friends, right sure you are not actuated by political expediency now in returning to the reactionaries rather than compelling them to obey that law of physics which says the larger body attracts the smaller?

I can not believe that those millions of Progressives who voted with you four years ago, when they examine the record and find how progressive this administration has been along the lines they so much desired and to which you gave your support, will surrender now and confess by their action and their votes, as some of you seem to believe, that they were not in dead earnest then, and that they did not have the best interest of our country at heart. No, I say; I do not believe it, for I have confidence in the people irrespective of their party affiliation.

Now, as to the foreign policy of this administration—by the grace of God we all can boast of that. There is glory enough in it for President Wilson to cause his name to be emblazoned upon the pages of history as a man who, above all things else, desires for the sake of right to be right before God and his country.

He finds time to think of the misery and to be concerned about it, of the privations and sufferings of all, and of the horrors and the hell entailed upon a people by war, and he has sought to honorably avoid war.

Now, what is the position your party takes upon these matters? Upon a careful perusal of the Chicago platform, upon which Judge Hughes was nominated, one is led to believe that the great Republican Party really wants to criticize President Wilson because he was not more vigorous in demanding our rights against Germany.

I can not believe this is true. Now, Mr. Speaker, there are degrees of vigor that might have been employed. How vigorous would you have wished President Wilson to have been? As vigorous as Mr. Roosevelt in many speeches counseled? We all know, I am sure, just how vigorous he would have been if he had been President, but God only knows what the fate of millions of our boys would have been under his administration of the foreign affairs of this country.

Many people have been clamoring by words and deeds, individually as well as collectively, that we join England and the allies in that terrible war against Germany, but that issue will not strike a responsive cord in the breasts of the millions of parents of the country.

Is that the character of vigor you desired and would have employed had you been in power? I can not think so.

Is it possible, notwithstanding the reports that have come thick and fast concerning Mr. Hughes's desire to receive the German vote of the Nation, that there is some secret compact and understanding between those two gentlemen—Mr. Hughes and Mr. Roosevelt—upon this vital question?

Mr. Roosevelt from his speeches would have you believe that an individual can not sympathize with one of the parties engaged in that awful war without being disloyal to this country. He has abused this administration because it did not respond in opposing Germany at the instant it invaded Belgium. His language has been especially severe and bitter against those who have sympathized with one side in that war.

Every citizen worthy of the name should be an American first, last, and all the time. He should be ready to serve, even unto death, in order to perpetuate the glorious liberties of this Nation, purchased by the blood of our fathers and sanctified and made grander by the tears and prayers of our mothers. A citizen may sympathize with one or the other side engaged in that terrible war raging across the water, but I refuse to believe that any citizen will permit his sympathy to affect his loyalty to the Stars and Stripes of this our glorious land.

How many fathers and mothers of those boys who would have been contending in the trenches of Europe in that awful slaughter of mankind, had we joined either side, are complaining at the course pursued by President Wilson?

How many fathers and mothers will find it in their hearts to criticize, yea to repudiate, Mr. Wilson by voting against him because their boys are at home and not either dead, dying, or suffering in that terrible war, which is only a quarrel between the rulers of those nations, most of whom are closely related?

Do you suppose the mothers of this land, on the morning of the election in November, will embrace their boys and press a kiss upon their foreheads and then turn and tell the father to go

and vote against Woodrow Wilson because he has been responsive to the heart throbs and prayers of the millions of mothers and fathers all over this land?

I doubt whether there are any of you gentlemen on that side of the House who, when you consult your inmost consciences, really feel any regrets because Woodrow Wilson has been in the White House.

I doubt whether you know of any person whom you would rather have had there than him during these terrible troublesome times.

I am certain the American people have no regrets and will not now desire to "swap horses while crossing a stream." I wish there were some way by which our people might find out whether or not the rebellions in Mexico are financed in the main by so-called Americans, as well as other citizens who are residing at a safe distance from the trouble down there, who hold large property interests in that unfortunate country.

We all regret exceedingly that conditions are in such a way in Mexico. The clear purpose of President Wilson is to cooperate with the authorities in Mexico to suppress and keep down outlawry in every way possible, and to prevent incursions into our country by bandits is the one purpose we have in that country.

For four long years, between 1860 and 1865, a terrible war raged between the States. How would our people have felt had some other great and powerful nation intervened during that period? And for us to intervene now, at the instance of those who hold millions of acres of land in Mexico, gotten by concessions of various kinds, would be subversive to every principle of our Government.

This is the exact position President Taft took upon this question.

No citizen of our country but who knows that the loss of lives of our boys for such purposes by intervention would simply enhance the value of those interests and would not add luster to a single star in Old Glory. Thousands of our boys would be sacrificed, and hundreds of millions of indebtedness saddled upon the taxpayers of this country in order to sustain a few adventurers and to protect their fortunes.

We have no Missouri boys to offer up upon that altar. But in case President Wilson is driven to that extremity, all other means having failed, and Congress declares war, every boy and man of fighting age not only in Missouri but all over this broad land will respond instantly to a call to colors to sustain our honor and our integrity.

President Wilson with his great wisdom and superb courage will resort to every honorable means to save this Nation the horrors of war. [Applause.]

TRANSPORTATION OF THE NATIONAL GUARD.

Mr. HAY. Mr. Speaker, I am directed by the Committee on Military Affairs to report a privileged resolution (H. Rept. 942).

Mr. SPARKMAN rose.

The SPEAKER. For what purpose does the gentleman from Florida rise?

Mr. SPARKMAN. To call up a conference report.

The SPEAKER. There are three things pending. Really the gentleman from Florida [Mr. SPARKMAN] has the right to the floor, but the gentleman from Virginia [Mr. HAY] has a matter that can be disposed of very readily, a privileged resolution, and the gentleman from New York [Mr. FITZGERALD] has a little bill that he wants to get through, that will not take much time. If the gentleman from Florida will waive his right for a few minutes we will dispose of all three. The Chair wishes he would, because these things ought to be passed. The Clerk will report the resolution offered by the gentleman from Virginia [Mr. HAY].

The Clerk read as follows:

Resolution (H. Res. 292) directing the Secretary of War to transmit to the House of Representatives certain information relating to the troops of the National Guard mustered into the service of the United States.

Resolved, That the Secretary of War be, and he is hereby, directed to transmit to the House of Representatives full information as to the following matters:

First. Whether the troops of the National Guard mustered into the service of the United States and on their way to Mexico have been, or are being, transported in cars lacking sufficient sleeping space.

Second. Whether such cars have been, or are being, used to transport said troops without light.

Third. Whether said cars have been sidetracked and delayed en route to accommodate private business.

Fourth. Whether the troops en route have been subsisted by the Government in accordance with the United States Army Regulations or have been obliged to seek food of citizens, and whether the supply of drinking water in the cars has been sufficient.

Fifth. Whether cars used for the transportation of National Guard troops mustered into the United States service were inspected to protect the health and safety of the troops assigned to them, and by whom.

Sixth. Whether, being mustered into the service of the United States, the troops of the National Guard are equipped with arms and accouterments required by Army Regulations for actual service in time of war.

Mr. HAY. Mr. Speaker, I ask for a vote. The committee reported the resolution with the recommendation that it do pass.

The SPEAKER. The question is on agreeing to the House resolution.

The House resolution was agreed to.

Mr. HAY. Now, Mr. Speaker, I have a further privileged resolution of inquiry which the committee has reported, with the recommendation that it do pass.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Resolution (H. Res. 274) directing the Secretary of War to furnish the House with certain information regarding the National Guard of Arizona, New Mexico, and Texas.

Resolved, That the Secretary of War is hereby directed, if not incompatible with the public interest, to send to the House of Representatives the following information:

First. How many officers and men were enrolled in the National Guard of Arizona, New Mexico, and Texas, respectively, at the time when they were ordered into the service of the United States?

Second. Of the officers and men so enrolled, how many failed to present themselves in response to the order of the President, and how many others refused to perform service?

Third. How many recruits have been accepted in lieu of those officers and men who failed to respond or to perform service?

Mr. HAY. Mr. Speaker, the gentleman from Massachusetts [Mr. GARDNER], the author of the resolution, desires to offer an amendment, and I will yield for the purpose of the offering of the amendment, but not for the purpose of debate.

The SPEAKER. The gentleman will send up his amendment.

Mr. GARDNER. It is to be added at the end of the resolution.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Amendment by Mr. GARDNER: Add at the end of the resolution the following:

"Fourth. What was the net loss or gain in numbers in the National Guard of the above States, during the 10 days prior to the issuance of the order of the President?"

The SPEAKER. The question is on the amendment of the gentleman from Massachusetts [Mr. GARDNER].

The amendment was agreed to.

The resolution as amended was agreed to.

DESTITUTE AMERICAN CITIZENS IN MEXICO.

Mr. FITZGERALD. Mr. Speaker, by direction of the Committee on Appropriations I report the following bill, and ask unanimous consent for its present consideration in the House as in Committee of the Whole House on the state of the Union. (H. Rept. 941.)

The SPEAKER. The gentleman from New York asks unanimous consent for the present consideration of a bill which the Clerk will report.

The Clerk read the bill (H. R. 16911) making appropriation for the relief and transportation of destitute American citizens in Mexico, as follows:

Be it enacted, etc., That for the relief of destitute American citizens in Mexico, including transportation to their homes in the United States, there is appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $300,000, to be expended under the direction and within the discretion of the Secretary of State, and to be available for the fiscal years 1916 and 1917: *Provided*, That American citizens to whom relief is extended or transportation is furnished hereunder shall pay to or reimburse the United States all reasonable expenses so incurred respectively on their account if financially able to do so.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. MANN. Is that reported with an amendment?

Mr. FITZGERALD. The bill is reported without amendment.

Mr. CANNON. Mr. Speaker, I do not care for consideration of the bill in the House under the 5-minute rule, but I should like a little time.

Mr. FITZGERALD. We can consider it in the House, if the gentleman will indicate how much time he wants to use——

Mr. CANNON. I do not like to be handicapped and I do not like to burden the House. I do not think I will use more than 5 or 10 minutes, but, still, I might want 30 minutes, depending upon circumstances.

Mr. FITZGERALD. There is a conference report pending.

Mr. MANN. I do not think the gentleman will have any difficulty getting the time he wants.

Mr. FITZGERALD. There is no objection, so far as I am concerned, to the gentleman from Illinois having such time as he desires.

Mr. MANN. I do not believe there is a man in the House who would object to my colleague talking at any time.

Mr. CANNON. I do not care to burden the House.

Mr. FITZGERALD. How much time does the gentleman want to occupy? If he will indicate, I shall ask it for him.

The SPEAKER. The first question is, Is there objection to the present consideration of this bill? [After a pause.] The Chair hears none. Now the gentleman from New York [Mr. FITZGERALD] also asks that this bill be considered in the House as in Committee of the Whole. Is there objection to that? [After a pause.] The Chair hears none. The gentleman from New York will proceed.

Mr. FITZGERALD. Mr. Speaker, there has already been appropriated and expended for the purpose of removing American citizens from Mexico the sum of $740,000. The latter part of last month, because of the situation existing in Mexico, it was believed desirable that American citizens should leave there. At that time there was available about $40,000 of previous appropriations. Orders were issued to the American consuls throughout Mexico to notify American citizens and to aid them in every manner possible to remove to the United States. The result has been that obligations have been incurred in excess of the money that was available. As nearly as can be ascertained, it is estimated that there are about 5,000 American citizens still in Mexico to whom assistance must be rendered by the Government in order to transport them to the United States. On an average it takes about $60 per person to provide the transportation, subsistence, and, in some instances, depending upon the season of the year, some clothing, because of the changes of climate.

This matter is pressing. It is important that our citizens be given this help. It is impossible to predict with any certainty the course of events in Mexico, and for that reason the recommendation is made that the appropriation be made.

Unless some one has a question to ask, I shall make no further statement.

Mr. COX. I want to ask a question that is hardly relevant to this. How is the Government getting along with its collections from various individuals for money which the Government spent to get them back from Europe? At last accounts there were quite a number of suits pending.

Mr. FITZGERALD. The last statement I recall is to the effect that the Government will recover about 90 per cent.

Mr. COX. This is twice now that we have appropriated money to bring people out of Mexico.

Mr. FITZGERALD. Four times.

Mr. COX. I wonder if they will go back down there again if we get them home this time?

Mr. FITZGERALD. The representative of the State Department said that some of those taken out previously had gone back, but there is no way of telling just how many persons there are who have done that, and it is not believed that there are a great many.

Mr. COX. Then this money that is sought to be appropriated is to bring home Americans who have been down there?

Mr. FITZGERALD. Who have been down there. Under the law all American citizens residing there are registered with the American consul, and in that way it has been possible to obtain somewhat definite information as to the number.

Mr. COX. If they ever go back any more, I do not think we ought to spend 5 cents to bring them back.

Mr. BURNETT. Would the gentleman object to an amendment saying that those who go back after this resolution is passed shall not have their expenses paid when it is necessary for them to come out again?

Mr. FITZGERALD. That question was discussed, and the practical impossibility of administering such a provision would make it undesirable, as well as the fact that the number who have gone back is comparatively small out of the great number who have been brought out.

Mr. BURNETT. But, with the rather peaceful condition now, would not a great many of them go back? I notice in the press that a number have gone back who had come out, and that they are returning to their work. It seems to me that there ought to be something to hedge against that possibility.

Mr. FITZGERALD. The information before the committee was not to the effect that they have gone back. Of course there are some persons who simply cross the border, and probably will continue to do so; but this bill is to bring persons from distant portions of Mexico, not just across the line.

Mr. BURNETT. I suppose that the most of them are working people who go down there for employment?

Mr. FITZGERALD. Yes; and have been there for some time.

Mr. BURNETT. Mr. Speaker, I shall not offer any amendment; but if another resolution comes up in the future for any such purpose, I give notice that I shall offer an amendment that it shall not apply to those who have gone in there after the adoption of this resolution.

Mr. GOODWIN of Arkansas. May I ask the gentleman if this is for American citizens in Mexico now being returned to their respective homes?

Mr. FITZGERALD. They are sent to their homes or some designated place to which they desire to go in order to be located.

Mr. CANNON. Mr. Speaker, this appropriation makes in round numbers something over a million dollars appropriated for the purpose of bringing destitute American citizens to the United States. The appropriation that is made is exhausted, and they are now performing this duty without appropriation, and I have no criticism for that, because existing conditions require that destitute American citizens wherever they be in danger, are entitled to the protection of the National Government even to bringing them out from a sovereign Government—putting the emphasis on the sovereign.

It is hard for me to talk of existing conditions as an American citizen for fear that, inconsequential as I am as one Representative in the American Congress, I may say something that would give trouble to some ignorant parties in Mexico or elsewhere that might cause the loss of life or loss of property. So in perfectly cold blood I am going to talk a few minutes about the conditions that render this appropriation necessary. As a Member of the coordinate branch of the Government I have as much right to talk as has the Executive. [Applause on the Republican side.] I shall do it without malice, but I want to talk plainly.

The Executive under our Constitution is the Commander in Chief of the Army and the Navy. He is over all generals, over all naval officers, and supreme as a commander in chief. Most military commanders in time of stress do not make their orders through the newspapers, and that would be well, it seems to me, for the President of the United States, Commander in Chief of the Army and Navy, just under these conditions to recollect that there are some things that had better not be ordered or indicated through the newspapers. [Applause on the Republican side.]

The whole Mexican situation has not met my approval or the approval of this side of the House or the approval of that side of the House or the approval of the American people. It is almost, if not quite, three years ago when a sovereign Government, our Government, without any declaration of war, without any authority, unless it is justified under the Monroe doctrine, said to the President of a sovereign Government—Mexico—"Get out." It was a de facto government, a sovereign Government, with more power than has existed in Mexico from that time to this. [Applause on the Republican side.] But it took a year for Carranza and Villa, with the aid of the United States, directed by the President, to get Huerta out. As I said once before, he evidently had red blood.

Well, it was force then in Mexico. The Commander in Chief, our President, wanted them to have a constitutional election down there, and he directed that anybody could be a candidate except Huerta. That is stretching the Monroe doctrine tolerably far, is it not? [Laughter and applause on the Republican side.] You all recollect what happened. You all recollect that no sooner was Huerta out than the other bandits fell out and fought and fought, with the destruction of property of American citizens and the taking of lives of American citizens. Our Secretary of State said, "We did not invite you to go down into Mexico; take care of yourselves." I think I give his language in substance. In the fullness of time Mr. Bryan got out. I do not know whether he fell out with the President or the President fell out with him on this account, but he fell out. [Laughter and applause on the Republican side.]

It ran along until our President recognized Carranza as the de facto government, and still there was no law and order in Mexico. Other nations recognized the de facto government of Carranza.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. MANN. Mr. Speaker, I ask unanimous consent that my colleague may proceed for 15 minutes.

The SPEAKER. The gentleman from Illinois asks unanimous consent that his colleague may continue for 15 minutes. Is there objection?

There was no objection.

Mr. CANNON. Well, it went from bad to worse. An embargo levied by our Government as against Huerta was raised and all the arms that Carranza and Villa wanted went in.

Now, jump over a considerable period. One of these bandits, Villa, crossed the border and killed our soldiers and citizens. There was justly great excitement and indignation. Then it was that the Commander in Chief of the Army and Navy—the President—ordered Gen. Pershing to cross the border and catch that

bandit. Well, he was invading a sovereign country. Public sentiment, I think, justified him in going. You all know what happened. Then at Carrizal our boys in blue in the Regular Army were killed or taken prisoners.

Well, those who survived had been sent back, it is so said, and those who are dead, Americans, have been passed by as still dead—soldiers and American citizens. Now, that was by the order of Carranza. Has he ever revoked that order? Has he ever apologized for that order? And that action, with subsequent action upon his part, caused the President of the United States to issue a proclamation, under which and by virtue of subsequent law enacted, 125,000 of our people have been drafted into the public service, and a great lot of them are now down upon the border. That is a threat at least, is it not? What is the President going to do with them? I just ask these questions. We are still getting out the destitute American citizens—and that is right, and I am for this bill—but I just want to read a little bit here from a speech from the Commander in Chief of the Army and Navy of the United States—the President—made, not down upon the border, not by orders sent out, but to a popular assemblage. In the course of that speech in Detroit yesterday he said:

> I hear some men say that they want to help Mexico, and the way they propose to help her is to overwhelm her with force. That is the wrong way as well as the long way. After fighting them you would have a nation full of justified suspicion. Thus you would not help them. You would shut every door against you. What makes Mexico suspicious is that she thinks we do not want to serve, but possess her.

Good God! Have we not given evidence, line upon line, precept upon precept, in Congress and out of Congress, by public sentiment and by proclamation of the President, and by all of our action for three years past, that we do not want to possess her? I quote further from the President's speech:

> And she has justification for these suspicions in the way some gentlemen have sought to exploit her possessions.

I suppose some one of these 5,000 that we are getting out, some one probably other than those 5,000, but some one, he does not mention whom. Again, to further quote, he says:

> I will not serve these gentlemen, but I will serve all Americans by trying to serve Mexico herself. The way to establish our sovereignty is to respect hers.

The President added that he believed in the old Virginia bill of rights, which declared that a country may do as it chooses with its own Government. This information, the President said, was for those gentlemen who would "butt in."

Mr. Speaker, that bill of rights is all right in Virginia, but the trouble is that it does not apply to Mexico, for there is no responsible government in Mexico. Does Villa represent it? Does Carranza represent it? Does Zapata represent it?

What are we doing down there, if there is responsible sovereignty in Mexico, with the Regular Army and a hundred thousand drafted men upon the border? What are we doing there if it is a responsible sovereignty, or with this appropriation, spending over a million dollars to bring out of there destitute American citizens? Stop and think a minute. Does the Virginia bill of rights apply to Mexico in her condition? No; no more than it does to Haiti, no more than it does to Nicaragua, and let me call your attention to the fact that in Haiti by force the President has set up a government and has made a treaty with it, and is supporting it by our soldiers; and in Nicaragua we have seized and are collecting the revenues, and by what right? There is no written law in statute or Constitution that gives us the right. I suppose the President justifies under the Monroe doctrine. The trouble with the President is that there is no responsible sovereign power in Mexico. It shifts from day to day, and yet we are not to use force. Good God, if we are not to use force, then call home the hundred thousand boys that are down there. [Applause on the Republican side.]

Do you want to go in? I am not anxious for war, God knows. I wish that we could be protected, as I said once before, and as I say now, and I wish that they could be protected, but, in my judgment, with the cooperation of the President—and I am quite sure this side of the House is ready to cooperate and I believe that side is ready to cooperate—we can take possession of Mexico and restore law and order and protect the lives and property of our citizens, and when a stable government is organized the United States can make a treaty with it as we have done with Cuba—that if Mexico does not preserve law and order the United States shall do so. "Butt in," says the President. Who is "butting in"? [Laughter on the Republican side.] Who journeys a thousand miles inland to talk about not using force when the boys in blue are down there? What are they there for except to use force if it is necessary?

Mr. Speaker, there are other things that I might say before this Congress adjourns. If the spirit moves me, belonging to Friends' meeting as I did when a boy, and still believing somewhat in the discipline of that meeting, I suppose I may ask for an hour before the Congress adjourns to talk upon this subject, and I only talk now to see if I can say something that will affect your President and mine, and to suggest that he will best serve this great Republic by forgetting for a month or two months that he is a candidate for the Presidency, and that he could best secure his election by not making his proclamations to popular audiences and talking about men "butting in." [Applause on the Republican side.]

The SPEAKER pro tempore (Mr. ADAMSON). The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. FITZGERALD, a motion to reconsider the vote by which the bill was passed was laid on the table.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. SPARKMAN. Mr. Speaker, I call up the conference report on the bill H. R. 12193, the river and harbor appropriation bill, and I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER pro tempore (Mr. FITZGERALD). The gentleman from Florida calls up the conference report on the river and harbor appropriation bill and asks unanimous consent that the statement may be read in lieu of the report. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will read the statement.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (NO. 918).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12193) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 12, 16, 25, 28, 33, 42, 43, 44, 55, 66, and 85.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 4, 5, 6, 9, 10, 14, 15, 18, 19, 20, 21, 23, 24, 34, 35, 36, 37, 38, 39, 46, 50, 51, 52, 53, 54, 56, 57, 59, 60, 62, 64, 65, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 78, 81, 82, 83, 86, 88, and 89, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: Strike out item and insert:

"Harbor of refuge at Duck Island, Conn.: For restoring depth behind Duck Island Breakwater, $71,000."

And the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In the proposed amendment before the word "Commerce" insert the words "War and the Secretary of"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following:

"Government iron pier in Delaware Bay near Lewes, Del.: For maintenance in accordance with the report printed in House Document No. 1059, Sixty-fourth Congress, first session, $10,000: *Provided*, That hereafter said pier shall be open to public use under regulations to be prescribed by the Secretary of War: *Provided further*, That the provision of the act of March 3, 1891, authorizing the transfer of said pier to the Treasury Department is hereby repealed."

And the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In the proposed amendment strike out the figures "$78,000" and insert the figures "$60,000"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In the amended paragraph strike out the word "For" in line 1, page 17, and insert in lieu thereof the words "Continuing improvement and for"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: In the amended paragraph strike out the word "Texas" in line 11, page 22, after the words "Washita River," and insert the word "Oklahoma"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In the proposed amendment strike out the figures "$30,700" and insert the figures "$30,500," and strike out the word "fourteen" after the word "and" and insert the word "thirteen"; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following:

"Harbors and connecting waters of the Great Lakes, with a view to determining what additional improvements would be necessary in order to permit these waterways to accommodate vessels able to pass through the Welland Canal when enlarged by the Dominion of Canada, including report as to the character and drafts of vessels which may be expected to use the canal when so enlarged."

Transfer item so modified to the survey section of bill (sec. 2).

And the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following: "*Provided*, That the pierhead for marking the east end of the east breakwater extension provided for in the existing project shall be located at the east extremity of the breakwater as now built, said pierhead to be constructed with funds heretofore appropriated for the construction of said breakwater"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment as follows: Strike out all of the proposed amendment and the figures "$17,000" in the preceding item and insert in lieu thereof, after the word "maintenance," the following: "$20,400: *Provided*, That of this amount $3,400 may be expended for dredging above Ogden Street Bridge"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In the proposed amendment strike out the figures "$10,000" and insert the figures "$4,000"; and the Senate agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment as follows: Strike out all of proposed amendment and the figures "$25,000" in the item immediately preceding and insert in lieu thereof, after the words "St. Clair" and the comma, the figures and language following: "$108,325: *Provided*, That of this amount the sum of $83,325 may be expended for the purpose of securing a channel in St. Clair River along the water front of Port Huron, Mich., in accordance with the report printed in House Document No. 782, Sixty-fourth Congress, first session"; and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following:

"Duluth-Superior Harbor, Minn. and Wis.: Continuing improvement by enlarging the Superior Harbor basin in accordance with report printed in House Document No. 651, Sixty-fourth Congress, first session, $180,000: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials or work as may be necessary to complete said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate $180,000, exclusive of the amounts herein and heretofore appropriated."

And the Senate agree to the same.

Amendment numbered 40: That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: In the proposed amendment strike out the words "and Round Lake" where they last occur, near the close of the paragraph; and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: In the proposed amendment strike out the words "shall be immediately" and insert in lieu thereof "may, in the discretion of the Secretary of War, be"; and the Senate agree to the same.

Amendment numbered 45: That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment as follows: In the proposed amendment strike out the figures "$100,000" and insert in lieu thereof "$75,000"; and the Senate agree to the same.

Amendment numbered 47: That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment as follows: In the proposed amendment strike out the figures "$28,000" and insert the figures "$14,000"; and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following:

"Los Angeles Harbor, Cal.: Continuing improvement by the construction of a diverting dam for the protection of Los Angeles and Long Beach Harbors in accordance with the report printed in House Document No. 462, Sixty-fourth Congress, first session, and subject to the conditions set forth in said document, $500,000."

And the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: In the item proposed insert after the word "*Provided*" the words "this appropriation is made on the condition precedent that"; strike out the word "donates" and insert the words "shall donate"; and the Senate agree to the same.

Amendment numbered 58: That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment as follows: In the proposed amendment strike out the word "survey"; and the Senate agree to the same.

Amendment numbered 61: That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: In the proposed amendment strike out the colon and the words "For survey," after the word "Georgia," and insert a comma; and the Senate agree to the same.

Amendment numbered 63: That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment as follows: In the proposed amendment strike out the words "Ship Channel from" and insert in lieu thereof the word "From"; and the Senate agree to the same.

Amendment numbered 77: That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment to read as follows: In the proposed amendment, after the word "thereof," insert the following:

"As a part of the examination which the Secretary of War is hereby required to make, he is directed to report whether access to the river at St. Paul Harbor, by persons and shippers desiring to use the same for the purposes of transportation or travel thereon, is so completely dominated by private control as to materially impede or burden traffic originating or terminating there; and, if he shall so find, he is further directed to report what steps are necessary to free said landing place from such improper control or obstruction, and also if, in his opinion, it is advisable for the United States to acquire the fee simple to the said landing place and the approach thereto, by condemnation or otherwise."

And the Senate agree to the same.

Amendment numbered 79: That the House recede from its disagreement to the amendment of the Senate numbered 79, and agree to the same with an amendment as follows: In the proposed amendment strike out the words "beginning in or near lot 1 of section 24, township 144 north, range 25 west of fifth principal meridian, thence southerly and terminating in or near section 22, township 55 north, range 27 west of the fourth principal meridian"; and the Senate agree to the same.

Amendment numbered 80: That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following:

"State of Kansas, floods in: Investigate the flood periods of the Kansas River and its tributaries, the Cottonwood and Neosho Rivers in the State of Kansas by an examination of the territory and from data already gathered by governmental, State, private efforts, and by the board of engineers of the War Department, and to devise some general plan which will best guard against the recurrence of floods and diminish their damaging effects upon

the lower valleys of the Kansas, Arkansas, Missouri, and the Mississippi Rivers."

And the Senate agree to the same.

Amendment numbered 84: That the House recede from its disagreement to the amendment of the Senate numbered 84, and agree to the same with an amendment as follows: In the proposed amendment strike out the words "That a survey of the" and the words "is hereby ordered to be made"; and the Senate agree to the same.

Amendment numbered 87: That the House recede from its disagreement to the amendment of the Senate numbered 87, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following:

"Weymouth Fore River, Mass.: Completing improvement, including the removal of the small shoal south of the west end of Peddocks Island, in accordance with the report printed in Senate Committee Document No. 13, Sixty-third Congress, third session, and subject to the conditions set forth in said document, $200,000."

Transfer the item thus amended to page 2 of bill, following line 21, for "Weymouth Fore River, Mass."

And the Senate agree to the same.

S. M. SPARKMAN,
GEO. F. BURGESS,
W. E. HUMPHREY,
Managers on the part of the House.

JAMES P. CLARKE,
JOS. E. RANSDELL,
KNUTE NELSON,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference of the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12193) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, submit the following written statement explaining the effect of the action agreed on:

The rivers and harbors bill as it passed the House carried cash appropriations in the sum of $37,898,410, and continuing-contract authorizations amounting to $1,710,000, a total for the House bill in cash and authorizations of $39,608,410. The amount added by amendment in the Senate was $4,840,475, of which $3,825,525 was in cash appropriations and $1,014,950 in continuing-contract authorizations, making the total of the bill as it passed the Senate $41,723,935 in cash and $2,724,950 in continuing-contract authorizations, a total of $44,448,885 for the bill. As a result of the conference the amount involved in the Senate amendments has been reduced from $4,840,475 to $3,277,675, a net reduction of $1,562,800, making the total of the bill as it now stands, cash and authorizations, $42,886,085.

The following statement shows the action taken by the conference on each of the Senate amendments:

Amendment No.	Page of bill.	Action of conference.
1	3	New London Harbor, Conn.: Item adopts project and appropriates $170,000 for its prosecution, subject to conditions. House conferees recede
2	3	Harbor of refuge at Duck Island, Conn.: Item appropriates $71,000 for restoring depth of 16 feet in anchorage area behind Duck Island. House conferees recede.
3	3	Narrows of Lake Champlain, N. Y. and Vt.: Item adopts project. Senate conferees recede.
4	5	Black Rock Harbor, N. Y.: Item consolidates project for Tonawanda Harbor and Niagara River with that for Black Rock Harbor and extends 23-foot depth over a portion of the former project, the work to be done with funds heretofore appropriated and authorized. House conferees recede.
5, 6, 7	9	Crum River, Pa.: Items 5 and 6 make slight verbal changes. Item No. 7 provides for construction and maintenance of bridge over Crum River, expense to be borne by abutting property owners. House conferees recede, with amendment making the construction satisfactory to the Secretary of War.
8	11	Government iron pier, Harbor of Lewes, Del.: Item provides for maintenance and use of the pier under regulations to be prescribed by the Secretary of War. House conferees recede, with amendment providing the work shall be done in accordance with the report printed in House Document No. 1059 (64th Cong., 1st sess.); also repealing provision in act of Mar. 3, 1891, transferring pier to the Treasury Department.
9	11	Elk and Little Elk Rivers, Md.: Item provides that dredging be carried up to Bridge Street Bridge at Elkton. House conferees recede.
10	14	Savannah River at Augusta, Ga.: Item provides for continuing work heretofore begun by Government. House conferees recede.
11	14	Altamaha, Oconee, and Ocmulgee Rivers, Ga.: Item increases amount allowed by House from $53,000 to $78,000. House conferees recede with amendment reducing amount to $60,000.
12	18	Key West Harbor, Fla.: Item appropriates $50,000 for removing the middle ground. Senate conferees recede.
13	19	Pascagoula Harbor, Miss.: Item increases amount allowed by House from $35,000 to $80,000. House conferees recede with verbal amendment.
14	20	Passes at mouth of Mississippi River: Item increases amount allowed by the House from $600,000 to $1,000,000. House conferees recede.
15	23	Channel to Port Bolivar, Tex.: Item increases amount allowed by House from $25,000 to $50,000. House conferees recede.
16	24	Sabine-Neches Canal, Tex.: Item appropriates $70,000 for making a cut-off on Neches River. Senate conferees recede.
17, 18	25	Red River, Ark. and Tex.: Items increase amount allowed by House from $25,000 to $50,000. House conferees recede with verbal amendment.
19, 20, 21	25	Arkansas River, Ark. and Okla.: Item increases amount allowed by House from $200,700 to $234,700 and provides for bank protection at Pine Bluff and at Little Rock and vicinity. House conferees recede.
22	25	White River, Ark.: Item increases amount allowed by House from $30,500 to $30,700, and makes $8,000 appropriated in act of 1913 available unconditionally for work at De Valls Bluff. House conferees recede with amendment restoring amount to $30,500 and making verbal change.
23	25	Cache River, Ark.: Item strikes out House provision appropriating $3,000, and inserts provision declaring river to be nonnavigable. House conferees recede.
24	26	Tennessee River, Tenn., Ala., and Ky.: Item corrects typographical error. House conferees recede.
25	27	Tennessee River, Tenn., Ala., and Ky.: Item strikes out two House provisions, one providing that local interests pay all claims for flowage damages; the other prescribing type of dams according as the local interests may contribute toward flowage damages. Senate conferees recede.
26	27	Welland Canal, Dominion of Canada: Item directs investigation of character and draft of vessels to be accommodated by the canal when enlarged. House conferees recede with amendment transferring item to section 2 of bill.
27	28	Cleveland Harbor, Ohio: Item provides for construction of pierhead at end of east breakwater. House conferees recede with verbal amendment.
28	28	Arcadia Harbor, Mich.: Item appropriates $25,000 for improvement and rebuilding of old piers. Senate conferees recede.
29	29	Menominee Harbor and River, Mich. and Wis.: Item appropriates $16,000 for dredging above Ogden Street Bridge. House conferees recede with amendment consolidating item with preceding item in bill and reducing amount for this work to $3,400.
30	29	Saugatuck Harbor and Kalamazoo River, Mich.: Item appropriates $10,000 for maintenance. House conferees recede with amendment reducing the amount to $4,000.
31	30	St. Clair River, Mich.: Item appropriates $83,325 to secure additional channel along the front of Port Huron. House conferees recede with amendment changing title of project.
32	31	Duluth-Superior Harbor, Minn. and Wis.: Item appropriates $180,000 and authorizes contract for $180,000 to provide for enlarging the Superior Harbor Basin. House conferees recede with verbal amendment.
33	32	Illinois River, Ill.: Item provides for regulating the diversion of water from Lake Michigan, the fixing of reasonable tolls in connection with the proposed improvement of the river by the State of Illinois, and that the navigation features shall meet the approval of the Secretary of War and the Chief of Engineers. Senate conferees recede.
34	34	Government dike in Mississippi River opposite the city of Louisiana, Mo.: Item appropriates $15,000 for raising dike. House conferees recede.
35, 36	35	Mississippi River from Head of Passes to mouth of the Ohio River: Item 35 places the Ohio River from its mouth to mouth of Cache River under the jurisdiction of the Mississippi River Commission.

Amendment No.	Page of bill.	Action of conference.
35, 36	35	Mississippi River from Head of Passes to mouth of the Ohio River—Continued. Item 36 substitutes the word "are" for the word "is." House conferees recede from disagreement to both amendments.
37	36	Mississippi River from Head of Passes to mouth of the Ohio River: Item provides that the improvement of the Ohio River by the construction of locks and dams shall not be considered as transferred to or placed under jurisdiction of the Mississippi River Commission by amendment No. 35; and for a survey of the Atchafalaya River by said commission. House conferees recede.
38	36	Mississippi River from Head of Passes to mouth of the Ohio River: Item places the Arkansas River, from its mouth to its intersection, with division line between Lincoln and Jefferson Counties, Ark., under the jurisdiction of the Mississippi River Commission. House conferees recede.
39	38	Mississippi River from mouth of Missouri River to Minneapolis, Minn: Item increases the amount appropriated by the House from $1,200,000 to $1,500,000. House conferees recede.
40	39	Reservoirs at headwaters of the Mississippi River: Item provides for abandonment of that part of project between Gull Lake and Round Lake, and between Round Lake and Long Lake; and for the surrender of flowage rights to the parties entitled thereto. House conferees recede with amendment striking out the words "and Round Lake" in line 14.
41	39	Gasconade River, Mo.: Item provides that obstructions near Heckman's mill, at Pryors Bend be removed with funds from the amount appropriated by the House for said river. House conferees recede with amendment striking out the words "shall be immediately," and inserting in lieu thereof the words "may, in the discretion of the Secretary of War, be."
42, 43, 44	40	Missouri River: Items provide $25,000 in excess of amount allowed by House for bank revetment between Sioux City and Fort Benton. Senate conferees recede.
45	40	Missouri River: Item appropriates $100,000 for bank revetment at or near the city of Vermilion, Clay County, S. Dak., and provides that none of this amount shall become available until local interests shall have contributed an amount equal to one-third of the sum herein appropriated. House conferees recede with amendment reducing amount to $75,000.
46	41	Missouri River at St. Joseph, Mo.: Item provides that amount of local contribution shall not exceed two-fifths of total amount expended. House conferees recede.
47	41	Colorado River, Ariz.: Item increases amount allowed by House from $3,000 to $28,000 to provide for repair and enlargement of Government levee on the Gila River at Yuma. House conferees recede with amendment reducing amount to $14,000.
48	41	Los Angeles and Long Beach Harbors, Cal.: Item provides for building a diverting dam to protect harbors from silt deposits, appropriating $1,080,000 to complete. House conferees recede, with amendment reducing the amount appropriated to $500,000, the work to be done in accordance with conditions in project report.
49	42	San Diego Harbor, Cal.: Item appropriates $220,000 for enlarging the inner harbor, subject to the condition that 500 acres of tidelands known as Dutch Flats be donated to the Government. House conferees recede, with amendment stating conditions with greater certainty.
50	44	Tillamook Bay and Bar, Oreg.: Item provides for maintenance of the river from Bay City to Tillamook City. House conferees recede.
51	45	Willapa Harbor and River, Wash.: Item appropriates $100,000 cash and authorizes continuing contract for $247,950 to complete, subject to conditions set forth in project. House conferees recede.
52	46	Kahului Harbor, Hawaii: Item appropriates $100,000 cash and authorizes continuing contract for $150,000 to construct the west breakwater. House conferees recede.
53	46	Examinations, surveys, and contingencies: Item increases amount allowed by House from $250,000 to $350,000 to defray expenses of surveys added by Senate amendments. House conferees recede.
		SURVEY ITEMS.
54	47	Kennebec River, Me.: House conferees recede.
55	48	Point Judith Harbor of Refuge, R. I., landing place at: Senate conferees recede.
56	48	Point Judith Harbor of Refuge, R. I., removal of shoals: House conferees recede.
57	48	New York Harbor, N. Y.: House conferees recede.
58	49	Greenwood Lake, N. J.: House conferees recede.
59	49	Hackensack River, N. J.: House conferees recede.
60	50	SURVEY ITEMS—continued. Elk River, Md.: House conferees recede.
61	51	Front River, Ga.: House conferees recede with amendment striking out the words "For survey."
62	52	Key West Harbor, Fla.: House conferees recede.
63	52	Apalachicola Bay, Fla.: House conferees recede with amendment striking out the words "Ship channel."
64	52	Waterway between Sarasota Bay and Miakka River, Fla.: House conferees recede.
65	53	Mulberry Fork of the Warrior River, Ala.: House conferees recede.
66	53	Brazos River and Colorado River, Tex.—instrumental survey of: Senate conferees recede.
67	54	Trinity River near Liberty, Tex. House conferees recede.
68	54	Texas City Harbor, Tex.: House conferees recede.
69	54	Brazos River, San Antonio River, Colorado River, Trinity River, Red River, and the tributaries of these rivers, Texas, Arkansas, Oklahoma, and Louisiana: House conferees recede.
70	54	Sulphur River, Tex. and Ark.: House conferees recede.
71	54	Sulphur River and Days Creek, Tex. and Ark.: House conferees recede.
72	54	San Antonio River, Tex.: House conferees recede.
73	55	Arkansas River, from Little Rock to its mouth: House conferees recede.
74	55	Cache River, Ark.: Item strikes out House provision. House conferees recede.
75	56	Thunder Bay River, Mich.: House conferees recede.
76	56	Black Lake Harbor, Mich.: House conferees recede.
77	57	St. Paul Harbor, Minn.: House conferees recede with amendment directing investigation into the ownership and control of the waterfront property in St. Paul.
78	57	Traverse and Big Stone Lakes, Minn. and S. Dak.: House conferees recede.
79	57	Mississippi River, near Deer River, Minn.: House conferees recede with amendment striking out the words from and including the word "beginning," in line 21, page 57, to and including the word "meridian," in line 1, page 58.
80	58	Kansas River and its tributaries, the Cottonwood and Neosho Rivers, Kans.: House conferees recede with amendment confining the investigation to the Kansas River and its tributaries, the Cottonwood and Neosho Rivers.
81	58	Umpqua River, bar, and entrance, Oreg.: House conferees recede.
82	59	Yaquina Bay and Harbor, Oreg.: House conferees recede.
83	59	Youngs Bay, Oreg.: House conferees recede.
84	59	Columbia River, from mouth of Snake River to Priest Rapids: House conferees recede with verbal amendment.
85	60	Canal connecting Puget Sound with Grays Harbor, Willapa Harbor, and the Columbia River, Wash.: Senate conferees recede.
86	60	Virgin River, Nev.: House conferees recede.
87	61	Weymouth Fore River, Mass.: Item adopts project and appropriates $200,000 to complete. House conferees recede with verbal amendment.
88	62	Item authorizes the acceptance of donations for the purpose of illuminating the Statue of Liberty on Bedloe Island, New York Harbor: House conferees recede.
89	62	Item renumbering section of House bill: House conferees recede.

All of which is respectfully submitted.

S. M. SPARKMAN,
GEO. F. BURGESS,
W. E. HUMPHREY,
Managers on the part of the House.

Mr. SPARKMAN. Mr. Speaker, I wish to see if we can have some agreement as to time for discussion of this conference report, and I would suggest, Mr. Speaker, that the discussion of the report be confined to one hour.

Mr. HUMPHREY of Washington. Mr. Speaker, I have requests for 40 minutes on this side. I suggest the time be extended so as to make it 1 hour and 20 minutes. I do not reserve any time for myself but have requests for 40 minutes, and I want to yield that much.

Mr. SPARKMAN. Could the gentleman get along on 35 minutes if we make it 70 minutes?

Mr. HUMPHREY of Washington. I will say to the gentleman that requests have been made for 40 minutes, which I

think is reasonable, by two gentlemen, both members of the committee; one asked for 10 minutes and the other for 20 minutes, and I understand the gentleman from Wisconsin [Mr. STAFFORD] says he wants 5 minutes.

Mr. STAFFORD. I might wish to have five minutes.

Mr. HUMPHREY of Washington. So we had better make it an hour and 20 minutes, and the gentleman from Florida yield 5 minutes of that time to the gentleman from Wisconsin.

Mr. SPARKMAN. Then, Mr. Speaker, I ask unanimous consent that the discussion of this conference report be confined to an hour and 20 minutes, one half to be controlled by myself and half by the gentleman from Washington [Mr. HUMPHREY].

The SPEAKER pro tempore. The gentleman from Florida asks unanimous consent that debate upon the pending conference report be limited to an hour and 20 minutes, one-half of that time to be controlled by himself and one-half by the gentleman from Washington [Mr. HUMPHREY]. Is there objection?

Mr. HARRISON. Mr. Speaker, reserving the right to object merely for the purpose of asking a question, I have heard some talk that there will not be a vote this afternoon on the bill. Can the gentleman tell me anything about that?

Mr. SPARKMAN. My purpose, Mr. Speaker, is to have a vote this afternoon.

Mr. HARRISON. To vote this afternoon?

Mr. SPARKMAN. That is my purpose.

Mr. HUMPHREY of Washington. Mr. Speaker, reserving the right to object, I want to ask the gentleman from Florida out of his time will he yield five minutes to the gentleman from Wisconsin [Mr. STAFFORD], because I have not got five minutes to give?

Mr. SPARKMAN. I will; yes.

Mr. HUMPHREY of Washington. All right.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida that debate be limited to 1 hour and 20 minutes, half to be controlled by himself and half by the gentleman from Washington? [After a pause.] The Chair hears none, and it is so ordered, and the gentleman from Florida is recognized for 40 minutes.

[Mr. SPARKMAN addressed the House. See Appendix.]

The SPEAKER pro tempore. The gentleman from Wisconsin [Mr. FREAR] is recognized for 30 minutes.

Mr. FREAR. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. The gentleman from Wisconsin [Mr. FREAR] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. FREAR. Mr. Speaker, yesterday we voted in this House to raise additional revenue of $197,000,000 for the purpose of paying Government expenses, and I wish you would give me your attention for a few moments until I can explain to you some of the propositions that are contained in this river and harbor bill on which the conferees have reported favorably and which is to be paid for out of that direct-tax bill the House passed yesterday.

The two river and harbor bills for 1914 and 1915 reaching over $92,000,000 were defeated in the Senate last session and two substitute bills were passed for $50,000,000, making a saving of $42,000,000 over House bills passed for the larger amount.

The 1916 bill passed the House at $39,608,401. We secured 143 votes against the bill and 159 votes in favor of a $20,000,000 substitute, counting 10 pairs against the bill. In the Senate $4,840,475 was added, making $44,448,885, or a larger amount than contained in any waterway bill that has come before the House during the last three years. That bill passed the Senate by a close vote of 35 to 32. A change of two votes would have defeated the bill. On a proposed substitute of $30,000,000 the amendment was defeated in the Senate by one vote. The conference report on this bill carries $42,886,085, or $3,277,675 more than when it passed the House. No man who voted against the original bill can find excuse in voting for the conference report, but on the contrary every objection still exists with others added. It ought to be defeated and a substitute of 10 or 15 million dollars placed in the hands of the Secretary of War to care for emergencies. It may be said that one-half of the last substitute was wasted by Army engineers, as has been shown by an analysis of allotments, but the smaller the appropriation the smaller the waste, and Army engineers are no more wasteful than Congress, providing funds are restricted.

Mr. Speaker, when the River and Harbor bill passed the House many specific items of waste or extravagance were specifically pointed out. Gross misstatements of river traffic were also shown by an analysis of commerce reports furnished by engineers, and, generally speaking, a mere statement of facts presented an unanswerable argument of waste.

Over $9,000,000 in the 1916 bill is carried for the Mississippi River, counting $1,000,000 for the Passes, on which over $18,000,000 have been spent. Over $150,000,000 of Government funds have been sunk in and along that river, and the commerce has decreased 90 per cent while we were squandering that enormous amount of money.

Five million dollars of the 1916 bill is for the farcical Ohio River canalization scheme, apart from over a half million for open-channel work. About $50,000,000 has been squandered by the Government on the Ohio, and the actual river commerce is far less now than it was 20 or 30 years ago when expenditures were nominal.

Nearly $2,000,000 of the bill is for the Missouri River, on which over $20,000,000 has been spent, while the actual commerce in 1914 could have been carried by half a dozen trains, and the average haul was for only a few miles at a cost of $40 per ton, or more than the freight was worth.

The Beaufort Canal, which has an insignificant commerce, receives $1,000,000 in the 1916 bill. Millions are being squandered on this North Carolina scheme, and yet the only member on this floor who protested against the $2,000,000 appropriation for dependents of national guardsmen was a chief defender of the project.

Instead of commercializing patriotism, Congress has been too long commercializing political pork for the benefit of certain localities and at the expense of the country.

These four rivers and canals take $17,000,000 of the 1916 bill, while their actual commerce, apart from duplications, is trivial compared with a dozen harbors that can be named.

The Tennessee River carries $944,000 for another canalization scheme which benefits no one but water-power owners, contractors, and dredgers. All the actual waterway commerce amounts to less than 2 per cent of that handled at Ashtabula, Ohio, and yet we have spent $11,000,000 on this wasteful scheme.

In the 1916 bill is $710,000 for the Cumberland River, which floats only about 50,000 tons of actual commerce annually, or about 1 per cent of that handled by the little harbor of Ashland in my own State. Nearly $6,000,000 of Government money has been spent on the Cumberland in order to get that result.

The Arkansas, Ouachita, and Red Rivers receive about $1,000,000 in the 1916 bill, in addition to over $8,000,000 already spent by the Government. All the actual commerce on these three rivers combined does not amount to one-half of 1 per cent of that handled by either of the Chicago or Milwaukee Harbors.

The Trinity gets $250,000 and the Brazos $390,000 in this bill, or $640,000 for two streams that do not furnish half a dozen train loads of actual freight the year round. And we have spent nearly $4,000,000 developing a commerce that costs over $80 per ton to float on these dry rivers.

Mr. SPARKMAN. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore. Does the gentleman from Wisconsin yield to the gentleman from Florida?

Mr. FREAR. After I get through my statement I will yield.

Mr. SPARKMAN. That is a very important point.

Mr. FREAR. I will yield when I get through my statement.

Mr. SPARKMAN. The gentleman will not get through in 30 minutes.

Mr. FREAR. Yes; I think I will. I will yield to the gentleman when I shall have finished.

Take all the streams named, a dozen or more, and add to them 100 other inland rivers and dry creeks contained in this bill—streams that do not carry lake or ocean craft—and the whole 120 or more rivers and streams do not float 20 per cent of the actual waterway commerce handled at the single Superior-Duluth Harbor. Yet we are giving about $25,000,000 of this 1916 bill to these deserted rivers, creeks, and shallow streams and canals.

Mr. Speaker, the bill that passed the House was a fair sample of annual pork barrels, with public funds distributed around to practically every State for votes to put it through. Poor, miserable, wasteful schemes are hitched on to a few commercial projects in order to get votes for the bill. That is not the reason given, but what Member believes $499,000 would otherwise be given for the Ouachita or $250,000 for the ridiculous Trinity, or $390,000 for the Brazos, or dribbling appropriations for a hundred other creeks contained in this measure.

The bill is here with a conference report raising the appropriation over $3,000,000. If time permitted, I would like to discuss all the amendments accepted by conferees, but can only point out their general character. Recently the Senate defeated

a resolution carrying $1,000,000 for dependents of National Guardsmen. That resolution passed this House with only five dissenting votes. It was defeated in the Senate, and among the votes cast against it are many of those who voted to place $3,000,000 more in the river and harbor pork barrel and to pass the bill.

Taken in inverse order, amendment 87, for Weymouth Fore River, Mass., carries $200,000, although an 18-foot depth at low water and 25 feet at high water has only cost $175,095. And let me say right here that the lobbyist for this scheme was in to see me this morning. The total amount expended in 1915 on this project was $1,837, and all that is asked for 1917 by engineers—$15,000—was placed in the original bill. This $200,000 gift is to a single private corporation and not asked for by engineers.

The mayor of Boston demands that every Massachusetts Member support the vicious $43,000,000 bill because a $200,000 amendment has been inserted by the Senate. Fore River Shipbuilding Corporation's lobbyist has been here constantly plugging for the $200,000, which is for this company's use alone, as shown by the engineer's 1915 report (p. 102). A joke on House Members consists in the fact that after securing the amendment the Senator voted against the bill, which was only carried by three votes. Now House Members are asked to pull the chestnut out of the fire by voting for a $43,000,000 bill in order to save $200,000 that is wanted by this private corporation and Boston's mayor. It is an angle of discreditable pork-barrel methods that speaks louder than words. I know that Kinguan has said it would be a good thing, but Kingman said the same thing about the $18,700,000 private water-power project at Muscle Shoals. Why did not Kingman ask for more than 12-foot depth at Weymouth, where the naval arsenal is located? Why did he give it to a private company and not to the Government arsenal 5 miles away?

The next Senate amendment carries $170,000 for New London Harbor. For many years the Government poured money into that harbor, only to find, after a 26-foot depth had been completed, that not a single public wharf was in existence. All belonged to the New Haven or Central Vermont Railroads. Then the Government insisted that a public wharf be built. This has been done by the State, and, although only three foreign boats visited New London in 1914, we are now asked for a 33-foot depth of harbor, ostensibly to ship grain expected through the Erie Canal.

Let me suggest that I am now speaking of northern projects. That is for the information of those who are inclined to criticize my statements on the ground of sectionalism.

I quote the reason offered by the document named in the bill. Yet not one bushel of grain was handled at New London in 1914. That amendment is expected to tie up a few New Englanders' votes for the infamous 1916 bill. It is claimed the Government is morally bound to keep some implied promise, but no one can pledge the Government to unnecessarily waste public funds.

Take $300,000 which is to be shifted from the Federal Treasury under an innocent-looking amendment for Tonawanda, up Niagara River.

An 18-foot channel has been furnished by the Government to Tonawanda. All the water traffic is carried by boats drawing 15 feet or less, but the Tonawanda Iron & Steel Co. wants 23 feet, just as New London, with 26 feet, wants 33 feet. The Tonawanda company says it can not compete with the Wickwire company on even terms, and the Government is asked to dredge Niagara and Tonawanda Creek 5 feet deeper.

Engineers say in the report it is not apparent that dredging is needed, but the Senate wants it and the Tonawanda company wants it, and the New York delegation is expected to vote for this bill in order to get it.

The Savannah River amendment asks for $33,000 and the Missouri River, up at Vermilion, in South Dakota, asks $75,000, and the White and Arkansas Rivers, in Arkansas, ask for $40,000 extra for revetting banks along these rivers. These appropriations are expected to hold votes for the bill. Men are expected to vote for the whole miserable proposition in order to help a few private owners who ought to revet river banks themselves, as they do in other States.

The Arkansas, which has been condemned by Army engineers, received $209,700 when the bill passed the House. When it got through the Senate another $25,000 had been added for "bank protection." The appropriation is not for bank protection, but for bank robbery, and there is no difference in principle, even though the Government owns the bank that is being robbed.

Take Pascagoula Harbor, which has received $1,299,499 from the Federal Treasury and lost over 33 per cent of its commerce last year. The actual commerce is 95 per cent logs and timber or timber products. Engineers once extravagantly recommended a Government appropriation of $383,000, of which the Pascagoula lumber mill owners were to raise $100,000. Pascagoula people objected to raising $100,000, although they were willing to take a gift unconditionally.

Engineers ask for $35,000 in 1916 for an actual commerce of about 31,000 tons, after deducting timber. In the Senate it was increased to $80,000 because a Senator declared, "Engineers say they do not need the amount, but the people of Pascagoula are very desirous the appropriation be made. I want it made."

No matter what the merits of the proposition, a Senator who opposed the bill granting aid to dependents of National Guardsmen said of Pascagoula's $80,000 appropriation, "I want it made." If that be senatorial courtesy, it is time to put a stop to such courtesy by killing such vicious amendments and the bill of which it is a part.

The White River, with less than 1,700 tons of saw logs and shells in 1914 at Devall Bluff, gets $38,500. Why and how no one knows. I ask any member of the conferees if this is not a loot of the Treasury for private purposes.

Two members of the Rivers and Harbors Committee say the Los Angeles item of a half million dollars is for reclaiming lands, and the item failed to receive consideration in the House commitee. It was put in by the Senate, although cut in two by the conferees, and we are asked to pass it without consideration, with a score of other amendments reaching over three millions.

This proposition ought to be discussed on the floor of the House, and discussed fully. It carries a large appropriation, and we should be advised as to its character and reason for the $500,000 that has been added in conference.

Mr. SPARKMAN. Mr. Speaker, will the gentleman yield there?

Mr. FREAR. I can not yield at present until I have completed my statement of the measure.

Mr. SPARKMAN. What member of the conference committee made that statement?

Mr. FREAR. If the gentleman will pardon me for accepting his invitation, I will say that one is the gentleman now addressing me, the chairman of the committee. He, however, said he believed it would be to the interest of the Government because of the land to be acquired by the Government.

Mr. SPARKMAN. I never said that in regard to Los Angeles Harbor.

Mr. FREAR. That was my clear understanding. I will accept the chairman's statement if I misunderstood the gentleman; but I was discussing that harbor, although he may have had another one in the same State in mind. However, this would not have been volunteered without the inquiry which I am glad has been made.

Let me say further that Chairman SPARKMAN has invariably been fair and frank with every member of the committee so far as my knowledge goes, and I appreciate his own fairness to me as a member of the committee.

Adding $300,000 for the upper Mississippi in addition to $1,200,000 placed in the bill by the House is a public scandal that can not be defended. Col. Townsend, of the Mississippi River Commission, asked that this work stop, but Senators have added to the pork placed in the House bill. I know of my own knowledge the money is being wasted, and I have had numerous letters from river men and people living on the river to the same effect. In 1914 the traffic fell off one-third in a single year, and the river has lost 90 per cent of its traffic.

Think of giving $75,000 for a washout at Vermilion, in South Dakota. It may help some private parties, but it should defeat anyone who countenances such an unconscionable loot of the Public Treasury.

Mr. Speaker, if time permitted I would like to discuss other Senate amendments to the bill, including the $247,950 given for sawmills on Willapa River, where the actual commerce, deducting logs, timber products, and sand, is only about 3,000 tons. Willapa has 107 population, but the amendment adding about a quarter of a million dollars to the bill pulls votes for the whole wasteful proposition. And I will say this in justice to those people: Those men out there on the Pacific coast generously contribute toward coast improvements, and that is in striking contrast with what is done with projects in other parts of this country.

All I can say is that Senate amendments add nothing to the good character of the bill. Generally speaking, they were refused by the House committee at the outset, but are for pork loaded up at the other end of the Capitol. As an evidence, the Senate added $100,000 for more surveys, making $350,000 in the 1916 bill for surveys. Think of the situation! Sixty-seven

officers, or about one-half of the engineering force on actual duty, give all their time to chasing over the country surveying infinitesimal creeks and wasteful harbor projects. It is the place where pork grabbing shines, and the other end of the Capitol is as bad as this end in compelling engineers to leave their military duties and chase from Dan to Beersheba, and from Salt Creek to the Muscle Shoals on land reclamation, private water power, and other indefensible ventures. The country needs these engineers in Mexico; Chairman HAY has said they ought to be with their commands, and yet the Senate adds more dry creeks and keeps them chasing on political missions instead of attending to legitimate military duties. When the National Guard left dependents uncared for the Senate refused to provide for a worthy purpose, but when it comes to caring for local pork the entire engineering force will be taken from the border if necessary to again survey the Trinity and the Brazos and the Red and Arkansas, and scores of newly discovered creeks and abandoned canals.

I am asking an impersonal question when I inquire, How many of you gentlemen would vote for this $43,000,000 bill if it were not for some piece of pork in it?

Is it any wonder Army engineers go wrong and recommend $18,700,000 Muscle Shoals frauds when they have such examples of wasteful methods at both ends of the Capitol? Is it worth the price?

Mr. HULBERT. Mr. Speaker, will the gentleman yield?

Mr. FREAR. Not at this moment. When I get through with an analysis of amendments I have offered I will do so. Mr. Speaker, it is expected that the New York delegation may vote for this bill because of the Diamond Shoals project.

Of the $512,000,000 raised for Government purposes last year by internal revenue over 20 per cent, or $105,000,000, in round numbers, was contributed by New York. Illinois, Pennsylvania, and Ohio gave $143,847,000, or nearly 50 per cent of the total was contributed by these four States.

Counting lake and ocean ports, the four States named handle four times as much waterway commerce as all other States in the country put together, excluding Wisconsin, which alone averages over 60,000,000 tons annually.

The river and harbor bill now gives a sop to New York for Diamond Shoals. Is it worth the price? What is New York getting for the $105,000,000 internal revenue it is giving to the Federal Treasury? Chief Black finally recommended Diamond Shoals after much wabbling; but it does not need Black's recommendation. Black recommended the $18,700,000 private water-power fraud at Muscle Shoals for immediate construction before he thought of Diamond Shoals. Black overruled Deakyne and Townsend, on the Missouri River, although he knew practically nothing about the river when recommending $1,500,000 in the 1916 bill for this land-reclamation scheme.

I speak of this in view of the showing that was made on the floor of the Senate in regard to Chief Black's lack of knowledge of the Missouri River. Black has recommended scores of wasteful projects, and New York is paying 20 per cent of all the bills. New York will get appropriations with or without Black. Pennsylvania gets a sop for the $45,000,000 she contributes in internal revenue, and yet Pennsylvania Members are urged to support the bill because of the Delaware River appropriation in exchange for the $45,000,000 contribution, which just pays for this river and harbor pork barrel.

Mr. Speaker, the people will soon learn how this bill is loaded, and that most of the pork goes to those who make slight contribution. In order to divide it up proportionately artesian-well streams, land-reclamation schemes, and private water-power grabs are linked together to get their share, irrespective of commercial requirements.

Have you read the speeches of TILLMAN and TAGGART and THOMAS and HUSTING? I am asking my Democratic friends. These distinguished Senators characterized the 1916 bill as a steal, and they showed wherein it was vicious and ought to be defeated. Have you read the speeches of KENYON, SMOOT, SHERMAN, and NORRIS? And now I am asking my Republican colleagues to give attention. These Senators said the 1916 river and harbor pork barrel is a fraud and steal, and called attention to the public revolt against such bills. They analyzed this bill. They showed wherein it is a humbug, and they recorded 32 votes against the bill. A change of 2 votes would have killed it. They may get it this time.

Think of the Senate that has winked at such bills for all these years, and yet defeated the last two bills. We pretend to be nearer the people. We claim to be close to the public pulse, and yet we put such bills up to the Senate. The country is sick of such humbugs. It is disgusted with the whole miserable river and harbor mess, and it expects us to defeat the bill.

Of three recent national conventions the Progressive convention repudiated the waterway lobby and denounced pork barrels. The Republican convention threw out the land-reclamation lobby and the contractors who have controlled so-called waterway planks in recent years. Not one word in favor of the time-honored fraud occurs in either platform. But the same old lobby was at St. Louis, and its Italian hand is seen in the Democratic platform.

I hope to see this bill defeated, aided by Democratic votes. I do not believe any man in this House would be personally dishonest. Then, why do we admit to the country legislative dishonesty when we pass this kind of a bill?

Mr. Speaker, let me say to my Democratic friends, if you wish to take away one of the strongest indictments against this administration, you will join in defeating this $43,000,000 barrel of bacon. The last two bills were defeated by Republicans in the Senate. What do you expect to get out of it? How much pork is the price of support? That is not my question, but that is the question which will be handed to you all over the country, and Democrats must answer.

Many Democrats have told me the bill is indefensible and ought to be defeated. Then let us defeat it and turn over a new leaf. Let us pass a small emergency appropriation and reduce enormous expenditures which are staring us in the face—double the expenditures of four years ago. You have just levied a $200,000,000 tax to cover nearly $100,000,000 for river and harbor and so-called flood-control bills. What a record.

We listen to homilies on patriotism. I have heard men give eloquent tributes to the flag and to a common country, but when men say they are for the flag with an appropriation it does no credit to their patriotism.

The country expects us to be legislatively honest, and the highest evidence of practical patriotism will be for us to defeat this bill. There should be but one standard. Men are sometimes persuaded or threatened by interested parties into doing things unwittingly that are wrong, but when brought face to face with a public steal, a waste of $25,000,000, enough to build a great battleship, there can be but one right course to pursue. Worthy projects are found in this bill, but what right have we to loot the Treasury either in prosperity or when the Government is in financial distress, as it is to-day?

Mr. Speaker, I have presented the case as concisely and frankly as I know how. I feel confident a vote will go to the country that will condemn this measure and all similar measures. I believe the people will indorse the action of every man who votes against the bill. I can not believe they will approve votes in its favor. I have no word of criticism against any Member, but after the exposure of this bill in both House and Senate no man can plead ignorance of its contents.

It ought to be defeated. I believe it will be defeated—if not here, then at the other end of the Capitol—and by its defeat we will take a long step in favor of honest legislative methods and public economy.

Mr. Speaker, I shall be glad to answer any question if my time is extended for two minutes, but I can not encroach further without unanimous consent. I am willing to answer any question.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. FREAR. If the gentleman will give me two minutes more, I will yield to answer a question.

Mr. DALE of New York. I ask unanimous consent that the gentleman's time be extended five minutes.

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent that the order be extended five minutes, and that five minutes be given to the gentleman from Wisconsin.

Mr. SPARKMAN. I object.

Mr. FREAR. I should have been glad to answer the gentleman if I could have had my time extended.

Mr. SPARKMAN. I yield five minutes to the gentleman from Wisconsin [Mr. STAFFORD].

Mr. HUMPHREY of Washington. The gentleman from Wisconsin said he might not want to use the time.

Mr. SPARKMAN. I yield two minutes to the gentleman from Texas [Mr. HARDY].

Mr. HARDY. Mr. Speaker, I want to take two minutes, in order that I may ask leave to extend my remarks in the RECORD, and I wish to add a few words.

The SPEAKER pro tempore. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. HARDY. I have listened to this tirade of the gentleman from Wisconsin [Mr. FREAR], who runs the whole gamut of reckless, false charges against every Member of this House who shall vote for this bill and against every public official of the United States who has made a report which supports this bill. I want to say that in making those charges he is making them against men whose reputation stands as fair as his own. And, furthermore, I wish to say that it is no credit to the gentleman from Wisconsin to make such charges; and when he says that many Democrats have told him that the bill is a steal and ought to be defeated, and yet they are going to vote for it, he ought to point out those men.

Mr. FREAR. I will name them to the gentleman.

The SPEAKER pro tempore. Does the gentleman yield?

Mr. HARDY. No.

The SPEAKER pro tempore. The gentleman declines to yield.

Mr. HARDY. The gentleman should name the Democrats who said this was a steal, and yet they would vote for it.

Mr. FREAR. Senator TILLMAN and Senator TAGGART.

Mr. HARDY. Does Senator TILLMAN say he is going to vote for it?

Mr. FREAR. I am referring to what they stated on the floor of the Senate, in the RECORD.

Mr. HARDY. Did he say it was a steal, but that he would vote for it?

Mr. FREAR. He did not vote for it; he voted against it.

Mr. HARDY. You said many Democrats said it was a steal, but that they were going to vote for it. I ask again, Who says that?

Mr. FREAR. The gentleman misunderstood me.

Mr. HARDY. I took down the gentleman's words. He may not have intended it that way, but he left the impression, and the whole tenor of the gentleman's tirade was to the effect that Members have stood on this floor and defended and voted for measures that they believed were steals; and I say all the gentleman's argument is along that line. It ought to be stricken from the RECORD.

The gentleman thinks it is popular to make such charges, and a man who feeds his vanity by seeing himself puffed in the papers as the hero of the antipork-barrel fight through his scandalous aspersions of all those who vote for river and harbor improvements does not measure up to a very lofty standard of statesmanship or manhood.

It is popular to make such charges in some quarters. It is popular, perhaps, in railroad circles, because if all improvements of rivers and canals is abandoned all the transportation that ought to go on rivers and canals will go on railroads, and go at railroad high rates. No man is so simple-minded—and, least of all, the gentleman from Wisconsin—as not to know that the actual cost of transportation by water, either on rivers or canals, when they are in reasonable navigable condition, is not half as great as the cost of transportation by rail. And yet the gentleman is here denouncing nearly every item of river improvement in this bill.

The SPEAKER. The time of the gentleman has expired.

Mr. HARDY. May I have two minutes more?

The SPEAKER. The gentleman from Texas asks unanimous consent for two minutes more. Is there objection?

There was no objection.

Mr. HARDY. With reference to the Trinity River, the gentleman from Wisconsin says there is a ridiculous appropriation for a river on which there is no transportation. Everybody knows that no transportation was expected; that there could not be any transportation until that waterway was opened from its upper reaches, where improvement was begun, to its mouth. The gentleman knows the facts connected with that improvement as well as anybody. He knows that by the advice of Senator Burton the arrangement was made that the improvement of that river should begin at Dallas and that the locks and dams should be built on down toward the Gulf. He knows there can be no navigation of any moment until you open the waterway all the way, but the gentleman knows that when that river is opened there will be transportation enough upon it to pay for its improvement many times over in the cheapening of the rates, as compared with rail rates, and that there will be no stream which will make a better return for its improvement than the Trinity River when that navigation is actually in operation. Yet the gentleman made his argument based on the present absence of freight on the Trinity, just as though he were speaking of a completed project.

It is such charges as these that fill the pages of the gentleman's voluminous speeches, one session after another, and I am getting tired of hearing them. [Applause.]

Mr. HUMPHREY of Washington. Mr. Speaker, I yield two minutes to the gentleman from Massachusetts [Mr. TREADWAY].

Mr. TREADWAY. Mr. Speaker, I was opposed to the river and harbor bill when it passed the House. At that time I offered a few reasons for my opposition to it. I see no reason to change those views at the present time. The conference report, as I have looked it over, simply shows an increase of the appropriations carried by our bill as it passed the House, nearly $4,000,000 more. If one was opposed to the original bill, it certainly follows that he ought naturally to oppose the conference report. Therefore I shall vote against the conference report. I had intended to make a few remarks on this subject, but I realize that it is an extremely warm afternoon, and there evidently has been a sufficient addition to the heat by some of the Members here. Therefore I will limit my remarks to a request for the privilege of extending them.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to extend his remarks. Is there objection?

There was no objection.

Mr. HUMPHREY of Washington. Mr. Speaker, as I have a little time left, I will take two or three minutes to reply to some extent to the statements made by the gentleman from Wisconsin [Mr. FREAR]. As I understood him, in his argument he insinuated, and perhaps stated directly—I am not sure, for I did not hear distinctly what he said—anyway, the drift of his argument was that the amendments went into the bill in the Senate for the purpose of getting votes. I will simply call his attention to the situation on the Pacific coast. California receives more additions in this bill than any other State, and both the Senators from California voted against the bill. Does that look as though they were trading for votes? The next largest item that went into the bill for the Pacific coast was for the State of Washington, offered by Senator JONES, and Senator JONES voted against the bill. I just want to call attention to the unfairness of the argument of the gentleman from Wisconsin.

He makes statements and asks you to draw conclusions, but when you attempt to analyze them you find as general propositions that his statements do not rest upon facts. It is like his whole argument made in the beginning when the bill was under consideration. He argued over and over again that because some harbor had a large amount of commerce and received but small appropriations that that was evidence that something was wrong, that that showed that there was pork in it. Such a statement is absolutely unfair, and the gentleman certainly must know that it is so.

Take a good many great harbors in this country that do a great commerce. They received no appropriation because they did not need it. I might just as well stand before the House and argue that Seattle for many years has been robbed of a just proportion of the river and harbor bill because she had never received any appropriation. She never needed any; we have plenty of water.

The gentleman made this argument and insisted upon it, pointing out the items, saying here is a place that has so much tonnage that receives so much appropriation, and here is another harbor that has ten times as much tonnage but does not receive practically anything. Such argument is absolutely unfair and unjust.

Now, I call attention to the arguments that those propositions went in to receive votes. I do not know whether they did or not, but I do know that the Senators who voted against the bill got the most items in the bill. If they did it under an agreement to vote for it, they got their appropriations under false pretenses, and the gentleman ought to go over to that body and call their attention to the fact that they ought to live up to their agreement, if his statements are true, because even a thief ought to keep his contract with the man that helps him to receive the plunder. [Laughter and applause.]

Mr. SPARKMAN. Mr. Speaker, I yield two minutes to the gentleman from New York [Mr. HULBERT].

Mr. HULBERT. Mr. Speaker, in recognition of the desire of Members to vote, I shall be appreciably brief. The remarks that I shall make are called forth by the statement made by the gentleman from Wisconsin [Mr. FREAR], who to-day has reiterated in the 30 minutes allotted to him all the arguments which he made upon the consideration of the bill, except that in the meantime there has been a Republican national convention, and the great waterway expert whom he has heretofore cited in support of his statements has been cast into the discard, and in his entire argument to-day he failed to mention him. [Laughter.]

The gentleman suggests that by the curtailment of appropriations in this bill a considerable amount of money might be saved for the construction of additional battleships, and in the same breath he emphasizes the fact that the Members from New York will vote for this bill because of the sop that is thrown to them in the shape of the East River improvement provided for. I want to say to the gentleman from Wisconsin that the East River improvement is not a sop to the Members

from New York. The East River improvement is a patriotic appropriation in this bill because with the improvement of the East River for a 35-foot channel you will thereby establish a marine trench which will necessitate doubling the number of vessels on the outside of New York Harbor in order to successfully blockade that port.

I want to say that I do not know of any more effective way to improve our naval status if we can not build battleships of our own, than to necessitate doubling the construction of battleships of the enemy by this East River improvement.

Mr. FREAR. Will the gentleman yield? I did not criticize——

Mr. HULBERT. I can not yield in 2 minutes. The gentleman would not yield to me in 30 minutes. Since the bill passed the House there has been included by the Senate a provision on page 48 for a survey of New York Harbor with a view to securing an increase in depth to 40 feet, and a suitable width in the north or Hudson River channel from deep water in the upper bay as far north as Spuyten Duyvil Creek.

I maintain that the inclusion of that item alone justifies any Member—not only from New York, but anywhere in the United States—to vote for this bill. A few days ago you read in the newspapers that the city of New York had an elaborate ceremony celebrating the completion of a new pier at Forty-fifth Street, North River, where they intend to dock vessels drawing 35 or 40 feet of water. It was evidently not known to or considered by the mayor of New York or any official in his official family that in the Hudson River opposite that pier we have only 22 feet of water at the present time; and although they have provided for a vessel of 40 feet draft, you can not dock a vessel that draws more than 20 feet, and unless you authorize the making of a survey in this bill it will not be possible to secure an appropriation to remove the obstructions until another Congress.

I repeat that that item not alone justifies, but suggests the necessity of every Member here voting for the conference report. This bill carries appropriations aggregating approximately $40,000,000. There are in the State of New York approximately 10,000,000 people. This bill appropriates for the State of New York more than $4,000,000. In other words, the State of New York in this bill receives an amount which is proportionate to its population with the whole United States. It is the most equitable bill ever presented, so far as New York City and New York State are concerned, and the gentleman from Wisconsin can not find any justification in saying that the Members from New York are going to vote for this because some sop has been given them. [Applause.]

Mr. SPARKMAN. Mr. Speaker, I yield two minutes to the gentleman from Indiana [Mr. CULLOP].

Mr. CULLOP. Mr. Speaker, money ought to be expended for improvement of certain of our harbors because of our commercial relations with the world. Certain rivers upon which the construction of improvements have already begun ought to be carried on that the money already expended shall not be wasted. If the bill was to stop with these requirements, it would be all right. But, gentlemen, we are carrying in this bill projects that will bring no return in the future. It is not sufficient to say that the Republicans carried out a scheme of this kind. That is no justification for appropriations contained in this bill. If that party did wrong when in power, the people administered the punishment it merited by defeating it. Their policies were repudiated by the people, and we ought to profit by their example. This measure contains projects upon which enormous expenditures are appropriated for, which can not be of value to the commerce of the country, and all money expended on such projects is wasted.

The Democratic Party was put in power in this Government to reform the evils the Republican Party had brought upon the Nation. [Applause on the Democratic side.] It therefore should exercise discretion in the management of public affairs, so as to meet the approval of the people, and hence avoid all waste of public money, all extravagant appropriations. Now, for instance, take the intercoastal canal, for which a large amount is contained in this bill. It is not a meritorious project, and no man can justify his vote for it. It will cost the people of this country for years and years large amounts of money and bring no return whatever. It would be better to apply the revenues of this Government to other things in building up the commerce and aiding the prosperity of the country, now the most marvelous the country has ever known. In this bill are projects that are unjustifiable, and some of the justification that is advocated here is because it is said the Republicans did the same sort of thing. This is not a good reason, and the man who relies on it to justify his vote will learn to his sorrow that the people will not regard it as sufficient.

Projects are contained in this bill for which large amounts are appropriated, and more will be given in the future if this policy of profligate waste is continued, which can never be of value to the people, and hence the money expended for their improvement is wasted. In some instances the amount in this bill appropriated this year for improvement would buy all the commerce that will be transported on them for the next 50 years. Does anyone believe such an expenditure can be justified? If there were only one or two of this kind, it would not be so serious, but there are many of that kind, and because of this fact, the measure is looked upon by the people with much disfavor and are severely criticizing the Congress for its passage. Many creeks are attempted to be improved and large sums are appropriated for that purpose, and yet all know full well that they can never become useful arteries of commerce, and are not the proper streams for public improvement, yet for some reason they are receiving favorable consideration in this great improvement system. Money thus expended is wasted, and this action will receive the condemnation of the people, which it deserves. If we now had the money which in the past has been wasted in appropriations for improving our rivers it would build for us the best navy in the world. It would buy us the greatest merchant marine that ever floated the oceans. It would be sufficient to equip us with ample ships to control the seas either in war or peace.

We have many rivers on which millions have been expended for improvement that now float no boats, and their improvements have been abandoned and the investment is lost. The public is the sufferer. The commerce is there more than ever before, but the railroads carry it to markets. Rivers may be improved, channels may be deepened so that the year around they will float large boats, but a boating stage of the river alone will not put boats on the river. Money is cautious, it will only be invested where it promises good returns on the investment, and experience teaches that on most of our rivers investments in steamboats pay no return, and hence capital will not invest. The products are there for transportation in larger quantities than ever before, but the railroads haul them to markets, because they touch all the market centers. The rivers do not. River transportation is growing smaller every year, and this is the reason for it. We should as well consider the facts as they exist, the reason for their existence, and understand there is no remedy for the conditions.

Let the Democratic Party here be careful how it handles the public affairs. The people are willing to pay for every needed and useful appropriation, such as will promote the public welfare and accelerate the prosperity of the country. They stand ready and willing to be taxed for every beneficial purpose, but they are unalterably opposed to useless and extravagant expenditures of public money and will object, strenuously object, to being taxed to raise revenues for all such expenditures.

In this they are manifestly right. The majority is always held responsible for the administration of public affairs. Our party is in the majority here, and it will be held responsible for all legislation enacted and all appropriations made; therefore we should exercise caution and care, to the end that whatever we do will be done for the best interest of the people of this country. In the passage of this measure I warn you now we can not defend it to the satisfaction of the people when arraigned at the bar of public opinion. Much of it is indefensible. Because of existing conditions throughout the world, we are compelled to make large expenditures for preparedness, a thing the Republicans neglected to do when in power, and we have inherited, because of their neglect, the duty of preparing our country, both on land and sea, so as to prevent invasion if it should be assailed by some foreign foe. In order to do this large expenditures are required, and hence larger revenues must be raised and much of the expenditure provided for in this bill, even if necessary, could be deferred to a future time, and I earnestly submit it should be postponed. The people would approve such a course, and hence I do hope the conference report will not be adopted. I shall vote against its adoption, and I urge my Democratic colleagues to do likewise. Time taken to consider and revise this matter can do no harm but, on the contrary, may do much good. The people can study the matter over and then instruct us to carry out their wishes about the same. Counsel with the people, get their views and learn their wishes, and then act accordingly, and the country will be the better satisfied concerning the matter.

Mr. SPARKMAN. Mr. Speaker, I yield two minutes to the gentleman from Louisiana [Mr. DUPRÉ].

Mr. DUPRÉ. Mr. Speaker, first I will ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. DUPRÉ. Mr. Speaker, I would like to use my two minutes to answer the arguments of the gentleman from Indiana [Mr. CULLOP], as they are easily disposed of, but I think I can devote them to a better purpose. [Laughter.]

I desire to call the attention of this House to the recent decision of the Supreme Court of the United States in the case of Cubbins against The Mississippi River Commission, the organ of the court being the distinguished Chief Justice. He not only brought to the consideration of that case a wide range of legal learning, but, as a native Louisianian, he has a lifetime's familiarity with the Mississippi River and the Mississippi Valley. I want to read to this House a brief passage from that opinion, which sounds like an answer to some of the contentions we are continually hearing on this floor. I desire to state that the italics are my own.

In fact, the nature of the assumption upon which the argument rests is shown by the contention that the building of the levees under the circumstances disclosed was a *work not of preservation but of reclamation*—that is, a work not to keep the water within the bed of the river for the purpose of preventing destruction to the valley lying beyond its bed and banks, but to reclaim all the vast area of the valley from the peril to which it was subjected by being situated in the high-water bed of the river. If it were necessary to say anything more to demonstrate the unsoundness of this view, it would suffice to point out that the assumption is wholly irreconcilable with the settlement and development of the valley of the river, that it is at war with the action of all the State governments having authority over the territory, and is a complete denial of the legislative reasons which necessarily were involved in the action of Congress creating the Mississippi River Commission and appropriating millions of dollars to improve the river by building levees along the banks in order to confine the waters of the river within its natural banks, and by increasing the volume of water to improve the navigable capacity of the river.

The great Chief Justice declares that the work of levee building is one of preservation, not of reclamation. [Applause.]

I append herewith the decision in full:

Supreme Court of the United States.

No. 299.—October term, 1915.

John F. Cubbins, appellant, *v.* The Mississippi River Commission and the Yazoo-Mississippi Delta Levee Board. Appeal from the district court of the United States for the northern district of Mississippi.

[June 5, 1916.]

Mr. Chief Justice White delivered the opinion of the court.

The conditions out of which this controversy arises are substantially the same as those which were relied upon in Jackson *v.* United States (230 U. S., 1). We therefore here make a briefer statement of the topography of the country with which the case is concerned and of the other general conditions involved than we would do if such were not the case, since if a fuller statement as to any particular aspect is desired, it can be readily found by a reference to the report of that case.

The complainant as the owner of a piece of land on the east bank of the Mississippi River adjacent to Memphis, Tenn., on his own behalf and on behalf of others owning similar land in the same locality, commenced this suit against the Mississippi River Commission and 15 local State levee boards operating on the river between Cape Girardeau, Mo., and the mouth of the river at the Gulf of Mexico, 3 of these boards being organized under the laws of Missouri, 4 under the law of Arkansas, 1 under that of Tennessee, 1 under the law of Mississippi, and 6 under the law of Louisiana.

It was alleged that in flood seasons when the water in the Mississippi River rose above its natural low-water banks, such water would flow out and over the vast basins in which the alluvial valley between Cape Girardeau and the Gulf formed itself and would then either by percolation gradually flow back into the river or be carried over and through the basins by the streams flowing through them into the Gulf of Mexico, where such streams emptied. It was further alleged that the land of the complainant, when the river in the flood periods was thus permitted to discharge its waters, was so situated that it was beyond the reach of overflow from the river. It was then alleged that in 1883 the Mississippi River Commission acting under the authority of Congress had devised a plan known as the Eads plan, by which it was contemplated that on both banks of the river, except at certain places which were stated, a line of embankment or levees would be built which in times of high water or flood would hold the water relatively within the lines of the low-water banks, thus improving navigation by causing the water to deepen the bed, and saving the country behind the levees from inundation. It was averred that to further this plan the various State levee boards which were made defendants were organized and that all of them within the scope of their power and the limits of their financial ability had aided in carrying on this work and that as the result of their work and of the levees built by the Mississippi River Commission it had come to pass that from Cairo to the Gulf, a distance of about 1,050 miles, on both sides of the river, except at points which were stated, there was a continuous line of levee restraining the water from flowing out into the basins as above stated and which in many instances cut off the outlets connecting the streams which drained the basins and ultimately carried off the water to the Gulf. It was charged that this line of levees as a whole had been virtually adopted by the Mississippi River Commission, which body had assumed control of the whole subject, and that such body and all the State agencies cooperating were engaged in strengthening, elevating, renewing, repairing, and increasing the lines of levee so as to more effectually accomplish the purpose in view.

It was charged "that the effect of the closing by the defendants of the natural outlets along the said river, and the confining of the flood waters between the levee system as a whole is to obstruct the natural high-water flow of the water of said river in and along its natural bed for its entire length, thereby raising the level of the water to such an extent that said flood waters, within the last five years, have attained a sufficient height to flow over complainant's land, and when there is now a high-water stage in said river, the waters of said river accumulate, flow over, and remain standing upon and over said lands of complainant to a depth of from 4 to 8 feet, so that complainant is now being interrupted in the profitable use, occupation, and enjoyment of his said land." And it was further alleged that "said land is being covered with superinduced additions of sand, silt, and gravel, now from 6 inches to 3 feet in depth; the houses and fences thereon are being washed away, rendering the said land and the houses thereon unfit for occupancy, driving away the tenants, doing irreparable harm and injury to said land, impairing its usefulness, causing the practical destruction thereof, and destroying its market value."

It was averred that to obstruct the river as alleged was a violation of the legal rights of the complainant, since he was entitled to the natural flow of the river within its natural high or low water bed free from interference by the acts of the defendants. Averring that no proceedings had been taken to expropriate the land and that no offer to pay for the same had been made and that the acts complained of constituted a taking without compensation in violation of due process of law under the Constitution of the United States and that there was no adequate remedy a law, the prayer was for an injunction against the Mississippi River Commission and all its officers, employees, agents, and contractors wherever found and against all the local levee boards and their officers, employees, agents, and contractors perpetually prohibiting them from further building any levees, from enlarging, strengthening, repairing, or doing any act to maintain the levees already built and for general relief.

The bill was amended by alleging that the overflow of complainant's land as averred instead of having happened within five years had occurred within one year, and the original prayer was added to by asking that if it was found that the injunction prayed could not be granted the case be transferred from the equity to the law side and be converted into a law action to recover from the Yazoo-Mississippi Delta Levee Board, the local Mississippi board, which alone of the defendants had been served, the sum of $500,000 as the value of the plantation alleged to have been wrongfully taken.

A motion by that corporation was made to dismiss the bill on the ground that it stated no basis for relief, and in any event it alleged no ground for equitable jurisdiction since at best upon the theory that a cause of action was stated, there was plainly an adequate remedy at law. On the hearing the motion to dismiss was joined in by the Mississippi River Commission, and the case is here as the result of the action of the court below in dismissing the bill for want of equity.

At the threshold we put out of view as primarily negligible contentions as to whether in any event, in view of the vast public interests which would have been detrimentally affected, the injunction prayed could have been granted, and whether the suit should not have been dismissed so far as the Mississippi River Commission was concerned on the ground that it was really a suit against the United States without its consent and not a mere action against individuals acting as officers to prevent them from violating the rights of the complainant by taking his property without compensation. We say these contentions are negligible because underlying them all is the fundamental issue whether under the averments of the bill there was any right to relief whatever, and to that decisive question we come. Its solution involves deciding whether the complainant as an owner of land fronting on the river had a right to complain of the building of levees along the banks of the river for the purpose of containing the water in times of flood within the river and preventing it from spreading out from the river into and over the alluvial valley through which the river flows to its destination in the Gulf, even although it resulted that the effect of thus keeping the water within the river was by increasing its volume to so raise its level as to cause it to overflow the complainant's land.

While we are of the opinion that in substance a negative answer to the proposition must follow from applying to this case the doctrines which were upheld in Jackson *v.* United States (230 U. S., 1) and Hughes *v.* United States (id., p. 24), as the unsoundness of the distinctions attempted in the argument to be drawn between those cases and this, and the decisive application of those cases to this, will be more readily appreciated by a recurrence to the legal principles by which the controversy is to be governed, we address ourselves to that subject, looking at it in a twofold aspect: First, with reference to the rights and obligations of the landowners and the power of the State to deal with the subject; and, second, with reference to the power of the United States to erect levees to confine the water for the purpose of improving navigation as superimposed on the right of the landowners or that of the State authorities to construct such levees, if such right obtains; and if not, as independently existing in virtue of the dominant power to improve navigation vested in Congress under the Constitution.

1. Without seeking to state or embrace the whole field of the Roman law concerning the flow of water, whether surface or subterranean, or to trace the general differences between that law, if any, as it existed in the ancient law of the continent of Europe, whether customary or written, or as it prevailed in France prior to, and now exists in, the Code Napoleon, one thing may be taken as beyond dispute, that not only under the Roman law but under all the others the free flow of water in rivers was secured from undue interruption, and the respective riparian proprietors, in consequence of their right to enjoy the same, were protected from undue interference or burden created by obstructions to the flow, by deflections in its course, or any other act limiting the right to enjoy the flow or causing additional burdens by changing it. But while this was universally true, a limitation to the rule was also universally recognized by which individuals, in case of accidental or extraordinary floods, were entitled to erect such works as would protect them from the consequences of the flood by restraining the same, and that no other riparian owner was entitled to complain of such action upon the ground of injury inflicted thereby, because all, as the result of the accidental and extraordinary condition, were entitled to the enjoyment of the common right to construct works for their own protection.

Demolombe, after commenting upon article 640 of the Code Napoleon, generally dealing with the servitudes arising from the flow of water, and pointing out that under the Roman law, as well as under the ancient French law and the Code Napoleon, it was the duty of proprietors whose lands bordered upon or were traversed by rivers to permit the water of such rivers to flow their natural course unimpeded, and, quoting the Roman law, "fluminis naturalem cursum non avertere" (L. 1, Cod. de Alluvionibus) additionally states that under both the Roman and ancient law and under the Code Napoleon such proprietors were bound "to undertake to do no work the result of which would be to change the direction of the stream or enlarge its bed or to injure in any manner other proprietors whose lands border upon or are traversed by the stream." (Demolombe, vol. 11, No. 30, p. 36.) But the author at once proceeds to add that the principles thus stated in no way serve to prevent or to limit the right of proprietors whose lands border on or are traversed by rivers "from guaranteeing themselves against damage by defensive works constructed either upon the

border of the rivers or in the interior of their property against either the permanent and insensible action of the rivers or streams or particularly against the damage caused by the accidental or extraordinary overflow of their banks; 'Ripam suam adversus rapidi amnis impetum munire prohibitum non est' (L. 1, Cod. de Alluv.)." And proceeding, the author states that this right of the proprietors undoubtedly exists "even when the effect of the dikes or other works done will be, as is nearly always the case, to render the waters of the river more hostile and damaging to other properties, the owners of which would have no cause of complaint, because each one is entitled to do the same in his own behalf, as the right of preservation and of legitimate defense is reciprocal, since it is impossible to conceive that the law would impose upon the proprietors bordering upon streams an obligation to suffer their property to be devoured [by accidental or extraordinary overflows] without the power on their part to do anything to protect themselves against the disaster." Proceeding to elucidate and state the limitations by which the right thus universally recognized is safeguarded, the author says: "It is necessary, however, that the works constructed [for the purposes stated] do not encroach upon the natural bed of the watercourses; that they should be, of course, constructed in conformity to the police regulations, if any exist, and, finally, that they are in fact constructed by those who build them for the defense of their own property, because constructions would not be tolerated which had been erected by a proprietor upon his own land without any necessity whatever for his own protection, but with the only and disloyal purpose of injuring the property of others." Demolombe further states: "What I have just said of streams and rivers is equally applicable to accidental torrents of water which, like avalanches, may sometimes precipitate themselves upon certain properties. Such a case is likewise one of vis major, against which each one has a right by the natural law on his own behalf to seek to protect himself as best he may—a right which, as well said by the Court of Aix, is like that which obtains to resist the incursion of an enemy, without being preoccupied as to what may be the result or the wrong suffered by a neighbor who may not have had the foresight to successfully avoid the disaster." The author then proceeds: "These principles, which are sustained both by reason and by conceptions of equity, have been for all time recognized both in the Roman law and in our ancient French jurisprudence. They are to-day supported by the unanimous accord of the decided cases and of the opinions of authors. (Comp. L. 2, sec. 9, ff. de aqua et aquæ; L. unic., ff. de ripa munienda; L. 1, ff. ne quid in flum. publ.; Coepolla, tract. 2 cap. XXXVIII, No. 2; Troncon, sur l'art. 225 de la cout. de Paris; Henrys, liv. IV, tit. II, quaest. 75; Domat, Lois civiles, liv. II, tit. VIII, sec. III, No. 9; Aix, 19 mai, 1813, Raousset, Sirey, 1814, II, 9; Duranton, tit. V, No. 162; Pardessus, tit. I, No. 92; Garnier, tit. III, No. 677; Daviel, tit. I, Nos. 384–386, et tit. II, Nos. 697, 698; Taulier, tit. II, p. 361.)

See Mailhot *v.* Pugh (30 La. Ann., 1359), where some of the authors referred to by Demolombe and others are quoted and one or more of the adjudged French cases enforcing the limitation are stated and commented upon.

That the general right to an unrestrained flow of rivers and streams and the duty not to unduly deflect or change the same by works constructed for individual benefit as qualified by the limitation as to accidental and extraordinary floods which prevailed in Rome and on the Continent and which to-day govern in France as stated by Demolombe, also obtained in Scotland, was recognized in 1741 in the case of Farquharson *v.* Farquharson (Morr. Dic., 12787). And the character of the limitation of the rule is well illustrated by Menzies *v.* Breadalbane (3 Bli. (N. S.), 414, (H. L.)), where it was held that it did not apply to a case where a structure was erected in the established high-water channel of a stream. It is apparent also from the opinions in Nield et al. *v.* London & Northwestern Railway Co. (L. R. 10, Ex. 4; 44 L. J., Ex. 15), and the statement found in Coulson on the Law of Waters (3d ed.), pages 177 et seq., that the limitation as to accidental and extraordinary overflows likewise exists in England.

In this country it is also certain without going into a review of decided cases that the limitation is recognized, although it is true to say that much contrariety and confusion exist in the adjudged cases as to when it is applicable, some cases extending the rule so far as to virtually render the limitation inoperative, others extending the limitation to such a degree as really to cause it to abrogate the rule itself. But into these differences and contrarieties it is not at all necessary to enter, since there is no decided case, whatever may be the difference as to the application of the limitation, holding that it does not exist, and when in fact the very statement of the general rule requires it to be determined whether that rule as correctly stated would include situations which the limitation if recognized would exclude. We place in the margin a few of the many adjudged cases from which the situation just stated will be made manifest. (Burwell *v.* Hobson, 12 Gratt. (Va), 322; Cairo, etc., R. Co. *v.* Brevoort, 62 Fed., 129; Crawford *v.* Rambo, 44 Ohio St., 279; O'Connell *v.* East Tennessee, etc., R. Co., 87 Ga., 246; Taylor *v.* Fickas, 64 Ind., 167; Shelbyville & Brandewine Turnpike Co. *v.* Green, 99 Ind., 205; Mailhot *v.* Pugh, 30 La., 1359.)

Were the overflows in this case accidental and extraordinary, is then the proposition to which the case reduces itself. That the volume of water from the vast watershed which the Mississippi River drains and which by means of percolation and tributaries reach that river, is susceptible now and again of being so simultaneously drained off from the watershed into the river and thus so vastly increasing the amount of water to be carried off in a given time as to cause the overflow of the valley which the river traverses and to thereby endanger the enormous interests concerned, is too well known to require anything but statement. But that the possibilities of such a result do not when such overflows occur cause them to be not accidental is to say the least persuasively established by the ruling in Viterbo *v.* Friedlander (120 U. S., 707). And leaving aside this view, it is obvious from the situation and the causes which in the nature of things may accidentally bring about the emptying into the river at one and the same time of the volumes of water from all the vast sources of supply which drain the expansive watershed into the river, in the absence of which accidental unison there could be no flood, that the accidental character of the unity of the conditions upon which the flood depends serves to affix that character to the result—the flood itself. But assuming, as we think it must be assumed, that the words accidental and extraordinary are to be taken as relating to the river; that is, as alone embracing conditions not usually there occurring and not ordinary to the stream in its usual condition having regard to the flow through its natural bed, whether in high or low water, that view would be here irrelevant, since there is no suggestion of any bed of the river in high or low water except the space between the natural banks along which the levees were built, unless the whole valley be considered as such bed. *Indeed from the face of the bill it is apparent that the rights relied upon were assumed to exist upon the theory that the valley through which the river travels, in all its length and vast expanse, with its great population, its farms, its villages, its towns, its cities, its schools, its colleges, its universities, its manufactories, its network of railroads—some of them transcontinental—are virtually to be considered from a legal point of view as constituting merely the high-water bed of the river and therefore subject, without any power to protect, to be submitted to the destruction resulting from the overflow by the river of its natural banks.*

In fact, the nature of the assumption upon which the argument rests is shown by the contention that the building of the levees under the circumstances disclosed was a work not of preservation but of reclamation; that is, a work not to keep the water within the bed of the river for the purpose of preventing destruction to the valley lying beyond its bed and banks, but to reclaim all the vast area of the valley from the peril to which it was subjected by being situated in the high-water bed of the river. If it were necessary to say anything more to demonstrate the unsoundness of this view, it would suffice to point out that the assumption is wholly irreconcilable with the settlement and development of the valley of the river, that it is at war with the action of all the State governments having authority over the territory, and is a complete denial of the legislative reasons which necessarily were involved in the action of Congress creating the Mississippi River Commission and appropriating millions of dollars to improve the river by building levees along the banks in order to confine the waters of the river within its natural banks, and by increasing the volume of water to improve the navigable capacity of the river.

2. Although in view of the conclusion just stated it is unnecessary to refer to the power of Congress to build the levees under the paramount authority vested in it to improve the navigation of the river, we can not fail to point out the complete demonstration which that power affords of all want of legal responsibility to the complainant for the building of the levees complained of. In this connection it is to be observed that the complete application of this power is in the reason of things admitted by the erroneous assumption upon which alone the arguments proceed in seeking to avoid the effect of the well-defined limitation as to accidental and extraordinary floods; that is, the erroneous contention as to the high-water bed of the river which we have disposed of. We say this since it is apparent that if the property in the valley were to be treated as in the bed of the river, that would be true also of the property of the complainant, hence causing it to come to pass that as to such property so situated there would be no possible lawful ground of complaint to arise from the action of Congress in exerting its lawful power over the bed of the river for the improvement of navigation.

These conclusions dispose of the case without the necessity of recurring, as we proposed at the outset to do, to the rulings in the Jackson and Hughes cases, but in the light of the principles we have stated, we direct attention to the fact that the attempt to distinguish the Jackson case upon the ground that relief was there denied because the proprietor on one side of the river, who complained of the increase of the flood level and injury to his land from the levees erected on the other side or from the levee system as a whole, had himself erected a levy to protect his property and therefore was estopped, is without foundation. It is plain when the context of the opinion in the Jackson case is considered that the denial of the right to relief in that case was rested not upon the conception that a right existing on one side of the river was destroyed by estoppel and a right not existing on the other was conferred by the same principle, but upon the broad ground that the rights of both owners on either side embraced the authority without giving rise to legal injury to the other, to protect themselves from the harm to result from the accidental and extraordinary floods occurring in the river by building levees if they so desired. Additionally when the principle laid down in the Jackson case is illustrated by the ruling which was made in the Hughes case, it becomes apparent that the contention here urged as to the identity between the great valley and the flood bed of the river was adversely disposed of, since under no view could the ruling in the Hughes case have been made except upon the theory that the bank of the river was where it was found and did not extend over a vast and imaginary area.

Affirmed.

Mr. Justice Pitney concurs in the result.

A true copy.

Test:

_____ _____,
Clerk Supreme Court, United States.

Mr. SPARKMAN. Mr. Speaker, I ask for a vote.

Mr. CULLOP. Mr. Speaker, on that I demand the yeas and nays.

Mr. MANN. I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 186, nays 131, answered "present" 5, not voting 112, as follows:

YEAS—186.

Abercrombie	Clark, Fla.	Edwards	Hinds
Adamson	Coady	Elston	Holland
Alexander	Coleman	Estopinal	Hood
Allen	Collier	Farley	Hopwood
Almon	Conry	Farr	Huddleston
Anthony	Cooper, W. Va.	Fitzgerald	Hughes
Aswell	Cooper, Wis.	Flood	Hulbert
Bacharach	Costello	Flynn	Hull, Tenn.
Barchfeld	Curry	Garland	Humphrey, Wash.
Barkley	Dale, N. Y.	Garner	Humphreys, Miss.
Bell	Darrow	Garrett	Igoe
Bennet	Davis, Minn.	Godwin, N. C.	Jacoway
Blackmon	Davis, Tex.	Goodwin, Ark.	Johnson, Ky.
Booher	Decker	Gray, Ala.	Johnson, Wash.
Borland	Denison	Greene, Mass.	Keister
Bowers	Dent	Griffin	Kent
Browning	Dickinson	Hadley	Kettner
Bruckner	Dies	Hamlin	Kitchin
Buchanan, Tex.	Dill	Hardy	Konop
Burnett	Dixon	Harrison	La Follette
Butler	Dooling	Hastings	Lazaro
Byrns, Tenn.	Doolittle	Hawley	Lee
Caldwell	Dupré	Hayden	Lesher
Caraway	Dyer	Heaton	Lever
Casey	Eagan	Hicks	Lieb
Chandler, N. Y.	Edmonds	Hill	Linthicum

Littlepage	Neely	Schall	Thomas
Lloyd	Nicholls, S. C.	Scott, Pa.	Tillman
Lobeck	Oldfield	Scully	Tribble
London	Oliver	Sears	Van Dyke
Longworth	Olney	Siegel	Vare
McArthur	O'Shaunessy	Sims	Venable
McCracken	Overmyer	Sinnott	Vinson
McKellar	Padgett	Small	Volstead
McLemore	Park	Smith, Idaho	Walker
Magee	Price	Smith, Minn.	Ward
Martin	Quin	Snyder	Watkins
Matthews	Ragsdale	Sparkman	Watson, Pa.
Meeker	Rainey	Steagall	Watson, Va.
Miller, Del.	Raker	Stedman	Whaley
Miller, Minn.	Randall	Stephens, Cal.	Wilson, La.
Mondell	Rodenberg	Stephens, Miss.	Wingo
Montague	Rouse	Swift	Wise
Moon	Rowe	Switzer	Wood, Ind.
Moore, Pa.	Rowland	Taggart	Young, Tex.
Morin	Rucker	Talbott	
Mott	Russell, Mo.	Taylor, Ark.	

NAYS—131.

Adair	Evans	Kinkaid	Shallenberger
Aiken	Ferris	Lehlbach	Sherley
Anderson	Fess	Lindbergh	Shouse
Ayres	Focht	McAndrews	Sloan
Beakes	Foss	McDermott	Smith, N. Y.
Britt	Foster	McKenzie	Snell
Britten	Frear	Madden	Stafford
Browne	Fuller	Mann	Stephens, Nebr.
Burke	Gallagher	Mapes	Stephens, Tex.
Byrnes, S. C.	Gallivan	Mooney	Sterling
Campbell	Gardner	Moores, Ind.	Stiness
Carew	Gillett	Morgan, Okla.	Stone
Carter, Mass.	Good	Morrison	Sullowaу
Cary	Gray, Ind.	Moss, Ind.	Sutherland
Charles	Green, Iowa	Mudd	Sweet
Cline	Greene, Vt.	Nelson	Tague
Connelly	Hamilton, Mich.	Nichols, Mich.	Tavenner
Cooper, Ohio	Haskell	Norton	Taylor, Colo.
Cox	Haugen	Oakey	Thompson
Cramton	Helgesen	Paige, Mass.	Timberlake
Crosser	Helm	Parker, N. J.	Tinkham
Cullop	Helvering	Platt	Towner
Dale, Vt.	Hernandez	Ramseyer	Treadway
Dallinger	Hilliard	Rauch	Walsh
Danforth	Hollingsworth	Reavis	Wheeler
Dillon	Hull, Iowa	Reilly	Williams, T. S.
Doughton	James	Riordan	Williams, W. E.
Dowell	Johnson, S. Dak.	Roberts, Nev.	Williams, Ohio
Drukker	Keating	Rogers	Wilson, Ill.
Dunn	Kennedy, Iowa	Russell, Ohio	Winslow
Ellsworth	Kennedy, R. I.	Sanford	Woods, Iowa
Emerson	Kiess, Pa.	Scott, Mich.	Young, N. Dak.
Esch	King	Sells	

ANSWERED "PRESENT"—5.

Chiperfield	Gard	Langley	Steenerson
Crisp			

NOT VOTING—112.

Ashbrook	Fordney	Kelley	Peters
Austin	Freeman	Key, Ohio	Phelan
Bailey	Gandy	Kincheloe	Porter
Barnhart	Glass	Kreider	Pou
Beales	Glynn	Lafean	Powers
Black	Gordon	Lenroot	Pratt
Brumbaugh	Gould	Lewis	Rayburn
Buchanan, Ill.	Graham	Liebel	Ricketts
Burgess	Gray, N. J.	Loft	Roberts, Mass.
Callaway	Gregg	Loud	Rubey
Candler, Miss.	Griest	McClintic	Sabath
Cannon	Guernsey	McCulloch	Saunders
Cantrill	Hamill	McFadden	Shackleford
Capstick	Hamilton, N. Y.	McGillicuddy	Sherwood
Carlin	Hart	McKinley	Sisson
Carter, Okla.	Hay	McLaughlin	Slayden
Church	Hayes	Maher	Slemp
Copley	Heflin	Mays	Smith, Mich.
Crago	Henry	Miller, Pa.	Smith, Tex.
Davenport	Hensley	Morgan, La.	Steele, Iowa
Dempsey	Houston	Moss, W. Va.	Steele, Pa.
Dewalt	Howard	Murray	Stout
Doremus	Howell	Nolan	Sumners
Driscoll	Husted	North	Temple
Eagle	Hutchinson	Oglesby	Tilson
Fairchild	Jones	Page, N. C.	Wason
Fields	Kahn	Parker, N. Y.	Webb
Finley	Kearns	Patten	Wilson, Fla.

So the conference report was agreed to.

The Clerk announced the following pairs:

For this vote:

Mr. McLAUGHLIN (for conference report) with Mr. PAGE of North Carolina (against conference report).

Mr. HART (for conference report) with Mr. GOULD (against conference report).

Mr. CANDLER of Mississippi (for conference report) with Mr. HAMILTON of New York (against conference report).

Mr. KINCHELOE (for conference report) with Mr. RICKETTS (against conference report).

Mr. PATTEN (for conference report) with Mr. CANNON (against conference report).

Mr. NOLAN (for conference report) with Mr. McCLINTIC (against conference report).

Mr. LOFT (for conference report) with Mr. HUSTED (against conference report).

Mr. CARLIN (for conference report) with Mr. DEMPSEY (against conference report).

Mr. McGILLICUDDY (for conference report) with Mr. SMITH of Michigan (against conference report).

Mr. WILSON of Florida (for conference report) with Mr. GRAHAM (against conference report).

Mr. CARTER of Oklahoma (for conference report) with Mr. CHIPERFIELD (against conference report).

Mr. SUMNERS (for conference report) with Mr. PARKER of New York (against conference report).

Ending July 17:

Mr. BAILEY with Mr. FAIRCHILD.

Ending July 22:

Mr. CALLAWAY with Mr. PETERS.

For the session:

Mr. DEWALT with Mr. McFADDEN.

Until further notice:

Mr. FIELDS with Mr. GRAY of New Jersey.

Mr. BURGESS with Mr. MOSS of West Virginia.

Mr. RAYBURN with Mr. KAHN.

Mr. HOUSTON with Mr. GUERNSEY.

Mr. BUCHANAN of Illinois with Mr. KEARNS.

Mr. GREGG with Mr. STEENERSON.

Mr. GLASS with Mr. SLEMP.

Mr. WEBB with Mr. MILLER of Pennsylvania.

Mr. CANTRILL with Mr. LANGLEY.

Mr. FINLEY with Mr. NORTH.

Mr. SLAYDEN with Mr. McKINLEY.

Mr. BARNHART with Mr. AUSTIN.

Mr. KEY of Ohio with Mr. LAFEAN.

Mr. HOWARD with Mr. KELLEY.

Mr. HENSLEY with Mr. GLYNN.

Mr. DOREMUS with Mr. FORDNEY.

Mr. DAVENPORT with Mr. CRAGO.

Mr. MAHER with Mr. PORTER.

Mr. SISSON with Mr. ROBERTS of Massachusetts.

Mr. MURRAY with Mr. LOUD.

Mr. SHACKLEFORD with Mr. PRATT.

Mr. OGLESBY with Mr. POWERS.

Mr. STOUT with Mr. WASON.

Mr. BRUMBAUGH with Mr. FREEMAN.

Mr. GANDY with Mr. CAPSTICK.

Mr. HAY with Mr. COPLEY.

Mr. HEFLIN with Mr. GRIEST.

Mr. SAUNDERS with Mr. KREIDER.

Mr. RUBEY with Mr. HUTCHINSON.

Mr. POU with Mr. BEALES.

Mr. PHELAN with Mr. TILSON.

Mr. STEELE of Pennsylvania with Mr. HAYES.

Mr. SMITH of Texas with Mr. TEMPLE.

Mr. STEELE of Iowa with Mr. HOWELL.

Mr. ASHBROOK. Mr. Speaker, I hurried to the Chamber as soon as the bell rang, but when I got here the second call had passed my name.

Mr. MANN. That is the result of the gentleman's having the letter "A" as an initial.

Mr. ASHBROOK. The minority leader is right. Mr. Speaker, I would like to have it appear in the RECORD that I would have voted "no" if I had gotten here in time.

The SPEAKER. The gentleman does not bring himself within the rule.

The result of the vote was announced as above recorded.

On motion of Mr. SPARKMAN, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

RURAL CREDITS.

Mr. PARK. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. PARK. To ask unanimous consent to address the House.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. PARK. Mr. Speaker, having received a large number of requests from my constituents for information as to the provisions of the rural-credits bill, I beg to submit a statement of the law which will soon be put in operation.

Since I have had the honor of representing my district in Congress, I have advocated, and have desired to vote for, some measure that would enable the farmer to borrow money at a lower rate of interest. The lack of power to borrow money at a low rate of interest on long time has handicapped the development of our rural sections. I believe that a proper rural-credits system will do more for the development and prosperity of our country than any other one measure before the American Congress. I voted for the bill, not because all of its provisions met my approval, but because I believed that it

was a long step in the right direction toward securing for this country a farm-credits system, and believing that we can perfect the measure later on by amendment. [Applause.]

There are some provisions in the bill which I do not approve of, for the reason that I do not believe they will be to the best interest of the farmers. I believe the machinery of the act to be too cumbersome and the system of operating farm-loan associations expensive. I believe that the Government should have established its own agencies at the smallest possible cost, and loaned the money direct to the farmers, without red tape and without creating profit-making middlemen, and introduced a bill eliminating these undesirable features, which was approved by the farmers' union, the grange, and alliance of farmers, but a majority of the House thought differently about these provisions.

I believe that the tenant farmer should be enabled to secure aid to make it possible for him to acquire his own farm and thereby independence for himself and family. However, only the future can demonstrate who is right; and so great is my belief in the lasting good of the rural-credits system that I now feel that all friends of rural credits should join heartily in trying to make this system a success, in order that the best results to the farmers of our country may be secured. Therefore, with this purpose in view, Mr. Speaker, it is not my intention to discuss the merits of this legislation at this time but simply to explain in a general way the provisions of the bill and point out how farmers can take advantage of its terms, hoping that it will be helpful to my constituents. [Applause.]

RURAL-CREDITS LEGISLATION SIMILAR TO FEDERAL RESERVE ACT.

The rural-credits bill which has become law is based on the same general plan under which the banking and currency system, recently enacted by Congress, is operating with such wonderful success. As the banking and currency act provides for a system to aid the business, industrial, commercial, and manufacturing needs of the country, it is believed that the same kind of a system put in operation to meet the requirements of agriculture will accomplish a like result. The Federal reserve act has proved a phenomenal success. The best authorities admit that without this law we would now be in the throes of the greatest panic ever known in this country. It is believed that the rural-credits act will prove a like success. The banking and currency law provides for a central board, known as the Federal Reserve Board, at Washington, and divides the United States into 12 districts and establishes a Federal reserve bank in each district. The rural-credits act provides for the establishment of a Federal farm-loan board of five members at Washington—four members and the Secretary of the Treasury—divides the country into 12 districts, and establishes a Federal farm-loan bank in each district. Each system is backed by the Government and they are very similar.

METHODS OF ORGANIZATION.

The Federal farm-loan board consists of five members, four to be appointed by the President with the consent of the Senate, and the Secretary of the Treasury as an ex officio member. The members of this board can not be officers or directors or own any interest in any other kind of banking business. A loan registrar is appointed by this board in each of the land-bank districts, and it also appoints such appraisers and examiners in each district as may be required. All of these, with the exception of the appraisers, are Government officials and their salaries and expenses are paid by the Government. This board organizes and charters the Federal land banks, and has general supervision and control of the entire system.

FEDERAL LAND BANK.

The United States is divided into 12 districts, and a bank with not less than $750,000 capital stock is established in each of these districts. In the beginning these banks are to be managed by five temporary directors selected by the Federal farm-loan board; afterwards, in a general way, as the directors in the Federal Reserve System are selected. Anyone may subscribe to the capital stock of these Federal land banks, but if it is not subscribed within 30 days, then the United States Government will purchase it. The Government will not share in the profits. The stockholders of the land banks, who are the borrowers themselves, share in the profits.

NATIONAL FARM-LOAN ASSOCIATIONS.

The act provides for the formation of national farm-loan associations. These associations are formed by 10 or more borrowers, who associate themselves under the act as a corporation, and they select a secretary-treasurer, a president, vice president, five directors, and loan committee. Before a farmer can secure a loan he must become a member of one of these farm-loan associations. The secretary-treasurer is the business manager of the association, and is the only officer of the local organization who shall receive a salary. When the application for a charter is forwarded to the Federal land bank, an appraiser is sent to the locality to appraise the lands included in the application, when, if found eligible for loans, the charter will be granted. The purpose of the association is to solicit loans, pass upon the character of the borrower, and give a final estimate of the value of the lands proposed for security.

HOW LOANS ARE OBTAINED.

Assuming that a loan association has been organized in your neighborhood, the method of securing a loan will be as follows: The borrower would make an application to the association for membership and for a loan. The directors of the association would first vote upon his application for membership. If his application for membership be accepted, then a committee of three members of the association would appraise or place an estimate upon the value of the land offered for security and make a written report to the association. The secretary-treasurer of the association would forward the application for the loan and the report of the loan committee, together with the description of the land and abstract of title, to the land bank. This report being favorable, the bank will lend the applicant not exceeding 50 per cent of the value of his land and 20 per cent of the insurable value of his buildings and improvements for a period of not less than 5 nor more than 40 years. The borrower would send his mortgage through his association to the land bank, and the land bank would send the money to the borrower through the secretary-treasurer of the association. Subsequent payments of both interest and principal would be made by the borrower to the secretary-treasurer of his local association. Thus the borrower will deal directly and entirely with his local association, whose members are composed of his own neighbors, located in his immediate locality. It is left with the borrower to determine the period for which the loan is granted. However, the rate of interest is determined by the farm-loan board.

HOW THE RATE OF INTEREST IS FIXED.

The land bank has power to borrow money through the sale of bonds, which are issued free from taxation and are as well secured as United States Government bonds. It is believed that there will be found a ready market for these bonds at a 4 per cent interest rate. In order that this low rate of interest may reach the farmer borrowers, the land bank will be compelled to loan to borrowers at a rate not exceeding 1 per cent above that at which these bonds are issued. Furthermore, the farm-loan board is authorized to reduce this margin below 1 per cent if an economical administration of the system will permit such a reduction. Thus, every effort has been made to enable land banks to borrow money at the lowest possible rate, and then compel these banks to loan money to the farmers at a rate only slightly above the rate which the bank itself is required to pay. In no case can the interest exceed 6 per cent. In this manner farmers can borrow money without leaving their own neighborhood and transact all business incident to securing a loan with officers of the association, who are neighbors.

IMPORTANCE OF LOW INTEREST RATES.

It might be well to add a word here as to the importance of lower interest rates. Too great importance can not be attached to a reduction in the interest rates which the farmers of our country are now compelled to pay. Mr. Taft, while President, made a statement to the effect that the farmers of the United States owed a mortgage debt of over $6,000,000,000, upon which they are paying an annual rate of interest, including commissions and renewal fees, of 8½ per cent. Assuming this estimate to be correct, there is an annual charge resting upon the Nation's agriculture from this source alone of more than $500,000,000. Various other estimates have been made from time to time. There are no reliable official records which give the entire mortgage indebtedness of the farmers of our country. Neither is it possible to determine with any degree of certainty the average rate of interest.

HOW THE ACT WLL AFFECT GEORGIA.

According to the 1910 census, there were 291,027 farms in Georgia, of which 98,628 were operated by owners or part owners, and of this latter number 18,257 farms were mortgaged at a value of $12,600,000. This indicates an exceedingly small percentage of them in comparison with those mortgaged in many other States. The average rate of interest paid on these mortgages was 8½ per cent, exclusive of commissions, and the total amount paid by these farmers in interest on their mortgaged farms was $1,071,000. Should these mortgages be transferred to the Federal system on a basis of 6 per cent, the farmers of our State who now have their farms mortgaged will be saved $315,000 in interest annually. If they get a 5 per cent rate,

which we hope will be possible, $441,000 will be saved annually. While these figures—which necessarily can not be absolutely accurate—indicate that the proportion of farms mortgaged in Georgia is comparatively small, it does not necessarily follow that this indicates a good condition. The proportion of farms mortgaged in 1910 was higher in Iowa and Wisconsin than in any other State, and yet those two States are among the most prosperous in the country from an agricultural standpoint and the value of farm land there is probably greater than in any other State in the Union and the interest rate cheaper.

RESTRICTIONS ON LOANS.

Loans may be made only for the purpose of purchasing land for agricultural uses, or for the purpose of providing equipment and live stock necessary for farming, or to improve farm buildings, or for improvement on farm lands, or to liquidate the indebtedness of owners of land already mortgaged. Loans may be made only upon duly recorded first mortgages on farm lands and improvements. These loans are made for 50 per cent of the value of the land and 20 per cent of the value of improvements. A loan can only be made to those who are engaged in the cultivation of the farm to be mortgaged or shortly to become so engaged. However, there is an exception made whereby any farmer may mortgage his land to secure money to pay off his debts which he actually owes at the time this law goes into effect. The amount of any one loan shall not exceed $10,000. Borrowers are required to state in their applications for what purpose the money is borrowed.

GOVERNMENT AID.

In establishing any cooperative business enterprise the greatest difficulty is to secure the initial capital, and, on account of the fact that all of the shareholders are borrowers, this difficulty is emphasized in this situation. Under this act a corporation is organized in which every stockholder seeks to secure a loan without advancing any capital with which to found or organize it. To overcome this difficulty the United States Government is required to advance $750,000 to each one of the 12 banks, making a total of $9,000,000 advanced to the entire system in the United States. While this money will be repaid to the Government ultimately, no interest or dividends are paid for the use of it. The system is thereby founded with sufficient cash capital and at the same time no burden of interest or dividend charges is imposed.

This $750,000 advanced to each land bank is not intended to form any part of the permanent capital of that bank, but is a revolving fund to be loaned to the farmer. Should it become necessary, the Secretary of the Treasury is authorized to deposit as much as $500,000 in any Federal land bank at any time, so that it may not be hampered in its operations. It will thus be observed that every precaution is taken to make the system a success.

HOW STOCK IS ISSUED AND DIVIDENDS PAID TO SHAREHOLDERS.

In order to make the organization truly cooperative, every borrower is required to hold stock in proportion to his loan; that if one person borrows $2,000 and his neighbor borrows $1,000, the former should hold twice as much stock as the latter. With his application for a loan each borrower agrees to subscribe to the stock of the local association to the amount of 5 per cent of his loan. The local association forwards its member's application for the loan to the district land bank and agrees to subscribe a like amount to the stock of the land bank. Thus when a $1,000 loan is granted to Mr. A the land bank retains out of the face of the loan the amount of the stock subscribed, which is $50, issues the local association $50 in par value of stock in the land bank, and transmits $950 in current funds. The local association then issues to Mr. A $50 of stock in the association and turns over to him the $950 cash received from the land bank. The association must pay Mr. A dividends on the $50 of stock issued to him, and in turn receives dividends on the $50 of stock which it holds in the land bank. The land bank has issued bonds to the amount of $1,000, which it has sold to the public. It pays interest to its bondholders on this amount and receives interest from Mr. A on the face of his mortgage, which is $1,000. The land bank also has $50 in cash, which it deducted from the face of the loan to pay for the stock issued to the local association when it received Mr. A's application. This sum of $50 is invested, and its income helps to pay the dividends on the corresponding shares of stock. When Mr. A's debt is paid in full, the land bank cancels the stock of $50 held by the association, paying the association its par value; likewise the association cancels its stock issued to Mr. A and pays him the $50 par value. Mr. A is no longer a borrower in the system; he is no longer a stockholder. He does not now help to create any business for the system, and he is not entitled to share longer in its dividend distributions. This illustrates that the system is purely mutual and cooperative, that it is owned solely by the borrowers, and that every cent of its earnings which are distributed as dividends are paid directly to the borrowers in proportion that their loans bear to the total amount of loans made by the land bank.

JOINT-STOCK COMPANIES.

There is a provision in the bill which authorizes the organization of joint-stock companies for the purpose of making loans on farms. These banks are not permitted to make loans except to farm borrowers. The Government contributes no money to the joint-stock banks and purchases no stock in them. Joint-stock land banks are organized and financed by persons seeking the stock of the bank as an investment. The capital stock must be at least $250,000 paid in cash capital before a charter is granted. The joint-stock bank is authorized to issue bonds on land mortgage in the same manner as the Federal land banks. The interest rate charged by the joint-stock bank shall not exceed 6 per cent. The interest charged shall not exceed 1 per cent over the amount of interest for which the bonds are sold. If the bonds sell for 4 per cent the interest charged shall be 5 per cent, and so on. The material difference between the joint-stock banks and the Federal land banks consists in the fact that the Federal land banks are operated by the Government, and the borrowing farmer gets the profits, while in the joint-stock banks the borrower does not share in the profits, and all dividends are paid to the shareholders who invested their money in the joint-stock bank. No stock is issued to the borrower in the joint-stock bank.

HOW SHARE CROPPERS AND RENTERS WILL BE BENEFITED.

I believe that this act will prove the greatest impetus ever given agriculture in this country, inasmuch as it will encourage those who now rent their farms to save and become farmers in their own right, and will cause a great number of men now engaged in other businesses that are less profitable to become farmers, and will make it possible for all farmers to obtain necessary finances.

Under this new law the man who now rents his farm may purchase one in two ways: He may either save up 50 per cent of the cost of his farm, and then mortgage it under the bill on long time and use the money in paying for the land, or he may be able to get the owner of the land to let him have the title, and mortgage it for 50 per cent of its value, and turn this over as his first payment, then execute a second mortgage to the landowner for the remainder of the purchase money, and then work it out instead of paying rent.

REPAYMENT—AMORTIZATION—PLAN.

The term "amortization" means a method of paying a debt in such a way as to extinguish both principal and interest at the close of a given period. Under this plan the annual payments are all of the same amount, and the last payment liquidates the debt in full. The regular payment is larger than the interest charges on the principal borrowed, so that each payment discharges a part of the debt. To illustrate, if a man borrows $1,000 at 5 per cent interest, the annual interest charge will be $50. If the borrower pays only $50 per year, he can never reduce the original amount of the loan; he will always owe $1,000. Under the amortization plan, if he will pay $80.24 per year, $30.24 more than the yearly interest charge, he will pay his debt in full at the end of 20 years. In this manner the loan of $1,000 has actually been paid off with $604.80 if you compute simple interest at the rate of 5 per cent. Therefore a farmer may borrow $1,000—or more on the same scale of repayment—on an unrecallable contract for 20 years at a rate of interest a little above 3 per cent. As this is the simple-interest rate, he will actually receive under this law, if he will agree to make an annual payment of $80.24 per year. A simple computation proves the correctness of this result. Twenty payments of $80.24 each would amount to $1,604.80. This sum pays both principal and interest. Deduct the principal—$1,000; it leaves $604.80, which has been paid for interest in 20 years. This is an average of $30.24 per year, or an average rate of 3.02 per cent, which is slightly more than 3 per cent. This result is really accomplished by the yearly reduction, which is made in the principal, and by constantly decreasing the annual interest charge. The rate given—3.02 per cent—represents, however, the average rate of interest paid during the entire period if computation be made on the original principal of $1,000, which is the usual method of borrowing money. It will, therefore, be seen that this plan is best adapted to long-time contracts.

Under this bill the borrower can choose the length of time he wishes his debt to run, provided the period is not less than 5 nor more than 40 years. The rate of interest will be the same, whether he chooses a long or a short period of repayment, but

the annual installment will vary. The annual payment will be larger for a short period than for a longer one on the same size loan at the same rate of interest. Therefore if a man borrows $1,000 at 5 per cent interest, and agrees to pay the debt in 20 years, and his neighbor borrows a like amount at the same rate of interest and agrees to pay his debt in 36 years, their annual payments would be different. The man who chose 20 years would be required to pay $80.24 per year, whereas the one who made his loan for 36 years would pay annually $60.43. This plan will be understood by an examination of the following table showing the repayment of a loan of $1,000 in 20 years at 5 per cent.

Annual periods.	Total annual payment.	Interest at 5 per cent.	Paid on principal.	Amount of principal still unpaid.
1	$80.24	$50.00	$30.24	$969.76
2	80.24	48.48	31.75	938.00
3	80.24	46.90	33.34	904.67
4	80.24	45.23	35.01	869.66
5	80.24	43.48	36.76	832.90
6	80.24	41.64	38.59	794.31
7	80.24	39.71	40.52	753.79
8	80.24	37.68	42.55	711.23
9	80.24	35.56	44.68	666.53
10	80.24	33.32	46.91	619.64
11	80.24	30.98	49.26	570.39
12	80.24	28.51	51.72	518.67
13	80.24	25.93	54.31	464.36
14	80.24	23.21	57.02	407.34
15	80.24	20.36	59.87	347.46
16	80.24	17.37	62.87	284.60
17	80.24	14.23	66.01	218.59
18	80.24	10.93	69.31	149.28
19	80.24	7.46	72.78	76.50
20	80.24	3.82	76.50	.....
Total	1,604.80	604.80	1,000.00	.....

Table showing the repayment of a loan of $1,000 in 36 years at 6 per cent.

Annual periods.	Total annual payment.	Interest at 6 per cent.	Paid on principal.	Amount of principal still unpaid.
1	$68.39	$60.00	$8.39	$991.61
2	68.39	59.49	8.90	982.71
3	68.39	58.96	9.43	973.28
4	68.39	58.40	9.99	963.39
5	68.39	57.80	10.59	952.80
6	68.39	57.16	11.23	941.57
7	68.39	56.49	11.90	929.68
8	68.39	55.79	12.60	917.08
9	68.39	55.02	13.37	903.71
10	68.39	54.28	14.11	889.60
11	68.39	53.37	15.02	874.58
12	68.39	52.47	15.92	858.66
13	68.39	51.52	16.87	841.79
14	68.39	50.50	17.89	823.89
15	68.39	49.43	18.96	804.93
16	68.39	48.29	20.10	784.83
17	68.39	47.08	21.31	763.52
18	68.39	45.81	22.58	740.94
19	68.39	44.45	23.94	717.00
20	68.39	43.02	25.37	691.63
21	68.39	41.49	26.90	664.73
22	68.39	39.88	28.51	636.22
23	68.39	38.17	30.22	606.00
24	68.39	36.36	32.03	573.97
25	68.39	34.43	33.96	540.01
26	68.39	32.40	35.99	504.02
27	68.39	30.24	38.15	465.87
28	68.39	27.94	40.45	425.42
29	68.39	25.52	42.87	382.55
30	68.39	22.95	45.44	337.01
31	68.39	20.22	48.17	288.84
32	68.39	17.33	51.06	237.78
33	68.39	15.26	53.13	184.65
34	68.39	11.07	57.32	127.33
35	68.39	7.63	60.76	66.57
36	70.56	3.99	66.57	.....
Total	2,464.21	1,464.21	1,000.00	.....

An examination of this table will show that if a farmer borrows $1,000 for 36 years at 6 per cent interest, by the payment of $68.39 per year all the debt and interest is fully paid at the end of that period.

The law will permit loans to run for at least 40 years. I urge borrowers to accept a reasonably long period of repayment. The curse of farm-mortgage debt under present conditions has been the pressure to repay within a short period. It has entailed hardships on the family. It has robbed the children of an education. It has prevented the taking of short vacations and trips of travel, made debt an oppressor, and has given a mortgage a destructive influence over the destinies of the family of the debtor. Yet under former conditions these influences could not be avoided. This law does away with these evils. It provides a mortgage contract that can not be recalled. No foreclosure can take place, except for failure on the part of the debtor to fulfil the conditions of his contract. No renewal charges or commissions can be demanded. Every payment reduces the principal of your debt and you have the assurance of knowing that if your regular annual payments are made your debt will be discharged at the end of the contract period without any additional payments on your part. Should a borrower desire to make heavier payments at any time, he may do so and thus shorten the period of his contract. He can pay off his entire debt at any time he may wish to do so. Therefore, he does not lose any freedom by making a long-time contract; he is only insuring himself against pressure to pay out large amounts and thereby deprive himself and family.

No doubt Congress will amend this law from time to time as the needs of the farmers are shown. I trust it will not be long before we can add to this legislation and give to the farmers who do not own land a credit system that will enable them to easily purchase a home and finance their crops without paying the exorbitant rates of interest under the present system. [Applause.]

LEAVE OF ABSENCE.

By unanimous consent, Mr. BAILEY was granted leave of absence for one week, on account of important business.

Mr. MANN. Mr. Speaker, I give notice now I shall object to everything except the regular business. I ask for the regular order.

EXTENSION OF REMARKS.

Mr. BORLAND. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Missouri rise?

Mr. BORLAND. To ask unanimous consent that I may extend my remarks in the RECORD on the conference report on the river and harbor bill.

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend his remarks on the conference report on the river and harbor bill. Is there objection? [After a pause.] The Chair hears none.

GENERAL DAM BILL.

The SPEAKER. The House automatically resolves itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill S. 3331, and the gentleman from Kentucky [Mr. JOHNSON] will take the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill S. 3331, with Mr. JOHNSON of Kentucky in the chair.

The CHAIRMAN. The House is in the Committee of the Whole House on the state of the Union for the further consideration of the bill the title of which the Clerk will report.

The Clerk read as follows:

An act (S. 3331) to amend an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906, as amended by the act approved June 23, 1910, and to provide for the improvement and development of waterways for the uses of interstate and foreign commerce.

The CHAIRMAN. When the committee rose section 10 had been passed over for the purpose——

Mr. ADAMSON. It went to the heel of the bill, though, Mr. Chairman. We had finished section 11.

The CHAIRMAN. The Clerk will report section 12.

The Clerk read as follows:

SEC. 12. That where, in the judgment of the Secretary of War, the public interest requires or justifies the execution by any grantee of contracts for the sale and delivery of water power or electrical energy for periods extending beyond the life of the grant, but for not more than 20 years thereafter, such contracts may be entered into upon the approval of the said Secretary, and thereafter, in the event of the exercise by the United States of the option to take over the plant in the manner provided in either section 10 or 11 hereof, the United States or its new grantee shall assume and fulfill all such contracts.

Mr. SMITH of Minnesota. Mr. Chairman, I move to strike out the last word. I wish to ask the chairman of the committee why it is that this power is left to the Secretary of War alone, and why not use the words he has been using, which would permit anybody hereafter constituted to execute that same power, instead of confining it to the Secretary of War alone?

Mr. ADAMSON. I do not understand the gentleman's question.

Mr. SMITH of Minnesota. In section 12 it is provided—

That where, in the judgment of the Secretary of War, the public interest requires or justifies the execution by any grantee of contract for the sale and delivery of water power—

The Secretary may permit the grantee to execute contracts for the delivery of the power beyond the life of the grant.

Now, why does the gentleman not use the term that the Secretary or any other body that may be hereafter constituted having jurisdiction over it?

Mr. ADAMSON. Well, the scheme of this bill gives jurisdiction to the Secretary of War of all this——

Mr. SMITH of Minnesota. Yes; but in certain sections you provide that the Secretary of War or such other body as may hereafter be constituted may have the power to do certain things.

Mr. ADAMSON. I do not remember that.

Mr. SMITH of Minnesota. There are certain sections of the bill that contain this language, namely, "to such body or such body as may be authorized by Federal statute."

Mr. ADAMSON. Regulation of rates? It means Congress might hereafter change that and Congress might hereafter change this.

Mr. SMITH of Minnesota. But if it is well to use it in the one case, why do you not use it in the other? That is the question.

Mr. ADAMSON. Well, the matter was not presented to me at all. I do not think it is necessary. Congress can change it at any time in the future it desires.

Mr. CULLOP. Will the gentleman permit?

Mr. SMITH of Minnesota. Certainly.

Mr. CULLOP. In section 5, page 28, it prescribes that the charges may be fixed by the Secretary of War. Then, in section 7, in regard to certain things, it uses the term "the Secretary of War and the Chief of Engineers." If you will notice section 7 you will find there the words "Chief of Engineers" are joined with the words "Secretary of War."

Mr. SMITH of Minnesota. I understand that.

Mr. CULLOP. But in section 5 all of the charges are to be fixed or regulated by the Secretary of War. Consequently it was used here with the thought that he was the one who was the proper person to pass upon the transfer of contract or any other business that these men might have with the Government.

Mr. SMITH of Minnesota. Suppose a commission was created hereafter?

Mr. CULLOP. Then the law would have to be changed so that it would harmonize with whatever subsequent law might be enacted on the subject.

Mr. ADAMSON. That is right.

Mr. ESCH. In line 21 you use the language that "the contract shall not extend for more than 20 years after the termination of the grant." Now, in the western mountain countries no doubt many of these powers will be used in irrigating lands, and the man who owns land and depends upon a water supply should not be limited to a 20-year contract. He wants it in perpetuity.

Mr. ADAMSON. I will say to the gentleman that this is taken from the western bill that passed the House.

Mr. ESCH. I realize that.

Mr. ADAMSON. And the committee adopted this language in order to accommodate ourselves to their idea.

Mr. ESCH. I understand that; but that does not explain the situation as to why there should be a limitation where a man wishes to use it for the irrigation of his land. He wants a grant in perpetuity.

Mr. STAFFORD. Will my colleague yield?

Mr. ESCH. Yes.

Mr. STAFFORD. This presupposes a grant of not only 20 years but of 50 years, the original life of the grant. The 20 years is beyond that—70 years in all. If the gentleman will permit further, this provision, as I recall, was incorporated in the public lands water-power bill, so that in case a lease of power should expire, say, 10 years prior to the 50-year expiration of the lease, a new lease could be entered into 10 years prior to the expiration of the original lease; that would extend those leases not more than 20 years beyond the original term.

Mr. ADAMSON. I will say that the purpose in both cases is to take care of the users of the water until there can be a renewal of the grant. That is the purpose of both bills.

Mr. STAFFORD. I agree with the gentleman, but it will run for more than 70 years when you consider the time when it may be initiated.

Mr. ADAMSON. The grant was 50 years, and the Secretary of War permits this extension of 20 years, and during that 20 years certainly a new provision will be made to take care of it.

The Clerk read as follows:

SEC. 13. That the persons constructing, maintaining, or operating any dam or appurtenant or accessory works in accordance with the provisions of this act shall be liable for any damage that may be inflicted thereby upon private property, either by overflow or otherwise, and the United States shall in no event be liable therefor. The promotion of navigation for the benefit of interstate commerce being the paramount purpose and consideration for this legislation and the improvement contemplated therein, any grantee hereunder failing to secure necessary property rights, easements, and agreements by contract may acquire all such rights, either to use or damage any dam sites, lock sites, lands, or property of others necessary to the construction, maintenance, or operation of any such dam or diversion structure or of the works appurtenant or accessory thereto by the exercise of the right of eminent domain by condemnation proceedings in the district court of the United States for the district in which such land or other property may be located, or in the State courts. The practice and procedure in any action or proceeding brought for that purpose in the district court of the United States shall conform as nearly as may be with the practice and procedure in similar actions or proceedings in the courts of the State where the property is situated.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word, for the purpose of obtaining information.

I assume if a person has prior rights on a technically navigable stream in the use of a water power, if there is an application made to the Secretary of War for the development of a more extensive proposition, it rests with the Secretary of War to determine whether he should be vested with the right to grant to this grantee the power to condemn the prior rights of some other owner of a similar dam site upstream.

Mr. ADAMSON. I think that would depend on whether it was in use or designed to be put in use. The proposition is to reach those dam sites that have been acquired by holders who held them unimproved to prevent competition. We want to reach them and improve them.

Mr. STAFFORD. And the power of exercising the right of eminent domain virtually rests with the Secretary of War in authorizing him to approve the project?

Mr. ADAMSON. No; I think not. I do not think he has anything to do with that. He approves the project and then the movant takes the risk. I do not apprehend that any movant or litigant in any court would concede any site where the owner would improve the site just as well.

Mr. STAFFORD. If the grantee, with the approval of the Secretary of War, had the privilege to go ahead with the improvement of this initial dam site, why, then, under the reading of this section he would have the right to proceed by eminent domain to condemn another prior dam site.

Mr. ADAMSON. There is no such power conferred by the approval of the Secretary of War. The Secretary of War simply approves those plans for the benefit of navigation, but the burden is on the applicant himself to take care of the property.

Mr. CULLOP. Mr. Chairman, this section does not apply so much to taking over other interests as to taking the necessary property to complete any site already begun. Some man may have land which he is unwilling to sell, but which is needed for the development of the property, and this gives the right to condemn in that event. But if a property has once been dedicated to a public purpose you can not dedicate it to another public purpose until the first is entirely abrogated. That is the well-settled law.

Mr. STAFFORD. I direct the gentleman's attention to this phraseology in lines 14, 15, and 16:

May acquire all such rights, either to use or damage any dam sites, lock sites, lands, or property of others necessary to the construction, maintenance, or operation of any such dam or diversion structure or of the works appurtenant or accessory thereto by the exercise of the right of eminent domain by condemnation proceedings.

Mr. ADAMSON. That has no reference whatever to the approval of the Secretary of War.

Mr. STAFFORD. No; but it does refer to the power of the grantee, after he once has the right, to go ahead with the condemnation proceedings of other dam sites.

Mr. CULLOP. Oh, no.

Mr. STAFFORD. Or other dam sites now in existence. What does the language refer to, then?

Mr. CULLOP. It gives the right, where some site has already been provided or secured, that in the event of the establishment of the property under consideration, which may injure that, the rights of the parties are preserved by this section of the statute, and not otherwise.

Mr. ADAMSON. Mr. Chairman, under this provision he gets the right to build a dam in a navigable stream from the Secretary of War. If he fails by his lawsuit to get his property, he does not build the dam. That is all there is to it.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 14. That in case of the development, generation, transmission, or use of power or energy under an approval given under this act, including leases under section 19 hereof, wholly within a State which has not provided a commission or other authority having adequate power to regulate rate, charges, and service to the consumers of electrical energy and the issuance of stock and bonds by public-utility corporations engaged in power development, transmission, and distribution, the control of rates, service, and charges to consumers and stock and bond issues shall be vested in the Secretary of War, or committed to such body as may be authorized by Federal statutes until such time as the State shall provide a commission or other authority for such adequate regulation and control: *Provided*, That the control of the Secretary of War or other Federal authority shall cease and determine as to each specific matter of control described in this section so soon as the State shall have provided a commission or other authority for the regulation and control of that specific matter.

Mr. ESCH. Mr. Chairman, I offer an amendment, to add a letter "s" to the word "rate" in line 9. I think it is a typographical omission.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Wisconsin [Mr. ESCH].

The Clerk read as follows:

Amend, page 35, line 9, by striking out the word "rate" and inserting the word "rates."

Mr. ADAMSON. That is right.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. ESCH. Mr. Chairman, I offer another amendment. In line 22, before the word "regulation" insert the word "adequate."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Wisconsin.

The Clerk read as follows:

Amend, page 35, line 22, by inserting before the word "regulation" the word "adequate."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SMITH of Minnesota. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Minnesota moves to strike out the last word.

Mr. SMITH of Minnesota. This is the section that has to do with the regulation of rates and service, as well as the issuance of stocks and bonds; and I find in this section the language that I called the gentleman's attention to a few moments ago, on line 12, which reads as follows:

The control of rates, service, and charges to consumers and stock and bond issues shall be vested in the Secretary of War, or committed to such body as may be authorized by Federal statute until such time as the State shall provide a commission or other authority for such adequate regulation and control.

Mr. ADAMSON. That language, Mr. Chairman, is in two places. It is not only in this section, but in section 4, where provision is made for the regulation of interstate projects. But that does not render it not necessary that it should be included at the other place, as the gentleman has suggested, because, as was stated by the gentleman from Indiana [Mr. CULLOP] so pertinently, whenever a different arrangement is made by law in that same enactment you can provide just these functions. You can provide just as this is, if necessary. You do not know what it will be that you want to do.

Mr. SMITH of Minnesota. Why not insert it here?

Mr. ADAMSON. There has always been some difference as to who or what authority should regulate these rates. Some people insisted on the Interstate Commerce Commission doing it. So, as a palliation and a compromise, we provided that it may be the Secretary of War or such other authority as might be provided by law.

Now, as to the other section that the gentleman from Minnesota talks about, we thought the Secretary of War could manage that at present; but if it is found that a different arrangement is necessary, "sufficient unto the day is the evil thereof," and we can provide the other authority and cover the whole subject at once.

Mr. SMITH of Minnesota. And this language that I refer to, "or committed to such body as may be authorized by Federal statute," is meaningless in this section, and the section will be just as good without it.

Mr. ADAMSON. The gentleman will notice that I did not write it. I took it from the Ferris bill, which was passed after full debate and solemnly adopted.

Mr. SMITH of Minnesota. I understand that this bill is made up of several other bills, and it does occur to me that in going over it, for that reason, we should be careful, because it has not that connected thought that we would get when a man sits down and writes a bill from beginning to end.

Mr. ADAMSON. This bill is a composite bill, Mr. Chairman. It is made up of a hundred opposite views and different ideas, and it is impossible on that account to make it as coherent and uniform as if a single mind had written it. What we want to do is to get through a bill on which we can secure an agreement.

Mr. CULLOP. Mr. Chairman, if the gentleman will permit, this now vests that regulation in the Secretary of War. Another body may be created for that regulation hereafter and then transfer the authority now vested in the Secretary of War to such a body as may hereafter be created. If the State has a commission for the purpose of regulating this rate, then the power of regulation is vested in the State commission which is clothed with that authority.

Mr. SMITH of Minnesota. But your reference to the referring of this "to such other body as may be authorized by Federal statute" has no meaning or purpose in this act.

Mr. ADAMSON. It means just that Congress may constitute another authority.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. SMITH of Minnesota. Mr. Chairman, I ask for an extension of five minutes. My time has been taken up by interruptions.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. CULLOP. It has no office just now. But here is what might be termed a charter of these institutions. Provision is now made, but that power may hereafter be constituted otherwise; it may be transferred to some other body, and then by the charter itself it is lodged in such body as may be subsequently created.

Mr. SMITH of Minnesota. But you could do the same thing with every other feature of the bill, where we are investing the Secretary of War with authority to do a certain thing. You do not need to use this language here any more than in any other portion of the bill.

Mr. CULLOP. As to that, I am not prepared to say that it should not be used in order to make it clear wherever it may be necessary.

Mr. SMITH of Minnesota. It has no purpose or effect here at this time.

Mr. CULLOP. No.

Mr. ADAMSON. Mr. Chairman, if the gentleman will yield, the language here and in section 12 has been solemnly approved by the House in the last few months.

Mr. SMITH of Minnesota. I am not criticizing it. I am simply calling attention to the use of certain language in this bill.

Mr. ADAMSON. It is for a different purpose entirely. The two cases to regulate rights constitute one case, while section 12, to which the gentleman alluded, passes upon the question of whether a man ought to have a chance to get a new lease. It is quite a different proposition, and I can not say that the House did not act wisely in adopting the language of the other bill.

Mr. SMITH of Minnesota. What is the number of the section having reference to the regulation of rates—the general section?

Mr. ADAMSON. It is at the beginning of section 4, and that same language is there contained.

Mr. SMITH of Minnesota. I call the attention of the chairman of the committee to this fact: Section 4 and section 14 are the sections——

Mr. ADAMSON. Which control rates.

Mr. SMITH of Minnesota. Which regulate rates and the issuance of stocks and bonds.

Mr. ADAMSON. That is correct.

Mr. SMITH of Minnesota. And are the only features of this bill which look to the regulation of rates and service.

Mr. ADAMSON. Those are the two sections.

Mr. SMITH of Minnesota. I will submit to the chairman of this committee that those provisions seem entirely inadequate for the purpose for which they are intended. I ask, What is there in this section that authorizes any individual to call the attention of the Secretary of War to the necessity of regulating rates and service?

Mr. ADAMSON. I do not think you need have any fear about that. When you give the Secretary of War power to adjudicate it, any man who suffers will certainly holler and go to him. There is no doubt about that.

Mr. SMITH of Minnesota. The gentleman's confidence in mankind is great, and I am glad it is.

Mr. ADAMSON. Yes.

Mr. SMITH of Minnesota. But a man may have his own ideas about these things. Congress ought to have some idea as to what it wants when it creates a rate-regulating authority, and the gentleman must admit that this is quite inadequate, when we want to place a law on the statute books that will make it possible for people to take advantage of it. It would be wholly in the discretion of the Secretary of War to write such rules and regulations as he saw fit concerning these rates. We are doing altogether too much of that kind of legislating. We are letting the executive departments of this Government write the laws. When we are considering a proposition as important as the regulation of a highly concentrated business—so highly concentrated that if we are fair with ourselves and the country we will admit that it is a natural monopoly and will have to be so conducted—is it not necessary to enact a law by which it can be adequately regulated. Does the turning of the whole proposition over to a Cabinet officer to do as he sees fit meet the test?

Mr. ADAMSON. Mr. Chairman, I ask unanimous consent for one minute, just to deplore the fact that the gentleman is displeased. Two committees of this House have adopted the language in all these cases. This House has passed every one of them within the last three months. I despair of being able to satisfy the gentleman.

The CHAIRMAN. Without objection the pro forma amendment will be considered as withdrawn.

Mr. CULLOP. Mr. Chairman, I move to strike out the last two words. I am somewhat in sympathy with the gentleman from Minnesota upon this subject. The fact that the House has written two bills in which it has used precisely the same language does not altogether meet this question. If this property is to be developed, a great many people in this country are to be affected by that development, and it is well enough to put all the safeguards into the legislation at the time it is enacted. Now, the people have some rights in this matter, and their rights ought to be carefully safeguarded. The provision of law authorizing regulation by commission is a good law, but if the law leaves it solely to the discretion of the commission the authority may be very grossly abused, and it is at times. I do not know whether there is sufficient provision here to authorize the people to petition for a change of rates after they are once fixed. If not, whenever application is made the grantee will immediately claim that he has made his investment upon the regulation prescribed at the time, and that to change that regulation will disturb his vested rights. If that should be true, then it would simply prevent the public from having changes that might be very necessary and essential to the proper use of these properties. If the gentleman has an amendment that will reach that identical question, which I do not believe is sufficiently covered in this bill, I for one shall be very glad to support it. Now, we all know that Congress has passed laws a good many times which very much resemble laws that were passed by former Congresses; but sometimes when the courts get hold of them they put an entirely different construction upon them from what the law-making body intended, and when they are construed, that construction has a very different effect from what was anticipated when the legislation was passed, and the objects of the legislation defeated. Water power in this country is in its infancy; it has wonderful possibilities; it will, when developed, revolutionize our industrial system, and hence this bill is of tremendous importance.

For this reason the greatest care should be exercised in preparing every provision in this measure. It is well to care for the investor in order that properties may be developed, but it is equally as important that the rights of the public be safeguarded in order that the people may not be oppressed. We owe a duty to them in this matter, a duty of the highest importance, and we should see to it that that duty is well performed. The investor will take care of himself and as a rule is always able to do so; but the consumer is less fortunate, and hence we should proceed with great care in order that advantage in the future may not be taken of him years hence when rights have been surrendered. This is a matter of such vast importance that we should consider it from every angle, and when the work is completed have it done so that great good will result and that hardship shall not be visited upon the consuming public.

This is the time now to incorporate in the measure every necessary provision to make it a workable law, and the safeguarding of all rights of all parties affected by it. If we make now such a law it will save trouble in the future and encourage the developing of systems which will prove of great benefit to the country.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

SEC. 15. That any grantee who shall fail or refuse to comply with the lawful order of the Secretary of War, made in accordance with the provisions of this act, shall be deemed guilty of a misdemeanor and, on conviction thereof, shall be punished by a fine not exceeding $1,000, and every month such grantee shall remain in default shall be deemed a new offense and subject such grantee to additional penalties therefor; and in addition to said penalties the Attorney General may, on the request of the Secretary of War, institute proper proceedings in the district court of the United States in the district in which such structure or any of its accessory works may, in whole or in part, exist, for the purpose of having such violation stopped by injunction, mandamus, or other process; and any such district court shall have jurisdiction over all such proceedings and shall have the power to make and enforce all writs, orders, and decrees necessary to compel the compliance with the requirements of this act and the lawful orders of the Secretary of War and the performance of any condition or stipulation imposed under the provisions of this act; and if the unlawful maintenance and operation are shown to be such as shall require a revocation of all rights and privileges held under authority of this act, the court may decree such revocation. In case of such a decree, the court may wind up the business of such grantee conducted under the rights in question, and may declare such dam and accessory works to be an unreasonable obstruction to navigation and cause their removal at the expense of the grantee owning or controlling the same, or may provide for the sale of the dam and all accessory and appurtenant works constructed under authority of this act for the further development of water power, and may make and enforce such other and further orders and decrees as equity demands; and, in case of such a sale for the further development of water power, the vendee shall take the rights and privileges and shall perform the duties which belonged to the previous grantee, and shall assume such outstanding obligations and liabilities arising out of the maintenance and operation of such dam and accessory works for power purposes as the court may deem equitable in the premises.

Mr. TREADWAY. Mr. Chairman, the passage of this bill is vital to the interests of a large portion of the people residing in the district I have the honor to represent. I thoroughly believe in the principle of cooperation between the Federal Government and private corporations for the development of the great water powers of our country. Conservation should not be defined as destruction and waste. The severity of the present law, being the act of June 21, 1906, as amended by the act approved June 23, 1910, has prevented the proper use of many great water powers and has made conservation a farce. In other words, those powers have been so rigidly conserved that they have not been used at all and are therefore absolute waste.

The bill now under consideration has had the careful study of the Government authorities and one of the leading committees of this House for an extended period, and would appear to open the way for employment of the great water powers and at the same time properly safeguard the interests of the Government.

I have several times spoken on the subject of Connecticut River navigation, and need not discuss it at length at the present time. The construction of a new lock and dam at Enfield, Conn., by private capital, the deeding of these when completed to the United States without cost, the payment of all claims for damages resulting from flowage rights, injury to water power, and from any other source can positively be done with satisfactory financial return upon the private capital invested under the conditions of this bill. The people living above the dam in Springfield, Holyoke, and Chicopee, Mass., will secure a channel 12 feet deep at mean low water, which will result in a large saving in freight rates as well as aiding in relieving the congestion of freight now such a serious detriment in that section.

I hope this bill will become law in the very near future, as I am anxious and eager to have its benefits applied to the problem of transportation in Holyoke, as well as the other places I have named. As soon as it becomes law I shall make strenuous efforts to have its benefits put into practical operation upon the Connecticut River.

I am reliably informed that a corporation stands ready to accept it provisions and build the necessary locks and dams, thereby being enabled to develop 35,000 or 40,000 horsepower, supplying a wide area with electric energy at a minimum of cost to the consumer. An appropriation by the Government of $1,870,000, as recommended in House Document No. 417, Sixty-fourth Congress, first session, will then secure the desired depth of water, 12 feet, from the Sound, through Hartford, to Holyoke, Mass. The people have patiently waited for the consummation of this project. The passage of this bill will hasten in securing for them this great boom to their prosperity and business success.

Mr. SMITH of Minnesota. I move to strike out the last word in line 1, page 36, and the first two words in line 2, of the same page, and to insert before the word "guilty" the word "is."

Mr. ADAMSON. If I understand correctly what the gentleman is driving at, I think he will reach it better by simply striking out the word "deemed" and leave it simply "shall be guilty." A man can not be guilty until he does something in the future.

Mr. SMITH of Minnesota. There seems to be some controversy over it, and I will withdraw the amendment.

The CHAIRMAN. Without objection, the amendment offered by the gentleman from Minnesota will be withdrawn, and the Clerk will read.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. GARNER having taken the chair as Speaker pro tempore, a message, in writing, from the President of the United States was presented by Mr. Sharkey, one of his secretaries, who also informed the House of Representatives that the President had, on July 11, 1916, approved and signed bills and joint resolution of the following titles:

H. R. 7430. An act for the relief of William Foglio;

H. R. 7617. An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes; and

H. J. Res. 257. Joint resolution permitting the use of certain hospital facilities belonging to the United States.

GENERAL DAM BILL.

The committee resumed its session.

The Clerk read as follows:

SEC. 16. That the Secretary of War is hereby authorized to examine books and accounts of grantees and to require them to submit statements, representations, or reports, including information as to capitalization, cost of locks, dams, and other aids to navigation, water rights, lands, easements, and other property acquired, production, use, distribution, and sale of power or energy, all of which statements, representations, or reports so required shall be upon oath, unless otherwise specified, and in such form and upon such blanks as the Secretary of War may require; and any person making any false statement, representation, or report under oath shall be subject to punishment as for perjury.

Mr. RAKER. Mr. Chairman, I should like to ask the gentleman from Georgia [Mr. ADAMSON] a question. In the last proviso—

And any person making any false statement, representation, or report under oath shall be subject to punishment as for perjury—

Does not the gentleman think that a little severe? Should it not have the usual qualifications, "knowingly, willfully," and so forth?

Mr. ADAMSON. I think that is understood. I do not think you can convict a man of telling a lie unless he knows he is telling it.

Mr. RAKER. The gentleman believes that this does not cover that point?

Mr. ADAMSON. My opinion is that unless he does it on purpose he is not guilty.

Mr. RAKER. I withdraw the pro forma amendment.

Mr. SMITH of Minnesota. Mr. Chairman, I move to strike out the last word. Section 16 provides that the Secretary of War may examine the books, and so forth, but he does not provide for what purpose he makes the examination.

Mr. ADAMSON. It is for the purpose of discharging the duties imposed upon him by this bill.

Mr. SMITH of Minnesota. When does he determine that his duty operates, what standard has he to enable him to tell when he is to examine the books and accounts, and for what purpose? Is it for the purpose of fixing rates, or what?

Mr. ADAMSON. There are two things required of him in this bill.

Mr. SMITH of Minnesota. He ought to be required to do it when he does it, and he ought to do it for some purpose.

Mr. ADAMSON. He is required to supervise the capitalization and the rates and practices, and I know of no other purpose.

Mr. SMITH of Minnesota. That is my objection to it, that he is authorized to supervise the issuance of stocks and bonds, and that is ineffective. It amounts to nothing. It is so much language and nothing else. If the grantee was required to secure from the Secretary of War a permit to issue stocks and bonds it would amount to something, but here it is so general in its scope that they could go on and issue all the stocks and bonds they wanted to, and what is the Secretary of War empowered to do? Nothing; he could not prevent them from doing it. They do not commit any misdemeanor by going on and issuing all the stocks and bonds they please. It is simply a phrase thrown into the body of the bill which is meaningless and useless. It clothes the Secretary of War with no power whatever. It is the same with this proposition. He may examine the records in the books, but for what purpose it does not say. Suppose I was the grantee and the Secretary of War should come to my premises and want to examine my books and records, I would want to know for what purpose he was going to examine them.

Mr. ADAMSON. All he would have to do was to explain that section 14 required him to supervise the issuance of stocks and bonds and the rates and practices, and I think the books would be forthcoming.

Mr. NORTON. Mr. Chairman, would the gentleman from Georgia object to inserting the following amendment: After the word "war," in line 15, page 37, insert "for the purpose of fixing rates and for regulating the issuance of stocks and bonds as provided for in this act," so that the section will read:

The Secretary of War, for the purpose of fixing rates and for regulating the issuance of stocks and bonds as provided in this act—

And so forth.

Mr. ADAMSON. That is the undoubted intention of it, and I have no objection.

Mr. COOPER of Wisconsin. Mr. Chairman, I move to strike out the last word. I want to ask the gentleman from North Dakota a question. Are there not other duties required of the Secretary of War than the mere fixing of rates and the issuing of stocks and bonds for which he might want to examine the books. Why not have the amendment read "to enable the Secretary of War to perform the duties required of him under this act"? We ought not to limit it to these two objects, because he has many other duties to perform for which it might be of great advantage to him to examine the books.

Mr. MANN. Will the gentleman from North Dakota yield further?

Mr. NORTON. Yes.

Mr. MANN. What object is there for us to limit the authority of the Secretary of War to call for these reports and examine the books? You give him authority to call for them with a limitation, which limitation may come up in a lawsuit.

Mr. NORTON. The question was raised as to whether he had authority at any time.

Mr. ADAMSON. If I was going to say anything I would say "for the purposes of this act."

Mr. STAFFORD. That is understood, is it not?

Mr. ADAMSON. That is what I thought.

Mr. MANN. If we were trying to make some outside corporation furnish a report, we would have to bring it within our legislative power, but that is not this case. Here is a corporation for which we are granting a franchise, and we can impose in that franchise any condition we please. Why should we put any limitation in at all? It can not hurt these people.

Mr. ADAMSON. I thoroughly agree with the gentleman from Illinois.

Mr. NORTON. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Without objection, the gentleman from North Dakota withdraws his amendment.

There was no objection.

Mr. RAKER. Mr. Chairman, I offer the following amendment: On page 38, line 1, after the word "person," insert the word "willfully."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 38, line 1, after the word "person," insert the word "willfully."

Mr. ADAMSON. Mr. Chairman, I have no objection to that.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

SEC. 18. That the right to alter, amend, or repeal this act is hereby expressly reserved as to any and all dams which may be authorized in accordance with the provisions of this act. In such case the United States shall incur no liability for the alteration, amendment, or repeal thereof to the owner or owners or any other persons interested in such dam.

Mr. SMITH of Minnesota. Mr. Chairman, I move to strike out the last word for the purpose of making an inquiry of the chairman of the committee. What is the effect of the last paragraph of section 18—

In such case the United States shall incur no liability for the alteration, amendment, or repeal thereof to the owner or owners or any other persons interested in such dam—

if it is not to create that uncertainty and doubt which the chairman of this committee and the committee have tried to avoid, so as to induce capital to invest in this sort of business with some assurance that it will be stable?

Mr. ADAMSON. Mr. Chairman, I will state to the gentleman that it is provided in another part of the bill that these approvals are irrevocable, except for violation of conditions or the use of the Government, or some good cause; and it is believed that no Congress will ever revoke one of them unless it is wise to do so and justified at the time it does it. No one of us believes that Congress will ever confiscate any of these things unless it is proper to do so. If Congress ever deems it wise and justifiable to repeal the act so as to revoke one of these approvals, I dare say, as a good American and patriot, that there will be sufficient cause for it, and that there ought not to be any redress upon the part of the people who have incurred the displeasure of Congress by their wrongdoing. Grantees and capitalists have for a long time demanded that we make absolutely irrevocable these grants for a certain period of time, but that would be an abdication of sovereignty, and I do not believe that Congress will ever abdicate its sovereignty and control over these things. In other words, I believe Congress will always reserve to itself the right to pass on the circumstances in each case and decide whether or not it will revoke.

Mr. SMITH of Minnesota. The gentleman will notice that I am not calling attention to the first paragraph of the section which reserves to the Government the right to amend or repeal the act, but to the second paragraph, which provides:

In such cases the United States shall incur no liability for the alteration, amendment, or repeal thereof to the owner or owners or any other persons interested in such dam.

Mr. ADAMSON. I tried to answer that.

Mr. SMITH of Minnesota. Let me venture the statement that that section, while it appears to be just, will not meet the situation, and I will buy a hat, the best hat that can be purchased for the chairman of this committee if that portion of the section ever goes into a bill written by Congress.

Mr. ADAMSON. I do not know anything about that. I do not gamble. The gentleman may know more about it than I do, but I daresay that Congress will never abrogate one of these things unless it is right to do so. This language simply means it will not owe anything to anybody for doing so.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

SEC. 19. That the Secretary of War be, and he is hereby, authorized to enter into leases for the use of surplus water and water power generated at dams and works constructed wholly or in part by the United States in the interests of navigation, at such rates or on such terms and conditions, and for such periods of time, not to exceed 50 years, and with such provision for the periodical readjustment of rentals, as may seem to him just, equitable, and expedient, subject, however, to the provisions of this act governing the authorization, maintenance, and operation of power plants, and to all regulations governing the use and disposition of the power, so far as the same may be applicable; and all such leases, the parties thereto, and the terms and conditions thereof, shall be reported annually to Congress: *Provided*, That the said Secretary of War, in making such leases, other conditions being equal, shall give preference to the bid solely for municipal use of any municipal corporation or other public corporation not operated for profit.

Mr. SMITH of Minnesota. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment by Mr. SMITH of Minnesota: Amend section 19, page 38, by striking out all after the word "leases," in lines 10, 11, 12, and 13, and inserting in lieu thereof the following: "shall give preference to any municipal corporation or other public corporation not operated for profit."

Mr. SMITH of Minnesota. Mr. Chairman, the amendment which I offer is the amendment that was adopted in the House when the Adamson bill was under consideration during the last session of Congress, and I feel that it is a wise amendment. I feel that the language of the bill as reported does not do what evidently was intended to be done, and that is to give a preference to municipalities and States. Under the language in the bill as reported, a municipality would have to go into the open market and bid against hydroelectric companies, electric monopolies, if you may call them so. This would be equivalent to depriving them of any opportunity to get the power under any condition whatever, because it is well known, that if the municipality is compelled to go into the market and bid for this power, the company can pay any price that it wants to pay, run the price up just as high as it desires in order to get above the municipality, and then tax back on the municipality the excess cost the municipality compelled it to pay. I do not think that the committee wants to have such a feature remain in the bill. It is unjust; it is unfair; it does not mean what it is intended it should mean, which evidently is to give a municipality or a State a preference. There can be no preference where there is competitive bidding. You can not make a preference out of that sort of thing. This being the case I hope the chairman of the committee will adopt my amendment, which is the exact language of the amendment adopted by the House when the Adamson bill was under consideration last year.

Mr. ADAMSON. Mr. Chairman, I can not afford to accept any such amendment. I think the language in this paragraph is fair. The gist of it is taken from the Ferris bill that the House adopted a few months ago, and the distinguishing feature between it and the gentleman's proposition is that it must be "solely for municipal use" in order to give them a preference.

The Secretary of War has the discretion under this language, but the qualification is that to give a city advantage over any other bidder under the same conditions it must be solely for municipal use. The gentleman had the proposition up here at another time and the House voted it down during this session, and of course should vote it down every time it is proposed.

Mr. SMITH of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. ADAMSON. Yes.

Mr. SMITH of Minnesota. The matter I had up I intend to offer in a few moments. This proposition is entirely different from the one that I offered to the river and harbor bill.

Mr. ADAMSON. It is so nearly akin to it that I thought it was the same. It is of the same family and belongs to the same tribe, no doubt.

Mr. SMITH of Minnesota. Under the language of the bill is it the intention of the committee that there shall be a preference and at the same time that the power shall be put up and sold to the highest bidder?

Mr. ADAMSON. The language is express that preference shall be given to municipalities if they want it "solely for municipal purposes." If it is a subterfuge, if they are to use a little and let some trust or monopoly have the balance, the Secretary of War does not give them the preference. That is all there is in it, and it ought to stand as it is.

Mr. SMITH of Minnesota. Will the gentleman yield for another question?

Mr. ADAMSON. I will.

Mr. SMITH of Minnesota. What does the language "to the bid" mean?

Mr. ADAMSON. Well, I suppose it means what it says. The people who want it will make application and state what terms they want and what they are willing to do and pay. That is the common acceptation of the English language.

Mr. SMITH of Minnesota. The one who pays the most shall get it?

Mr. ADAMSON. No; that is not what it says. It says, "other conditions being equal."

Mr. SMITH of Minnesota. "Other conditions being equal"—that is, other conditions will have to be equal, and, besides that, it will have to bid more than anybody else?

Mr. ADAMSON. That is not what it says at all. "Shall give preference to the bid."

Mr. SMITH of Minnesota. Now, that is what the chairman on April 10 said in this House, that that ought to be done.

Mr. RAKER. Will the gentleman yield for a question?

Mr. SMITH of Minnesota. Certainly.

Mr. RAKER. What is the purpose of the gentleman's amendment?

Mr. SMITH of Minnesota. The purpose of my amendment is to make it possible for municipalities and States to get the privilege of using these powers without being compelled to bid against the Hydroelectric Trust. A permit should be granted for a public purpose without competitive bidding, and a fair and equitable price should be exacted for the permit. This is what my amendment aims to do.

Mr. RAKER. Is not that what this bill does?

Mr. SMITH of Minnesota. No, indeed. This bill provides that a municipality can secure one of these water-power Government dams when it pays the highest price and other conditions are equal. I submit that such a proposition does not amount to a preference at all; it is simply a play upon words that have a contrary meaning to that which they should mean.

Mr. ADAMSON. Will the gentleman yield?

Mr. SMITH of Minnesota. Yes.

Mr. ADAMSON. Other cities of these United States need this power, and it is the understood purpose of the gentleman from Minnesota that it is on account of his home cities—and, Mr. Chairman, I protest against altering the benevolent and fair terms in a general bill in order to accommodate any local situation.

Mr. SMITH of Minnesota. Mr. Chairman, the gentleman from Georgia [Mr. ADAMSON] is clearly in error when he attempts to confound my amendment or the section under consideration with any local situation.

The section under consideration authorizes the Secretary of War to enter into leases for the use of power generated at dams constructed wholly or in part by the United States, and the particular language of section 14 under consideration is a proviso that reads as follows:

That the Secretary of War in making such leases, other conditions being equal, shall give preference to the bid solely for municipal use of any municipal corporation or other public corporation not operated for profit.

My amendment changes that proviso so as to read as follows:

That the Secretary of War in making such leases shall give preference to any municipal corporations or other public corporation not operated for profit.

It will readily be seen that the phrases "other conditions being equal" and "to the bid" destroy the effect of a preference which the municipality or State will otherwise have if these phrases were not in the bill.

In order to understand just what the gentleman from Georgia [Mr. ADAMSON] is trying to accomplish by this provision of his bill I call attention to his remarks found on page 5837 of the CONGRESSIONAL RECORD, Sixty-fourth Congress, first session. On this occasion Mr. ADAMSON said:

I have no objection to their taking it—

Meaning the municipality—

if they bid more than anybody else and give better terms to the Government than anybody else. But I want the Government to make the best terms possible.

It is plainly to be seen from the gentleman's previous statement that at this time he is dodging the issue and does not know

what the section of his bill means or is withholding information from the committee.

The CHAIRMAN. The question is on the adoption——

Mr. KING. Mr. Chairman, I move to strike out the word "solely," in the eleventh line.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 39, line 11, strike out the word "solely."

Mr. ADAMSON. The gentleman is amending an amendment.

Mr. STAFFORD. That is to perfect the text.

Mr. KING. This is to the substance of the paragraph.

The CHAIRMAN. The amendment offered by the gentleman from Minnesota was to strike out and insert.

Mr. STAFFORD. The gentleman from Illinois is in order in offering an amendment to perfect the text, and he has the right to perfect the text before the motion of the gentleman from Minnesota is submitted.

Mr. RAKER. Mr. Chairman, may we have the amendment of the gentleman from Minnesota again reported?

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

There was no objection.

The amendment was again reported.

The CHAIRMAN. The Chair is of opinion that the amendment offered by the gentleman from Minnesota has now to be voted upon. The question is on its adoption.

The question was taken, and the amendment was rejected.

Mr. KING. Mr. Chairman, I move to strike out the word "solely" in line 11.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 39, line 11, strike out the word "solely."

Mr. KING. Mr. Chairman, it strikes me I may be wrong, perhaps—the distinguished chairman of the committee can explain—that that would prevent a municipality which was in the business of selling power to its inhabitants in competition with a private corporation from being preferred under this section, would it not?

Mr. ADAMSON. I do not think so. I think the idea is that a city may furnish its own citizens with light and power for municipal use.

Mr. KING. It says "solely for municipal use." Does that mean the use of the inhabitants or the use of the city of electricity for the purpose of lighting its particular buildings?

Mr. ADAMSON. If the city was to furnish its own plant and furnish its citizens, it would be for municipal use.

Mr. KING. Well, I ask for a vote on the amendment.

Mr. McARTHUR. May I ask the chairman a question?

Mr. ADAMSON. Certainly.

Mr. McARTHUR. Does the chairman want this amendment?

Mr. ADAMSON. No, sir.

The CHAIRMAN. The question is on the adoption of the amendment.

The question was taken, and the amendment was rejected.

Mr. SMITH of Minnesota. Mr. Chairman, I send to the Clerk's desk an amendment as a new paragraph.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Minnesota, to be inserted after the word "profit," on page 39, line 13:

"That the Secretary of War be, and is hereby, directed to make and enter into an agreement with the Municipal Electric Co., a public corporation organized and existing under the laws of the State of Minnesota, for the purpose of utilizing the hydroelectric power developed by the surplus waters not needed for navigation by the dam prescribed and provided for in House Document No. 741, Sixty-first Congress, second session, as adopted by Congress in the act entitled 'An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes,' approved June 25, 1910. Such agreement shall provide that for the privileges secured thereby said corporation shall pay to the United States the fair and proportional cost of maintenance of said dam, lands, and appurtenant works, and also pay in addition an annual sum, not less than 3 per cent, upon such amount as the United States shall have invested and expended in the completion of the project by which such water power is developed and maintained over and above the amount actually expended and which would have been expended in completion of the project for navigation only. Such amount shall be determined by the records in the office of the Chief of Engineers, and the said annual payments for rent and maintenance shall be made on or before the 2d day of January of each year; and the rent shall begin with the use of the power commercially by the said Municipal Electric Corporation, and not later than one year after said company has been notified by the Secretary of War that the water is available.

"The right shall be reserved to the United States and included in such contract for the United States to purchase and use such supply of said power as may be required for its own purposes on the same terms and conditions as the said power is sold or distributed to the members of said public corporation of the State of Minnesota."

Mr. ADAMSON. I make the point of order against it, Mr. Chairman.

The CHAIRMAN. The Chair will hear the gentleman on the point of order.

Mr. ADAMSON. It is a local proposition for an entirely different purpose and not germane to this bill at all. You might just as well undertake to provide for the private household of every man in the United States as to put that in for the benefit of those two cities. One is a general law and the other is a special benefit.

Mr. SMITH of Minnesota. It is not a special benefit. It is to carry out an agreement on the part of the Government to do a certain thing or enable the Secretary of War to do it.

The CHAIRMAN. The Chair will hear the gentleman from Minnesota [Mr. SMITH] on the point of order.

Mr. SMITH of Minnesota. Mr. Chairman, it is clearly within the purpose of the bill. The purpose of this bill is to enable us to develop the water-power resources of the country and to dispose of them as we develop them. The amendment which I propose has for its purpose the authorization of the Secretary or War, or it might have been somebody else, to dispose of water power that is in shape to be utilized. The Government has spent in the neighborhood of $2,300,000 on this project, and it should have been utilized some time ago. Now it comes to the point of passing a law that will authorize the Secretary of War to dispose of that power in the way that was contemplated at the time the project was undertaken.

The CHAIRMAN. House resolution 287 is a special rule for the bill S. 3331. The special rule says:

That no matter or provision contained in the bill shall be subject to a point of order, any rule or rules of the House to the contrary notwithstanding.

In the judgment of the Chair this bill then becomes a general legislative one, and the amendment of the gentleman from Minnesota [Mr. SMITH] pertains to the general subject. The Chair therefore overrules the point of order.

The question is on the adoption of the amendment.

Mr. SMITH of Minnesota. Mr. Chairman, I want to be just as brief as I can. This is a special matter that affects only the cities of Minneapolis and St. Paul and the State of Minnesota. But you must remember, gentlemen, that this is not a new proposition. The project was undertaken in 1910, and when it was undertaken the municipalities, the State, and the Federal Government came to an understanding as to what was to be done. The cities offered to build the dam and to donate all the flowage rights if the Government would permit them to use the power.

The Secretary of War, through the Chief of Engineers, reported that such an arrangement would not be satisfactory to the Federal Government for reasons stated, and that the Government should go on and complete the dam, and when completed the Government should offer to lease it to the cities of St. Paul and Minneapolis. I will read what the Secretary of War said at that time, through the Chief of Engineers:

The two cities of St. Paul and Minneapolis are deeply interested in the construction of a high lock and dam, and in addition are naturally the most desirable lessees of any surplus power that may be created thereby. Through assurances of reasonable and proper concessions to them in the matter of leasing such surplus power it is thought to be possible to secure a voluntary donation of the right of flowage over their lands.

* * * * * * *

That instead of inviting the cooperation of and entering into contractural relations with any private or municipal corporation for the execution of the work (a policy which experience has shown to be conducive to friction and misunderstanding and often attended by serious complications), the cost of construction should be borne by the United States alone, so that the control of the water power will be absolute, and it may be used, leased, or otherwise utilized as may be most advantageous to the interests of the Government.

Following that, he said "in making a lease the cities and the State should have reasonable concessions made to them."

Now, it is impossible under the general clause in the bill that is before us for the Secretary of War to make any concessions whatever to those cities. They have done their part. They have donated flowage rights. The State of Minnesota has donated to the Government valuable water-power rights, and now we are asking the Government to fulfill its part of the contract and to permit the Secretary of War to lease this power to the municipalities and the State, for public purposes only, at a reasonable rate of interest, without any competition, that the people of Minneapolis and St. Paul shall have the excess power to use upon paying to the Federal Government a reasonable compensation for the amount the Government has invested in the plant.

In view of the previous understanding, nothing can be fairer. We do not want this for nothing. We simply want the Government to live up to its agreement.

Now, then, what is the opposition to this proposition? In Minnesota there is something like 20 water-power developments

under control and management of one concern. We have more water power than any other State of the Union; that is, separate power sites.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SMITH of Minnesota. Mr. Chairman, I ask unanimous consent to have it extended 10 minutes.

Mr. ADAMSON. I do not like to deny the gentleman anything, but he has debated his bill before in this House and lost on it each time. I shall not object; but at the end of his time I shall ask the committee to vote down the proposition.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SMITH of Minnesota. This is not a personal matter with me. I am simply presenting to you the rights of my constituents in this proposition. You would think it was a personal matter to hear some people talk, but I assure you it is not. There is no personal feeling. You can vote this down just as often as you want to. My conscience is clear. Let me show you the opposition. There is but one concern in my State that has control of every water power in the State except this one. This is the Minneapolis General Electric, which is one of the subsidiary companies of the great Water Power Trust.

In connection with the high dam the management of the Minneapolis General Electric Co. has this to say:

The management of the Minneapolis Co. believe that they should be protected from competition so long as they serve the public fairly and so long as the rates charged are as low as those that could be fairly made by any other company operating on legitimate lines. The management believe that no water powers that would be serviceable in Minneapolis or St. Paul can be developed at a lower unit cost than those it controls, and none would have better operating conditions when built.

Mind you, it does not say, "None would serve the public cheaper," but "None could have better operating conditions when built." The letter proceeds:

Consequently the management believes that it is only fair and just that before a Federal permit be granted to other private interests to construct dams those interests should be required to demonstrate that when their proposed developments are completed they will be in a position to generate, distribute, and sell current at a lower figure than the existing companies can and are doing. We believe that in every case where a Federal license is requested and the power is to be used for public-service purposes a thorough examination should be made of the property by competent Government engineers, and no permit should be granted unless it can be shown that there is a market for the power that can not be provided for as well and as cheaply by the existing companies.

This letter was written by Frederick P. Royce, vice president of the Minneapolis General Electric Co., to Hon. Frederick C. Stevens, then a Member of Congress, on November 17, 1910, and contains the first suggestion of what is known as section 14 in the Adamson bill of last year, and what is known as section 19 of the Adamson bill of this year, and what is known as section 10 in the Shields bill of this year. It was the Royce letter that furnished the inspiration for these sections.

Now, gentlemen, if you feel that these municipalities should be deprived of the opportunity of getting this water power under these circumstances, I have nothing to say.

But let me say another word: The method that you are now pursuing is the only way that the Minneapolis General Electric Co. or any other company could get control of the water power at Minneapolis and the flowage rights. Let me read to you what the Board of Engineers said on this point:

If the high dam is not built as an aid to navigation, it is presumed to be impossible for the United States to condemn the additional land that will be needed for flowage purposes.

Now, then, the Board of Engineers that reported on this proposition clearly set forth that unless you could induce the cities of Minneapolis and St. Paul to part with their flowage rights you could not condemn the property because they had previously found the high dam was not necessary for navigation purposes. The plan that is now being pursued in this legislation was then devised by parties interested in seeing the General Electric Co. secure this power from the Federal Government, and it has been persistently followed ever since that time.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Minnesota [Mr. SMITH].

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. SMITH of Minnesota. Mr. Chairman, I ask for a division.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 23, noes 30.

So the amendment was rejected.

Mr. RAKER. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from California moves to strike out the last word.

Mr. RAKER. Mr. Chairman, the bill H. R. 408, reported by the House Committee on Public Lands, was a bill that received a great deal of attention last year and this year. Being a member of that committee, I am in a position to know that the committee gave very careful attention and painstaking consideration to the bill after long and exhaustive hearings.

The pending bill now under consideration, S. 3331, as amended by the House Committee on Interstate and Foreign Commerce, is something similar to the bill that was passed last year. The Committee on Interstate and Foreign Commerce has had hearings and full consideration of the provisions of this bill, and the Committee on Public Lands—and I say it to the credit of that committee—has approved of many of the valuable features of the House bill. The two bills are companion bills. One relates to the waters flowing over public lands and nonnavigable streams and the other relates to navigable streams, and the two together practically cover the development of hydroelectric power upon navigable and nonnavigable streams.

The terms of this bill, as it is now amended, protect the Government. The terms of the other bill protect the Government, protect the investor, and give to the consumer some chance of a reasonable price for his product and a good prospect for the development of this great and valuable property on the public domain as well as on our rivers, and will add much to the wealth of this country.

Practically, electrical-power development is in its infancy. We can remember but a few years ago when there were no plants of any considerable importance. You could go to the great city of San Francisco and find but one little one-story concern, known as the California Electric Co., that had made an expenditure of eight or ten thousand dollars. To-day you find great development in this country in every conceivable way along the line of hydroelectric power.

I believe both of these bills, with some amendments, will become laws, and their enactment will speak well of both sides of the House, and particularly of the Members who have given attention to this legislation, who favor the utilization of this power, which will give to the men who invest their money a fair return upon it and at the same time will give consumers a product at a reasonable price and add much to the material wealth of this country. [Applause.]

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

SEC. 20. That the provisions of this act shall not be construed as revoking or affecting any permits or valid existing rights of way heretofore given or granted pursuant to law, but at the option of the grantee any grant heretofore given for the development, generation, transmission, or utilization of power may be surrendered and the grantee given a grant for the same premises under the provisions of this act.

Mr. SMITH of Minnesota. Mr. Chairman, I want to make a statement, and I want to ask for a little time, not more than 10 minutes. I may be able to complete my statement in five minues.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to proceed for 10 minutes.

Mr. ADAMSON. What is the gentleman's purpose?

Mr. MANN. I hope no objection will be made to the gentleman's request. We passed over section 10, and I ask that after we conclude the disposition of section 10 the gentleman from Minnesota may have 10 minutes.

Mr. ADAMSON. I want to couple with that a request that the gentleman from Tennessee [Mr. SIMS] may have five minutes.

Mr. MANN. I hope the gentleman will not couple with it anything.

Mr. ADAMSON. I couple with that, Mr. Chairman, a request for five minutes for the gentleman from Tennessee [Mr. SIMS].

The CHAIRMAN. The Chair understands the gentleman from Illinois to ask unanimous consent that at the conclusion of the reading of the bill——

Mr. MANN. No; only section 10——

The CHAIRMAN (continuing). The gentleman from Minnesota may have 10 minutes. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 21. That the provisions of this act shall not apply to irrigation or power dams or grants to municipal corporations affecting the use of water or water power for municipal purposes or other projects under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture upon the public lands of the United States.

Mr. ADAMSON. Now, Mr. Chairman, it is in order to go back to section 10.

Mr. MANN. Section 10, as I understand, was read.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from California [Mr. KENT].

Mr. MANN. The gentleman from Georgia withdraws his amendment.

The CHAIRMAN. Does the gentleman from Georgia withdraw his amendment?

Mr. ADAMSON. No; it was adopted.

Mr. MANN. Oh, no.

The CHAIRMAN. Section 10 has not been adopted.

Mr. ADAMSON. I withdraw it, then, and will allow the gentleman from California [Mr. KENT] to offer his amendment.

The CHAIRMAN. The gentleman from California offers an amendment, which the Clerk will report.

The Clerk read as follows:

Strike out section 10 and substitute the following:

"SEC. 10. At any time after the expiration of any grant made hereunder, upon six months' notice of intention to do so, given either before or after the expiration of the grant, the United States, or any person authorized by Congress, may take over the dam and locks and properties appurtenant to navigation and the properties used by the grantee for the generation and transmission of electrical energy which are dependent for their usefulness on the continuance of such grant: *Provided*, That by 'transmission' there shall be understood the wires, conduits, poles, or other devices used to convey electrical energy to the point of its application, but that nothing herein contained shall obligate the United States to purchase any property beyond such generating plant and transmission lines: *Provided further*, That the United States may also purchase at its discretion such lands and other property of any grantee acting under the terms of this act as in the judgment of Congress may be deemed advisable upon condition that it shall pay before taking possession, first, the actual costs of the dam and locks and all other aids to navigation constructed under the approval of plans and specifications, rights of way, water rights, lands, and interests therein purchased or taken over by it; and, second, the reasonable value of all other property taken over, including structures and fixtures acquired, erected, or placed upon the lands and included in the generation or transmission plant and which are dependent as hereinabove set forth, such reasonable value to be determined by mutual agreement between the Secretary of War and the grantee or owners of such property; and in case they can not agree by proceedings instituted for that purpose in the United States district court for the district in which said property or some part thereof is situated, but in no case shall the amount exceed the actual cost: *Provided*, That such reasonable value shall not include or be affected by the value of the franchise or good will or profits to be earned on pending contracts or any other intangible element: *Provided further*, That in case of war or other emergency, to be judged by the Secretary of War, the United States shall have the right hereby reserved to requisition and take possession of any or all of said property and operate the same for its own use and benefit as long as the necessity or emergency continues, and compensation for such use and occupation shall be determined and paid as heretofore provided in this section."

Mr. ADAMSON. I will ask the gentleman if agreeing to this amendment will make peace in the family and end the trouble over this section?

Mr. KENT. Other gentlemen have made other suggestions, but I do not think they will oppose this amendment.

Mr. ADAMSON. I have scrutinized the two versions of the section, and this looks to me like a case of tweedledee and tweedledum, as far as the merits are concerned.

Mr. KENT. I will take tweedledee and the gentleman can take tweedledum.

Mr. ADAMSON. Admiring the gentleman's great linguistic capabilities and deferring to his eminent ability, if it is any pleasure to my distinguished friend to use his language instead of mine, I will accept his proposition if it will make peace in the family.

Mr. STAFFORD. I wish to offer an amendment to the substitute.

Mr. ADAMSON. That may break up the harmony.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment to the amendment, which the Clerk will report.

The Clerk read as follows:

Strike out, in lines 18, 19, and 20 of the substitute offered by Mr. KENT, the following language: "the dams and locks, and all other aids to navigation constructed under the approval of plans and specifications."

Mr. ADAMSON. You might just add "and confiscate all the property."

Mr. STAFFORD. Mr. Chairman, I wish to point out the difference between the Ferris bill and the bill under consideration, as to what the Government would pay in case it should appropriate a dam, dam site, and appurtenances at the end of the 50-year period. I have in my hand the Ferris bill as it passed the House, and in section 5 you will find that we only provided for paying the actual cost. I will read the language:

First, the actual costs of rights of way, water rights, lands, and interests therein purchased and used by the lessee in the generation and distribution of electrical energy under the lease; and, second, the reasonable value of all other property taken over, including structures.

The phraseology as it is carried in the Adamson bill, as well as in the amendment offered by the gentleman from California [Mr. KENT] seeks to pay the actual cost of the dam and locks, not the reasonable value of the dam and locks, as is provided in the Ferris bill.

Mr. ADAMSON. Will the gentleman yield for a moment?

Mr. STAFFORD. I will be glad to yield.

Mr. ADAMSON. The distinction is this: For the things which the Government requires the lessee to do for the Government use and benefit, we provide that the Government shall pay him the cost, while for the things that the Government does not require for the Government benefit, but which the grantee builds for his own business, we do not pay any more than the reasonable value.

Mr. STAFFORD. After having adopted one rule in the Ferris bill, I think we should conform to that rule in this bill and not depart from it. You can not justify paying the actual cost, after 50 years use of a dam and of locks, when they have depreciated mayhap 25 or 50 per cent. Under the amendment that I propose you will have the same phraseology as that adopted in the Ferris bill, and you will provide for paying not for the actual cost of the dam and locks, which may have depreciated 50 per cent in the 50 years or 100 years of usage before the Government takes possession of them, but you will provide for paying the reasonable value of the dam.

I submit to any business man—and the gentleman from California who offers the substitute is a noted successful business man—whether after a grantee has used a dam and all the privileges connected with it 50 years, and it has deteriorated in value 50 or 75 per cent, the Government, when it appropriates that power, should pay the real value of it or the actual cost, which on the books of the corporation may have been wiped off in depreciation in a hundred years' usage. That, I say, is unfair, and the Government should not be asked to pay the actual cost on something that has deteriorated with 50 or 75 years' usage.

Mr. ADAMSON. The gentleman's argument might be sound if he would provide that the regulation of charges should be such as to allow the cost to be amortized.

Mr. STAFFORD. We are not attempting, by the amendment, to appropriate or confiscate any property but to provide for a reasonable value of the dams and locks, because under the second provision it will extend to dams, as there we pay the reasonable value of other property taken over, including structures and fixtures, which is identical in language with the Ferris bill.

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. COOPER of Wisconsin. I have not a copy of the amendment furnished by the gentleman from California, but I call the attention of my colleague to the language in the original bill, page 32, which is that it shall not in any case exceed the actual cost—that is, it does not require that it shall be the actual cost.

Mr. STAFFORD. If the gentleman will take the amendment under consideration it is obligatory on the Government when it takes over the property, after 50 or 75 or 100 years' use, to pay the actual cost of the original investment. Does the gentleman from Wisconsin think that is fair after depreciation of many years?

Mr. COOPER of Wisconsin. I said I had not a copy of the amendment of the gentleman from California. I referred to the provision in the original bill.

Mr. STAFFORD. And the provision in the original bill is mandatory, and that is the objection I have to it—it is compulsory on the Government to pay the cost of the dam and locks and all other aids to navigation constructed under the approval of plans and specifications and rights of way, water rights, lands, and interests therein purchased and used by the grantee for the generation and distribution of electrical energy under the grant. Regardless of depreciation there is in value, the Government must pay not the actual value, but the actual cost.

Mr. ADAMSON. Mr. Chairman, can we not reach an agreement as to the time to be devoted to this amendment?

Mr. MANN. The amendment of the gentleman from California is not agreed to yet, and if it is not agreed to I want to offer an amendment myself.

Mr. STAFFORD. I do not think there is any necessity for an agreement; there is no disposition to prolong debate.

Mr. COOPER of Wisconsin. I can not consent, Mr. Chairman, as far as I am concerned, that a vote shall be taken on this vital point in one of the most important bills that has been before Congress without having time to examine it.

Mr. ADAMSON. I do not want to cut the gentleman from Wisconsin off from making a speech.

Mr. COOPER of Wisconsin. I do not want to make a speech; I want an opportunity to investigate this amendment on this very important subject.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. STAFFORD. I ask that my time be extended five minutes.

The CHAIRMAN. The gentleman from Wisconsin asks that his time be extended five minutes. Is there objection?

There was no objection.

Mr. STEPHENS of Nebraska. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. STEPHENS of Nebraska. Does not the gentleman think the benefits of navigation would compensate the Government for the cost or for what it might pay for the dam at the end of 50 years?

Mr. STAFFORD. It is the right of the Government after 50 years to go in and appropriate the property and reimburse the owner for the actual reasonable value—not the cost, as I contend, for the value may have depreciated 50 or 75 per cent. You as a business man, exercising this right that is given under this bill, would not pay something for nothing.

Mr. STEPHENS of Nebraska. Would the gentleman consider that when the Government has had 50 years' benefit of navigation that it ought not to pay the cost of this dam?

Mr. STAFFORD. We should pay the reasonable value, because when the investor makes his investment in that proposition he bottoms it on the idea that he will only have the absolute use of it for 50 years. He will amortize the cost so that the value is wiped off completely when the Government takes possession of it. We ought not to be compelled to pay him 75 per cent in excess of something that we do not get.

Mr. COOPER of Wisconsin rose.

The CHAIRMAN. Does the gentleman from Wisconsin yield to his colleague?

Mr. STAFFORD. Mr. Chairman, I yield first to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Chairman, would it be carrying out the gentleman's purpose if we should say "by the reasonable value not exceeding the actual cost"?

Mr. STAFFORD. Very much so.

Mr. MANN. Would not everybody agree to that?

Mr. ADAMSON. I would be glad to agree to that.

Mr. STAFFORD. Then I will stop right there.

Mr. ADAMSON. My idea is that whenever you go to improving the property it rises in value.

Mr. MANN. Of course, the actual cost would include the repairs of 50 years, and no one wants to do that.

Mr. ADAMSON. Very well.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent to withdraw my amendment and insert in lieu thereof an amendment inserting before the word "actual," in line 18, the words "reasonable value not exceeding the."

The CHAIRMAN. The amendment which the gentleman from Wisconsin now offers is an amendment to the substitute offered by the gentleman from California [Mr. KENT]?

Mr. STAFFORD. Yes.

The CHAIRMAN. Without objection, the gentleman from Wisconsin will be granted leave to withdraw his former amendment and substitute the one just offered.

There was no objection.

Mr. STAFFORD. Mr. Chairman, let the Clerk report the amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Wisconsin to the amendment of the gentleman from California.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Line 18, before the word "actual," insert the words "reasonable value not exceeding the."

Mr. STAFFORD. That is all right.

Mr. ADAMSON. I do not object to that.

Mr. CULLOP. Mr. Chairman, in the second specification before the word "the" and after the word "second," should not the same qualification be inserted?

Mr. MANN. I do not think so, because that already provides for the reasonable value. The trouble with the first proposition was that it would include maintenance. Actual cost includes maintenance for 50 years, and no one wants to pay more than the reasonable value. Now, you put in the provision that it shall not exceed the actual cost.

Mr. FERRIS. I think that is better than any of the provisions we have had in any of these bills.

The CHAIRMAN. The question is on the adoption of the amendment of the gentleman from Wisconsin to the amendment of the gentleman from California.

The question was taken, and the amendment to the amendment was agreed to.

The CHAIRMAN. The question now is on agreeing to the amendment of the gentleman from California.

Mr. SHERLEY. Mr. Chairman, I recognize that we are not writing what is going to be the law in what we write into this bill to-day. This bill is going into conference, and out of conference will come of necessity a compromise between the views of the respective Houses. I am not altogether satisfied with section 10 as it is now proposed in the motion offered by the gentleman from California [Mr. KENT], but I am not prepared to offer an amendment. Section 10 contemplates the taking over of the property by the Government, or any person designated by it, after the payment of certain sums in compensation for the property taken over, and provides that possession shall not be had until after payment, and that failure to agree as to the terms shall cause the question of the amount to be paid to be determined by a suit in a court. That means, if it means anything, if there is a resistance on the part of the grantee, that before the Government or a new grantee gets hold of the property they will have to litigate through all of the inferior courts of the United States and through the Supreme Court as to the amount of compensation, which really means that you are proposing to extend the life of the grant anywhere from 5 to 10 or 15 years, according to the ingenuity of the lawyers who conduct the litigation. I believe the provision ought to provide for the taking over of the property, and then, of necessity, whether we so provide here or not, the grantee would have a right to recover the fair value of the property taken over, but would not have the right to interfere with the taking over of it while he was litigating over what the value was, and the difference is just the difference to which I called attention the other day, namely, the difference between the inertia of the Government being used for the benefit of the public or being used for the benefit of the grantee.

Here you simply make every obstacle that can be thrown in the way of advantage to the original grantee in extending the life of the grant instead of having the life of the grant end at 50 years. Now, men are very much concerned about curtailing too much the capital that is invested. The more I think about a lease of 50 years the more I believe it is too long a term, and if any man on earth will simply read the history of the last 50 years, or almost any 50 years of modern time, and see the change that has taken place, he will realize that half a century of exclusive grant is an exceedingly long time to give. I do not want to enlarge the time of it as you are doing by this provision, because you do not get possession until you have either agreed or have a lawsuit as to the value of the property that you take over, and if the grantee does not want to give it up, he is not going to agree on price, and if he goes to litigate and gets a good, ordinary, intelligent lawyer, he can litigate 5 to 10 years additional time onto his grant. I am not saying this now with the idea of rewriting this section, but, speaking for myself, I say it with the determination to oppose any conference report that comes in here that does not give the House a chance to vote on the two propositions to which I called attention originally—first, the right of the Government to charge for the use, and, second, a recapture clause that is a real one and which does not propose unnecessarily to extend the time. I am making this statement in order that the gentlemen in charge of the bill may understand at least my attitude and to say I shall not agree to send it into conference unless we have an understanding that those two matters are going to come up in such a form as to give the House a chance to vote upon them.

Mr. GREEN of Iowa. Will the gentleman yield for a question?

Mr. SHERLEY. Certainly.

Mr. GREEN of Iowa. I did not clearly understand the gentleman's second proposition.

Mr. SHERLEY. The recapture proposition we are dealing with here now. I want to have the Government able to take the property at the end of 50 years, and section 10 does not give it that power.

Mr. COOPER of Wisconsin. Mr. Chairman, I would like to say to the gentleman from Georgia [Mr. ADAMSON] I do not want to raise the point of no quorum, but we have been at work on this bill for several hours in intense heat and as I said a moment ago, the bill itself is without exception as important as any bill which has been before the Congress in a generation. We propose to turn over the enormous water-power possibilities of this continent for 50 years, and the importance of it can be illustrated in a very simple way. When I was a boy, and most of you here were boys, a man who owned a dam site put up a mill, and those who wished to be his customers had to come to the mill beside the water. To-day the man puts up a mill, and he sends that power 200 miles in every direction from that site. It gives him an unheard of power, a tremendous privilege, a privilege never dreamed of until within a very few years. The

proposition is absolutely new to the world, only two or three years old, or a very few years old. The transcendent importance of this proposed legislation is made plain and established by that illustration. Now then, with only 40 or 50 Members on the floor out of a membership of 435, after we have worked long and faithfully as we have done on this bill, I suggest to the chairman of the committee that the public business is in such condition that we can very well devote another day, or two if necessary, to the consideration of this measure.

Mr. DILL. Will the gentleman yield?

Mr. ADAMSON. Mr. Chairman, I desire just a few minutes in which to reply to my friend from Wisconsin [Mr. COOPER]. This subject is not a new one in this House at all. It has been thrashed over for several years. I myself thoroughly concur with the gentleman from Kentucky [Mr. SHERLEY] in his views about this and with the gentleman from Wisconsin [Mr. COOPER], and according to the language that is now proposed, taken in connection with the preceding section 9, the period absolutely ends at 50 years and the grantee is out.

Mr. SHERLEY. Section 10, as offered to be amended by the gentleman from California, provides that they shall not take possession until after payment. Theoretically your lease is ended. Yet I knew of a railroad company that had control of the streets of a city for many years after its lease and franchise had expired. That is what would happen here.

Mr. ADAMSON. If the gentleman will permit me to complete my statement, he will understand me, I think.

Mr. SHERLEY. I understand you, but I want you to understand this amendment.

Mr. ADAMSON. I fully understand that. The period ends in 50 years, but no man believes the Government will quit using it if it wants to navigate that stream. If it does not want to navigate the stream, of course it does not want to use it and need not buy that property.

Mr. SHERLEY. I am not talking about the navigability of the stream. I am talking about the Government getting control of the power that is developed there and stopping the grantee from using that power after the grant has expired.

Mr. ADAMSON. I will repeat a part of my statement, and then I will finish. The Government will be in possession of the part in which it is interested. The other fellow is out. He has no right to use it under the language already adopted. The Government does not have to have his electrical works, or his factory, or street railroad, and this amendment of the gentleman from California does not require the Government to buy them at all. The Government, if it intends not to renew his lease, or to sell it to somebody else, ought to pay for the improvement of the dam, as we have agreed on. In my judgment there is not any trouble about this language as it is now, but if the gentleman from Kentucky can make any suggestions of more effective language which will answer the purpose I shall be glad to hear them. And as to his suggestion about the conference report, he knows me well enough and my history as a conferee to know that I will never come back here with anything contrary to the will of this House.

Mr. SHERLEY. I am not quarreling with the gentleman's motive. I have never yet on this floor or elsewhere fought a case by impugning motives. I am interested in what I believe to be the vital points of this legislation. I do not propose to sin away my day of grace by getting into a jam here in the closing days of the session, when we will have to take a conference report or let the whole matter go. Therefore I am calling attention to the matter so that the conferees may know what the House may want.

Mr. ADAMSON. I am not saying a word about motives, but common sense. The gentleman knows me well enough that the Senate will not get my scalp. It is a question of what our duties are to the House.

Mr. SHERLEY. The gentleman understands perfectly well—we might as well be frank—the gentleman's view has not been in harmony with the view of the House touching a number of these matters.

Mr. ADAMSON. It has on this proposition.

Mr. SHERLEY. That might be so, but it is not true on the bill as a whole. We are practically hurrying this bill through—instead of taking several days, as we might well do—in order that it may go into conference. I have no objection to that, because I realize the bill has to be rewritten in conference, but before it gets in there I want the gentleman to understand my view as to what I think ought to come out.

Mr. ADAMSON. I want you to understand my views. One is that the report must be acceptable to this House.

Mr. GARNER. Will the gentleman yield?

Mr. ADAMSON. I have not finished my statement to the gentleman from Wisconsin [Mr. COOPER]. I hope he will not insist on the point of no quorum and prevent action here to-day. It is not my fault that we are hurried in this thing, but it is the fault of the managers of the House, who want to get through with business. And the gentleman from Kentucky has correctly stated it has to be thrashed out in conference, and the conferees must have authority to make an acceptable and workable bill. I do not think it is such a new proposition that the gentleman from Wisconsin ought to interfere with our approving it to-night.

Mr. COOPER of Wisconsin. Mr. Chairman, I do not know that I am interfering, at least interfering in any improper sense——

Mr. ADAMSON. Oh, I do not think so either——

Mr. COOPER of Wisconsin. When I exercise my legitimate functions here as a Representative to object to a vote on a proposition as tremendously important as the proposition involved in this bill is.

Mr. ADAMSON. I will withdraw the word "interfere," and I say I hope the gentleman will not object.

Mr. COOPER of Wisconsin. The gentleman also says that the managers of the House wanted to get through with their business. I am not aware that any managers of this House have got their business to transact here to the exclusion of the business of the public.

Mr. ADAMSON. One of the most distinguished of the managers is the gentleman.

Mr. COOPER of Wisconsin. One moment. Of course the gentleman has no right to interrupt me in that way if he is in his seat, and he ought not to do it on the floor.

Mr. ADAMSON. I am making a speech. [Laughter.]

Mr. COOPER of Wisconsin. I thought I had the floor.

Mr. ADAMSON. Oh, no. I got an extension of time.

Mr. COOPER of Wisconsin. Then I apologize to the gentleman from Georgia.

Mr. ADAMSON. I will withdraw the word "interfere" and say I hope the gentleman from Wisconsin will not object.

Mr. GARNER. Mr. Chairman, will the gentleman from Georgia give me his attention?

Mr. ADAMSON. The gentleman can have my attention, and lots of it.

Mr. GARNER. As I caught the statement of the gentleman from Georgia and the gentleman from Kentucky [Mr. SHERLEY], they do not agree as to the policy of the determination of the franchise rights.

Mr. ADAMSON. I think we agree.

Mr. GARNER. Let us see if you agree. I understand the gentleman from Kentucky to hold that at the end of 50 years this right ought to cease, and the gentleman from Georgia says it ought not to cease until the Government pays for the property.

Mr. ADAMSON. Oh, no.

Mr. GARNER. Does the gentleman contend that at the end of 50 years the Government ought to have the right to take over this property?

Mr. ADAMSON. Yes.

Mr. GARNER. Is the gentleman willing to write that into the law?

Mr. ADAMSON. It is there already.

Mr. GARNER. I want to get the viewpoint of the gentleman from Georgia, so that if he comes back as one of the conferees I will be able to understand it. My understanding is that at the end of 50 years the Government has the right to take this property.

Mr. ADAMSON. It has got it.

Mr. GARNER. And the gentleman from Georgia said, if the Government took over the property, it ought to be willing to pay for the power it had, it already having the navigation.

Mr. ADAMSON. It does not have to wait for the litigation to determine the value before it takes it over.

Mr. SHERLEY. There is the difference. The gentleman is talking about navigation. Nobody is talking about that in connection with this bill. We are talking about the water power. We want to have it so that at the end of 50 years the Government can get control of the water power, and not litigate 10 years as to the value of the property.

Mr. ADAMSON. I think it can under this language.

Mr. SHERLEY. I do not.

Mr. ADAMSON. If it can not, then I am willing to take advice.

Mr. SHERLEY. You should provide for the possession of it. The trouble is that men who want to take care of this phase, who at a moment's notice undertake to write amendments of this kind, may not succeed in doing what they desire. I have not the ability to undertake to say offhand what should be the exact language, but I know what I want, and I know when I see language whether it gives me that or not, and this language does not.

Mr. ADAMSON. It says the Government shall take it over 50 years after the completion of the dam.

Mr. SHERLEY. I know of a case where a railroad company had possession of the streets when, legally, the franchise had passed from the company; but the company still had possession, and it is more than nine points of the law, as lawyers know.

Mr. ADAMSON. The gentleman loses sight of the fact that the Government has possession of the dams and locks.

Mr. SHERLEY. It has possession for navigation purposes, and no other.

Mr. GREENE of Massachusetts. Mr. Chairman, I make the point of no quorum.

The CHAIRMAN. The gentleman from Massachusetts makes the point of no quorum. The Chair will count. Evidently there is not a quorum present.

Mr. ADAMSON. Mr. Chairman, if it is in order, I move a call of the House.

Mr. STAFFORD. There is no call of the House in committee.

Mr. MANN. Let it go over until Thursday.

Mr. ADAMSON. You can not get in Thursday.

Mr. MANN. Yes; you can come in automatically on Thursday.

Mr. STAFFORD. This is a privileged bill.

Mr. ADAMSON. Well, Mr. Chairman, it is getting late, and gentlemen are tired, and I am perfectly willing to study this matter over further. With the assurance that we can get in at some time in the future, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. JOHNSON of Kentucky, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (S. 3331) to amend an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906, as amended by the act approved June 23, 1910, and to provide for the improvement and development of waterways for the uses of interstate and foreign commerce, and had come to no resolution thereon.

BRIDGE ACROSS BAYOU BARTHOLOMEW, ARK.

The SPEAKER laid before the House the following message from the President of the United States, which was read:

To the House of Representatives:

In compliance with the resolution of the House of Representatives (the Senate concurring) of July 8, 1916, I return herewith House bill No. 12197, entitled "An act authorizing Ashley County, Ark., to construct a bridge across Bayou Bartholomew."

WOODROW WILSON.

THE WHITE HOUSE, *July 11, 1916.*

HOUR OF MEETING TO-MORROW.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow. Is there objection?

There was no objection.

MUNICIPAL OWNERSHIP OF STREET RAILWAYS.

Mr. JOHNSON of Kentucky. Mr. Speaker, the District Committee to-day reported out House bill 9219, relative to municipal ownership of street railways in the District of Columbia. The committee has filed its report, and I ask unanimous consent that the minority may have 30 days in which to file its views.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that the minority of the Committee on the District of Columbia may have 30 days in which to file its views on the subject of ownership of street railways in the city. Is there objection?

There was no objection.

EXTENSION OF REMARKS.

Mr. SIMS. Mr. Speaker, I ask unanimous consent to print in the RECORD an article from the Chattanooga News, Chattanooga, Tenn., and a letter by the secretary of the Progressive Party, known as the Bull Moose Party in Tennessee.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to extend his remarks in the RECORD by publishing an article from the Chattanooga News. Is there objection?

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, I think the RECORD is becoming too crowded with newspaper articles, and I object.

LIEU LANDS.

Mr. FERRIS. Mr. Speaker, I ask unanimous consent that on Saturday, after the reading of the Journal and the disposition of other business on the Speaker's table, the bill H. R. 15096 be given a privileged status on that day. It is the so-called lieu-lands bill. It is unanimously reported by the committee.

Mr. ADAMSON. Mr. Speaker, I want to call the gentleman's attention to the fact that the Senate joint resolution has not been disposed of yet, and we have a rule prepared for that.

The SPEAKER. The gentleman from Oklahoma asks that on next Saturday after the reading of the Journal and the disposition of business on the Speaker's table H. R. 15096 be given a privileged status——

Mr. FERRIS. For that day?

The SPEAKER. For that day. Is there objection?

Mr. MANN. Reserving the right to object, I understand it is the expectation of the majority that we shall consider the bill to amend the law relating to campaign contributions, publicity, and so forth.

Mr. FERRIS. Let it be subject to that.

Mr. KITCHIN. We hope to take that up this week.

Mr. MANN. I shall object to anything else until that is disposed of.

The SPEAKER. The gentleman from Illinois objects.

LEAVE TO EXTEND REMARKS.

Mr. EDMONDS. Mr. Speaker, I ask unanimous consent to insert in the RECORD an address made by our colleague, Dr. FESS, at Independence Hall on July 4.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD by printing Dr. FESS's Fourth of July speech at Independence Hall. Is there objection?

Mr. FOSTER. Reserving the right to object, has not that been printed?

Mr. EDMONDS. No.

The SPEAKER. Is there objection?

There was no objection.

Mr. SMITH of Minnesota. I ask unanimous consent to extend in the RECORD the remarks that I made to-day.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to extend in the RECORD his remarks on the bill considered this afternoon. Is there objection?

There was no objection.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 2543. An act for the relief of the State of Kentucky; to the Committee on Claims.

ADJOURNMENT.

Mr. KITCHIN. I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 26 minutes p. m.) the House adjourned until to-morrow, Wednesday, July 12, 1916, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of War, submitting additional estimates of appropriations required by the War Department for the service of the fiscal year ending June 30, 1917 (H. Doc. No. 1279); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Acting Secretary of the Treasury, transmitting copy of communication from the Secretary of War submitting additional estimates of appropriations required by the War Department for the service of the fiscal year ending June 30, 1917 (H. Doc. No. 1280); to the Committee on Appropriations and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills and resolutions were introduced and severally referred as follows:

By Mr. FITZGERALD [from the Committee on Appropriations]: A bill (H. R. 16911) making an appropriation for the re-

lief and transportation of destitute American citizens in Mexico; to the Committee of the Whole House on the state of the Union.

By Mr. COOPER of Ohio: A bill (H. R. 16912) granting the consent of Congress to the county commissioners of Trumbull County, Ohio, to construct a bridge across the Mahoning River in the State of Ohio; to the Committee on Interstate and Foreign Commerce.

By Mr. HOPWOOD: A bill (H. R. 16913) authorizing the Secretary of War to donate to the Waynesburg Armory Board, Waynesburg, county of Greene, State of Pennsylvania, two bronze cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. KETTNER: A bill (H. R. 16914) permitting the Needles & Oatman Bridge Co. to construct, maintain, and operate a bridge across the Colorado River between the States of California and Arizona; to the Committee on Interstate and Foreign Commerce.

By Mr. RUBEY: A bill (H. R. 16915) for the purchase of a site for a public building at Salem, Dent County, Mo.; to the Committee on Public Buildings and Grounds.

By Mr. PARK: A bill (H. R. 16916) to repeal an act to establish a uniform system of bankruptcy throughout the United States, approved July 1, 1898, and all amendments thereto; to the Committee on the Judiciary.

By Mr. GALLAGHER: Resolution (H. Res. 300) approving the action of the State Department in petitioning European Governments to make concessions for the relief of Poland; to the Committee on Foreign Affairs.

By Mr. SIEGEL: Joint resolution (H. J. Res. 262) authorizing the President of the United States to pay $100,000 and to present a gold medal, suitably engraved, to the discoverer of a specific preventive or remedy for infantile paralysis; to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills were introduced and severally referred as follows:

By Mr. ALMON: A bill (H. R. 16917) for the relief of Elizabeth R. Howell, Anna R. Wells, Mary Barnes Richardson, Sarah R. Tatum, and Williams Richardson, as William Richardson, deceased; to the Committee on Claims.

By Mr. ASHBROOK: A bill (H. R. 16918) granting a pension to William Vanatta; to the Committee on Pensions.

By Mr. CHARLES: A bill (H. R. 16919) granting a pension to John A. Green; to the Committee on Invalid Pensions.

By Mr. COLEMAN: A bill (H. R. 16920) to correct the military record of John A. Swartzwelder; to the Committee on Military Affairs.

By Mr. ESCH: A bill (H. R. 16921) granting a pension to Betsey J. Truman; to the Committee on Invalid Pensions.

By Mr. EVANS: A bill (H. R. 16922) authorizing the Secretary of the Interior to sell and convey to the Great Northern Railway Co. certain lands in the State of Montana for division terminal yards and other railway purposes, and for other purposes; to the Committee on the Public Lands.

By Mr. HERNANDEZ: A bill (H. R. 16923) to correct the military record of Epigmenio Ramirez; to the Committee on Military Affairs.

By Mr. KAHN: A bill (H. R. 16924) for the relief of Harry B. Sepulveda; to the Committee on Military Affairs.

By Mr. KETTNER: A bill (H. R. 16925) granting a pension to Alvah H. Mitchell; to the Committee on Pensions.

Also, a bill (H. R. 16926) for the relief of James Y. Whitsitt; to the Committee on Military Affairs.

By Mr. LIEBEL: A bill (H. R. 16927) granting a pension to Helena G. Marso; to the Committee on Invalid Pensions.

By Mr. MATTHEWS: A bill (H. R. 16928) granting a pension to Michael Levi; to the Committee on Pensions.

By Mr. NEELY: A bill (H. R. 16929) granting an increase of pension to Dorothy Fisher; to the Committee on Invalid Pensions.

By Mr. OLDFIELD: A bill (H. R. 16930) granting a pension to George W. Douthitt; to the Committee on Pensions.

By Mr. RICKETTS: A bill (H. R. 16931) granting a pension to Mary J. Bowen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16932) granting an increase of pension to Samuel Holderman; to the Committee on Invalid Pensions.

By Mr. RUSSELL of Missouri: A bill (H. R. 16933) granting an increase of pension to Samuel O. Stanley; to the Committee on Invalid Pensions.

By Mr. SPARKMAN: A bill (H. R. 16934) for the relief of W. H. Overocker; to the Committee on Claims.

By Mr. SMITH of Michigan: A bill (H. R. 16935) for the relief of Jabez Lumbert; to the Committee on Military Affairs.

By Mr. STEELE of Iowa: A bill (H. R. 16936) granting an increase of pension to Thomas Dennis; to the Committee on Invalid Pensions.

By Mr. SWIFT: A bill (H. R. 16937) for the relief of Harriet F. Hibben; to the Committee on Claims.

By Mr. CRISP: A bill (H. R. 16938) for the relief of W. H. Whittle; to the Committee on War Claims.

By Mr. WHEELER: A bill (H. R. 16939) granting a pension to Louisa Powell; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of Chamber of Commerce of the United States of America, in re railroad situation in the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. DICKINSON: Petition of E. E. Wall & Sons, of Leeton; Millard Hobbs and W. B. Wallace, of Holden; H. Leob & Bros., of Rich Hill; and E. P. Caldwell, of Burlington Junction, all in the State of Missouri, protesting against passage of House bill 16307, relative to register for pure-bred stock; to the Committee on Agriculture.

By Mr. HAYES: Petition of sundry citizens of the State of California, against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. KENNEDY of Rhode Island: Petition of sundry women of the State of Rhode Island, favoring passage of the woman-suffrage amendment; to the Committee on the Judiciary.

By Mr. LIEBEL: Papers to accompany House bill 16927, granting pension to Helena G. Marso; to the Committee on Invalid Pensions.

By Mr. LINTHICUM: Petition of Clinton T. Johnson, of Baltimore City, Md., favoring Federal censorship of motion pictures; to the Committee on Education.

Also, memorial of the Society of Friends of Baltimore, Md., against House bill 108, relative to transfer of interests of Indians in Oklahoma; to the Committee on Indian Affairs.

By Mr. LONDON: Petition of members of Farmers' Educational and Cooperative Union of Gregory County, S. Dak., demanding a limitation of individual ownership of land; a system of cooperative banks, with Government money; Government purchase and Government ownership and operation of railroads, telephone, and telegraph systems, hydroelectric plants, oil wells, and coal mines; and abolition of all special privileges to private interests from the Government; to the Committee on the Judiciary.

Also, petition from the City Central Committee, Local Los Angeles, Socialist Party, at Los Angeles, Cal., calling upon the President and Congress to withdraw the United States troops from Mexico; to the Committee on Military Affairs.

By Mr. SANFORD: Papers to accompany House bill 16907, granting an increase of pension to Martin Lockwood; to the Committee on Invalid Pensions.

Also, papers to accompany House bill 16906, granting an increase of pension to Lawrence O'Toole; to the Committee on Invalid Pensions.

By Mr. STEENERSON: Petition of State banks and bankers of St. Paul, Minn., against establishment of the branch banking system in the United States; to the Committee on Banking and Currency.

Also, petition of Minnesota Bankers' Association, opposing continuation of special bankers' tax and against increased corporation tax; to the Committee on Ways and Means.

By Mr. STINESS: Petitions of Mary E. Longley, Nettie E. Bauer, Kathine H. Austin, and Mary Mangell, of Providence, R. I., and the Pawtuxet Valley Woman Suffrage League, of Rhode Island, favoring the Susan B. Anthony amendment; to the Committee on the Judiciary.

Also, petition of Anna O. Heath, Emily B. Ellis, and Ava C. Neuesher, of Providence, R. I., favoring the Susan B. Anthony suffrage amendment; to the Committee on the Judiciary.

By Mr. TIMBERLAKE: Petition of members of Woman's Missionary Society of Berthoud, Mead, and Loveland, Colo., favoring bill to prohibit export of rum, etc., to Africa; to the Committee on Alcoholic Liquor Traffic.

By Mr. TINKHAM: Petition of members of Old Schoolboys' Association of Boston, favoring national defense; to the Committee on Military Affairs.

By Mr. VOLSTEAD: Petition of State banks and bankers of St. Paul, Minn., against branch banks; to the Committee on Banking and Currency.

SENATE.

WEDNESDAY, *July 12, 1916.*

(Legislative day of Friday, July 7, 1916.)

The Senate reassembled at 11 o'clock a. m., on the expiration of the recess.

WILLIAM HAROLD KEHOE.

Mr. JAMES. On behalf of my colleague [Mr. BECKHAM], I report back favorably with amendments from the Committee on Military Affairs the bill (S. 6279) for the relief of William Harold Kehoe, and I submit a report (No. 655) thereon. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendments were, on page 1, line 5, to strike out the word "late," and in line 6, after the words "West Point," to insert "upon the graduation of the class of 1917, of which he was a member," so as to make the bill read:

Be it enacted, etc., That the President of the United States be, and he is hereby, authorized, by and with the advice and consent of the Senate, to appoint William Harold Kehoe, a cadet at the Military Academy at West Point, upon the graduation of the class of 1917, of which he was a member, to the position of second lieutenant of Infantry of the Army, and to place him upon the retired list with the pay of a retired second lieutenant of Infantry.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12193) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The message also announced that the House had passed a bill (H. R. 16911) making an appropriation for the relief and transportation of destitute American citizens in Mexico, in which it requested the concurrence of the Senate.

CALLING OF THE ROLL.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll and the following Senators answered to their names:

Ashurst	Curtis	Lane	Sheppard
Beckham	Fletcher	McCumber	Sherman
Brady	Gallinger	Martin, Va.	Smith, Ariz.
Brandegee	Gronna	Nelson	Smith, Ga.
Bryan	Harding	Norris	Smoot
Catron	Hardwick	O'Gorman	Sterling
Chamberlain	Hollis	Owen	Thomas
Chilton	Husting	Phelan	Townsend
Clapp	James	Pittman	Underwood
Clark, Wyo.	Jones	Pomerene	Vardaman
Clarke, Ark.	Kenyon	Ransdell	Wadsworth
Culberson	Kern	Saulsbury	Williams
Cummins	La Follette	Shafroth	Works

Mr. KERN. I desire to announce the unavoidable absence of my colleague [Mr. TAGGART]. He is paired with the junior Senator from Vermont [Mr. PAGE]. This announcement will stand for the day.

I also desire to announce that the Senator from Montana [Mr. MYERS] is absent on account of continued illness.

Mr. TOWNSEND. I desire to announce the absence of my colleague [Mr. SMITH of Michigan] on important business. He is paired with the Senator from Missouri [Mr. REED]. This announcement may stand for all votes to-day.

The VICE PRESIDENT. Fifty-two Senators have answered to the roll call. There is a quorum present.

HOUSE BILL REFERRED.

H. R. 16911. An act making an appropriation for the relief and transportation of destitute American citizens in Mexico was read twice by its title and referred to the Committee on Appropriations.

RIVER AND HARBOR APPROPRIATIONS—CONFERENCE REPORT.

Mr. CLARKE of Arkansas. Among the messages just received from the House of Representatives, there is one announcing the adoption by the House of the conference report on the river and harbor bill. I am advised that it is altogether probable that the pending bill will be disposed of by the hour of 2 o'clock. I give notice now that at 2 o'clock I shall ask the Senate to consider the conference report on the river and harbor bill.

HOURS OF DAILY SESSIONS.

Mr. KERN. I desire to announce that at a meeting of the representatives of both sides of the Chamber this morning it was agreed that the Senate should, until otherwise ordered, meet at 10 o'clock in the morning and remain in session until 6.30 in the afternoon. I make this announcement with the statement that we shall endeavor to carry out the arrangement.

Mr. GALLINGER. Will the Senator make it read "until otherwise ordered" those shall be the hours?

Mr. KERN. I will make that motion, then, that until otherwise ordered the Senate shall meet each day at 10 o'clock in the morning and continue in session until 6.30 p. m.

Mr. GALLINGER. Not later than 6.30.

Mr. SMOOT. I wish to ask the Senator from Indiana whether it has been agreed that we shall have morning hours at any time?

Mr. KERN. There was no agreement on that subject.

Mr. SMOOT. Then if there is no agreement, I give notice now that I shall object to unanimous consent for the passage of any bill or resolution, with the exception of the bill that may be regularly before the Senate.

Mr. KERN. I think an arrangement can be readily made, although it was not discussed this morning, that a morning hour will be observed twice a week.

Mr. SMOOT. With that understanding I have no objection.

Mr. GALLINGER. That was not definitely but tentatively agreed to.

Mr. JAMES. It was mentioned at the time.

Mr. KERN. Let that be understood, then, if there be no objection.

Mr. POINDEXTER. Mr. President, I make the point of order that the Senate is not in order. I am very much interested in the arrangement proposed, but we can not hear in this part of the Chamber what is going on.

The VICE PRESIDENT. The Chair can not help that. The Chair can not make Senators sit down.

Mr. BRANDEGEE. Mr. President, if I can have the attention of the Senator from Indiana for a moment, I should like to ask him a question. The Senator from Indiana, if I understood him correctly, suggests that probably there will be made an agreement that there shall be a morning hour at least two mornings each week——

Mr. KERN. Yes; two mornings each week.

Mr. BRANDEGEE. During the continuance of the order which is asked for by the Senator. I would suggest that if there are to be only two chances each week for the transaction of morning business when the conferees on this question meet to make any agreement about it they specify the days of the week upon which the morning hour shall be had, so that Senators may have notice and be here with their business ready to be transacted.

Mr. KERN. It is presumed that Senators will be present every morning.

Mr. BRANDEGEE. It is presumed, but inasmuch as only 52 out of 96 are here now, and we are making an agreement to bind the absentees also, I think it would not be unwise to specify the days when the morning hour is to be had and to make it a part of the order of the Senate.

Mr. KERN. I would not be averse to that and we will consider it.

Mr. GALLINGER. We can agree to that.

The VICE PRESIDENT. The Senator from Indiana moves the following order:

Ordered, That the hour of daily meeting of the Senate be 10 o'clock a. m. until otherwise ordered, and that the Senate remain in session each day not later than 6 o'clock and 30 minutes p. m.

Mr. GALLINGER. That is right.

The VICE PRESIDENT. The question is on the motion of the Senator from Indiana.

The motion was agreed to.

AMENDMENT OF FEDERAL RESERVE ACT.

Mr. OWEN. Mr. President, I wish to give notice that after the disposition of the conference report on the river and harbor bill, I shall ask the Senate to permit the disposition of the proposed amendment to the Federal reserve act.

AGRICULTURAL DEPARTMENT APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12717) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1917, and for other purposes.

Mr. SMITH of Georgia. Mr. President, I wish to call just briefly the attention of the Senate to the warehouse bill, which was under consideration at the hour the Senate took a recess.

Senators will observe that under the provisions of this bill licenses to the warehouses are permissive and in no sense compulsory. You will also find that section 29 of the bill prevents the measure from in any wise interfering with the warehouse systems organized under State or local authority, but provision is made for cooperative action between the Federal Government and the States in which warehouses are organized under State legislation.

I confess that I am more familiar with the details of the bill this morning than I was yesterday, as I have refreshed my recollection with regard to it. It does not undertake to force a Federal warehouse system upon any State or upon any person. It is intended to make permissive by the owner of any warehouse procurement of Federal license. If license is voluntarily obtained, the bill subjects the warehouse to certain regulations and requires for its use certain specified contracts.

In preparing these specifications and regulations regard has been had to legislation already passed in 32 States, and the plan conforms to practically a uniform system of warehouses in 32 States.

Mr. SHAFROTH. In 32.

Mr. SMITH of Georgia. In 32 States, and the plan conforms to practically a uniform system of warehouses in 32 States.

The purpose of the bill is really to facilitate rural credits. It is to aid the farmer in procuring money at the least possible cost. It is to make entirely available to the farmer the benefits of the Federal reserve system.

It will be remembered that last year the Federal Reserve Board provided that certain paper, based upon stable agricultural products as security, should be received by Federal reserve banks and discounted for banks that charged not over 6 per cent for the money loaned to the farmer. It is believed that through this bill facility will be had to utilize the paper of the farmer secured by a warehouse receipt issued from Federally licensed warehouses in the big banks of the country, and that the banking institutions in the large cities and the large banks will be brought within reach of agricultural business and extend credits at low rates of interest to the farmer. Warehouse certificates will have an established status, and with that as security the farmer's note will be good not only in local banks, where the farmer is personally known, but in the banks of the centers of commerce.

This is the great object of this bill. I know that a great deal of labor has been bestowed upon it. A subcommittee representing both sides of the House of Representatives, without any regard whatever to politics, worked upon it in the other House. Active cooperation was given to this committee by the attorney of the Agricultural Department and the director of the Market Division. The bill was accepted by the other House, I think, by an overwhelming majority. This particular branch of the bill was not assigned to me for special investigation on the Agricultural Committee, but I had been studying the question during the past two years. After very carefully considering the bill again since we adjourned yesterday, I find it contains largely the provisions that were worked out in conference some time ago.

I believe the bill will be a substantial help to facilitate the producer of staple products in the marketing of his crops, in retaining a portion of his crop for sale at such date as he may desire to sell it; that it will advance the status of the farmer, and will substantially advance it when he needs credit. It will greatly contribute to solve the problem of rural credits by bringing cheap money within the farmers' reach.

Mr. NELSON. Mr. President, I am listening with great interest to what the Senator from Georgia is saying, but I desire to suggest that I think there is one serious defect in the bill; that is in failing to require these warehouses to insure for the benefit of the men whose products they store. Under the warehouse system in Minnesota not only are the warehousemen required to take out a license and to give bond, but they are also required to insure the contents of their warehouses for the benefit of the parties who hold the warehouse receipts. A failure to make such provision is one of the defects of this bill; and unless language to that effect be inserted, these warehouses will not be on so solid a footing as will be other warehouses which have an insurance system in operation.

Mr. SMITH of Georgia. I shall be glad to have the Senator from Minnesota present an amendment upon that line. I am in no way so wedded to this bill that, if an improvement can be made, I would not gladly accept it. I see the bill does provide that the Secretary of Agriculture shall require bond from warehousemen. I suppose that the bond and security required from them would guarantee the protection of the assets, and that, in connection with that bond, insurance would be required by the bonding company. My own view was that, as an incident to the bond given by the warehouse, the insurance would follow. I do not know any bonding company which bonds warehouses without requiring the insurance in advance and the delivery of the policy of insurance to the bonding company. That has been my observation of the mode of procedure by which the bonding companies bond the liability of warehouses. If, however, the Senator from Minnesota will prepare a brief amendment along that line, I shall be glad to accept it and to carry it to conference. Unless the matter has been already safeguarded in that respect, I fully agree with the Senator that it should be.

Mr. CUMMINS. Mr. President, will the Senator from Georgia give us his opinion with regard to this point: He has stated that section 29 of the bill attempts to preserve the State law relating to the subject under consideration; suppose the State law is in direct conflict with the provisions of this proposed statute, which will prevail?

Mr. SMITH of Georgia. I do not see how a warehouse could obtain a license from the Government without complying with the requirements of this act.

Mr. CUMMINS. The requirement is simply good repute. There are no requirements for obtaining a license except that the warehouseman must be a reputable citizen and have a structure in which he stores agricultural products. He is not required, of course, as has been suggested, to give bond. However, I repeat my question. In the operation of the warehouse the State law requires certain things, while this proposed law requires certain other things in direct antagonism; which law will prevail—the law of the State or the law of the Federal Government?

Mr. SMITH of Georgia. I do not see, as a practical proposition, that the requirements could be in antagonism. There might be additional requirements by the State law, which the warehouse would also be called upon to comply with.

Mr. CUMMINS. No matter what the Senator from Georgia may think about it, there are antagonisms. For instance, in the respect pointed out by the Senator from Illinois [Mr. SHERMAN] yesterday, this law requires the warehouseman to respond under all circumstances; he is an insurer of the products stored or deposited with him. The laws of many of the States—and I have some familiarity with the laws of two or three—do not so require; but, on the contrary, they fix the liability of a warehouseman upon an entirely different basis. Now, what law will control the situation?

Mr. SMITH of Georgia. I answer that question with no embarrassment whatever. If the warehouseman desires simply to avail himself of the State statute, he would not apply for this license. If he applies for this license, he would become liable to the extent of its provisions.

Mr. CUMMINS. That means, therefore, that every warehouseman under this proposed act will be bound by the provisions of the Federal law, and that the State law, certainly in so far as it is inconsistent with the Federal law, must give way.

Mr. SMITH of Georgia. Not at all. I do not think the Senator's conclusion is sound. The State law remains without interference. The owner of the warehouse can continue to do business under the State law, in no way impeded by this national act.

If he desires, however, a Federal license, if he desires to change his status from that which he occupies under the State law, he can voluntarily do so. The bill does not repeal the State law; it leaves the option to the warehouseman to continue under the State law, with no more restriction than the State law places upon him, or he can, if he wishes, apply for a Federal license. Then, if he obtains and keeps that license he incurs the additional liability, and additional value is given to his warehouse certificates; but it is expressly declared that no State statute is repealed; that no interference shall follow with any State regulation. Licensing under this provision is purely an optional act on the part of the warehouse owner.

Mr. CUMMINS. I agree to that, and so stated yesterday more than once; but I further stated that when the warehouseman became a licensee under this act he would be bound by the Federal law upon that subject, and would not be bound by the State law; that, as to him, there would be no State law governing the conduct of his warehouse, because he had transferred his obligation from the State to the Federal Government by applying for a license.

Mr. SMITH of Georgia. I differ with the Senator from Iowa to this extent: I do not believe that this act would relieve the warehouseman of any responsibility placed upon him by the State law unless this act so provides. It is expressly declared that it shall not interfere with any State law. It is not in-

tended to supersede the provisions of the State law placing requirements upon him. It may impose additional requirements, which he voluntarily assumes.

Mr. SHERMAN. Mr. President, I wish to add to what the Senator from Iowa [Mr. CUMMINS] has said, and also to show more particularly what the effect would be if this section were to remain in the act; especially, I wish to add something to what the Senator from Georgia [Mr. SMITH] has explained.

This will introduce a double set of warehousemen in such a State as I, in part with my colleague, represent. In Illinois we have built up a system of inspection and warehousing since 1869 and 1870 under the local laws of the State. Forty or 50 years ago the grain market in the city of Chicago became of considerable importance to that city, to the State of Illinois, and to the neighboring States. So, following constitutional authority given in 1870, regulations were made and warehouses were put under the railroad and warehouse commission. That was done by an act which has been in force for a great many years in that State. Nearly all of the warehouses in Chicago are incorporated under the laws of the State of Illinois. They are handling the grain trade, so far as warehouse storage is necessary; their liabilities are fixed under the statutes of that State and under Federal and State court decisions where the questions have been litigated in great detail.

I can not give this entire section my support, because it will in a very material way interfere with the conditions which now govern the storage of grain in Chicago and in other primary markets of that kind. It introduces a double set of liabilities. Of course, this is merely a permissive provision. It is not obligatory upon a warehouseman to take out a Government license, but if he is engaged in storing grain which becomes subject to the regulations of interstate trade and does not take out a license under the Department of Agriculture, he thereby renders himself liable to suspicion or criticism, and, in effect, morally, whether it does legally or not, it compels the warehouseman to apply for the license and subject himself to the liabilities provided in part C.

Here is where the material difference occurs. Before I very briefly explain that, I only wish to say that part C is the introduction to what I consider will later be an attempt to absorb by the Agricultural Department the entire subject of the storage of grain. There will follow what was attempted in connection with the inspection of grain. Originally it was the purpose in that case to take over the matter of grain inspection and make it practically a bureau of the Department of Agriculture.

Under the laws which have been worked out at considerable length, liabilities have been fixed and rates of storage have been provided by statute. The maximum rates, just as the maximum schedules of carriers by land, are provided. The liabilities here fixed are in section 21, as follows:

SEC. 21. That a warehouseman conducting a warehouse licensed under this act, in the absence of some lawful excuse, shall, without unnecessary delay, deliver the agricultural products stored therein upon a demand made either by the holder of a receipt for such agricultural products or by the depositor thereof if such demand be accompanied with (a) an offer to satisfy the warehouseman's lien; (b) an offer to surrender the receipt, if negotiable, with such indorsements as would be necessary for the negotiation of the receipt; and (c) a readiness and willingness to sign, when the products are delivered, an acknowledgment that they have been delivered if such signature is requested by the warehouseman.

This seems to me to impose the liability of an insurer. What the term "in the absence of some lawful excuse" means, no one is able to satisfactorily define at this time; but if the warehouse should be burned, whether by the negligence of the warehouseman or otherwise, is not the question. It might be struck by lightning; it might be destroyed in a general conflagration in the city for which no negligence attached to the warehouseman; still he is required to become responsible to the owner of the warehouse receipt. It is true that he can, if he wishes, insure the grain stored, but if it be insured it is an additional charge which must be carried by the warehouseman, and can not be covered under the ordinary rates of storage now paid.

The warehouse rates are high on grain. The usual rates for storing merchandise in the city of Chicago in an ordinary fireproof building, applied to grain in a warehouse, would be no measure of the premium charged to carry the risk by fire insurance companies.

I now read from the railroad and warehouse act of the State of Illinois, under which warehouses are incorporated and conduct their business. Many millions of bushels of grain pass through the warehouses annually. Their liabilities to the property owners and their duties to the general public have been worked out in great detail by various acts of the legislature and I do not believe there is any complaint from the general public of the service afforded by the warehouses in the primary markets, such as St. Louis, Memphis, Minneapolis, and Chicago.

The statute that regulates this business has been the result of experience. Originally the act, like all other acts, was written with no great detailed knowledge of the requirements, but the act has been perfected by 40 years of actual experience in storing grain—the experience of the warehouseman himself and of the public that patronize the warehouseman. From section 148 of this act I read the following measure of liability of a warehouseman, which is entirely different, as the Senator from Iowa has suggested, from the liability imposed by section 21 of part C of this bill.

Section 148 is as follows:

No public warehouseman shall be held responsible for any loss or damage to property by fire while in his custody, provided reasonable care and vigilance be exercised to protect and preserve the same; nor shall he be held liable for damage to grain by heating, if it can be shown that he has exercised proper care in handling and storing the same and that such heating or damage was the result of causes beyond his control; and in order that no injustice may result to the holder of grain in any public warehouse of classes A or B it shall be deemed the duty of such warehouseman to dispose of, by delivery or shipping, in the ordinary and legal manner of so delivering, that grain of any particular grade which was first received by them, or which has been for the longest time in store in his warehouse; and unless public notice has been given that some portion of the grain in his warehouse is out of condition or becoming so, such warehouseman shall deliver grain of quality equal to that received by him on all receipts as presented.

Warehouses are classified under this act so as to cover the kind of grain referred to in this bill as fungible grain. I need not explain at length what fungible grain is. It is understood by the trade in warehouse centers to be a delivery of a like kind of grain and not the identical grain that was delivered to the warehouseman by the owner. Wherever grain grades are dealt in, fungible grain is present. It only means that a like grade of the grain, although entirely different in its identity, shall be delivered and shall satisfy the warehouse receipt. The legal obligation has been met when grain, although of a different identity, but a like grade, is delivered. So, understanding that condition of the grain trade, section 135 of the act referred to was framed:

Public warehouses of class A shall embrace all warehouses, elevators, and granaries in which grain is stored in bulk and in which the grain of different owners is mixed together, or in which grain is stored in such a manner that the identity of different lots or parcels can not be accurately preserved, such warehouses, elevators, or granaries being located in cities having not less than 100,000 inhabitants. Public warehouses of class B shall embrace all other warehouses, elevators, or granaries in which grain is stored in bulk and in which the grain of different owners is mixed together.

Public warehouses of class C are not affected, because they are general warehouses for the storing and keeping of other kinds of merchandise.

Unless this part C and the sections referred to are amended I shall vote to strike out the whole of the part. It introduces a system of warehousing that creates confusion and that serves no useful purpose. It will only serve to embarrass the warehousemen that are already in business. They are now governed by rigid regulations. A warehouseman can not be a dealer in grain. His service is confined exclusively to receiving and storing grain. He is more or less the beneficiary or the victim of good inspection or bad inspection, as the case may be; the beneficiary if it is good inspection, and if it is bad inspection he may be called to account, because if he delivers a grade of grain that is palpably beneath that mentioned in the warehouse receipt he might possibly be held to a strict legal liability for the difference in the grades. So no one in that country or in any primary market is any more vitally concerned in good inspection, in the proper preservation of grades, than the warehouseman himself, because he may be at any time called upon to respond.

I wish to say here that some popular misconception exists in regard to the method of inspection in many of the States. Particularly as to the method in my own State, there seems to be a most vital misunderstanding. There is no such thing as a private inspector in Illinois. Not in the grain market of Illinois can you find a private inspector that is authorized to grade grain. Every inspector in that State is a public officer. He is appointed by the public utilities commission by its grain department. The old railroad and warehouse commission, under which all of these grades were made and the warehousing of that State done, has been superseded by the public utilities commission, which is a body that has the same jurisdiction but many added powers. In the inspection of the grain in Chicago, Peoria, East St. Louis, and Decatur, which are points covered by the public service, every grain inspector is a public officer. He gets in under an examination of his fitness. Some of them have been in business for 30 years as inspectors for the State. They are not subject to the ordinary spoils system that may prevail either in the State or the Federal service. A grain in-

spector enters the service, and it depends upon him, if he is a fit inspector, whether or not he remains an inspector for life. He can keep his place. Politics never interferes with him. The only thing that gets him his place and that keeps him his place is that he shall be able to grade the grains that come into the market. The board of trade has nothing to do with him. The grain exchanges of that country have no more to do with the licensing of a grain inspector than you or I have. I have nothing to do with him. No political influence can in any manner obtain the appointment or the discharge of an inspector.

I have been connected with the public service in some capacity in that State for 25 years, either as a member of the legislature or otherwise, and I wish to say to the Members of this body that at no time or place within 20 years have I ever sought, nor would I have been able, to influence in the slightest degree either the appointment or the discharge of a grain inspector in any one of the inspection points of that State. Complaints may be made—they are made by grain exchanges frequently—as to the lack of knowledge or ability on the part of an inspector, and they lead to an investigation. If sustained, the inspector is removed from the service. It is only on fitness for the service that he receives his appointment, and he can hold it in the same way. Ordinarily, if complaints are made, they are made by elevator men, by the local shipper at some place who does not get the proper grade, or by a grain exchange. If a board of trade member buys grain on in inspection, and dissatisfaction arises upon an actual examination of the grain, or when it is milled, or when it is taken to a seaboard point for the export trade, and a reinspection is had, and it is shown that the inspection has been improper, and that the grade is not right, then it is followed back until the inspector that graded the car is found, and then complaints are filed, and he may be separated from the service.

So that our service there, both the warehousing and the inspection service, is purely a public service, carried on by public officers, in which there is not a taint of politics.

The board itself is made up of men of all political parties. Some of them, like the members of the Interstate Commerce Commission, change as their terms expire and the new administration comes in, and it is very likely that the prevailing party appoints some one to fill the vacancy. But in the men that actually render the service there is no more politics in the grading of grain or the warehousing of Chicago than there is in a safety-appliance inspector who goes out on the road under the direction of the Interstate Commerce Commission to examine air brakes.

So I believe that these provisions of part C will serve no useful purpose unless it would be as a foundation for the absorption of the warehouse business where they handle grain that enters into interstate trade.

Mr. CUMMINS. Mr. President, I have but a word to say in addition to the suggestions I have already made.

I would not have the least objection to a national system of warehouses. I feel about this, as I did about the former provision, that it ought to be complete and general. This is neither. This is optional, incomplete, and I think would be very unsatisfactory in operation.

In addition to the objections that I have already made, I beg to say that this is another measure for the appointment of inspectors of grain, and it is not provided in this bill that the inspectors under the State service shall be appointed or licensed, but anyone can be licensed under this bill to inspect the grain. It is provided in section 15 of the bill—

> That grain, flaxseed, or any other fungible agricultural product stored for interstate or foreign commerce, or in any place under the exclusive jurisdiction of the United States, in a warehouse licensed under this act shall be inspected and graded by a person duly licensed to grade the same under this act.

If, therefore, an elevator located in a small community in any State were licensed as a warehouse, the grain that would be deposited in the elevator or warehouse must necessarily be inspected by some one licensed to do that work in that community; and it would be simply increasing the confusion which I think is certain to arise in the operation of what is known as the United States grain-grades act. In many respects this is duplicate legislation, but it is not guarded as the grain-grades act has now been guarded through amendments which have been offered and adopted on the floor of the Senate.

I can not give my consent to the construction of the Constitution which is adopted and apparently defended by those who are responsible for this measure. I can not agree that any building or structure in which there is or may be stored a product which may ultimately pass into transportation from one State to another is within the constitutional power. I do not believe that an elevator or warehouse of that sort is a facility of interstate commerce. I can not agree that we have any power to regulate a warehouse unless it is a facility of interstate commerce; and I do not believe that even then we can authorize the inspection or grading of any other grain or agricultural product in it save that grain or product which is, when graded, a part of interstate commerce.

The reasons that I have already given for my opposition to this kind of legislation will not be strengthened by repetition, and therefore I care to say nothing further about it.

At the conclusion of my remarks yesterday I asked for the yeas and nays upon my amendment whenever it might be voted upon. They were not ordered, I think. Other matters intervened, so that the RECORD does not show that the request for the yeas and nays had been seconded. I ask now for the yeas and nays upon my amendment, no matter when it may be voted upon.

The yeas and nays were ordered.

Mr. SHAFROTH. Mr. President, I want to say just a few words in closing this matter, if we are going to take a vote upon it.

The Senator from Iowa seems to think this measure is very ill considered. He seems to consider this as some kind of a measure that some member of the committee has put on the Agricultural bill as a rider, and that it has not received careful consideration. I will state to the Senator that this is the Moss bill as it passed the House of Representatives in the Sixty-third Congress, and was reported favorably by the Committee on Agriculture in the House on the 21st day of January of this year. It has received very careful consideration upon the part of the Agricultural Committee and in the discussion of the question in the Sixty-third Congress, so that it is not an immature bill. They have had the advice and the continued consultation of the Agricultural Department with relation to this matter, and particularly that department which is provided for as to marketing and rural organization.

Mr. President, I want to say just a few words now as to this warehouse act. It seems to me that the question of its constitutionality is very largely eliminated by the fact that this is not a compulsory measure. No warehouseman now operating under State laws need take advantage of this act. It is purely discretionary upon his part. Consequently, when he enters this system he does it with his own consent, and agrees to all the provisions and terms of the act. That these warehousemen will come in I have no doubt, because of the great advantage that is offered and will be offered by reason of being connected with a bonded warehouse of the United States Government. That is one of the advantages which every warehouseman will see. He will want to have his certificates offered in the market at as high a price and cashed at the banks at as little discount as possible, because he knows that the farmers and other people who store grain there will want that advantage; and therefore the grain will not go to the State warehouseman, but will go to this warehouseman who consents to give a bond to the United States Government for the faithful carrying out of the provisions of this act. That insures uniformity both as to receipts and as to the terms and conditions and as to the charges that may be made.

There is chaos in the market at the present time. One warehouseman can charge a higher rate for the storage of grain or other products than another warehouseman may. There has to be an investigation as to these matters when questions arise concerning the purchase of certificates. That chaos brings an absolute necessity, if we want to have cooperation and if we want to have the best available results from these warehouses, to make a uniform system so that when a person gets a receipt—what is called a warehouse receipt—he will know exactly what his rights are, he will know what charges are to be made upon the grain, he will know how long it has been there, he will know various other matters that are indispensable to the lending of money on these certificates.

Mr. CUMMINS. Mr. President——

Mr. SHAFROTH. I yield to the Senator.

Mr. CUMMINS. What becomes then of the argument made by the Senator from Georgia that all State laws and regulations shall remain in force?

Mr. SHAFROTH. They remain in force as to any person who wants to remain under the State system. That is true, there is not any doubt about that; they need not come into it.

Mr. CUMMINS. Precisely. We are now getting to the point. I construe the bill to remove a warehouseman's license under it from the operation of a State law. I so stated yesterday. But the Senator from Georgia seemed to think that even after he had been licensed by the Federal Government he still remains subject to the State law.

Mr. SMITH of Georgia. The Senator did not exactly understand me. My position was that he would be required, if he took this license, to comply with all the provisions of this act, and if the State had placed some additional burden upon him

he might be required to perform that, too. The warehouseman and the party receiving the certificate would know all the requirements of the act were complied with.

Mr. CUMMINS. But this act says in words that nothing contained in it shall relieve the licensee of any State law or regulation. That is a perfectly futile declaration, I agree. I do not see how the Senator from Georgia makes the distinction which he has just stated. But, however, I pass that.

I ask the Senator from Colorado if it is not true that the House defeated this bill twice, inasmuch as he has suggested that the House passed it once?

Mr. SHAFROTH. I was not aware that it did that. Anyway, the last time I understand it approved it.

Mr. SHERMAN. Mr. President——

Mr. SHAFROTH. I yield to the Senator from Illinois.

Mr. SHERMAN. I will say that the warehousing business is essentially local rather than national, to begin with. The only semblance of the foundation for Congress to exercise its power on a warehouse for grain is that the grain is engaged in interstate trade. A warehouse might be entirely local in character. Much of the grain stored in the principal grain markets in warehouses—I will not say the majority but much of it—never will get into interstate trade at all. Much of the grain that is brought from the southwest to market from the Oklahoma, Kansas, and Missouri wheat fields goes to St. Louis and is stored in warehouses there. The wheat is milled in St. Louis and never goes out of the State after reaching the warehouses there. The same is true of Illinois. In those cases in no essential particular is the warehouse business connected with interstate traffic.

It depends upon the intent of the owner. The owner of a warehouse certificate is as uncertain and indefinite or of just as transitory a character as the owner of a $10 bill, because it is as negotiable as any other negotiable instrument and passes by delivery. The title of the grain passes by delivery in the trade. What the owner of the warehouse receipt will do with it depends entirely upon his privileges at the point where he desires to use it, and he may or may not engage in interstate trade.

Now, the query in my mind is raised by the statement of the Senator from Colorado on the right of the Government to fix charges. I would rather if I were a warehouseman have the Government fix my charges for storage than have the State's legislature fix it. So it does not rest on the question of the reasonableness or extortion of the charges that are made by the warehouses; it is not the essential character of the occupation itself; but there is no proper power of Congress to regulate a warehouseman who stores grain to be milled in the State where his warehouse business is carried on. So it is separated and becomes a question of the intent of the holder of the warehouse certificate whether it becomes the subject of congressional regulation or not.

Mr. SHAFROTH. Mr. President, the answer to all that is plain, and it is this: The warehouseman need not take out a license unless he wants to, and he is not discriminated against in any way by reason of not doing it. The right of saying, "I shall operate under the State law" is preserved in this bill.

In addition to that, as an individual depositor of grain there he does not have to go to a United States Government bonded warehouse to do it if he is not going to have the grain enter into interstate commerce or foreign trade. The result will be that he can keep his grain at other places.

This is not prohibited in any sense upon his part. When he says "I want this," it is by reason of some advantage that he gets, and that advantage is in the fact that when he gets the receipt he knows it has a better standing at every bank where he wants to raise money, where he wants to make a sale of that warehouse receipt. They can rely upon the uniformity of the rules that exist all through the United States, as will be provided under the provision of this act. For that reason it is worth more to him and for that reason he will prefer to deposit his grain there. That being the case, nobody can complain, nobody can object, it seems to me.

Mr. President, one of the greatest advantages of this bill is the fact that if you will notice through the provisions of the bill there are requirements of publicity, requirements of how much grain you have, how much is stored, and consequently when all these reports are made to the United States Government you can tell to almost a bushel how much wheat, how much corn, how much rye, how much oats is in existence in storehouses.

There has been a great advantage on the part of speculators that they would get by inquiry—by a system of information due to themselves to determine whether or not a corner can be made on corn or a corner on wheat—but with this publicity giving the exact number of bushels of wheat and corn and rye and all the products stored in these warehouses the farmer is just as good a judge, and probably a better judge, as to what the market value should be and as to whether a corner can be made or not. Those are advantages which the Federal law would give and which can not exist under the State laws, one State requiring one thing, hardly any of them requiring publicity, and thereby having a confusion and a difficulty in obtaining the facts, so that it is almost impossible to do any business, nor would he undertake that feature of an investigation.

Mr. President, I know that with a Federal provision of this kind there would be uniformity of rules and regulations throughout the entire United States. There would be uniformity in the same kind of care and the same kind of attention. As it is now, when a warehouse receipt of a State is presented you do not know what care and attention has been given in that State. You know that perhaps Illinois, being a fine market, has a peculiarly fine system of inspection and a fine system of care and attention, but you do not know what Colorado has, you do not know what Utah has, and consequently it is all at sea and all has a tendency to discount the very instrument that the farmer wants to present either for discount or for sale.

Then, again, there are the uniform charges, as I said before—the uniform knowledge that exists as to the quantity that is in store or the exact date that it is in store.

Mr. SHERMAN. Mr. President——

Mr. SHAFROTH. I yield to the Senator.

Mr. SHERMAN. Uniformity of charges would be as impossible as uniformity of rent. What would be a reasonable charge in one place, a thousand miles from that point would be impossible, the warehouseman could not support his business on it.

Mr. SHAFROTH. That is to be controlled by rules and regulations. In certain zones or in a certain character of place where a warehouse is situated there probably would be permission given to charge a higher rate than at a certain other point where large quantities are handled. All that can be done by regulation, and the information will be ascertained by anybody in a minute or by simply a telegram to the Department of Agriculture of the United States Government.

Mr. SHERMAN. There is not a grain dealer in any of the four primary market points in my State that does not have the storage charges all over North America in his office pigeonholed, and he can turn to it just as quickly as you would turn to a dictionary to find the spelling of a word.

Mr. SHAFROTH. But the farmer has not.

Mr. SHERMAN. The farmer never will have the detailed knowledge of the grain trade that the grain dealer has.

Mr. SHAFROTH. That may be, but you will find that when he is going to make some sale he will know what the charges are there in the warehouse where he is going to store, and he is going to find out whether it is a proper charge or not, and he is going to have the schedules which the United States Government will issue with relation to these charges.

Mr. CUMMINS. Mr. President——

Mr. SHAFROTH. I yield to the Senator.

Mr. CUMMINS. I do not refer now to the argument of the farmer. That is not very conclusive upon the farmer, because the farmer does not deposit grain in the terminal market to any great extent. The Senator from Colorado has already said he does not want these things established in the local communities and does not expect it. I ask the Senator this question of law. I was rather surprised at the view taken by the Senator from Colorado. Does he think that the consent of the parties to the transaction can enlarge the constitutional power of Congress? That is to say, could a given community engaged in purely intrastate business be regulated by a law of the United States if they were to consent to the passage of a law concerning their affairs?

Mr. SHAFROTH. No, Mr. President, it is like the jurisdiction of a court. Jurisdiction is not conferred by consent, I concede that. But the Senator has admitted time and again that where these warehouses are used for the purpose of aiding and assisting interstate and foreign commerce, they are just and proper within the constitutional power of the United States Government.

Mr. CUMMINS. Precisely.

Mr. SHAFROTH. The Senator has said that several times.

Mr. CUMMINS. This law does not limit licenses to any such condition.

Mr. SHAFROTH. That is true, but——

Mr. CUMMINS. Nor does it limit the certificates that are to be issued upon the grain or products stored in them to grain destined for interstate commerce. If you have one grain of wheat in an elevator that is intended to go beyond the State, then the warehousemen can issue these certificates under inspection by a Federal officer for all the product in the elevator with-

out regard to its association or connection with interstate commerce.

Mr. SHAFROTH. Mr. President, in answer to that I will say that when the Senator concedes that warehousemen who are engaged in interstate and foreign commerce come within the constitutional provision referred to it seems to me he must admit that where something that is incidental to that is also included in the warehouse it can and must of necessity go with it. We had a discussion on the nitrate plant where it was conceded by all that the United States Government under its constitutional power has the right to manufacture explosives for the United States Government, and it was said that it also involved the question of selling when the plant was not needed by the Government in a time of peace. No one contended but that incidental power to manufacture a product to be used for a commercial purpose, even coming in competition with private business, was really included within the greater power of the Government to see that the plant is not run at a loss after it has been constructed for governmental purposes.

That being the case, these warehouses being proper instruments of distribution under the interstate commerce clause, it seems to me there can not be a negative, nor can there be excluded deposits of grain made there that may be intended by the owners who deposit it not to be for interstate commerce.

Mr. SHERMAN. Mr. President——

Mr. SHAFROTH. I yield to the Senator.

Mr. SHERMAN. Before the Senator leaves that subject, I wish to ask if there is any act of Congress or any power in Congress which fixes a warehouseman's liability on warehouse receipts.

Mr. SHAFROTH. Yes; where it is used in interstate commerce. It seems to me it comes within the scope of transactions of that kind.

Mr. SHERMAN. I wish to call the Senator's attention to the fact that the warehouse receipt is a negotiable instrument calling for the delivery of specific merchandise of a given kind whereas a promissory note is for the payment of money of the United States. A negotiable instrument can not be regulated by Congress. That has been repeatedly adjudicated by the proper authorities. A warehouse receipt is like a bill of exchange, or a draft, or a check, or a promissory note or any other negotiable instrument. It is wholly subject to the regulation of the State in which it is made and is not a proper matter for congressional action.

Mr. SHAFROTH. I can see very readily why promissory notes do not come within the rule. No one has ever claimed or contended that promissory notes become the subject of interstate commerce, but in the other instance it does. It seems to me that the grain becomes a subject of interstate commerce, and the evidence of the deposit of the grain would also come within the rule of that provision of the Constitution.

Mr. SHERMAN. The liability of a warehouseman for negligence is a matter of local regulation by the laws of the State and the supreme court's decision of that State. It would be impossible to fix a liability on the warehouse receipts any more than upon an insurance policy. Neither life policies nor fire policies are matters of congressional interference; they are purely matters of the State within the local laws of the State and the adjudication of the courts of last resort. The warehouse receipt is in precisely the same list.

Mr. SHAFROTH. If a person wants to keep the warehouse receipt under State laws, he has the privilege under this act to do it; but whenever you have the power, which seems to have been conceded by everyone in this debate, to have a warehouse as an instrument of interstate commerce, it seems to me that all the incidents that flow from the keeping of it will necessarily follow as a part of it and as being authorized under interstate commerce.

Mr. President, just one more word and then I am through, and that is as to the influence which the Government will have as to where the warehouses will be located. A condition existed at the breaking out of the European war by which it was found that the people of the South wanted to preserve their cotton, because there was no market in which to sell it, and they found there were plenty of warehouses in the South for that purpose, but they were not located at the right places. They had been put under the authority of the State legislature and under, probably, individuals. The result was that where there was a quantity of space they were unable sufficiently to be accommodated by reason of the fact that they were not located conveniently.

There is nothing in this act which would compel the erection of a warehouse in any one place. I take it when this cooperation is made to exist between the States and the National Government, and these people voluntarily go into the system, they will advise with the Department of Agriculture as to where in their judgment would be the best points for the erection of these warehouses. It would have a wholesome tendency, in the interest of economy, to keep warehouses where they are needed, and it thereby obviates the loss of money and capital invested by reason of the fact that they were located in a useless place.

So, Mr. President, it seems to me that if there is an act on the statute book that is intended for the interest of the farmer, giving him better security, giving him more certainty of knowing what he has, giving him uniformity of charges as far as possible, it is in the provisions of this act; and he will know when he gets his grain in a bonded warehouse that the United States Government will protect it. By reason of that fact you will find that they will uniformly have the warehouses in the State transferred to a license under the Federal administration in pursuance of the provisions of this warehouse act.

For that reason, it seems to me, the benefits to the farmer and the benefits to the warehousemen are all one way, and that this provision is in their interest.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Iowa [Mr. CUMMINS] to strike out what is known as the warehouse clause of the bill. The yeas and nays have been ordered on the amendment, and the Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CLAPP (when his name was called). I have a general pair with the senior Senator from North Carolina [Mr. SIMMONS]. In his absence, and not knowing how he would vote, I am disposed to withhold my vote for the present.

Mr. CLARK of Wyoming (when his name was called). I withhold my vote because of the pair which I have with the senior Senator from Missouri [Mr. STONE], who is absent.

Mr. CURTIS (when his name was called). I have a pair with the junior Senator from Georgia [Mr. HARDWICK], and therefore withhold my vote.

Mr. GRONNA (when his name was called). I have a general pair with the Senator from Maine [Mr. JOHNSON]. Not knowing how he would vote on this question, I will withhold my vote.

Mr. SUTHERLAND (when his name was called). I inquire whether the Senator from Arkansas [Mr. CLARKE] has voted?

The VICE PRESIDENT. He has not.

Mr. SUTHERLAND. I have a pair with that Senator, and for that reason withhold my vote.

Mr. TILLMAN (when his name was called). I transfer my pair with the Senator from West Virginia [Mr. GOFF] to the Senator from Tennessee [Mr. LEA] and vote "nay."

Mr. WADSWORTH (when his name was called). May I ask if the junior Senator from New Hampshire [Mr. HOLLIS] has voted?

The VICE PRESIDENT. He has not.

Mr. WADSWORTH. I have a pair with the Senator from New Hampshire, and I therefore withhold my vote.

Mr. WILLIAMS (when his name was called). I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the junior Senator from Arkansas [Mr. ROBINSON], which leaves me free to vote. I ask that this announcement stand for the day. I vote "nay."

The roll call was concluded.

Mr. CURTIS. Mr. President, I have been requested to announce the following pairs:

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from New Mexico [Mr. FALL] with the Senator from West Virginia [Mr. CHILTON];

The Senator from Vermont [Mr. PAGE] with the Senator from Indiana [Mr. TAGGART];

The Senator from Michigan [Mr. SMITH] with the Senator from Missouri [Mr. REED];

The Senator from Rhode Island [Mr. COLT] with the Senator from Delaware [Mr. SAULSBURY]; and

The Senator from Connecticut [Mr. MCLEAN] with the Senator from Montana [Mr. MYERS].

Mr. JAMES. I desire to inquire if the junior Senator from Massachusetts [Mr. WEEKS] has voted?

The VICE PRESIDENT. He has not.

Mr. JAMES. I have a pair with that Senator, which I transfer to the junior Senator from Oklahoma [Mr. GORE] and vote. I vote "nay."

Mr. LIPPITT (after having voted in the affirmative). I find that the Senator from Montana [Mr. WALSH], with whom I am paired, is not present. I therefore withdraw my vote.

Mr. SHERMAN (after having voted in the affirmative). I wish to inquire if the senior Senator from New Jersey [Mr. MARTINE] has voted?

The VICE PRESIDENT. He has not.

Mr. SHERMAN. I have a pair with the senior Senator from New Jersey, and therefore will withdraw my vote.

Mr. DU PONT (after having voted in the affirmative). I have a general pair with the junior Senator from Kentucky [Mr. BECKHAM], who is not in the Chamber, and I will therefore withdraw my vote.

Mr. OVERMAN (after having voted in the negative). I should like to inquire if the junior Senator from Wyoming [Mr. WARREN] has voted?

The VICE PRESIDENT. He has not.

Mr. OVERMAN. I have a general pair with that Senator; but I transfer that pair to the senior Senator from Indiana [Mr. KERN], and will let my vote stand.

Mr. CHAMBERLAIN (after having voted in the negative). I have a general pair with the junior Senator from Pennsylvania [Mr. OLIVER]. In his absence I transfer that pair to the Senator from Maryland [Mr. LEE] and will let my vote stand.

The result was announced—yeas 10, nays 40, as follows:

YEAS—10.

Cummins	Jones	Nelson	Works
Gallinger	Kenyon	Smoot	
Harding	Lodge	Townsend	

NAYS—40.

Ashurst	Husting	Owen	Smith, Ga.
Bankhead	James	Phelan	Smith, S. C.
Borah	Johnson, S. Dak.	Pittman	Sterling
Brady	La Follette	Poindexter	Swanson
Broussard	Lane	Pomerene	Thomas
Bryan	McCumber	Ransdell	Thompson
Catron	Martin, Va.	Shafroth	Tillman
Chamberlain	Norris	Sheppard	Underwood
Fletcher	O'Gorman	Shields	Vardaman
Hitchcock	Overman	Smith, Ariz.	Williams

NOT VOTING—45.

Beckham	Goff	McLean	Smith, Md.
Brandegee	Gore	Martine, N. J.	Smith, Mich.
Chilton	Gronna	Myers	Stone
Clapp	Hardwick	Newlands	Sutherland
Clark, Wyo.	Hollis	Oliver	Taggart
Clarke, Ark.	Hughes	Page	Wadsworth
Colt	Johnson, Me.	Penrose	Walsh
Culberson	Kern	Reed	Warren
Curtis	Lea, Tenn.	Robinson	Weeks
Dillingham	Lee, Md.	Saulsbury	
du Pont	Lewis	Sherman	
Fall	Lippitt	Simmons	

So the amendment of Mr. CUMMINS was rejected.

The VICE PRESIDENT. The bill is still before the Senate as in Committee of the Whole and open to further amendment.

Mr. GRONNA. Mr. President, I wish to offer an amendment. On page 107, line 10, after the word "shall," I move to insert the word "knowingly," so as to read:

SEC. 9. That any person who shall knowingly violate any of the provisions of sections 4 or 7 of this act—

And so forth.

Mr. SMITH of Georgia. Mr. President, I think we can accept that amendment.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. NELSON. I desire to offer an amendment to which I call the attention of the Senator from Georgia. On page 111, in line 22, after the word "act," I move to add the words, "including a requirement for fire insurance," so that the provision, commencing with line 17, will then read:

Said bond shall be in such form and amount, shall have such surety or sureties, subject to service of process in suits on the bond within the State, District, or Territory in which the warehouse is located, and shall contain such terms and conditions as the Secretary of Agriculture may prescribe to carry out the purposes of this act, including a requirement for fire insurance.

Mr. SMITH of Georgia. Mr. President, we will accept that amendment. I do not know that it is necessary, but I am glad to have it in the bill for further consideration.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. SHEPPARD. I desire to give notice that I shall ask for a separate vote in the Senate on the amendment which was offered by the Senator from New York [Mr. WADSWORTH], in line 3, on page 57, of the bill.

Mr. ASHURST. I desire to give notice that I shall ask for a separate vote on the amendment proposed by the Senator from Louisiana [Mr. BROUSSARD], on page 78, line 17.

Mr. CATRON. I should like to inquire of the Chair if it is necessary to give notice of a separate vote on any item when the bill reaches the Senate?

The VICE PRESIDENT. The technical phrase is "reserve the amendment," but the notice that a separate vote will be demanded in the Senate serves the same purpose.

Mr. CATRON. I reserve the right, then, to have a separate vote in the Senate on the amendment on page 78, line 17, proposed by the Senator from Arkansas [Mr. CLARKE].

Mr. SMOOT. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 30, line 22, it is proposed to strike out the semicolon after the words "United States" and to insert in lieu thereof a colon and add the following:

Provided, That investigations in forestry and forest utilization may be authorized by the Secretary of Agriculture in Mexico, Central and South America.

And, on page 41, line 9, to strike out "$78,728" and insert in lieu thereof "$103,728."

Mr. SMITH of Georgia. I should like to have the amendment stated once more.

The Secretary again stated the amendment.

Mr. BORAH. Mr. President, I should like to ask the Senator from Utah to explain the amendment.

Mr. SMOOT. I will be glad to do so.

Mr. GALLINGER. Particularly the Mexican part of it.

Mr. SMOOT. Mr. President, the amendment involves an appropriation of $25,000, and authorizes the Forest Service to make original investigations in forestry and forest utilization in tropical America to obtain information needed by business interests of the country. Vast quantities of forest products—dyewoods, gum, resin, mahogany, rosewood, and all kinds of timber—are annually imported into the United States from these countries. There has been no extensive investigation made of the woods of South America and Mexico, from which we get so much of our hardwood, about one-third of the hardwood of the world coming from those countries. The business interests of the United States are becoming more and more dependent upon tropical America for hardwoods, and have asked the department on many occasions for reports upon the availability of hardwoods in those countries and where they could most profitably be procured. Up to the present time there has been but a meager investigation made on the part of our Government—none, I may say, with the exception of a casual survey made by, I think, a party of one or two Government representatives. The department feels that an investigation of this kind would be of immense benefit to this country, because everyone knows that the hardwoods of America are getting scarcer and scarcer and that we shall be obliged to go elsewhere to obtain them.

I call attention to the fact that in the Philippine Islands the investigations which have been made there—and they have been made under the provisions of Agricultural appropriation bills in the past—have demonstrated that there are woods in those islands that can be used in this country most profitably. South American dyewoods, gums, and hardwoods are all needed in this country, and I believe that with the expenditure of this amount of money—and that is also the belief of the department—the desired information can be given to the various business interests in this country which use this class of material.

I had my attention called, Mr. President, the other day to the discovery of what is called "pipa" in Panama, which the experts believe will take the place of sisal. The plant is found in a wild state; the fiber is taken from the leaves. It is finer and stronger than sisal, and it is claimed that it can be produced for less money per pound.

Mr. POINDEXTER. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Washington?

Mr. SMOOT. I yield to the Senator.

Mr. POINDEXTER. The Senator's amendment provides for investigations in forestry. What the Senator is now speaking of is the utilization of forest products. I do not understand the Senator's purpose in proposing to have an investigation of forestry in Mexico and Central America, which is quite a distinct proposition from the utilization of the woods and forest products of which the Senator is now speaking.

Mr. SMOOT. No, Mr. President; I will admit that what I had reference to in referring to the discovery of fiber in Panama has nothing whatever to do with the amendment that I have offered. I was only calling attention to this question to show that through investigations that may be made of the forests of the South, not only may a product of the kind it referred to be discovered, but there may be other discoveries that will be of great advantage to the United States. I am not asking for an appropriation for that purpose, but I am referring to this particular product for the purpose of showing that there may be in that unexplored country other articles that would be of inestimable value to the people of the United States.

The amendment on page——

Mr. SMITH of Georgia. Let us dispose of this first. The other is an increase of the appropriation.

Mr. SMOOT. They both go together. The first part of the amendment provides for the investigation, on page 30, beginning on line 22, and the increase of $25,000 is carried in the appropriation as named in my amendment. The appropriation found on page 42 is that which takes care of the general expenses of the Forest Service.

Mr. SMITH of Georgia. The Senator increases it from $78,000 to $103,000?

Mr. SMOOT. Yes; the increase is $25,000. I will say to the Senator that the amount has not been estimated for. It is a new question that was brought to my attention but a few days ago, when I was asked to introduce the amendment. I am perfectly aware that a point of order will lie against the amendment.

Mr. SMITH of Georgia. Mr. President, it may be true that we would be glad to have this information; but it strikes me as rather novel to put our Agricultural Department and its agents into a foreign country to investigate their resources.

Mr. SMOOT. It is being done in a limited way at present, I will say to the Senator, in a few of the South American countries. My amendment, however, gives specific authorization and makes an appropriation directly for that purpose. I will say to the Senator that it is broadening an investigation that has already taken place in a very limited way.

Mr. SMITH of Georgia. It seems to me very doubtful as to whether our Agricultural Department ought to be sending representatives into foreign countries. We have our Consular Service and our duly accredited consuls, and if, under our Consular Service, it is found necessary to acquire information of this kind——

Mr. CLARK of Wyoming rose.

Mr. SMITH of Georgia. I yield to the Senator from Wyoming.

Mr. CLARK of Wyoming. I was going to say to the Senator that I see no difference in principle between the investigation which the Senator from Utah contemplates in his amendment and the investigations that are already being carried on all over the world, substantially, by our Agricultural Department in seeking out new kinds of grasses or forage or fruits that can be made available for production in this country. The Agricultural Department all the time has representatives abroad seeking out, for instance, sorts of grain that will do best in the arid regions of this country, grasses that will produce more nutriment than the grasses we already have, and so forth. It has its agents substantially all over the world now, aside from our Consular Service.

Mr. SMITH of Georgia. This goes beyond that, very decidedly. That is a matter of looking to see what seeds they have in order that we may plant their seeds here. It is a study of conditions abroad in order that we may introduce improved methods here. This proposition is, through the Department of Agriculture, to investigate the products of that country which are to enter into commerce, and which we are subsequently expected to buy. It occurs to me that clearly it falls within the service of our consular representatives and the State Department, and that it is not a line of work in which the Agricultural Department should be engaged. It might perhaps be well to enlarge the services of our consular representatives in this line; but it belongs to our foreign relations and to our commerce, and not to our agriculture.

I do not think it ought to pass in this way, and especially I do not think it ought to be passed coming from the floor without careful consideration. Of course it is subject to a point of order, and I think the point of order really ought to be made. I do not think we ought to introduce a new line of work in this way upon the floor; and I make the point of order.

Mr. SMOOT. Mr. President, will the Senator withhold the point of order just a moment?

Mr. SMITH of Georgia. I withhold it.

Mr. SMOOT. I think this question no doubt will come before the Congress in the very near future, and I believe that when it is fully understood there will be no objection to it. I have here a summary made by the department, showing the results of immediate economic importance to the United States, and also a summary of the scientific results that are likely to be accomplished. I am not going to take the time of the Senate to read it, but I shall ask that these two summaries be printed in the RECORD as part of my remarks, as showing just what the department expects to accomplish if this undertaking is authorized by Congress, either now or at some subsequent time.

The VICE PRESIDENT. Without objection, it will be so ordered.

The matter referred to is as follows:

Results of immediate economic importance:
1. Estimate of forest resources of economic importance to the United States.
a. By-products, such as tannin products, dyewoods, gums, resins, oils, Brazil nuts, etc.
b. Mahogany and other cabinet woods.
c. Cigar-box cedar and substitutes for the same.
d. Heavy timbers, such as greenheart, purpleheart, violet wood, etc.
2. Exploration of forests with a view of finding species which, like the Dipterocarp family in the Philippine Islands, can be used as substitutes for the conifers and thus open a new source of supply of general construction timbers.
3. Investigation into the possibilities of utilizing the tropical forests.
4. Present methods of utilization of the timber resources of tropical America with the view of determining the possibilities for American logging and sawmill machinery.
5. Search for trees whose introduction may be of economic value to the United States.

Scientific results:
1. Preparation of a more accurate map showing the extent and classes of forest areas.
2. Contribution to our knowledge of the forest resources of the world with special reference to the conservation movement in the United States.
3. Collection of commercial samples of wood, whose botanical identity is known, for testing of their physical and mechanical properties at the forest products laboratory at Madison, Wis.
4. Collection of herbarium and museum specimens of trees, woods, and other forest products.
5. A more intimate botanical and biological knowledge of the tropical tree species—their ranges, their growth and dimensions, their soil and climatic requirements, and their uses.
6. A knowledge of tropical silviculture—methods of management, utilization, and preservation of tropical forests.
7. Contribution to our knowledge of tropical forests and their relation to physical and biological factors.
8. Contribution to our knowledge of the relation between tropical forests and the regulation of water resources.
9. Contribution to our knowledge of land laws governing the disposal of public domain in tropical America.
10. Knowledge of existing forest organizations in the different South American countries.
11. Publication of results.

Mr. VARDAMAN. Mr. President, may I ask the Senator what sum of money he is asking for this purpose?

Mr. SMOOT. Twenty-five thousand dollars. I am perfectly willing, though, if the Senator thinks it is too much, to have it reduced.

Mr. SMITH of Georgia. No; it is not the amount. I do not think the Agricultural Department ought to engage in this work independently of the Consular Service.

Mr. SMOOT. The Forest Service is under the Agricultural Department and we appropriate for that purpose. Does the Senator know that this same department has made an investigation of all the woods of the Philippine Islands?

Mr. SMITH of Georgia. But they belong to the United States, and that is their proper province.

Mr. SMOOT. I am aware of that; but I am only stating that to show what may be accomplished, and with a great deal more benefit to the United States, if this same investigation is made in South America. I will say that woods in the Philippine Islands that were thought to be absolutely useless have through these investigations been shown to be profitable not only to the Philippine Islands but to the manufacturers of wood products in this country.

Mr. SMITH of Georgia. The Senator misunderstands me if he thinks I object to gathering the information. I regard it as of very doubtful propriety, however, to gather it in this way. It is changing the Agricultural Department into a service that properly belongs to our Consular Service and involves it in diplomatic and consular, rather than agricultural, work.

Mr. SMITH of South Carolina. Mr. President, a point of order. The Senator from Georgia and the Senator from Utah both admit that this item is subject to a point of order, and as the Senator from Georgia has made it I will make it now—that it provides for an appropriation without an estimate.

The VICE PRESIDENT. The point of order having been made that the amendment is not estimated for, the point of order is sustained.

Mr. OWEN. Mr. President, I wish to call the attention of the Senator from Illinois to a point of order that he made, on page 127, in the Blair case. The amendment was designed to relieve a case of peculiar hardship, and, as I understand, it met the approval of the committee. I wish to appeal to the Senator to withdraw the point of order, as this man has been practically ruined, and it is impossible to get a general provision on the bill.

Mr. SMOOT. What page is that?

Mr. OWEN. Page 127. The Senator from Illinois [Mr. SHERMAN] made the point of order against it.

Mr. SHERMAN. Mr. President, we have endeavored by some general provision to provide for the payment of claims in the case of dipped cattle resulting in damage to the owner. We have prepared an amendment of that sort, and we have gone so far as to present it to the committee for its consideration. It appears, however, upon an examination of the question, that the incorporation in the bill of a general provision of that kind would open the way to some million and a half or two million

dollars' worth of claims in years past, and it would be an injustice to the Government.

In this particular case the gentleman is 74 years old, and all of his means were invested in his herd of cattle, and it would be a very great hardship, bankrupting him. I am ready to, and do, withdraw the point of order that I made.

Mr. GALLINGER. Mr. President, I will renew the point of order. It is a private claim on an appropriation bill.

The VICE PRESIDENT. The unfortunate part about it is that the Chair sustained the point of order, and the Chair does not see how he could withdraw his ruling.

Mr. GALLINGER. The Chair could not very well do so.

Mr. STERLING. Mr. President, I note that in lines 12 and 13, on page 107, the words "or carelessly" were stricken out by amendment, but a little further down, in line 15, the words "or carelessly" occur again. I think, perhaps, it is an oversight that the bill has not been amended in that respect, and I move that the words "or carelessly," as they occur on line 15, page 107, be stricken out.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 107, line 15, after the word "knowingly," it is proposed to strike out the words "or carelessly."

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. GALLINGER. Mr. President, I do not know but that those words should be likewise stricken out in line 22, page 106, unless there is some differentiation between the two sections. In this provision it relates to an inspector who "has been found to be incompetent, or has knowingly or carelessly graded grain improperly." I do not think those words "or carelessly" amount to much.

Mr. STERLING. I will say to the Senator that there is this difference between the two sections: In the section from which he has just read the careless act is made a cause for dismissal of the inspector, and he, perhaps, should be dismissed for carelessness, but in the other case he is subject to a penalty of $1,000 or imprisonment for not more than one year, or both.

Mr. GALLINGER. I will not move to amend the bill in that particular, then.

Mr. McCUMBER. Mr. President, why should the inspector be excused for carelessness? I should like the Senator to explain under what theory a party can excuse himself for what would amount really to criminal negligence by merely asserting that he was careless in his work.

Mr. STERLING. Mr. President, I hardly think that a man should be adjudged guilty of an infamous crime, as this would make him, for an act of mere carelessness. This act, as I say, makes the penalty for carelessness a fine of not more than a thousand dollars, or imprisonment for not more than a year, or both such fine and imprisonment. I think the intent of the party ought to govern and determine as to whether or not he has committed a crime. Independently of any intent to commit a crime, and for merely acting without due care, he is made and can be adjudged guilty of a crime. I hardly think that is right, and I think the provision is too drastic.

Mr. McCUMBER. Mr. President, I assume that the law would be enforced by judges who would have some humanity in their make-up; and as the fine or imprisonment may be just as little as a judge might be inclined to impose, and the maximum is fixed, without any minimum, I do not think there is any danger in this respect.

But let me give a little illustration of some work that was done, according to the testimony, in one of the great cities, where a single inspector, in a single day, certified the grades of 250 cars. Now, every one of those cars was sold upon a guess. The work necessarily was carelessly done, because no one could grade that many cars in a day. It would necessitate over 5 miles of travel, in addition to opening the car and making the test on both sides of the car with the usual tester. In certifying those grades this one inspector, while he earned for his employer somewhere, I think, over $65 that day for the fees charged, necessarily made a careless, and therefore an unjust, certification of every one of those cars. Now, why should he be excused? The owner of a car may have gained or he may have lost two or three grades on that car.

Mr. STERLING. The Senator from North Dakota, I think, states an extreme case—a case that is not likely to happen—and further, while a court may impose the smallest penalty allowed under this statute, it may impose the limit of a thousand dollars, and the imprisonment for a year as well, or both. It is not just what the court may do, but what the court could do under the law, that makes a provision like this objectionable. I am rather opposed on principle to making that a crime where the intent to commit a crime is lacking, especially when there are such heavy penalties as are imposed here.

If the Senator will have in mind the provision to which his attention was called by the Senator from New Hampshire, I think he will find that the careless act of the inspector is guarded against. He is subject to dismissal for carelessly grading grain; and I think the criminal part of it should be confined to an act where there is the intent.

Mr. McCUMBER. It seems to me, Mr. President, that the Senator is more fearful of an injustice being perpetrated under the provision of the law by the judge, by imposing an extreme penalty where justice would not demand it. It seems to me that if that is the case it ought to be met by reducing the maximum penalty, rather than by allowing any party to excuse himself wholly on the ground of carelessness. If the Senator thinks that too heavy, why not move, then, to reduce the maximum penalty? But I insist that there should be some punishment other than mere dismissal for careless failure to perform a duty imposed by law.

Mr. STERLING. Mr. President, I should like to have the Senator from North Dakota explain what difference there is between the two acts—the inspecting or grading of the grain in the first instance and the certifying to the grade thereafter. We have amended the act already so as to strike out the words "or carelessly," as they apply to the grading or inspecting of the grain. Why retain the words "or carelessly" with respect to the issuance of the certificate? I see no reason why they should not be stricken out there as well as in the other place.

Mr. McCUMBER. I do not think they should be stricken out in either place. By the amendment which I offered, the one which is practically adopted, I retain them. I think the words should be retained.

Mr. SMITH of Georgia. Let the amendment be read. We have not been able for some time to hear what is going on on the other side.

Mr. STERLING. I will state to the Senator from Georgia it is the amendment to strike out the words "or carelessly." I will say further they have already been stricken out with reference to the grading and inspecting. I am simply asking to have them stricken out with reference to the certificate.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 106, line 22, after the word "knowingly," strike out the words "or carelessly."

The amendment was rejected.

Mr. SMOOT. I intended to offer an amendment to the bill to provide a proportionate share of the amount required for the construction of an interstate wagon road through the Mukuntuweap National Monument, Utah, $15,000. I offered it as in Committee of the Whole. I intended to reserve the right to offer it in the Senate. I expected an estimate from the department for the amount. If it does not arrive by the time the bill gets into the Senate, I shall not offer it, because I am quite sure that the amendment, like every other one I have offered, would go out on a point of order.

The VICE PRESIDENT. The bill is still as in Committee of the Whole and open to amendment. If there be no further amendments, as in Committee of the Whole, the bill will be reported to the Senate.

The bill was reported to the Senate as amended.

The VICE PRESIDENT. The question is on concurring in all the amendments, save those which have been reserved for a separate vote.

The amendments were concurred in.

Mr. CATRON. There was an amendment put on the bill at page 78, line 17.

The VICE PRESIDENT. The amendments on which separate votes were demanded will be taken up in their order.

Mr. STERLING. I should like to understand the situation in regard to the amendment I moved a while ago. I understand that the Secretary in referring to it referred to it as amendment offered on line 22, page 126. That is not the amendment I offered. The amendment I offered was on line 15, on page 107.

The VICE PRESIDENT. The amendment at line 15, page 107, was agreed to some time ago.

The VICE PRESIDENT. The first reserved amendment will be stated.

The SECRETARY. The amendment reserved by the Senator from Texas [Mr. SHEPPARD] appears on page 57, line 3, where after the word "demonstrations" the words were inserted "upon the lands of the United States," and as amended it reads:

For investigating the food habits of North American birds and mammals in relation to agriculture, horticulture, and forestry, including experiments and demonstrations upon the lands of the United States in destroying wolves, coyotes, prairie dogs, and other animals injurious to agriculture and animal husbandry, and so forth.

The VICE PRESIDENT. The question is on concurring in the amendment made as in the Committee of the Whole.

Mr. SHEPPARD. Mr. President, I wish to say that I do not think it advisable to confine experiments in, and demonstra-

tion of, methods of destroying wolves, coyotes, and other predatory animals to public lands alone. We might as well confine the demonstration work of the department in all its other phases to public lands. I do not think it is proper or advantageous. The various States should have the benefit of this demonstration work within their borders when particular conditions demand it. Therefore I appeal to the Senate not to confirm its action in adopting the amendment as in Committee of the Whole.

Besides, Mr. President, the adoption of this amendment will interfere with the demonstration work of the department under the Smith-Lever Act. Under that act the department undertakes demonstrational work in the several States, showing the results of its efforts along all lines. In the State of Texas valuable work has been done by the Biological Bureau in the matter of demonstrating the best method of destroying predatory animals.

It is true Texas has no public land, but it is one of the great western range States. It adjoins several of the public-land States. Predatory animals, driven from the public lands of some of those States, will come into the State of Texas and other States adjoining the public-land States.

Therefore I appeal to the Senate to reverse its action in Committee of the Whole.

Mr. SHAFROTH. Mr. President, I wish to say relative to this matter I do not see why this appropriation should be confined to the public-lands States. It is the General Treasury of the United States that is being appropriated from, and while these conditions to an alarming extent do exist on the public lands of the United States, I do not see why, if the same conditions exist in other States, the Department of Agriculture should be limited in the expenditures to public lands only.

For that reason I heartily concur in the vote which the Senator from Texas is asking.

Mr. WADSWORTH. Mr. President, the amendment to which the Senator from Texas refers was one offered by myself in Committee of the Whole. The Senate will undoubtedly remember that the debate which took place was largely in connection with the very desirable destruction of predatory animals which are spreading rabies in certain portions of the Northwestern States, and also the very desirable destruction of those same animals, whether they have rabies or not, on the ground that being bred on the public lands of the United States they emerge from those lands and do damage to the herds and flocks of settlers upon privately owned land.

Mr. SHEPPARD. That is not the only reason which prompts us to ask that this demonstration work be carried on, and that it be done in other States besides public-land States.

Mr. WADSWORTH. I was about to cover that point. At the time the amendment was adopted I expressed my sympathy with those who contended that the United States should take care of pests originating on its own land, particularly when those pests become affected with rabies and threatened the health and security of the flocks and herds, and even of human beings living next to the national domain, whether it be national forest or public lands. But I did utter a protest against the United States Government going into the business of demonstrating and experimenting with the work of killing predatory animals, including wolves, coyotes, and prairie dogs. I think it is utterly absurd for any Government agent or Government employee to go, we will say, to a ranchman in Texas and presume to tell him how to trap a coyote or how to poison a prairie dog. They have known how to do it for generations, and it is being done there and has been done for many years past. Coyotes are trapped by the hundreds and thousands, and also are shot, and I myself have had them trapped at 20 cents a head by boys 12 years of age.

Mr. SHEPPARD. Ranchmen of Texas have expressed themselves as being highly pleased with this demonstration work on the part of the Government. They welcome the work and say that it has been a tremendous benefit to them; that the Government experts have taught them methods with which they had been unfamiliar.

Mr. WADSWORTH. Mr. President, I have no doubt that the ranchmen of Texas in meeting the Senator in convention assembled are entirely willing to adopt a resolution requesting the Federal Government to give aid for this work, but no individual ranchman in Texas has ever told me, and I have been a member of its executive committee for some time, that they needed the Federal Government to teach them how to kill prairie dogs or coyotes or how to shoot wolves. They recognize perfectly well that those animals do damage, but they are entirely competent to take care of them. It is only a matter of having a man shoot straight to get a wolf. You can not trap him, I will admit; he is too cunning. The ranchmen who are interested in eradicating the wolf from the ranges of the country have been doing it upon their own account and as individuals. I have never heard that they needed the assistance of the Government of the United States any more than the farmers in other sections of the country need the assistance of the Government of the United States to help kill a woodchuck, or chipmunk, or any animal that under the terms of this bill can be termed a predatory animal.

So it goes with prairie dogs and the coyotes. There is nothing you can teach those people in the way of killing or shooting or trapping or poisoning those animals. I think it is unwarranted and paternalism run rampant for the Senate of the United States to direct the Department of Agriculture to go on the privately owned property of any ranchman and presume to tell him by demonstration and experiment how to poison a prairie dog.

Mr. LODGE. Mr. President——

Mr. WADSWORTH. I yield to the Senator from Massachusetts.

Mr. LODGE. Of course, the argument that this money shall be spent on States having public lands is unanswerable, for the United States should be responsible for its own lands and for the pests that may be engendered there or emerge from the lands. But the Senator from New York overlooks a very important point. Here is some money to be spent out of the United States Treasury. Why should it be confined to the regions where it ought to be spent? Why should it not be distributed, like the gentle dew from heaven, to every place beneath everywhere in all the States? Why should not my State get some? We have no wolves and no coyotes and no prairie dogs that I am aware of, but we might have our farm boys taught how to kill them.

Mr. THOMAS. Has not the Senator a few Bull Moose in his State?

Mr. LODGE. Very few, I think, now; not enough to require a demonstrator. But why should not all the States where they have these pests get their share of this Government money that is to be spent?

Mr. GALLINGER. Mr. President——

Mr. WADSWORTH. I yield to the Senator from New Hampshire.

Mr. GALLINGER. If the Senator from New York will permit me I think I missed an opportunity when the bill was in Committee of the Whole. In the State of New Hampshire we have so many woodchucks that the legislature passed a law paying a bounty for their capture. They are very destructive to agriculture in New Hampshire. Our gardens are invaded by these mischievous animals. Of course we have dogs that capture a good many of them, but I really think that if this is going to be spread over the country the woodchucks ought to be taken care of as much as the prairie dogs, and if it is in order at the proper time I will offer an amendment including woodchucks.

Mr. WADSWORTH. May I suggest to the Senator from New Hampshire that under a liberal construction of this language woodchucks may be hunted by the Federal Government?

Mr. GALLINGER. Yes; all predatory animals.

Mr. WADSWORTH. And all animals injurious to agriculture.

Mr. GALLINGER. But it would be better to have it specifically stated, so that they would come north and do a little of this work in New England.

Mr. WADSWORTH. I am inclined to agree with the Senator from New Hampshire that we should be specific in our legislation; and woodchucks should be named in the bill also, and——

Mr. THOMAS. Perhaps the Senator from New York overlooked also the element of preparedness in this appropriation. If these animals can be swept out of existence, their predatory effect on the meat production of the country will disappear and we will be better prepared to meet an enemy.

Mr. WADSWORTH. Mr. President, I do not care to take the time of the Senate more. I think the matter is perfectly clear.

Mr. SHEPPARD. Mr. President, the State of Texas has expended $200,000 out of its own treasury in the effort to destroy these predatory animals, and many other States of the Union have expended as much or more. The task of exterminating predatory animals is a scientific matter, one requiring expert knowledge, accurate training, and one in which the demonstration work of the department will be of great value.

There is just as much reason for the department to aid and assist in the extermination of wolves and other predatory animals as it is for the department to assist in the extermination of the gypsy moth in the State of the Senator from Massachusetts and in the State of the Senator from New York, or in

exterminating cattle tick in other States of the Union. It is not a matter to be laughed down.

The records show that the loss inflicted by these predatory animals amounts to $15,000,000 every year in the United States. Many countries have been struggling with them and trying to exterminate them for centuries. The ordinary methods have failed. It is a matter which requires constant study and effort on the part of experts.

Mr. WADSWORTH. Will the Senator from Texas yield for a question?

Mr. SHEPPARD. Certainly.

Mr. WADSWORTH. Does the Senator from Texas contend that the cattlemen of Texas are incompetent to exterminate prairie dogs, and that they need some scientific expert to go there and teach them?

Mr. SHEPPARD. That is not the question at all. I resent the insinuation the Senator attempts to convey. Prairie dogs represent a very small part of the work.

Mr. WADSWORTH. I am defending them from the imputation.

Mr. SHEPPARD. It is a defense they will not appreciate and have not sought at the hands of the Senator from New York.

Mr. PITTMAN. Mr. President, this matter was discussed fully before and I have nothing more to add to what I said on a former occasion, except that while I am deeply interested in the protection of the great food products of the country and while I believe it is required by the extermination of predatory animals just as much as any other means of protection of food products, I think that the greatest question in connection with the extermination of the rabid coyotes is to prevent the further extending of this dread disease. As I stated the other day, there have been 30 human beings, some of them children, treated at the University of Nevada by the Pasteur treatment. That disease is spreading. It has already spread from Oregon clear to the northern borders of Arizona and to the Sierra Nevada Mountains and Utah. They are doing everything they can locally to fight it. The State has appropriated money, the various counties have appropriated money, the cattle men have put up $100,000 toward it. It seems to me a further discussion of this matter should not be required.

The VICE PRESIDENT. The question is on concurring to the amendment made as in Committee of the Whole.

Mr. CATRON. I should like to have the amendment read.

The SECRETARY. On page 57, line 3, after the word "demonstrations," the words "upon the lands of the United States" were inserted, so as to read:

For investigating the food habits of North American birds and mammals in relation to agriculture, horticulture, and forestry, including experiments, and upon the lands of the United States in destroying wolves, coyotes, prairie dogs, and other animals injurious to agriculture and animal husbandry, etc.

Mr. CATRON. Mr. President, just one word. I was informed that the amendment was intended to apply to the public-lands States, but I see that it only applies to the public lands of the United States. In every State where there are public lands of the United States there are a lot of private lands, and if it is not made to apply to them all predatory animals will be driven from the public lands by these Government men hunting them and it will impose upon the settlers ten times as much labor to kill those animals or protect against them as would be the case otherwise. It should not be fixed so that the agents of the Government will drive these predatory animals on private property and cause damage to it when they can not go on the private property under this law and protect it.

The VICE PRESIDENT. The question is on concurring in the amendment made as in Committee of the Whole. [Putting the question.] The ayes seem to have it.

Mr. SMOOT. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CATRON (when his name was called). I am paired with the Senator from Oklahoma [Mr. OWEN] generally, and in his absence I withhold my vote. I should vote "nay" if I were not paired.

Mr. CLAPP (when his name was called). I have a general pair with the senior Senator from North Carolina [Mr. SIMMONS]. He is absent. I do not know what his views are on this subject. I withhold my vote for the present.

Mr. GRONNA (when his name was called). I have a general pair with the senior Senator from Maine [Mr. JOHNSON]. I do not know how he would vote, and I will therefore withhold my vote.

Mr. SHERMAN (when his name was called). I am paired with the senior Senator from New Jersey [Mr. MARTINE] and withhold my vote. I will let this announcement stand until further notice.

Mr. WADSWORTH (when his name was called). Has the junior Senator from New Hampshire [Mr. HOLLIS] voted?

The VICE PRESIDENT. He has not.

Mr. WADSWORTH. I have a general pair with that Senator and withhold my vote.

The roll call was concluded.

Mr. CURTIS. I was requested to announce the following pairs:

The Senator from Rhode Island [Mr. COLT] with the Senator from Delaware [Mr. SAULSBURY];

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from Connecticut [Mr. MCLEAN] with the Senator from Montana [Mr. MYERS];

The Senator from Vermont [Mr. PAGE] with the Senator from Indiana [Mr. TAGGART]; and

The Senator from Michigan [Mr. SMITH] with the Senator from Missouri [Mr. REED].

Mr. TILLMAN. I transfer my pair with the Senator from West Virginia [Mr. GOFF] to the Senator from Tennessee [Mr. LEA] and vote "yea."

Mr. CHILTON. I transfer my pair with the Senator from New Mexico [Mr. FALL] to the Senator from Oklahoma [Mr. GORE] and vote "yea."

Mr. CLARK of Wyoming. I ask if the senior Senator from Missouri [Mr. STONE] has voted.

The VICE PRESIDENT. He has not.

Mr. CLARK of Wyoming. I have a general pair with that Senator and withhold my vote.

Mr. WALSH. I wish to announce that my colleague [Mr. MYERS] is absent on account of illness. As has been stated, he is paired with the Senator from Connecticut [Mr. MCLEAN].

The result was announced—yeas 36, nays 28, as follows:

YEAS—36.

Bankhead	Harding	Lodge	Sterling
Beckham	Hardwick	McCumber	Swanson
Borah	James	Oliver	Thomas
Brandegee	Kenyon	Overman	Tillman
Broussard	Kern	Phelan	Townsend
Chilton	La Follette	Pomerene	Underwood
Cummins	Lane	Ransdell	Weeks
Curtis	Lee, Md.	Smith, Ariz.	Williams
Gallinger	Lippitt	Smith, Ga.	Works

NAYS—28.

Ashurst	Fletcher	Norris	Smith, S. C.
Brady	Hughes	O'Gorman	Smoot
Catron	Husting	Pittman	Sutherland
Chamberlain	Jones	Poindexter	Thompson
Clarke, Ark.	Martin, Va.	Shafroth	Vardaman
Culberson	Nelson	Sheppard	Walsh
du Pont	Newlands	Shields	Warren

NOT VOTING—31.

Bryan	Gronna	Martine, N. J.	Sherman
Clapp	Hitchcock	Myers	Simmons
Clark, Wyo.	Hollis	Owen	Smith, Md.
Colt	Johnson, Me.	Page	Smith, Mich.
Dillingham	Johnson, S. Dak.	Penrose	Stone
Fall	Lea, Tenn.	Reed	Taggart
Goff	Lewis	Robinson	Wadsworth
Gore	McLean	Saulsbury	

So the amendment was concurred in.

The SECRETARY. The only other amendment reserved for a separate vote in the Senate is the amendment reserved by the Senator from New Mexico [Mr. CATRON], on page 78.

Mr. CATRON. Mr. President, I gave notice that I would raise the point of order in the Senate on the amendment which was offered by the Senator from Arkansas [Mr. CLARKE] and placed on the amendment which had been offered by the Senator from Oklahoma [Mr. GORE]. I now make the point of order, first, against the portion of that amendment which was interposed by the Senator from Arkansas, which is a provision that cattle from South and Central America, Mexico, and the Caribbean islands may be introduced into the southern quarantine zones. I raise the point of order that it is general legislation.

Mr. UNDERWOOD. I should like to ask the Senator from New Mexico as to the exact language to which he raises the point of order?

Mr. CATRON. I gave notice that I would raise the point of order against that particular portion of the amendment; and that if the point of order was not sustained I would raise it against the whole amendment as it stood when that amendment was added to the amendment proposed by the Senator from Oklahoma.

I first raised the point of order against the portion of the amendment which was introduced as an amendment to the amendment of the Senator from Oklahoma, and then I reserved the right to also make the point of order against the entire amendment. I want a ruling on my point of order

whether or not I can raise the point of order as to the part of the amendment that was put onto the original amendment.

The VICE PRESIDENT. The Chair is of the opinion that the amendment was amended as in Committee of the Whole, and that the amendment as amended was agreed to in Committee of the Whole, and that therefore the point of order must go to the entire amendment.

Mr. CATRON. Then I raise the point of order against the entire amendment that it is general legislation.

Mr. GALLINGER. Mr. President, let the amendment as to which the point of order is raised be stated.

The VICE PRESIDENT. The Secretary will state the amendment.

The SECRETARY. On page 78, after line 17, the following was inserted as in Committee of the Whole:

That section 8 of the act approved August 20, 1912 (37 Stat. L., p. 315), entitled "An act to regulate the importation of nursery stock and other plants and plant products; to enable the Secretary of Agriculture to establish and maintain quarantine districts for plant diseases and insect pests; to permit and regulate the movement of fruits, plants, and vegetables therefrom, and for other purposes," be, and the same hereby is, amended so as to read as follows:

"SEC. 8. That hereafter the Secretary of Agriculture is authorized and directed to quarantine any State, Territory, or District of the United States, or any portion thereof, when he shall determine the fact that a dangerous plant disease or insect infestation, new to or not theretofore widely prevalent or distributed within and throughout the United States, exists in such State or Territory or District; and the Secretary of Agriculture is directed to give notice of the establishment of such quarantine to common carriers doing business in or through such quarantined area, and shall publish in such newspapers in the quarantined area as he shall select notice of the establishment of quarantine. That no person shall ship or offer for shipment to any common carrier, nor shall any common carrier receive for transportation or transport, nor shall any person carry or transport from any quarantined State or Territory or District of the United States, or from any quarantined portion thereof, into or through any other State or Territory or District, any class of nursery stock or any other class of plants, fruits, vegetables, roots, bulbs, seeds, or other plant products, or any class of stone or quarry products, or any other article of any character whatsoever capable of carrying any dangerous plant disease or insect infestation specified in the notice of quarantine except as hereinafter provided. That it shall be unlawful to move, or allow to be moved, any class of nursery stock or any other class of plants, fruits, vegetables, roots, bulbs, seeds, or other plant products, or any class of stone or quarry products, or any other article of any character whatsoever capable of carrying any dangerous plant disease or insect infestation specified in the notice of quarantine hereinbefore provided and regardless of the use for which the same is intended from any quarantined State or Territory or District of the United States or quarantined portion thereof into or through any other State or Territory or District in manner or method or under conditions other than those prescribed by the Secretary or Agriculture. That it shall be the duty of the Secretary of Agriculture, when the public interests will permit, to make and promulgate rules and regulations which shall permit and govern the inspection, disinfection, certification, and method and manner of delivery and shipment of the class of nursery stock, bulbs, seeds, or other plant products, or any class of stone or quarry products, or any other article of any character whatsoever capable of carrying any dangerous plant disease or insect infestation specified in the notice of quarantine hereinbefore provided and regardless of the use for which the same is intended from a quarantined State or Territory or District of the United States or quarantined portion thereof into or through any other State or Territory or District; and the Secretary of Agriculture shall give notice of such rules and regulations as hereinbefore provided in this section for the notice of the establishment of quarantine: *Provided*, That before the Secretary of Agriculture shall promulgate his determination that it is necessary to quarantine any State, Territory, or District of the United States, or portion thereof, under the authority given in this section he shall, after due notice to interested parties, give a public hearing under such rules and regulations as he shall prescribe, at which hearing any interested party may appear and be heard, either in person or by attorney."

That the act of August 30, 1890, entitled "An act providing for an inspection of meats for exportation, prohibiting the importation of adulterated articles of food or drink, and authorizing the President to make proclamation in certain cases, and for other purposes" (26 Stat. L., p. 414), is hereby amended so as to authorize the Secretary of Agriculture, within his discretion and under such joint regulations as may be prescribed by the Secretary of Agriculture and the Secretary of the Treasury, to permit the admission of tick-infested cattle from Mexico, South and Central America, the islands of the Gulf of Mexico, and the Caribbean Sea into those parts of the United States below the southern cattle quarantine line at such ports of entry as may be designated by said joint regulations and also subject to the provisions of sections 7, 8, 9, and 10 of said act of August 20, 1890.

That all such cattle, when entered, shall be subject to the regulations governing the handling and transportation of cattle from the districts infected with the southern, Texas, or splenetic fever.

Mr. UNDERWOOD. Mr. President, I assume that the point of order made by the Senator from New Mexico [Mr. CATRON] to the amendment offered by the Senator from Oklahoma [Mr. GORE] as amended, is that the amendment is in violation of clause 3 of Rule XVI, which prohibits legislation on an appropriation bill.

Mr. President, the purpose of that rule is to prevent a deluge of legislation on appropriation bills; but it is optional with the Senate as to whether or not it will legislate on appropriation bills. It is customary to pass a great deal of legislation on appropriation bills. It is true that one Senator at the appropriate time fixed by the rules may raise an objection to legislation on an appropriation bill, and if the Chair sustains the point of order the legislation can not be enacted; but if no Senator objects or if, when the proper time comes, Senators who might object neglect to do so, the legislation comes before the Senate for consideration.

Mr. President, I recognize the fact that there are two sets of rulings on this question. It has been held that even if objection is not made as in Committee of the Whole, and the bill is reported to the Senate, a point of order can be made in the Senate, and will be good; but, on the other hand, it has been held by the present occupant of the chair that, if objection be not made as in Committee of the Whole and the legislation be passed without objection and come to the Senate, then the point of order will come too late.

Mr. President, I propose to direct my remarks to the question as to which position in parliamentary law is the better for the expedition of business and for the logical and safe consideration of legislation. I desire, first, to read the decision of the present occupant of the chair on this question. I read from Gilfry's Precedents—Decisions on Points of Order in the United States Senate 1913–1915, page 185:

The Agricultural appropriation bill having been reported to the Senate from the Committee of the Whole—

The Senator from Colorado [Mr. THOMAS] said:

Mr. President, an amendment has been adopted, as in Committee of the Whole, on page 83, at the end of the printed bill, offered by the Senator from Kansas [Mr. Bristow] making an appropriation of $500,000 for the building of lakes and reservoirs in the West. I wish to make a point of order against that appropriation that it has not been estimated for and that it is a new item of appropriation added to the bill.

Mr. SMOOT. Has the bill been reported to the Senate, Mr. President?

The VICE PRESIDENT (Mr. MARSHALL). It has been.

Mr. CATRON. Mr. President, will the Senator please give me the page of the book of precedents from which he is reading?

Mr. UNDERWOOD. I am reading from page 185 from Precedents, 1913–1915, second edition, volume 2. I will resume the reading:

The VICE PRESIDENT (Mr. MARSHALL). It has been. The Chair is of the opinion that unless the point of order was made as in Committee of the Whole it can not be made when the bill is in the Senate.

Mr. THOMAS. If that is the ruling of the Chair I accede to it.

Mr. President, there is no question that the present occupant of the chair has decided this question in a ruling that is on all fours with the question now pending before the Senate. Of course, I concede that there have been decisions the other way.

The question before the Senate is whether the precedent that was made by the present occupant of the chair is the wise decision for the Senate to follow.

Mr. GALLINGER. Mr. President, will the Senator from Alabama permit me to interrupt him?

Mr. UNDERWOOD. I will.

Mr. GALLINGER. The present President of the Senate seemed to base his ruling upon a decision made in 1877 by Mr. Ferry, who was then President pro tempore of the Senate; but will the Senator from Alabama read what the Vice President subsequently said, beginning on page 185 and going on to the next page, where the Chair seemed to entertain some doubt?

Mr. UNDERWOOD. Mr. President, I stated in the beginning that the question had been decided both ways.

Mr. GALLINGER. But I wanted the Senator from Alabama to know what the present occupant of the chair stated subsequently to the ruling which has been read.

Mr. UNDERWOOD. I will continue the reading:

Mr. LODGE. Mr. President, I think there can be no doubt that a point of order can be made both as in Committee of the Whole and in the Senate, unless there is some new rule to the contrary.

The VICE PRESIDENT. It has been decided a number of times otherwise. A separate vote on the question can be had in the Senate if it is desired.

Mr. GALLINGER. It is not that language of the Vice President to which I referred. Will the Senator from Alabama kindly go down to the paragraph, beginning "The Vice President subsequently said"?

Mr. UNDERWOOD. Mr. President, I will ask the Senator from New Hampshire to read in my time the language to which he refers.

Mr. GALLINGER. I am sorry to disturb the Senator from Alabama, but it is the language of the Vice President to which I referred. It is as follows:

The VICE PRESIDENT subsequently said: The Chair wishes that the reporter would go back to the place where the Chair ruled on the point of order, and let it be stated that the decision of the Chair was based on the ruling of President Pro Tempore Ferry, but that the Chair will not be bound by it in the future, unless convinced that the ruling of the President pro tempore at that time was correct.

The Chair seemed to have some doubt in his mind after making the ruling; that was all.

Mr. UNDERWOOD. Mr. President, as I stated in the beginning, I concede the fact that this question has been decided both ways. The present occupant of the chair has held that it is too late to raise a point of order after a bill reaches the Senate. The question that I bring before the Senate is as to whether we shall abandon the precedent established by the present occupant of the chair or maintain it, and as to which is better for the orderly conduct of the business of the Senate.

I think that if there is one criticism of this body that can be made—and justly made—it is that the Senate of the United States practically runs without rules. We are often incapable of doing business in this body because there are no practical rules for the government of the body that can be lived up to and maintained. I am not criticizing anybody in the Senate to-day or anybody in the past for that condition. It is a condition that grew up when the Senate of the United States was organized. Originally there were less than 13 States represented in the Senate—I believe 11 States, although the other two came in subsequently—and there were 22 Senators when the rules were originally adopted. Down to the time of the Civil War there were in the neighborhood of 40 Senators. To-day we have 96 Senators—practicaly a working legislative body of a hundred men. The whole question of rules is not as to their application to one set of men or another set of men but the whole question in a legislative body as to rules that are needed to govern that body is a question of numbers. If the Senate were composed of 10 men or 22 men, the number under which the Senate originally organized, it could practically run without rules; no rules would be needed except to provide for the election of a presiding officer. It would be like a lot of directors sitting around a table. But if you have a legislative body of a thousand men you must have the most drastic rules or you will transact no business whatever. Now, what I contend is that the rules which we have in the Senate we inherited from a period when the Senate was composed of very few men. The rules, which were perfectly good in their application at the time when they were formulated, are absolutely out of date to-day.

I am one of those Members of the Senate who would readily and cheerfully vote for a reasonable cloture rule in this body, and for a redrafting of the rules along a parliamentary plan under which the Senate could transact business in an orderly way; but it does not seem probable that such a revision can be adopted. When, however, we reach a question of this kind, the Senate can certainly determine whether it will move toward a set of rules or precedents that will aid in the orderly and expeditious transaction of business or whether it is going to keep the gates wide open for delay and continued confusion in legislative enactment. That is the situation that we are facing on this amendment.

In the House of Representatives they have a rule prohibiting legislation on appropriation bills; but if an amendment which is out of order is offered, some Member must rise in his seat and make the point of order before the amendment is taken under consideration. Why is that? For a very sane and logical reason. Why should the time of the House or the time of the Senate be taken up with unnecessary debate and unnecessary consideration of a question when subsequently it can go out on a point of order? We are supposed to be here attending to the public business; it costs the people of the United States money to keep this body in session, and why should we stand for a rule—the House of Representatives does not—which says that a Senator may sit quiescent in his seat, allow debate to go on for hours and days concerning a question that is subject to a point of order and, after it has been debated without limit, considered, and voted upon, then at a subsequent period come before the Senate, raise a point of order, and say that the entire time occupied by the Senate in the consideration of the question was a nullity and of no value? On the other hand, a Member of this body is supposed to be diligent; he is supposed to guard his rights and the rights of his constituents. If in the Senate legislation is offered to a bill being considered as in Committee of the Whole, he has ample opportunity certainly under the rules, which do not limit him as the rules of the House do the Members of that body, by requiring a point of order to be made the minute the amendment is offered, at any time when the subject is under consideration as in Committee of the Whole to get up and make a point of order.

If I could make the precedent, I would follow the rule of the House and say that a point of order must be made when an amendment is offered and before it is considered; but I certainly think it would be a futile ruling for the Vice President to abandon the position he has already taken in this matter, which would be equivalent to saying that when a Senator has had full opportunity, as in Committee of the Whole, before an amendment has been adopted to make a point of order, then, after the bill goes into the Senate, one Senator alone can undo the work of hours or days of the entire Senate by getting up and making a point of order.

In the other House, as I have indicated, after debate and amendment, the point of order comes too late; and it certainly ought to come too late in the Senate, for the very logical and sane reason that we are not here to trifle away our time and are not here to delay public business.

Of course if an amendment is subject to a point of order upon the objection of one Senator, I do not criticize him at all for making it; that is his right; but I do criticize the legislative body that will let a Senator sit quiescent for days and days, and then at any time before the bill is finally disposed of to come in and wipe out the consideration that this legislative body has given to a subject. I say it is the duty of that Senator—and the precedent established by the Vice President should be sustained to that end—to be diligent and not ask his colleagues to waste their time in the consideration of a question if he proposes to kill it by the power that one man can exercise.

Mr. President, I do not desire to unduly occupy the time of the Senate on this question. I think it is not only an important question in reference to this amendment, but in reference to all amendments. For instance, the amendment to which the Senator from New Mexico happens to object was adopted as an amendment to an amendment which the Senator from Oklahoma [Mr. GORE] offered, and to which no Senator had any objection, so far as I know. The Senator from Oklahoma is not here. He was here when the amendment was adopted, and left the Chamber with the idea that his amendment was in the bill, and now to say that we will extend our rules so far that two or three days after that happens one member of this body can go back and shoot that entire thing out of the bill is not a logical position to take.

Mr. President, in view of the fact that this question has been decided one way and then decided another, I wish to ask the Chair to submit——

Mr. NORRIS. Mr. President, I should like to ask the Senator a question on that point, if he will permit me.

Mr. UNDERWOOD. I yield.

Mr. NORRIS. While it is true that, if this point of order is sustained, it would throw out of the bill the entire amendment, including that portion of it which the Senator says was offered by the Senator from Oklahoma [Mr. GORE] and to which, so far as I know, there was no objection, it would be in order immediately afterwards to offer to the bill in the Senate the same amendment that was offered by the Senator from Oklahoma.

Mr. UNDERWOOD. Undoubtedly; but in this case the Senator from Oklahoma does not happen to be here. Some other Senator may offer it. Some other Senator may be able, or may not be able—I do not know—to protect his rights; but I was not considering the question of whether the amendment of the Senator from Oklahoma ought to stay in or ought to go out. I was discussing the absurd position the Senate of the United States puts itself in under its rules when it says that we can debate for days a vital proposition before the Senate, and yet, after the debate is over and the vote is taken, one man who has not acted up to that time can throw out all the work of the Senate.

I think there is ample opportunity to protect appropriation bills against legislation. That ought to be done when the amendments are offered. Senators who are primarily supposed to do that are the chairmen of the committees and the Senators on the committees, who are always in the Chamber, and they know whether they want to act or not. They can raise the point of order at the appropriate time, and thus the time of the Senate is not wasted, but for the Senate to adopt a ruling that, after a bill has passed from the Committee of the Whole into the Senate, a point of order can be made, and, if sustained, the item be thrown out, would simply be putting itself on record as continuing to be in favor of the endless delay and the endless debate, without limitation, that is a just charge against the procedure of the Senate to-day.

Mr. CLARKE of Arkansas. Mr. President, may I interrupt the Senator from Alabama while I make an announcement?

Mr. UNDERWOOD. Certainly.

Mr. CLARKE of Arkansas. I gave notice that at 2 o'clock I would ask the Senate to consider the conference report on the river and harbor bill. The matter under consideration is one of great importance; and I ask now that I may be permitted to call up the conference report on the river and harbor bill when this matter has been discussed and decided.

Mr. UNDERWOOD. I thank the Senator for allowing us to proceed.

I think I have stated the case as I understand it. In view of the fact that this precedent ought to be firmly established one way or the other—and that can only be done by the Senate

itself, because in the final analysis the Senate is the judge of its own rules and its own precedents—I desire to ask the President of the Senate, as it is his right to do if he desires to do so, to submit this question for the decision of the Senate itself.

Mr. GALLINGER. Mr. President, just a word.

It is undoubtedly true that this question has been decided both ways, for the reason that the present President of the Senate and the present President pro tempore of the Senate have ruled differently. The senior Senator from Arkansas [Mr. CLARKE], President pro tempore of the Senate, made this observation:

> If the question shall arise during my brief occupancy of the chair, I shall not hesitate to hold that a point of order can be presented in the Senate, even though it may not have been urged in the Committee of the Whole.

Aside from these two differing views, my recollection is that it has been almost universally held in the Senate that a point of order could be made in the Senate, even though it might not have been made in the Committee of the Whole. A Senator may be absent when an amendment is attached to a bill in Commitee of the Whole. He is present when it comes to the Senate, and he exercises his right, as we have almost invariably held, to make his point of order in the Senate.

The Senator from Alabama seems anxious that we should adopt the rules of the House in certain particulars. I am not at all anxious that we should do that. I think our own rules are infinitely better than those of the House of Representatives, because we have an opportunity to discuss questions here, to debate them on their merits, and to decide them after they have been fully considered. So I do not agree with the Senator from Alabama that we ought to adopt any of the rules of the House of Representatives that are in conflict with our present code of rules.

Very likely our rules might be revised and modernized. I agree to that myself. But as they stand to-day they are the rules governing this body, and they seem to answer their purpose remarkably well. We are getting along with legislation rather slowly this session, but we will get along with it more rapidly after a while, and in due time we will get through with our arduous labors for this session. That time can not come any too soon to suit me.

In the discussion of the bill under consideration I have felt, as other Senators have felt, that a great deal of time has been occupied; but it has been occupied by Senators on both sides of the Chamber, and I have sometimes wondered whether the Senators on the Democratic side were not filibustering against the bill, they having occupied so much time.

Mr. President, of course I will yield to the decision of the Chair on this matter; but I join with the Senator from Alabama in the request that the Chair—as it is his privilege to do under the rules—submit this matter to the Senate. I think the Senate ought to be given an opportunity to decide whether a point of order can be made in the Senate, it having been neglected or overlooked when the bill was in the Committee of the Whole, and that the decision of the Senate ought—at least for the present—to govern the action of the body in that regard.

I will say, frankly, Mr. President, that if it was my privilege to be in the chair when this question was raised I should rule that the point of order could be made in the Senate. But I am not in the chair and do not expect to be. I have great regard for the fairness of the present President of the Senate, and have, I believe, on only one occasion taken an appeal from his ruling and was then voted down. I know that the present occupant of the chair, even though he has ruled in one direction on this question—suggesting subsequently that possibly he would revise his ruling, it having been based upon a decision made 39 years ago or thereabouts—would rule conscientiously on the matter. But, after all, is it not better, inasmuch as there is a conflict between the Vice President and the President pro tempore of the Senate on this question, to submit it to the Senate for its wise consideration?

I join with the Senator from Alabama in that request.

Mr. CATRON. Mr. President——

The VICE PRESIDENT. The present Presiding Officer has listened to this discussion in violation of the plain rule of the Senate which provides that a question of order, unless submitted to the Senate, shall be decided by the Presiding Officer without debate. The present occupant of the chair has listened to this discussion in the hope of getting some light upon the question. He is now requested by two Senators to submit this question to the Senate of the United States for decision.

The Senate itself is the final arbiter in this matter. At the time the Chair made the ruling and based it upon the opinion of President pro tempore Ferry, and reserved the right to reverse the decision if convinced that it was wrong, the Chair's attention had not been called to the very clear exposition of the rules of the Senate by the President pro tempore of the Senate; and the Chair now believes that the President pro tempore was right, and the Vice President was wrong. But, in accordance with the request of the Senators, the point of order is submitted to the Senate; and the question is, Is the point of order well taken?

Mr. UNDERWOOD. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. CATRON and Mr. CLARKE of Arkansas addressed the Chair.

The VICE PRESIDENT. The Senator from New Mexico.

Mr. CATRON. I suppose this matter is debatable?

The VICE PRESIDENT. Yes; it is now open for debate.

Mr. CATRON. Mr. President, the Senator from Alabama has given his idea as to why this rule was made; that is, that it was intended to prevent obstructing or filling up these appropriation bills with all kinds of matter. This rule was made, in my judgment, for the express purpose of preventing certain measures from being incorporated in a general appropriation act which could not be passed as separate acts, or action on them had, outside of it. It was really for the purpose of preventing them from being brought in, but compelling them to remain outside and take their chances otherwise. This is one of them that ought to be kept outside and take its chances. That is the reason why that rule was made, and nothing else, if I can understand it correctly.

Mr. ASHURST. Mr. President, will the Senator yield to me for a moment?

The PRESIDING OFFICER (Mr. POMERENE in the chair). Does the Senator from New Mexico yield to the Senator from Arizona?

Mr. CATRON. Certainly.

Mr. ASHURST. I think it would be a very good plan just now for the Senator from New Mexico to clear up what appears to be a discrepancy. The distinguished Senator from Alabama made a very able and forceful argument to the effect that laches or delay occurred in making the point of order. Why, Mr. President, just so soon as the amendment was offered, the Senator from New Mexico was on his feet to make the point of order. Just so soon as he could learn what the amendment was, just so soon as he could understand what it was to have it read, he made the point of order. I call attention to page 10497 of the RECORD. I think the Senator ought to state that he made the point of order at the first opportunity he had to make it.

Mr. UNDERWOOD. In order that the Senate may not be misled, the Senator did not make the point of order until after the amendment had been agreed to. It may have been the first opportunity he had.

Mr. ASHURST. It was agreed to about as quickly as anything that ever happened in this body.

Mr. GALLINGER. Mr. President, will the Senator permit me one word?

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from New Hampshire?

Mr. CATRON. Yes.

Mr. GALLINGER. The fact is now before us that both the Vice President, who is President of the Senate, and the senior Senator from Arkansas, who is President pro tempore of the Senate, have come to the conclusion that a point of order can be made in the Senate even though it may not have been made in the Committee of the Whole, the Vice President having stated that he is satisfied that the former ruling he made was erroneous, so I hardly think it needs great discussion. The Senate, I think, will stand by its President and its President pro tempore on a point of order.

Mr. CATRON. Mr. President, it has been urged here that I have stood by and allowed this amendment to be agreed to without raising the point of order. In a certain measure that is true, but it is not true as a substantial fact. This amendment—the portion of it to which I am raising the point of order—was introduced independently of being attached to the amendment of the Senator from Oklahoma, and I made the point of order against it, and the Chair ruled that the point of order was well taken. Immediately after that I turned my back. I was over about the center of the aisle, and was coming around toward my seat. There was considerable confusion in the Chamber. The senior Senator from Arkansas [Mr. CLARKE], when the amendment which was offered by the Senator from Oklahoma was called up, made a motion to amend that amendment, so the RECORD shows, by adding the original amendment which had been ruled out on the point of order.

Mr. ASHURST. Mr. President, will the Senator from New Mexico permit me to observe that that amendment was not read and not sufficiently identified to disclose to anybody what it was?

Mr. CATRON. I will state that fact. I think I know that. He made that motion without having the amendment read, but simply made the motion that the amendment which had been previously proposed be added to that amendment. It was done very quickly and while there was confusion, and I did not hear what took place. As soon as I reached my seat my associate on might right here, the Senator from Nebraska [Mr. NORRIS], called my attention to what had been done, and I immediately rose and gave notice that I would reserve the right to raise a point of order against this amendment when it came into the Senate, stating that I had raised it against the amendment as it was originally offered, and that I would make it to the amendment to the amendment, and to the entire amendment if that was not sustained.

That is the exact situation as to this amendment. I was here; I was attending to my business, and this matter was put in without having the amendment read at all. If it had been read, as it should have been read, instead of saying "I propose an amendment which has heretofore been offered," thus alluding to it, and if the language itself had been specific, the situation would have been different. To say that I stood by and slept on my rights is entirely unjustified. That idea is one that prevails in courts, but it does not prevail in bodies like this, a deliberative body. Besides, this matter had been ruled on by the presiding officers of the Senate, not only on that particular occasion as to the particular matter, but it had been ruled that such questions could be raised in the Senate proper. I wish to call attention now to Rule XV, which I think has some bearing on this proposition:

> All bills and joint resolutions which shall have received two readings shall first be considered by the Senate as in Committee of the Whole, after which they shall be reported to the Senate; and any amendments made in Committee of the Whole shall again be considered by the Senate, after which further amendments may be proposed.

Now, if amendments which are made in Committee of the Whole are to be considered, are they to be considered partially? Are they to be considered in a single way only, or with reference to all the rights that you had in Committee of the Whole? It seems to me that no other construction can be put upon that than that when it comes into the Senate you have the same right to act with reference to it as you had in Committee of the whole.

Mr. ASHURST. Mr. President, before the Senate decides whether or not the amendment is subject to a point of order, I deem it expedient, for two or three minutes only, to state what the amendment is.

The amendment will be found on page 12078 of the RECORD. It was first proposed by the Senator from Louisiana [Mr. BROUSSARD], as the Senator from New Mexico stated, and it provides:

> That the act of August 30, 1890, entitled "An act providing for an inspection of meats for exportation, prohibiting the importation of adulterated articles of food or drink, and authorizing the President to make proclamation in certain cases, and for other purposes" (26 Stat. L., 414), is hereby amended so as to authorize the Secretary of Agriculture, within his discretion and under such joint regulations as may be prescribed by the Secretary of Agriculture and the Secretary of the Treasury, to permit the admission of tick-infested cattle from Mexico, South and Central America, the islands of the Gulf of Mexico and the Caribbean Sea into those parts of the United States below the southern cattle-quarantine line at such ports of entry as may be designated by said joint regulations, and also subject to the provisions of sections 7, 8, 9, and 10 of said act of August 30, 1890. That all such cattle, when entered, shall be subject to the regulations governing the handling and transportation of cattle from the districts infected with the southern, Texas, or splenetic fever.

In other words, Mr. President, the amendment sets out in haec verba that cattle that are tick infested may be imported into the United States—one of the most bizarre (and I say it with respect) amendments I have ever read.

Coming from a State and a section of our country which has a great deal of live stock, coming from a State where we have spent many thousands of dollars and even millions of dollars to eradicate and keep out cattle infested with ticks, splenetic or Spanish fever—and right here I want to correct a wide misapprehension about the Texas fever; it ought not to be called Texas fever; it is the Spanish fever—I think it would be a very improper thing now to admit, under any circumstances, cattle infested with this tick or with any kind of fever.

Mr. BROUSSARD. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from Louisiana?

Mr. ASHURST. Certainly; I cheerfully yield.

Mr. BROUSSARD. I know the Senator does not want to misconstrue the wording of the amendment.

Mr. ASHURST. I do not.

Mr. BROUSSARD. The amendment does not authorize or permit the importation of a solitary head of cattle into any port of the United States with a single tick upon it, nor does it contemplate nor permit the importation of any cattle at all with any other kind of communicable disease.

Mr. ASHURST. Then I have misread the amendment.

Mr. BROUSSARD. The term "tick-infested" is a technical term which has been affixed to that class of cattle by the Department of Agriculture, and it is well understood in all quarantine regulations enacted by the Department of Agriculture. Its meaning is that an animal that is in a tick-infested country and which has been cleaned of ticks according to methods pursued under the direction of the Department of Agriculture, so that it is entirely devoid of ticks and not susceptible of transmitting one tick from the area from which it comes to the area to which it is to be shipped, may be permitted to be imported under those conditions.

Mr. ASHURST. I thank the Senator. If that is the meaning of the amendment, I submit that the amendment ought to say that. The amendment says that under certain restrictions, and so forth, the admission of tick-infested cattle shall be permitted.

The amendment ought to be redrafted and recast, so that it will say that cattle may be imported from a country that is or may be infested with the tick, provided the cattle so imported are themselves clean and free from any tick or fever. The amendment ought to read in that way.

Mr. BROUSSARD. Mr. President, the amendment does read in that way. The amendment says that no cattle shall be imported unless they are imported by the joint action and proclamation issued by the Secretary of the Treasury and the Secretary of Agriculture applying in every way all of the regulations now applicable to the importation of cattle from tick-infested sections of the United States into sections not infested with ticks, and that they shall be subject to all of the rules and regulations now applicable by which cattle may be shipped from Texas, which is tick infested, or Louisiana, which is tick infested, into any State north of the quarantine line. So that the very thought which the Senator is discussing now is embodied specifically, and in so many words, in the amendment which the Senator has read to the Senate.

Mr. ASHURST. Mr. President, if that be the purpose of the amendment, I could not have any objection to it; but, frankly, I fear that——

Mr. BROUSSARD. Will the Senator permit just one observation, by way of illustration of what I have said?

Mr. ASHURST. Certainly.

Mr. BROUSSARD. Last summer, exercising that discretion which I hope is included in the act of 1890, as well as in the Underwood tariff law, which contained a similar provision to this act, the Secretary of Agriculture permitted the importation of cattle from the Republic of Guatemala into the port of New Orleans, having received the assurance that there were sections of Guatemala where ticks did not abound. With that understanding the Secretary of Agriculture permitted the importation of these cattle through the port of New Orleans for shipment directly to East St. Louis, north of the quarantine line.

Under this permission granted by the Secretary of Agriculture there were shipped through the port of New Orleans from the Republic of Guatemala to the stockyards at East St. Louis 2,100 head of steers. In the last shipment which arrived at the port of New Orleans inspection was made of these cattle, as it was as to the first and all shipments, by the inspection force of the Department of Agriculture. All previous shiploads that had landed at the port of New Orleans were found devoid of ticks. They had been cleaned in Guatemala, because Guatemala is a universally tick-infested country. The last shipload contained some ticks upon some of the animals imported, and immediately the Secretary of Agriculture revoked the permit and closed the port to Guatemala cattle.

The proposition now before the Senate is a proposition to require that these cattle coming from any of the countries mentioned in the amendment shall be first dipped, under the direction and supervision of the Department of Agriculture of the United States, at the port of departure and again dipped at the point of arrival, at whichever port they may be landed. So that the regulations would effectually prevent the importation of cattle infected with disease that they might communicate to other herds. But when they are free of such disease—not only free of ticks, but having gone through the process of cleaning which is pursued in this country in order to clear a territory where the department and the State want to give instructions in cleaning—there can be no danger at all; and the instant an animal is brought into a port under this amendment conveying any ticks at all it is the duty of the Secretary of Agriculture to peremptorily close that port to the further entry of cattle.

Mr. ASHURST. If the Senator will pardon me, I am very certain the Senator could enlist more support for his amendment if it could be redrafted so that it would not set out that these tick-infested cattle could be sent in.

Mr. BROUSSARD. I am perfectly willing that the word "tick-infested" shall be taken out. The fact is that it was put in the amendment by the Department of Agriculture, because that is a technical term well understood by the department, and has been interpreted in the application of the quarantine laws and in the traffic in cattle between the States from tick-infested sections of the Union to noninfested sections of the Union. I do not think this question is entirely understood by the Senate, because heretofore the discussion of this question has been with regard to the efforts being made by other States, and the fact that States other than Texas in the tick area are demanding the same treatment which Texas is now receiving.

Mr. SMOOT. Mr. President, I simply wish to suggest to the Senator from Arizona that the question before the Senate is as to whether or not the point of order shall be sustained. The amendment is not now before the Senate in any way.

Mr. ASHURST. The Senator is correct; but when the Senate votes as to whether or not the amendment is in order, it ought to know what the amendment is. Surely the Senate does not want to do something when it does not know what it is doing. It is wise and expedient to know what the amendment is first. There is a difference among Senators as to what it means.

Mr. SMOOT. The only question that I would consider is whether this is legislation on an appropriation bill. If it is, the point of order should be sustained. If it is not, it should not be sustained. Now, that is the question.

Mr. BROUSSARD. I agree with the Senator from Utah. My idea was——

Mr. ASHURST. Well, if the Senator will pardon me, all I care to know is, Is the subject debatable?

SEVERAL SENATORS. Yes.

Mr. ASHURST. Then that is all I wish.

Mr. BROUSSARD. I quite agree with the Senator from Utah; but I wanted to enlighten, if I could, the Senator from Arizona with regard to the proper interpretation of the amendment.

Mr. ASHURST. I want to hear the Senator.

Mr. BROUSSARD. I have no objection at all, so far as I may consent to it, to having the words "tick-infested cattle" stricken from the amendment, and the words "cattle from tick-infested countries" substituted. In my judgment, and in the nonscientific opinion of those who are to enforce the law, the two terms are similar; and in the application of this amendment, if it should become law, the same construction will be placed upon the wording one way or the other. So I have no objection to the words "tick-infested cattle"—which is a repulsive term to me, as well as it is to the Senator—being stricken out. It is not a very elegant term. That a country should be infested with ticks, and, the country remaining where it is, clean cattle should cross the border, does not strike one with repugnance.

The thought is at once conveyed to the mind of those uninformed, when the statement is made, that these are tick-infested cattle. I think the amendment would be much more popular if everyday language were used to designate what is actually intended, to wit, that these cattle coming from tick-infested countries shall be cleaned of ticks before they are permitted to enter our ports; and if the Senator should offer an amendment of that character, I shall gladly accept the new wording.

Mr ASHURST. In conclusion, Mr. President, I thank the Senator from Louisiana for his interruption. It has been, I think, gratifying, and has given me some information I did not possess. I wish, however, to state that the American National Live Stock Association, which is composed of all the cattlemen and a large number of sheepmen in the States of Texas, New Mexico, Oklahoma, Colorado, Kansas, North and South Dakota, Wyoming, Idaho, Montana, Utah, Nevada, California, Arizona, and possibly Oregon and Washington, have discussed this subject and given it consideration. I have here a letter from the secretary of the American National Live Stock Association, dated July 8, in which he says, after acknowledging the receipt of my communication:

The last time I was in Washington I made some inquiry regarding this Broussard bill—

I might say that the Broussard bill, I think, is similar to the amendment offered by the Senator from Louisiana [Mr. BROUSSARD]—

which has been introduced in other sessions of Congress, and, from the information I obtained, concluded there was not much prospect of its passing, especially as the Department of Agriculture opposed it. I presume that you are aware that Mr. BROUSSARD introduced a bill in the Senate for substantially the same purpose, known as Senate bill 3351, introduced January 10, 1916.

He concludes by saying the American National Live Stock Association is opposed to any such amendment. I ask leave, therefore, to have read at the desk a telegram from the secretary, Mr. Tomlinson, whose office is in Denver, Colo.

Mr. LANE. I should like to ask the Senator from Arizona if this appropriation will apply to a certain tick which has its habitat partly in Texas and partly in eastern Washington and northern Oregon and Idaho, which infests sheep and from sheep gets on human beings and produces death?

Mr. ASHURST. I take it that is a different kind of tick. In addition to that it does not call for an appropriation; it is simply changing the existing law on the subject.

Mr. GALLINGER. Let the telegram be read.

Mr. LANE. There will be nothing done for the eradication of that tick?

Mr. ASHURST. Except that the Secretary of Agriculture and the Secretary of the Treasury are required under the law to use great discretion and rigid inspection to see that the infested cattle are not brought in; that is all.

The PRESIDING OFFICER. The telegram will be read.

The Secretary read as follows:

DENVER, COLO., *July 8, 1916.*

Hon. HENRY F. ASHURST,
United States Senate, Washington, D. C.:

Your wire of 7th. American National Live Stock Association opposes Broussard amendment to Agricultural appropriation bill permitting importation of live stock from disease-infected countries. We also oppose Broussard bill (S. 3351), containing same provision. This country has enough animal disease to eradicate without importing others. Am writing.

T. W. TOMLINSON.

Mr. SMOOT. I want to call attention to Rule XX, which says:

A question of order may be raised at any stage of the proceedings, except when the Senate is dividing, and, unless submitted to the Senate, shall be decided by the Presiding Officer without debate, subject to an appeal to the Senate.

So under the rule, Mr. President, not only can a point of order be raised as in Committee of the Whole, but it can be raised in the Senate without a doubt. If we now vote that it can not be done under the rule, it will simply be a vote upon the amendment, whether it shall go into the bill or whether it shall not, and that is a very dangerous precedent to establish in this body.

Mr. CLARKE of Arkansas. Mr. President, it seems that reference has been made to what took place in the Senate on a former occasion when I expressed an opinion on the question supposed to be pending here. In so far as what is recorded of what took place then I have no desire to change it. It is my opinion that our rules do provide that when a bill has been considered in Committee of the Whole and subsequently reported to the Senate all amendments proposed may be again considered. The logic of that is to afford the Senate the same opportunity, the same freedom of thought to deal with the particular amendments in the Senate that it possessed in Committee of the Whole. I stand by that proposition. As I said, I have no desire to modify it.

But the question presented here to-day is not exactly that question. The question here to decide is whether or not the Senator from New Mexico could have made a point of order against the amendment in the Senate after he had permitted an amendment to be adopted to the proposition. He had his opportunity to present it when the original amendment was presented. He did not see proper to avail himself of the opportunity; he permitted the Senate to proceed to its consideration to the extent of adding an amendment, and when he found an amendment had been attached to it that dissatisfied him, he did not then undertake to make a point of order in Committee of the Whole as against the whole amendment, nor did he move to reconsider it, but he permitted the matter to stand.

I say the situation thus created is entirely different from the naked proposition of the right to interpose a point of order against an unamended amendment after it has reached the Senate. I think that anything which has been done in Committee of the Whole could be done in the Senate after the bill reaches the Senate. But I am not entirely satisfied that the Senator from New Mexico could have interposed a point of order in the Senate to the amended amendment after he permitted the Senate to take jurisdiction of the matter up to that point.

It is a harsh rule at best. It is putting considerable power in the hands of any one Senator. In fact, he is vested with an authority that the other 95 Senators could not overrule. It is harsh in its application and it vests an individual Senator with a discretion that ought to be hedged about with all reasonable safeguards.

I think one of those safeguards consists in the fact that when he permits an amendment to be considered, and expresses no dissatisfaction with it in the form it has been presented, after it has been subsequently amended in other respects he can

not avail himself of a right which he surrendered when he permitted the original amendment to become the property of the Senate. That is the question here. I think that the Senator from New Mexico could have made a point of order against the unamended amendment in Committee of the Whole and could make it in the Senate. I am not satisfied that he could make it against an amended amendment in Committee of the Whole.

Then, if this rule of exclusion is worth anything, it is because its text says that no amendment which proposes general legislation shall be admitted to an appropriation bill. This bill came to us with 50 pages of general legislation on it, embracing three distinct propositions of legislation that have been seriously discussed separately in the Senate. It is not an appropriation bill in the strict sense of the rule. It is a composite bill; it is just as much a legislative bill as it is an appropriation bill. It does not fall within the description laid down in the rule. We have just as much right to say it is not an appropriation bill as to say it is not a legislative bill. It possesses the character of both. The rule is directed against the exclusion of all legislation. The term of the rule is that no legislation shall be put on an appropriation bill.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Idaho?

Mr. CLARKE of Arkansas. I am glad to yield to the Senator from Idaho, because I am sure he agrees with me.

Mr. BORAH. I was wondering when an appropriation bill would ever reach the Senate. If this is an appropriation bill, it carries an interminable amount of legislation.

Mr. CLARKE of Arkansas. When they have legislation on them, they do not reach it, so as to be vulnerable to the objection provided for by the rule.

Mr. BORAH. As a matter of fact, under our present rules we have no appropriation bills at all.

Mr. CLARKE of Arkansas. In the sense of the rule not to allow legislation to go on an appropriation bill, I do not think we have.

Mr. SMOOT. Under the rule the Senator must admit that legislation can go on appropriation bills by unanimous consent, but only by unanimous consent.

Mr. CLARKE of Arkansas. The rule does not make any provision for that. It says no legislation shall go on an appropriation bill.

Mr. SMOOT. Unless by unanimous consent.

Mr. CLARKE of Arkansas. It does not say so.

Mr. SMOOT. Let us see if it does not say that.

Mr. CLARKE of Arkansas. It is the third subdivision of Rule XVI. You can suspend any rule except one by unanimous consent, but you must suspend it before you violate it.

The principal point I desire to present to the Senate—and I am not absolutely precluded from having some opinion upon it from what I said on a former occasion——

Mr. CATRON. Is there any provision in the rule which says that you can not raise the point of order when a bill comes into the Senate?

Mr. CLARKE of Arkansas. I say you can raise it when it comes into the Senate. I am insisting that to the extent that you can raise it in Committee of the Whole you have the right, but by permitting the amendment——

Mr. CATRON. Is there any rule which says if you do not raise the point of order in Committee of the Whole you can not raise it in the Senate?

Mr. CLARKE of Arkansas. There is not; but there is a principle of general law and fairness which says that after giving the Senate jurisdiction of an amendment for the purpose of considering it and it is amended, to satisfy some individual Senator, he has not a right to go back and have the whole thing thrown out.

Mr. BORAH. I understand the Senator admits that it could be raised now if it could have been raised then?

Mr. CLARKE of Arkansas. Yes, sir.

Mr. BORAH. So the Senator is not contending against the right to raise the point of order in the Senate, but simply that the Senator from New Mexico lost his right to raise it in Committee of the Whole?

Mr. CLARKE of Arkansas. Yes. He could not have raised it in Committee of the Whole after it had been amended, because he permitted the amendment which he now seeks to exclude. After such consideration as the Senate saw proper to give it, when the Senate saw proper to add an amendment, he lost his opportunity to raise the point of order. That is all I have to say about it.

The PRESIDING OFFICER. The question is, Is the point of order raised by the Senator from New Mexico [Mr. CATRON] well taken? The yeas and nays have been ordered. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. BECKHAM (when his name was called). I am paired with the Senator from Delaware [Mr. DU PONT]. He is not here, and I withhold my vote.

Mr. SHEPPARD. Mr. President, a parliamentary inquiry.

Mr. GALLINGER. A response has been made to the call, and I raise the point of order that the roll call can not be interrupted.

The PRESIDING OFFICER. A response has been made, as the Senator from New Hampshire has suggested. The Secretary will resume the call of the roll.

Mr. UNDERWOOD. May I ask the Chair to state the point of order again.

The PRESIDING OFFICER. As stated before, the question is, Is the point of order raised by the Senator from New Mexico well taken?

Mr. UNDERWOOD. A vote "yea" will sustain the point of order and a vote "nay" will sustain the former ruling of the Vice President.

The PRESIDING OFFICER. As the Chair has stated.

The Secretary resumed the call of the roll.

Mr. CATRON (when his name was called). I am paired with the Senator from Oklahoma [Mr. OWEN]. In his absence I withhold my vote. If I were not paired I would vote "yea."

Mr. CLARK of Wyoming (when his name was called). I have a general pair with the senior Senator from Missouri [Mr. STONE], who is absent. In the absence of that Senator I withhold my vote. If at liberty to vote, I would vote "yea."

Mr. GRONNA (when his name was called). I have a general pair with the senior Senator from Maine [Mr. JOHNSON]. Not knowing how he would vote, I withhold my vote.

Mr. SHERMAN (when his name was called). I am paired with the Senator from New Jersey [Mr. MARTINE], and therefore withhold my vote.

Mr. TILLMAN (when his name was called). I transfer my pair with the Senator from West Virginia [Mr. GOFF] to the Senator from Tennessee [Mr. LEA] and vote "nay."

Mr. UNDERWOOD (when his name was called). I have a general pair with the Senator from Ohio [Mr. HARDING]. I transfer that pair to the Senator from Indiana [Mr. KERN] and vote "nay."

Mr. WADSWORTH (when his name was called). I have a general pair with the junior Senator from New Hampshire [Mr. HOLLIS]. Otherwise I would vote in the affirmative.

The roll call was concluded.

Mr. DILLINGHAM. I inquire if the senior Senator from Maryland [Mr. SMITH] has voted?

The PRESIDING OFFICER. He has not.

Mr. DILLINGHAM. Then I withhold my vote. If permitted to vote, I would vote "yea."

Mr. CATRON. I transfer my pair with the Senator from Oklahoma [Mr. OWEN] to the junior Senator from Idaho [Mr. BRADY] and vote "yea."

Mr. WADSWORTH. I transfer my pair with the Senator from New Hampshire [Mr. HOLLIS] to the Senator from South Dakota [Mr. STERLING] and vote "yea."

Mr. WALSH. I transfer my pair with the Senator from Rhode Island [Mr. LIPPITT] to the Senator from Illinois [Mr. LEWIS] and vote "nay."

Mr. CHILTON. I transfer my pair with the Senator from New Mexico [Mr. FALL] as on the former vote and vote "yea."

Mr. CURTIS. I was requested to announce the following pairs:

The Senator from Rhode Island [Mr. COLT] with the Senator from Delaware [Mr. SAULSBURY];

The Senator from Connecticut [Mr. MCLEAN] with the Senator from Montana [Mr. MYERS];

The Senator from Vermont [Mr. PAGE] with the Senator from Indiana [Mr. TAGGART]; and

The Senator from Michigan [Mr. SMITH] with the Senator from Missouri [Mr. REED].

The result was announced—yeas 31, nays 27, as follows:

YEAS—31.

Ashurst	Cummins	Norris	Sutherland
Borah	Curtis	Oliver	Thomas
Brandegee	Gallinger	Poindexter	Thompson
Bryan	Jones	Pomerene	Townsend
Catron	Kenyon	Shafroth	Wadsworth
Chilton	Lodge	Sheppard	Warren
Clapp	McCumber	Smith, Ga.	Works
Culberson	Nelson	Smoot	

NAYS—27.

Bankhead	Hughes	Overman	Swanson
Broussard	Husting	Phelan	Tillman
Chamberlain	James	Ransdell	Underwood
Clarke, Ark.	Johnson, S. Dak.	Shields	Vardaman
Fletcher	Lane	Simmons	Walsh
Hardwick	Lee, Md.	Smith, Ariz.	Williams
Hitchcock	Martin, Va.	Smith, S. C.	

NOT VOTING—37.

Beckham	Harding	Myers	Sherman
Brady	Hollis	Newlands	Smith, Md.
Clark, Wyo.	Johnson, Me.	O'Gorman	Smith, Mich.
Colt	Kern	Owen	Sterling
Dillingham	La Follette	Page	Stone
du Pont	Lea, Tenn.	Penrose	Taggart
Fall	Lewis	Pittman,	Weeks
Goff	Lippitt	Reed	
Gore	McLean	Robinson	
Gronna	Martine, N. J.	Saulsbury	

The PRESIDING OFFICER. So the point of order is sustained, and the amendment is ruled out.

Mr. UNDERWOOD. It now seems to be in order to call up the motion I made to suspend the rules.

Mr. CLARKE of Arkansas. The matter pending will not be the only one that will be controverted before the final passage of the bill, and I believe I am justified in asking the Senate now to proceed to the consideration of the conference report on the river and harbor bill. I understand there are other provisions in the bill which will likely be contested, and in that event it will take the balance of the afternoon.

Mr. UNDERWOOD. I merely desire to call up and have pending my motion to suspend the rules, and then I will yield. I have a motion before the Senate to suspend the rules and pass an amendment that has been in controversy known as the amendment of the Senator from Louisiana [Mr. BROUSSARD]. I ask that that be laid before the Senate and then I will yield to the Senator from Arkansas.

The PRESIDING OFFICER (Mr. WALSH in the chair). The Secretary will read the notice of the Senator from Alabama to move to suspend the rules.

The Secretary read as follows:

I hereby give notice that at the expiration of one day hereafter, or so soon thereafter as I can obtain the attention of the Senate, I will move to suspend clause 3 of Rule XVI for the purpose of submitting to House bill 12717, making appropriations, etc., the following amendment to said bill on page 78, after line 17:

"That the act of August 30, 1890, entitled 'An act providing for an inspection of meats for exportation, prohibiting the importation of adulterated articles of food or drink, and authorizing the President to make proclamation in certain cases, and for other purposes' (26 Stat. L., 414), is hereby amended so as to authorize the Secretary of Agriculture, within his discretion and under such joint regulations as may be prescribed by the Secretary of Agriculture and the Secretary of the Treasury, to permit the admission of cattle from tick-infested territory of Mexico, South and Central America, the islands of the Gulf of Mexico and the Caribbean Sea into those parts of the United States below the southern cattle quarantine line at such ports of entry as may be designated by said joint regulations and also subject to the provisions of sections 7, 8, 9, and 10 of said act of August 30, 1890.

"That all such cattle, when entered, shall be subject to the regulations governing the handling and transportation of cattle from the districts infected with the southern, Texas, or splenetic fever."

O. W. UNDERWOOD.

RIVER AND HARBOR APPROPRIATIONS.

Mr. CLARKE of Arkansas. I move that the Senate proceed to the consideration of the conference report on the river and harbor bill.

Mr. SMITH of Georgia. Before the vote is had on taking up that measure I wish to say that it is hoped that the conference report on the river and harbor bill can be disposed of in the course of an hour, and later on in the afternoon we hope to call up the Agricultural appropriation bill and complete it. We trust that none who are interested in that bill will be absent upon the theory that it will not be again called up this afternoon.

The PRESIDING OFFICER. The Senator from Arkansas moves that the Senate proceed to the consideration of the conference report on House bill 12193.

The motion was agreed to; and the Senate proceeded to the consideration of the report of the committee of conference on the disagreeing votes of the two Houses upon the amendments of the Senate to the bill (H. R. 12193) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The PRESIDING OFFICER. The report has been printed in document form and also appears in the RECORD.

Mr. KENYON. Mr. President, I should like to inquire of the chairman of the committee if there is to be an explanation of any of the changes that have been made, and I particularly inquire of him as to the item on page 8, providing for an appropriation of $100,000 for Vermillion, Clay County, S. Dak. I note that the action taken was modified and that the House receded. Will the Senator state what that modification was?

Mr. CLARKE of Arkansas. After the reading of the report, unless it be dispensed with by formal action of the Senate, I shall be very glad to explain any item.

Mr. KENYON. I understood the reading of the report was to be dispensed with.

Mr. CLARKE of Arkansas. That may be done. That will shorten time somewhat. I ask unanimous consent that the formal reading of the report may be dispensed with.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. CLARKE of Arkansas. Now, what is the inquiry of the Senator from Iowa?

Mr. KENYON. The inquiry is, What action was taken concerning the item for Vermillion, Clay County, S. Dak.?

Mr. CLARKE of Arkansas. On what page?

Mr. KENYON. On page 8 of the report.

Mr. CLARKE of Arkansas. What is the number of the amendment?

Mr. KENYON. No. 45, page 40 of the bill, page 8 of the report.

Mr. CLARKE of Arkansas. The Senate conferees receded partially in that respect on that item. The original amount was $100,000. It was reduced to $75,000. The showing that justified such action on the part of the House conferees was that the local community was willing to contribute a very large share of the necessary expense in making that improvement.

Mr. KENYON. As the matter stands now, the sum appropriated is $25,000?

Mr. CLARKE of Arkansas. The sum appropriated is $75,000, one-third of which the local interest pays.

Mr. KENYON. One-third of the $75,000?

Mr. CLARKE of Arkansas. Yes, sir.

Mr. KENYON. I think that is all I desire to ask the Senator.

I will say just a word, Mr. President. I realize that it is a perfectly useless proposition to try to do something that is impossible; and one of the impossible things is to defeat the river and harbor bill at this session. If there were a sufficient number of Senators who would join in the fight on this conference report, so far as I am concerned I should have been delighted to have stayed here all summer and fought it and defeated it; but there are not sufficient Senators who are willing to do that. So I content myself with not occupying any particular time of the Senate, but I shall merely ask for a record vote on the conference report in order that Senators may have a renewed opportunity to go on record either for or against this method of disposing of the public funds.

I think it is almost a breach of senatorial courtesy to take up the bill in the absence of the senior Senator from Michigan [Mr. SMITH], in view of the fact that he has labored here long and strenuously for Arcadia and secured an appropriation of $25,000, which I understand has fallen by the way. I am going to inquire of the Senator from Arkansas if that outrage has been committed?

Mr. CLARKE of Arkansas. The item providing for the improvement of the harbor at Arcadia was omitted.

Mr. KENYON. It was omitted; and there is no one here now, apparently, to mourn for Arcadia after all the years that the fight has gone on for that wonderful community.

The conference committee's report does not make the bill any worse. Of course it is impossible to make a thing which is as bad as it can be any worse, and this bill, in my judgment, could not be made any worse.

There were 143 votes in the other House against the river and harbor bill; there were 32 votes in the Senate against it. The amendment proposed by the Senator from Utah [Mr. SMOOT] to reduce the amount of the bill to $30,000,000 was defeated in the Senate by but one vote. I am in hopes that the constituencies of certain Senators who by their one vote made possible that situation, and whose one vote, in order in some instances to hold a little appropriation in their own State, cost the people of this country $13,000,000—I am in hopes that their constituencies will view with care that vote which was cast.

Mr. President, it is perhaps fortunate that neither political party, as I have read their platforms, has declared in favor of economy. I think they do suggest a budget system. We have had the farce of political parties in the past declaring in their platforms in favor of economy, and then spending money in the way it is spent in this river and harbor bill and in the pending Agricultural appropriation bill, which is almost as bad; but at least now the political parties are consistent in not telling the people that they are going to be economical in the expenditure of their money.

I feel when another year comes, when new faces are here, that, instead of a river and harbor bill of this character being passed by three votes in the Senate, it will be overwhelmingly defeated. All I desire is to ask for a yea-and-nay vote on the proposition of concurring in the conference report.

Mr. CLARKE of Arkansas. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. HUSTING. Mr. President, before the vote is taken I should like to make a few observations on this bill.

This bill was fought out when it was before the Senate the first time, and upon the final vote came within two votes of being

defeated, which shows that there is a very strong sentiment against this bill in the Senate. That fact encourages me to make one more attempt to prevent what I think would be a great mistake on the part of Congress, and particularly on the part of the majority in Congress, at this time.

While partisanship need not necessarily enter into the consideration of this bill, yet in a way the majority of the Senate is responsible for the financial policy, responsible for the amount of the appropriations, and will either be given credit for wise and prudent legislation or receive the inevitable criticism and condemnation of the people.

In the discussion of this bill and its various details, I think it must be apparent to every member of the Senate that it contains many items, many expenditures that can not be justified by the facts presented to the Senate. I think I could go a little further and say that there are a great many projects in this bill—at least there are in my judgment—that do not deserve the appropriation obtained in the bill, or, in fact, any appropriation whatever. There is, however, no need of going into the discussion of these details again, for they have been thoroughly discussed, and any Senator who has sat in this Chamber and listened to the analysis of this bill who is not convinced that the bill contains many items of very little or no merit certainly will not be convinced at this late stage of the proceedings. But, taking the bill as it is, carrying something like $40,000,000, the question is whether it is wise to pass the bill at this time.

We are going before the country with appropriations aggregating a most stupendous sum. A great proportion of that sum is to be applied to preparedness. The people of this country, in my judgment, want adequate preparedness. They favor increases in the Army, they favor increases in the Navy, and they favor increases in every arm of the service. I think there is little, if any, difference of opinion among the great mass of the people in this respect, and yet the amounts of the increases, running up into the hundreds of millions of dollars, are going to add to a financial burden which will be staggering in its totals when presented to the people. In making these appropriations and all appropriations for things that are necessary or for things that must be done at once I do not think the size alone will in any wise meet the disapproval of the people, although, for that reason, they will more carefully scrutinize these appropriation measures to see whether things have been put into them that should have been entirely eliminated or postponed until some proper time. They know that when they want battleships, when they want troops, and when they want other things, they have to pay for them; and yet we know that the size of the appropriation will be one of the targets for the attack on this administration when we go before the people in the coming campaign. There is no question about it. We shall be called upon to defend these enormous appropriations.

I, for one, have no hesitation in saying that I believe these expenditures, with very few exceptions, can be defended; and not only that but can be successfully defended. I, for one, do not think we need to hesitate to go before the people and say to them in regard to the preparedness program: "Here is what you wanted; here is what we have given you; this is what it cost," and, if I understand the spirit of American citizens correctly, there will be no grumbling, there will be no disappointment, and there will be no criticism. They are willing to pay the bills, and they are willing to spend the money, provided it is not unnecessarily spent or unnecessarily squandered, and provided that for every dollar spent they get a dollar's value.

An incident happened not long ago which shows the idea of the people on this question, at least in my State. The city of Ripon, in Wisconsin, recognized the situation as it exists. I mention it because it is worthy of mention. This little city of 4,000 inhabitants—a thriving, bustling, enterprising city—was given an appropriation of $75,000 for a post-office building, which they need, but which they can get along without, if necessary. They saw that enormous expenditures were necessary; and in a patriotic spirit, fully appreciating the situation, they requested me to introduce a bill here repealing the bill providing for a $75,000 post-office building, and to also introduce a bill repealing the appropriation that had already been made for a site for that building of something like $10,400. This incident has been given wide publicity. Why? I presume because of its unique character. We did not know, or at least some of us did not know, that any group of citizens of the United States could so far forget their own narrow, selfish interests as to turn back into the Treasury $75,000 and ask the Congress of the United States to apply it where it is most needed.

Why should we be astonished at that, and why should this incident have been given such great and wide publicity? Because Congress, in the eyes of the people as a whole, is an institution composed of Members who are anxious and determined to get anything and everything they can out of the Treasury, and then to come back to their respective constituents and lay down at their feet their game or booty, and say, "Here is what I went out and got for you. I got you more than Senator So-and-so; I got you more than Representative So-and-so. I am a good provider, and you ought to send me back to the Senate or you ought to send me back to the House of Representatives because I have been successful in copping off three or four or five hundred thousand dollars out of the Treasury, and I have gotten more for you than my neighbor did because I am more popular, because I have more influence in the Congress of the United States than the other fellow has."

So I say when the citizens of the little city of Ripon, in a spirit of patriotism, aroused by the exigencies of the period, and yet game to the core and persevering in their determination to set a needed example to the country, insisted that a bill be introduced here repealing their appropriation and insisted on turning over that appropriation to the Government for the purpose of adding to the aviation fund, no wonder that it excited surprise and was given such widespread publicity. They have swallowed their desire for a new building which they need and which would have been an ornament to the town, something they have longed for and, no doubt, striven for, and forgetful of their local interests, in a spirit of self-denial, they have waived their opportunity and dedicated their ornament to the common defense and common welfare.

That incident of itself might not mean so much, except that I think it illustrates the real sentiment of the people of this country—the people who are proud of their Government, who take pride in their beautiful buildings and in their improvements, who take pride in their Army and their Navy, and who are willing to pay the debt, no matter what it is, but who want appropriations stopped that should be stopped, and want the Members of the Congress of the United States to forget local interests and bend their attention to the common welfare and use the resources of the Government for the common good.

Of course we can go ahead and issue bonds because of these extraordinary increases and expenditures if we want to do so, and we would even be justified in that, if necessary, but when we do so we have to show to the people of the country that it is necessary—not only that it is good, but that it is necessary, and immediately necessary.

All that I care to talk about in the few minutes that I am going to take of the time of the Senate is to point out that, whether these appropriations are good, bad, or indifferent, not a dollar ought to be spent at this time, at this session of Congress, in my humble judgment, that is not immediately and absolutely necessary. So I say, take this $40,000,000, and at least twenty millions of that could be well stricken from the bill on the ground alone that, even if the projects were meritorious—which they are not—even if they were meritorious, it is not necessary that they be now executed any more than it is absolutely necessary to have a post office at Ripon at once. This is the lesson that Ripon teaches to us and to the country. These things can be deferred until some other time. They can be deferred to a year from now or later, until we have taken care of important matters which loudly call for immediate action. These less necessary matters can be deferred until three years from now, until we get through with our naval and military program. Then we can go along and vote this money for projects which are meritorious but which are not now immediately necessary when we get the money to do it. No one would say to a manufacturer that he should treble and quadruple his plant and spend his money far above his income in improvements and a lot of unnecessary propositions all in one year. Neither is it necessary for the United States in one year to spend all the money that it can possibly raise by any manner of taxation and embark in questionable projects, to say the least, which are not now needed and which help to carry us far beyond our income.

I say, again, "Rome was not built in a day"; the United States can not be developed in one year. There is a time for everything. The time may perhaps come when it will be necessary to improve these little creeks and rivers, but, in my judgment, the time is not here now when we can spend twenty or thirty or forty million dollars in so-called improvements which nobody wants and nobody thinks of except those who get themselves a direct slice out of the appropriations, and which upon their face are not only unnecessary but which appear to be bad and for which we are spending millions, like a fool in his folly.

I mean to say that the Nation as a whole is not clamoring for the improvement of some of the waterways or watercourses for which appropriations have been made by the river and harbor bill, watercourses that most of us never knew were on the

map and that the people as a whole do not know now are on the map. In other words, we are spending sometimes three hundred or four hundred thousand dollars to improve a watercourse which many of us never knew existed. However, it is idle to argue that matter. We know, and everyone else knows, that a great percentage of the money carried by the river and harbor bill is expended for items that the people do not care anything about, do not know anything about, do not want, and for which they would not let the money be spent if they could stop it and knew just exactly what was going on.

I say we can go before the people and we can defend the appropriations made during this session, no matter how staggering or huge their sum may be, if we can show where the appropriations went and show the people that the money was needed and that it had to be spent at this time; but I do not believe that anybody can go before the country and justify the $40,000,000 now being appropriated in the river and harbor bill, at least $20,000,000 of which is being uselessly and unnecessarily expended, or, at any rate, untimely expended.

The river and harbor bill is not referred to in any party platform. The political parties recently made platforms, one at St. Louis and two at Chicago. They did not include any demand that Congress appropriate $40,000,000 a year for the improvement of rivers and creeks. Nobody is enthusiastic about the river and harbor appropriations which have been made in the past. As the record of the past shows, I think that we have spent something like a total of $800,000,000 on this work. Our Republican friends have never boasted about it, and we have never boasted either about what they have done, but we have criticized them year after year, and they are turning around now and criticizing us for following their bad example.

It does seem to me that it would be good policy, prudent and good business, and wise legislation to pare these appropriation bills to the bone, except as to such amounts as are necessary in order to carry on the business of the Government. I think we ought to be able to go out in the next campaign and show the people that nothing has been appropriated or spent unless it was urgently needed and demanded by the people of the country. I say this river and harbor bill is one bill that I do not think anyone can go upon the platform and defend, and if anyone attempts to do so I think he will not be successful, because I do not think there is any line of legislation that is so offensive to the nostrils of the citizens of the United States as the river and harbor bills which have been enacted in the past, and of which this is a fair sample.

With an appropriation total far exceeding anything heretofore enacted by any Congress and which will be most closely scrutinized by the people and the necessity for which expenditures they will ask to be shown, we are going to have enough to do without apologizing for unnecessary and unwise and untimely legislation. Out in the country where I live we will have to go before the people and show them that their money has been wisely and prudently expended. It will not be sufficient to say that we have not squandered it, but we will have to do more and show that only such money was voted as was urgently necessary and that we did not go beyond the demands or the exigencies of the time.

We are proud of our administration and we are all proud of the record made by the last Congress. In the last campaign we went before the people and sounded the praises of the administration and of the Sixty-third Congress, and we pointed with pride to a record excelling that of any other administration and Congress of the last generation at least. With such a good record why should we spoil it now by enacting a bill of this character? Why enact this sort of a bill, which is indefensible, in my judgment, and which, in the main, has not in fact been defended by any Senator on this floor? While this bill was attacked vigorously in a struggle that waged for weeks on the part of objectors to the bill, it passed the Senate with scarcely any of the items therein being explained or defended by any Senator. So bad was this bill that it narrowly escaped defeat—a change of two votes would have changed the result. Why should we burden ourselves now on the eve of a campaign with this Old Man of the Sea astride our necks. Why should we mar and spoil an otherwise good record with a piece of folly like this—worse than folly, I should say, because we will have to lay a tax of $20,000,000 more of the people's money to pay for something that does the country no good. For this reason I say that this conference report should be defeated and the bill should be sent back to conference for the purpose of recommending a bill to appropriate moneys absolutely necessary for the continuance of worthy projects and such new ones as are imperatively necessary.

I repeat there must be a limit to what we ought to do in one year. It does seem to me that the limit has been reached in the appropriation bills which have been and are yet to come before the Senate. I will say, in my own justification at least, that I have voted for preparedness measures, notwithstanding the amount of the appropriations involved, because I believed them necessary, and I believed the people wanted them; but, by the same token, I do not want to vote for, and I am going to oppose, at least with all the power I possess, the expenditure of this vast sum of money at the present, an expenditure, which I believe to be unwise, unnecessary, and untimely, and which will provoke a storm of resentment and criticism all over the country. I would rather show the public a clean bill, a clean record, so that the party in power, our party, that is responsible for the total appropriations, may say, "Here is a clean, large record of expenditures, it is true, but such as none of you would cut, at least not to any extent. We want to show you that we have steadfastly opposed and cut out everything that did not look good to us, and that could not stand the scrutiny and light of criticism and analysis; that we have pursued not a niggardly policy but a policy of wisdom and prudence, which although necessitating the expenditure of large sums of money on the one hand, cut out all the deadwood, all the unthrifty stuff, and that we have not squandered any part of your money." If we go before the country with that kind of a record, I do not care how high the appropriations may be or what the sum total may be, we can justify ourselves before the people, who only demand that their money be expended wisely and prudently, and that they get a dollar in value for every dollar expended. If we do that, we will have the kind of record which will be in keeping with the record that we have made in all other lines of our legislation.

The PRESIDING OFFICER. The question is on agreeing to the conference report, on which the yeas and nays have been ordered.

Mr. KENYON. Mr. President, the Senator from Utah [Mr. SMOOT] expected to submit some observations on the conference report. I notice he is not in the Chamber, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	du Pont	La Follette	Shafroth
Beckham	Fletcher	Lane	Sheppard
Brady	Gallinger	Lee, Md.	Simmons
Brandegee	Gronna	Lewis	Smith, S. C.
Broussard	Harding	Lodge	Sterling
Bryan	Hardwick	McCumber	Swanson
Catron	Hitchcock	Martin, Va.	Thomas
Chamberlain	Hollis	Nelson	Thompson
Clapp	Hughes	Norris	Underwood
Clark, Wyo.	Husting	Oliver	Vardaman
Clarke, Ark.	James	Overman	Wadsworth
Culberson	Johnson, S. Dak.	Phelan	Walsh
Cummins	Jones	Pittman	Warren
Curtis	Kenyon	Ransdell	Weeks
Dillingham	Kern	Saulsbury	Williams

Mr. VARDAMAN. I am requested to announce the absence of the junior Senator from Tennessee [Mr. SHIELDS] on important business. I will ask that this announcement stand for the remainder of the afternoon.

The PRESIDING OFFICER. Sixty Senators have answered to their names. There is a quorum present. The question is on agreeing to the conference report, upon which the yeas and nays have been ordered. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CHILTON (when his name was called). Making the same announcement as to my pair and its transfer that I made on the former vote, I vote "yea."

Mr. CLARK of Wyoming (when his name was called). I have a general pair with the senior Senator from Missouri [Mr. STONE]. In the absence of that Senator I withhold my vote.

Mr. GRONNA (when his name was called). I have a general pair with the senior Senator from Maine [Mr. JOHNSON]. In his absence I withhold my vote.

Mr. SAULSBURY (when his name was called). I have a pair with the junior Senator from Rhode Island [Mr. COLT], which I transfer to the senior Senator from Nevada [Mr. NEWLANDS] and will vote. I vote "yea."

Mr. TILLMAN (when his name was called). Announcing the same transfer as before, I vote "nay."

The PRESIDING OFFICER (when Mr. WALSH's name was called). I have a general pair with the senior Senator from Rhode Island [Mr. LIPPITT]. In his absence I withhold my vote.

The roll call was concluded.

Mr. O'GORMAN. I have a general pair with the senior Senator from New Hampshire [Mr. GALLINGER]. In his absence, I withhold my vote.

Mr. CLARKE of Arkansas (after having voted in the affirmative). I inquire whether or not the junior Senator from Utah [Mr. SUTHERLAND] has voted?

The PRESIDING OFFICER. He has not.

Mr. CLARKE of Arkansas. Then I transfer the pair I have with that Senator to my colleague [Mr. ROBINSON] and will allow my vote to stand.

Mr. CLARK of Wyoming. I transfer the pair which I have with the senior Senator from Missouri [Mr. STONE] to the senior Senator from Idaho [Mr. BORAH] and will vote. I vote "nay."

Mr. KERN. I wish to announce that my colleague [Mr. TAGGART] is paired with the junior Senator from Vermont [Mr. PAGE].

Mr. HARDWICK (after having voted in the affirmative). Has the junior Senator from Kansas [Mr. CURTIS] voted?

The PRESIDING OFFICER. He has not.

Mr. HARDWICK. I have a pair with that Senator, which I transfer to the junior Senator from New Jersey [Mr. HUGHES] and will allow my vote to stand.

Mr. WILLIAMS (after having voted in the affirmative). I voted a moment ago under a previous announcement of the transfer of my pair with the Senator from Pennsylvania [Mr. PENROSE] to the Senator from Arkansas [Mr. ROBINSON]. I have since learned that the Senator from Pennsylvania, if present, would have voted as I did, to wit, "yea." So I change the announcement, but will let my vote stand.

Mr. KERN. I have been requested to announce the following pairs:

The Senator from Montana [Mr. MYERS] with the Senator from Connecticut [Mr. MCLEAN];

The Senator from Missouri [Mr. REED] with the Senator from Michigan [Mr. SMITH]; and

The Senator from New Jersey [Mr. MARTINE] with the Senator from Illinois [Mr. SHERMAN].

The result was announced—yeas, 47, nays 19, as follows:

YEAS—47.

Ashurst	Dillingham	Martin, Va.	Simmons
Bankhead	du Pont	Nelson	Smith, Ariz.
Beckham	Fletcher	Oliver	Smith, Ga.
Brandegee	Hardwick	Overman	Smith, Md.
Broussard	James	Owen	Smith, S. C.
Bryan	Jones	Phelan	Sterling
Catron	Kern	Pittman	Swanson
Chamberlain	Lane	Poindexter	Underwood
Chilton	Lee, Md.	Ransdell	Vardaman
Clapp	Lewis	Saulsbury	Weeks
Clarke, Ark.	Lodge	Sheppard	Williams
Culberson	McCumber	Shields	

NAYS—19.

Brady	Hollis	Norris	Tillman
Clark, Wyo.	Husting	Shafroth	Townsend
Cummins	Johnson, S. Dak.	Smoot	Wadsworth
Harding	Kenyon	Thomas	Warren
Hitchcock	La Follette	Thompson	

NOT VOTING—29.

Borah	Hughes	O'Gorman	Stone
Colt	Johnson, Me.	Page	Sutherland
Curtis	Lea, Tenn.	Penrose	Taggart
Fall	Lippitt	Pomerene	Walsh
Gallinger	McLean	Reed	Works
Goff	Martine, N. J.	Robinson	
Gore	Myers	Sherman	
Gronna	Newlands	Smith, Mich.	

So the conference report was agreed to.

RELIEF OF DESTITUTE AMERICANS IN MEXICO.

Mr. MARTIN of Virginia. From the Committee on Appropriations, I report back favorably without amendment the bill (H. R. 16911) making an appropriation for the relief and transportation of destitute American citizens in Mexico, and I ask unanimous consent for its present consideration.

The PRESIDING OFFICER. The Senator from Virginia submits a report from the Committee on Appropriations and asks unanimous consent for its present consideration. The bill will be read.

The Secretary read the bill, as follows:

Be it enacted, etc., That for the relief of destitute American citizens in Mexico, including transportation to their homes in the United States, there is appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $300,000, to be expended under the direction and within the discretion of the Secretary of State, and to be available for the fiscal years 1916 and 1917: *Provided*, That American citizens to whom relief is extended or transportation is furnished hereunder shall pay to or reimburse the United States all reasonable expenses so incurred, respectively, on their account, if financially able to do so.

Mr. MARTIN of Virginia. Mr. President, I shall not consume any of the time of the Senate in explaining this matter. The reading of the bill explains itself. I have, however, a very urgent letter from the Secretary of State on the subject. I will simply say that it seems there are now 5,000 American citizens in Mexico in a destitute condition, and their lives are imperiled. This is a very great emergency, and I hope the Senate will agree to the present consideration of the bill and then pass it.

Mr. SMITH of Georgia. Mr. President, I understand that if we consider the bill by unanimous consent it will not displace the Agricultural appropriation bill?

The PRESIDING OFFICER. It will not.

Mr. SMITH of Georgia. The appropriation bill is simply temporarily laid aside.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AGRICULTURAL DEPARTMENT APPROPRIATIONS.

The Senate resumed the consideration of the bill (H. R. 12717) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1917, and for other purposes.

Mr. UNDERWOOD. Mr. President, I believe the pending question is my motion to suspend the rules?

The PRESIDING OFFICER. The pending question is the motion of the Senator from Alabama to suspend the rules.

Mr. UNDERWOOD. Mr. President, I desire to amend the motion to suspend the rules by transposing some of the language. There seems to be a misapprehension in the way the original amendment was offered by the Senator from Louisiana [Mr. BROUSSARD]. The amendment would have allowed to be imported into this country tick-infested cattle. I am satisfied in my own mind that there was no such purpose, and that the Agricultural Department would not have agreed to a provision of that kind. To relieve any doubt on that subject, however, I desire to amend the amendment by transposing the words "tick-infested cattle" from where they appear in the present amendment and inserting them immediately before the word "Mexico," so that that part of the amendment will read as follows:

To permit the admission of cattle from tick-infested Mexico, South and Central America, and the islands of the Gulf of Mexico.

So that it will indicate that the words "tick-infested" apply clearly to the country from which the cattle come, and not to the cattle themselves.

I understand that I have a right to amend without——

Mr. SHEPPARD. Mr. President——

The PRESIDING OFFICER. The amendment proposed by the Senator will be considered as having been amended as proposed by him.

Mr. BROUSSARD and Mr. OLIVER addressed the Chair.

Mr. SHEPPARD. I rise to a point of order.

Mr. BROUSSARD. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Louisiana?

Mr. UNDERWOOD. I do.

Mr. BROUSSARD. I suggest to the Senator from Alabama, instead of saying "tick-infested Mexico," that he insert the words "territory of" after "tick-infested." It does not sound very well to say "tick-infested Mexico."

Mr. UNDERWOOD. I insert, then, after the words "tick-infested," the words "territory of," so that it will read "tick-infested territory of Mexico."

Mr. SHEPPARD. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The Senator from Texas will state the point of order.

Mr. SREPPARD. It is that the change can not be made at this time. The Senator from Alabama gave notice that he would move to suspend the rules in order to propose a certain amendment. He can not now change that amendment, because another day's notice would be required. He has to give notice in writing of the exact matter that he desires to offer as an amendment.

Mr. UNDERWOOD. Mr. President, as I understand the rules, the notice I am required to give and particularize about is the particular section of the rule which I propose to introduce an amendment in contravention of; and it does not apply to an amendment, provided the amendment is germane to the original amendment which I offered. I do not think there can be any question about that.

The PRESIDING OFFICER. The Chair is of the opinion that the Senator giving the notice to suspend the rules in order to present for the consideration of the Senate a certain amendment is at liberty to amend his notice by an appropriate and germane change in the amendment which he proposes. The Chair accordingly overrules the point of order.

Mr. SHEPPARD. Mr. President, permit me to suggest that it may be proper for the Senator to amend his notice, but the notice of the amendment should lie over one day.

The PRESIDING OFFICER. The Chair is of the opinion that that point is not well founded.

Mr. UNDERWOOD. Mr. President, this amendment is really the amendment of the Senator from Louisiana [Mr. BROUSSARD]; and as it is his amendment, I think it would be proper that he should make the opening statement on it. I therefore yield the floor to him.

Mr. BROUSSARD. Mr. President, the amendment which has been suggested by the Senator from Alabama is important only to the extent that it removes an expression in the amendment which does not seem to be entirely understood, I may say, by the layman who has not consulted the Department of Agriculture.

Mr. VARDAMAN. Mr. President, this is a matter of very great importance, and I ask for order so that we may hear the Senator from Louisiana discuss it.

Mr. BROUSSARD. So far as the enforcement of this amendment by the Secretary of Agriculture is concerned, should this amendment become law, it makes no difference whether the words "tick-infested cattle" are included in it, or "cattle from tick-infested sections of other countries." Heretofore, in the discussion that has taken place with regard to this amendment, we have treated the subject purely from the standpoint of the effect of extending the amendment to the appropriation bill of 1911, opening the ports of Texas to the importation of cattle from Mexico, to the other States south of the quarantine line whose ports are not now open under that amendment. In other words, the purpose of this amendment is not to inaugurate a new policy with regard to the importation of cattle into the United States, both below the quarantine line and their shipment above the line, but it is the intention of this amendment to establish that equality among the ports of the country which is provided for by the Constitution.

The amendment of 1911 is clearly a violation of the Constitution requiring the equal treatment of the ports of the country. The amendment was placed in that bill on the final day of the session of Congress of 1911—on the 4th of March—at a time when, as everybody knows, a great deal of haste prevails with the legislation that congests the dockets at both ends of the Capitol.

There is no question that had the same policy been pursued by the people of the other States south of the quarantine line that is now being pursued by the people of Texas, who for the last five years have enjoyed the privilege of having their ports open to these cattle, the courts would have held that that amendment, because of its limitation to the ports of Texas, was stricken with constitutional nullity. But no one has sought to visit that narrow construction of the law upon the people of Texas.

Originally the intent of that amendment was to permit the people of Texas to send their herds into Mexico to graze and to be enabled to bring them back into Texas. Then, after the amendment was adopted, they secured a construction of that amendment which permitted them to take cattle from Mexico—Mexican cattle—and carry them across the border; and when these cattle reached Texas they were shipped everywhere in the United States. They were sold upon the market at the stockyards; they were sold upon the market to feeders in the West; and they have gone everywhere and entered into the commerce of the country just as cattle raised in Texas and Louisiana and other sections of the territory. Of course, the moment they entered Texas they became subject to the same quarantine rules that prevailed with regard to tick cattle in the tick area of the country when they are shipped north of the quarantine line.

But statements have been made with regard to the operation of this amendment that it is well for the Senate to look into. After the construction had been had that it was permissible under that amendment to let Mexican cattle into Texas, the Texas importers of these cattle undertook to extend the line, and so we see that in the year immediately after the passage of the Underwood tariff act, which placed cattle upon the free list, a great impetus was given to the importation of cattle, under this section of the appropriation act of 1911, into the State of Texas. For the period of two and a half or three and a half months, or less than that, following the enactment of the Underwood tariff act placing cattle upon the free list, the importers in Texas insisted on securing the opening of practically every port upon the border, and from the 3d of October until the 22d day of January, 1914—a period of three months—there were imported into Texas, of Mexican cattle, 145,000 head.

These cattle were not all imported as provided for in this amendment to the act of 1911. Nay; a large proportion of them were imported in violation of that provision of the act of 1911, because in the figures furnished me by the Department of Agriculture, showing this importation during that period of time, the first port referred to is the port of El Paso, which is north of the quarantine line, and at that port during that period of time 69,782 head of cattle were brought into Texas.

I understand that now they are not permitted to enter at the port of El Paso. But an amendment to an appropriation bill which originally was intended to let Texas cattle go into Mexico for grazing purposes alone and to return to the United States has been construed so as to permit the importation of cattle into 20 different ports in the State of Texas, one of which, and the main one of which, was north of the quarantine line, when the provision of that amendment was that they should be imported only below the quarantine line.

Immediately after this large importation of cattle from Mexico occurred, and when this business had been well established, the revolution then prevailing and still prevailing in Mexico, one of the insurgent or revolutionary armies got control of the northern part of Mexico, from which all these cattle came into Texas, and, seeing these cattle going across the border, attached an export tax of $20 a head, Mexican money, upon the exportation of these cattle; and that had a tendency to stop the importation of cattle into Texas under the act of 1911.

What happened then? Immediately the people in Texas who were engaged in that business undertook to place another and an additional construction upon this provision by having the construction placed upon it under our treaties which would enable them to go into Central America and secure cattle there under an act which permitted the importation of cattle only from Mexico. I find that the Galveston Commercial Association addressed a letter to Hon. MORRIS SHEPPARD, which reads as follows:

> Referring to your letter of December 1, inclosing one from the Chief of the Bureau of Animal Industry, Department of Agriculture (his file 9527), we are fully aware of the conditions which the chief of the bureau recites. However, Galveston people are now engaged in handling cattle from Honduras and Venezuela, and we know that outside of ticks there is no objectionable feature to be found attached to them.
>
> I understand that it may be necessary for the Department of Agriculture, through the Bureau of Animal Industry, to investigate the conditions in Honduras and Venezuela with respect to the importing of cattle before Congress passes the necessary legislation, or at least before cattle can be imported into the United States; and I would thank you to present this matter to the department at your earliest convenience, with the suggestion that the matter should be given earnest and immediate attention, and I hope you will confer with Representative GREGG and arrange that the necessary legislation be introduced into Congress and acted upon at the earliest moment.
>
> GALVESTON COMMERCIAL ASSOCIATION.

I do not know what the Senator may have done with regard to this request of the association at Galveston; but we find that shortly after the receipt of this letter by the Senator who now objects to extending this same privilege to other States north of the line, all the ports of Texas were opened to all cattle coming from everywhere in the Tropics, and that privilege was denied every other port in the South Atlantic States, south of the line, and every other port on the Gulf coast.

So that Texas has enjoyed a monopoly by virtue of an amendment to an appropriation bill intended merely to permit their grazing their cattle across the line. They have now brought within the purview of the operations of that law all of the cattle in Mexico; and when deprived of an opportunity of getting further cattle from Mexico, they have invoked the aid of the Department of Agriculture.

They have solicited, through that department, the opinion of the Attorney General; and the Attorney General has held that under the "most-favored-nation" clause of our treaties with Guatemala, Honduras, Venezuela, and all of these countries, they enjoy the same privilege with regard to the exportation of their cattle to Texas ports that Mexico enjoyed under the act of 1911. Thus we see that Texas to-day is opposing the extension of that privilege, and it is now enjoying the privilege which we seek to confer upon other ports south of the quarantine line situated exactly as are the ports of Texas.

Mr. KENYON. Mr. President——

Mr. BROUSSARD. Twenty of these ports are now open, and cattle are coming into them freely—not only Texas cattle fed in Mexico—which is a privilege that the State of the Senator who addressed the Senate awhile ago is not permitted to enjoy. They will not permit—I have investigated that question—a man in Arizona whose cattle graze in Sonora, across the international line, marked only every league by a white marble post, to indicate where that line goes, to return his cattle to Arizona. They can compel them to stay in Sonora; and yet in Texas, north of the quarantine line, where there is no sanction of law at all to warrant it, either in fact or by construction, they permit these same cattle to enter Texas through the port of El Paso.

Mr. SHEPPARD. Mr. President——

Mr. BROUSSARD. I yield to the Senator.

Mr. SHEPPARD. Does the Senator mean to say that under no circumstances are cattle permitted to come into New Orleans from any Spanish-American country?

Mr. BROUSSARD. Under no circumstances. Now, I may say this to the Senator. I have already stated to-day——

Mr. SHEPPARD. Is that by reason of a law or a regulation of the department?

Mr. BROUSSARD. It is by reason of the construction by the department of the law in which Texas cattle are admitted from those same countries.

Mr. SHEPPARD. What law?

Mr. BROUSSARD. By virtue of the construction reached by the department on the appropriation act of 1911.

Mr. SHEPPARD. The amendment of March 4, 1911, applied only to Texas.

Mr. BROUSSARD. I know it applies to Texas, and it applies to Mexico. You get cattle into Texas from Guatemala and from Honduras. You get them from British Honduras. You get them from everywhere. You get them from Colombia and from Venezuela. You have your ports wide open, and Louisiana and Alabama and Georgia and Florida and North Carolina and South Carolina, you say, shall not enjoy the privileges the State of Texas enjoys in regard to this matter.

Mr. SHEPPARD. Under the law of 1890, cattle may be admitted into Texas or any other port provided they are not infected with disease or have not been exposed to disease within 60 days. That is the universal law as it applies to all ports of the United States. If cattle are not admitted at the port of New Orleans, it is for some other reason than the enactment of the law of 1911.

Mr. BROUSSARD. I have studied this for six or eight years. I have followed it both in this country and abroad. I will say to the Senator the people of Texas secured a construction of the act of 1911 by which they prevented us from receiving these cattle. There is no question at all that under the act of 1890 it is competent for the Secretary of Agriculture and the Secretary of the Treasury to open all these ports. There is not any question at all that under the wording of the tariff act of 1913, the Underwood-Simmons Act, it is competent for the Secretary of the Treasury and the Secretary of Agriculture to open all these ports. That is discretionary with them. That discretion has been in the past exercised, but in 1911 the people of Texas who wanted these cattle from Mexico invoked that discretion vested in the Secretary of the Treasury or the Secretary of Agriculture, and an amendment on the last day of Congress was attached to an appropriation bill giving that privilege to Texas and the department——

Mr. SHEPPARD. Mr. President——

Mr. BROUSSARD. Pardon me. And the Department of Agriculture has construed that if these acts intended, as the Senator says, to confer that discretion upon them, that discretion was taken away from them by Congress when Congress specifically legislated that these cattle should not enter the ports of Texas. That is the construction provoked by the action of the Senator himself, which he now invokes to prevent other States from enjoying the same privilege which the people of his State now enjoy in regard to this matter.

Mr. SHEPPARD. The Senator has given the Senate the impression that all cattle, whether tick infested or not, would be prohibited by the amendment of the Agricultural appropriation act of 1911, now under debate, from admission to other than Texas ports.

Mr. BROUSSARD. I know the Senator does not give any such impression.

Mr. SHEPPARD. I say that is the impression made upon the Senate by the Senator.

Mr. BROUSSARD. I will say, however, to the Senator from Texas that the cattle which have been imported into Texas are not safeguarded, and unless the amendment which is now pending is adopted there is no way to safeguard the herds in Texas and elsewhere from infection, because the regulations require the dipping of these cattle at the port of departure, and they are not dipped now. These cattle come undipped, and the only right they have to come in is because the inspector passes them under this provision.

Mr. SHEPPARD. The law does not say that they must be admitted undipped.

Mr. BROUSSARD. I know the act does not, but the Senator knows that the regulation adopted by the Department of Agriculture under which this act was put in operation does. It is not self-operative.

Mr. SHEPPARD. Mr. President——

Mr. BROUSSARD. The Senator will permit me to answer the question before he undertakes to propound another. The Senator knows as well as I do that the act of 1911 invested discretion which, in my judgment, already existed in law for the Secretary of Agriculture to permit the entrance of these cattle into the ports of Texas and to enter upon such regulations as may be fixed by the Department of Agriculture. The Senator must know that in the enforcement of those regulations the entrance of cattle into Texas has not been subject to dipping in the port of exit, the port of departure, and that there are no dipping vats on the Mexican side of Rio Grande through which the cattle may be run before they enter into Texas.

There are none at El Paso, where 69,000 cattle were put through in less than three months. We propose under this amendment not only to permit the opening of these other ports, but we propose to regulate the entry of these cattle into Texas and compel the owners of cattle in Texas to do the same thing. We propose to dip the cattle on the Mexican side and then redip them on the Texas side before they are permitted to mix with the native herds. It is really safeguarding the herds of the United States, which the act of 1911 does not do. The very thing which is complained of by the Senator from Texas as being dangerous to these herds is what we are trying to remedy now, because Texas imports cattle from Mexico now and takes them to Louisiana, and we have no way of protecting ourselves except by local quarantine, since Louisiana has made it compulsory to eradicate ticks in that State.

Mr. SHEPPARD. Will the Senator permit me? I understand that Texas people can not ship cattle to Louisiana unless the Louisiana authorities consent.

Mr. BROUSSARD. Yes; that is very true, but they were shipped because the Louisiana authorities had not undertaken the eradication of the tick in the State. It has done so now, and now they can not be shipped. They have been shipped in the last four years.

Mr. ASHURST. Will the Senator yield to me for a question? I believe that the provision in the Agricultural appropriation act of 1911 grants a special privilege to the State of Texas.

Mr. BROUSSARD. There is no question about that.

Mr. ASHURST. I also believe that that should be repealed, and I know the Senator is right in trying to repeal any special act about ticks. Would not the repeal of the provision of the Agricultural act of 1911 accomplish the result the Senator desires?

Mr. BROUSSARD. No, sir; it would not. There is this about it, if the Senator will let me proceed. The Senator's State is north of the quarantine line and he is naturally interested in keeping the ticks out of his part of the country.

The Senator is for a quarantine regulation which now prevails to keep Texas cattle below the line from being shipped into Arizona, but when cattle from the State of Arizona are shipped to some packing plant, say, at Fort Worth or Kansas City or East St. Louis or Chicago, or any of the packing points, if there are no cattle from tick-infested Texas or Louisiana or Alabama, the cattle shipped from Arizona get the benefit of the highest market prevailing on that day. But if it so happens that on that particular day there should come a carload of cattle from Texas or from Louisiana to enter the same packing house to which the Senator had shipped from Arizona, because of the quarantine regulation which requires the slaughter of the tick-infested cattle within 24 hours or a reshipment to the point of departure, at once his cattle are discarded from the market, and not one of them is purchased by the packer until the entire herd shipped from the tick-infested cattle has been consumed by the packing plant. Is not that the fact? We both lose under those conditions. We lose below the quarantine line because we are compelled to dispose of the cattle inside of 24 hours, and the packers give us any price they please, and the gentleman from Arizona loses because he is in competition with a lot of cattle that must be immediately slaughtered, and his can wait. So they make him wait. He loses in the weight of the cattle; he loses in the price of the cattle; the market is disturbed; he does not secure the value for his cattle on that occasion that he would have secured if he had reached the packing plant when there were no cattle from the tick country. That is a fact.

Now, what I am trying to do is to compel the establishment of a packing plant south of the quarantine line. What I am trying to do is to insure a visible supply of cattle south of the quarantine line to warrant the establishment of a packing plant in the South. When we accomplish that, then what happens? The gentleman from Arizona will continue to ship to Kansas City, Fort Worth, or East St. Louis, or Chicago without the fear of having to compete with Louisiana cattle, without the fear of having to compete with Texas cattle; and Texas will ship her cattle to the plant south of the quarantine line. So there will

be two markets where there is one to-day, and competition both to the seller of the stock and the purchaser of the meat on the market.

Let me tell the Senator, it is as much in the interest of Arizona and Iowa as it is in the interest of Louisiana or Alabama. There is no question that if you show a visible supply which is in existence at this moment in Guatemala and Honduras—and I have gone over that country studying those questions—if you show there is a visible supply, the moment this bill is passed there will be established at New Orleans, at Mobile, and probable at some other point—probably Galveston—a packing plant in the tick territory, and then competition will cease between tick cattle and nontick cattle, to the advantage of the producers of both the tick and the nontick cattle.

Mr. FLETCHER. Mr. President——

Mr. BROUSSARD. I yield to the Senator from Florida.

Mr. FLETCHER. I ask the Senator this question. Suppose we do not want any tick cattle from that region?

Mr. BROUSSARD. I tell the Senator I do not want tick cattle, either, but it is made obligatory in the State of Louisiana, and last week a jail sentence was attached if cattle are not dipped in 21 days. I have gone into the business myself. I received my certificate last week that my small place is clean of ticks, and I can ship from tick territory to Chicago or anywhere else cattle that will pass muster and go into competition with cattle from the State of Arizona or any State north of the line. We do not want tick cattle. What we want is a packing plant in Florida.

I can tell the Senator—I know he knows, but I will state for the information of the Senate—that the herds of Florida have been practically bought up in the last 24 months and shipped to East St. Louis to supply that market. They have decimated the herds of Florida. What is the result? Let me tell the Senator: The result is that the very gentlemen who are protesting in the Senate against the passage of this bill—the National Cattle Association—at this moment at the other end of the Capitol are demanding an investigation of the Beef Trust because they do not get enough for their cattle. So they appear in this rôle at the other end of the Capitol: They want to stop the meat packers from paying them too little for their cattle when their cattle are thrown into competition with tick-infested cattle at Chicago, in every packing plant; and at this end of the Capitol they are protesting that there should not be any additional man to compete with these men who are robbing them of an opportunity to buy their cattle. That is their attitude.

Mr. FLETCHER. If the Senator will allow me, I will ask him this question. In the first place I will admit that it would be to the interests of Florida cattle people to have packing houses in Florida, and I want to do what I can in promoting the cattle industry in Florida. It is becoming more and more extensive, by the way, every day. Many people have gone from other States into Florida in recent years and bought large tracts of land for the purpose of raising cattle. Those men interested in the raising of cattle are not particularly desirous that cattle from Venezuela, Colombia, and British Honduras, and these other countries, should come through their ports.

Mr. BROUSSARD. I say to the Senator that there is not a visible supply of cattle in the South to warrant the establishment of packing plants in the South. The fact stares the Senator in the face that there were more cattle last year than there are this year in Florida, and still more cattle the year before last than there are now in Florida. Those are the facts in regard to the Senator's State. I will tell the Senator why he has never had a packing plant and no prospect of one. With all the cattle in Texas south of the quarantine line and packing plants north of the line at El Paso and Forth Worth, with Mississippi now producing cattle that have taken prizes everywhere in this country at fairs, the fact remains that there are no packing plants in Mississippi or Louisiana. Going into the cattle industry on a large scale, freeing itself of ticks just as Mississippi is doing in a systematic way, in 24 months we do not expect to find a single inch of ground in Louisiana tick infested, and with all that there is no packing plant there. We do this absurd and uneconomical thing. We persist in taking cattle off the range in Texas and Louisiana and shipping them all the way to Chicago or Kansas or East St. Louis, there put them into packages to be reshipped, and pay freight to the seaboard in order to reach the foreign trade and compete with the foreign producer of meats in Argentina. The packing plant should be on the seaboard. That is its place. We ship cattle from the Southwest clean up to Chicago and pay freight on it. We incur the loss naturally following such a long shipment. We pack that stuff into cans and packages and seal it and prepare it for market, and then we pay the freight from Chicago to New York that we may compete in the world's market with that meat. Is there any economy in that?

Mr. SHEPPARD. No; but——

Mr. BROUSSARD. Pardon me. Let me finish the idea, please. Why have we not undertaken to develop this industry in the South? The South has produced more cattle now, and has practically every year, than there are north of the line. We have not been kept out of the market because of the tick; we get rid of that. We get good cattle in the South, and it is about time for us to ship our cattle, not solely as a southern proposition but as a big, broad proposition, operating in every direction to the advantage of every man, woman, and child of this Republic and to the commerce of the country, so far as our meat exportation is concerned.

In the first place, if you had your packing plants on the seaboard south of the quarantine line, every bit of salted meat, every bit of cured meat, every bit of canned meat would be put up on the seaboard, where you would save double the cost. You would ship no more north of the line and reship back south of the line to the seaboard. What would result from that? The result would be that there would be no competition between cattle grown south of the quarantine line and cattle grown north of the quarantine line. It would result in competition in the purchase of the cattle beneficial both to the sections free of ticks and to the sections yet not free of ticks. What else would follow? There would follow the saving of all the transportation cost of the cattle and meat, so that in entering the foreign market we would go with that advantage in favor of American meat against competing meat from Australia and from Argentina.

What else would follow? It would follow that there would be the same competition in disposing of this meat in the market that there would be in the purchase of the steer upon the market, resulting in giving an advantage to the consumer and compelling the packer to pack his stuff on a closer margin of profit than he now does.

Everybody is benefited. You get the advantage in your trade competition with foreign countries and you get the advantage in competition as to purchasers and you get the competition of your markets for the American consumer of the meat. Is there any reason why this proposition should not pass? Does it endanger anything? Read the letter of the Secretary of Agriculture. Every safeguard is thrown around it, every opportunity is given for protest of anyone or the showing of anyone regarding the healthfulness of cattle brought for inspection at the port of departure, dipping at the port of departure, inspection at the port of entry, dipping at the port of entry, inspection of the animals before slaughter, and the inspection of the meat after slaughter. Can you provide any greater safeguard than we contemplate in this provision, bringing this additional meat in and keeping Mexican infested cattle out of our country in order to divide our market along natural lines, forcing the packer to go on both sides of the line, keeping those south of the line and those north of the line for their market, permitting the entire output to compete in order that the consumer may not have to pay what he has to pay now for the price of meat?

Let me tell the Senator of one experience which I have had. It has been my misfortune to engage in mining in Sonora. I have lived quite a long time at periods at the nice little city of Douglas, in the southern part of the Senator's State. From there I built a road up thirty-odd miles through the big mountains near Cabuille. Up to the time my people and myself were driven out of there I had a contract with a man named G. L. Andrews, of Douglas, whom possibly the Senator knows—I know the colleague of the Senator from Arizona knows him well—under which he furnished me half a steer three times a week. I did not have enough men engaged in the prospecting which I was doing to consume more than that quantity. I paid 6½ cents a pound for this meat, which was first-class meat. The other half of the steer he had to dispose of. There was no neighbor within 30 miles of me; I think my nearest neighbor was Gen. Elias Calles, who owns a big ranch up beyond Cabuille.

The other half he brought to Douglas. He could not take the steer across the line, because Sonora was a tick-infested country, but he could take the half of the steer, or the whole of the steer, after he was killed; he could take the hoofs and the horns and he could take the hides and the ticks across the line. They permitted him to go across. So he gave me my half steer at six and a half cents a pound, and took the other half, together with the hide and the ticks and everything else that belonged to that steer, and went through the customhouse at Douglas, paid his duty—that was prior to 1914—on the meat and hide, and disposed of it for some 20 or 22 cents a pound in competition with local butchers at Douglas. Subsequently he

was called down. His ranch running up to the international line—and all of this is set out in his own statement in the hearing before the Committee on Agriculture of the other House, his report being included in this document—he secured authority to drive his cattle from his ranch into a pen on the Mexican side of the line, and into a slaughterhouse on the Mexican side, right beyond and immediately adjoining the line, and after the steer was slaughtered, the meat, the hide, and the whole thing were passed through to the American side and disposed of in Douglas, Bisbee, Courtland, and towns surrounding Douglas. He could not take one of these cattle across the line, but he killed it near the line, and then brought it over. We have that to contend with all the time with regard to our meat supply, because we have pursued the erroneous policy of not making an effort to establish packing plants in those sections to take care of the cattle south of the line. So the suggestion made by the Senator from Arizona would not relieve this situation. What the Senator from Arizona really needs is a packing plant in New Orleans, one in Mobile, one in Galveston, and possibly one in Florida. If he could get that, the competition of the tick-infected cattle would never interfere with his price when he ships to Kansas City or to East St. Louis or to Chicago. Would not that be an advantage to the Arizona man? Would it not be an advantage to the New Mexican stockman? Would it not be of advantage, also, to the Texas stockman, both north and south of the quarantine line? I do not think there is any question about it. It certainly would be to the advantage of the man growing cattle in this country, whether he raised the cattle north or south.

I have been at work on this thing for eight years, and I have investigated these herds personally. I have gone there with experts appointed by the department. I was surprised to hear my friend from Texas [Mr. SHEPPARD] speak of the foot-and-mouth disease being prevalent in Central America. There is no such thing there, and no man has ever heard of it being there; they do not know what it is; and the report made by the Department of Agriculture—and that report is also included here—is to the effect that there never was such a disease there. It is an unknown disease in that section of the world. Those herds are as healthy as any herds of cattle anywhere.

What do they sell for there? Of course, their selling price was stated, as I stated it to cattlemen in my own State, and they said that the price would be ruinous to them, and it would be ruinous if that price continued to prevail; but locally there is no demand for these cattle; they are permitted to die of old age. There is no market for them there. They go wild; a great many of them are unbranded. There are great herds of them in the mesquite country along the Petucha River and the Segovia River, and nobody cares for them, because there is no market for them. They sell a steer weighing 1,200 pounds for $10 in that country. You can buy a calf or a yearling or a 2-year old for a dollar. There is no market for them. With that supply right at our doors, why not have packing plants in the South where I can go, despite the fact that my farm is free of ticks?

Mr. ASHURST. Mr. President, will the Senator yield to me at that point?

Mr. BROUSSARD. Yes, sir.

Mr. ASHURST. The Senator from Louisiana is making a very illuminating argument, and I personally thank him for it. I am willing now to join with the Senator in any movement which will tend to relieve the cattle growers of the South and the Southwest, as well as those of other portions of the country, from the exactions of the packing houses and from the unjust—I think I am warranted in using that term—extortions of the packing houses.

Mr. BROUSSARD. I think the Senator from Arizona will accomplish that with this resolution. Let me tell him what has occurred recently. I have insisted, both at the Treasury Department and the Agricultural Department, that the port of New Orleans should be opened; that the discretion which is evidently invested in them to open the port of New Orleans should be exercised; I have asked the Secretary to impose all the restrictions he thought necessary, and I informed him that the people of New Orleans are prepared to construct at once quarantine pens, feeding places, places of landing, and everything else, all under the supervision of the department, so as to safeguard absolutely the cattle which are being raised in Texas. Last summer the Secretary of Agriculture undertook to experiment with this proposition. He sent men into Guatemala; they found some ranches that were clean of ticks; and he authorized the opening of the port of New Orleans. Twenty-one hundred head of cattle were brought through the port of New Orleans on their way to the packing plants at East St. Louis. With the last shipment were some cattle that had ticks. Immediately upon the discovery that they had ticks, the doors were closed, and, of course, the cattle were not further permitted to come in. I join in lauding the desire to keep ticks out of the country. We do not want them.

The Secretary suggested that if the plan now proposed were adopted he would undertake to regulate this matter by establishing inspection at the ports of departure in Honduras and Guatemala and Venezuela and by establishing inspection at the ports of entry where the cattle would not only be inspected but would be redipped in case any ticks had escaped the first dipping, so that when these cattle emerged from the quarantine, whether at Mobile or at New Orleans or wherever they may have landed, they would be sure to be as clean of ticks and as free from disease as any cattle anywhere. Of course the process of dipping and shipping over water and dipping again and shipping over land has a tendency to depreciate the value of the cattle for immediate slaughter.

I am told the scarcity of feeders is troubling the small farmers throughout the West. I have talked with them about it, and men who are in the business in a practical way, Members of the House of Representatives who are in the business out in the West, tell me that the cost of feeders to them is so high that they do not make, and do not expect to make, any profit out of the meat, but expect to make their profit out of the benefit derived to the farm where they feed these cattle. The fertilization of the farm and the continuation of its fertility seems to be the only object now. On account of the high price of the feeder, because of its scarcity and the depressed prices of the market, because the Packing Trust has made it so the farmer does not any more expect to make any money out of feeding and fattening cattle on his farm. He only expects to get such benefit as accrues to the farm itself by maintaining its fertility and increasing its production. That situation should be relieved. These cattle would open up an avenue for the consumption of the grain and hay that now goes into the market, instead of remaining on the farm and multiplying the production of the farm. So from that viewpoint benefit can be derived.

It does not make much difference, Mr. President, what view may be taken of this question; every solitary individual in this country is interested in this proposition. The man who is engaged in producing stock is interested in the matter, no matter in what section of the country he may live. The man who consumes meat at home is interested in this proposition; the man who sells stock on the market is interested in it; the man who exports meat in competition with foreign meat to the foreign market is interested in this proposition; the man who is located south of the quarantine line and who has seen a loss on every head of cattle raised by him for many years—oh, I can not say how many, but as far back as I can remember—and who has been taxed because of the tick from one to five dollars for every head of cattle he has shipped to market, is clearly interested in this proposition; the man north of the line who has to compete with this dipped, tick-infested cattle is clearly interested in it; the farmer who can not get a feeder now is clearly interested in it. Will any Senator point out anybody else who is not benefited by this provision? There is nobody but the packer himself who is interested in keeping these cattle out.

Mr. ASHURST. Mr. President——

Mr. BROUSSARD. I yield to the Senator.

Mr. ASHURST. Before the amendment is finally voted on I would suggest to the Senator to redraft the amendment. It may be that I am unduly meticulous and alarmed over the verbiage, but I would suggest to the Senator to modify it so that it will read "permit the admission of cattle from tick-infested countries," rather than "permit the admission of tick-infested cattle."

Mr. BROUSSARD. That has been done, I will state to the Senator, on the motion of the Senator from Alabama [Mr. UNDERWOOD]; and I am glad it has been done, because, before it was amended, it was likely to create a prejudice at first blush against the proposition.

Mr. ASHURST. It would compel everyone to explore the decisions and constructions of the department, and I think at least the provision ought not to contain the direct language that tick-infested cattle may come in.

Mr. BROUSSARD. Mr. President, I do not desire to detain the Senate longer with regard to this matter. It is one in which the entire country is interested. It is not purely a controversy between Texas and other Southern States; it is a matter in which everybody in this country is interested, and vitally interested. Every meat consumer and every cattle raiser in the country is interested in it; and I hope the Senate will see its

way clear to adopt the resolution of the Senator from Alabama and permit the incorporation of this amendment in the bill in order that the existing situation may be relieved.

The VICE PRESIDENT. The question is, Will the Senate suspend clause 3 of Rule XVI for the purpose of permitting the Senator from Alabama to present the amendment?

Mr. UNDERWOOD. On that I ask for the yeas and nays.

Mr. CATRON. Mr. President, before the yeas and nays are taken I desire to say a word. I have listened to the argument of the Senator from Louisiana [Mr. BROUSSARD], and from his standpoint doubtless it may be a very good thing to adopt this amendment; but the amendment now has been so enlarged that it is a thousand times more dangerous than it previously was. Instead of permitting the importation of tick-infested cattle, it now permits the importation of cattle afflicted with any disease on the face of the earth, provided the cattle come from tick-infected districts. Under that provision there can be brought into this country cattle afflicted with the foot-and-mouth disease, cattle afflicted with tuberculosis, or cattle afflicted with any other disease to which they are subject, provided they come from a tick-infected district. This provision will enable every known cattle disease to be scattered throughout the country.

We do not want the tick-infested cattle to be brought into the country, for the simple reason that, if what the Senator from Louisiana says he expects to be done is done in his section with the cattle which he says can be purchased for $10 a head, and they are brought into the market, although subject to whatever regulations the Department of Agriculture may establish, they may be sent throughout the United States, slaughtered, and made into meat or meat products either in Louisiana or in some other State. When meat of that character is sent out, what kind of meat are you going to get?

It is not certain that the cattle which are infected with ticks are the ones that have the Mexican fever. That is the general idea of the Department of Agriculture, but there are many scientific men, many men who have given great attention to the disease called Spanish fever or Texas cattle fever, who say that it is not the ticks that cause the disease, but something else that gets in the blood of the animal, goes through him, and makes him a diseased animal. Yet they propose to put that meat on the market and sell it to the people of the United States, and put it in competition with meat from cattle grown in Arizona, New Mexico, Colorado, and the entire western section of the country. If you can do what the Senator says can be done, our cattle will be reduced in market value more than 50 per cent a head. That will be accomplishing what the Democratic Party startd out to accomplish when they passed the Underwood bill; that is, it will be reducing the high cost of living, but it will not do very much toward increasing the health of the individual American citizen.

Mr. SHEPPARD. Mr. President, I ask the Secretary to read from the document I send to the desk the resolution passed by the Cattle Raisers' Association of Texas at its last annual meeting at Houston.

The VICE PRESIDENT. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

Be it resolved by the Cattle Raisers' Association of Texas, in annual convention assembled at Houston, Tex., March 21, 22, and 23, 1916:

(1) That this association protests against any extension of the present laws and regulations of the Department of Agriculture for the admission of cattle through any other ports than they are now admitted and against the admission of cattle from any country where there exists any contagious or infectious disease; the existence or nonexistence of such disease shall be ascertained by the Bureau of Animal Industry, and that no cattle which have been exposed or which are infected with any infectious, contagious, or communicable disease shall be admitted.

(2) We protest specially against the passage of the bill known as the Broussard bill, now pending in the Senate.

(3) We protest against admitting any live stock, hides, meat or products therefrom except under rigorous inspection and the ascertainment by the Department of Agriculture that these products of live stock and the live stock themselves are not capable of communicating any contagious or infectious disease: And, further,

(4) That the mere affidavit of the shipper shall not be considered as sufficient evidence of the fact that such animals or products are free from the contagious or infectious disease or that such animals have not been exposed to the same.

Mr. SHEPPARD. Mr. President, I wish to impress upon the Senate the fact that it is not alone the amendment to the Agricultural appropriation bill of March 4, 1911, that Senators desire to repeal, but it is the beneficent law of 1890, making it a crime to bring into the United States diseased cattle or cattle that have been exposed to infection within 60 days from the time of shipment.

The main objection to the amendment suggested by the Senator from Louisiana lies in the fact that mere regulation and inspection are not sufficient to keep out diseased cattle from the United States. It was on that basis that the law of 1890 was enacted. Let me direct the attention of the Senate to that law:

SEC. 6. That the importation of neat cattle, sheep, and other ruminants, and swine which are diseased or infected with any disease, or which shall have been exposed to such infection within 60 days next before their exportation, is hereby prohibited; and any person who shall knowingly violate the foregoing provision shall be deemed guilty of a misdemeanor, and shall, on conviction, be punished by a fine not exceeding $5,000, or by imprisonment not exceeding three years; and any vessel or vehicle used in such unlawful importation with the knowledge of the master or owner of said vessel or vehicle that such importation is diseased or has been exposed to infection, as herein described, shall be forfeited to the United States.

The effect of the amendment proposed by the Senator from Louisiana is largely to nullify that law. Enact that amendment, and it is no longer necessarily a crime to bring diseased or exposed cattle into the United States. If men are skillful enough to evade the spirit of regulations while complying with the letter, if dishonest employees may be found to connive at the importation of diseased cattle or of exposed cattle, they may be admitted to the ports of this country.

The Senator says that his amendment requires cattle to be dipped at the port of departure. Dipped by whom? By the authorities of other countries? What assurance have we that the regulations imposed by other countries will be sufficient? What assurance have we that the cupidity of some men will not bring about the corruption of employees, either of our own department or of some other? And if rules are so enforced as to admit just one head of cattle with foot-and-mouth disease the entire cattle industry of the United States will be imperiled.

Let me direct your attention to the fact that these gentlemen have enlarged the amendment so that it applies not only to tick-infested cattle but to all cattle from tick-infested countries. The law preventing the admission of diseased or exposed cattle from any country was a valuable law. Congress had in mind the temptations to which our inspectors, our employees, and other employees would be subjected when they passed a law of this kind. Congress felt that regulation alone would not suffice.

It is true that on March 4 an amendment was adopted to the Agricultural appropriation bill permitting the admission of tick-infested cattle from Mexico into that part of Texas below the southern quarantine line, under such regulations as the Secretary of Agriculture and the Secretary of the Treasury might prescribe. It was due to a purely local situation. The ranchmen on the Rio Grande, on the Texas side, owned large tracts of land across the river, and it was found onerous and almost impracticable to enforce the law in the case of every animal that would be driven from one side of the river to the other.

But I do not stand here in defense of any privilege which the State of Texas may enjoy to-day. The amendment which exempted Texas ought to be repealed if it affects in any substantial way the proper enforcement of this beneficent law making the transfer of diseased or exposed cattle into this country a crime.

Let me say further that in this Agricultural appropriation bill the Government is providing $750,000 to be expended this year in eradicating the cattle tick; and yet in this same bill Senators desire to provide for the admission of cattle from tick-infested countries, subject only to regulations by the Department of Agriculture and the Department of the Treasury. Such a provision will necessitate a larger appropriation for the purpose of combating the cattle tick. The Senator from Louisiana has said that to increase the number of ticky cattle in the United States will help to eradicate the cattle tick—an apparent contradiction. Let us not substitue departmental regulations for a penal law that has stood the test of over a quarter of a century. I do not believe the Senate is ready to take such a step.

If anything should be done, let us repeal any exemption enjoyed by Texas or any other State. The moment the cattle tick shall have been eradicated from the South, it will become the ideal cattle section of the earth. So let us devote every effort and every energy to the eradication of tick fever and other diseases of cattle, rather than to the impairment of laws which are monumental safeguards against the admission of diseased or exposed cattle from other countries. One head of cattle with foot-and-mouth disease admitted into this country will imperil all the cattle in the United States.

I ask the Senate to consider these facts before it takes the momentous step proposed in all good faith, I cheerfully admit, by the Senator from Louisiana [Mr. BROUSSARD] and the Senator from Alabama [Mr. UNDERWOOD].

Mr. DU PONT. Mr. President, I should like to ask the Senator from Louisiana whether his proposed amendment has the sanction of the Secretary of Agriculture and is recommended by him?

Mr. BROUSSARD. The Secretary of Agriculture has not only recommended the amendment I proposed but it was written by the Secretary and forwarded to the committee.

Mr. CATRON. I should like to have that recommendation read, if the Senator has it.

Mr. UNDERWOOD. I have it here.

Mr. BROUSSARD. It is in the RECORD already. I will say to the Senator from New Mexico that I placed it in the RECORD the other day. It was published last Friday, I think.

Mr. UNDERWOOD. Mr. President, I am surprised at the argument we have listened to with reference to this amendment endangering the health of American cattle.

In answer to the question just propounded by the Senator from New Mexico [Mr. CATRON] I desire to call to his attention, on page 12081 of the RECORD of July 6, 1916, a letter written by the Secretary of Agriculture to the Senator from Oklahoma [Mr. GORE], the chairman of the Committee on Agriculture and Forestry, favoring the pending amendment. I will not take the time to read the entire letter, which explains the working of the amendment, but I will read the concluding sentence:

> It is the opinion of the department that there is no controlling reason why tick-infested cattle from Mexico, South and Central America may not be admitted into any parts of the United States, as well in as outside of the cattle-quarantine area, provided the department be authorized to designate the ports of entry and make rules and regulations prescribing the conditions under which they may be admitted. This suggestion is offered in order that the committee may consider whether it cares to recommend the amendment of the bill so that it will admit tick-infested cattle into parts of the United States within as well as outside the cattle-quarantine area.

Mr. WORKS. Mr. President——

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from California?

Mr. UNDERWOOD. I yield.

Mr. WORKS. I should like to ask the Senator from Alabama whether this fever itself is regarded as a transmissible disease?

Mr. UNDERWOOD. It is not. It can not be transmitted in any way except by the tick.

Mr. WORKS. That seemed to me to be a very important matter, and I desired to understand what the fact was about it.

Mr. UNDERWOOD. The simple proposition is that the cattle tick, when it bites the cattle, gives them the fever. That fever is very detrimental to the growth and development and fattening of cattle, but it does not make the milk of the cattle unhealthy. It does not make the meat of the cattle unhealthy. In the tick-infested districts of this country—which at one time extended far north, and are gradually being worked out—those cattle are being eaten all the time. They are now, and it is only a question of bringing in the tick, not the cattle.

Mr. WORKS. I was just going to ask the Senator about that—whether the probable effect of that is to increase the number of ticks and transfer them from one head of cattle to another?

Mr. UNDERWOOD. It would if they brought in the tick; but the pending motion is to adopt an amendment to this bill that has been prepared by the Secretary of Agriculture, that meets with his approval in a letter which you will find on the page of the RECORD I indicated a moment ago, that prescribes that before these cattle coming from tick-infested countries are admitted they must be dipped in the country of departure, there must be an intervening time of five days, and then they must be dipped again; and from long experience the Agricultural Department has held that then they are absolutely free of ticks.

That is the regulation that exists to-day in the United States. If you desire to carry cattle from a tick-infested portion of the United States to a point above the quarantine line, if you dip them, under the regulations of the Agricultural Department, wait five days and dip again, you can carry them into any tick-free territory. Now, why should the rule be different in regard to bringing them from tick-infested countries outside of the United States? The Secretary of Agriculture says there is no reason.

Mr. WORKS. As I understand the language of the amendment, it admits tick-infested cattle.

Mr. UNDERWOOD. No; the original amendment, as prepared by the Secretary of Agriculture, following the precedents in the laws, read as follows:

It authorized the Secretary of Agriculture and the Secretary of the Treasury to—

> permit the admission of tick-infested cattle from Mexico, South and Central America, the islands of the Gulf of Mexico—

And so forth, under certain terms.

Mr. WORKS. That is what I was referring to, if the Senator will allow me.

Mr. UNDERWOOD. Certainly; but the Senator was not in the Chamber when I amended my amendment. I have amended the amendment so that it reads as follows:

> To permit the admission of cattle from tick-infested territory of Mexico, South and Central America—

And so forth.

So that the proposition before the Senate does not apply to tick-infested cattle, though it does not make any difference, because, as a matter of fact, the Secretary of Agriculture did not contemplate the admission of tick-infested cattle. But in order that there may be no question about it, I have amended the amendment so that it does not say "tick-infested cattle"; it says "cattle from tick-infested territory of Mexico," and so forth.

Mr. WORKS. Mr. President, it may be that that amendment will satisfy Senators; but it seems to me that there ought to be some provision there that the ticks should be exterminated before the cattle are admitted into this country. If there are regulations, and they are being admitted under those conditions now, of course that would be unnecessary.

Mr. UNDERWOOD. They are. They are prescribed here. Under this amendment, if it is agreed to, before any cattle can come into the United States they must be dipped in the country of embarkation and prevented from getting on tick-infested soil until they are embarked. When they arrive in this country they must be retained five days and dipped again. Then they are free of ticks. So there is not a particle of opportunity for the ticks to come in here or for cattle with ticks on them to come in here.

As to the argument of the Senator from Texas [Mr. SHEPPARD], that this changes the general law that would keep out foot-and-mouth disease and other communicable diseases, there is not one word in this amendment, and there never has been, that would authorize any such thing as that. There is no law relating to diseased cattle that is repealed, either directly or indirectly, by this amendment. Why, I say to the Senator from Texas that it is an imputation against the Agricultural Department of this Nation to say that they would stand for an amendment to any law that would admit from any country diseased cattle for which they are asking to-day an appropriation of $750,000 to stamp out in this country. Why, it is an absurd proposition. It only grows out of the fevered imagination of gentlemen who do not want any competition in the markets of this country with the cattle that they own. That is the whole proposition. This is a question of having an opportunity to put other States of the Union on the same basis as the State of Texas, which is enjoying this privilege to-day, and which does not have to dip its cattle coming in under the present law before they are imported into the United States. It can bring them over the border with the ticks on them. If this amendment becomes a law, Texas will have to dip the cattle on the other side of the line before it can bring them in from Mexico, and Texas is unwilling to give up the privilege that it is now enjoying. That is the whole proposition.

Mr. WORKS. What connection is there between the tick and the foot-and-mouth disease?

Mr. UNDERWOOD. None whatever.

Mr. WORKS. Does the Senator know that it is very generally believed, and I think has been attested by scientific men, that the foot-and-mouth disease was largely the result of the use of hog-cholera serum? Has that ever been brought to his attention?

Mr. UNDERWOOD. It had not.

Mr. WORKS. I understand that to be so.

Mr. UNDERWOOD. As a matter of fact, these cattle are coming from Central America. The Senator from Louisiana a day or two ago read into the RECORD a report from our Agricultural Department showing that there was no foot-and-mouth disease in that country.

Mr. President, I am not going to detain the Senate with a further discussion of this question. With the price of meat soaring beyond bounds; with the fixed policy of the United States written on the statute books that there should be free importation of cattle into this country for the purpose of feeding, within reasonable limits, the American people; with the fact that since that law has been on the statute books, instead of depressing the price of cattle, the price has soared and soared and soared until the poor to-day can hardly have meat on their table, this amendment, if adopted, would admit to the United States a small number of cattle. Why should we close the door? The policy of our Government has been declared otherwise. Why should we give to the State of Texas alone this privilege and deny it to your constituency and my constituency?

I hope the Senate will agree to the motion to suspend the rules in order that we may vote on the amendment, and on the motion to suspend the rules I ask for the yeas and nays.

Mr. GALLINGER. Mr. President, before the Senator takes his seat may I ask him a question?

Mr. UNDERWOOD. Certainly.

Mr. GALLINGER. Did I understand the Senator to say that the ticks attack cattle, in some way developing a fever, but that that fever does not affect the milk of the cattle?

Mr. UNDERWOOD. It does not. Of course, the fever passes off in a day or two if it does not kill them. It affects the amount of milk they give, the growth of the cattle, and the weight of the cattle, but——

Mr. GALLINGER. And is the milk from cattle affected in that way sold in the markets where these cattle exist?

Mr. UNDERWOOD. Oh, absolutely. It has been for years. As a matter of fact, as the Senator probably knows, from nearly as far north, I think, as the State of Ohio—I am not sure about that—and all the way from Kentucky on down through the Southern States, and, I think, extending up into the Middle West, for many years that whole country was covered with ticks; and all the cattle we had were tick cattle, and we ate the meat and drank the milk.

Mr. GALLINGER. I am merely asking for information. It seems to me rather remarkable that a cow could develop a fever and that fever would not affect the milk. But that may be so. I have no information on that point.

Mr. UNDERWOOD. The fever lasts only a short time.

Mr. SMITH of South Carolina. Mr. President, if the Senator from Alabama will allow me, in answer to that question I will say that it has been found out by experiment that a calf taken from an immune zone and carried into a tick-infested zone may develop the fever, but it is rarely fatal to the calf. It is fatal to a grown cow, but those that are born within the infested region are immune from the fever. The danger is when you take a cow from the infested region and carry her into an immune region she herself does not develop any fever, but the ticks she has get on the cattle that were raised in an immune zone and kill them.

Mr. SHEPPARD. Mr. President, I would not detain the Senate further but for the fact that the Senator from Alabama charges that my statement that this amendment nullifies the spirit of the law of 1890 emanates from a fevered imagination. I express the hope that it is not the tick fever that has seized my imagination. The tick-fever imagination may flourish in the minds of other Senators who seem to be so desirous of admitting the cattle tick, but not in mine.

I wish to say this: The Senator from Alabama states that the tick fever is not a communicable disease, and yet we have a quarantine line stretching from the Atlantic to the Rio Grande in order to keep the tick fever within the larger portion of the South. Let me say to the Senators from the North that cattle grown in the North and transported to the South can not live six months on account of the infection due to the presence of the cattle tick. Cattle from the tick-infested regions can not enter the North except for immediate slaughter. Thus the interchange and intermingling of breeds so necessary to the cattle industries of both sections are seriously handicapped.

It has been estimated that the cattle tick causes a loss of from sixty million to one hundred million dollars to the cattle industry of the South every year.

The Senator from Alabama said that the law of 1890 was not affected. His amendment specifically states that the law——

Mr. UNDERWOOD. I said the law of 1890 was not affected so far as it was a communicable disease. Of course, it is affected so far as the 30 days' quarantine on tick-infested cattle is concerned.

Mr. SHEPPARD. I want to make it plain that the Broussard amendment practically nullifies the effect the law of 1890 was intended to have.

Mr. UNDERWOOD. Does the Senator really and earnestly believe that the Agricultural Department will recommend a statute here that would open to the importation into this country of foot-and-mouth disease from other countries? Does he really believe that the letter recommending this bill coming from the Secretary of Agriculture intended that the amendment of the law would open the country to foot-and-mouth disease when it clearly says that it is purely relating to tick-infested cattle and no other cattle? You make a charge against the Secretary of Agriculture, if your statement was true, that would warrant the President in asking for his resignation.

Mr. SHEPPARD. I am making a charge against nobody. I think the Secretary of Agriculture wrote the letter in good faith, but the Secretary of Agriculture is not infallible. I am not willing to base a vote repealing the law of 1890 on his judgment or that or anybody else. The law of August 30, 1890, says:

> The importation of neat cattle, sheep, and other ruminants, and swine which are diseased or infected with any disease, or which shall have been exposed to such infection within 60 days next before their exportation, is hereby prohibited; and any person who shall knowingly violate the foregoing provision shall be deemed guilty of a misdemeanor, and shall, on conviction, be punished by a fine not exceeding $5,000 or by imprisonment not exceeding three years—

And so forth.

The effect of this amendment is to nullify the penalty clause of that law. If this amendment is adopted, it is no longer a punishable offense knowingly to bring diseased cattle into this country, if they are brought under regulations. The strictest regulations sometimes fail and the best of inspectors are sometimes deceived. If Senators want to take the responsibility of enacting an amendment of that kind, they are welcome to it.

Mr. POMERENE. May I ask the Senator a question?

Mr. SHEPPARD. Certainly.

Mr. POMERENE. Am I right in assuming that the amendment proposed by the Senator from Alabama places all the ports in the South—for instance, in Louisiana, Mississippi, New Mexico, and Arizona—on the same footing as ports of entry in Texas?

Mr. SHEPPARD. It makes the conditions of entry more liberal, both as to Texas and the rest of the South. Not only does it put them on an equality but it modifies the restrictions on the admission of cattle into Texas, as well as to the other ports of the South.

Mr. POMERENE. These ports are not on an equality now, as I understand it.

Mr. SHEPPARD. That is true, if you call it equality for one State to have diseased cattle admitted while others can not. I say, that if anything is done, let any existing special privilege be repealed. Do not extend it.

Mr. POMERENE. I understood from what the Senator from Alabama said that the restrictions proposed in his amendment are more drastic than those that are now imposed, so far as Texas is concerned.

Mr. UNDERWOOD. If the Senator will allow me, unquestionably to this extent. Tick-infested cattle can be admitted into Texas without being dipped on the other side of the border today. If this amendment is passed they will be dipped before they are brought across the line.

Mr. SHEPPARD. The Senator does not state the case entirely. This amendment applies not only to tick-infested cattle but to cattle of all kinds, not alone to cattle from Mexico and all other Spanish-American countries. In that way the restrictions are made vastly more liberal.

Mr. UNDERWOOD. If the Senator will allow me, that is merely an interpretation of the statute that he makes, in which the Secretary of Agriculture does not agree with him.

Mr. SHEPPARD. The Secretary of Agriculture does not say anything about the effect of this amendment on the law of 1890.

Mr. POMERENE. Let me ask this question further, and I ask it for information. If the amendment proposed by the Senator from Alabama becomes a law and is vigorously enforced, can these tick-infested cattle be introduced in this country so as to prejudice the other stock?

Mr. SHEPPARD. Exactly. Not only tick-infested cattle, but any other cattle that may get in under the regulations.

Mr. POMERENE. In what respect is the danger greater to the other stock than it would be if we left the law in the shape it now is?

Mr. SHEPPARD. Because the penalty no longer exists in the same degree as is now the case. That is why the menace is greater.

Mr. POMERENE. Do I understand that the penalty is repealed also?

Mr. SHEPPARD. It is repealed to the extent that regulations by departments are substituted for direct provisions of law.

Mr. UNDERWOOD. I will say to the Senator, if he will read the amendment—I do not want to contradict his statement——

Mr. SHEPPARD. In what respect is the law of 1890 amended by your amendment?

Mr. UNDERWOOD. Here is where it is amended, very plainly amended, in but one respect. I have said time and again that this amendment was prepared in the Agricultural Department. The Secretary of Agriculture stated in his letter what he intended by it. The law now would admit cattle in any port of the United States if they were dipped and then kept out for 30 days and dipped again. They could come now if they had the intervening space of 30 days.

Mr. SHEPPARD. The law of 1890 says nothing about 30 days. It says nothing about dipping. The Senator has in mind the regulation of the department.

Mr. UNDERWOOD. I am talking about the regulation under the law.

Mr. SHEPPARD. The Senator is talking about one thing and I about another.

Mr. UNDERWOOD. I understand; but what the Secretary is trying to change is to get it so construed that he can, through an act here that we pass, make a regulation that will allow the cattle to be dipped and wait five days and dip them again and bring them into the country, which is a commercial possibility. That is all the requirement when we carry cattle from the tick-infested portion of the United States into the quarantine portion. The proposition about the law repealing the penalty of 90 days is simply an idle dream. There is not a word of authority in it.

Mr. SHEPPARD. Then why do you refer to the act of 1890 in your amendment?

Mr. UNDERWOOD. The Secretary refers to it for the purpose of changing the regulation in reference to the admission of cattle that have had ticks on them and where these ticks have been removed. That is all there is to it.

Mr. SHEPPARD. There is no reference to ticks whatever in the law of 1890.

Mr. UNDERWOOD. But it is the regulation of it.

Mr. SHEPPARD. Oh, no.

Mr. UNDERWOOD. And there is no other purpose.

Mr. POMERENE. I should like to ask the Senator from Texas another question for information. If the law is permitted to remain as it now is, will the Texas cattle raisers and importers be benefited thereby as compared with other cattle importers and raisers in other States?

Mr. SHEPPARD. Yes; to the extent that anybody who takes the tick-infested cattle into the United States from Mexico is not subject to the penalty of the law of 1890.

Mr. POMERENE. So, looking at it from their standpoint they are largely controlled by selfish interests.

Mr. SHEPPARD. Let me say to the Senator that a large section of Texas has been cleaned up and is no longer within the quarantine line. Into that section tick-infested cattle can not be brought now. That section of Texas is on the same plane with the rest of the country above quarantine. The Texas catttle raisers say that whatever exceptions exist as to the quarantined part of Texas should not be extended. I do not stand here in the interest of any privilege or exemption, and I believe this to be the attitude of Texas cattlemen. I say it is dangerous to weaken the penalty clause of the law of 1890.

At the risk of tiring the Senate I want to read the terms of that law once more and then this amendment.

Mr. POMERENE. May I make a suggestion? If I understand the Senator from Texas and the Senator from Alabama, the Senator from Alabama says that these penalties are not repealed; the Senator from Texas seems to think that they are.

Mr. SHEPPARD. I am willing to read the law and the proposed amendment to the Senator and leave the matter to his judgment, inasmuch as he is one of the ablest lawyers in this body.

Mr. POMERENE. I thank the Senator for the compliment, but let me make this suggestion: If this language is not perfectly clear upon that subject, it seems to me the Senator from Alabama and the Senator from Texas could get together and make it so clear that he who runs might read.

Mr. UNDERWOOD. I will state to the Senator from Texas if the Senate suspends the rule and agrees to pass this amendment, and desires to put in a clause expressly stating that the penalty clause of the act of 1890 is not repealed, I will consent to it.

Mr. POMERENE. Why will not that settle it between the two distinguished Senators?

Mr. UNDERWOOD. It would. I know the Secretary of Agriculture has not sent a bill here repealing that penalty clause; but if the Senator from Texas wants to be safe about it, I will consent and agree to an amendment stating that the penalty clause is expressly not repealed.

Mr. POMERENE. I suggest, then, in the interest of time, that the Senator from Alabama amend his amendment so as to have that express provision in it.

Mr. UNDERWOOD. I will agree to any amendment the Senator from Texas desires to propose.

Mr. VARDAMAN. But until the rule has been suspended nothing can be done.

Mr. SHEPPARD. Such an amendment would make the Senator's amendment absolutely meaningless.

I wish further to call the attention of the Senate to the fact that the Secretary of Agriculture based his recommendation on the proposition that tick-infested cattle would be allowed not only to come into the United States by way of ports below the quarantine line, but above the quarantine line as well. The Secretary of Agriculture wants to put all the ports of the country on an equal basis. I do not believe the Senators from the Northern States would consent to the enlargement of the law so as to include their ports for a moment. Let me read the last sentence of his letter.

> This suggestion is offered in order that the committee may consider whether it cares to recommend the amendment of the bill so that it will admit tick-infested cattle into parts of the United States within as well as outside the cattle-quarantine area.

Senators will see that the Secretary of Agriculture bases his recommendation of this law on an entirely different theory from that advanced by the Senator from Alabama and the Senator from Louisiana.

Furthermore, they have offered a new amendment to the original which changes the original fundamentally from what it was when the Secretary of Agriculture recommended it. The Secretary of Agriculture recommended a law applying only to tick-infested cattle. These gentlemen have amended it so as to apply to cattle from all tick-infested countries. The fact that foot-and-mouth disease has not been found in a country does not mean that it may not be found at any moment. Let me tell the Senate it is attempting a dangerous thing when it tampers with a law that makes it a crime knowingly to bring any cattle that are diseased——

Mr. BROUSSARD. Will the Senator from Texas yield?

Mr. SHEPPARD. I yield.

Mr. BROUSSARD. I understand the Senator states now that the Secretary of Agriculture recommended the admission of cattle south of the line.

Mr. SHEPPARD. Yes; and above also.

Mr. BROUSSARD. Will the Senator answer this: Are you trying to carry out the letter of the Secretary with an amendment that says that no cattle shall enter above the quarantine line?

Mr. SHEPPARD. The Senator emphasized the letter so strongly that I felt justified in calling the attention of the Senate to its exact text.

Mr. BROUSSARD. Unquestionably the Senator from Alabama and myself submitted this bill, and the Secretary amended it to suit himself.

Mr. SHEPPARD. The Secretary contemplated the admission of cattle above the quarantine line as well as below it, and that is not your law.

Mr. BROUSSARD. But the Senator knows that the amendment says the cattle shall enter only below the quarantine line.

Mr. SHEPPARD. That is not the law recommended by the Secretary of Agriculture.

Mr. BROUSSARD. It is the law recommended in his letter.

Mr. SHEPPARD. I have read the concluding language of his letter to the Senate, and it shows that the Senator is mistaken.

Mr. SHAFROTH. I should like to ask the Senator from Texas a question. The Senator said that he is perfectly willing that the law which gives the exemption to the State of Texas should be repealed, and he has recommended that instead of a provision admitting infected cattle from other ports of the United States. If the rule is not suspended, is the Senator willing to propose that the law as to Texas, giving it a special privilege, shall be repealed?

Mr. SHEPPARD. I am. It will not be necessary for me to propose it, however, as the Senator from New Mexico [Mr. CATRON] has an amendment pending to that effect. All these charges about anybody in Texas desiring a monopoly are entirely unfounded.

Mr. SMITH of South Carolina. Let us have a vote now.

Mr. CATRON. I should like to say to the Senator from Colorado that I have already introduced an amendment repealing that law, which I will ask the Senate to put in the bill.

Mr. SHAFROTH. It is now pending?

Mr. CATRON. It is now pending, and it has been printed.

Mr. TOWNSEND. Mr. President, I do not know much about this cattle-tick pest, but I have been listening to its discussion here for several days and I have been impressed with the fact that it must be something terrible. The pending bill carries an appropriation of $750,000 for the purpose of exterminating it in the United States. As I understand the amendment of the Senator from Alabama it is to admit cattle from Mexico and Central America, as is the wording of the amendment, which are "tick infested."

Mr. UNDERWOOD. Will the Senator allow me to interrupt him? The amendment read originally "tick-infested cattle,"

because it was a technical term, but the amendment that it is proposed to vote on, as introduced by myself, says "cattle from tick-infested country."

Mr. TOWNSEND. I am basing my statement on the letter of the Secretary of Agriculture which has been offered by the Senator in support of his proposition. The Secretary, if he advises anything, advises that this shall apply to tick-infested cattle, a disease that we have been appropriating hundreds of thousands of dollars to eradicate.

Mr. WILLIAMS. I will say the amendment provides that treatment shall be given to the cattle before they come in.

Mr. TOWNSEND. I understand, and I have given due consideration to the fact that the amendment provides that some treatment shall be given to the cattle before they are admitted. But the real fact is, the cattle to be imported are either tick infested or else have been infected, and, at any rate, come from districts in foreign countries where the tick is prevalent. In other words, it is proposed to admit into our country for food purposes cattle which either have been recently or are at the time of importation sick with the tick fever; and in this very bill you are taking out of the people's Treasury three-quarters of a million dollars with which to eradicate this pest from our domestic herds.

This is such an anomalous proposition that I have been wondering what is the real reason back of it all. I know there have been so many amendments put on to this bill that provide for special interests and special localities that I perhaps ought not to look for any public good as the moving object, and yet somehow I am a little curious about this particular amendment.

The Agricultural bill has come to be quite like the river and harbor bill, so that it is now largely for local interests; ostensibly it is for the good of the farmer, but really it is more for political revenue than agricultural benefit. But the answer by the Senator from Alabama as to the object of this provision is that it will admit a few cattle—and he used the adjective "few"—a few cattle, and the cost of living will thereby be reduced.

Is it worth while, Mr. President and Senators, for us to take any chances on this disease, hoping thereby that we shall get a few cattle into the United States from some southern country? I have been almost compelled to rely upon the evidence of Senators who seem to be well informed about conditions in their localities as to national diseases or pests which infect live stock. While I have had some doubts, and while I have not approved of all of these extravagant appropriations, I have uttered no protest, satisfying my conscience as best I could that the object stated, namely, an effort to produce more healthful and abundant food was a worthy one. But I do protest, Mr. President, against adopting a provision which will permit the importation of foreign cattle about which there can be any question as to their health; and especially am I opposed to the admission of animals which recently have been afflicted and which possibly may now be sick with a communicable disease or just to exterminate which from our domestic cattle we are spending hundreds of thousands of dollars.

The Senator says that these ticks cause a fever which emaciates the animal and which, if unchecked, will cause its death, and yet he also states that the milk from a cow affected with this disease is all right for children; that the flesh of these cattle which have been reduced by the fever is fit for food.

Senators may haggle over this, yet the inference is irresistible that some locality expects to profit by the importation of a few cattle from a country where this disease exists.

Mr. President, I do not understand how we can be so inconsistent as to do a thing which might destroy or, at any rate, make more difficult the efforts of the Government to eradicate this cattle tick. When we have cured the disease at home, shall we continue to import it from abroad and thus make annual appropriations perpetual? I have read the statement of the Secretary of Agriculture. I read it quite differently from what has been suggested by the Senator from Alabama. This particular proposition has never been presented to the Secretary. He concludes that if it is thought best to adopt the amendment submitted to him, then some kind of protection should be thrown around it. Will the Senate conclude it is best for the purpose of benefiting a few cattle raisers in the South to subject the whole United States to the possibility of an added terror in the form of the cattle tick? Would it do this even if the Secretary of Agriculture had approved it?

Mr. SMITH of Georgia. Mr. President, I do not believe this will help any cattle raisers in the South.

Mr. TOWNSEND. I agree with the Senator from Georgia. Growers of domestic cattle could not favor it, but somebody expects to profit by the provision—shall I say cattle speculators? Possibly that expression would be better. At any rate the rules should not be suspended for the purpose of adopting this doubtful provision.

Mr. JONES. Mr. President, I have not been disposed to assist in the filibuster that is being carried on on the other side of the Chamber on the Agricultural appropriation bill. Almost every day I have been hoping that it would wear itself out and would cease, but there seems to be no indication of that at all, and so I think I shall take a little time to suggest one or two things.

Mr. President, this is a proposition to suspend the rules of the Senate—a stupendous proposition—to relieve an appropriation bill from that rule of the Senate which prohibits putting upon it general legislation. A few days ago a proposition of that sort was presented to the Senate. Some of the Senators expressed their horror that we should attempt to suspend the rules in order to attach to an appropriation bill general legislation. The proposition which we had at that time was one with which every Senator is perfectly familiar and the facts of which every Senator knows. It was a proposition to protect the States in the enforcement of laws which they had passed for their own protection and for the protection of their people and their homes. It was a proposition to prevent sending through the mails liquor advertisements into a State where such advertisements were prohibited by State law. There were some Senators who did not think that that was a matter of sufficient importance to warrant the suspension of the rules in order to put it upon an appropriation bill. There were some Senators who seemed to think that was a proposition that ought to be allowed to take its regular course, to be gotten up in the best way we could; and so it was voted down. Some expressed themselves as being in favor of the proposition, but they thought it was a horrible thing to try to suspend the rules so that we might put such legislation upon an appropriation bill, when such bills are generally composed of legislation, whether originating here or in some other body.

Mr. President, in connection with the proposition which was presented the other day, I have some material here which I want to put into the RECORD. I am not going to take time to read it. I received a very interesting letter from Judge Weakley, of Alabama, which gives some very valuable information and gives the number and the names of the States which have passed laws prohibiting the advertising of liquors. I want to put this letter into the RECORD, and I especially invite the attention of the members of the Post Office Committee to it.

The VICE PRESIDENT. In the absence of objection, permission to print the letter in the RECORD will be granted.

The letter referred to is as follows:

BIRMINGHAM, ALA., *July 7, 1916.*

Senator WESLEY L. JONES,
Washington, D. C.

DEAR SENATOR: I heard you speak at Indianapolis and was sorry I did not have an opportunity of meeting you there. Had I known you would return to Washington so soon, I would have sought you out; particularly would I have done this had I known it was your purpose on your return to undertake to secure the passage, as an amendment to the Post Office appropriation bill, of a bill forbidding the use of the mails to liquor circulars and advertisements when addressed into dry territory where it is unlawful to solicit orders or to advertise liquors. My interest in the matter arises out of the following facts: The Alabama Legislature, at a session in 1915, by a joint resolution, with the approval of the governor, memoralized Congress to enact legislation of this character, and appointed a commission of five citizens to go to Washington and present the matter to the authorities. I was named as one of the commission, and was elected by my associates as the chairman thereof. We went to Washington in the spring of 1915, appeared before the Alabama delegation, and at their request I drafted the bill which was introduced by Senator BANKHEAD in the Senate and by Mr. ABERCROMBIE in the House. In February, this year, the commissioners went to Washington again, and we appeared before the Senate and House Committees on Post Offices and Post Roads and had a hearing on the bill. I discussed the matter quite at length before both committees along the lines of your argument before the Senate, the principle involved being that the Federal Government ought not to lend its assistance to people outside of a State engaged in the liquor business in sending liquor advertisements into the State contrary to its laws.

Of course I would have been very delighted if you had succeeded with your splendid effort, but I do not think that the effort was amiss, inasmuch as it developed how the Senate stood on the matter, and, I think, showed that when the bill is reported from the committees and is regularly before the Senate it will pass. I have read the debate in the Senate with interest, and the prohibitionists of Alabama feel greatly indebted to you for your strong championship of the cause. I hope that the result will be that the Senate committee will report the bill quite soon. I have read the last two or three days that Senator SMITH of Georgia had introduced a similar bill, and you will have his assistance in contending for this legislation. I regret that Senator HARDWICK, of Georgia, which State has a similar law to ours, is opposing the bill. I do not see how anyone can contend that the Government should use its instrumentality for breaking down the valid laws of a State.

It is true that a good many newspapers formerly carrying liquor advertisements and circulating in this State have either cut them out entirely or are preparing special editions for prohibition States, which issues do not contain any liquor advertising. I inclose for your information and use a letter which I received last January from the magazine called Judge.

About that time the manager of Puck wrote me that his paper would soon send into Alabama and other prohibition States a special edition containing no liquor advertisements. I called the matter to the attention of Judge and asked that paper to do the same thing; hence the letter of January 25 to me. Ever since both Puck and Judge have both been sending the papers into Alabama, leaving blank white spaces where the regular edition contains liquor advertising. The pictorial paper Life also omits liquor advertisements and inserts on the corresponding spaces a statement something like this: "We can not tell you what appears in the regular edition in this space, but if you want to know send in your subscription, and we will send you the regular edition by mail. We are still on good terms with Uncle Sam." I will cut out and send you one of the statements from this paper. You will see the paper boasts of its ability to circumvent our law by the use of the Federal mails. I inclose you also a clipping from the Atlanta Constitution, in the form of a letter written by Miss Wingo, general secretary of the Young Women's Christian Association, protesting against the use of the mails to defeat the Georgia law.

The Alabama antiadvertising law has been sustained by our supreme court, as you will see from the opinions inclosed. I also inclose a copy of the law, which, you will see, is very stringent. It took effect on February 8, 1915. Immediately after its passage the Memphis Commercial Appeal and the Chattanooga Times, which circulate in this State and are sold on trains here, at once cut out all their liquor advertising, and the Atlanta Constitution and Atlanta Journal prepared special Alabama editions free of such objectionable matter. The Alabama statute has been since copied in Georgia and also in Mississippi, the Georgia law taking effect May 1, 1916, and the Mississippi law May 16, 1916. The act is also incorporated in the general Virginia State-wide law, effective November 1, 1916. Other States that have laws against liquor advertising are the following: North Dakota, Washington, Oregon, Colorado, Kansas, Arkansas, Oklahoma, and Maine. The Maine statute has been sustained in State of Maine *v.* Bass Publishing Co., 20 L. R. A. (NS), 495. Other authorities are cited in the opinion of the Supreme Court of Alabama in the case of State of Alabama *v.* W. C. Delaye, officially reported in 68 So. Rep., 993. The right of a State to prohibit liquor advertising, although the liquor is to be shipped from another State, is supported by the decision of Chief Justice White, in Delamater *v.* South Dakota, 205 U. S., 93, which, you will see, is fully considered and referred to in the Alabama case.

The wholesale liquor dealers at Chattanooga, Tenn., and Pensacola, Fla., send such circulars into Alabama by the thousands. I am inclosing you a few of the many that have come into my hands. You will notice the picture on one envelope of a fishing party; this is used to induce people to open the envelope.

I also inclose you a certified copy of a resolution adopted by the House of Representatives of the Mississippi Legislature indorsing the Bankhead-Abercrombie bill and urging the Senators and Representatives in Congress from that State to support the bill and aid in securing its enactment. The National Women's Christian Temperance Union and the Women's Christian Temperance Union of Mississippi, Alabama, and Georgia have all indorsed this bill and are urging its passage. The prohibition States of the South will feel deeply grateful to you and other Senators when we secure the enactment of the law protecting dry territory from the solicitations of orders by outside liquor dealers that flood the mails, particularly about Christmas time.

With regards and best wishes,

Yours, very truly,

SAM'L D. WEAKLEY,
Former Chief Justice of Alabama.

P. S.: I have drafted all of the Alabama prohibition laws, 1907–1915; also recent laws of Georgia and Mississippi.

S. D. W.

Mr. JONES. I also desire to place in the RECORD printed extracts from the Atlanta Constitution; also a letter from the representative of the Judge magazine, with which we are all familiar; also a copy of the Alabama law, which is short; and also a memorial from the Legislature of the State of Mississippi, which is likewise short. I ask that these papers may be inserted in the RECORD without reading.

The VICE PRESIDENT. Without objection, it is so ordered. The papers referred to are as follows:

[Atlanta Constitution, May 4, 1916.]

PROTESTS AGAINST USING MAILS TO DEFEAT LAW.

EDITOR CONSTITUTION: This morning I turned from the reading of your strong and stirring editorial on the use of the United States mails for advertising adjudged illegal, to open my mail and found May 1 whisky ad. addressed to "Occupant of 54 Houston Street."

Not only is every resource of directories and mailing lists being exhausted, but that no one may escape, this matter is being sent to "occupants" of houses formerly vacant.

As you say, this method of publicity is much more effective than that of the press, and after the newspapers have thrown their influence upon the side of absolute enforcement of law, to have the very object of the whole thing defeated by this more intimate and individual form of advertising, which, like the vermin in the plagues of Egypt, creeps "into our bed chambers and our kneading troughs," is too much to be endured.

Your promptness in registering your protest makes many of us hope that you will go on "overturning and overturning" until that which can not be endured will be cured.

Very cordially, yours,

ALICE LOGAN WINGO,
General Secretary Y. W. C. A.

MAY 2, 1916.

JUDGE ADVERTISING DEPARTMENT,
New York, January 25, 1916.

Mr. SAMUEL D. WEAKLEY,
Jefferson County Bank Building, Birmingham, Ala.

DEAR SIR: Replying to your letter of January 19 relative recent legislation made by the State of Alabama excluding liquor advertising.

As you will note from the attached proof of the Judge page, we are having all such advertisements excluded from the pages of issues that are being forwarded to prohibition States. Possibly, through an oversight, in handling the bulk of copies shipped your State one or two copies containing liquor advertisements were included and reached you.

You may be sure that we wish to uphold the laws of your State, and take this opportunity to thank you for your interest in the matter in calling this error to our attention.

Yours, very truly,

EDWARD V. HEVEY, *For Judge.*

An act (S. 56) to further promote temperance and suppress the evils of intemperance; to prevent the advertisement of or solicitation of orders for alcoholic, spirituous, vinous, or malt liquors, such as brandy, whisky, wine, rum, gin, beer, and other intoxicating liquors, and beverages, and other liquids, liquors, and beverages prohibited by the laws of Alabama to be manufactured, sold, or otherwise disposed of in this State; to provide for the removal of such advertisements in defined cases, and to provide for the prevention of the continuation and repetition of the acts hereby made unlawful; and to prescribe remedies, procedure, penalties, and punishment.

Be it enacted by the Legislature of Alabama:

SECTION 1. Whereas it is the public policy of this State to discourage the use and consumption of prohibited liquors and beverages, and to secure the strict enforcement of the law against the manufacture, sale, keeping for sale, or other disposition thereof within this State; that is to say, alcoholic, spirituous, vinous, or malt liquors, such as brandy, whisky, rum, gin, and beer, and other intoxicating liquors and beverages, and all other liquors, liquids, and beverages prohibited by the laws of Alabama to be manufactured, sold, or otherwise disposed of in the State: Therefore it is hereby made unlawful (1) to advertise upon any street car, railroad car, or other vehicle of transportation, or at any public place or resort, or upon any sign or billboard, or by circulars, posters, price lists, newspapers, periodicals, or otherwise within this State, said liquors and beverages, or any of them, or to advertise the manufacture, sale, keeping for sale, or furnishing of any of them, or the person from whom or the firm or corporation from which, or the place where, or the price at which, or the method by which the same or any of them may be obtained; (2) to circulate or publish any newspapers, periodical, or other written or printed matter in which any advertisement in this section specified shall appear, or to permit any sign or billboard containing such advertisement to remain upon one's premises; or to circulate any price lists, order blanks, or other matter for the purpose of inducing or securing orders for such liquors, liquids, and beverages, or any of them, no matter where located. Any sheriff, constable, or police officer is authorized to remove any such advertisement from any sign, billboard, or other public place when it comes to his notice, and shall do so upon demand of any citizen.

SEC. 2. That any advertisement or notice containing the picture of a brewery, distillery, bottle, keg, barrel, or box, or other receptacle represented as containing any of said liquors or beverages, or designed to serve as an advertisement thereof, shall be within the inhibition of section 1.

SEC. 3. That where and when any violation of any of the provisions of section 1 of this act shall have occurred the continuation or repetition of the unlawful act or any of like kind by the offending person, firm, or corporation may be prevented by a writ of injunction issued out of a court of equity upon a bill filed in the name of the State of Alabama by the State attorney general, or by any solicitor or prosecuting attorney in the county, or by any citizen or citizens of the county in which the offense has been committed; and all rules of evidence, practice, and procedure that pertain to courts of equity generally in this State may be invoked and applied, as well as the rules and practice prescribed for bills in equity to abate liquor nuisances, as far as the same are adaptable. All persons, whether agents, servants, or officers of corporations, or agents or servants of individuals aiding or abetting in the commission of the offense, may be made parties defendant to such bills.

SEC. 4. That any violation of any provision of section 1 of this act shall be punishable by a fine of not less than $50 nor more than $500, to which may be added in the discretion of the court or judge trying the case imprisonment in the county jail or at hard labor for the county for not more than six months.

SEC. 4½. That since this act has a broader field of operation than section 3 of an act approved August 25, 1909, to further suppress the evils of intemperance, and for other purposes, known as the Fuller bill, and also than the corresponding section of a similar act enacted at this session and approved January 23, 1915, to take effect June 30, 1915, said two sections of said two acts are hereby expressly repealed.

SEC. 5. That this act shall take effect from and after its final passage and enactment into law, the public welfare requiring it.

Passed by the senate and house February 19, 1915.

Whereas, upon a memorial to Congress from the Legislature of Alabama, the Hon. JOHN H. BANKHEAD, United States Senator, and the Hon. JOHN W. ABERCROMBIE, Congressman at large from that State, have introduced into the Federal Senate and House of Representatives, respectively, a bill to exclude liquor circulars and liquor advertising from the mails where addressed into prohibition territory or into territory where it is unlawful to advertise or solicit orders for liquors; now, therefore, be it

Resolved by the House of Representatives of the State of Mississippi (the Senate concurring). That we indorse said Abercrombie-Bankhead bill and urge upon the Senators and Representatives in Congress from Mississippi that they support said bill and use their best endeavors to secure its passage.

Resolved further, That they be furnished with a copy of this resolution.

The foregoing is a correct copy of House Concurrent Resolution No. 39, as the same passed the House of Representatives on January 27, 1916.

GEORGE B. POWER,
Clerk of the House.

Mr. JONES. Mr. President, I merely wish to call attention, in connection with this matter, to a sort of advertisement which is now being sent out. I have here an envelope, which has on it a very beautiful picture; it is very attractive at this time, at any rate. It represents a fishing party of a half dozen gentlemen, very nicely dressed for purposes of that kind, and they have also in their possession a fish apparently about 15 feet long. [Laughter.] That is all there is on the outside to indicate what it is, but inside is the advertisement of liquor. I

suppose they would consider that as bait. This was sent to a citizen of Alabama.

Mr. President, the pending proposition is a motion to suspend the rules of the Senate in order that we may put upon an appropriation bill some general legislation about the effect and advantage of which the Senators who are especially interested and whose States are especially interested, are very much divided. While I do not think that appropriation bills are sacred, for I think we should be justified in putting general legislation upon them quite frequently under a suspension of the rules, I must say that I can not see anything in the pending proposition to justify us in voting to suspend the rules.

I do not know very much about this proposition. I have listened to the debate and tried to get some idea of it, but I must say that I do not know what the effect would be if we should put this amendment on the bill. So it seems to me that this is one case where we ought to await the report of a committee. No committee of the Senate, as I understand, has submitted any report upon this proposed amendment or upon this legislation. We are going to have a morning hour, as I understand, twice a week. Why can not this matter be considered by a committee of the Senate and reported out here as they think it ought to be reported, and be then taken up? If that should be done, I venture to say there would be no trouble in passing it, if it is supported by the favorable report of a committee. So far as I am concerned, I do not think enough has been shown to warrant me in voting to suspend the rules of the Senate on this proposition.

Mr. SMOOT. Mr. President, I presume every Member of the Senate knows how I stand in regard to voting on motions involving the suspension of the rules. I do not care what the subject is, whether it is prohibition or any other question, I have never yet voted to suspend the rules of the Senate for the purpose of putting general legislation on an appropriation bill. I shall not do so now, and I shall never do so unless it is a question which is of vital interest to the Government of the United States and of pressing necessity. That is all I care to say about the matter.

SEVERAL SENATORS. Vote!

The VICE PRESIDENT. The question is on the motion of the Senator from Alabama to suspend clause 3 of Rule XVI.

Mr. SHEPPARD. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CLAPP (when his name was called). Having a general pair with the senior Senator from North Carolina [Mr. SIMMONS] and observing his absence, I withhold my vote. If at liberty to vote, I should vote "nay."

Mr. CLARK of Wyoming (when his name was called). I have a general pair with the senior Senator from Missouri [Mr. STONE]. In the absence of that Senator I withhold my vote.

Mr. CLARKE of Arkansas (when his name was called). I have a pair with the junior Senator from Utah [Mr. SUTHERLAND]. I do not see him in the Chamber at this time. I transfer that pair to my colleague [Mr. ROBINSON] and vote "yea."

Mr. DU PONT (when his name was called). I inquire whether the junior Senator from Kentucky [Mr. BECKHAM] has voted?

The VICE PRESIDENT. He has not.

Mr. DU PONT. Then I withhold my vote, as I have a general pair with that Senator.

Mr. SHERMAN (when his name was called). I have a pair with the senior Senator from New Jersey [Mr. MARTINE], and therefore withhold my vote.

Mr. WILLIAMS (when his name was called). I transfer my general pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the Senator from New Jersey [Mr. HUGHES] and vote "yea."

The roll call was concluded.

Mr. CURTIS (after having voted in the negative). I transfer my general pair with the Senator from Georgia [Mr. HARDWICK] to the senior Senator from California [Mr. WORKS] and will let my vote stand.

Mr. BECKHAM. I transfer my pair with the Senator from Delaware [Mr. DU PONT] to the senior Senator from Nevada [Mr. NEWLANDS] and vote "yea."

Mr. CHILTON. I announce my pair and its transfer as before, and vote "nay."

Mr. DILLINGHAM (after having voted in the negative). I observe that the Senator from Maryland [Mr. SMITH] has not voted. I therefore withdraw my vote, having a general pair with him.

Mr. GRONNA. I have a general paid with the Senator from Maine [Mr. JOHNSON]. In his absence I withhold my vote. If permitted to vote, I should vote "nay."

Mr. SIMMONS. I wish to inquire whether the Senator from Minnesota [Mr. CLAPP] has voted?

The VICE PRESIDENT. He has not.

Mr. SIMMONS. I have a pair with that Senator. I transfer that pair to the Senator from Maryland [Mr. LEE] and vote "yea."

Mr. KERN. I desire again to announce the unavoidable absence of my colleague [Mr. TAGGART], who is paired with the junior Senator from Vermont [Mr. PAGE].

Mr. CURTIS. Mr. President, I have been requested to announce the following pairs:

The Senator from Rhode Island [Mr. COLT] with the Senator from Delaware [Mr. SAULSBURY];

The Senator from New Mexico [Mr. FALL] with the Senator from West Virginia [Mr. CHILTON];

The Senator from West Virginia [Mr. GOFF] with the Senator from South Carolina [Mr. TILLMAN];

The Senator from Connecticut [Mr. MCLEAN] with the Senator from Montana [Mr. MYERS]; and

The Senator from Michigan [Mr. SMITH] with the Senator from Missouri [Mr. REED].

Mr. GRONNA. I transfer my pair with the Senator from Maine [Mr. JOHNSON] to the senior Senator from Idaho [Mr. BORAH] and vote "nay."

The result was announced—yeas 18, nays 44, as follows:

YEAS—18.

Bankhead	Fletcher	Owen	Underwood
Beckham	Husting	Ransdell	Vardaman
Broussard	Johnson, S. Dak.	Simmons	Williams
Chamberlain	Lewis	Smith, S. C.	
Clarke, Ark.	Norris	Thomas	

NAYS—44.

Ashurst	Hitchcock	Martin, Va.	Shields
Brady	Hollis	Nelson	Smith, Ariz.
Brandegee	James	O'Gorman	Smoot
Bryan	Jones	Oliver	Sterling
Catron	Kenyon	Overman	Swanson
Chilton	Kern	Phelan	Thompson
Culberson	La Follette	Pittman	Townsend
Cummins	Lane	Poindexter	Wadsworth
Curtis	Lippitt	Pomerene	Walsh
Gallinger	Lodge	Shafroth	Warren
Gronna	McCumber	Sheppard	Weeks

NOT VOTING—33.

Borah	Harding	Newlands	Smith, Mich.
Clapp	Hardwick	Page	Stone
Clark, Wyo.	Hughes	Penrose	Sutherland
Colt	Johnson, Me.	Reed	Taggart
Dillingham	Lea, Tenn.	Robinson	Tillman
du Pont	Lee, Md.	Saulsbury	Works
Fall	McLean	Sherman	
Goff	Martine, N. J.	Smith, Ga.	
Gore	Myers	Smith, Md.	

So the motion to suspend the rules was rejected.

Mr. UNDERWOOD. Mr. President, I desire to offer an amendment to the pending bill, which I send to the desk and ask to have inserted at the end of line 9 on page 25 of the bill.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 25, at the end of line 9, it is proposed to insert:

For the purchase and distribution of seeds, under the direction of the Commissioner of Agriculture, to the people in storm and overflowed localities in Alabama and Mississippi who are made destitute by the recent storms and floods in those States, $10,000.

Mr. UNDERWOOD. Mr. President, I shall not detain the Senate with any extended statement about this proposition. In connection with the tropical storm that recently swept over the Gulf States an unprecedented fall of rain has taken place. In one portion of Alabama, I see from the weather reports, there was approximately 9 inches of rainfall in 12 hours, and it rained continuously for several days, with the result that the rivers of Alabama and Mississippi have had a flood that was unknown before. A large portion of the farming lands has been overflowed and the crops wiped out entirely. Among a great many very poor people there is great destitution and want.

There are many precedents for the proposition that I have offered. In the Forty-seventh Congress an act appropriating $20,000 for the purchase and distribution of seeds was passed for the overflowed lands of the Mississippi. In 1882 an appropriation of $20,000 was made to furnish seeds following a pest of grasshoppers that swept through the West. In June, 1878, a bill was passed for the purchase of garden and field seed for distribution to land in the West that was ravaged by grasshoppers. Only recently we made a large appropriation of several hundred thousand dollars for the relief of sufferers from fire

conditions in New England, and later there have been appropriations for the relief of sufferers from flood conditions in Ohio and the Middle West. The flood conditions here are not in the cities, but largely in the country, where the streams overflowed and brought great distress to thousands of very poor people.

I would not offer this amendment if it had not been customary. There is no question about the condition and the destitution that has been brought about by this unusual and devastating flood.

Mr. SHEPPARD. Mr. President, I think the resolution said "the Commissioner of Agriculture." Should it not be "the Secretary of Agriculture"?

Mr. UNDERWOOD. It should be "the Secretary of Agriculture." I thank the Senator.

Mr. SHEPPARD. I am very heartily in favor of the amendment.

The VICE PRESIDENT. The Secretary will correct the amendment as suggested.

Mr. VARDAMAN. Mr. President, I have no definite information from Mississippi as to the extent of the devastation of the recent flood. I have, however, learned from the newspapers and by personal correspondence that the disaster was very widespread. A Member of Congress from a southern district of the State said to me a moment ago that more than $15,000,000 worth of property was destroyed by the storm and the flood in his district alone.

As to the necessity for this appropriation, I can not speak advisedly. No request or suggestion has come to me from my constituents for governmental aid, but I am sure great suffering from the flood will result and that any help from the Government of the United States will be acceptable. The rainfall has been enormous. The crops have been destroyed, and the damage to every branch of industry is very great; and if the matter is left to the discretion of the Secretary of Agriculture I am very sure that the money that may be appropriated by Congress will be prudently and properly expended. For those in my State who may be unable to buy seeds to replant their crops of course I shall be very grateful to the Senate if it passes this amendment and makes provision for this emergency. It will be an act of generosity on the part of the Congress which the people of Mississippi and Alabama will most gratefully esteem.

I have nothing further to say.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. CATRON. Mr. President, I present an amendment which repeals the provision of the law which allows cattle to be introduced into Texas from Mexico.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 78, line 17, it is proposed to insert:

That portion of the act of March 4, 1911, entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1912," which reads as follows: "The act of August 30, 1890, is hereby amended so as to authorize the Secretary of Agriculture, within his discretion and under such joint regulations as may be prescribed by the Secretary of Agriculture and the Secretary of the Treasury, to permit the admission of tick-infested cattle from Mexico into that part of Texas below the southern cattle quarantine line," be, and the same is hereby, repealed.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SMITH of Georgia. Mr. President, on page 125, lines 4 and 5, is the provision of the bill making an appropriation for the purchase and operation of automobiles owned by the Government. The Secretary of Agriculture has called our attention to the fact that a great quantity of his work is performed away from depot stations and that it is impossible for his agents to do their work on foot and that under "general transportation expenses" they spend a considerable sum to hire vehicles to get around over the country. He has also called attention to the fact that under language just similar to that which we used in this bill the Comptroller of the Treasury has ruled that no vehicles can be hired; and I suggest that this provision be qualified so as not to prevent the ordinary hiring of vehicles by agents of the department.

In compliance with his request, I offer the following amendment:

Strike out the period after the "year," on line 11, page 125, and insert a colon and the following:

Provided further, That nothing in this paragraph shall be construed to prohibit the hire of motor-propelled and horse-drawn passenger-carrying vehicles and motor boats necessary in the conduct of the field work of the department, or the maintenance, repair, or operation of vehicles so hired.

The Secretary sent letters to each member of our committee to-day, and personal representatives, urging us to put a qualification to this provision, as otherwise the service will be seriously handicapped under the construction of the Comptroller. I do not see how that construction could have been placed upon the language; but in deference to the views of the Secretary, before the matter passes from the Senate, I ask that that amendment may be made. I shall, however, wish to look into it a little further, because I think such a construction of such language very strained.

Mr. SMOOT. Mr. President, would it not be better to have the amendment refer specifically to section 5 of the legislative, executive, and judicial appropriation act approved July 16, 1914? When that bill passed we had particular reference to stopping an evil that was then existing.

Mr. SMITH of Georgia. I am perfectly willing to make that change. I did not draw it in that way because I thought it might be subject to a point of order if drawn in that way, and I knew it was not as I presented it.

Mr. SMOOT. Yes, Mr. President; I think it is subject to a point of order when drawn in this way, because it is changing existing law.

Mr. SMITH of Georgia. No; it does not undertake to change existing law. It prevents this paragraph from changing existing law.

Mr. SMOOT. This paragraph has reference to a general law that was passed in the legislative, executive, and judicial appropriation bill.

Mr. SMITH of Georgia. I am perfectly willing to accept the other language.

Mr. SMOOT. I will say to the Senator that I have no intention whatever of making a point of order on it, because I think that under the construction which has been placed upon it by the Comptroller of the Treasury we ought to adopt this amendment.

Mr. SMITH of Georgia. We simply must do it. Nobody ever contemplated so limiting the service.

Mr. SMOOT. But I, like the Senator, can not conceive on what ground such a construction was arrived at.

Mr. SMITH of South Carolina. The Secretary has explained it.

Mr. SMITH of Georgia. I accept the suggestion of the Senator from Utah, and modify the language in that way.

Mr. SMOOT. I do not want it understood that it applies to any other of the departments of our Government.

The VICE PRESIDENT. Will the Senator from Georgia modify it so that the Secretary can get it?

Mr. SMITH of Georgia. You have the exact language there.

Mr. SMOOT. I will hand the language to the Secretary.

The SECRETARY. On page 125, line 11, after the word "year" and before the period, it is proposed to insert a colon and the following words:

Provided, That hereafter section 5 of the legislative, executive, and judicial appropriation act approved July 16, 1914 (38 Stat., p. 508), shall not be construed to apply to the hire of motor-propelled and horse-drawn passenger-carrying vehicles and motor boats necessary in the conduct of the field work of the department, or to the maintenance, repair, or operation of vehicles so hired.

The VICE PRESIDENT. The question is on agreeing to the amendment as modified.

The amendment was agreed to.

Mr. PITTMAN. Mr. President, I offer an amendment similar to the one that I offered in Committee of the Whole, to which the point of order was raised by the Senator from North Dakota. I have modified that amendment in a manner that I believe will not be objectionable to the Senator nor to the committee. I therefore submit it. It has already been debated at length.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 14, line 16, it is proposed to insert the following:

That the sum of $125,000 is hereby appropriated for the fiscal year ending June 30, 1917, out of any money in the United States Treasury not otherwise appropriated, for the purchase and maintenance of stallions for the upbreeding of horses suitable for agricultural and military purposes; such stallions shall be available for the use by and for the benefit of horse raisers in every section of the United States: *Provided*, That all expenditures authorized under this act shall be made by the Bureau of Animal Industry, Department of Agriculture.

Mr. SMITH of South Carolina. Mr. President, I think that that amendment is subject to a point of order. I make the point of order against it.

The VICE PRESIDENT. The point of order is sustained.

Mr. SHAFROTH. Mr. President, a suggestion has been made that in section 6 of the grain-grading act one point is not covered, which is probably an oversight. There is a provision on page 9, in lines 4, 5, and 6, that reads as follows:

Whenever an appeal shall be taken or a dispute referred to the Secretary of Agriculture under this act, he shall charge and assess, and cause to be collected, a reasonable fee in amount to be fixed by him, which fee, in case of an appeal, shall be refunded if the appeal is sustained.

There is no provision as to who shall pay the fee in that case, and it is customary that the person who is the loser in the matter of the appeal shall pay under those circumstances. So I move that at the end of the word "sustained," in line 7, on page 9, of the print of the grain-grading section, the following words be inserted:

And in that case the fee for appeal shall be paid by the shipper who has shipped the grain of the wrong grade.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. In the bill, on page 105, line 16, after the word "sustained," it is proposed to insert:

and in that case the fee for appeal shall be paid by the shipper who has shipped the grain of the wrong grade.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SHEPPARD. Mr. President, I offer the following amendment to come in after line 12, on page 79.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 79, after line 12, it is proposed to insert:

That the Secretary of the Interior be, and is hereby, authorized and directed to make, or cause to be made, further investigation and survey of the Pecos River and Valley in Texas and New Mexico, with the view of determining the feasibility and cost of constructing a reservoir at Red Bluff for irrigation purposes, and to report his conclusions thereon to Congress, and the sum of $10,000, or so much thereof as may be necessary, is hereby appropriated for that purpose.

Mr. SMITH of Georgia. I make a point of order against the amendment.

Mr. SHEPPARD. I will say to the Senator that the Senator from Idaho [Mr. BORAH] was permitted to insert a similar provision a few days ago and the chairman of the committee did not make a point of order against it.

Mr. SMITH of Georgia. I was not aware of that.

The VICE PRESIDENT. The point of order is sustained.

Mr. LA FOLLETTE. I offer the amendment which I send to the desk to be added on page 104. It comes in after line 11, on page 7 of the grain-grading reprint, at the end of section 4.

The VICE PRESIDENT. The amendment will be read.

The SECRETARY. After the amendment already adopted at that place, submitted by Mr. MCCUMBER, insert at the end of section 4, page 104:

Provided further, That the Secretary of Agriculture shall require said supervisors to ascertain and report the number of bushels of grain and the grades of the same, in each of said terminal elevators on the 1st day of September, 1916, and the number of bushels of grain and the grades of the same received, and the number of bushels of grain and the grades of the same shipped out of each of said elevators, each month during each and every year thereafter. And the Secretary of Agriculture shall, on the 1st day of January and the 1st day of July of each year, transmit to Congress a summary of such reports showing the number of bushels of grain and the grades of the same received, and the number of bushels of grain and the grades of the same shipped out of each of said terminal elevators each month of the biennial period covered by such report.

Mr. SMITH of South Carolina. I accept that.

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

NAVAL APPROPRIATIONS.

Mr. SWANSON. I move that the Senate proceed to the consideration of House bill 15947, the naval appropriation bill.

The VICE PRESIDENT. The question is on the motion of the Senator from Virginia.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 15947) making appropriations for the naval service for the fiscal year ending June 30, 1917, and for other purposes, which had been reported from the Committee on Naval Affairs with amendments.

Mr. SWANSON. I ask unanimous consent that the formal reading of the bill be dispensed with and that it be read for action on the committee amendments.

The VICE PRESIDENT. The committee amendments to be first considered. Is there objection?

Mr. SMOOT. I understand that that is all the Senator wants to do to-day.

Mr. SWANSON. Yes; I will yield for an executive session.

The VICE PRESIDENT. Is there objection to the request of the Senator from Virginia? The Chair hears none, and it is so ordered.

TARGET PRACTICE IN THE NAVY (S. DOC. NO. 496).

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Secretary of the Navy, transmitting in further response to a resolution of June 30, 1916, information relative to the target practice of battleships in the Navy. The communication and accompanying papers will lie on the table and be printed, and also be printed in the RECORD.

The communication is as follows:

THE SECRETARY OF THE NAVY,
Washington, July 11, 1916.

SIR: Some days ago, in response to a resolution of the Senate with reference to the target practice of battleships in the Navy, I transmitted a brief preliminary statement showing the standing of the ships upon a new plan adopted by Admiral Mayo. At my request, Capt. C. P. Plunkett, director of gunnery exercises and engineering performances, has made a comparative statement for several years, based on the scale adopted by Admiral Mayo and first used last year. This statement by Capt. Plunkett, as summarized, is as follows:

Vessels scoring—	1910	1912	1913	1914	1915–16
Excellent	1	0	1	3	5
Good	2	3	1	2	4
Fair	5	1	0	2	2
Poor	6	5	2	4	4
Unsatisfactory	12	17	20	14	3

His full and comprehensive statement is appended:

In the hearings before the House Naval Affairs Committee, when asked about target practice, Admiral Fletcher, then commander in chief of the Atlantic fleet, said:

"The scores recorded are higher than ever before made in the open sea, and show not only an increase in accuracy of pointing but in rapidity of fire as well."

In his hearings before the Naval Affairs Committee, Capt. William S. Sims, who was at one time director of target practice and who was a pioneer in gunnery in the modern Navy, testified that "our target practice was high until 1900, when it again declined," because the department then abandoned short-range individual practice. In 1912 the individual practice was restored, but the damage had been done. In 1914 boards of inspection were appointed, "when," Capt. Sims states further, "the target practice came up about 40 per cent."

After the receipt of the resolution adopted by the Senate on the 30th of June, 1916, in order to give the Senate the full information relating to target practice I addressed letters to Rear Admiral Fletcher, Admiral Mayo, and Capt. Sims, requesting statements giving important facts concerning gunnery, such as comparison of ranges at which firing was held, changes in conditions under which practices were held, methods adopted to improve gunnery, and the like. I append the answers received because they show the conditions under which the practice has been held, and will convey better than any mere table a clear understanding of the marked improvement in gunnery practice and the long-range firing which Admiral Fletcher states has recorded higher scores than ever before.

Very truly, yours, JOSEPHUS DANIELS.

The PRESIDENT OF THE UNITED STATES SENATE.

STATEMENT BY ADMIRAL MAYO.

UNITED STATES ATLANTIC FLEET,
U. S. S. WYOMING (FLAGSHIP),
Newport, R. I., July 9, 1916.

MY DEAR MR. SECRETARY: Your letter inclosing an extract from the Washington Post of July 8, 1916, referring to "Bad gunnery by the fleet," has just been received, and the facts which are presented herein should remove any misunderstanding as to the great progress made in gunnery during the past year and should give a clearer understanding of the comparisons which were made for the last elementary practice.

The report of ratings, to which reference is made in the extract from the Washington Post, was made on completion of elementary target practice in the fall of 1915, and referred only to that practice. On the completion of that practice it was apparent that very great improvement had been made over the records of the similar practice of the preceding year, this increase in efficiency averaging about 40 per cent for all battleships that had fired. In order to counteract any feeling of complacency among officers and men which might arise from their self-congratulation over their increase in efficiency, the report referred to was prepared, as it was believed that a standard which it was possible for battleships to attain had by no means been reached. For this reason the ratings shown in the report were made and sent out to the vessels of the battleship squadrons and to the commander in chief. To the best of information, no similar report was ever made, though the system used in determining the ratings was a development of that used by the Navy Department as early as 1905, and further developed by the Navy Department in 1908. On page 6 of the Report of the Annual Record of Target Practice, 1908, the following statement appears:

"Star ships are those that attain at least 85 per cent of the final merit of the trophy winners of their respective classes."

There were no other ratings. In rating the ships of the battleship squardons on the elementary practice of last fall, the above system was used, being developed and extended to all ships. For instance, ships receiving 85 per cent of the final merit of the highest ship were rated as excellent; those receiving between 75 and 85 per cent were rated as good; those receiving between 60 and 75 per cent were rated as fair; those receiving between 50 and 60 per cent were rated as poor; and less than 50 per cent as unsatisfactory.

Briefly, the development of the elementary practice has been as follows: A short-range practice has been held since about 1902, except during the year 1911, when it was omitted. The name of this short-range practice has been changed several times since that time, which marked a revival of gunnery in our service. It was first known as record practice. In 1910, the name of the record practice was changed to elementary practice; this year it has been changed to gunnery exercises, short-range battle practice. Although the name of the practice has been changed several times, the ranges and sizes of the targets have remained practically the same. In fact, for battleships, there has been no change in either range or size of target since 1910. There have been changes in the methods of conducting the practice, all with a view to making this short-range practice, under absolutely known conditions, a thorough preparation for the battle-target practice and for battle. Being conducted under known conditions, it is the practice which ap-

peals most strongly to the various units of the ship; that is, to the guns' and turrets' crews and division officers, as it is possible to determine exactly their performances and make comparisons with other units. Prior to 1913, guns' crews were permitted to fire at will on this practice, which contributed largely to the interest in it, though it was somewhat artificial for actual battle. In 1913, due to natural progress, the guns' crews were required to fire on this practice as they would do in battle, and this progress has been continued up to the present time, slight changes being made to eliminate artificialities in so far as possible. It is believed that this change, i. e., requiring guns' crews to fire as in battle, was a very radical one, and when made its importance was not fully appreciated by the service. I believe that the present short-range practice retains all the basic principles necessary to train and develop the ships' batteries for battle, as well as to retain the interest of the individual units in the results. In 1911, no elementary practice was held, that is, no practice at a short range. This practice was omitted because many officers thought it was a waste of ammunition to fire at such ranges. It is believed that they failed to appreciate fully the fact that guns' crews must be trained and tested at ranges where all the conditions are known before any practical results may be expected at long ranges. The effect of the omission of the short-range practice for the year was noted at once and the practice resumed in 1912.

The Navy Department has recently issued orders for the coming short-range practice, heretofore known as elementary practice, which embodies practically all the developments of the past three years, and which produced fairly satisfactory results at battle ranges of 6 to 9 miles held in Cuban waters the past winter. In this connection the cooperation between the director of gunnery exercises of the Office of the Chief of Naval Operations and the fleet is all that could be desired, and it is firmly believed that the coming short-range practice will show continued improvement.

It is noted that the resolution of Senator LODGE called for a report regarding elementary target practice of 1915–16, for which the above comparison was made, and not for a report of target practice for the full gunnery year. It may be proper to state here briefly that the results of the long-range practice held in Cuban waters during the past winter under the direction of Admiral Fletcher, who was then commander in chief, while in no sense phenomenal or resulting in a great number of actual hits on the target screen, did demonstrate that our ships could hit at long range, and the result of the target practice imparted to officers and men a feeling of confidence in their ability to do good work on actual ships at long ranges, which feeling I consider to be a most valuable asset to the fleet. These practices were conducted at ranges from 2 to 3 miles greater than the practices of any previous year.

A confidential circular recently issued by the Navy Department to the fleet gives the hits made by the battleships firing at long ranges in Cuban waters. This circular shows a condition of affairs with regard to gunnery that is satisfactory, although greater improvement can be made, principally in rapidity of fire, but also in accuracy. It is further felt that the shooting in Cuban waters is superior to that which has been done in the battles of the present European war, though it must be realized that there is very little data available on which to base the above statement.

The fairly satisfactory results attained on the long-range practices was due to a continuation of the methods used in preparing for and conducting the elementary practice.

Referring to the question of what has been done since I joined the fleet as a rear admiral: I joined the fleet as commander of the fourth division in December, 1913, in Mexican waters, where I remained until October, 1914. In the fall of 1914 I returned north and was given command of the first division, and conducted the division practice of the ships comprising that division. I continued in command of the first division until July, 1915, when I was given command of the battleship squadron, which was then organized for the first time.

During my tour of duty in Mexican waters I noted that there was not the interest in gunnery matters that there had been during my service as executive officer of the battleship *Wisconsin* and later in command afloat on the west coast. This subject was often discussed with my aids, two very capable young officers who had excellent records in gunnery on this coast, with a view to determining the reasons for this apparent lack of interest. Generally speaking, the lack of interest was said to be due to, first, omitting the short-range practice for the year 1911, and second, the lack of proper preparation. I definitely concluded during this period that the lack of interest in gunnery was not only apparent but real; and that regardless of the reasons therefor, something had to be done to revive the interest in gunnery if there was to be a satisfactory degree of gunnery efficiency in all ships. Upon taking command of the first division in the fall of 1914, on my return from Mexican waters, I was impressed by the report of the elementary practice of the *North Dakota*, under the command of Capt. C. P. Plunkett, which was forwarded to the Navy Department through the division commander. The system and methods employed appeared to be extremely thorough and of very great value, and the results had been demonstrated by the excellent target practices of the ship. Capt. Plunkett's report and the description of methods used was sent to each ship of the first division, and at the same time a circular letter to the division was issued, calling attention to the lack of interest in gunnery and directing that every effort be made to improve conditions as regards gunnery.

The report above referred to included a description of a system for locating errors made in practice and determining, with reasonable certainty, the causes of practically all misses. This system, first initiated under Admiral Badger, had been thoroughly developed on the *North Dakota* in 1913–14.

Admiral Fletcher continued this work by ordering its application at once to ships whose elementary practice had been delayed, and appointing a board of specially selected officers to determine errors for three ships whose practices had been delayed. Later the system of having boards of observers for each ship firing was, by direction of Admiral Fletcher, extended to each division of the battleship squadrons, and by his direction divisional gunnery boards were appointed to examine and report on methods of training used, with a view to eliminating any existing defects; the reports of these boards proved to be of very great value.

I have every reason to believe that in all his efforts to increase the battle efficiency of the fleet under his command, Admiral Fletcher had the hearty support of the Navy Department, and it is believed that the dissemination of gunnery knowledge in the fleet during the past year has been greater than during any similar period in recent years.

I believe the above shows what has been accomplished recently under the direction of Admirals Badger and Fletcher, with the full cooperation of the Navy Department, and also, at least by inference, conveys the effect that there now exists in the fleet an excellent gunnery spirit and a thorough interest in the attainment of battle efficiency, which can not fail to bring about a further improvement in the hitting ability of the fleet.

Sincerely and respectfully,

H. T. MAYO.

The SECRETARY OF THE NAVY,
Navy Department, Washington, D. C.

STATEMENT BY REAR ADMIRAL FLETCHER.

LAKE PLACID CLUB,
Essex County, N. Y., July 9, 1916.

MY DEAR MR. DANIELS: Referring to criticism of the gunnery practice of the Atlantic Fleet, implying that there has been a deterioration in efficiency during the last three or four years, you will find that any such criticism is not justified by the records of target practice on file in the department or by reports from the fleet.

A careful record of the results of target practice has been compiled, covering a period of five or six years up to the present time, and it shows that the average efficiency of the ships of the fleet has been maintained and that their performance at the present time is quite as good as at any time in the past. This standard has been maintained in spite of the fact that each year the conditions have been made more difficult in order to simulate the exacting requirements of battle. Where formerly we fired at ranges of 7,000 to 8,000 yards, these ranges have been gradually increased until this last year our practice was conducted at the extreme range of 18,000 yards, where the difficulty of making hits on a small target is enormously increased, and yet the results were far better than anyone could have anticipated.

The introduction of salvo firing, independent fire control of turrets, double-barrel firing, and other requirements call for greater training and greater skill in all the details of materiél and of fire control, and these new demands have been met without any falling off in efficiency.

Each year has added some improvement in our methods of training. The records and experience and opinions of all gunnery officers are fully embodied in reports after each practice in order that we may reap the full benefits. Based upon these voluminous reports, the target office has compiled the Book of Gunnery Instructions, which gives in detail how the best results can be obtained.

More recently boards of expert observers have been appointed to record all errors at target practice and investigate the cause of misses. Also boards of officers were appointed to report upon the methods of training on the various ships and to see if the gunnery instructions were properly complied with. It is believed that the work of these boards had much to do with the improvement in our last elementary practice, which obtained results better than any practice ever before obtained at sea.

As a result of my four years' experience in the Atlantic Fleet I can state with confidence there has been no falling off in the efficiency of our target practice.

For a time previous to the summer of 1914 some of our battleships were unavoidably retained on the coast of Mexico owing to our lack of cruisers for that service. It was stated as a criticism that owing to this fact our battleship force was not kept together for fleet maneuvers, and, as a consequence, there was a falling off in target practice. This is not borne out by the facts. Our daily training and drilling for target practice at dotter practice, check telescope, or subcaliber, was kept up on all ships, whether in Mexico or with the fleet. I have not the records with me, but I think you will find that the ships which came up from Mexico for target practice made as good records as those that remained with the fleet. The lack of maneuvers of the fleet, owing to the Mexican situation, had little or no influence upon the efficiency of target practice.

In regard to the ratings assigned various vessels of the fleet by Admiral Mayo I have no knowledge of such assignment. In any event such an assignment is solely for the purpose of comparison, and a similar assignment for previous years will reveal about the same comparative results between the efficient and the less efficient ships.

Very sincerely, yours,

F. F. FLETCHER.

Hon. JOSEPHUS DANIELS,
Secretary of the Navy.

STATEMENT BY CAPT. WILLIAM S. SIMS.

U. S. S. NEVADA, *Newport, R. I., July 9, 1916.*

MY DEAR MR. SECRETARY: I beg to acknowledge receipt of your letter of July 8, 1916, inclosing a clipping from the Washington Post with regard to relative standing assigned certain vessels of the fleet by Admiral Mayo, and requesting me to make a statement giving important facts regarding the matter, particularly a brief statement of the important facts regarding gunnery during recent years, including changes which have been made in increased ranges, etc., also a comparison of the present shooting with that of previous years, and a statement as to what our present gunners can do under the former conditions.

In order to understand the difficulties we have had with target practice during the last few years, it is necessary to go back a number of years and explain the circumstances which led up to a decrease in our efficiency.

In about 1902 and 1903 our Navy took up the system of training which was inaugurated by Capt. Percy Scott, of the British Navy. We were immediately successful in this. At that time our shooting was confined to short-range practice, that is, the training of the gun pointer and the gun crew. The same was true in the British Navy. Neither in our Navy nor in any other had any considerable progress been made at that time in firing at long ranges. We were using at that time a range of about 1 mile, and it was the opinion in practically all navies that battles would be fought at distances not greater than 2 miles. Within the last few years two or three of the most prominent officers of the British Navy stated in publications that training people to shoot at the "enormous ranges of 7,000 yards" was absurd.

As our Navy increased in efficiency in the short-range practice, both as regards accuracy and rapidity of fire, and as our gun gear also improved in efficiency, we began to take up the subject of long-range fire. We began experimental shooting at 4,000 yards with the ship at anchor and the target moored. We went from this to 6,000 and 7,000 yards with the target underway, and achieved a notable success. We were gradually increasing the ranges of battle practice and were making satisfactory progress in all respects. The enthusiasm for target practice was everything that could be desired. In familiar parlance—that every officer and man concerned studied to

receive a bouquet or a black eye as the result of every particular target practice.

This competitive feature was solely due to the fact that in addition to the long-range battle practice we always held a short-range practice at which the guns fired singly. This enabled us to compare the efficiency of each gun crew, including pointers, with every other gun in the Navy of a similar class. That is the reason that everybody understood that the result of target practice would show up absolutely the efficiency of all the personnel concerned.

Unfortunately, about 1909 a serious fundamental mistake was made in the Navy Department in abolishing the short-range practice and carrying out only long-range practices at increased ranges. At long-range practices all guns fired at the same time by salvos. The record of long-range practice shows what a ship is capable of doing under these conditions, but as all shots strike at about the same time it is wholly impossible to tell what shots hit and what ones missed. Needless to say, this wholly removes the competition between individual gun pointers, individual gun crews, and the officers commanding divisions of guns.

Under this system each man and officer concerned could say to himself, "There is no use of my breaking my neck training for the target practice because they can not tell whether I do well or not." It is necessary to explain further that under this system the individual enthusiasm for target practice must necessarily decline, and it did decline steadily from this time, about 1909, until the short-range practice was resumed, about 1912. At the first short-range practice that took place at this latter date the damage done by the abolition of the short-range practice was immediately apparent. Responsible officers, including Admiral Winslow, stated in their official reports that our efficiency had dropped back to about what it had been 10 years before. Moreover, when the short-range practice was abolished in 1909, the gunnery instructions then in use, which contained the details of all our experience in training were withdrawn and destroyed and new instructions were not reissued until 1913. So the Navy was, therefore, about four years without the incentive of individual competition and without the gunnery instructions that were necessary to train the young officers. Under these conditions it was, in my opinion, wholly impossible to maintain any adequate enthusiasm for target practice or to make any adequate progress in shooting. If there were any other influences which tended in the same direction they must have been, in comparison with these, almost negligible.

I wish to make it entirely clear that the fundamental mistake of abolishing the short-range practice was due exclusively to naval officers. It had nothing to do with the administration of the Navy Department at that time. The Navy Department acted upon the advice of a limited number of officers, and these officers made the mistake above referred to.

When the gunnery instructions were reissued in 1913 and the short-range practice was resumed the Navy became aware of its relative inefficiency in shooting and the revival in target practice naturally began. Necessarily, it was unhill work, as four years had gone by practically without adequate instruction of the commissioned and enlisted personnel, due to the fact that there was no textbook extant at that time. While it is doubtless true that the necessities for employing the fleet in such manner as to restrict to a certain extent its full period of training has had some influence upon the rapidity with which our gunnery was improved after 1913, still I wish particularly to accentuate the fact that the damage was done about 1909 when the short-range practice was abolished. Since that time our shooting has greatly improved, particularly within the last two or three years. As an example of this, it may be stated that the improvement in last year's shooting at elementary practice for that and the year before was not less than 40 per cent, thus showing that the curve of improvement was rapidly ascending. This is referred to in Admiral Mayo's report of the latter date.

Leaving now the question of short-range practice, the question of long-range practice presents considerable difficulties to the understanding of the untechnical. For example, it seems to be currently assumed that if at a very long range a ship makes but 15 or 20 per cent of hits that she has not been successful, though she may have made as many hits as are mathematically possible at such a range. This erroneous assumption is based upon the apparent belief that if a gun is accurately aimed at a target at whatever range, and if the sights of the gun are accurately set, that the gun will make a hit. It is necessary to explain, briefly, that this is wholly in error.

No gun that can be built is entirely accurate. The word "gun" in this sense refers not only to the gun itself, but to the powder, the projectile, etc. To illustrate the point in question, it may be stated that if a gun is placed on shore and a target anchored at sea at a distance of, say, 18,000 yards, and a number of shots are fired at the target with the gun aimed with perfect accuracy, the shots will fall within a space of about 200 yards short of the target and about 200 yards over; that is to say, the best of which the gun is capable will not bring the dispersion of the shots within less than about 400 yards. As the target is about 30 feet high, and as the projectiles descend at 18,000 yards at an angle of about 17°, it becomes at once apparent that it is wholly impossible to make more than a certain percentage of hits with that gun against that target and at that long range.

No two guns will perform exactly alike; and though none of the guns of a ship have a dispersion of more than 400 yards, the inequality between the individual guns may readily cause the dispersion of all guns when fired together to be considerably greater than 400 yards. Assuming this dispersion to be 600 yards, it will readily be seen that when a ship fires salvos at a target under the above-described conditions her possible percentage of hits will be less than that when firing a single gun. Add to the above the human element, the unavoidable, though small, inaccuracy of the instruments and of the aiming, and we have a further reduction of the possible percentage of hits. Add again to this the fact that the target is being towed at an unknown speed, that the ship is approaching on a course inclined toward the target, that in consequence the range is constantly changing, and that this range must be kept as well as is possible by the fire-control officers who control the whole battery, and we have a still further diminution of the probable percentage of hits. All this to illustrate the many difficulties that stand in the way of making a considerable percentage of hits at long ranges under battle conditions.

Our recent long-range battle practices have been based as nearly as practicable upon the conditions that would pertain in battle as nearly as we can realize them; that is to say, we have introduced into the firing all difficulties which we believe we would have to encounter in an actual engagement.

I am informed that an analysis of the experimental long-range shooting carried out in the West Indies last winter and based upon photographic reproduction of the splashes of shots showed that a very encouraging percentage of hits would have been made on the hull of an enemy battleship, though of course a much less percentage of hits was made on the relatively very small target used.

It is also particularly worthy of note that all these records of long-range shooting are made with the further disadvantage of having very few shots to fire. Only seven shots per gun are allowed. As the determination of the range of the target depends chiefly upon the observation of the fall of the first few shots fired, these shots necessarily seldom hit, and thus decrease the apparent efficiency of the guns. If a great number of shots were allowed, the loss of the first few shots would necessarily influence the scores very much less. Moreover, in firing the first few shots some vessels have the good luck to "get on" the target almost immediately, while others have to feel their way toward the target by the fall of the shots.

Concerning the statements that have been made as to the relative efficiency of our shooting now at long ranges and that of a few years ago, it should be noted that in the latter case not only were the ranges very much less, about half as great, but the conditions of the firing were much easier.

While it is not claimed, I believe, that, though our target practice is rapidly improving, it has yet reached the maximum possible, still I do not hesitate to state that if our fleet should be put up against the conditions of target practice that pertained at the long ranges a number of years ago, they would do better now than they did then. I believe this will be additionally illustrated in future practices. I feel entirely confident in assuming that the elementary practice of the coming autumn will show an encouraging improvement over that of last year. In addition to the above, there has been a continuous improvement in the design of gun gear and various appliances for controlling fire at long ranges.

In conclusion I wish to make it entirely clear that, in my opinion, the condition of our target practices at all times has been the result of actions taken by naval officers. The subject is necessarily a very technical one. Experience has shown that extended study is necessary to have a firm grasp of the underlying principles. This is shown by the fact that even at the present time there are officers who advocate the abolition of all competitive short-range practices; that is, a return to the conditions which obtained between 1909 and 1913.

This subject has, however, been under such earnest discussion during the past two or three years that there seems no longer any danger of any fundamental mistakes being made. For this reason as well as for those given above, particularly in reference to the steadily rising curve of improvement, I believe we may look forward in the future to the greatly increased efficiency of our fleet under battle conditions.

I am, sir,

Very respectfully,

WM. S. SIMS,
Captain, United States Navy.

The SECRETARY OF THE NAVY,
Navy Department, Washington, D. C.

STATEMENT BY CAPT. C. P. PLUNKETT.

JULY 10, 1916.

From: Director of gunnery exercises and engineering performances.
To: Secretary of the Navy.
Via: Chief of Naval Operations.
Subject: Gunnery exercises.

1. The commander in chief, Atlantic Fleet, in 1908 issued a special order to the fleet, as follows:

After having closely watched the progress of gunnery in late years, I am compelled to come to the conclusion that poor shooting may be attributed more to the officers' bad training and bad organization of men than to any other causes. In fact the primary cause of all bad shooting may be traced to carelessness and inattention on the part of the officers.

The best trained and the best prepared ship in gunnery will invariably be the best shooting ship. To insure success it is necessary to have among officers and men a "ship's spirit" directed to gunnery channels. The commanding officer must take a keen personal interest in what is going on, the executive officer must help the work along, the navigator and engineer officer should render such assistance as lies within their power, the ordnance officer must be ceaseless in his efforts, and the battery officers tireless in the performance of their duties. Hard work and harmony among all will produce an efficient ship.

2. This condition prevailed for a long time in spite of its seriousness. So changed are the conditions to-day in our fleet that the issuance of such an order would be wholly unnecessary. However, the truth of this statement that poor gunnery work can be directly charged to the officers and men of the Navy is as incontestable to-day as ever, and the efforts of those responsible for the efficiency of the fleet are mainly concerned with fixing the individual responsibility for unsatisfactory performances.

3. Previous to 1909 elementary target practice was held in smooth water on a measured range, and remarkable scores for rapidity of hitting were made by the various ships. Since 1909 the practices have been conducted in the open sea, under varying conditions, firing at a moving target, the practice itself simulating, as far as possible, the conditions of actual battle.

4. The method of firing the guns was also changed in 1913. Each time that a change has been introduced, bringing the conditions more nearly to resemble those of actual battle, the scores made have suffered by comparison with those made in previous years. The orders for gunnery exercises to-day require the firing of the battery under actual battle conditions and the merits of the ships as tabulated above show that, in spite of harder conditions, fewer vessels are reported as unsatisfactory than ever before.

5. The tables of elementary practice inclosed herewith present in their true light the history of our fleet in the last five years. This form of practice is the most difficult of all, as it requires a thorough mastery of the infinite detail, success in which is essential to future progress in gunnery and accuracy of fire at long ranges. It will be noted that a very large number of ships were not properly prepared and the personnel insufficiently drilled. Nothing more than a light effort was made to determine and fix the responsibility for the cause of these poor performances. It will be noted that in the year 1911 this form of practice was abandoned, it being considered by the majority of the officers of the Navy that there was no relation between the elementary practice and the battle practice. They had many instances of ships which did poorly on the elementary practice, which were given high scores on the battle practices.

6. The development and use of the camera completely wrecked this false assumption, as it showed up in the form of photographs the actual fall of every shot that was fired. Where previous target practices showed the target screens badly wrecked, for which ships had received varying numbers of hits, we now know as a result of our camera ob-

servations that they were probably due to the enormous volume of water caused by a few shots striking short of the target, sweeping everything before them.

7. The damage had already been done, however, and it has taken the last four years to repair it, but not without considerable opposition in many quarters of high responsibility. The tendency of officers and men to attempt to walk before they can crawl was just as strong in the officers of the American Navy as in any other path of life, and in spite of their superior education there were many who believed that there was a short road to successful gunnery avoiding months of preparation and drudgery. This lesson has been learned by the officers of the Navy and is to-day the cause of the improvement in our gunnery.

8. It is extremely doubtful whether the records of the long-range practice of our fleet previous to 1912 have any value for comparison purposes whatever. By comparing the results since the introduction of more accurate methods of recording and taking into consideration only the percentages of hits actually made the records show that our long-range firing was practically at a standstill between 1911 and 1915. Beginning with the spring of 1916, in spite of the greatly increased range, the percentages of hits have been maintained. This is directly due to greater effort on the part of the personnel and improvements in material. The training has been standardized and more time devoted to it. The results are most gratifying, and as present methods will be continued throughout the year, and with greater effort than ever made, it can reasonaly be expected that the results will show a general improvement over last year. Firing at extreme ranges under as close a simulation to actual battle conditions as safety of vessels involved will permit will be continued. The photographs showing the records of the fall of every shot from every ship at battle practice this year are complete to the smallest detail, and it is proposed in the coming year to carry this form of recording the work of the fleet to the limit of the capacity of the art of photography.

9. Year after year the department has published to the service, in large type and underscored, the following:

"The measure of the battle efficiency of any vessel is her ability to deliver the greatest number of hits in the shortest possible time after the enemy is sighted and with the least expenditure of ammunition."

"Every detail of training that does not tend to prepare the personnel for actual battle conditions and any part of the material that can not be used in action must be eliminated."

10. The department's activities, as bearing on successful gunnery, are limited to one of supply, involving personnel and material. Insufficiency in the supply of either bears directly upon gunnery. Of these an inadequate or constantly changing personnel produce the most serious results. Recently the question of detail of personnel has been given serious consideration, and the active fleet is now more fully officered and manned than previously, and the policy of making changes in the personnel not more than once a year has been established.

11. Successful gunnery, like success in any other human endeavor, is very largely a question of personnel, and the human element is probably more in control of the output than in any other form of activity. It calls for calmness and quick decision, not from one man but from a very large number of men, and it is the purpose of all training to prepare the officers and crew to do things, and the correct things, automatically. This is accomplished through a rigid discipline, adherence to sound principles, standardization of methods, clean life, development of character, and immediate seizing of every opportunity which may be turned to an advantage.

12. While it is true that in years gone by a rigid investigation of the condition of our fleet would have brought out many features demanding immediate correction, it can be definitely stated that to-day the majority of these conditions have been removed, and that the progress is not only satisfactory, but we are in a position, through the increase of both personnel and material and the improvement in these two factors, to feel assured that we are getting a full measure of return for the money and effort expended. The pressure at this time for improvement is as great as if actual war existed and anything standing in the way of progress receives immediate attention, in order that the speed of preparation may not only be maintained but increased to the limit of the capacity of our officers and men. Bad conditions have existed, but they are things of the past, and what was regarded as satisfactory years ago would not be tolerated to-day, and anything which borders on the unsatisfactory is the subject of most rigid investigation and action suitable to the gravity of the situation.

13. In order to determine whether proper methods of training are being strictly carried out on every ship in the fleet, whatever her type, a system of rigid inspection, tracing the firing of every shot of every caliber has been instituted, and from the information thus obtained the cause of every failure of the personnel and of the material may be definitely fixed and the responsibility therefor becomes plainly evident. Negligence or culpable inefficiency in either high or low places can not escape this inspection.

14. This is the work of 60,000 officers and men charged with the preparation of the fleet and its readiness for war. It can only be accomplished through the most active cooperation between the military and the civil branches backed by the united support of the American people.

15. Attached hereto is a list of vessels with the character of their performances at elementary target practice based on the scale adopted by Admiral Mayo and first used last year.

C. P. PLUNKETT.

1910.

Idaho	Excellent.
South Carolina	Good.
Wisconsin	Do.
Nebraska	Fair.
Virginia	Do.
New Hampshire	Do.
Mississippi	Do.
Montana	Do.
Maryland	Poor.
Tennessee	Do.
Washington	Do.
Georgia	Do.
Louisiana	Do.
Missouri	Do.
Minnesota	Unsatisfactory.
New Jersey	Do.
Michigan	Do.
South Dakota	Do.
North Carolina	Do.
Connecticut	Unsatisfactory.
Pennsylvania	Do.
West Virginia	Do.
Vermont	Do.
Rhode Island	Do.
California	Do.
Colorado	Do.

1911.

No elementary practice was held in the year 1911, the department, in response to recommendations from the fleet, having abandoned this form of gunnery exercise.

1912.

Delaware	Good.
Florida	Do.
Idaho	Do.
Michigan	Fair.
Connecticut	Poor.
Louisiana	Do.
New Hampshire	Do.
Utah	Unsatisfactory.
Rhode Island	Poor.
North Dakota	Unsatisfactory.
Virginia	Do.
New Jersey	Do.
Kansas	Do.
Maryland	Do.
Missouri	Poor.
Colorado	Unsatisfactory.
Minnesota	Do.
Ohio	Do.
South Carolina	Do.
Nebraska	Do.
Saratoga	Do.
Vermont	Do.
California	Do.
South Dakota	Do.
Georgia	Do.
Wyoming	Do.

1913.

Arkansas	Excellent.
North Dakota	Good.
Delaware	Poor.
South Dakota	Do.
Florida	Unsatisfactory.
Utah	Do.
Pittsburgh	Do.
Idaho	Do.
Wyoming	Do.
Georgia	Unsatisfactory.
Maryland	Do.
Minnesota	Do.
New Jersey	Do.
Vermont	Do.
Rhode Island	Do.
Kansas	Do.
Nebraska	Do.
Connecticut	Do.
South Carolina	Do.
Virginia	Do.
Ohio	Do.
California	Do.
New Hampshire	Do.
Louisiana	Do.

1914.

North Dakota	Excellent.
Texas	Do.
San Diego	Do.
Georgia	Good.
Colorado	Do.
New Hampshire	Fair.
New York	Do.
Delaware	Poor.
Virginia	Do.
Wyoming	Do.
Connecticut	Do.
Vermont	Unsatisfactory.
Utah	Do.
South Carolina	Do.
Rhode Island	Do.
New Jersey	Do.
Maryland	Do.
Michigan	Do.
Louisiana	Do.
Arkansas	Do.
Florida	Do.
Minnesota	Do.
Nebraska	Do.
Kansas	Do.
West Virginia	Do.

1915–16.

Arkansas	Excellent.
San Diego	Do.
Georgia	Do.
New York	Do.
Texas	Do.
Delaware	Good.
New Hampshire	Do.
Rhode Island	Do.
Wyoming	Do.
Nebraska	Fair.
New Jersey	Do.
Florida	Poor.
Kansas	Do.
Michigan	Do.
Virginia	Do.
Louisiana	Unsatisfactory.
South Carolina	Do.
Utah	Do.

DESTRUCTION OF GOVERNMENT PROPERTY AT SEATTLE, WASH. (S. DOC. NO. 495).

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of the 5th instant, certain information relative to the destruction of Government property on Pier 11 at Seattle, Wash. The communication will be printed and also printed in the RECORD and referred to the Committee on Military Affairs.

The communication is as follows:

WAR DEPARTMENT,
Washington, July 7, 1916.

The PRESIDENT OF THE SENATE,
Washington, D. C.

MY DEAR SIR: 1. In connection with Senate resolution of July 5, 1916, covering the destruction of Government property on Pier 11 at Seattle, Wash., June 30, 1916, you are informed as follows:

April 23, 1910, the depot quartermaster, Seattle, Wash., submitted abstract and one copy of each bid received in response to advertisement for dock accommodations at Seattle during fiscal year 1911. These bids were carefully considered, and upon recommendation the bid of the United Warehouse Co., for Pier 11, at $9,600 per annum, was approved by the Secretary of War, the same giving the most tonnage at the cheapest rate, and being otherwise desirable. The depot quartermaster was therefore directed to enter into lease for this dock during fiscal year 1911.

2. January 9, 1914, the Quartermaster General addressed the following letter to the Chief of Staff, for consideration of the Secretary of War, on the subject of docking facilities, at Seattle, Wash.:

"It appears from information received that the port commission in Seattle, Wash., contemplates the construction of certain piers in Smiths Cove, Puget Sound, for various purposes, and makes the following proposition to the Government:

"First. To construct piers in Smiths Cove, over which the Government would have exclusive use and control of approximately 425 feet of said piers, subject to common use of wagon roadway along the center of pier, and including additional berthing space necessary for a vessel of the dimensions of the transport *Dix;* also for the use of the cable ship *Burnside,* or any other similar cable ship.

"Second. The Signal Corps to have the privilege of installing a cable tank not to exceed 50 feet in diameter in such position as shall be convenient to the cable ship. Tank to be installed and maintained at the expense of the Government.

"Third, fourth, fifth, and sixth. * * *

"Seventh. The pier being now in process of construction, the port commission will undertake to adapt the structure as far as possible to the needs of the Government.

"Eighth. * * *

"Ninth. The Government to pay for the foregoing privileges the sum of $650 per month.

"Tenth. The port commission also agrees to provide facilities at its Central Waterfront Pier, now in process of construction, and well under way, for the landing of small boats such as pertain to the various fortifications in the sound, at an approximate rental of $100 per month.

"It is contemplated that the structures and pier will be completed on or about June 30, 1914, and the premises above outlined will be ready for occupancy at that time.

"This matter has been carefully taken up and considered by the depot quartermaster at Seattle and, in answer to letter from the Quartermaster General, he recommends as follows:

"It is believed it would be advisable to let matters remain as they are for the present, for the following reasons—

"First. It is understood that negotiations are under way for the transfer of the Washington-Alaska Military Cable & Telegraph System to the Post Office Department. This would eliminate from consideration the arrangements necessary for berthing the *Burnside* and providing a cable tank. The recommendation of this office that the port commission's proposition be accepted was in a great measure influenced by the conveniences offered for berthing the *Burnside* and locating the cable tank.

"Second. There are other large projects under way by the port commission, some of which when completed might afford even more advantageous sites for Government purposes than those offered.

"Third. When all these projects are completed, or sufficiently advanced to permit of best conclusions, a careful study of the entire situation can be made and the most convenient and advantageous arrangements made for the Government.

"This office concurs in the recommendations of the depot quartermaster, Seattle, and in view of the fact that other departments and various bureaus of the Government are more or less interested in the docking facilities at Seattle, it is recommended that a board of officers be convened for the purpose of carefully investigating, reporting on, and making recommendations relative to the project submitted by the Port Commission of Seattle."

The above recommendation was approved by order of the Secretary of War.

3. The report of the board of officers, dated May 14, 1914, was received in the War Department and the following is abstracted therefrom:

"After careful consideration of all the accompanying papers and investigation by members of the board, the board reaches the following conclusions:

"First. In view of the possible transfer of the Alaska cable system to the Post Office Department, the construction of a cable tank at the Smiths Cove Pier by the War Department should be held in abeyance until the question of the transfer is settled one way or the other. It would probably cost $10,000 to construct the cable tank. The one at Tacoma is now available, and it is not believed it would be economical for the War Department to abandon that tank and put $10,000 in a new one at the present time.

"This matter also would materially affect the amount of space the War Department would require for the transaction of its business, and until this amount of space is definitely known it would appear to be inadvisable to proceed further.

"Second. The Government owns a site for a dock on Salmon Bay. The construction of the Lake Washington Canal, which is now under way, will afford access to this dock site, but unless rail facilities were available this site would not be suitable. The question of constructing tracks to this site was taken up by the president of the board with the officials of the Oregon-Washington Railroad, whose right of way is convenient, but no assurance could be obtained that tracks would be constructed within the next few years. This site, with rail facilities, would probably be the one the War Department would select, on account of its belonging to the Government and its convenience to Fort Lawton.

"Third. The port commission plans are not as yet far enough advanced toward completion to enable the board to conclude exactly what the conditions will be.

"In view of the above facts, the board recommends that matters be left as they are for at least another year. By that time the question of the transfer of the cable system to the Post Office Department will probably be determined. The port-commission projects will have been completed or advanced far enough to permit of a clear understanding of the situation. The Lake Washington Canal will probably be completed, and definite understanding can be had with the railroad company as to the possibilities of rail facilities at the Salmon Bay site."

4. The above-mentioned proceedings of board of officers, after careful consideration by all bureaus concerned, were approved by the Secretary of War. The papers were later transmitted to the depot quartermaster, Seattle, Wash., by the Quartermaster General, recommending that the president, Port of Seattle commission, be advised of action taken.

5. January 27, 1916, the Quartermaster General, in letter to the depot quartermaster, Seattle, Wash., on the subject of cable tank and dock facilities at Seattle, remarked that his office had listed for consideration in connection with the 1918 estimates to Congress a project for the construction of a Signal Corps cable tank and dock at Salmon Bay, near Fort Lawton Reservation, and that in order to estimate for the dock and cable tank it was desired the depot quartermaster take the matter up as soon as practicable, confer with all the military authorities interested at Seattle, and forward estimates, together with remarks as to advisability of the Government constructing such a dock at that time.

6. The depot quartermaster, Seattle, Wash., reported on June 6, 1916, that he estimates the cost of the dock and warehouse would be $65,644, and dredging of site $7,260, the cost of cable tank being estimated at $7,000. This matter will be considered in connection with the next estimates to be submitted to Congress.

7. During the progress of the investigation of dock and cable tank facilities at Seattle, Wash., set forth in report herewith, it has been necessary for the depot quartermaster, Seattle, Wash., to renew the lease on Pier 11, Oriental Dock, each year, at the same rate as when first leased.

8. It was considered that suitable and adequate fire protection existed at this wharf, the following apparatus being on hand on May 31, 1916: Twelve hand grenades on walls in various parts of dock; 42 fire buckets in racks in various parts of dock; 6 fire plugs at various parts of the pier, thread couplings same as city plugs. Pier 11 also had the protection of the city fire departments.

9. The Government supplies stored on this dock were principally clothing and subsistence, small arms, ammunition, and miscellaneous supplies, being loaded on transport and awaiting shipment to posts in Alaska; also powder and cannon ammunition for Puget Sound Coast Artillery posts. Information has been received in the department to the effect that approximately $15,000 worth of Signal Corps material and $70,000 of all other supplies on this dock have been destroyed, or a total loss of approximately $85,000. The figure in foregoing resolution ($40,000,000) is therefore thought to be an error.

Very respectfully,

NEWTON D. BAKER,
Secretary of War.

PETITIONS AND MEMORIALS.

Mr. NELSON presented telegrams in the nature of petitions from the Minnesota Employers' Association, of St. Paul; from M. C. Tifft, general counsel, Minnesota Employees' Mutual Liability Insurance Co., of Minneapolis; and from B. F. Nelson, of Minneapolis, all in the State of Minnesota, praying that policies of mutual liability insurance companies be exempted from taxation under the proposed revenue law, which were referred to the Committee on Finance.

Mr. PHELAN presented a memorial of the Board of Supervisors of Contra Costa County, State of California, remonstrating against the proposed inheritance tax, which was referred to the Committee on Finance.

He also presented a petition of the Chamber of Commerce of Corona, Cal., praying for an appropriation for the construction of a roadway from the Atlantic to the Pacific Oceans, which was referred to the Committee on Military Affairs.

Mr. THOMPSON presented a petition of 100 inmates of the Kansas State Soldiers' Home, Fort Dodge, Kans., praying for the enactment of legislation to provide that widows of veterans of the Civil War who were married after the year 1895 be granted pensions, which was referred to the Committee on Pensions.

Mr. WARREN. I present a telegram in the nature of a memorial from the Wyoming Bankers' Association, remonstrating against the insertion of a banker's special tax provision in the revenue bill. I move that the telegram be printed in the RECORD and referred to the Committee on Finance.

There being no objection, the telegram was referred to the Committee on Finance and ordered to be printed in the RECORD as follows:

CHEYENNE, WYO., *July 11, 1916.*

F. E. WARREN,
United States Senate, Washington, D. C.:

We are advised bankers' special tax was stricken from the omnibus revenue bill before being passed by the House. Please use your best efforts to prevent its being inserted in the bill in your House. Your good offices for such further relief from income tax as may be possible will be appreciated.

WYOMING BANKERS' ASSOCIATION,
HARRY B. HENDERSON, *Secretary.*

REPORTS OF COMMITTEES.

Mr. CLAPP, from the Committee on Indian Affairs, to which was referred the bill (H. R. 8492) to restore homestead rights in certain cases, asked to be discharged from its further consideration and that it be referred to the Committee on Public Lands, which was agreed to.

Mr. THOMAS, from the Committee on Public Lands, to which was referred the bill (S. 6331) authorizing the Secretary of the Interior to issue patent to William H. Ingle for homestead entry in Colorado, reported it with an amendment and submitted a report (No. 657) thereon.

He also, from the same committee, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

H. R. 11162. An act to amend an act entitled "An act to authorize entry of the public lands by incorporated cities and towns for cemetery and park purposes," approved September 30, 1890, and for other purposes (Rept. No. 659); and

H. R. 20. An act authorizing the county of Gunnison, Colo., to purchase certain public lands for public-park purposes (Rept. No. 658).

Mr. CHAMBERLAIN, from the Committee on Public Lands, to which was referred the bill (H. R. 14868) to accept the cession by the State of Oregon of exclusive jurisdiction over the lands embraced within the Crater Lake National Park, and for other purposes, reported it without amendment and submitted a report (No. 656) thereon.

Mr. SHIELDS, from the Committee on the Judiciary, to which was referred the bill (H. R. 12541) authorizing insurance companies and fraternal beneficiary societies to file bills of interpleader reported it with amendments and submitted a report (No. 660) thereon.

Mr. SMOOT, from the Committee on Public Lands, to which was referred the bill (H. R. 7419) granting a patent to a certain strip of land to Elisha A. Crandall, reported it without amendment and submitted a report (No. 661) thereon.

He also, from the same committee, to which was referred the bill (H. R. 15522) to establish a national park service, and for other purposes, reported it with an amendment and submitted a report (No. 662) thereon.

Mr. BECKHAM, from the Committee on Claims, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

H. R. 6758. An act for the relief of the legal heirs of Hector M. McDonald, deceased (Rept. No. 664);

H. R. 11262. An act for the relief of Mrs. C. D. Corbin (Rept. No. 665); and

H. R. 12248. An act for the relief of the estate of Mary H. S. Robertson, deceased (Rept. No. 663).

Mr. BECKHAM, from the Committee on Claims, to which was referred the bill (H. R. 7417) for the relief of Lawrence J. Kessinger, asked to be discharged from its further consideration and that it be referred to the Committee on Post Offices and Post Roads, which was agreed to.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CATRON:

A bill (S. 6612) for the relief of Bertram C. Gilbert; to the Committee on Military Affairs.

By Mr. SMITH of Maryland:

A bill (S. 6613) to protect the health of the residents of the District of Columbia and the employees of the United States Government residing in Maryland near the District of Columbia boundary; to the Committee on the District of Columbia.

By Mr. CHAMBERLAIN (for Mr. REED):

A bill (S. 6614) granting a pension to Lotta K. Boyd, widow of the late Capt. Charles T. Boyd, and to Eliza and Klem, his children; and

A bill (S. 6615) granting an increase of pension to Annie E. Adams (with accompanying papers); to the Committee on Pensions.

THE REVENUE.

Mr. BROUSSARD submitted an amendment intended to be proposed by him in the bill (H. R. 16763) to increase the revenue, and for other purposes, which was referred to the Committee on Finance and ordered to be printed.

SUPPLIES TO PEOPLE OF POLAND (S. DOC. NO. 494).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed:

To the Senate:

In response to the resolution adopted by the Senate on May 31 (calendar day, June 1), 1916, requesting the President to furnish information relative to the transportation of relief supplies to Poland, if the furnishing of such information is not incompatible with the public interest, I transmit herewith a report by the Secretary of State on this subject.

The report of the Secretary of State has my approval.

WOODROW WILSON.

THE WHITE HOUSE,
Washington, July 12, 1916.

EXECUTIVE SESSION.

Mr. BANKHEAD. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened and (at 6.10 p. m., Wednesday, July 12, 1916) the Senate took a recess until tomorrow, Thursday, July 13, 1916, at 10 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate July 12 (legislative day of July 7), 1916.

POSTMASTERS.

CALIFORNIA.

Robert E. Walsh to be postmaster at Angels Camp, Cal., in place of F. J. Grillo. Incumbent's commission expires July 18, 1916.

FLORIDA.

W. L. Straub to be postmaster at St. Petersburg, Fla., in place of R. S. Hanna. Incumbent's commission expired June 5, 1916.

ILLINOIS.

Ray Raridon to be postmaster at Morrison, Ill., in place of John Grierson, deceased.

KANSAS.

Robert Shouse to be postmaster at Ellinwood, Kans., in place of Theodore Iten, jr. Incumbent's commission expires August 22, 1916.

KENTUCKY.

Francis B. Brown to be postmaster at Morganfield, Ky., in place of R. L. Jones. Incumbent's commission expires July 18, 1916.

MASSACHUSETTS.

Frederick M. Fowler to be postmaster at Foxboro, Mass., in place of Edward W. Welch, removed.

James M. Perley to be postmaster at Rowley, Mass., in place of J. A. Marshall. Incumbent's commission expired January 15, 1916.

MINNESOTA.

Charles A. Allen to be postmaster at Milaca, Minn., in place of Fay Cravens. Incumbent's commission expired January 15, 1916.

MISSISSIPPI.

Iona G. Chapman to be postmaster at Utica, Miss., in place of E. S. Chapman, removed.

NEBRASKA.

Charles S. Anderson to be postmaster at Fullerton, Nebr., in place of J. A. Storch. Incumbent's commission expires July 16, 1916.

Patrick F. Leonard to be postmaster at Anselmo, Nebr., in place of J. F. Brechbuhl. Incumbent's commission expires August 8, 1916.

C. B. Nichols to be postmaster at Valley, Nebr., in place of F. H. Whitmore. Incumbent's commission expires August 8, 1916.

NORTH DAKOTA.

Henry E. Brown to be postmaster at Buffalo, N. Dak., in place of Ingvold Berg. Office became presidential July 1, 1916.

PENNSYLVANIA.

Hugh A. Brown to be postmaster at Leetsdale, Pa., in place of R. R. Groetsinger. Incumbent's commission expires July 13, 1916.

Frank W. McCall to be postmaster at Morton, Pa., in place of A. A. Benkert. Incumbent's commission expired May 10, 1916.

TEXAS.

Kenneth T. Biggs to be postmaster at Sabinal, Tex., in place of A. P. McCauley. Incumbent's commission expires August 23, 1916.

J. G. Lewis to be postmaster at Walnut Springs, Tex., in place of Effie Walton. Incumbent's commission expires August 23, 1916.

George D. Staton to be postmaster at Grand Saline, Tex., in place of D. E. Walshe. Incumbent's commission expires August 23, 1916.

VIRGINIA.

John D. Shepperson to be postmaster at Charlotte Court House, Va., in place of J. W. Ingram. Incumbent's commission expires July 24, 1916.

WASHINGTON.

William F. Brown to be postmaster at Renton, Wash., in place of Thomas Harries. Incumbent's commission expired May 8, 1916.

Clarence A. Morgan to be postmaster at Hoquiam, Wash., in place of R. L. Philbrick. Incumbent's commission expired February 13, 1916.

Mabel Murphy to be postmaster at Marysville, Wash., in place of H. A. Rathvon. Incumbent's commission expired March 21, 1916.

WEST VIRGINIA.

Walter S. Bambrick to be postmaster at Weirton, W. Va., in place of Louis Lowmiller. Incumbent's commission expires August 23, 1916.

WISCONSIN.

Henry Fleishbein to be postmaster at Glidden, Wis., in place of Mary A. McAskill. Incumbent's commission expired May 1, 1916.

CONFIRMATIONS.

Executive nominations confirmed by the Senate July 12 (legislative day of July 7), 1916.

CONSULS.

CLASS 2.

John P. Bray to be a consul of class 2.

CLASS 3.

Robert Frazer, jr., to be a consul of class 3.
John F. Jewell to be a consul of class 3.

CLASS 4.

Charles K. Moser to be a consul of class 4.
William J. Pike to be a consul of class 4.

CLASS 5.

Gebhard Willrich to be a consul of class 5.

CLASS 6.

Wilbur T. Gracey to be a consul of class 6.
Ralph C. Busser to be a consul of class 6.
Jesse B. Jackson to be a consul of class 6.

CLASS 7.

John R. Silliman to be a consul of class 7.
Henry P. Starrett to be a consul of class 7.
Graham H. Kemper to be a consul of class 7.

CLASS 8.

William E. Chapman to be a consul of class 8.
Louis G. Dreyfus, jr., to be a consul of class 8.
Charles C. Broy to be a consul of class 8.
Ripley Wilson to be a consul of class 8.
De Witt C. Poole, jr., to be a consul of class 8.
John W. Dye to be a consul of class 8.

CLASS 9.

Charles H. Albrecht to be a consul of class 9.

CONSUL GENERAL.

CLASS 3.

Edwin N. Gunsaulus to be a consul general of class 3.

ASSISTANT TREASURER.

Robert I. Hunt to be Assistant Treasurer of the United States at Chicago, Ill.

PUBLIC HEALTH SERVICE.

Dr. William D. Heaton to be assistant surgeon.

PROMOTIONS AND APPOINTMENT IN THE NAVY.

Commander William D. MacDougall to be a captain.
Lieut. Commander William L. Littlefield to be a commander.
Lieut. Joseph O. Fisher to be a lieutenant commander.
Lieut. (Junior Grade) Jacob H. Klein, jr., to be a lieutenant.
James Watt, a citizen of New York, to be an assistant surgeon in the Medical Reserve Corps.
First Lieut. Edward W. Sturdevant to be a captain in the Marine Corps.
Second Lieut. George K. Shuler to be a first lieutenant in the Marine Corps.
Paymaster's Clerk Henry L. Battle to be a chief pay clerk.
Lieut. William T. Conn, jr., to be a lieutenant commander.

POSTMASTERS.

FLORIDA.

J. M. Hewitt, Leesburg.

ILLINOIS.

Roy Raridon, Morrison.

KENTUCKY.

Francis B. Brown, Morganfield.

NEW YORK.

William H. Campbell, Warsaw.
W. F. Keating, Victor.
George M. Lamb, Coxsackie.
Daniel W. Quinn, Valhalla.
C. M. Stearne, Sacket Harbor.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *July 12, 1916.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Lord God, Father of all souls, we lift up our hearts to Thee in fervent prayer for the little children who, in many sections throughout the length and breadth of our land, especially in Greater New York, are sorely afflicted by a fatal disease which seems to baffle the skill of our physicians. Guide them, we beseech Thee, to a speedy solution of the cause and a remedy which shall remove it, and spare to the loving hearts of the parents and to the world the little children. This we ask in the name of Him who said, "Suffer the little children to come unto Me and forbid them not." And He took them up in His arms, put His hands upon them, and blessed them as precious gifts of heaven. Amen.

The Journal of the proceedings of yesterday was read and approved.

PUBLICITY OF CAMPAIGN CONTRIBUTIONS.

Mr. RUCKER. Mr. Speaker, I ask unanimous consent that consideration of the bill H. R. 15842, known as the campaign publicity bill, be made the special order for to-morrow, Thursday, immediately after the reading of the Journal, not to interfere with conference reports.

Mr. MANN. Mr. Speaker, I suggest that another bill is pending as a special order.

Mr. ADAMSON. The general dam bill is pending, but it will not take very long.

Mr. MANN. I suggest that the gentleman ask that the bill referred to be given a privileged status.

Mr. RUCKER. Very well, Mr. Speaker, I ask that the bill be given a privileged status, to be taken up after the consideration of the bill now pending.

The SPEAKER. The gentleman from Missouri asks unanimous consent that the bill H. R. 15842, respecting the publicity of campaign contributions, be given a privileged status. Is there objection?

There was no objection, and it was so ordered.

COMPENSATION FOR INJURIES TO FEDERAL EMPLOYEES.

The SPEAKER. This is Calendar Wednesday, and the House will automatically resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 15316) to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes, and the gentleman from Tennessee, Mr. SIMS, will take the chair.

Mr. MOON. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman's point comes too late.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15316, with Mr. SIMS in the chair.

Mr. MOON. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Tennessee makes the point of order that there is no quorum present. Evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Allen	Fairchild	Kahn	Patten
Anthony	Farley	Kearns	Peters
Austin	Farr	Keating	Phelan
Bacharach	Fields	Kennedy, Iowa	Porter
Bailey	Finley	Kent	Pou
Barchfeld	Fitzgerald	Key, Ohio	Powers
Barnhart	Fordney	Kiess, Pa.	Pratt
Beakes	Freeman	Lafean	Price
Beales	Gallagher	Lenroot	Rayburn
Black	Gallivan	Liebel	Riordan
Burgess	Garland	Linthicum	Roberts, Mass.
Byrns, Tenn.	Garrett	Littlepage	Rogers
Caldwell	Gillett	Lobeck	Rowland
Callaway	Glass	Loft	Saunders
Cantrill	Graham	McAndrews	Scott, Pa.
Capstick	Gray, N. J.	McDermott	Shackleford
Carlin	Gregg	McFadden	Sherwood
Casey	Griest	McKellar	Slayden
Charles	Guernsey	McKinley	Smith, Tex.
Church	Hamill	Madden	Snyder
Cline	Hart	Maher	Stedman
Coady	Hawley	Miller, Minn.	Steele, Iowa
Connelly	Hay	Miller, Pa.	Stephens, Nebr.
Copley	Heaton	Morgan, La.	Sumners
Costello	Heflin	Moss, Ind.	Tague
Crago	Helgesen	Moss, W. Va.	Talbott
Crosser	Henry	Murray	Tilson
Davenport	Hensley	Nelson	Treadway
Dempsey	Hill	Nichols, Mich.	Venable
Dewalt	Hinds	Nolan	Ward
Doremus	Houston	North	Williams, Ohio
Driscoll	Howell	Oakey	Wilson, Fla.
Eagan	Husted	Oglesby	Wilson, Ill.
Eagle	Hutchinson	Oldfield	Winslow
Emerson	Johnson, S. Dak.	O'Shaunessy	Wood, Ind.
Esch	Jones	Parker, N. Y.	

The committee rose; and the Speaker having resumed the chair, Mr. SIMS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having under consideration the bill H. R. 15316, and finding itself without a quorum, he caused the roll to be called, when 289 Members answered to their names, a quorum, and he presented the names of the absentees for printing in the Journal.

The committee resumed its sitting.

Mr. WEBB. Mr. Chairman, I yield such time as he may desire to the gentleman from Indiana [Mr. ADAIR].

Mr. ADAIR. Mr. Chairman, the pending bill, which, if enacted into law, will provide compensation for employees of the Government suffering injuries in the course of their employment, meets with my hearty approval, and I shall gladly give it my support. I favor this bill because it is in the interest of labor and because I believe it is in the interest of the Government. The gentleman from Ohio [Mr. GARD] in reporting this bill has well said that the protection of the life and health of employees against injury sustained while in the performance of duties is to-day recognized as one of the very vital principles in the scheme of government. So large have become the works of industry, so great has been their development through improved machinery and appliances, so numerous have become employees required to carry on these great works that the necessity of safeguarding them has long been manifest. It should be the purpose of all employers of labor to give to their employees the most complete protection possible against injuries resulting from their employment and from diseases having their origin in improper working surroundings. But despite the best efforts to protect employees against injury, accidents will occur, and the trend of the best thought of the country is to afford relief to the victims of such accidents, their families, and those dependent upon them, from the dire results of misfortune.

The human right is ascendant, and the life, health, and happiness of their people is held in sacred trust by the most enlightened governments. The unit of all civilization is the home, and that this may not be broken up through occupational injury, but may be continued despite it, is the ultimate object of all workmen's compensation laws. Many of the States of this Union have such compensation laws which are working with most excellent results, and now it is proposed that the United States shall have a compensation law for the protection of all its employees, and thus give relief from the cumbrous and inefficient system of presenting private claims to Congress for its action, often delayed and many times insufficient, and to give its sanction to this great principle of humanity.

Mr. Chairman, my own State of Indiana recently passed a workman's compensation law which is working a great benefit to both the employer and the employee. During the past year under that law more than 4,000 cases have been compromised, and injured employees are now receiving over $8,000 per week. The law is a success from every standpoint, and there are no reasons why Government employees should not have the same protection.

Mr. Chairman, during the 10 years I have occupied a seat upon the floor of this House I have not lost a single opportunity to use my voice and vote in support of all legislation helpful to labor. I claim the right to speak for the plain people of our country without my motives being questioned, for I was born and reared among them, in the atmosphere of poverty, and the interest I have in their welfare comes from my association with them and my knowledge of their needs and condition. For three years of my life I worked in the factory, side by side with those who earn their bread by the sweat of their faces. It was in this way I earned the money to finish my education. I am glad I have had that experience. I learned then, and I know now, how to sympathize with labor, and I know how to legislate for them.

Mr. Chairman, the Republican Party was in control of this Government for 16 years, and during all of that time labor was ignored and the petitions of the working people denied. When I came to Congress 10 years ago I saw piled upon the Speaker's desk petitions said to have been signed by more than a million workingmen, pleading and begging for legislation in their behalf. I saw the party in power turn a deaf ear to their appeal and give no consideration to their demands. Session after session they tried in vain to secure justice, but the party in power was too busy legislating for a favored few to give any attention to the demands of labor. Finally the working people saw it was impossible to secure justice at the hands of the Republican Party, and at the ballot box in 1910 and 1912 they turned to the Democratic Party and gave us control of the Government. Just as soon as we were given the power we heard their appeals and recognized their rights by enacting legislation which has, and will, greatly improve labor conditions and raise the standard of living. We took up and enacted into law more than 20 bills directly in the interest of labor, giving to the working people of the country all the legislation they were asking for—legislation they could not get under Republican rule.

Mr. Chairman, since you have occupied that chair and presided over a Democratic House, the following bills advocated by labor have been enacted into law:

First. The eight-hour bill, extending the operations of the eight-hour law to work done for the Government as well as work done by the Government.

Second. The Children's Bureau bill, to promote the welfare of children and to devise means whereby the necessities of the parents can not be used to retard the development of the children who are the citizens of to-morrow.

Third. The anti-injunction bill, to protect workingmen during the period of trade disputes and to give to them the same protection in the courts that other men enjoy. For more than 30 years there has been a tendency on the part of the equity courts to assume legislative power and to declare by injunction certain acts to be criminal during labor disputes that are not criminal at other times, and then try men for committing these crimes without the protection of a trial by jury. That is contrary to the spirit of democracy, and this House has put its stamp of disapproval on such usurpation on the part of the courts by the passage of the anti-injunction bill.

Fourth. The contempt bill, to provide a trial by jury in the cases of indirect contempt when the acts alleged to have been committed in violation of the orders of the court are of a criminal character, which would otherwise be tried by a judge and jury in our law courts.

Fifth. The Department of Labor bill, creating a department, with a Secretary who shall be a member of the President's Cabinet and who shall have the power of mediation in trade disputes and the right to appoint conciliators in such cases when, in his judgment, it is wise to do so; and while his good offices may be used for the purpose of bringing the contending parties together, he shall have no power to enforce his own views upon either of them.

Sixth. The Industrial Commission bill, to investigate the entire subject of industrial relations between employer and employee, with a view of ascertaining the best methods of dealing with industrial disputes so as to protect the rights of all persons directly or indirectly interested.

Seventh. The investigation of the Taylor and other systems of so-called scientific shop management in order that the workingman might be protected against speeding up beyond his normal power.

Eighth. The seaman's bill to give freedom to the seaman, provide a standard of skill for seamanship, promote safety of travel at sea, and equalize the operating expenses of foreign vessels with American vessels, so as to build up an American merchant marine without resorting to subsidies.

Ninth. The convict-labor bill requiring the sale of convict-made goods to conform to the laws relative to convict-made goods in the States in which they are sold.

Tenth. The Bureau of Mines bill, to widen the scope of the Bureau of Mines so that it may be better able to develop methods of preventing accidents in mines and have greater efficiency in rescue work when accidents occur, not only in the coal-mining industry but in the mineral and miscellaneous mines as well.

Eleventh. The dredge workers' eight-hour bill, to remedy a decision of the Supreme Court that men engaged in dredging work in our rivers and harbors are not laborers and mechanics, but seamen, and therefore did not come within the provisions of the general eight-hour law.

Twelfth. An eight-hour provision included in the fortification bill to apply to civilians engaged in the manufacture of ordnance and powder for the Government.

Thirteenth. An eight-hour provision in the Post Office appropriation bill making the eight-hour workday apply to workmen employed under the current appropriations.

Fourteenth. An eight-hour provision in the naval appropriation bill making the eight-hour workday apply to workmen employed under the current appropriations.

Fifteenth. A provision in the Post Office appropriation bill removing from post-office employees the gag rule which has been applied by Executive order, issued by President Roosevelt and broadened by President Taft. This provision would make it possible for postal employees to bring their grievances to Congress without fear of being discharged for doing so.

Sixteenth. The phosphorus-match bill to protect the health of workers in the match industry.

Seventeenth. The bill to extend the provisions of the compensation-for-injury act to the employees of the Bureau of Mines.

Eighteenth. The bill to give to official papers of trades-unions and fraternal organizations second-class mail privileges.

Nineteenth. A provision in the naval appropriation bill requiring all coal purchased for the use of the Navy to be mined on an eight-hour workday.

Twentieth. The masters and mates' bill to reduce the hours of masters and mates, making it impossible to require them to continue on duty for indefinite periods, as has been the case in the past.

Twenty-first. The trades-disputes act, embracing the relation of labor organizations to the antitrust laws of the country; the regulation of the issuance of injunctions and the guaranty of the right of trial by jury for alleged contempts committed out of the presence of the court. An act which determines once and for all that labor is not a commodity.

Mr. Chairman, in addition to these laws, recognized as labor measures, we have passed a number of bills which, while not purely labor measures, were petitioned for by both organized and unorganized labor.

First. A bill providing for the election of United States Senators by a direct vote of the people.

Second. A bill revising the tariff downward from an average of 97 per cent to 26 per cent. This bill, in conjunction with the antitrust bills, is working a great benefit to labor.

Third. A bill providing for a system of parcel post which is already saving to those working for daily, weekly, and monthly wages over $11,000,000 per year. Heretofore this vast sum of money was taken from the wage earners and turned over to the express companies, which enabled these corporations to pay annual dividends as high as 70 per cent.

Fourth. A bill providing a system of currency which takes the control of money out of the hands of Wall Street and makes it impossible for a few commercial vampires to bring on panics, close factories, and throw labor out of employment.

Fifth. An income-tax law which last year lifted a burden of $124,000,000 off the shoulders of working people and placed it on the shoulders of the well-to-do, where it properly belongs.

Sixth. Antitrust laws which will prevent combinations in restraint of trade and will protect the wage earner from the extortion heretofore practiced by giant monopolies and combinations.

Mr. Chairman, under all this good and wholesome legislation labor is more prosperous and more independent than ever before. More men are employed than ever before; more men are paid higher wages than ever before; more men are eating better food than ever before; more men are dressing their families better than ever before; more men are riding in automobiles than ever before, and more workingmen will vote the Democratic ticket this year than ever before. Why should they not do so? Under Republican rule there were two men for each job; under Democratic rule there are two jobs for each man; more than 5,000,000 laboring men have had their wages increased during the last 120 days. The Democratic Party has been the friend of labor and has given to the workingmen all the legislation they asked for—legislation they were denied during 16 years of Republican rule. I assert, Mr. Speaker, that no man can offer a single sane or sensible reason why any laboring man should not vote the Democratic ticket this year. Let me remind you, gentlemen, that our American workmen are intelligent, progressive, and efficient. They are keeping a watchful eye on the work of Congress and will expect full justice from us. They are not only watchful, but they are also appreciative. This is now being demonstrated out in Indiana by laboring men of my State, who are organizing and getting together to push my candidacy for governor, in order that they may show their gratitude for the service I have rendered in their behalf. I am also receiving many letters from labor organizations scattered throughout the country commending my service here and expressing their deep appreciation of my faithfulness to labor. Just a few days ago I received a letter from Mr. A. E. King, general secretary and treasurer of the Grand Lodge of the Brotherhood of Railroad Trainmen, informing me of a resolution passed by their organization at their convention held at Detroit in June of this year. I shall print this letter in the RECORD as a sample of the many letters of this character I am receiving. The letter and resolution read as follows:

GRAND LODGE BROTHERHOOD OF RAILROAD TRAINMEN,
GENERAL OFFICES,
Cleveland, Ohio, June 24, 1916.

Hon. JOHN A. M. ADAIR,
Congressman, State of Indiana,
House of Representatives.

ESTEEMED SIR: Our first triennial convention, held in Detroit in June of this year, passed the following resolution and requested that a copy of the same be sent to you:

"Whereas the Hon. JOHN A. M. ADAIR, Member of Congress, representing the eighth congressional district of Indiana, has rendered valuable assistance in placing upon the statutes many laws beneficial to the railroad employees; and

"Whereas he has on every occasion when labor laws were under consideration shown the true progressive spirit and endeavored to better the condition of humanity. Therefore be it

"*Resolved by the first triennial convention of the Brotherhood of Railroad Trainmen*, That we commend and approve Congressman ADAIR'S achievement; and be it further

"*Resolved*, That a copy of this resolution be sent to Congressman ADAIR as expression of our appreciation of his assistance to us."

Very respectfully, yours,

A. E. KING,
General Secretary and Treasurer.

Mr. Chairman, this resolution shows that labor is keeping in close touch with Congress and that workingmen are grateful to those who recognize and aid them in securing their rights. The Democratic Party has not only been true to labor in the Nation, but has likewise been true in all States of the Union where our party has been in power. In my own State of Indiana the last three Democratic legislatures enacted more laws for the benefit of working people than were enacted by our Republican friends during the entire history of the Republican Party. Here are some of the laws the Democratic Party out in Indiana has given to labor during the past few years:

A law providing for trade and industrial schools in cities.

A law regulating the keeping and sale of cold storage food products.

A law providing for the insulation of electric wires.

A resolution ratifying and adopting on behalf of the State of Indiana the income-tax amendment to the Constitution of the United States.

A law requiring all railroads to establish and operate their trains under a block system, to be approved by the Indiana railroad commission.

A law prohibiting and regulating child labor.

A law providing for the establishment and maintenance of playgrounds in certain cities.

A law abolishing the fellow servant and assumption of risk rules, and making employers liable for injuries to their employees, caused either by the negligence of the employer or his servants, commonly known as the "Employers' liability act."

A law requiring the weekly payment of wages in all manufacturing and mining pursuits.

A law making it a criminal offense to send out of the State claims against citizens of the State for the purpose of attachment and garnishment, and authorizing the recovery of any claims so collected with all costs, damages, and attorneys' fees.

A law providing for the payment of wages of laborers employed on public contracts.

A law establishing the home bureau of inspection and providing for the inspection of buildings, factories, workshops, mines, and boilers, and giving to such bureau the power to compel the establishment of safe and sanitary appliances, buildings, etc.

A law defining dangerous employments and providing for the safety of persons employed therein.

A law giving mechanics a lien for their labor.

A law providing for the inspection of locomotive boilers.

A law requiring railroads to use standard caboose cars.

A law providing for full switching crews.

A law providing for automatic bell ringers on locomotive cabs.
A law regulating the height of overhead bridges and other structures.
A law providing for safety appliances on trains, cars, and locomotives.
A law requiring railroad companies, upon request, to state in writing the cause of an employee's discharge.
A law requiring at least two members of every section crew to be acquainted with the rules of flagging trains.
A law requiring the weekly payment of wages and forbidding the use of store checks.
A law providing for the safety of persons employed in and about coal mines and providing for the examination of miners.
A law providing for safety appliances to be used on steam boilers and inspection of such boilers.
Deckless engine law, regulating the construction and operation of locomotive engines.
Motor-car law, providing for flagmen to accompany trolley or motor cars when being operated over steam railroads.
English-speaking language law: A law prohibiting incompetent employees from running or controlling locomotive engines and railroad trains.
A law to provide for an investigation of the hours and conditions of labor of women.
Automatic-closing fire-door law, for the protection of firemen and engineers and employees of steam railroads.
A law to protect the lives of theatrical performers and theatrical patrons by requiring that counterwighting of scenery shall be done with noncombustible weights carried on steel cables.
Double-header law, which prohibits the practice of placing cars between locomotive engines when double or triple heading.
Pilot law, providing for pilot engineers, motormen, and so forth, when detouring or running over foreign roads.
Water-crane law, providing that water cranes and water spouts used on steam railroads shall be securely locked when not in actual use or operation.
Semimonthly-pay law, requiring corporations to pay their employees their wages twice a month.
Railroad-experience law, requiring that experienced railroad conductors and engineers be in charge of trains.
A law regulating employment agencies.
An arbitration law, to settle disputes between capital and labor.
A home bureau of inspection law, providing for the inspection of buildings, factories, mines, and so forth, for the safety of employees.
A workman's compensation law, for the protection of injured employees.

Mr. Chairman, these and many other laws in the interest of labor have been placed upon the statute books of my State by the Democratic Party, and what has been done for labor in Indiana has also been done in other States where the Democratic Party is in power. Speaking for myself, I want to help bring about a condition where colossal fortunes, built up through the sweat, privation, and worry of men, women, and children of working people, will be impossible; where poverty and want will be unknown, and all those who are willing to work will receive such compensation as will enable them to secure comfortable homes, all the food and clothing they desire, and equal opportunities for themselves and for their children for recreation, rest, and mental development with every other citizen of this Republic. Now, gentlemen, let us pass the pending bill and once more show to the country that the Democratic Party is the real, true friend of labor.

Mr. WEBB. Mr. Chairman, I would ask the other side to use some time.

Mr. VOLSTEAD. Mr. Chairman, I yield such time as he may desire to the gentleman from Massachusetts [Mr. GARDNER].

Mr. GARDNER. Mr. Chairman, I believe that this is a proper line for reform legislation to take. I do not agree with legislation which interferes with the efficiency of labor, but this sort of legislation has my hearty concurrence.

I believe in the theory under which modern workmen's compensation acts are based. I believe that every industry should bear the burden of its own accidents. In fact, I believe that the day is close at hand when we must go further in caring for wage earners disabled by sickness or other causes.

Foreign Governments have gone much further and much faster than the United States in this direction. In this country we are feeling our way with altogether too much precaution. Personally, I think that a minimum-wage law for women, for instance, is a reform far too long delayed.

The expression "social justice" has become a political shibboleth. A partisan discussion is evoked every time that phrase crops up in debate. I confess that I do not like to use the expression "social justice," on account of its controversial character; but every day I become more and more convinced that legislation along the line of "social justice" is imperatively needed in this country.

Mr. VOLSTEAD. Mr. Chairman, I yield the balance of my time to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. Mr. Chairman, the word is passed back and forth among those who are candidates for reelection that it is not wise to talk about this bill or to oppose it. We often hear such remarks and we often pay more attention to them than we should, because it is an old saying that nobody is so cowardly as one Member of Congress except two Members of Congress. I do not profess to have more courage than the average Member here, but I believe that we should give careful and conscientious consideration to all legislation, regardless of the lobby or the propaganda. This bill, while represented as one for compensation to the employee of the Government in case of injury or disability, is so closely modeled on our invalid-pension laws that I can not differentiate and look upon it as other than a provision for civil pension. If the $12 paid to the widow of a soldier is a pension, then this is a pension. We already have laws upon our statute books which provide compensation for civil employees of the Government engaged in hazardous work. It is compensation in a lump sum. That legislation covers our Lighthouse Service, the navy yards, the Railway Mail Service, and I understand that in the Post Office appropriation bill of this year there is other legislation compensating or insuring the lives of many Government employees.

It is proposed in this bill to repeal all of those compensation laws and bring under a pension system 400,000 employees, without distinction as to the character of their work, whether they are engaged in hazardous work such as that in the navy yards or as clerks in the departments without any other risk than that of the average citizen, the lawyer, banker, merchant. It appears to me that in this legislation Congress is asked to make a great departure from the old relations between the Government and its employees.

Very few Members of Congress have seriously discussed or considered a general civil pension, but this bill, taken in connection with two others that have been favorably reported to the House, fairly launch our Congress upon the pension policy of England, Germany, and other European Governments, with this difference, that we propose to be much more liberal in our pensions than any European Government. We have here a minimum-wage bill providing that the Government shall not pay a wage of less than $3 a day to any of its employees, without regard to the character of the employment. The Government already bases its employment on 30 days to the month, and that bill, unless it has specific restrictions, would raise the minimum salary to $90 per month, or $1,080 per annum, which, coupled with the old regulation of 30 days' leave and 30 days' sick leave each year, makes a much more liberal compensation than is provided, on the average, in any wage scale for any line of employment outside of the Government service.

We then have a bill for the retirement of postal employees at the age of 65 years. That bill has also been favorably reported to the House, and provides a pension of $600 a year for all postal employees, placing railway mail clerks, with their hazardous employment, on the same basis with the clerks in the post office and the rural carriers and the city letter carriers, none of whom face any greater risk than the ordinary citizen, but all retiring on a pension equal to the average annual earning of the farmer and greater than that of the factory employee or the wage earner in steel works and telephone companies.

I have here a bulletin recently issued by the Department of Agriculture giving the annual earning of the farmer at $600, only one-third of which is received in cash. In this bulletin the average wage of street-railway employees is given at $650; of men in iron and steel works, $610; of clergymen, $663; of policemen, $1,052; of Federal employees, $948; of workers on full time in factories, $518; and allowing for unemployment, $460. I have also a bulletin issued by the Department of Labor giving the union scale of wages and hours of labor in the last year in many cities of the country. This covers many lines of employment: Steamfitters, plasterers, marble-setters, carpenters, bricklayers, boiler makers, and so forth. None of these union scales equal the proposed scale of the minimum-wage bill which has been favorably reported to this House, and all range from 8 to 10 hours a day. It is said for this bill, that it provides compensation or gives an insurance against risk to about 400,000 of the civil employees of the Government. That is a large number, and yet it is only 1 per cent of the people engaged in gainful occupations in this country. The census reports show that there are 40,000,000 people earning their

living in this country, and that they are the chief supporters of this Government, which has no resources of its own except the power of taxing the citizen and collecting the revenues which we here so liberally appropriate for all sorts of worthy propositions.

The gentleman from Maine [Mr. McGILLICUDDY] in discussing the revenue bill the other day said:

> This power to tax the people delegated to Congress is the most important and far-reaching in its effects of any power in the Constitution. It reaches every home in the land; it affects every family and fireside in the Nation.

I agree with his statement, and yet in this bill he proposes to tax all the people to pension a small part of the people—1 per cent of those who live in the sweat of their faces. He does not know what this burden may become in the future. It is said that it will not cost more than the present laws for compensation, and that it will not exceed half a million dollars a year. The cost of civil pensions in other countries has mounted up after a few years until it has become very burdensome. In Berlin the civil pension costs the Government 36 per cent as much as the active list; in England, 30 per cent; in France, 17 per cent; and in Austria, 33 per cent.

With a compensation schedule like this, the minimum-wage legislation and a civil pension as liberal as that proposed for the Postal Service extended to all the civil service, as it will be in a few years, our civil establishment will become a very expensive one, and then I fear the great body of the people will ask if Congress had looked after the general welfare of the great majority in organizing a special class to be pensioned out of the earnings of the whole through this important and far-reaching power of taxation.

It is class legislation. You know we are prone to look at the fact that it does not come directly out of your pocket or my pocket or the pocket of the individual citizen, but it comes from the Treasury, which, after all, has to be replenished, but in the last analysis it affects every man, whether he is a capitalist or a laborer, because it is all charged back on labor in the end, say what you please about it. Somebody may be the conduit through whom it is conveyed into the Treasury, but in the end it is all charged, either by direct taxation or what is called indirect taxation, upon the consumer, so that it does after all affect everybody.

The men who are engaged in Uncle Sam's employment, man for man, on an average receives a third more pay—I was going to say one-half, but I want to be conservative—one-third more pay, with all the advantage of leaves of absence, where the law so provides, than men of similar ability receive, and that applies to bookkeepers, clerks, railway people, post-route agents, all along the line. Why are these places sought after? Political revolutions are affected sometimes and start sometimes and are crowned with success sometimes by the desire of the "outs" to come in. Why, we have 43,000 rural-route mail carriers.

Now, just let us be honest with each other. They are worthy people. I know a great many who live in my district. The positions are sought after, and they were sought after when the pay was only $300, and they were more sought after as it advanced to $600, $700, to $800, to $900, and to $1,200, as I believe it is now. Why, the man who works upon a rural route—our fellow citizens; I know many of them are good folks—he is better off than the carpenter, than the bricklayer, than the clerk in the bank, than the clerk in the store. Those places are greatly sought after. Why, bless my soul, you ought to see the eligible list since you came in.

The Post Office bill cares for these post-office employees.

Mr. COX. In that connection, why should these places not be sought after, when 4,320 rural-route carriers average less than four hours per day upon a salary of $1,200 per year, and upward of 10,000 more of them employ themselves less than five hours per day, and 43,000 work on an average of only six hours and 41 minutes per day. Why should they not be sought after?

Mr. DOWELL. Mr. Chairman, I would like to ask a question.

Mr. CANNON. Quick, if it is a question.

Mr. DOWELL. I would like to know if the gentleman from Indiana has a record to substantiate his statement with reference to the time the rural carriers are on the route?

Mr. COX. I have. The statement is made by the rural carriers themselves over their own signatures and in their own handwriting.

Mr. DOWELL. I desire to question the record, but——

Mr. CANNON. I can not yield. It is not about this particular man or that particular man, or this particular class of men or that class of men. I want, if I can, to lift this discussion a little higher up than it is generally approached by the various circulars that all of us get. Whoop la! Do you know, boys, what a round robin is? Did any of you ever get one?

Mr. RAKER. Every day.

Mr. CANNON. Every day. I expect everybody does. It comes from the capitalists and plutocrats, the laboring men, and everybody except the farmer. The farmer is one-third of the population. I do not think I have had a single request from a farmer in my district in this year. He is busy with his crops, you know, and taking care of his stock, and all that kind of thing; but everybody else seems to be organized and pouring the requests in to us. When they come in they very frequently send the circular which begot the request. It was not intended that they should do that, but they do it very frequently; and they call that public sentiment.

People are very accommodating about signing petitions and letters urging this and that upon Congress. Several weeks ago I received a number of letters from constituents protesting against the bill to create a juvenile court for the District of Columbia. They used such vigorous language in denouncing that bill that I thought they had been imposed upon. I therefore mailed to my correspondents a copy of the bill with a request that they mark the objectionable sections, suggest changes, and return the same to me. I promptly received replies admitting that they could find nothing objectionable in the bill and confessing that they had been imposed upon by the propagandists who were working against that measure.

We have lobbies and propagandas claiming to represent the people, and it is at times difficult for the Representative to realize that after all the great body of his constituents are not organized but are looking to him to fairly represent them and consent to no legislation that will discriminate against any of them and recognize a class to be favored by the Government. I have no criticism of those who organize and work for themselves and their class. That is in harmony with the laws of nature. But I have never felt that I owed my election as a Representative to any one class or that I should be unduly influenced by the lobby or propaganda of any particular class seeking legislation for its particular benefit. From a purely agricultural district that which I represent has become a district of many industries, and I now represent many thousand men engaged in transportation, manufacture, and mining, while there are also large commercial interests along with the industries and the agriculture. So I have a constituency that fairly represents the interests of the Republic. My experience has been that the average American citizen, whatever his calling or interest, is fair and sympathetic toward the ambitions and aspirations of all other factors in the community, but he is not willing that the Government should depart from its old ideal of equality of all men before the law or that this Congress shall legislate for one class at the expense of all other classes. So I shall vote against this bill because it is class legislation, giving benefits to one class that must be at the expense of the whole citizenship, which must be taxed for these benefits.

No man seeks employment from the Government at a sacrifice, and I am unable to see why the civil employee of the Government, with shorter hours, better pay, and greater privileges than others engaged in similar private employment, should be pensioned at the expense of those who are not in the employ of the Government. After all, these pensions must be paid by the labor of the country, for the Government has no revenues except those it collects from the masses of the people; and, under the present revenue laws reducing the customs taxes and increasing the internal taxation, this plan of granting pensions to the civil employees of the Government is more clearly at the expense of the fellow employee who has not been favored with a Government job. In saying this I am not finding fault with the men in the civil service who are like all other people seeking to better their condition and better provide for those dependent upon them, but, as a Representative of the 99 per cent of those who are earning their bread in the sweat of their faces, I do not believe I am justified in putting this burden upon them without some reliable information as to how that burden will increase, until, like in other countries where the civil pension has been adopted, it has become too heavy for the taxpayers to bear, especially at a time when the Government is facing new problems of defense which are calling for new and untried methods of taxation.

So I respectfully consider all the round robins I receive, listen to the lobbyists, and, balancing one against another, follow the old plan of judging social justice, as these propagandas are called, by the old rule of the greatest good to the greatest number of the citizens of the Republic.

Now, having said that much, let me go a little further on to the classified-service employee. I say again, conservatively, that he gets one-third more pay than similar service receives in the United States outside. He is in the minority, though seemingly in the majority; but he is in a very great minority—only 1 per cent of the wage earners of the country—and yet, as

an American citizen, he is entitled to due recognition. Now, I want you folks, before I take up another line, to know what the existing law is to these people that are in hazardous service. Recollect that possibly in the fullness of time, if we are afraid of these people—I am not; I think I have their confidence in the main, and I think I could oppose what they want in this matter without serious criticism—if we are fearful about them, recollect you make less comfortable and give less justice to the man who is in the hazardous employment than you will by the passage of this bill.

Now, I will say to you frankly that the Government employee in Washington, who, upon the whole, has a very desirable place, when he comes to Washington loses practically his citizenship at home. Yet he enters on a good salary and keeps the good salary and progresses in the good salary if he is a worthy employee, but it is gotten at the expense of loss of acquaintance and practical loss of citizenship in the country at large. So while sometimes we say these people are overpaid—and they are in comparison with other people throughout the country—yet that matter is true. Now, the employee who is out in the city, out in the country, is a pretty swift citizen. He is a practical fellow. He is somebody. He votes. He is an active sovereign. He is supposed to have much of influence. We all court him. Sometimes we court him for more than he is worth, shutting our eyes, you know, when he is representing to us his influence. I am speaking respectfully of the employees, because, I say again, I have great respect for them.

Now, take this thing of good citizenship and let me discuss that a minute. Do you know the men who are going to occupy these seats 40 years from now, when most of us who are here now will be dead? They are the farmer boy, the son of the laborer, the son of the mechanic, the boy who has to hustle. There is a great deal of talk about child labor. Child labor in a factory and mine that are ill-ventilated and which operate over hours ought to be corrected. But there is child labor on the farm, child labor in the little village, child labor in the small city, where the bright-eyed boy contributes to the support of the family by labor before and after school hours and in vacation, who knows what a dollar is worth by having earned it, and as a rule forges ahead, in the school, of the boy who does not have to hustle. Now, you say, "What has that to do with the bill?" I answer, It has a great deal to do with it, because I am here to tell you that when you by legislation give to Government employees—our fellow citizens not engaged in hazardous employment—one-third more pay, with steady employment, than their neighbors receive for similar ability, you beget a privileged class, especially when you consider that this bill provides for a pension to those not engaged in dangerous employment in the event of accident.

Now, the glory of this Republic is the glory of the citizenship of the United States, and it is to be found in what? In the fact that we are self-reliant. The average citizen, whatever his calling or income, relies upon his own effort not only in caring for his home but in insuring it and insuring his own life to provide for his family after he is gone. Care is taken to provide against accident. There is the insurance policy, the society insurance, savings accounts; homes are acquired in building associations, and all that kind of thing.

"Well, that does not amount to much," says somebody. Let me show you what it does amount to. The latest statistics I have been able to find are compiled in the World's Almanac. In the old-line insurance companies there are 41,204,000 insurance policies in existence. It is about the number of our people engaged in gainful occupations. Do you know how much it covers? It covers $21,000,000,000. And it is constantly increasing from year to year. Those policies represent the savings of the millions, and they increase as the population increases; and unless we pauperize our people, if we can keep the present condition in the United States, they will more and more take care of themselves.

But that is not all. Take the society insurance. There are eight and one-third millions of policies, covering in round numbers $10,000,000,000. You know what the society insurance is—the benefical society insurance. It is cheaper than the regular insurance, and it is substantially good.

But that is not all. Take the personal accident and health insurance. That amounts to $5,000,000,000. Again, take the employers' liability insurance. That amounts to $4,000,000,000. And yet that is not all. Take the savings banks. There are eleven and a quarter million of depositors in the savings banks, with an aggregate deposit of $5,000,000,000, representing purely savings. All these substantially are savings.

But that is not all. Take the building associations in the United States. They represent a billion and a quarter of investment. Take the case in my own little city, the mechanics and the laboring men in my little city of Danville, gaining something like 10,000 inhabitants in a decade. They have in those building associations nearly $7,000,000, and they are paying out money for homes, and they get their homes.

Mr. SMITH of Michigan. Mr. Chairman, will the gentleman yield for a question?

Mr. CANNON. For a question.

Mr. SMITH of Michigan. After the rural carrier, whom the gentleman has mentioned, has provided himself with an automobile, or two horses and the rig, would the gentleman think that $700 or $800 or $900, as the gentleman has mentioned, makes that an especially lucrative position?

Mr. CANNON. The pay is $1,200 per annum. The place is greatly sought after. I know that from the time when the pay was only $300 a year until the present time it has been greatly sought after. But if they ought to have more compensation, give them more. They do not need a guardian. Theirs is not a dangerous occupation or a hazardous occupation any more than is that of the farmer. I am not speaking now of low salaries. However, I am not speaking now of the amount of their salaries, but I am questioning the propriety of enacting this legislation at this time.

Now, just let me make a comparison for a few minutes. Do you know what the average pension of the soldiers of the Union Army of 2,200,000 men has been? All the way from $60 a year to, I believe, since the age pension has been added, $220 or $230.

Mr. ASHBROOK. Three hundred and sixty dollars.

Mr. CANNON. Three hundred and sixty dollars? I think, prehaps, my friend is mistaken. The Commissioner of Pensions in his last report gives the average value of the pension for Civil War veterans at $226.53 in 1915. But, however that may be, mind you, the great mass of them are dead. We have always grown more liberal in military pensions as the boys passed over, and we ought to be, because with age greater helplessness comes.

Do you know what the widow to-day gets if she married her husband before 1890 and can trace the death of her husband to the Army service? Twelve dollars a month. You know that prior to 1890 the widow of a private soldier, if both legs of the soldier were shot off, if both arms were shot off, if he was absolutely helpless, or if he were not helpless and died, had to trace the death to the Army service, and she got $8 a month. My friend from Ohio [Mr. ASHBROOK] nods his head. That is right. That was the rate from the close of the war, or even during the war, down to the year 1890.

You know we passed a bill here the other day for the Spanish-American War soldiers. We passed it unanimously. I do not think there was a vote against it. Later on we passed a bill that gave the widow of a soldier who was married prior to 1890 and was 70 years old $20 a month.

Mr. ASHBROOK. That was 1905.

Mr. CANNON. I am speaking of the $20 widow.

Mr. ASHBROOK. That is the bill we passed the other day.

Mr. CANNON. That gave the widow $20, did it?

Mr. ASHBROOK. Yes.

Mr. CANNON. Well, that is right, and it ought to be so.

Now, so much for the pensions on account of the Mexican War and on account of the Civil War. Let us think a little bit now and take this bill and dissect it. Those bills, it is said, will die in the Senate. I do not know whether they will or not. I hope they will not, but the Senate has them before they become laws.

Mr. ASHBROOK. If the gentleman will allow me to interrupt him——

Mr. CANNON. Yes——

Mr. ASHBROOK. I will say that the Senate Pension Committee has favorably reported the widows' pension bill, and it is now on the calendar, with bright prospects of its passage.

Mr. CANNON. I hope it will pass. If my few broken remarks will aid it in any way, I shall be glad. It is tardy justice if the 70-year-old widow receives $240 a year.

Now, what is our condition? The world is on fire, to quote from the President. Sparks are dropping everywhere. It is a very serious condition, speaking about it soberly. We are trying to increase the Regular Army. We are not making very great headway. The pay of a soldier in the Regular Army is $15 a month.

But the newspapers say that 125,000 men have been drafted into the service of Uncle Sam. A man disputed that. I do not know whether he was right when he disputed it or not. He said, "No; they have not been drafted; the President did not have the nerve to draft them." I do not know whether he did or not, but if they are not in Uncle Sam's service, I suppose, legally, you could not use them in Mexico. I do not know how that may be; but either they are drafted or subject to be drafted. Who are they? They are the bone and sinew of many

cities, towns, and rural communities, members of the National Guard, and when the call came responded without making excuse of any kind. Many of them had to surrender lucrative employment and leave their families to the consideration of neighbors while they went to serve the Nation. We passed through this House a bill caring for their dependent wives and children, and in every county from which they go and in the city of Washington there are some families who are dependent. I do not know what the Senate is going to do with that bill. Is any friend and brother able to tell me? If the Senate should pass the bill and these men should go to this war and be fortunate enough to get back in 12 months, each dependent wife will get, if it costs her that much, $600. They will not all need that. That aid will cease with the discharge of the soldier. Possibly as long as we are going to be liberal, and we depend on these people and may need 100,000 more or half a million more—God knows how many—do you not think, maybe, we had better prepare to take care of them? The pension roll now is $158,000,000 a year. How much more it will be when this legislation is enacted I can not tell.

It is said that the soldier's pension rests upon a different principle from that which we are considering, and that the man in the Army goes into that service for patriotic reasons which can not be compensated for. That argument has been used against adequate pay for the soldier and adequate pension for keep in his old age; and now we have it used to defend this bill. I confess that I can not understand any of these applications of the principle of patriotism. It is the principle on which the pension was first given, because the Government could not compensate the soldier in any other way than by trying to make his old age comfortable. The soldier's pension is the only pension this Government has ever given to a class, and the Democratic Party, under the leadership of Mr. Bryan, declared its opposition to life tenure in the public service; but here by this bill you are adding pensions to life tenure.

Now, Mr. Chairman, how much time have I consumed?

The CHAIRMAN. The gentleman from Illinois has 16 minutes remaining.

Mr. CANNON. In the last day or two I have been looking up the facts about this kind of legislation, and I was much aided by the bulletin issued by Henry Pritchett, whom some of you know and who used to be at the head of the Coast Survey and is now at the head of the Carnegie Foundation for teachers. He discusses it very intelligently. If you have not written to him, I hope you will do so, because I find, on asking him about it, that he would be pleased to mail a copy to any Senator or Representative. He discusses the subject fairly and intelligently, as it seems to me.

Dr. Pritchett gives a history of the pension system from its origin. It is difficult to get away from the definition of Dr. Johnson that a pension is an allowance made to anyone, without an equivalent. It began with the soldier in the time of the Roman Empire, and was then, as now, granted because the soldier had risked his life or, in the case of his dependents, given his life for the country. The civil pension followed more through the power of the sovereign to pension his favorites than from any peculiar public service through personal sacrifice. In Germany this pension system was extended to a large part of the industrial population, but with a marked difference, and that difference is responsible for its success. The industrial pension system of Germany is contributory—the employer, the employee, and the Government combine to create a fund, out of which old age is pensioned. The employee begins his contribution at the age of 17 and continues through his industrial life to the age of 65. This contribution is compulsory. The German Government has the power to enact law to compel such contributions from both employer and employee. The administration is in the hands of the Government. The German system is, in fact, a compulsory life insurance, the Government acting as the agent to collect the premium and pay the principal. It is successful in the same way our insurance companies here are successful.

Other Governments have tried the other plan of pensioning old age, and they have found the burden heavier than the taxpayers are willing to support. The system has been unsatisfactory to the beneficiaries as well as those who supported the system. In England the civil-pension system has been the source of loud complaint as the cause of failure to advance salaries and wages, and therefore forced contributions without the frankness of the German system. In the civil service of France employers contribute about one-third of the pension cost, in Austria about one-tenth. In both countries the pension load has become a serious burden. All real pensions, however, have everywhere been recognized as a class distinction, and it is yet to be determined whether the pension stimulates or demoralizes.

The Carnegie Foundation to pension worthy teachers in colleges was established 10 years ago with an endowment by Mr. Carnegie. After 10 years the trustees have found that they were too liberal, and that all Mr. Carnegie's millions would not care for those who sought the benefit of the foundation, for college professors are human and none have been found, whatever their financial condition, who would not accept a free pension. So, after 10 years, the Carnegie Foundation has had to reconsider the plan and try to get a contributory system.

Dr. Pritchett finds that the pension literature of Europe does not give much help in dealing with the pension problem in a democracy like the United States. The answer which has been given in Europe is the outcome of the social philosophy of the last hundred years, a social philosophy under which the Governments of those countries exercise a paternal supervision quite beyond that to which Americans are accustomed, but toward which they have been rapidly tending in the last 20 years.

From reading Dr. Pritchett's report and that of the Economy Commission I am here to say to you that if we enact this legislation and it is to be a success, I am of the opinion that the beneficiary must contribute a part of it, and possibly the Government a part. It seems to me that if contributions are made by the beneficiary and the Government administers the law, the insurance, whether it is in the form of a death rate or an annuity, will be watched and husbanded by those who are interested in it, and you value more highly a thing toward which you contribute. You say, "Would not these people be grateful?" Oh, yes, I suppose so, but I remember the first hundred dollars that ever I earned. That was a good deal of money for a young fellow to earn on the Wabash. I knew what it cost. Why, I stepped high and felt that I had that much with which to aid my widowed mother so far as she needed it, and I had the right to look anybody in the face. When you get something for nothing, the average tendency is to pauperize.

Do you know what I would do if I had supreme power touching this legislation? I would make it the duty of the best experts who could be found to investigate this whole question; to study the system in Germany; because I find on investigation that in more than one country the system became so burdensome that it had to be modified. And don't you see, there is the danger, when you start too high and on an improper foundation. I would let this commission investigate and report as early as possible; and while they are investigating I would wait to see how much we shall have to pay to these people who, at the peril of life, are now on the border and now in the Regular Army; because this bill distances all pension legislation that ever was enacted. I have read this bill at a hop, skip, and jump. With my other duties it has been impossible to give it very intelligent and thorough consideration. The widow of a man who is killed or dies from injury having no children gets 35 per cent of his salary he was receiving until she dies, unless she marries another fellow. Well, under our law as it is now, what would the widow of a soldier who is now in the service get?

Mr. ASHBROOK. Six dollars a month.

Mr. CANNON. My friend says $6 a month, and under this bill the widow of the civil employee may get six times as much. Considering everything, considering the desirability of these places in the civil service and the fact that they have doubled since 1900, and are likely to double again in the next 10 years; considering also the fact that it is the beginning of a general civil-service pension, considering the great pressure that has been put upon you Democrats, and that if we Republicans should succeed, will be put upon us as well as upon you, for it is not a great while until the 4th of March; considering everything, don't you believe that good legislation and a full understanding of all that is involved requires us to look over the ground and take such steps, either by a commission or by the statistical and economical experts connected with the Government, with careful study to make the earliest practicable report, so that when we come back here and when the war closes we can take it up and handle it intelligently? I think so. That determines my vote. No man has heard me abuse people who are in the service. They are American citizens. I am not blaming them for getting all they can. It is human that we get all that we can, you know, and they are human. [Applause.]

I will reserve the remainder of my time. How much time have I?

The CHAIRMAN. The gentleman from Illinois has 10 minutes remaining.

Mr. VOLSTEAD. Will the gentleman from Ohio use some of his time?

Mr. GARD. How much time remains on this side, may I ask?

The CHAIRMAN. Twenty-four minutes.

Mr. GARD. I yield five minutes to the gentleman from Maine [Mr. McGILLICUDDY].

Mr. McGILLICUDDY. Mr. Chairman, in view of what the gentleman from Illinois [Mr. CANNON] has been saying I think there must be in his mind and perhaps in the minds of others in the House a wrong idea of the principle of this bill.

My friend from Illinois has talked a great deal about the men in the service of the Army and the pay which they receive.

The Army compensation is founded on an altogether different principle from the principle involved in this bill. The man in the Army goes into the service of his country for patriotic reasons, and everybody knows that he does not receive any adequate compensation either for service or for injuries. There is nothing on earth that can compensate him. He offers his life and his all for the defense of his country. There is no adequate compensation for it. It is a service rendered in a most extraordinary emergency in the life of a nation, and is in no way to be compared with the work-a-day service of civil life.

Again, my friend from Illinois says that the wages of the employees in the Government service are one-third greater than those in other similar lines of business and employment. I do not believe this is true. There may be cases in the Government employment where the wages paid are higher than in other similar service, but these are certainly the exception and not the rule. The United States Government demands high qualifications and high-grade service, and, of course, must pay for that kind of service. It is not an unusual thing for Government employees to resign their positions in the Government service, because they can do better and get higher compensation in private life.

But even if what the gentleman from Illinois says were true, that is no logical or reasonable argument against the principle of this bill. At most it could only be considered as an argument against the payment of what he claims to be present excessive wages. It is in no way an argument against compensation for injuries.

Payment of wages for service rendered is an altogether different thing from compensation for injuries received in the course of employment. They are in no way related.

This bill has nothing to do with wages. It concerns only compensation for the unfortunate employee who meets with a loss because of an accident in the course of his employment which his own misconduct did not bring about.

The gentleman from Illinois [Mr. CANNON] objects to the bill because it includes those employees in the nonhazardous classes of employment in the Government service. He seems to think this is in the direction of a dangerous tendency, but in the nonhazardous classes of employment accidents will be but few and compensation small. Of course it is obvious that the less hazardous an occupation the less probability of accident there is, but I submit to the good sense of the gentleman that accidents do happen even in occupations not usually denominated hazardous. If under such circumstances an accident does happen, it is certainly because at that particular time and under those particular conditions there was some hazard.

Mind you always that under the provisions of this bill if the injury was caused by the willful misconduct of the employee, then the Government would not be liable.

The most casual inspection of the present law discloses its injustice. Under its provisions a man may enter the Government service and within 30 days in the course of his employment, without any fault of his whatever, become a cripple for life while in the discharge of his duties, yet he has no remedy and receives no compensation whatever. He, and he alone, must bear the whole burden of that misfortune, for which he was in no way to blame. In no other class of employment in the United States does this occur. In every other employment the employee has remedy either at common law for sole negligence of the employer, or under employers' liability statutes or compensation laws, but the unfortunate victim in the Federal employment is without these remedies. Private individuals, associations, and corporations have to make amends to the employee under some one of these remedies.

Shall the great Government of the United States be less just toward its employees in the hour of misfortune, for which it may be solely to blame, than the private individual, association, or corporation in the States?

But the gentleman from Illinois [Mr. CANNON] appears to oppose this bill on account of its general theory and principle. He is especially theoretical.

Now, the best possible test of any law is its practical application in the business and affairs of life.

This principle of compensation for accidents in employment has been vitalized into law in 32 of the great States of the Union. In every State where it has been tried, I submit to this House that there is not a single State where there is any sentiment for repeal of the law. On the contrary, I believe I am within the limits of the truth in saying that in every State in the Union where it has been tried the sentiment is not only to retain it but to liberalize its provisions and enlarge its scope.

A particularly unusual and significant thing is that it has been satisfactory to employer and employee alike.

What better test do you want of the wisdom of such a law than its practical application in 32 great States of this Union with absolute satisfaction to everybody, employer and employee alike?

My friend Mr. CANNON is from Illinois. In his own State is practically and in principle the same kind of law we are asking to pass here. In his own State the Government employees are included within the compensation law as well as those of the private employer.

I ask the gentleman from Illinois, in all fairness and candor, if he advocates that the United States should be less liberal and just toward its employees in case of accident than is his own State? [Applause.]

Mr. SMITH of Michigan. Will the gentleman yield?

Mr. McGILLICUDDY. Yes.

Mr. SMITH of Michigan. Has the gentleman made any computation, so that he can tell the House what would have been the expense to the Government if this law had been in force during the last fiscal year?

Mr. McGILLICUDDY. Yes. The best estimate we can get from experts who have made a special study of this particular phase of the question is that the expense will be no more than under the present law—at least for a few years. Of course, nobody can tell with accuracy what it will finally develop into. But, so far as we can see now into the immediate future, it will not substantially increase the expense to the Government but it will distribute the compensation for accidents and misfortunes among all of the employees of the Government instead of discriminating against three-fourths of them. [Applause.]

I hold that the present law is unjust, first, because it is discriminatory, and second, because it is totally inadequate as a compensation measure, even so far as it professes to go.

The present law applies to approximately only one-fourth of the Federal employees.

If the compensation idea is sound in principle and economically practical, as has been demonstrated, why should not its benefits be extended to all employees of the Government, and not be confined to a part? To extend its benefits to some and deny them to others is to my mind an utterly unjustifiable discrimination.

Again, the present law, even so far as it goes, is totally inadequate. If the Government is to compensate at all, it should do so in some measure proportionate to the injury received.

I have examined the administration of the present law, and it is positively inconsistent with reason, justice, or common sense.

I wish every Member of this House would examine the bulletins issued by the Federal Bureau of Labor Statistics, and see therefrom to what absurdities the practical application of the present law leads. In a recent issue of a bulletin of the Bureau of Labor Statistics I found that fractures of the arm led to payments of less than $25!

Loss of an eye to amounts varying from $25 to $50!

Loss of right arm, less than $50!

In three cases specified, for the loss of both legs, the average compensation was $377.44!

Think of that, gentlemen of the House.

For the loss of an eye, $25!

For the loss of a right arm, less than $50!

For the loss of both legs, less than $400!

Compensation is positively a misnomer when applied to payments under such conditions.

The great Government of the United States should feel ashamed and humiliated when facing victims of such misfortune in its service.

These conditions of absurdity, injustice, and inadequacy are inherent defects of the present law which this bill is designed to correct.

Let me say to the gentlemen of the House that this bill leads into no new and experimental field of legislation. The bill has been drawn with great care and has passed the wise and judicious scrutiny of the great Judiciary Committee of this House. This committee has twice favorably reported this bill. It is a safe and conservative measure, human in conception, sound in principle, and economically practical. You will make no mistake in its speedy passage. [Applause.]

In conclusion, I simply want to say in reply to the gentleman from Illinois [Mr. CANNON] that the compensation law of his State, the act of 1913, section 4, does include all State em-

ployees, and not only all State employees but every county, town, and city employee.

The language of section 4 of the compensation statute of Illinois reads:

The term "employer," as used in this act, shall be construed to be, first, the State and each county, city, town, township, incorporated village, school district, body politic, or municipal corporation therein.

Mr. CANNON. I am not as familiar, perhaps, if the gentleman will allow me, as I ought to be with my own State legislation, although I would rather take the knowledge that my colleague [Mr. WILLIAM ELZA WILLIAMS] has than to have a single clause of the act. The gentleman may be right. I will examine it and see.

Mr. McGILLICUDDY. I am simply quoting without comment from the statute of Illinois, the gentleman's State. It speaks for itself.

The CHAIRMAN. The time of the gentleman from Maine has expired.

Mr. VOLSTEAD. Mr. Chairman, there is nothing very new or startling about this measure unless it is the matter to which the gentleman from Illinois [Mr. CANNON] has called attention. I have taken some pains to learn as near as I could what the policy has been in other countries and in our States with reference to granting compensation to those not engaged in hazardous employment. I find that in almost every instance compensation is refused to those engaged in occupations that are not hazardous.

The gentleman from Maine [Mr. McGILLICUDDY] called attention to the State of Illinois as providing for compensation in nonhazardous occupations. I think if he will read the law he will find that compulsory compensation is, in that State, confined to those engaged in hazardous employments.

That is the radical change proposed in this bill from the laws now on our statute books. Otherwise, this is not a new departure. This bill consolidates existing laws and extends or liberalizes them.

I am in sympathy with this class of legislation and anticipate developments along this line. This class of legislation did not originate in this country. Germany, I believe, was the first country to pass a law like this, way back in 1884. Austria followed the lead three years later, and Norway enacted a similar statute in 1893. Since then every European country has passed similar laws. In a summary given by the Department of Labor in 1914, it is said that every European country except Turkey has compensation laws. They rest upon this principle, that the industry rather than the individual workman should bear the loss that is incident to carrying on any industry. I am not convinced that such laws should not apply to nonhazardous occupations. If the principle upon which they rest is to be carried out, it seems to me that they ought to apply whether the occupation is hazardous or not. There is one feature of the bill that may be unjust, because not properly guarded. In some instances it may grant more compensation than the actual loss sustained, a question which ought to be carefully considered, because if it does, it imposes an unjust burden upon the rest of the people. It is difficult to see the end of this sort of legislation. It is a very difficult problem to solve. We have to-day about 400,000 employees who will profit under this bill. The gentleman from Maine [Mr. McGILLICUDDY] has just said that it will not increase the present burden upon the Treasury. It seems to me that anyone who will stop and consider the character of this legislation must realize that in years to come it is going to add immensely to that burden. The total charges upon the Treasury will not be known for many years to come. It has been estimated that it will take 40 years before we shall know what it eventually will cost. Each year we shall add new dependents, new people to the list, drawing money from the Treasury. The amount that we pay next year or the year following will not indicate what the eventual burden will be.

While the industry should bear the chief burden, those who profit from this compensation should not be paid so much that it may tend to lessen their interest in their own protection. I do not believe that the amount to be paid under this bill is too large. While I shall vote for this bill, there are things in it that I do not like.

I believe in the principle of compensation, and believe that we may in the near future extend the principle as far as Europe has been compelled to go. The situation there has been different from what it has been here. In this country we have not been driven to carry this policy to its logical conclusion, because here the opportunities to earn a living have been much greater. There they have been compelled to adopt measures to insure against a destitute old age. We may have to do the same some day. As a rule the European countries require the employees to pay the premium on such insurance, and the State guarantees the solvency of the insurance company. I realize that this bill tends to protect against the misfortunes of life, and it seems to me that the time will come when this whole problem of social justice must be studied in earnest. Many municipal corporations, railroads, and other industrial corporations pay old-age pensions to-day. This in a limited way provides pensions. We should be careful that this only grants the relief to which these people are fairly entitled, so that the burden may not be unfairly placed upon the shoulders of those who have to pay. [Applause.]

Mr. WEBB. Mr. Chairman, I yield five minutes to the gentleman from Illinois [Mr. WM. ELZA WILLIAMS].

Mr. WM. ELZA WILLIAMS. Mr. Chairman, I was somewhat surprised at the position taken by my colleague from Illinois [Mr. CANNON], and, so far as I am advised, he is the only Member on the floor who has taken a position against this bill. He intimated that most of the Members who favor the bill do so because of cowardice. He admitted that he was as big a coward as anybody, but asserted that he had the courage to oppose this bill.

This bill provides compensation for employees of the United States who suffer injuries while in the performance of their duties, and it excepts cases where the injury results from the willful misconduct of the employee or by the employee's intention to bring about the injury or death of himself or of another, or if intoxication of the injured employee is the proximate cause of the injury or death. Some complaint has been made or was made by the gentleman from Illinois [Mr. CANNON] that it did not confine liability to hazardous employments.

As was well said by the gentleman from Minnesota [Mr. VOLSTEAD], who has just taken his seat, in cases of injury resulting from employment other than hazardous, the liability, of course, of the Government and the expense would not be very great, and in such cases it would be only rare instances where liability would arise. It does not occur to me that the distinction is important to this bill. In case of hazardous employment as administered in our State courts under State statutes, the questions of assumed risk and contributory negligence oftentimes arise. These questions can not arise under this act. In case of hazardous employment, of course, the liability is greater, and the expenses entailed upon the Government greater, than in cases arising in employment other than hazardous. In the State of Illinois, to which allusion has been made, we have a comparatively new or recent employers' liability act, and under the provisions of that statute the employer is required to answer in damages for injuries, not as provided in this bill, but in amounts named or fixed by statute, or within a range within which the parties may agree, and the employer is required to make compensation as provided by statute, and it has avoided very much litigation growing out of injuries resulting from the employment, hazardous or otherwise.

Mr. CANNON. Mr. Chairman, will the gentleman yield?

Mr. WM. ELZA WILLIAMS. Yes.

Mr. CANNON. So far as I have an impression, I think that the State of Illinois does not, by virtue of any statute, compensate any of its employees in the event of injury.

Mr. WM. ELZA WILLIAMS. As far as the State of Illinois is concerned, there is no law creating a State liability, except such claims as may be allowed by the commission, when presented to it, and which the State voluntarily pays. That is my recollection of the law. In any event a liability against the State can not be enforced, because of that provision in the State constitution which provides that the State shall never be made defendant in any court of law or equity.

Mr. CANNON. I think the gentleman is correct, but there is an employers' liability law in Illinois.

Mr. WM. ELZA WILLIAMS. Yes; and that is the act to which I was referring. This bill, of course, does not apply to an employee other than of the United States.

I have observed the course of this debate, and am gratified with the favor with which this bill is received on the part of the Members. My distinguished friend and colleague, Mr. CANNON, seems to be the sole opponent of the bill. The Democratic platform adopted at Baltimore four years ago declared in favor of "adequate compensation for industrial accidents," and that platform was readopted at St. Louis last month, and made one of the pledges which the party is under obligation to redeem. This is about the only remaining plank in the Baltimore platform which has not been redeemed during the four years of this administration, and I congratulate the party and the country on the prospect of a speedy redemption of that plank in the Democratic platform. I am a member of the Committee on the Judiciary, which has had charge of this bill and which unanimously reported the same favorably to this House. It was

a pleasure to support it in committee, and it is a pleasure to support it here. I therefore, Mr. Chairman, shall vote for it.

Mr. WEBB. Mr. Chairman, I yield three minutes to the gentleman from Louisiana [Mr. DUPRÉ].

Mr. DUPRÉ. Mr. Chairman, I have long taken an interest in the question of workmen's compensation in a more or less academic way, but in the Sixty-second Congress as a member of the Committee on the Judiciary, I found myself confronted with the necessity of considering it from the standpoint of a lawmaker, and on further study became absolutely convinced of the justice and wisdom of such legislation.

I accordingly supported the Brantley-Sutherland employees' Federal compensation act and regret that it did not become the law. Believing that when the Government was trying to enact legislation that would apply to employees of corporations engaged in interstate commerce it should itself set an example and evince a willingness to act toward its own employees in a similar way, I joined with my then colleague, Representative Howland, of Ohio, in pressing the measure introduced by him on this subject, which was favorably reported to the House by the Judiciary Committee. When Mr. Howland retired from the House I introduced in the Sixty-third Congress his bill. Finding that my colleague [Mr. MCGILLICUDDY] had introduced a measure much better considered, more scientifically and logically prepared, I abandoned all pride of paternity and gave my assistance and my support to his bill. I believe it would have passed the last Congress but for the fact that overzealous friends of the measure had insisted on including compensation for occupational diseases. That objectionable feature has been eliminated from the present bill, and I trust without much further delay both branches of the Congress will pass it.

There are two aspects in reference to legislation of this character which may be succinctly stated as follows: In the first place, the cost of compensation under these conditions should be regarded as a part of the cost of production, of operation. When a manufacturer finds that a piece of machinery has broken down and a new part has to be substituted, it is debited to the cost of operation. So it should be when a Government employee is injured. Then in the matter of the compensation itself, I say, the question should be viewed from the standpoint, not of fault, but from the standpoint of injury, unless of course it has been caused exclusively by the inexcusable act of the employee himself. It seems to me this is a wise and enlightened piece of legislation, in keeping with laws that have been adopted in many of the States of this Union, including my own State of Louisiana, where, though of recent date, this legislation has worked very satisfactorily. I hope this House will dispose of this measure to-day. The matter brooks of no further delay. [Applause.]

Mr. WEBB. Mr. Chairman, I yield five minutes to the gentleman from Kansas [Mr. TAGGART].

Mr. TAGGART. Mr. Chairman, in the Post Office appropriation bill which was approved in March, 1914, 133,000 employees of the Post Office Department were covered by the section of the bill which provides that in case of a death $2,000 may be paid the widow or family of the deceased employee of the Post Office Department, and in case of disability it provides full pay shall continue for one year and half pay for another year, and then all compensation shall cease. The act that was passed in 1908 to cover hazardous employment covered about 55,000 employees.

Mr. COX. Will the gentleman yield for a question right there?

Mr. TAGGART. I will.

Mr. COX. The gentleman has studied this bill more than I have. What effect will this bill have upon the provision of the Post Office bill in which we had to pay postal employees $2,000?

Mr. TAGGART. It will repeal that bill, and instead of giving a temporary measure of compensation it will give a permanent and continuous compensation.

Mr. COX. Where is the repealing act in this bill now pending?

Mr. TAGGART. The very force of the bill itself will repeal all other acts, and the bill expressly provides for repeal of all other compensation laws. For temporary cases of injury this bill is a measure of economy. It will cost less for slight and temporary injuries than the present law. Ultimately it may cost more each year, as the gentleman from Minnesota [Mr. VOLSTEAD] has said, but for the present it works economy and makes a substantial and absolute provision for life for those who are totally disabled or for the families of those who may lose their lives in the service.

I am astonished that the distinguished gentleman from Illinois [Mr. CANNON], the most distinguished gentleman on the floor of the House, should have the supreme courage to refer to pensions. This is not a pension. This is a part compensation. The gentleman referred to a matter that is not mentioned for the first time in 52 years in the platform of his party.

For 48 years, in 12 consecutive national conventions, the greatest scream of the Republican Party platform was its declaration of generosity to those who saved the Republic. But its patriotism got thin by degrees and beautifully less, and a few days ago they drew a platform that did not mention pensions at all. As an old veteran wrote me the other day in rhyme:

A soldier's belt would need no extension,
Should he get a pension that they mention.

This is not a pension. It is not to be compared with the pay and allowances for the voluntary military service that men render for practically no compensation except spending money. Military service is a national sacrifice, the sacrifice of men, women, and children of the country to attain some great object. This bill represents the recognition of United States service, with a view of bettering that service, with a view of having greater satisfaction in the service, with a view of making those who are in the service better satisfied to make it their life work. I can not agree with the statement that these men are getting more compensation than men of similar ability——

The CHAIRMAN. The time of the gentleman has expired.

Mr. WEBB. I yield the gentleman one minute more.

Mr. TAGGART. Would the gentleman from Illinois or any other gentleman say that the conductor in charge of a passenger train is a man of greater ability than the man who throws mail into the mail car, who must know every post office in half a dozen States, and who is immediately checked if he makes a mistake?

The 18,000 railway postal clerks, taken as a whole and on an average, are the most intelligent body of men of that size in the world, and they are rendering service that is even more hazardous than the ordinary average military service in time of war.

The railway postal clerk is working for a little more than half of the wages that that railroad conductor is receiving. The fact is, that with the present cost of living, the compensation of Government employees is hardly sufficient.

In conclusion, let me say that inasmuch as nearly half of the Government employees are now entitled to compensation in case of injury or death, and the other half are practically all in sedentary occupations, not subject to any great hazards or dangers, the extra cost of putting them in the bill amounts to very little. And our purpose is that if one of them should become totally disabled in the service, or should he lose his life, the people of the United States should not abandon him or his children, but should give him the same consideration that any honest, patriotic, and just employer is willing to give to those who labor for him.

The CHAIRMAN. There are two minutes remaining on each side.

Mr. VOLSTEAD. Mr. Chairman, I yield two minutes to the gentleman from New York [Mr. SIEGEL].

Mr. SIEGEL. Mr. Chairman, I shall vote for this bill, because when in the State of New York a similar act was declared unconstitutional we adopted an amendment to the constitution in order to make such a law effective. I shall vote for it because we passed a bill by which 100,000 employees of the city of New York receive compensation similar to what is provided in this bill.

This act has gone one step further. In our bill it is provided that employees shall stand the first two weeks' loss of compensation, and in this bill Government employees stand the loss for the first three days. This proposed act covers a case that occurred in the city of New York, where a post-office employee was stabbed while performing his work. This bill covers a case where a post-office employee fell through the shaft of one of the elevators in the building of the post office, which was left open by a person visiting the building.

No logical or just reason can be advanced against it. Every newspaper in New York City is in favor of it. Every man who believes in progress and fair dealing with Government employees must raise his voice in its behalf.

Last night's Washington Star had an editorial, which I quote in part:

THE COMPENSATION BILL.

If the routine of the House of Representatives is not disarranged to-morrow, the McGillicuddy bill to establish an effective system of Government compensation for injuries suffered by Federal employees will stand as unfinished business, having been left over from a previous Calendar Wednesday. This bill represents a most careful study of the Government's obligation to care for its workers. It is regarded as a scientific measure and should be passed as it stands.

The United States has been derelict in this matter of providing compensation for its injured workers. It is not as far advanced in this

respect as many of the States. There is a measure of workmen's compensation on the statute books, but it is not fully equitable or effective, and the pending bill is designed to correct it and apply its provisions to all classes of Government workers. Until this new measure is adopted it can be truly said that practically the United States has no workmen's compensation system worthy of the name.

I agree most heartily with what the Star said last night, and I believe I express the sentiment of the people of the State of New York when I say they are in favor of this measure. [Applause.]

Mr. THOMAS. Mr. Chairman, I ask unanimous consent to address the committee for 10 minutes.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent to address the committee for 10 minutes, all time except 2 minutes having been consumed under the time for general debate.

Mr. MANN. After we commence to read the bill under the five-minute rule that permission can be granted, but the committee can not extend the time for general debate. Wait until they reach the first section of the bill.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the United States shall pay compensation as hereinafter specified for the disability or death of an employee resulting from a personal injury sustained while in the performance of his duty, but no compensation shall be paid if the injury or death is caused by the willful misconduct of the employee or by the employee's intention to bring about the injury or death of himself or of another, or if intoxication of the injured employee is the proximate cause of the injury or death.

Mr. MORGAN of Oklahoma. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Oklahoma offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 1, lines 9, 10, and 11, strike out the comma in line 9 and insert in lieu thereof a period, and strike out all of line 9 after the word "another" and all of lines 10 and 11.

Mr. MORGAN of Oklahoma. Mr. Chairman, this is a bill to provide compensation for employees of the United States suffering injuries while in the performance of their duties. The provisions of the bill apply to all the civil employees of the United States. Something like 450,000 persons will be brought within the scope and benefit of this bill if the same should be enacted into law. Section 1 of the bill is as follows:

Be it enacted, etc., That the United States shall pay compensation as hereinafter specified for the disability or death of an employee resulting from a personal injury sustained while in the performance of his duty, but no compensation shall be paid if the injury or death is caused by the willful misconduct of the employee or by the employee's intention to bring about the injury or death of himself or of another, or if intoxication of the injured employee is the proximate cause of the injury or death.

Before discussing the merits of my amendment I wish to say that I am in favor of this bill and shall vote for it. The existing Federal law allowing compensation to injured employees of the Federal Government covers only those engaged in extra hazardous occupations. The law covers only about 100,000 employees. This bill will include about 400,000 civil employees. In passing this bill we are only following the example set by the majority of the States of the Union. Thirty-two of the 48 States have compensation laws. Twenty-one of these allow compensation for injuries regardless of the character of the occupation. We are not only following the States but we are also following the policy of many of our great industries and commercial corporations. In addition to this, most of the nations of Europe have also set an example for us. Many of the European nations long ago provided suitable compensation when their employees had been injured in the line of duty. Legislation of this character is also supported by the highest principles of justice and the best impulses of the human heart. This great and enlightened Government should lead in legislation of this character.

Having thus given my approval to the general principles of the bill, I wish now to discuss the amendment which I have offered. At the beginning of my remarks I quoted the first section of this bill. The section quoted makes three exceptions where no compensation shall be allowed for injury received by a Federal employee while in the performance of his duty. These are, first, where injury or death is caused by the willful misconduct of the employee; second, where injury or death is caused by the employee's intention to bring about the injury; or third, where intoxication is the proximate cause of the injury or death. The amendment which I have offered proposes to strike out the third exception. After some study I have concluded that the Federal Government should not refuse compensation to an employee or his family even though intoxication was the proximate cause of the injury or death. When this bill was before the Judiciary Committee, as a member of that committee I objected to inserting the foregoing clause in the bill. My proposition was voted down in the committee. I there gave notice that I would call the matter to the attention of the House. It is claimed by some that to strike this provision out of the bill would encourage Federal employees to become intoxicated, and that the provision should be allowed to remain to discourage men from using intoxicating liquors. It is asserted that this is a good provision as it will serve as an inducement for men to be sober and temperate in their habits and to entirely refrain from the use of intoxicating liquor. So far as such a provision would have a tendency to promote temperance it would make a strong appeal to me to withdraw my amendment. I doubt, however, that the above provision would have any such effect.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. MORGAN of Oklahoma. I yield to my colleague from Iowa.

Mr. GREEN of Iowa. In the cases mentioned in the exceptions, the gentleman doubtless believes compensation should be awarded as a matter of right and justice, but does he think it would be a matter of right and justice where the injury was brought about by the man's own intoxication that payment should be made? If payment should be made in such circumstances, even to the family of the party injured, ought it not to be rather as a matter of charity than as a matter of right and justice inaugurated into a policy of the Government?

Mr. MORGAN of Oklahoma. Now, that is what I hoped to convince the members of the committee of.

Mr. HAMILL. Can the gentleman tell us if the compensation laws of the various States where there are compensation laws contain provisions similar to this?

Mr. MORGAN of Oklahoma. My impression is that they generally do, and that was one of the arguments used by the committee in favor of inserting this clause; but, my friend, I have an idea that we should not necessarily copy from the States, because we know that very often these matters go into legislation without proper consideration.

And now is the time and here is the place when this National Government, when this House, ought to decide that question whether an employee of the Government, whether his family, may be denied this compensation simply because the man was intoxicated.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. COX. Mr. Chairman, will the gentleman yield? If his time has expired, I ask that his time be extended five minutes.

Mr. MORGAN of Oklahoma. My time has not expired yet, has it?

The CHAIRMAN. Yes.

Mr. MORGAN of Oklahoma. I ask unanimous consent to proceed for 10 minutes. I have not taken up any time in general debate on this bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

Mr. GARD. The gentleman is a member of the committee, and I ask, Mr. Chairman, that the extension of time be made.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. COX. Now, the gentleman is discussing a very interesting point, over which courts and juries have wrestled in this country for many, many years.

Mr. MORGAN of Oklahoma. I hope the gentleman will be brief.

Mr. COX. I will. Let me put this case, however, to the gentleman: Take an employee of the Government who is working upon some dredge work, really dangerous work. He becomes voluntarily intoxicated of his own free will and accord, and as the result of that intoxication he loses his life. Or take one of these men who drive automobiles, collecting mail all over the city of Washington, or in various other cities, who gets drunk of his own free will and accord, and he comes to grief by getting killed. Does the gentleman believe for a moment that this country ought to be taxed in order to pay that man or his relatives anything? There are arguments on both sides of this case.

Mr. MORGAN of Oklahoma. Yes. Let us proceed on this line of argument. One of the exceptions is where an employee attempts to inflict an injury upon himself or upon a fellow employee. Another exception is where he intentionally brings on the injury. Those two exceptions are in the nature of crime. Now, is intoxication, the third exception, a crime?

Mr. HAMILL. Mr. Chairman, will the gentleman yield for a question?

Mr. MORGAN of Oklahoma. Yes.

Mr. HAMILL. I do not understand that intoxication itself bars a man from recovery. It is only when that intoxication has been the moving cause of his injury, the proximate cause.

Mr. MORGAN of Oklahoma. I understand that. But the question goes back, who is responsible for this intoxication? Gentlemen, we know that to some extent this House, this Congress, this Nation, is responsible to some extent for every man who is intoxicated.

Mr. HUMPHREY of Washington. Mr. Chairman, will the gentleman yield?

Mr. MORGAN of Oklahoma. Yes; I yield.

Mr. HUMPHREY of Washington. A man usually gets drunk voluntarily, does he not?

Mr. MORGAN of Oklahoma. Well, I have not had any experience along that line and could not tell the gentleman how that would be. [Laughter.]

I want to propound this question: Where will the Federal Government obtain the money to pay the compensations for the injuries received by its employees under the provisions of this bill? About one-third of all the revenues of this Government for ordinary expenses come from the tax levied upon the liquor business. Say what you may, the Government, in a sense, becomes a partner in the business. The Government must have an interest in any business from which it must derive one-third of its revenues. Somebody must patronize this business or the Government must look elsewhere for its revenue. On principle, how can the Federal Government object to its employees patronizing this business when the Government looks to this business as a source of one-third of its revenue? If somebody must patronize the liquor traffic, is it not illogical for the Government, that authorizes or licenses this business, to object to its own employees patronizing these institutions? Is it not inconsistent for the Federal Government to collect $225,000,000 annually from the tax on intoxicating liquors and then say to an intoxicated employee, "If you are injured in the course of your employment, the Government will not compensate you; or if you are killed in discharging your duty while intoxicated, your family—your widow and your children—shall not be compensated"? If the Federal Government permits these liquor establishments to exist, it can not consistently, logically, or justly refuse compensation to an injured employee or his family, although the injury or death has been the result of intoxication.

Mr. EMERSON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Oklahoma yield to the gentleman from Ohio?

Mr. MORGAN of Oklahoma. Yes.

Mr. EMERSON. Do you think if you help this man out who helps this business along, that would not be encouraging the drink habit? [Laughter.]

Mr. MORGAN of Oklahoma. We are encouraging it. For whom are we paying this compensation, after all? For the employee? Certainly not. It is for the widow and children. It is for the family. That is why we are granting this compensation. It is for the family, for the home, the foundation of all our institutions.

The wife, the widow, or the child of an employee of the Government injured while intoxicated above all other persons should be granted compensation. The employee does not drink with the approval of his wife or child. He drinks against their protest; and yet by the provisions of this bill you say to the widow if the employee be killed, or to the wife and the children if the employee be injured, "It is true that the Federal Government gets one-third of its revenue from the taxation of the liquor traffic; it is true that through the patronage that your husband or your father gives to this business you enable the Government to pay pensions to other employees; still, we will allow you nothing." This is not justice; it is not right; it is unworthy a great Government like this. So long as this Government permits the liquor traffic to exist and depends upon it for a large part of its revenue, it ought not, in enacting a great law, supposed to be based upon the highest principles of justice and humanity, to refuse compensation to an injured employee or his family, although intoxication was the proximate cause of the injury.

Mr. MADDEN. Mr. Chairman, I am in favor of this bill, and I am in favor of it because it is humanitarian.

Every employer of labor with humanitarian instincts during all the period of my existence has taken care of his employees in some way or other if they were injured; but every employer, regardless of whether he was humanitarian or not, always proceeded at once to put into repair any machinery that was broken down.

Now, if they could act in that way with a piece of machinery, how much more important is it that they should provide some means by which human beings injured in the course of their employment should be cared for?

The employers' liability law in our State covers everybody, whether they are in hazardous employments or in other employments. The domestics employed in the household are covered by the employers' liability law of Illinois; the clerk in the office is covered by it. And if private employers are required by the laws of their States to provide compensation for injured men and women, why should not the Government of the United States treat its employees with like consideration?

It does not matter whether the employment is hazardous or not. It only matters that the employee is a human being, and that some consideration should be given to the human being as such. It does not matter that it costs the Treasury of the United States something; it only matters that the United States as an employer has at last recognized the humanitarian side of humanity.

Large employers of labor have discovered that since the enactment of the employers' liability laws safeguards have been installed in all workshops which have reduced the injuries almost 90 per cent; so that, as a matter of fact, there are no such numbers of injuries occurring to-day among the working people of America where employers' liability laws are in existence as occurred before these laws were passed. When the liability was imposed upon the employer he found that the way to safeguard the treasury of his company was to safeguard the lives of the men employed by him by placing around all dangerous pieces of machinery the proper safety appliances, and committees have been appointed by all great industrial enterprises to visit factories and point out dangerous places and to put the necessary safeguards around these dangerous situations so as to protect the lives of those who are employed there. [Applause.]

Mr. SHERLEY. Mr. Chairman, perhaps it is not necessary that anyone should now speak in favor of this bill in order to secure its enactment, because the time has gone by when the wisdom of compensation laws can seriously be questioned. But it may not be amiss to state very briefly some of the reasons, both economic as well as humanitarian, why the Government should take this step. In the past the employee of a private employer was left to his rights at law to secure compensation for injury that arose without his fault. That policy, dealing with the individual and taking no contemplation of the law of averages, proved to be one of the most expensive methods of undertaking to do justice ever invented by man. The result of it was that many suits were brought which from the strict standpoint of liability of the employer could not be maintained; and even when suits were brought where there was a liability the cost of litigation was such as to deprive the beneficiary of the real benefit he should have received, while entailing upon society and the employer an expense sufficient, if scientifically spread over all industrial enterprises, to take care of every one who was injured, irrespective of whether he was at fault or not.

Now, the Government can do only one of two things. It can either put itself in the position of an ordinary employer at the common law, giving to the employee the right to sue, with all the resulting loss from such a wasteful system, or it can arrange for a compensation which will be irrespective of whether there has been negligence in the old common-law sense or not, and which will look to the aid of society and deal with units rather than with individuals. This bill is built upon the latter plan. It contemplates compensation for every employee who is injured, unless his injury is the direct result of such a voluntary act of his own as brings about the injury through his own volition, and it serves to distribute the hardships that otherwise would fall upon one or a very few.

Life is so constituted that it happens in the ordinary routine of everyday existence that through accident burdens are placed upon the individual away beyond his capacity to bear, which if distributed do not make an appreciable burden upon society at large, and it is now recognized that it is not right that the individual should bear the burden of what is frequently a misfortune and not a fault in the true sense of the term.

It is for this reason that everybody has come to see the wisdom of workmen's compensation laws, and no man can vote intelligently in favor of compelling the private employer to submit to a liability under compensation laws and not be willing to compel the General Government as an employer to bear the same liability. [Applause.]

Men may differ about details, but the broad basic principle that the Federal Government ought to do what it is prepared to compel the private employer to do can admit of no dispute. I for one only regret that this bill is not to be followed immediately by a bill for a workmen's compensation act touching that field which is within the domain of Congress, of employees engaged in interstate commerce, so that we can get away from the old, antiquated, useless method of private suits in order to determine the equity between employer and employee. [Applause.]

Mr. MANN. Mr. Chairman, I ask unanimous consent that I may proceed for 10 minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that he may proceed for 10 minutes. Is there objection?

There was no objection.

Mr. MANN. Mr. Chairman, when I first came to Washington as a Member of this House the Government made no provision at all for compensation on account of anyone injured in the Government service. There was no general law on the subject, and it was not the practice of the Committee on Claims to report any special bills providing for compensation. I believe prior to that time there had been a few bills passed, the most notable case being that of the Ford Theater, used as a bureau office. When that building fell down, right here where the Members of Congress were, there was an act passed making compensation. But it was not the custom. Members introduced bills, but they were never reported.

Some years ago we passed the existing general compensation act, providing for not to exceed a year's pay where people were injured in certain services that were called hazardous services. Not very long after that the question came up as to whether we would provide by special act compensation to a Government employee who was not covered by the general law. I remember I discussed the matter privately with the then chairman of the Committee on Claims, Mr. Prince, of Illinois, and it was finally decided that the Committee on Claims should report at least some of the bills coming before it in favor of those employees who were not covered by the general law, but restricting the compensation to the same amount that they would have received if covered by the general law. A number of such bills were reported. One was an omnibus bill. The House, under the influence of a few inspiring speeches, increased the amount in that bill up to $5,000 in each case, and thereby deprived the claimants from ever receiving anything, because the bill died at the end of that Congress and never was revived.

Since that time also the Committee on Claims has gotten into the habit of reporting bills on account of injuries in the Government service prior to the time when the general compensation law took effect, and we have had bills reported in here 20 years after the injury occurred. I believe there is one case where the committee reported a bill for an injury which occurred over 50 years ago.

Two or three years ago we passed a general provision in the Panama Canal act giving to the President of the United States the power to make regulations for compensation for injuries to employees on the canal, which compensation might exceed that provided by the general law applicable in the United States, and regulations to that effect have been made.

Now we have a bill before us providing for the compensation, generally, for all Government employees. I think it has been the consensus of opinion that the general law now on the statute books, allowing not exceeding one year's pay, is not a sufficient provision to cover the cases which arise. I think the sentiment of Congress has been that that law, even to those whom it affected, was not fair; and that instead of passing a private bill each time some one in the Government service, not covered by the general law, was injured, that we ought to have a general law covering the whole thing. I get tired myself of objecting to special legislation which gives special preference to one person over the general classes, and in many cases, perhaps, to pay one person more because he is not covered by the general law than he would have received if he had been covered by that law.

I am not in favor of private legislation where it can be avoided. I am not in favor of making compensation, which may be deserved, depend upon getting the ear of a Member of Congress and having that Member of Congress leg around the Committee on Claims urging that his bill be reported. If it is right to pay these people compensation, it ought to be paid to them because it is right and not because they kiss some Member of Congress. [Applause.]

I am in favor of this bill. I believe the consensus of public opinion generally throughout the country, rapidly becoming the opinion of the world, is that the Government ought not to leave helpless those who are working for it when accidents happen to them. It is becoming the opinion of the large corporations of the country—they do not leave helpless their employees. Is there a man in this House who has ever had anyone work for him who had an accident or an illness where he did not do more for the person than his contract required? The office of which I used to be a member, a firm in Chicago, as a matter of course, more than once sent employees away for long terms for their health, paid them all their salary and all expenses beside. It is not an unusual thing. Private people do it. If you have a house servant who is ill, you do not throw her into the street. If one of your clerks becomes ill, you do not stop his salary and shut the door upon him. But when we become such great aggregations as large corporations and the Government you can not do the things through individual interest; they must be done through legislation.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MANN. I ask for five minutes more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent for five minutes more. Is there objection?

There was no objection.

Mr. MANN. I know of nothing more pitiful anywhere in this world than when a young man—and I call many men young that some people would not—has something happen to him which takes away his earning power, or passes him on to the next world, leaving a widow with young children, with no means of support. The widow as a wife, taking care of her wifely duties in the household, learns no other means of support. Her children are dependent upon her, and I would not have such a person—the wife or the children—go out into the world mere objects of charity. I think it ought to be one of the costs of operation of a corporation or of a government. Somebody has to support these people. I hope they will not starve, although they often may come near it. Somebody has to support them, and it ought to be a charge on the cost of operation.

The other day this House voted by a unanimous-consent vote, with the exception of two gentlemen thinking unfortunately wrong, in favor of paying the family of one of the boys who had gone to the front $50 a month. Times have changed in reference to the amount of pensions. No one would have thought of offering $50 a month 50 years ago, but we have become more prosperous and better able to pay it. The House voted the other day to pay $50 a month to the family of the man who was taken out of private service to go into public service. I think when we have the man in the public service, and he meets with an accident, we should compensate him. I would go further—if he meets with an accident or contracts disease in the service so that he is unable to work, I think the Government can well afford, instead of turning his family out as objects of charity in the world, to make provision by law which will help to keep the wolf from the door. [Applause.]

Mr. GARD. Mr. Chairman, I ask for a vote on the pending amendment.

Mr. McLAUGHLIN rose.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma.

The question was taken.

Mr. CANNON. Mr. Chairman, the gentleman from Michigan was on his feet demanding recognition.

The CHAIRMAN. Debate on this amendment has been closed. The Chair will recognize the gentleman from Michigan later. The Chair will say that he did not see or hear the gentleman from Michigan. The nays have it, and the amendment is rejected.

Mr. McLAUGHLIN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 1, line 9, strike out all of the section after the word "another" in line 9 and insert the following words: "or if the use of intoxicating liquor by the employee contributes to or is the approximate cause of the injury or death."

Mr. McLAUGHLIN. Mr. Chairman, this is in a way related to the amendment offered by the gentleman from Oklahoma [Mr. MORGAN]. His amendment would provide for the compensation for the employee regardless of the fact that his injury may have been caused directly by the use of intoxicating liquor to excess, resulting in intoxication at the time the injury was received. My idea is to refuse this compensation to an employee altogether if he has indulged in the use of intoxicating liquor to the extent that the injury is the result of such use.

Mr. TAGGART. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN. Yes.

Mr. TAGGART. That is substantially provided for in the bill, is it not?

Mr. McLAUGHLIN. I do not understand that it is provided for. I do not know of other words in the bill that relate directly to this matter except the last two lines on page 1—

Or if intoxication of the injured employee is the proximate cause of the injury or death.

I believe fully in the idea involved in this bill, and I indorse heartily the splendid words of approval of the bill just voiced by the gentleman from Illinois [Mr. MANN]. I would do all in the world that can or ought to be done for the employee, but when he has no regard for himself, when he has no regard for his family, when he deliberately indulges to excess in the use of intoxicating liquors and puts himself in such physical and mental condition that he can not take care of himself, and on account of that condition an accident results, he ought

to bear the burden himself. That is my idea of it. I would be as liberal as anyone, but I would not let the man himself disregard all care or caution and deliberately put himself in such a condition that accidents come to him and still pay him.

Mr. HAMILL. The passage of this McGillicuddy bill will mark an important advance in the progress of social justice. It will commit the Government, in dealing with its employees, to a policy similar to that now in force for the employees of private individuals and corporations by the legislation of a large proportion of the States. It is a fitting compliance with the spirit of the times and a great and enlightened forward step in the field of labor legislation.

This bill sets human life above considerations of economy. It is primarily intended to alleviate the plight of employees in the various branches of the Government service who, in the event of injury, are incapable of further earning the wage which is their only means of support. It mitigates their affliction by making provision for the support of themselves and their families during the period of incapacity. In case of death it guards the family against the possibility of destitution.

The amount payable under the bill is two-thirds of the salary earned by the employee at the time of injury or death, although in no case shall the sum exceed $66.66 per month, nor shall it be less than $33.33 per month, unless the employee received a salary of less than this latter amount, in which case compensation shall equal his full monthly salary. The money is paid to the injured employee, or, in the event of death, to his widow or minor children. The bill bears the indorsement of all the leading newspapers and of numerous organizations having in view the welfare of the workingman.

The common laws regulating the relations between employer and employed have long been antiquated. These laws were framed to fit conditions of employment now obsolete. According to common law the workman could not recover on account of an injury if the accident were caused by negligence of a fellow servant or if it was due to certain risks of the employment he was held to have assumed. Other restrictions limited the right of an employee to recover such as, for instance, contributory negligence. Added to these impediments was the delay and expense attendant upon the process of enforcing relief through the courts.

It was to remedy this intolerable situation that compensation laws were enacted in various States. It was recognized that accidents will inevitably happen regardless of precautions, and that the burden of loss should be borne not by the victim of the injury or his family but by the enterprise in which he was engaged. Thirty-two States have up to the present time written compensation laws upon their statute books.

The Federal Government enacted a compensation act in 1908, but it applies to only about one-fourth of the 400,000 Federal employees, and covers only those engaged in hazardous occupations. For an accident happening in an occupation deemed to be nonhazardous there was no way of obtaining relief except by special bill in Congress. In the present Congress alone nearly 300 bills have been presented for private relief.

This distinction between hazardous and nonhazardous occupation is an unjust discrimination. If a clerk in a nonhazardous occupation of the Government gets his hand crushed and is wholly disabled from pursuing his avocation, it is no satisfaction to know that his employment is nonhazardous. His family can not pay the bills with this doctrine, nor can it cure the sufferer.

There is another phase of this question which might be very profitably dwelt upon, and that is the advantage of this bill to the Government. Not only the employee is benefited by this legislation but the Government is the gainer. This measure increases the concord and cooperation between the Government and the Government employee. It creates a warmer loyalty and insures more willing service on the part of the Government workman. It will stimulate to a higher effort those already on the Government employment list, and it will attract a better class of men into the service who will contribute the best that is in them, both of loyalty and labor, to discharge the duties of positions to which compensation is attached in the event of death or injury.

And more than this, it elevates the Government toward the rank of model employer. The prestige the Government thus acquires and the splendid example it sets to the different States is bound to result beneficially to the country at large. This bill is a credit to the present administration and to the authors who framed it. It is a triumph of which both may well feel proud.

Mr. HUMPHREY of Washington. Mr. Chairman, referring to the amendment offered by the gentleman from Michigan [Mr. MCLAUGHLIN], I am opposed to it because I think it is already in the bill. I think the language in lines 10 and 11 cover the particular points that he has raised. I am in favor of legislation of this character, and I have been ever since I have been a Member of this House. I suppose that I had my attention somewhat directed along that line by one or two unfortunate illustrations that came under my notice. A man lived in my city who was working for the Government. He was down in a concrete pit, and while down there molten metal was poured in upon him until his legs were burned and twisted, and he was never able to walk afterwards. Yet that man had no remedy whatever and lived several years without any compensation. Happily he was not an object of charity, because he happened to have a few dollars ahead. I know of another case where a man with whom I am well acquainted worked for the Government, who was hopelessly and helplessly crippled for life. He had no remedy, no hope. His bill has been pending before Congress for the last 10 years, but he has received no compensation. Why should the Government take that attitude that is different from that of a private employer? But beyond that phase of it, I think it is for the best interest of society. I do not believe that it is fair or just that the unfortunate victim should be compelled to bear this burden alone, and in the last analysis society has to bear the burden anyway. The people have to be taken care of—those who receive these injuries—somehow, and I think this is a far better way than to put it in the shape of charity. I think that this legislation from every standpoint is to be commended in its principle. It has worked well in my State. It will work well as a Federal law. It is in the interest of justice and humanity. I do not believe that it will make heavier the burdens of society. It will be but justice, and will bring hope and assistance to the unfortunate.

Mr. GARD. Mr. Chairman, I ask for a vote on the amendment of the gentleman from Michigan [Mr. MCLAUGHLIN] and will say to the committee that it seems to me that there is no substantial dispute between the gentleman's language and that contained in the bill. I hope the amendment of the gentleman from Michigan will not prevail. I ask for a vote.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Michigan.

The question was taken, and the amendment was rejected.

Mr. BORLAND. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment by Mr. BORLAND: Page 1, after the word "injury," in line 5, insert the words "or disability."

Mr. BORLAND. Mr. Chairman, I am not sure but what the language of the bill in all of its features is broad enough to cover the purpose of my amendment. I want to say at the beginning that I am very heartily in favor of this compensation law, and there are some reasons why the Government is under greater obligation to provide this means of compensation than a private employer. The Government is not on equal footing with the private employer in its liability before the court. The private employer has the court to adjudicate between him and his employee, subject, unfortunately, to the old obsolete law of fellow servant and assumption of risk which modern humane legislation is abolishing. I believe in workmen's compensation laws as applied to the private employer, and I certainly believe in them as applied to the Federal Government as the employer. Every employer must take into consideration, in the business in which he engages, the wear and tear upon his property, machinery, and plant; but under the harsh rules of common law he did not have to take into consideration the very large amount of wear and tear upon human life. We used to think that the industrial warfare demanded a certain toll of human life. Now we have come to a more reasonable view, that a large number of these industrial accidents are preventable and that legislation is required for the prevention of industrial accidents and occupational diseases. There is no reason, as has been stated here, why all loss and injury growing out of a common enterprise and common activity should fall upon one party to the activity, and he the employee. If a business can justify itself at all as an industrial factor, it can pay the cost of its own operations, and in the long run the commercial world must pay for the output, and part of the cost of that output is the unpreventable toll of human life and limb. It is inhuman, it is uneconomical, it is wrong that the loss by unpreventable accident should fall upon the employee, to the exclusion of the employer.

Mr. TAGGART. Will the gentleman yield for a question?

Mr. BORLAND. I will.

Mr. TAGGART. Is it the purpose of the gentleman's amendment, in putting the word "disability" in there, to cover disability arising from occupational diseases?

Mr. BORLAND. Yes; that is precisely the idea. I believe we not only should give compensation for industrial accidents,

whether they are the actual result of the business or whether they are an accident by the negligence occasioned by a fellow servant. I think we should cover also the occupational diseases arising from that business. There are certain occupational diseases and occupational disabilities unsurmountable in any line of employment. We adopt the broad human policy, the broad view that is now come to command American public attention, that every business that a man follows that is worth having can pay the cost not only of the destruction of property but the destruction of life and limb necessary to get its activities before the people, and that occupational diseases should be included with occupational accidents. I will not say this bill is not broad enough for that purpose; I will not say the committee has not already provided for that purpose; but, in case the language is not broad enough, it seems to me it should be and could be so broadened. We can not say, as has been said here, that the private employer should provide for compensation for accidents occurring in the line of his business unless we say also the Federal Government is willing to assume the same responsibility. We owe a higher duty to the employees of the Government than the private employer, because that employer is amenable to the courts and the Federal Government is not.

The CHAIRMAN. The time of the gentleman has expired.

Mr. McKENZIE. Mr. Chairman and gentlemen of the committee, I am glad to be here to-day and to have the privilege of voting for this bill, for, in my judgment, it is founded on the eternal principle of justice as well as sound public policy. I simply want to say while I am on my feet that I have not been a recent convert to this character of legislation. When a member of the Illinois Senate I had to do with the framing of the workman's compensation act of the State of Illinois, which was written for the benefit of the tens of thousands of coal miners and thousands of other men employed in the great industries of that State, and I want to say that the law has been since amended and is in much better form, and I am glad to know that it has not worked injury to a single citizen of the State of Illinois, except perhaps a few lawyers who made it their business to bring suits for those who were injured and then take one-half to two-thirds of the judgment, leaving the injured but little.

I am glad that in the great State of Illinois and in most of the States of this Union we have seen the justice of this character of legislation and made it possible that the unfortunate injured man and his family can obtain justice from the great corporations, public and municipal, without having to hire a lawyer to go into court to fight their battles, where, in the olden days, the defendant would come in with the plea of the old fellow-servant statute or some similar defense, all put on the statute books for no other purpose than to help corporations and those interested in defeating such claims for damages. This character of legislation has resulted in many changes in the industrial world. It has resulted in turning the great manufacturing and industrial plants of our country into places of comparative safety, whereas they used to be, in the olden days, perfect death traps.

We are proceeding under the theory now that when the workman leaves his wife and little ones at the door in the morning to go down to perform his day's work he shall have every possible security thrown around his life, in order that he may come back at night sound in limb and body and go to work the following morning as the breadwinner. And the business men have seen it to be to their advantage to place safety devices around their machinery, in order to protect the lives of the workingmen, and to take out insurance to meet workmen's compensation judgments. The idea is that the whole Government shall stand this loss and not the little family of the workman. I am glad that the Congress of the United States is going further along in this line in the interests of humanity. I am glad to be here as a Member to cast my vote for this bill. [Applause.]

Mr. GARD. Mr. Chairman, referring to the amendment offered by the gentleman from Missouri [Mr. BORLAND], I would inform the committee that a bill containing his provision, which possibly would include occupational diseases, was before the committee and the committee thought it wise to strike out that express phrase of "occupational diseases." The particular amendment of the gentleman from Missouri [Mr. BORLAND], as I understand it, is to add the words "and disability" after the word "injury" in line 5.

Mr. BORLAND. "Or disability."

Mr. GARD. "Or disability." But he is frank enough to say that the words "or disability" would include occupational diseases. Now, as I have said, the committee gave this very careful attention and thought that for the best interests of everyone at this time, for the advancement of this most progressive legislation, this phrase "occupational disease" should not be incorporated in the bill. It was the idea to go ahead in a progressive way to provide benefits for those who are injured in the performance of duty while in Federal employment, and I trust that the gentleman from Missouri [Mr. BORLAND] may see it in that light and will withdraw his amendment.

Mr. BORLAND. Will the gentleman yield?

Mr. GARD. Certainly.

Mr. BORLAND. I concur very heartily with the gentlemen on the committee that this bill is a big gain, and that we all ought to unite upon it and not embarrass it with questions that can be taken up subsequently. I do not feel that the bill ought to be embarrassed by a new feature. And, therefore, while I submit this thing to the House, I am heartily in favor of the bill as it stands, and I hope to get the other later on. I withdraw the amendment on the explanation of the gentleman from Ohio [Mr. GARD].

Mr. MANN. Will the gentleman from Ohio [Mr. GARD] yield for a question in this connection?

Mr. GARD. Very gladly.

Mr. MANN. The bill that was reported last year provided also for compensation for disability and suspension from work of an employee resulting from an occupational disease contracted in the course of his employment. The gentleman has discussed it. Why is that left out now?

Mr. GARD. As I explained——

Mr. MANN. I listened to what the gentleman said, but I did not think it was an explanation.

Mr. GARD. The explanation is that it was considered by the committee, and it was thought advisable to eliminate that particular part in relation to occupational disease.

Mr. MANN. I understand; but why?

Mr. GARD. For the reason that it was limited to compensation for injuries and not to occupational diseases.

Mr. MANN. But the bill last year was not a compensation simply for injuries but for disabilities from injuries and suspension from work. I ask why the committee leaves it out? Is it because of the merits of the proposition or because the committee thought it would be easier to pass the bill without it?

Mr. GARD. It was for this reason: It has been very well said that this is a codification of the present law, and with an extension of benefit where injury has been received in the performance of a duty. That which was included last year in the phrase "occupational disease" is a new proceeding, something the Government has not heretofore recognized; and which it was found difficult to define.

Mr. MANN. I surely would not call this a codification of the existing law. It is not that. It is entirely different from existing law and goes way beyond. And I have never had anyone tell yet why we should not have included a disability from disease as well as disability from accident.

Mr. BORLAND. I think I can enlighten the gentleman. They seem to have gotten this far together in reporting a bill.

Mr. MANN. They got as far as reporting the other bill in the last Congress.

Mr. BORLAND. In this particular stage of the proceeding they have gotten as far as reporting a bill for industrial accidents.

Mr. MANN. They got as far as reporting a bill for occupational diseases in the last Congress. Is this going ahead or backing up?

Mr. VOLSTEAD rose.

Mr. GARD. I yield to the gentleman from Minnesota [Mr. VOLSTEAD].

Mr. VOLSTEAD. Mr. Chairman, I just desire to make a brief statement. We had hearings on this particular question, and in those hearings it developed that there was considerable difficulty in defining the term "occupational disease"; and it was also called to our attention that in quite a number of cases in a number of States the court held this language which we have in the bill would cover occupational diseases in certain cases—at least a number of them—and for that reason I think it was left out, or that was one of the chief reasons why it was left out.

Mr. HILL. Mr. Chairman, I am heartily in favor of this bill and expect to vote for it.

Mr. BORLAND. Mr. Chairman, a point of order.

Mr. HILL. If I am not in order, I will ask permission to have five minutes by unanimous consent.

Mr. BORLAND. If the gentleman will pardon me a minute. I think I withdrew my amendment. If I did not, I intend to do so.

The CHAIRMAN. The Chair so understands.

Mr. HILL. Mr. Chairman, I am heartily in favor of this bill and expect to vote for it. We have a good compensation

act in Connecticut, and we are trying every year to improve it. I heartily approve of the remarks made by the distinguished gentleman from Illinois about the practice and custom of private employers paying their employees their compensation during sickness and in accident, and so forth. I heartily approve of the remarks made by the gentleman from Missouri [Mr. BORLAND] asking for a broad and liberal and generous policy on the part of the Government. But now I want to state to the members of the committee a couple of incidents that have recently occurred which do not seem to me to give an indication of a particularly generous and liberal policy on the part of the Government in the execution and enforcement of another law.

I am aware of an incident that occurred a year ago in an institution in this country where a typewriter operator, a young lady, was sick with a severe cold for three days and in the generosity of their hearts her employers hired a substitute and paid her $10 to do this young lady's work for three days.

When the income-tax inspector came around and inspected their books he reported that that was not a fair charge to an expense account, and this great big Government of ours in its broad, liberal, generous policy disallowed it as an expense and collected 10 cents more as income tax on account of the sickness of that girl, and put it in the Treasury of the United States.

Now, I would like to see all these policies made more liberal and generous. I know of another case where an institution had a sick chair in its directors' room, and bought a new one and paid $8 for it, and charged it to the expense account, as any sensible concern or individual would, and when the inspector of the Internal-Revenue Service came around to examine their books to see if their reports were properly made, he eliminated the $8 and made the concern pay 8 cents more income tax, because of the disability of that chair. [Laughter.]

Now, why not carry this whole proposition into commonsense practice, and provide that wherever expenses of that kind are incurred for charity's sake, for Christianity's sake, and for brotherly love's sake, if it is done honestly and in good faith and charged to the expense account, this Government of ours will not come around with its hat and collect nickels and dimes which it claims have been improperly withheld? [Applause.]

Mr. GARD. Mr. Chairman, there is nothing before the House.

Mr. SABATH. Mr. Chairman, I move to amend by inserting the word "disability." It is virtually the amendment that was withdrawn by the gentleman from Missouri [Mr. BORLAND].

The CHAIRMAN. The gentleman from Illinois [Mr. SABATH] moves to amend by inserting the word "disability."

[Mr. SABATH addressed the committee. See Appendix.]

Mr. COOPER of Ohio. Mr. Chairman and gentlemen of the committee, I have long felt and now feel that this Government ought to provide some kind of compensation for its employees.

In 1912 I had the privilege of being a member of the General Assembly of Ohio, which passed the first workingmen's compensation law in that State, and I know that it has been of great benefit to the workingmen of the State of Ohio. This law compels the employers of labor to provide a compensation for the employees in that State, and I believe that this Government would do well if it would provide some kind of compensation for the men who have devoted their lives to service in the employment of this Government.

But I would like to see this bill go further than it does. I would like to see it provide a compensation for men who have been disabled through sickness while they have been in the service of the Government. I have in my mind at this time the case of one man who resides in the city in which I live, who carried the mail for 20 years, and during that service he contracted a disease which wholly incapacitated him from further service in the employment of the Government. What did the Government do? It turned that man out. He has not a dollar to his name, and to-day he is dependent on charity for a livelihood. It seems to me that the man who contracts a disease while in the employment of the Government is just as worthy of a compensation as the mail clerk who stands in the mail car and gets injured through some accident that may happen on his run.

The private corporations, the railroad companies, do not wait until a man gets his limbs torn off before they give him compensation. After they find out that his health will not permit him to be employed in their service longer they pension him, and some of the railroad companies pension their employees with a very liberal sum.

I am proud to have the opportunity of casting my vote for this measure to-day. I think it is a grand thing that we should take up here the cause of the workingman and provide some compensation for him after he has given the best service of his life to this Government. [Applause.]

But I do wish that the chairman of this committee could see fit to insert some provision in this measure which would also take care of that employee who while in the service of this Government has contracted some disease which incapacitates him for work. [Applause.]

Mr. SABATH. Mr. Chairman, after consulting with the gentleman having charge of this bill I desire to withdraw my amendment, and I ask leave to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to withdraw the amendment which he offered. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman also asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. TOWNER. Mr. Chairman, I move to strike out the last word.

Mr. GARD. We should like to proceed. I do not want to embarrass anybody——

Mr. TOWNER. I only expect to speak for five minutes.

Mr. GARD. Does the gentleman desire to be recognized now or on the following section?

Mr. TOWNER. Now.

Mr. MANN. I suggest to the gentleman that he get unanimous consent to close debate on this section at the end of five minutes.

Mr. EMERSON. At the end of 10 minutes.

Mr. GARD. I ask unanimous consent that debate on this section and amendments thereto may be closed in five minutes.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that debate on this section and amendments thereto close in five minutes. Is there objection?

There was no objection.

Mr. TOWNER. Mr. Chairman, I do not know the reason why gentlemen think it wise not to consider the amendments which have been suggested so as to include disability incurred in service as well as accidental injuries. I certainly would not desire to do anything that would imperil the passage of this act as it stands, because I consider that it is a great advance and a great improvement over existing law, but I will say to gentlemen that it occurs to me that now is a very good time and that this is a very good method to enact legislation which, I think, no member of the committee would object to considering. Diseases incurred in the performance of duty should be provided for, as well as accidents. I know the difficulty that has occurred with regard to the term "occupational diseases," but, gentlemen, if you should accept the amendment first proposed by the gentleman from Missouri [Mr. BORLAND] and if you should say in line 5 that injuries "or disabilities" incurred or sustained while in the performance of duty shall be compensated, you would get away from the difficulty of defining an occupational disease, and the bill would be perfectly safe in that regard. It would limit the recovery to those diseases incurred in the performance of duty while in the employment of the Government.

And gentlemen, has not that just as high a claim for support, upon logical and humanitarian grounds, as an injury received by reason of an accident? You know that many employees of the Government are now compelled to work under insanitary conditions. If while working under those conditions they acquire disease or disability by reason of the indifference and neglect of the Government, is it not right that they be compensated, as well as those injured through accident?

Gentlemen, it seems to me that instead of looking to the States for examples in this legislation the Nation ought to be a model for the States of the Union. We ought to be the example to which they would look and which they would follow in their own legislation. As it is, and has been, the States have set the example for the Federal Government, and we are even now lagging away behind in the enactment of this class of meritorious and almost necessary legislation. And when you come to consider, as this report states, that the total increase that the Government will assume by reason of such action on the part of Congress will only be one-tenth of 1 per cent of the total amount that at present we pay to employees, certainly no man here ought to hesitate if he believes this principle is founded in justice and right. So I say to the committee, I sincerely hope that before the consideration of this bill shall have ceased and it shall be submitted to the House, they will see fit to accept the amendment that has been offered, in order that we may place this bill where it ought to be, in the very forefront of legislation of this character; so that it will not be subject to criticism because it has not gone far enough, but will be an example of right dealing between this great employer of labor and those who serve the Government, and who as we

believe, in spite of some statements to the contrary, in a great many cases receive for their service an inadequate compensation. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. GARD. I ask the Clerk to proceed with the reading of the bill.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 3. That if the disability is total the United States shall pay to the disabled employee during such disability a monthly compensation equal to 66⅔ per cent of his monthly pay, except as hereinafter provided.

Mr. WOOD of Indiana. Mr. Chairman, what I think is needed in this country is a better understanding between capital and labor. There should be a better feeling, and a more sympathetic feeling, between the employer and the employee. There should be a more manifest interest on behalf of the employer in the general welfare of his employee. There should be a more manifest interest on the part of the employee in the welfare and prosperity of his employer's business. This estrangement that seems to have grown up between capital and labor within the last few years, occurring perhaps principally within the last 25 years, is, I believe, very largely due to the fact that there is seemingly such a wide difference between the employer and the employee. When the industries of this country were few and the number of employees was not so great, when the employer was closer to the men he employed than he is now, there was a minimum of labor trouble. As our industries expanded, and as the number of employees increased, there was a difference which increased in proportion between the employer and the employee. The bond of sympathy that comes by reason of close touch seems not to obtain because of this growth; and as an unfortunate consequence, the time has come in this country when it is said, with a great deal of truth, that the employer has little interest in the general welfare of the employee and the employee has little interest in the general welfare of his employer's business; that he is willing to quit when his time is up, without reference to what he has accomplished for the man who gives him employment. Upon the other side, criticism has been made, and perhaps with some justice, that the man who employs labor has no sympathy; that he has lost his heart; that he has lost that sense of human touch that should exist between men, no matter whether they be employees or employers.

I believe that the character of legislation which is now proposed will be the connecting link that will bring the employer and employee closer together than any other thing that might happen. I believe when it is known by the masses, who are the employees, that the legislators of this country are providing a way whereby the employer and employees are brought closer together that the employee and employer will have a closer bond of sympathy for each other. When it is known that provision is made whereby out of the earnings of the employer there is going to be compensation to the employee in the event that he is injured, then will there arise the condition that should be between the employer and employee, and the employee will show that he has an interest in the employer's business and his success, and that interest will be mutual.

It is said that this is going to cost somebody something. All good things cost somebody something, and the people in the end will get the benefit of it. It is a question whether or not it is for the best interest of the people of the United States to contribute from their share what it will cost to put the machinery into existence and to maintain it, and whether it is not best. To my mind it is purely an economic question, and every person in the United States who is interested in the welfare of the working people of the United States can afford as an economic measure to contribute their portion of the cost. [Applause.]

Mr. EMERSON. Mr. Chairman and gentleman of the House, I rise in opposition to the amendment, and I rise in opposition to practically any amendment to this bill, although it is possible amendments could be made that would improve the bill.

Mr. GARD. If the gentleman will permit me, there is no amendment pending.

Mr. EMERSON. I thought the gentleman who preceded me moved to strike out the last word. But, anyway, I am speaking against useless amendments. What I want to say is that I have read this bill in a superficial way, and have observed the various provisions in it. It takes care of the children of those who may be injured in Government service, it takes care of their wives, it takes care of their aged parents, and those dependent upon them.

I have taken much interest in this bill, and I believe that the fewer amendments that are offered at this time the better will be the bill. I think the bill should pass. I have a great deal of confidence in the gentleman from Maine [Mr. MCGILLICUDDY], who introduced it. I knew him as a boy in the city of Lewiston, Me., when I was going to school. He was at that time one of the distinguished attorneys of New England. I know that when Mr. MCGILLICUDDY prepared the bill he put the same energy into it, the same knowledge that he always put into the preparation of his cases as an attorney, and into his campaigns as a speaker.

So I feel at this time that if you want a good piece of legislation of this character that will provide for those who will receive injury in the Government employ, and those dependent upon them, you should pass this bill without any amendment, unless they are amendments necessary or important.

Mr. COOPER of Ohio. Will the gentleman yield?

Mr. EMERSON. Yes.

Mr. COOPER of Ohio. Does not the gentleman believe that a man who is disabled in the service of the Government, whether it be an occupational disease or not, is just as much entitled to compensation as a man that gets injured in an accident while in the service of the Government?

Mr. EMERSON. That is true. Every bill, perhaps, could be amended to its betterment, and this bill might be amended as the gentleman from Ohio [Mr. COOPER] suggests so that there would be an improvement in it. Every bill is not perfect, but if you start in to change bills by amendments in this way Congress would never pass any useful legislation, because somebody always has an idea, and he wants to get it into the bill. Therefore, when you get through, if all the amendments were agreed to, you would not recognize the bill and no special good could come from it. The only way to get good legislation is to prepare a bill in the manner in which this bill has been prepared, in a reasonable and substantial way. Safeguard it in all ways and then pass it through the legislative body and let it become a law and try it out. That is the best way to find out whether a bill is a good bill or not. I think the proper way to do is to let the bill be read, let all speak on it who choose to, and then let it finally pass and see what will come of it. After a committee as good as the committee is that has had this bill in charge, works on it as this committee has for several months, you will find it in very good shape.

Mr. DYER. Will the gentleman yield?

Mr. EMERSON. Yes.

Mr. DYER. The gentleman says to let all speak on it who choose. Does the gentleman think that if that happens the bill will pass or become a law during this Congress?

Mr. EMERSON. Oh, no; I think that most of the gentlemen have spoken who desire to; anyway, you can not and ought not prevent anyone from speaking on this bill if he so desires. I would certainly not want to shut off debate on this or any other bill before Congress. I believe in the freest of debate on all measures, and all opportunity possible for amendment, but I do object to nonsensical amendments made merely for delay. This is a humanitarian bill and should pass without delay. It will pass almost unanimously.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. FERRIS having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Waldorf, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12193) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The message also announced that the Senate had passed without amendment bill of the following title:

H. R. 16911. An act making an appropriation for the relief and transportation of destitute American citizens in Mexico.

The message also announced that the President had, on July 11, 1916, approved and signed bill and joint resolution of the following titles:

S. 3346. An act conferring jurisdiction on the Court of Claims to adjudicate the claims of the State of Massachusetts; and

H. J. Res. 257. Joint resolution permitting the use of certain hospital facilities belonging to the United States.

COMPENSATION FOR INJURIES TO FEDERAL EMPLOYEES.

The committee resumed its session.

Mr. GARD. Mr. Chairman, I ask unanimous consent that all debate on this section and amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that all debate on this section and amendments thereto close in five minutes. Is there objection?

There was no objection.

Mr. DALLINGER. Mr. Chairman, I desire to state that I am most heartily in favor of this legislation, but I have not yet heard an answer given by the author of the bill or the mem-

bers of the committee to the question asked by the gentleman from Illinois [Mr. MANN] as to why the same language covering occupational diseases was not incorporated in this bill as was incorporated in the bill presented in the last Congress. I fail to see, as the gentleman from Ohio [Mr. COOPER] has stated, why a man, for instance, who works in the Bureau of Engraving and Printing, and because of being poisoned through no fault of his own in handling some of the inks or chemicals used in that establishment, is so affected in his health that he can not continue his work, should not be compensated just as much as a man who breaks his leg. I hope the committee will answer that question.

Now, Mr. Chairman, as an illustration of the need of legislation of this character, I wish to call the attention of the House to a case in which I had the honor to be counsel for the plaintiff in Massachusetts just before the compensation law was passed in that State. I refer to the case of Trim against The Fore River Shipbuilding Co.

A man by the name of James Trim was working as a machinist putting in the engines on the steamer *Creole* for the Fore River Shipbuilding Co. He was working at the bottom of the boiler-room shaft, and without any warning an angle iron 15 feet long and 3 by 4 inches in thickness, weighing about 100 pounds, came down the shaft and hit him in the head. He was conscious for about an hour and a half and then died, leaving a widow absolutely destitute.

It was shown in evidence before a judge and jury in the superior court for Norfolk County that there was nothing overhanging from the wharf that could have fallen onto the vessel. Moreover, there was no other vessel near the vessel on which Trim was working. The *Creole* had been launched and was lying in the stream. There had been some men working above him riveting the smokestack, but they had ceased to work, and at the time the accident happened there was nobody working over him. What probably happened was that an angle iron carelessly left on the upper deck, through the motion of the vessel fell down that hatchway. Both the foreman and the superintendent testified that they did not know why that angle iron was there, and that it had no use on the boat. At the close of the plaintiff's evidence counsel for the defendant corporation brought up the old medieval doctrine of the assumption of obvious risk, and on that ground the case was taken from the jury and a verdict for the defendant company ordered by the court.

An appeal was taken in behalf of the plaintiff, the widow, to the supreme judicial court. Believing that even under the old law she was entitled to compensation, I was glad to pay all of the expenses of taking that appeal that she might have her day in court. When it came before the full bench of the Supreme Court for argument, I was armed with case after case to show that there was no assumption of obvious risk within the meaning of the common law. The counsel for the defendant insurance company, however, changed his tactics and asked the court to throw out the case and deny compensation because we had not, under the doctrine of res ipsa loquitur, eliminated every possible cause that might have caused that angle iron to fall. We had shown that nothing could have come from the shore, or from any other vessel, and that there was nobody working overtime at the time of the accident. Counsel for the defendant insurance company, however, argued that some other workman might have taken that angle iron and thrown it down the hatchway, something absolutely improbable, because it was shown that the man had no enemies and stood well with his fellow workmen. The Supreme Court of Massachusetts held that the point of the counsel for the defendant was well taken and that, as we had not sustained the burden of proof and shown by a preponderance of evidence that the Fore River Shipbuilding Co. was negligent, there was no recovery and no compensation for that widow. It was such cases of hardship as this that brought about the passage of the workmen's compensation act in Massachusetts.

Mr. Chairman, in this great question of workingmen's compensation we in this country have been far behind the countries of Europe, and the United States Government has lagged behind the States. A measure of this character should have been enacted into law long ago. While it is not as comprehensive as I would like to see it, nevertheless, so far as it goes, it is a well-drawn bill. It is a reasonable, just, and humane measure, and one in the interest of the public service. I trust that it will pass the House by a unanimous vote.

The Clerk read as follows:

SEC. 4. That if the disability is partial the United States shall pay to the disabled employee during such disability a monthly compensation equal to 66⅔ per cent of the difference between his monthly pay and his monthly wage-earning capacity after beginning of such partial disability. The commission may, from time to time, require a partially disabled employee to make an affidavit as to the wages which he is then receiving. In such affidavit the employee shall include a statement of the value of housing, board, lodging, and other advantages which are received from the employer as a part of his remuneration and which can be estimated in money. If the employee, when required, fails to make such affidavit, he shall not be entitled to any compensation while such failure continues, and the period of such failure shall be deducted from the period during which compensation is payable to him.

Mr. HASKELL. Mr. Chairman, I move to strike out the last word. I take it, Mr. Chairman, that the principal object of workmen's compensation legislation is to obtain from the employer the exercise of a high degree of care and foresight to prevent accidents, and failing in this, or where accidents inevitably happen, except by drunkenness or the willful act of the employee, to compensate the workman, or in the event of death, those dependent upon him.

Referring to the present Federal compensation law, the law of May, 1908, there are two cases particularly to which I would like to refer, which are now pending before Congress. There is the case of Patrick Burns, for whom I introduced a bill to obtain relief, who lost a leg as the result of an accident occurring April 10, 1899, at the Brooklyn Navy Yard, which was prior to the taking effect of the law of 1908. The committee report, under the bill H. R. 11661, introduced by me for the relief of Patrick Burns, states:

The evidence shows that he was in no wise at fault or negligent, and that the accident in which he was hurt occurred in the proper performance of his duties as a joiner in the Brooklyn Navy Yard.

He was 50 years old and married, no children. The accident occurred April 10, 1899, and he was in the hospital from that date to August 10, 1899, and resumed work November 10, 1899. Mr. Burns and his wife had accumulated savings to the amount of $2,000, all of which was expended for surgical, hospital, medical treatment, and other expenses incidental to his accident. Now, under this present law of 1908 (and under the new bill he receives less), the committee have reported in favor of $1,000 for his relief. Under the New York State law, as in effect to-day, for the loss of a leg he would be entitled to compensation for 288 weeks. Plainly the workmen's compensation law of 1908 or the bill which you propose here does not treat a man too liberally.

Next is the case of Herman Hesterman. He was killed as the result of an accident which occurred on February 28, 1913, in the Brooklyn Navy Yard; and while he was not an employee of the Federal Government, yet the policy of Congress has been where a man is hurt in a Government navy yard to allow his claim as though he were a Federal employee; so for the purposes of this discussion we may consider this case as one of an injury to a man in the Government employ. He was killed February 28, 1913, in the Brooklyn Navy Yard. The committee report on the bill, which I introduced, now pending for the widow's relief, H. R. 11660, recommends $1,248, calculated in accordance with the law of 1908. Under the provisions of this bill the widow would be entitled per annum for life or until she married again to 35 per cent of $1,200, which would be $420 a year. It is three and a half years approximately since the death of Herman Hesterman, or will at least be that before the widow receives even this $1,248. The widow would, therefore, even under this bill, be entitled to $1,470 as compensation for three and one-half years following his death, and thereafter be entitled to $420 per annum until she marries again or dies. Her expectancy of life is still something like six years. The committee report to accompany H. R. 11660 for the relief of Mathilda Hesterman states:

It is significant to state, however, that the New York State employers' liability and workmen's compensation act went into effect shortly after this accident. Under that act the widow would have been entitled to compensation of at least $2,500.

The said committee report further shows that this man was killed by the negligence of two Government employees.

As to the decrease in the number of accidents and the low cost of workmen's compensation, let me quote from John S. Kennedy, Esq., secretary of the Employees' Benefit Fund of the American Telephone & Telegraph Co. and associated companies, known as the Bell system, as follows:

There has been a gratifying decrease in the number of accidents in this and our other companies within the life of our plan, but there is much to be done in the way of accident prevention yet. It has been truly said that accidents happen; they do not occur. Accidents are a tremendous drain upon the people of this country. It is estimated that there were 500,000 preventable ones in the United States last year, and that the loss to the country as a consequence was $250,000,000. Thirty-five thousand persons are killed and 1,590,900 wounded each year in the peaceful industries of the United States. Thirty-five thousand lost! Enough to constitute an entire division of the Army or the whole National Guard of New York State, with every unit recruited to war strength. The number of workmen injured annually is still more appalling, for this number of cripples, if left whole and sound, would constitute a force sufficient to render the United States free from invasion by any nation in the world. It is safe to

say that in the 50 years following the Civil War almost as many have lost their lives in the pursuit of their trade vocations as fell under the four years of hail and lead.

Referring to the low cost of the plan practiced by the American Telephone & Telegraph Co., which includes accident, sickness, and death benefits and pensions, Mr. Kennedy says:

The most amazing part of the whole thing is the low cost of the plan. The present total cost for all the various kinds of relief work, including benefits paid on account of sickness, accident, or death and for pensions, is about one-half of 1 per cent of the gross telephone revenue; or, when considered in connection with the total telephone expense, about three-quarters of 1 per cent; or, when considered in connection with the pay roll, less than 1½ per cent. This extremely low cost speaks volumes for the character and loyalty of our employees.

In conclusion, I desire most heartily to have myself recorded in favor of the workmen's compensation bill now under consideration, and at the same time to express the hope that the time is not far distant when it will be generally recognized that not only is legislation of this nature of mutual benefit to the employer and the employee but that benefits for sickness and retirement pensions properly administered would also be mutually advantageous.

The CHAIRMAN. The time of the gentleman from New York has expired.

By unanimous consent, Mr. HASKELL was granted leave to extend his remarks in the RECORD.

Mr. CULLOP. Mr. Chairman, I listened with a great deal of interest to the narration of the course of the personal-injury lawsuit by the gentleman from Massachusetts [Mr. DALLINGER] as it went its weary way through the courts. The result of that lawsuit was no recovery—a mistrial, a denial of justice—and the case was finally disposed of by the highest court in the State. Just such litigation as that has made legislation of this kind necessary in this country. When the courts adhered to the old, well-settled principle that had been laid down for recoveries in personal-injury suits, there was not a strong demand with the public for legislation of this kind. The injured party knew he would have fair treatment and the consideration his case deserved. But when the courts of the country departed from the well-established principles governing such cases and set up new precedents and laid down new rules which made it almost impossible for a person who had sustained a personal injury to recover in the courts, then the demand for this kind of legislation began to be prevalent all over the country. Laws similar to this exist in 32 of the States of the Union. They have been enacted over stubborn opposition. In most of the States, when the initiative of legislation of this kind was begun, the employers of labor were very hostile to it, but when the legislation was enacted and tried out they found how admirably it worked, producing not only an economy in their business but an improvement of labor conditions, and they have become friendly to the legislation and would not permit it to be repealed in many of the States if a repeal was attempted. This was the condition in Indiana. When the legislation was initiated there the employers of labor resisted the enactment of the legislation, but after it was enacted and the system was tried out it has become popular among the employers of labor and has been found to be an economy to them. I have in mind one illustration of the improvement of the condition of the workingmen of this country and the high standard of efficiency produced to which I desire to call the attention of the committee. Last year the great Pennsylvania Railroad system carried approximately 100,000,000 passengers, and there was not a single passenger killed out of that enormous number on that great system of railroad throughout the entire year. This is a phenomenal record, and demonstrates the great efficiency employed by that company. The history of railroad operation has been changed.

The enactment of legislation of this kind has been beneficial in the way of preparing safer places for the workmen to labor in, better conditions for the public served, and more careful attention is given not only to the preparation of places for workmen but more careful attention is given to the conduct of the business by the employees. It has made labor and capital friendly. It has brought about a better condition for both the employee and the employer, and whenever that condition can be accelerated, whatever we can do to make better the friendly relations existing, we are doing a good not only for the employer and the employee but for the humanity of this country. [Applause.]

Now, Mr. Chairman, the passage of legislation of this kind properly written means much not only to the persons affected by it but to the entire country, and I hope at an early date to see a law enacted applying to the employee and employer engaged in interstate commerce business. It will improve the conditions of both, bring about a nearer and closer relationship between both capital and labor, and improve our industrial conditions. With such a law the employer will see to it that the employee is provided with a safe place to work, the workman will furnish a higher standard of efficiency, a better service, and the result will be that both will profit therefrom. If an employee is injured, the employer knows his liability, and neither will resort to the courts for long and expensive litigation. What they heretofore expended in litigation—wasted—will be saved and better conditions will prevail. The tendency of the times is drifting rapidly to settle disputes without resorting to litigation, applying humanitarian methods which is having an influence for the better all over the land. People are beginning to learn from experience that it is the economical way to handle these differences, and that both sides profit as a result.

It is allaying the hostility which has heretofore existed between labor and capital, bringing closer the relationship of the employer and the employee, and improving our social conditions. It is cheaper to have fixed a known basis of settlement in all such cases, and the money heretofore expended in court costs, in attorneys' fees, and other expenses incidental to litigation saved to both disputants. These expenses would bear the cost of administering the law and paying the liabilities created, and save the money which was required to pay the judgments rendered.

Then, again, the money paid out under a law of this kind goes to the injured party or the family in such a way that benefit will be derived, and it will not be squandered, as has been too frequently the case heretofore. View it from any angle we may, and it will stand the test, resist every reasonable objection, and win the commendation of the public judgment. It has been tried out and found to be beneficial in the best interest of the employer and employee, in private or domestic concerns, and if advantageous in them, there is no good reason why it would not prove equally as meritorious in public employment, and I believe it will, and therefore give it my enthusiastic support. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. GARD. Mr. Chairman, I ask unanimous consent that at the conclusion of five minutes all debate on this section and amendments thereto be closed.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that at the end of five minutes all debate on this section and all amendments thereto be closed. Is there objection? [After a pause.] The Chair hears none.

Mr. GREEN of Iowa. Mr. Chairman, I desire, if I may, somewhat to supplement the remarks of the gentleman from Illinois [Mr. MANN] with reference to the course of this legislation in this House. When I entered this Congress I was assigned to a position on the Committee on Claims, and it fairly made my heart sick to see the nature of the claims presented to that committee without the possibility of the committee offering any remedy or compensation for the injuries which had been received. I was surprised at that time to find there had never been a bill put through this House allowing compensation for personal injuries, outside of the general compensation act, which applied only to a very small class of Government employees, and the bill that provided compensation for those who were injured when the Ford Theater collapsed a good many years ago and so many Government employees were injured or killed by reason of that accident.

This great Government, as a matter of fact, has been nearly 25 years behind the times in affording relief, and just relief, to persons under circumstances which are provided for in this bill. As soon as I found out what the conditions were I made up my mind that I would prepare a bill somewhat on the lines of the present bill, but upon examining into the question I found the gentleman from Maine [Mr. MCGILLICUDDY] and others had already prepared and introduced bills. At that time I supposed one of those bills would soon come before Congress and be adopted. But the usual delay has taken place. Some four or five years have elapsed and the bill is finally about to be passed.

Five hundred years ago the ordinary laborer was treated somewhat as a machine. If he was injured or disabled and his usefulness ceased, he was thrown aside and some one else found to take his place. But the world grew more humane, its conscience was quickened, its sensibilities aroused until gradually laws were adopted, principles were accepted, so that in case there had been no fault on the part of the employee and the fault was entirely on the part of the employer, compensation could be granted; but it was obvious that this was not sufficient. Yet for hundreds of years this was the only remedy that could be obtained, and no matter how pressing might be the need of the employee, if he entered employment where he knew the conditions that surrounded and the dangers that pertained to it, and he was injured as a result thereof, the

court gave him no relief; and as some gentleman has said here, so far did the courts go in that regard, that even when there was a statute forbidding the employer to permit such conditions to exist and the employee still took the employment under those conditions he was considered to have assumed the risk and therefore no recovery could be obtained for any injuries received. I am glad to say that the day of such laws is practically over, that but few of our States now retain upon their statute books such laws, and that those that still have them will soon abrogate them. The bill that we are about to adopt will remove what has been a disgrace and a scandal to a great Government like this in that it has refused to give that compensation which so many private employers were ready to give of their own initiative, and which almost every State in the Union has provided by special statute. I hope that the bill will pass without a dissenting vote. [Applause.]

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 5. That if a partially disabled employee refuses to seek suitable work or refuses or neglects to work after suitable work is offered to, procured by, or secured for him, he shall not be entitled to any compensation.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word for the purpose of obtaining information. I wish to inquire why the committee qualified the character of work that the injured employee might perform as a condition sine qua non to the reduction of compensation under this act?

Mr. GARD. The idea of the committee was that it be extended in the interest of economical adjustment of the law.

Mr. STAFFORD. Why do you qualify by the words "suitable work"? A man, for instance, who is receiving a salary of $2,000 a year, might he be excused from doing some work of a clerical character that would yield him only $50 a month?

Mr. GARD. That is the idea. It was thought that if a man, for instance, was disabled by having his leg broken, of course he could not perform work in the Forestry Service or service requiring exertion of that kind, but he could perform clerical work possibly, and "suitable work" is a phrase applicable to his condition.

Mr. STAFFORD And not applicable to the character of the work which he performed at the time of the injury?

Mr. GARD. Not at all.

Mr. STAFFORD. I withdraw the pro forma amendment, Mr. Chairman.

Mr. HAMILL. Will the gentleman yield?

Mr. GARD. Certainly.

Mr. HAMILL. Does that phrase, "suitable work," mean work in the Government service or work that could be obtained for him elsewhere?

Mr. GARD. Elsewhere. Wherever they could find suitable work for him to do.

Mr. BUTLER. In case of partial disability, the employee will be compensated according to a certain rule; so much money will be paid him each month. Suppose the work found for him does not equal in pay that to which he would be entitled under the law?

Mr. GARD. Then he gets the difference under the compensation law.

The Clerk read as follows:

SEC. 6. That the monthly compensation for total disability shall not be more than $66.67 nor less than $33.33, unless the employee's monthly pay is less than $33.33, in which case his monthly compensation shall be the full amount of his monthly pay. The monthly compensation for partial disability shall not be more than $66.67. In the case of persons who at the time of the injury were minors or employed in a learner's capacity, and who were not physically or mentally defective, the commission shall, on any review after the time when the monthly wage-earning capacity of such persons would probably, but for the injury, have increased, award compensation based on such probable monthly wage-earning capacity. The commission may, on any review after the time when the monthly wage-earning capacity of the disabled employee would probably, irrespective of the injury, have decreased on account of old age, award compensation based on such probable monthly wage-earning capacity.

Mr. REILLY. Mr. Chairman, I desire to congratulate the Judiciary Committee on the splendid workingmen's compensation bill that it has presented to this House for consideration. I trust the measure will be speedily passed without a single vote registered against it.

Workingmen's compensation legislation has passed the stage of discussion, and the only real problem for consideration in enacting such legislation to-day is the one involved in formulating the exact terms and provisions of the measure.

While the passage of the present bill by this House will mark an important epoch in the movement toward social justice, it will be but a tardy recognition on the part of the National Government of the rights of all of its employees to receive compensation for injuries suffered in the course of their employment.

The United States Government is the largest single, individual employer of labor not only in this country but in the whole world. Between four and five hundred thousand men and women are on the pay roll of Uncle Sam, and these people are looking to this Congress to give them and those who are dependent upon them the same protection in case of injury received in the course of their employment that the employees of private industries receive in many of the States of the Union.

Thirty-four States have enacted workingmen's compensation legislation, and I am pleased to be able to say that in the list can be found the name of the State which I have the honor in part to represent on the floor of this House.

The Wisconsin compensation act is one of the best laws of its kind on the statute book of any State in the Union. When the Wisconsin law was passed it met with fierce opposition from many of the employers of labor, who believed the law to be a species of obnoxious and unjustifiable class legislation that would put an unjust and unbearable burden upon the industries of the State, but the history of the law since its passage has demonstrated the wisdom of its enactment, and to-day there are very few, if any, employers of labor in Wisconsin who would ask for a repeal of the Wisconsin workingmen's compensation statute.

The Wisconsin workingmen's compensation statute is not a perfect law, but it is being amended at every session of the legislature and is becoming a broader and more just law.

The employer of labor has learned that it is to his interest that a harmonious feeling exist between him and his employee and that any legislation tending to break down the barriers that exist between the employer and employee will result beneficially to both.

Under the old system which enabled the employer to hide behind the various defenses of contributory negligence, assumption of risk and of the negligence of fellow servants, there had developed a feeling of antagonism between the employer and employee. Hundreds of thousands of dollars were spent annually by the employer defeating litigation instituted for the purpose of securing for the injured employee just compensation for his injuries, and in a great many cases the injured were denied redress in the courts of law and society was burdened with the care of many of the maimed and injured victims of our industrial system.

The world is moving forward. We are living in a day and age of progress. Legislation recognized to-day as necessary at this period of our industrial development a decade or so ago would have been condemned as visionary, socialistic, and tyrannical.

Wise and humane legislators are recognizing that new industrial and social conditions demand new legislation and that it is the duty of the State and Nation to keep pace with the advancing stages of our industrial development.

I regret very much that the distinguished gentleman from Illinois [Mr. CANNON], whom we all honor for his long services in this body, can not move forward with the rest of the world. The gentleman from Illinois, who saw fit to make an attack upon this bill, evidently has his eyes turned toward the setting and not the rising economic sun.

The spirit of this day and age approves of the principle embodied in this bill. Workingmen's compensation legislation proclaims the doctrine of the brotherhood of man, and for this Congress to do otherwise than to grant the employees of Uncle Sam the same rights and privileges guaranteed to the toiling masses of many of the States of this Union would be to write itself down as a standpat, reactionary body of lawmakers, unworthy of the age in which we live.

It is gratifying to note that many of the large corporations and industrial units of the country are providing for the pensioning of their employees when they have reached a certain age and are unable longer to render services. This is a movement in the right direction and speaks well for the humanitarian spirit that dominates a great many of the big men in our industrial world to-day.

Workingmen's compensation legislation can not in any way be termed, as the gentleman from Illinois [Mr. CANNON] would term it, pension legislation. There is nothing in the nature of a pension about compensation legislation. Without such legislation, certain employees of the Government have at the present time a right to be compensated for injury received in the course of their employment, and likewise workingmen everywhere, whether in the employ of the Government or private individuals, have a right to receive compensation for injuries received in the course of their employment, under certain conditions. And by the passing of this bill Congress will give to all the employees of the Government, no matter whether their employment is hazardous or not, the right to receive compensation for injuries

received in the course of their employment. This bill simply provides a better and more humane method for taking care of the injured employees of the Government, and is in keeping with the idea that Uncle Sam should be a model employer of labor, and set an example for the legislatures of the various States of the Union.

The industrial world of to-day is a real battle field that every year claims its enormous toll of dead, maimed, and injured victims; and it is just as much the duty of society to see that the countless victims of our industrial strife are cared for and, in case of their death, their dependent ones looked after as it is the duty of society to take care of the victims of real wars between nations and peoples.

Men who go out every day into the mines, fields, and factories of our land, and who take their places in the great industrial army of our country, are just as much soldiers and are just as essential to the industrial and economic life of their country as the men who go forth to do and die upon the field of battle in defense of their country's flag, and should receive every possible consideration at the hands of their Government.

Under the terms of this bill the injured employee will receive not to exceed two-thirds of the salary he was receiving at the time of injury, although in no case shall the amount exceed $66⅔ per month, nor shall it be less than $33⅓ per month unless the employee shall receive less salary than $33⅓ per month, in which event the compensation shall be equal to the full monthly salary. The money is to be paid to the injured employee or to those who are dependent upon him in case of his death monthly, and not in a lump sum, and payment is to continue during the disability of the employee in case of injury and during the widowhood of his widow, in case he should leave one surviving him.

I regret very much the bill under consideration does not provide compensation for disability to render services as a result of occupational diseases. I can see no reason why the National Government should not come to the aid and assistance of the employee who loses his earning power from the contraction of an occupational disease while in the service of the Government. The employee who has lost his earning power because of disease is just as much an object of pity and as worthy of the assistance of the Government as though he lost his earning power as a result of accident.

The pending measure is indorsed by the public generally, by the great newspapers and publications of the land, and by the army of thinking men and women who are devoting their lives to the solving of the industrial problem of this country and is in keeping with other legislation passed by this House during the past five years, all of which has been designed to better the condition of the toiling masses.

Since the Democratic Party came into full control of this House, in the Sixty-second Congress, more good laws, having for their aim the bettering of the conditions of the working men and women of this country have been passed than in 50 years prior to that time.

In the list of legislative enactments passed by the Sixty-second and Sixty-third Congresses and in the first session of the Sixty-fourth Congress of vital interest to the toiling masses are the following:

First. A law creating the Department of Labor, having for its head a Secretary who became a member of the President's Cabinet.

President Wilson showed his sympathy with this legislative enactment of his party by appointing as the first Secretary of Labor the Hon. William Wilson, of Blossburg, Pa., who by his own industry rose from a mine worker at the age of 11 to represent his district in Congress for several years, which position he held at the time he was invited by President Wilson to become a member of his Cabinet.

Second. An eight-hour law, extending operations of the eight-hour law to work done for the Government as well as work done by the Government.

Third. A children's bureau law, to promote the welfare of children and to devise means whereby the necessity of the parent can not be used to retard the development of children.

Fourth. An eight-hour provision included in the fortifications bill, to apply to civilians engaged in the manufacture of ordnance and powder for the Government.

Fifth. An industrial commission law, to investigate the entire subject of industrial relations between the employer and employee. This commission has already made its report, and it constitutes one of the most valuable contributions to the discussion of the entire industrial problem that has been issued in years.

Sixth. The Bureau of Mines act, amended and strengthened, the object of the amendment being the development of better methods for preventing accidents in mines and for increasing the efficiency in rescue work when accidents occur.

Seventh. An eight-hour law for post-office clerks and carriers.

Eighth. A phosphorus-match bill, to protect the health of the workers in the match industry.

Ninth. An eight-hour provision as to the mining of coal to be used by the Navy.

Tenth. An eight-hour law applying to certain female employees in the District of Columbia, over which Congress has jurisdiction.

Eleventh. A provision in the Post Office appropriation bill removing from post-office employees the gag rule, which had been applied by an Executive order issued by President Roosevelt and broadened by President Taft. This provision made it impossible for post-office employees to bring their grievances to Congress without fear of being discharged for doing so.

Twelfth. The prohibition of the importation of articles from foreign countries made by convicts, paupers, or detained labor.

Thirteenth. A law creating a bureau of safety devices in the Department of Labor. This important piece of legislation provides for the study of the whole field of safety devices so as to reduce the appalling number of accidents that occur to-day in the industrial world.

Fourteenth. A convict-labor bill requiring the sale of convict-made goods to conform to the laws relative to convict-made goods in the State in which they are sold.

Fifteenth. A child-labor bill, which prohibits the shipment in interstate commerce of products of any mine or quarry produced in part or in whole by children under 16 years of age, and the products of mills, canneries, workshops, or manufacturing establishments produced in part or in whole by children under 14 years of age.

Sixteenth. The seaman's bill, designed to improve the condition of seamen and to promote safety of travel at sea.

Seventeenth. A law providing for a board of mediation and conciliation. This board has successfully adjusted many wage and hours-of-labor disputes between the employees and the management of the various railroads of the country.

Eighteenth. A bill giving official papers of trade-unions second-class mail privileges.

Nineteenth. A law permitting an appeal to the United States Supreme Court from the decision of State courts declaring labor statutes unconstitutional. As the law formerly stood, the friends of labor legislation could not appeal from the State court to the United States court from a decision of the State court holding such legislation unconstitutional, while the opponents of the said legislation could appeal from the decision of a State court upholding the constitutionality of such legislation.

Twentieth. An act amending and extending the act entitled "An act to promote safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," to cover the entire locomotive and tender.

Twenty-first. As a result of amendment to boiler-inspection law, rule by Interstate Commerce Commission requiring railroads engaged in interstate traffic to equip their locomotives with high-power headlights.

Twenty-second. The hours-of-service law, amended to provide for a minimum penalty of $100 for violation thereof.

Twenty-third. The Clayton antitrust law. This law contains several provisions of vital importance to labor. It exempts labor organizations from the provisions of the Sherman antitrust law. In other words, it decides that labor is not a commodity to be measured and sold like wheat, coal, and corn, but a human attribute that is not to be governed by the same kind of legislation as ordinary commodities of commerce.

Of course, it was never intended by the original framers of the Sherman antitrust law that its provisions should extend to labor organizations. But not a few of our Federal judges construed the Sherman antitrust law as applying to labor organizations, and at the time of the passage of the said Clayton Act every labor organization in the country was illegal and existed by the will of the legal department of the United States.

The Clayton Act also limits the injunctive power of the courts in labor disputes. Heretofore some of our United States judges were disposed to exercise their injunctive power in controversies where labor disputes were involved when they would not exercise that power in like controversies where there was no labor dispute involved.

Hereafter under the provisions of the said Clayton Antitrust Act injunctions will be issued in controversies where labor

troubles are involved only when a writ would be issued in such controversies providing no labor troubles were involved, thus making the application of the injunctive powers of the courts uniform and in no way dependent for its exercise upon the absence or presence of a labor dispute in a situation calling for the exercise of the injunctive power of the court.

The Clayton Act also gives to labor leaders or others who may violate the injunctional order of the court a right to trial by jury in contempt cases where the act complained of was committed outside the presence or hearing of the court. Heretofore courts were privileged to punish summarily all violations of their injunctional orders, no matter whether they were committed in the presence or hearing of the court or without the presence and hearing of the court.

This provision of the Clayton Antitrust Act does not interfere with the rights of the power of the courts to enforce their rules and orders, but it does require that when a citizen is called into court for violation of the order of the court, said violation not being committed in the presence or hearing of the court, he is entitled to a hearing and trial by jury before being punished.

To the foregoing list of enactments should be added, of course, the Federal workingmen's compensation act, which this House will undoubtedly pass to-day.

A few of the measures enumerated above have as yet only passed this House, but it is safe to say that all of the foregoing legislation will be written into the statute book of this country before the close of this Congress.

The Hon. DAVID J. LEWIS, of Maryland, chairman of the Labor Committee of this House, and himself a former mine worker in the mines of his State, has the following to say regarding the Clayton antitrust law:

It is no exaggeration to say that the above law is the greatest single piece of legislation ever passed for the legal protection of laboring people on the American Continent. At a single stroke it adjusts all the perversions of ex parte court procedure that have arisen by the confessed misuse of the injunction so frequently occurring, grants the constitutional right of trial before an open-minded jury, and corrects the juridical mistake as to the intent of Congress in passing the Sherman law. It is not too much to say, I repeat, that by this single stroke of the legislative hand more is being done in our country to rectify the judicial status of the great toiling masses than has ever been accomplished in our history before. Nor does this mean violent or radical treatment of the relations of labor and capital.

Section 7 of the Clayton bill, taken with its complementary sections, places the American workman where the British workman was placed by Parliament in 1906. The British experience shows that property will be as safe and the rights of employers will be as secure with this measure enacted into a law, a measure which I predict will become known as the Magna Charta of American workmen.

In view of the legislative record of the Democratic Party in passing laws for the benefit of the working men and women of our country and in meeting the legislative requirements of our new social, economic, and industrial conditions, it is no wonder that the Hon. Samuel Gompers, president of the American Federation of Labor, should write in the July, 1916, number of the Federationist, under the heading "Promises and performances," the following:

PROMISES AND PERFORMANCES.

Thus the workers have before them the platform declarations of the Republican, Democratic, and Progressive Parties upon the subjects which most directly affect them. Now the workers must make up their minds as to which of these political parties is most likely, if intrusted with power, to carry their declarations into effect, and to the adequacy of the response which each party made to labor's demands. For 30 years wage earners had vainly endeavored to secure the amendment of the Sherman antitrust law, so as to place voluntary organizations of toilers outside the pale of antitrust legislation that they should not be regarded in the same category as trusts and organizations organized for profit. For 30 years organized labor had been vainly knocking at the door of Congress to secure relief from the injunction abuse and to have restored the right of trial by jury in contempt cases. For 30 years the workers of America had vainly asked Congress to relieve the seamen from the position of bondmen, and all this occurred under the domination of Congress and the Presidency by the Republican Party. The Democratic Congress passed and President Wilson signed the Clayton antitrust law. * * * The Democratic Congress passed the seamen's act and President Wilson signed the act.

The legislative acts which I have enumerated herein were not passed because the Democratic Party desired to favor the working men and women of this country over any other class of our citizens, because if there is anything that is abhorrent to the Democratic Party it is class legislation. These laws were favored and passed by the Democratic Party because in its judgment legislation along these lines would not only be for the best interest of the working men and women of this country, but also for the best interest of the people of the country as a whole.

The welfare of the toilers of our country is so intimately interwoven with the welfare of the whole country that legislation for the benefit of those who toil must necessarily inure to the benefit of all our people.

The wonderful legislative record of the Democratic Party since its restoration to power in this House in the Sixty-second Congress, and of the present administration in writing legislation in the interest of the workingmen and women of the country, which record evinces an earnest determination to meet and solve the problems of our industrial and social life through necessary legislative adjustments, does not mean that the Democratic Party has been one-sided in its legislation and that its work has been concerning any single class of our citizens.

The welfare of the farmer, the banker, merchant, manufacturer, the laboring man, professional man, in fact, workers in every field of human activity has been the controlling factor in the broad constructive legislative program that the Democratic Party has been responsible for since its coming into power in this House in the Sixty-second Congress.

In addition to the constructive labor and human welfare legislation enumerated herein we now have as a result of Democratic rule in Washington: United States Senators elected by the direct vote of the people; a national income tax that puts an equitable share of the burdens of government on the wealth of the country; a parcels post that has saved millions to the people in transportation charges; a tariff law written in the interest of the people and not in the interest of monopoly; a corrupt-practices act, controlling expenditures in national elections; a banking and currency law that has destroyed the power of the Money Trust and set business free from the thralldom of Wall Street, which law, though viciously fought during its consideration by Congress, is to-day recognized by all fair-minded men as the greatest single legislative enactment passed by Congress in half a century; a Federal Trades Commission having supervision of big business and designed to eliminate unfair methods and practices in the business world; an antitrust law that will make the business world more free from the blighting influence of monopoly; a rural-credits law that will help the farmer; the Alaskan railway law that will result in retaining for the use of all the people of the country the greatest unlocked storehouse of natural resources in the world; conservation legislation for the purpose of conserving the natural resources of our country for the use and benefit of all our people; the Shackleford good-roads bill; the Lever agricultural extension act; the grain-grading bill; the warehouse act; the cotton-futures act, all of the said last five measures being of vital importance to the producing and consuming masses of our people; and the Sherwood pension bill, the most liberal and just pension legislation ever passed by Congress.

The foregoing enumeration comprises the most important legislative enactments for which the Democratic Party is responsible, touching all phases of our industrial, social, and economic life, making a record for the present administration unparalleled in the legislative history of our country.

The most remarkable and gratifying feature of this legislative achievement is the fact that all of these measures were so good as to command liberal support from the Republican Members of this House. To be able to legislate upon a given subject so as to meet the united approval of a party is an achievement of considerable merit, but to be able to legislate upon various subjects so as to receive the approval not only of the members of the party writing the legislation but also of a large element of the party of the opposition is a triumph seldom accorded to a political party.

Mr. CANNON. Mr. Chairman, I have listened to the remarks of the gentleman from Wisconsin [Mr. REILLY]. I had the honor to talk about 40 minutes touching this bill. I have nothing to take back of what I said. I was unfortunate, indeed, if I did not bring my remarks within the gentleman's comprehension. I hope he may read them when they appear in the RECORD, when possibly he may understand my position. I am not opposed to the Government rendering equitable and just compensation to its employees who are injured in the line of duty. I think the future will show, possibly not in my life but probably within the lifetime of the gentlemen who keep step, as he claims, with the progress of the country, that a pension—and this is nothing but a pension, although you call it compensation, though "a rose by any other name would smell as sweet"—should be paid according to the injury. He should contribute, in my judgment—and the experience of Great Britain and the experience of the world elsewhere is coming and has come to that conclusion, that where there is no contribution from the employees it becomes so burdensome that it is being modified in some instances and repealed in others.

Mr. REILLY. Mr. Chairman, will the gentleman yield?

Mr. CANNON. Oh, certainly.

Mr. REILLY. Would the gentleman wipe out the legislation of his own State on this question?

Mr. MANN. Oh, I will ask, Is the legislation of my State perfect?

Mr. REILLY. There is no contributory compensation feature in it.

Mr. CANNON. The gentleman says there is no contributory feature in our State law, no contribution by the employee. I believe there ought to be contribution by the employee to help make a fund from which payment can be made in case of injury.

I represent very largely an agricultural constituency, where the pay of the employee and the return to the small farmer is much less than to the Government employee, especially in nonhazardous occupations. The farmers constitute about one-third of our people in this country. But I am satisfied to say to the gentleman that there are more accidents on the farm and more accidents connected with farming, according to our population, than there is in the nonhazardous Government service.

Now, I suppose the gentleman may criticize me. He has perfect permission to do all the criticizing that he wishes to indulge in. But time will tell whether or not this legislation ought not to have been framed along different lines.

Mr. TRIBBLE and Mr. DYER rose.

The CHAIRMAN. The gentleman from Georgia [Mr. TRIBBLE] is recognized.

Mr. GARD. Mr. Chairman——

Mr. STAFFORD. I hope the gentleman from Ohio will not prefer any unanimous-consent request. I want to discuss some of the provisions of the section.

Mr. DYER. Mr. Chairman, I would like to know if the debate has not been exhausted on this amendment.

The CHAIRMAN (Mr. ADAIR). When the present occupant of the chair was called to the chair he was not informed that any amendment was pending except the pro forma amendment.

Mr. DYER. To strike out the last word. There was one from the gentleman from Wisconsin [Mr. REILLY] and one from the gentleman from Illinois [Mr. CANNON]. I ask, Mr. Chairman, that the Clerk may read. I make the point of order that the Clerk should proceed to read. There is no amendment pending before the House.

The CHAIRMAN. Does the gentleman from Georgia [Mr. TRIBBLE] make a motion?

Mr. TRIBBLE. Mr. Chairman, I have been recognized by the Chair. I do not propose to be taken off the floor by anybody else.

Mr. MANN. Let the gentleman move to strike out.

Mr. TRIBBLE. I move, Mr. Chairman, to strike out the last three words.

The CHAIRMAN. The gentleman from Georgia moves to strike out the last three words.

Mr. TRIBBLE. Mr. Chairman, I realize the fact that a man who speaks for economy on the floor of this House gets no applause. I believe employees should have a tribunal to pass upon their claims for injuries received while engaged in the Government service, and therefore I shall support this bill, although I am conscious of the fact that the bill should be amended. The Government should not lose sight of her citizens not engaged in Government service, and who pay the taxes, while providing just and humane laws for her employees. When Congress is passing and piling up bills requiring increased taxes it behooves somebody to speak out and inquire where we are going, in what direction we are traveling, and who will furnish the money. [Applause.] During my service on the Naval Committee I have rendered myself somewhat unpopular at times with naval officers and persons interested by undertaking to investigate the details of salaries, perquisites, and so on; but, Mr. Chairman, the people who pay the taxes have rights—and I represent them—as well as the Navy Department; and so long as I remain in Congress I intend to stand by the rights of the people, who pay the taxes, as well as represent justly those who draw the salaries.

I was investigating the matter of the pay of high naval officers, and disclosed the fact that the commandant at the New York Navy Yard was receiving $8,000 as salary, and also gets perquisites footing up in the aggregate $9,175 in addition, giving him the total salary of $17,175. Now, this House does not know that legislation of that kind passed in years gone by, giving these officers perquisites. This naval officer draws more pay than the Cabinet officers. The following is an extract from the hearings:

Mr. TRIBBLE. Admiral, I want to get this matter in the hearing in such a way that we can bring it before the House in such shape that it can be acted upon. I will ask you now to tell me what is the average salary of these men.

Admiral STANFORD. That, of course, is variable, dependent upon the rank of the officer who happens to be in command. Sometimes a commandant has the rank of captain at a particular yard; at other times he may have the rank of rear admiral.

Mr. TRIBBLE. Take a rear admiral; what is the salary of a rear admiral?

Admiral STANFORD. A rear admiral may have either one of two salaries: If he is an admiral of the junior nine, he has a salary of $6,000; if he is an admiral of the senior nine, he has a salary of $8,000; if he is at Mare Island or at Annapolis, he also has an addition to that by special provision of law; if he is a captain, he has a salary of $5,000 a year.

I will also submit, in tabular form, the information regarding payments made to commandants at Portsmouth, Boston, Newport, New York, Mare Island, and Pearl Harbor, in accordance with request made several days ago by you.

Mr. STEPHENS. Payments made to whom?

Admiral STANFORD. Commandants.

Mr. STEPHENS. For what purpose?

Admiral STANFORD. Salary, heat and light, quarters, and similar items.

(The statement referred to is in part as follows:)

Annual expenditure for commandant.

	Portsmouth.	Boston.	Newport.	New York.
Rank	Captain.	Captain.	{Rear admiral, 1st nine.	Rear admiral, 1st nine.
Pay	$5,000	$5,000	$8,000	$8,000
Heat and light	206	202	236	236
Mess outfits	200	200	200	200
Quarters	752	2,016	1,892	2,498
Quarters	7	636	262	552
Carriages	1,200	1,600	1,400	2,741
Grounds	600	600	600	600
Mess attendants	2,020	2,020	2,020	2,020
Rations	328	328	328	328
Total annual cost	10,313	12,602	14,938	17,175

Mr. Chairman, the evidence disclosed that this officer has five servants paid by the Government. In season and out of season I have contested unnecessary naval luxuries and official perquisites.

Mr. BENNET. Mr. Chairman, will the gentleman yield?

Mr. TRIBBLE. Yes.

Mr. BENNET. Those are the expenses incident to the office of commandant, are they not?

Mr. TRIBBLE. Yes; those are the expenses of the officer which under the law he is entitled to receive. He gets a salary of $8,000 and he ought to be able to live on it and not expect the Government to furnish him with an automobile or a carriage and five servants, including one to work in his garden, as this man does. I say an officer should have a fixed salary and pay his own expenses, as other citizens do.

Mr. BENNET. These items are not the expenditures of any one particular officer, exclusive of others?

Mr. TRIBBLE. They are expenses of any officer who is located at the New York Navy Yard. Another officer when he fills that same position will get the same emoluments.

Mr. BENNET. It is no reflection on any particular officer?

Mr. TRIBBLE. No. He is perhaps as good an officer as there is in the Navy. It is not the officer, but it is this vicious system to which I object.

Mr. Chairman, in this connection I desire to call attention to a naval bill providing for reserve officers of the Navy soon to come before this House. The bill is an effort to reestablish a system of retirement very much on the order of the plucking board, repealed last session. The naval officers are not satisfied because promotions to the high positions are not secured so rapidly with numerous officers ready and anxious for promotion. The new bill provides for a reserve force of officers in the Navy which is nothing more nor less than retiring them at the age of 45. In other words, at the age of 45 those not selected for promotion are placed on the reserve list, with salary of 75 per cent of the active officers in the same grade. This means a large life salary and render no service whatever to the Government paying the salary. I trust the Member will investigate this bill and help me defeat it. If I am not retired from Congress I shall be ready to give you all the facts and fight it with the same vigor I assailed the plucking board.

Mr. Chairman, in the last 15 years 2,005 boys have graduated at the Naval Academy. Out of that number there are now serving 1,005. I am perfectly willing to pay naval officers proper compensation, but I am opposed to unreasonable extravagance, and the system of educating officers by the Government to be retired on salary. The United States pays $29,000,000 more to officers and men in salaries than Germany. Therefore, I say, while we give the Government employees just and fair treatment we should not forget the Treasury, and we should also correct such evils by legislation as I have mentioned.

Mr. DYER. Mr. Chairman, I made a point of order a while ago against debate upon an amendment, for the purpose of seeing if it is not possible to hasten the consideration of this bill. It is practically agreed by the greater part of the membership of this House, and I believe by the greater part of the people of the country, that this legislation should be enacted into law. I know that is the sentiment of the portion of the country from which the most of the money will come to make the payments under this bill if it becomes a law. I represent in part a great industrial center, and I know the people there, both employers

and employees, are in favor of this legislation. But it is evident, Mr. Chairman, that unless this bill passes this House to-day it will not become a law during this Congress. It will have to begin again in the Judiciary Committee——

Mr. MANN. I make the point of order that the gentlemen is not discussing the point of order.

Mr. DYER. I am not discussing any point of order.

Mr. MANN. The gentleman was not recognized for any other purpose.

Mr. DYER. I beg the gentleman's pardon.

Mr. MANN. The gentleman made the point of order that the discussion was exhausted and then proceeded to discuss it.

Mr. DYER. The gentleman from Georgia [Mr. TRIBBLE] made a motion to strike out the last three words, at the suggestion of the gentleman from Illinois.

Mr. MANN. Sure.

Mr. DYER. And I rose in opposition to the gentleman's amendment.

Mr. MANN. I beg the gentleman's pardon. He said he rose to a point of order.

Mr. DYER. The gentleman is mistaken. If he had been giving his usual attention to the business of the House he would not have been misinformed. I made the statement that a while ago I made the point of order because I wanted to see if I could hasten consideration of this bill.

Mr. WINGO. Does the gentleman wish to expedite the passage of the bill?

Mr. DYER. I do. I am a member of the Committee on the Judiciary and have not at any time during the consideration of this bill taken any time of the House, simply because I believed that the membership were generally in favor of the bill and that they wanted it passed, and I only rise now to urge Members not to take up the time in speaking in favor of the bill, because substantially all of us are in favor of it. Let us proceed to pass it and see if it can not become a law. It is something that is demanded and greatly needed, and we ought to hasten the consideration of it. [Applause.]

Mr. STAFFORD. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: On page 3, line 5, after the word "ability," insert "in case the employee is married or has a family dependent upon him," and after the numbers "$66.67" insert "and not more than $45 in case the employee has no family dependent upon him," and after the word "less" insert "in any case."

Mr. STAFFORD. Mr. Chairman, this amendment purposes to restrict the maximum amount of monthly compensation in case of total disability that can be paid to a person who has no family dependent upon him to $45, and leaves the amount as it is in the bill in case he is married or has a family dependent upon him. The whole bill is predicated upon the idea that some additional compensation should be given to a man in case he is married or has a family dependent upon him, and if that is the case some reduction should be made in the case of an unmarried man who has no family dependent upon him.

Mr. COOPER of Wisconsin. Will the gentleman permit an interruption?

Mr. STAFFORD. I have only five minutes.

Mr. COOPER of Wisconsin. What would the gentleman do in the case of an unmarried man who had a helpless invalid mother dependent upon him?

Mr. STAFFORD. As the gentleman knows, under the decisions of our own State, he would be considered as having a family dependent upon him. There are decisions in Wisconsin to that effect. I assume that under the phraseology of the bill every person who is to-day receiving $1,200 or more will receive under all circumstances in case of total disability $66.67.

Mr. GARD. Not to exceed that.

Mr. STAFFORD. Who will determine it?

Mr. GARD. The commission which has charge of the matter.

Mr. STAFFORD. Is not the commission limited by the provisions of section 3, which says:

That if the disability is total the United States shall pay to the disabled employee during such disability a monthly compensation equal to 66⅔ per cent of his monthly pay, except as hereinafter provided.

And here you state that the monthly compensation for disability shall not be more than $66.67. Then, further in subsection K you provide that in computing compensation under this section the monthly pay shall be considered to be not more than $100 nor less than $50.

Mr. GARD. Yes.

Mr. STAFFORD. Now, I wanted to obtain the view of the committee before offering the amendment, but debate on the pro forma amendment had been exhausted, and I was perforce obliged to offer this amendment to get recognition. Do I understand that if a person is totally disabled who has received $1,200 a year, it is still within the discretion of the commission to cut down the maximum allowance below $66.67?

Mr. GARD. No. If he is totally disabled, he obtains the maximum of $66.67 per month.

Mr. STAFFORD. Then does not the gentleman believe that there should be some differentiation between the case of a married man or a man who has a family dependent upon him and a man who is not married and has only himself to support?

Mr. GARD. No; I do not think so. I do not think there has been any such distinction made in any law between a man married and unmarried. The compensation is to the man for injuries which he has received.

Mr. STAFFORD. That compensation is predicated upon the idea of giving him sufficient to support himself during his disability. Of course there is not so much needed in the case of an unmarried man to support himself as a married man or a man who has a family dependent upon him.

Mr. GARD. I suspect that is true, but as the gentleman's colleague [Mr. COOPER of Wisconsin] suggests, an unmarried man may have other persons dependent upon him. He may have a dependent mother or sister.

Mr. STAFFORD. The gentleman knows, because he is very familiar with this bill, that provision is made for persons having dependent families.

Mr. GARD. The other provision would apply in case of death.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. STAFFORD. I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. GARD. The other provisions apply to the death claims. This $66.67 per month is the maximum for total disability.

Mr. STAFFORD. Mr. Chairman, I think the chairman of the committee has admitted sufficiently to confirm the position that some distinction should be made in the amount of compensation paid the married man and the man with the family dependent upon him and the single man who has no dependent family.

Mr. TAGGART. Will the gentleman yield?

Mr. STAFFORD. I can not yield in the minute and a half that I have remaining. I should be glad to yield to the gentleman if I had the time. In this bill we make provision in case of widows that they shall receive 35 per cent, and in case that they have minor children 10 per cent more. To carry out the principle that runs through this comprehensive bill—and I want to compliment the committee in bringing in such a comprehensive measure—I think we should make the distinction of paying $21 less in case of a single man who has no family dependent upon him than in the case of one who is married.

Mr. COOPER of Wisconsin. Mr. Chairman, in view of what was said by the gentleman from Georgia about economy I want to narrate an incident which illustrates how the Government has been treating employees injured while on duty in its service. A few years ago a Scandinavian constituent of mine, whom I never before had seen, came to me and told of an injury he had received while employed at the Rock Island Arsenal in the service of the Government. I introduced a bill for him in the House and also a resolution referring the bill to the Court of Claims. The Court of Claims in due time unanimously reported its findings of fact that this man had, under the direction of his superior fellow-employee of the Government, walked out on a scaffold 40 feet from the ground; that the planks which the Government had put into this scaffold were defective; that in obedience to orders he and another employee were carrying planks out on the scaffold which broke, letting this laborer fall 40 feet; that he struck on the edge of a mortar box, breaking several of his ribs, breaking his hip, breaking his leg, breaking his arm, and badly injuring his head. He was picked up supposedly dying; subsequently he was reported dead. He was unconscious for many hours.

The Court of Claims reported that the sum, $5,000, named in the bill was not too great an amount properly to compensate the man for the injury he had received. The court further found that he was not guilty of contributory negligence—the assistant attorney general who attended to the case having in his brief specifically said that the man was not guilty of contributory negligence.

The findings of the court were sent to the House and referred to the Committee on Claims, and that committee brought in a

bill awarding the man the munificent sum of $730. The committee did this because of a statute which gave an employee only one year's wages to compensate for an injury of that kind—$730 for a man terribly injured for life!

That case, I presume, the gentleman from Georgia would consider an example of practical economy. Yes; it was economical, but it was also shamefully unjust.

This is not a question of economy. It is a question of doing justice—a question of whether the Government of the United States, incomparably the richest of all of the nations, shall do justice to employees injured in its service.

I am very glad that public sentiment has at last forced Congress into taking up this very important subject with every prospect of the early enactment of appropriate legislation.

Mr. HAMILTON of Michigan. Will the gentleman yield?

Mr. COOPER of Wisconsin. Yes.

Mr. HAMILTON of Michigan. This proposed law will not be retroactive, so that the man in the case the gentleman speaks of can get further compensation?

Mr. COOPER of Wisconsin. That is a very pertinent inquiry, Mr. Chairman. At the time the report was brought in for $730 I rose and narrated the facts to the House, and the House evinced the spirit just displayed by the gentleman from Michigan [Mr. HAMILTON], and promptly voted the man $5,000, the amount mentioned by the Court of Claims.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. COOPER of Wisconsin. Mr. Chairman, I ask for two minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. COOPER of Wisconsin. The bill went to the Senate, but was not acted upon, and the injured man got nothing. In a subsequent Congress I introduced another bill to give him $5,000. Finally the committee recommended $1,500, and this man, crippled for life through no fault of his own but solely through the negligence of a fellow employee of the Government, under whose control and orders he was acting, received that amount, $1,500, nor has the Government ever paid him any more.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. STAFFORD].

The question was taken, and the amendment was rejected.

Mr. MORGAN of Oklahoma and Mr. TRIBBLE were given leave to extend remarks in the RECORD.

The Clerk, proceeding with the reading of the bill, read as follows:

SEC. 7. That as long as the employee is in receipt of compensation under this act, or, if he has been paid a lump sum in commutation of installment payments, until the expiration of the period during which such installment payments would have continued, he shall not receive from the United States any salary, pay, or remuneration whatsoever except in return for services actually performed, and except pensions, for service in the Army or Navy of the United States.

Mr. GARD. Mr. Chairman, in order to perfect the meaning of the text I offer the following amendment.

The Clerk read as follows:

Strike out the comma after the word "pensions" in line 4, page 4.

Mr. STAFFORD. Will the gentleman advise the committee of the reason why when a pensioner is injured the amount of the pension received from the Government shall not be considered as a part of the compensation for his support?

Mr. GARD. It was thought that the two were entirely separate and different; one was for service in the Army and the Navy and the other for service in civil employment. It was thought that we could not bring together the pension for service in the Army and the Navy and the compensation for the injury received while one is in the performance of a civic employment.

Mr. STAFFORD. The gentleman will agree that a person totally disabled receiving the $66 for life is receiving a pension?

Mr. GARD. I do not agree that it is a pension at all. It is compensation.

Mr. STAFFORD. Oh, whatever you may call it. Of course, you may say that it is compensation, but the effect of it is just the same, a pension. I would like to further inquire of the gentleman as to one other phase of the bill, and that is this, whether the committee considered the paying of this compensation to widows and children of deceased employees in case those widows and children were not actually dependent.

I know of some instance of persons who have been killed in the Government service, where they left considerable estates in their own name, and were in nowise dependent for support. Has the gentleman's committee considered the phase of allowing those persons compensation at the same rates as are provided in the bill?

Mr. GARD. Yes; the committee did consider that. The committee thought the case suggested would be must unusual. It is a situation which might arise with equal force in any State of the United States, and the gentleman's idea is not embodied in any workmen's compensation law in any State in the United States. The allowance to the widow is necessarily fixed. There has to be some arbitrary rule of allowance. In some instances it may be that it would be too much and in other instances too little, but there must be some fixed sum, and, therefore, the committee considered that, and has sent the bill to the House in the language which was just reported.

Mr. STAFFORD. So it is the purpose under the provisions of this bill to pay the widow or the children of the deceased whether the deceased leaves ample funds for their maintenance or not?

Mr. GARD. If such an unusual condition is ever presented, I suspect it would be covered by the bill.

Mr. STAFFORD. It is not difficult to contemplate a person who is receiving $1,500 or $2,000 or $2,500 a year meeting with an accident in the Government service, and leaving behind him a considerable estate, quite ample, in the form of life insurance or other estates, to provide for his widow and children.

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The Clerk read as follows:

(L) If any person entitled to compensation under this section, whose compensation by the terms of this section ceases upon his marriage, accepts any payments of compensation after his marriage he shall be punished by a fine of not more than $2,000 or by imprisonment for not more than one year, or by both such fine and imprisonment.

Mr. BARKLEY. Mr. Chairman, as the consideration of this bill has somewhat assumed the proportions of a Methodist experience meeting, I desire to give testimony to my feelings upon the provisions of the bill. When I first became a candidate for Congress four years ago, one of the things which I advocated before the people was a general workmen's compensation law with respect to all employees of all corporations or individuals engaged in interstate commerce, a subject over which Congress has control.

I regret, Mr. Chairman, that I am not permitted to vote at this time for a bill that carries in it the provisions which I believe ought to be incorporated in a general compensation bill whereby the employees of railroads and other corporations engaged in interstate commerce might be given compensation for injuries without the necessity of expensive lawsuits; but we are only called on at this time to vote for a bill in relation to Government employees, and, as it is in harmony with the idea which I think ought to be embodied in a law with respect to all employees, I shall give it my support. Yet, at the same time, I have a good deal of sympathy for the position taken by the gentleman from Illinois [Mr. CANNON], because it looks like where a bill seeks to make a special preparation for the coming of a rainy day or an accident on the part of a Government employee, if there was any possible or practical way by which others in like or similar circumstances might be protected by society, it ought to be done, because I do not regard it as an uncontrovertible statement of fact that society owes any more to a Government employee than society owes to any other employee who is subject to the ordinary hazards of life.

I do not believe that society, which in its organized form is known as the government, owes any greater duty to a carrier of mail or to an employee in a navy yard than it owes to a blacksmith or a carpenter or any other man who is subject to the hazards of employment and of the vicissitudes of life. But we are not called upon to pass on those questions.

The bill which has been presented by the committee has one or two features in it that I think ought to be changed. For instance, there is a provision in sections 26 and 27 that where an injury is brought about on account of circumstances that would make some third person liable in damages for the injury, in that case the Government has the right to require the injured employee to assign his right of action against the corporation or individual over to the Government or to prosecute it in his own name. Whether he prosecutes it in his own name, or whether the commission prosecutes it in his behalf, and a recovery is had, then the commission has the right to apply such of the amount recovered as may be necessary to reimburse the Government for what compensation it may have paid him up to that time and apply the balance of it, if any is left over, to any future compensation that the Government might be called upon to pay to the employee. Suppose an employee is injured in such a manner as to make it a permanent injury, or a permanent disfigurement of the body. Suppose he is injured in the face, has an ear taken off, or a great scar is dug out of his cheek, which might disable him for six months in his

employment with the Government. He may have a right of recovery against the corporation that produced that injury, and yet the element of damages might not be confined to the question of loss of time, because punitive damages might be allowed to him by the jury, or damages brought about by reason of mental pain and suffering.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. BARKLEY. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BARKLEY. Now, if the employee under circumstances of that sort should recover $5,000, based upon the destruction of his power to earn money, or upon the loss of his ear, or based upon a permanent lifelong scar upon his face, and based in part upon his mental pain and suffering, I do not believe any amount that he was given on account of these things ought to be charged up against him and given as a credit to the Government as against any compensation that he might be entitled to in the future, especially if the future compensation should be for a subsequent injury.

Now, in the language of this bill, this would apply to any injury he might receive at any time in the future. If he was injured to-day by reason of the negligence of anybody else, and he recovered, or the commission recovered for him, I think there ought to be taken out of the amount recovered by him a sufficient amount to compensate the Government for the actual compensation given him while disabled on account of that injury, but if there is surplus left, I believe it ought to be his, and if he is injured afterwards I do not believe that any part of the first recovery ought to be held as a fund out of which to compensate the Government for compensation paid him on account of injuries received subsequent to that time.

Mr. IGOE. Is not that all the law provides for?

Mr. BARKLEY. Oh, no; the law does not limit it, but sets this fund aside for a credit against any future compensation if he should be injured. It may go on for 10 years, and if he were injured at any time while employed by the Government under a strict construction of this language this amount over and above the compensation already paid to him would be credited against any compensation for injuries received in the future.

Mr. IGOE. But the gentleman does not want to give two compensations?

Mr. BARKLEY. Not for the same injury; but suppose he is injured subsequently?

Mr. IGOE. It can only be where he is injured while in the service of the Government, and there may be cases where there is a case against a private employer and a claim against the Government at the same time, and——

Mr. BARKLEY. I think in that case the same man ought not to receive compensation from two sources, but suppose the recovery is twice as much as the compensation he receives from the Government for that particular injury?

Mr. IGOE. Then he gets the benefit of all over what he receives from the Government.

Mr. BARKLEY. But the provisions of this bill say that it shall be credited against any future compensation by the Government.

Mr. IGOE. It holds out——

Mr. BARKLEY. Of course.

Mr. IGOE. He does not get compensation until that compensation would reach the figure he would obtain from the private employer.

Mr. BARKLEY. Suppose he should afterwards be injured, say, five years after that. Every injury ought to stand on its own bottom. If he can recover $5,000 against a wrongdoer for a particular injury, ought any part of that to be held as a credit against the Government for any future injury he might receive or compensation he might receive from the Government by reason of those injuries?

It ought to be assumed that all over and above the compensation that the Government may pay him for a particular injury, if he recovered it from a private corporation, ought to be his when other things are taken into consideration in the recovery of a verdict besides mere loss of time. There may be something the man is entitled to recover besides loss of time if he is compelled to go through life disfigured, with one ear gone or one eye out or one toe cut off, where he may not have been permanently disabled, but might be able to go back into the service of the Government and still perform his duties; and he ought not to have that sort of a sword of Damocles always hanging over him for fear that if he became injured again under independent circumstances he might not be entitled to compensation on account of the subsequent injury, because a part of the former recovery is credited upon any future compensation to which he might be entitled. I shall offer amendments when we reach those sections which I hope will cure the defects to which I have alluded.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. TREADWAY. Mr. Chairman, the gentleman from Kentucky [Mr. BARKLEY] has just referred to one particular feature that he dislikes in this bill and points to the fact that it was not broad enough or rather did not include compensation to employees of interstate carriers. I would submit that it would be advisable for us, the Government, being the greatest employer of labor in the country, to take care of our own force and see that a good workman's compensation act is provided for the employees of the Government itself, and then we can rightly expect that the large corporations over which we have control can be brought under a similar act.

Another objection made was by the gentleman from Georgia, who referred to the expense of this bill. I submit the expense is a very modest item according to the report wherein it says that the consulting actuary of New York estimates that for the first year it would be one-tenth of 1 per cent of the Government's pay roll, and at no time when it reached its maximum within 30 years will it exceed one-half of 1 per cent of the pay roll. I myself have not the figures whereby I could estimate the actual amount in dollars and cents, but whatever the amount may be it is a comparatively small amount when we consider the benefits provided by placing these funds in the hands of dependent persons of those who may be injured in the employ of the Government. If our friends on the other side had been as careful in their former legislation not to run into extravagant appropriations as the committee evidently has been in this case, we would not be called upon to make such enormous provisions for revenues as we have been doing in the last few days.

I submit that this estimate is very small, very modest, and certainly not unfair to the Treasury of the United States. My object in speaking at all in favor of the bill comes from the fact that it is with very great pride I state that the State of Massachusetts, which I have the honor in part to represent on this floor, was one of the first, if not the first, State to put upon its statute books a comprehensive workingmen's compensation act. I believe the State of New Jersey preceded the State of Massachusetts by a very short period. During the five years that the workingmen's compensation act has been in existence in Massachusetts it has been very widely extended, so that to-day not only all forms of corporate employment but likewise the employees of the State, the employees of cities, counties, towns, if those units desire, shall be provided for under the comprehensive act on the statute books of Massachusetts. I am also very glad that the committee, in its judgment in framing this bill under consideration, gave such careful attention to the operation of the statute that we have in Massachusetts. I think I am within my rights in saying that the bill which we are considering here is very largely framed on the Massachusetts act and the experience of the Massachusetts board that has been conducting the affairs in behalf of that legislation. So I for one, from the experience of our State and from the justice of the cause for which this bill is framed, am heartily in favor of its passage. [Applause.]

The CHAIRMAN. Without objection, the pro forma amendment offered by the gentleman from Kentucky [Mr. BARKLEY] will be withdrawn.

There was no objection.

Mr. MANN. Mr. Chairman, I move to strike out the last two words. The gentleman from Massachusetts has referred to what the bill may cost. I understood the gentleman from Maine [Mr. MCGILLICUDDY] and some other gentlemen who have talked this afternoon say that they think the provisions of this bill would cost the Government less than the provisions of existing law. Now, I never try to delude myself about the facts. If anyone votes for this bill on the supposition that it is not going to cost anything, then what on earth is the object in passing the bill? If this bill, if enacted into law, will not cost the Government any more than the existing compensation law, I am not for the bill.

Mr. GARD. Will the gentleman permit an interruption?

Mr. MANN. Certainly.

Mr. GARD. I think that which those gentlemen who spoke had in mind was the expense for the first year of the bill.

Mr. MANN. I have no doubt but that was what they confined themselves to. It is very likely that under the operation of this bill the Government will not pay any more the first year than it pays now, though that is doubtful. But it is perfectly certain it will pay a great deal more as years go on.

The statement in the report in reference to the actuary only shows that this particular actuary, whom I know nothing about. does not know enough to pound sand into a rat hole. He says that the operation of this bill would cost the Government only one-tenth of 1 per cent the first year, and that at the end of 30 years it would only cost the Government one-half of 1 per cent of the amount paid in salaries, and so forth. Yet this bill proposes to appropriate for the first year $500,000. One-tenth of 1 per cent would make the salaries of the Government amount to $500,000,000. Anybody that dreams that we pay that much now for civil salaries has been smoking opium. It is impossible to ascertain some facts as to what the compensation law now on the statute books costs. The committee that reported the bill does not know, or, if they do, they do not convey the information in their report.

Mr. TAGGART. Will the gentleman yield there?

Mr. MANN. I yield.

Mr. TAGGART. There is no way of estimating the number of accidents that are to happen, as the gentleman says. There may be some way of ascertaining what has been paid. Of course, that is plain; but we can not make any calculation on future wrecks.

Mr. MANN. I did not say you could.

Mr. TAGGART. No actuary, no matter how much he knows, can give any information on that subject.

Mr. MANN. I can give a good deal more information on the subject than the committee did, or the committee has, myself.

Mr. GARD. I am in full accord with the idea of the gentleman. The price of this is rather uncertain, but the information which we have is that the existing compensation laws for the last year or two have cost $400,000 or $450,000 a year.

Mr. MANN. I doubt if my friend has any information of the cost for the last year or last two years. If he had, he did not put it in the report, because he copied exactly, word for word on that subject, the report made two years ago.

Mr. GARD. That is a fact.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MANN. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MANN. That is not recent information. I have searched the report of the Secretary of Labor, which ought to contain the information. I have searched the report of the Bureau of Labor Statistics, which ought to contain the information, and they will tell you how many claims have been filed and how many claims have been allowed, but the important information as to how much money has been allowed they conceal. Nobody knows to-day what the present compensation law is costing the Government. Nobody knows——

Mr. IGOE. In the hearing of the committee, published January 28, there is an estimate of the cost under date of February 1, 1916, which is furnished by the Department of Labor, and it gives the number of accidents from 1909–10 to——

Mr. MANN. Does that say how much was paid out during the last fiscal year?

Mr. IGOE. No; it does not.

Mr. MANN. I did not suppose it did. That is what I am saying. You can not get the information. You would suppose that a bureau that was allowing such money would know what it had allowed, but they do not. If they did, I do not believe they would tell us. Now, that is no argument against this bill. Do not misunderstand me. I am for the passage of this bill, but I am not going to vote for it on the assumption that it is not going to cost anything. The $400,000 or $500,000 which the committee two years ago estimated the existing law cost the Government did not include the Panama Canal. The present law covers only 25 per cent of the persons in the employ of the Government. While it is true that those are of the most hazardous employments, it is not true that all the accidents occurred in those employments.

Now, the committee in its report and gentlemen on the floor have said this bill will not cost as much the first year. My stars alive! that is no argument. It possibly will not cost as much the first year, because now, under the existing law, we pay a year's salary. Under this we propose to pay only 66⅔ per cent of the salary and keep the salary down to a $100-a-month basis, so that it is very likely that the first year it will not cost as much. But the person who is injured to-day and is drawing salary to-day will be drawing a salary 10 or 20 or 30, and some of them 40, years from now, and it will be the same amount.

Mr. TAGGART. Mr. Chairman, will the gentleman yield there?

Mr. MANN. No. And the widow who goes on the salary list to-day will be a widow drawing a salary for years to come, and the children under 16 years of age will continue to draw their portion until they reach the age of 16.

That is no argument against the passage of the bill, but it is an argument against its passage on the supposition that it is not going to cost anything. If there is any place where people ought not to delude themselves, it is in a body of statesmen—and that is what we are supposed to be. [Applause.] We ought to pass the bill knowing that somebody will have to pay the taxes with which to support it, and pass it because we believe it is now a righteous measure, not because it is not going to cost anything. [Applause.]

The CHAIRMAN. The time of the gentleman from Illinois has expired. Without objection, the pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

The cause of action when assigned to the United States may be prosecuted or compromised by the commission, and if the commission realizes upon such cause of action, it shall apply the money or other property so received in the following manner: After deducting the amount of any compensation already paid to the beneficiary and the expenses of such realization or collection, which sum shall be placed to the credit of the employees' compensation fund, the surplus, if any, shall be paid to the beneficiary and credited upon any future payments of compensation payable to him.

Mr. BARKLEY. Mr. Chairman, I offer an amendment to perfect the text.

The CHAIRMAN. The gentleman from Kentucky offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BARKLEY: Page 15, line 17, after the word "him," insert the words "on account of such particular injury."

Mr. BARKLEY. Mr. Chairman, I desire to suggest a change in the amendment there. Instead of its reading, "on account of such particular injury," I want it to read, "on account of the same injury."

Mr. STAFFORD. The gentleman can withdraw his amendment and offer a new one.

Mr. BARKLEY. I withdraw the amendment, Mr. Chairman, and offer a new one. At the end of line 17, page 15, following the word "him," insert the words "on account of the same injury."

The CHAIRMAN. Without objection, the first amendment will be withdrawn and the Clerk will report the new amendment.

The Clerk read as follows:

Amend, page 15, line 17, by inserting after the word "him" the words "on account of the same injury."

Mr. GARD. Mr. Chairman, the committee does not deem the amendment very material, but if it tends to clarify the section we have no objection thereto. In the same connection, Mr. Chairman, there are other places where, if this amendment is to be put in the bill, it should be likewise placed.

Mr. BARKLEY. On page 16, line 9, and on page 16, line 15; and the period should be stricken out.

Mr. GARD. I also suggest that on line 17, page 15, the period should be stricken out, and the amendment offered by the gentleman from Kentucky should then follow.

Mr. VAN DYKE rose.

Mr. BARKLEY. I yield to the gentleman.

Mr. MANN. Let us have the amendment reported again.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 15, line 17, after the word "him," strike out the period and insert the words "on account of the same injury."

Mr. VAN DYKE. I would like to ask the gentleman a question as to just what his amendment will mean to the original section. What added effect will it have?

Mr. BARKLEY. Well, as I explained a little while ago, in the language as it appears in the bill the court might construe that to mean that any surplus that was left after paying the compensation up to that time or for that particular injury might be credited against any future compensation for subsequent injuries that might occur, and I wanted it to be made plain that the language applies only to the injuries for which the compensation is received and for which the verdict is rendered in any particular case.

Mr. VAN DYKE. The idea is to prevent duplication for time lost?

Mr. BARKLEY. Yes; or for making any surplus for any particular injury hold over and be credited against any compensation for an injury that might be received by the employee subsequently.

Mr. GARD. For any other or different injury?

Mr. BARKLEY. Yes.

Mr. GARD. We have no objection to the amendment.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. BORLAND. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Missouri [Mr. BORLAND] moves to strike out the last word.

Mr. BORLAND. Mr. Chairman, I notice that this section requires the beneficiary, or gives the commission the power to require the beneficiary, to assign to the United States any right of action he may have to enforce such liability for damages by reason of death or injury. I assume, as a matter of law, that they can only require that assignment as the alternative of receiving the money.

Mr. GARD. That is true.

Mr. BORLAND. They could not require the assignment of the right to pursue the damages against somebody else if that right were more valuable than the right to claim the damages for compensation from the Federal Government?

Mr. GARD. That is true.

Mr. BORLAND. And so in the case of my own State, where the Campbell Act gives a penalty of $5,000 for negligence and death, if the party preferred to retain that right of action he could do so?

Mr. GARD. They have the right to take the compensation or pursue their own independent remedy for damages.

Mr. BORLAND. That occurred to me. Now, as to the scope of circumstances creating a legal liability upon some person other than the United States to pay damages, suppose the employee had by his own contract procured accident insurance or fraternal benefit insurance of some kind, which became payable to him or to his beneficiary, growing out of this particular injury or death. Is it intended that accident insurance, fraternal contributions that might be given to him, which he has paid for and which have accrued by reason of his payments, must be sacrificed in order to receive these benefits?

Mr. GARD. Oh, no; if he has any insurance contracts or accident contracts, those belong to him. They are his personal property.

Mr. BORLAND. That would depend upon the meaning of the words "pay damages therefor." This language is pretty broad. It says—

Creating a legal liability upon some person other than the United States to pay damages therefor.

Mr. GARD. An insurance contract would not be a liability for damages.

Mr. BORLAND. Of course it would not be strictly in tort. It would be a contractual liability.

Mr. GARD. Yes.

Mr. BORLAND. I would ask the gentleman whether the committee have considered that matter, whether there is any danger of losing any of these rights.

Mr. GARD. All of these matters have been given consideration by the committee.

Mr. Chairman, I ask the Clerk to read.

The Clerk read as follows:

SEC. 27. That if an injury or death for which compensation is payable under this act is caused under circumstances creating a legal liability in some person other than the United States to pay damages therefor, and a beneficiary entitled to compensation from the United States for such injury or death receives, as a result of a suit brought by him or on his behalf, or as a result of a settlement made by him or on his behalf, any money or other property in satisfaction of the liability of such other person, such beneficiary shall, after deducting the costs of suit and a reasonable attorney's fee, apply the money or other property so received in the following manner:

(A) If his compensation has been paid in whole or in part, he shall refund to the United States the amount of compensation which has been paid by the United States and credit any surplus upon future payments of compensation payable to him. Any amount so refunded to the United States shall be placed to the credit of the employees' compensation fund.

(B) If no compensation has been paid to him by the United States, he shall credit the money or other property so received upon any compensation payable to him by the United States.

Mr. GARD. Mr. Chairman, in order to perfect the text as amended by the amendment offered by the gentleman from Kentucky [Mr. BARKLEY], I offer the following amendment to section 27.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment: Page 16, line 4, after the word "him," insert "on account of the same injury."

The amendment was agreed to.

Mr. GARD. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 16, line 15, after the word "States," insert the words "on account of the same injury."

The amendment was agreed to.

Mr. VAN DYKE. Mr. Chairman, I should like to ask the gentleman a question. Who is authorized to bring suit in case of an accident to a Government employee? Do the commission handle all suits?

Mr. GARD. Only on assignment. The man may bring suit himself. He has an independent right to bring it. In the event that he desires, the commission may bring it under assignment by him. Otherwise there would be no right in the commission or anyone else to bring suit.

Mr. VAN DYKE. The only point I wanted to bring out was whether the commission, that I presume is to be appointed under the provisions of this bill, will have authority either to bring suit or to settle all claims?

Mr. GARD. Only if the man injured wants to come within the compensation law.

Mr. VAN DYKE. If he elects to come within the provisions of the compensation law, then he has to relinquish all right he may have to bring suit to recover, and this puts in the hands of one commission the authority to bring suits against every railroad company in the country and to handle all suits?

Mr. GARD. It is just a matter of assignment. He would assign to the commission the claim for damages, and they would proceed to collect it according to law.

Mr. VAN DYKE. Of course, I can not admit that such an assignment can be made. Under the law of our State an assignment of that kind can not be made. I want to find out whether or not this commission will have authority to settle, in case the employee desires to have suit brought to recover damages?

Mr. GARD. Yes; after assignment, I would say the commission would have the authority to prosecute the case, or settle it, in its discretion.

Mr. VAN DYKE. That is what I wanted to know, whether the full power would be placed in the hands of the commission or not.

Mr. CULLOP. I should like to ask the gentleman in charge of the bill a question.

Mr. GARD. I shall be very glad to answer it.

Mr. CULLOP. In most jurisdictions a claim for personal injury is not assignable.

Mr. GARD. That is very true.

Mr. CULLOP. Now, are you creating such a right by statute here?

Mr. GARD. Under this statute we are.

Mr. CULLOP. And that is for the purpose of subrogating to the Government the rights of the employee—is that the purpose of it?

Mr. GARD. Yes; in States where it can be assigned it was the idea that if the claim should be assigned the Government should prosecute the claim and apply it as compensation, according to the provisions of this law.

Mr. CULLOP. I understand that at the common law the right to bring suit for a personal injury is not assignable.

Mr. GARD. That is true.

Mr. CULLOP. But if made assignable at all, it must be by some statute, and this is in order that the party who pays may have the right of subrogation?

Mr. GARD. Yes.

Mr. CULLOP. And that is the object of this?

Mr. GARD. That is the object of the bill.

Mr. CULLOP. I am very much in sympathy with it.

Mr. KINCHELOE. In some States, where the injury results in death, the cause of action does not survive. For instance, in Kentucky the cause of action for assault and battery, when it results in death, does not survive to the administrator. Would the law of the State govern?

Mr. GARD. Of course in case of death resulting from injury the law of the State would control.

Mr. KINCHELOE. Suppose under the law of a State the cause of action would not survive to the administrator?

Mr. GARD. Then there would not be anything to assign.

Mr. KINCHELOE. Then the Federal Government could not be subrogated?

Mr. GARD. No.

Mr. McGILLICUDDY. The point would not come up at all.

Mr. GARD. No.

The Clerk read as follows:

SEC. 28. That a commission is hereby created, to be known as the United States Employees' Compensation Commission, and to be composed of three commissioners appointed by the President, by and with the advice and consent of the Senate, one of whom shall be designated by the President as chairman. No commissioner shall hold any other

office or position under the United States. No more than two of said commissioners shall be members of the same political party. One of said commissioners shall be appointed for a term of two years, one for a term of four years, and one for a term of six years, and at the expiration of each of said terms the commissioner then appointed shall be appointed for a period of six years. Each commissioner shall receive a salary of $5,000 a year. The principal office of said commission shall be in Washington, D. C., but the said commission is authorized to perform its work at any place deemed necessary by said commission, subject to the restrictions and limitations of this act.

Mr. MANN. Mr. Chairman, on page 17, line 5, I move to strike out "$5,000" and to insert "$4,000."

The CHAIRMAN. The gentleman from Illinois offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MANN: Page 17, line 5, strike out "$5,000" and insert in lieu thereof "$4,000."

Mr. MANN. Mr. Chairman, this bill provides a very extravagant method of handling these compensation cases, in my opinion, though I have not proposed to change that method.

We have now a Commissioner of Pensions, who receives a salary of $5,000 a year. We have a Deputy Commissioner of Pensions, who receives a salary of $3,600 a year. These people have the responsibility for the disbursement of over $150,000,000. It is proposed by this bill to pay three gentlemen $5,000 apiece to disburse what the committee says will be less than a half a million dollars the first year, and not much more thereafter, although to that I do not agree. There is no reason why we should pay these three commissioners more compensation than we pay the Deputy Commisssioner of Pensions, or pay three commissioners $5,000 a year, the same amount the Commissioner of Pensions now receives. One man performs the duty in the Pension Office that these three will perform. I have no doubt that some of the people interested in the passage of this bill, outside of the House, who hope to hold the offices, would like to have it $5,000 or $7,500. We pay the Civil Service Commissioners, I think, $3,500 a year.

While they have always complained and wanted more, none of them, so far as I know, has ever resigned on that account. If they have they have got equally competent men to take their places. There ought to be some sense of proportion; if you insist on having three commissioners they ought to have no more pay than one commissioner and one deputy commissioner. Four thousand dollars a year is enough. Most of the three commissioners when they have been appointed will be traveling over the country a greater part of the time and receiving a per diem of $5 to $8 a day in addition to their salary. I think $4,000 is enough.

Mr. GARD. Mr. Chairman, I hope, and I am sure every Member of the House likewise hopes, that when this commission is appointed, it will be made up of capable and representative men, and while the amount carried by the bill is the sum of $5,000, I do not view it as a salary in excess of what would be called reasonable compensation for the character of the work to be done.

This commission, when it is appointed, will have a great work to do. I believe, as the gentleman from Illinois has well said, that the work of this commission will increase as the years go on. It is idle for anyone to say that the expense of this bill will not be increased over the existing law, because the bill under consideration is to take care of 400,000 employees, while the present compensation law takes care of possibly one-quarter of that number. With that extension in number, and the direction of the commission in all injuries, and the study to prevent injuries, because that is one of the great things that I think the commission should do, look into the governmental institutions and especially so as to surround the men with the best environment possible to keep down the rate of injuries, this with the semijudicial quality of the work which these commissioners must necessarily perform seems to me calls on the appointing power to select men of very high grade for this commission. While neither I nor any member of the committee is particularly committed to the sum of $5,000, or any other sum, it would seem to me, as it has seemed to the committee, that the sum of $5,000 for each commissioner would not be an unreasonable sum.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. MANN) there were 39 ayes and 22 noes.

So the amendment was agreed to.

The Clerk read as follows:

SEC. 34. That for the fiscal year ending June 30, 1917, there is hereby authorized to be appropriated, from any money in the Treasury not otherwise appropriated, the sum of $50,000 for the work of the commission, including salaries of the commissioners and of such assistants, clerks, and other employees as the commission may deem necessary, and for traveling expenses, expenses of medical examinations under sections 21 and 22, reasonable traveling and other expenses and loss of wages payable to employees under section 21, rent and equipment of offices, purchase of books, stationery, and other supplies, printing and binding to be done at the Government Printing Office, and other necessary expenses.

Mr. GARD. Mr. Chairman, I offer the following committee amendment.

The Clerk read as follows:

Page 18, line 12, strike out the words "authorized to be."

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 35. That there is hereby authorized to be appropriated, from any money in the Treasury not otherwise appropriated, the sum of $500,000, to be set aside as a separate fund in the Treasury, to be known as the employees' compensation fund. To this fund there shall be added such sums as Congress may from time to time appropriate for the purpose. Such fund, including all additions that may be made to it, is hereby authorized to be permanently appropriated for the payment of the compensation provided by this act, including the medical, surgical, and hospital services and supplies provided by section 9 and the transportation and burial expenses provided by sections 9 and 11. The commission shall submit annually to the Secretary of the Treasury estimates of the appropriations necessary for the maintenance of the fund.

Mr. GARD. Mr. Chairman, I offer the following committee amendments.

The Clerk read as follows:

Page 18, line 24, strike out the words "authorized to be." Page 19, line 6, strike out the words "authorized to be."

The committee amendments were agreed to.

Mr. MANN. Mr. Chairman, do I understand that we have voted to strike out the words "authorized to be"?

Mr. GARD. Yes, once in the preceding section, then also on page 18, line 12, and in line 24 of the same page and in line 6 of the following page.

Mr. MANN. Why does the gentleman strike out those words?

Mr. GARD. So as to make an appropriation instead of an authorization.

Mr. MANN. Mr. Chairman, that ought not to be done. It is easy enough to report a deficiency appropriation, which should be done. It is almost impossible to keep track of appropriations made by Congress if you place appropriations in legislative bills. There is no difficulty about getting the money. Congress can pass a deficiency appropriation bill in a day's time. There is no failure or lack of appropriation where we authorize the provision.

Mr. GARD. It was thought better so as to dispense with the necessity of a separate appropriation bill.

Mr. MANN. Yes, and then when we want to know how much is appropriated we have to look up this bill to find out, whereas people who keep track of appropriations would look under appropriation bills, and would know. Of course everybody does not do that, but some of us do, and we have made it a practice almost invariably to have appropriations carried in appropriation bills.

Mr. GARD. Mr. Chairman, I am very glad to have the gentleman's assistance in writing the bill properly, and if he thinks it should be carried in the language as originally written I shall be very glad to withdraw the amendment.

Mr. MANN. I think it should be carried in the language in which it is written originally. There will be no trouble about getting the money.

Mr. GARD. Then, Mr. Chairman, I ask unanimous consent to vacate the votes by which the amendments heretofore ordered to Sections 34 and 35 have been adopted.

The CHAIRMAN. Without objection it will be so ordered.

There was no objection.

The Clerk read as follows:

SEC. 40. That wherever used in this Act—

The singular includes the plural and the masculine includes the feminine.

The term "employee" includes all civil employees of the United States and the Panama Railroad Co.

The term "commission" shall be taken to refer to the United States Employees' Compensation Commission provided for in section twenty-eight.

The term "physician" includes surgeons.

The term "monthly pay" shall be taken to refer to the monthly pay at the time of the injury.

Mr. LONDON. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. LONDON: Page 21, line 2, after the word "injury," insert the following:

"The term 'personal injury' shall include an injury resulting from any occupational disease."

Mr. LONDON. Mr. Chairman, I desire to hurry along the passage of the bill, and therefore I will not take up the time of the committee in arguing in support of my amendment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York.

The question was taken.

Mr. LONDON. Mr. Chairman, I demand a division.

Mr. BUCHANAN of Illinois. Mr. Chairman, would it be in order for me to make a few remarks in regard to this at this time?

If I may be permitted, I would like to state to the Members of the House that compensation for occupational diseases is much more required than compensation for accidents, for the reason that oftentimes there is a loss of time on account of these occupational diseases, and they result in impairing the efficiency of the employee. Not only that but he is subject to a great deal of expense in the way of doctor's bills that he would not otherwise incur, and, in my opinion, it is more important to pay employees compensation for occupational diseases than it is to pay them compensation for injury by accident. Therefore it seems to me that if the Members of the House will give this matter the proper thought and consideration they will approve the amendment offered by the gentleman from New York [Mr. LONDON].

The CHAIRMAN. The gentleman from New York demands a division.

The committee divided; and there were—ayes 17, noes 52.

So the amendment was rejected.

Mr. LOBECK. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee a question. On page 21 I find the language:

The term "monthly pay" shall be taken to refer to the monthly pay at the time of the injury.

How often is it intended that this payment shall be made?

Mr. GARD. Monthly.

Mr. LOBECK. How often?

Mr. GARD. Twelve times a year.

Mr. LOBECK. In the Pension Bureau the Civil War veterans are asking that they be paid monthly, but it is said that it is too expensive, that it takes too much time, and would need a larger force of clerks to pay monthly.

Mr. GARD. When I said monthly I presumed it would be under the control of the commissioners when appointed.

Mr. LOBECK. We pay the pensioners four times a year—every three months—and I think some provision of that kind ought to be made so as to keep cost of administration less and therefore be able to be more liberal with the injured.

Mr. GARD. I had no definite information when I said monthly, but that was the idea of the bill, that they would be paid monthly, because the compensation follows the ordinary monthly payment.

Mr. LOBECK. That means a good deal of extra expense.

Mr. GARD. I do not think so.

Mr. LOBECK. The facts are, to my mind, Mr. Chairman, that if this law is properly administered it is going to be a good measure, but if its provisions are not carried out better than under the administration we have been having for many years and in some of the departments at the present time, where accidents to employees are being considered, it will not be of much help.

Incidents have been recited here to-day where men have been injured, but because of the action of departmental officials they have not received any compensation therefor. The cases have been referred finally to some solicitor, to some civil-service clerk, and the injured are often unfairly treated, regardless of proof presented. I have in mind a railway-mail employee who served for 38 years west of the Missouri River as a railway-mail clerk, never lost any time, and on the 6th day of December, 1914, that man when on duty accidentally fell out of the car because the bar that should have been in front of the car door was out of place through no fault of his. Ever since that time there have been examinations and reports by clerks and inspectors, by chiefs of divisions, and then a solicitor had the case under consideration for 6 months, evidently to see if the department could escape from assisting this worthy employee, yet nothing has been done so far, and for 17 months that man has been confined to his room, suffering from his injuries, and has never received one cent of remuneration, even that he would be ordinarily entitled to. It is not a credit to the department, and if these commissioners, to whom the Government is to pay each $4,000 salary and allow $50,000 for the expenses of examination in these cases, do not do any better than has been done in the past it will not be of the benefit that we hope for. I am in favor of a little more humanity being exercised in injury cases, and I am opposed to the idea that searching for technicalities to avoid assisting injured employees is the best policy. I shall gladly vote for this measure, hoping that the commissioners and those that shall have charge will use some good common sense in administering this law, so it will be of real benefit to the injured.

Mr. FESS. Mr. Chairman and members of the committee, I think that this sort of legislation, designed to secure workmen against the natural results of accident, is a proper function of government. A great many of the laws that we pass are economic, for the industrial side, and as a rule not very much of it is on the humanitarian side. In fact, a good many people think that that sort of legislation has no place whatever in a legislative body, but I am convinced that while we have built up a great industrialism in the country, and while we have come to have a factory, or better an industrial problem, that we ought also to look more carefully to the bettering of the conditions for the worker that grow out of those problems, and for that reason I believe that we ought to pass legislation of this sort. In a word, while we urge that constructive measures should occupy our time, remedial legislation should and will occupy some attention. I am not a recent convert to this conviction. As an officer of the Ohio constitutional convention of 1912, I stood for a humanitarian program, a part of which was the workman's compensation law, even including the provision of occupational diseases. We did not limit its application to State employment. However, I think that phrase "occupational diseases" opens a wonderfully wide door, and without limitation it might be abused. I think the good from this legislation is not to be confined simply to the workmen, but I believe that this will have the influence of causing the employers ultimately, while this bill is limited to the Government—at least it will have the influence of causing employers—to take greater care in sanitation and also what will probably produce a penalty upon them if better conditions are not obtained. Such legislation will compel more care on the part of the employer, and it will likewise compel a better class of labor. It will aid sobriety. For that reason I think that this is a legitimate function of legislation for the bettering not only of labor conditions from the standpoint of the worker but that it will better the employer as well. I shall vote for the bill without any hesitation whatever. [Applause.]

The CHAIRMAN. Without objection the pro forma amendment is withdrawn.

The Clerk read as follows:

In the case of compensation to employees of the Panama Canal or of the Panama Railroad Co. for temporary disability, either total or partial, the President may authorize the governor of the Panama Canal to waive, at his discretion, the making of the claim required by section 18. In the case of alien employees of the Panama Canal or of the Panama Railroad Co., or of any class or classes of them, the President may remove or modify the minimum limit established by section 6 on the monthly compensation for disability and the minimum limit established by clause (K) of section 10 on the monthly pay on which death compensation is to be computed. The President may authorize the governor of the Panama Canal and the chairman of the Alaskan Engineering Commission to pay the compensation provided by this act, including the medical, surgical, and hospital services and supplies provided by section 9 and the transportation and burial expenses provided by sections 9 and 11, out of the appropriations for the Panama Canal and for the Alaskan Engineering Commission, such appropriations to be reimbursed for such payments by the transfer of funds from the employees' compensation fund.

Mr. HULL of Iowa. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

SEC. 43. That this act shall take effect from and after its passage.

Mr. MANN. Mr. Chairman, I move to strike out section 43.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 23, strike out lines 12 and 13.

Mr. MANN. Mr. Chairman, it is one of the mysteries of life to me, after long service in the House, why gentlemen insist upon putting in at the end of a bill the provision, "this act shall take effect from and after its passage."

Mr. GARD. Mr. Chairman, I have no objection to its being stricken out.

The question was taken, and the amendment was agreed to.

By unanimous consent, Mr. IGOE, Mr. TAGGART, Mr. BUCHANAN of Illinois, Mr. FERRIS, Mr. FOSTER, Mr. TAGUE, Mr. LOBECK, Mr. MCGILLICUDDY, Mr. LONDON, Mr. EVANS, Mr. DYER, and Mr. TAVENNER were granted leave to extend their remarks in the RECORD.

Mr. DYER. Mr. Chairman, I ask unanimous consent that those who have spoken on the bill have leave to extend their remarks in the RECORD for five legislative days.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that all those who have spoken on the bill may have five legislative days in which to extend their remarks in the RECORD. Is there objection?

Mr. MANN. What is the request?

Mr. DYER. That all those who have spoken on the bill have leave to extend their remarks in the RECORD for five legislative days.

Mr. MANN. The committee can not give such consent.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] suggests a point of order, which, of course, will be sustained.

Mr. GARD. Mr. Chairman, I move that the committee do now rise and report the bill to the House with the amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. SIMS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 15316) to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes, and had instructed him to report the same to the House with certain amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded on any of the amendments?

Mr. MANN. Did the gentleman move the previous question on the bill?

Mr. WEBB. Mr. Speaker, I move the previous question on the bill.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. WINGO. Division, Mr. Speaker.

The SPEAKER. The gentleman from Arkansas demands a division on ordering the previous question.

The House divided; and there were—ayes 118, noes 2.

Mr. WINGO. Mr. Speaker, I make the point of no quorum.

The SPEAKER. The gentleman from Arkansas makes the point of no quorum, and evidently there is none.

Mr. WEBB. Mr. Speaker, I move a call of the House.

The SPEAKER. The gentleman does not have to do that. It is automatic.

Mr. SHERLEY. I move that the House do now adjourn.

The motion was rejected.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. The vote is on ordering the previous question.

The question was taken; and there were—yeas 288, nays 6, answered "present" 3, not voting 137, as follows:

YEAS—288.

Abercrombie	Cooper, W. Va.	Frear	Johnson, Wash.
Adair	Cooper, Wis.	Fuller	Keating
Adamson	Cox	Gallivan	Keister
Aiken	Crago	Gandy	Kennedy, Iowa
Alexander	Cramton	Gard	Kennedy, R. I.
Allen	Crosser	Gardner	Kent
Almon	Cullop	Garland	Kettner
Anderson	Curry	Gillett	Kincheloe
Ashbrook	Dale, N. Y.	Godwin, N. C.	King
Aswell	Dale, Vt.	Gordon	Kinkaid
Austin	Dallinger	Gould	Konop
Ayres	Danforth	Gray, Ind.	Kreider
Barkley	Darrow	Green, Iowa	La Follette
Beakes	Davenport	Greene, Mass.	Lazaro
Bell	Davis, Minn.	Greene, Vt.	Lesher
Bennet	Davis, Tex.	Griffin	Lewis
Blackmon	Decker	Hadley	Liebel
Booher	Dempsey	Hamill	Littlepage
Borland	Denison	Hamilton, Mich.	Lloyd
Bowers	Dent	Hamlin	Lobeck
Britt	Dickinson	Hardy	London
Britten	Dill	Haskell	McArthur
Browning	Dillon	Hastings	McClintic
Bruckner	Dixon	Hayden	McCracken
Brumbaugh	Dooling	Hayes	McCulloch
Buchanan, Ill.	Doolittle	Heaton	McGillicuddy
Buchanan, Tex.	Dowell	Helgesen	McKellar
Burke	Drukker	Helm	McKenzie
Burnett	Dupré	Helvering	McLemore
Byrns, Tenn.	Dyer	Hernandez	Madden
Caldwell	Eagan	Hicks	Magee
Campbell	Edmonds	Hill	Maher
Candler, Miss.	Edwards	Hilliard	Mann
Cannon	Ellsworth	Holland	Mapes
Caraway	Elston	Hollingsworth	Matthews
Carew	Emerson	Hood	Mays
Carter, Mass.	Esch	Hopwood	Meeker
Cary	Estopinal	Howard	Miller, Del.
Casey	Evans	Huddleston	Mondell
Chandler, N. Y.	Farr	Hughes	Montague
Chiperfield	Ferris	Hulbert	Moon
Church	Fess	Hull, Iowa	Moore, Pa.
Coady	Flood	Humphrey, Wash.	Moores, Ind.
Coleman	Flynn	Igoe	Morgan, Okla.
Collier	Focht	Jacoway	Morin
Connelly	Fordney	James	Moss, Ind.
Conry	Foss	Johnson, Ky.	Neely
Cooper, Ohio	Foster	Johnson, S. Dak.	Nicholls, S. C.
Nichols, Mich.	Rogers	Steagall	Tinkham
Nolan	Rowe	Stedman	Treadway
Norton	Rubey	Steenerson	Tribble
Oakey	Rucker	Stephens, Cal.	Van Dyke
Oldfield	Russell, Mo.	Stephens, Tex.	Venable
Oliver	Russell, Ohio	Sterling	Vinson
Olney	Sanford	Stiness	Volstead
Overmyer	Schall	Stone	Walker
Padgett	Scott, Mich.	Sulloway	Walsh
Park	Sears	Sumners	Ward
Parker, N. J.	Shallenberger	Sweet	Watkins
Phelan	Sherley	Swift	Watson, Pa.
Platt	Siegel	Switzer	Watson, Va.
Pratt	Sims	Taggart	Wheeler
Raker	Sinnott	Tague	Williams, T. S.
Ramseyer	Sloan	Talbott	Williams, W. E.
Randall	Small	Tavenner	Williams, Ohio
Rauch	Smith, Idaho	Taylor, Ark.	Wilson, La.
Reavis	Smith, Mich.	Taylor, Colo.	Wingo
Reilly	Smith, Minn.	Temple	Wise
Ricketts	Smith, N. Y.	Thomas	Wood, Ind.
Riordan	Snell	Thompson	Woods, Iowa
Roberts, Nev.	Sparkman	Tillman	Young, N. Dak.
Rodenberg	Stafford	Timberlake	Young, Tex.

NAYS—6.

Dies	Page, N. C.	Sisson	Stephens, Miss.
Doughton	Quin		

ANSWERED "PRESENT"—3.

Crisp	Morrison	Webb

NOT VOTING—137.

Anthony	Glass	Lee	Price
Bacharach	Glynn	Lehlbach	Ragsdale
Bailey	Good	Lenroot	Rainey
Barchfeld	Goodwin, Ark.	Lever	Rayburn
Barnhart	Graham	Lieb	Roberts, Mass.
Beales	Gray, Ala.	Lindbergh	Rouse
Black	Gray, N. J.	Linthicum	Rowland
Browne	Gregg	Loft	Sabath
Burgess	Griest	Longworth	Saunders
Butler	Guernsey	Loud	Scott, Pa.
Byrnes, S. C.	Hamilton, N. Y.	McAndrews	Scully
Callaway	Harrison	McDermott	Sells
Cantrill	Hart	McFadden	Shackleford
Capstick	Haugen	McKinley	Sherwood
Carlin	Hawley	McLaughlin	Shouse
Carter, Okla.	Hay	Martin	Slayden
Charles	Heflin	Miller, Minn.	Slemp
Clark, Fla.	Henry	Miller, Pa.	Smith, Tex.
Cline	Hensley	Mooney	Snyder
Copley	Hinds	Morgan, La.	Steele, Iowa
Costello	Houston	Moss, W. Va.	Steele, Pa.
Dewalt	Howell	Mott	Stephens, Nebr.
Doremus	Hull, Tenn.	Mudd	Stout
Driscoll	Humphreys, Miss.	Murray	Sutherland
Dunn	Husted	Nelson	Tilson
Eagle	Hutchinson	North	Towner
Fairchild	Jones	Oglesby	Vare
Farley	Kahn	O'Shaunessy	Wason
Fields	Kearns	Paige, Mass.	Whaley
Finley	Kelley	Parker, N. Y.	Wilson, Fla.
Fitzgerald	Key, Ohio	Patten	Wilson, Ill.
Freeman	Kiess, Pa.	Peters	Winslow
Gallagher	Kitchin	Porter	
Garner	Lafean	Pou	
Garrett	Langley	Powers	

So the previous question was ordered.

The Clerk announced the following pairs:

For the session:

Mr. DEWALT with Mr. MCFADDEN.

Mr. CANTRILL with Mr. LANGLEY.

Mr. GARNER with Mr. BARCHFELD.

Until further notice:

Mr. STEELE of Iowa with Mr. HOWELL.

Mr. POU with Mr. BEALES.

Mr. HEFLIN with Mr. GRIEST.

Mr. FIELDS with Mr. GRAY of New Jersey.

Mr. BURGESS with Mr. Moss of West Virginia.

Mr. RAYBURN with Mr. KAHN.

Mr. HOUSTON with Mr. GUERNSEY.

Mr. GLASS with Mr. SLEMP.

Mr. WEBB with Mr. MILLER of Pennsylvania.

Mr. FINLEY with Mr. NORTH.

Mr. HAY with Mr. COPLEY.

Mr. SLAYDEN with Mr. MCKINLEY.

Mr. KEY of Ohio with Mr. LAFEAN.

Mr. MORRISON with Mr. PORTER.

Mr. WILSON of Florida with Mr. GRAHAM.

Mr. CLINE with Mr. PARKER of New York.

Mr. SHERWOOD with Mr. DUNN.

Mr. SHOUSE with Mr. HUSTED.

Mr. OGLESBY with Mr. HAMILTON of New York.

Mr. GALLAGHER with Mr. MOONEY.

Mr. LEVER with Mr. HAWLEY.

Mr. CRISP with Mr. HINDS.

Mr. RAINEY with Mr. PLATT.

Mr. DRISCOLL with Mr. TILSON.

Mr. HENSLEY with Mr. LONGWORTH.

Mr. GREGG with Mr. LEHLBACH.

Mr. BARNHART with Mr. TILSON.

Mr. BLACK with Mr. ANTHONY.
Mr. EAGLE with Mr. COSTELLO.
Mr. CLARK of Florida with Mr. BUTLER.
Mr. DOREMUS with Mr. ROWLAND.
Mr. BURGESS with Mr. MUDD.
Mr. CARTER of Oklahoma with Mr. CAPSTICK.
Mr. CARLIN with Mr. BACHARACH.
Mr. BYRNES of South Carolina with Mr. PAIGE of Massachusetts.
Mr. RAGSDALE with Mr. BROWNE.
Mr. FARLEY with Mr. MILLER of Minnesota.
Mr. LINTHICUM with Mr. MARTIN.
Mr. KITCHIN with Mr. HAUGEN.
Mr. FITZGERALD with Mr. ROWLAND.
Mr. PATTEN with Mr. NELSON.
Mr. PRICE with Mr. POWERS.
Mr. HUMPHREYS of Mississippi with Mr. LOUD.
Mr. GARRETT with Mr. KELLEY.
Mr. MURRAY with Mr. ROBERTS of Massachusetts.
Mr. LEE with Mr. KIESS of Pennsylvania.
Mr. HULL of Tennessee with Mr. GOOD.
Mr. GOODWIN of Arkansas with Mr. FREEMAN.
Mr. HART with Mr. MOTT.
Mr. HARRISON with Mr. MCLAUGHLIN.
Mr. MCANDREWS with Mr. GLYNN.
Mr. LOFT with Mr. HUTCHINSON.
Mr. WHALEY with Mr. SCOTT of Pennsylvania.
Mr. SHACKLEFORD with Mr. TOWNER.
Mr. ROUSE with Mr. VARE.
Mr. STOUT with Mr. WINSLOW.
Mr. STEPHENS of Nebraska with Mr. WILSON of Illinois.
Mr. SCULLY with Mr. SNYDER.
Mr. SAUNDERS with Mr. WASON.
Mr. STEELE of Pennsylvania with Mr. SUTHERLAND.
Mr. SMITH of Texas with Mr. SELLS.
Until July 15:
Mr. MCDERMOTT with Mr. CHARLES.
Until July 17:
Mr. SABATH with Mr. KEARNS.
Mr. BAILEY with Mr. FAIRCHILD.
Until July 22:
Mr. CALLAWAY with Mr. PETERS.

Mr. WEBB. Mr. Speaker, I would like to withdraw my vote of "aye" and vote "present." I am paired with Mr. MILLER of Pennsylvania.

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. WEBB, and he answered "Present."

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill as amended.

The bill as amended was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is, Shall the bill pass?

Mr. MANN. On that, Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. The gentleman from Illinois demands the yeas and nays.

The yeas and nays were ordered.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted, as follows:

To Mr. GOODWIN of Arkansas, until Monday, on account of important business.

To Mr. GOOD, indefinitely, on account of the serious illness of his father.

To Mr. STEPHENS of California, indefinitely, on account of important business.

COMPENSATION FOR INJURIES TO FEDERAL EMPLOYEES.

The SPEAKER. The question is on the passage of the bill. Those in favor of passing the bill will, when their names are called, answer "yea." Those opposed will answer "nay."

The question was taken; and there were—yeas 287, nays 3, answered "present" 5, not voting 140, as follows:

YEAS—287.

Abercrombie	Allen	Aswell	Bell
Adair	Almon	Austin	Bennet
Adamson	Anderson	Ayres	Blackmon
Aiken	Anthony	Barkley	Booher
Alexander	Ashbrook	Beakes	Borland
Bowers	Farr	La Follette	Schall
Britt	Ferris	Lazaro	Scott, Mich.
Britten	Fess	Lesher	Scully
Browning	Fitzgerald	Lewis	Sears
Bruckner	Flynn	Liebel	Shallenberger
Brumbaugh	Focht	Littlepage	Sherley
Buchanan, Tex.	Fordney	Lloyd	Siegel
Burke	Foss	Lobeck	Sims
Burnett	Foster	London	Sinnott
Byrns, Tenn.	Frear	McArthur	Sloan
Caldwell	Fuller	McClintic	Small
Campbell	Gallivan	McCracken	Smith, Idaho
Candler, Miss.	Gandy	McCulloch	Smith, Mich.
Caraway	Gard	McGillicuddy	Smith, Minn.
Carew	Gardner	McKellar	Smith, N. Y.
Carter, Mass.	Garland	McKenzie	Snell
Cary	Gillett	McLemore	Sparkman
Casey	Godwin, N. C.	Madden	Stafford
Chandler, N. Y.	Gordon	Magee	Steagall
Chiperfield	Gould	Maher	Stedman
Church	Gray, Ind.	Mann	Steenerson
Coady	Green, Iowa	Mapes	Stephens, Cal.
Coleman	Greene, Mass.	Matthews	Stephens, Tex.
Collier	Greene, Vt.	Mays	Sterling
Connelly	Griffin	Meeker	Stiness
Conry	Hadley	Miller, Del.	Stone
Cooper, Ohio	Hamill	Mondell	Sulloway
Cooper, W. Va.	Hamilton, Mich.	Montague	Sumners
Cooper, Wis.	Hamlin	Moore, Pa.	Sweet
Cox	Hardy	Moores, Ind.	Swift
Crago	Haskell	Morgan, Okla.	Switzer
Cramton	Hastings	Morin	Taggart
Crosser	Hayden	Moss, Ind.	Tague
Cullop	Hayes	Mudd	Talbott
Curry	Heaton	Neely	Tavenner
Dale, N. Y.	Helgesen	Nelson	Taylor, Ark.
Dale, Vt.	Helm	Nichols, Mich.	Taylor, Colo.
Dallinger	Helvering	Nolan	Temple
Danforth	Hernandez	Norton	Thomas
Darrow	Hicks	Oakey	Thompson
Davenport	Hill	Oldfield	Tillman
Davis, Minn.	Hilliard	Oliver	Timberlake
Davis, Tex.	Holland	Olney	Tinkham
Decker	Hollingsworth	Overmyer	Treadway
Dempsey	Hood	Padgett	Tribble
Denison	Hopwood	Paige, Mass.	Van Dyke
Dickinson	Howard	Park	Venable
Dill	Hughes	Parker, N. J.	Vinson
Dillon	Hulbert	Phelan	Volstead
Dixon	Hull, Iowa	Pratt	Walker
Dooling	Humphrey, Wash.	Quin	Walsh
Doolittle	Igoe	Raker	Ward
Doughton	Jacoway	Ramseyer	Watkins
Dowell	James	Randall	Watson, Pa.
Drukker	Johnson, Ky.	Rauch	Watson, Va.
Dunn	Johnson, S. Dak.	Reavis	Wheeler
Dupré	Johnson, Wash.	Reilly	Williams, T. S.
Dyer	Keating	Ricketts	Williams, W. E.
Eagan	Keister	Riordan	Williams, Ohio
Edmonds	Kennedy, Iowa	Roberts, Nev.	Wilson, La.
Edwards	Kennedy, R. I.	Rodenberg	Wingo
Ellsworth	Kettner	Rowe	Wise
Elston	Kincheloe	Rubey	Wood, Ind.
Emerson	King	Rucker	Woods, Iowa
Esch	Kinkaid	Russell, Mo.	Young, N. Dak.
Estopinal	Konop	Russell, Ohio	Young, Tex.
Evans	Kreider	Sanford	

NAYS—3.

Cannon	Dies	Page, N. C.

ANSWERED "PRESENT"—5.

Crisp	Sisson	Stephens, Miss.	Webb
Morrison			

NOT VOTING—140.

Bacharach	Glass	Lafean	Pou
Bailey	Glynn	Langley	Powers
Barchfeld	Good	Lee	Price
Barnhart	Goodwin, Ark.	Lehlbach	Ragsdale
Beales	Graham	Lenroot	Rainey
Black	Gray, Ala.	Lever	Rayburn
Browne	Gray, N. J.	Lieb	Roberts, Mass.
Buchanan, Ill.	Gregg	Lindbergh	Rogers
Burgess	Griest	Linthicum	Rouse
Butler	Guernsey	Loft	Rowland
Byrnes, S. C.	Hamilton, N. Y.	Longworth	Sabath
Callaway	Harrison	Loud	Saunders
Cantrill	Hart	McAndrews	Scott, Pa.
Capstick	Haugen	McDermott	Sells
Carlin	Hawley	McFadden	Shackleford
Carter, Okla.	Hay	McKinley	Sherwood
Charles	Heflin	McLaughlin	Shouse
Clark, Fla.	Henry	Martin	Slayden
Cline	Hensley	Miller, Minn.	Slemp
Copley	Hinds	Miller, Pa.	Smith, Tex.
Costello	Houston	Moon	Snyder
Dent	Howell	Mooney	Steele, Iowa
Dewalt	Huddleston	Morgan, La.	Steele, Pa.
Doremus	Hull, Tenn.	Moss, W. Va.	Stephens, Nebr.
Driscoll	Humphreys, Miss.	Mott	Stout
Eagle	Husted	Murray	Sutherland
Fairchild	Hutchinson	Nicholls, S. C.	Tilson
Farley	Jones	North	Towner
Fields	Kahn	Oglesby	Vare
Finley	Kearns	O'Shaunessy	Wason
Flood	Kelley	Parker, N. Y.	Whaley
Freeman	Kent	Patten	Wilson, Fla.
Gallagher	Key, Ohio	Peters	Wilson, Ill.
Garner	Kiess, Pa.	Platt	Winslow
Garrett	Kitchin	Porter	

So the bill was passed.

The Clerk announced the following additional pairs:
Until further notice:
Mr. SISSON with Mr. BUTLER.
Mr. MOON with Mr. COSTELLO.
Mr. BUCHANAN of Illinois with Mr. HUSTED.
Mr. NICHOLLS of South Carolina with Mr. SNYDER.
Mr. FLOOD with Mr. ROWLAND.
Mr. PATTEN with Mr. KREIDER.
On this vote:
Mr. SHOUSE (for bill) with Mr. STEPHENS of Mississippi (against).

Mr. CRISP. Mr. Speaker, I am paired with the gentleman from Maine [Mr. HINDS]. Inadvertently I voted "yea." I ask that my vote be changed from "yea" to "present."

The result of the vote was announced as above recorded.

LEAVE TO PRINT.

Mr. GARD. Mr. Speaker, I ask unanimous consent that Members who have spoken on this bill may have five days in which to extend their remarks in the RECORD.

Mr. MANN. I suggest to the gentleman that we give everybody the right to print on the bill for five days.

Mr. GARD. That all gentlemen have five legislative days.

The SPEAKER. The gentleman from Ohio asks unanimous consent that all Members have the right for five legislative days to extend their remarks in the RECORD on this bill. Is there objection?

There was no objection.

Mr. CONRY. Mr. Speaker, I ask unanimous consent to insert in the RECORD a speech delivered by my colleague, the gentleman from New York [Mr. FITZGERALD], at a meeting held in Madison Square Garden recently to commemorate the sacrifices made by those patriots who dedicated their lives to the cause of human liberty in Ireland.

The SPEAKER. The gentleman from New York [Mr. CONRY] asks unanimous consent to extend his remarks in the RECORD by printing a speech made by Representative JOHN J. FITZGERALD recently in Madison Square Garden touching the revolution in Ireland. Is there objection?

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to bill of the following title:

H. R. 6057. An act to amend section 14 of the reclamation extension act, approved August 13, 1914.

The message also announced that the Senate had insisted upon its amendments to bill (H. R. 4767) authorizing the Director of the Census to collect and publish statistics of cotton seed and cottonseed products, had agreed to the conference asked by the House, and had appointed Mr. CHILTON, Mr. SHEPPARD, and Mr. LA FOLLETTE as the conferees on the part of the Senate.

The message also announced that the President had approved and signed bills of the following titles:

On July 10, 1916:

S. 1388. An act to authorize the Secretary of the Interior to furnish hot water from the hot springs on the Hot Springs Reservation for drinking and bathing purposes free of cost to the Leo N. Levi Memorial Hospital Association, and

S. 1843. An act to authorize the Secretary of the Interior to acquire certain right of way near Engle, N. Mex.

ORDER OF BUSINESS TO-MORROW.

Mr. MANN. Mr. Speaker, I ask for a minute.

The SPEAKER. The gentleman from Illinois asks unanimous consent to address the House for not to exceed a minute. Is there objection?

There was no objection.

Mr. MANN. Mr. Speaker, to-morrow the general dam bill comes up as the unfinished business, followed by the campaign publicity bill, both as privileged bills. A large number of the Members of the House desire to go to Baltimore to-morrow to attend a meeting of the Order of Elks. I suggest that we make an agreement that if the dam bill and the campaign publicity bill reach the stage of a final vote, the final vote be taken Friday, immediately after the reading of the Journal.

Mr. GALLIVAN. Mr. Speaker, reserving the right to object—and I will not object—I am profoundly grateful to the Republican leader that he has recognized the best order in the world, the Order of Elks. I do not have to make this statement on the floor of the American Congress to prove its truth. There are so many of my colleagues on both sides of the aisle who belong to this magnificent order, which places the flag of our country first and the women of our country next, that I do not need to make any speech. The Elks are the greatest order in all the world. [Applause.]

The SPEAKER. The gentleman from Illinois [Mr. MANN] asks unanimous consent that, for the reason which he states, if on to-morrow the dam bill reaches the stage where a final vote is to be taken upon it, and if the corrupt-practices bill reaches a final vote, both of them go over until Friday, just after the reading of the Journal and the clearing up of the Speaker's table. Is there objection?

Mr. ADAMSON. Reserving the right to object, unless the suggestion is based on the idea that some absent Member might wish a roll call, we might not have any difficulty in disposing of the dam bill on the final vote without a roll call.

Mr. MANN. That may be, but I am told—I am not a member of the order myself—that a number of the gentleman who wish to be absent want to feel that there will be no roll call on these bills to-morrow, and the only way to make sure of that is by a unanimous-consent agreement.

Mr. FITZGERALD. I hope the gentleman from Georgia will let his dam bill go over until to-morrow.

Mr. ADAMSON. Mr. Speaker, being one of those beautiful animals myself, I shall not object.

The SPEAKER. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. Reserving the right to object, for the sake of literary accuracy, I want to correct the statement that the B. P. O. E. are "the best people in the world"; they are "the best people on earth." [Laughter.]

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that on July 11, 1916, they had presented to the President of the United States, for his approval, the following joint resolution and bills:

H. J. Res. 257. Joint resolution permitting the use of certain hospital facilities belonging to the United States;

H. R. 16641. An act granting the consent of Congress to Julian B. McCurry, A. G. McCurry, P. W. Walton, and J. J. Fretwell to construct a bridge across the Savannah River; and

H. R. 16287. An act granting the consent of Congress to the county of Sumter or to the county of Dooly, both of the State of Georgia, acting jointly or separately, and their successors and assigns, to construct a bridge across the Flint River.

MARINE HOSPITAL, CLEVELAND, OHIO.

Mr. GORDON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill S. 2845, and consider the same in the House as in Committee of the Whole. It is a bill providing for the sale of the marine-hospital property in Cleveland.

The SPEAKER. The gentleman from Ohio asks unanimous consent to take from the Speaker's table the bill (S. 2845) for the sale of the marine-hospital property in Cleveland, Ohio, and consider it in the House as in Committee of the Whole. Is there objection?

Mr. MANN. Let the bill be reported.

The Clerk read as follows:

A bill (S. 2845) authorizing the sale of the marine-hospital reservation in Cleveland, Ohio.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, directed to have the present marine-hospital reservation in Cleveland, Ohio, and the improvements thereon, except so much of said reservation and the improvements thereon as he may deem it advisable to retain for the use of any branch of the public service, appraised by competent appraisers, paying therefor the customary rate of compensation for such service, and then, in his discretion and after due advertisement, to sell said appraised land and improvements, or any portion thereof, to the highest bidder therefor, upon such terms and at such times as the Secretary of the Treasury may deem for the best interests of the United States, for an aggregate price of not less than what he deems the value of said property after considering said appraisements, or the appropriate proportionate part of said value for such part of said land or improvements as may be sold separately; and to convey said land and improvements, or any part thereof, to the respective purchasers thereof by the usual quitclaim deed.

That the proceeds of the sale of so much of said reservation and the improvements thereon as is sold under the foregoing authorization are hereby appropriated and made immediately available for the provision of a new marine hospital at Cleveland, Ohio, and the acquisition of a suitable site therefor, for the acquisition of suitable sites and the erection of hospitals thereon at such points as may be hereafter designated by Congress, for new marine hospitals at stations where the present buildings are old and obselete, and for rehabilitating, repairing, altering, remodeling, reconstructing, and improving other marine hospitals and the grounds thereof, and for the requisite furniture, equipment, and appliances, etc., necessary for the proper preparation and fitting out of all such establishments better to enable their satisfactory operation for hospital purposes.

That $1,000 is hereby appropriated and made immediately available for the compensation of the appraisers above mentioned and such other expenses incident to the said sale as the Secretary of the Treasury may deem proper and specially order in writing.

Mr. ADAMSON. Reserving the right to object——

Mr. GORDON. I would like to say to the gentleman that I intend to offer an amendment.

Mr. ADAMSON. Reserving the right to object, I was going to say that although this bill has not gone to the Committee on Interstate and Foreign Commerce, which has undoubted jurisdiction over the subject and which has constructed all of these marine hospitals in the past, yet while the members of the committee have had no opportunity to consider it, I and my associates feel such great responsibility for it that the former chairman of the committee, the gentleman from Illinois, and I have gotten together and considered the bill and decided that we ought not to object if the beneficial purposes are sufficiently explained to the House so that the public may have knowledge of it. I have reserved objection in order that the gentleman from Ohio may explain it to the House.

Mr. STAFFORD. I want to say that I reserve the right to object.

Mr. GORDON. Mr. Speaker, this property was purchased by the United States Government in 1837 for $12,000. Its present value is estimated to be between a million and a million and a half dollars. The marine hospital was constructed on this site in 1852, and has since been maintained as such. The Public Health Service of the United States strongly recommends the passage of this bill. They have urged it for several years and appeared before the committee which considered the bill.

The objection to the bill that has been raised is that it puts too large authority in the executive department to dispose of and reinvest the fund, and I am prepared to offer an amendment simply authorizing the construction of a new hospital, to cost not exceeding $400,000, including site, building, and equipment, and the balance to go into the general fund of the Treasury.

Mr. STAFFORD. Will the gentleman yield?

Mr. GORDON. Yes.

Mr. STAFFORD. Upon what does the gentleman base the estimate that $400,000 will be adequate to provide a site and a new hospital building?

Mr. GORDON. It is estimated that this sum will be adequate. The reason for selling it is that it is surrounded by railroads and factories and wholly unsuitable for hospital purposes.

Mr. EMERSON. Will the gentleman yield?

Mr. GORDON. Yes.

Mr. EMERSON. Is it not a fact that the new union depot and the public buildings are grouped around this present hospital, and that it is absolutely necessary to dispose of the property before they can go ahead and build a new one?

Mr. GORDON. The suggestion of the gentleman from Ohio is a local matter and is the principal reason why the people of Cleveland are urging the grant of authority to sell.

Mr. FITZGERALD. I want to say to the gentleman that a proposition to dispose of property valued at a million or a million and a half dollars is not a local matter when I am around.

Mr. GORDON. Well, I would not ask the House to dispose of it for local reasons. The lowland adjoining the hospital has been occupied by railroad companies running in and out of Cleveland for 50 or 60 years as a right of way under a license from the Federal Government. The Public Health Service of the United States strongly urges the sale of the property because it is surrounded by railroads and factories and wholly unsuitable for the site of a hospital, and it is their purpose to purchase a site and construct a new hospital away from the noise, smoke, and dust which surround the present one.

Last year in agreeing upon the group plan there the public officials of Cleveland entered into an agreement with the railroads by which they agreed to build a monumental depot as part of the group plan, and the Cleveland officials agreed to exert every proper influence to induce the Government to sell so much of this property at its true value in money as the railroads are using, so that the railroads might purchase their right of way, which they now occupy under license from the United States Government. That is the local interest in it.

Mr. MANN. Mr. Speaker, will the gentleman yield to me?

Mr. GORDON. Yes.

Mr. MANN. Mr. Speaker, as the gentleman stated, the Government purchased this property many, many years ago for a small price. It is said to be worth now a million dollars or more. The city of Cleveland has made an arrangement with the railroads providing for the building of a union station. The city is very anxious to carry through the arrangement. Probably the property is worth more to sell to the railroads at this time to construct a union station than it would be for any other purpose. This bill would authorize the sale, and unless the authority is given soon I am informed by the city officials and by Members from Cleveland that the arrangement might fall through. It is no proper place for a hospital.

Mr. EMERSON. It is surrounded by railroads, shops, and such things.

Mr. MANN. If we can sell the property for a million dollars or whatever more value may be put upon it, it seems to me that it will be a very wise thing to do. As the bill passed the Senate it provided that the money should not be covered into the Treasury of the United States as miscellaneous receipts, but might be used by the Public Health Service and spent anywhere it pleased in the United States in connection with the reconstruction or furnishing of marine hospitals. The gentleman from Ohio [Mr. GORDON] has agreed to offer an amendment striking that out, authorizing the use of not to exceed $400,000 for the construction of a new marine hospital on a site to be purchased, the department estimating it should be $550,000, but cutting it down to $400,000, the balance of the money to be covered into the Treasury as miscellaneous receipts. I think we are making a very profitable arrangement if we put it through.

Mr. ASHBROOK. Mr. Speaker, will the gentleman yield?

Mr. GORDON. Yes.

Mr. ASHBROOK. I would like to say to the House, as a member of the Committee on Public Buildings and Grounds, that this proposition has been before this committee for a long time. The committee is in favor of it, and I made several attempts to get the bill reported out of the committee as an individual measure, but the committee decided to hold it up with the understanding that it would be included in the omnibus bill. This bill having passed the Senate and come to the House, in my judgment, should not now meet with opposition.

Mr. MANN. As a matter of fact, while the Committee on Public Buildings and Grounds had the House bill before it the proper jurisdiction of the bill was with the Committee on Interstate and Foreign Commerce.

Mr. ADAMSON. Mr. Speaker, will the gentleman yield?

Mr. GORDON. Yes.

Mr. ADAMSON. I will ask the gentleman if the present purpose of constructing a union station is not probably the best opportunity and the most favorable opportunity you will have to secure so good a price?

Mr. GORDON. Unquestionably that is true, and the sale of this property is necessary to consummate that arrangement.

Mr. WEBB. Mr. Speaker, will the gentleman yield?

Mr. GORDON. Yes.

Mr. WEBB. Is this sale to be made by private negotiation?

Mr. GORDON. It is to be made by the Secretary of the Treasury after due appraisement.

Mr. WEBB. Not at public auction?

Mr. CROSSER. It is to be sold to the highest bidder.

Mr. WEBB. Is there an upset price?

Mr. GORDON. No; there is not.

Mr. WEBB. Does the gentleman not think it best to place an upset price upon it?

Mr. GORDON. We have a scientific method of appraisal in the city of Cleveland which obtains in some other cities, by which the actual value in money of any property in a business district can be determined with mathematical accuracy.

Mr. FITZGERALD. Does the gentleman propose it shall not be sold for less than the appraised value?

Mr. GORDON. The bill as written provides it shall be first appraised.

Mr. FITZGERALD. Yes; it may be appraised, and then if there is no limitation on the price to be paid, the appraisal will not be of any value.

Mr. GORDON. As it has not been appraised we can not put a limit upon the price because we do not know what it is actually worth.

Mr. FITZGERALD. There can be a provision put in the bill that it shall not be sold for less than the appraised value.

Mr. WEBB. As an upset price.

Mr. FITZGERALD. And it must be put in or there will be no unanimous consent given.

Mr. EMERSON. Your good Democratic Secretary of the Treasury will see to that.

Mr. FITZGERALD. I do not care anything about the Secretary of the Treasury protecting the Government when I have an opportunity to do it myself.

Mr. EMERSON. This property was purchased for $10,000.

Mr. FITZGERALD. I know it was purchased cheaply, and so was this Capitol property; but that is no reason why we should give it to a plutocrat for nothing.

Mr. EMERSON. We need the Capitol and we do not need the hospital and can not use it.

Mr. FITZGERALD. I know about this hospital. It was closed some time because it could not be used, but that is no reason why this valuable piece of property should be sold for less than its appraised value.

Mr. EMERSON. I agree with the gentleman.

Mr. FITZGERALD. And unless there is provision in here that it shall not be sold for less than the appraised value, I shall object to the consideration of the bill.

Mr. MANN. Will the gentleman yield? I do not know whether this will be sufficient. It gives authority to the Secretary to sell the property "at not less than what he deems the value of said property after considering said appraisements."

Mr. FITZGERALD. Oh, no; it ought to be "at not less than the appraised value."

Mr. GORDON. I will accept an amendment to that effect.

Mr. FITZGERALD. The Secretary should not be given authority to fix the value other than the appraised value.

Mr. MANN. That can be provided by inserting, after the word "appraisement," in line 3, page 2, the words "at not less than the appraised value."

Mr. FITZGERALD. That would be all right.

Mr. GORDON. That is satisfactory.

Mr. WEBB. Who makes the appraisement?

Mr. GORDON. It is made by an appraisal company. Usually the department directs the appraisement. The gentleman will understand that the appraisement of real estate in cities is a much more scientific performance than it is in rural communities.

Mr. WEBB. Do I understand that the Treasury Department is to accept the appraisement of some private appraisement company?

Mr. GORDON. The bill does not require it.

Mr. WEBB. Is it the gentleman's idea that the appraisement company shall be the only one to appraise this property or that the Secretary will send an appraising board there?

Mr. GORDON. He will appraise the property the best way that can be done, I presume.

Mr. EMERSON. He will take the advice of the people who know in regard to the value of the property.

Mr. MANN. The bill provides that the Secretary of the Treasury shall cause the property to be appraised by competent appraisers.

Mr. FITZGERALD. That part is all right.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. Mr. Speaker, I move, first, to insert, after the word "appraisements," in line 3, page 2, the words "at not less than the appraised value thereof."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 3, after the word "appraisements," insert the words "at not less than the appraised value thereof."

The question was taken, and the amendment was agreed to.

Mr. GORDON. Mr. Speaker, I offer the following amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, strike out all of lines 8 to line 21, inclusive, and substitute therefor the following:

"That the proceeds of the sale of so much of said reservation and the improvements thereon as is sold under the foregoing authorization are hereby appropriated and made immediately available for the provision of a new marine hospital at Cleveland, Ohio, including furnishing and the acquisition of a suitable site therefor, within a limit of cost of $400,000, and the balance of the proceeds of the sale shall be paid into the Treasury as miscellaneous receipts."

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. GORDON, a motion to reconsider the vote by which the bill was passed was laid on the table.

EXTENSION OF REMARKS.

Mr. HULBERT. Mr. Speaker, I ask leave to extend my remarks in the RECORD by printing a speech of my colleague [Mr. SHALLENBERGER] in New York on the Fourth of July, a patriotic address.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks by printing a speech of the gentleman from Nebraska [Mr. SHALLENBERGER] in New York on the Fourth of July. Is there objection? [After a pause.] The Chair hears none.

Mr. SIMS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing an article from the Chattanooga News, of July 8, a paper published at Chattanooga, Tenn., giving a letter of Mr. C. A. Dagley, secretary of the Progressive Party committee of Tennessee, to my colleague Hon. JOHN A. MOON.

Mr. MCARTHUR. Mr. Speaker, reserving the right to object, was not permission given to print that this morning?

The SPEAKER. No; objection was made.

The gentleman from Tennessee [Mr. SIMS] asks unanimous consent to extend his remarks in the RECORD by printing a letter of Mr. Dagley, secretary of the Progressive Party of Tennessee, to the Hon. JOHN A. MOON. Is there objection?

Mr. MANN. Reserving the right to object, I assume, if the permission is granted, the gentleman will comply with the ordinary practice of the House and insert this at the end of the RECORD. I notice, however, that yesterday one of the Members of the House, having obtained leave to address the House for one minute, inserted a long speech in the current place in the RECORD, interlarded with applause.

Mr. SIMS. I hope the gentleman does not think that of me.

Mr. BLACKMON. Reserving the right to object, what does the article refer to?

The SPEAKER. The gentleman from Tennessee [Mr. SIMS] asks unanimous consent to extend his remarks by printing a letter from the Chattanooga News, from Mr. Dagley, the secretary of the Progressive Party in Tennessee, to the Hon. JOHN A. MOON.

Mr. SIMS. My colleague.

The SPEAKER. We do not know what is in it.

Mr. SIMS. I would be glad to read it if I had the time.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee? [After a pause.] The Chair hears none.

STANDARDIZATION OF LIME BARRELS.

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent that the bill S. 5425——

Mr. STAFFORD. Mr. Speaker, I make the point that there is no quorum present.

Mr. WEBB. Mr. Speaker, I move that the House do now adjourn.

Mr. ASHBROOK. All I want is to have conferees named on the bill.

Mr. STAFFORD. This is a late hour.

Mr. MOORE of Pennsylvania. Will the gentleman withhold until I make a request to correct the RECORD?

Mr. STAFFORD. Do I understand that the gentleman from Ohio [Mr. ASHBROOK] is not to be present to-morrow?

Mr. ASHBROOK. No, sir; I will be here to-morrow. The bill has been on the Speaker's table for some time, but I have been absent, and it has been impossible to call it up before this time.

The SPEAKER. The gentleman from Wisconsin——

Mr. STAFFORD. I withdraw the point for the time being.

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent that the bill S. 5425, an act to standardize lime barrels, be taken from the Speaker's table and the conferees appointed.

The SPEAKER. The gentleman asks unanimous consent to take from the Speaker's table the lime-barrel bill——

Mr. ASHBROOK. This is a Senate bill that came over to the House and passed with House amendments. I understand the Senate has appointed conferees.

Mr. MANN. The gentleman wants to insist on the House amendments and ask for a conference.

The SPEAKER. The gentleman asks to take the bill from the Speaker's table and insist on the House amendments and agree to the conference asked for by the Senate.

The Clerk will report the title.

The Clerk read as follows:

A bill (S. 5425) to standardize lime barrels.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER announced the following conferees: Mr. ASHBROOK, Mr. ABERCROMBIE, and Mr. REAVIS.

EXTENSION OF REMARKS.

Mr. HELVERING. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of the grain-grading act.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. AYRES. Mr. Speaker, I make the same request.

The SPEAKER. The gentleman from Kansas [Mr. AYRES] makes the same request. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. WEBB. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 16 minutes p. m.) the House adjourned until to-morrow, Thursday, July 13, 1916, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Assistant Secretary of War, submitting in accordance with law the claim of A. Jefferson, of Washington, D. C., against the United States (H. Doc. No. 1280); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriations required by the United States Public Health Service for the fiscal year ending June 30, 1917 (H. Doc. No. 1282); to the Committee on Appropriations, and ordered to be printed.

3. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on reexamination of Pawtucket River, R. I. (H. Doc. No. 1283); to the Committee on Rivers and Harbors, and ordered to be printed with illustrations.

4. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Youghiogheny River, up to West Newton (H. Doc. No. 1284); to the Committee on Rivers and Harbors, and ordered to be printed.

5. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Interior, submitting an estimate of appropriation for the fiscal year ending June 30, 1917, under the title of improvement of Mukuntuweap National Monument, Utah (H. Doc. 1285); to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. TINKHAM, from the Committee on the District of Columbia, to which was referred the bill (H. R. 15460) to provide for the payment of assessments for benefits for the opening of streets, avenues, roads, and alleys in the District of Columbia, and for other purposes, reported the same without amendment, accompanied by a report (No. 943), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. STEPHENS of Nebraska, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 3069) to amend an act entitled "An act to amend an act entitled 'An act to amend an act entitled "An act to regulate commerce,"' approved February 4, 1887, and all acts amendatory thereof, and to enlarge the powers of the Interstate Commerce Commission," approved March 4, 1915, reported the same without amendment, accompanied by a report (No. 944), which said bill and report were referred to the House Calendar.

Mr. CROSSER, from the Committee on the District of Columbia, to which was referred the bill (H. R. 13840) to amend an act approved May 29, 1908, entitled "An act to amend an act entitled 'An act to authorize the Baltimore & Washington Transit Co. of Maryland to enter the District of Columbia,' approved June 8, 1896," reported the same with amendment, accompanied by a report (No. 945), which said bill and report were referred to the House Calendar.

Mr. JOHNSON of Kentucky, from the Committee on the District of Columbia, to which was referred the bill (H. R. 16070) to dispose of unclaimed bank deposits in the District of Columbia, and for other purposes, reported the same with an amendment, accompanied by a report (No. 948), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (H. R. 7591) to amend an act entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1914, and for other purposes," approved March 4, 1913, reported the same without amendment, accompanied by a report (No. 949), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (H. R. 12712) to amend an act entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1914, and for other purposes," reported the same without amendment, accompanied by a report (No. 950), which said bill and report were referred to the House Calendar.

Mr. CROSSER, from the Committee on the District of Columbia, to which was referred the bill (H. R. 9219) to provide for the acquisition, ownership, and operation by the Commissioners of the District of Columbia of all the street railroads located in the District of Columbia, reported the same without amendment, accompanied by a report (No. 952), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. SMITH of Idaho, from the Committee on the Public Lands, to which was referred the bill (S. 3617) for the relief of Elizabeth Davis, reported the same without amendment, accompanied by a report (No. 946), which said bill and report were referred to the Private Calendar.

Mr. HILLIARD, from the Committee on the District of Columbia, to which was referred the bill (S. 5172) to exempt from taxation certain property of the Daughters of the American Revolution in Washington, D. C., reported the same with amendment, accompanied by a report (No. 947), which said bill and report were referred to the Private Calendar.

Mr. SHALLENBERGER, from the Committee on Military Affairs, to which was referred the bill (H. R. 16719) for the relief of John P. Sutton, reported the same without amendment, accompanied by a report (No. 951), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills and resolutions were introduced and severally referred as follows:

By Mr. HUGHES: A bill (H. R. 16940) to provide for the purchase of a site upon which to erect a post-office building in the city of Fort Valley, in the State of Georgia; to the Committee on Public Buildings and Grounds.

By Mr. RANDALL: A bill (H. R. 16941) to relieve distress and starvation of destitute people in Mexico; to the Committee on Appropriations.

By Mr. MORRISON: A bill (H. R. 16942) authorizing the Secretary of War to donate condemned cannon and balls; to the Committee on Military Affairs.

By Mr. HICKS: A bill (H. R. 16943) authorizing the Secretary of War to deliver to the Port Washington Business Men's Association one condemned bronze or brass cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WARD: A bill (H. R. 16944) authorizing the Secretary of War to donate to the village of Monticello, Sullivan County, N. Y., a brass or bronze cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 16945) authorizing the Secretary of War to donate to the village of Grahamsville, Sullivan County, N. Y., a brass or bronze cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CLARK of Missouri: A bill (H. R. 16946) providing for the purchase of a site and erection of a public building at Bowling Green, Mo.; to the Committee on Public Buildings and Grounds.

By Mr. FARR: A bill (H. R. 16947) to provide for enlarging the United States building at Scranton, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. RICKETTS: Joint resolution (H. J. Res. 263) for the purpose of procuring for the citizens of Lancaster, Fairfield County, Ohio, for patriotic and educational purposes, one large-size Lisle life-saving gun; to the Committee on Naval Affairs.

By Mr. PARKER of New Jersey: Resolution (H. Res. 301) to amend the rules of the House of Representatives; to the Committee on Rules.

By Mr. CULLOP: Resolution (H. Res. 302) for the consideration of H. R. 9216 and H. R. 15950; to the Committee on Rules.

By Mr. SMITH of New York: Resolution (H. Res. 303) to inquire into the failure to provide adequate facilities for transporting the National Guard of New York to the Mexican border; to the Committee on Interstate and Foreign Commerce.

By Mr. KREIDER: Resolution (H. Res. 304) authorizing and directing the Committee on the Judiciary to investigate and report relative to the rise in the price of paper; to the Committee on Rules.

By Mr. TAGUE: Concurrent resolution (H. Con. Res. 47) directing the inspection of food supplies issued to the National Guard; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills were introduced and severally referred as follows:

By Mr. ALMON: A bill (H. R. 16948) for the relief of Elizabeth R. Howell, Anna R. Wells, Mary Barnes Richardson, Sarah R. Tatum, and William Richardson, as heirs of William Richardson, deceased; to the Committee on Claims.

By Mr. ANTHONY: A bill (H. R. 16949) for the relief of former enlisted men of Companies B, C, and D, Twenty-fifth United States Infantry; to the Committee on Military Affairs.

By Mr. ASHBROOK: A bill (H. R. 16950) granting an increase of pension to Jacob G. Frederick; to the Committee on Invalid Pensions.

By Mr. BOOHER: A bill (H. R. 16951) for the relief of George Welty; to the Committee on Claims.

By Mr. BOWERS: A bill (H. R. 16952) granting an increase of pension to Daniel W. Thurston; to the Committee on Invalid Pensions.

By Mr. CALDWELL: A bill (H. R. 16953) granting a pension to George V. Deacon; to the Committee on Pensions.

By Mr. CLARK of Missouri: A bill (H. R. 16954) for the relief of E. F. Mathews; to the Committee on War Claims.

By Mr. DOOLITTLE: A bill (H. R. 16955) granting a pension to Dyantha E. Smith; to the Committee on Invalid Pensions.

By Mr. HINDS: A bill (H. R. 16956) for the relief of John J. Callan; to the Committee on Claims.

By Mr. LAFEAN: A bill (H. R. 16957) granting an increase of pension to Annie Gingerich; to the Committee on Invalid Pensions.

By Mr. MORRISON: A bill (H. R. 16958) granting a pension to Reinhard Anschutz, alias Charles Reinhard; to the Committee on Pensions.

By Mr. NORTH: A bill (H. R. 16959) for the relief of David P. Morrison; to the Committee on Military Affairs.

Also, a bill (H. R. 16960) granting an increase of pension to Jacob Barger; to the Committee on Invalid Pensions.

By Mr. OAKEY: A bill (H. R. 16961) granting an increase of pension to Marcia J. Baker; to the Committee on Invalid Pensions.

By Mr. OLDFIELD: A bill (H. R. 16962) for the relief of R. W. Earnheart; to the Committee on Claims.

By Mr. POWERS: A bill (H. R. 16963) granting a pension to N. Ellen Peters and George N. Peters; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16964) granting an increase of pension to Alexander Kelly; to the Committee on Pensions.

By Mr. PRATT: A bill (H. R. 16965) granting an increase of pension to Alanson Tilden; to the Committee on Invalid Pensions.

By Mr. PRICE: A bill (H. R. 16966) for the relief of O. P. Gibson & Co.; to the Committee on Claims.

By Mr. RICKETTS: A bill (H. R. 16967) granting an increase of pension to Augustus Scherr; to the Committee on Invalid Pensions.

By Mr. SIMS: A bill (H. R. 16968) granting a pension to John W. Scott; to the Committee on Pensions.

By Mr. SWITZER: A bill (H. R. 16969) granting an increase of pension to George W. Bradshaw; to the Committee on Invalid Pensions.

By Mr. VAN DYKE: A bill (H. R. 16970) granting a pension to Guy W. Atherton; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BRUCKNER: Petition of John C. Beilharz, of Bronx, New York City, N. Y., favoring passage of House bill 14666, relative to copyrighting designs; to the Committee on Patents.

By Mr. CURRY: Petition by Rev. W. O. Grunow, pastor of St. Jacob's Evangelical Lutheran Church, of Newman, Cal., and secretary of the Evangelical Lutheran Pastoral Conference of the Northern District of California, and 161 residents of the third California district, protesting against the enactment of House bills 6468 or 491; to the Committee on the Post Office and Post Roads.

By Mr. DALE of New York: Petition of members of Flint, Mich., branch of the Congressional Union for Woman Suffrage, favoring woman-suffrage amendment; to the Committee on the Judiciary.

Also, petition of New York State Association Opposed to Woman Suffrage, relative to suffrage plank in Republican and Democratic platforms; to the Committee on the Judiciary.

Also, petition of Chicago Liquor Dealers' Protective Association, relative to tax on land values; to the Committee on Ways and Means.

By Mr. DAVIS of Texas: Petition of J. A. Jones, of Texas, favoring passage of the John N. Tillman pension bill, House bill 478; to the Committee on Invalid Pensions.

By Mr. DUNN: Petition of Schlegel Manufacturing Co., of Rochester, N. Y., favoring bill to protect dyestuff; to the Committee on Ways and Means.

By Mr. ELSTON: Petition of W. O. Grunow and others, of Alameda County, Cal., against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. GOODWIN of Arkansas: Papers to accompany House bill 16689; to the Committee on Invalid Pensions.

By Mr. HERNANDEZ: Papers to accompany House bill 16923, to correct the military record of Epigmenio Ramirez; to the Committee on Military Affairs.

By Mr. KENNEDY of Rhode Island: Petitions of sundry women of the State of Rhode Island, favoring woman-suffrage amendment; to the Committee on the Judiciary.

By Mr. NOLAN: Memorial of Nelson A. Miles Camp, No. 10, United Spanish War Veterans, of San Francisco, Cal., favoring passage of House bill 11876, minimum-wage bill; to the Committee on Labor.

By Mr. SMITH of Michigan: Petition of Mrs. Ida Mitchell and 25 other citizens of Batavia, Mich., and vicinity, favoring the Webb-Smith national prohibition resolutions, H. J. Res. 84 and 85; to the Committee on the Judiciary.

By Mr. STEPHENS of California: Communications from D. H. Croutchey and 21 other citizens, all of Los Angeles, Cal., favoring an eight-hour day for the railroad brotherhoods; to the Committee on Labor.

Also, letter from Woman's Peace Party, Northern California Branch, Palo Alto, Cal., indorsing House joint resolution 112, to investigate certain matters relating to the matériel of the Army and Navy; to the Committee on Military Affairs.

Also, letter from Exposition Preservation League, of San Francisco, Cal., favoring House joint resolution 56, extending the permit to retain the palace of fine arts; to the Committee on Industrial Arts and Expositions.

Also, communications from Owen Newcomb and Ernest S. Ford, of Los Angeles, Cal., favoring Senate concurrent resolution 12, requesting the President of the United States to designate a day on which funds may be raised for the relief of the Armenians; to the Committee on Foreign Affairs.

Also, letter from Friends Church of Whittier, Cal., protesting against universal military training; to the Committee on Military Affairs.

Also, resolution of Chamber of Commerce, Redlands, Cal., indorsing the establishment of an aviation base at North Island, San Diego, Cal.; to the Committee on Naval Affairs.

Also, resolutions from office of county clerk, Eureka, Cal., against Federal inheritance tax; to the Committee on Ways and Means.

Also, petitions of Walter C. Strickler and 3 other citizens, all of Los Angeles, Cal., favoring the Warren bill; to the Committee on Military Affairs.

Also, resolutions of the Rotary Club of Los Angeles, Cal., favoring military protection for Los Angeles, Cal.; to the Committee on Military Affairs.

Also, petition of Giles Otis Pearce and others, Soldiers' Home, Cal., praying for a change in the rules; to the Committee on Rules.

By Mr. STINESS: Petition of Sarah E. Briggs, of Apponang, R. I.; Jeanne H. Guy, Harriet J. Roworth, Harriet A. Kilton, Mrs. Alice F. Porter, of Providence, R. I.; and Mrs. Grace L. Cross and Marguerite Cross Edgren, of Wickford, R. I., favoring the Susan B. Anthony amendment; to the Committee on the Judiciary.

SENATE.

THURSDAY, *July 13, 1916.*

(Legislative day of Friday, July 7, 1916.)

The Senate reassembled at 10 o'clock a. m., on the expiration of the recess.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Dillingham	Nelson	Smoot
Beckham	Gronna	Norris	Swanson
Brandegee	Hollis	Overman	Thompson
Broussard	Husting	Owen	Tillman
Bryan	Johnson, S. Dak.	Pittman	Underwood
Catron	Jones	Pomerene	Vardaman
Chamberlain	Kenyon	Ransdell	Wadsworth
Chilton	Kern	Sheppard	Williams
Clarke, Ark.	La Follette	Simmons	Works
Culberson	Lodge	Smith, Ga.	
Curtis	McCumber	Smith, S. C.	

Mr. KERN. I desire to announce the unavoidable absence of my colleague [Mr. TAGGART]. He is paired with the junior Senator from Vermont [Mr. PAGE]. This announcement will stand for the day.

Mr. HOLLIS. I wish to announce that the senior Senator from Montana [Mr. MYERS] is detained from the Chamber by illness. This announcement will stand for the day.

Mr. POMERENE. I desire to announce the unavoidable absence of my colleague [Mr. HARDING], and I will allow this announcement to stand for the day.

Mr. CHAMBERLAIN. I desire to announce for the day that my colleague [Mr. LANE] is detained from the Senate by illness.

Mr. SWANSON. I suggest that the Secretary call the names of the absentees.

The VICE PRESIDENT. The Secretary will call the roll of absentees.

The Secretary called the names of absent Senators, and Mr. TOWNSEND and Mr. WALSH answered to their names when called.

Mr. BANKHEAD, Mr. SMITH of Arizona, Mr. STERLING, Mr. LEE of Maryland, Mr. OLIVER, and Mr. JAMES entered the Chamber and answered to their names.

The VICE PRESIDENT. Fifty Senators have answered to the roll call. There is a quorum present. The Chair lays before the Senate House bill 15947, the unfinished business.

NAVAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15947) making appropriations for the naval service for the fiscal year ending June 30, 1917, and for other purposes.

Mr. TILLMAN. Mr. President, before we proceed with the consideration of this bill I wish to make a brief statement, and also to make an appeal to my brother Senators.

It is readily seen by those who have examined the bill that the Senate Naval Committee has added very largely to the building program and also, imitating the House, has incorporated much legislation of a general character. The welfare of the Navy seems to vitally demand certain reforms in the personnel, and most of the suggested changes in the general law regarding personnel have been urgently pressed on the committee by the Navy Department itself. The letters of the Secretary of the Navy will explain the department's point of view and the reasons for the increases, promotions, and changes in the personnel; and my friend the Senator from Virginia [Mr. SWANSON] who has charge of the bill for me will take pleasure in explaining more fully any point that is raised by anyone.

I want to ask this of Senators. My health, as everyone knows, is much better than it has been for a long while, but I have been here since December and I am tired out and want to go home and rest. I therefore appeal to you, Senators, to discuss the bill as fully as you please but let us be prompt and pass it in the Senate, because it will take a good while, I expect, for the conferees of the two bodies to come to an agreement. We may have to send it back to the respective bodies for instructions. I anticipate this on some points; but let us not consume any more time in discussing it than is absolutely necessary to elucidate obscure points or make necessary explanations.

Mr. SWANSON. Mr. President, I wish to make a short address in behalf of the bill. I ask to be permitted to conclude my remarks without interruption, and then I will be glad to answer any question any Senator may suggest.

Mr. President, to my mind the most important question before this Congress is an adequate increase of our Navy. I believe this of more vital importance and of more far-reaching consequences to this Nation than any other matter pending. A mistake made in this matter now would be most difficult to correct in the future, would be fraught with great danger, and might in the coming years culminate in great national disaster. Our future safety, progress, and prosperity may be determined by the deliberations of this Congress. Our decision upon this matter may determine far in the future whether our pathway shall be one of peace and power or fraught with turmoil, wars, difficulties, defeats, and humiliations. I deeply feel that the fate of this Republic, the preservation of our institutions and the maintenance of our well-defined foreign policies are dependent upon the strength and success of our Navy. America and her Navy, for weal or for woe, are united in indissoluble wedlock.

The history of the world teaches one sure lesson—that naval supremacy ultimately means national preeminence and triumph. More than ever before sea power is the best and strongest military power. The rise and fall of nations and empires teach the same lesson—that national safety and national success are inseparable from naval strength and power. The destruction of the Spanish Armada in the English Channel was the first and controlling cause in the bloody drama which ended a few years ago when the flag of crimson and gold was banished from the Western World and Spain closed her glittering career. Waterloo was but the aftermath of Trafalgar.

All the vast power, the amazing genius and energy of Napoleon could not escape the doom inflicted by Lord Nelson's fleet. The heroic valor, the superb military genius, the splendid victories of the Confederacy during the late Civil War all faded before Federal naval supremacy. The shadows of southern doom rose slowly but surely from the pitiless sea. The stupendous superstructure of Russian power and military strength all crumbled at the triumph of Admiral Togo's fleet. Dewey's guns at Manila proclaimed alike the liberation of the Philippines, Cuba, and Porto Rico. The Italian Navy was the strong hand which seized Tripoli from the grasp of Turkey. It has been the great navy of Britain that has enabled her to carry her rule, civilization, and commerce to every continent, in every clime, and among every people. It enabled her to wrest from France the territory of Canada, with vast possessions stretching to the North Pole. It has given her colonies in the far waters of the Pacific exceeding in territory and richness any domain ever ruled by the Cæsars. It enabled her to conquer and rule the mighty empire of India, which had resisted the arms and thwarted the triumphs of Alexander. It has given her Egypt, the most ancient of nations, and brought to her the greater part of Africa, with its immense territory and vast riches. The naval supremacy of Great Britain has given her one-sixth of the habitable globe, which receives as law her will. The great war now raging in Europe is further emphasizing the advantages accruing to Great Britain from her naval power. It has enabled her to conquer all the colonial possessions of Germany. She has driven from the seas all the trade and commerce of Germany, Austria, and Turkey, while hers and that of her allies proceed practically uninterrupted, as in times of peace.

The iron grasp of the British Navy consigns the central powers and their allies to starvation and submission unless their internal resources are sufficient to stand the heavy exactions and tremendous burdens of this war. It has enabled Great Britain to transport millions of troops from her possessions, scattered all over the world, safely to the various scenes of conflict. Britain's Navy enabled Russia to transport troops to France and make more secure there important lines of defense. It has enabled her and France to carry troops to Greece and the Balkans to prevent complete military disaster in that section. It has exposed Turkey to such dangers as to make it impossible for her to render any substantial assistance to her allies. It has enabled Britain and her allies to receive military supplies from all parts of the world, and thus be able to withstand the terrific assaults and great military strength of the central powers. Britain naval supremacy enabled Russia to obtain military equipment for her shattered and defeated armies of last year, thus making it possible for her to succeed in her recent aggressive and successful campaign. British naval supremacy constitutes the chief dependence of the allies for their success over the central powers. The defeat of Great Britain on the seas would be the severest blow the allies could receive. The uncertainties of war are such that there is no capital on the continent of Europe safe now. Paris may fall, Berlin may fall, Petrograd may fall, Rome may fall, Vienna and Constantinople may fall, but London, protected by the great British fleet, is safe and secure. Entirely surrounded by water, with a fleet sufficient to maintain supremacy on the seas, Britain, serene and safe at home, is a menace and a dangerous antagonist to anyone who

dares challenge her power. This great world war emphasizes more than anything else the importance of sea power.

We are far more fortunately situated than England to depend upon a Navy for national defense. England is not many miles from the continent of Europe, where there has existed for years a dangerous and the most effective military system the world has ever devised. More than 3,000 miles of ocean separate us from any enemy that can seriously threaten or attack us. In a few hours, if conditions permitted, troops could be landed in England. Many days of travel and peril are required before troops could be landed upon our shores. Thus, if naval power is effective for offensive and defensive warfare by England, it would be doubly more effective if possessed by us. Surprises on account of the short distances to England's coast may bring her disaster, but if we had a sufficient and efficient Navy and aircraft no surprises can bring to us defeat. England has safely and securely builded on her naval power. The United States can with greater safety and security build on this power. Our Navy should constitute our first and chief line of defense. Our Navy should be such that no enemy's shells should ever fall on America's shores.

Mr. President, the best defense we can have for our immense lines of coast is a Navy. It is impossible to build forts and fortifications that can give adequate protection to our great stretches of coast. Forts can only give protection to a very limited area. Besides, forts and fortifications are stationary and must await the attack of an enemy, and if they are strong the enemy never approaches them. Forts and fortifications have never yet been decisive in warfare. A battleship as effective in destructive power as a fort can be carried where needed. It seeks and does not await the enemy. It goes where defense and protection are needed. America's safety from attack lies far more in an adequate Navy than in fortifications.

Mr. President, the necessity for an adequate Navy for us is greater to-day than ever before in our history. The time has passed in the history of the world when any nation can successfully lead an isolated life. All parts of the habitable globe in times of peace are closely connected by fast steamers. These exchange the product of one country with another. Even in remote villages in times of peace can now be obtained the products of almost all foreign countries. The development and prosperity of every nation is largely dependent upon its foreign commerce. For any civilized nation to be denied access to the seas for the sale and purchase of commodities would mean its financial bankruptcy and ruin. Especially is this true of the United States, whose exports exceed those of any nation. Our great crops of tobacco, cotton, wheat, and corn would find no profitable sale unless we had access to the seas to sell them in foreign markets. Our vast meat products would spoil on our hands but for foreign trade. Our immense manufacturing and mining industries would languish except for the great outlet found in foreign countries for our surplus. Thus the prosperity of mine, farm, forest, and factory is inseparably interwoven with our foreign commerce. The cessation of our foreign commerce for many months occasioned by the world-wide war, followed by frightful business stagnation, taught us more clearly than ever that our national prosperity is dependent upon our foreign trade. The revival of our foreign commerce on account of the world-wide demand for our goods immediately brought us an amazing business revival and prosperity. With a foreign commerce far exceeding that of any other nation, we, above all other nations, need an adequate Navy to give this proper protection. There is not a citizen in this Republic whose material prosperity is not more or less dependent upon our Navy.

The unjust restrictions that Great Britain has imposed upon our commerce during the progress of this war further emphasizes to us the necessity of having a Navy large enough to demand and enforce our rights. In modern commerce, with its varied trade complexities, the nation that is helpless upon the seas is the prey of all marauders and has its future destiny directed by others. The American people demand of us that we shall give them a navy sufficiently large that the vast products of their various industries and enterprises shall have access to the seas for sale in all the markets of the world as a matter of right and not as a favor conceded by others.

This great war vastly increased our foreign trade and reviving our home industries, has given us wealth almost unspeakable. When this war is concluded this Nation will be rich beyond the wildest dream of avarice. If we have naval and military strength we will be able to hold our wealth, power, and prestige. If we are weak in this respect the day of our despoilment will inevitably come. The Nation and individual weak and rich have ever been the prey of the strong. When this great war in Europe is concluded the nations will seek somewhere to recover the great losses they have sustained. The Western Hemisphere, where peace reigns and wealth grows, offers a profitable field for such plundering adventurers. Only here can wealth be garnered, and wisdom demands that we should be strong enough to successfully resist such attempts. When peace is made in Europe among the conflicting nations, many of the existing enmities and jealousies will subside, and we, as the richest Nation in the world, will become the subject of their jealousy and be the object of their aggression. The leading powers of Europe were able to keep peace for years, as long as they had something to divide among themselves.

A few years prior to this recent war the first-class powers of Europe had partitioned among themselves all the continent of Africa except the petty nations of Liberia and Abyssinia; all the rest of Africa had become subject to European domination. Never before in the history of the world had such a vast continent been so rapidly and ruthlessly seized and divided. Nearly all the islands of the seas were put under European dominion. All of Asia except Japan had been placed under the control of the European powers. Japan has maintained her independence and her wishes are respected on account of her naval and military strength. The few years preceding this great war marked the most tremendous territorial aggressions by the first-class powers of Europe that have ever occurred in the history of the world. The Central and South American States have not been the subject of spoliation by European powers only because the United States has maintained as its declared foreign policy the great Monroe doctrine, which protects these from European aggression, and because the United States at that time, in comparison with existing naval conditions, and on account of the mutual mistrust of other nations, had naval power sufficient to enforce this doctrine if challenged. Before the shadows of this impending war arose our Navy was safely the second in the world, and we were respected and feared. Are we foolish enough to suppose that this aggressive spirit of the European powers has been satiated and will cease at the termination of this war? This war was occasioned by this spirit of aggression and territorial ambition. With increased armies, armament, and navies these powers will seek new fields of despoilment when favorable opportunity offers. Is there anything in the past history of any of these nations to justify us in believing, if they have the power and opportunity, they will restrain their lust for dominion and commerce and use their power unselfishly for the betterment of the world?

Are we foolish enough to believe that this Nation, which, with its vast wealth and unsurpassed possibilities—the object of envy and jealousy of other nations—can be safe if we permit ourselves to become a fourth or fifth rate naval power? Are we simple-minded enough to risk our national safety to the chances of their mutual jealousies and enmities? Could this restrain each of them when the destruction of our Navy would mean the overthrow of the Monroe doctrine and the opening up to them of Central and South America for the purpose of exploitation and spoliation? Has not one of these nations disputed the Monroe doctrine, and only needed a sufficient navy to challenge it? Have we not an aggressive eastern neighbor who looks with covetous eyes upon our Philippine possessions? Are we weak-minded enough to imagine that we can control the Panama Canal for our own advantage and profit unless we have a Navy sufficient to fully protect it? Are we going to permit the $300,000,000 we expended in this great enterprise to be appropriated by other nations with superior naval strength?

Mr. President, there are those among us to-day who are foolish enough to trust all of this Nation's rights, our national safety and independence to treaties and arbitrational tribunals. Recent history has clearly shown that nations when self-interest demands treat treaties as simple paper parchment to be disregarded. The ink was scarcely dry which fixed the signature of Russia and Japan to The Hague arbitration treaty before they were in a terrific war to see which should be the successful despoiler of large Provinces belonging to the Chinese Empire. Italy was not restrained by her solemn pledge of peace and arbitration made to Turkey from seeking to enrich herself by the acquisition of Tripoli. No pledge made by Russia and Great Britain to Persia in this treaty, restrained them from dividing among themselves this helpless nation.

Germany had pledged to Belgium by treaty integrity of territory and neutrality, but this did not save her from flagrant invasion. The allied powers had guaranteed to Greece neutrality, but this did not prevent them, when military advantages demanded, to seize her territory and use it for their military activities. Treaties and justice have ceased to be barriers against military aggression and ambition. I hope the day will come when peace will dominate the world and na-

tional disputes will be determined by principles of equity and justice, promulgated by a properly constituted tribunal. But, sir, that day is far distant.

Mr. President, we had as well realize that all of our rights, the preservation of our institutions, the possession of our wealth, and the enjoyment of our foreign commerce, and the continuation of the Monroe doctrine, and the ownership of the Panama Canal are dependent upon our own strong arm, manifested and exercised through our Navy. The future of this mighty Republic lies upon the seas. Failure there means national decadence and disgrace. Success there means national supremacy, power, and progress. The best guaranty we have for peace and the peace of the world is a strong American Navy. It is the best insurance we can provide against future loss and disaster. For this great Nation, rich in all material wealth and far richer in future possibilities, to risk all to the hazards of wars and to become the prey of weaker nations merely for the lack of a sufficient naval strength is to my mind the supreme of national folly.

Mr. President, our best and most effective defense against those nations which have great military establishments, with compulsory military service, is not to raise, like these nations, standing armies of millions of men and impose heavy financial burdens on our industries and threaten our institutions, but to create a Navy so much superior that their military power will be absolutely powerless to hurt us. This is far safer, far cheaper. Hence I have consistently advocated that the United States should be the second naval power in the world. We have no occasion to apprehend danger from Great Britain as from other nations. Before the recent war Great Britain had no compulsory military service with a large standing army. While she had a navy that could greatly injure our commerce, she possessed no army that could threaten or dare attempt an invasion of our country under any circumstances. With twice the population and greater wealth we could raise and equip a larger standing army, and more quickly, than she could. Hence, having no army which could ever be a menace to us, the necessity of having a Navy superior to her is not as great as it would be with those nations who possess large standing armies. If at the conclusion of this war England should abandon this policy and establish a large standing army, in order to save ourselves we would have to have a standing army equally as large or have a Navy equal to hers. I believe that England will adhere to her past policy and rely for national defense and military power, as formerly, upon her navy. Besides, Great Britain has on this continent hostages, which would prevent her from making any aggression here. In addition, ties of blood and the still stronger ties of self-interest involved in mutual profitable trade and commerce almost insure the future peace of this Nation and Great Britain.

Mr. President, I believe we are safe under present conditions of the world's affairs if we will become and remain without question the world's second naval power. Our national honor, prestige, and safety will not permit of less. If those nations who are competing with us for this position increase their navies, we must equally increase ours. With our vast and varied interests, with our great responsibilities, with the present political complications in the world, we can not with safety afford to be less than the world's second naval power. If we remain less than this, our vast foreign commercial interests, inseparable from our prosperity, will be jeopardized. Our Philippine possessions will be the prey of superior naval power. Our foreign policies and intercourse will necessarily become timid and vacillating. The great affairs of the world affecting our interests will be regulated without consultation with us. We will then become suppliants, pleading for rights instead of boldly and courageously demanding them. It will mean the surrender of our great prestige. It will mean a distinct loss to the world of the great power possessed by this Nation for peace, justice, and liberty. The Monroe doctrine would be challenged and our control of the Panama Canal disputed. It would mean that this mighty young Republic has retreated and has ceased to advance along the pathway that was leading her to a higher and nobler destiny.

Mr. President, several years ago when this Nation was the acknowledged second naval power in the world, in a speech addressed to the Senate when the naval bill was pending, I urged the necessity of increasing our naval program in order to retain this desirable position. Much I say to-day is a repetition of what I then stated. I then pointed out that unless we did this, in 1914 Germany would pass us and take our position as the second naval power. This occured earlier than I predicted. Realizing the vital importance of this Nation occupying the position of second naval power, the committee has prepared this bill and recommends its passage. We believe if the policy of increase herein proposed is adopted that the day is not far distant when this Nation will regain its position as the second naval power. It is conceded that this is the best and most progressive naval bill ever presented to Congress in the history of this Nation. The Naval Committee have examined the immediate and pressing needs of the Navy and have sought to properly provide for them. This bill contains the conclusions reached by the committee after consultation with the President, the Secretary of the Navy, and capable and experienced naval officers and after a thorough examination conducted by its members. It is presented to the Senate with practically the unanimous approval of the Naval Committee.

The first problem confronting us was to reach a decision as to what increase in naval ships we should recommend. The General Board at the request of the Secretary of the Navy had prepared a five-year program for naval construction to cost on an average of $100,000,000 a year. This program had been prepared with the utmost care by the General Board, which is composed of the most experienced officers in the Navy. It took into consideration the entire needs of the Navy for every type of ship.

The General Board proposed to give us at the completion of the program a well-balanced and efficient Navy in every respect. After the most careful consideration and thought, the committee reached the conclusion that it could not do better than follow the recommendations of the General Board in the construction of the various types of ships. This General Board had investigated the matter most thoroughly and made their recommendations most carefully. Higher authority on naval matters than the General Board does not exist in this country. We have taken their five-year program and shortened it, making it a three-year program, practically adhering to the various types of ships recommended. The yearly construction of this three-year program has been divided and arranged by the most experienced and efficient naval officers to satisfy the needs of the fleet. We believed that the necessity for an increase of the Navy was so immediate and urgent that we could not afford to wait longer than three years for the completion of the program. We did not feel, with the grave responsibility imposed upon us, that we would be safe in recommending a delay greater than three years. We also thought it wise to construct during the first year as many of the ships recommended as could be reasonably accomplished. The President of the United States and the Secretary of the Navy had recommended to Congress an annual building program of five years. The conventions of the three political parties in this country had indorsed an annual building program extending for several years. This policy gives us a safe, well-balanced, and progressive increase of the Navy.

Another great need of our Navy is aircraft for scouting and other purposes. We are sadly and dangerously deficient in this respect. A fleet without sufficient aircraft is liable at any time to be surprised and encounter disaster. To-day a fleet without aircraft is almost as helpless as a man without eyes. Both may have great strength which they can not use intelligently and effectively. The bill carries ample appropriation to provide suitable aircraft. It also carries an appropriation for the further development of aeronautics.

Realizing that ships are helpless unless they are well equipped with guns and have an abundance of ammunition, the bill materially increases the appropriation for this purpose. The great war raging in Europe has emphasized most strongly the necessity of a nation having at the beginning of a war a large supply of ammunition and an abundance of large guns. Danger confronts any fleet or nation that is deficient in these. In order to provide for sufficient large guns for our Navy the bill makes an appropriation to greatly enlarge our gun factory located at the Washington Navy Yard, where our best and largest guns are made. An appropriation is also made for a projectile factory where the Government can manufacture better projectiles and more cheaply than those now obtained. We thought that in as vital a matter as projectiles the Government should not be absolutely dependent upon outside manufacturers.

The bill appropriates $11,000,000, which the Senate had previously passed, for the erection or purchase of an armor-plate plant. This will save the Government from the excessive exactions of the notorious armor-plate monopoly.

The Navy Department has made a most careful survey of our merchant marine to ascertain which of these vessels can in time of war be utilized as a part of our Navy. This survey indicates what alterations are necessary for each vessel and the batteries required to properly equip them for naval uses. The navy yards where these alterations can be promptly made have also been designated, and the yards furnished with the details of the alterations required. So, in case of war, these vessels can without delay be altered and made an efficient part of our

Navy. We believe that prudence demands we should at once manufacture the batteries needed for these auxiliaries and an appropriation is contained in the bill for this purpose. It would be fatal to delay manufacturing these batteries until the need for them should arise. Thus, in increase of ships and aircraft, in supplying ordnance, guns, armament, and ammunition, the bill presents careful and efficient plans and makes proper appropriations. We believe if this is approved by Congress that this Nation will have in a reasonable time an adequate and efficient fleet, capable of asserting our rights and defending us against aggression. We also direct that the ships appropriated for in this bill shall be commenced within six months after the approval of the bill. This insures prompt and early construction. Also, in order to hasten construction we authorize the Secretary of the Navy to pay an increase not to exceed 20 per cent of the appropriations contained in the bill to accomplish this purpose. We believe that an early Navy is as important as a strong one. The great amount of work in the shipyards of the country and the various industries that supply materials for ships necessitates this provision.

Mr. President, after creating an adequate fleet and properly equipping it, the next question confronting the committee was to make proper and ample provision for the personnel. A fleet is but a dead mass of wood and metal unless efficiently and fully manned. It is the officers and enlisted men that give a fleet life and soul and make possible its tremendous power. The present law authorizes about 54,000 enlisted men for our fleet. This is not sufficient to keep many of our battleships and battle cruisers in commission. Besides, it leaves too small a complement of men for the ships that are in reserve. The General Board recommended that the enlisted men of our fleet should be increased to about 74,000. We adopted this recommendation and include in the bill legislation and appropriations to accomplish this purpose. This increase of enlisted men will immediately enable us to put many of our battleships and armored cruisers in commission with a full complement of men and allow 50 per cent of the full complement for those in reserve. This is considered sufficient at this time for our Navy on a peace basis. The bill also contains a provision authorizing the President in case of an emergency or war to increase the enlisted men of the Navy to about 87,000, which will furnish a full complement of men for all of our naval vessels. We earnestly believe the power should be given the President, if occasion should arise, to put our Navy on a war basis.

The Marine Corps is one of the most efficient parts of our Navy. It can, when occasion demands, act equally with the Army or Navy. Its services in the past have been most splendid and its record is one of great achievement. This Government has heretofore followed the policy of having the enlisted men in the Marine Corps number 20 per cent of those in the Navy. This has been a wise policy, and it is continued in this bill. We have increased the Marine Corps 20 per cent of the increase made in the enlisted men of the Navy. Thus, the bill contains ample provision for the efficient manning of our fleet.

Mr. President, having furnished sufficient enlisted men for our present Navy, the next question for the committee to determine in order to have an efficient fleet was to provide sufficient commissioned officers to direct and command the fleet. An increase in the number of enlisted men necessarily requires an increase in the various ranks of commissioned officers. To the committee it appeared logical that the number of officers required should be based on the number of enlisted men—in other words, bear a certain percentage to the number of enlisted men. This percentage can readily be determined from the experience of past years in manning the ships of the Navy, and once fixed will work automatically under the direct control of Congress. In reaching a conclusion as to what this percentage should be, it is well to take the average that has existed for the last 20 years. Twenty years ago the percentage of commissioned officers to enlisted men was 5.3 per cent. During that time the percentage has gradually fallen below that number, owing to the fact that the increase of enlisted men for the new ships has been proportionately greater than the increase of officers.

At present the percentage of commissioned officers is 3.85. It is acknowledged that the Navy is very short of officers. The average for the last 20-year period has been 4.75. The committee has included in this bill an amendment providing that the commissioned officers of the Navy should be 4 per cent of the enlisted men. This is less than the average has been for the last 20 years, and appears to be most conservative. The number of officers thus provided for is fairly and justly distributed by certain percentage between the line and various staff corps. It is also justly and fairly divided by certain percentage between the higher and lower ranks so as to create a well-balanced and efficient corps of officers. The enactment of this legislation is of the utmost importance in order to give us capable officers to command our fleet. The amendment provides that promotions in the line of the Navy above the grade of commander shall be made by selection and not, as heretofore, by seniority; the appointment of captain and all higher grades to be made upon the recommendation of nine flag officers of the line of the Navy and to be based upon the fitness of the officer for sea command in the grade to which the promotion is to be made. The committee believed that this method of promotion would secure the best and most capable officers for the command of our ships and the control of our fleet. The method of selection is such that it can be controlled neither by favoritism nor partisan politics. This method will keep in places of grave responsibility the most capable and efficient officers.

In the future high command will come to officers not on account of age but on account of merit. It will stimulate officers and make them worthy of high rank. High rank, when thus possessed, will carry with it indisputable testimony of great merit. Genius is given an opportunity to advance over mediocrity. We consider this one of the most important provisions contained in the bill. The Marine Corps is given the same percentage of officers to enlisted men and also has given it a fair distribution of high and low ranks. This increase of officers is much needed, and will give younger men greater opportunities for advancement in the Navy and prevent the numerous resignations now occurring. It furnishes a continuous plan of promotions, which is absolutely necessary in the Navy in order to have young and capable men in high command. We will, if this provision becomes law, have rear admirals to command the fleets for years, and not be promoted to this high rank and then promptly retired. The bill also gives long-delayed relief and proper promotions to warrant and other petty officers. It also provides that 25 enlisted men, after examination, can be appointed to the Naval Academy. This will give us a higher grade of enlisted men, because every enlisted man will be given an opportunity through work and merit to become rear admirals if found worthy. Thus, Mr. President, is recommended legislation covering the entire personnel of the Navy, which we believe, if enacted into law, will be one of the most potential factors in increasing the efficiency of our Navy.

Having amply provided for the active personnel of the Navy, the next question presented to us was to recommend legislation that would give us a good and sufficient naval reserve. The naval powers of the world in time of peace keep many of their ships in reserve. It is too expensive to keep all of them in commission and on a war basis. If a nation has an ample and efficient naval reserve, it can safely keep a large part of its fleet in reserve with a small complement of men. England at the beginning of the present war had a percentage of trained naval-reserve men to active men of 43 per cent, Germany 104 per cent, and Japan 55 per cent. This number of trained naval-reserve men enabled these nations in a few days after the declaration of war to have their fleets fully equipped on a war basis and ready for immediate action. The rapidity with which this was done by each nation was most astounding and emphasizes the importance of having a large and well-trained naval reserve. To-day our naval reserve, including our Naval Militia, is about 11 per cent of our active enlisted men. One of the greatest needs of our Navy is a trained naval reserve. It will be impossible for us to ever have a well-equipped and efficient Navy that can promptly respond to all the demands made upon it until we have such a reserve. The bill contains well-considered legislation, which we firmly believe if passed will give us such a reserve. The legislation is sufficient to induce trained men of the Navy when they are retired to enter this reserve so they can be called upon whenever needed for naval purposes. We have also recommended legislation which extends to the Naval Militia the same privileges in each of the ranks that the recent Army legislation gave the National Guards. We believe that this is necessary in order to increase our Naval Militia. Under this amendment we require the Naval Militia to drill and prepare themselves equally as the National Guards. When needed they can be called out immediately by the President and be made a part of our Naval Establishment.

The bill also creates a naval flying corps, which will train for us capable officers and efficient men for our aircraft. As the Coast Guards and the Lighthouse Service has been made in time of emergency or war a part of our Navy, we present amendments to provide that these promptly become a part of our Naval Establishment when this contingency arises.

Mr. President, having provided for our fleet afloat the next question for us to consider was the equipment of our navy yards so that the fleet could be promptly supplied and repaired. With-

out efficient navy yards the fleet will quickly deteriorate and ultimately become helpless. Our various navy yards have been much neglected and many of them allowed to greatly deteriorate. Our docking facilities for large ships is deplorably deficient. Our shop equipment for good and economical work is most defective. Few of our yards are equipped for naval construction; only two of them for the construction of capital battleships. This bill makes appropriations to supply these great needs and give us navy yards that can properly take care of our fleet. We consider the navy-yard matters contained in the bill as of as much vital importance as any other of its provisions.

Mr. President, this is a short summary of the most important matters contained in this bill. We believe its enactment will give new life, new vigor to every part of our Naval Establishment. We have sought to give the Navy as a whole greater strength, greater efficiency. We believe the passage of this bill will mark a new era in the history of the American Navy.

Sirs, the American Navy has ever been the pride of our people. They have ever felt that it was their surest and safest defense. We gratefully remember how many difficulties and disasters we have averted in the past by our naval successes. Our debt of national gratitude to the Navy is great and lasting. In times of peace it surveys and charts the trackless sea; discovers and marks the dangers in the routes of commerce; makes researches for science and learning; stands as sentinels on the outposts of civilization; opens up for commerce new and hostile countries; and in every part of the world, by its activity and courage, it redresses American wrongs and asserts American rights. It is the best guardian of the interests of this great commercial people. In every country, in every clime, amid the frozen fields and ices of the North, under the blazing suns of the Tropics, naval officers and men have served and many died, unselfishly contributing to the prestige of this Nation and the glory and renown of its flag. In America's galaxy of greatness no names shine with more sparkling splendor than those of her naval heroes. It can be rightly said that the history of our Navy from the beginning has been "one blaze of glory without a single blot of shame." Sirs, if this Nation is to attain the summit of her possible usefulness and greatness, it must come through her Navy—its power, its triumph, and its success. Prudence and wisdom demand that this Nation should have a great Navy properly to perform its responsible duties and successfully to achieve its great work. I rejoice at this Nation's proud and glorious past, but I rejoice still more at the cloudless future which beckons us on to a still greater greatness and a richer and deeper glory. With strong arms and brave hearts let us fearlessly face our great and responsible future. Let us not be deterred from our duty and destiny by those of our brethren who are frightened by our own prodigious shadow projecting in the world's affairs, and who hesitate and shudder "through craven fear of being great."

Mr. LODGE. Mr. President, for me to attempt to describe the vital importance of sea power and the needs of the American Navy after the admirable exposition made by the Senator from Virginia would be a work of supererogation, but as I had some share in framing the bill there are one or two points which I desire briefly to emphasize.

I may say what everyone understands, I am sure, that in making this bill there was no party line drawn anywhere. The bill in its important provisions comes with the unanimous support both of the subcommittee and the full committee. It is to my mind a bill of the greatest value and the greatest importance. If this bill in its essential features is carried out as it is proposed to the Senate and passes into law in that form, as it ought, it will be of more value to our peace than all the diplomatic notes that can ever be written.

Mr. President, if there be any nations, either in the west or in the east, which have hostile feelings toward this country or cherish, as I hope they do not, sinister designs, they will take notice of the authorizations contained in this bill, of the program for three years herein adopted, and I think the law containing them will have a more soothing effect and do more to promote kindly feeling on the part of those nations than the most lavish employment of the resources of the English language.

I am aware that it is a large bill. I am aware that the total amount appropriated is very large. Mr. President, money spent on the American Navy, in my opinion, is the most economical expenditure which will be made by this Congress. The American people may very well resent some of the expenditures cast with liberal hand about the country for the promotion of local interests, but I do not believe there is an American of any party who grudges sufficient money to build up and maintain the American Navy. It can not be cheaply done. To attempt to do it cheaply would be the falsest kind of economy.

We have in fact a very great task before us in order to make the American Navy what it should be. This bill goes far to make up for some stinted and ill-balanced appropriations and authorizations from which we have suffered in the last five or six years. The authorizations here are well balanced as they come from your committee.

But it is well to remember that the problem before us is to create a Navy, which is our first and most essential line of defense, as we lie between two oceans, strong enough to protect the country, both the Atlantic and the Pacific coasts. We can not rely upon the canal to transfer the Navy from one ocean to another. I do not mean by that that we are in danger of landslides, but the fact that the canal in its very nature is vulnerable. No matter how you fortify or guard it, one desperate man, one intelligent spy, who can make his way within the Canal Zone and put a bomb in the right place at one of the locks will clog your canal for weeks, and it may be for months. In other words, we must make up our minds to have one fleet for the Pacific and another fleet for the Atlantic.

Now, the first steps toward making the Navy what it should be and giving this country the naval defense which it ought to have have been taken in this bill. We have made an increase of men, raising the House provision from 68,000 to 74,000, with power to the President to increase it to 87,000 in time of national emergency. Germany had 79,000 men at the outbreak of the present war, according to the official returns, which gives some idea of what this proposed increase means, and it is far from excessive. By getting those 74,000 men at once, we can bring into commission a large number of vessels, not perhaps of the latest type but valuable fighting ships, battleships and dreadnaughts which are now lying useless at the wharves in the navy yards. We have not enough men to man them, and we ought to have every ship capable of taking a place in the first line at sea, with a full complement of men. A ship is injured by being tied up, and the organization of the crew, of the body of men necessary to make the ship an efficient engine of war, ought to be always prepared.

Therefore from the proposed increase of men we shall get an immediate addition to our Navy in being, and as we add new ships and the oldest ships are laid aside we have the men trained and ready for the new vessels as they come into service.

The authorizations of the Senate committee bill are for 8 capital ships, as they are called, and 58 other vessels—torpedo destroyers, submarines, scout cruisers, fuel and oil ships, and so forth, of different types—making in all 66 vessels to be built at once under the authorizations of this act.

The House provided for five battle cruisers. The need of battle cruisers in the American Navy is a crying one. We ought to have authorized them long ago, but I am sorry to say that authorizations for the Navy as made by Congress, though occasionally generous and frequently the reverse, have almost always been made haphazard and without any regard to proportion in the various branches of the fleet.

It is essential not only to have a large Navy but a well-proportioned Navy. We absolutely need battle cruisers. The House provided for five, a large authorization, but they provided for no dreadnaughts, and the result was an ill-proportioned, one-sided authorization.

Very recently in the present war it has been demonstrated that the theory upon which all nations have acted, that the dreadnaught, the heavy armored fighting ship, is the backbone of the Navy, is sound, and that whatever we do in adding to our Navy we must keep the great central fighting force always up to the highest level which we seek to attain.

Therefore the Senate committee cut down the House authorization of battle cruisers by one, leaving four battle cruisers, which constitute a squadron, and added four dreadnaughts or superdreadnaughts, which balances and proportions the capital ships. It is a large authorization, but we have lost time to make up and it is absolutely needed. I hope that the committee will here receive the solid and undivided support of the Senate in standing by that part of the authorization which will give us eight capital ships.

Mr. President, in addition we have made a program. We took the program of the General Board of the Navy, of which Admiral Dewey is the head, one which they made for five years under the limitations imposed by the department when asking for a program of $100,000,000 a year to be spent annually for a period of five successive years. For a period of five years that program is far too small if we wish to put the Navy, as I believe we do, in the position which it must occupy if our safety is to be consulted and our peace maintained.

But the program which was too small for five years is adequate for three years, and the committee has changed the period of the General Board's program to three years, adopting the various ships and the proportion of ships proposed by the General Board, which is, of course, the highest authority. I think that the program is second only in value to the authorization. Moreover, the reduction of time makes the proportions of the program accord with the authorizations of this year.

There are very many other features of the bill which have been entirely covered by the Senator from Virginia which are of great importance and which, I am sure, will receive the support of the Senate. I will advert to only one or two.

The House put in the bill provisions for a naval reserve, which are substantially the same as the bill for a naval reserve reported unanimously from your committee and now, I believe, on the calendar. With some trifling verbal amendments the committee have adopted the House provision, but they have added to it, as constituting part of the naval reserve of the country, provisions for the Naval Militia, following the bill which has been reported from the House committee and which places the Naval Militia on the same footing as the National Guard.

There is also one other comparatively small item in the bill which the Senate committee has added. I do not recall whether or not the Senator from Virginia mentioned it, but I desire to allude to it, because it seems to me to show the foresight which, I think, characterizes this measure. We have provisions for auxiliary ships in the naval reserve. We know that in any event we shall requisition merchant ships if, unfortunately, we should be forced into a naval war; but we have hitherto had no provision for arming such ships. This bill carries an appropriation of $1,650,000 to provide batteries for auxiliary ships when they are requisitioned. That is half of what is needed.

The next bill will carry the balance, making in all $3,300,000. By that simple and not very expensive provision we are going to put ourselves in such a condition that if war should come we can take the merchant vessels, which we can make useful as auxiliaries, and arm them at once so that there will be no delay.

Mr. President, I have nothing but praise for all the main features of this bill; but there are certain defects in our naval situation which ought not to be overlooked, which it is not in the power of Congress to cure. Our ships are deficient in speed. Congress demands in all these bills the highest practicable speed, and there is no reason in the world that I can see why, with our liberal appropriations, we should not get as high speed in our battleships—I am not speaking of battle cruisers, for we have built none—but in our battleships, as do other nations. I have here in the Navy Year Book a statement as to our two last ships, the *Oklahoma*, of 27,500 tons, with a speed of 20.5 knots; the *Pennsylvania*, which is 31,400 tons, with a maximum speed of 21.5 knots.

Mr. SWANSON. From what page of the Navy Year Book is the Senator from Massachusetts reading?

Mr. LODGE. I take these figures from pages 504 and 505 of the Navy Year Book.

The maximum average speed of the *Nevada* is, in round numbers, 20½ knots; of the *Oklahoma*, 20.5; and of the *Pennsylvania*, 21.5. Those are the actual averages of maximum speed. The last authorization of English dreadnaughts, including the series of vessels which are all in active service now and which comprise the *Queen Elizabeth*, the *Warspite*, the *Barham*, the *Valiant*, and the *Malaya*, the largest of which are 27,500-ton ships, as against the *Pennsylvania* with 31,400 tons. They have, however, a speed of 25 knots, being 4 knots more per hour than the speed of the *Pennsylvania*.

I can not see why we should not get equal speed in the same type of ship. The *Pennsylvania* is larger. I can only speak of what was known before the war; I can not tell what ships have been built since; but the *Pennsylvania* when built was larger than any ship in any other navy. She is powerfully armed. Ships of the same type, which will undoubtedly be built under the authorization of this bill, will carry, probably, guns of 16-inch caliber. There is nothing left to be desired in the power, the strength, or the armor in those ships; and yet they are 4 knots slower than the English ships.

The highest speed of the last three German ships of the dreadnaught type, which do not register 28,000 tons, is 23 knots—2 knots faster than the *Pennsylvania*.

This, Mr. President, is something which Congress can not cure by legislation. It rests with our constructors.

Here, in Ship Data of United States Naval Vessels, January 1, 1916, are stated the trial speeds of all our most recent ships. The highest speed reached was 22 knots by the *Florida* on her trial. None of the others got substantially beyond 21 knots.

Mr. VARDAMAN. Mr. President, will the Senator from Massachusetts, if he knows, give us the explanation or excuse which the naval constructors or officers responsible for that deficiency in our Navy make for that defect in our ships?

Mr. LODGE. I have never been able to get an explanation. What I can not comprehend is why we have gone behind in speed. We can build as well as other nations; we have as good engines as they can possibly build; and yet we fall short in speed.

Mr. VARDAMAN. Does it cost more to give a ship additional speed?

Mr. LODGE. Speed is very expensive; indeed, it is the most expensive thing in the ship. That is the reason why the battle cruiser, which is a lightly armored battleship, is so much more expensive than is the heavily armored dreadnaught. It is speed which constitutes the additional expense.

Mr. SWANSON. Mr. President, if the Senator will permit me, in talking with naval constructors I have ascertained that in order to get speed additional machinery must be put in, and that can only be done at the sacrifice of the number of guns carried. A vessel can only carry so much weight. It is also true that the effort is to keep the speed of the various units of a fleet as nearly alike as possible, because unless the whole fleet, or a large portion of it, can travel at the same rate of speed it loses in effectiveness, and to secure speed at the expense of guns would not be a wise solution of the matter.

Mr. VARDAMAN. How does the armament of the English ships and the German ships with greater speed than ours compare with the armament on American naval vessels?

Mr. LODGE. I think they have about the same weight of guns.

Mr. SWANSON. I say that, as a general proposition, in order to obtain speed you have to sacrifice guns to machinery; you have to lessen the number of guns or other weight that the ship has to carry.

Mr. VARDAMAN. The Senator from Massachusetts says that the foreign ships and our ships carry about the same number of guns.

Mr. LODGE. The English ships of which I spoke, the 25-knot ships, are 4,000 tons smaller than the *Pennsylvania*, and they carry eight 15-inch guns as against, I think, twelve 14-inch guns by the *Pennsylvania*. I suppose the weight does not differ materially. I merely mention this, because I hope our builders and constructors will address themselves to this matter. The Congress will not begrudge the money for the necessary speed; and it is incomprehensible to me that we should not be able to get it.

Now I come to another point, Mr. President, concerning which I wish to say a few words, and to remedy which I think the committee in this bill has done something. We have suffered very much from slowness of construction. I went myself over the list of vessels under construction or authorized, and ascertained the date of authorization and the percentage of completion on June 1, 1916. I will call attention to the battleships: The *Arizona*, which was authorized on March 4, 1913, on the 1st of June last was 91 per cent completed—that is over three years; the *Idaho*, which was authorized on the 30th of June, 1914, two years ago, is 60 per cent completed; the *New Mexico*, which was authorized on the same date, is 30 per cent completed; the *Mississippi*, authorized on the same date, June 30, 1914, is 45 per cent completed; and the *Oklahoma*, which was completed on May 2, 1916, was authorized on the 4th of March, 1911.

Mr. SMITH of Arizona. Five years ago.

Mr. LODGE. Five years ago.

Mr. VARDAMAN. How then does the committee expect to complete the program which they have authorized in this bill in three years?

Mr. LODGE. I am coming to what the committee has done. I think we have done something in that direction. The *Pennsylvania* was authorized on the 22d of August, 1912, and was completed on the 12th of June, 1916, practically four years. I will not go over the others in detail, but I will ask permission to print the table as a part of my remarks. It covers every submarine and all other vessel authorized for the Navy. I will not weary the Senate by going over them, but it is hard to see why a submarine authorized on the 13th of May, 1908, is not yet completed.

Mr. LIPPITT. What year?

Mr. LODGE. In 1908. The *G–2* was authorized on May 13, 1908, and was 92 per cent completed on the 1st of June, 1916. The *G–3* was authorized March 3, 1909, and is 89 per cent completed. I ask permission at this point to insert in the RECORD the table to which I have referred.

The VICE PRESIDENT. Without objection, it is so ordered. The table referred to is as follows:

Vessels under construction or authorized.

	Date of authorization.	Per cent of completion June 1, 1916.
BATTLESHIPS.		
Arizona	Mar. 4, 1913	91.6
Idaho	June 30, 1914	60.6
New Mexico	....do	30.8
Mississippi	....do	45.7
Oklahoma	Mar. 4, 1911	(1)
Pennsylvania	Aug. 22, 1912	(2)
Tennessee (No. 43)	Mar. 3, 1915	.0
California (No. 44)	....do	.0
DESTROYERS.		
Allen	June 30, 1914	81.0
Gwin	Mar. 3, 1915	5.3
Conner	....do	5.6
Stockton	....do	5.6
Davis	June 30, 1914	82.1
Rowan	....do	86.3
Sampson	....do	94.7
Shaw	....do	33.5
Wilkes	....do	68.4
Manley	Mar. 3, 1915	10.5
Caldwell	....do	.0
Craven	....do	.0
SUBMARINES.		
G-2	May 13, 1908	92.0
G-3	Mar. 3, 1909	89.5
L-2	Aug. 22, 1912	99.1
L-5	....do	87.0
L-6	....do	82.4
L-7	....do	81.3
L-8	Mar. 4, 1913	87.0
L-9	....do	96.0
L-10	....do	96.0
L-11	....do	91.8
M-1	Aug. 22, 1912	96.0
Schley	June 30, 1914	16.8
N-1	....do	57.1
N-2	....do	57.1
N-3	....do	57.1
N-4	....do	65.2
N-5	....do	64.1
N-6	....do	63.1
N-7	....do	63.1
O-1	Mar. 3, 1915	0.0
O-2	....do	0.0
O-3	....do	4.2
O-4	....do	4.2
O-5	....do	4.2
O-6	....do	4.2
O-7	....do	4.2
O-8	....do	4.2
O-9	....do	4.2
O-10	....do	4.2
O-11	....do	17.1
O-12	....do	16.8
O-13	....do	16.5
O-14	....do	11.9
O-15	....do	11.7
O-16	....do	10.8
No. 60	....do	0.0
No. 61	....do	0.0
FUEL SHIPS.		
Maumee	Aug. 22, 1912	[3]99.7
Cuyama	Mar. 3, 1915	63.0
TRANSPORT.		
Henderson	Mar. 4, 1913	63.3
SUPPLY SHIP.		
Bridge	....do	66.0

[1] Completed May 2, 1916. [2] Completed June 12, 1916. [3] Lacks engines.

Mr. LODGE. The time is not lost in the actual building so far as I can make out, although it may be in some cases. The English build a battleship in from two years and two months to two years and a half, or a little over. We come pretty near that in the actual building. Our actual building is not slow, but undoubtedly it can be expedited. There is, however, an amount of time wasted in getting ready to build, which causes our ships to lag behind. On the 3d of March, 1915, we authorized the *Tennessee* and the *California*, known as No. 43 and No. 44. That was a year and nearly six months ago, and not one stroke of work has been done on either. The Secretary——

Mr. SWANSON. Mr. President, if the Senator will permit me, the reason why nothing was done was because it was impossible to get bids from contractors within the appropriation.

Mr. LODGE. I am going to explain how it happened. The Secretary, unwilling to accept, very probably for good reasons, the bids of the contractors, put those two ships into the Mare Island and the New York Navy Yards, the only navy yards we have to-day with ways on which we can build a battleship, and those ways were occupied by other ships, and those other ships will not be off the ways before September at the earliest.

Mr. SWANSON. Mr. President, if the Senator will permit me, does he not think it is proper to state that the Secretary tried to get contractors to undertake the building of those ships for the amounts authorized by Congress, but they would not do so? The bids were in excess of the amount which Congress authorized for those ships, and consequently the Secretary could not accept them.

Mr. LODGE. I was not criticizing what was done. I have no doubt that it was unavoidable. I am pointing out the trouble. The trouble was that when we could not get the contractors to undertake the work, the Secretary had no navy yard in which to build the ships.

I have here a letter from Admiral Dewey, written last September and addressed to Mr. GARDNER, in the House of Representatives. Admiral Dewey's letter is as follows:

OFFICE OF THE ADMIRAL OF THE NAVY,
Washington, December 24, 1915.

Mr. A. P. GARDNER,
House of Representatives, City.

DEAR SIR: I beg to acknowledge receipt of your letter of the 22d instant, requesting a reply to the following questions:

"1. How many ways capable of being occupied by battleships and battle cruisers are now available in all our shipbuilding yards, public and private?"

Including the building slips now occupied by vessels in the course of construction, the following are at present available capable of being occupied by battleships and battle cruisers:

New York Navy Yard	1
Mare Island Navy Yard	1
Cramp's Shipbuilding Co	2
Newport News Shipbuilding Co	2
New York Shipbuilding Co	2
Fore River Shipbuilding Co	2
Total	10

"2. How many additional ways could be constructed and how long would it take to construct them?"

The shipbuilding industry of the country would be capable of expansion to meet almost any demand that might reasonably be made upon it. It would be impossible to state the total number of slips that could be made ready in a short time, but additional slips could at least be installed at the following places:

Union Iron Works, San Francisco.
Maryland Steel Co.
New York Navy Yard.
Philadelphia Navy Yard.
Norfolk Navy Yard.
Puget Sound (Bremerton) Navy Yard.

Sincerely, yours, GEORGE DEWEY.

Thus it will be seen that we now could build 10 battleships; but with little trouble, adding Boston to the list, could build 16 at once.

One fertile cause of delay has been the lack of ways and slips in our own navy yards; and this bill, Mr. President, provides for that. That is what I meant, in part, when I said that this bill dealt, so far as Congress could deal, with the promotion of greater quickness of construction. We provide a lump-sum appropriation of $6,000,000, which is to be used for putting in ways for building capital ships at, I think, Boston, Norfolk, Philadelphia, and Puget Sound, and ways for smaller ships at Charleston and New Orleans. I think that is all. This is very important, and it will prevent the recurrence of the situation, for which I blame nobody, but which exists, for we shall have waited over 18 months before beginning the battleships authorized last year, because we had no slips in our own navy yards on which we could put them.

Mr. BRANDEGEE. Mr. President, let me ask the Senator if that involves the purchase of more land at the navy yards?

Mr. LODGE. No; it does not involve the purchase of a foot of land; it simply is to put in ways.

Mr. LIPPITT. Mr. President, does the Senator object to having me ask him a question?

Mr. LODGE. Not in the least. I shall be very glad to have the Senator do so.

Mr. LIPPITT. The Senator was speaking a few moments ago about the difficulty of getting speed.

Mr. LODGE. Would the Senator object to my completing what I have to say in regard to slowness of construction? Then I shall be very glad to have him interrupt me.

Mr. LIPPITT. Certainly.

Mr. LODGE. Mr. President, the committee has done something else to remedy slowness of construction, and I think it is one of the wisest things in the bill, and it met with the approval of the entire committee. It was framed by Admiral Taylor, the head of the Bureau of Construction, who said it was entirely practicable to comply with it. The clause provides that every ship authorized—not the ships of the program, of course, but every ship authorized under this law—shall be contracted for or be begun in a navy yard prior to January 1, 1917. The

officer in the department charged with construction says that can be done, and all he asked of the committee was that they should give him an ample force of draftsmen, so as to make the plans as rapidly as possible, and, of course, the committee have done that. It is a comparatively small expense.

Mr. President, I think that to remedy these two defects—and there is no use in blinking at the defects which exist—to remedy the defects of insufficient speed, which is a matter that must lie wholly with the Navy Department, and the other defect of slowness in construction, are things to which both the Navy Department and the Congress must address themselves. I think it is one of the merits of this bill that we have gone as far as it is possible for law to go to remedy the great difficulty of slowness of construction.

I now yield to the Senator from Rhode Island.

Mr. LIPPITT. I was only going to ask the Senator, in reference to the lack of speed, whether any of that difficulty was due to the method in which the appropriations were made for these vessels? I notice, on page 170 of the bill, that 10 first-class battleships are authorized, carrying as heavy armor and as powerful armament as any vessels of their class, and to have the highest practicable speed and greatest desirable radius of action, but at a cost not to exceed $11,500,000 each. Now, I do not know how the committee arrives at the cost that has been allowed for these vessels, but the Senator of course knows that there is nothing in shipbuilding that is so expensive as speed.

Mr. LODGE. I know that.

Mr. LIPPITT. The great passenger steamers like the *Mauretania* and the *Lusitania* ran into an enormous cost largely on account of the great speed which was provided for those vessels. The Senator rather intimated that there was some cause that he had not been able to discover that prevented these ships from having the desired speed. It is a matter that has come into my thought a great many times, whether or not this method of appropriating money for battleships and specifying a limit of cost for each vessel was not in itself a matter that so hampered the men who finally had the execution of the provision that they were obliged to sacrifice something.

May I add that I think our method of appropriating for the Navy is not followed by any other nation, if I am correctly informed in regard to the matter.

Mr. LODGE. Mr. President, the language used—"the highest practicable speed," and so on—is the language which has been used in all the appropriation acts. Where Congress has tried to fix a speed it has usually fixed it so far above any possibility of being reached that the ship has not been built.

Mr. TILLMAN. That language has not been changed since I have been in the Senate.

Mr. LODGE. No; it is always the same language; but once or twice we have tried it. We tried it on getting speed for a submarine, and we put it so far beyond anything that any submarine has ever reached, or apparently could reach, that the submarine, of course, remained unbuilt and we had to repeal the provision. I do not think that Congress can undertake to fix speed in the appropriation.

Now, as to the amount, I have not heard it suggested from the department that it was insufficient in any way. We have taken the figures which they gave us. We have not attempted to estimate what a battleship of the highest practicable speed would cost. "Highest practicable speed" means, of course, the highest speed any battleship or dreadnaught of the same type has reached at the very least.

Mr. LIPPITT. It would also mean——

Mr. LODGE. And it might mean more. Now, never has there been—and I think the Senator from Virginia will bear me out in that statement—any suggestion which I have heard, from any of the experts or builders of the department, that we did not give them enough. We have taken their own figures. We have added a million and a half to each battleship in this bill; and $11,500,000 is the cost of the ship without her equipment.

Mr. LIPPITT. I am glad to hear that statement on the part of the Senator, that there has been a million and a half dollars added to the estimated cost of each of these vessels—I suppose as a matter of leeway in the construction. Of course, the Senator remembers there were two ships—two battleships, I think—which were not begun by the present Secretary of the Navy, because he stated that the bids made for them by private contractors exceeded the authorized limit.

Mr. LODGE. I have just been stating that case.

Mr. LIPPITT. So that in that particular case, certainly celerity was sacrificed. Whether anything else was or not, on account of the limit of cost, I do not know.

Mr. LODGE. In that case, as I understand it, the contractors bid more than the amount appropriated by Congress, and the Secretary had no choice. He had to put them into the yards where they could be built within the amount. At least, so it is stated; but they were put into navy yards where there were no ways on which to build them.

Mr. WEEKS. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to his colleague?

Mr. LODGE. I do.

Mr. WEEKS. It seems to me that the Senator from Rhode Island, with his usual good business judgment, has put his finger on one of the great weaknesses in our method of making appropriations for the matériel of the Navy. I have always felt, and I have not seen any reason to change my judgment, that Congress is not competent to determine what particular craft should be built or what particular type should be built. The reason for this extraordinary bill which the Senate is now considering is because the judgment of the General Board of the Navy has not been followed in the past.

Mr. LODGE. I hope the Senator realizes that there is not a ship in this bill that does not come from the General Board.

Mr. WEEKS. I am not criticizing this bill; I commend the bill; but I am saying that the reason why it is so large is because the judgment of the General Board has not been followed.

Mr. LODGE. That is perfectly true.

Mr. WEEKS. And if Congress, in its wisdom, could adjust its policy so that it would make a lump appropriation for the building of new craft and leave to the General Board or to the Navy the disposition of that appropriation, we would have a more homogeneous and in every way a better Navy than we have to-day or will have if we follow the present practice.

Mr. LIPPITT. Mr. President, I should like to ask the Senator from Massachusetts if the method he suggests is not substantially the method that is adopted by all the other great navy-building nations of the world—by England, Germany, Japan, and France? I think it is almost exactly the policy of other nations.

Mr. LODGE. The ships authorized in this bill are every one of them ships recommended by the General Board. There is not a single recommendation there that does not come from experts. There is not a thing put in by the committee itself; not one thing. The money, the price, the number of each class of ships is all from the board of experts. I have always fought for this system, and I believe in it.

Mr. WEEKS. Mr. President, I commend this bill in that respect. I think, with perhaps one exception, it is the first Navy bill that has ever been presented to Congress which does carry out the recommendations of the General Board. So that the general criticism which I am just making does not apply to this bill at all, but does apply to what I think should be a general policy.

Mr. LODGE. I quite agree with what my colleague says, only I did not want it to be understood that it applied to this bill, for I do not think it does. It applies to building bills in the past. I have already said, when I began to speak, that this bill went some distance in remedying the haphazard, ill-balanced, often stinted, and ill-proportioned recommendations of Congress, made by committees and compromises, and all that, without any system.

Mr. WEEKS. Mr. President, so long as the thread of the discussion of my colleague has been broken——

Mr. LODGE. I have finished.

Mr. WEEKS. I want to make one inquiry on the subject to which he has just alluded, relating to the building of ways in navy yards, so that battleships may be constructed in other yards. I understand that this bill, as I recall it, provides for the construction of ways in three additional navy yards.

Mr. LODGE. No; five.

Mr. WEEKS. Five additional navy yards?

Mr. LODGE. Well, for battleships in four, and for vessels of smaller tonnage in two.

Mr. WEEKS. I want to say, Mr. President, that in my judgment the committee is taking exactly the wrong course in doing what it is doing in that respect. We are going to have a great construction department in every navy yard, very much of which will be idle most of the time. The only real reason why the Government should construct its own ships is to prevent the possibility of collusion among outside builders, and the charging of a higher price for the building of ships than the facts warrant. The Government should be in position to build one or two ships annually, if necessary, in order to prevent this collusion; but for the Government to establish great construction departments for the building of battleships in seven navy yards is, in my judgment, a mistaken policy. It will tie up a great amount of money in those plants, and it will necessarily mean that in order to keep them employed, instead

of giving construction to private builders in future, it will very largely, if not entirely, be done at the navy yards.

I do not know anyone who has given this subject serious consideration who believes that a ship can be constructed as cheaply in a navy yard as it can be constructed under contract. My judgment is that the additional cost is not very far from 10 per cent in every case; and while I agree that we ought to be in position to prevent the Government being imposed upon, I do think it is a distinctly wrong policy to establish these great construction departments in all of our navy yards.

Mr. LODGE. Mr. President, I am entirely at one with my colleague on that matter. I think the private yards ought to and will build most of our ships, and will build them faster, and will build them in the long run cheaper.

Mr. CLAPP. And better.

Mr. LODGE. No; not better. The work is no better; but they will build them cheaper, and they will build them faster. I know that navy yards are slow. But there is no escape apparently from the fact that when the private yards found that there *was not* a Government yard with unoccupied ways they put on prices which went beyond the appropriations authorized by Congress, and they lost the ships and the country lost the time, which is far more important. It is not all on one side.

I believe it is just as important to encourage the shipbuilding industry of this country in the private yards as it is to have sufficient navy yards; but I also think that the shipbuilders should show a readiness to come forward on the Government work and meet us at least halfway. If, as is stated, they had not taken advantage of a situation where the only ways the Government had were shut up—which has resulted, as I say, in delaying two of our ships 18 months—if they had not come forward in that situation with bids in excess of anything the Secretary could accept, as I understand it, under the law, there would not have been an appropriation here to fit other yards with ways. If that appropriation is made to fit these other yards with ways, the shipbuilders have brought it on themselves. They are able business men, but apparently they brought it on themselves.

Mr. LIPPITT. Mr. President, before the Senator takes his seat, he has referred to the fact that this program is to be completed within three years, as I understand.

Mr. LODGE. The program is for three years.

Mr. LIPPITT. What assurances are there that it will be completed in three years? When the Senator says it is to be completed in three years, does that mean that there is some place in the bill where it says that it shall be completed in three years, or is there any forfeiture if it is not completed in three years? How is that to be accomplished?

Mr. LODGE. The bill provides a program which Congress is to carry out, and Congress can carry it out or not, as it pleases. The program simply means that Congress in the next three years will authorize 16 capital ships. That is all that the program means.

Mr. LIPPITT. That they will authorize them—not that those, or any part of them, will necessarily be completed in that time?

Mr. LODGE. Well, it is the intention of the Government, of course, to build them. It is the intention of Congress to have them built. We appropriate the money. We compel all authorized this year to be begun before the 1st of January, 1917. We have abundant slips in this country. We can build 10 battleships at once to-day without adding to the Government navy yards at all.

Mr. LIPPITT. Mr. President, the Senator only a minute ago was reading a list of vessels which had taken three, four, five, and in some cases eight years to build.

Mr. LODGE. Yes, Mr. President; and some of those were in these private yards.

Mr. LIPPITT. I am not responsible for what yards they are in. I was only wondering and trying to obtain from the Senator for my own information a knowledge of what security or guaranty, or what probability, if I may put it that way, there was of the completion of some part of this program within this definite date. Of course I understand what the Senator says about Congress appropriating money. I understand that Congress can dictate the date at which any enterprise shall be begun; but what I was really trying to arrive at was what the probabilities were as to the date of its being completed.

Mr. LODGE. I will answer that as well as I can. I will take the authorization of this year, which, if the Senate committee's program for this year prevails, as I hope and believe it will, will require the construction of 8 capital ships—I will confine myself to them—and 58 other ships. We have appropriated the money. The money is all there. We have also provided that the ships shall all be contracted for or be begun in the navy yards before the 1st of January, 1917, and I have no doubt they will be.

Of course it is beyond the power of Congress—it is beyond the power of any human being—to say whether all those contracts will be fulfilled or that no accidents will occur. I think that we have done all that any reasonable men of common sense can do. We can not build them ourselves with our own hands; we have got to contract for them or build them in our yards, and that we have provided for.

Mr. LIPPITT. Does the Senator think that with reasonable diligence it is possible to complete them within that time? I am asking for information.

Mr. LODGE. I believe it is. We authorize 66 ships this year, and they can be completed within three years. I am speaking of capital ships. I believe they can be perfectly completed and afloat in three years. I think there is no reason in the world why they should not be. If, as required by this bill, they are contracted for and the construction begun before January 1, 1917, they can be built inside of three years. There is no lack of speed either in our navy yards or in private yards when they get started.

Mr. LIPPITT. I should like to ask, for my own information, whether in the Senator's opinion there is any way of accelerating the construction of these vessels, either by working with two shifts or by offering a bonus for speed, as is sometimes done?

Mr. LODGE. We have provided in the bill for all that matter of bonuses and premiums.

Mr. LIPPITT. For additional speed?

Mr. LODGE. Yes.

Mr. LIPPITT. That only applies, I suppose, to private yards?

Mr. LODGE. It would only apply to private yards.

Mr. LIPPITT. So there is no premium for speed in Government yards?

Mr. LODGE. Of course in a Government yard we can double or treble the shifts at any time.

Mr. LIPPITT. I suppose the theory is that the vessels will be constructed with one shift, and that is eight hours' work, and not with two shifts.

Mr. LODGE. You mean on the basis of three vessels inside of three years?

Mr. LIPPITT. Yes.

Mr. LODGE. That is on the eight-hour basis.

Mr. LIPPITT. Has the Senator looked into the question whether it would be possible to work two shifts?

Mr. LODGE. That is perfectly possible.

Mr. LIPPITT. And if so what would be the additional cost?

Mr. LODGE. Of course that would add to the expenditure?

Mr. LIPPITT. About what is the shortest time in which a vessel could be delivered?

Mr. LODGE. I do not know how much it would reduce it. That has not been considered.

Mr. LIPPITT. Does the Senator know how much would be the increased cost?

Mr. LODGE. That has not been considered. We have gone on the basis of an eight-hour day.

Mr. OVERMAN. How are we going to get the armor? We are going to build an armor plant.

Mr. LODGE. That is provided for.

Mr. OVERMAN. Does the Senator think that we could do it in three years?

Mr. LODGE. We shall get the armor. There are armor-plate plants now that are going to supply us with every pound of armor we need. There is no trouble about that.

Mr. OVERMAN. We can not get it from our own armor factory.

Mr. LODGE. No armor-plate factory can be constructed in the three years.

Mr. OVERMAN. It will take three years to complete it.

Mr. LODGE. Fully.

Mr. OVERMAN. Then we shall have to buy it by contract?

Mr. LODGE. We shall have to buy it from private contractors. I regard the armor plant as a pure waste of money. I have no more to say about that.

Mr. WEEKS. The Senator understands that we can buy armor, the best in the world, at the lowest market price?

Mr. LODGE. Yes; now, at the lowest price in the world.

Mr. WEEKS. So there is no need for anxiety.

Mr. LODGE. We can get plenty of armor. The delay will not come there.

Mr. McCUMBER. Mr. President, I was called out during a portion of the address by the Senator from Massachusetts. I have also been absent for nearly two months from the Senate, and during that time there has been considerable discussion concerning this bill. I have not had the benefit of that discussion nor of what has been written concerning it while it

was being considered by the two committees. However, I notice that the House provided for no battleships whatever, and that the bill as reported provides for 10 battleships, 4 of which are to be begun as soon as practicable.

Mr. LODGE. Of course, if the Senator will allow me, so as to get it straight, the House adopted no program at all, so that column in the program has no bearing on the bill as it passed the House because they adopted no program. There is nothing to compare with it. All you can compare is their authorization with our authorization. We propose to authorize four dreadnaughts and they authorized none.

Mr. McCUMBER. That is, we authorized four dreadnaughts at the present time and they authorized none at the present time, and we provide for 10 in due time. To the average person it would seem rather peculiar that great committees such as the Committee on Naval Affairs of the House and the Committee on Naval Affairs of the Senate should disagree to such an extent that one committee receiving its information from the same source should provide for no battleships and the other committee of Congress should provide for 10, to be constructed in the near future. I should like to secure such information as I may, and I know the Senator can give it to me as well as anyone, as to the reason for this great divergence of views with reference to the necessity of battleships.

Mr. LODGE. Mr. President, I can not possibly explain what was operating in the mind of the House committee and of the House in authorizing five battle cruisers and nothing else. It was not in conformity with the recommendation of any board or of the Navy Department or of anybody who is best fitted to speak on the subject. Why they did it I do not know. It resembles many of our past bills which have been made without any regard, as I have said and as my colleague has said, to the recommendations of the experts and of the General Board of the Navy Department, in a perfectly haphazard way by the committees here. Why the committee of the House did it I can not understand. Our authorization is based on the recommendation of the General Board, which is supported by the Navy Department in every branch, and I can not help thinking that it is the correct balance. I have no doubt whatever myself that it is.

Mr. McCUMBER. We have been following for years a program of two battleships of the dreadnaught type each year. It is something strange to me that we should suddenly drop them entirely from a program in a bill that passed the House. I have not read the arguments; I have not read the reasons. I assume that some reasons were given in the House why we should not build any more dreadnaughts, and whatever those reasons were, whether they were valid or otherwise, it would be very agreeable to me if I could find out from any member of the committee.

Mr. LODGE. I wish I could, but, I am sorry to say, I can not inform the Senator of the reasons of the House committee. I can think of none myself. There ought to be some sound reason, but what their reasons were I do not know.

Mr. NORRIS. Mr. President, the greatest disgrace of the present century is that war between civilized nations is still a possibility. That such a barbarous condition should exist in the civilized world is painful to every lover of humanity and to every believer in the great brotherhood of man.

Every civilized country of the world requires its subjects to submit their differences and disputes to tribunals and courts that have been organized under the forms of law for their settlement, and yet these same nations violate the principle of the law which they compel their subjects to obey. The citizen must maintain his rights and settle his grievances before tribunals organized according to law upon principles of justice and of right. Kings and rulers settle their disputes upon the field of battle without regard to right, without regard to justice, and upon the erroneous and barbarous theory that might makes right. It is to be regretted that the great advance that has been made from barbarism by the different nations of the world by which the disputes and controversies arising within each nation are settled according to forms of law and upon the principles of justice and equality has not extended to the settlement of disputes between the nations themselves. Why is it that rulers who are able to settle all controversies within the countries they control are not able to settle controversies between those countries?

A sentiment for a universal peace has been growing rapidly for many years. This is because the great common people of the world who have been compelled to fight the battles of the kings and rulers have realized from their own experience and their own observation the unreasonableness and criminal folly of going to war. The citizen who bears the burden and endures the suffering is the one who has finally awakened, and he will eventually make his voice heard all over the civilized world. This sentiment has grown gradually, but steadily and firmly. Instead of coming down from the throne it has come up from the common people to the ruling classes. The rulers of the world have been the last to really grasp and understand the situation. The public sentiment of the civilized world is crying for international arbitration and a world's peace.

In every civilized Government public sentiment is the great moving force that will ultimately and finally be victorious. Statesmen do not always know it, rulers do not always recognize it, but in the end it will always prevail. It is more powerful in its influence than the combined armies and navies of the world. Before its silent tread the relics of barbarism and oppression must disappear and vanish in the retreating mists of an ignorant and superstitious past. This sentiment that comes up from the common people will finally reach the rulers and make its influence felt upon thrones. It will not cease in its onward march until all the rulers and lawmakers of the earth recognize and realize that the same principle which settles disputes between individuals will with equal justice settle all the controversies that can arise between nations.

The great world struggle now going on has been a sad disappointment to all of the participants. They all see even now that whatever the outcome may be the burden and the suffering can not be shifted from one to the other. They all realize now that military preparation is not a safeguard of peace, and when exhaustion takes place, as soon it must, and the end comes, as come it will, there can be no shout of victory from any source. They know now that ruin, desolation, suffering, and bankruptcy will enshroud the world like a pall. The entire civilized world will know then, as it is beginning to see now, that might does not make right; that war is not only wrong and useless, but that it brings misery to the victor as well as to the vanquished. It is a practical demonstration to all the world of the uselessness of armies and navies in any effort to maintain international peace and the absolute necessity of some international agreement between the civilized nations of the world to maintain a peace that can not be maintained by armament, and is not only desirable but necessary for the future happiness and preservation of the human race. The greatest war of history has followed close upon the world's greatest military expansion, professedly done in every case for the preservation of peace. From untold numbers of ruined firesides, from the broken hearts of millions of widows, from the sufferings of unnumbered thousands of fatherless children, from hundreds of battlefields strewn with dead and dying, writhing in human blood, surrounded by dismembered bodies of innocent human beings that once were fathers and sons in pleasant homes; from every honest, loving heart all over the civilized world goes up a wailing, despondent cry demanding peace.

The time has come when all the people from the peasant to the king are in favor of international peace. The difficult question is to agree upon some practical method for its attainment. Modern inventions for the transportation of people, property, and intelligence have made the world much smaller. Whether we wish it or not the fact remains that the modern commercial business world has brought the people of every country into close and intimate relations with the people of every other country. Business and commerce pay but little heed to national boundaries, and nations, wherever located, are next-door neighbors. International communication is now not only of daily occurrence, but of daily necessity. Upon closer acquaintance civilized man is found to be about the same regardless of his geographical location or his nationality. Closer intercourse dissolves the jealousies that were barriers in the distance. The fundamental principles of equity and justice which form the foundation of all civilized Governments are the same the world over. When we are brought into this close relationship the scales fall from the eyes, prejudice flees from the heart, and we realize that humanity is the same everywhere.

The love, the hate, and the passions of men are the same on both sides of the great Atlantic. When by war's cruel hand the husband, the father, and the protector of the home and the fireside is taken away, the suffering and the misery which follow is not measured by nationality. The human heart is the same, whether it is carried in the breast of an Englishman, a Frenchman, a German, or an American. Humanity is broader than nationality and embraces within its scope the entire world. The measure of human happiness will not be full, the heights of national glory will not be reached until we can look over the world and in the words of the Scripture, truthfully say of every citizen of every civilized nation, "Is he not, after all, my brother?"

Why, then, should there be war? I know that it can truthfully be claimed that this cruel and heartless demon has settled

many questions of world-wide importance, but it never settled one on any principle of equity, morality, or justice. In modern times its decree has been more often right than wrong, because the great spirit of public sentiment when once aroused has not only furnished money and men for the right, but it has thoroughly imbued the hearts of its soldiers with a determination and a bravery that has done much to place the victory where it properly belonged. But what a sacrifice of human life and treasure. I do not want to be understood as claiming that all the wars of history were wrong or could have been avoided. Some of them were carried on for liberty, some were waged for mercy, and some were fought for humanity. The soldier, not only of our own land, but of other countries as well, is entitled to all the consideration and all the honor and glory that humanity can give or bestow. I am, however, proclaiming against the conditions existing in modern civilization that make war not only sometimes necessary, but at any time possible.

But the question recurs again, What is a practical way to solve the difficulty? We have advanced to such a state that all civilized countries of the world are in favor of peace. Who shall take the first step? Who can take the first step with the assurance that beneficial results will follow? What nation to-day occupies such a unique position in civilization that it can step out into the open and say to all the civilized world, "We are willing to submit to peaceful arbitration every international dispute, every international controversy, not only of the present but of the future as well"? What nation, in assuming this position, can command not only the respect and belief of other nations in the integrity and the honesty of its purpose, but can also receive the respect and approval of humanity's peace-loving sentiment that will go far toward impelling the balance of the civilized world to accept the proffered hand of universal brotherhood?

If we study the history of European nations, we will find a trace, at least, of jealousy between them that has come down from the days of barbarism. In ancient times the king, who was then supposed to possess, and is still suspicioned to have, some attributes of Divinity, ruled only over such territory as he was able to hold in subjection. He broke no law of nations if, without notice, cause, or provocation, he made war upon his neighbor in an attempt to conquer and subdue additional territory. He violated no principle of government if in carrying out his purpose he resorted to trickery, chicanery, and dishonesty. The result was that every ruler was suspicious of every other ruler. This suspicion and lack of confidence anciently existing between kings, and permeating the framework of every European nation, has, in a lessening and decreasing degree, come down to the present day. It exists now—unconsciously perhaps—but exists nevertheless, and must be taken into consideration whenever any European nation makes a proposition to other European nations for the settlement of any great international question. This condition was well paraphrased by a great European statesman in comparing European conditions with those of America, when he referred to it as "American boldness and European suspiciousness."

In the New World, where our Government's leadership and controlling influence are recognized and acknowledged by all the world, these conditions do not obtain. Here the divine right of kings has never been recognized. We have not only disclaimed the right of conquest ourselves, but we have refused to recognize it in others. We have not only refused to recognize this right in the strong nation, but we have protected the weak nation against it. Moreover, we have shown to the world our unselfish devotion to that principle to the extent of sacrificing life and treasure in the defense of the weak against the strong—the protection of the downtrodden and oppressed against oppression. Our entire national life has been emblematic of an unselfish respect for the right of other nations and is not tainted with that suspiciousness which has come down to others from ancient times. Our position among the nations of the world in this respect was well illustrated by what happened in the recent war between Russia and Japan. When these great nations had each other by the throats and were struggling in mortal combat the entire world was aroused to admiration by the action of America's great President. Neither one of the warring nations had expressed any desire for peace. Neither one had shown any disposition to cease the conflict. Neither one had asked for any intercession, and yet, in the midst of the bloody conflict, when America's voice was heard, they both halted, they both ceased, they both followed, they both obeyed. It was because they knew—all the world knew—that in the voice which called them from the battle field to reason's court there was no taint of selfishness; that in that call there was no suspicion of an ulterior or dishonorable motive, but that in the heart of that great statesman, whose voice they heeded, there was only the purity of a humane effort to bring about the welfare of all. From the very nature of the development of other nations from the barbarism of ancient times it is quite apparent that no other ruler of the civilized world could have made that proposition with the same successful results. In response to the friendly intervention of the American Government Russia and Japan appointed commissioners to agree upon terms of peace.

While these commissioners were in session on American soil a notable assemblage for the advancement of international arbitration was in session at Brussels, the capital of Belgium. At this meeting of the Interparliamentary Union there were representatives from practically every civilized country in the world except Russia and Japan. We watched with hopeful anxiety the reports which the cable brought us of the progress that was being made by these peace commissioners at Portsmouth. In that assemblage, composed of representatives from two continents, there was a unanimous wish, a united hope, a fervent prayer that America's intervention would prove successful. As a fitting close of that great international conference, the representatives of Belgium invited all the delegates to a reception held in that historic building where the cohorts of Napoleon were assembled in revelry on the eve of Waterloo. The rooms were decorated with the colors of all nations.

The finest band in Belgium was playing her national air. In the midst of it the music suddenly ceased. All eyes were turned to the rostrum. We saw the leader of the band seize from the decorations of the hall the American flag, and using it as a baton, he waved it over the heads of the musicians, and in answer to his action, there burst forth the rapturous strains of the Star-Spangled Banner. For a moment, and a moment only, there was silence, and then there burst forth a roar of applause which clearly indicated that every one there understood that beneath the fathomless deep the electric spark had brought the welcome news that on the shores of America an agreement for peace had been signed. On the occasion of nearly 100 years before the revelry was interrupted by the booming of cannon, but on this occasion it was the joyous message that under the leadership of America the peace of the world had been established. That was an occasion, my countrymen, when it was greater to be an American citizen than to wear a crown.

Students of history will not find it difficult to see that there is but one Government in the world which occupies such a position among the nations that without arousing any suspicion or jealously, can take the step—can make the move that will make war practically an impossibility in the future, and bring about the establishment in its stead of international arbitration. The world is anxious for permanent peace. At the close of the present struggle, Europe will be ready for it. All civilization and humanity are praying for it and the eternal hand of Fate is beckoning for America to take the lead. At the close of the present war, our President, having been duly authorized by Congress, should propose to the belligerent nations that we desire to enter with them into the treaty of peace, and that we are anxious to provide in such treaty for the settlement of all future international disputes and controversies through the establishment of a permanent court of arbitration. We should also propose that the treaty of peace shall provide for the limitation of armaments both on land and sea, with a provision for the establishment and maintenance of an international navy.

Civilization is ready for this step. The present great contest is a demonstration that the method of the past of settling disputes between nations is a failure. Instead of justice, it brings misery and suffering, not only to one belligerent, but to all. It demonstrates that militarism will neither preserve international peace nor settle any international dispute with justice. Even before its termination, while the result is not yet known, all honest men agree that the peace and happiness of mankind would be safeguarded if by an agreement between nations, war could be made impossible. Our Government occupies a position that will enable it to take this great step for the benefit of humanity. Even though we may not believe we can obtain all that is desirable in such a treaty, there is no reason why we should not at least make the effort. Even if we feel that such an effort would be a failure, we ought not permit an opportunity such as this to pass by without making the effort. But, Mr. President, we will not fail. If in good faith we make this effort, there is every reason to believe that all of the belligerent nations will welcome our suggestion and will be willing to provide in the treaty of peace as nearly as possible against any contingency that will bring war in the future. If we make this effort, good will result from it. In my judgment, the nations will receive such a proposition with joy. They will welcome any honest attempt to better the conditions of the past. It is perfectly evident to all men that all the belligerent nations are wearied of the present contest

and that they will all realize when exhaustion brings the end there can be gain for none, but that the sufferings brought on by the war must be shared by all.

No money payment can compensate for the suffering it has entailed and even if it were possible to demand an indemnity there will be no nation financially able to pay it. The time will then be ripe for an international peace, and the American Government is the one nation in all the world that can take the first step to bring it about.

But in making this proposition we must be free from any hidden purpose to gain an advantage. We must make it clear that we have no selfish interest to be gained. We must express a willingness to bring to this arbitration court every international controversy that the unknown future has in store. With clean hands, a pure heart, and a clear conscience must we approach the great altar of international justice.

Will there not be reason to question our motive if while we are negotiating with the balance of the civilized world to take this important step for a permanent peace we are at the same time engaged in the greatest military expansion program that we have undertaken in our history? The present bill appropriates more money for the expansion of our Navy than has ever been appropriated by any nation in the history of the world in time of peace. Can it be said that we are acting in good faith when we extend one hand in brotherly love to the balance of the civilized world while with the other we are building up a bigger Navy and a larger Army than we have ever maintained in time of peace? If we desire a world's peace and are willing to make the attempt to get it and desire to impress the balance of the world with our sincerity and honesty, will it not be better that we give to the world an illustration of our sincerity by staying the hand of military preparation at least until we have made an honest attempt to perpetuate peace? If we ourselves are engaged in a mad race to build up the biggest Navy and organize the largest Army of the world, can we expect other nations to place full confidence in our professions when we are asking that the building of huge monsters of human destruction should cease? Can we even satisfy ourselves that we are doing all that can be done to bring about international arbitration when in time of profound peace we are making the greatest preparation for war that has ever been made in the history of the world? Would it not be said to us that we ought to first take the beam out of our own eye in order that we may see clearly to take the mote out of our brother's eye? Can we not at least wait until the present struggle shall end before we embark on this enormous military building program?

With the exception of the American Government, all the leading nations of the world are engaged in the present conflict. No one doubts but a treaty such as I have outlined, signed by our Government and these belligerent nations, would bring about the abolishment of war between the nations. In fact, such a treaty, signed by nations that can be numbered on the fingers of one hand, would insure the lasting and permanent peace of the entire world. My own idea is that if such a treaty were entered into, even the international navy would soon become unnecessary. I doubt very much whether such a navy would ever be called upon to enforce the decree of the permanent international court. While it would perhaps be wise to provide for such a navy, it would, in my judgment, soon become evident that we could trust to the honor of the nations and to the enlightened public sentiment of the civilized world for the honest enforcement in good faith, of every judgment and decree. This has been frequently demonstrated in the past. In all the history of the world there has never been an instance where an offending nation has failed to carry out in good faith the judgment of an international court.

Heretofore one of the greatest obstacles to the peaceful settlement of international difficulties and to the submission of such controversies to arbitration has been that the offense has been committed or the controversy has arisen before any rule for its settlement has been provided or any tribunal for its determination has been selected. This ex post facto machinery for the settlement of differences is not only unreasonable and illogical, but it has been guarded against by all the civilized nations of the earth in the regulation and management of their own internal affairs. When disagreeing nations are aroused to anger by the excitement and the prejudice of the people on account of real or imaginary wrong, it is a poor time, indeed, to attempt to agree upon a fair method of settlement or to exercise that calm deliberation which should be invoked in the selection of the arbitrators.

The treaty of arbitration should be general and apply to all disputes. It should be negotiated in time of profound peace and not with reference to any particular controversy. Its judges should be selected in time of peace and their terms of office should be permanent. In order that they might be removed from and uninfluenced by any bias or prejudice they should be appointed for a long term of years, and while holding this great international commission they should be prohibited from accepting or holding any other office or emolument from any government.

It would not be necessary that all of these arbitrators so selected should sit in judgment upon every case brought before the court. In case of any dispute between nations that could not be settled by diplomacy the contending parties would ordinarily have no difficulty in selecting a tribunal from this list of the international court; but in case of any such dispute, it would be easy to provide that members of this court should themselves select the arbitrators to pass upon the contention.

This would give us an international court that would command the absolute respect of all mankind and the confidence of all civilization. Its judges would be free from any bias, prejudice, or excitement that might exist in either one or both contending nations. Instead of representing one government as against the other they would, in fact, represent without partiality and with equal justice both of the contending parties. Their life work would be the study of international questions. They would become learned—yea, experts—in international law and the administration of international justice. The world would have a list—a school—of international jurists devoting their time, their energies, and their lives to the study of international questions and the settlement of international disputes. In the hands of these men the peace of the civilized world would be safe and secure. The judges of this court occupying this dignified, exalted, and unparalleled position before the world, would be further removed from bias and prejudice than any court that has ever been instituted in the history of mankind. Its decisions would become precedents for future action. It would not be long until we would have a line of decisions that would eliminate the uncertainty of international law which has existed in the past. A question once determined by this great court would be accepted by the world as the law for the future, and the result would be that we would not only have an international tribunal for the peaceful settlement and determination of all international questions, but that their decisions would become the beacon lights of peace for future generations, whose rays of wisdom and of reason would light up the dark waters of international jurisprudence, mark out the course of safety for every ship of state, and warn her mariners of the shoals of disaster.

The size of an army and navy to be maintained by any nation in time of peace is always a relative one. It always depends to a great extent upon the size of the army and navy of other nations, particularly of those other nations located in close proximity. If Canada were building forts along our northern boundary and filling them with armed men, it would perhaps be necessary for us to likewise build forts on our side of the line and to increase our standing Army. The building of huge forts by both France and Germany along their common boundary illustrates this principle. Every time one of these nations built a fort the other nation felt bound to duplicate it on her side of the line. Men and corporations, lured by the desire of financial gain, have often exaggerated the building of forts and battleships and the increasing of armament. There was reliable evidence to show that prior to the present war a great firm engaged in the manufacture of arms procured the publication of a false news item in a Paris paper announcing the purchase by France of a large number of guns of a certain type. This item was reproduced as a matter of news in Germany. It resulted in the German Government purchasing a large additional supply of arms, and when this fact was published in the papers it meant another order placed with this same firm by the French Government. And so, starting with nothing, they succeeded in having two great Governments purchase a large supply of the goods which they had manufactured. It is idle for us to suppose that we can announce a naval program by which in a certain number of years we shall have the largest or the second largest navy in the world. For every battleship which we build, for every military expansion program that we announce, there will be an added stimulus for military expansion on the part of the balance of the world. When we announce that we are about to enter a mad race to build up a huge military program of expansion we must not forget that it is a race in which all other nations can enter as well as we. We must not forget that by our very action we are compelling other nations to enter the same race. With such an announcement on our lips, we can not consistently ask the balance of the world to disarm or to agree upon the settlement of international disputes by arbitration, unless we couple with our proposition the willingness on our part not only to cease in our program of military expansion but that we will disband the increase of our Army

and agree to turn the proposed addition to our Navy over to an international tribunal to be used for the preservation of a world's peace and for the enforcement of the decrees of an international court.

The world has for a few years been witnessing the spectacle, which would be humorous if it were not so expensive and serious, of seeing the leading nations of the world in a mad race to see which could build the largest battleship. The world is startled by the announcement that one great nation is building a monster of destruction that will outclass and outshine anything that the world has ever seen. The excitement has hardly quieted before the next nation has made arrangements to duplicate this mistress of the seas. The third nation begins the task of building a pair of them. The fourth, not to be outdone, lays the plans for one larger than any of the others, and so on around the circle. And when we have reached the point of the beginning it is found that the first ship, supreme and invincible in her day, is outclassed, out of date, fit only for the scrap pile or for a target for other vessels to play with. If this race keeps up, it will not be long until the nations will have to begin to remodel and deepen their harbors to make a landing place for their battleships.

Ever since the beginning of the present war there has been the most wonderful propaganda in our country for increased armament that our civilization has ever seen. Under the cry of "preparedness" there has been an organized effort from one end of the country to the other demanding the increase of our Army and Navy. Newspapers everywhere have been filled with accounts of the impending dangers of attacks from foreign foes and the conquest and subjugation of our country by foreign enemies. From the rostrum, from the theater, from moving-picture films, from editorial columns of great newspapers, from magazine articles, from fascinating books published upon the subject, even from the pulpit, and also from ex-Presidents and from the present occupant of the White House have come gloomy prophecies, forebodings, and warnings that in a day or an hour we may be overridden, subjected to conquest, and made the subjects and vassals of some conquering military host. Most of these dire prophecies are coupled with the most lurid descriptions of the helplessness and the incompetency of our own Army and Navy. In some way these alarmists feel that at the close of the terrible, gigantic struggle the wounded cripples of surviving armies, backed up by bankrupt nations, are going to cross the great Atlantic, and perhaps the Pacific, and trample our flag in the dust, destroy our cities, ruin our homes, and make us all the unwilling slaves of hard-hearted and cruel monarchs. Just how much this organized effort to create public sentiment in favor of military expansion has been influenced and created by men and corporations who have already made billions out of profits from the manufacture of war materials, and who fear that at the close of the present war they will find themselves, like Othello, without occupation, may be a question of honest dispute, but that material assistance has been given to this propaganda by these interests will not, I think, be denied. It is one of the noticeable features of this great campaign that most of the men and corporations who are backing it up look with holy horror upon any proposition that will eliminate private profit from the manufacture of war materials, and they are therefore, with some notable exceptions, opposed to Government instrumentality in this line of business. We ought to take private profit out of "preparedness," and if this could be done there would be a change come over the spirit of the dreams of many of our friends who are advocating this great preparation for human slaughter.

I know the size of an army and navy is a question upon which honest citizens may honestly differ, and by no means do I desire to charge a lack of wisdom or a lack of patriotism against any man or set of men because they believe in great military expansion. I know that millions of our people are perfectly honest in this belief. To judge from the display and the noise made one would think that they were nearly unanimous. What I do believe is that this great propaganda, 90 per cent of which, in my judgment, is founded upon fallacy, has, nevertheless, been instrumental in misleading not only thousands of ordinary citizens but some of our greatest leaders and statesmen. We are confronted now with the greatest naval program that has ever been presented to Congress in our history. Every thinking man must realize that there must come an end to this military expansion, otherwise we will bankrupt ourselves even though war never comes. The danger is that when we are thus prepared and feel that we are invincible the perfectly natural thing will happen, and that is that we will become boastful of our supremacy and be lead into a war that we otherwise would have avoided. A program of "preparedness" carried to extremes will ruin us whether war comes or not. It eventually means exhaustion. In either case it means the enrichment of the few and the pauperizing of the many.

The wasting of our sustenance for things that can bring no economic return, whether in time of war or in time of peace, will, if carried to the extreme, eventually bankrupt and ruin any nation that is engaged in it. War and the preparation for war in time of peace always means the increase of the cost of living. This will not perceptibly affect the man of immense income, but it is a serious proposition to be faced by the poor man who is already taxed to his utmost to support himself and family. The increase of the cost of living falls upon the poor as well as the rich. War and the preparation for war makes the rich richer and the poor poorer, and when this increased cost is added to the burden of the man whose meager income is already scarcely sufficient to feed and clothe those dependent upon him, it means for this class an economic slavery that will not long be tolerated by the American citizen. I want to warn my countrymen that if this unreasonable program for "preparedness" is continued and carried on the civilization of our age will not be able to bear the burden, and revolution will be the inevitable end.

The power of taxation is a necessary attribute of government. Government sometimes uses this power to tax out of existence some evil thing or ruinous product injurious to life and health, but we ought to be reminded that this same power can be used to tax the poor out of their homes; to tax the ordinary citizen and commercial enterprise into bankruptcy. And when our citizens realize that for every dollar that is raised by the Federal Government by taxation the largest portion of it is demanded as a tribute to the bloodthirsty demon of war, there will come a revulsion on the part of the citizenship that will make its influence felt throughout the country. When the people realize that the present bill is such a terrible increase over the enormous appropriations of the past and that this bill is only a step toward higher and greater appropriations, we will find that the cry for international arbitration is coming not only from those who are moved by the idea of philanthropy, mercy, and humanity, but that these ranks are joined by and intermingled with all of the ordinary commercial interests and moderate taxpayers of the country. The people of the civilized world are taxing themselves to death in order that the survivors may kill each other according to the most modern methods of warfare, with the most modern weapons of human destruction.

As startling as the financial conditions are, they do not tell one-half the story. Human life can not be measured in dollars and cents; broken hearts can not be healed by the appropriation of money; human suffering and misery can not be alleviated by financial consideration; and humanity stands helpless in the face of death and destruction. At the fireside of practically every home in Christendom there is a vacant chair, made so by war. For every vacant chair there is a ruined hearthstone; for every hearthstone there is a sorrowing widow; and for every widow there is a fatherless child. For every penny spent for war there is a sigh of grief; for every shilling there is a tear of sorrow; and for every dollar there is a broken heart. The amount expended on this account in the civilized world in one year would give a shelter to every pauper, a home to every unfortunate, and an education to every child. At the present rate of increasing expense it will not be long until this great chain will break of its own weight; until every nation will become bankrupt and every moderate taxpayer will become a pauper. As this time approaches the forces of international peace will become more numerous and more powerful. Humanity will shake off the shackles of barbarism and defy the god of war upon his throne. In this battle of reason, that tyrant of oppression, that ruler of ignorance, that demon of superstition, in whose decree there is no mercy, in whose judgment there is no justice, will be driven from his throne and relegated beyond the portals of a universal peace, to be remembered only as a horrible nightmare of an unholy and unrighteous past.

The PRESIDING OFFICER (Mr. POINDEXTER in the chair). The Secretary will read the bill.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Naval Affairs was, under the subhead "Pay, miscellaneous," on page 2, line 21, after the words "religious books," to strike out "expenses of purchasing paymasters' offices, including clerks, furniture, fuel, stationery, and incidental expenses," and on page 3, line 8, after the word "exceeding," to strike out "$30,000" and insert "$50,000," so as to read:

For commissions and interests; transportation of funds; exchange; mileage to officers while traveling under orders in the United States, and for actual personal expenses of officers while traveling abroad under orders, and for traveling expenses of civilian employees, and for actual and necessary traveling expenses of midshipmen while proceeding from their homes to the Naval Academy for examination and appointment as

midshipmen; for actual traveling expenses of female nurses; actual expenses of officers while on shore patrol duty; hire of launches or other small boats in Asiatic waters; for rent of buildings and offices not in navy yards, including the rental of offices in the District of Columbia; expenses of courts-martial, prisoners and prisons, and courts of inquiry, boards of inspection, examining boards, with clerks' and witnesses' fees, and traveling expenses and costs; expenses of naval defense districts; stationery and recording; religious books; newspapers and periodicals for the naval service; all advertising for the Navy Department and its bureaus (except advertising for recruits for the Bureau of Navigation); copying; ferriage; tolls; costs of suits; commissions, warrants, diplomas, and discharges; relief of vessels in distress; recovery of valuables from shipwrecks; quarantine expenses; reports; professional investigation; cost of special instruction at home and abroad, including maintenance of students and attachés; information from abroad and at home, not exceeding $50,000, and the collection and classification thereof; all charges pertaining to the Navy Department and its bureaus for ice for the cooling of drinking water on shore (except at naval hospitals), telephone rentals and tolls, telegrams, cablegrams, and postage, foreign and domestic, and post-office box rentals; and other necessary and incidental expenses.

The amendment was agreed to.

The next amendment was, on page 3, line 19, after the word "exceed," to strike out "$310,000" and insert "$190,000, and for necessary expenses for the interned persons and prisoners of war under the jurisdiction of the Navy Department, including funeral expenses for such interned persons or prisoners of war as may die while under such jurisdiction," and on page 4, line 1, after the words "in all," to strike out "$1,050,000" and insert "$915,000," so as to make the proviso read:

Provided, That the sum to be paid out of the appropriation, under the direction of the Secretary of the Navy, for clerical, inspection, and messenger service in navy yards, naval stations, and purchasing pay offices for the fiscal year ending June 30, 1917, shall not exceed $190,000, and for necessary expenses for the interned persons and prisoners of war under the jurisdiction of the Navy Department, including funeral expenses for such interned persons or prisoners of war as may die while under such jurisdiction; in all, $915,000: *Provided*, That hereafter expenditures from the appropriation for obtaining information from abroad and at home shall be accounted for specifically if, in the judgment of the Secretary of the Navy, they may be made public, and he shall make a certificate of the amount of such expenditures as he may think it advisable not to specify, and every such certificate shall be deemed a sufficient voucher for the sum therein expressed to have been expended.

The amendment was agreed to.

The next amendment was, on page 4, after line 22, to insert:

For the purpose of expediting the transaction of the necessary departmental business in connection with the construction of new vessels herein and heretofore authorized and the increases in personnel, the Secretary of the Navy is authorized to employ, in accordance with the provisions of the civil-service act of January 16, 1883 (22 Stats. L., p. 403), during the fiscal year ending June 30, 1917, such civilian civil-service employees, in addition to those authorized in the legislative, executive, and judicial appropriation act approved May 10, 1916, as may be necessary to carry on the work of the Navy Department and its various bureaus and offices, and the sum of $250,000 is hereby appropriated for the pay of such additional employees, the total of such expenditures not to exceed for: Office of the Secretary, $10,000; Office of Chief of Naval Operations, $5,000; Office of Solicitor, $4,000; Office of Judge Advocate General, $6,000; Bureau of Navigation, including one chief of division, at $2,250, $18,000; Office of Naval Intelligence, $5,000; Bureau of Steam Engineering, $31,000; Bureau of Construction and Repair, $41,000; Bureau of Ordnance, $10,000; Bureau of Supplies and Accounts, $30,000; Bureau of Medicine and Surgery, $10,000; Bureau of Yards and Docks, $75,000; and Office of Naval Militia, $5,000: *Provided*, That a report shall be submitted to Congress at the beginning of its next regular session showing in detail the number of persons so employed, their duties, and the compensation paid to each: *And provided further*, That the sum of $25,000 is hereby appropriated for the purchase of such stationery, drawing materials, and furniture as may be required by the various bureaus and offices of the Navy Department to carry out the duties imposed upon them.

Mr. LA FOLLETTE. Mr. President, I desire to make an inquiry before the committee amendment, beginning with line 23, on page 4, and extending over to line 8, on page 6, is acted upon, which is, as I gather from the reading, an increase over the House appropriation of some $250,000.

Mr. SWANSON. It is not an increase, if the Senator will permit me. We have increased the personnel of the Navy by some 20,000 men and also the personnel of the Marine Corps. We have likewise increased the authorizations for construction. The legislative bill, which was passed long before the pending bill was reported, did not make any provision for the additional positions required in connection with drafting and other things. Heretofore a lump sum has been allowed for these purposes out of the amount appropriated for construction; but there is no specified limit as to what the department might do; they could spend a million dollars or one million and a half dollars or $300,000. We thought it was wiser to specify what they should have. Therefore we have changed the general appropriation usually carried, to meet the increased expenditure, on account of the additional construction provided for, and have specified where the additional assistance shall be available. We thought that was the better plan.

Mr. LA FOLLETTE. Am I to understand the Senator to mean by his explanation that the $250,000 provided here is simply to meet expenses or obligations already incurred under legislative acts already passed?

Mr. SWANSON. No; not already passed, but such as will occur on the passage of this bill; for instance, increased construction.

Mr. LA FOLLETTE. Ah, yes. For instance, if the increases in this bill recommended by the committee are adopted by the Senate and become a law, then this is necessary?

Mr. SWANSON. This is absolutely necessary. If the House provisions were retained——

Mr. LA FOLLETTE. Mr. President, I am going to ask, then, that this amendment be passed over until the amendments are considered which, if adopted, will make necessary this expenditure.

Mr. SWANSON. If the Senator will permit me, the House provisions for five battle cruisers, and for the increase of the personnel by 15,061 men, and for the increase in the Marine Corps, and other increases, would necessitate a large increase—possibly three-fourths of this. It is limited simply to 1917. There is no clerk hire provided for longer than the fiscal year 1917. It is all for immediate work.

Mr. LA FOLLETTE. I understand that at least a portion of the appropriation which it is proposed that the Senate shall now adopt as in Committee in the Whole is contingent upon whether amendments which have not yet been considered by the Senate are adopted.

Mr. SWANSON. I will say to the Senator that if those amendments are not adopted I will recur to this one and give an opportunity to have the action on it reconsidered.

Mr. LA FOLLETTE. Why would it not be just as well, I will ask the Senator, to pass over this amendment until those have been acted upon?

Mr. SWANSON. I would prefer acting on this one now. It would take too much time to go back and recur to matters like this. It seems to me better to dispose of them as we go along.

Mr. LA FOLLETTE. I do not believe it will expedite matters to proceed in that way.

Mr. SWANSON. If the Senator insists on it, I will ask that it be passed over.

The PRESIDING OFFICER. The amendment will be passed over, without objection.

The reading of the bill was resumed.

The next amendment was, on page 6, after line 8, to insert:

Hereafter interned persons and prisoners of war, under the jurisdiction of the Navy Department, who are or may become insane, shall be entitled to admission for treatment to the Government Hospital for the Insane.

The amendment was agreed to.

The next amendment was, on page 6, line 18, after the word "allowances," to strike out: "All orders issued by the Chief of Naval Operations in performing the duties assigned him shall be performed under the authority of the Secretary of the Navy, and his orders shall be considered as emanating from the Secretary, and shall have full force and effect as such," and on page 7, line 2, after the words "Marine Corps," to insert:

Provided, That hereafter the Chief of Naval Operations shall, under the direction of the Secretary of the Navy, be charged with the operations of the fleet with the preparation and readiness of plans for its use in war. This shall include the direction of the Naval War College, the Office of Naval Intelligence, the office of Target Practice and Engineering Competitions, the operation of the Radio Service and of other systems of communication, the operations of the Aeronautic Service, of Mines and Mining, of the naval-defense districts, Naval Militia, and of the Coast Guard when operating with the Navy; the direction of all strategic and tactical matters, organization, maneuvers, target practice, drills and exercises, and of the training of the fleet for war; and the preparation, revision, and enforcement of all tactics, drill books, signal codes, and cipher codes. The orders issued by the Chief of Naval Operations in the performance of the duties enumerated in this paragraph shall be considered as emanating from the Secretary of the Navy when authorized or countersigned by him, and shall have full force and effest as such. The Chief of Naval Operations shall be charged with the preparation, revision, and record of Regulations for the Government of the Navy, Naval Instructions, and General Orders. He shall advise the Secretary concerning the movements and operations of vessels of the Navy and prepare all orders issued by the Secretary in regard thereto, and shall keep the records of service of all fleets, squadrons, and ships. He shall advise the Secretary in regard to the military features of all new ships and as to any proposed extensive alterations of a ship which will affect her military value, and all features which affect the military value of dry docks, including their location; also as to matters pertaining to fuel reservations and depots, the location of radio stations, reserves of ordnance and ammunition, fuel, stores, and other supplies of whatsoever nature, with a view to meeting effectively the demands of the fleet. In preparing and maintaining in readiness plans for the use of the fleet in war he shall freely consult with and have the advice and assistance of the various bureaus, boards, and offices of the department, including the Marine Corps headquarters, in matters coming under their cognizance. After the approval of any given war plans by the Secretary it shall be the duty of the Chief of Naval Operations to assign to the bureaus, boards, and offices such parts thereof as may be needed for the intelligent carrying out of their respective duties in regard to such plans. The Chief of Naval Operations shall from time to time witness the operations of the fleet as an observer. He shall ex officio be a member of the General Board.

So as to make the clause read:

Hereafter the Chief of Naval Operations, while so serving as such Chief of Naval Operations, shall have the rank and title of admiral, to take rank next after the Admiral of the Navy, and shall, while so serving as Chief of Naval Operations, receive the pay of $10,000 per annum and no allowances. To assist the Chief of Naval Operations in performing the duties of his office there shall be assigned for this exclusive duty not less than 15 officers of and above the rank of lieutenant commander of the Navy or major of the Marine Corps: *Provided*, That hereafter the Chief of Naval Operations shall, under the direction of the Secretary of the Navy, be charged with the operations of the fleet with the preparation and readiness of plans for its use in war. This shall include the direction of the Naval War College, the Office of Naval Intelligence, the Office of Target Practice and Engineering Competitions, the operation of the Radio Service and of other systems of communication, the operations of the Aeronautic Service, of Mines and Mining, of the Naval Defense Districts, Naval Militia, and of the Coast Guard when operating with the Navy; the direction of all strategic and tactical matters, organization, maneuvers, target practice, drills and exercises, and of the training of the fleet for war; and the preparation, revision, and enforcement of all tactics, drill books, signal codes, and cipher codes. The orders issued by the Chief of Naval Operations in the performance of the duties enumerated in this paragraph shall be considered as emanating from the Secretary of the Navy when authorized or countersigned by him, and shall have full force and effect as such. The Chief of Naval Operations shall be charged with the preparation, revision, and record of Regulations for the Government of the Navy, Naval Instructions, and General Orders. He shall advise the Secretary concerning the movements and operations of vessels of the Navy and prepare all orders issued by the Secretary in regard thereto, and shall keep the records of service of all fleets, squadrons, and ships. He shall advise the Secretary in regard to the military features of all new ships and as to any proposed extensive alterations of a ship which will affect her military value, and all features which affect the military value of dry docks, including their location; also as to matters pertaining to fuel reservations and depots, the location of radio stations, reserves of ordnance and ammunition, fuel, stores, and other supplies of whatsoever nature, with a view to meeting effectively the demands of the fleet. In preparing and maintaining in readiness plans for the use of the fleet in war he shall freely consult with and have the advice and assistance of the various bureaus, boards, and offices of the department, including the Marine Corps headquarters, in matters coming under their cognizance. After the approval of any given war plans by the Secretary it shall be the duty of the Chief of Naval Operations to assign to the bureaus, boards, and offices such parts thereof as may be needed for the intelligent carrying out of their respective duties in regard to such plans. The Chief of Naval Operations shall from time to time witness the operations of the fleet as an observer. He shall ex officio be a member of the General Board: *Provided further*, That if an officer of the grade of captain be appointed Chief of Naval Operations he shall have the rank and title of admiral, as above provided, while holding that position: *Provided further*, That should an officer, while serving as Chief of Naval Operations, be retired from active service he shall be retired with the lineal rank and the retired pay to which he would be entitled had he not been serving as Chief of Naval Operations.

Mr. WADSWORTH. Mr. President, I do not rise in any spirit of hostility to this amendment at all. Will the Senator from Virginia state, by way of explanation, what the relations of the Chief of Operations will be to the General Board of the Navy under this very much enlarged control, practically as deputy commander in chief, as it were, of the Navy?

Mr. SWANSON. This is not an enlargement at all. This is simply putting in the form of law the present regulations in connection with the Chief of Operations. These regulations have been promulgated, and we want to make the Chief of Operations stronger, more efficient, and more permanent, and so the regulations at present existing in the Navy have been put into law.

Mr. LODGE. There is nothing new in it at all.

Mr. TILLMAN. It is already in the regulations.

The PRESIDING OFFICER (Mr. THOMPSON in the chair). The question is on agreeing to the amendment.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 9, after line 9, to insert:

An officer of the Corps of Civil Engineers may be detailed as assistant to the Chief of the Bureau of Yards and Docks and an officer of the Corps of Naval Constructors as assistant to the Chief of Bureau of Construction and Repair; and, in case of death, resignation, absence, or sickness of the chief of bureau, shall, unless otherwise directed by the President, as provided by section 179 of the Revised Statutes, perform the duties of such chief until his successor is appointed or such absence or sickness shall cease.

The amendment was agreed to.

The next amendment was, on page 9, after line 19, to insert:

That hereafter such amount may be expended annually for pay of drafting, technical, and inspection force, from the several lump-sum appropriations in which the specific authority for such expenditure is given, as the Secretary of the Navy may deem necessary; and the Secretary of the Navy shall each year, in the annual estimates, report to Congress the number of persons so employed, their duties, and the amount paid to each.

The amendment was agreed to.

The next amendment was, on page 10, after line 11, to insert:

Fuel oil: For an investigation of fuel oil and gasoline adapted to naval requirements, including the question of supply and storage, and for the purchase of necessary instruments and appliances and the extension of the naval fuel-oil equipment plant at the navy yard, Philadelphia, Pa., and the employment of civilian fuel-oil experts and assistants, $60,000.

Mr. NORRIS. Mr. President, I should like to inquire of the Senator whether the committee made any investigation on its own account of this oil proposition?

Mr. SWANSON. I will say to the Senator that since 1908 all of our destroyers have used oil, and since 1911 all of our battleships have used oil. Unless we can get a good low-grade oil that can be utilized and that is efficient it is very expensive. This is to make an experiment in our own navy yard at Philadelphia for the purpose of ascertaining the cheapest and most efficient low-grade oil we can get. By experiments and discoveries we can save a great deal of money in this way.

Mr. NORRIS. What kind of oil do these vessels use now? Can they use crude oil in their engines?

Mr. SWANSON. They use crude oil—the lowest grades of oil.

Mr. NORRIS. Where is the supply secured?

Mr. SWANSON. They get some of it from Oklahoma, some of it from California, and some from other places, wherever it is offered by the lowest bidder.

Mr. NORRIS. Has the Navy Department undertaken to develop any oil wells?

Mr. SWANSON. We have a fight now in the Senate in connection with some oil lands that have been set aside for the naval reserve, which they are trying to take from us, and we are opposing that course.

Mr. NORRIS. The Senator refers to a bill pending before the Public Lands Committee; but the particular information I wanted to get, if I could, from the Senator, was whether or not the Navy Department has so far actually drilled any oil wells.

Mr. SWANSON. It has not. Some money was appropriated last year to make some experiments, but what the results have been I do not know. But we have not been able to use the lands that have been set aside, because we have not the pipe lines, and the title to them is involved; and until that is fixed up nothing can be done.

Mr. NORRIS. The title is only involved in part. It is conceded that these lands set aside, according to a law passed by Congress, as a reserve for a supply of oil for the Navy belong to the United States; but there are other people, private parties, who claim title to a large number of tracts within the reserve.

Mr. SWANSON. At the last session of Congress the Naval Affairs Committee recommended and Congress made an appropriation to make experiments and investigations in connection with these oil lands, and to employ counsel to defend the title, which is being done; and this is simply to make some experiments as to the kind of fuel which can be best used in the Navy economically and efficiently.

Mr. NORRIS. What is the intention of the Navy Department in regard to that proposition? Is it the intention that the Navy Department will drill oil wells in these reserves and supply itself from the oil fields belonging to the Government?

Mr. SWANSON. If the Senator will permit me, this $60,000 does not appertain to that at all. This $60,000 appropriation is to make experiments to ascertain the best grades of fuel oil to use; to get experts to ascertain what kind of fuel oil, whether bought or used out of our own oil wells, is best adapted to our purposes. There is a very long letter here from the Secretary of the Navy showing the urgent necessity of that in order to find the most economical use of oil for these ships.

Mr. NORRIS. I will say to the Senator that I am not moved to ask my question by any opposition to this amendment. I am not opposed to the amendment; I am in favor of it.

Mr. SWANSON. I think the purpose of the Navy is to do all it can to get possession of these oil lands that have been set aside as a naval reserve.

Mr. LODGE. That is not covered by this appropriation at all. This appropriation has nothing whatever to do with the oil lands.

Mr. NORRIS. I should think it might be used for that purpose. It says:

For an investigation of fuel oil and gasoline adapted to naval requirements, including the question of supply and storage.

Mr. LODGE. If the Senator will allow me, it will take some time, but I will read the reasons for this appropriation. I mean, we have a most elaborate statement of it. It was not projected into the bill in ignorance. I have the full statement here.

Mr. NORRIS. I will not ask the Senator to read that unless he wants to do so——

Mr. LODGE. It is a page of fine print.

Mr. NORRIS. Because I am in favor of this amendment. I want it done. The Senator from Massachusetts, and also the Senator from Virginia, seem to be laboring under the impression that I am opposed to it. I wanted to find out—and I thought this amendment was a good place to find out—if the Senator knew just exactly what the intention of the department was and what success it had had in regard to the supply of fuel oil.

Mr. SWANSON. If the Senator will permit me, the Secretary of the Navy has written to the chairman of the committee asking him to do everything he can, to me asking me to do all that I can, and also to Senator LODGE, asking him to do all that he can, to protect and take care of the naval reserves that have been set aside for the Navy. We will soon require about 5,000,000 barrels of oil a year to take care of our Navy.

Mr. BORAH. You are not trying to do that in this bill?

Mr. SWANSON. No; it is not in this bill.

Mr. BORAH. It will take some time to do that.

Mr. LODGE. It is not touched in this bill.

Mr. NORRIS. I heard the Secretary of the Navy on the stand before the Committee on Public Lands; and I agreed with him, and do agree with him, in the main, on that point. I want to help him accomplish what he is trying to do. It was the Secretary's idea that this naval reserve was itself to be used as a great storage supply of oil for the Navy, unless the Government loses the suits in which the title to quite a large number of tracts included within this reservation is involved. In that case the private parties, by sinking wells on their land, might perhaps drain the public land. I thought an investigation of that question would be included in this item, because it says, "including the question of supply."

Mr. PHELAN. Mr. President, the Senator from Nebraska possibly has in mind the action of the Attorney General in prosecuting the suits in naval reserve No. 2 in California. An appropriation of $50,000 was made by the last Congress for the prosecution of those suits, which was again repeated this year. While the Assistant Attorney General was on the stand before the Public Lands Committee I asked if, in the prosecution of those suits, any money was used which had been set aside for the Navy, such as this item for the investigation of oil lands. I must confess that I did not receive a satisfactory answer, and I believe the intimation was very clear that the money appropriated in the naval bill for the purpose of investigating the sources of oil supply, storage, etc., was diverted for the purpose of paying counsel and other expenses of the prosecution of litigation.

I judge that in the Senator's mind there is that confusion—what part of the money is used for litigation and what part of the money is used legitimately for the investigation of the subject, so that the Navy Department may be informed on this subject. That department is indeed in need of information because it has recently raised a hue and cry that the oil resources of the United States were being appropriated by private parties to the detriment of the Navy, whereas the facts are that the only matter in dispute between the Navy and the oil operators relates to naval reserve No. 2 in California, consisting of 30,000 acres, 20,000 acres of which, two-thirds, are patented lands, or lands clear listed for patent; and there is only a matter, with other deductions, according to the estimates, of from four to seven thousand acres of land that is capable of any further diversion from private ownership. Hence this naval-oil reserve, this so-called naval reserve No. 2, which is involved in so much controversy, is owned to the extent of two-thirds of its area by private operators, acquired under then existing law, held by unassailable title.

Hence, the Navy Department was not justified in misleading many good people into believing that the oil operators in California were without warrant either disposed or in a position to interfere in any way with the use of oil by the Navy.

They are simply taking care of their own oil, and the oil is available for the Navy just as soon as the Navy is ready to pay for it. There is no way of dispossessing those two-thirds owners, held of unassailable title, except by compensation. Not certainly by confiscation. The litigation which is now being prosecuted, while no doubt zealously conducted, has in many cases been conducted in a spirit of hostility to men who may be likened to the pioneers of this country, who went into the hard and difficult places, as the western Senators understand, and who have, by their enterprise and industry, developed natural resources which otherwise never would have been known.

It has been asked by the Senator from Nebraska if it is the intention of the Navy Department to drill wells. The Government has never drilled a well. The Government, as such, has never done anything to develop the land, because it has been the policy of this Government from the beginning to offer inducements and encouragement to the pioneer to develop its mineral resources; and that this is to-day a country rich in minerals is due simply to the wisdom of the policy of the law, and not because the Government itself has done any pioneering, any work of development.

I may say, in this connection, that had the Government spent out of the Federal Treasury, as is so frequently done now, large sums of money for the purposes of development, the cost would have exceeded the value of the output, because we all know in the West that the pioneer has, in the greater number of instances, failed in his enterprise, and it is only the few who have succeeded. They, in the minds of men, are the most conspicuous, however, until the impression has gone abroad that private individuals have profited by the neglect of the Government in developing, on its own account, mineral lands; whereas it is a fact that were the mineral lands developed by the Government, the Government would have been, in a money sense, the loser, and the great West possibly would not have been opened by an enterprising and intelligent population of men and women, who are the glory of their common country.

I do not wish to delay in any way the proper discussion of this measure; but I must say here and now that the Navy Department has created a false impression as to interference in any way by the men of California and the West with the oil supply, so called, of the Navy. It is well to remind the Senate at this time that the presidential withdrawal of these lands in September, 1909, was in the nature of an exercise of usurped power. The Constitution provides that only Congress, having exclusive jurisdiction, shall dispose of the public lands; and the President, in spite of that provision of the Constitution, withdrew these lands in California. The Supreme Court has decided by a divided court that because Congress has not disaffirmed the unauthorized act of the President, it has, by some unknown principle or process of jurisprudence, become a valid act. Because Congress failed to disaffirm an unauthorized act of the Executive, it became a valid act!

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Colorado?

Mr. PHELAN. I yield.

Mr. THOMAS. If the Senator will permit me, I think the Supreme Court in that case decided that power usurped becomes legitimate if frequently exercised.

Mr. PHELAN. I am very glad that the Senator from Colorado, so eminent an attorney, reinforces and affirms my understanding of that decision. There was a very able dissenting opinion in that case, which, in the estimation of many lawyers, is regarded as a very sound interpretation of the law. But what we are doing in the contemplated legislation is an appeal from the law to the lawmaker. Hence it is not necessary to criticize the opinion of the court, except in some measure to justify those men who went in after the presidential withdrawal and whose lands I do not refer to. But I say that two-thirds of that area in California is held by unassailable title by the men who went in before the presidential withdrawal, and that others, having been advised by learned counsel that the presidential withdrawal was unauthorized, and who established rights prior to the act of Congress of June, 1910, which did authorize subsequent withdrawals, were safe in making their investment and employing their labor. These men, victims of a questionable interpretation of the law, now ask preferential treatment in leasing on a one-eighth royalty the lands on which they have spent their time and money. This is the essence of the matter which so alarmed the Navy.

Mr. CLARK of Wyoming. Mr. President, I am glad to hear the remarks of the Senator from California, because, clear and explicit as they are, they tend to clear up a situation that has been greatly misunderstood over the country, not only in regard to oil but in regard to our other natural resources. I want to say, however, that I am very glad indeed that the committee has seen fit to insert this amendment in the bill providing for a real investigation of the oil supply and of the danger that threatens it, if there be any, because it seems that from direct governmental action we can get no unity of opinion.

At the present time, in regard to the California situation and in regard to the oil situation in other States of the West, on the one hand, a drastic course is demanded by one department of the Government, upon the theory and upon the avowed statement that unless such a course is taken we might as well quit building battleships that shall use oil as fuel. In other words, it is asserted that the whole idea of oil as a fuel for the Navy is threatened unless the Government at once goes in and takes possession of all these oil fields. On the other hand, the head of the department which has these matters directly in charge says, in private and in statements in the newspapers, that there is no danger to the oil situation of the country so far as the Navy is concerned.

I for one will be glad to have some commission or some committee that will act in an unbiased way and report to Congress

what is the exact situation in regard to our oil supply, because I am satisfied that if an unbiased report is made there will at once go out an invitation to people all over this country to go and make proper use of these supplies which the good Lord has put underground in the United States and to use them for the benefit of the whole country.

Mr. PHELAN. Mr. President, may I interrupt the Senator?

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from California?

Mr. CLARK of Wyoming. Certainly.

Mr. PHELAN. For the purpose of the RECORD, it may be stated that whereas the Senator from Virginia stated that 5,000,000 barrels of oil were necessary for the Navy annually, as a matter of fact only about 600,000 barrels of oil are being consumed to-day, but that the increase of the Navy in the course of five, six, or seven years will probably require the amount of 5,000,000 barrels annually. Now, in the 3,000,000 acres of Government oil land there is estimated to be 175,000,000 barrels of oil, as against a yearly consumption to-day of 600,000 barrels. So the experts are of the opinion that the Navy is not justified, as the Senator has said, in informing the country that the oil supply is about to be depleted, and that oil-burning ships will have to be abandoned unless some remedy is given on the part of the Government.

Mr. CLARK of Wyoming. It is exactly the same cry that has been made year after year whenever the natural resources of this country have been sought to be touched and made available. Less than five years ago it was asserted by the head of a scientific bureau of the Government that unless steps were taken to stop the indiscriminate mining of coal and to acquire coal lands we had not more than enough coal to last this country 50 years, when, as a matter of fact, everybody who has investigated the subject knows that we have enough to last this country 50,000 years at the present rate of consumption, and the rate of consumption is annually decreasing every year by the use of additional fuels.

Mr. PHELAN. I hope it will not be understood from what I have said that I oppose this item. I am heartily in favor of it; indeed I would be in favor of increasing it on the theory that the Navy is entitled to information which it does not now possess.

Mr. WALSH. Mr. President, I wish to supplement what has been said on this matter by remarking that I learned with very great regret from the statement of the Senator having charge of the bill that this item bears no relation whatever to the matter of deposits of oil within the naval reserve. Were we not so advised from so authoritative a source I would say that it must of necessity refer to that source of supply. The expenditure is to be made for the purpose of investigating among other things the question of supply and storage of fuel oil for the use of the Navy. It would seem to me that that language is not only sufficiently comprehensive to embrace an inquiry of that character, but it could hardly be given any other interpretation.

The Senator advises us that he, as well as the distinguished ranking Republican member of the committee, have been requested by the Navy Department to do everything that they can to preserve intact these naval reserves. I should be glad to lend whatever feeble support I may be able to contribute to that policy if upon an investigation of the matter it seems economically desirable to do so, having in mind the necessities and the requirements of the Navy.

But, Mr. President, I am perfectly satisfied that neither of the distinguished members of the Naval Committee nor the Navy Department itself is in possession of any information of such a character as ought to govern and influence this body or the coordinate branch in reference to legislation upon this subject. Among other things, for instance, here is a very considerable tract of land set apart as a naval reserve—tens of thousands of acres. That looks as if it were a great body of land available as oil land, but the truth about the matter is that a very considerable area of that reserve has passed out of the hands of the Government and is now owned by private individuals whose title is not open to question and whose title has not been questioned by anyone. That eliminates so much from the reserve. Then title to another very considerable portion of the reserve has passed out of the hands of the Government. The right of the party to whom it has gone is challenged by the Government and suits are now in progress to reinvest the Government with the title to the lands with which it has thus parted. Just exactly how much land is thus involved in those lawsuits and what the prospects are of recovering in those lawsuits is a matter concerning which the information that has been given to us is not particularly definite or satisfying. We shall not be able to know much, if anything, about the extent of our resources here until we have some information along that line.

But more important than that, Mr. President, are two other considerations. It is insisted quite strenuously and apparently with much persuasive force that the lands thus held in private ownership are interspersed among the entire body of lands included within the naval reserve, and that the owners of the private lands are entitled to sink their wells and pump dry the whole pool beneath the lands held by the public as well as those held in private ownership, and that unless the Government goes to work and pumps as well as the private owners the private owners will soon exhaust the entire pool or, at least, will exhaust the pool in the course of time. On the other hand, it is disputed that the geological conditions are such as to permit the depletion of the lands in that way. Of course, if that contention is sound, it would be the height of folly to preserve these lands as a part of a naval reserve unless the Government goes to work at once to prospect the lands which it owns and engages in the work of exhausting the pool in competition with the private interests, and if that is sound we must then either abandon the naval reserve or we must immediately make provision for pumping the lands held in public ownership and storing the product for future use.

Then, Mr. President, that involves another consideration. These reserves are far inland. The California reserve is away off in the desert, in the southeastern part of the State. The reserve in the State of Wyoming is something over a thousand, possibly fifteen hundred miles from the seaboard. If we are going to utilize them, evidently transportation facilities must be provided so that the product of the operations, if the Government is going to carry on any mining operations, may be transported to the seaboard, where it may be utilized for fuel purposes. Consequently the question addresses itself as to the advisability and the economy of constructing transportation systems for the purpose of making this supply available.

Then, Mr. President, beyond all that, of course anybody who knows anything about this business recognizes that it is not profitable, that it is not economical, to take oil out of the ground which contains valuable gasoline and other high-priced products of that character and use it for fuel purposes, and that in order to handle this thing economically gasoline and other high-priced products must be extracted and the refuse used for fuel purposes only. In other words, there is a refining proposition that is included in the general matter of the utilization of these naval reserves.

Bear in mind I do not mean to assert that it is not a wise policy for the Government to reserve these great deposits of oil for the use of the Navy; but, Mr. President, the question whether they ought to be reserved as is proposed or ought to be allowed to be appropriated by legitimate laws applicable to the case, as has been done in the past, is a question of the most profound importance, and with respect to many features of which we have not the information that we need in order to guide us to a proper conclusion as to what ought to be done with these reserves.

Now, I have very great respect for the judgment of the distinguished Senator from Virginia who has charge of this bill, but I do not think that he has any more definite information on this matter than I have. I should hesitate a long time to say that it is a good thing to let these reserves stay just exactly as they are, and I should hesitate a very long time to say that they ought to be turned over the same as all other public lands for exploitation by private individuals.

Accordingly, Mr. President, if the language of the amendment is not broad enough to authorize a thorough investigation by the Navy Department into the advisability of preserving those naval reserves and to investigate how available they are or may be made for the purpose of supplying the needs of the Navy, I shall tender an amendment to enlarge the scope of the amendment. My judgment about it is that the language is ample, but in view of the statement made by the Senator in charge of the bill, if the parliamentary situation will permit, I will offer the following: After the word "storage," in line 14, on page 10, I move to insert:

And the availability, economically and otherwise, of such supply as may be afforded by the naval reserves on the public domain.

Mr. SWANSON. I accept that amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. SHEPPARD. I offer an amendment to the pending bill, which I ask may lie on the table.

The PRESIDING OFFICER. The amendment will lie on the table and be printed.

The next amendment was, on page 10, line 22, after the word "aircraft," to insert "including dirigibles," so as to make the clause read:

Aviation: For aviation, to be expended under the direction of the Secretary of the Navy for procuring, producing, constructing, operating, preserving, storing, and handling aircraft, including dirigibles, and appurtenances, maintenance of aircraft stations and experimental work in development of aviation for naval purposes, $3,500,000: *Provided*, That the sum to be paid out of this appropriation under the direction of the Secretary of the Navy for drafting, clerical, inspection, and messenger service for aircraft stations shall not exceed $25,000.

Mr. SWANSON. I move, in line 22, to insert the word "rigid" before "dirigibles."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 11, after line 2, to strike out "Advisory committee for aeronautics: For traveling expenses of members and employees, $2,000; 2 technical assistants, at $2,500 each; 1 clerk, at $1,500; 1 clerk, at $1,000; 1 draftsman, at $2,000; 1 draftsman, at $1,000; 2 laborers, at $660 each; 3 mechanics, at $1,200 each; rent of office, $1,200; supplies, $7,800; special reports, $5,000; movable combination field office, machine shop, dynamometer shed, hangar, and power plant, $15,000; dynamometer carriage and truck, $18,000; aeroplane, including motor, $10,000; transmission dynamometer, $1,000; ripograph, $1,000; stabilizer, $1,500; anemometers, barographs, inclinometers, incidence indicators, $1,500; miscellaneous supplies, spare parts for operation of field plant, $5,580; in all, $85,000"; and insert:

Advisory committee for aeronautics: For traveling expenses of members and employees; 2 technical assistants, 2 clerks, 2 draftsmen, 2 laborers, 3 mechanics; rent of office in the District of Columbia, and rent of a site for shop, hangar, and experimental work under direction of the committee; supplies; special reports; movable combination field office, machine shop, dynamometer shed, hangar, and power plant; dynamometer carriage and truck; aeroplane, including motor; transmission dynamometer, ripograph, stabilizer; anemometers, barographs, inclinometers, incidence indicators; miscellaneous supplies, spare parts for operation of field plant; in all, $85,000.

Mr. SMOOT. Mr. President, this amendment provides "for traveling expenses of members and employees; two technical assistants, two clerks, two draftsmen, two laborers, three mechanics; rent of office in the District of Columbia," and so forth. There is no other appropriation bill that I know of which passes Congress without some limitation as to what you are going to pay draftsmen, laborers, mechanics, and so forth. As to the clerks, it does not state of what grade they are to be. Under this provision they can pay clerks $1,800; they may all be classed as fourth-class clerks. They may be classed as clerks of class 1, at $1,200. No definite rate of pay is provided in the amendment, but it appropriates a lump sum. There is no limitation as to the amount that shall be paid to laborers, clerks, and so forth.

Mr. SWANSON. If the Senator will permit me, if he will read the House provision for which this is offered as a substitute, it is there definitely stated——

Mr. SMOOT. I will ask the Senator——

Mr. SWANSON. If the Senator will permit me, the Smithsonian Institution, through a member of its advisory committee, stated that it was impossible for them to state definitely at what rate they could get experts. They did not ask to increase the appropriation at all, but to give some latitude until the clerks could be obtained and the difference in cost ascertained between the pay of a clerk and an expert. It requires some experts. They wrote us a letter stating that it would be better to have the same appropriation but to give them in the organization some latitude as to the salaries to be paid this year. After that is done they expect to have it fixed definitely. They are to organize this office with $85,000, and we thought we could fix some specific sums for experts, but they did not know at what amount they could get the persons they especially desired.

Mr. SMOOT. I wish to say to the Senator that there is not a head of a department who would not prefer a lump-sum appropriation. They then can use it in any way they wish; they could pay to any employee any salary they wish. If the salary is fixed by this advisory committee I will promise the Senator that it will be a very hard matter to change the salary fixed when we come to provide for the salaries in the legislative, executive, and judicial appropriation bill.

Mr. SWANSON. I fully agree with the Senator as to the necessity of having salaries fixed by Congress, but this department is being organized, they have no idea what they will have to pay, some of those employed will be ex-scientific experts, and they thought it was much better to give them this latitude at the time of the organization.

Mr. LODGE. If the Senator will allow me, I happen to be one of the Regents of the Smithsonian. This advisory committee on aeronautics was formed at the Smithsonian and was provided for by Congress. It is composed entirely of scientific men. The one who will have the expenditure of the sum is Dr. Walcott, the Secretary of the Smithsonian. He is not trying to load clerks on the Government, but it is impossible for him to tell about the cost of these scientific persons, and he has to have latitude. He does not want to pay the men highly. But if I were the Senator in charge of the bill, I would withdraw this amendment rather than waste time on it.

Mr. SMOOT. I have not asked the Senator to withdraw the amendment, but I would very much prefer to have the amendment withdrawn than to have clerks, draftsmen, laborers, and mechanics paid from a lump sum, with no amount specified, as Congress appropriates millions of dollars for the payment of the same kind of laborers and clerks, draftsmen, and mechanics, and if the salary at which these may be employed by the advisory committee on aeronautics is different from the salary paid in all the other departments, then the next year there will be a demand made from every department of the Government for increases, if the positions named in the proposed amendment is an increase over the regular salaries paid for the same positions in other departments.

Mr. SWANSON. If the Senator will permit me, one of the objects they desire to accomplish in investigating this matter is to get a good aeroplane. They are anxious to have a lump-sum appropriation, not an increased appropriation. They want to get the best experts they can to standardize our motors and our aircraft. They thought it was better to have this done without increasing the appropriation, but if the Senator from Utah wants me to do so to save time, I will withdraw the amendment.

Mr. SMOOT. I am not asking that the amendment be withdrawn.

The amendment was rejected.

The next amendment was, on page 12, line 19, after the words "Secretary of the Navy," to strike out "$387,737.73" and insert "and for retainer pay of officers and enlisted men, and traveling and other necessary expenses of the Naval Militia and National Naval Volunteers herein authorized, $1,270,737.73," so as to make the clause read:

Arming and equipping Naval Militia: For the pay, subsistence, and transportation of such portion of the Naval Militia as shall engage in actual service or instruction afloat or on shore, and for pay, transportation, and subsistence of any part of the Naval Militia as shall participate in any cruise, maneuvers, field instruction, or encampment of any part of the Regular Navy afloat or on shore; for prizes, trophies, and badges for excellence in gunnery exercises and target practice of the Naval Militia; for the purpose of providing for issue to the Naval Militia any stores and supplies or publications which are supplied to the Navy by any department for the actual and necessary traveling expenses, together with a per diem not to exceed $10 to be established by the Secretary of the Navy, of the Naval Militia Board appointed by the Secretary of the Navy; and for the necessary clerical and office expenses of the Division of Naval Militia Affairs in the office of the Secretary of the Navy, and for retainer pay of officers and enlisted men and traveling and other necessary expenses of the Naval Militia and national naval volunteers herein authorized, $1,270,737.73.

The amendment was agreed to.

The next amendment was, on page 12, line 24, after the words "Naval Militia of Illinois," to strike out "$100,000" and insert "$125,000"; in line 26, after the word "Minnesota," to strike out "$150,000" and insert "$165,000"; and, in the same line, after the words "in all," to strike out "$250,000" and insert "$290,000," so as to make the clause read:

For the purchase, repair, and alteration of a ship for the Naval Militia of Illinois, $125,000; for the repair of the U. S. S. *Topeka* for the Naval Militia of Minnesota, $165,000; in all, $290,000.

The amendment was agreed to.

The next amendment was, on page 13, after line 13, to insert:

Lease of naval lands: That authority be, and is hereby, given to the Secretary of the Navy, when in his discretion it will be for the public good, to lease for a period not exceeding five years, and revocable at any time, such property of the United States under his control as may not for the time being be required for public use and for the leasing of which there is no authority under existing law, and such leases shall be reported annually to Congress: *Provided*, That the authority herein granted shall not be held to apply to oil, mineral, or phosphate lands.

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Navigation," on page 14, line 11, after the word "transportation," to strike out "$882,940" and insert "$1,010,524," so as to make the clause read:

Transportation: For travel allowance of enlisted men discharged on account of expiration of enlistment; transportation of enlisted men and apprentice seamen and applicants for enlistment at home and abroad, with subsistence and transfers en route, or cash in lieu thereof; transportation to their homes, if residents of the United States, of enlisted men and apprentice seamen discharged on medical survey, with subsistence and transfers en route, or cash in lieu thereof; transportation of sick or insane enlisted men and apprentice seamen to hospitals, with subsistence and transfers en route, or cash in lieu

thereof; apprehension and delivery of deserters and stragglers, and for railway guides and other expenses incident to transportation, $1,010,524.

The amendment was agreed to.

The next amendment was, on page 14, line 16, after the word "parties," to strike out "$184,477" and insert "$244,228.84"; in line 18, after the word "Navy," to insert "or Marine Corps"; and, on page 15, line 1, after the word "enlistment," to insert "*And provided further*, That the President is authorized in his discretion to utilize the services of postmasters of the second, third, and fourth classes in procuring the enlistment of recruits for the Navy and the Marine Corps, and for each recruit accepted for enlistment in the Navy or the Marine Corps the postmaster procuring his enlistment shall receive the sum of $5," so as to make the clause read:

Recruiting: Expenses of recruiting for the naval service; rent of rendezvous and expenses of maintaining the same; advertising for and obtaining men and apprentice seamen; actual and necessary expenses in lieu of mileage to officers on duty with traveling recruiting parties, $244,228.84: *Provided*, That any person who may hereafter enlist in the Navy or Marine Corps for the first time shall, in time of peace, if he so elects, receive discharge therefrom without cost to himself during the month of June or December, respectively, following the completion of one year's service at sea. An honorable discharge may be granted under this provision; but when so granted shall not entitle the holder, in case of reenlistment, to the benefits of an honorable discharge granted upon completion of an enlistment: *And provided further*, That the President is authorized in his discretion to utilize the services of postmasters of the second, third, and fourth classes in procuring the enlistment of recruits for the Navy and the Marine Corps, and for each recruit accepted for enlistment in the Navy or the Marine Corps, the postmaster procuring his enlistment shall receive the sum of $5.

The amendment was agreed to.

The next amendment was, on page 15, after line 17, to strike out:

Gunnery exercises: Prizes, trophies, and badges for excellence in gunnery exercises and target practice; for the establishment and maintenance of shooting galleries, target houses, targets, and ranges; for hiring established ranges, and for transportation of civilian assistants and equipment to and from ranges, $132,000.

The amendment was agreed to.

The next amendment was, on page 15, after line 23, to strike out:

Steaming exercises: Prizes, trophies, and badges for excellence in steaming exercises, to be awarded to the ships in commission for general efficiency and for economy in coal consumption, under such rules as the Secretary of the Navy may formulate, and for the purpose of classifying, compiling, and publishing the results of the competition, $3,000.

The amendment was agreed to.

The next amendment was, on page 16, after line 4, to insert:

Gunnery and engineering exercises: Prizes, trophies, and badges for excellence in gunnery and engineering exercises, to be awarded to ships in commission, under such rules as the Secretary of the Navy may formulate; for the purpose of printing, recording, classifying, compiling, and publishing the rules and results; for the establishment and maintenance of shooting galleries, target houses, targets, and ranges; for hiring established ranges, and for transporting civilian assistants and equipment to and from ranges, $135,000.

The amendment was agreed to.

The next amendment was, on page 16, line 17, after the word "each," to strike out "$1,428,000" and insert "$2,065,920," so as to make the clause read:

Outfits on first enlistment: Outfits for all enlisted men and apprentice seamen of the Navy on first enlistment, at not to exceed $60 each, $2,065,920.

The amendment was agreed to.

The next amendment was, on page 16, line 22, after the word "appropriations," to strike out "$950,000" and insert "$1,069,460," so as to make the clause read:

Maintenance of naval auxiliaries: Pay, transportation, shipping, and subsistence of civilian officers and crews of naval auxiliaries, and all expenses connected with naval auxiliaries employed in emergencies which can not be paid from other appropriations, $1,069,460.

The amendment was agreed to.

The next amendment was, on page 17, line 13, after the word "materials," to strike out "$270,000" and insert "$350,000," so as to make the clause read:

Instruments and supplies: Supplies for seamen's quarters; and for the purchase of all other articles of equipage at home and abroad; and for the payment of labor in equipping vessels therewith and manufacture of such articles in the several navy yards; all pilotage and towage of ships of war; canal tolls, wharfage, dock and port charges, and other necessary incidental expenses of a similar nature; services and materials in repairing, correcting, adjusting, and testing compasses on shore and on board ship; nautical and astronomical instruments and repairs to same; libraries for ships of war, professional books, schoolbooks, and papers; compasses, compass fittings, including binnacles, tripods, and other appendages of ship's compasses; logs and other appliances for measuring the ship's way, and leads and other appliances for sounding; photographs, photographic instruments and materials, printing outfit and materials, $350,000.

The amendment was agreed to.

The next amendment was, on page 17, line 19, after the word "four," to insert "from the active list," so as to make the clause read:

Ocean and lake surveys: Hydrographic surveys, including the pay of the necessary hydrographic surveyors, cartographic draftsmen and recorders, and for the purchase and printing of nautical books, charts, and sailing directions, $105,000: *Provided*, That the Secretary of the Navy is authorized to detail such naval officers not exceeding four from the active list as may be necessary to the Hydrographic Office.

The amendment was agreed to.

The reading was continued to line 7, page 20.

Mr. LEWIS. Mr. President, on page 20 I move to amend line 7, where the words "eighty thousand dollars" occur, by inserting "one hundred thousand dollars" in the item for the "Naval Training Station, Great Lakes."

Mr. LODGE. I have no objection to the Senator's amendment, but the committee amendments are to be first considered.

Mr. LEWIS. I beg pardon; I misunderstood what the bill was being read for.

Mr. LODGE. The committee amendments are to be first disposed of.

The PRESIDING OFFICER. The Chair will state to the Senator from Illinois that the bill is being read for action upon the amendments of the committee.

Mr. LEWIS. Very well.

The reading of the bill was continued.

The next amendment was, under the subhead "Bureau of Ordnance," on page 23, line 8, before the word "clerical," to strike out "chemists," and in the same line, after the word "clerical," to strike out "drafting, inspection," and in line 11, after the word "exceed," to strike out "$505,000" and insert "$220,000," so as to make the clause read:

Ordnance and ordnance stores: For procuring, producing, preserving, and handling ordnance material; for the armament of ships; for fuel, material, and labor to be used in the general work of the Ordnance Department; for furniture at naval magazines, torpedo stations, and proving grounds; for maintenance of the proving ground and powder factory and for target practice; for the maintenance, repair, or operation of horse-drawn passenger-carrying vehicles, and one motor-propelled passenger-carrying vehicle, to be used only for official purposes at naval magazines, the naval proving ground, Indianhead, Md., and naval torpedo stations; and for pay of chemists, clerical, drafting, inspection, and messenger service in navy yards, naval stations, and naval magazines: *Provided*, That the sum to be paid out of this appropriation under the direction of the Secretary of the Navy for clerical, watchman, and messenger service in navy yards, naval stations, and naval magazines for the fiscal year ending June 30, 1917, shall not exceed $220,000; in all, $6,402,485.

The amendment was agreed to.

The next amendment was, on page 24, line 10, before the words "The Secretary of the Navy," to insert as a side heading, "Armor plant."

The amendment was agreed to.

The next amendment was on page 25, after line 7, to insert:

Batteries for merchant auxiliaries: For batteries for merchant auxiliaries (to cost not exceeding $3,300,000), to be available until expended, $1,650,000.

The amendment was agreed to.

The next amendment was, on page 25, line 13, after the word "ships," to insert "together with the necessary tools, cranes, and construction of ordnance storehouses," so as to make the clause read:

Ammunition for ships of the Navy: For procuring, producing, preserving, and handling ammunition for issue to ships, together with the necessary tools, cranes, and construction of ordnance storehouses, $13,720,000, to be available until expended.

The amendment was agreed to.

The next amendment was, on page 26, line 6, after the word "factory," to strike out "$100,000" and insert "$189,000, to be available until expended," so as to make the clause read:

For new and improved machinery and tools for torpedo factory, $189,000, to be available until expended.

The amendment was agreed to.

The next amendment was, on page 26, after line 17, to insert:

Contingent building fund: For minor extensions and improvements of public works under the cognizance of the Bureau of Ordnance, $10,000.

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Yards and Docks," on page 27, line 20, after the word "pay," to insert "of technical, drafting, and inspection force and"; in line 23, after the word "clerical," to strike out "inspection, drafting"; in line 24, after the word "and," to strike out "other classified work" and insert "watchmen"; and on page 28, line 1, after the word "exceed," to strike out "$399,000" and insert "$250,000," so as to make the clause read:

Maintenance, Bureau of Yards and Docks: For general maintenance of yards and docks, namely: For books, maps, models, and drawings; purchase and repair of fire engines; fire apparatus and plants; machinery; operation or repair, purchase, maintenance of horses and driving teams; carts, timber wheels, and all vehicles, including motor-propelled and horse-drawn passenger-carrying vehicles to be used only for official purposes, and including motor-propelled vehicles for freight-

carrying purposes only for use in the navy yards; tools and repair of the same; stationary; furniture for Government houses and offices in navy yards and naval stations; coal and other fuel; candles, oil, and gas; attendance on light and power plants; cleaning and clearing up yards and care of buildings; attendance on fires, lights, fire engines, and fire apparatus and plants; incidental labor at navy yards; water tax, tolls, and ferriage; pay of watchmen in navy yards; awnings and packing boxes; and for pay of technical, drafting, and inspection force and of employees on leave, $1,774,000: *Provided*, That the sum to be paid out of this appropriation under the direction of the Secretary of the Navy for clerical, messenger, and watchmen in the navy yards and naval stations for the fiscal year ending June 30, 1917, shall not exceed $250,000: *Provided further*, That hereafter worn-out motor-propelled vehicles for the Naval Establishment may be exchanged as a part of the purchase price of new ones.

The amendment was agreed to.

The next amendment was, under the subhead "Public works, Bureau of Yards and Docks," on page 28, line 10, after "$3,000," to insert "remodeling the old machine shop, building No. 18, for use as the main machine shop of the yard, not exceeding $300,000; in all, $303,000," so as to make the clause read:

Navy yard, Portsmouth, N. H.: Toilet and locker facilities, $3,000; remodeling the old machine shop, building No. 18, for use as the main machine shop of the yard, not exceeding $300,000; in all, $303,000.

The amendment was agreed to.

The next amendment was, on page 28, line 20, after "$7,000," to insert "improvements to heating system, $8,000; improvements to brass foundry, $7,900," and in line 22, after the words "in all," to strike out "$93,000" and insert "$108,900," so as to make the clause read:

Navy yard, New York, N. Y.: Dredging, to continue, $50,000; general distributing systems, $15,000; paving to continue, $10,000; ventilating system, $11,000; toilet and locker facilities, $7,000; improvements to heating system, $8,000; improvements to brass foundry, $7,900; in all, $108,900.

The amendment was agreed to.

Mr. O'GORMAN. I ask the indulgence of my colleague on the committee at this time to consider an amendment which I propose, and which has the approval of the committee. The amendment is now at the desk. It goes in at this point.

The PRESIDING OFFICER. As the Chair understands the situation the amendment would hardly be in order now except it were offered by the committee.

Mr. O'GORMAN. There is no objection, I understand, to the consideration of the amendment at this time, as it has the approval of the committee.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 28, after line 22, insert the following:

For improvement of East River, N. Y., with a view to providing a channel 35 feet deep from Long Island Sound to the navy yard, Brooklyn, N. Y., in accordance with so much of the report contained and published in House Document No. 188, Sixty-third Congress, first session, as applies to the channel through Hell Gate, $500,000.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 29, line 4, before the words "gun shop," to strike out "Addition to" and insert "Additional," and in the same line, after the word "cost," in parentheses, to insert "exclusive of equipment," so as to make the clause read:

Navy yard, Washington, D. C.: Additional gun shop (to cost exclusive of equipment not exceeding $600,000), $200,000; fireproof model storage, $65,000; fuel-oil storage, $18,000; toilet and locker facilities, $2,000; in all, $285,000.

The amendment was agreed to.

The next amendment was, on page 29, after line 7, to insert:

For the acquisition by purchase or condemnation of such lands in the vicinity of the navy yard, Washington, D. C., as in the judgment of the Secretary of the Navy it shall be deemed necessary or expedient to acquire for additions to said navy yard, $331,000, and in addition to said sum the unexpended balances of the appropriation in the act of March 3, 1907 (34 Stats., p. 1187), for a railroad bridge and track at the Washington Navy Yard, and of the appropriation in the act of June 24, 1910 (36 Stats., pp. 615–616), authorizing the Secretary of the Navy to enter into an agreement with the Philadelphia, Baltimore & Washington Railroad Co. for the construction of a track connection to the Washington Navy Yard, and the acquisition of land or property necessary in connection therewith, are hereby reappropriated and made available for the acquisition of such additional lands, and the several provisions of said act of June 24, 1910, so authorizing the Secretary of the Navy to enter into said agreement, are hereby amended to read as follows: "The Secretary of the Navy is hereby authorized and directed to enter into an agreement with the Philadelphia, Baltimore & Washington Railroad Co. for a sufficient and satisfactory track connection from a suitable point on the running tracks of said Philadelphia, Baltimore & Washington Railroad Co. to a suitable point on the track system of the Washington Navy Yard as said system is now or may be hereafter established: *Provided*, That said track connection, so far as the same may project or extend beyond the right of way or property now owned or occupied by the said railroad company, shall be constructed wholly upon a suitable and satisfactory right of way to be provided for such purpose by the United States, the title to which shall at all times remain in the United States: *Provided further*, That so far as may be consistent with the public interests said track connection, with its appurtenant turnouts and sidings, shall be located and constructed in, upon, over, and through public grounds, space and streets of the United States as the same are now or may be hereafter ascertained and established: *Provided further*, That the Secretary of the Navy is hereby authorized to acquire any part of the land or property necessary for said right of way by purchase or condemnation and to construct the connections, side tracks, turnouts, and switches necessary to the proper operation of the yard system in connection with the said branch track, and for the purpose of acquiring said right of way such part of the sums herein appropriated for additions to said navy yard as may be necessary are hereby made available: *Provided further*, That pending the completion of the track connection hereinbefore authorized and provided for the Philadelphia, Baltimore & Washington Railroad Co. is hereby authorized to maintain its track connection with the said navy yard as at present existing and to continue the operation thereof under such rules and regulations as may be established by the Commissioners of the District of Columbia for the governance thereof: *Provided*, That within 30 days after the completion of the new track connection with the said navy yard hereinbefore authorized and provided for said Philadelphia, Baltimore & Washington Railroad Co. shall, at its own expense, remove said existing track connection and restore and make the surface of the streets over and through which the same is laid satisfactory to the Commissioners of the District of Columbia: *Provided further*, That Congress reserves the right to alter, amend, or repeal this act: *Provided further*, That in the event that the Secretary of the Navy shall be unable to acquire the land or lands, or any parcel or parcels thereof, necessary or expedient in his judgment for the purposes aforesaid at a price deemed by him to be reasonable, then and in that event he is hereby authorized and directed to acquire the same by condemnation proceedings in the Supreme Court of the District of Columbia, to be instituted upon his request by the Attorney General of the United States, and to be conducted in substantial accord with the provisions of the act of Congress approved August 23, 1890 (26 Stats., pp. 412–413), providing a site for the enlargement of the Government Printing Office, which provisions are hereby made applicable to the proceedings for this purpose, and jurisdiction to hear and determine the same is hereby conferred upon the Supreme Court of the District of Columbia: *Provided further*, That the power and authority to acquire by purchase or condemnation, as the case may be, lands for the purposes aforesaid shall include the power and authority to purchase, condemn, or compensate for any wharves, bulkheads, structures, or other improvements upon any land, as well as any outstanding privately owned interests in the same, in the vicinity of the said navy yard deemed expedient for said additions within the area designated by the Secretary of the Navy that, though owned or claimed by the United States, is in the occupancy of private individuals, and the sums herein appropriated for are hereby made available for such purposes: *Provided further*, That upon the acquisition of the additional lands hereby authorized to be acquired all portions of public streets on which any squares acquired so abut and lying between the same, and all public alleys within said squares, together with such portions of streets and public alleys as lie between the present navy yard and the lands, or any part thereof, so acquired, are hereby abandoned and closed, and said portions of said streets and public alleys, together with the Government-owned land lying south of the north line of Potomac Avenue between the west boundary of the navy yard and the east line of Second Street east prolonged in a southerly direction, and such other Government-owned land along the water front of the Anacostia River lying between the east line of the said navy yard and the west line of Eleventh Street east prolonged in a southerly direction, shall be regarded as set apart and reserved for naval purposes: *Provided further*, That any balance not expended in said purchase or condemnation may be used toward improving the lands so added to the said navy yard and toward the extending of the railroad-track system thereof and connections thereto.

Mr. THOMAS. Mr. President, I notice that this amendment makes an appropriation of $331,000—

For the acquisition by purchase or condemnation of such lands in the vicinity of the navy yard, Washington, D. C., as in the judgment of the Secretary of the Navy it shall be deemed necessary or expedient to acquire for additions to said navy yard.

That is in addition to unexpended balances that are now in the Treasury, I suppose, and representing unexpended amounts of previous appropriations. Provision is then made by the amendment for purchasing a right of way for the building of a railroad track by the Philadelphia, Baltimore & Washington Railroad Co. to connect with the track system of the navy yard.

Then, on page 31 this amendment makes another disposition of this appropriation by permitting its use to purchase the right of way in addition to the original purpose for which it was appropriated. My understanding, in other words, of the amendment up to the point where I made the interruption is that it is proposed to appropriate moneys for the specific purpose of securing land, but it is also provided that the money may be expended, if necessary, for the purpose of purchasing a right of way to be occupied by the tracks of a railroad company. Apart from the apparent contradiction of the purposes for which the appropriation is to be used, I should like to inquire of the Senator having charge of the bill what amounts of unexpended balances are available under the provisions of the amendment and why it is necessary to make an appropriation of $331,000 to purchase lands necessary for naval uses, and at the same time to authorize the Secretary of the Navy to use it for the purpose of purchasing a right of way for a railroad?

Mr. SWANSON. Mr. President, if the Senator from Colorado will permit me, I desire to say that this amendment has been strongly urged by the Navy Department; and I have this morning received a letter from the department asking for an amendment of the amendment. The sum of $173,000 was appropriated for the purpose of getting land for a right of way, as I understand, and constructing a track for the railroad. That, however, has never been done. The department is now anxious to get about 20 acres, I believe, down there to answer the purposes of the navy yard for all time to come, and they are urging it.

Mr. THOMAS. That is to be a permanent acquisition?

Mr. SWANSON. It is to be a permanent acquisition. As I understand, the department has to buy some land to get the railroad track to the navy yard, and this appropriation is for that purpose. The tracks, as I understand, will be owned and used entirely by the navy yard. The department has insisted that it would take $331,000 to accomplish all this.

My attention has to-day been called—though I have not had an opportunity to carefully examine the amendment—to the fact that we already have an agreement with the Pennsylvania Railroad to construct a track. If that is true, there is no reason why the railroad should be released from that agreement. I have sent for the appropriation act, and I desire that this amendment go over, after it has been amended as the Secretary of the Navy has requested, in order that we may see whether the amendment which has been sent to me from the department accomplishes what I think ought to be accomplished.

Mr. WARREN. Mr. President, will the Senator from Colorado permit me to ask a question of the Senator in charge of the bill?

Mr. THOMAS. Yes.

Mr. WARREN. As I understand, it is proposed that the navy yard shall own the track from the yard to the point where it joins the track of the railroad? I assume the Senator proposes, although there may now be but one railroad in that section of the city, that the track built up to that point shall be open to any railroad?

Mr. SWANSON. The amendment which the Secretary of the Navy desires shall be included in the pending amendment allows any railroad to use it. The Secretary desires to have the power to contract with any railroad, and he desires to have an amendment adopted to that effect.

Mr. WARREN. I desire to say to the Senator from Virginia that the language should be so worded as to accomplish that end. That has been the rule heretofore as to Army posts.

Mr. SWANSON. I have here an amendment to that effect which was prepared by the Navy Department and was sent to us by the solicitor. These objections were out, and yesterday he sent me a provision which he desires to have offered as a substitute for the pending provision. After his proposed amendment is read, I desire to offer it as an amendment, and I should then like to have it go over until I can further look into the provision in relation to the Pennsylvania Railroad Co.

Mr. THOMAS. I think, Mr. President, that it is proper that I should add at this juncture, before taking my seat, that it would be better to make a specific appropriation for the purpose of purchasing as much of this right of way as may be necessary, and to make a distinct appropriation for the purpose of acquiring this additional acreage which the navy yard needs. I do not think it is good policy to make an appropriation of a given amount for a certain purpose, and then to invest the authorities with the power to expend that money for some other purpose if, in their judgment, any portion of it is necessary for such purpose.

Mr. SWANSON. It is simply a question as to how much will be needed. The money is already appropriated to get the right of way for the railroad tracks, and so forth.

Mr. THOMAS. If that is the case, then there is no need of diverting any part of this $331,000 for that purpose.

Mr. SWANSON. A portion of it may be needed to get the land; it will take $500,000, as the Navy Department states, to get what they need for the purposes of the navy yard.

Mr. THOMAS. I am not objecting to that.

Mr. SWANSON. They have $173,000 which has already been appropriated and which it is not necessary to reappropriate. They simply want $331,000 additional, making a half million dollars in all.

Mr. THOMAS. I have no objection to that at all. From the Senator's statement it is entirely plain that the entire amount appropriated is needed to obtain this additional land; and consequently I do not think that any of it should be expended or that any authority should be given to expend it for any other purpose. If an additional sum is necessary to secure the needed right of way or to perfect it, that should be arranged for by specific appropriation.

Mr. SWANSON. I should like to have adopted the amendment which has been suggested by the Secretary of the Navy, so as to carry out the suggestion made by the Senator from Wyoming [Mr. WARREN]; and then I should like to have the matter go over until I can look into the act appropriating $173,000, to see to what extent that act relieves the railroad from any obligation which it now has in connection with aiding in constructing the track.

The PRESIDING OFFICER. The Secretary will state the amendment to the amendment proposed by the Senator from Virginia.

The SECRETARY. On page 30, line 3, beginning with the words "The Secretary of the Navy," strike out the remainder of the page; on page 31 strike out all of lines 1, 2, and 3 and the following words in line 4: "are hereby made available," and insert in lieu of the matter stricken out the following:

The Secretary of the Navy is hereby authorized to enter into an agreement with such railroad company as he may deem proper for the purpose of establishing, maintaining, and operating a sufficient and satisfactory track connection with the railroad track system of the Washington Navy Yard as said system is now or may be hereafter established: *Provided*, That so much of said track connection as can not be constructed over any right of way or property now or hereafter owned or occupied by said railroad company shall be constructed wholly upon a suitable and satisfactory right of way to be provided by the United States, the title to which shall at all times remain in the United States: *Provided further*, That, so far as may be consistent with the public interests, said track connection, with its appurtenant turnouts and sidings, may be located and constructed in, upon, over, and through public grounds, space, and streets of the United States as the same are now or may be hereafter ascertained and established: *Provided further* That the Secretary of the Navy is hereby authorized to acquire any part of the land or property necessary for said right of way by purchase or condemnation and to secure the construction of the connections, sidetracks, turnouts, switches, etc., necessary to the proper operation of the yard system in connection with the said track connection; and for the purpose of acquiring said right of way such part of the sums herein appropriated for additions to said navy yard as may be necessary are hereby made available: *Provided further*, That authority is hereby granted to the railroad company, and its successors and assigns, entering into the agreement aforesaid to construct, maintain, and operate a bridge and approaches thereto for such track connection across the Anacostia River, D. C., at a point suitable to the interests of navigation, to an available point within or in the vicinity of the said navy yard, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

In line 20 on page 31 insert after the colon following the word "act" double quotation marks.

Mr. SWANSON. Mr. President, I should like to have the amendment to the amendment which I have sent to the desk adopted, and then I desire that the matter may go over until I can look into the act of 1911, which, I understand, put an obligation on some of the railroad companies to construct some of these tracks. I want to see whether or not this amendment to the amendment releases that obligation.

Mr. NORRIS. The Senator does not ask that the amendment be now voted on?

Mr. SWANSON. No; I simply ask that the committee amendment be pending. I do not care to have it now voted on; but I thought possibly the amendment suggested by the Secretary of the Navy would make it clearer, because, as I understand, it simply allows him to contract with any railroad to have access to the navy yard, so that it be not limited to one railroad.

Mr. THOMAS. I think the entire amendment had better go over without being adopted at the present time.

Mr. NORRIS. I should not like to see any part of the amendment adopted now.

Mr. SMOOT. Mr. President, I want to call the attention of the Senator in charge of the bill [Mr. SWANSON] to another matter. This amendment provides:

For the acquisition, by purchase or condemnation, of such lands in the vicinity of the navy yard, Washington, D. C., as in the judgment of the Secretary of the Navy it shall be deemed necessary or expedient to acquire for additions to said navy yard, $331,000; and, in addition to said sum, the unexpended balances of the appropriation in the act of March 3, 1907—

That was an act for a railroad bridge and track at the Washington Navy Yard—

and of the appropriation in the act of June 24, 1910—

That was virtually for the same purposes, but perhaps involved a more extended operation. Now, I want to ask the Senator if he knows whether the appropriations mentioned in these two specific acts were continuing appropriations?

Mr. SWANSON. I understood they were continuing appropriations, aggregating about $173,000, which would make half a million dollars for the purchase of this land.

Mr. SMOOT. Does the Senator understand that the unexpended balance is $173,000?

Mr. SWANSON. I have not looked at it definitely, but the Navy Department informed me that there was about $173,000 available for this purpose. If we had appropriated $500,000, with the amount unexpended and available the total would be $673,000 instead of $331,000 appropriated in this provision plus the $173,000 which is available. As I have said, I have not myself looked definitely into this matter, but the information furnished me is that the unexpended balance is $173,000, and that it is a continuing appropriation and available for this purpose.

Mr. SMOOT. I suppose the appropriation originally, then, was made as an appropriation until expended.

Mr. SWANSON. I think so. I do not know what items were covered by the amount. I have not had an opportunity to investigate it personally.

Mr. SMOOT. I did not know but that the Senator had looked it up.

Mr. SWANSON. No; I have not done so.

Mr. SMOOT. We can look it up in a moment and find out whether the other appropriation is a continuing appropriation.

Mr. SWANSON. The reason I would like to have the amendment go over is that I desire to make a personal investigation of it, which I have not had time to do.

The PRESIDING OFFICER. Does the Senator desire the amendment which he has offered to the amendment to go over?

Mr. SWANSON. I should like to have the entire amendment, including the amendment I have offered, to be passed over.

The PRESIDING OFFICER. The committee amendment, together with the amendment offered by the Senator from Virginia, will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Naval Affairs was, on page 33, after line 14, to insert:

Naval Observatory: For purchase of the remainder of the tract of private land formerly known as "Normanstone," comprising 3,848.57 square feet lying within Naval Observatory Circle, which the Secretary of the Navy has authority to purchase under joint resolution approved August 1, 1894, $4,040.70.

The amendment was agreed to.

The next amendment was, at the top of page 34, to insert:

The Secretary of the Navy is authorized to lease for a period not to exceed three years storage facilities in the vicinity of the navy yard, Norfolk, at an annual rental of not exceeding $16,000.

The amendment was agreed to.

The next amendment was, on page 34, after line 6, to strike out:

Marine recruiting station, Port Royal, S. C.: For enlarging and improving hospital and for necessary equipment, $15,000.

And insert:

Marine recruiting station, Port Royal, S. C.: For a new building for the naval hospital and for necessary changes in existing buildings and equipment, $15,000.

The amendment was agreed to.

The next amendment was, on page 34, line 15, after "$8,000," to insert "to enlarge dry dock (limit of cost $1,085,000), $750,000; foundry and forge shop, $200,000," and in line 17, after the words "in all," to strike out "$20,000" and insert "$970,000," so as to make the clause read:

Navy yard, Charleston, S. C.: Dredging, to continue, $12,000; toilet and locker facilities, $8,000; to enlarge dry dock (limit of cost, $1,085,000), $750,000; foundry and forge shop, $200,000; in all, $970,000.

The amendment was agreed to.

The next amendment was, on page 35, line 1, after the word "reconstruction," to insert "extending wharf 1,650 feet, $100,000; in all, $250,000," so as to make the clause read:

Naval station, New Orleans, La.: To repair and reconstruct, where necessary, public works damaged in September, 1915, by hurricane, $150,000, and the accounting officers of the Treasury are hereby authorized to transfer from this appropriation to the appropriation "Naval station, New Orleans, La.," made by joint resolution approved April 25, 1914, the amount heretofore expended therefrom for such repairs and reconstruction; extending wharf 1,650 feet, $100,000; in all, $250,000.

The amendment was agreed to.

The next amendment was, on page 35, line 6, after "$9,000," to insert "floating crane, revolving type (to cost not exceeding $600,000), $300,000"; and in line 7, after the words "in all," to strike out "$84,000" and insert "$384,000," so as to make the clause read:

Navy yard, Mare Island, Cal.: Maintenance of dikes and dredging, $50,000; erecting shop, $25,000; toilet and locker facilities, $9,000; floating crane, revolving type (to cost not exceeding $600,000), $300,000; in all, $384,000.

The amendment was agreed to.

The next amendment was, on page 37, line 8, before the word "estate," to strike out "Li" and insert "Il"; in line 11, after the word "from," to strike out "'ford numbered five' (ford numbered five" and insert "'Ford No. 5' (Ford No. 5"; in line 17, after the word "feet," to strike out "west" and insert "east"; and in line 18, after the word "Territorial," to strike out "triangulation" and insert "trigonometric," so as to make the clause read:

Beginning at a point marked by a concrete monument at the southeast corner of the land acquired by the United States from the John II estate through condemnation proceedings, which point has the coordinates 230.1 feet south and 87.2 feet west from "Ford No. 5" (Ford No. 5 being marked by a galvanized pipe in a concrete monument stamped "U. S. 1911," established by the United States district engineer office, and having coordinates 8,570.99 feet south and 10,087.64 feet east from the Ewa Territorial trigonometric station); thence north 23° 12′ east 177 feet, more or less; thence north 16° 0′ east 66 feet, more or less, to a point on the shore line at high-water mark; thence southerly along high-water mark to a point marked by a concrete monument that is, with reference to the point of beginning, south 51° 0′ east 70 feet, more or less, the southwesterly boundary of the said tract being formed by the line joining said last-mentioned point on the high-water line with the point of beginning: *Provided*, That this transfer is in no manner to interfere with the right of the Navy Department to make such use of the shoals and islets extending in a northeasterly direction from Fords Island as the needs of the Naval Service may require: *Provided further*, That there may be established over said military reservation, at such place as may be agreed upon by the Secretary of the Navy and the Secretary of War, a right of way for the use of the Navy from the remaining portion of the naval reservation on Fords Island to the said shoals and islets.

The amendment was agreed to.

The next amendment was, on page 39, line 23, after "25,000," to insert "*Provided*, That the said bridge shall be so constructed as not to interfere with the navigation of the said creek; fence around powder factory, $28,000;" and in line 25, after the words "in all," to strike out "$78,000" and insert "$106,000," so as to make the clause read:

Naval Proving Ground, Indianhead, Md.: Three powder dry houses, $15,000; fire protection, $38,000; for the construction of a foot-passenger bridge over Mattawoman Creek, Charles County, Md., for the exclusive use of the Government of the United States under such rules and regulations as may be prescribed by the Secretary of the Navy, $25,000: *Provided*, That the said bridge shall be so constructed as not to interfere with the navigation of the said creek; fence around powder factory, $28,000; in all, $106,000.

The amendment was agreed to.

The next amendment was, on page 40, line 6, after "$10,000," to insert "fire and boundary wall, $5,000; in all, $15,000," so as to make the clause read:

Naval magazine, Lake Denmark, N. J.: Quarters for guards, $10,000; fire and boundary wall, $5,000; in all, $15,000.

The amendment was agreed to.

The next amendment was, on page 40, line 17, after "$105,000," to insert "sea wall and filling, $36,000; in all, $141,000," so as to make the clause read:

Naval torpedo station, Newport, R. I.: Seaman gunners' quarters, $105,000; sea wall and filling, $36,000; in all, $141,000.

The amendment was agreed to.

The next amendment was, on page 40, line 21, after "$3,500," to insert "purchase of additional land, $90,000"; and in line 22, after the words "in all," to strike out "$18,000" and insert "$108,000," so as to make the clause read:

Naval magazine, St. Juliens Creek, Va.: Filling house, $2,000; railroad system, $12,500; locomotive house, $3,500; purchase of additional land, $90,000; in all, $108,000.

The amendment was agreed to.

Mr. BORAH. Mr. President, it might be barely possible that it would be wise for us to know what some of these items are, the appropriations for which we are increasing. I will inquire where the Secretary is now reading?

The PRESIDING OFFICER. Page 41, line 8.

Mr. BORAH. In reference to the item on page 40, in line 21, appropriating $90,000 for the purchase of additional land, I should like to inquire what is that additional land to be purchased for?

Mr. SWANSON. Mr. President, if the Senator will permit me, I have a letter from the Secretary of the Navy explaining the matter. The Government has a very large magazine at St. Juliens Creek, near Norfolk. The amount of land they now have is rather limited, and they are anxious to increase the Government's holdings in order that they may make the magazine larger and also save it from danger.

Mr. BORAH. The amendment says, "For the purchase of additional land." How much additional land is going to be purchased? Ninety thousand dollars would purchase considerable land in Virginia, I apprehend.

Mr. SWANSON. Here is the basis on which this amendment was recommended. I read the following letter from the Secretary of the Navy, addressed to the chairman of the Committee on Naval Affairs of the Senate:

NAVY DEPARTMENT,
Washington, June 5, 1916.

Hon. B. R. TILLMAN, United States Senator,
Chairman Committee on Naval Affairs,
United States Senate, Washington.

MY DEAR SENATOR: I respectfully recommend the following insertion before the words "in all," in line 21, page 27, of the naval bill as it passed the House of Representatives, viz:

"For the purchase of additional land, $90,000."

This is for enlarging the magazine reservation on St. Juliens Creek, Norfolk, Va., which at present covers about 71 acres. The present site is becoming crowded and it is certain that expansion will shortly have to be provided for. It is, therefore, very desirable that land which has been offered for sale to the Government adjacent to the present magazine for about $90,000 be purchased.

This item was not included in the estimates submitted to the House, but in view of the unusually large appropriations for ammunition in prospect, there will be a tremendous increase in activity at all the naval magazines, and it is considered urgently necessary that the additional land here in question be purchased at the present time.

The land it is proposed to purchase comprises about 88 acres.

Very sincerely,

JOSEPHUS DANIELS.

Mr. BORAH. Mr. President, do I understand that it is proposed to pay $90,000 for 88 acres of land?

Mr. SWANSON. The item provides for the purchase of land. I presume it may be condemned. I do not know anything about the value of the land except what the Secretary of the Navy has written. I know that he was very insistent that this item should be included, as was Admiral Strauss, who was Chief of the Bureau of Ordnance.

Mr. BORAH. Is that land near the city?

Mr. SWANSON. It is near Norfolk; I do not know the exact distance.

Mr. BORAH. Well, of course, we are utterly in the dark in regard to it. It does seem that $1,000 an acre is rather an extraordinary price for land so situated.

Mr. SWANSON. From what I have been told, I do not think it is an exorbitant price. The Government usually acquires land under such circumstances by condemnation; it is very rarely that it purchases.

Mr. NORRIS. Mr. President, I should like to ask the Senator from Virginia a little further in regard to the same item. Is there a general statute by virtue of which the Secretary would have the right to go into court and condemn this land, or is the only authority he has to purchase it contained in this bill?

Mr. SWANSON. I should like to include the words "or condemnation," so as to make it clear. I think the acquisition of land should be made by condemnation unless it can be obtained at a satisfactory price. I think there is a statute which authorizes condemnation; but if not, I should like to have the language of the amendment include such authorization.

Mr. NORRIS. I know that, as a rule, when we are appropriating for a purpose of this kind we provide in the appropriation for acquiring the land by condemnation.

Mr. SWANSON. I should like to have the amendment read "purchase or condemnation." I think provision for condemnation ought to be made in all cases where land is to be obtained.

Mr. BORAH. It is pretty safe to assume that if the Government is going to pay a thousand dollars an acre the matter will not have to go into court.

Mr. NORRIS. That depends altogether on the circumstances. If the Secretary——

Mr. SWANSON. I offer an amendment to insert the words "or condemnation."

Mr. NORRIS. If the Secretary of the Navy should offer the owners of the land the full amount of the appropriation, he probably would not have to go into court; but if the Secretary of the Navy were of the opinion that the land was not worth the amount of the appropriation he would probably have to go into court.

Mr. WARREN. Mr. President, the Senator in charge of the bill will notice that the item on page 32, in respect to the acquisition of property for the Washington Navy Yard, provides for purchase or condemnation.

The PRESIDING OFFICER. The Senator from Nebraska has the floor.

Mr. NORRIS. I have not yielded.

Mr. WARREN. I beg the Senator's pardon.

The PRESIDING OFFICER. Does the Senator from Nebraska yield?

Mr. NORRIS. If the Senator from Wyoming desires to ask a question with regard to this item, I yield.

Mr. WARREN. I was going to say that quite often in items providing for the acquisition of land condemnation is provided for. On page 32 the manner of condemnation in connection with the acquisition of property for the Washington Navy Yard is provided for, it being there stated that the condemnation proceedings shall be conducted substantially in accordance with the provisions of an act of Congress, approved August, 1890, "providing a site for the enlargement of the Government Printing Office," and so forth. That act seems to have provided a successful method of procedure and has been followed very often since then.

Mr. SWANSON. That is nearly always provided in the acquisition of property in the District of Columbia.

Mr. NORRIS. That is not a general statute that will apply to every case, is it?

Mr. GALLINGER. It applies to the District of Columbia alone.

Mr. NORRIS. It applies only to the District?

Mr. GALLINGER. That is right.

Mr. WARREN. But it is usual to insert such a provision where the acquisition of land is provided for, as in the case of the item on page 32.

Mr. NORRIS. Mr. President, of course, if there were a general statute providing for the condemnation of property by the Government, and in such an item as this we simply authorized the property to be condemned according to law, that would be sufficient. I do not know whether there is such a general statute, though I am rather inclined to think there is.

Mr. SWANSON. There is one; and we usually put in the words "condemnation or purchase." They ought to be included in this instance.

Mr. NORRIS. Then, if condemnation proceedings become necessary, resort can be had to the general law, and the Government can begin the necessary proceedings in court.

Mr. SWANSON. I offer an amendment, on page 42, line 21, after the words "additional land, $90,000," to insert "to be obtained by purchase or condemnation, as the Secretary of the Navy may deem wise."

Mr. GALLINGER. Mr. President, I will suggest to the Senator that he make it "$90,000, or so much thereof as may be necessary."

Mr. SWANSON. I accept that amendment.

Mr. GALLINGER. It will probably make no difference, but I nevertheless offer the suggestion.

Mr. NORRIS. I should like to hear the suggestion made by the Senator from New Hampshire.

Mr. GALLINGER. I suggest that, after the numerals "$90,000," there be included the words "or so much thereof as may be necessary."

Mr. NORRIS. I think that is a very proper amendment.

Mr. SWANSON. I desire to amend the amendment so that it will read "$90,000, or so much thereof as may be necessary, to be obtained by purchase or condemnation, as the Secretary of the Navy may deem wise."

Mr. NORRIS. Mr. President, I know that there is sometimes a general opinion—and I think it is particularly applicable to the District of Columbia—that when an appropriation is made for the purchase of land, whether by condemnation proceedings or otherwise, it is necessary to use the entire appropriation before the matter is ended. I remember, several years ago, soon after I came to Congress, of being on a street car one day, after an appropriation had been made for the condemnation of some property and a Member of the House had made quite a determined speech in opposition to what he complained was the extravagant use of public funds. I heard two gentlemen talking it over—I do not know who they were, but they were apparently intelligent citizens of the District—and they concurred in the proposition that the Member of the House who had made the speech was wrong, because, as they said, when Congress provided for the purchase of real estate in the District of Columbia and made an appropriation for it, Congress had thereby placed a value upon the property, and that even though condemnation proceedings were resorted to the commissioners appointed to appraise the property had no other duty to perform than to divide the appropriation up between the owners of the property in proportion to the value of the property as they really thought those proportions were represented.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from New Hampshire?

Mr. NORRIS. I do.

Mr. GALLINGER. May I give the Senator a concrete example? When it was proposed to erect the Senate Office Building, a provision was placed in an appropriation bill that $750,000 should be appropriated for the purchase of land and toward the construction of the building. I took occasion in the Committee on Appropriations to suggest to the chairman, who was the late lamented Senator Allison, of Iowa, that mighty little of that appropriation would go for the construction of the building.

He differed with me. The result was that the owners entered into a combination and forced condemnation proceedings. In this District the juries are made up largely of real-estate men, and when the matter was settled they took out of the $750,000 $748,500, leaving $1,500 for the construction of the building!

Mr. NORRIS. I think that is a fair illustration of what often happens.

Mr. GALLINGER. I want to say a word further, if the Senator will permit me. I have been engaged in committee work, and will have to return immediately to the committee room, but I think there is a provision in this bill for the acquisition of land for the enlargement of the navy yard in the District of Columbia. The Government is never wise about matters of that kind. Somebody in the interest of the Government ought to have had an option on that land, but I happen to know that a citizen of the District has an option on that land, taken some time ago, in anticipation of this very appropriation; and we will pay all that it is worth, whether it is acquired by condemnation or not.

Mr. NORRIS. We will undoubtedly pay more than it is worth.

Mr. GALLINGER. Yes; more than it is worth.

Mr. BORAH. Mr. President, may I ask further of the Senator from Virginia how the sum of $90,000 came to be agreed upon?

Mr. SWANSON. If I mistake not, I wish to say to the Senator that I know what he is driving at. I knew nothing about this matter until a letter came to the committee urging the amendment. As I understand, this is the price at which the land is offered.

Mr. BORAH. Mr. President, if the Senator thinks I am driving at the proposition that he engineered this matter he is greatly mistaken. It is no reflection upon the Senator from Virginia at all, and I did not intend it in the slightest way as such. I beg the Senator's pardon. He must not draw that inference at all. What I thought, though, was that a proposition to buy land for the purpose proposed at the rate of a thousand dollars an acre was most interesting.

Mr. SWANSON. Mr. President, if the Senator can get land in the city of Norfolk, or near the city, on the water front for less than that, he would make a fortune very soon. The Senator knows that in Norfolk near the navy yard and in all that section, especially in the city, which is growing rapidly, land is held very high. As I understand, the owners have offered to let the navy yard have it at this price.

Mr. SMOOT. How many acres are there?

Mr. SWANSON. Eighty-eight acres. I will say to the Senator that I do not think it is an exorbitant price; but this amendment came up, and it was left to the clerk to include it. It ought to carry $90,000, if necessary, and provision ought to be made to acquire the land by purchase or condemnation. It ought to be included in that way.

I offer that amendment to the amendment.

The PRESIDING OFFICER. The Chair will state, for the information of the Senator from Virginia, that the amendment of the committee has already been agreed to, and there will have to be a reconsideration. Without objection, it will be reconsidered. The question now recurs on the amendment offered by the Senator from Virginia to the amendment proposed by the committee, which will be stated.

The SECRETARY. On page 40, line 21, in lieu of the amendment proposed by the committee, after the numerals "$3,500" and the semicolon, it is proposed to insert:

Purchase of additional land, to be secured by purchase or condemnation or otherwise, as the Secretary of the Navy may direct, $90,000, or so much thereof as may be necessary.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 41, after line 7, to insert:

The appropriation contained in the naval appropriation act approved March 3, 1915, of $20,000 for the construction of a building for the storage of torpedoes at the naval torpedo station, Newport, R. I., is hereby made available for expenditure for a like purpose at the naval coaling station, Melville, R. I.

The amendment was agreed to.

The next amendment was, on page 41, after line 23, to strike out:

Experimental laboratory: For laboratory and research work, including the construction, equipment, and operation of a laboratory, to be expended at the discretion of the Secretary of the Navy (limit of cost not to exceed $1,500,000), $1,000,000.

And to insert:

Experimental and research laboratory: For laboratory and research work on the subject of gun erosion, torpedo motive power, the gyroscope, submarine guns, protection against submarine, torpedo, and mine attack, improvement in submarine attachments, improvement and development in submarine engines, storage batteries and propulsion, improvement in radio installations, and such other necessary work for the benefit of the Government service, including the construction, equipment, and operation of a laboratory, the employment of scientific civilian assistants as may become necessary, to be expended under the direction of the Secretary of the Navy, $2,000,000.

Mr. SMOOT. Mr. President, I am going to ask the Senator to allow that amendment on page 42, beginning at line 4, to go over.

Mr. SWANSON. Until what time? Some time later in the evening?

Mr. SMOOT. I will try to get together the information I have by that time; but I want to say to the Senator that I am compelled to leave the Senate Chamber now to attend a meeting of the Appropriations Committee, and it may be after 4.30 before we get through with the District appropriation bill. Just as soon as I can get through there, however, I am going to get together the information which has been sent to me in connection with this item, and I shall be glad to take it up then.

Mr. SWANSON. Let the amendment be passed over.

Mr. SMOOT. While I am on my feet I should like to ask also that the amendment on page 132, beginning with line 5 and ending with line 9, may be passed over for the same reason in case I am not in the Chamber.

Mr. SWANSON. I will ask the Secretary to make a note of that.

Mr. WEEKS. Mr. President, as I may not be in the Chamber when the amendment on page 42 is taken up, I should like to ask a few questions now in regard to it. How much of this appropriation of $2,000,000 is to be expended for the construction and equipment of a laboratory, and where is the laboratory to be located?

Mr. SWANSON. There is a letter from Mr. Edison and others in connection with this amendment, which makes a very detailed statement of the contemplated expenditure. As I understand, this is to construct a building and equip it with the machines and all the chemical apparatus needed to make investigations and experiments on the lines indicated in the amendment. If the Senator will note the amendment of the Senate, it broadens the investigations and the experiments included in the House provision.

Mr. WEEKS. Has the committee any information about how much of the $2,000,000 is to be expended for a laboratory?

Mr. SWANSON. Mr. Edison and others said that unless we appropriated that amount it would be useless to make a smaller appropriation; that the good that could be accomplished by the expenditure of less than $2,000,000 would be so little that it would be a waste of money; that if the Government is going to have a scientific laboratory to experiment on all these matters, to ascertain the latest and most scientific methods as outlined in this amendment, less than $2,000,000 would not be of any value.

Mr. WEEKS. But that does not answer my question at all. Two million dollars covers a great many things in this paragraph. How much of it is to be expended for a laboratory?

Mr. SWANSON. As I understand, the entire amount is to be spent for building a laboratory and to equip it, both.

Mr. WEEKS. Oh, no. In the very line which I am talking about, line 12, it says, "the construction, equipment, and operation of a laboratory." How long is it proposed to operate it under this appropriation?

Mr. TILLMAN. I will say, for the benefit of the Senator, that Mr. Edison wrote to me, and the information I received was that it would take $1,500,000 to build and equip a laboratory, and then he needed $500,000 with which to conduct experiments.

Mr. WEEKS. How long will it take to construct the laboratory?

Mr. TILLMAN. It will be constructed as soon as possible.

Mr. WEEKS. I mean, it would take a year; would it not?

Mr. TILLMAN. I do not know.

Mr. CLAPP. That would depend upon how many men they put to work, of course.

Mr. SMOOT. No; it might take more than a year. It would depend upon how quickly they could get the machinery.

Mr. WEEKS. What I am trying to find out is whether or not the laboratory is likely to be operated this year. If not, why should we appropriate the money for it this year?

Mr. TILLMAN. You can depend on it that Thomas A. Edison does not fool with things. When he gets busy he gets very, very busy.

Mr. SWANSON. I should like to say that the details of the matter are to be found in a letter written by Mr. Edison. When the Government can get the valuable information, the genius and the scientific knowledge possessed by these men, free, and all they ask the Government to do is to furnish the laboratory and the expense of operating it, and their services are given free, and then the money is spent under the direction of the Secretary of the Navy, who has to approve the expenditures, it seems to me that it is a combination of science and genius and practical knowledge in the Navy Department that would make it a very wise expenditure on the part of the Government.

Mr. WEEKS. Let me ask the Senator what right we have to accept the services of these gentlemen without compensation?

Mr. SWANSON. I do not know any reason why we should not, if they offer them.

Mr. WEEKS. Is it not contrary to law?

Mr. SWANSON. I know of no law to that effect.

Mr. GALLINGER. It is contrary to law.

Mr. SMOOT. But this amendment provides that they shall be paid.

Mr. BORAH. If we can get something for nothing, let us repeal the law.

Mr. SWANSON. They must have some employees. The employees are the only ones who will be paid. The members of the advisory board, these scientists, do not get anything. It

is a patriotic effort on their part to aid the Government. It is the minor employees, who are not included in this advisory board, who get some compensation.

Mr. WEEKS. One more question, Mr. President. Would the Senator object to an amendment requiring that these employees should be under the civil service?

Mr. TILLMAN. All of this expenditure is under the direction of the Secretary of the Navy, and of course he is bound by all the laws they have in the Navy Department.

Mr. SWANSON. I have no objection.

Mr. WEEKS. Does the Senator think that it will be necessary for him to employ the people who are to work in this laboratory, unless there is a special provision for it, under the provisions of the civil-service act?

Mr. TILLMAN. I know it would.

Mr. THOMAS. If the Senator will permit me, I think the law is the other way. They are only exempted from the civil service by special enactment. We have, on several occasions, inserted provisions of that kind in different pieces of legislation, notably the banking act and the tariff act.

Mr. NORRIS. Mr. President, I should like to make a suggestion to the Senator from Massachusetts.

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Nebraska?

Mr. WEEKS. I do.

Mr. NORRIS. I may be wrong, but, as I understand it, unless the law specifically exempts the employees from the classified service they would be put under the classified service under the general law.

Mr. WEEKS. I think the Senator is right.

Mr. TILLMAN. I will say to the Senator from Massachusetts that I will have Mr. Edison's letter here, and we will let this amendment go over until it comes, and then we will have it read into the RECORD.

Mr. BORAH. May I ask whether any hearings were had, or is there anything besides Mr. Edison's letter?

Mr. TILLMAN. No.

Mr. SWANSON. If the Senator will permit me, there were very full and voluminous hearings in the House.

Mr. BORAH. I had reference to the Senate committee.

Mr. SWANSON. Not in the Senate. The Senate had very few, if any, hearings. I do not suppose we spent half a day in hearings; but if the Senator will examine the hearings in the House he will find the matter very fully discussed, and, I think, the items of expediture, and so forth.

Mr. TILLMAN. The House only gave one million. Mr. Edison wrote and assured me that a million would be wasted.

Mr. SWANSON. As the Senator from Utah [Mr. SMOOT] has asked that it should go over, suppose we let it go over until he returns to the Chamber. It is useless to discuss it two or three times.

The PRESIDING OFFICER. Without objection, the amendment will be passed over.

The reading of the bill was resumed.

The next amendment was, on page 42, line 24, after the words "public works," to strike out "$7,139,975" and insert "$10,335,915.70." so as to make the clause read:

Total public works, $10,335,915.70 and the amounts herein appropriated therefor, except for repairs and preservation at navy yards and stations, shall be available until expended.

The amendment was agreed to.

The next amendment was, on page 43, line 2, after the word "officers," to strike out "on the active list of officers," so as to read:

The President is hereby authorized to appoint a commission of five officers of the Navy not below the rank of commander to investigate and report at the beginning of the next regular session of Congress if practicable, and if not, as soon thereafter as practicable, as to the necessity, desirability, and advisability of establishing an additional navy yard or naval station on the Pacific coast of the United States.

The amendment was agreed to.

The next amendment was, on page 43, after line 22, to strike out:

Said commission shall also investigate and report upon the necessity, desirability, and advisability of establishing an additional navy yard or naval station on the Atlantic coast south of Cape Hatteras or on or near the United States coast of the Gulf of Mexico or in the Caribbean Sea of a character adequate for the proper naval defense of that portion of the country. Said report shall contain all the information of like character as directed in the preceding paragraph relating to the investigation and report as to the Pacific coast.

And to insert:

Said commission shall also investigate and report as to the necessity, desirability, and advisability of establishing submarine and aviation bases on the Atlantic and Pacific coasts and other possessions of the United States, and as to the cost and location thereof.

Said commission shall also report on the advisability of establishing one or more naval academies on the Pacific coast or in the region of the Great Lakes and where the same should be located and the probable cost thereof.

Mr. FLETCHER. Mr. President, I desire to ask the Senator having the bill in charge, referring to the amendment on page 44, whether or not he understands that "the Atlantic" includes the Gulf of Mexico. If there is any question about it, I think that ought to be corrected. I would suggest, as an amendment, after the word "Atlantic," on page 44, line 8, to insert the words "Gulf of Mexico," so that it would read "on the Atlantic, Gulf of Mexico, and Pacific coasts."

Mr. SWANSON. I have no objection to that being inserted.

The PRESIDING OFFICER. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

Mr. WEEKS. Mr. President, I move to strike out the paragraph commencing on line 11 with the words "Said commission" and ending on line 14 with the words "cost thereof."

I presume it would not do any harm to have a commission traveling about to consider the question of establishing more naval academies, provided they reported that it was inadvisable to do so; but it seems to me that it is a piece of folly and nonsense to talk about establishing another naval academy or another military academy. The men that we propose to educate for the Navy can be educated to so much greater advantage in one place and so much less expense to the Government, wherever that naval academy is located, that to think of establishing other naval academies and constructing great plants, as would naturally follow any such course, seems to me the height of folly. I think the whole thing ought to go out of the bill.

Mr. SWANSON. Mr. President, if the Senator will permit me, there are Senators on the Naval Committee who are very insistent that there should be another naval academy, located either on the Great Lakes or on the Pacific Ocean.

Mr. WEEKS. Let me say to the Senator that I have no doubt that there are 40 Senators who would like to have naval academies established in their States.

Mr. SWANSON. And motions were offered to provide for them. We thought it would be better to have a commission to report on the matter before any action was taken pro or con. I hope the Senator will not object to this commission being organized. It is not a new commission. It is a commission that has work already. Let the commission make a report.

Mr. TILLMAN. Let the commission report, and then make the fight.

Mr. SWANSON. I concur with the Senator. I think one academy each for the Army and the Navy is sufficient; but I have no objection to having the matter investigated by this commission. I hope the Senator will not insist upon eliminating that provision, but that it may be included in the bill.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Colorado?

Mr. WEEKS. I do.

Mr. THOMAS. I was going to suggest to the Senator from Massachusetts that this is the appropriate time to consider the matter if it is to be considered at all, because if this commission should make a report recommending one or more academies, those who are interested in the places selected will then strenuously exert themselves to secure the enactment of legislation establishing them; and once we begin to multiply or even duplicate these institutions we are going to have them all over the country.

Personally I am of the opinion that one additional academy, military as well as naval, for the West or for the Pacific coast might be a good thing for the country; but the difficulty is that the precedent once established is bound to produce a brood of academies, both naval and military, all over the country. My State will want one.

Mr. WEEKS. It would be natural for a great coastwise State like Colorado to want one.

Mr. THOMAS. The Senator's constituents will want one; and, as a consequence, we will have an omnibus bill providing for these institutions all over the country. Now is the time, I think, to determine the matter.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Florida?

Mr. WEEKS. I do.

Mr. FLETCHER. I was only going to say that I quite concur in the views of the Senator from Massachusetts and the Senator from Colorado, and I believe that now is the time to raise this objection. I think we can not do better than to retain the academy where it is.

Mr. TILLMAN. If Senators will look at the top of page 43 and see who constitutes this commission, I think they will get some light and understand that this is no cheap-John excur-

sion running around just to spend money, but that it will be composed of naval officers who are supposed to know the good of the Navy and the needs of it.

The PRESIDING OFFICER. The question is on the motion of the Senator from Massachusetts.

Mr. CLAPP. Mr. President, I hope the Senator will withhold his motion until the return of the junior Senator from California [Mr. PHELAN], who made a very elaborate argument before the committee, and I think the Senate ought to have the benefit of that argument before acting on this matter.

Mr. SWANSON. I am very much opposed to establishing any academy anywhere else, either for the Army or for the Navy.

Mr. TILLMAN. No one is more opposed to it than am I.

Mr. SWANSON. But this matter will have to be determined at some time. They are very insistent on it, and it seems to me that the report of a board on it could not do any harm.

Mr. WEEKS. Mr. President, I think the Senator will save himself and the Government trouble to let this matter come to a vote now and knock the whole thing out of the bill. I want to do the courteous thing by the junior Senator from California; but he is a member of the committee, and it seems he should be here while this bill is under consideration. I am either going to renew this motion later on or I am willing to defer it now if the Senator in charge of the bill would like to have it passed over temporarily.

Mr. SWANSON. I should like to have the Senator from California here when this matter is disposed of. It would not be proper to pass on it in his absence, it seems to me.

The PRESIDING OFFICER. The Chair understands that the Senator from Virginia desires to have the whole amendment passed over.

Mr. SWANSON. Let the amendment be passed over until the Senator from California comes in. We will recur to it as soon as he returns.

Mr. FLETCHER. I take it that the motion to strike out applies only to lines 11 to 14, inclusive, and not to the whole amendment.

The PRESIDING OFFICER. It will be necessary to have the whole amendment passed over.

Mr. NORRIS. Mr. President——

Mr. PHELAN entered the Chamber.

Mr. SWANSON. The junior Senator from California [Mr. PHELAN] is in his seat, and we can dispose of the amendment. I will state that the Senator from Massachusetts [Mr. WEEKS] has moved to strike out the provision directing a commission to make a report—

on the advisability of establishing one or more naval academies on the Pacific coast or in the region of the Great Lakes, and where the same should be located and the probable cost thereof.

Mr. PHELAN. Mr. President, I understand that a motion has been made to strike out the provision referred to by the Senator from Virginia. The object of the provision in the bill is to meet the absolute necessities of the Navy to-day in providing adequate means for the education of Naval officers. The Annapolis school has reached its capacity, and the Congress has increased the number of midshipmen. I am informed by the Secretary of the Navy that it is impracticable to enlarge the Annapolis Academy on account of inadequate ground, and it is not desirable to educate at any one place more than 1,200 midshipmen, and that is the capacity of the Annapolis Academy to-day.

England has two academies—a small, tight little island. The United States is an extensive country, with a population constantly growing. The western part of the country has recently come into well-deserved prominence. I have been informed that midshipmen are reluctant to come from the Far West to Annapolis on account of its remoteness from their homes, and western Senators have informed me—the Senator from Nevada did so the other day—that men have refused to go, on the advice of their parents, because they would be so remote from the influence of their parents. Therefore, the Navy is denied a class of midshipmen that would doubtless greatly increase the efficiency of the Navy, by introducing a desirable class of young men, hardened by the frontier, in the arduous service of war in behalf of their country when that time must come.

I do not know why the eastern part of the country should make any objection to the addition of another school; and, granting that other schools should be established, why they should not, not only in justice to the West but generously, accord that privilege to that part of the country, the Pacific coast, where the Navy is to-day most needed, where familiarity with its waters is most desirable, because I am not alone in believing that the next great naval engagement in which this country shall be involved will be rather in Pacific waters—the term "Pacific" being a misnomer—than in Atlantic waters. There the expansion is going on. There we read, no later than to-day, of treaties between Asiatic countries and European countries for the purpose of controlling the trade. There, according to William H. Seward, will be the future theater of the great events of the world; and he so stated it with prophetic vision at the time he, as Secretary of State, acquired the Territory of Alaska.

We have islands, Senators, in the Pacific. Whether we are to defend our frontier or not is a matter for future discussion. There is a disposition to give up some of these hazardous possessions of the United States; but, needless to say, we have them, and we are interested in the development of the Pacific trade, and there the future conflict will come.

I mention that merely to say that this country is larger than Maryland or New York or Massachusetts; that the Pacific Ocean, strategically, is of great importance to this country, and should be known and understood. I am told that there are men in the naval service of this Government to-day who have no knowledge whatever of Pacific waters. If some of them were educated on the shores of the Pacific, they would have special qualifications.

We have there the great ocean; we have still waters; we have navy yards. There is every facility for the education of the man not only in navigation on still waters and in the deep sea but in the construction of war vessels. It is only fair, in the establishment of a new school, if such a school is to be established, that it be established on the Pacific coast, and that the Members of this body should be informed as to the most desirable location, as to the probable cost, and as to every other fact which will guide them in determining their action.

I submit that this matter does not settle the question whether there shall be two schools, but merely puts the Senate in possession of the information necessary upon which to base a sound judgment.

Mr. NORRIS. Mr. President, it is true that this amendment does not technically settle the question as to whether or not we shall have another school, but it is the first step in that direction. If it is necessary that we should have another school like Annapolis, I should not be one to oppose its establishment; but before we take any steps let us determine whether or not it is necessary to establish another school. If there should be another one established, it probably would be established on the Pacific coast. I would just as lief it should be on the Pacific coast as on any other coast. But, Mr. President, if we are going to expand the Navy to such an extent that the school already established is too small, and we have not enough land there on which to build more buildings and to expand, then let us buy some more land there. If we establish one on the Pacific coast we will have to buy the land upon which it is established.

Mr. PHELAN. Mr. President, will the Senator submit to an interruption?

Mr. NORRIS. I will.

Mr. PHELAN. Congressman KENT, of California, has made a tender of a thousand acres of land on the Bay of San Francisco; so I judge other points on the coast would be just as ready to make a donation, if that is a moving consideration with the Senator from Nebraska.

Mr. NORRIS. I will say to the Senator that it has not much influence with me whether it is donated or not; but there is not any proposition here that anybody is going to donate the land. I presume we could advertise for donations and establish these schools all over and get the land donated.

Why, Mr. President, if the other argument is good, that the young men from the West refuse to go to Annapolis because they will be so far away from the influence of their fathers and their mothers, if that is an argument for the establishment of more military and naval academies, then let us establish them in every county in the United States.

Why, Mr. President, how far do they have to go now from my part of the country? I have not heard that any of them objected to going to Annapolis because they would be out from under the influence of parental care. But, Mr. President, if the sons of Nevada do not want to go to Annapolis, and therefore we are deprived of the valuable services of those young men; if they will not go there because they will be so far away from father and mother, how much better would it be if they went to San Francisco? They could not go home every Saturday night there. And what would happen to those valuable midshipmen if they were graduated from the academy, and the order came that they should go to South Africa, or to Japan, or to China, still farther away from their fathers and their mothers? I presume they would resign from the Navy.

Mr. KENYON. Their fathers might go along.

Mr. NORRIS. The Senator from Iowa suggests that their fathers might go along. That might be; but, Mr. President——

Mr. PHELAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from California?

Mr. NORRIS. I do.

Mr. PHELAN. I may have been misunderstood. I was merely describing the attitude of mind of the parents, not the disposition of the boy; and hence we lose that class of boy, on account of the mental attitude of the parents toward sending the boy to so remote a point. The boy himself is always willing to leave the parent nest.

Mr. NORRIS. Will the Senator from California assure us that these fathers and mothers of Nevada would not likewise object if their sons went to San Francisco? Would not that be just a little too far away from the control of parental influence?

When I mention San Francisco Bay as a center, it covers a very considerable area, easily accessible to points in Idaho, and in Nevada, and in Utah, and in Arizona, and in all the pioneer States. The Senator probably has reference to Nebraska. That is still more remote.

Mr. NORRIS. No; I had reference to Nevada because the Senator mentioned the State of Nevada.

Mr. PHELAN. It is one night's journey from San Francisco.

Mr. NORRIS. But the parents whose sons go to Annapolis would probably likewise object to their sons going to San Francisco, even though it took only two or three days to go and return.

Mr. PHELAN. To those people who are working hard for their living the consideration of the item of transportation—the cost is not so great for the smaller distance—means very much.

Mr. NORRIS. But the Senator will have to have some new regulations for this specific academy, because, even though parents living in Baltimore have sons in the Annapolis Academy, the young men could not go home to see their fathers without permission, and they would not get permission under the rules and regulations more than once or twice a year. They will get that permission if they live in Nevada, and the Government will pay the expense of the young men going there and back.

It seems to me it reduces itself down to this, that we are going to make a commercial proposition. If academies are going to be established for the benefit of the communities in which they are located rather than for the benefit of the Government, then we must go into the business, and we ought to have them everywhere. I could guarantee to you, Mr. President, that if you will establish a naval academy on the Missouri River we can have donated a thousand acres of land available for that purpose without any expense to the Government, and probably build a plant and turn over some boats that the Senator from Iowa has put out of commission by his opposition to the river and harbor bill.

Mr. KENYON. On the Platte River?

Mr. NORRIS. On the Platte and the Missouri Rivers.

Mr. KENYON. I do not know that there are any boats on the Platte River.

Mr. NORRIS. Oh, yes, there are boats on the Platte. But that does not make any difference. If you are going to establish these military academies for the benefit of the communities, then you ought to establish them where there is no water, because it will cost that much more money to get water there; and you can dig a channel up the Mississippi and its tributaries and do more good to the community by spending the Government funds than if you simply established a military academy along the ocean. Why should not the cities on rivers have them as well as the ocean cities?

It all reduces itself, it seems to me, to the proposition whether we need another academy. No good argument, as far as I have been able to hear, has been offered or even suggested that another academy is necessary. I think, if we had another one, it would probably go to the Pacific coast by general consent, but I do not believe we ought to go into the business of establishing academies for the benefit of communities. If we do, then we ought to establish another military academy for the Army. This is for the Navy.

If we must have two naval academies, then why not have two military academies? It is a stepping stone. It means the establishment of a naval academy on the Pacific coast, one on the Great Lakes, and one on the Gulf; and then the military academies, and they will not be confined to the coast, will go all over the country, because you can train your soldiers inland just as well as you can on the water. The one already established is on a river, and every river in the country will be demanding a military academy. After all, the great naval program of expansion is one more for the benefit of the community and individuals than it is for the benefit of the country. It may not be out of place to provide for the establishment of a dozen of them, because that will take public money and give it to somebody just as well as if we built two or three dozen useless battleships and let somebody get that money.

Mr. LEWIS. Mr. President, I am slightly interested in this provision. It will be noted that the provision calls for an investigation as to the places likely to be available for this new academy. One of the places is the Great Lakes. The Senator from Georgia [Mr. SMITH] says, "For Chicago." It is true, my home is in the imperial and unparalleled city of Chicago, which sits in queenly magnificence upon the great Lake Michigan. It feels that it is the most appropriate place where an academy could be located upon the Lakes if one is to be located in that vicinity. I confess a personal interest in that undertaking, and I was instrumental, together with the Senator from California [Mr. PHELAN], both being members of the Naval Committee, in having this provision written in the phraseology that it now presents.

Mr. President, there is only one inquiry here. The Senator from Nebraska [Mr. NORRIS] puts it very well and, I think, disposes of it and makes the issue absolute. If it is necessary for the Government to have academies for the education of students in the matters of naval warfare and naval commerce, then the Government should have them in number sufficient and at places appropriate to serve the object and to completely serve the full object of the Government. If, on the other hand, we have reached a point where the wisdom of the legislative body is that they are unnecessary further, that they should not be increased, that there should be no enlargement, then this provision should be defeated upon the ground that the policy is not for the welfare of the Government.

If, on the other hand, it has been discovered through past events or present existing circumstances that we should enlarge the Navy, enlarge its officers, prepare a larger field for the education of the men who shall serve in the Navy, then the question is, Where can that best be done?

I beg to say to the Senate that I think the able Senator from Nebraska has failed to catch the spirit which is the one which I think justifies this investigation. I tender it in detail, and if the one I offer is not sufficiently justified then I do not think that the mere question of accommodation of localities for the mere purpose of locality or appropriation for their profit or their pleasure would be sufficient.

This Government, Mr. President, extends from the Atlantic to the Pacific. If we shall ever have a conflict, such as I fear, it will come either from the Atlantic, Europe, from the Pacific, the Orient, or from the South. It is not generally conceded that we are likely to have trouble from the North. As to the latter I do not altogether agree. It is well known that I do not agree in this enjoyed security, but I do not intend to enter now upon that phase. It is enough to say that I have always harbored the fear that if this country should ever become involved in difficulty with any European nation it will find one of its greatest difficulties to solve at the north border.

But, Mr. President, the theory of an academy upon the Pacific coast is that those waters shall become learned to the seamen, shall become learned to the sailors, so that the ability to struggle in those waters and to contest in those waters may be known to men trained upon those waters.

Second, sir, that the Pacific coast and that part of the West shall feel akin and close to the Government. That it shall feel in participating in the Government it has been permitted to enjoy the benefit of the Government.

It is too well known, I am sure Senators will not regard this as an exaggeration, that there is a part of our country which has always felt that it has been divorced from the benefit of the Republic, and that the Atlantic has always enjoyed all the privileges so that every benefit conferred is to some degree sooner or later conferred there; that through favored privileges the Atlantic coast has enjoyed for nearly a hundred years a monopoly of benefits.

The Pacific coast should have one academy if it shall be first conceded that there shall be an increase in the opportunities and an increase in the number of the Navy. Two things that I feel result. One is, it is nearer to the citizens; they do not travel so far; they train at their doorways; they are acquainted with the water in which they may serve.

Mr. NORRIS. Mr. President——

Mr. LEWIS. I yield to the Senator.

Mr. NORRIS. Will the Senator permit an interruption?

Mr. LEWIS. Certainly.

Mr. NORRIS. I wish to suggest to the Senator this thought in answer to his argument, that one of the reasons why an additional academy should be located on the Pacific is to

familiarize the future men of the Navy with the Pacific waters. I may be wrong in it, but I believe the fact is that the men who are at Annapolis to-day get as much experience and drill and practice on the Pacific coast as they do on the Atlantic Ocean, and that, outside of the little boating in the immediate vicinity of the school where they would learn to handle boats, and so forth, they get as much absolute practice on one side of the country as they do on the other. I think that exists now, and while I agree with the Senator if it is decided that another academy shall be built it ought to be on the Pacific Ocean, yet the fact that a young man goes through a school there does not equip him any better in knowledge of the Pacific Ocean than though he went through a school on the Atlantic Ocean. When he is put in charge, as he eventually will be, of a battleship or any vessel of the Navy he is just as liable, if graduated from the Pacific coast school, to be sent to the Atlantic Ocean as he would be to be retained on the Pacific.

Mr. LEWIS. Mr. President, I desire in reply to say to the able Senator that he indulges in a state of facts that investigation will assure him are not well grounded. It is not until after the student has graduated that he is put upon a ship. Then, of course, he may train after that in waters anywhere; but pending the time of his graduation he is, I assure the Senator, by the regulations largely limited to the field upon the Atlantic coast.

But I wish to say to my able friend, this has another point of consideration that impresses me. I am now speaking about the coast. I am satisfied that while we live, if Providence shall be so generous as to allow us to live the Divine statute of limitations, the whole present policy of the Navy will be abandoned; that our country, extending so far, from the Pacific to the Atlantic, and our interests becoming constantly involved and in many cases so threatened, there will next arise the necessity for an Atlantic Squadron wholly controlled from the Atlantic coast for purposes of Atlantic defense; then there will be one on the Pacific coast, wholly existing upon the Pacific, trained on the Pacific, suited for Pacific necessities. The Panama Canal will make the channel through which these will join when necessary; yet, sir, under ordinary circumstances all life on each will be separate from each other for the purposes of the defense of the Republic against those things which many of us assume are inevitable in the future, from either coast, or both.

If I am right in that, surely then it is most appropriate that on the Pacific coast there should be the opportunity of a training station. Senators will see that the provision only calls for an examination. The objection made by the Senator from Nebraska, which is as well put and as forcibly as can be from any other source, if well taken, will clearly appear to those who will investigate the subject under this provision, and then that investigation which entails no expense will reveal such fact of just opposition. If, on the other hand, the investigation should reveal the necessity which the Senator says if revealed he would yield, as to the locating of some academy, then we will have the opportunity of the location.

This much I say for the Pacific coast. The only other place where I feel there will be the necessity for naval education is upon the Great Lakes. Let it not be forgotten that one of the great struggles of the Republic for the maintenance of itself was on the Great Lakes; and as I see it, Senators, not wanting to strike a note of alarm here to-day, the Great Lakes again will be a field of a very severe naval encounter in this Republic.

It might not be while we live—we all pray it shall not be ever—but it is inevitable if there should be an encounter anywhere that we should be involved with those nations which have possessions on the American continent now located upon the Great Lakes. For that reason I feel that the Great Lakes should have two stations. One should be for the shipyard. In that we are very much embarrassed by a treaty a hundred years old between the United States and Great Britain, which exists yet, which seems to forbid the construction of ships for naval uses or of ships at all upon the Great Lakes. Whether that treaty shall be abrogated or not I do not know, and why our Government continues to allow that obstruction to remain as it now exists against a shipyard on the Lakes, in view of the necessity for commerce, I do not understand.

Mr. NORRIS. Mr. President——

Mr. LEWIS. I yield to the Senator.

Mr. NORRIS. I presume the Senator is better posted on that than I am, and I am asking entirely for information. Would the provisions of that treaty prohibit the use by the students of an academy, if one should be located on the Great Lakes, of naval vessels for the purpose of practice?

Mr. LEWIS. I will say to my able friend that there was indulged before certain members of the committee their views on that subject, and I must say to the Senator there is some apprehension. There is a feeling on the part of very able men and thoughtful men in this body who have given the subject attention before, that the same objection which would prevail against the ships being built for naval purposes might be equally addressed to a naval academy if Britain sought to enforce the provisions of the treaty.

The hope is indulged that it will be waived by Great Britain as it has never been urged under certain conditions past where it might have been urged. But in reply directly to the Senator I say the subject is filled with very grave doubt. It is urged that the examination shall extend to the consideration of the Great Lakes in order that we may ascertain whether that part of the Middle West, which has felt at times that it has not been treated by this Government as an integral part. That it has often been ignored, and that it has been too often discriminated against. I feel that there upon the Great Lakes, a body of water foreign to both the Atlantic and the Pacific, calling for a different form of training, it would be most appropriate and justifiable to establish some form of academy where the young men could be trained for the uses of the water to the naval demands if these academies are necessary at all anywhere and if the increase of the Navy is essential and if further expansion of it is justified.

I respectfully call to the attention of the Senate that the provision merely asks to have the question investigated. If the investigation shall develop a report calling for their construction, then I think the objections urged by the able Senator could be probably addressed in more detail, but until the recommendation discloses their necessity these objections need not be entertained. If it should be disclosed that they are necessary, then I am sure the objections will be addressed to the mere matter of their cost, their propriety, and the appropriateness of their location, for none of us would defeat the project if the necessities of the Government called for it.

I join with the Senator from California in asking the Senate to allow the provision to remain.

Mr. WORKS. Mr. President, I am opposed to this bill and I expect to give the reasons for my opposition a little later on. But the Senator from Massachusetts makes a motion to strike out this provision of the bill. I am a little surprised that under the circumstances he should object to this provision. It seems to me to be quite ungrateful of him. It may be because he was educated at Annapolis and entertains the thought that no one can be well educated anywhere else.

This provision does not establish a naval academy on the Pacific coast. It only provides for a proper investigation of that subject in order to determine whether it should be so established or not.

I do not very well see how an advocate of the passage of this bill could object consistently to such a reasonable provision as that.

We all know, Mr. President, this bill is going to pass eventually and become a law, however unfortunate that may seem to me, and these different provisions in the bill must be judged upon that basis. If we are going to provide for an enormous Navy, which I think ought not to be established in a free country like this, there is certainly nothing unreasonable in providing that there may be two naval academies 3,000 miles apart. Why should the boys on the Pacific coast and nearby be compelled to come 3,000 miles to be educated under the Government when a school could be established nearer home?

I must say, Mr. President, that whatever my views may be of the bill itself as a whole, I can see no reason why this provision in the bill should be stricken out.

Mr. NEWLANDS. Mr. President, it seems to me that this amendment is an exceedingly reasonable proposal. As I understand, it is merely that this commission shall inquire into the advisability of establishing a naval school on the western coast.

Mr. President, so far as I am concerned, in our military and naval preparation for the future, I think that we ought to give great attention to the education and training of officers, both for the Army and the Navy. The estimate is that in our Army each man costs about a thousand dollars per annum, except in the Philippine Islands or in other foreign service, where the cost is higher. The average cost of an officer annually does not exceed $2,500; and yet a good officer has an expansive quality of one to one-hundredth, for a good officer can train 100 men. We have, therefore, by training officers, this element of elasticity in our naval and military preparation that we have always on hand, whether they are actually in the service or not, a body of men who are trained to arms and who are capable of training others. Thus, the very presence of that large body of men facilitates elasticity in our military preparations in case of emergency.

One of the great difficulties in England in training the enormous armies which they have recently produced has been a lack of officers, for in the preliminary stages of the war in Belgium

the officers of the British Army acted with their usual bravery and recklessness, leading their men instead of following and being protected by them, and they were swept away. Consequently England was at the greatest disadvantage, a disadvantage arising from the lack of having trained men who could train others.

I have been in hopes of seeing our Military Establishment enlarged in such a way as to provide military schools for training officers all over the country, making use of the original purposes of the land-grant college law, which provided not only for the advancement of agriculture and the mechanic arts, but for military training as well, the very purpose being to train for the Republic men who had some knowledge of military discipline and military tactics and military sanitation, and who would be able to take care of others. In every war that we have had the chief difficulty at the very start has been one of sanitation; one of inability to meet the ordinary requirements of sanitation, so that disease and pestilence have swept away more of our men than has war itself.

If we are going to have a larger Military Establishment and a larger Naval Establishment, are we to content ourselves with one naval school at Annapolis, Md.—the naval school at Newport being one, I believe, of advanced training—or are we to have others? Has not the Pacific coast its problems just as the Atlantic coast has its problems, and are we going to require that that enormous territory in the western region should send all of those whom we desire to train in the art of war, so far as it relates to our Navy, 3,000 miles away for that training? I believe that we should have such training as near as possible to the people themselves whose interests are affected, and that we should have as many of such schools as will be necessary to have on hand always, either in active or in retired service, a body of men who will be able to meet any emergency, whatever it may be.

I do not suppose for a moment that the Senate will reject this reasonable amendment, which has been inserted by the Committee on Naval Affairs, having knowledge of the exigencies of the situation regarding this matter.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Massachusetts [Mr. WEEKS].

Mr. VARDAMAN. Mr. President, I desire to have the amendment again stated. I was temporarily absent from the Chamber when it was offered.

The SECRETARY. On page 44, after line 10, it is proposed to strike out:

> Said commission shall also report on the advisability of establishing one or more naval academies on the Pacific coast or in the region of the Great Lakes and where the same should be located and the probable cost thereof.

Mr. WEEKS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Fletcher	Nelson	Smoot
Borah	Gallinger	Newlands	Swanson
Brady	Gronna	Norris	Taggart
Brandegee	Hardwick	Oliver	Thomas
Bryan	Hitchcock	Overman	Thompson
Catron	James	Phelan	Tillman
Chamberlain	Johnson, S. Dak.	Pittman	Townsend
Chilton	Jones	Poindexter	Underwood
Clapp	Kenyon	Pomerene	Vardaman
Clark, Wyo.	Kern	Ransdell	Wadsworth
Clarke, Ark.	La Follette	Shafroth	Walsh
Culberson	Lee, Md.	Sheppard	Warren
Curtis	Lewis	Smith, Ariz.	Weeks
Dillingham	Lodge	Smith, Md.	Williams
du Pont	Martin, Va.	Smith, S. C.	Works

The VICE PRESIDENT. Sixty Senators have answered to the roll call. There is a quorum present. The pending question is on the amendment of the Senator from Massachusetts [Mr. WEEKS].

Mr. WEEKS. Mr. President, just a moment to explain why I have made the motion which is now pending. One Naval Academy has been established for the construction and maintenance of which the Government has expended a great many millions of dollars. That institution is adequate for all the purposes to which it is likely to be devoted. I am surprised to hear Senators making an argument in favor of more naval academies because some other section of the country will be benefited. It does not make any difference to me whether the Naval Academy is on the Atlantic coast, the Pacific coast, or on the Gulf coast. It happens to be located on the Atlantic coast. I would feel exactly the same if it were located elsewhere.

No argument can be made that it will add to the efficiency of such an establishment or to the value of the product of that establishment if there are two institutions instead of one, or three instead of two. The same argument can be made in favor of the establishment of such an institution on the Great Lakes as can be made in favor of its establishment on the Pacific coast or in one of the Gulf States. It is one of those matters which ought not to be considered at all from the standpoint of location. It is a great national institution.

I do not think that a board of officers could be found who would report in favor of the establishment of an additional Naval Academy. I would feel it just as wise to put into the sundry civil bill a provision that a board should make an investigation to determine whether there should be another capital or not, or how many capitals there should be, and I am confident that there would be Senators—quite a number of them—if that were to be done, who would advance good arguments from their standpoint why a capital should be created in their own States. I hope that this important institution will not be trifled with, even to the extent of appointing a commission, and that that provision will be stricken from the bill.

Mr. VARDAMAN. Mr. President, I wish to detain the Senate just long enough to give my very hearty approval to what the Senator from Massachusetts [Mr. WEEKS] has said. I was impressed with the argument advanced by the honorable Senator from Nevada [Mr. NEWLANDS], that the Pacific coast has its problems and that it is necessary to establish a naval academy there in order that a peculiar science of naval warfare may be taught on the western coast of this country. I think, instead of founding another institution to teach men military sanitation, as suggested by the able Senator from Nevada, that we ought to offer a reward to somebody to discover an antitoxin that would kill the military germ that seems to be poisoning the blood of the American people and firing their brains to acts of indiscretion. Congress seems almost to have gone crazy on the subject of expending money for preparedness, which means, God knows what; but any proposition to spend any amount of money for anything on earth, if you just attach to it the name of "preparedness," would find supporters in this body. I sincerely hope that the motion of the Senator from Massachusetts will be adopted.

Mr. PHELAN. Mr. President, for the benefit of the Senators who were absent during the preliminary discussion, I simply desire to say that the committee report embraced a provision authorizing the President to appoint five naval officers, not lower in rank than that of commander, to report on various subjects—naval bases, aviation grounds, submarine bases, and, among other things, the advisability of providing for the growing needs of the Navy another naval academy, either on the Pacific coast or on the Great Lakes, and to report the location and probable cost thereof. They are simply charged with the duty of reporting on the advisability of it as well as the location and the cost—information necessary for the Senate to determine, with expert evidence on their part, the necessity for such action.

The Senator from Massachusetts has stated just now that Annapolis provides ample means. I desire to challenge that statement. The Congress has already increased the number of midshipmen by one-third, if I recall aright; and the Navy Department—the Secretary himself—has stated that the capacity of Annapolis is 1,200, and that that capacity is about being reached now. As we are aware, there are hundreds of young men constantly rejected for one reason or another, and that is the only reason why the pressure has not been greater upon the Congress to provide additional accommodations. So it remains undisputed that either Annapolis has to be enlarged or a new academy established elsewhere; and it is against sound economic considerations and also against military educational considerations to attempt, I am informed by the Secretary of the Navy in conversation, the education of a larger number of men than 1,200 at any one place. England has two naval academies, and England has led the way in the progress of naval development and construction.

If that be true, it is not a matter of sectional consideration. It is not a matter of geography. It is a matter of necessity that greater accommodations should be provided. The Pacific coast is looming up in importance. It is to be the theater of the great events of the world's future. Upon its waters possibly the next naval engagement shall be fought, and very few of the men educated at Annapolis have that intimate knowledge of that ocean and the neighboring waters, the bays, and the rivers and the harbors that qualifies them fully for service there. I am informed, on the other hand, that men who have served on the Pacific, when transferred to the Atlantic, have but an inadequate and imperfect knowledge of the waters where they command great fleets. So there will ultimately be, probably sooner than we expect, an absolute necessity for having both a Pacific Fleet and an Atlantic Fleet; and an admiral testified before the

House committee the other day that our so-called Pacific Fleet could be routed by one enemy warship, and that the only hope in the world for the Pacific Fleet as it is constituted to-day, guarding that great coast, would be the precipitation of a fog at the "psychological moment," under cover of which it might escape!

So the Pacific Ocean must be borne in mind, not only in the location of our fighting craft, but in the education of our youth. The great West is turning out men all the time of the right sort for fighting, not pampered by influences which prevail to a great extent in the luxurious cities of the East—hardy youths, brought up on the farm. I demonstrated here, on testimony of western Senators, that the mental attitude of the parents toward a college so remote from their homes that they never could afford to get to see their boy during the period of his education, four years, has actually deterred young men from seeking careers in the Navy, and they have refused proffered appointments as midshipmen to the Annapolis institution. So, in order to develop the Navy, not to develop the West, I claim that it would be exceedingly desirable now to secure merely a report from competent authority as to the advisability of doing this.

Possibly I need as much information as other Senators, but I will not accept the word of an alumnus of Annapolis, making the defense here of his alma mater, wishing to confer upon it exclusive benefits, as any reason whatever why another naval academy should not be established in some other part of the country. I have great respect for his filial love, but it should not stand in the way of legislation by the Senate of the United States. I recall that it is the spirit of emulation that develops the best in men and in institutions.

In the State of California a few years ago Leland Stanford, some time Senator to the United States in this body, having lost his son, decided to give his great wealth to the establishment of a university. The men who supported by taxation and by their loyal Californian spirit the University of California looked with fear, with a sense of apprehension, upon this vastly endowed institution entering the educational ranks for competition. What was the result? We have, instead of competitive institutions, rival institutions; and I believe the enrollment in the University of California, which thought it was threatened, ranks only second to Yale and Harvard; and Stanford, with equal pace, has gone forward until it is one of the great universities of the land. So the one that was threatened—the University of California—became the greatest of them all, stimulated by the presence of a rival educational institution.

Certainly when the Senator says he would just as soon vote for having two capitals in this country, one east and one west, he does not, I am sure, seriously attempt to make a comparison between, or establish as anything analogous, the development of universities and the establishment of capitals. I myself believe in one capital and one flag and one country. The capital is the emblem of the unity of the Nation. If the Senator were consistent in that statement, he would discourage all other educational institutions except a national university; and I do not believe, although his logic would lead him there, that he would give us that as his conclusion, after a careful survey of the field.

They say that in England once there was one lawyer in a town who was starving to death until another came, when they both grew rich.

It is the spirit of emulation, the spirit of competition, of doing better than the other man can possibly do, whether in scholarship or in oarsmanship or in swimming or in athletics or in seamanship or in construction, that will bring us the very highest development in the men who are in the future to defend the country in its battles upon the sea.

I may say, in conclusion, without appearing in the least to be sectional, that in the far western land we have a climate which enables men to work in comfort, which you appreciate to-day, the year around. Hence, it is due to that fact that there has been a greater proficiency shown by the men educated, say, in the sports, in that part of the country. I read but to-day that in that form of athletics where men are made alert and hardy, in the tournaments, the men from the West excel the men from the East, and it is stated that it is due entirely to the fact, not that they are better in spirit and in thought and in aspiration, but that on every day of the year they can in comfort develop their muscles and promote their skill in the open air. And so in aviation, which in the future will mean much in determining the battles of the country. There aviation fields and aviators—a part necessarily of naval education—will find clear skies and congenial environment.

Senators, inasmuch as this is merely an ordinary and desirable means of securing information, and not in the least committing this body to the policy of even two naval academies, I request, on behalf of those who are interested, not so much in the western part of this country, but who are interested very deeply and sincerely in the development of the Navy and the skill and proficiency of its men, that this motion to reject the amendment be voted down.

Mr. WORKS. Mr. President, I agree entirely with the Senator from Massachusetts that if a second Naval Academy is not necessary, the question of locating it on the Pacific coast should receive no consideration whatever. I am one of those who believe that favors of this kind should not be distributed in any such way. But the matter to be submitted to this investigating commission is not merely whether it should be located on the Pacific coast or not, but whether or not there should be a second naval school at all.

It may be that the officers who will be called upon to investigate the matter may not agree with the Senator from Massachusetts as to the importance of maintaining the one academy at which he was educated. He may be a little bit prejudiced in that respect; but I see no reason why that matter should not be committed fairly to the naval officers who will be called upon to determine that question, as they will determine it, without any reference to the wishes or the desires of the people of the Pacific coast, so far as I represent those people. But if it should be determined that it is advisable that a second one should be established, then I think it is fair to consider the other question as to where it should be located. We have one at the far eastern side of the country, and I think it should be considered fairly whether the other one ought not to be established on the Pacific coast, after first determining that there should be a second one, and not before.

Mr. THOMAS. Mr. President, I am very sorry that I can not agree with the argument presented by my friend the junior Senator from California [Mr. PHELAN] in behalf of this amendment. I stated somewhat briefly, when the Senator from Massachusetts yielded for a question, why I thought the matter should be disposed of now; and I would not undertake to repeat what I said at that time if it were not for the fact that there are a good many Senators present now who were not present in the Chamber then.

The proposed amendment is as follows:

> Said commission shall also report on the advisability of establishing one or more naval academies on the Pacific coast or in the region of the Great Lakes and where the same should be located and the probable cost thereof.

Evidently the commission, if this amendment is incorporated into the law, will be required to visit various localities and to report upon the advisability, not of one, not of two, perhaps, but of an indefinite number of naval academies on the Pacific coast or in the region of the Great Lakes.

If it is necessary that the Government should establish one or more naval academies in addition to that which it now has, I see no reason why this commission should be confined in its examination to the Pacific coast and to the Great Lakes. There are other sections of the country which perhaps might possess facilities or advantages equal, if not superior, to those possessed by the two sections of the country specified in the amendment. There is the Gulf coast, for example.

Mr. BORAH. That has already been included.

Mr. THOMAS. There is the great interior body of salt water at Salt Lake City.

Mr. SMOOT. The best place in the world.

Mr. THOMAS. And there is also the argument, which is by no means a fallacious one, that naval academies might be desired and in fact might be superior, from some standpoints, if they were located away from any body of water at all. In any event, other sections of the Union will clamor—and if this amendment should be adopted, I shall be one of them—for an extension of this investigation so as to comprise the great Rocky Mountain region, which is interested in the Navy to some extent, perhaps, as other localities are, for local reasons.

Mr. President, when this commission goes to the Pacific coast for the purpose of making this investigation, and to the Great Lakes, its members will be feasted and wined and dined, and they will have great difficulty in resisting the genial and bounteous hospitality of my very dear friend the junior Senator from California [Mr. PHELAN], when he has an opportunity to entertain them and acquaint them with the magnificent resources and the splendid people and the wonderful atmosphere of that land of sunshine and gold and flowers. They will receive similar entertainment from my equally distinguished and hospitable friend the Senator from Illinois [Mr. LEWIS], who, I understand, is also interested in this investigation. And if they should, perchance, come to the city of Denver, there is no question but that it will maintain its own reputation for hospitality and for entertainment. I do not know of any commission, even

with Mr. Edison at its head, that will be able to resist all of the blandishments, all of the entreaties, all of the persuasions, and all of the representations that will necessarily and very properly be made concerning the necessity, first, of another academy, and second, the necessity of its location at the particular place which is at the time the immediate subject of inquiry and investigation.

This, Mr. President, will be followed by a similar amendment to our military bill—which, I think, is equally appropriate, if this is appropriate—providing for a similar commission which shall report upon the advisability of establishing one or more military academies in addition to the one which we possess. That commission will also be subjected to the same representations and the same persuasive influences which it is difficult, perhaps, to resist, and which, whether resisted or not, will necessitate a report here which, if favorable, will be acted upon, and if unfavorable will in all probability be followed by the institution of another and yet another commission until we can get one which will make the right kind of a report.

Mr. President, assuming that a report favorable to some locality shall be made without regard to the question of its necessity, experience teaches us that those who represent the section of the country favored by the report will be besieged—indeed, they will be beleaguered—by their constituency until they secure the establishment of the institution and the appropriation necessary for its adequate operation. The precedent having been set every State in the Union, one after the other, will be clamoring here for the institution of similar establishments within their geographical boundaries. Indeed, I perhaps might go further and say that every city of any great importance and every congressional district will ultimately desire schools of this kind. If we may judge from the manner in which similar precedents have multiplied into appropriations for similar purposes, certainly the prediction which I make in this matter is not an extravagant one.

So I think that this project of increasing the number of these schools, which I do not believe necessary, should be met at the threshold, and instead of having the subject investigated we should first determine whether the investigation is necessary.

Mr. President, if we have not room enough at Annapolis to house and graduate a sufficient number of students to officer our Navy, we should increase the capacity of that school. If we have not enough room and accommodations and facilities at West Point to turn out the requisite number of officers for our Military Establishment, then that school should be amplified so that it can meet the new demands made upon it.

But do not let us begin the work of duplicating, because it means the subsequent multiplication of these institutions; and, of course, that means the added expense necessary for their maintenance.

We must remember, Mr. President, that this bill carries the enormous appropriation of $319,000,000, and that if it becomes a law for the purpose of carrying out its provisions there must be raised in the next two or three years an added sum of $488,000,000, in round numbers. More than three-quarters of a billion dollars are involved in this bill, and, while the amendment here does not affect the amount of the appropriation at all, we can easily perceive how this report may be followed by the consequences to which I have called attention.

I think that we should leave it here and that the motion to strike out as proposed should prevail.

Mr. BORAH. Mr. President, we will shortly pass a bill here carrying the appropriation of a tremendous sum of money, and it seems to me that in view of the burden that must necessarily apparently be placed upon the taxpayers of the country we ought to be exceedingly thoughtful with regard to those matters which are not essential at this time.

Naturally I should be very much in favor of anything which would look to the aggrandizement or the honoring of the Pacific coast or anything which would inure to its benefit or to its recognition or anything that would tend to place the country west of the Mississippi upon the political map of the United States. But I must say I disagree with my able friend from California and others as to the necessity at this time or as to the wisdom of including this provision in the bill.

This is a peculiar amendment, Mr. President, and speaks for itself. It does not provide, as I read it, that this commission shall report upon the advisability of establishing another naval academy, but it is to report alone upon the question as to the advisability of establishing one or more naval academies on the Pacific coast or in the region of the Great Lakes. The thing upon which they are called to pass is whether or not it is advisable to establish it in that particular region or country.

Mr. President, for many years we know that our Army appropriations have been filled up with large amounts for the purpose of maintaining forts in different parts of the country which ought long ago to have been abandoned. There have been a great number of forts established, some of them necessarily in the early days, but afterwards becoming wholly useless. Others were established out of the same spirit and enterprise which characterize this movement. All of them have been a drain upon the Treasury without any real benefit or value to the Army or to the protection of our country. Those forts, many of them, ought long ago to have been abandoned. It is almost impossible to secure their abandonment, but, to use perhaps a not wholly inapt and yet a rough phrase, they are in sense "pork" in the Army bill, and they are constantly sustained. We have had also the same thing with reference to some of our naval bases.

This is not with the intention of making it so, but, actuated by the same spirit, will result in the same way the establishing of some things which it seems to me are not necessarily connected with a thorough preparedness for the country.

If there is any reason why this academy should be established upon the Pacific coast, it can be better determined, in my judgment, in after years, after the spirit which now pervades the country shall have disappeared.

You could establish almost anything in any part of the country at this time which would have the name or pass under the cover of preparedness, and which might in after years serve no other purpose than that of simply a drain upon the Treasury.

It seems to me that there are other things which we need very much more for the Pacific coast. One of them was mentioned by the able Senator from California. We need a more real protection, more warships upon the Pacific coast, more of those things which will really be of service and which we may need immediately, and we had better address our attention in the line of securing those things rather than to speculate upon this matter, which to my mind is not necessary at this time, and may result in a great drain upon the Treasury without any real benefit to the country.

Mr. POMERENE. Mr. President, whether or not the provision which the Senator from Massachusetts seeks to strike out is in the form in which it should be placed or not I am not quite certain. I believe there should be some inquiry into this subject. I do not think that in the form it appears in the bill it covers the situation. Some months ago, when the movement was on foot to increase the number of cadets at the Military Academy and the number of midshipmen at the Naval Academy, an officer of the Navy came to me with this suggestion. He believed it was necessary to increase the membership in both institutions, but he felt that there were not sufficient accommodations at either of those institutions for the increased number of cadets or midshipmen, and he suggested that it might be well to provide a third institution for the first-year men, so that the cadets who were appointed to West Point and the midshipmen hereafter to be appointed to the Naval Academy could attend this third institution during the first year. His reason was, in brief, that the course of study at the two institutions during the first year is substantially the same, and that it might be of very great benefit to the graduates of both institutions if they were brought somewhat more closely together during the first part of their course of study.

Having in mind his suggestion, some time afterwards I introduced in the Senate Senate bill 4711. This bill was referred to the Military Committee. I think perhaps it has had some slight consideration, but it has not been taken up for final action I understand. My thought is that if this commission is to be appointed it would be well to authorize the commission to inquire into the advisability of establishing this third institution and also as to the wisdom or unwisdom of having the cadets and midshipmen together during the first year of their course of study.

I do not believe that we should attempt now to locate an institution, whether it is of the kind suggested by the Senator from California or the one suggested by the Senator from Illinois or the one suggested in the bill which I myself presented. I think that can be done later if we determine that it is necessary.

Mr. PHELAN. May I ask the Senator a question?

Mr. POMERENE. Certainly.

Mr. PHELAN. The Senator expressed a doubt as to the wisdom of one course or another. Where the provision merely requires information to be sought by experts, he certainly would not object to the receipt of that information prepared by experts.

Mr. POMERENE. No; except I do object to this, that it is attempted by the provision of the bill to limit the judgment of the experts to particular localities. I am quite sure that, notwithstanding the fact that the distinguished Senator from Colorado overlooked Ohio, if this commission would get to

work they would not go farther west than Ohio for either of the institutions.

Mr. PHELAN. In answer to that, I simply desire to say that the existing institution is upon the Atlantic coast, and no good purpose would be served, in my judgment, in bringing in the greater population of the West by establishing another institution on the eastern coast. While I concede there is a necessity for it, there must be another institution, no matter where it is located, because it is the judgment of the Navy Department, I suppose properly advised, that 1,200 is the capacity of the existing institution, and that not more than 1,200 men should be educated in one place. I take that as a basis. If we do establish another institution, it must be far from the eastern seaboard in order to make a new demand. It is immaterial to me, for the purpose of this discussion, where it is, provided it is beyond the Atlantic seaboard and far enough west to bring within its scope that new population that seeks to serve the country and which is deterred by the remoteness of the Annapolis institution from their home.

Mr. SMOOT. Mr. President, I desire to ask the Senator from California a question. The Senator makes the statement that it is not advisable that Annapolis should have at any time more than 1,200 students. On what authority does the Senator make that statement?

Mr. PHELAN. In my previous remarks I said I made the statement on the authority of the Secretary of the Navy in a private conversation. The ground there is limited, and additional ground can not be acquired without very considerable cost because it adjoins the city. The plant is of a size and adequate only to meet the demands of 1,200 midshipmen, and therefore it is impracticable to increase that plant to educate a larger number of men. As I recollect, that was his judgment at that time.

Mr. SMOOT. I have talked with a good many naval officers, and the information that they give me is that Annapolis could just as well have 2,400 or 3,000 as the present number.

Mr. GALLINGER. Will the Senator from Utah permit me?

Mr. SMOOT. Certainly.

Mr. GALLINGER. The Senator from Utah is aware of the fact that we have just constructed a high-school building in the city of Washington for the accommodation of 2,500 school pupils?

Mr. SMOOT. The new Central High School?

Mr. GALLINGER. The new Central High School.

Mr. PHELAN. Do I understand the Senator to say that without any additional buildings it would accommodate 2,400?

Mr. SMOOT. I did not say that. I was going to tell the Senator what naval officers had told me. They claimed that a great deal of the overhead expenses and much of the expense of maintaining the institution would be the same with 1,200 as with 2,400 students.

I never heard the question as to whether there was room sufficient discussed, but I take it for granted that additional land could be purchased. No matter where a school was established, there would have to be land acquired. The building of the central or administrative building for a new naval academy would be very expensive, while with very little expense, I am informed, the administrative buildings at Annapolis could be made ample for all purposes, even if the attendance was increased to 2,000.

I wish to say that if there is to be another naval academy established, if the policy is to increase the number, then, of course, I think myself there ought to be one located in the far West, not necessarily in California, for I think the Senator from Colorado designated the very best place in the United States for a military or naval academy, and that was Salt Lake City.

I believe that if the amendment is going to be favorably considered, the Senator ought to ask that it be broadened and that the investigation be made by the commission first as to whether it is advisable to establish another naval academy, and, next, if it is advisable to do so let the commission say where it should be located—not in the Great Lakes country or California alone, but anywhere in the United States, I care not where. I think that would be the proper thing to do if we are going to undertake it at all. However, I have no doubt in my mind but what, if there is another academy established, it is going to cost the Government of the United States not one million dollars but many million dollars, and it will be a constant drain upon the Treasury every year.

Therefore, Mr. President, it seems to me it would be ill-advised to adopt the amendment, even if amended as I suggested.

Mr. PHELAN. May I ask the Senator a question?

Mr. SMOOT. Certainly.

Mr. PHELAN. If the Senator from Utah were a member of the proposed commission to determine the advisability of establishing a naval academy either on the Pacific coast or the Great Lakes, in considering the advisability, would he not discuss the preferential plan advocated by many of enlarging Annapolis?

Mr. SMOOT. I would; and I want to say frankly——

Mr. PHELAN. Therefore we will elicit the information, which none of us seems to have in detail, from authentic sources.

Mr. SMOOT. Mr. President, I wish to say frankly to the Senator that I have not now sufficient knowledge at my command, nor have I been able to secure the information that I would consider absolutely necessary to decide that question, particularly the question as to the advisability; but I have had experience enough in trying to establish branch schools in connection with the main school to know that every time it is done it is an expensive undertaking. I take it for granted that this would be an expensive undertaking, though I am not prepared to say that the advantages that might accrue from it would not offset the expense. As to that question, I have not information sufficient at my command to decide; but I do know that it would cost the Government of the United States millions of dollars to undertake it. I further know that there are naval officers who have told me that it would be no advantage whatever to have a divided school.

Mr. JONES. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Washington?

Mr. SMOOT. I do.

Mr. JONES. Will the Senator from Utah state whether or not the Navy Department, or any official representing it, has officially stated or suggested to Congress that an additional naval academy was needed?

Mr. SMOOT. I do not know of any public statement which has been made to that effect, and I doubt whether there has ever been one. I do not think that any official of the Navy Department has ever publicly recommended that such a course be followed; but the Senator from California [Mr. PHELAN] has stated that in a private conversation with the Secretary of the Navy the Secretary told him that he thought 1,200 students were all that could be successfully taught at Annapolis.

Mr. JONES. What I desired to find out was whether or not the Secretary of the Navy, in an official way, or whether anybody representing the Navy Department, has ever suggested or recommended to Congress that any separate academy or divided academy should be established.

Mr. SMOOT. I think I am perfectly safe in saying that no one has made such recommendation.

Mr. JONES. If such officials thought it very necessary, they certainly would make such a recommendation.

Mr. PHELAN. Mr. President, the fact remains that there is a necessity for the increase of accommodations at the Naval Academy. When I introduced a bill last winter appropriating a sum of money for the purpose of constructing a naval academy on the Pacific coast there was a report from the Secretary of the Navy—for which I have sent—and in a conversation with me at that time the Secretary said he believed in the establishment of another naval academy; but he was not prepared, without an investigation by competent persons, to recommend it. I acquiesced in that view, and we have waited all these months without bothering Congress for the purpose of having a commission appointed to report, among other things, on that subject. This merely provides for a commission to make a report. A refusal to vote for the amendment would be a refusal to accept, with open-mind, information, which in no way determines the main question.

Mr. BRANDEGEE. Mr. President, I am very much in favor of the creation of this commission. I think the information that they would get and the report that they would make to us would be very valuable and instructive, but I do not see any particular reason why they should be confined to particular sections of the country if they think other sections are better for such location. For myself I would be perfectly satisfied to accept the recommendation of trained men in that line of business; in fact, I think I should prefer their recommendation; I know I would prefer it to my own. I was going to suggest, however, to the chairman of the committee whether or not the purpose could not be served if we struck out the words "on the Pacific coast or in the region of the Great Lakes" and inserted words so that the amendment might read in this way:

Said commission shall also report on the advisability of establishing one or more additional naval academies and where the same should be located and the probable cost thereof, and whether the present academy should be enlarged.

Mr. SWANSON. Mr. President, this amendment was inserted at the request and in consequence of the earnest efforts of the junior Senator from California [Mr. PHELAN], the Senator from Illinois [Mr. LEWIS], and the Senator from Michigan [Mr. SMITH], all of whom are members of the committee. If it is agreeable to those Senators to accept the amendment now proposed by the Senator from Connecticut, it is perfectly agreeable to me.

Mr. BRANDEGEE. The only object I have is that the commission, being a commission of experts and naval officers, might have a free hand to suggest to Congress what they really thought was the best thing to do. We shall always have the right in the end to determine what is the best thing to do if we disagree with them.

Mr. LEWIS. I am perfectly willing that any form of investigation shall be made.

Mr. SWANSON. With the concurrence of the Senators previously named by me, I accept the amendment to the amendment.

Mr. SHEPPARD. Mr. President, let the amendment be again stated.

Mr. BRANDEGEE. I have not formally prepared it, but I have interlined the amendment in the bill which I hold in my hand. The reporter, of course, has taken the amendment down as I read it; but I will repeat it for the information of the Senate.

Mr. LIPPITT. Mr. President, if the Senator from Connecticut will excuse me, if he is going to offer that amendment to the amendment, would it not serve all of his purposes if, after the word "academies," he simply struck out the words "on the Pacific coast or in the region of the Great Lakes"?

Mr. BRANDEGEE. I did propose to strike out those words and to add something at the end of the amendment. If the Senator will permit me, I will once more read the amendment as it would read if my suggestion were accepted. I really do not care whether it is accepted or not. As I propose to amend the amendment it would read:

Said commission shall also report on the advisability of establishing one or more additional naval academies, and where the same should be located, and the probable cost thereof and whether the present academy should be enlarged.

Mr. SWANSON. I accept the amendment.

Mr. WEEKS. Mr. President, it is possible that the amendment to the amendment offered by the Senator from Connecticut [Mr. BRANDEGEE] may improve the original proposition, which was evidently purely sectional in its intent; but it does not improve the fundamental condition which is proposed to be effected by this proposition.

We do not need another naval academy. We have the facilities, possibly barring suitable dormitory rooms, at the Naval Academy for a greatly increased number of midshipmen. It would be a waste of the Government's money, in my judgment, to establish another naval academy.

Some Senator, in speaking to-day, has referred very truly to the course which is followed when a fort or any other Government establishment is once fixed. We go on year after year appropriating money for additions, for improvements, for repairs, and for maintenance, whether they are needed or desirable or whether they are not. Here is a case where, in my judgment, there is no necessity for the establishment of an additional naval academy. In fact I believe the product which would go to the Navy from two institutions would be less homogeneous, that it would be less adapted to our needs than if they went from one institution. I can not see any argument in favor of the proposition, and I sincerely hope that the entire amendment will be voted out of the bill.

Mr. VARDAMAN. I ask for the yeas and nays on the amendment.

Mr. POINDEXTER. Mr. President, I think, if the proposed commission should be appointed, they ought not to be limited to reporting on the advisability of establishing particular academies. It seems to me that they ought also to have authority to report, if any additional school at all is to be established, whether or not it should be a preparatory school. I know that there are a great many authorities in the Navy Department who favor the establishment of a preparatory school, where young boys may be prepared for entrance to the Naval Academy and also for entrance to the Military Academy. So, I move to amend this paragraph by inserting after the word "academies" the words "or schools preparatory for the United States Naval and Military Academies"; so that that may be included in the scope of the report.

The VICE PRESIDENT. Is that accepted by the committee?

Mr. SWANSON. Mr. President, I can not agree with the Senator that preparatory schools should be included in the scope of this provision. The only excuse I have ever heard from the naval officers with whom I have talked for the establishment of a second academy was to constitute purely a post-graduate school for, say, a one year's course, after a man had been graduated from the Naval Academy. Some have thought that possibly a second academy of that kind should be established, which could be a part of the academy at Annapolis and which would include post-graduate courses of one year, or some such period as that. As to preparatory academies all over the country, I think it would be a great mistake if we entered upon that system.

Mr. WEEKS. Mr. President, let me call the attention of the Senator to the fact that we have such an institution in the War College, which affords substantially a post-graduate course.

Mr. SWANSON. As I have said, the only excuse that I have ever heard and that ever has made any impression on me for the establishment of second academies was that there should be afforded a post-graduate course after the regular course at Annapolis had been completed.

The VICE PRESIDENT. The inquiry of the Chair was directed to the chairman of the committee for the purpose of keeping the record straight. The Senator from Washington can not, without the consent of the chairman of the committee, at the present time amend this portion of the amendment, because there is a motion pending to strike it out; and it is only when modified by the consent of the chairman of the committee that it can be modified before the motion to strike out is put.

Mr. POINDEXTER. The rule provides that the portion to be stricken out may be first perfected.

The VICE PRESIDENT. There is nothing to be inserted here; that is the difficulty about it.

Mr. GALLINGER. Question!

Mr. SHEPPARD. I rise to a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Texas will state it.

Mr. SHEPPARD. Does the adoption of the committee amendments at this time preclude the offering of amendments to those amendments at a later time?

The VICE PRESIDENT. If they are adopted now, it precludes that until the bill reaches the Senate, unless there is a motion to reconsider the vote whereby they have been adopted.

Mr. GALLINGER. I assume that in considering a committee amendment an amendment to amend the committee amendment would be in order.

The VICE PRESIDENT. There is no doubt about that, but that was not the inquiry of the Senator from Texas. The inquiry was directed to a case where the committee amendment had been adopted.

Mr. SHEPPARD. We were unable to hear the observation of the Senator from New Hampshire.

Mr. GALLINGER. My observation was that pending the consideration of a committee amendment a motion to amend that amendment would be in order.

SEVERAL SENATORS. Vote!

The VICE PRESIDENT. The question is on the amendment of the Senator from Massachusetts.

Mr. NORRIS. I ask for the yeas and nays.

Mr. JONES. Let us have the amendment read now as amended by the Senator from Connecticut.

The VICE PRESIDENT. The Secretary will read the amendment as modified.

The SECRETARY. On page 44, line 11, it is proposed to strike out the committee amendment as modified, as follows:

Said commission shall also report on the advisability of establishing one or more additional naval academies and where the same should be located and the probable cost thereof and whether the present academy should be enlarged.

Mr. PHELAN. That is the amendment offered by the Senator from Connecticut [Mr. BRANDEGEE].

The VICE PRESIDENT. No; it is an amendment accepted by the committee. The Chair is trying to rule that on a motion to strike out amendments can not be submitted to the text unless they are modifications accepted by the committee.

Mr. WEEKS. I ask for the yeas and nays.

Mr. SMITH of Georgia. I was unable to hear just what the Chair ruled. Does the Chair hold that we can not amend the committee amendment now?

The VICE PRESIDENT. No; there is a motion to strike out a committee amendment, and the Chair is ruling that a Senator can not on motion amend the part to be stricken out; that it must be done by the consent of the committee. If it is not stricken out, it can be amended, or if it is stricken out another amendment can be proposed.

SEVERAL SENATORS. Question!

The VICE PRESIDENT. The question is on the motion of the Senator from Massachusetts to strike out.

Mr. WEEKS. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CLARK of Wyoming (when his name was called). In the absence of the senior Senator from Missouri [Mr. STONE], with whom I am paired, I withhold my vote.

Mr. TILLMAN (when his name was called). I transfer my pair with the Senator from West Virginia [Mr. GOFF] to the Senator from Tennessee [Mr. LEA] and vote "nay."

Mr. WADSWORTH. I have a general pair with the Senator from New Hampshire [Mr. HOLLIS]. In his absence I withhold my vote.

Mr. WILLIAMS (when his name was called). I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the Senator from Tennessee [Mr. SHIELDS], and vote "nay."

The roll call was concluded.

Mr. CHILTON. I transfer my pair with the Senator from New Mexico [Mr. FALL] to the Senator from New Jersey [Mr. HUGHES] and vote "nay."

Mr. VARDAMAN. I am requested to announce the unavoidable absence of the junior Senator from Tennessee [Mr. SHIELDS]. He is absent on important business. I ask that this announcement may stand for the day.

Mr. GALLINGER. I ask whether the junior Senator from New York [Mr. O'GORMAN] has voted?

The VICE PRESIDENT. He has not.

Mr. GALLINGER. I have a general pair with that Senator, and will withhold my vote. If privileged to vote, I should vote "yea."

Mr. GRONNA. I have a general pair with the Senator from Maine [Mr. JOHNSON]. In his absence I withhold my vote. If privileged to vote, I should vote "yea."

Mr. CATRON. I inquire if the Senator from Oklahoma [Mr. OWEN] has voted?

The VICE PRESIDENT. He has not.

Mr. CATRON. I have a pair with him, and therefore withhold my vote. If at liberty to vote, I should vote "yea."

Mr. TOWNSEND. I wish to announce the absence of my colleague [Mr. SMITH of Michigan], who is paired with the junior Senator from Missouri [Mr. REED]. This announcement may stand for the remainder of the day.

Mr. WALSH. I announce the absence of my colleague [Mr. MYERS] on account of illness. He is paired with the Senator from Connecticut [Mr. MCLEAN].

Mr. CHAMBERLAIN. I desire to announce the unavoidable absence of my colleague [Mr. LANE] on account of illness.

Mr. CURTIS. I am requested to announce the following pairs:

The Senator from Rhode Island [Mr. COLT] with the Senator from Delaware [Mr. SAULSBURY];

The Senator from Vermont [Mr. PAGE] with the Senator from Oklahoma [Mr. GORE];

The Senator from Ohio [Mr. HARDING] with the Senator from Alabama [Mr. UNDERWOOD]; and

The Senator from Utah [Mr. SUTHERLAND] with the Senator from Arkansas [Mr. CLARKE].

The result was announced—yeas 27, nays, 32, as follows:

YEAS—27.

Borah	Fletcher	Martin, Va.	Sterling
Bryan	Hitchcock	Nelson	Thomas
Culberson	Kenyon	Norris	Townsend
Cummins	La Follette	Oliver	Vardaman
Curtis	Lippitt	Smith, Ga.	Warren
Dillingham	Lodge	Smith, Md.	Weeks
du Pont	McCumber	Smoot	

NAYS—32.

Ashurst	Hardwick	Phelan	Smith, Ariz.
Bankhead	James	Pittman	Smith, S. C.
Beckham	Johnson, S. Dak.	Poindexter	Swanson
Brady	Jones	Pomerene	Thompson
Brandegee	Kern	Ransdell	Tillman
Broussard	Lewis	Shafroth	Walsh
Chamberlain	Newlands	Sheppard	Williams
Chilton	Overman	Simmons	Works

NOT VOTING—36.

Catron	Gronna	McLean	Saulsbury
Clapp	Harding	Martine, N. J.	Sherman
Clark, Wyo.	Hollis	Myers	Shields
Clarke, Ark.	Hughes	O'Gorman	Smith, Mich.
Colt	Husting	Owen	Stone
Fall	Johnson, Me.	Page	Sutherland
Gallinger	Lane	Penrose	Taggart
Goff	Lea, Tenn.	Reed	Underwood
Gore	Lee, Md.	Robinson	Wadsworth

So the motion of Mr. WEEKS to strike out was rejected.

The VICE PRESIDENT. The question now recurs on the amendment of the committee.

Mr. POMERENE. I move to amend the amendment by inserting the matter which I send to the desk.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. It is proposed to add, at the end of the amendment, the following words:

Said commission shall also report on the advisability of establishing a school for the accommodation, instruction, and training of military cadets and midshipmen, at which school all cadets and midshipmen shall attend for the first year after their appointment, and the place where it should be located, and the probable cost thereof.

Mr. SWANSON. I have no objection to that amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment to the amendment. [Putting the question.] The Chair is in doubt.

Mr. POMERENE. I ask for a division.

The VICE PRESIDENT. All in favor of the amendment to the amendment will rise. [A pause.] Those opposed will rise. [A pause.] There is no doubt that the amendment to the amendment is rejected. The question now recurs on the amendment as amended.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment was, under the subhead "Bureau of Medicine and Surgery," on page 44, line 27, after the word "stores," to strike out "$700,000" and insert "$921,740," so as to make the clause read:

Medical Department: For surgeons' necessaries for vessels in commission, navy yards, naval stations, Marine Corps, and for the civil establishment at the several naval hospitals, navy yards, naval medical supply depots, Naval Medical School, Washington, and Naval Academy, and toward the accumulation of a reserve supply of medical stores, $921,740.

The amendment was agreed to.

The next amendment was, on page 46, line 3, after the words "in all," to strike out "$167,000" and insert "$241,080," and in line 5, after the words "dairy herd," to insert "land for pasturage, and erection of necessary buildings," so as to make the clause read:

Contingent, Bureau of Medicine and Surgery: For tolls and ferriages; care, transportation, and burial of the dead; purchase of books and stationery, binding of medical records, unbound books, and pamphlets; hygienic and sanitary investigation and illustration; sanitary and hygienic instruction; purchase and repairs of nonpassenger-carrying wagons, automobile ambulances, and harness; purchase of and feed for horses and cows; purchase, maintenance, repair, and operation of two passenger-carrying motor vehicles for naval dispensary, Washington, D. C., to be used only for official purposes; trees, plants, care of grounds, garden tools, and seeds; incidental articles for the Naval Medical School and naval dispensary, Washington; naval medical supply depots, sick quarters at Naval Academy and marine barracks; washing for medical department at Naval Medical School and naval dispensary, Washington; naval medical supply depots, sick quarters at Naval Academy and marine barracks, dispensaries at navy yards and naval stations, and ships; and for minor repairs on buildings and grounds of the United States Naval Medical School and naval medical supply depots; rent of rooms for naval dispensary, Washington, D. C., not to exceed $1,200; for the care, maintenance, and treatment of the insane of the Navy and Marine Corps on the Pacific coast, including supernumeraries held for transfer to the Government Hospital for the Insane; for dental outfits and dental material, not to exceed $38,000, and all other necessary contingent expenses; in all, $241,080: *Provided*, That the Secretary of the Navy, in his discretion, may expend $25,000 of said appropriation for the purchase of a dairy herd, land for pasturage, and erection of necessary buildings for the naval hospital at Las Animas, Colo.

The amendment was agreed to.

The next amendment was, on page 46, line 15, after the words "United States," to strike out "$17,500" and insert "$24,908," so as to read:

Transportation of remains: To enable the Secretary of the Navy, in his discretion, to cause to be transferred to their homes the remains of officers and enlisted men of the Navy and Marine Corps who die or are killed in action ashore or afloat, and also to enable the Secretary of the Navy, in his discretion, to cause to be transported to their homes the remains of civilian employees who die outside of the continental limits of the United States, $24,908.

The amendment was agreed to.

The next amendment was, on page 47, line 1, after the word "Surgery," to strike out "$884,500" and insert "$1,187,728," so as to make the clause read:

In all, Bureau of Medicine and Surgery, $1,187,728.

The amendment was agreed to.

The next amendment was, on page 49, after line 22, to insert:

NAVAL DENTAL CORPS.

That the President of the United States is hereby authorized to appoint and commission, by and with the advice and consent of the Senate, dental surgeons in the Navy at the rate of 1 for each 1,000 of the authorized enlisted strength of the Navy and Marine Corps, who shall constitute the Naval Dental Corps, and shall be a part of the Medical Department of the Navy. Original appointments to the Naval Dental Corps shall be probationary for a period of two years and may be revoked at any time during the probationary period by the President: *Provided*, That the rank of such officers of the same date of appointment among themselves at the end of said probationary period shall be determined by the recommendations of an examining board appointed by the Secretary of the Navy, which board shall conduct a competitive examination, based upon both service record and professional attainments, in accordance with such regulations as may be prescribed by the Secretary of the Navy; and the rank of such officers

so determined shall be as of date of original appointment with reference to other appointments to the naval service: *Provided further*, That all appointees to the grade of dental surgeon shall be citizens of the United States between 24 and 30 years of age, and shall be graduates of standard medical or dental colleges and trained in the several branches of dentistry, and who shall before appointment have successfully passed moral, physical, and professional examinations before medical and professional examining boards appointed by the Secretary of the Navy and have been recommended for appointment by such boards.

Dental surgeons shall have the rank, pay, and allowances of lieutenants (junior grade) until they shall have completed five years' service. Dental surgeons of more than 5 but less than 20 years' service shall, subject to such examinations as the Secretary of the Navy may prescribe, have the rank, pay, and allowances of lieutenant. Dental surgeons of more than 20 years' service shall, subject to such examinations as the Secretary of the Navy may prescribe, have the rank, pay, and allowances of lieutenant commander: *Provided*, That the total number of dental surgeons with the rank, pay, and allowances of lieutenant commander shall not at any time exceed 10.

All officers now in the Dental Corps, appointed under the provisions of the act of August 22, 1912, entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1913, and for other purposes," including the officers appointed for temporary service, shall be appointed dental surgeons without further examination and without regard to the age qualifications herein prescribed: *Provided*, That the officers so appointed shall not be subject to the provisions herein prescribed for probationary service for a period of two years: *Provided further*, That such officers shall, after appointment as herein prescribed, rank from date of commission and take seniority among themselves in the order of their original appointment by the Secretary of the Navy as shown on the Navy list on the date of approval of this act: *And provided further*, That no dental surgeon appointed in accordance with the provisions of this act who on original appointment to the Dental Corps was over 40 years of age shall be eligible for retirement before he has reached the age of 70 years, except for physical disability incurred in the line of duty.

Dental surgeons who shall have lost numbers on the Navy list by sentence of court-martial or by failure upon examination for promotion shall be considered to have lost service accordingly for purposes of advancement in rank with increased pay and allowances.

DENTAL RESERVE CORPS.

That a Navy Dental Reserve Corps is hereby authorized to be organized and operated under the provisions of the act approved August 22, 1912, providing for the organization and operation of a Navy Medical Reserve Corps, and differing therefrom in no respect (except as may be necessary to adapt the said provisions to the Navy) other than that the qualification requirements of the appointees shall be dental surgeons and graduates of reputable schools of medicine or dentistry instead of "reputable schools of medicine," and so many of said appointees may be ordered to temporary active service as the Secretary of the Navy may deem necessary to the health and efficiency of the personnel of the Navy and Marine Corps, provided the whole number of both Naval Dental Corps and Naval Dental Reserve Corps officers in active service shall not exceed in time of peace 1 to 1,000 of the officers and enlisted men of the Navy and Marine Corps: *Provided*, That all officers now in the Navy Medical Corps and the Navy Dental Reserve Corps shall be recommissioned, respectively, in the Navy Medical Reserve Corps as established under the provisions of the act of August 22, 1912, and in the Navy Dental Reserve Corps provided in this act, in the order of their original appointment in said corps, and hereafter when ordered to active duty they shall receive promotion in rank in the respective reserve corps under the same relative conditions and provisions of active service as is provided in this act for the Naval Dental Corps.

Mr. OVERMAN. Let that be passed over, Mr. President.

Mr. SWANSON. Mr. President, I understand the Senator from Massachusetts and the Senator from New York desire to be heard on this amendment.

Mr. LODGE. The Senator from North Carolina desires to have it passed over for the present. I have no objection.

The VICE PRESIDENT. The amendment beginning at the foot of page 49 and going to line 18 on page 53 will be passed over.

The reading of the bill was resumed.

The next amendment was, under the subhead "Bureau of Supplies and Accounts," on page 53, line 21, after the word "duty," to strike out "$12,925,135.36" and insert "$12,927,735.36," and in line 24, before the word "commutation," to strike out "dental surgeon at Naval Academy, $2,400," so as to read:

Pay of the Navy: Pay and allowances prescribed by law of officers on sea duty and other duty, $12,927,735.36; officers on waiting orders, $175,000; officers on the retired list, $3,124,527; commutation of quarters for officers on shore not occupying public quarters, including boatswains, etc.

Mr. NORRIS. Mr. President, I should like to inquire of the Senator from Virginia why the provision for this dental surgeon is stricken out here?

Mr. SWANSON. This dental surgeon is really entitled to $2,600 by the length of his service at the academy. Having this provision there limits him to less than he is entitled to under the law. Therefore it is cut out at that point and included on the other side in the proper amount—$2,600.

Mr. LODGE. It is provided for under another item.

Mr. NORRIS. That is what I wanted to ascertain.

Mr. SWANSON. Yes; it was a mistake.

Mr. NORRIS. Is there only one dental surgeon there?

Mr. LODGE. There is only one at the academy. He has been long in the service there, and there has only been one there.

Mr. NORRIS. It seemed to me that it would really be necessary to have more than one.

Mr. LODGE. When the Naval Dental Corps probably is established there undoubtedly will be a detail made there of an assistant.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, in the item of appropriation for "Pay of the Navy," on page 54, line 19, after the words "Fish Commission," to strike out "61,500 men" and insert "68,700 men, and the President is hereafter authorized, whenever in his judgment a sufficient national emergency exists, to increase the authorized enlisted strength of the Navy to 87,000 men."

Mr. NORRIS. Mr. President, I do not care to debate this amendment particularly; but it is quite an important one, and it seems to me there ought at least to be an explanation on the part of the committee as to why it is put in. As I understand, it increases the Navy from 61,500 men to 68,700 men, or possibly to 87,000 men.

Mr. SWANSON. Mr. President, if the Senator will note, the House increased the personnel of the Navy of enlisted men to 61,500 men, and we increased it to 68,700 men. At present a great many of our battleships are in reserve, not in commission, and a great many of them in reserve have not a complement of men sufficient to have them well manned. We have not any reserve like the other nations. Our Naval Reserve only amounts to 400 men. We have a Naval Militia of several thousand. One of the great complaints about the Navy being that we do not have enough enlisted men, the General Board recommended that our force of enlisted men should be increased to 74,700 men—that is, 68,700 enlisted men and 6,000 apprentice seamen. We have adopted the recommendation of the General Board and increased the men to that extent, and we are satisfied that it is needed. It is needed to use the ships we already possess. This will take care of our best battleships and battle cruisers, and it will give a complement of 50 per cent of men on the ships that are in reserve; and that is what the General Board recommends.

Mr. LODGE. If the Senator will allow me, it is absolutely necessary if we are to man our ships.

Mr. SWANSON. Absolutely so. The Secretary recommended it.

Mr. VARDAMAN. Is this for the ships already constructed or for the ships to be constructed under this bill?

Mr. LODGE. Ships already constructed are out of commission and insufficiently manned; and some of the destroyers are at this moment short of men in order to make up the complement of battleships.

Mr. SWANSON. We make no appropriation or authorization for enlisted men until the ship is ready. This is simply to take care of the present needs.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 54, in line 24, after the words "Hospital Corps," to strike out "$857,405.75"; in line 25, after the words "Naval Militia," to strike out "$28,421,394.25" and insert "$30,655,704.29"; on page 55, line 6, before the word "thousand," to strike out "three" and insert "six"; in line 7, before the word "apprentice," to strike out "five hundred"; in line 9, after the word "law," to strike out "$740,880" and insert "$999,630"; in line 10 after the words "in all," to strike out "$46,876,246.86" and insert "$50,226,912.65"; and in line 15, after the word "fund," to insert "*Provided*, That the enlisted strength of the Navy authorized in this act shall be deemed to include all enlistments heretofore made during this calendar year which may have been in excess of the number authorized by law at the time," so as to read:

Pay of petty officers, seamen, landsmen, and apprentice seamen, including men in the engineers' force and men detailed for duty with the Fish Commission, 68,700 men, and the President is hereafter authorized, whenever in his judgment a sufficient national emergency exists, to increase the authorized enlisted strength of the Navy to 87,000 men; and pay of enlisted men of the Hospital Corps and for the pay of enlisted men detailed for duty with the Naval Militia, $30,655,704.29; pay of enlisted men undergoing sentence of court-martial, $225,000, and hereafter the number of enlisted men of the Navy shall be exclusive of those sentenced by court-martial to discharge; and as many machinists as the President may from time to time deem necessary to appoint; and 6,000 apprentice seamen under training at training stations and on board training ships, at the pay prescribed by law, $999,630; pay of the Nurse Corps, $119,182; rent of quarters for members of the Nurse Corps, $15,000; in all, $50,226,912.65; and the money herein specifically appropriated for "Pay of the Navy" shall be disbursed and accounted for in accordance with existing law as "Pay of the Navy," and for that purpose shall constitute one fund: *Provided*, That the enlisted strength of the Navy authorized in this act shall be deemed to include all enlistments heretofore made during this calendar year which may have been in excess of the number authorized by law at the time.

The amendment was agreed to.

The next amendment was, on page 56, after line 8, to insert:

Hereafter in addition to the appointment of midshipmen to the United States Naval Academy, as now prescribed by law, the President is hereby allowed 15 appointments annually instead of 10, as now prescribed by law, and the Secretary of the Navy is allowed 25 appointments annually instead of 15, as now prescribed by law, the latter to be appointed from the enlisted men of the Navy who are citizens of the United States, and not more than 20 years of age on the date of entrance to the Naval Academy, and who shall have served not less than one year as enlisted men on the date of entrance: *Provided*, That such appointments shall be made in the order of merit from candidates who have in competition with each other passed the mental examination now or hereafter required by law for entrance to the Naval Academy and who passed the physical examinations required before entrance under existing laws.

Mr. THOMAS. Mr. President, in the examination this year of the enlisted men, 23 of the candidates qualified. Under the existing provisions of law it was possible to appoint but 15 of them. I should like to inquire of the Senator having charge of the bill whether the bill contains any provision for the admission of the additional eight men who passed the examination?

Mr. LODGE. They are covered by this amendment.

Mr. SWANSON. The amendment allows the Secretary of the Navy to appoint 25 men.

Mr. THOMAS. I understand that; but my inquiry is whether, under this provision, these eight men will be admitted?

Mr. SWANSON. It is understood from the Secretary that he will be able to take care of these eight men under it.

Mr. LODGE. They are covered by the language of this amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, at the top of page 57, to insert:

That hereafter the Secretary of the Navy is authorized to permit not exceeding four Filipinos, to be designated, one for each class, by the Governor General of the Philippine Islands, to receive instruction at the United States Naval Academy at Annapolis, Md.: *Provided*, That the Filipinos undergoing instruction, as herein authorized, shall receive the same pay, allowances, and emoluments, to be paid out of the same appropriations, and shall be subject to the same rules and regulations governing admission, attendance, discipline, resignation, discharge, dismissal, and graduation as are authorized by law and regulation for midshipmen appointed from the United States, but the Filipino midshipmen herein authorized shall not be entitled to appointment to any commissioned office in the United States Navy by reason of their graduation from the Naval Academy.

Mr. WADSWORTH. Mr. President, it seems to me that this amendment of the committee presents a rather unusual phase as a piece of legislation. The Secretary of the Navy is authorized, under this amendment, to admit four Filipinos to the Naval Academy, to educate them at the expense of the Government of the United States, and the amendment then proceeds to deny to those Filipinos the right to serve as officers in the United States Navy.

It seems to me that it is at least a doubtful policy to educate these Filipinos as naval officers and then refuse by statute to make use of ther services. It can not be contended by the friends of this amendment that we are educating Filipinos to serve in a Filipino navy at some time in the future, for I do not think any Senator will contend that the Filipinos, if granted their independence at sometime in the future, really will possess a navy which will sail the seas.

Mr. SWANSON. This amendment makes exactly the same provision for the Naval Academy that the present law makes for the Military Academy.

Mr. WADSWORTH. Mr. President, may I suggest that that is a very different proposition? The United States Government supports in the Philippines now a military force composed of Filipinos, the Filipino Scouts; and I assume, without having accurate information on the subject, that one of the purposes of admitting Filipinos to the Military Academy at West Point is perhaps to educate some of those Filipinos to be commissioned officers of the land force maintained in the Philippines. But this is for the education of naval officers, and I do not think it can be contended that the Filipinos are going to maintain a navy. Yet this provision forbids their being employed in the United States Navy; and I think educating Filipinos to be naval officers will result in educating Filipinos to be naval officers in some other navy than our own.

Mr. SWANSON. The Philippine legislature also requested that this privilege should be extended to them and it was transmitted through our Governor General, and the Secretary of the Navy recommended that the request of the Philippine Legislature be complied with. He thought it would be very beneficial.

Mr. WADSWORTH. I do not want to create the impression that anything I said in regard to this amendment arose from an unfriendly or ungenerous feeling toward the Philippine people. I think it is a very commendable project to educate Filipinos in the United States, but if the United States Government is to embark upon the policy of education for Filipinos in the United States at Government expense it should be done in the universities of the country and not in the naval schools and at the same time forbid the Filipinos from taking advantage of that education as naval officers. It is apparent of course there is good reason for forbidding the enrollment of these Filipino midshipmen as officers of the Navy. It seems to me if the Government wants to spend money on educating Filipinos it is a very commendable project and should be done in the universities of the country instead of the Naval Academy.

Mr. VARDAMAN. Mr. President, I can understand why the education of Filipinos at West Point might be of advantage to the United States so long as it is the purpose of the United States Government to hold the Philippine Islands, but I do not believe that any man should be an officer of the United States Navy except an American white man. I put it on that ground. I am afraid that some of us are not quite as mindful of the magnitude of the problem involved, and as cautious as prudence would dictate we should be in dealing with the question of race. In my judgment the race question is the most difficult problem which the American people are called upon to solve. And the danger which I see in the situation is the unmindfulness on the part of the leaders of public thought of the gravity of the question.

Mr. SWANSON. The amendment provides that he shall not be an officer.

Mr. VARDAMAN. I understand. Then if he is not to be an officer you do not want to educate him as the able Senator from New York has said for some other navy, because he is going to use his education or the knowledge which he acquires at the academy for some purpose that will be of benefit to him. He is not going to be a mere private in the Navy of the United States. If he can not get employment in the American Navy as an officer he will join some other navy. It is quite natural for this man to seek the field of employment wherein he may find the goal of his ambition and realize his hopes.

Mr. TOWNSEND. May I ask the Senator in charge of the bill what object the committee had in mind in inserting this provision?

Mr. SWANSON. The legislative body in the Philippines requested us to grant this privilege. It was transmitted through our Governor General, and the Secretary of the Navy requested it.

Mr. TOWNSEND. What reason did they give for giving their men an education they could not use?

Mr. SWANSON. They had an idea that if they became independent in the case of any ships they might possess it might be of value, and if they did not become independent they might serve this Government.

Mr. TOWNSEND. They have no right to serve this Government.

Mr. SWANSON. But as an officer of a ship there, a man educated at the academy becomes a good seaman in all directions.

Mr. STERLING. I should like to direct a question to the Senator in charge of the bill in view of what he last said in regard to the request of the Philippine Legislature in this regard. Are the Philippine Legislature or the Filipino people satisfied with the amendment as it is proposed? In other words, are they satisfied with a provision that will exclude Filipino students or graduates of the Naval Academy from being commissioned as officers?

Mr. SWANSON. I have no information on that subject. This amendment was drawn and reported as requested by the department. It was transmitted at the request of the Philippine Legislature.

Mr. SHAFROTH. Mr. President, I should like to say a word in relation to the matter. I think it is very important for this Government that we should have the most friendly relations with the Philippine people, no matter what may be the outcome of their desire for independence, and for that reason it seems to me that any manifestation on our part of good feeling or of favor at this time would evidently have a tendency to draw them to us in the way of assistance and in every way in the administration of the government over there.

It seems to me, Mr. President, that inasmuch as this same provision is practically in the Army bill for the Military Academy, and inasmuch as the scouts over there are in the United States service and are making good in every particular, performing whenever they are called out excellent service, and they are in every way desirous of aiding and assisting the United States Government, it is a recognition of their standing that is bound to make toward the good feeling that now exists between the Filipinos and the American Government. Whether or not we

sever relations between the Government and the Filipinos, this provision, it seems to me, would have a wholesome effect.

Mr. WEEKS. Mr. President——

Mr. SHAFROTH. I yield to the Senator.

Mr. WEEKS. I wish to ask the Senator whether he does not think if it is desirable for us to show our friendly feeling to the Filipinos by educating some of their young men it would be wise for us to educate them in a way so they would be useful to themselves and to their people and to our Government? Turning to the Army Register I find that there have been several Filipinos graduated at the Military Academy and they are serving in the Philippine Scouts as officers. Undoubtedly they are performing good service. If it is desirable to show our friendship, why would it not be well for us to increase the number at the Military Academy rather than to educate them at the Naval Academy, when they would be of no service to us or to their own country by being given that education?

Mr. SHAFROTH. I can say with regard to where these people should be educated that I understand there is now a law on the statute books of the Philippine Islands which provides a fund for the education in American universities of Filipinos out of their revenues, and 100 Filipinos are being educated continuously in the United States at universities and schools. They are doing their part. They are trying to get a knowledge of our institutions and of our language, and their good intent is shown by the fact that they make that appropriation for the education of these people.

Mr. VARDAMAN. Mr. President, I wish to suggest to my friend from Colorado that it is possible that it would be a very sore disappointment to the bright Filipino boy who goes to the Naval Academy and equips himself for that work in life and shows his fitness and aptitude to be denied the privileges after he has gone through the academy, of using the knowledge he had acquired there. I can not imagine a more unfortunate plight for a proud, ambitious man to find himself in than that. You cultivate the mind, fire the ambition, and then shut the door of hope in his face. Now, I think, for the good of the American white people the door of hope should be shut in his face, if it must be done; but I prefer not firing the ambition and generating the hope when we know beforehand that the door must be shut.

If, as suggested by the Senator from Massachusetts, you educate him at the Military Academy at West Point, he can go to his native country and there engage in the service of the United States by serving in the Army, but under the terms of this bill if we educate him, if we graduate him from the Naval Academy, he is denied the privilege of using the knowledge he acquires there in the service of the United States in the Navy, and it may be a sad disappointment to him.

The Senator can very readily understand why we do not want to have a man of that race as an officer in the United States Navy.

Mr. SHAFROTH. Mr. President, it may be that there are objections to the phraseology that is here employed; but if the Philippine people are to have their independence they ought to have some people there who are capable of conducting whatever vessels they may have for themselves in any armament or navy that they may acquire.

Inasmuch as we are trying to put them upon a basis of independence so that they can handle their own affairs, I do not believe they would take it as an affront or as anything against them if they are not accorded the right of becoming officers in the United States Army.

This is a proposition of education, and, inasmuch as the Naval Academy gives such an excellent education, it is natural that there should be people from that country who would desire to come here.

Mr. President, I understand that we admit foreigners into the Naval Academy. The President has a right to designate a certain number from any country who may acquire an education at our Naval Academy. They pay a proportionate charge. The proportion that the cost of maintaining the academy bears to the number of cadets in the academy fixes the price at which the Government permits entrance into the academy from foreign countries, which has been estimated, I think, at $13,500 for the four-year term. Those people do not enter our Navy. They want to get the knowledge that is given there.

Mr. President, it seems to me in view of our relations with those people and the desire to assist them in every way we can, whether they become independent or whether they do not become independent, this is a wise provision.

Mr. WEEKS. I wish to ask the Senator if he recalls any cases where young men from any other country than Japan were admitted to the Naval Academy?

Mr. SHAFROTH. I do not know, but I have understood that the President has the power to admit them into the academy. I have been so told.

Mr. WEEKS. Thirty or forty years ago we did educate some Japanese students in the Naval Academy, but I do not recall any other instance.

Mr. THOMAS. I think they have been admitted to West Point.

Mr. WEEKS. That is a very different matter.

Mr. NELSON. Mr. President, I desire to make a suggestion in respect to this matter. I can conceive where these officers can be very useful in the Philippine Islands without being officers in our Regular Navy. We have a peace establishment—the Filipino Scouts—to keep the peace, and the officers that we have educated at the Military Academy become officers of it. With the great number of islands and the water surrounding them, we need something to aid the Government in patrolling the sea to prevent smuggling and to take care of the shipping. We have a Coast-Guard Service there that used to be called the Revenue-Cutter Service. I can not see why it would not be very possible to have little vessels armed as patrol vessels commanded by these Filipino officers, with crews entirely of Filipinos.

In the Philippines the Moro population especially have been great navigators in their day. I can remember when I was a boy seeing pictures of Moros sailing in their peculiar ships. They are considered great navigators.

To me it seems that these officers educated at the Naval Academy would be useful for two purposes. They would be useful in forming a part of the water patrol necessary to prevent smuggling. They need not command any but sailors of their own blood, and I am sure there could be no objection to that, and they could become very efficient. Besides that, they would become good, useful officers to command merchantmen. They have local shipping over there—vessels navigated by their own people, plying between the islands—and these men could become useful commanders of them.

So I think, on the whole, we ought to manifest toward the Filipino people a little friendliness, and I do not think it would jeopardize our own service in the least. By excluding them from the Navy you do not cut them off from their usefulness in their own bailiwick, in their own islands. They can become useful there in the patrol service, as I have indicated, and also in the local merchant service.

Therefore I trust that this little amendment may be left in as a matter of encouragement to the Filipino people.

Mr. SWANSON. In addition to that, I should like to say that this request was formally presented to this Government. The resolution was passed by the Philippine Legislature, and the legislature, through the Governor General, transmitted it, and I think it would be an evidence of ill will to reject the amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment was, on page 57, after line 15, to insert:

COMMISSIONED PERSONNEL.

Hereafter the total number of commissioned officers of the active list of the line of the Navy, exclusive of commissioned warrant officers, shall be 4 per cent of the total enlisted strength of the active list authorized by law: *Provided*, That the total number of commissioned line officers on the active list at any one time, exclusive of commissioned warrant officers, shall be distributed in the proportion of 1½ in the grade of rear admiral to 4 in the grade of captain, to 8 in the grade of commander, to 14 in the grade of lieutenant commander, to 32½ in the grade of lieutenant, to 40 in the grades of lieutenant (junior grade) and ensign, inclusive.

And that the total number of commissioned officers of the active list of the following-mentioned staff corps at any one time, exclusive of commissioned warrant officers, shall be distributed in the various grades of the respective corps as follows:

Medical Corps: One and one-half deputy surgeons general with the rank of rear admiral, to 4 medical directors with the rank of captain, to 8 medical inspectors, to 18 surgeons, to 68½ in the grades below surgeon: *Provided*, That hereafter appointees to the grade of assistant surgeon shall be between the ages of 24 and 32 at the time of appointment.

Pay Corps: One and one-half deputy paymasters general with the rank of rear admiral, to 4 pay directors with the rank of captain, to 8 pay inspectors, to 86½ in the grades below pay inspector.

Construction Corps: One and one-half naval constructors with the rank of rear admiral, to 5½ naval constructors with the rank of captain to 14 naval constructors with the rank of commander, to 79 naval constructors and assistant naval constructors with rank below commander: *Provided*, That vacancies in the Construction Corps shall be filled in the manner now prescribed by law, at such annual rate as the Secretary of Navy may prescribe.

Corps of Civil Engineers: One and one-half civil engineers with the rank of rear admiral to 5½ civil engineers with the rank of captain, to 14 with the rank of commander, to 79 civil engineers and assistant civil engineers with rank below commander: *Provided*, That the total authorized number of commissioned officers of the active list of the following staff corps, exclusive of commissioned warrant officers, shall be based on percentages of the total number of commissioned officers of the active list of the line of the Navy as follows: Pay Corps, 12 per cent; Construction Corps, 5 per cent; Corps of Civil Engineers, 2 per

cent; and that the total authorized number of commissioned officers of the Medical Corps shall be sixty-five hundredths of 1 per cent of the total number of the officers and enlisted men of the Navy and Marine Corps; and that officers in the lower grades of the Pay Corps, the Construction Corps, and the Corps of Civil Engineers shall be advanced in rank up to and including the rank of lieutenant commander with the officers of the line with whom or next after whom they take precedence under existing law.

Chaplains: One and one-half chaplains with rank of rear admiral to 5½ with rank of captain, to 14 with rank of commander, to 79 chaplains and acting chaplains with rank below commander.

Provided, That for the purpose of determining the authorized number of officers in any grade or rank of the line or of the staff corps, there shall be excluded from consideration those officers carried by law as additional numbers, including staff officers heretofore permanently commissioned with the rank of rear admiral, and that nothing contained herein shall be held to reduce below that heretofore authorized by law the number of officers in any grade or rank in the line or staff corps.

Provided, That hereafter the pay and allowances of officers in the upper half of the grade or rank of rear admiral in each corps and chiefs of bureaus shall be that now allowed by law for the first nine rear admirals, and the pay and allowances of officers in the lower half of the grade or rank of rear admiral in each corps shall be that now allowed by law for the second nine rear admirals.

Provided further, That when there is an odd number of officers in the grade or rank of rear admiral in each corps, the lower division thereof shall include the excess in number, except when there is but one.

Whenever a final fraction occurs in computing the authorized number of any corps, grade, or rank in the naval service, the nearest whole number shall be regarded as the authorized number: *Provided*, That at least one officer shall be allowed in each grade or rank herein established.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee.

Mr. WALSH. Mr. President, I inquire if that is the conclusion of the amendment?

Mr. LODGE. That is the conclusion of that amendment. The next amendment, I will say to the Senator from Montana, relates to warrant officers.

Mr. WALSH. I observe some provisions toward the close of what follows, page 63, evidently applying to all officers.

Mr. LODGE. We have not yet reached that. This amendment stops at the top of page 61. It relates only to the increase of grades made necessary by the increase in the number of enlisted men.

Mr. WALSH. Mr. President, I suppose probably this may be denominated as general legislation. I want to inquire of the Chair just exactly what the action of the Senate was on yesterday touching the right to insist upon a point of order in the Senate upon a matter considered as in Committee of the Whole?

The VICE PRESIDENT. The Senate then decided that the point of order might be made in the Senate as well as in Committee of the Whole.

Mr. WALSH. I regret that. I was quite well satisfied that matter adopted in Committee of the Whole would not be subject to a point of order in the Senate unless reserved.

I have an amendment to offer to this amendment proposed by the committee, which was tendered some time ago by the Senator from South Carolina [Mr. TILLMAN], the chairman of the committee. I do not see him here. I offer it as an amendment to the committee amendment, and ask that it be inserted after the end of the amendment on page 61.

The VICE PRESIDENT. The amendment to the amendment proposed by the Senator from Montana will be stated.

The SECRETARY. On page 61, after line 5, it is proposed to insert:

Hereafter every officer of the Navy shall be officially addressed by the title of his rank without any distinction or discrimination whatever, except that in written communications the corps to which any such officer belongs shall be stated next after his name.

Mr. WALSH. I hope the committee will find no objection to that amendment.

The VICE PRESIDENT. The question is on the amendment to the amendment.

Mr. THOMAS. Mr. President, I should like to inquire of the Senator from Montana just what the purpose of that amendment is?

Mr. WALSH. It is a very simple matter. The earlier provisions of the bill give to various staff officers in the Navy a certain rank, as the Senator from Colorado will have noted. The Medical Corps, for instance, is to consist of "one and one-half deputy surgeons general with the rank of rear admiral to four medical directors with the rank of captain." So the Pay Corps is to consist of "one and one-half deputy paymasters general with the rank of rear admiral," and so forth. My amendment to the committee amendment simply provides that in communications to them they shall be addressed by the rank which they have.

Mr. THOMAS. Mr. President, what would happen to me, for instance, if I were to address one of these gentlemen without addressing him by his rank?

Mr. WALSH. The Senator from Colorado would be guilty of a gross breach of etiquette of the service.

Mr. THOMAS. I want to find out and understand exactly what may be accomplished by the amendment. Seriously, I was struck somewhat with the unusual phraseology of the Senator's amendment, as I know the Senator is always very careful in preparing his amendments.

Mr. WALSH. I think that there should be no difficulty at all about understanding the matter. The staff officers in the Navy have rank as is provided in the bill.

Mr. THOMAS. That is perfectly right.

Mr. WALSH. Exactly; but, unlike the staff officers in the Army, they are not entitled to be addressed in official communications by the title appropriate to their rank. For instance, the head of the Medical Corps in the Navy, a man like Surg. Gen. Blue, has the rank of admiral, but he is not to be addressed as admiral. The man who is at the head of the Medical Corps in the Army is Gen. Gorgas. He is to be addressed by the title accompanying his rank. He has the rank of a major general, and he is Gen. Gorgas; but the other gentleman is not Admiral Blue.

Mr. SMITH of Georgia. Does the Senator from Montana think that the title of "general" has added anything to the great standing of Dr. Gorgas? Is he not bigger as Dr. Gorgas than he is as Gen. Gorgas?

Mr. WALSH. Of course I do not want to set up my judgment about that. There is, however, the most invidious and unjustifiable kind of distinction raised in these cases. These officers are given this rank by law, and yet they are not to be addressed by the title which goes with that rank. A short time ago, for instance, when we had the Army reorganization bill under consideration, a Dental Corps was created, and a very strenuous effort was made—and a successful effort—to give to the officers in the Dental Corps rank in accordance with the length of the time they served, and that amendment was adopted. Even veterinary surgeons in the Army were given rank. Automatically they are addressed in the Army by the title which goes with the rank, but the officers who in the Navy now enjoy the right thus to be addressed find some reason for objecting to having their associates of the staff addressed by the title which goes with the rank. My amendment to the amendment is offered simply to accord them that right.

Mr. THOMAS. If the Senator really thinks the amendment is necessary, I shall not object to it, although it seems to me it is largely punctilio.

Mr. WALSH. It is.

Mr. SWANSON. Mr. President, I do not think the amendment offered by the Senator from Montana ought to be adopted. As succinctly as I can I desire to explain the effect of it. To fix the pay of staff officers in the Navy they are given certain rank. The officers of the different staff corps rank so and so with the pay of that rank. This is an effort to bring about a condition under which a chaplain, for instance, will not be called "chaplain," but will be called captain, commander, or admiral. I have never seen a preacher yet who has requested to be called admiral or captain or by any military title.

Mr. VARDAMAN. Mr. President, does the Senator say that the title fixes the pay? Then in that instance "the rank is but the guinea stamp."

Mr. SWANSON. No; not the title but the rank. The law provides, for instance, that a chaplain shall have the rank of captain. That means that his pay shall be the same as that of a captain; but he is still called a chaplain. A doctor of medicine, a member of the Medical Corps, is called doctor, but he receives the pay of the rank which he holds. Some of them have the rank of lieutenant, some have the rank of commander, some have the rank of captain, but doctors in the Navy are not called captains.

Mr. VARDAMAN. The only interest, then, that they have is that their title be given them by the paymaster.

Mr. SWANSON. I do not think, as a general thing, they are interested in having a military title. Shall we call a preacher "admiral"? If a preacher goes abroad on a battleship, shall he be introduced as Admiral So-and-so or Captain So-and-so or Lieutenant So-and-so or Commander So-and-so?

Mr. WALSH. Will the Senator from Virginia yield to me for a moment?

Mr. SWANSON. I will.

Mr. WALSH. We ought to be fair about this. Chaplains can not possibly attain the rank of admiral under the bill.

Mr. SWANSON. Oh, yes; they can if they serve a sufficient length of time.

Mr. LODGE. If the Senator will allow me, it makes no difference whether a staff officer is a chaplain or a doctor or a dentist

or a paymaster, this is an effort to give him a title which does not represent his duties. The duties of an admiral are perfectly well known. He is a flag officer and he commands a fleet. The duties of a captain are represented by his title; he commands a ship. This amendment proposes to give titles to men who do not perform duties corresponding with the titles.

Mr. GALLINGER. Mr. President, if the Senator from Virginia will permit me, I should like to ask the Senator from Massachusetts a question, because this is a revelation to me. Did I properly understand the Senator from Massachusetts to say that in the Navy a physician or a dental surgeon can obtain the rank of admiral?

Mr. LODGE. The dental surgeon can not.

Mr. GALLINGER. Who can—all the other staff officers?

Mr. LODGE. All of them.

Mr. GALLINGER. Veterinarians in the Army can reach high rank, can they not?

Mr. LODGE. I do not know how it may be in the Army, but I think they can. The Senator from Oregon will know as to that. However, in the Army I think veterinarians can reach the rank of major.

Mr. CHAMBERLAIN. I understand that is so under the Army bill.

Mr. LODGE. The fact that such a practice exists in the Army does not weigh with me.

Mr. GALLINGER. As to chaplains, how high can they go?

Mr. LODGE. They can go as high as admiral.

Mr. GALLINGER. As high as admiral?

Mr. LODGE. Yes; after they serve a sufficient length of time.

Mr. GALLINGER. I did not suppose that was possible; and I am glad to get the information.

Mr. NELSON. Mr. President, with the permission of the Senator from Virginia, I will say that, as I understand, the object of the amendment of the Senator from Montana is to require a seaman when he addresses a chaplain to call him "captain" instead of "chaplain."

Mr. SWANSON. "Captain" or "commander" or "admiral."

Mr. NELSON. And if a seaman addresses a dental surgeon he must call him either "lieutenant" or "captain" instead of "Mr. Surgeon." Is not that the object?

Mr. SWANSON. That is the object and purpose of the amendment.

Mr. NELSON. And when he addresses a paymaster he must call him "lieutenant" or "captain," or whatever his rank may be, instead of "Mr. Paymaster." Is not that confusing all ranks and titles?

Mr. SWANSON. Absolutely, Mr. President. In the Army officers are given brevet rank of general or lieutenant or colonel, but they do not get the pay of such rank. In the Army, however, an officer gets the title of the rank which he actually holds.

Now, our Navy ranges over the entire world. Its officers are brought in contact with the officers of other navies, and there is not a navy in the world in which staff officers are given title as proposed in the amendment of the Senator from Montana.

I have here information as to what is the practice in connection with staff officers in other navies. In England paymasters have the title of paymaster in chief, fleet paymaster, full paymaster, assistant paymaster, and so forth. So it is in the case of doctors. Now, it would be a curious thing in London to introduce a preacher as "admiral" or "captain."

I think there are only a few members of the staff who are in favor of such an amendment as this. I have not seen a single physician in the Medical Corps who has requested it. The Surgeon General says he would rather be known as a doctor than as a commander or an admiral; and I have not seen a member of the Medical Corps who has taken a different position, although there are some paymasters and members of other staff corps who favor such a provision as this. If a man is ashamed of being a chaplain, he ought not to be in the Navy; if he is ashamed of being a doctor, he ought to abandon the practice of medicine and not try to hide it by getting another title. So, if a man is a paymaster, that title is an honorable title and has been an honorable title for a long time, and he should not be ashamed of it. Why should he try to have the title of captain or admiral or any other title that does not appertain to the calling in which he is engaged?

When you speak of an admiral, necessarily there is brought up in your mind an officer who commands a fleet. No one would think of a chaplain or of a doctor in that connection. When you think of a captain you think of a man who commands a ship, and you would not think of a man who was a mere paymaster or a mere physician or a mere chaplain. When you think of a commander you think of a man who commands a smaller ship than one of the large ships. Thus the title indicates the vocation. This is so of every navy in the world, and I think a majority of the officers of the American Navy with whom I have talked—paymasters, doctors, and chaplains—are satisfied, and the desire voiced in the amendment proposed by the Senator from Montana does not come from any large number of them.

Mr. WALSH. Mr. President, I want to say another word or two about this matter. However absurd it may seem to some Senators who are not affected, this subject is by no means a small matter to the staff officers who are thus discriminated against. Of course it might or might not seem ridiculous to address a chaplain as admiral, but if a man devoted his whole life in the Navy to the betterment and uplifting of the moral character of the enlisted men and the officers of the Navy, and by long and faithful and devoted service attained actually to the rank of admiral and was entitled to the pay of an admiral, I do not think that it would be regarded as a matter for risibility at all that he should be spoken of as Admiral So-and-so; indeed, I should imagine very likely he would esteem it as a very much to be coveted distinction. So with the members of the Medical Corps. I have no doubt in the world that they are all proud of the profession to which they belong, but, at the same time, the distinction of being called an admiral, if a surgeon may aspire to so high a distinction as that, I have no doubt is very much coveted.

But, Mr. President, whatever may be said about it, by way of comparison, the system does obtain in the Army. It has been of such value to the staff officers of the Army that the law has interposed and declared that they shall be entitled to be addressed by the title which goes with their rank.

Now, Mr. President, you will bear in mind that these officers are noncombatant officers. The staff officer in the Army runs no risk of his life at all, so far as the general accidents of military service are concerned. He does not go upon the firing line. But the staff officer in the Navy, Mr. President, has to go with his ship. He has to risk his life in battle just the same as any officer in the line. If there were any reason for making a distinction in the matter at all, it ought to be made in favor of the staff officers in the Navy rather than in favor of the staff officers of the Army.

But, Mr. President, that this is not regarded by any means as a trifling matter by those who are affected by it and by those who have given some study to the matter is known to everybody who has followed this controversy, which is by no means a new one. A very distinguished officer of the Navy—Rear Admiral Fiske, lately retired—contributed an article upon this subject to the Army and Navy Journal of January 26, 1907, strongly urging—bear in mind, a line officer—that this invidious distinction now existing in the Navy be wiped out for the good of the naval service. His letter upon the subject is so pertinent to the present discussion that I trespass upon the patience of the Senate to read it. It is not very lengthy. He says:

> The staff officers of the Navy wish the same titles in their respective corps as the line officers have in their corps. They give as their reasons:
>
> 1. The fact that officers holding corresponding positions in our sister service, the Army, have such titles.
>
> 2. The fact that titles like "assistant surgeon" give a false impression among people outside the Navy as to the position of the holders of the title, and that such titles as "pay director" and "medical inspector" are foolish.
>
> 3. The fact that their present titles tend to belittle them among the people they meet in civil life, and that it is harmful to them and to the Navy in general to have any of its officers belittled.
>
> They disclaim any wish to pretend to belong to any corps except their own, and they disclaim any dissatisfaction with their present titles, so far as the Navy itself is concerned, feeling that their titles are correctly understood by the people in the Navy.
>
> Many line officers oppose their being given the titles they desire. Unless I am misinformed, these line officers do not state as their reason any belief that the practical efficiency of the Navy would be impaired. The only reason I have heard is the oft-repeated statement that the title is the only thing most line officers ever get, and that they ought not to be compelled to share their titles with other people.
>
> Now, it is an admitted principle that every man will do his work better if he is contented than if he is not contented; so that it is better to give every man what he wants, so far as it can be done, and provided that it can be done without working harm to some thing or some person. Therefore it would be better to give staff officers the titles they wish unless it would do harm to some thing or some person.
>
> As no claim has been made that the giving of those titles would do harm to anything, not even to the practical efficiency of the Navy, all reasonable opposition can be based only on the theory that it would do harm to some persons—the only possible persons being the line officers.

Now, would it do them any harm? If so, what harm? The only possible harm would be by robbing the line officers of some fraction of the honor which their titles may be supposed to confer on them.

But their titles do not confer on them whatever. Titles do not confer honor; titles can not confer honor. Honor is too sacred a thing to be conferrable by title. Honor is not conferrable even by position, except in so far as the position gives its holder an opportunity to do honorable service and receive proper credit for it.

This being true, no man who possesses a title, given him from any cause, can possibly be harmed if some other man be given the same title from some other cause. The President of the United States is not harmed by sharing the title of "President" with thousands of presidents of small affairs. Elihu Root is not harmed by sharing the title of "Secretary" with thousands of secretaries. A captain of the line of the Navy is not harmed by sharing the title of "captain" with thousands of tugboat captains, police captains, and captains of militia; and if all the medical directors, medical inspectors, pay directors, and pay inspectors were given the title of "captain," the only result would be that instead of sharing his title with, say, 10,000 captains in the United States, he would share it with 10,060 captains. The fact that no harm is done to any man by titles being given to other men may be proved by the two instances following:

1. Secretary Stanton made a great many brevet brigadier generals in order, it has been said, to belittle Gen. Sherman by making the title of "general" common. But the scheme did not succeed, and Sherman's glory was not dimmed.

2. There was once an officer blessed with a handsome person, an erect carriage, an unusually rich voice, and a certain peculiarity of the chest, which combined to give him the appearance of a pomposity entirely foreign to his nature, which was essentially modest. His subordinates nicknamed him "God"; yet his brother officers were not in the least wounded by his being given this title, though it was much higher than theirs.

I want to conclude this, Mr. President, by reading from the RECORD the remarks of some of the distinguished Senators who are now opposing this amendment when the provision of the Army reorganization bill relating to dental surgeons was under consideration by the Senate. The distinguished Senator from Massachusetts [Mr. LODGE], who seems quite earnestly opposed to the simple little amendment which I have here offered, had something to say on that occasion. The Senator from Ohio [Mr. POMERENE] had introduced an amendment to the bill the purpose of which was to give rank and to give accompanying title to dental surgeons in the Army, a distinction which, apparently, they had not theretofore enjoyed. He said at that time:

Nearly every man who enters the Dental Corps, if he were simply seeking the financial emoluments connected with the office, could do better in his private practice; but he will be attracted by the fact that he may be entitled to some official rank. Some men may not regard that as of very much importance, but others do. The question of rank seems to be a matter of very great importance to the medical profession; and I would not be understood for one moment as attempting to decry the merits of that profession; but the dental profession is entitled to some recognition as well. We are interested in having the Dental Corps so attractive that it will bring to it the best of the young men in that profession; and if we are going to deny to them the right of rank, certainly we are going to detract from the service itself. Let us encourage rather than discourage the young men of the great dental profession.

And then the Senator from Massachusetts [Mr. LODGE] said as follows—I read from page 6126 of the proceedings of April 14:

Mr. President, I shall not consume all of my time. The bill, as it stands, gives dental surgeons the pay and allowances of first lieutenants until they have accomplished 10 years' service; after 10 years' service and up to 25 years' service they receive the pay and allowances of captain; and after more than 25 years' service they receive the pay and allowances of major. The proposition of the Senator from Ohio, as I understand, is simply to give them the rank.

Then he continues:

Mr. President, during the many years which I have been here the question between staff and line has been frequently before both bodies and before committees on which I have served. I was never a friend in those days of giving high rank to the various divisions of the staff; but Congress always seemed to differ from me in that respect, and seemed always to have a great feeling of favor for the staff, and the question now seems to be well settled.

Mr. LODGE. Mr. President, if the Senator will allow me, there is the broadest possible distinction between the rank and the title.

Mr. WALSH. There is no doubt about that; but the Senator from Massachusetts will agree with me that, under the law, when you give these dental surgeons rank in the Army they get title.

Mr. LODGE. I beg the Senator's pardon. There is not one word about title here.

Mr. WALSH. Why, that is the general statute.

Mr. LODGE. What I advocated was giving them rank; nothing else. I never advocated giving them title. In the Army I know that the titles are given to the Staff Corps, and I think it is thoroughly wrong; and I do not think it is any argument for introducing a bad system into the Navy.

Mr. WALSH. I am simply calling attention to the fact that the Senator was quite willing to introduce that system into the Army and make it applicable to dental surgeons in the Army. Of course, he could have prevented it from being introduced into the Army by resisting at that time the amendment offered by the Senator from Ohio.

Mr. LODGE. I thought they ought to have the rank. I think so still; but I never advocated their having titles, either in the Army or in the Navy..

Mr. SMITH of Georgia. Mr. President, those of us who advocated it in the Army were in this position: The doctors already had the title and the rank, and we felt that there should not be a discrimination against the dentists. It was there; there was no chance to escape it, and we simply extended it and made it uniform.

Mr. WALSH. Exactly. Now, I want the Senator to follow his views to their logical conclusion. The Medical Corps in the Army had the rank and had the title. The dental surgeons did not have the rank. The Senator from Georgia did not want any invidious distinction between the members of the Medical Corps and the members of the Dental Corps; exactly; and I do not want an invidious distinction here between the staff officers in the Army and the staff officers in the Navy.

Mr. SMITH of Georgia. If the Senator will pardon me, I do not think there is any. The doctor and the dentist stand side by side there without an official title. I should be glad to vote the title out for the doctors and the dentists, both, in the Army.

Mr. WALSH. The Senator has not any opportunity to do that.

Mr. SMITH of Georgia. No. There is no discrimination between the two classes. In the Navy the title has not been introduced as to either. As I said before, if I were Gen. Gorgas I would vastly prefer to be called "Dr. Gorgas" than "Gen. Gorgas." I do not think it is any reflection on him to call him "doctor." I think a great doctor is fully as great a man as a great soldier.

Mr. WALSH. I am perfectly satisfied that the Senator from Georgia, in saluting Gen. Gorgas, would feel that he had committed a horrible faux pas if he did not address him as "general."

Mr. SMITH of Georgia. On the contrary, Mr. President, I think Gen. Gorgas enjoys being called "Dr. Gorgas" fully as much as he does "Gen. Gorgas."

Mr. WALSH. That may be, but I am very sure that the Senator would not act upon that impression.

Mr. SMITH of Georgia. And I have accosted him in that way, and I thought he seemed pleased.

Mr. WALSH. Jocularly, I dare say.

Mr. President, I will conclude what I have to say by remarking that you are conferring no rank upon these officers at all by this amendment. The rank goes. The law provides that the Surgeon General shall have the rank of rear admiral. He has the pay of a rear admiral. He has everything that goes with a rear admiral except that you must not call him that.

Mr. LODGE. Except the title and the duties. He has none of the duties of a rear admiral.

Mr. WALSH. Oh, well, duties——

Mr. LODGE. Yes; he has none of the duties. He can not command a fleet, and he is not a flag officer.

Mr. WALSH. On the contrary, he is given the rank of an admiral and charged with the duties of surgeon general.

Mr. LODGE. He has no duties as a rear admiral. It is an attempt to give him a title that misrepresents his office.

Mr. WALSH. I suppose, then, that the Senator would likewise contend that Gen. Gorgas has none of the duties of a major general.

Mr. LODGE. I do not think he has.

Mr. WALSH. Did the Senator from Massachusetts vote to confer that title on him?

Mr. LODGE. Why, it is the law. I could not help voting for it.

Mr. WALSH. Why, certainly. We passed a special act here, did we not?

Mr. LODGE. But he has the title anyway, under the Army law.

Mr. WALSH. Exactly; he has. And what reason is there why the same title should not be accorded to the staff officers of the Navy?

Mr. LODGE. Why, the reason is, to my mind, perfectly simple, Mr. President. It is giving a man a title which does not describe him. It is giving him a title to which he has no title. The name "admiral" implies certain duties. The name "captan" in the Navy implies certain duties. Those duties are not performed by doctors and paymasters, and can not be.

Mr. HITCHCOCK. Mr. President, I should like to ask the Senator from Montana what reason there is for bestowing titles in the Navy, as he proposes, which really have no significance,

any more than there would be in the Senate of the United States to bestow upon our excellent chaplain, who daily conducts religious services in the Senate, the title of United States Senator? It would be just as appropriate in one case as in another. To call these men admirals and captains does not make them so, any more than to call the tail of a sheep a leg makes it so.

The Senator refers to the practice in the Army. I am sure the Senator also knows how it came about that these civilians attached to the Army secured their titles. He knows that they were secured by lobbying in the Congress of the United States. He knows that they were not bestowed for the good of the Army, but that they were bestowed to satisfy the demands of the medical profession, the demands of the veterinarians, the demands of the dental profession. I think it is time to call a halt, and not to permit our Navy to be infected by this same vice that already extends so far in the Army.

Mr. WALSH. Mr. President, I am not sufficiently informed about the matter to either affirm or deny the statement made by the Senator that concessions to staff officers of the Army are secured by lobbying rather than as a result of the solid judgment of the Congress of the United States concerning what was best for the service. The Senator, however, rose to address a question to me, and I want to answer his question.

The difference between the case that he put to me, that of a Chaplain of the Senate, and the one before us is certainly obvious. We have given these officers the rank. It may be quite inappropriate, I do not undertake to say that it is not quite inappropriate, to give a chaplain or a surgeon or a naval constructor or the head of the Pay Corps, for instance, the title of admiral. Of course few of them reach such a distinction under any circumstances; it is cut off with lieutenant commander in most instances. A chaplain, however, may rise to the rank of an admiral, contrary to what I said awhile ago. But we have given that rank; we have created these officers.

Mr. President, if the Constitution of the United States provided for the office of chaplain and said that he was to have the rank of a Senator why should you not call him a Senator? We do not call him a Senator simply because he has not any such rank as a Senator. But you are giving the rank to these men, and yet you are denying to them the name which goes with the rank. If the chaplain were indeed a Senator, why should you not call him so instead of calling him Dr. Prettyman?

Mr. WEEKS. Mr. President, just a word. We have followed in the Navy the practice that has obtained in every navy in the world since there were navies in this respect. This is not a new contention; it is a very old one. Ever since the beginning of time as far as I know there have been some staff officers who have desired that they be given a title to which they were not entitled. A title indicates a man's profession, or his trade, or his occupation; and we can not make a man something other than what he is fitted to do.

It is no argument in favor of this contention that titles are given to officers in the Army who are staff officers. I believe on the whole that that practice is not approved of by most of the people in the Army, but in any case it is a bad practice for us to adopt something which has been discountenanced and discredited in all the navies of the world and which the larger part of the officers in our Navy do not believe in.

I think there is no very strong contention in favor of this legislation from most of the staff corps of the Navy, but there are a few uneasy beings who are always seeking something to which they are not entitled, and that is the result of this movement at this time. I think it would bring about confusion in the service. I think it would in a sense have to do with inefficiency rather than efficiency. I do not think it would mean anything more than gratifying the pride of some man in having a title to which he had no claim and which he is not fitted for. Therefore, for every reason I think it would be unwise to adopt this practice in the Navy.

Mr. TILLMAN. Mr. President, as the amendment we are discussing is the one I gave notice I would offer, I think I ought to explain how it came into the Senate now. I myself decided it was not wise to offer it, or try to bring it to a vote at all at this session, and requested the Senator from Montana not to present it at all. I am very sorry he has done so, because it precipitated a fight which was unnecessary and it will do more harm to the Navy than good. I would be glad to have him withdraw it.

I believe there is merit in this amendment and the reform which it is intended to bring about; and I give notice now that next winter, when we have more time, I expect to have a hearing before the Senate Committee on Naval Affairs on this question of titles and rank, and the rivalry between line and staff officers, and give both sides a chance to present their side, if the Naval Committee will sustain me in bringing about the hearing.

The chiefs of bureaus in the Navy Department are now called admirals. Why, I do not know. But it has been so for a long while, and there must have been a good reason for starting the custom in the past. The line and staff in all other branches of the public service, Army, Marine Corps, and Coast Guard, and the Revenue-Cutter Service, have no distinction, and I do not think there ought to be one in the Navy. It is producing friction now and has been producing friction for years, and it ought to be ended if it is possible to do it.

However, I will not discuss the matter any further this evening.

Mr. SWANSON. I desire to print in the RECORD so that Senators may see it what is the title given in all the navies of the world.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

Numbers and titles of staff corps of principal foreign navies.

[Office of Naval Intelligence, Navy Department, Feb. 27, 1912.]

MEDICAL OFFICERS.

Line titles.	England.	Number.	France.	Number.	Germany.	Number.
Vice admiral	Director general of the medical department.	1	Surgeon general, first class	1	Staff surgeon general (personal as vice admiral.	1
Rear admiral	Surgeon general	5	Surgeon general, second class	6		
Captain	Deputy surgeon general	134	Chief surgeon, first class	14	Surgeon general	5
Commander	Fleet surgeon	147	Chief surgeon, second class	15	Chief surgeon general	68
Lieutenant commander	Staff surgeon	186	Principal surgeon	65	Chief staff surgeon	
Lieutenant	Surgeon	178	Surgeon, first class	140	Staff surgeon	94
Junior lieutenant			Surgeon, second class	100	Chief assistant surgeon	118
Ensign			Surgeon, third class	(1)	Assistant surgeon	
Total		651		341		286

Line titles.	Japan.	Number.	Italy.	Number.	Austria.	Number.	Russia.	Number.
Vice admiral								
Rear admiral	Surgeon general	7	Major general	1	Staff surgeon general	1		
Captain	Inspector	14	Colonel	8	Chief staff surgeon, first class.	2		
Commander	Fleet surgeon	40	Lieutenant colonel	12	Chief staff surgeon, second class.	4	Hold civil rank of the Russian general service; are not officers.	304
Lieutenant commander	Staff surgeon	68	Major	31	Staff surgeon	9		
Lieutenant	Surgeon	114	Captain	107	Battleship surgeon	46		
Junior lieutenant	Assistant surgeon, first class.	56	Lieutenant	83	Frigate surgeon	20		
Ensign	Assistant surgeon, second class.	35						
Total		334		242		82		304

[1] As required.

Numbers and titles of staff corps of principal foreign navies—Continued.

PAY OFFICERS.

Line titles.	England.	Number.	France.	Number.	Germany.	Number.
Vice admiral			Paymaster general, first class	1		
Rear admiral			Paymaster general, second class	4		
Captain	Paymaster in chief	12	Paymaster chief, first class	12		
Commander	Fleet paymaster	160	Paymaster chief, second class	12	Staff paymaster	46
Lieutenant commander	Staff paymaster	72	Principal paymaster	37	Chief paymaster	179
	Paymaster	36				
Lieutenant	Assistant paymaster, 4 years' seniority.	332	Paymaster, first class	100	Paymaster	
Junior lieutenant			Paymaster, second class	40		
Ensign	Assistant paymaster, 4 years' seniority.		Paymaster, third class	(1)		
Total		612		+206		225

Line titles.	Japan.	Number.	Italy.	Number.	Austria.	Number.	Russia.	Number.
Vice admiral								
Rear admiral	Paymaster general	4	Major general	1	Paymaster general	1		
Captain	Inspector	19	Colonel	6	Chief paymaster, first class	5		
Commander	Fleet paymaster	48	Lieutenant colonel	17	Chief paymaster, second class	6		
Lieutenant commander	Staff paymaster	79	Major	28	Chief paymaster, third class	16	Line officers perform pay corps duties.	
Lieutenant	Paymaster	79	Captain	107	Paymaster, first class	86		
Junior lieutenant	Assistant paymaster, first class.	62	Lieutenant	80	Paymaster, second class	37		
Ensign	Assistant paymaster, second class.	33	Sub lieutenant					
Total		324		239		151		

CONSTRUCTORS.

Line titles.	England.	Number.	France.	Number.	Germany.	Number.
Vice admiral	Constructors belong to civil branch of the navy. They have no military rank; but assistant constructors, while serving at sea, are given rank of engineer lieutenant. Titles are as follows:		Inspector general of naval construction	1	(Constructors are a civil corps; the titles are not translatable.)	
Rear admiral			Director of naval construction	10		
Captain			Engineer in chief, first class	18	Schiffbau-direktor	7
					Schiffbau-betriebs-direktor	24
Commander	Director of naval construction	1	Engineer in chief, second class	18	....do	4
Lieutenant commander	Director of dockyards and works	1	Principal engineers	18	Baural fur schiffbau	41
Lieutenant	Chief constructor	14	Engineer, first class	62	Schiffbaumeister	84
Junior lieutenant	Constructor	28	Engineer, second class	20		
Ensign	Assistant constructor	75	Engineer, third class	(1)		
Total		119		147		160

Line titles.	Japan.	Number.	Italy.	Number.	Austria.	Number.	Russia.	Number.
Vice admiral			Lieutenant general	1				
Rear admiral	Inspector general	5	Major general	3	General constructor	1		
Captain	Inspector general	6	Colonel	8	Colonel constructor	5		
Commander	Chief constructor, first class	6	Lieutenant colonel	10	Chief constructor, first class	4		
Lieutenant commander	Chief constructor, second class.	24	Major	15	Chief constructor, second class	4	No authentic information	
Lieutenant	Constructors	25	Captain	55	Chief constructor, third class	5		
Junior lieutenant	Assistant constructors	8	Lieutenant	18	Constructor, first class	3		
Ensign					Constructor, second class	1		
Total		74		110		23		

[1] As required.

The VICE PRESIDENT. The question is on the amendment of the Senator from Montana [Mr. WALSH] to the amendment of the committee.

Mr. TILLMAN. I hope the Senator will withdraw it.

The amendment to the amendment was rejected.

The amendment was agreed to.

The next amendment of the Committee on Naval Affairs was, on page 61, after line 5, to insert:

Chief boatswains, chief gunners, chief machinists, chief carpenters, chief sailmakers, chief pharmacists, and chief pay clerks shall, after six years from date of commission, receive the pay and allowances that are now or may hereafter be allowed a lieutenant (junior grade), United States Navy: *Provided*, That chief boatswains, chief gunners, chief machinists, chief carpenters, chief sailmakers, chief pharmacists, and chief pay clerks shall, after 12 years from date of commission, receive the pay and allowances that are now or may hereafter be allowed a lieutenant, United States Navy.

That warrant officers shall receive the same allowances of heat and light as are now or may hereafter be allowed an ensign, United States Navy: *Provided*, That any commissioned warrant officer of the active list who shall have had six years' service as a commissioned warrant officer may be commissioned with the rank of lieutenant (junior grade) in the corps to which he belongs upon satisfactorily passing such examination as may be prescribed by the Secretary of the Navy, and upon recommendation of the examining board composed of three officers not below the rank of lieutenant commander.

The amendment was agreed to.

The next amendment was, on page 62, after line 4, to insert:

Provided, That hereafter promotion to the grades of captain and rear admiral shall be by selection from the next lower respective grade: *Provided further*, That no officer shall be eligible for promotion by selection to either the grade of rear admiral or the grade of captain until he shall have been recommended for appointment to such grade by a board of nine flag officers of the line of the Navy, which board will base its recommendations upon the comparative probable fitness for command afloat in the respective grades into which promotion is to be made of all captains or commanders, respectively, of the line of the Navy who shall at the time the recommendation is made have had not less than three years' service in the grade in which they are then serving, except that the recommendation of the board in the case of officers of the former Engineer Corps who are restricted by law to the performance of shore duty only, and in that of officers who may hereafter be assigned to engineering duty only, shall be based upon their comparative fitness for the duties prescribed for them by law, and that upon promotion they shall be carried as additional numbers in grade: *Provided further*, That no officer shall be recommended for such promotion unless he shall have received the recommendation of not less than seven members of said board: *And provided further*, That any officers so selected shall, prior to promotion, be subject in all respects to the examinations prescribed by law for officers promoted by seniority, and in case of failure for any reason to pass such examination such officer shall lose his then existing opportunity for promotion and such examination shall not be considered in event of subsequent retirement to entitle such officer to the rank of the next higher grade.

Mr. POINDEXTER. Mr. President, I will ask the Senator from Virginia if he will not allow that amendment to go over until

to-morrow? I failed to notice in the reading of it a provision prescribing the manner in which the board for the selection of officers for promotion may be appointed. It is a matter of a great deal of importance aside from that, and I should like the Senator to let it go over.

Mr. SWANSON. If there is objection to it, I will be glad to let it go over.

Mr. WEEKS. Mr. President, I will ask the Senator from Washington—and I intend to make comment on that particular phase of the amendment—if the provision for a board of nine senior admirals would not cover his suggestion?

Mr. POINDEXTER. If there is to be a board vested with these very great powers, it seems to me that some such provision as that suggested by the Senator from Massachusetts would be very worthy of consideration. The merit of this proposition, of course, depends absolutely on the administration of the powers. If the board administers the vast power which it has over the careers of their fellow officers efficiently, undoubtedly it would be a good system, but it could be made a very obnoxious system by poor administration.

Mr. SWANSON. As I understand, the amendment goes over until to-morrow.

The VICE PRESIDENT. The amendment will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Naval Affairs was, on page 63, after line 10, to insert:

For purposes of retirement all officers now in the Navy or Marine Corps shall be credited with service from the dates they take precedence in accordance with law.

The amendment was agreed to.

The next amendment was, on page 63, after line 13, to insert:

Nothing contained in this act shall be construed to reduce the pay or other benefits of any officer of the Navy or Marine Corps as now provided by law.

The amendment was agreed to.

The next amendment was, under the subhead "Officers for engineering duty only," on page 63, line 18, after the word "Navy," to insert "not below the grade of lieutenant commander," and on page 64, line 16, before the word "ensigns," to strike out "acting," so as to make the clause read:

Officers of the line of the Navy not below the grade of lieutenant commander may, upon application, and with the approval of the Secretary of the Navy, be assigned to engineering duty only, and that when so assigned and until they reach the grade of commander they shall perform duty as prescribed in section 4 of the personnel act approved March 3, 1899, and thereafter shore duty only as now prescribed for officers transferred to the line from the former engineer corps, except that commanders may be assigned to duty as fleet and squadron engineers: *Provided*, That when so assigned they shall retain their place with respect to other line officers in the grades they now or may hereafter occupy, and also the right to succession to command on shore in accordance with their seniority, and shall be promoted as vacancies occur, subject to physical examination and to such examination in engineering as the Secretary of the Navy may prescribe: *And provided further*, That the number of officers so assigned in any one year shall be in accordance with the requirements of the service as determined by the Secretary of the Navy: *Provided further*, That the Secretary of the Navy is hereby authorized to appoint annually in the line of the Navy for a period of 10 years following the passage of this act, in the order of merit determined by such competitive examination as he may prescribe, 30 ensigns for the performance of engineering duties only.

The amendment was agreed to.

The next amendment was, on page 65, line 3, before the word "ensigns," to strike out "acting"; in line 7, before the word "commissioned," to insert "regularly"; and in line 9, after the word "examination," to insert "to qualify for the general duties of the line," so as to make the clause read:

Such ensigns shall, upon the completion of the probationary period of three years, of which two years shall have been spent on board cruising vessels and one year pursuing a course of instruction at the Naval Academy prescribed by the Secretary of the Navy, be regularly commissioned in the grade of lieutenant of the junior grade after satisfactorily passing such examination to qualify for the general duties of the line as may be prescribed by the Secretary of the Navy, and having been recommended for promotion by the examining board and found physically qualified by a board of medical officers of the Navy.

The amendment was agreed to.

The next amendment was, on page 65, after line 13, to strike out:

Such officers shall thereafter be required to perform engineering duties only, and shall be eligible for advancement to the higher grades in the manner herein provided for line officers assigned to engineering duty only.

The amendment was agreed to.

The next amendment was, on page 65, line 21, after the word "liquors," to strike out "or other misconduct," and, on page 66, line 4, after the word "liquors," to strike out "or other misconduct," so as to make the clause read:

Hereafter no officer or enlisted man in the Navy or Marine Corps in active service who shall be absent from duty on account of sickness or disease resulting from his own intemperate use of drugs or alcoholic liquors shall receive pay for the period of such absence, the time so absent and the cause thereof to be ascertained under such procedure and regulations as may be prescribed by the Secretary of the Navy: *Provided*, That an enlistment shall not be regarded as complete until the enlisted man shall have made good any time in excess of one day lost on account of sickness or disease resulting from his own intemperate use of drugs or alcoholic liquors.

The amendment was agreed to.

Mr. WILLIAMS. Mr. President, I desire to recur to the committee amendment striking out lines 14, 15, 16, and 17, on page 65, which read:

Such officers shall thereafter be required to perform engineering duties only, and shall be eligible for advancement to the higher grades in the manner herein provided for line officers assigned for engineering duty only.

I ask that that amendment go over until to-morrow, because I have some data which I desire to bring to the attention of the Senate. I shall oppose the committee amendment.

Mr. SWANSON. I shall not object to the amendment going over.

The VICE PRESIDENT. The amendment has been agreed to. However, without objection, the vote whereby the amendment was agreed to will be reconsidered and the amendment will be passed over.

Mr. NELSON. Mr. President, I desire to call the attention of the chairman and members of the committee to the injustice of the proviso beginning at the foot of page 65, which reads:

Provided, That an enlistment shall not be regarded as complete until the enlisted man shall have made good any time in excess of one day lost on account of sickness or disease resulting from his own intemperate use of drugs or alcoholic liquors.

Is not that a discrimination between the enlisted men and the officers? In the case of the officer we simply provide that he shall not receive pay, but in the case of the enlisted man he is required to serve the full time lost. That is not putting the officers and enlisted men on a fair footing of equality. It seems to me the enlisted man should receive the same favors as does an officer. The provision preceding the proviso reads:

Hereafter no officer or enlisted man in the Navy or Marine Corps in active service who shall be absent from duty on account of sickness or disease resulting from his own intemperate use of drugs or alcoholic liquors shall receive pay for the period of such absence, the time so absent and the cause thereof to be ascertained under such procedure and regulations as may be prescribed by the Secretary of the Navy.

Mr. LODGE. Mr. President, if the Senator will allow me, an enlistment is for a definite period.

Mr. NELSON. Yes.

Mr. LODGE. And an officer's service, of course, is not definite.

Mr. NELSON. But he can retire at a given age.

Mr. LODGE. Oh, yes; he can retire for age, but I mean he has a life service, and you can not apply the word "enlistment" to a commissioned officer.

Mr. NELSON. If an enlisted man in the Navy is unfortunate enough to be sick for, say, six months or more, he is required to serve six additional months.

Mr. LODGE. Only if his sickness is caused by drugs or alcohol.

Mr. NELSON. The provision concerning drugs and alcohol applies to officers, too.

Mr. LODGE. Certainly.

Mr. NELSON. If the same rule were applied to enlisted men as is applied to officers, it would be just to say that the enlisted man should not receive pay for that time. That would be applying the same rule.

Mr. LODGE. That is provided for in the first part.

Mr. NELSON. It is provided as to officers that they shall not receive pay for the period of absence. If the same provision were made as to the enlisted man, it would be putting them on a parity. The bill simply says as to officers that for the period of their sickness they shall not be entitled to pay; but as to the enlisted men, it is provided that they shall also serve an additional time in the Navy.

Mr. SWANSON. But they are paid when they serve the additional time. If the Senator will allow me, I will endeavor to explain it. If an enlisted man gets drunk for five days, he loses his pay, as does the officer in a similar case; but the enlisted man, to complete his term of enlistment and to be entitled to a discharge, if he has been absent from duty for more than one day, must serve out a time equal to the period of his absence in order to complete his enlistment. He is simply kept in the Navy longer, but he is paid for the additional service.

Mr. NELSON. Does he lose his pay during his sickness?

Mr. SWANSON. He loses his pay if he is sick on account of being drunk, say.

Mr. NELSON. Well, there is a discrimination.

Mr. SWANSON. Wait a moment. Under this provision the officer also loses his pay. If an officer were drunk for five days, he would lose his pay. When it comes to counting the service of the enlisted man, at the end of three years he is entitled to his

discharge; but if he has been sick in excess of one day on account of drunkenness his enlistment is extended, as I understand, to cover the period during which he was absent from duty, but he gets pay for the additional period.

Mr. NELSON. Mr. President, if the provision simply deprived the enlisted man of pay during that period, as is done in the case of the officer, it would put them on an equal footing, but the enlisted man is not only deprived of his pay for that time, but he is required to serve an additional time.

Mr. SWANSON. For which he is paid.

Mr. NELSON. That is the result of this bill. It is a top-heavy officers' bill, and it does not properly recognize the rights of the enlisted man.

Mr. SWANSON. If the Senator will permit me, the warrant officer and enlisted man, I think, are treated as fairly as the officers. The enlisted man has contracted to serve the Government for three years, for which the Government agrees to pay him so much money. Now, during one month of his service he was absent on account of being drunk, so that at the end of his term of enlistment he has not given three years' service. As I understand, under this provision, if an officer is absent because of drunkenness he loses his pay, as the enlisted man loses his pay, but before the enlisted man can complete his contract of enlistment he must serve another month, because he has agreed to serve three years, and he lacks one month of doing so. He is, however, paid for the additional month.

Mr. NELSON. What about the officer who loses time by being drunk?

Mr. SWANSON. He can not get out of the service at all, unless he resigns, and his resignation is accepted.

Mr. NELSON. He can retire when the retiring age comes.

Mr. SWANSON. He can retire at 62. If the Senator will look at the provision, he will see that there is no discrimination. Of course, if an officer only served for a specified time, as an enlisted man does, he could be required to serve an additional time, but the officer does not have that kind of a service.

Mr. NELSON. It looks to me as though you are inflicting a double penalty on the enlisted man. First you deprive him of pay when he is laid up, and in the next place you require him to serve the additional time to make up for it. That is leaving him not on the footing of the officer. It is a discrimination between the enlisted man and the officer.

Mr. OLIVER. Mr. President, I think if the contention of the Senator from Minnesota should be carried to its logical conclusion it would simply result in allowing the officer that gets drunk and is out of the service for, say, a month, to have the privilege of serving a month additional beyond the age limit, and it seems to me to be a temptation to them to go off on a spree once in a while.

The reading of the bill was resumed.

The next amendment was, at the top of page 67, to insert:

That the Secretary of the Navy is hereby authorized and directed to cause to be paid to Mrs. Eliza Orr, mother of the late William Orr, fireman, United States Navy, an amount equal to six months' pay at the rate received by him at the date of his death.

Mr. SMITH of Georgia. Mr. President, I should like to know why that personal claim is added here.

Mr. SWANSON. The Secretary urgently requested it. As I understand the case—I will get the letter in a minute—an enlisted man usually designates a person who shall receive his pay in case of his death, and in this case I think the enlisted man failed to designate his mother, and under the law she could not get it. I think this is to correct his failure to designate the person whom he wanted to get this six months' pay. I think that is the case; but, if it is not, I will correct the statement when I find the letter.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, on page 67, line 13, after the word "retirement," to insert:

Provided, That hereafter any retired officer of the naval service who shall be detailed on active duty shall, while so serving, receive the active duty pay and allowances of the grade, not above that of lieutenant commander in the Navy or of major in the Marine Corps, that he would have attained in due course of promotion if he had remained on the active list for a period beyond the date of his retirement equal to the total amount of time during which he has been detailed on active duty since his retirement: *Provided*, That nothing herein shall be construed to reduce the pay of any retired officer on active duty whose retired pay exceeds the active duty pay and allowances for the grade of lieutenant commander.

So as to make the clause read:

No officer who, after having commanded a fleet in active commission, has been retired for age and whom, in the judgment of the Secretary of the Navy, the public interests make it necessary to retain for a time after said retirement and who is performing active duty as chairman of the executive committee of the General Board, shall, for the period so retained, suffer any reduction in the emoluments he was receiving at the time of his retirement: *Provided*, That hereafter any retired officer of the naval service who shall be detailed on active duty shall, while so serving, receive the active duty pay and allowances of the grade, not above that of lieutenant commander in the Navy or of major in the Marine Corps, that he would have attained in due course of promotion if he had remained on the active list for a period beyond the date of his retirement equal to the total amount of time during which he has been detailed on active duty since his retirement: *Provided*, That nothing herein shall be construed to reduce the pay of any retired officer on active duty whose retired pay exceeds the active duty pay and allowances for the grade of lieutenant commander.

Mr. WEEKS. Mr. President, I move to amend, in line 16, page 67, by striking out the words "lieutenant commander" and inserting "commander."

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. It is proposed to strike out the word "lieutenant," before the word "commander," so that it will read "not above that of commander."

Mr. WEEKS. The reason I propose that, Mr. President, is because it seems to me that the retired officer in the admiral's list, and possibly in the commander's list, would receive less pay as a lieutenant commander on the active list than he would as a retired officer in the grade at which he was retired.

It is rather difficult to determine what the pay is. Of course, the base pay is given in the register, but the number of fogies affects it so that I can not tell just what the pay of any particular man would be. An admiral's base pay is $6,000. His retired-list pay would be $4,500, based on that. That would be more pay than he would receive on the active list as lieutenant commander, even if he were given pay for the highest grade, 64 years, after the date of his commission, with all the bonus added.

Mr. LODGE. The proviso protects him in that.

Mr. WEEKS. That is quite true; but a large percentage of the officers who are retired are admirals, commodores, and captains. I do not see any particular reason why the pay of those men should not be at least the pay of a commander, if they are going to perform the duties which they naturally would—the duties of their grade.

Mr. NELSON. Mr. President, may I ask the Senator a question?

Mr. WEEKS. Certainly.

Mr. NELSON. Assuming that one of these retired officers is put to work and given this pay, would his retired pay continue? Would he get both?

Mr. WEEKS. Oh, no.

Mr. NELSON. There is nothing in this paragraph to say that he will not.

Mr. WEEKS. There is a provision of law that no officer of the Government shall receive pay for two services under any circumstances.

Mr. NELSON. He would be deprived of his retired pay?

Mr. WEEKS. For instance, the Senator from Minnesota could not receive the pay of United States Senator and the pay of a major general in the Army, even if he were serving as major general.

Mr. NELSON. Oh, no; but——

Mr. POINDEXTER. He could receive the pay of United States Senator and the pay of judge of a Federal court.

Mr. WEEKS. That is because a judge has a retired pay, and——

Mr. SWANSON. Mr. President, if the Senator will permit me, this amendment is in conformity with the Army amendment. Under the present law a retired naval officer can not receive pay in excess of the pay of a lieutenant; and very frequently they get less pay for working than they do if they are not working.

Mr. WEEKS. I approve of this amendment. I think it is a very just one.

Mr. SWANSON. The Army has it up to the pay of major. We thought we ought to make the provision as to retired naval and Army officers conform in the law.

If you get a contest between the two, you will soon have retired officers receiving as much pay as active officers. We think that in the case of a man who has retired at the age of 62, or retired on account of physical disabilities, the pay of a lieutenant commander is sufficient pay for him. If he has been retired when he did not have the physical disability, he has been unworthily retired. Now, after he attains the age of 62 years, we reached the conclusion that for active service in the Navy the pay of a lieutenant commander is sufficient. The Army decided that a major's pay was sufficient.

I do hope the Senator will not insist on this amendment. This is quite a good advance in the pay of retired officers, making it conform with the Army; and it seems to me we have gone

as far as we can go in paying retired naval officers up to the pay of lieutenant commander.

In reference to the remarks of the Senator from Minnesota, I will say that they can not get two pays. The situation is this: If the retired pay exceeds the pay of a lieutenant commander, the officer gets the retired pay but gets no active pay. If the retired pay of one of the younger officers is less, he gets the pay of a lieutenant commander if he would have reached that position if he had continued in the Navy.

The VICE PRESIDENT. The Chair desires to inquire whether there is to be a recess or an adjournment. The Chair will adjourn the Senate at 6.30 o'clock under the order heretofore made.

Mr. SWANSON. I understand there has been an agreement to adjourn this evening, so there can be a morning hour tomorrow. I will therefore make that motion.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the bill (S. 2845) authorizing the sale of the marine-hospital reservation in Cleveland, Ohio, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House insists upon its amendments to the bill (S. 5425) to standardize lime barrels, disagreed to by the Senate, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. ASHBROOK, Mr. ABERCROMBIE, and Mr. REAVIS managers at the conference on the part of the House.

The message further announced that the House had passed a bill (H. R. 15316) to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 16911) making appropriation for the relief and transportation of destitute American citizens in Mexico, and it was thereupon signed by the Vice President.

EMPLOYMENT OF STENOGRAPHER.

Mr. BRYAN, from the Committee on Claims, reported the following resolution (S. Res. 228), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Claims, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-fourth Congress, to employ a stenographer, at a cost not exceeding $1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JONES:

A bill (S. 6616) granting an increase of pension to James W. Higgins (with accompanying papers); to the Committee on Pensions.

By Mr. CURTIS:

A bill (S. 6617) to correct the military record of James H. Painter (with accompanying papers); to the Committee on Military Affairs.

A bill (S. 6618) granting a pension to William E. Puett;

A bill (S. 6619) granting an increase of pension to Reuben H. Chapel (with accompanying papers);

A bill (S. 6620) granting an increase of pension to John S. Stearns (with accompanying papers);

A bill (S. 6621) granting a pension to Frederick Besancon (with accompanying papers);

A bill (S. 6622) granting a pension to Marcia R. Ainsworth (with accompanying papers); and

A bill (S. 6623) granting an increase of pension to Samiria H. M. Bryant (with accompanying papers); to the Committee on Pensions.

By Mr. SHAFROTH:

A bill (S. 6624) granting an increase of pension to Elizabeth M. Baker; to the Committee on Pensions.

AMENDMENTS TO NAVAL APPROPRIATION BILL.

Mr. SHEPPARD submitted an amendment providing that Brazos Island and Point Isabel, Tex., be added to the list of cities for specific plans for improvements of harbors and connecting channels, etc., intended to be proposed by him to the naval appropriation bill (H. R. 15947), which was ordered to lie on the table and be printed.

Mr. FLETCHER submitted an amendment proposing to appropriate $350,000 to repair and reconstruct when necessary public works damaged in July, 1916, by hurricanes at the navy yard and station, Pensacola, Fla., intended to be proposed by him to the naval appropriation bill (H. R. 15947), which was ordered to lie on the table and be printed.

WATER-POWER DEVELOPMENT.

Mr. UNDERWOOD. Mr. President, I have in my hand some newspaper editorials and resolutions relating to the so-called Shields water-power bill. I do not desire to take up the time of the Senate in reading them, but I ask unanimous consent that they may be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

[From the Portland Oregonian, May 24, 1916.]

TIDE TURNS AGAINST PINCHOT.

The administration forces in Congress now evince a decided reluctance to press water-power legislation at this session. The Ferris bill, relating to water power on public land, has passed the House, and Senator MYERS has reported a substitute, which has been made the unfinished business but has been displaced by other business, and the Senate has failed to agree on a time when it shall again be taken up, the steering committee refusing to push it forward. The Shields bill, relating to water power on navigable streams, has passed the Senate, and the Adamson substitute has been reported to the House, but the Rules Committee has sidetracked it in favor of the Army and Navy bills, appropriation bills, and the shipping bill, and there is no prospect of its being taken up until after the national conventions. There is so wide a divergence between the House and Senate bills on important points of policy that long debates in conference committees would likely delay agreement.

Although President Wilson and Secretary Lane have several times expressed a desire for final action at this session, administration leaders in Congress show a sudden lack of interest in the subject. One reason may be the growth of public sentiment against the proposed invasion of the rights of the States. A remarkable evidence of this fact is the adoption by the Conservation Congress of resolutions favoring the Shields and Myers bills by a vote of 116 to 39, against the opposition of Gifford Pinchot and James R. Garfield. This proof that the tide is turning against Pinchotism may have given the Democratic leaders pause. Another cause for delay is the fact that the main points in controversy are before the Supreme Court for decision, in the case of the Beaver River Power Co., appealed from Utah, which is to be argued in the fall and which may be decided before a new Congress meets. The six States which intervened have made so strong a case against the usurpation advocated by Mr. Pinchot that the leaders in Congress may not be willing to waste time in passing a law which may be annulled by judicial decision before it can come into operation.

Greatly as Oregon desires that its water power be unlocked, it would rather see laws passed which rest on a firm foundation of constitutionality, such as will be laid by the decision in the Utah case, than see laws passed which, as the Oregonian believes, will be made dead letter by that decision.

—

[From the Newport (Wash.) Miner.]

WHO WILL DO THE MOST GOOD?

Gifford Pinchot complains that the Shields bill, which has been passed by the Senate as a substitute for the Ferris bill passed by the House, proposes to give away the water powers of the country without compensation.

What Mr. Pinchot calls compensation is a question. The minute any water power is developed by a private company it immediately begins to pay taxes to the State, city, and county; special corporation taxes; in many instances gross-earning taxes; and many other forms of licenses, fees, etc., to both State and National Governments.

To an ordinary citizen this would look like compensation for the use of water power. It is an unquestionable fact that if additional fees and licenses are to be asked by the Government it will increase the cost of operation and naturally the price to the consumer. From an industrial standpoint it will tend to discourage development of power enterprises in the Pacific coast States, where we have so much need of any kind of development that furnishes pay rolls.

If there were any chance of power companies getting hold of our water powers and making arbitrary rates there would be cause for alarm; but there is no such chance, as the rates these companies are allowed to charge are already under the control and supervision of State and interstate commerce commissions, and the rights of the public are fully protected.

What the Western States want is development. They do not care whether it is under the Shields bill or some other bill.

The Shields bill, however, as passed by the Senate, seems to fully protect "future generations," whom the supporters of the Ferris bill worry so about, and at the same time allows the present generation to develop and enjoy its water-power resources instead of letting them run to waste in the ocean.

Who will do our State the most good—Gifford Pinchot sitting in a soft-bottomed chair in Washington, D. C., working for a bunch of faddists, or a hard-headed engineer developing one of our water powers and employing 500 to 1,000 men, especially when we already have laws fully protecting the rights of the public against excessive rates, etc.? (Pacific Coast Manufacturer.)

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[From the Williston (N. Dak.) Graphic, May 11, 1916.]

THROWING PINCHOTISM OVERBOARD.

The National Conservation Congress has, by a decisive vote, indorsed the Shields bill for the development of water powers in navigable streams. Despite the pleadings and the threatenings of the Gifford Pinchot idealists, who want the Government to retain its ownership of the powers forever and ever, the congress has thus declared for a sound and practical plan of permitting private interests to develop them under careful Government regulation, safeguarding the public's interests.

The Pinchot conception of conservation is that natural resources must be kept locked up in Government possession, where private interests can not get at them for development. There is no end of water power going to waste in this country. The Government will not develop it, and, if Mr. Pinchot had his way, no one else would be permitted to do so.

It's the same way with the coal in Alaska. Coal lands there must be leased and not sold outright. But coal lands are useless without railroads, and railroads are not permitted to lease coal lands except for their own use. So before there can be coal leasers there must be Government-built railroads. Accordingly the Government begins a 500-mile railroad to reach the most distant of the coal fields, while it neglects to build a 30-mile stretch into the most accessible field. Thus Alaska must wait three years for coal that might be had in six months. That is conservation of coal!

But the National Conservation Congress is weary of Pinchotism and ready for practical water-power development—and that is some progress! (Minneapolis Journal.)

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[From the Newark (N. J.) Evening Star, June 5, 1916.]

WEALTH IN THE AIR.

A good example of the value of intensive farming is given by a Cumberland County truck farmer, who produces 625 bushels of potatoes and 10,000 quarts of strawberries to the acre. People familiar with agriculture need not be told that these yields are about three times the normal. He does it by an arrangement of overhead sprinklers covering 160 acres, and by lavish fertilizing.

The average European farmer uses 200 pounds of fertilizer to the acre, the average American farmer 28 pounds. And at that the farmers of the United States spend $170,000,000 a year for fertilizers, and get crop returns lower than those of Europe by half.

Above each square mile of the earth's surface there are 20,000,000 tons of nitrogen. We are spending yearly on Chilean nitrates $21,000,000, at $75 a ton. Chile's nitrate beds will be exhausted about seven years from now. Then we shall be compelled to get our nitrogen supply from the air. Why not begin now?

In Europe 1,200,000 hydrohorsepower is used every year to extract nitrogen from the air. England is about to establish a nitrogen plant in Iceland. We have the water power and the air. We need the enterprise and foresight.

There is a military side to it also. If we should be drawn into war now and lose control of the sea, we could get no nitrates from Chile, our powder would soon give out and we could make no more until we harnessed our streams to draw nitrogen from the air.

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[From the Washington Post, June 11, 1916.]

THE WATER-POWER BILL.

The report that President Wilson may veto the water-power bill is not very encouraging to those who had hoped that the day of antagonism to honest enterprise had passed. It would be strange, indeed, if the President should disapprove the water-power bill in the face of the approval given to the appropriation of $20,000,000 for a Government nitrate plant. If the bill had been enacted months ago there would now be under way a considerable development of water power, and instead of one Government nitrate factory there would be a number of large interests investing in this new process for manufacturing fertilizers and the essential ingredient of powder for war purposes.

The water-power bill would not cost the United States a single dollar.

All that it would do would be to permit the Secretary of War to issue permits for water-power development upon some definite plan or system. The measure was passed by the Senate by a two to one vote after all the arguments against it had been analyzed and disposed of. It may be assumed that the differences of opinion with regard to the merits of this bill are honest differences. The chief dispute is over the recapture clause, which provides that after capitalists have invested their money in the erection of dams and the building of power plants, the Government, at the end of 50 years, by paying the cost of the property, may take it over for Government operation. The opponents of the bill say that the recapture claue is so phrased as to enable investors to defeat the purpose of the law by technicalities. If this be true, it is hard to understand why the ablest lawyers in the Senate, men who are honest and patriotic, voted for the measure. There were the same differences of opinion over the Sherman antitrust law many years ago when it was before the Senate; yet the law has worked very well. It should be assumed now that since the measure passed the Senate by a large majority, it is a good working program for the development of water power.

There are in the bill a great many provisions for regulation by State commissions as well as the National Government, and at any time these regulations can be made stronger if the need for restriction appears. The main thing is to get development under way, and if the present measure is to be vetoed, a definite substitute should be suggested for it without delay.

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[From the Ishpeming (Mich.) Record, May 26, 1916.]

WATER-POWER DEVELOPMENT.

At a recent meeting of the National Conservation Congress held in Washington, D. C., the indorsement of the principle of private industrial development of the great waterway resources of the United States was put through after a stormy session in which Gifford Pinchot and his followers were turned down and their principles were repudiated. The action as the result of the stormy debates is taken by the members to mean that the big conservation body has grown tired of seeing the vast resources of the country tied up and was anxious to put itself on record before the whole country as favoring legislative measures for private development of our water resources.

The development of water power, which conservationists recognize as the greatest natural resource the country has, has been brought almost to stagnation by the failure of legislation looking to its development. Business men with capital have stood ready to start on the hazardous undertaking of harnessing great rivers in order to provide cheaper power and light, as well as cheaper fertilizers for the farmer and a greater supply of explosives for our Army and Navy, through the new process of taking nitrogen from the air by means of water power. They have been met with the cry of "trust" and "monopoly," until, as business men, they were almost ready to abandon their efforts. The action of the Conservation Congress, however, in placing its stamp of approval on a plan to permit private industry to go ahead and develop water powers, under a limited franchise and carefully governed restrictions, is regarded as the most important step to water-power conservation that has been made in recent years.

Such men as Hugh L. Cooper, the engineer of international reputation who built the Keokuk Dam as well as big water-power plants at Niagara and on the Susquehanna River, have been prominent in the power fight. The President and members of his Cabinet and Members of Congress, without regard to political affiliations, have been advocating strongly the necessity of legislative action that will put an end to a stagnation in the development of this wonderful resource. Almost every other nation of any size, it has been pointed out, is ahead of America in the use of water power. This fact, it is said, coupled with the growing demand of the people of the United States that something be done so that the country can utilize as well as conserve this vast resource, is regarded as the basis of the decisive action by the Conservation Congress.

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[From the Electrical World, May 6, 1916.]

THE CONSERVATION OF WATER POWERS.

Convinced of the necessity for water-power development in the interests of conservation and of national preparedness, the National Conservation Congress in convention assembled this week indorsed in principle two water-power bills now pending before the Legislature at Washington. Following close on the heels of the water-power conferences of the American Institute of Electrical Engineers and of the American Electrochemical Society in the same city last week, the action of the Conservation Congress is ominous. While there may be some question of the propriety of a national body approving or disapproving any particular form of legislation, there can be absolutely no doubt that the conservationists were impressed with the vital need of quick and definite action, and adopted the surest means of making their desires known. The high character and wide range of subjects discussed and the patriotic enthusiasm of the speakers and of the convention as a whole were sufficient to remove this action of the Conservation Congress from taint of suspicion. Now that light and understanding have been freely imparted on the situation, action should no longer be deferred.

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[From the Leavenworth Times, May 1, 1916.]

FAVORS SHIELDS BILL.

The Rotary Club has passed a resolution indorsing the Shields bill, which has been introduced into the House of Representatives after having passed the Senate. This bill provides for the issuing of 50-year permits for the development of water-power sites on navigable streams anywhere in the United States. The bill anticipates the prevention of waste of such immense quantities of power as is now taking place.

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[From the Memphis (Tenn.) Herald, May 17, 1916.]

THE SHIELDS WATER-POWER BILL.

The discussion on the best bill for Congress to adopt in bringing into action the dormant water power going to waste goes on with unabated zeal, with the tendency to favor the Shields bill in preference to all others. Because of the wide publicity of the Pinchot plan a good deal of attention was given to his views at first until the gentleman began to get a little peevish and fretful on account of the preference for the Shields bill. Now he has almost eliminated himself from attention. The big bugaboo Mr. Pinchot found in the Shields bill doesn't exist at all—that is, in the leases amounting to in perpetuity. On the contrary, ownership ceases absolutely at the expiration of the 50 years. Tennessee will be greatly benefited by this bill, as this State is fortunately blessed with water-power streams, and as the esteemed Chattanooga Times says, millions of money is waiting to be invested in Tennessee as soon as the bill becomes a law.

The Times says:

"The strongest argument for the passage of the Shields or a similar bill to the same purpose is that millions of dollars are ready for investment in plants having for their purpose the development of electrical power through the use of inland waters of the country. Senator SHIELDS has said that if this bill should become law, the development along the Tennessee River would within the next few years add immeasurably to the wealth of the country and become a most powerful agency in promoting the industrial development of the States through which it passes. As it is, few men of wealth are willing to undertake such development hedged about as they would be under present rules and regulations governing running streams under control of the Government."

We should say that, while conserving agencies for the benefit of coming generations is a duty upon the present Government, something is due those who are now on the scene of activity and whose energies and activities are being directed to the projection of enterprises and the development of resources the full benefits of which will extend long beyond the time of their natural lives and which will therefore become rich heritages for those who shall come after them.

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[From the San Jose (Cal.) Herald, May 25, 1916.]

KEEPING CAPITAL AT HOME.

If American capital, seeking opportunities for investment in water-power development, is to be kept at home, American laws governing water-power development must be made quite as attractive as the laws of Canada or of the Canadian Provinces. That Canada welcomes the investment of American capital has been amply demonstrated.

The present Dominion water-power law of Canada, enacted five years ago, has failed to lure American dollars, and is to be remedied; but the law of Quebec—a Province where water-power development does not come under Dominion control and regulation—is far more liberal in its provisions, and far more alluring in its terms, than any bill now before the American Congress. Add to this the fact that Quebec has the most attractive water powers undeveloped in all North America, where the cost of installation is relatively cheap, where leases run from 75 to 99 years, where terms are moderate, and where tidewater transportation is at hand and big markets within easy reach, and it will be realized that this much of Canadian competition is a factor which can not be ignored in working out the water problem in the United States.

Within recent months American capital of vast extent, discouraged by the repeated failure of the American Congress to adopt a water-power policy, turned toward Quebec, intending to make an initial investment of $10,000,000 in a development that ultimately would reach 600,000 horsepower, the largest single enterprise of the kind on this continent. That the investment has not yet been made is due solely to a conflict of private interests owning the power site. When that obstacle is overcome, ten, twenty, perhaps thirty millions of American

capital, that first sought investment in the United States, will follow into Canada the American millions that went to the Canadian side of Niagara Falls to build and operate the only hydroelectric plant on this continent that to-day produces commercial atmospheric nitrogen for the manufacture of fertilizers and explosives.

So liberal have been the Quebec officials in the administration of their water-power policy that American capital to-day has less fear of the Quebec Government than of the Government of the United States. Moreover, the Canadian Province which threatens to become the most active competitor of the United States in the hydroelectric field is already offering definite terms, while in the United States there is nothing but uncertainty—an uncertainty that grows greater as the prospect for water-power legislation grow dimmer.

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[From the Engineering Record, New York, Feb. 12, 1916.]

CONCENTRATION OF WATER-POWER CONTROL.

The bugaboo of a water-power trust has been raised again by the publication of the report, submitted to the Senate by the Secretary of Agriculture, showing the relations of the companies owning water power in the United States. The report was briefly abstracted in the last issue of the Engineering Record, page 192. From various quarters have come expressions of fear that the people of the United States either now or later are to be at the mercy of the octopus. Granting that 18 corporations control more than one-half of the total water power used in public-service operations in this country, and that 6 corporations control more than one-quarter, what need is there for alarm so long as the State utility commissions have control over the rates? In other words, no matter how extensive the monopoly, the return to it from the ownership of the water powers remains in control of the people. Such is not the case, of course, where the entire power produced at a particular point is used by a single corporation for industrial purposes. Yet it is not these powers that are discussed in the report in question.

That the report itself recognizes the advantage of monopoly is apparent from the following passage:

"Monopolization of the supply in any given territory makes possible, through interconnections of stations and through diversification of load, economies of operation that would not be possible for isolated independent stations. Interruptions to service may be lessened, the needs of the customer may be better served, and rates may be lower with a single power system than with several. No better service is given and no lower rates charged than in California, where, notwithstanding the considerable municipal developments, 90 per cent of the total primary power is used by public-service corporations, or in Montana, where 89 per cent is owned by two affiliated corporations. Having the ability to give the better service and the lower rate, it only remains for the proper public agency to require it."

It is right here that the case of the agitators who hold up the water-power-trust bugaboo falls to pieces, because the proper public agency to require reasonable rates is already provided in the various public-service commissions which now regulate electric utilities in all but 15 States.

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[From the Utica (N. Y.) Observer, June 5, 1916.]

WATER-POWER DEVELOPMENT.

The Shields water-power bill, if it becomes a law, will throw open to development a large amount of water power. Its sponsor declared that the amount that would be developed is upward of 15,000,000 horsepower, or the equal of 100,000,000 tons of coal consumption per year.

The bill places a large responsibility in the hands of the Secretary of War. He is authorized to grant permits for dams and power plants where he believes that such dams will improve the navigability of streams. It is manifest that in this clause there is a large restriction, for there are many power-producing streams which are not navigable, and the dams would make them so only for rowboats. It is not clear why mountainous streams were not included in the bill.

The dams are to be constructed by private capital, which shall provide locks, gates, etc. Business within the State shall be regulated by the State and interstate business by the Interstate Commerce Commission. It appears that through this provision any corporation is under close control as to its prices. The plans for the dams, morever, must be approved by the War Department in order that the best improvement of navigation and the fullest development of waterpower may be obtained.

The corporation must pay a rental for public lands and a charge for the rights and privileges in the use of water. These rentals and charges are to be fixed by the Secretary of War. The money thus received is to be placed into a special fund for use in further improvement of waterways.

A corporation is prevented from delaying in its work by a provision which requires that it shall begin work within two years after the granting of the permit. The Secretary shall prescribe that the work shall be completed within a reasonable time, fixed by him. If the works are not completed as directed, or if the provisions are violated, the corporation is subject to penalties or revocation of the grant.

At the end of the 50-year period, for which the permits are granted, the Government may extend the lease, make a new grant, or upon one year's notice take over the property upon payment of its value. This value shall be determined by agreement, or by the Federal courts. No rights granted by the Government shall be allowed in arriving at this value and such rights shall not be included in fixing the rates to consumers.

Municipally owned dams and power plants for irrigation, or for supplying power for municipal purposes, are given preferences for surplus water. The bill does not apply to small streams.

The measure contains an antimonopoly clause providing that no dams shall be controlled by any unlawful monopoly, or shall form any unlawful constraint to limit the output of electrical energy, or in restraint of trade. This seems to be a superfluous provision, for existing laws should take care of that.

The Senate talked about this bill for weeks, and passed it by a good majority, which indicates that the Senate is fairly well satisfied with it. It is a measure which gives private enterprise much inducement to develop various water powers, and at the same time it does not give these valuable rights away, as public property has been given away heretofore. It is to be noted, however, that at the end of the 50-year lease, the Government shall pay the value of the plant. The Government could do the same with the railroads. On the other hand, 50 years hence they may fix values differently, so that the unearned increment piled up by the public will not be included in the price.

[From the Boston Commercial, Feb. 19, 1916.]

DEVELOPMENT REAL CONSERVATION—THE FOLLY OF WITHHOLDING WATER POWER FROM PUBLIC USE—AMPLE COMPENSATION IN SERVICE AND TAXES.

Gifford Pinchot, who came prominently into the public eye several years ago as one of the foremost advocates of conservation, apparently has not awakened to the fact that the American people have debated that question in their minds until they are satisfied that it is simply the crazy idea of an illogical dreamer. He is now writing personal letters to editors, asking the press to help him "defeat a most serious attack upon our public resources." He says the Shields bill, now before the Senate, gives to the "power interests" without compensation the use of water power on navigable streams; that the amount of power these streams will supply is larger by far than all the power of every kind now in use in the United States; and then he rambles on about provisions which should "enable the people to take back their own property at the end of 50 years."

Mr. Pinchot is a socialist, though he probably does not know it, and it is altogether improbable that the socialists would accept him as such. His idea, reduced to its final analysis, is that the whole people should own everything and that the lazy and improvident, through the mere mistake of birth, should inherit a share of the accumulations of the creative, the industrious, and the thrifty; it seems to be his opinion that one method to bring about his desired distribution of wealth would be to hold up those who finance and develop industries and make them pay the Government for the privilege of doing business. John Ruskin objected to steam-railroad building in England because, in his opinion, it would deface the scenery. Gifford Pinchot is afraid some one might develop water power in "the Grand Canyon, the greatest natural wonder on this continent." Therefore Pinchot is in no sense original.

If the savings of thrifty people had not been put into corporations to build up the railroads probably no one would now take as a gift either the water powers or the great agricultural areas of the interior of this country, there would not be taxable property enough in the United States to pay the salaries of the little group of muckrakers who still hold public office, and the relatively small area from which food products could be moved to seaboard would not support one-half of the present population. Everybody knows, possibly excepting Pinchot, that the development of the country's water powers will result in the creation of property values and that the taxes the holders of such properties will pay will compensate the Government handsomely. They also know that by the use of this power the productive capacity of the country will be immensely increased, giving remunerative employment to labor and exerting an influence to reduce the cost of living. It is common knowledge also that the entire material progress of humanity has been due to the development and use of natural resources by the people who save, invest, and work, and who do not permit themselves to be restrained from doing so by impracticable theories.

If this country is to go ahead industrially, an immense amount of mechanical power must be developed. Is it better that the coal deposits or the waterfalls should be conserved? One or the other must furnish the power.

Mr. Pinchot thought the coal of Alaska should be conserved, also the forests, and now the water powers. The rest of us in the United States do not agree with him fully, and therefore it would seem to be up to him to remove his place of residence to the interior of South America or Africa, where everything is being conserved.

If there is anyone left who has the courage to invest his capital in the development and equipment of a water power in the United States after the way the Government has treated investors during the past eight or nine years, he should be given the privilege of doing so and he should also be awarded a medal for bravery.

That water powers or anything else should be operated at cost for the alleged "benefit of the people" is a figment of the imagination. Profits are just as essential to industrial and material progress as food is to a growing child.

If the full product of the industry were divided equally among those who take part in its production, there would be no fund with which to build for the future. Until there is a sufficient accumulation to pay for clearing the land, providing the seed, and cultivating the plants, there can be no harvest, and a part of each crop must be saved for seed and to feed the workers until harvest time the following year.

Undoubtedly a few editors will fall for Mr. Pinchot's argument, but it is believed that a vast majority of them know better. The population of the United States is increasing, and the only way to provide the growing numbers of people with food, raiment, and shelter is by the development of the country's natural resources, the extension of its industries, and the continuing increase of its production.

A relatively small portion of the profits of industry is wasted by the rich on luxuries and extravagances, but more than three-quarters of all net earnings are reinvested and the profits thereon reinvested in such a way that the public gets the full benefit to the last dollar.

Fortunately, approximately all of the profits so far made in this country have been invested at home. After they begin to be invested abroad the people of other countries will get the benefit of them. If Gifford Pinchot's dreams are permitted to come true, American capital will go abroad in shiploads.

The old song says, "The mill will never grind again with the waters that are past." The only way to conserve water power is by developing and using it. By this method the millions of horsepower now running to waste every day should be conserved, Mr. Pinchot to the contrary notwithstanding.

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RESOLUTIONS PASSED BY CIVIC ORGANIZATIONS OF THE UNITED STATES, INDORSING THE SHIELDS NAVIGABLE-STREAM WATER-POWER BILL (S. 331).

BY THE RALEIGH CHAMBER OF COMMERCE, RALEIGH, N. C.

Whereas 60,000,000 undeveloped horsepower in the rivers and streams of the United States now go to waste because their development is financially impossible under our present laws; and

Whereas cheap electrical power for the irrigation of our desert lands; for the treatment of our limestone, phosphate, and mineral resources; for the operation of light, heat, and power plants in areas now closed to electrical competition; for the electrification of divisions of our railroads; for the manufacture of nitrogen from the air on a scale to lessen the cost of our farm fertilizers, and to assure us an adequate ammunition supply in time of war; and for reducing the cost of power in manufacturing of every description, now waits upon a change in our present laws; and

Whereas water-power development under vigilant regulations by National and State authorities, insuring absolute freedom from monopoly or restraint of trade, and forfeiture in event of failure to develop, and termination of the Government franchise at the end of 50 years, and the payment of compensation to the Government for any use of Government property and land, is fully secured in the Shields bill, recently passed by the Senate of the United States and now pending in the House of Representatives: Therefore be it

Resolved, That the Raleigh Chamber of Commerce, of Raleigh, N. C., an association representing the commercial and agricultural interests of Raleigh and Wake County, upon whose welfare depends the livelihood of many employees and the prosperity and comfort of a population of 70,000, now comprised within the commercial and agricultural districts of Raleigh and Wake County, hereby indorses the Shields bill as passed by the Senate, free from impractical provisions that so disastrously have prevented water-power development in recent years, and hereby respectfully urge upon the House of Representatives the immediate passage of this bill; and be it further

Resolved, That a copy of this resolution be mailed by the secretary of this association to every Senator and Congressman from the State of North Carolina, and to every commercial and agricultural association with whom this association is in correspondence or affiliation.

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BY THE COMMERCIAL CLUB OF SALT LAKE CITY, UTAH.

At the regular meeting of the board of governors on April 24, 1916, the following resolutions in regard to the Shields bill now pending in Congress were adopted:

"Whereas 60,000,000 undeveloped horsepower in the rivers and streams of the United States now go to waste because their development is financially impossible under our present laws; and

"Whereas cheap electrical power for the irrigation of our desert lands, for the treatment of our limestone, phosphate, and mineral resources, for the operation of light, heat, and power plants in areas now closed to electrical competition, for the electrification of divisions of our railroads, for the manufacture of nitrogen from the air on a scale to lessen the cost of our farm fertilizers and to insure us an adequate ammunition supply in time of war, and for reducing the cost of power in manufacturing of every description now waits upon a change in our present laws; and

"Whereas water-power development, under vigilant regulation by national and State authorities, insuring absolute freedom from monopoly or restraint of trade and forfeiture in event of failure to develop, and termination of the Government franchise at the end of 50 years, and the payment of compensation to the Government for any use of Government property and land is fully secured in the Shields bill, recently passed by the Senate of the United States and now pending in the House of Representatives: Therefore, be it

"*Resolved*, That the Commercial Club of Salt Lake City, an association representing the commercial and agricultural interests of Salt Lake, upon whose welfare depends the prosperity and comfort of a population of approximately 130,000, now comprised within this district, hereby indorses the Shields bill as passed by the Senate, free from impractical provisions that so disastrously have prevented water-power development in recent years, and hereby respectfully urges upon the House of Representatives the immediate passage of this bill; and be it further

"*Resolved*, That a copy of this resolution be mailed by the secretary of this association to every Senator and Congressman from the State of Utah."

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BY THE CARBONDALE BUSINESS MEN'S ASSOCIATION, CARBONDALE, PA.

Whereas 60,000,000 undeveloped horsepower in the rivers and streams of the United States now go to waste, because their development is financially impossible under our present laws; and

Whereas cheap electrical power, for the irrigation of our desert lands; for the treatment of our limestone, phosphate, and mineral resources; for the operatioa of light, heat, and power plants in areas now closed to electrical competition; for the electrification of divisions of our railroads; for the manufacture of nitrogen from the air on a scale to lessen the costs of our farm fertilizers and to insure us an adequate ammunition supply in time of war; and for reducing the cost of power in manufacturing of every description, now waits upon a change in our present laws; and

Whereas water-power development, under vigilant regulation by national and State authorities, insuring absolute freedom from monopoly or restraint of trade and forfeiture in event of failure to develop and termination of the Government franchise at the end of 50 years, and the payment of compensation to the Government for any use of Government property and land, is fully secured in the Shields bill, recently passed by the Senate of the United States and now pending in the House of Representatives: Therefore be it

Resolved, That the Carbondale Business Men's Association, of Carbondale, Pa., an association representing the commercial, agricultural, and mining interest of the community, upon which depends the livelihood, prosperity, and comfort of a population of 35,000 now comprised within the commercial, agricultural, and mining district in and around the city if Carbondale, Pa., hereby indorses the Shields bill as passed by the Senate, free from impractical provisions that so disastrously have prevented water-power development in recent years, and hereby respectfully urges upon the House of Representatives the immediate passage of this bill; and be it further

Resolved, That a copy of this resolution be mailed by the secretary of this association to the Congressman representing this district and to the Senators from the State of Pennsylvania.

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BY THE EL PASO CHAMBER OF COMMERCE, EL PASO, TEX.

Whereas 60,000,000 undeveloped horsepower in the rivers and streams of the United States now go to waste because their development is financially impossible under our present laws; and

Whereas cheap electrical power for the irrigation of our desert lands; for the treatment of our limestone, phosphate, and mineral resources; for the operation of light, heat, and power plants in areas now closed to electrical competition; for the electrification of divisions of our railroads; for the manufacture of nitrogen from the air on a scale to lessen the cost of our farm fertilizers and to insure us an adequate ammunition supply in time of war; and for reducing the cost for power in manufacturing of every description now waits upon a change in our present laws; and

Whereas water-power development under vigilant regulation by National and State authorities, insuring absolute freedom from monopoly for restraint of trade and forfeiture in event of failure to develop, and termination of the Government franchise at the end of 50 years, and the payment of compensation to the Government for any use of Government property and land is fully secured in the Shields bill recently passed by the Senate of the United States and now pending in the House of Representatives: Therefore be it

Resolved, That El Paso Chamber of Commerce, of El Paso, Tex., an association representing the commercial and agricultural interests of El Paso, Tex., upon whose welfare depends the livelihood of El Paso employees and the prosperity and comfort of a population of 100,000 now comprised within the commercial and agricultural districts of El Paso, hereby indorses the Shields bill as passed by the Senate, free from impractical provisions that so disastrously have prevented water-power development in recent years, and hereby respectfully urges upon the House of Representatives the immediate passage of this bill; and be it further

Resolved, That a copy of this resolution be mailed by the secretary of this association to the Senators and Congressmen from the State of Texas.

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BY THE ENGINEERS' AND ARCHITECTS' CLUB OF LOUISVILLE, KY.

Be it resolved by those members of the Engineers' and Architects' Club of Louisville present at a meeting May 2, 1916, That the development of the enormous water powers of the United States would add greatly to the wealth, the comfort, and the business opportunities of the people of the United States.

Resolved further, That in the opinion of the members of this club such development is impossible unless the persons who propose to develop the various water powers can do so under reasonable and certain laws, which laws should provide for such tenure of the water-power rights and land necessary for the development of such rights as will enable investors either to enjoy in perpetuity the fruits of their investment or to be reimbursed for their expenditures in case the Government should see fit to take over these rights.

Resolved further, That the plan of requiring a separate act of Congress for the development of each water power is entirely impracticable, as business men can not afford to subscribe money to an enterprise when the legal right to carry on the enterprise is not already secured, and probably can not be secured without incurring considerable expense, and waiting for an indefinite period—possibly four or more years.

Resolved further, That Senate bill No. 3331, known as the Shields bill, having been read and discussed by this meeting, it is the sense of the meeting that it fully protects the interests of the public and will promote the speedy development of our water powers.

Resolved further, That the Secretary be instructed to send a copy of this resolution to each Senator and Representative from the State of Kentucky; also that a copy be sent to the Louisville Board of Trade, and that the Louisville Board of Trade be requested to memorialize Congress on this subject, and lend its influence toward securing the passage of a bill which will enable the water powers of the country to be harnessed for use under terms which will be fair to the investors and fair to the public.

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BY THE HARTFORD CHAMBER OF COMMERCE, HARTFORD, CONN.

Whereas the State of Connecticut has a large number of undeveloped water powers which are situated to a large extent on navigable rivers, and it is now generally admitted that the laws now on the statute books of the United States are such as to prevent the adequate development and utilization of these water powers and the improvement of navigation in connection therewith, so that such water-power development and improvement of navigation is now and has been for many years at a standstill; and

Whereas cheap electrical power for the operation of light, heat, and power plants; for the electrification of railroads; for the manufacture of nitrogen from the atmosphere for use as farm fertilizers; to insure an adequate supply of ammunition in time of war; and for the treatment of our limestone, phosphate, and mineral resources; and for supplying low-cost power for manufacturing of every description is now prevented by the present laws; and

Whereas new legislation must be enacted by the Congress of the United States so that water-power developments can be permitted and encouraged upon terms under which the necessary capital can be obtained for such development and improvement of navigation; and

Whereas a bill known as the Shields bill has been passed by the United States Senate, under the terms of which the development of water power is permitted and encouraged under proper regulation by National and State authorities, with provision for the termination of the Government franchise at the end of 50 years and the payment of compensation to the Government for any use of Government property and land, with adequate provisions for the protection of the interests of the consumers of power, and with proper safeguard for the investment of capital, and for the improvement of navigation upon navigable streams, which said Shields bill is now pending in the House of Representatives: Therefore be it

Resolved, That the Hartford Chamber of Commerce, an association representing the commercial, business, manufacturing, and agricultural interests of the city of Hartford and surrounding territory, hereby indorses the Shields bill as passed by the Senate and hereby respectfully urges upon the House of Representatives the immediate passage of this bill; and

That a copy of this resolution be mailed by the secretary of this chamber to every Senator and Congressman from the State of Connecticut and to other chambers of commerce in the United States.

—

BY THE CHAMBER OF COMMERCE AND MANUFACTURERS' ASSOCIATION, DALLAS, TEX.

Resolved, That the Chamber of Commerce and Manufacturers' Association, representing the commercial and agricultural interests of Dallas, hereby indorse the Shields bill as passed by the Senate, free from impractical provisions that so disastrously have prevented water-power development in recent years, and hereby respectfully urges upon the House of Representatives the immediate passage of this bill; and be it further

Resolved, That a copy of this resolution be mailed by the Secretary of this association to every Senator and Congressman from the State of Texas.

BY THE GADSDEN CHAMBER OF COMMERCE, GADSDEN, ALA.

Whereas 60,000,000 undeveloped horsepower in the rivers and streams of the United States now go to waste because their development is financially impossible under our present laws; and

Whereas cheap electrical power for the treatment of our limestone, phosphate, and mineral resources; for the operation of light, heat, and power plants in areas now closed to electrical competition; for the manufacture of nitrogen from the air on a scale to lessen the cost of our farm fertilizers and to insure us an adequate ammunition supply in time of war, and for reducing the cost of power in manufacturing of every description, now waits upon a change in our present laws; and

Whereas water-power development, under vigilant regulation by National and State authorities, insuring absolute freedom from monopoly or restraint of trade, and forfeiture in event of failure to develop, and termination of the Government franchise at the end of 50 years, and the payment of compensation to the Government for any use of Government property and land, is fully secured in the Shields bill, recently passed by the Senate of the United States and now pending in the House of Representatives: Therefore be it

Resolved, That the Chamber of Commerce of Gadsden, an association representing the commercial and agricultural interests of Gadsden, upon whose welfare depends the livelihood of many thousands of employees, and the prosperity and comfort of a population of some 50,000 now comprised within the commercial and agricultural districts of Etowah County, hereby indorses the Shields bill as passed by the Senate, free from impractical provisions that so disastrously have prevented water-power development in recent years, and hereby respectfully urges upon the House of Representatives the immediate passage of this bill; and be it further

Resolved, That a copy of this resolution be mailed by the Secretary of this association to every Senator and Congressman from the State of Alabama and to every commercial and agricultural association with whom this association is in correspondence or affiliation.

GADSDEN CHAMBER OF COMMERCE.

MAY 8, 1916.

BY THE CHAMBER OF COMMERCE, MONTGOMERY, ALA.

Whereas the present governmental system makes it practically impossible to develop the great water power now dormant in the State of Alabama, thereby retarding the material progress of 2,000,000 people; and

Whereas the manufacture of electricity through the cheaper process of water power has become a necessity for the development of our mineral resources and the making of nitrogen from the air for fertilizers and ammunition in the event of war; and

Whereas complete protection is guaranteed the people from oppression by corporations in the so-called Shields general dam bill passed by the United States Senate and now pending in the House of Representatives: Therefore be it

Resolved by the board of directors of the Chamber of Commerce of Montgomery, representing the commercial, industrial, and agricultural interests of the capital city of Alabama, That we urge upon the House of Representatives the speedy passage of the Shields bill, in order that the material development of our State may not be hindered.

Resolved further, That copies of these resolutions shall be transmitted to Members of Congress and commercial organizations throughout the country with a request that they join with us in a demand for this needed legislation.

Certified as a true copy.

BRUCE KENNEDY,
General Secretary.

MONTGOMERY, ALA., *April 25, 1916.*

BY THE ROME CHAMBER OF COMMERCE, ROME, GA.

Whereas 60,000,000 undeveloped horsepower in the rivers and streams of the United States now go to waste because their development is financially impossible under our present laws; and

Whereas cheap electrical power for the treatment of our limestone, phosphate, and mineral resources, for the operation of light, heat, and power plants in areas now closed to electrical competition, for the manufacture of nitrogen from the air on a scale to lessen the cost of our farm fertilizers and to insure us an adequate ammunition supply in time of war, and for reducing the cost of power in manufacturing of every description, now waits upon a change in our present laws: and

Whereas water-power development, under vigilant regulation by National and State authorities, insuring absolute freedom from monopoly or restraint of trade, and forfeiture in event of failure to develop and termination of the Government franchise at the end of 50 years, and the payment of compensation to the Government for any use of Government property and land, is fully secured in the Shields bill, recently passed by the Senate of the United States and now pending in the House of Representatives: Therefore be it

Resolved, That the Chamber of Commerce of Rome, an association representing the commercial and agricultural interests of Rome, upon whose welfare depends the livelihood of many thousands of employees and the prosperity and comfort of a population of some 100,000, now comprised within the commercial and agricultural districts of Floyd County, hereby indorses the Shields bill as passed by the Senate, free from impractical provisions that so disastrously have prevented water-power development in recent years, and hereby respectfully urges upon the House of Representatives the immediate passage of this bill; and be it further

Resolved, That a copy of this resolution be mailed by the secretary of this association to every Senator and Congressman from the State of Alabama and to every commercial and agricultural association with which this association is in correspondence or affiliation.

ERADICATION OF THE CATTLE TICK.

Mr. RANSDELL. Mr. President, I have received a very interesting communication from the Acting Chief of the Bureau of Animal Industry, United States Department of Agriculture, on the subject of the cattle tick, a matter we had under consideration on yesterday. The communication reached me too late to have it placed in the RECORD then, and I ask to complete the record on the cattle tick by having this letter printed.

Mr. SMOOT. The subject of the communication is a past issue. Why should it go in the RECORD?

Mr. RANSDELL. Because it contains very valuable information, and it is also very short.

The VICE PRESIDENT. Is there any objection? The Chair hears none.

The matter referred to is as follows:

UNITED STATES DEPARTMENT OF AGRICULTURE,
BUREAU OF ANIMAL INDUSTRY,
Washington, D. C., July 12, 1916.

HON. JOSEPH E. RANSDELL,
United States Senate.

DEAR SENATOR RANSDELL: As a result of 10 years' experience in tick eradication the Federal officials in charge of this campaign are convinced that the hearty cooperation of the people themselves is absolutely essential to success. The Department of Agriculture's representatives in the field, therefore, have been warned of the danger of beginning systematic work in any county before public opinion is ready to lend vigorous support to the enterprise. It frequently happens that a few of the more progressive farmers are earnest advocates of tick eradication, while the rest of the community may be either indifferent or actually hostile. In a number of instances in the past when tick eradication has been begun under these circumstances it has been found necessary after two or three years for the Federal Government to withdraw its men, because the results in their work were, to a great extent, nullified by popular indifference. To make a success of eradication, all cattle in the county must be dipped regularly. In practice this is only possible when the great majority of the people are so strongly in favor of the work that they will insist upon the enforcement of the necessary regulations.

Recent instructions sent out from Washington to the men in charge in the infested regions directed them to procure a list of the voters in any county in which there was manifestation of local interest in tick eradication. Circular letters and pamphlets explaining the evil of the tick and the possibility of its elimination could then be sent to this list.

The next step is to arrange for practical demonstrations of dipping. Since the Federal department has no funds at its disposal for the purpose, the construction of demonstration vats must be undertaken either by the local authorities or by one or more public-spirited and progressive stock owners. The cost of building a vat is comparatively small, not exceeding $50, exclusive of labor provided by farmers, and it has been found that these practical demonstrations are by far the most effective method of convincing farmers that the tick can be eradicated without any injury whatsoever to live stock. As soon as the vats are built a number of demonstrations are held in order to give all the people of the county an opportunity to see for themselves that dipping does no injury to cattle. There is a widespread belief among the less informed stock owners in the tick-infested regions that the arsenic in the dipping vats poisons cattle and dries up milch cows. This erroneous notion may be easily dispelled if arrangements are made for holding the dipping vat on exhibition for a few days.

After a series of such demonstrations meetings of farmers are held and the benefits of tick eradication explained clearly and forcibly. Ordinarily these meetings lead to the organization of county live-stock associations, which have been found very influential factors in promoting eradication. It is customary for these associations to apply to the county board for the materials for the vats and for the chemicals used in the baths. Until satisfactory arrangements have been made in this or some similar way for the construction of sufficient vats to accommodate all the cattle in the county without driving them long distances the time is not ripe to undertake active eradication work. In most instances the law requires that before such work is undertaken the county should vote for it in a special election. Even where no such election is actually required, the moral effect of the expression of the people's will is greatly to be desired.

Systematic eradication work means the dipping of all cattle in the county every 14 days in a standard arsenical solution. If this regulation is rigidly enforced, one season should see the elimination of the ticks and the freeing of the country from quarantine. Every dipping, however, should be supervised by regularly appointed inspectors, and the arsenical solution should be tested and made of standard strength before each time that the vat is used. Furthermore, care should be taken to account for each cow in the territory in which the vat is located. A few neglected cattle will afford a refuge for the tick and in time undo all that was accomplished by the dipping of the others.

This necessarily involves some inconvenience to cattle owners. As has already been said, therefore, before active work is undertaken, it is essential that public sentiment be brought to a point where this inconvenience is cheerfully accepted. In general, one to two years' preliminary work is sufficient for this purpose. The free use of demonstration vats will do much toward shortening the period and increasing enthusiasm for the active work that is to follow.

As large areas were freed from cattle ticks each year, more and more people became convinced that ticks could be eradicated at a reasonable cost. Furthermore, they discovered that as soon as ticks which kill susceptible cattle were gone, better cattle were at once brought into the country and year-old calves produced that would weigh more than cattle at two years of age raised under tick conditions. These plain every-day facts gave impetus to the work, and tick eradication increased and developed in nearly all the States where cattle ticks flourished, until up to the present time there has been freed from ticks an area of approximately 285,000 square miles, an area nearly as large as that of the combined States of Mississippi, Alabama, Georgia, Florida, South Carolina, and North Carolina. This means that practically 40 per cent of the area formerly under quarantine for cattle ticks has been released as being free from ticks. (See inclosed statement of "Progress in Tick Eradication, July 1, 1906, to March 10, 1916.")

The possibility of eradicating ticks is no longer doubted by the farmer. The question now is, How soon can the last tick be eliminated from the United States?

Congress and the State legislatures are each year appropriating larger sums of money to the end that the work may be increased. In many cases where State legislatures failed to appropriate sufficient funds to meet the demands for tick eradication, the county courts have come to the rescue. In other cases farmers have formed local live-stock associations and provided funds to build cattle-dipping vats, to buy dipping materials, and receive the cooperation and assistance of the United States Department of Agriculture in carrying on systematic work.

The cost of tick eradication varies according to conditions and the personal efforts put forth by the farmers themselves. In some States the cost runs as high as $11.80 per square mile; in others as low as

$6.70 per square mile. But when we realize that the same class of farm lands in a tick-free county will sell for $5 to $10 more per acre than the same class of land in tick-infested areas, there can be no question as to whether tick eradication is profitable to the farmer and to the State.

In connection with the above it may be stated that subsequent to the time the Secretary submitted estimates for tick-eradication work during the fiscal year 1917 the interest in tick eradication has increased tremendously. In Texas, where the work usually included two or three counties at a time, there are now 20 counties which have decided to take up the work, and it is to meet this general increasing demand for tick eradication that additional funds have been requested, for the purpose of conducting the work along the old lines in countries which have not thus far been reached. The department is prohibited by act of Congress from expending funds for the construction of cattle-dipping vats and for the purchase of materials for the preparation of dips except for experimental purposes. During the last fiscal year less than $300 was expended for such work. The vats and dipping materials required for use in the eradication of ticks have been provided, therefore, by either States, counties, or individuals. The various States in the tick-infested territory are expecting to expend during the next fiscal year a total of $975,730 for tick eradication, as follows: In Alabama, the State is expecting to appropriate $25,000 and the counties $120,000; Arkansas, the State $34,000, other sources $50,000; Florida, the State $15,000; Georgia, the State $29,000, the counties $69,000; Louisiana, the State $18,000, counties $90,000; Mississippi, the counties $108,230; Missouri has been released from quarantine; North Carolina, the State $8,000, counties $5,500; Oklahoma, the State $35,000, counties $110,000, other sources $20,000; South Carolina, $30,000; Tennessee has been released; Texas, the State $40,000, counties $160,000; Virginia, the State $2,000, counties $7,000; making a total for the States directly of $236,000, the counties $669,730, and other sources $70,000.

The Legislatures of Mississippi and Louisiana have both recently passed laws requiring all counties in the States where tick infestation exists to take up the work of eradication on request by the State live-stock sanitary officials. In Alabama the work has been greatly increased, and in Florida funds have been pledged by landowners, transportation companies, and other interested persons which will provide an additional fund of $60,000 each year for three years.

Very truly, yours,

J. K. MOHLER,
Acting Chief of Bureau.

Progress in tick eradication July 1, 1906, to Mar. 10, 1916.

State.	Counties.					Area.			
	Infected.			Released.		Infected.		Released.	Per cent released.
	July 1, 1906.	Mar. 10, 1916.		Whole.	Part.	July 1, 1906.	Mar. 10, 1916.		
		Whole.	Part.						
	No.	*No.*	*No.*	*No.*	*No.*	*Sq. mi.*	*Sq. mi.*	*Sq. mi.*	*P. ct.*
Alabama	67	54	4	9	4	51,279	41,972	9,307	18
Arkansas	75	50	7	18	7	52,525	37,566	14,959	29
California	15	.....	1	14	1	79,924	720	79,204	99
Florida	47	44	1	2	1	54,861	51,061	3,800	7
Georgia	143	100	1	42	1	57,438	45,690	11,748	20
Kentucky	2	.....	.....	2	.....	841	.....	841	100
Louisiana	60	56	1	3	1	45,409	43,142	2,267	5
Mississippi	78	38	2	38	2	46,340	21,215	25,125	54
Missouri	4	.....	.....	4	.....	1,386	.....	1,386	100
North Carolina	75	24	1	50	1	37,365	12,351	25,014	67
Oklahoma	[1]61	29	7	20	12	47,8 0	27,924	19,966	42
South Carolina	44	15	.....	29	.....	30,495	12,428	18,067	58
Tennessee	42	.....	.....	42	.....	16,987	.....	16,987	100
Texas	190	110	2	78	2	191,885	148,177	43,708	22
Virginia	30	3	1	26	1	13,918	1,776	12,142	87
Total	933	522	28	378	33	728,543	444,022	284,521	39

[1] Only portions of five of the 61 counties were quarantined.

MARINE HOSPITAL RESERVATION, CLEVELAND, OHIO.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 2845) authorizing the sale of the marine-hospital reservation in Cleveland, Ohio, which were, on page 2, line 3, after "appraisements," to insert "and at not less than the appraised value," and, on page 2, to strike out lines 8 to 22, both inclusive, and insert in lieu thereof the following: "That the proceeds of the sale of so much of said reservation and the improvements thereon as is sold under the foregoing authorization are hereby appropriated and made immediately available for the provision of a new marine hospital at Cleveland, Ohio, including furnishing and the acquisition of a suitable site therefore, within a limit of cost of $400,000; and the balance of the proceeds of the sale shall be paid into the Treasury as miscellaneous receipts."

Mr. POMERENE. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

The VICE PRESIDENT. The hour of 6.30 o'clock having arrived, the Chair declares the Senate of the United States adjourned until to-morrow at 10 o'clock a. m.

Thereupon (at 6 o'clock and 30 minutes p. m., Thursday, July 13, 1916) the Senate adjourned until to-morrow, Friday, July 14, 1916, at 10 o'clock a. m.

HOUSE OF REPRESENTATIVES.

THURSDAY, *July 13, 1916.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father who art in heaven, we thank Thee that down deep in our hearts we recognize and fully appreciate the beauty, potency, and truth of the great principles enunciated by the Master, but we realize that we fall short of those principles in our daily duties; hence we pray for strength, that we may assimilate them and make them dominant in all the transactions of life, that we may hasten the coming of Thy kingdom upon the earth. In the spirit of the Lord Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

WATER-POWER BILL.

The SPEAKER. The House automatically resolves itself into Committee of the Whole House on the state of the Union for the further consideration of the bill S. 3331, the water-power bill, with the gentleman from Kentucky [Mr. JOHNSON] in the chair.

The House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill S. 3331, the water-power bill, with Mr. JOHNSON of Kentucky in the chair.

The CHAIRMAN. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (S. 3331) to amend an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906, as amended by the act approved June 23, 1910, and to provide for the improvement and development of waterways for the uses of interstate and foreign commerce.

Mr. VOLSTEAD. Mr. Chairman, I believe we were considering section 20 when the consideration of this bill was suspended the other day.

Mr. ADAMSON. Section 10.

The CHAIRMAN. There was an amendment pending to section 10.

Mr. VOLSTEAD. I desire to offer an amendment to section 20.

The CHAIRMAN. It can be offered only by unanimous consent, inasmuch as section 20 has already been disposed of. The Clerk will report the amendment which is pending before the committee.

Mr. ADAMSON. I would like to dispose of it, Mr. Chairman.

The CHAIRMAN. The amendment was offered by the gentleman from California [Mr. KENT] and amended.

The question was taken, and the amendment as amended was agreed to.

Mr. ADAMSON. Mr. Chairman, I move that the committee do now rise and report the bill to the House. No; I withdraw the motion. There are two gentlemen who wish to speak.

Mr. VOLSTEAD. I desire to ask unanimous consent to return to section 20. I desire to offer an amendment to that section.

The CHAIRMAN. Is there objection?

Mr. MANN. Reserving the right to object, what is the amendment?

Mr. ADAMSON. Until I can find out what it is, I shall reserve the right to object.

Mr. VOLSTEAD. It is a substitute embodying section 14 of the Shields bill.

The CHAIRMAN. The gentleman from Minnesota [Mr. VOLSTEAD] will send his amendment to the desk.

Mr. ADAMSON. I understand it is a section of the Shields bill. I object, Mr. Chairman.

The CHAIRMAN. The Clerk will report the amendment to section 20 proposed by the gentleman from Minnesota [Mr. VOLSTEAD], to which objection is made. It will be reported for information.

Mr. ADAMSON. Mr. Chairman, we are not considering the Shields bill at all, and the gentleman stated to me privately that he wanted to amend a section of the Shields bill.

Mr. MANN. No; the gentleman is mistaken. The gentleman wanted to amend section 20, and to that end offers an amendment from the Shields bill.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Minnesota [Mr. VOLSTEAD].

The Clerk read as follows:

Amend the section by substituting the following: "That the term 'navigable waters' as used in this act"——

Mr. ADAMSON. Mr. Chairman, I see what it is. It is to substitute section 14 of the Shields bill, and I object.

The CHAIRMAN. The gentleman from Georgia objects.

Mr. MANN. Under a special order of the committee, Mr. Chairman, the gentleman from Minnesota [Mr. SMITH] is entitled to address the House for 10 minutes.

Mr. ADAMSON. And also under that arrangement the gentleman from Tennessee [Mr. SIMS] is to be recognized for five minutes.

The CHAIRMAN. Under the special order the gentleman from Minnesota [Mr. SMITH] will be recognized for 10 minutes and the gentleman from Tennessee [Mr. SIMS] will be recognized for 5 minutes. The gentleman from Minnesota [Mr. SMITH] is now recognized.

Mr. SMITH of Minnesota. Mr. Chairman, if the mysterious forces of electric energy are placed within the easy reach of all the people by the agency of the Government, their burdens will be immeasurably lightened and their comforts greatly increased. On the contrary, if the Government fails and neglects to control this well-nigh "universal future source of industrial power," and permits it, unregulated and uncontrolled, to remain in selfish and unsympathetic private hands, it is certain to become the controlling force of the most despotic combination ever created to control the commercial, industrial, and domestic affairs of a people. Even the very Government itself, if not already under the influence of this combination, will sooner or later be corrupted by the evil influences bound to emanate from so vast and unrestrained twentieth century organization of natural and artificial forces.

The proposition we are now considering is a measure providing for the development and use of this electrical power generated by water power from dams to be erected in navigable streams. The principal feature of this legislation is the regulation of the development and "use of electric current," so that the great benefits accruing from the discovery of electrical transmission will contribute to the comfort and happiness of all the people instead of a few.

On a proposition so complicated and far-reaching as this it is not surprising that a variety of theories are put forth to solve the problem. However, by the processes of elimination and agreement these schemes can be reduced to a single theory as soon as a common understanding of the fundamental principles involved is reached, but until the fundamental principles are discovered and understood no reconciliation of the contending theories is possible.

Since we adopted the amendment directing the Secretary of War to make a charge for the use of the flow of water in the river a few of my colleagues have expressed themselves as being satisfied with this bill, as though the exercise of this taxing power were a fundamental feature of the legislation.

While I am convinced that the amendment is a proper one, such a feature is by no means fundamental or necessary to the accomplishment of the purpose of this legislation, to wit, to put within the reach of all the people hydroelectric power at the lowest cost that will be in keeping with sound finance.

Can it be said by anyone, except the Democratic Party, which has taxed everything in sight except babies, that the taxing of flowing water in our rivers will to any appreciable degree accomplish the thing we are seeking? If so, I would like to have him point it out. The water-power monopoly opposed the imposition of this tax most vehemently. Why? Not because it made any difference to them, for every dollar of tax the Government compels this monopoly to pay will be charged to the consumer; this is one of the benefits of being a monopoly. Then why should it oppose the tax? Because by so doing attention will be diverted from the fundamental principles of the bill, which in this case are acceptable to the hydroelectric people.

Has any representative of the Water Power Trust objected to the regulatory features of this or the Shields bill? Notwithstanding the regulatory sections of the bill provide for no regulation at all, but simply turn the whole subject of regulation over to the Secretary of War without limitation or restriction. If this bill or the Shields bill becomes a law in its present form any future candidate for the Presidency can have all the money he wants for campaign purposes from the trust if he will agree to let it suggest his Secretary of War.

Each succeeding Secretary of War will have the power to regulate this industry according to his own personal notions. He will be untrammeled by any law to either guide or restrain him.

Is it reasonable to suppose that the water-power interests would let such a provision remain in the bill unopposed if they were not cocksure that they would be on the inside in the matter of regulation?

Ah! but I hear some piping voice say that this industry will be regulated by State commissions, and therefore it is immaterial what kind of regulation is prescribed by Congress. The same could be said of our railroads with equal justification.

The conditions brought about through the agency of physical combination of plants and lines have made electric current interstate and have developed its interstate tendencies to such an extent that it is practically beyond State control.

Let me call your attention to what Hugh L. Cooper, one of the chief representatives of the Water Power Trust, had to say on this phase of the question before the Committee on Interstate and Foreign Commerce of the House of Representatives on March 11, 1914, when asked by Chairman ADAMSON:

> What is the reason this will not do? If it is entirely within the jurisdiction of the State, let the State do what it pleases.
>
> Mr. COOPER. I am afraid of any State. As far as I am personally concerned I would not put up $5 for some States to shoot at. I have heard such awful things stated in the halls of the various legislatures that I am very generally afraid of them. It is not a joke with me; I am afraid of it, but I am not afraid of Congress.

But in February, 1916, Mr. Cooper sings quite another song, as appears from an article in the Outlook over his signature, a marked copy of which publication was sent to Members of Congress during the discussion of the Shields bill in the Senate for the purpose of gaining their support for that bill. In this article Mr. Cooper says:

> The regulation of rates by any Cabinet officer is wrong in practice, except temporarily pending the establishment of commissions in a few States which still lack them. If the rates fixed by the State commissions are unfair to either power companies or consumers, either party can appeal to the people and eventually secure justice.

In view of what Mr. Cooper said on March 11, 1914, does anyone believe that he was sincere in February of 1916 when he said that he believed that State commissions should regulate the service, and so forth. The trusts are simply playing a little game of hide and seek with the Members of Congress and the public. What they want is what they have in the pending bills, to wit, no regulation at all, or such as it may be to be in the hands of the Secretary of War.

It must be manifest to everyone who has examined the pending measure that under its terms the Water Power Trust would be able to get a grant in perpetuity free from effective regulation. The very thing they should not be permitted to get, if we desire to retain a portion of the benefits of our water power for the public. However, it is contended by some that it is better to give the trust the kind of a grant they want so as to unlock this natural resource that is now running to waste. To this I have but to say that until the water-power monopoly develops and puts into operation the 61 water-power sites that it obtained from the Federal Government between 1905 and 1907 it comes with poor grace for it to cry, "locked up water-power sites."

Under the present conditions the enactment of a wise and beneficial water-power bill is not a Sunday-school picnic nor a protracted prayer meeting, as the distinguished chairman of the committee having charge of this matter would lead one to believe from his remarks. On the contrary, it is sizzling with more inate cussedness and fiendish selfishness than any other piece of legislation brought before Congress in a quarter of a century.

I deeply appreciate the difficulties of my colleagues who are combating the active and resourceful lobby in Washington, as well as a vile and mercenary press at home. We of the Central West are fortunate in having only one daily paper that is stabbing us in the back and espousing the cause of the Water Power Trust. The paper I have in mind is the Minneapolis Tribune, whose proprietor, W. J. Murphy, has made millions out of water-power grants. He bitterly bemoans the fact that he has been without a representative in Washington and has had to go elsewhere for aid in his plundering campaign of public property. The city of Minneapolis is to be congratulated that my predecessors, Messrs. Washburn, Fletcher, and Nye, never permitted themselves to be used for such an unholy purpose.

The substitute for the Shields bill offered by the House is made up from a great number of other bills, and is known as a composite bill, according to the gentleman from Georgia [Mr. ADAMSON]. No one can claim its authorship. Figuratively speaking, it is a legislative pick-up. That can not be said of the Shields bill, because it looks so much like Rome G. Brown that he could not deny its authorship, even if he would. This is no reflection upon Mr. Brown, who is an honest, able, and conscientious lawyer, and who always looks out for the best interests of his clients. If he were employed by the Government to draw a bill, instead of by the Water Power Trust, you can rest assured that he would present a measure that would fully protect the interests of the public.

The sooner the secret influences that are at work to shape this measure so as to give the control of the vast water-power

resources of the country to the hydroelectric people free from efficient regulation come into the open the better for both sides to this controversy. The sooner you discover your enemy the quicker you can dispose of him.

If these propositions did not have such monopolistic possibilities, we would meet with but little opposition in enacting a law that would meet the situation.

In the early winter the water-power interests organized an association known as the Water Power Development Association, with headquarters at Washington and branch offices in other cities. Since the organization of this association its secretary has been Marcus A. Beeman, who was formerly secretary to the Cleveland and Buffalo Chambers of Commerce, and secretary to the New Jersey State Chamber of Commerce, and its principle publicity man is Mr. Walker, formerly principle publicity man in Secretary Lane's office.

One of the methods adopted by this association to deceive the public was to send free plate matter to country publishers and have them run in the daily papers as an expression of their own opinion, subsequently collecting these editorials and mailing them regularly to Members of Congress without any explanation, thus conveying the impression that the article presented the local opinion of the community in which the matter circulated.

The Democrat, of Mineral Point, Wis., of June 8, 1916, has this to say in reference to this boiler-plate method of publicity:

A TRICK THAT IS VAIN.

If the men who are behind the scheme to pervert the minds of the people on the water-power question by sending free plate matter to country publishers had been present at the meeting of the newspaper men in the senate chamber at Madison last Friday night, they would doubtless have come to the conclusion that tricks that are vain will hardly get them very far in the court of public opinion. When the matter was put up to Courtland Smith, president of the American Press Association, he confessed that in his opinion it was "rotten business," and the unanimous opinion of the gathering was that the publisher who would accept the plates and publish them, except as paid advertisements, plainly marked as such, would do himself and his profession dishonor.

The Daily Herald, of Quincy, Ill., of March 29, 1916, carries the following article, written by Gilson Gardner, which sets forth some of the activities that have been going on in Washington by the Water Power Development Association as well as the water-power lobby. For the benefit of the Members of the House, I will insert in the RECORD this article, as well as a list of names of some of the men who have been in Washington contributing to water-power legislation:

WATER BILL POWER GRAB—SHIELDS BILL HAS BIG LOBBY AT WASHINGTON—SHIELDS BILL IS BITTERLY FOUGHT BY CONSERVATIONISTS—SAID BY OPPONENTS TO BE WORST FORM OF GRAFT.

[By Gilson Gardner.]

WASHINGTON, D. C., *February 29.*

Since February 7 the entire attention of the United States Senate has been devoted to a bill drafted by water-power grabbers and supported by a powerful water-power lobby—the Shields bill. The debate, although it has gone on for more than 20 days, is only just beginning.

The Shields bill is vicious in the extreme. The purpose of those behind it is to secure control of the remaining water-power sites on navigable streams, without compensation or Government supervision, nor any adequate provision for regulation of rates to consumers nor the recovery of the site at the end of the proposed 50-year franchise period.

The bill is supported in the Senate by its author, JOHN K. SHIELDS, of Tennessee; OSCAR W. UNDERWOOD and JOHN H. BANKHEAD, of Alabama; JOHN F. SHAFROTH, of Colorado; REED SMOOT, of Utah; KNUTE NELSON, of Minnesota; and WESLEY L. JONES, of Washington. It is being bitterly fought by Senators LA FOLLETTE and HUSTING, of Wisconsin; NORRIS and HITCHCOCK, of Nebraska; KENYON, of Iowa; LANE, of Oregon; POINDEXTER, of Washington; and WALSH, of Montana.

HAS BIG LOBBY.

In the Senate galleries a large number of lobbyists may be observed daily watching its progress and sending notes to Senators on the floor. Among those observed in the gallery and about the offices of Senators UNDERWOOD, SHIELDS, and JONES are Henry L. Peirce, of the General Electric Co.; Hugh S. Cooper, for Stone & Webster; M. O. Leighton, of the Utah Securities Co.; Frank H. Short, of the Pacific Gas & Electric Co.; ex-Congressman Dennis O. Flynn, of the Electric Bonding interests; J. W. Worthington, of Alabama Power & Light; ex-Congressman George Washington Taylor, representing the Muscle Shoals (Ala.) Co.

The latest move in the fight has been the organization of what is called the Water Power Development Association. This is a publicity bureau, and starts its career by hiring the principal publicity man from Secretary Lane's office, a former newspaper correspondent. This new lobby concern takes the public into its confidence by admitting frankly that it has a special interest to serve in seeking the passage of the Shields bill, since it is made up of certain named builders of water wheels and electrical appliances and supplies of all kinds. Among them are the I. P. Morris Co., of Philadelphia; the Allis-Chalmers Manufacturing Co., of Milwaukee; Wellman-Seaver-Morgan Co., of Cleveland; R. Thomas & Sons Co., of East Liverpool, Ohio; Westinghouse Electric & Manufacturing Co., of Pittsburgh.

WORKING FOR BILL.

Mr. Marcus A. Beeman, secretary of the new association, has been assistant secretary of the Cleveland and Buffalo Chambers of Commerce and secretary of the New Jersey State Chamber of Commerce.

The water-power subject is displacing all matters in the Senate, and the friends of the Shields bill are getting impatient at the delay. Various efforts have been made to put a check on the debate, but those opposing the measure in the public interest are determined to continue their opposition if no business is done between now and fall.

The following is a list of names of some of the men who have been in Washington urging legislation of the kind outlined in the Shields' bill:

Josiah T. Newcomb—Stone & Webster.
L. L. Nunn—Utah Power Co.
H. J. Pierce, of Seattle, Wash.
John H. Finney—Aluminum Co. of America.
Ex-Congressman D. J. Flynn, of Oklahoma.
Calvert Townley—Westinghouse interests.
Henry L. Cooper—Du Pont interests.
Frank M. Washburn—American Cyanamide Co.
Ex-Congressman C. B. Landis—Du Pont interests.
Rome G. Brown, chief lecturer, draftsman, and attorney for the water-power interests.
S. Z. Mitchell—General Electric Cos.

The CHAIRMAN. The time of the gentleman from Minnesota has expired. The gentleman from Tennessee [Mr. SIMS] is recognized for five minutes.

Mr. SIMS. I ask unanimous consent that my time be extended to 10 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SIMS. Mr. Chairman, a bill very similar to the one that is now about to pass the House was considered in the Sixty-third Congress by the Committee on Interstate and Foreign Commerce, reported to the House, amended in various ways and passed by the House, and sent to the Senate, but was not acted on by that body. The Committee on Interstate and Foreign Commerce of the House has been considering this subject very closely and seriously and conscientiously for a number of years. When the present Congress convened, or very shortly thereafter—I do not remember the exact day—our distinguished chairman, Hon. W. C. ADAMSON, introduced a bill, and the Committee on Interstate and Foreign Commerce gave it conscientious, continuous, very earnest, and long consideration, and was doing its very best to get that bill reported to the House and passed as soon as possible, without any reference to any bill then pending in the Senate. In the Senate, on the legislative day of March 3, being calendar day of March 8, 1916, the Senate bill passed. It came to the House and was referred to the Committee on Interstate and Foreign Commerce on March 10. The House committee had practically finished consideration of the bill introduced by the gentleman from Georgia [Mr. ADAMSON], and on the 21st of March the committee directed a favorable report on the Adamson bill as a substitute for the said Senate bill. Some gentlemen seem to have reached the conclusion that because the Senate bill reached the House on March 10 and was on that day referred to the Committee on Interstate and Foreign Commerce, and was reported out by substitute on March 21, that the 11 days between those two dates was all the time that the House committee gave to the bill which it reported as a substitute. That is a very great mistake, because the House committee had been considering a bill almost the exact substance of which had been reported in a former Congress for three months of this session.

Mr. Chairman, I believe I am stating the facts when I say that, as far as it is possible to know anything of the matter from the expressions of the members of the committee, there was an honest, sincere, and conscientious purpose to try to report to this House and pass a bill which would be in the interest of the general public and not intended to conserve any existing monopoly, and not intended to have in it legislation under which a water-power monopoly might hereafter be formed.

Now, we may have made a mistake. Possibly the committee not possessing all wisdom could not foresee what some court in the future might hold. But our intention was to protect the public interest and at the same time report a bill which would not prevent water-power development in this country.

After the Senate bill had been reported I noticed quite a lot of criticism in the newspapers, similar to that which has just been read from the desk, and wanting to know what the highest authority on conservation had to say as to this substitute, on the 25th of May I wrote Hon. Gifford Pinchot asking him if he had considered and studied the House substitute for the Senate bill, and that I would be glad to have any suggestions from him as to any amendment that he though might be desirable to the House substitute for the Senate bill.

I was anxious to have his advice because, as I understand, he is chairman of the conservation association and in that way representing those who had been very anxious to protect the public from any monopolistic control of these water powers. I have not a copy of my letter to Mr. Pinchot, if I had I would

read it as part of my remarks. On May 29 I received the following letter from Mr. Pinchot:

MILFORD, PIKE COUNTY, PA., *May 29, 1916.*

Hon. THETUS W. SIMS,
United States House of Representatives,
Washington, D. C.

MY DEAR MR. SIMS: Yours of May 25 has just been forwarded to me. Since I do not expect to be in Washington for some time, I have asked Mr. Harry Slattery, secretary of the Conservation Association, to submit to you such amendments as we think necessary to make the House substitute for the Shields bill acceptable to the conservationists. I am only sorry I can not get the opportunity to go over the matter with you in person.

With my best thanks for writing as you did, believe me,

Sincerely, yours,

GIFFORD PINCHOT.

Now, I have waited patiently and expectantly from the day I got that letter from Mr. Pinchot for Mr. Slattery's suggested amendments that the conservation association thought were necessary to the House substitute, or the original Adamson bill, and to this hour I have received no suggestion from Mr. Slattery or anyone else. I know that Mr. Pinchot is sincere; his letter shows it on its face, and I know that I was, and therefore I feel that I am warranted in saying that the bill as reported was so near what the conservation association would have it that they have suggested no amendments from the 25th of May to this day, the 13th day of July. I think I have a right to assume that the bill as reported was so near what the conservationists desire, as represented by the organization of which Mr. Pinchot is president, that they thought it was unnecessary to suggest any amendments. I must suppose that so important a measure as this is would not have been overlooked by Mr. Slattery.

Mr. KENT. Will the gentleman yield?

Mr. SIMS. Certainly.

Mr. KENT. I can tell the gentleman from Tennessee two things the conservationists objected to in the bill, namely, lack of certain compensation clause and a more definite system of termination. These things have been embodied now by amendment in the present bill. If they have any more objections, I do not know them.

Mr. SIMS. I was only drawing conclusions which, I think, are fully warranted, which are that the bill as reported was not seriously objectionable to the conservationists, and now as it has been amended by the gentleman from California [Mr. KENT], who has just made the statement, which shows that the bill as amended is wholly acceptable to the conservationists.

Mr. ESCH. Will the gentleman from Tennessee permit me to ask in his time a question of the gentleman from California?

Mr. SIMS. Yes.

Mr. ESCH. Did not the amendment which the gentleman from California has just offered to the House have the concurrence of the ex-Secretary of the Interior, Mr. Fisher, one of the most strenuous conservationists?

Mr. KENT. He had one criticism to make of it. He found it difficult to define where the transmission line feature should cease. When I used the words "point of application" he said that that was difficult to construe, but he could not for the life of him find a better phrase.

And now with the permission of the gentleman from Tennessee I want to say that I did not mean to say that this was entirely satisfactory to the conservationists, but I have been close to Mr. Slattery and Mr. Pinchot, and I do not know of anything else that they want done to the bill.

Mr. SIMS. I was assuming, Mr. Chairman, that the bill was satisfactory. I have shown that the report was not gotten up hastily and dumped into the House, but was a matter of serious, faithful, and long consideration.

I do not want to be a party to a bill that carries a "joker" of any sort, if I know it. Speaking for myself and as a Member of the House and as a member of the committee, I was willing to amend section 10 by striking out the words "after the expiration of 50 years," so that it would read that at any time the United States may terminate the right herein granted upon giving two years' notice and by complying with the other provisions of section 10.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. SIMS. Mr. Chairman, I ask unanimous consent for three minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. SIMS. As I was about to say, that without waiting for the expiration of the 50 years I was willing to give the Government that power, for the reason that I sincerely and honestly believed that no capitalist will hesitate to invest his money in such enterprises when he knows that the United States, whenever it recaptures the property, will return to the investor every cent of his money. But there were other members of the committee, a majority, who did not take that view of it, and were afraid that such an amendment might prevent any further development of water powers by private capital.

Such an amendment would make it impossible to build up a water-power monopoly. But the House has retained the right to pass upon every application to build a dam for water-power development. Under this bill they will still have to come to Congress for permission, and with 435 vigilant members of this body, some Member will be certain to see any "joker" that may be proposed in any bill hereafter introduced and who can and will place any limitation upon it or restriction they see fit. Therefore I think under this bill, even without the amendments put on by the Committee of the Whole, it offers a perfectly sound and workable plan for safe water-power development, and the great fundamental controlling thing is to keep the whole question of water-power control within the grip of the 435 Members of this body, who can place upon the bill authorizing the building of a water-power dam any limitation it may see fit to prevent its going into the hands of any existing monopoly or one to be hereafter created. [Applause.]

The CHAIRMAN. The time of the gentleman from Tennessee has expired. All time has expired.

Mr. REAVIS. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. REAVIS. Mr. Chairman, I am not entirely satisfied with section 10 of this bill, even as it is amended by the gentleman from California [Mr. KENT]. Fifty years is a very long time; too long, as I view it, for these leases to run. If you will trace human ingenuity as applied to water power through the past 50 years, you will very likely go back to a gristmill to which your father and mine took their sacks of wheat to receive in exchange a specified amount of flour. The water power of a half century ago as compared with the water power of to-day was inconsequential in value, because the value of water power, as the value of everything else, is dependent entirely upon its utilization. Within the past 50 years—yes, within the past 25 years—human ingenuity has created inventions that make water power to-day vastly more valuable than it was formerly, and even the wildest imagination of this hour will not attempt to conceive the usages of water power 50 years hence. If you will go to Niagara Falls you will see the tremendous power of that awful cataract harnessed and carried along tiny wires for hundreds of miles beyond the brink of the gorge. It is no longer necessary to go to the scene of the power, for the power is now brought to you. In the city of Niagara Falls the houses and business places are lighted with that power, their manufactories derive their power from hydroelectric power generated by the Falls. If you will stand in the city of Detroit in the evening and look just across the river into the city of Windsor, Canada, you will see the factories of that place lighted by the power generated at Niagara Falls, more than 200 miles away. It is interesting to note that Canada has retained that tremendous asset for its own benefit, while we have granted our rights to private enterprise. The power that is applied to Windsor, 200 miles and more from the brink of the gorge, is sold, so I am informed, to that community for just one-third of what the patrons in the United States pay for it on the very brink of the cataract itself.

No one can look into the future and tell what the value of these water powers will be 50 years hence. In this bill as amended by the gentleman from California [Mr. KENT] there is a provision that the United States must give six months' notice before these leases can be terminated and the property taken over and they may be taken over then only upon the United States making adequate compensation to the lessee for the value of his property. The payment is to precede the taking. That will lead to litigation concerning the payment that will tie up these leases for an interminable length of time so that the lessee will be in possession for a term much longer than 50 years. I would like to see incorporated in this bill a provision that at the end of the specified period nominated in the lease the United States may take this property over and make adequate compensation, to be thereafter ascertained. In that way there will be no holding on to the power for a term in excess of the lease. There is not a man on the floor of this House in the heat of this afternoon who will be on the scene of action when these leases expire. There is not a single lessee who will take a lease under the provisions of this bill who in human probability will live until the expiration of his lease. It is a responsibility to legislate for the present, but it is a tremendous responsibility to foreclose the future for 50 years and more. You and I are legislating to-day for the second

generation, and we are legislating in a way that will permit the lessee under the provisions of this bill not only to hold the property for 50 years, but, by adding interminable litigation as to the value of the property to be turned over to the United States, will doubtless retain the property and this tremendous asset for a period long beyond the life of the lease. [Applause.]

Mr. MANN. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MANN. Mr. Chairman, I did not originally intend to say anything about section 10 and the recovery clause, but I have said privately and am perfectly willing to say it publicly that I do not regard the recovery clause in this bill as of any very great importance. The important section of the bill—in reference to that is the power to amend the bill so as to make the amendment apply to the existing water powers without any liability on the part of the Government for changing the arrangements. No man is wise enough to-day to tell the terms upon which the Government should recover the power 50 years hence. I can remember when the States or the Federal Government had no control over railroad rates, when such a thing as control by a municipality over public utility company rates was not dreamed of; and with the development of water power for years to come there will undoubtedly come with it a distinct line of policy which States will use for the control of that power. We have not reached the wisdom yet where we can settle that question, but it will be settled in the future.

I rose for the purpose of saying a word concerning the Committee on Interstate and Foreign Commerce and its distinguished chairman. I have not agreed in many essential features with the gentleman from Georgia [Mr. ADAMSON] and other members of the Committee on Interstate and Foreign Commerce on the water-power question. I did not agree with the majority of that committee, when I had the honor of being its chairman, but, Mr. Chairman, the gentleman from Georgia, able man, conscientious man, has given great study to this subject for many years.

The Committee on Interstate and Foreign Commerce, in my opinion, is the most important legislative committee of this House. It does more work dealing with great questions than any other committee, and its membership has never been recreant to the will of the House. Mr. Chairman, while the gentleman from Georgia [Mr. ADAMSON] may not agree with the policy adopted by the House in some particulars, it is not necessary to say that he will never betray the House. [Applause.] I commend him and thank him and his committee for the splendid work they have done on this bill as well as upon other bills. [Applause.]

Mr. COOPER of Wisconsin. Mr. Chairman, I ask unanimous consent to proceed for three minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. COOPER of Wisconsin. Mr. Chairman, I desire only to direct attention to the great importance of Members being here when the conference report shall come up for consideration. In this connection I ask especial attention to the fact that the pending bill came from the Senate to the House and was referred to the Committee on Interstate and Foreign Commerce on the 10th of March, which committee reported it out by substitute on the 21st of March, but that the House has not been called upon to consider it until in this intense heat in the middle of July, at a time when Members are all anxious to have the session end that they may go home. And yet while we have been considering it we have been told two or three times during the discussion that after all the bill which is to become the law is to be written in conference.

Months have elapsed during any one of which the House could have taken up the measure and given it weeks of thorough consideration such as its vast importance demands.

But consideration is delayed until the middle of July, toward the end of a long session of Congress, with the mercury at 95 in the shade and with Members wishing to go to their homes, and then, I repeat, the House is informed that after all the real bill is to be written in conference. I presume that, as is usual in such circumstances, when the conference report is brought in gentlemen will say, "Oh, well, we must adopt it and adjourn." And yet it is in many respects the most important bill that has been before the House of Representatives in 25 years. As the gentleman from Nebraska [Mr. REAVIS] remarked, a few years ago, a man who wanted work done at a mill had to go to the mill. All the power was at the dam site. But to-day the power is efficient 200 miles in every direction from the dam site, and that power can be connected in every direction with electric power generated at other dams. The possibilities in such combinations are tremendous. What will these be 25 years from now? And what will these be when 50 years, the term of the privileges granted under this bill, shall have passed away? No man can foresee. The methods of production, of insulation, and of distribution are constantly being improved. When I was at Niagara Falls a few years ago a stockholder in the American plant, replying to my question, said, "Why, machinery that six years ago was all right is obsolete now. Nobody can tell what combinations can be made 25 years hence." Said he, "I am a hard-headed business man; my imagination does not get the better of me, I think, and yet I believe that in 25 years from now a large percentage of all the manufacturing in the United States will be done by electrical power."

The coming conference report will be a document of tremendous importance.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ADAMSON. Mr. Chairman, I ask unanimous consent to proceed for three minutes.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to proceed for three minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. ADAMSON. Mr. Chairman, I wish to thank the gentleman from Illinois [Mr. MANN] for his generous remarks. He has always been appreciative, generous as able, and everybody knows his ability and knows of his distinguished service on our committee. As to the remarks of the gentleman from Wisconsin [Mr. COOPER], the latter part of his statement is correct. I have repeatedly stated to this House during the past 10 years that this was the most important matter that has been before Congress, and I do not think the gentleman from Wisconsin intends for the country to understand the first part of his statement as he made it. Everybody in this House knows, and the gentleman himself will concede it on reflection, that it has been impossible to get this bill up for consideration in this House earlier at this session, although we have striven earnestly to do so. I put it on the Unanimous Consent Calendar as soon as it was reported. It remained there and was passed over several times without prejudice, until finally objection was made and it went off, but it remained on that calendar for several months. The Committee on Rules was consulted time and again, appeal after appeal was made to try to get consideration for it, but gentlemen here know what the state of public business has been during this session, with other matters pressing for consideration, and it has been postponed until this is the first opportunity we have ever had to get consideration for it. Its importance was recognized by me, for my speech went in the RECORD on the first day of the session. The committee went to work, and although the Senate bill remained in the committee but 11 days, the committee had prepared a bill ready to report when it came. We simply whipped it into shape and put it in as a substitute for the Senate bill. I do not think the gentleman ought to intimate that there has been any purpose to delay consideration.

Mr. COOPER of Wisconsin. Will the gentleman permit an interruption?

Mr. ADAMSON. Certainly.

Mr. COOPER of Wisconsin. I did not impute any wrongful motive to the gentleman, or to any other Member of the House, but simply stated the fact that the bill has been here since March, while things of much less importance have been considered for days and days, when the House was simply eating up time, as everybody must know. And it is difficult to understand, if, as the gentleman says, this bill is the most important thing in the way of legislation proposed, as he says in 10 years—and I say in a generation—why it could not get before the House.

Mr. ADAMSON. Mr. Chairman, no effort has been made to curtail anybody's opportunity in debate; and I wish time, at least, to say this, without any reflection on anybody—and I hope the gentleman from Wisconsin will not so construe it, as it is not so intended—that whenever a bill has been reported and is on the calendar of this House five months I do not know any law to prevent any Member from studying that subject. On the other hand, it appears to me to be the duty of Members, when the most important bill for 25 years is on the calendar and persistent effort is made to get it up, to look into the subject and be prepared to discuss it when it does come up. I have made somewhat the same statement when men have said we have hurried about the consideration of some other bill. Mr. Chairman, I will not move that the committee rise, because I think the gentleman from Illinois [Mr. FOSTER] wishes to speak.

Mr. FOSTER. Mr. Chairman, I ask unanimous consent to proceed for three minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for three minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. FOSTER. Mr. Chairman, the question of water power upon the public domain and the navigable streams, as Members who have been here for several years know, has been a very live question in each Congress. There have been divergent views upon this question here as well as outside of Congress as to what the franchise ought to contain and what requirements ought to be made, and the conditions under which they may be permitted to operate. As has been stated here before, I think that one of the great things to have in this bill is a provision that permits regulation of the water power so that the people can not be charged exorbitant prices. Another is that there should be a charge upon every permit that is given to operate. Another is that the franchises should have a definite ending. As has been stated here by the gentleman from Kentucky [Mr. SHERLEY], who has taken a prominent part in this legislation and has rendered a valuable service to the whole country in this matter, and has offered the suggestion that meets the views of all of us who believe there should be proper regulation, there should also be no question as to the time when the permit should terminate. Fifty years is a long time, and the developments that are being made now in electricity are such that no man can tell what 50 years may bring about.

I remember a few years ago these water-power bills were upon the Unanimous Consent Calendar, and up to that time what bills had gone through had been passed by unanimous consent.

There were only a few of them up to that time, but there appeared, as I remember, at one session of Congress some 16 or 17 of them upon the calendar, but none of them has gone through from that time to this. And I think the temper of this House and the temper of the country is such that no legislation will ever get through this House, whether it is in the form of a conference report or a bill, that does not properly provide for regulation and a definite termination of the franchise. I do not know that this bill will come out of conference during this session. I doubt whether it does. I believe the gentleman from Georgia, though his views are not in accord with mine on many points of this bill, to be an honest man, and when he assures this House that he will not bring in a report that does not agree with the views of Members without giving them a chance to vote on it, I have confidence that he will do exactly what he says in the matter.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. FOSTER. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GILLETT. Mr. Chairman, it is perfectly obvious that this bill is passing the House, not with any expectation that it will become a law in this form, but in order that there may be a conference between the House and Senate upon it, and that then a satisfactory compromise may be agreed upon. My district is deeply interested in its fate. We are not insistent upon any particular form. Our vital interest is not in the economic and industrial results, although they may be prodigious for us. But as an incident to the construction of a great dam, to supply power to a region famous for its diversified industries, there will be opened to navigation a long stretch of the Connecticut River, which we hope will bring a new adjustment of freight rates to 250,000 people. For nearly 20 years I have been working zealously toward that end. Several times it has seemed that we were sure to win and then one of those unexpected obstacles, which are so common here, has arisen and dashed our hopes. I trust that this bill will at last become a law and in such form that capital will not be afraid to take advantage of it. In the past capital in Massachusetts has stood ready to organize under any fair bill and to construct a dam which would furnish much-needed power to the industries of the district, and which would also provide locks so that boats could come up from the Sound.

I trust that this project, which now appears so favorable, will not again be thwarted and that this time at last the present unendurable conditions may be remedied.

Mr. ADAMSON. Mr. Chairman, I move the committee do now rise and report the bill as amended to the House, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. JOHNSON of Kentucky, Chairman of the Committee of the Whole House on the state of the Union, reported that the committee had had under consideration S. 3331, an act to amend an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906, as amended by the act approved June 23, 1910, and to provide for the improvement and development of waterways for the uses of interstate and foreign commerce, and had directed him to report the same to the House with certain amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. ADAMSON. Under the rule under which we are operating, the previous question is automatically ordered, and under the agreement of yesterday the vote goes over until to-morrow.

Mr. MANN. Only the final vote, I think.

Mr. ADAMSON. The final vote, but the rule automatically orders the previous question.

The SPEAKER. Is a separate vote demanded on any amendment? [After a pause.] If not, the Chair will put them in gross.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The final vote on this bill goes over until to-morrow morning.

Mr. RAKER. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from California [Mr. RAKER] rise?

Mr. RAKER. I rise for the purpose of asking unanimous consent that the bill H. R. 15096, after the reading of the Journal and the disposition of other business on the Speaker's table——

Mr. MANN. Mr. Speaker, I ask for regular order.

The SPEAKER. The regular order is to recognize the gentleman from Missouri [Mr. RUCKER].

Mr. ADAMSON. Will the gentleman from Illinois withhold that until I can make a statement for a minute?

Mr. RAKER. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. RAKER. Am I not permitted to put my unanimous-consent request?

The SPEAKER. The House made a special order the other day that as soon as we got through with this bill, which we have just finished, the corrupt-practices bill should be privileged.

Mr. RAKER. I do not want to take its place.

The SPEAKER. The gentleman from Illinois [Mr. MANN] demands the regular order.

Mr. ADAMSON. He reserves it at my request, as I understand, for a minute.

The SPEAKER. Does the gentleman from Illinois [Mr. MANN] adhere to his point or not?

Mr. MANN. I demand the regular order.

CAMPAIGN CONTRIBUTIONS AND EXPENDITURES.

Mr. RUCKER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15842.

Mr. ADAMSON. Will the gentleman withhold that a minute for me to make a statement to the House?

Mr. RUCKER. I will, if I may do so.

Mr. ADAMSON. I call the attention of the gentleman from Illinois [Mr. MANN] to what is known as the bill-of-lading bill that there is a general demand for all over the country; and what I wanted to ask was it be given a privileged status.

Mr. MANN. Reserving the right to object, it is not fair to the gentleman to put the burden upon me to object to bills of this kind, which I am in favor of, when they know it is not the intention to consider them at this time.

Mr. ADAMSON. I do not want to do anything unjust, and I will withdraw the request.

Mr. RUCKER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15842, and pending that motion it may be desirable to see if we can agree upon time for general debate. What time would the gentleman from Michigan [Mr. MAPES] like to have?

Mr. MAPES. I think we can get along with one hour on this side.

Mr. RUCKER. I will say frankly that I have had no requests for time on this side, and I am quite sure will not use an hour, but I ask unanimous consent that general debate continue for two hours, one-half to be controlled by the gentleman from Michigan [Mr. MAPES] and one-half by myself.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, I have no objection to limiting the general debate. We are going to have a meeting of the House to-morrow, necessarily. There is not a very large membership here to-day. Does the gentleman expect to get very far with the bill under the five-minute rule to-day?

Mr. RUCKER. I will say to the gentleman, Mr. Speaker, it is the hope that we finish it to-day.

Mr. MANN. There is no chance to do it. It ought not to be finished to-day in the absence of so many Members. I think it would be wise to let the five-minute end of the debate go over until to-morrow.

Mr. RUCKER. And not read the bill under the five-minute rule to-day at all?

Mr. MANN. No; finish the general debate only.

Mr. RUCKER. I want to be entirely acquiescent in every suggestion the gentleman makes.

Mr. MANN. I think we can finish the bill to-morrow, and that is all we will do anyway to-morrow.

Mr. BURNETT. It will only come in after the vote on the other bill, will it not?

Mr. MANN. Certainly.

Mr. RUCKER. I will say to the gentleman that we will have no trouble about that.

Mr. MANN. I am willing to meet at 11 o'clock to-morrow, if it is necessary.

Mr. SMITH of Minnesota. Mr. Speaker, will the gentleman withhold his motion?

Mr. RUCKER. Yes.

Mr. SMITH of Minnesota. I ask unanimous consent to extend in the RECORD the remarks I made this morning on the dam bill.

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

The SPEAKER. What was the request of the gentleman from Missouri?

Mr. RUCKER. Mr. Speaker, the request was that the debate be limited to two hours, one-half to be controlled by the gentleman from Michigan [Mr. MAPES] and one-half by myself.

The SPEAKER. The gentleman from Missouri [Mr. RUCKER] asks unanimous consent that the debate be limited to two hours, one half to be controlled by the gentleman from Michigan [Mr. MAPES] and the other half by himself. Is there objection?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Missouri that the House resolve itself into Committee of the Whole House on the state of the Union.

The motion was agreed to.

The SPEAKER. The gentleman from Missouri [Mr. ALEXANDER] will take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15842, the campaign publicity bill, with Mr. ALEXANDER in the chair.

The CHAIRMAN. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 15842) to revise, amend, and codify the laws relating to publicity of contributions and expenditures made for the purpose of influencing the nomination and election of candidates for the offices of Senator and Representative in the Congress of the United States, extending the same to candidates for nomination and election to the offices of President and Vice President of the United States, limiting the amount which may be expended, providing for the publicity of campaign expenses, and for other purposes.

Mr. RUCKER. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. RUCKER. Mr. Chairman, I am going to consume but a few minutes in presenting this bill to the committee.

Before I address myself to the bill I want to refer briefly to a little pleasantry that occurred here on the floor of the House a few minutes ago. The distinguished gentleman from Illinois [Mr. MANN], having once been the distinguished chairman of the Committee on Interstate and Foreign Commerce, with still some affection for that committee, paid the committee a great compliment, which the chairman of the committee, my distinguished friend from Georgia [Mr. ADAMSON], admits to be merited. The criticism I have to make is that the gentleman from Illinois, who generally knows everything, knows so little about the personnel of some of the committees of the House, because when it comes to real earnest, hard working, patriotic, active, genial, affable, and handsome gentlemen, both Democrats and Republicans, I believe the Committee on Election of President, Vice President, and Members of Congress will take the prize. [Laughter and applause.]

It has been my good fortune to preside over that committee, and I want to say now that whatever of success has attended the results of my efforts has been very largely contributed to by the membership of the committee; I mean all the members of the committee. From the time we began the consideration of this bill, Democratic members and Republican members applied themselves to it studiously and patriotically, and we finally evolved a measure which we believe is the best bill on publicity every presented to Congress, and we present it with a unanimous report, without a dissenting voice on either side of the committee.

There is absolutely no partisanship in it. Each and every member, feeling the responsibility of his position, has striven to present a bill which would be acceptable first to the Congress and approved by the people of the United States, and I believe we have succeeded.

Let me say generally there is not a great difference between the bill now pending and the bill which passed this House during the second session of the Sixty-third Congress. Members of the committee who are present now will recall that at that time we had a more or less spirited contest over several provisions written into the bill which was then being considered, and the House in its wisdom inserted a good many amendments, striking out some language and inserting other language. This committee, which I have already told you in good faith is the best committee in the House, has proven its worth by showing its submission to the will of the House. The bill now presented for your consideration is in strict harmony with the will of the House, as expressed in the various votes taken while the measure was being considered in the other Congress.

It is true there are some changes in it. There are some changes by transposition and consolidation and division, changes in the position of certain sections in order to make the bill more harmonious and perfect. There are some changes which simply involve the incorporating of two sections into one or separating one section into two.

There is one change that I want particularly to call to your attention, which is an innovation or an enlargement of the scope of the bills of this character heretofore considered by Congress. Until this bill was reported I believe no bill was ever reported which sought to require publicity of the amount of expenditures in campaigns applying to the great offices of President and Vice President of the United States. This bill does that. This bill requires all candidates for the Presidency and Vice Presidency to make and publish statements, both before and after the nomination and before and after election, just as it requires candidates for the Senate and House to make reports, except that the time for filing those reports is somewhat different.

In fixing the amount which a candidate for President might legitimately expend under the provisions of this bill, the committee acted without precedent, and hence upon its own judgment. We wrote into the bill that a candidate for the Presidency of the United States could expend, if he saw fit to do so, not exceeding $50,000 for nomination and election, and a candidate for Vice President $25,000.

It will occur to Members here present, no doubt, at first blush, that this is a large sum; but when we consider the great questions which may confront the American people and the necessity of publicity, or of a campaign of education, and analyze it, it seems to me the amount is not excessive. Fifty thousand dollars would be on the average a fraction over $1,000 per State for educational purposes, and if candidates for the Presidency have to pay the same rates for expressing their views that some of the rest of us have to expend, they would not go very far even at that rate—a thousand dollars for a State. If there is any criticism to be made, it may be that the amount is too small. I propose, with the consent and patience of the House, to call attention very briefly to various sections of the bill.

Mr. CRISP. Mr. Chairman, will my friend yield?

Mr. RUCKER. I yield to the gentleman.

Mr. CRISP. Does the $50,000 mean that that is the only amount that can be expended by the candidate, or the committee outside of the amount that the candidate himself can expend?

Mr. RUCKER. I will be glad to answer the gentleman's question. The $50,000 is the amount that the candidate himself may expend. It may come from his own purse, or it may consist, in part, of contributions from friends in aid of his candidacy. But the $50,000 is all that he can expend in carrying on his campaign, either from his own purse or from money contributed to him. That does not affect the activities of committees. That is another proposition.

Mr. CRISP. That is the proposition I wanted to refer to, whether it confined the advocacy of his candidacy to $50,000.

Mr. RUCKER. No.

Mr. WALSH. Does not the language read that he shall not expend or cause to be expended over $50,000?

Mr. RUCKER. I think you are right.

Mr. WALSH. Would not that limit the amount that a committee could expend?

Mr. RUCKER. If the gentleman will read the section governing expenditures by the committee, I think he will reach a different conclusion. The committee is not spending it in the sense that this law seeks to regulate and control expenditure by the candidate. The committee is regulated and governed by a section of the bill which is independent of the section we are now discussing.

Mr. WALSH. Will the gentleman state how much the committee can expend?

Mr. RUCKER. I am glad the gentleman asked that question. In this bill there is no limitation on the amount that the committee may expend. There is a limitation upon the method of expenditure or the source of contribution. The only limitations, however, are those which spring from publicity. Right or wrong, I have a pronounced view on this question, and I realize that I run counter to the judgment of some very strong men in expressing the views I am going to express. Throughout this bill the effort has been rather to invite or to induce every man who wants to make contributions toward political campaigns to make those contributions to a committee, and then the committee, by the provisions of this bill, is required to make public the name of the person from whom the contribution came and for what purpose it was used. We fix no limitation on the amount the committee can expend. They can expend whatever they see fit to expend, along legitimate lines, of course.

Mr. GREEN of Iowa. If I correctly understand the bill, a candidate for President might expend in one State the entire amount to which he is limited, might he not?

Mr. RUCKER. I think he could do so if he wanted to, but it is not likely a candidate for President would do that.

Mr. HASTINGS. Will the gentleman yield further?

Mr. RUCKER. I will yield.

Mr. HASTINGS. Did the committee consider the advisability of limiting the amount which the committee might expend for the election of President and Vice President? In other words, was that question up before the committee, and did the committee consider it?

Mr. RUCKER. I want to be entirely frank with the gentleman. The question was at different times discussed briefly. It was not pending in the form of an amendment before the committee.

Mr. HASTINGS. Then nobody offered an amendment before the committee.

Mr. RUCKER. No amendment of that sort was offered that I recall.

Mr. HASTINGS. And it was only informally considered.

Mr. RUCKER. Only informally considered. No amendment of that sort considered.

Mr. HASTINGS. I want to take occasion now to say, in the gentleman's time, that I would favor that sort of an amendment and vote for it, limiting the amount that a committee might expend in the election of a President and Vice President.

Mr. RUCKER. One gentleman took that view, and I know there are gentlemen who uphold it, but I can not but think they look at the question from the wrong angle. I do not believe there should be any limitation whatever on any legitimate means to reach the judgment of American voters. Much of the money that is expended nowadays in campaigns, obviously is expended for educational purposes, literature, speeches; and I believe the more literature we have and the more speeches we send out, the more men express their views on great national and international questions, the better able the American voter will be to intelligently express his views through the ballot box. I may be wrong about it, but I have that conviction.

Mr. HASTINGS. Will the gentleman yield further?

Mr. RUCKER. I will be glad to.

Mr. HASTINGS. The gentleman has seen statements made in elections heretofore that many millions of dollars were said to have been expended by the two committees in the election of President and Vice President. Does not the gentleman think those amounts are exorbitant and that there ought to be some limitation in some way?

Mr. RUCKER. Unquestionably; but I believe we present here an antidote for that sort of wrong. We present a preventive for it. I recall very well the campaign to which the gentleman refers. The gentleman will bear in mind that at that time there was no publicity law, and Democratic committees and Republican committees alike got all the money they could get from every source on earth, from concerns that were interested in legislation, and in appointments, and so forth, who gave tremendous sums, almost enough from one man, if current reports may be relied upon, to finance a national committee. But to-day what political party would stand sponsor for the expenditure by its committee of these stupendous sums, contributed by the special interests which contributed to that campaign? The very fact, published to the world, that they received these stupendous donations from special interests of the country would ruin, in the eyes of the American people, any party, regardless of who its candidate might be, in my judgment. I believe in all sincerity that when we can require and secure publicity of the conduct of men we almost guarantee rghteous and correct action by men. It is when men may do things unknown to their neighbors that they do wrong. Why, you can not go upon the streets and find a petty thief who will steal with human eyes gazing upon him. Publicity scares men who have tendencies toward evil and protects the public from contamination and degradation, and will protect the ballot box from pollution, I hope and believe.

Mr. THOMPSON. What arrangement do you make for publicity?

Mr. RUCKER. We make the best arrangement that I have been able to get the House to agree to. A long time ago I had in mind a thought which I believed was even better than we here present, but I believe we have here that which will in most cases secure genuine publicity. Now, I am not going to claim, and no man here would respect the soundness of my judgment if I should claim, that this law is perfect or that this bill proposes a perfect scheme. It is not perfect, and no mortal man has ever yet been able to devise a law on any subject that all men would or have obeyed. Every statute, from homicide to common assault, is violated. This statute may be violated, although I want to say that this bill deals with a class of men who are not criminal, and whose status in life is such, enjoying, as they do, the confidence of the people, that every impulse will lead and help them to comply with the provisions of this bill and not to violate them. The gentleman asks what provision we make for publicity. My reply is that, beginning with the President and Vice President, Senators, and Representatives, we require each one to solemnly swear that the statement of expenditures made by him is true, and that the statement contains every item of money received and expended by him or by anyone for him with his knowledge and consent, from any source, in aid and support of his candidacy for nomination or election. That ought to get at the true condition of affairs. We require that statement to be made before nomination and after nomination, and a like statement to be made before and after election. Then this bill seeks to amend existing law in a very material way along that line. As it stands to-day—and the Members on both sides of the House know what I say to be true—there has been somewhat of carelessness on the part of some gentlemen, due to the fact that nobody has seen fit for obvious reasons to try to enforce this law seriously.

Let me suggest that if I was seeking a nomination against the gentleman from Oklahoma, who has just asked me a question, and he should know that I had violated the law, if he knew I had not filed my statement, if he knew I had filed a false statement, if he had defeated me, public sentiment would say, "Oh, you have had victory enough; do not prosecute the man." If I should defeat him and he had the same knowledge, then public sentiment would say, "Oh, take your defeat like a man; don't you become an informer; let some one else do it." Yielding to considerations of that kind of sentiment nobody informs.

Now, we fix it differently. We provide that each candidate for the Senate and for the House in his initial statement shall give the name and the home address and the Federal judicial district in which his opponent resides.

Mr. COX. That is new, is it not?

Mr. RUCKER. It is. He must give all that in the initial statement. Then in the proper section this bill proposes that the the Clerk of the House shall, within 30 days after the statement ought to have been filed by one whom he knows, from information obtained from the returns on file, has failed or refused to comply with this law, report to the district attorney in the district in which the delinquent resides the fact that such candidate has not complied with the publicity laws of the United States. In that way through officials, without involving any candidate, whether successful or defeated, we make it the official duty of the Clerk to communicate directly to the prosecutor for the United States in the district in which the defaulting candidate resides. The bill makes it the duty of the district attorney to investigate and prosecute if the facts warrant it. That, I believe, gentlemen, is an important change in the existing law.

Mr. THOMPSON. Will the gentleman yield?

Mr. RUCKER. Yes.

Mr. THOMPSON. What about the national committee that collects money and spends it for the election of President of the United States—what kind of a report is that committee required to make?

Mr. RUCKER. Not only the national committee, but every other committee, whether composed of one or a number of men, which receives or expends money in a campaign, as an individual

or as a committee, is bound to make a statement similar to the one I have described for Senators and Members of Congress. They must show from whence every dollar received or disbursed came and for what purpose it was used. In every case where bills paid exceed $10 they must have a voucher showing what it was actually expended for. The books must be kept open to inspection, so that the truth of the statement may be verified.

Mr. COX. Will the gentleman yield?

Mr. RUCKER. Yes.

Mr. COX. What was the general purpose in only requiring items reported of expenditure in excess of $10? In my country on both sides it is the $1 and $2 bills of which the banks are drained about two days previous to the election that does the work out there.

Mr. RUCKER. Well, I never lived in Indiana and never participated in politics there, and perhaps I do not understand it. [Laughter.]

Mr. COX. If the gentleman will look at the geography of his own State, down on the border line he may find the same state of affairs.

Mr. RUCKER. The gentleman from Indiana may have information along those lines which I disclaim. [Laughter.]

Mr. STEENERSON. Will the gentleman yield?

Mr. RUCKER. Yes.

Mr. STEENERSON. You cut down in this bill the maximum amount that can be expended by a Member of Congress.

Mr. RUCKER. The gentleman is wrong about that; the House cut it down, and we obeyed the mandate of the House. In the last Congress the committee reported a bill providing, as the existing law does, $5,000, but the House by a very pronounced vote said that was too much.

Mr. STEENERSON. Does that interfere with the expenditure of the committee?

Mr. RUCKER. No.

Mr. STEENERSON. In addition to that the committee can participate and extend——

Mr. MANN. Will the gentleman yield?

Mr. RUCKER. Yes.

Mr. MANN. Does not the bill expressly forbid it; that is to say, a committee is organized in behalf of a candidate for Congress and the limitation applies not only to what the Member of Congress spends but to what the committee has spent?

Mr. RUCKER. Oh, unquestionably.

Mr. MANN. The gentleman from Missouri did not understand the question of the gentleman from Minnesota.

Mr. RUCKER. No. The bill in as strong language as we can put it provides that no candidate shall expend through himself, his agent, or anybody else, exceeding $2,500.

Mr. STEENERSON. Suppose there is a volunteer committee outside of his contribution that spends something in addition to the $2,500.

Mr. RUCKER. The candidate is chargeable with every dollar expended by anybody from any source with his knowledge and consent.

Mr. STEENERSON. Whether he furnishes the money or not?

Mr. RUCKER. Yes.

Mr. STEENERSON. Suppose the candidate himself expends $2,500; that is all the money that can be expended in his behalf?

Mr. RUCKER. If any more is expended with his knowledge or consent he is chargeable with it. At this time I am suffering some discomfiture because that is the law.

Mr. STEENERSON. I simply wanted to understand whether this limit of $2,500 is upon the total amoupt to be expended, whether furnished by the candidate or his friends.

Mr. RUCKER. That is what the bill says expressly, and I would say that, judging from the attitude of the gentleman from Illinois [Mr. MANN], I evidently misunderstood the gentleman a moment ago, because I had no intention of making any conflicting statements.

Mr. STEENERSON. The gentleman clearly did.

Mr. ANDERSON. Mr. Chairman, in many States primaries have already been held under the existing law, which permits an expenditure of $5,000. It is barely possible that some candidates have already exceeded the limit in this bill. What would happen in a case of that kind?

Mr. RUCKER. I had an idea that possibly this might catch somebody here, and I have studiously tried to draft an amendment which I propose to offer which I think will protect them. In other words, I will say to the gentleman that it would be unfair, the limit now being $5,000 and in many cases the campaigns for nomination having been concluded, with a perfect right to spend up to $5,000, all for nomination, if need be, to change it to $2,500 now.

Mr. GORDON. It would also be unconstitutional, would it not?

Mr. RUCKER. And thus deny the candidate the right to spend anything for the election, or make him a criminal if he did. Before the bill passes we will see if we can not agree upon an amendment which leaves the existing law, so far as the amount to be expended is concerned, in operation during this year.

Mr. WALSH. Mr. Chairman, I notice that in section 7 supplemental statements are required to be filed, itemized, detailed statements every six days. Will the gentleman state how the committee arrived at the time within which those detailed statements should be filed—how they came to fix upon it as every sixth day?

Mr. RUCKER. This refers to statements made by committees?

Mr. WALSH. Yes.

Mr. RUCKER. When the existing law was being enacted my recollection is that the gentleman from Indiana, Mr. Cullop, offered an amendment requiring these supplemental reports to be made every sixth day, and the House adopted it and the Senate agreed to it.

Mr. WALSH. And that is the only reason it is in the bill?

Mr. RUCKER. It is existing law, and to that extent existing law is reproduced in this bill.

Mr. WALSH. Do I understand that itemized detailed statements such as are required in this bill are now required by law?

Mr. RUCKER. Absolutely. Those supplemental statements do not have to contain a full statement of all of the transactions of the committee, but transactions that have occurred since the last statement was made.

Mr. WALSH. They have to contain what is called for in section 8 of the bill.

Mr. RUCKER. Yes; what has transpired since the former statement was made, because the section provides that publicity does not have to be given in any supplemental statement of any item of which publicity has already been given.

Mr. WHEELER. Mr. Chairman, candidates for Congress who have campaigns on now will have expended $2,500 up to the time this becomes a law. Under the bill he could not expend any more money then. That would be unfair, would it not, when up to this time he has been operating under a law which permits him to expend up to $5,000? He would be handicapped for the balance of the campaign.

Mr. RUCKER. I desire to read to the gentleman an amendment which has been prepared with the approval of the committee, although the committee as a committee has taken no formal action upon it. At the end of the section, regarding the statements and fixing the amount of the expenditure, I propose to offer an amendment, to read as follows:

Amend by inserting at the end of line 26, page 14, the following: "*Provided further*, That the amount which may be expended by candidates for Senator and Representative in securing nomination and election in the year 1916 shall be the same as now prescribed by law."

Mr. WHEELER. Then, if that is adopted, this limitation in the bill will not apply to this year?

Mr. RUCKER. No; and it ought not to.

Mr. EMERSON. Mr. Chairman, how much can a candidate expend now under the present law?

Mr. RUCKER. He can not expend more than $5,000 under the Federal law, and not that much if his State law fixes a lower limit.

Mr. EMERSON. Will the gentleman give us an idea what constitutes the expenses of a candidate?

Mr. RUCKER. I am in the best position in the world to give the gentleman that information, because I am now in the midst of a campaign, and I have been thinking very seriously about it.

Mr. EMERSON. To give the gentleman an idea of what I mean, of course he knows that candidates are approached to give funds to churches and clubs and for advertising this or that magazine and something else. Is that a part of the campaign expenses?

Mr. RUCKER. I think if any Member of Congress is willing to admit that he gave the Methodist Church or the Baptist Church—I do not know to which the gentleman belongs—$25 in order to get the Baptist or the Methodist vote, he ought to account for it; but I do not believe that any Member of Congress would ever offend the church or stultify himself by giving the church one dollar for the purpose of securing the votes of the membership of the church.

Mr. EMERSON. I do not think any Member would, either.

Mr. RUCKER. I am a Methodist myself, although that may not be generally known, and I desire to state that I received a letter a few days ago from a good Methodist brother in which he told me that his church was in arrears on a piano which had been purchased for the church, and he wrote: "You are needing votes right now, and you have a good deal of opposi-

tion in this particular locality, and the Methodists are strong, and a good liberal contribution toward paying for that piano would be the best campaign that you could make in this locality." I wrote him back that I never yet had gotten low enough to attempt to buy the Methodist Church, and I would not do it. And if I give them $25 or $10 or some other sum I shall not charge myself with it, because I shall not give it for campaign purposes. I would give it just as quickly if I did not expect a vote.

Mr. WALSH. I see here that the forms for the statement required by this act shall be furnished by the Clerk of the House of Representatives. Does that include the ledger or record which is to be kept by the treasurer? Will the Clerk of the House furnish the ledger or record?

Mr. RUCKER. No; I do not think so.

Mr. WALSH. Why should not the Clerk of the House furnish the record which has to be kept by the committee, in order that it may be kept in a uniform manner?

Mr. RUCKER. Well, if they will keep the items and report the items, that is all the public is interested in. The gentleman can readily see that it would be a right tedious, as well as an expensive, task to undertake to furnish ledgers to all persons in the country who may handle campaign funds.

Mr. WALSH. He can send them out in separate sheets, the same as he sends out statements.

Mr. RUCKER. The ledger they keep must be a permanent book, so it may be preserved.

Mr. WALSH. It says here that the ledger or record may be kept on loose rough sheets.

Mr. RUCKER. The record.

Mr. WALSH. I know; but you are giving discretion here to the treasurer to keep either the ledger or the record. Why, he could keep it on a sheet of wrapping paper.

Mr. RUCKER. Let me say—and I take the criticism kindly—the gentleman is simply forcing me to again insist that the committee in presenting this, the best bill ever presented on this subject, did not expect absolute perfection.

Mr. WALSH. I understand. My only purpose was to suggest that, might not the Clerk of the House have some of these loose sheets for the use of treasurers of committees?

Mr. RUCKER. I think the gentleman will bear me out in this and will agree with me that in a heated campaign if the Clerk of the House would send out a lot of loose sheets like this, some clerk, officer, or treasurer who was not as careful in his methods as some other gentleman might lose the sheets and they never could be found. Now, if there was any trouble about it at all, I would rather amend the bill and provide that they should be required to keep permanent records, because the purpose is, and ought to be, to make the committee in good faith account for absolutely every dollar of money it receives or expends.

Mr. WALSH. In other words, the gentleman thinks he should be stricter with the committee than he is with the candidate?

Mr. RUCKER. You can not be as strict with a candidate as with the committee.

Mr. WALSH. One further question.

Mr. RUCKER. I suppose I make myself clear to the gentleman? You could not do that.

Mr. WALSH. With reference to the amount which the candidate may expend. Does the bill as proposed by the committee proceed upon the theory that States have the right to enact statutes fixing the limit which may be expended by the candidate for Senator or for a Member of the House at less than $2,500?

Mr. RUCKER. Unquestionably. I want to say in answer to the gentleman's question that as a constitutional question I very seriously doubt whether the State has any jurisdiction to prescribe how much money we may spend, or any other condition touching our qualifications, but the fact is some of the States have done so; and, yielding to the sentiment which it evidently had, the purpose being the purification of election in order that every vote might clearly represent the judgment of the voter, we recognized that right by writing into the bill that no candidate could expend a larger sum or a greater sum than he may lawfully expend under the law of the State in which he may reside.

Mr. WALSH. So that the bill as proposed recognizes the State laws, and it may result in a man being allowed to expend $2,500 while across the line from my district, in a bordering State, my colleague could not expend but $1,500?

Mr. RUCKER. Yes.

Mr. WALSH. It recognizes the inequality in the amount that can be expended by candidates?

Mr. RUCKER. It recognizes the fact that in the State of Missouri, one of the greatest States of this Union [applause], in one district a certain limit is the maximum that one may spend, and just across in an adjoining district the amount may be twice as much.

Mr. WALSH. In the same State?

Mr. RUCKER. In the same State.

Mr. WALSH. And that is fixed by State law?

Mr. RUCKER. That is fixed by State law. Let me say to the gentleman I do not desire to talk about personal matters, and I do not want to reveal too much——

Mr. WALSH. That was not my purpose in asking the question.

Mr. RUCKER. I will make this statement. In my own district I can not spend this year within $200 as much as I could in the last election, although I have occasion to spend four times as much——

Mr. WALSH. In other words, there is a descending relation——

Mr. RUCKER (continuing). Owing to the fact that I was so very satisfactory to my Republican friends they did not put up a Republican candidate and there was no Republican vote to base the amount upon.

Mr. WALSH. It seems to me that is a good argument for this House making it a uniform law.

Mr. RUCKER. It is a good argument to induce the Legislature of Missouri to change its law.

Mr. WALSH. To comply with this act, for instance.

Mr. RUCKER. As a matter of fact, let me say, in answer to the gentleman's suggestion, that the hope of this committee—and if we ever realize that hope we will be amply well paid—it is the hope of this committee, with the aid of Members of the House and Senate, to make a publicity law along a line so perfect and satisfactory that every State of the Union will pattern after it and enact laws which will articulate with this Federal law, requiring publicity of statements of accounts in the States similar to what we are requiring here, and in that way begin and go all along through the great fabric of this Republic purifying the elections. I hope it can be done.

Mr. SIMS. If I understand your bill—and I have not read it at this time closely—you limit this amount of expense to those items of expense required to be reported only. In other words, expense items are not required to be reported under this bill?

Mr. RUCKER. Traveling expenses, for instance.

Mr. SIMS. Or postage.

Mr. RUCKER. Under the Federal law you do not have to account for postage, but under our State law you do.

Mr. SIMS. Under this law there is no limit of expenditures, provided they are of the kind not required to be reported, so far as Congress is concerned?

Mr. RUCKER. That argument is worthy of consideration and thought, but how can it be done? There is every conceivable expense, either forcing men to intentionally forget or else forcing a man to carry a bookkeeper along to keep account of every little item of expense. It can not be done.

A man is busy and rushing about transacting business, and he can not do it. Now, I only know one State of the Union where postage stamps have to be accounted for, and that is Missouri; and I want to say I can not write one letter to each name on my mailing list and put a 2-cent stamp on it without violating the law of my State.

Mr. MANN. Will the gentleman yield?

Mr. RUCKER. Yes.

Mr. MANN. The gentleman can frank congressional matter without any violation of the law to all of his constituents, can he not?

Mr. RUCKER. Yes, sir. I believe so.

Mr. MANN. So that the gentleman has advantage over anybody running against him. The other man has to put a 2-cent stamp on his letter, and he can not do it without violating the law, but the gentleman can send a dozen pieces to one individual and does not violate the law. I do not say that the gentleman does.

Mr. RUCKER. I want to say I have never done that for the reason that I always feared it would likely do me more harm than good.

Mr. MANN. The gentleman knows that some gentlemen may do it. The gentleman knows that every Member of the House——

Mr. WALSH. You can not send a political circular under a frank.

Mr. MANN. Practically a political circular. I know of one room in this building now where there are a lot of people employed sending out a campaign document printed in the CONGRESSIONAL RECORD.

Mr. RUCKER. I think the gentleman is correct about that, but I think there are two of those rooms. I never have adopted that plan. I am not complaining about conditions.

Mr. SIMS. I wanted to get the answer of the gentleman. There is no attempt in this law to limit the expenditures that are not required to be reported upon the theory that those expenditures are not of the kind that are liable to corrupt the electorate like the writing of letters? In some States we have the election of county officers and State officers in August. We do it in Tennessee. Consequently, there are more candidates for office in the August election by far than there are in the fall election. Many counties are close. Suppose a candidate for Congress is requested by the committee of his party in those counties to contribute to the local party campaign fund for the August election. Now, does he have to report that under this law? As a matter of course he would not be called on if he was not a candidate, and he pays primarily because he expects to receive, directly or indirectly, a party benefit.

Mr. RUCKER. That is a question of mixed ethics of law that the gentleman is as well able to answer as I am. I will not attempt to answer it.

Mr. SIMS. What will he do?

Mr. RUCKER. I do not know. How much time have I consumed, Mr. Chairman?

The CHAIRMAN. About 50 minutes.

Mr. CRISP. Can I ask the gentleman a question? I had the honor and privilege of serving under my friend in the last Congress, and I know of his great efforts in this direction. You contemplate, then, amending the law to require the candidates to mail to their opponents a copy of the statement that they have?

Mr. RUCKER. No. The House knocked that out in the last Congress. The House did not think it wise. I thought it was.

Mr. FESS. Will the gentleman yield to me?

Mr. RUCKER. I will be glad to answer the gentleman, but I have promised some time.

Mr. FESS. Does the bill contemplate the expense of sending a statement to the newspapers? Suppose you announce you can not go back home, and you have to take that method?

Mr. RUCKER. A paid item?

Mr. FESS. Naturally it would be a paid item.

Mr. RUCKER. It would have to be accounted for. The reason you send it back is to let them know you are not coming, and thus arouse friends to activity.

Mr. FESS. If you make a trip in your own automobile, which costs money, would that be included?

Mr. RUCKER. That is one of the inequities, as the gentleman can see very well.

Mr. FESS. I was asking for information.

Mr. DECKER. As I understand the law as you have it now, and as it will be after this bill is passed, a man must swear to his expenditures that have been made either with his knowledge, by himself, or with his knowledge and consent by others.

Now, the gentleman from Ohio spoke about the newspaper advertisements. I was wondering if there were advertisements in the newspapers of the district purporting to be under some committee supporting some man for Congress, we will say the "Jones for Congress Club," should those be accounted for by the candidate?

Mr. RUCKER. Oh, I suggest this to the gentleman: To my mind it is inconceivable that such a club could run an advertisement for the benefit and in the interest of any candidate without his knowledge. If he knew of such effort being made in his behalf and acquiesced in it—that is, did not stop it—he ought and must charge himself with it or, in my judgment, violate the law as it now is and as it is proposed in this bill.

Mr. Chairman, I reserve the balance of my time. Will the gentleman from Michigan [Mr. MAPES] use some time now?

Mr. MAPES. Mr. Chairman, in view of what the distinguished chairman of our committee, Mr. RUCKER, has said, it may not be out of place for me at the outset, on behalf of the other Republican members of the committee and myself, to express our appreciation of the uniform courtesy and consideration which the chairman has always shown to the Republican members of the committee. In the consideration of this bill I think it is well within the truth to say that he consulted and worked with the Republican as much as with the Democratic members. [Applause.]

As the chairman of the committee has said, it is proposed by this bill to codify the laws now on the statute books requiring that an accounting be made of and publicity be given to campaign receipts and expenditures and to make some important amendments to such laws.

It may be of interest to know the history of recent Federal legislation on this subject. The first law enacted by Congress attempting to require publicity of campaign receipts and expenditures was approved June 25, 1910. It required an accounting after election only by campaign committees operating in two or more States; that is, the national campaign committees. As the bill passed the House of Representatives it required an accounting by the committees before as well as after the election, but the provision requiring an accounting before election was stricken out in the Senate.

At the next Congress a bill was introduced and passed the House of Representatives amending the law so as to require an accounting by the national committees before election, as the House bill provided in the previous session. The Senate at that session went further than the House of Representatives. It not only retained the provision requiring an accounting by such committees before the election, which it had stricken out of the House bill at the previous session, but incorporated a new provision, which went further than the House had proposed to go, requiring candidates for the nomination or election to the House of Representatives and the Senate, as well as committees, to give an accounting of their campaign receipts and expenditures both before and after the election, and limited the amount which such candidates could expend.

That act was approved August 19, 1911, and is the law at the present time. You are all familiar with that law. It is the law under which Members of Congress have had to file reports for the last four years.

In the last Congress the gentleman from Missouri [Mr. RUCKER] introduced a bill, somewhat similar to the present one, to codify and revise these acts. That bill passed the House of Representatives and was reported by the Senate committee, but was never taken up in the Senate.

Whenever this matter has been considered in Congress the right of Congress under the Constitution to enact legislation of the kind has been questioned by some, particularly in so far as it related to the nomination of candidates, but it is now generally conceded that Congress has the right to pass such legislation. The Supreme Court has recognized the right of Congress to regulate elections at which Members of Congress are elected in several cases. The nomination is such an essential part of the election, and in many districts is so nearly equivalent to an election, that it would be unreasonable and to no purpose to give Congress the power to regulate the one and not the other. Such a construction would render the power of Congress over the election of its own Members of no avail.

The present law does not define, nor is it proposed by this bill to define, the purposes for which money can be used in political campaigns. It only proposes to limit the amount of expenditures and require publicity thereof.

Mr. SMITH of Minnesota. Mr. Chairman, will the gentleman yield there?

Mr. MAPES. I yield.

Mr. SMITH of Minnesota. Does not the gentleman think it would be better to limit the expenditure of money to certain purposes, rather than to limit the amount of money that is expended? Or, in other words, would it not be better, if we are going to omit the one, to omit the one as to the amount that we can expend, and incorporate the one that designates the purposes for which the money may be expended?

Mr. MAPES. I will say to the gentleman that, so far as I am personally concerned, I would favor a law which would both limit the amount of money that could be expended and define the purposes for which it could be spent. However, I think that if publicity is given of all expenditures, there will not be very much improper use of money in political campaigns.

Most of the States have laws defining the purposes for which money can be expended in political campaigns, and I do not believe any candidate for Congress is going to spend money for which he has to account, showing that he has violated those State laws.

Mr. SMITH of Minnesota. In that connection, does not the gentleman think the candidate needs some protection as well as the public?

Mr. MAPES. Undoubtedly.

Mr. SMITH of Minnesota. And that it would be well to limit the purposes for which the money can be expended, so as to avoid just the thing that the chairman of this committee called our attention to a moment ago?

Mr. MAPES. Yes.

Mr. SMITH of Minnesota. The candidate's time is very valuable. He has only a short time in which to reach his constituents, and he would be saved an immense amount of trouble if certain parties should know that it was unlawful to approach him to secure money or other favors at that time.

Mr. MAPES. What the gentleman from Minnesota says is undoubtedly true.

Mr. MADDEN. Mr. Chairman, will the gentleman yield there for a question?

Mr. MAPES. Yes.

Mr. MADDEN. The gentleman has given a lot of study to this proposition. I would like to ask him if he has given any thought to this view of the case: Suppose that a citizen, who may happen for the time being to be a candidate for a Federal office—Member of Congress or Senator or President—should think proper to make a contribution to the national committee of his party or to the State committee of his party or the county committee of his party, without respect to anything in connection with his own candidacy. Has the committee reached the conclusion that that is chargeable to his expenses as a candidate for the office he is running for?

Mr. RUCKER. Mr. Chairman, will the gentleman permit me to answer?

Mr. MAPES. I yield to the gentleman from Missouri.

Mr. RUCKER. Let me say this to the gentleman from Illinois: For four years I believe the law has plainly stated that any candidate might make contributions to political parties within the limits herein defined; in other words, not to exceed $5,000.

Mr. MADDEN. That does not answer my question at all.

Mr. MAPES. I will say to the gentleman from Illinois that in Michigan candidates, when they contribute to the State or county committees, do account for those contributions in their statements.

Mr. MADDEN. That does not answer my question at all. What I want to know is whether the mere fact that a man is a candidate for an office over which the Federal Government has jurisdiction prohibits him as a citizen of the United States from contributing out of his own money to the success of the party with which he is affiliated, whether it is through the national committee or otherwise?

Mr. MAPES. If the committee has jurisdiction over the district in which he is a candidate, I should say he ought to account for it.

Mr. MADDEN. Well, say the national committee.

Mr. MAPES. If a candidate for Congress, in the State of Illinois, for instance, contributed to the local campaign of some man in California, perhaps it would not have to be accounted for; but if he contributed to the national committee, or to the State committee of Illinois, I think it ought to be accounted for.

Mr. MADDEN. Does the gentleman think the national committee has any effect in the management of the campaign in any congressional district in the United States?

Mr. MAPES. It ought to disband, if it has not.

Mr. MADDEN. It has not. I have never been connected with a campaign yet where any committee, national committee or congressional committee, both of which committees are supposed to have control of the campaign, have either contributed their moral support or their financial support or in any other way supported the candidacy of any man who ran for the office of Member of Congress coming within my knowledge.

Mr. MAPES. They distribute literature and help the local campaign committees in other ways.

Mr. FOCHT. Will the gentleman yield right there?

Mr. MAPES. Yes.

Mr. FOCHT. I will say to the gentleman from Illinois not only that, but they have been a hindrance and a detriment from the fact that the word has gone abroad that they were helping you, and people call to see you, and when you refuse their demands and explain that they are not helping you, they believe you are lying to them. [Laughter.]

Mr. MAPES. That may be the practical effect, but that is not the purpose for which they are organized.

The theory of this legislation, as stated in the report of the committee of the Senate on the first bill, is "the belief that publicity of contributions and expenditures in a campaign for a public office will tend to lessen, if not wholly prevent, the improper use of money in public campaigns and so promote the purity and honesty of elections."

It is interesting to note the change of attitude of the Democratic Party in regard to this character of legislation. It is not many years ago that the members of that party generally declared legislation of this kind unconstitutional, and that the regulation of elections ought to be left to the States. In 1894, during the Cleveland administration, that party repealed the Federal election laws and the bribery statutes passed soon after the Civil War for the purpose of maintaining the purity of elections, against the protest and opposition of the Republican Members of Congress. To-day the Democratic Party makes the enactment of a measure somewhat similar a part of its legislative program.

Most of the States have corrupt-practices acts of a much more stringent nature than the present Federal law or than is proposed by this bill. The State laws, as a rule, provide not only for publicity and limit the amount that may be expended, but they define the purposes for which money can be expended as well. The next step in Federal legislation undoubtedly will be the enactment of a statute after the manner of the State laws defining the purposes for which money can be expended in campaigns in which Members of Congress are to be elected and restoring the bribery statutes that were repealed in 1894.

Mr. MADDEN. Will the gentleman yield for one more question?

Mr. MAPES. Just a brief question. I have already taken more time than I intended to take.

Mr. MADDEN. I wish to ask the gentleman if the committee have given any consideration to the question whether a citizen of the United States has any rights that anybody is bound to respect if he becomes a candidate for office?

Mr. MAPES. I do not think this bill limits them in any way. Many believe that Federal legislation of this character would be more effective than the State laws upon the same subject, and that this legislation will not be complete until Congress enacts some such law. They believe that a Federal law upon the subject would command much more respect than the State laws do.

It is well to bear in mind, however, that this bill does not annul the corrupt-practice acts of the States. It is in addition to them. It aims to supplement the State laws rather than to supplant them. It expressly provides that the State laws shall not be annulled and that the candidates mentioned in it shall not be exempt from complying with such State laws.

The amount that can be expended under State laws differs greatly in the different States. In Missouri, for example, the home of the distinguished chairman of the committee, a candidate for Congress can expend $100 for the first 5,000 voters, $2 for each 100 voters over 5,000 and under 25,000, $1 for each 100 voters over 25,000 and under 50,000, and $0.50 for each 100 voters over 50,000. This would allow a candidate for election to the House of Representatives in a district where there were 50,000 voters, which is more than the average, to expend in his campaign for the nomination and election a total of $750.

Mr. RUCKER. Will the gentleman yield?

Mr. MAPES. Yes.

Mr. RUCKER. The gentleman very accurately quoted the Missouri statute, but unfortunately, as I have had occasion to discover recently, the amounts that may be expended are not based on the voting strength of the district, but on the vote actually cast.

Mr. MAPES. I think that is correct.

Mr. SLOAN. May I ask the gentleman a question?

Mr. MAPES. Very briefly.

Mr. SLOAN. In the State of Missouri, if a candidate for Congress spent more money than the statute of the State of Missouri provides, would he come under the penalty provided in this statute if it was under the maximum generally provided?

Mr. MAPES. The bill expressly states that he would.

Mr. SLOAN. That is, we are brought down to the Missouri basis.

Mr. MAPES. If we live in Missouri, we are.

West Virginia allows an expenditure of $75 only for each county in the district. The amount that can be expended varies in the different States, some States allowing 50 per cent of the first year's salary, or $3,750, to be expended by a candidate for Congress. This bill limits the amount that a candidate for the House of Representatives can spend for his nomination and election to $2,500 and a Senator to $5,000. These amounts are in addition to his expenditures for travel and subsistence, stationery and postage, writing or printing—other than in newspapers—and for telegraph and telephone service.

Some of the important changes in the pending bill over the present law are the following:

The bill for the first time limits the amount that can be expended by candidates for the office of President and Vice President of the United States and requires them to give publicity to their expenditures. The committee has limited the amount that can be expended by a candidate for President for the purpose of securing his nomination and election to $50,000 and to a candidate for Vice President to $25,000.

In this connection I will say that the committee struck out of the present law the provision which exempts candidates from accounting for expenditures for distributing posters, handbills, and letters.

Mr. SMITH of Minnesota. You struck that out?

Mr. MAPES. We struck it out of the present law. We felt that candidates ought to account for such expenditures.

The present law only requires campaign committees operating in two or more States to make a statement. The pending bill requires all committees that receive or expend any money for the purpose of influencing or attempting to influence the result of a primary or an election at which candidates for President,

Vice President, Senator, or Representative in Congress are to be nominated or elected to make a statement even though operating entirely with a State.

This provision of the bill is criticized because of the number of reports that will be required, but it seemed to the committee that the law would not be effective unless it required reports from all committees that take part in the campaign. The fact is that the congressional campaign committees and the county committees within the congressional districts are very important factors in the election, and a law which would leave them out of consideration would be incomplete. In recommending this provision the committee is only following out the action of the House of Representatives in the last Congress. The bill reported by the committee at that time did not contain such a provision, but an amendment covering the matter was voted into the bill in the House.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. MAPES. Briefly.

Mr. MADDEN. Take the case of Cook County, Ill., where we have 10 congressional districts in one county. The county committee has jurisdiction over the whole campaign of the 10 congressional districts. They conduct a campaign for every man who runs for office of any kind, name, or nature in Cook County. How are they going to make a report as to just what they spend for a candidate for Congress, when his campaign is coupled up with all the other candidates? It can not be done.

Mr. MAPES. I think under the provisions of this bill, if they account once for the money they expend, that will cover it even though there are a number of candidates. They do not have to make any more statements than they would if there were only one candidate. The money is spent for the benefit of the ticket, and the candidates for Congress are on the ticket. The committee would undoubtedly have to account for all expenditures made in the campaign.

Under the provisions of the bill voluntary committees or associations of the friends of candidates or any individual who expends $50 or more for the purpose of helping to nominate or elect a candidate must make a report, unless he contributes the same to a committee.

The bill also provides that no committee shall expend in any one State more than is contributed or raised by citizens of that State. The purpose of this provision is to prevent the excessive use of money in a State which it may seem desirable or important to carry.

The bill also reduces the amount that may be expended by candidates for the House of Representatives from $5,000, in the present law, to $2,500, and for the Senate from $10,000 to $5,000. This is in addition to expenditures for printing, writing, stationery and postage, traveling expenses, and so forth, and is more than is allowed by the majority of the States having corrupt-practice acts.

Another new provision requires a candidate to file a copy of his statement with the clerk of the United States district court having jurisdiction over the Federal judicial district in which the candidate resides.

The bill also requires that anyone found to have violated its provisions shall not receive or retain the office to which he has been declared elected. The committee has some doubt as to the constitutionality of this provision in view of the right of each House to determine the qualifications of its own Members, but has put it into the bill for whatever moral effect it may have.

Mr. MILLER of Delaware. Will the gentleman yield for a question?

Mr. MAPES. Yes.

Mr. MILLER of Delaware. What happens to a man who runs for Congress and is defeated? Does the law make provision that if he violates the law they can get after him as well as the sitting Member?

Mr. MAPES. Every man who violates the law comes under the jurisdiction of the law, and will be dealt with by the district attorney in the district in which he resides.

Mr. MILLER of Delaware. Will it be up to the district attorney, or will the successful candidate for Congress have to do it, in the same way that the defeated candidate would push it against the successful one?

Mr. MAPES. This bill provides that it is the duty of the Clerk of the House to call the attention of the district attorney to any violation of the law.

Mr. SLOAN. Under the existing law would it require the Cook County committee to report first to the Cook County authorities; second, to the secretary of state of the State of Illinois, as they do in our State——

Mr. MAPES. If the State law provides that.

Mr. SLOAN. And third, to the Clerk of the House?

Mr. MAPES. This law requires the committee to report to the Clerk of the House and to the clerk of the district court having jurisdiction.

Mr. TAGGART. There are many States that have statutes limiting expenditures for local and State officers, but which expressly omit to place any limitation on candidates for Senator or Representative in Congress or for President and Vice President. This act has no reference to any State statute, except those that place a limitation on candidates for Congress and national candidates, as I understand.

Mr. MAPES. That is it.

To state the purpose of the bill in one sentence, I think it can fairly be said that the bill aims to require publicity of all expenditures for the purpose of influencing the result of the nomination or election of a candidate for President, Vice President, Senator, or Representative in Congress, whether made by the candidate himself, by regularly organized political committees, voluntary associations of friends, or otherwise.

Mr. WALSH. Will the gentleman yield?

Mr. MAPES. I yield to the gentleman from Massachusetts.

Mr. WALSH. I notice that the forms for statements required in this act shall be furnished by the Clerk of the House. Does the Clerk of the House furnish forms for candidates to the Senate or for the election of President and Vice President?

Mr. MAPES. I think that has been the practice.

Mr. WALSH. It is intended to continue that practice, is it?

Mr. MAPES. It is. The bill is reported unanimously by the Committee on Election of President, Vice President, and Representatives in Congress. No one will claim for the bill that it will bring about a political millenium, but if enacted into law it will make it a little more difficult to use money in political campaigns improperly, or, as Gladstone is said to have answered the critics of certain reform legislation in England, it will make it a little harder to do wrong and a little more easy to do right. [Applause.]

Mr. ADAMSON. Mr. Chairman, I will ask the gentleman from Missouri in charge of the bill about what hour will the general debate end?

Mr. RUCKER. Will the gentleman from Michigan inform me how many speeches he has on that side?

Mr. MAPES. We have three more speeches. I think our time will be all taken up.

GEORGIA WATERMELONS.

Mr. ADAMSON. Mr. Chairman, I have a matter of the highest privilege, and I ask the gentleman to yield to me a minute or so to talk about it.

Mr. RUCKER. I will yield to the gentleman.

Mr. ADAMSON. The hour of closing debate does not suit me, so I will have to ask the loan of Members. The Committee on Interstate and Foreign Commerce has a very important meeting at which they have a clinic and will dissect the bodies of a large number of Georgia watermelons that have come in from Troup County, Ga., in the district which I have the honor to represent. They will have as special witnesses the surviving Members of the Fifty-fifth Congress as special guests. Any Member present who is a friend of the Committee on Interstate and Foreign Commerce, or of the surviving Members of the Fifty-fifth Congress, is invited to come up and participate.

Mr. RUCKER. At what time does this meeting take place?

Mr. ADAMSON. At 3 o'clock, in the room of the Committee on Interstate and Foreign Commerce. [Applause.]

CAMPAIGN CONTRIBUTIONS AND EXPENDITURES.

Mr. MAPES. Mr. Chairman, I yield 20 minutes to the gentleman from New York [Mr. SANFORD].

Mr. SANFORD. Mr. Chairman, I wish to join with the gentleman from Michigan [Mr. MAPES] in paying the highest possible compliment to the ability, capacity, and patience of our able chairman, through whose diligence we have been able here to present a bill that expresses at least the best judgment, regardless of partisan considerations, of the members of the committee with reference to publicity.

A few months ago there came from the White House a list describing in detail the specifications of the task set before Congress for this session. That list came directly from the President, as all Members of the House understood, and on that list there was included an item describing this bill, as I am now informed. It was called the corrupt-practice act. I have been on the committee all winter, but I did not recognize that this was a corrupt-practice act. I do not want to say that the President used "weasel words," because I assume that he may not have known exactly what was in the bill or exactly what a corrupt-practice act is.

Mr. ANDERSON. Will the gentleman yield?

Mr. SANFORD. Yes.

Mr. ANDERSON. I wanted to ask the gentleman if he remembered whether in that list there was a presidential primary law.

Mr. SANFORD. I do not recall that there was. The point I am trying to make is that the bill before us is a publicity bill—nothing more. It is not designed to become in any real sense a corrupt-practice act. This bill, however, recognizes the existence of corrupt practices, the law to prevent which was repealed by the Democratic Party in 1894.

During the reconstruction period that followed the Civil War and between 1865 and 1870 several Federal statutes were enacted in exercise of the authority conferred on Congress by the Constitution to prevent corrupt practice at elections. There were provisions to protect the citizen in doing the things necessary to qualify himself to vote and penalties provided for wrongfully refusing to receive a vote, and for unlawfully hindering a person from voting. There was provision to keep the United States courts open to protect such rights. There was provision for the appointment of supervisors of election to attend at all times and places for holding elections of Representatives and Delegates in Congress, and such supervisors were required to scrutinize the counting of the ballots. There was provision for the summary punishment of persons offending against these laws. All of these provisions, constituting a complete system for the protection of the interests of the Federal Government at elections where Members of Congress and Senators were to be chosen, were embodied in title 26 of the Revised Statutes.

There were further laws for the punishment of crimes against the elective franchise providing for the punishment of persons who unlawfully hinder, delay, or prevent any citizen from voting and punishing persons for fraudulently voting or for using any force, threat, intimidation, or bribery; punishing fraudulent registration, punishing officers of election for violation of duty; punishing persons for being guilty of conspiracy to prevent the support of any candidate; punishing supervisors of election for neglecting their duties; punishing other persons for interfering with supervisors of election or for obstructing the verification of the registration list.

There was, in fact, a complete exercise of the authority given Congress to protect the purity of the ballot at elections at which Representatives in Congress were chosen.

But when the Democratic Party was in power in 1894 these laws were repealed on the theory that they were both unconstitutional and inexpedient.

It is interesting to quote a paragraph from the report of the committee that favored the repeal of these laws:

> But we regard these statutes as chiefly inimical to the best interests of the people because they are, in effect, a vote of lack of confidence in the States of the Union. The inference is irresistible that they were enacted because of a lack of confidence in the honesty if not in the ability of the States to conduct their own elections. With such an intention plainly on their face, with what consideration could they be met by the people for whom they were intended, except that of distrust and suspicion? Would the United States Government suffer less by the prevalence of fraud in elections than the States whose officers we sent to represent it in the Government of the United States? Is fraud in elections any less contemptible because it emanates from the people of the States without Federal interference, or is it any less dangerous to the people of the States because it lacks Federal supervision?
>
> Let every trace of the reconstruction measures be wiped from the statute books; let the States of this great Union understand that the elections are in their own hands, and if there be fraud, coercion, or force used, they will be the first to feel it.

The same party, again in power, admits the weakness of the theory on which it repealed these remedial laws and proposes to cover up its shortcomings with a publicity statute.

The burden of the argument, however, for the repeal of these statutes was on the ground that they were unconstitutional. Throughout the discussion of this subject it is very evident that the Democratic Party has been unwilling to recognize the authority of the Federal Government to pass such laws. The reason for this attitude of mind is almost self-evident, and can clearly be found in the following figures:

At the 1914 election of Members of Congress the total vote cast in certain districts was as follows:

	Total vote.
NORTH CAROLINA.	
First district	8,940
Second district	8,843
Sixth district	8,392
SOUTH CAROLINA.	
First district	3,053
Second district	4,688
Third district	4,521
VIRGINIA.	
First district	5,578
Fourth district	2,902
Sixth district	4,214
TEXAS.	
Seventh district	7,003
MISSISSIPPI.	
Seventh district	3,702
Third district	2,168
Eighth district	2,404

The population of the above districts is in almost every case approximately 200,000.

Mr. FESS. Will the gentleman yield?

Mr. SANFORD. Gladly.

Mr. FESS. I made a comparison of the seventh Ohio district with the State of Mississippi, and found that the seventh Ohio district cast one-third more votes than the eight districts of the State of Mississippi in 1914.

Mr. SANFORD. That is very interesting in a representative body.

Mr. FOSTER. Will the gentleman yield?

Mr. SANFORD. Certainly.

Mr. FOSTER. Does the gentleman think that the fact that in a southern district where there is no opposition in a general election that it is a fair comparison to what the vote is in other districts?

Mr. SANFORD. I think it is fair to point out that in a congressional district in the United States, with a population of 200,000, there are only 2,000 or 3,000 interested American citizens ready to express in the only way possible for them their interest in the Government of the United States. [Applause on the Republican side.]

Mr. FOSTER. Now, without any politics in it, laying aside the politics——

Mr. SANFORD. I do not call it politics.

Mr. FOSTER. In a southern district in which there is no opposition, no other candidate running as a Member of Congress, does not that make some difference in the number of votes that may be cast? Has the gentleman compared the districts where there is opposition to see what the vote is?

Mr. SANFORD. I have found that where there is some competition—for instance, like the district I referred to in Texas, where there are 3 Republican votes—it does make some difference.

I have the honor to represent a district of approximately the same size in population as those mentioned above, and at the 1914 election there were polled in my district 52,362 votes. The voting strength of the districts represented by the gentlemen on the left of the aisle ranges from 30,000 to 50,000.

In this connection, also, it is interesting to note that the chairman of the great Agricultural Committee of this House, the gentleman from South Carolina, represents a district which polled a total vote of 5,501. The gentleman from Virginia, the chairman of the Banking and Currency Committee, represents a district that polled at the last election 4,214 votes. The chairman of the Committee on Education, the gentleman from Georgia, represents a district that polled 6,836 votes. The gentleman from Virginia, the chairman of the Committee on Insular Affairs, that has reported such important bills to change the policy of this Government concerning its island possessions, represents a district that polled 4,578 votes. The gentleman from Georgia, the chairman of the Committee on Interstate and Foreign Commerce, represents a district polling 4,754 votes. The chairman of the Committee on Military Affairs, the gentleman from Virginia, who has had charge of the most important bill that has come before this session of Congress, represents a district that polled 5,255 votes. The gentleman from North Carolina, the chairman of Ways and Means and the leader of the House, represents a district that polled only 7,843 votes.

The total vote of all the districts combined represented by the chairmen of all these important committees is much less than the total vote of the district which I represent, but in the hands of these chairmen of committees is the control of most of the important legislation of Congress. I do not question the ability of any of these gentlemen, but merely desire to point out the character and extent of their representation.

Mr. CALDWELL. Will the gentleman yield?

Mr. SANFORD. I will yield to my colleague.

Mr. CALDWELL. Did the gentleman have a contest in the Republican primary at the time he was nominated?

Mr. SANFORD. Oh, we have no troubles in the Republican Party in my district. [Laughter.]

Mr. CALDWELL. Did the gentleman receive as many votes in his primary as he did in the general election?

Mr. SANFORD. I did not pay much attention to the primary.

Mr. CALDWELL. Does not the gentleman know that in the South the fight is all made in the primary, because all the decent people down there are Democrats? [Laughter.]

Mr. SANFORD. Yes; the primary is a family quarrel. But I think I have a right to comment on the election itself.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. SANFORD. Yes.

Mr. MOORE of Pennsylvania. I think the gentleman did not catch the import of the inquiry of the gentleman from New York [Mr. CALDWELL], which was this, that the contest in the States about which the gentleman from New York [Mr. SANFORD] just addressed the House, hinges always on the primary election and does not hinge on the general election at all.

Mr. SANFORD. I caught that.

Mr. MOORE of Pennsylvania. So that what applies in this particular instance would not apply after the candidate had gained the nomination?

Mr. SANFORD. Yes; I see that.

Mr. FOCHT. We all understand what underlies this whole business, and why they do not vote in the fall, but I would like to ask the gentleman, while he is on his feet, to state how he regards the action of the chairman of the Committee on Ways and Means and the other members representing the southern districts that poll only two or three thousand votes, in bringing in a revenue bill to tax the North untold millions of dollars when they pay very little of it themselves, and what will be the ultimate result of that? Are they not inviting something to be done and done very soon?

Mr. SANFORD. I understand that, and in this connection I want to say that I make no reflection and do not want to be understood as making any reflection on the ability or quality of mind of any of the chairmen of these committees, but I say what I do merely to call attention to the quality of representation, in order that some people may be able better to understand the vision of the men who helped in this great year to more clearly define Americanism in this country.

Mr. PLATT. Mr. Chairman, will the gentleman yield?

Mr. SANFORD. Yes.

Mr. PLATT. If it is constitutional to pass a bill of this kind would there be anything to prevent a Republican majority sometime from requiring that at least 30,000 votes should be cast for somebody in a congressional district before a man should be certified as elected to this great body?

Mr. SANFORD. I can answer the gentleman by saying that the Supreme Court of the United States has said that this body has almost unlimited power with reference to the supervision of the elections at which Members of Congress are chosen.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. SANFORD. Yes.

Mr. WALSH. Does the gentleman think the passage of this bill is going to produce more votes in these districts to which he has referred; that there will be more votes cast at these elections?

Mr. SANFORD. Oh, no; nothing can do that.

Mr. MADDEN. The gentleman replies that nothing can do that.

Mr. SANFORD. Nothing; that is, that can be done at this session of Congress.

Mr. MADDEN. Oh, that is quite a different proposition.

Mr. SANFORD. I will come to that.

Mr. MADDEN. Will the gentleman come to that?

Mr. SANFORD. Yes.

Mr. ADAIR. Mr. Chairman, will the gentleman yield?

Mr. SANFORD. Yes.

Mr. ADAIR. Has the gentleman taken notice of the fact that the State from which I come, the northern State of Indiana, is represented by 11 Democratic Congressmen, one of whom is a member of the Committee on Ways and Means, and that each one of these 11 was elected by probably as large a vote as the gentleman from New York received, and that one gentleman of those 11, who is a member of the Committee on Ways and Means, figured in reporting to the House the revenue bill, as well as did the gentleman from North Carolina [Mr. KITCHIN].

Mr. SANFORD. I am not discussing the revenue bill. I would rather not get into that. I was interrupted by a gentleman who brought it up, and the gentleman's remark can apply to his inquiry.

Mr. ADAIR. Then I shall apply it to the gentleman from Pennsylvania [Mr. FOCHT].

Mr. SANFORD. Mr. Chairman, I find that I must refuse further to yield.

These figures quoted above clearly show why the party in power at the present time is perfectly willing to commit itself to a harmless publicity statute while it keeps off the statute books laws to prevent corrupt practices at elections.

I am in favor of the passage of this bill, although I believe it to be merely a halting step. I am in favor of voting for it because I am perfectly confident that no effective law on this subject could be passed in this Congress.

If we start consideration of this subject with the assumption that money is improperly used in political campaigns and with the assumption that elections are not honestly conducted throughout the different States of the Union, one may well question whether or not the power given to Congress by section 4 of Article I of the Constitution does not carry with it a duty that is coextensive with that power and an obligation that is definite. [Applause.]

The provision of the Constitution is as follows:

> The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

The framers of the Constitution apparently clearly foresaw that the time might come that the States would fail in their duty in this matter of holding elections, and reserved to the Congress, it seems to me, the fullest power to make regulations affecting the manner of conducting elections. New conditions, however, not foreseen by the writers of the Constitution, have arisen which emphasize the obligation of Congress to cure the evil of corrupt practice at election if such evil in fact exists, and I for one believe that it does. The new conditions of which I speak are those that have grown out of the introduction of the direct primary. In a large number of congressional districts to-day the direct primary election is for all practical purposes the final election. In those districts the only real contest is the contest at the direct primary. The result of the primary election is final. Those are the districts in which one or the other political party is so strong that its candidates are either wholly unopposed or so weakly opposed that the final election may be said to be uncontested. It is in the conduct of the direct primary contest in such cases that money is spent. It is probably a fact that in many congressional districts fully as much money is spent by congressional candidates and their supporters in these days in seeking to be chosen at the primary election as is spent in the final election contest itself. The improper use of money to control the result of the direct primary is just as vicious and threatens just as seriously the stability of the Government as the improper use of money in the campaign for final election.

At each stage in the development of the law which the pending bill seeks to amend it has been strenuously objected, both in this House and in the Senate, that Congress has no authority to interfere with or in any manner to regulate direct primary elections. These objections, however, have been overridden, and Congress has assumed the authority to the extent to which these bills have gone to regulate the use of money at the primary election, as well as at the final election. If the Congress has operated within its constitutional authority in going to the extent to which it has already gone, it seems clear to my mind that it not only has authority but it must also recognize the obligation to do all within its power to regulate the manner of holding both primary and final elections to such an extent that it may be said that it has done its whole duty to promote the purity and honesty of elections.

The bill before us, without any partisan distinctions, has received the unanimous approval of the members of the committee. It probably represents the best that can be done at this time. It would, it seems to me, however, be unwise to claim that much good will be accomplished by this bill. Its influence to accomplish purity in elections is decidedly an indirect influence. I do not pretend to be able to accurately estimate the total number of reports that will be required by this bill. It is something like 20,000.

Reports are required of every candidate and of each candidate before and after the primary election, and before and after the final election. It requires also reports of all committees, associations, and organizations, whether political or not, of all their transactions with reference to money expended or promises given for the purpose of influencing or attempting to influence the result of any such elections. How many such committees there will be or how many candidates in the 435 congressional districts of the country I do not know, nor does anybody else.

Every detail is required to make complete paper record of financial transactions that may effect the result of the elections. I can not imagine how Congress can do any more than is being done under this bill to make publicity possible.

The point that I am trying to make is that it is easy to accomplish publicity, but that we are accomplishing very little toward promoting purity. Under the direct-primary system

it has been commonly and constantly claimed that the rich man has a distinct advantage and the poor man has no chance.

Without having any evidence to offer, I should be unwilling to say as a fact that the political committees and the candidates who have been making reports under this law have not truthfully and accurately reported their expenditures, although I may be permitted to say that from many conversations with many people I have gained the impression that it is generally understood that it is not a difficult thing to make a report as to campaign expenses. If this bill does no more than impress upon the mind of the candidate for Congress the fact that if he inaccurately and untruthfully reports as to his campaign expenses he is a criminal and unfit to take his seat it will perhaps have done much. The crime, however, of violating this act is one that is not easily detected. I can not find that anyone has been convicted of violating this act since its original passage in 1910. From that fact, however, I do not draw the conclusion that many persons have not violated it, and violated it willfully.

I do not know that anything can be done further than is being done to enforce honest obedience to the provisions of this law. But what I am trying to point out is the fact that the law does not, and probably can not, do much to embarrass those who are inclined to purchase public office, for a person so criminally inclined surely can not hesitate to falsely report the amount of his disbursements.

I have no doubt that the vast number of men who are or who have sought to be or who have sought to become Members of the Senate or House of Representatives feel themselves morally bound by the limitations of this law. As to such persons and as to all persons who are mentally honest the law would be sufficient if it merely fixed the limit of disbursement. One of the primary purposes of providing for publicity is to control the acts of those who desire to use more money than that limited, or who desire to use and do use money for corrupt purposes.

This committee has taken the position which is clearly described by its learned chairman in his report, where he says that—

> No attempt is here made, nor in any part of this bill, to limit the expenditure of money used in an effort to reach the judgment of electors. Appeal to the mind and judgment of men by political parties and candidates for political office is commendable and is encouraged by every section and provision of this bill.

The purpose of the bill, as the chairman points out, is to prevent the use of money "to demoralize, corrupt, and debauch the electorate." The root of the evil, therefore, at which this bill with its indirect influence is aiming is the purchased vote. The scheme of the bill by which it attempts to use this indirect influence is to require an accurate account of the collection and distribution of all money by candidates and committees in the hope that in this manner men will be prevented from using money for a corrupt purpose because of the fact that they are required to account for the money. I can not be very optimistic with reference to the curative value of this bill. A person who would use money to buy votes is a criminal. The bill simply requires, therefore, of the criminal who would debauch the electorate that he add to his crime the further and much easier crime of falsely reporting his act.

What I am saying, however, is not any criticism of this bill, which I sincerely hope will pass the House. I merely desire to point out how Congress has the clear duty to deal further with this matter of corrupt practices by reenacting the statute repealed in 1894.

There has grown up in this country a wholesome regard for the Federal criminal laws. Such laws are feared more than the statutes of any of the States. The long arm and the farseeing eye of the Federal Government under such a statute would now go a great way, in my judgment, to persuade men that it is a dangerous thing to attempt to demoralize, corrupt, and debauch the electorate. The repealed statutes were well within the supervisory power of Congress under that provision of the Constitution which I have cited, giving to Congress the right to make and alter regulations affecting the manner of holding elections. The Supreme Court of the United States, in Ex parte Seibold (100 U. S., p. 372), speaking on this subject, says:

> In making regulations for the election of Representatives it is not necessary that Congress should assume entire and exclusive control thereof. By virtue of that clause of the Constitution which declares that "the times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the place of choosing Senators," Congress has a supervisory power over the subject and may either make entirely new regulations or add to, alter, or modify the regulations made by the State.
>
> In the exercise of such supervisory power Congress may impose new duties on the officers of election or additional penalties for breach of duty or for the perpetration of fraud or provide for the attendance of officers to prevent fraud and see that the elections are legally and fairly conducted.
>
> The exercise of such power can properly cause no collision of regulations or jurisdiction, because the authority of Congress over the subject is paramount, and any regulations it may make necessarily supersede inconsistent regulations of the State. This is involved in the power to "make or alter."

Mr. Chief Justice Bradley, in the opinion in that case, uses the following language appropriate to this discussion:

> It is the duty of the States to elect Representatives to Congress. The due and fair election of these Representatives is of vital importance to the United States. The Government of the United States is no less concerned in the transaction than the State government is. It certainly is not bound to stand by as a passive spectator when duties are violated and outrageous frauds are committed.

In Ex parte Yarbrough (110 U. S., 664) the Supreme Court used the following language with reference to the right of Congress to regulate elections at which Members of Congress are chosen:

> Will it be denied that it is in the power of that body to provide laws for the proper conduct of those elections; to provide, if necessary, the officers who shall conduct them and make return of the result, and especially to provide in an election held under its own authority for security of life and limb to the voter while in the exercise of this function? Can it be doubted that Congress can by law protect the act of voting, the place where it is done, and the man who votes from personal violence or intimidation and the election itself from corruption and fraud?
>
> If this be so—and it is not doubted—are such powers annulled because an election for State officers is held at the same time and place? Is it any less important that the election of Members of Congress should be the free choice of all the electors because State officers are to be elected at the same time?
>
> These questions answer themselves; and it is only because the Congress of the United States, through long habit and long years of forbearance, has in deference and respect to the States refrained from the exercise of these powers that they are now doubted.

In James v. Bowman (190 U. S., 127) the Supreme Court held section 5507, Revised Statutes, to be unconstitutional. This section was designed to punish persons who by means of bribery or certain threats should intimidate or prevent the exercise of the right of suffrage to persons protected by the fifteenth amendment to the Constitution. In this case the court, in holding this particular statute unconstitutional, used the following language:

> We are fully sensible of the great wrong which results from bribery at elections, and do not question the power of Congress to punish such offenses when committed in respect to the election of Federal officers.

The interest of the Government, therefore, being of such vital importance, the authority of Congress in the matter being so unquestioned, the existence of the evil of corrupt practice being recognized by the pendency of this bill, is it not a fact that the obligation is on Congress to recognize the evil, to again exercise its authority, and to meet its obligations? [Applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. FLOOD having taken the chair as Speaker pro tempore, a message from the Senate announced that the Senate had agreed to the amendments of the House to the bill (S. 2845) authorizing the sale of the marine-hospital reservation in Cleveland, Ohio.

The message also announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 6279. An act for the relief of William Harold Kehoe.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 6279. An act for the relief of William Harold Kehoe; to the Committee on Military Affairs.

PUBLICITY OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES.

The committee resumed its session.

Mr. MAPES. Mr. Chairman, I yield 10 minutes to the gentleman from Minnesota [Mr. ANDERSON].

Mr. ANDERSON. Mr. Chairman, I am in favor of a uniform corrupt-practice act applied to all of the States in the election of Members of Congress. I think it is unfortunate that while we are dealing with this general subject we are proposing to do it in the wholly inadequate way proposed by this bill. Ordinarily Federal statutes dealing with matters which have formerly been under the jurisdiction of the State legislatures are passed with a view of securing uniformity of laws with respect to the general subject. There are now corrupt-practice acts in many of the States. These acts differ in many essential features. This law would create no uniformity with respect to these laws whatever. It only serves to increase the complications and discriminations which now exist. For instance, as has been stated, in the State of Missouri, represented by the

distinguished chairman of the committee that reports this bill, there is a limit of approximately $600 or $700 in the amount that he can legally expend. This law will in no way affect that, although in those States in which there is now no limitation whatever the candidate will be limited only by the amount specified in this bill. In my own State there is a requirement that a candidate shall report all of his expenditures, including expenditures which are specified in this bill and expenditures which are not specified in this bill.

Mr. COLEMAN. Does the gentleman not think that such a law is a good deal better than the one before us now?

Mr. ANDERSON. I do think so. I have no doubt of that whatever. That is one objection to this bill—it repeals State laws which are better than this bill. The law is in many respects wholly and utterly inadequate.

Mr. MAPES. How does it repeal any State law?

Mr. ANDERSON. I will answer that question. This bill contains on its face a recognition of its own inadequacy. It provides it shall only repeal or supersede State laws in those particulars in which it is in conflict with State laws. The same provision is carried in the existing law, but in the State which I have the honor to represent in part the Attorney General has held that, with respect to the limit and with respect to the statement to be filed under the State law, the present law repeals the State law. I do not know how much further his decision goes, but it goes that far.

Mr. WALSH. Does the gentleman believe Congress can pass a measure——

Mr. ANDERSON. I yield to the gentleman from Michigan [Mr. MAPES].

Mr. MAPES. Does not this bill expressly provide that the State laws shall be in force as far as they pertain to elections?

Mr. ANDERSON. It does, and so does the present law; but the gentleman is familiar, I think, with the rule of law that where the Federal Government undertakes to deal with a subject it enters that field exclusively, and so the Attorney General has held that it does repeal the sections of our law which requires a full report and which fixes a limit upon the expenditure.

Mr. WALSH. Is the gentleman of opinion that Congress can enact a law which will abrogate State laws pertaining to the election of Members of the House and the Senate?

Mr. ANDERSON. I have no doubt of it whatever.

Mr. RUCKER. Will the gentleman yield?

Mr. ANDERSON. I will.

Mr. RUCKER. If the gentleman will look at section 16 of the bill he will find that it is expressly provided that—

> This act shall not be construed to annul or vitiate the laws of any State, not directly in conflict herewith, relating to the nomination or election of candidates for the offices herein named, or to exempt any such candidate from complying with such State laws.

Mr. ANDERSON. Yes. But it is in conflict with many of the best and most salutary provisions of existing State laws. It requires statements to be filed concerning certain disbursements of the candidate at certain times and in certain places, while the State laws require statements to be filed at other times and at other places, with respect to other and different disbursements of the candidate. It is in conflict with the State law wherever it differs from the State law in its requirements, but as the gentleman has said, because it does not specifically repeal the State law, the candidate, for his own protection, must comply with both, and in those States where statements are required to be filed at other times and places than are specified in this bill, and as to other disbursements, the candidate must keep two separate accounts, and file anywhere from 16 to 24 separate statements of his receipts and expenditures. This is no small task in the middle of a campaign. But I was addressing myself particularly to the fact that this bill does not create uniformity of law with respect to corrupt practices in elections, but, on the contrary, only perpetuates the discriminations which now exist between the different States, and complicates the difficulties of the candidate.

Mr. EMERSON. Will the gentleman yield?

Mr. ANDERSON. I yield.

Mr. EMERSON. As suggested by the chairman of the committee, it does not vitiate any State law, unless directly in conflict with it. Does that pertain to the amount expended? Suppose the amount the State allowed a candidate for Congress to expend was $1,000 or $2,000 and this allows $2,500; would that be construed as being in conflict?

Mr. RUCKER. The gentleman does not state it correctly. The law as it stands now and the language in this bill is that no candidate for Senator or Representative may spend any larger or greater sum than he can lawfully spend under the laws of the State in which he resides, provided that the total amount that he may expend does not exceed $5,000. Now, then, if the State law limits the amount to $10,000, on the face of the law it would be in conflict, and it could be cut down to $5,000, but if the State puts a lower limit than $5,000, the law recognizes the validity of the act.

Mr. ANDERSON. The gentleman from Missouri, of course, will recognize the fact that that is an injustice. There is no reason why a man should be permitted to spend $5,000 in one congressional district because he lives in the State of Minnesota and be limited to $600 because he lives in the State of Missouri.

Mr. RUCKER. I grant the gentleman is right, that there should be uniformity, but the States have acted, and the States have not thus far acted with uniformity. Now, we ought to fix the law so that we invite the States to legislate along the line of this bill and try to bring about a condition which will create uniformity.

Mr. ANDERSON. We have here the power to create uniformity. We are not obliged to wait for the States to conform to the statute we may pass here. We have the power here to create uniformity.

Mr. RUCKER. Well, the gentleman will appreciate this: If the law of my State or yours fixes a certain limitation and Congress puts a higher limitation, and the gentleman or I would say that we spent the money under the authority of a law of Congress, while in the final analysis we might not be amenable under the State law, we would be amenable to the criticism and animadversion of every man who indorses the State law, which would put a gentleman to great disadvantage.

Mr. ANDERSON. I think that when Congress undertakes to deal with a general subject that it ought to deal with the general subject adequately, and if it assumes jurisdiction of a proposition, it ought to assume the jurisdiction to the exclusion of the State. It ought to create, so far as possible, a general uniformity in the law which will put all candidates for the same office on the same footing.

Mr. RUCKER. I want to qualify what I said a little while ago. I feel there should be uniformity just as far as practicable, but, if the gentleman will bear with me, I have heard Members on this floor say that in certain districts in the United States it would be harsh and unjust to put them on the $5,000 limitation for the reason of their having different nationalities in their district, many of whom could not understand the language which the Member speaks, and that he must have printing done in this language and have printing done in that language and printing in some other language in order to reach those people.

Mr. ANDERSON. You do that very thing in this bill. You limit every Member of Congress to $2,500 for the expenses which are specified under the bill. But the fellow who is limited by State laws to a less sum than that is still limited by that law.

Mr. RUCKER. The reason the congressional act put it at $2,500 is because Congress in its judgment thought $2,500 would be sufficient to meet the conditions in any district.

Mr. ANDERSON. I agree with that. This bill is inadequate in many respects. It contains no definition as to what are legal expenditures under the law. In other words, there is no section in this bill which defines the purposes for which a candidate may expend money. He may under this bill hire any number of persons to go out and exercise their influence throughout his district for the purpose of influencing the election without violating any provision of the bill whatever.

He may spend a million dollars for advertising, outside of the newspapers, without violating any section of this bill. He may spend a hundred thousand dollars on speakers and bands without incurring the slightest penalty under its provisions. He may send a telegram to every voter in the congressional district without incurring any penalty under this bill. He may do all of these things without making any account whatever of the expenditure, but if his State law prohibits expenditures for these purposes or limits such expenditures, he is subject to all of the penalties of the laws of the State. This law will not encourage the passage of corrupt practice acts in the States; it only exempts candidates in States which have no corrupt practice act from the penalties to which other candidates in States that have corrupt practice acts are subject. I again repeat, that while we are dealing with this subject we ought to deal with it adequately and in such a way as to put the candidates of all the parties and of all the States upon an equal footing before the law.

Mr. RUCKER. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. Ten minutes.

Mr. RUCKER. I yield 10 minutes to the gentleman from Texas [Mr. YOUNG].

Mr. YOUNG of Texas. Mr. Chairman and gentlemen, I had not intended to make a speech on this bill, and I am not going to speak on the merits of the bill, but inasmuch as a moment ago the gentleman from New York [Mr. SANFORD] reviewed at some length the number of votes polled in some of the Southern States, and mentioned particularly the State which I have the honor in part to represent—the great State of Texas—I wish to say the gentleman is not familiar with the conditions in that section of the country. We have laws protecting the ballot there, but our great fight is in the primary election, and if he were to be in Texas a week from next Saturday he would find out whether or not the people of that great State take an interest in their public affairs; because they go to the ballot box almost as one man to express themselves on the issues before the people and on the candidates that are up for nomination. But the nomination in the primary election settles everything in that section of the country. We do not have an opposition ticket at the general election. My district has a population of something like 215,000 people, and polls about 25,000 votes in the primary election. In the general election I have no opposing candidate, and the governor, as a rule, has no opposing candidate, and in my district from 12,000 to 15,000 votes are polled at the general election. Everything is settled at the primary, and hence there is nothing that calls for a general turnout at the general election. And I want to make this suggestion: In the strong Republican districts in the North and the East, I dare say, where the Democratic opposition amounts to nothing, or scarcely nothing, in your primary election you have not a full representation of your citizenship.

Mr. EMERSON. Will you give some of us fellows from the North a few pointers as to how you keep this opposition at the election out?

Mr. YOUNG of Texas. I will tell you about it. When a Republican from the North comes South he finds such a fine bunch of people who are members of the Democratic Party that forthwith he becomes a Democrat.

Mr. MANN. Why do you not send some here?

Mr. YOUNG of Texas. They send enough to take care of the interests of the country on the floor of this House.

I rise, Mr. Chairman, to put this feature of the elections in the South before the House. I say the general turnout is on the primary day and that the ballot boxes are protected by the laws of the various States. Every man has a right to go and has a right to be protected when he goes to the ballot box and casts his vote.

Mr. FOCHT. May I ask the gentleman a question?

Mr. YOUNG of Texas. I want to say to the gentleman from Pennsylvania——

Mr. FOCHT. Will you answer the question?

Mr. YOUNG of Texas. When you say we tax the North, I want to say to you that if you will go into my State——

The CHAIRMAN. Will the gentleman yield?

Mr. FOCHT. I asked whether the gentleman will yield or not.

Mr. YOUNG of Texas. I have the floor.

The CHAIRMAN. The Chair was trying to find out if the gentleman from Texas would yield. Does the gentleman yield?

Mr. YOUNG of Texas. In a moment. If you go to my State, you will find that the steel bridges that cross the streams of my county come from the great State of Pennsylvania, and we pay for them out of the products that we grow in the South—the great cotton crop, that goes to your country to help bless and clothe the people of your section. It is one great country, and we have diverse interests, and we feel that all these interests should be taken care of alike.

Mr. FOCHT. Does that answer my question?

Mr. YOUNG of Texas. I was answering what the gentleman asked a moment ago.

Mr. FOCHT. You just stated a moment ago about how you were going to have those seats filled again with Democrats. May I ask you on the square, my brother and friend, how many Democrats you would have left over there if they were sent here on the basis of the number of votes cast instead of on the basis of population?

Mr. YOUNG of Texas. There would not be a vacant seat on this side, sir.

Mr. FOCHT. Will you yield me a minute further?

Mr. YOUNG of Texas. To ask a question. I am not yielding for a speech.

Mr. FOCHT. You are making a speech and I am asking you questions. I ask you how many Democrats now sit there in defiance, if not in violation, of the Constitution of the United States?

Mr. YOUNG of Texas. Not a single man, and the imputation is unworthy of the gentleman who makes it.

Mr. FOCHT. I refer you to the statistics read by the gentleman from New York [Mr. SANFORD] as my answer.

Mr. RUCKER. Mr. Chairman, while everybody is in a good humor I move that the committee do now rise. [Laughter.]

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. ALEXANDER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 15842) to revise, amend, and codify the laws relating to publicity of contributions and expenditures made for the purpose of influencing the nomination and election of candidates for the offices of Senator and Representative in the Congress of the United States, extending the same to candidates for nomination and election to the offices of President and Vice President of the United States, limiting the amount which may be expended, providing for the publicity of campaign expenses, and for other purposes, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. COOPER of Ohio, indefinitely, on account of illness, at the request of Mr. FESS.

To Mr. LINDBERGH, indefinitely, on account of the dangerous illness of his daughters.

ENROLLED BILL SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 16911. An act making an appropriation for the relief and transportation of destitute American citizens in Mexico.

EXTENSION OF REMARKS.

Mr. BENNET. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of aeronautics, by printing a brief memorandum prepared for me by the Legislative Reference Bureau of the Congressional Library.

The SPEAKER. The gentleman from New York [Mr. BENNET] asks unanimous consent to extend his remarks in the RECORD by printing a memorandum on aeronautics prepared by the Legislative Reference Bureau of the Congressional Library. Is there objection?

Mr. MANN. Considering that we are pretty much in the air, I shall not object. [Laughter.]

The SPEAKER. Is there objection?

There was no objection.

Mr. BEAKES. Mr. Speaker, I ask permission to extend my remarks by printing the speech of the President of the United States before the Salesmen's Convention at Detroit.

The SPEAKER. What speech?

Mr. MANN. Just another campaign speech. [Laughter.]

Mr. BEAKES. The speech of the President before the Salesmen's Convention at Detroit.

The SPEAKER. By printing the speech of the President before the Salesmen's Convention at Detroit. Is there objection?

There was no objection.

Mr. FOCHT. Mr. Speaker, I desire to extend my remarks in the RECORD on the subject of "The birth of a nation."

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to extend his remarks on "The birth of a nation." Is there objection?

There was no objection.

Mr. MATTHEWS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a lecture delivered at Yale University by Mr. W. H. Phipps, of Ohio, late auditor general of the Philippine Islands.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

Mr. FOSTER. Reserving the right to object, was this gentleman a Member of Congress?

Mr. MATTHEWS. No. He was auditor of the Philippine Islands.

Mr. FOSTER. I object.

The SPEAKER. The gentleman from Illinois objects.

Mr. GREENE of Massachusetts. I ask unanimous consent, Mr. Speaker, to extend my remarks in the RECORD by printing an article written by Mr. STINESS, of Rhode Island, in regard to the condition of the country after the European war.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the RECORD by printing an article written by Mr. STINESS in regard to the condition of the country after the European war. Is there objection?

There was no objection.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bill:

H. R. 16911. An act making an appropriation for the relief and transportation of destitute American citizens in Mexico.

HOUR OF MEETING TO-MORROW.

Mr. RUCKER. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet to-morrow at 11 o'clock.

The SPEAKER. The gentleman from Missouri asks unanimous consent that when the House adjourns to-day it adjourn to meet to-morrow at 11 o'clock a. m. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. RUCKER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 10 minutes p. m.) the House adjourned until to-morrow, Friday, July 14, 1916, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on reexamination of harbor of refuge, Grand Marais, Mich. (H. Doc. No. 1286), was taken from the Speaker's table, referred to the Committee on Rivers and Harbors, and ordered to be printed, with illustration.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and a joint resolution were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. DICKINSON, from the Committee on Ways and Means, to which was referred the bill (S. 5645) for the establishment of Noyes, in the State of Minnesota, as a port of entry and delivery for immediate transportation without appraisement of dutiable merchandise, reported the same without amendment, accompanied by a report (No. 962), which said bill and report were referred to the House Calendar.

Mr. ALLEN, from the Committee on Ways and Means, to which was referred the bill (H. R. 16417) to provide for the exportation of gin in bond in other than original packages, reported the same without amendment, accompanied by a report (No. 963), which said bill and report were referred to the House Calendar.

Mr. SHALLENBERGER, from the Committee on Military Affairs, to which was referred the bill (H. R. 386) to create in the War Department and the Navy Department, respectively, a roll designated as the "Civil War volunteer officers' retired list," to authorize placing thereon with retired pay certain surviving officers who served in the Army, Navy, or Marine Corps of the United States in the Civil War, and for other purposes, reported the same with amendment, accompanied by a report (No. 964), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. STOUT, from the Committee on the Public Lands, to which was referred the joint resolution (S. J. Res. 50) authorizing the Secretary of the Interior to sell the coal deposits in and under certain public lands to the Republic Coal Co., a corporation, reported the same with amendment, accompanied by a report (No. 965), which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and a resolution were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr YOUNG of North Dakota, from the Committee on Claims, to which was referred the bill (S. 798) for the relief of Kate Canniff, reported the same with amendment, accompanied by a report (No. 954), which said bill and report were referred to the Private Calendar.

Mr. CAPSTICK, from the Committee on Claims, to which was referred the bill (H. R. 1963) for the relief of John E. Keys, reported the same with amendment, accompanied by a report (No. 955), which said bill and report were referred to the Private Calendar.

Mr. STEPHENS of Mississippi, from the Committee on Claims, to which was referred the bill (S. 3533) for the relief of Mike G. Womack, reported the same with amendment, accompanied by a report (No. 956), which said bill and report were referred to the Private Calendar.

Mr. CAPSTICK, from the Committee on Claims, to which was referred the bill (H. R. 15797) for the relief of Charles L. Schroeder, reported the same with amendment, accompanied by a report (No. 957), which said bill and report were referred to the Private Calendar.

Mr. YOUNG of North Dakota, from the Committee on Claims, to which was referred the bill (H. R. 5020) for the reimbursement of Horace M. Blunt for the loss of a horse while hired by the United States Geological Survey, reported the same without amendment, accompanied by a report (No. 958), which said bill and report were referred to the Private Calendar.

Mr. STEPHENS of Mississippi, from the Committee on Claims, to which was referred the bill (H. R. 2205) for the relief of Robert T. Legge, reported the same without amendment, accompanied by a report (No. 959), which said bill and report were referred to the Private Calendar.

Mr. EDMONDS, from the Committee on Claims, to which was referred the bill (H. R. 12240) for the relief of John Brodie, reported the same without amendment, accompanied by a report (No. 960), which said bill and report were referred to the Private Calendar.

Mr. STEPHENS of Mississippi, from the Committee on Claims, to which was referred the bill (H. R. 2210) for the relief of James Diamond for horse lost while hired by the United States Forest Service, reported the same without amendment, accompanied by a report (No. 961), which said bill and report were referred to the Private Calendar.

Mr. SWIFT, from the Committee on Claims, to which was referred the bill (H. R. 12204) to authorize the Secretary of the Treasury to audit and adjust certain claims of the city of New York to the Court of Claims, reported in lieu thereof H. Res. 305, accompanied by a report (No. 966), which said resolution and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XIII, adverse reports were delivered to the Clerk and laid on the table, as follows:

Mr. CAPSTICK, from the Committee on Claims, to which was referred the bill (H. R. 13294) for the relief of Henry Hotchner, reported the same adversely, accompanied by a report (No. 967), which said bill and report were laid on the table.

Mr. SWIFT, from the Committee on Claims, to which was referred the bill (H. R. 8781) for the relief of William E. Horton, reported the same adversely, accompanied by a report (No. 968), which said bill and report were laid on the table.

He also, from the same committee, to which was referred the bill (H. R. 9076) for the relief of Alfred Sjostrom, reported the same adversely, accompanied by a report (No. 969), which said bill and report were laid on the table.

He also, from the same committee, to which was referred the bill (H. R. 9036) for the relief of Sidney G. Sherwood, reported the same adversely, accompanied by a report (No. 970), which said bill and report were laid on the table.

Mr. CAPSTICK, from the Committee on Claims, to which was referred the bill (H. R. 13017) for the relief of M. Elizabeth Rochford, reported the same adversely, accompanied by a report (No. 971), which said bill and report were laid on the table.

He also, from the same committee, to which was referred the bill (H. R. 5040) for the relief of John M. Dimmick, reported the same adversely, accompanied by a report (No. 972), which said bill and report were laid on the table.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills and resolutions were introduced and severally referred as follows:

By Mr. SIEGEL: A bill (H. R. 16971) to provide for the promotion of vocational education; to provide for cooperation with the States in the promotion of such education in agriculture, the trades, commerce, industries, and home economics; to provide for cooperation with the States in the preparation of teachers and supervisors of vocational subjects; and to appropriate money and regulate its expenditure; to the Committee on Education.

By Mr. CASEY: A bill (H. R. 16972) to enlarge, extend, remodel, and improve the public building at Wilkes-Barre, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. MOORE of Pennsylvania: A bill (H. R. 16973) fixing the rate of pay of compositors and bookbinders in the Government Printing Office; to the Committee on Printing.

By Mr. SWIFT [from the Committee on Claims]: Resolution (H. Res. 305) referring the bill (H. R. 12204) to authorize the Secretary of the Treasury to audit and adjust certain claims of the city of New York to the Court of Claims; to the Committee of the Whole House.

By Mr. LINDBERGH: Joint resolution (H. J. Res. 264) authorizing a joint committee to investigate certain representations relative to Roman Catholic organizations; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills were introduced and severally referred as follows:

By Mr. BURKE: A bill (H. R. 16974) for the relief of John L. Kelley; to the Committee on Military Affairs.

By Mr. CASEY: A bill (H. R. 16975) granting an increase of pension to Mrs. Dolly Russell; to the Committee on Invalid Pensions.

By Mr. DRUKKER: A bill (H. R. 16976) granting an increase of pension to Annie E. Post; to the Committee on Invalid Pensions.

By Mr. EMERSON: A bill (H. R. 16977) to authorize the President to reinstate Guy H. B. Smith, formerly captain, Fourth United States Infantry, in the Army; to the Committee on Military Affairs.

By Mr. GARD: A bill (H. R. 16978) granting an increase of pension to Elizabeth Kyle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16979) granting a pension to Patrick H. Madigan; to the Committee on Pensions.

By Mr. HULBERT: A bill (H. R. 16980) for the relief of Edward N. Carr; to the Committee on Military Affairs.

By Mr. KENNEDY of Iowa: A bill (H. R. 16981) granting an increase of pension to Andrew Reed; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16982) granting an increase of pension to Christian Lock; to the Committee on Invalid Pensions.

By Mr. McGILLICUDDY: A bill (H. R. 16983) granting an increase of pension to Arvesta M. Conrey; to the Committee on Invalid Pensions.

By Mr. POWERS: A bill (H. R. 16984) granting an increase of pension to John W. Cook; to the Committee on Pensions.

Also, a bill (H. R. 16985) granting an increase of pension to Daniel Smiley; to the Committee on Pensions.

By Mr. PRICE: A bill (H. R. 16986) for the relief of the heirs of William E. Bradshaw; to the Committee on Claims.

Also, a bill (H. R. 16987) for the relief of the heirs of Elijah Evans; to the Committee on Claims.

By Mr. RUBEY: A bill (H. R. 16988) granting an increase of pension to Bentley Briant; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of citizens of Lincoln County, Mo., against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

Also, (by request), petition of Delaware Branch of the Congressional Union for Woman Suffrage, favoring amendment for woman suffrage; to the Committee on the Judiciary.

By Mr. CURRY: Memorial of Admiral R. D. Evans Camp, No. 33, United States Spanish War Veterans, of Sacramento, Cal., favoring Nolan minimum-wage bill; to the Committee on Labor.

By Mr. DALE of New York: Petition of William Fox, of New York City, against tax on theaters; to the Committee on Ways and Means.

Also, petition of the National Security League, relative to military training in public schools; to the Committee on Education.

Also, memorial of Delaware Branch of Congressional Union for Woman Suffrage, relative to amendment for woman suffrage; to the Committee on the Judiciary.

By Mr. FLYNN: Petition of William Fox, of New York City, against bill to tax theaters; to the Committee on Ways and Means.

By Mr. KENNEDY of Rhode Island: Petition of Mrs. Caroline McDowell, of Providence, R. I., favoring amendment for woman suffrage; to the Committee on the Judiciary.

By Mr. LINTHICUM: Petition of Edward J. Rosenstein, Baltimore, Md., favoring bill for Federal censorship of motion pictures; to the Committee on Education.

By Mr. MATTHEWS: Evidence supporting House bill 16928, to grant a pension to Michael Levi; to the Committee on Pensions.

By Mr. O'SHAUNESSY: Petition of Alfred G. Langley, Newport, R. I., relative to location of power plant in Washington, D. C.; to the Committee on the District of Columbia.

Also, petition of Rhode Island Bankers' Association, relative to amendments of Federal reserve act; to the Committee on Banking and Currency.

Also, memorial of the Providence Chamber of Commerce, favoring appropriation for aero coast-patrol system; to the Committee on Naval Affairs.

By Mr. RAKER: Protests of Francis Carr and Roscoe J. Anderson, of Redding, and California Producers' Association, of San Francisco, Cal., against further tax on copper and copper industry; to the Committee on Ways and Means.

Also, protests by Dudley V. Saeltzer and W. J. Harrington, chairman Democratic County Central Committee, of Redding, Cal., against further tax on copper and copper industry; to the Committee on Ways and Means.

By Mr. TIMBERLAKE: Petition of sundry citizens of Colorado, against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

SENATE.

FRIDAY, *July 14, 1916.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, Thy name is above every name. We desire Thee above all the earth. Thou hast brought to us the rich and manifold ministries of Thy grace. Thou dost hold us in Thy hand. We desire Thy favor above all the favor of men. We would work into all the institutions of our land the will and the purpose of God. Every thought to usward has been a thought of love and of protection and of fatherly mercy. We bless Thee that to-day our lives are in Thy hands and the destiny of our great Nation is in Thy keeping.

We pray that this day Thou wilt guide us in the way of truth. Guard us from every evil thing. May the full expression of our lives be the going forth of the influence and power of Thy truth and Thy spirit in us that we may maintain the high ideals given to us by our fathers who received them as they supplicated the throne of the heavenly grace.

Guide us this day. Forgive our sins. For Christ's sake. Amen.

THE JOURNAL.

On request of Mr. GALLINGER, and by unanimous consent, the reading of the Journal of the proceedings of the legislative day of Friday, July 7, 1916, was dispensed with and the Journal was approved.

CALLING OF THE ROLL.

Mr. TILLMAN. Mr. President, I note the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Brady	Gallinger	Overman	Taggart
Brandegee	Hollis	Owen	Thomas
Bryan	Johnson, S. Dak.	Shafroth	Tillman
Chamberlain	Jones	Sheppard	Underwood
Chilton	Kenyon	Simmons	Wadsworth
Clarke, Ark.	Kern	Smith, Ga.	Warren
Culberson	La Follette	Smith, S. C.	Williams
Curtis	Lodge	Smoot	Works
Dillingham	Martin, Va.	Sterling	
Fletcher	Oliver	Swanson	

The VICE PRESIDENT. The Secretary will call the roll of absentees.

The Secretary called the names of absent Senators, and Mr. ASHURST, Mr. GRONNA, Mr. RANSDELL, Mr. SAULSBURY, Mr. SHERMAN, and Mr. TOWNSEND answered to their names when called.

Mr. CHAMBERLAIN. I desire to announce that my colleague [Mr. LANE] is detained from the Senate by illness.

Mr. TOWNSEND. I desire to announce the absence of the senior Senator from Michigan [Mr. SMITH] and to state that he is paired with the junior Senator from Missouri [Mr. REED]. This announcement may stand for the day.

Mr. NELSON, Mr. BORAH, Mr. MCCUMBER, Mr. HARDWICK, Mr. LEE of Maryland, Mr. VARDAMAN, and Mr. PITTMAN entered the Chamber and answered to their names.

Mr. VARDAMAN. I wish to announce that the Senator from Tennessee [Mr. SHIELDS] is absent on important business and that the Senator from Montana [Mr. MYERS] is detained on account of illness.

The VICE PRESIDENT. Fifty-one Senators have answered to the roll call. There is a quorum present.

WORKMEN'S COMPENSATION.

The bill (H. R. 15316) to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes, was read twice by its title.

The VICE PRESIDENT. The bill will be referred to the Committee on the Judiciary.

Mr. SMITH of Georgia. I think the bill should be referred to the Committee on Education and Labor. We have a current bill exactly like it before that committee, and a subcommittee has already been appointed and is at work upon it.

The VICE PRESIDENT. If there is no objection, the bill will go to the Committee on Education and Labor.

PERSONAL EXPLANATION—WORK OF THE SESSION.

Mr. GALLINGER. Mr. President, I desire to occupy the attention of the Senate a very brief time in the nature of a question of privilege. In the Washington Post of July 13 I find this language:

> Yesterday morning Senators GALLINGER, TOWNSEND, HARDING, CLARK, and CUMMINS, representing the Republican conference committee, conferred with the Democratic steering committee over the proposed legislative program for the remainder of the session as adopted by the majority. The minority proposed that the session be brought to a close after the remaining appropriation bills and the shipping and revenue bills have been acted upon.
>
> The majority was not willing to stop with this legislation, but there was accord between both sides on the desire to get away as speedily as possible. The majority will insist upon passage of the corrupt-practices bill before adjournment, and the Republicans probably will not hold out against it. The majority was told, however, that if it insisted upon proceeding with child labor, workmen's compensation, and the immigration bills, the session would drag on until October.
>
> Republican members of the conference gave assurances that there would be no filibuster against either the shipping or the revenue bills. They will be discussed at considerable length. Republicans will oppose both, offer substitutes, and make their partisan position clear, but when that is done they said the measures would be permitted to come to a vote.
>
> EXPEDITES ARMY AND NAVY BILLS.
>
> This conclusion of the minority will tend to hasten consideration of the Army and Navy bills. The sentiment in the Senate is strong for a large Navy and a substantial provision for the Army. If there is any delay in connection with these preparedness bills, it will not come from their advocates.
>
> The Democrats are particularly anxious to put their corrupt-practices bill through, because they fear the Republicans are due to receive very large campaign contributions from certain special interests. This they want to prevent, not only in the interest of clean politics, but of the success of the Democratic ticket. A conference will be held later on legislation not included in yesterday's agreement, but it is not believed that anything but the matters agreed upon and, perhaps, the corrupt-practices bill will receive attention before adjournment. All conservation measures go over until next session.

Mr. President, in some particulars the statements contained in this newspaper are correct and in others they are not. In behalf of the minority I want to say frankly and without equivocation, representing, I believe, every Senator on this side of the Chamber, that we have not at any time suggested that we would oppose further legislation to that on the program which is set out in this newspaper article. We on this side of the Chamber are anxious to get through the session, as our Democratic friends are anxious to get through, as speedily as possible, but I want to say it was distinctly understood at that conference that the Democratic majority, who are responsible for the legislation of this session, would not be unduly obstructed in any action they might take if they felt that it was their duty to bring up either the child-labor bill, the immigration bill, or the workmen's compensation bill, which has just been laid before the Senate, having passed the House of Representatives yesterday. The minority, and I speak advisedly, are anxious that the child-labor bill, the immigration bill, and the workmen's compensation bill shall be considered at this session of Congress, but the burden for that legislation rests upon the majority and not upon the minority, as the minority is powerless to force any measure for consideration that the majority opposes, they having the votes and the power to dictate what shall be considered and what shall not be considered.

Mr. SMITH of Georgia. And the bill for national aid to vocational education.

Mr. GALLINGER. I am sure the minority will not oppose as good a bill as that if the majority think it desirable to bring it before the Senate, but we will, to the extent of our ability, aid in its passage if opportunity offers.

Mr. President, what I want particularly to say is that the minority do not propose to be put in the position of obstructing legislation at this session. We have not done so and have no disposition to do so. We would prefer not to remain here all summer. Some of us feel that we are entitled to a little vacation, but, as I said a moment ago, the program of legislation is not in our hands; it is in the hands of the majority of the Senate, and whatever they conclude is wise to do they will find the minority ready to cooperate with them, provided the proposed legislation is in the interest of the public welfare.

I will repeat, Mr. President, that the minority are warmly in favor of the child-labor bill; most of us are warmly in favor of the immigration bill, which I have heretofore advocated, and which I propose to advocate and vote for whenever I have an opportunity to do so. I think I can also truthfully say that we are substantially all in favor of the workmen's compensation bill, and we will not oppose the bill to which the Senator from Georgia has called attention. That the minority may not be misrepresented, speaking for them with some degree of authority, I say, Mr. President, it is our desire to cooperate with the majority and pass all the good legislation that it is possible for us to pass at this session and then adjourn.

Mr. THOMAS. Mr. President——

The VICE PRESIDENT. Does the Senator from New Hampshire yield to the Senator from Colorado?

Mr. GALLINGER. I yield to the Senator.

Mr. THOMAS. If the majority should determine to bring up the proposed constitutional amendment for equal suffrage, would the Senator, as representing the minority, give assurance that his side of the Chamber would support that measure also?

Mr. GALLINGER. I will give assurance that the Senator from New Hampshire will support it heartily; but I can not give assurance for my associates regarding that most excellent measure.

Now, Mr. President, I have said about all I care to say. I wanted to put this matter fairly, squarely, and honestly before the Senate and the country, and I trust that the newspapers which, whether they are inspired to make such statements or not, are constantly representing the minority as purposing to do certain things that they never contemplated doing will refrain from further statements along that line. Day after day it has been stated that the minority was determined to filibuster against the shipping bill, while it was never contemplated that we should do that. All we have claimed was that we ought to have the right to discuss that measure, and all other important measures, thoroughly and at sufficient length to represent to the country our views on the questions involved. That we shall insist on, but beyond that we do not propose to go.

Mr. SMOOT. Mr. President, I merely wish to occupy a moment. I wish to make another correction of a statement that has appeared in the public prints; and it is a correction which I think needs to be made.

I noticed in the speech delivered by the President on July 10, at Detroit, Mich., if the newspaper reports are correct, in referring to the Federal reserve act the President made this statement:

> And the very men who opposed that act, and opposed it conscientiously, now admit that it saved the country from a ruinous panic when the stress of war came on.

Mr. President, that statement has been repeated so many times in Democratic newspapers, on public platforms, and by stump speakers that some of the people of the United States no doubt are beginning to believe it. I do not think that there is a Senator who believes it. I am sure the Secretary of the Treasury does not believe it, and to prove this I call attention to the statement found in the annual report of Secretary McAdoo for the fiscal year 1914 upon this very question. He states in that report:

> The outbreak of the European war precipitated many grave problems. * * * It is a tribute to the economic strength and soundness of the country and to the patriotism of its people in every class and walk of life that the shock has been so admirably withstood. * * * This has been accomplished notwithstanding the fact that the Federal Reserve System authorized by the act of December 23, 1913, was at that time only in process of formation, and was therefore unable to render any service in the situation.

Mr. President, what really did take place and what really prevented the panic was the issue of nearly $400,000,000 of the Aldrich-Vreeland emergency currency. I think the time has come when statements such as made by the President, if it be true that he made it, ought to be corrected, and to hereafter cease, for it is not correct. It was months and months, Mr. President, after the Federal reserve act was in operation and its organization was effected that the Aldrich-Vreeland emergency currency was withdrawn from circulation. There is not a Senator who does not know that there were four hundred millions of dollars of this currency put in circulation, and the issuing of this vast sum is what prevented the threatened panic referred to by the President.

The currency issued under the Aldrich-Vreeland Act prevented the panic that would certainly otherwise have come and no doubt would have been the most disastrous in the history of our country.

In that connection, Mr. President, I am loath to take the time of the Senate, and so I ask to include, without reading it, an editorial found in the Philadelphia Inquirer of July 12, as a part of my remarks. It is very brief; it discusses this subject.

The VICE PRESIDENT. Without objection, permission to do so will be granted.

The editorial referred to is as follows:

WHAT PREVENTED A PANIC IN 1914.

In his address before the Detroit Athletic Club on Monday Mr. Wilson remarked that the very men who had most earnestly opposed the enactment of the Federal reserve law now admit that it saved the country from a ruinous panic at the outbreak of the war. It is surprising that the President should reiterate a statement which, although it has been frequently made by Democratic stump speakers and party organs, has absolutely no foundation in fact. As to the merits of the Federal Reserve System as it has been established, there is still a wide divergence of disinterested and intelligent opinion. Its best features were derived from the report made by Chairman Aldrich of the Monetary Commission, a body appointed under a Republican administration whose recommendations were based on an exhaustive investigation of financial conditions both in this country and in Europe. But the plan which a Democratic Congress adopted deviated in some important respects from the Aldrich measure, and the best opinion is that the changes which it embodied were nearly all for the worse.

Thus far the Federal Reserve System is on trial and its practical value can not as yet with any assurance be determined. Experience has already shown that in various important respects it needs amendment and that its operations are effecting an inflation of the currency whose ultimate consequences, should it be permitted to continue, are recognized by expert observers as occasion for serious concern. Yet its importance as a piece of constructive legislation may be acknowledged, and it is natural that the Democrats, who have so little legislation of that character to record, should take great credit to themselves for enacting the Federal reserve law, even though they did derive the fundamental idea of it from a Republican source. They at least proved thereby that they knew a good thing when they saw it, which for them is a very infrequent demonstration.

But whatever may be the value of the Federal reserve banking system, and whatever good may through its instrumentality have been accomplished, it won't do to credit it with having saved the country from a panic at the beginning of the war, and the reason why such a claim is inadmissible is as simple as it is conclusive. The reason is that when the war broke out the Federal reserve banks had not yet begun to do business. It was not until November, 1914, that the new financial system went into operation, and panic was averted by an agency with which neither the Democratic Party nor the Wilson administration had any connection.

What saved the situation in August, 1914, was the Vreeland-Aldrich law, enacted soon after the crisis of 1907, which authorized the issue of national-bank notes on collateral other than United States bonds. The Federal reserve law had nothing whatever to do with it.

Mr. SHAFROTH. Mr. President, I want to say just a few words with relation to this matter. The Federal reserve act was passed in December, 1913, and it is my contention that from that very day the confidence of the people was reestablished in the banks. They anticipated that the act would take effect, that the right to discount paper at the Federal reserve banks would soon exist, and that the right to issue money by the Federal reserve banks upon the paper discounted would also exist. An entirely different feeling began to prevail all over the United States from the day the President put his signature to that bill. It therefore seems to me that the passage of the Federal reserve act did cut an important figure at that time in preventing a panic. It is true that emergency currency was then issued, because, although the members of the Federal Reserve Board had been appointed at the time of the crisis, the Federal reserve banks had not been established. However, Mr. President, from the time that bill was passed an entirely different feeling as to the solvency of the banks and the manner in which they could meet the demands of their depositors began to be apparent in the entire United States. That, it seems to me, had a great deal to do with preventing any panic, because panics, as a general rule, come about by reason of the fear upon the part of depositors that they can not get their money out of the banks.

Mr. McCUMBER. Mr. President, will the Senator tell me, then, if there was such wonderful confidence, why it became necessary to inflate the currency by calling upon the emergency-currency law for nearly $500,000,000?

Mr. SHAFROTH. I will state that there was an extraordinary condition, the most extraordinary that the American people ever faced, incident to the breaking out of the European war; but the fact is that the people were willing to keep their money in the banks; and the records will show that deposits in the various banks increased from the very day the Federal reserve act was passed. Yet, notwithstanding that, the extraordinary war conditions did produce a feeling that there had to be more currency. Suddenly there was no market whatever for many products. The holders of notes secured by such products began to demand payment, and hence more money was needed. The emergency-currency act had been in existence for years, but had never been invoked, or at least there never had been confidence that the Government of the United States would follow it up with such a measure as the Federal reserve act; but the Secretary of the Treasury had advocated practically a similar principle of emergency currency in the Federal reserve act, and urged the issuance of as much money as was needed. It seems to me that that was the reason why the people were willing to keep their funds in the banks, and thereby prevent a panic.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Idaho?

Mr. SHAFROTH. Yes.

Mr. BRANDEGEE. Mr. President, I call for the regular order.

The VICE PRESIDENT. The regular order is demanded. Petitions and memorials are in order.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6057) to amend section 14 of the reclamation extension act, approved August 13, 1914.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H. R. 449) to provide for the appointment of 11 supervising inspectors, Steamboat-Inspection Service, in lieu of 10; asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. ALEXANDER, Mr. BURKE, and Mr. GREENE of Massachusetts, managers at the conference on the part of the House.

PETITIONS AND MEMORIALS.

Mr. SHEPPARD presented a petition of the Commercial Club, of Cuero, Tex., praying for an appropriation for the construction of a military highway from the Atlantic to the Pacific coasts, which was referred to the Committee on Military Affairs.

He also presented the memorial of Joel M. Coward, of Lufkin, Tex., remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which was ordered to lie on the table.

Mr. SAULSBURY presented petitions of sundry citizens of Delaware, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. WORKS presented a memorial of the Miners and Homesteaders' Protective League, of Los Angeles, Cal., remonstrating against the passage of the so-called oil-land-leasing bill, which was ordered to lie on the table.

Mr. HOLLIS presented a petition of sundry citizens of Charlestown, N. H., praying for the passage of the so-called Ashbrook widows' pension bill, which was ordered to lie on the table.

Mr. PHELAN presented a petition of the Central Labor Union of San Mateo County, Cal., praying for the enactment of legislation to grant pensions to civil-service employees, which was referred to the Committee on Civil Service and Retrenchment.

He also presented petitions of sundry citizens of California, praying for the enactment of legislation to grant pensions to widows and orphans of veterans of the Spanish-American War, which were ordered to lie on the table.

Mr. CURTIS presented a memorial of the Western States Negro Republican Conference, held at Kansas City, Mo., remonstrating against alleged race discrimination in the Army, which was referred to the Committee on Military Affairs.

Mr. WEEKS presented petitions of sundry citizens of Massachusetts, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of J. Wiley Edmands Camp, Sons of Veterans, of Newtonville, Mass., praying for an increase in armaments, which was ordered to lie on the table.

He also presented a petition of the Massachusetts Congregational Conference, held at Cambridge, Mass., praying for the enactment of legislation to prohibit interstate commerce in the products of child labor, which was ordered to lie on the table.

He also presented a petition of sundry citizens of Springfield, Mass., praying for the enactment of legislation providing for a reclassification of the employees of the Bureau of Animal Industry, which was referred to the Committee on Agriculture and Forestry.

Mr. KERN. I desire to present a letter in the nature of a petition received from the chairman of the legislative department of the General Federation of Women's Clubs. It pertains to the workmen's compensation bill, which is now pending in the Senate, and I will ask that it be read.

There being no objection, the letter was read and referred to the Committee on Education and Labor, as follows:

GENERAL FEDERATION OF WOMEN'S CLUBS, 1914–1916,
Pittsburgh, Pa., July 7, 1916.

Senator JOHN W. KERN,
Washington, D. C.

MY DEAR SIR: It is my duty, as well as my pleasure, to inform you that the General Federation of Women's Clubs in recent biennial session assembled, at which there were present thousands of delegates from all parts of the Union, representing an organization of more than 2,000,000 women, passed a resolution favoring the passage of the Kern-McGillicuddy bill (S. 5975) which provides for a much wider application of compensation to employees of the United States Government than is possible under the existing workmen's compensation law.

After a careful study of the proposed bill and a comparison with similar acts now in force in 32 of our States and two Territories, we believe that this is a wise and equitable measure and should be passed.

In advocating this law I desire to say that the General Federation of Women's Clubs urges the passage of but few bills, and then only after the most careful consideration.

We hope you will use your best endeavors to secure the passage of this measure at an early date.

Very respectfully, yours,

LUCY DORSEY IAMS,
Chairman Department Legislation.

REPORTS OF COMMITTEES.

Mr. HARDING, from the Committee on Claims, to which was referred the bill (H. R. 2052) for the relief of the estate of William D. Allen, reported it without amendment and submitted a report (No. 668) thereon.

Mr. WADSWORTH, from the Committee on Claims, to which was referred the bill (S. 3681) for the relief of the owners of the steamship *Esparta*, reported it with an amendment and submitted a report (No. 667) thereon.

Mr. CHAMBERLAIN, from the Committee on Military Affairs, submitted a report (No. 666), accompanied by a bill (S. 6625) authorizing the Secretary of War to make certain donations of condemned cannon and cannon balls, which bill was read twice by its title.

Mr. OVERMAN, from the Committee on the Judiciary, to which was referred the bill (H. R. 3690) repealing certain sections contained in the urgent deficiency act, approved December 22, 1911, asked to be discharged from its further consideration and that it be referred to the Committee on Military Affairs, which was agreed to.

Mr. SMITH of Maryland. From the Committee on Appropriations I report back with amendments the bill (H. R. 15774) making appropriations to provide for the expenses of the Government of the District of Columbia for the fiscal year ending June 30, 1917, and for other purposes, and I submit a report (No. 669) thereon. I desire to say that I shall endeavor to bring up the bill at the first opportunity.

The VICE PRESIDENT. The bill will be placed on the calendar.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. FLETCHER:

A bill (S. 6626) to fix the rate of pay for compositors and bookbinders in the Government Printing Office; to the Committee on Printing.

A bill (S. 6627) providing for a site and building at Arcadia, Fla.; to the Committee on Public Buildings and Grounds.

A bill (S. 6628) granting a pension to Rebecca A. Beery; to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 6629) to consolidate certain forest lands within the Cache National Forest, Utah; to the Committee on Public Lands.

By Mr. SHEPPARD:

A bill (S. 6630) to prevent usury, provide penalties for its violation, and for other purposes; and

A bill (S. 6631) to amend section 5197, Revised Statutes of the United States, regulating the rate of interest which may be charged by national banking associations, and to raise revenue; to the Committee on Banking and Currency.

By Mr. CHILTON:

A bill (S. 6632) to give the District Court of the United States for the Northern District of West Virginia jurisdiction to determine the joint and several claims of the Kanawha Packet Co. and W. E. Roe against The United States; to the Committee on the Judiciary.

A bill (S. 6633) granting an increase of pension to Oscar N. Greer (with accompanying papers);

A bill (S. 6634) granting an increase of pension to Lucinda A. Perine (with accompanying papers);

A bill (S. 6635) granting an increase of pension to Rebecca J. Free (with accompanying papers); and

A bill (S. 6636) granting an increase of pension to David Wilhelm (with accompanying papers); to the Committee on Pensions.

By Mr. JONES:

(By request.) A bill (S. 6637) for the division of general or special taxes assessed against a parcel or parcels of land in the District of Columbia subdivided; to the Committee on the District of Columbia.

A bill (S. 6638) for the relief of James S. Huntington; to the Committee on Military Affairs.

By Mr. SAULSBURY:

A bill (S. 6639) granting an increase of pension to Charles W. Stigers; to the Committee on Pensions.

By Mr. SHERMAN:

A bill (S. 6640) granting an increase of pension to Henry W. Gash; to the Committee on Pensions.

By Mr. HARDING:

A bill (S. 6641) for the relief of the Ohio Building & Loan Co., of Columbus, Ohio; to the Committee on Claims.

By Mr. TAGGART:

A bill (S. 6642) granting an increase of pension to Asa Bailey (with accompanying papers);

A bill (S. 6643) granting an increase of pension to Jonathan Yarian (with accompanying papers);

A bill (S. 6644) granting an increase of pension to Emma P. Reynolds (with accompanying papers);

A bill (S. 6645) granting an increase of pension to John C. Leonard (with accompanying papers);

A bill (S. 6646) granting an increase of pension to William Henry Fox;

A bill (S. 6647) granting an increase of pension to William W. Fraim (with accompanying papers);

A bill (S. 6648) granting an increase of pension to Joel Williams (with accompanying papers); and

A bill (S. 6649) granting a pension to Mary B. Orner; to the Committee on Pensions.

By Mr. MARTIN of Virginia:

A bill (S. 6650) to provide for preserving the list of the Commissary General of prisoners of war, or record of deaths of prisoners of war, 1861 to 1865, in the office of The Adjutant General, United States Army, Washington, D. C., and printing the same as a public document (with accompanying papers); to the Committee on Military Affairs.

By Mr. CURTIS:

A bill (S. 6651) granting an increase of pension to Johiel Bowers (with accompanying papers); and

A bill (S. 6652) granting an increase of pension to Evaline Washington (with accompanying papers); to the Committee on Pensions.

By Mr. WALSH:

A bill (S. 6653) granting a pension to Kathryn C. Sterling (with accompanying papers); to the Committee on Pensions.

By Mr. BRYAN:

A bill (S. 6654) to validate a patent to certain lands heretofore issued to the State of Florida, to allow the said State to claim certain other lands, and for other purposes; to the Committee on Public Lands.

By Mr. THOMAS:

A bill (S. 6655) for the relief of Ella W. Denison, administratrix of the estate of Charles Denison, deceased; to the Committee on Claims.

EMPLOYMENT OF FEDERAL PRISONERS.

Mr. SMITH of Georgia. I send to the desk a proposed joint resolution authorizing the appointment of a special joint commission of the Senate and House of Representatives to investigate the employment of Federal prisoners. I ask that it be referred to the Committee on the Judiciary, and I also ask that it be printed in the RECORD.

The joint resolution (S. J. Res. 151) authorizing the appointment of a special joint commission of the Senate and House of Representatives to investigate the employment of Federal prisoners in industrial occupations for the benefit of the Government of the United States was read the first time by its title and the second time at length, as follows:

Resolved, etc., That a special joint commission to be composed of two Senators and three Representatives, to be appointed by the President of the Senate and the Speaker of the House of Representatives, respectively, is hereby created for the purpose of ascertaining:

1. To what industrial occupations the Federal prisoners of the Government of the United States can be most advantageously employed.

2. To what articles of manufacture now being used or in contemplation of use by the Government such prison labor is best adapted.

3. The extent to which the Government should engage in such industrial activities for the sole use and benefit of the Government.

4. The extent of the competition of such activities on the part of the Government with free labor in the country.

5. The feasibility and justice of compensation to Federal prisoners or their dependents while incarcerated in said prisons out of any profits that may accrue to the Government from such industrial activities.

6. The cost of installing the necessary machinery and the other equipment necessary to carry on such enterprises in said prisons.

That said special joint commission shall make said investigation during the interim of the adjournment of the present session of Congress and the convening of the second session of this Congress, filing its report not later than the second Monday in December next.

For the necessary expenses incident to the investigation aforesaid not to exceed $5,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be expended on vouchers approved by the chairman of the joint commission.

Mr. SMITH of Georgia. In connection with the joint resolution I present a letter from the Attorney General explaining the fact that the present employment will cease in the near future. The letter is very brief, and I ask that it be printed in the RECORD and referred, with the joint resolution, to the Committee on the Judiciary.

The VICE PRESIDENT. Without objection, it is so ordered.

The letter referred to is as follows:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D. C., July 13, 1916.

Hon. HOKE SMITH,
United States Senate.

DEAR SENATOR: The need for some organized plan by which the prison labor at the Atlanta and Leavenworth Penitentiaries may be utilized will confront us in a very few months. The construction of dormitories and other buildings at the penitentiaries will be largely completed within that time, and some 2,500 or 3,000 men heretofore employed on such work will be idle.

I have called this situation to the attention of Congress in my last annual report and have conferred with you and other friends in both Houses in regard to the necessity for as early action by Congress as possible. Bills have been introduced in both Houses intended to meet the situation, but it now appears that they will likely not be passed at the present session.

My department has devoted a large amount of time to a consideration of these problems, has accumulated a great deal of data, and is prepared to furnish Congress with all the details whenever called upon, and I earnestly hope that a joint resolution may be passed which will provide for a small committee of both Houses to consider before Congress meets in December the bills and data in my possession and determine the best methods to be pursued for facilitating the passage of the legislation during the short term.

This problem is one of very greatest importance, and I hope that the committee, if provided for, will be prepared by the time mentioned to approve measures which will make the penitentiaries largely self-supporting. The main purpose at this time is to have a legislative investigation made and the proposed committee ready to submit its matured views by December.

I have written Congressman HOWARD a similar letter, urging this course on him, and am sure he will be glad to cooperate with you in securing the passage of the joint resolution.

Respectfully,

T. W. GREGORY,
Attorney General.

The VICE PRESIDENT. The joint resolution and accompanying paper will be referred to the Committee on the Judiciary.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. CHAMBERLAIN (for Mr. LANE) submitted an amendment authorizing the Secretary of the Navy to secure a suitable site on the Columbia River, Oreg., for the construction of a submarine and torpedo boat base, etc., intended to be proposed by him to the naval appropriation bill (H. R. 15947), which was ordered to lie on the table and be printed.

Mr. JONES submitted an amendment proposing to appropriate $5,838.36 for the payment to Simon M. Preston, of Seattle, Wash., being the amount of defalcation of D. C. Kearns, a deputy collector, etc., intended to be proposed by him to the general deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. SWANSON submitted an amendment providing that hereafter the Chief of Ordnance, Inspector General, Judge Advocate General, Adjutant General, Chief Signal Officer shall have the rank, pay, and allowances of a major general, intended to be proposed by him to the Army appropriation bill (H. R. 16460), which was ordered to lie on the table and be printed.

Mr. NORRIS submitted an amendment providing for a permanent international court of arbitration, intended to be proposed by him to the naval appropriation bill (H. R. 15947), which was ordered to lie on the table and be printed.

THE REVENUE.

Mr. LODGE submitted an amendment intended to be proposed by him to the bill (H. R. 16763) to increase the revenue, and for other purposes, which was referred to the Committee on Finance and ordered to be printed.

WITHDRAWAL OF PAPERS—ELIZA BRACELIN.

On motion of Mr. JONES (for Mr. SMITH of Michigan), it was

Ordered, That the papers accompanying the bill S. 2151, Sixty-first Congress, granting a pension to Eliza Bracelin, be withdrawn from the files of the Senate, no adverse report having been made thereon.

TRADE AGREEMENTS ABROAD.

Mr. BRANDEGEE. Mr. President I have here a copy of Senate Document No. 491, Sixty-fourth Congress, first session, which was ordered printed by the Senate the other day, containing the response of the President to Senate resolution No. 220 in relation to certain alleged foreign-trade agreements. The resolution as it was passed by the Senate simply called for information upon such trade agreements as were made by the so-called allies abroad, the entente powers. I think it will be of equal value for the Senate to have information concerning any other trade agreements executed or contemplated by the other powers of Europe.

I therefore send to the desk a resolution, and ask that it may be read and referred to the Committee on Foreign Relations. I would ask action upon it this morning, but the chairman of the Committee on Foreign Relations is not here, I understand. Therefore I ask that it may be referred to the committee.

The resolution (S. 230) was read, as follows:

Resolved, That the President of the United States be, and hereby is, requested to ascertain and send to the Senate at the earliest practicable moment exact information, so far as may be possible, as to the precise character, form, and full purpose of any agreement, policy, or treaty contemplated, suggested, or made by the so-called Teutonic central powers of Europe in relation to economic policies in international commerce after the war, with a view of disclosing to the Senate whether, and to what extent, neutral nations, and especially the United States, may be affected thereby.

The VICE PRESIDENT. The resolution will be referred to the Committee on Foreign Relations.

WATERS OF THE PLATTE RIVER.

Mr. HITCHCOCK. I submit a resolution, which I ask to have read.

The VICE PRESIDENT. The resolution will be read.

The Secretary read the resolution (S. Res. 229), as follows:

Resolved, That the Secretary of the Interior be directed to inform the Senate to what extent the waters of the Platte River that would naturally be available for irrigating crops at this season of the year in western Nebraska as far east as Kearney have been impounded in the Pathfinder Reservoir, and to what extent farmers in the neighborhood of Kearney are being deprived of the natural supply of water at this time.

The VICE PRESIDENT. Does the Senator ask for the present consideration of the resolution?

Mr. HITCHCOCK. I do.

The VICE PRESIDENT. Is there any objection?

Mr. SMOOT. Mr. President, I did not hear the first part of the resolution. I should like to have it read again.

The Secretary again read the resolution.

The resolution was considered by unanimous consent and agreed to.

Mr. HITCHCOCK. In connection with the resolution, I ask to have printed in the RECORD a telegram received from the secretary of the Commercial Club, of Kearney, Nebr., setting forth the side of the farmers of that neighborhood as to the controversy involved in this investigation.

The VICE PRESIDENT. In the absence of objection, that may be done.

The matter referred to is as follows:

KEARNEY, NEBR., *July 13, 1916.*

G. M. HITCHCOCK,
United States Senate, Washington, D. C.:

Your telegram received. Unfortunately Pathfinder impounded natural flow water as late as July 3. It requires approximately three weeks for water to reach Kearney from Pathfinder. Had natural flow not been obstructed until in July, this section river would naturally have received ample quantity water for present needs for about three weeks longer. Actual amount water passing Bridgeport has been as low as 900 second-feet this month, when inflow Pathfinder exceeded 4,000 second-feet. Balance used by Reclamation Service for interstate and contract canals, with exception small quantity diverted by small ditches. If Pathfinder release natural flow present date those canals that have no storage contracts, then we could not complain, beyond the serious losses already incurred by unlawful impounding water last three weeks. Pathfinder should release sufficient quantity to quickly restore flow in river, and then at least quantity equal to present natural flow for those ditches that have prior rights to Pathfinder. Regarding purchase water, we in lower river can not secure water from Pathfinder by purchase, for reason water purchased is delivered at Nebraska-Wyoming State line and utterly impossible to protect the flow and receive it here. Pathfinder has always refused to sell water to Kearney Ditch because of its first priority, assuming natural flow will always supply it, reserving water for sale to junior ditches.

KEARNEY COMMERCIAL CLUB,
H. B. WATSON, *Secretary.*

THE FIVE CIVILIZED TRIBES.

Mr. ASHURST. Mr. President, I have a letter from Judge Allen, attorney for the Creek Nation, which I should like to have incorporated in the RECORD. It relates to a bill pending in the House of Representatives.

There being no objection, the letter was referred to the Committee on Indian Affairs and ordered to be printed in the RECORD, as follows:

ROOM NO. 209, INDIAN OFFICE,
Washington, D. C., July 6, 1916.

Hon. HENRY F. ASHURST,
Chairman of Committee on Indian Affairs,
United States Senate, Washington, D. C.

MY DEAR SENATOR: Some time ago I delivered to you a brief prepared by me in opposition to what is known as the Hastings bill. As I understand it, this measure is now pending before the House Committee on Indian Affairs and a similar measure has been introduced in the Senate by Senator OWEN and is now before your committee, and I

desire to offer some additional reasons why, in my judgment, your committee should not recommend this measure for passage.

The Hastings bill provides for a transference of the authority now vested by law in the Commissioner of Indian Affairs and the Secretary of the Interior to the Superintendent for the Five Civilized Tribes, in so far as that authority relates to the allotted lands and the individual moneys of the enrolled members of those tribes. It is limited, necessarily, in its operation to restricted Indians—citizens by blood.

I question seriously the merit of the change in system involved in this proposed measure. Its chief advantage, as insisted by those favoring it, seems to lie in the expedition which it affords in the administration of the affairs of the individual Indians, and yet I find no widely extended complaint preferred by individual Indians on that account. The complaint is made by those who deal with Indians, rather than by the Indians themselves, by those who negotiate for the purchase of their lands, or some interest in them. The intending purchaser, regardful of his own interest, but forgetful of the interest of the Indian, becomes impatient of delay, and, believing the delay unnecessary and obstructive, anathematizes the law and departmental rules and regulations governing the disposition of restricted Indian lands as the responsible cause.

I do not think that the records of the Superintendent for the Five Civilized Tribes and of the Department of the Interior, more especially those of the immediate past, justify any such visitation of reproachful criticism. It appears by those records that 15 days is the average period of time in which a departmental matter may be transmitted from the office of the superintendent at Muskogee to the department at Washington, acted upon by the department, and returned to the superintendent. This does not constitute an unreasonable delay, as it seems to me, but it is charged that in some instances a longer period of time is, and has been, required for that purpose. Presumably, in those instances matters of greater importance were under consideration, and a correspondingly greater length of time was required for their detemination, or that special reasons other than lack of time existed. However that may be, it may be pertinently inquired: Whose interest is it that is first to be considered? Is it that of the Indian or that of the prospective purchaser? If the Indian is content to wait until the Government shall have had a sufficient opportunity to examine fully into the subject under investigation, with a view to conserving his interest, has the other party to the transaction just and lawful right to complain? Surely no fair-minded man can or will find fault with a Government ruling or regulation containing such a requirement as to time.

Consider the parties to the transaction, their relative positions, and their relative acquaintance with modern business methods.

The citizenship of Oklahoma embraces men from every State in the Union, able, capable men, broadened and strengthened, quickened and awakened by the adventure of opening a new country and the building of a new State. Naturally they are anxious for the development of the resources by which they see themselves so abundantly surrounded, and some of them think that they see in the Indian ownership and possession of restricted lands an obstruction to that development. They resent, therefore, any and all governmental regulations that, in their opinion, retard the growth of the State in wealth and productive capacity. They are honest men, good citizens, conscientious and scrupulous of purpose, but to them Indian problems are new and not immediately understood. They chafe under what they conceive to be useless restraint, and feel that in the Hastings bill they will find a much-sought relief if it becomes a law. It is chiefly this class of our citizens who advocate the passage of the bill.

But the bill has advocates who are not citizens of the State in a strict sense, some of them not citizens in any sense. They come among us with a view to the quick accumulation of wealth and a speedy retirement from the State when their purpose shall have been accomplished. This class has no interest in the permanent welfare of the State and still less in the welfare of the Indians.

Then, there is a class who do not themselves come to the State at all, but seek rather to exploit Indian lands for speculative purposes through hired representatives whom they send here for that purpose. To this class it makes no sort of difference how soon or by what methods they separate the Indians from their lands, so long as they keep within the limits of the law and sufficiently close to its border to avoid punishment.

On the other hand, we have the Indians, owners of the restricted lands, and likewise parties to the transaction. Many of them are educated men, men of forceful character, and of splendid mental attainment. We find in their ranks farmers, doctors, lawyers, bankers, men representative in their respective spheres in business and professional life, and men in high official position in the councils of both State and Nation. These are fully equipped to defend themselves against encroachment, and to cope with members of other races in the business world.

But there are many others, and this number constitutes the majority, who are without education and intricate business experience. They have lived simple lives. Their wants have been simple and so limited in number as to be easily supplied from their tribal lands. They retain their aboriginal language and, to many of them, the English tongue is entirely foreign. Their contact with the civilization of the white race has not been so intimate as to acquaint them with its complex business methods. They are guileless, trusting, confiding. What chance has this unlettered and unlearned native of forest and prairie to assert and maintain his own in a contest for his rights against the superior skill and business judgment of members of the white race? If human nature were perfect, if men acted wholly from disinterested motives, if those dealing with the Indians had always a clear conception of the right and permitted themselves to be governed by it, then no governmental supervision over the affairs of the Indians would seem necessary, but, unfortunately, human nature is imperfect; men, desirous of accumulating wealth, are often prone to selfishness, and a clear understanding between right and wrong is not always present and evident in human transactions. The Indians have ever been regarded as a dependent people. The Supreme Court of the United States has so recognized them As long ago as 1831, Chief Justice Marshall, in the case of the Cherokee Nation v. Georgia (5 Pet., 1, 16), said:

"They (Indian tribes) may, more correctly, perhaps, be denominated domestic dependent nations. They occupy a territory to which we assert title independent of their will, which must take effect in point of possession when their right of possession ceases. Meanwhile, they are a state of pupilage. Their relation to the United States resembles that of a ward to his guardian."

Again, in Choctaw Nation v. United States (119 U. S., 1, 27), Mr. Justice Matthews, speaking for the court, said:

"The recognized relation between the parties to this controversy, therefore, is that between a superior and an inferior, whereby the latter is placed under the care and control of the former, and which, while it authorizes the adoption on the part of the United States of such policy as their own public interest may dictate, recognizes, on the other hand, such an interpretation of their acts and promises as justice and reason demand in all cases where power is exerted by the strong over those to whom they owe care and protection. The parties are not on an equal footing, and that inequality is to be made good by the superior justice which looks only to the substance of the right, without regard to technical rules framed under a system of municipal jurisprudence, formulating the rights and obligations of private persons, equally subject to the same laws."

How did the Indians acquire these lands, so fertile for agriculture, so rich in minerals, now so eagerly sought by members of other races?

In the early part of the last century the ancestors of the Five Civilized Tribes dwelt, with their families, east of the Mississippi River in that part of the United States now comprised in the Carolinas, Florida, Georgia, Alabama, Tennessee, and Mississippi. They adopted many of the customs and habits of their civilized white neighbors and associates, and so in time became known as the Five Civilized Tribes, a name which they retain to this day. In their treaties with the Federal Government Congress denominated them "nations." In the course of time hostile feelings between them and the white settlers developed, and there was consequent friction, more or less serious, due, in a large measure, to the erection of new States and the imposition of State laws and encroachment by the white race upon their lands. Hunting and fishing, as a rule, constituted their chief occupation. They had not then so far progressed in the knowledge of the pursuits of the white man as to enable them successfully to compete with him in those pursuits.

The Government of the United States at that time conceived the idea that the land occupied by the Indians was needed for purposes of new States and use for settlement by an increasingly growing white population, and so there was devised by the Government a comprehensive scheme or plan for their removal to some territory west of the Mississippi River, where they might live separate and apart from white influences and an opportunity be afforded them for peaceful conditions and the pursuit of their own modes of living. Accordingly, the Government entered into a series of treaties with them, by the terms of which they relinquished their title to their ancestral lands east of the Mississippi River in turn for a cession of lands made to them by the Government west of that river. The lands so ceded became known as the Indian Territory, and now constitutes the eastern part of the State of Oklahoma. The Indians removed to these lands and settled on them, understanding and believing that they were to be their very own, forever, homes for themselves, their wives, and their children; understanding and believing, too, that they might there live undisturbed by contact with the white race; might there seek their livelihood in their own primitive ways, and there make and be governed by their own laws. If to-day it should be asked of an Indian his definition of the title so granted to him by the Government, as respects the length of time it was to continue, he will say "as long as grass grows and water flows."

In considering the matter of the title held by the Indians, Judge Amidon, in the case of Shultis v. McDougal (170 Fed., 529, 534), in delivering the opinion of the court, said:

"The tribal lands belonged to the tribe. The legal title stood in the tribe as a political society; but those lands were not held by the tribe as the public lands of the United States are held by the Nation. They constituted the home or seat of the tribe. Every member, by virtue of his membership in the tribe, was entitled to dwell upon and share in the tribal property. It was granted to the tribe by the Federal Government not only as the home of the tribe but as a home for each of the members."

On this land the Indians experienced for many years that peace and quiet which they had sought. They instituted their own government, enacted their own laws, established their own courts, and followed and enjoyed their own customs. They hunted and fished, they cultivated the soil and harvested the products. They built and maintained their homes; they reared their families; they buried their dead. Thus, to them the land became, and was, consecrated ground.

By congressional act the Government of the United States made it inalienable, either by the tribe or by the individual citizen. Supposedly, it was at the same time a perpetual home for the living, and an imperishable mausoleum for the dead, so far as either was within human control.

But what happened? Again the seemingly inexhaustible reproductive resourcefulness of the white race asserted itself, and its issue demanded entrance for purposes of settlement for themselves and their families to these lands thus ceded to the Indians west of the Missis- under similar circumstances, demanded possession of their lands east of the Mississippi River. The Government of the United States, wisely or unwisely, assented, and by treaty provision and congressional act, partitioned their lands among the citizens of the several tribes and, subject to certain conditions, commonly called restrictions, enabled and authorized each individual partitioner to part with his title and possession to his respective share, by bargain and sale of his interest therein. Immediately thereupon the white race set its face and turned its steps in the direction of these lands—to some by description, to others by imagination, the land of milk and honey, the land of silvered promise, the coral strands of India and Afric's golden sands, the land of small financial investment, the least expenditure of physical energy, and fabulous returns of wealth. Nor was the blood of other races wanting. Black, brown, and yellow came, and but few nationalities were unrepresented. The Anglo-Saxon, the Celt, the Teuton, the Greek, the Italian, the Hun, the Chinaman, the Japanese, the Russian, the Frenchman, the Spaniard, the Mexican, the Swede, the Norwegian, the Turk, the Armenian, all joined in the exodus, and even far-away Persia was not without its quota. All these were in search of wealth, quick or slow, according to temperament, or homes wherein they might find support for life and contentment of mind for themselves and theirs.

Were they invited here by the Indians? Not at all. They came for purposes of self aggrandizement. Did the Indians ask them to buy their lands? Not at all. They came in search of Indian lands, their purpose being to reduce such lands to their possession as homes for themselves and their families.

What right, then, have they to object to protective measures and reasonable safeguards, such as have been thrown about the sale of Indian lands by the Federal Government? They extend no favor to the Indian by the purchase of his land. They are not actuated by motives of humanity in acquiring from the Indian his rights to his home. The Federal Government and the Indian have favored them by treaties and legislative enactment, such as to enable them to secure by purchase the lands and homes of the Indians, and this under regulations prescribed by law and the Interior Department.

But seemingly they are not satisfied with this. And why? Because those regulations require what is, in their view of the matter, an unseemly length of time for the consummation of the purchase.

What is the process by which restricted Indian lands may be sold? The Indian applies to a field clerk, directly under the supervision of the superintendent, or he may apply to the superintendent directly, for the removal of restrictions on the sale of his land. The superintendent, through the field clerk, and such other agencies and sources of information as may be at his command, collects all of the data available and required to a proper understanding of the facts and the advisability of granting or denying the application. The data is reduced to writing and summarized. The superintendent considers the facts so secured and summarized, reaches his conclusion thereon, and reports the same to the Commissioner of Indian Affairs, accompanied by the record evidence. In like manner the Commissioner of Indian Affairs passes on the question, and transmits the record, with his findings and conclusions thereon, to the Secretary of the Interior. The Secretary acts on the entire proceeding, and his action is final. The action of the Secretary is then communicated forthwith and directly to the superintendent who, in turn, communicates it to the applicant. And for this purpose, as I am reliably and credibly informed, 15 days usually, generally a period not exceeding 30 days, is required, save in rare instances involving and requiring exceptional examination, and in instances where delay is induced by questions of public policy.

By what right does a prospective purchaser complain of a delay of 15 days, or 30 days, or any other similar length of time? Is he here at the request of the Indian? Is he here by their invitation? Is he here for their financial profit? Is he here for their moral uplift? Is he here for any advantage that may accrue to the Indians by reason of his presence? Is he not here solely for his own individual selfish purposes? Is he not here to profit by the inexperience of the Indians and at the Indians' expense? This is Indian country, and he does not properly belong here, save and except he is here by the courtesy of the Indians, as expressed through their treaties with the Federal Government, and the authority of the Federal Government in the exercise of its jurisdiction over the Indians and their lands. Upon what fact, then, can he justly predicate his objection to a reasonable time for investigation by the Federal Government of his proposed purchase of their lands?

Here is his reason: I want this land; it suits my purpose. It is good agricultural land, or it is good oil and gas land, as the case may be. This Indian wants to sell it to me on terms that are mutually satisfactory. I want the land and he wants the money. Why should the Government of the United States interfere with this deal by the adoption and adherence to law and rules of procedure subversive of our wishes when we are both satisfied? What, indeed?

This question has been asked by thousands of honest, conscientious people, and by a still larger number of people who know and recognize no qualms of conscience. I think it has already been fairly and satisfactorily answered.

The Government can not too safely, too securely, guard and protect the Indians in their ownership and possession of these lands, lands constituting their homes and in most instances their only means of subsistence. The Indian did not and does not ask the white man for his money in exchange for his land. It is the white man who seeks out the Indian and presses the money upon him, often—too often—an inadequate sum and vastly disproportionate to the value of the land. If the Indian conveys the estate, the favor proceeds from him to the white man. The white man confers no marked favor on the Indian by the payment of the purchase price. The Indian receives the money, and, guided by an open-handed sense of generosity and a total want of understanding and appreciation of its value and meaning, dissipates it and soon wakes to a realization that his home and his lands have gone from him and that he has nothing left in their place to represent them.

And should not the Government, with this view, which is the generally accepted and recognized view in eastern Oklahoma, take time to investigate and determine what is best for the Indian? And has the white man just cause for complaint if the Government does take a sufficient time for that purpose?

But it is urged that the Superintendent for the Five Civilized Tribes is competent and capable of hearing, determining, and adjudicating rightly and equitably questions affecting the rights of Indians and of protecting and conserving their interests, and that his presence on the ground and his familiarity with immediate conditions peculiarly fits him for that work; that if these questions are left to him for hearing and determination, speedier results will be obtainable. Admitted, except with certain qualifications, which I shall presently mention, especially in the instance of the present superintendent, as to whose competency and capability, sense of justice, and equity no question is or has been raised by the opponents of this measure.

We have seen how the superintendent collects the evidence, reduces it to writing, summarizes it, draws his conclusion, and reports it to Washington, accompanied by his recommendation and all papers and exhibits relating to the matter, receiving from the Secretary of the Interior an affirmance or disaffirmance or a decision modifying his recommendation within the period of from 15 to 30 days, or a longer period of time proportionate to the importance of the question or in consonance with some matter of public policy. As the law now stands, final action devolves upon the Secretary of the Interior. He sits and acts as a court of review. This is entirely in harmony with our system of government. It is in accord with the method of checks and balances which have been adopted in our legislative and judicial departments. All accounting and bookkeeping are had and kept in conformity with it. It proceeds upon the theory that a possible error by the initial authority will be caught, checked, and corrected by the review power. The Congress of the United States is composed of a Senate and a House of Representatives, and the legislative bodies of the various States are similarly composed, to the end that the one may operate as a check and balance and for corrective purposes upon the other.

Our courts of justice comprise trial courts and courts of appeal. Trial courts of law hear the testimony, instruct the jury, and receive the verdict. Chancery courts both hear the testimony and determine the facts without the intervention of a jury. From both courts provision for an appeal to a reviewing tribunal is provided in the instance of the courts of the United States and most generally in the instance of State courts. If this be true of our judicial tribunals, if the action of the lower court, which collects the testimony and applies the law, is made reviewable by a court of appellate jurisdiction, why should not the recommendation of the Superintendent for the Five Civilized Tribes, who acts primarily as a trial court, be reviewable by the Secretary of the Interior, his superior officer? Cases come before the superintendent which are frequently of as vital importance or as great in point of magnitude of interest as are coming before our Federal or State courts. In fact, the very same questions that arise before the courts often arise first before the superintendent, but it is urged that the superintendent, being at the place and scene of action, may better judge and determine questions coming before him. Perhaps, but the Secretary has, for his guidance and assistance, on review, the full and complete benefit of the judgment and conclusions of the superintendent, in addition to his own calm and dispassionate analysis and examination of the facts. And so it happens that the interest of the Indian profits by the consideration of both tribunals.

It will hardly be contended that the Supreme Court of the United States could better decide an Indian question by holding a session of its court in the eastern part of the State of Oklahoma for the hearing.

And now, again, come the advocates of the Hastings bill and say, "But the review of the findings by the Secretary involve so much time—time shockingly and extravagantly wasted." This is the single, sole, solitary argument in favor of the bill. I lose patience with it. When it is remembered that the Indian is parting, possibly with his home, possibly with his surplus lands, his means of subsistence, possibly with both, posibly with all he owns of real estate, possibly with all he will ever own, is it asking too much that the Federal Government be given 15 days, or 30 days, or 60 days, or even longer to examine the terms and conditions of the sale, for purposes of approval or disapproval, as its superior judgment and wisdom may direct? How many private real estate transactions are completed in so brief a space of time, computing the time from the date of the offer of the property in the open market? Sometimes I feel that there are some members of the white race who are so inconsiderate, so selfish and blinded to all sense of justice, that they do not regard an Indian as having any right which they are bound to respect, and there are, in fact, members of that race whom I have known to act on that theory.

Fifteen days! Thirty days! Forty-five days! Sixty days! Tell me of a member of the white race whose necessities are such that he can not wait that long for an Indian's home. They and their ancestors have already waited something over 300 years for these same Indian homes. A wait of a few days longer, of a few weeks longer, will not hurt them, will not matter now. It will be but a little while, in the nature of things, until the Indians in the eastern part of Oklahoma shall have parted with their lands forever. Even if they are able to retain ownership and possession of their lands in the intervening years, in the face of opportunities afforded the white race by treaties and congressional acts to effect their separation, still the 26th day of April, 1931, the date fixed for the removal of all restrictions, is not far distant in the future.

What I have thus far said applies to the removal of restrictions on the alienation of Indian lands, and this embraces the sale of the lands and the making of oil and gas leases on them.

But it is said that the passage of the Hastings bill will alleviate other conditions attending Indian lands and Indian moneys equally as intolerable and burdensome as restrictions on their sale or their leasing for oil and gas purposes. It is objected that an Indian can not make an agricultural lease on his homestead for a period exceeding one year, or on his surplus for a period exceeding five years, without the approval of the authorities at Washington. Whether or not this objection was well founded in the first instance, whether or not it might now logically be urged in support of the bill, makes no difference. It is of no value at this time, because on the 29th day of January, 1916, a departmental order was made and issued authorizing the Superintendent for the Five Civilized Tribes to approve such leases at his office in Muskogee.

It is further objected that restricted moneys of Indians may not be used for their immediate personal needs or in payment of claims contracted for necessities of life without the approval of the Secretary of the Interior. But this contention likewise must fail. By departmental order, the superintendent may expend restricted Indian funds for the benefit and improvement of the estate of the Indians and in payment of emergency needs without specific authority from the Secretary of the Interior.

If it is found in practice and by experience that the needs of the Indian so require, further authority may, from time to time, be extended to the superintendent as those needs arise and as in the judgment of the Commissioner of Indian Affairs and the Secretary of the Interior may be thought advisable.

It is argued by the friends of this measure that the present superintendent is conscientious, capable, and efficient, and is, therefore, qualified to pass on Indian questions with wisdom and prudence. Granting this to be true, it is beside the question. There is nothing contained in this bill which proposes to perpetuate the tenure of office of the present incumbent; and while I do not assume that it would be true that any superintendent appointed by the Government would lack these qualifications, it is entirely probable that the successor of the present superintendent would not be as familiar with local affairs and conditions as is the case with Mr. Parker Even with the office in charge of a man so eminently qualified as is the present superintendent, it seems to me that to devolve all the powers of the Commissioner of Indian Affairs and the Secretary of the Interior, as contemplated by the bill, on a local officer having his office in the immediate proximity to the place where the questions to be decided have their origin, and there administering those questions, would be a fatal mistake. However much the local officer might seek to avoid the pressure of local influences, he could not escape it. His easy accessibility would necessarily subject him to it.

And I am not assuming that these influences will intentionally have for their purpose the subversion of justice. They may, and usually will, come from men thoroughly and honestly convinced of the righteousness of their cause and the merit of the proposition which they present. But they will be in an easy position, too, to be most insistent. "The constant dripping of the water will wear away the stone." It makes no difference how forceful of character the superintendent may be, how vigilantly and zealously he may seek to safeguard the rights of the Indians, yet such pressure, constantly and vigorously asserted, can not but have some weight and effect. It requires no great stretch of imagination to suppose instances in which third-degree methods might be applied to the superintendent. This is possible, too, at Washington; but it would not be so easy of accomplishment there, nor would the effort so probably be made. Both the distance and the formality attending investigations in Washington would render the exertion of pressure most difficult, if, indeed, it would not altogether preclude it.

I note that the Committee on Indian Affairs of the House of Representatives, in reporting this measure, has provided a right of appeal from any decision of the Superintendent for the Five Civilized Tribes by any party feeling aggrieved.

While I regard this provision as generous, in so far as the rights and interests of those dealing with the Indians are concerned, I am at a loss to understand how the provision will relieve the measure of the

objection that it deprives the Indian of the right to have his matters reviewed by the Secretary of the Interior. Nearly all of these matters are ex parte; that is, the Indian initiates a proceeding by filing with the superintendent an application to remove his restrictions, or for other purposes, and while this is generally done at the instance of the white man, the record does not disclose such interest. It is not reasonable to presume that an Indian thus urging the superintendent to act will, upon action being taken, feel aggrieved and appeal to the Secretary of the Interior. In so far as the Indian is concerned—and I am sure that your committee earnestly desires to protect this interest—I think that the operation of this act would be practically the same with or without the right of appeal.

For the information of your committee I am attaching hereto a photographic copy of a resolution adopted by a mass meeting of Creek Indians, assembled at Okmulgee, the capital of the Creek Nation, on the 14th day of June, 1916, which is, so far as I am advised, the only expression of opinion of any organized body of Indians concerning this proposed legislation.

Very respectfully,

R. C. ALLEN,
Creek National Attorney.

Resolution.

Be it resolved by the citizens of the Creek Nation, duly assembled in mass meeting at the capital of the Creek Nation, at Okmulgee, Okla., That we are opposed to the enactment by Congress of the bill introduced by Congressman HASTINGS to confer upon the Superintendent for the Five Civilized Tribes in Oklahoma the authority now conferred by law upon the Commissioner of Indian Affairs and the Secretary of the Interior respecting lands allotted to the enrolled members of the Five Civilized Tribes and their individual moneys, and do protest against the passage and enactment of said bill for the reason that we believe that it would be against the best interests of the citizens of the Creek Nation and to be in the interest of the land speculator and those who are seeking to obtain the lands of full-blood Indians: Be it further

Resolved, That a copy of this resolution be sent to each Senator and Congressman, and also a copy be sent to the Commissioner of Indian Affairs and the Secretary of the Interior.

Dated at Okmulgee, Okla., this 14th day of June, 1916.

LEWIS MCGILBRA,
Chairman of meeting.
GEO. W. STIDHAM,
Secretary of meeting.

ADDRESS BY HON. WILLIAM G. M'ADOO (S. DOC. NO. 498).

Mr. FLETCHER. Mr. President, I ask unanimous consent to have printed as a public document an address delivered by Hon. William G. McAdoo, Secretary of the Treasury, before the National Education Association at Madison Square Garden, New York, July 6, on the subject of "Some international aspects of public education."

The VICE PRESIDENT. Is there objection to the request of the Senator from Florida?

Mr. GALLINGER. Mr. President, I will inquire, is this another addres by the Secretary of the Treasury?

Mr. FLETCHER. It is an address delivered by him before the National Education Association in New York on the subject of "Some international aspects of public education." It has reference more particularly to the South American and Latin-American fields.

Mr. GALLINGER. We have been very liberal in placing in the RECORD and printing pretty nearly every utterance of Mr. McAdoo since he assumed office; and, while I am not going to object to this, I do really think that Mr. McAdoo has exhausted his privileges in that regard.

Mr. FLETCHER. I think, Mr. President, every address by Mr. McAdoo which we have printed has been certainly meritorious and of great value, and I think this address, bearing on our relations with our Latin American neighbors, is important.

The VICE PRESIDENT. The Chair understands the Senator asks to have it printed as a public document and not in the RECORD?

Mr. FLETCHER. That is correct; as a public document.

The VICE PRESIDENT. Without objection, it is so ordered.

TAX ON COPPER.

Mr. SMOOT. I have a telegram in the form of a petition from Hon. R. C. Gemmell, of Salt Lake City, Utah, and in answer to a telegram which I sent to him yesterday, advising the copper people that the Committee on Finance had decided to hold no hearings upon the revenue bill. I ask, Mr. President, that the telegram be read.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read the telegram, as follows:

SALT LAKE CITY, UTAH, *July 13, 1916.*

Hon. REED SMOOT,
United States Senate, Washington, D. C.:

Your telegram of July 12 to Mr. Richmond has been referred to me. It is impossible for us to present statistics on such short notice, as the compilation of them would take weeks and probably months. This revenue measure provides for a drastic tax on the output of copper, which means that for the first time in the history of this country an output tax would be imposed. I presume that this tax is predicated upon the principle that it touches a few and will not be complained of by the many. But this is a principle contrary to every conception of right and justice, and one which would lead to reckless dissipation of public funds. In times of national distress all should be willing to make sacrifices, but to single out an industry in times of profound peace and make it bear an extraordinary and unusual burden is contrary to sound economical principles and repugnant to the spirit and purposes of our institutions. It may be said that the copper business has enjoyed extraordinary prosperity as a result of the war in Europe, and therefore that it is legitimate prey. But what of wheat and cotton and the output of the steel mills? Almost everything consumed in this country has been benefited in price by the war in Europe. Systems of taxation should not be based on temporary conditions but upon broad and universal principles, and the basis of all taxations should be a just and equitable distribution of the burdens of Government among those benefited. Why should this particular industry be singled out and made to bear an extraordinary and unjust burden of taxation? It may be because the States in which it flourishes are comparatively small and of minor political importance and because their voices are considered to be weak in the councils of the Nation. This proposition should be defeated because it is class legislation. It only affects to any considerable extent 7 States out of the 48 in the Union, namely, Arizona, California, Michigan, Montana, Nevada, New Mexico, and Utah. It would be unjust to burden these States with this special tax, as taxes should be general and not specific. Copper prices for the 10 years prior to 1915 averaged 13¼ cents per pound, while the average cost of producing copper is close to 11 cents per pound. The difference should not be considered entirely as profit, for the reason that mining dividends or profits represent a portion of the capital invested and stockholders know that they are getting back a part of their capital. When receiving dividends at the beginning of the war and for six months subsequent thereto, the copper companies were operating on a 50 per cent basis. The metal was selling at from 11 to 12 cents per pound, and many of the companies were losing instead of making money in an effort to keep their plants going and their men employed. This tax would seriously retard the electrification of railroads. It would affect every telephone, telegraph, and electric light company, and in ordinary times would put many copper companies operating on a close margin out of business, due to the increased price of copper. Wages have been advanced three times, so that employees have participated in the prosperity of the copper companies since the war began. Materials and supplies used by mining companies have advanced from 25 to 300 per cent, and this also has cut into the profits of the copper companies. Many mines heretofore idle are now producing because of the prevailing high prices of the metal, and when the price of copper decreases, as it surely will before long, to something approaching normal prices, these mines will have difficulty in operating at a profit and should not have a special and unjust burden imposed upon them. Nay, millions of dollars have been invested in the copper-mining business, and it must be remembered that in the cases of sole properties millions have been so invested without any return as yet to the investors. The prosperity of the seven States mentioned and the welfare of the inhabitants of those States would be disastrously affected if this unjust measure becomes a law. A great industry of the West that is temporarily prosperous has been attacked, and every possible effort should be made to defeat this proposed tax.

R. C. GEMMELL.

REPORTS ON TRANSPORTATION (S. DOC. NO. 497).

Mr. SIMMONS. Mr. President, I ask to have printed as a public document a summary of the reports on transportation made by the delegates to the First Pan American Financial Conference to the Secretary of the Treasury. It is a very valuable document, and discusses certain questions that will be very pertinent to legislation soon to come before the Senate.

The VICE PRESIDENT. Without objection, it is so ordered.

IMMIGRATION.

Mr. SMITH of South Carolina. I desire to give notice that immediately upon the conclusion of the consideration of the naval appropriation bill I shall move that the Senate proceed to the consideration of House bill 10384, known as the immigration bill. This bill should have been considered, and whatever action the Senate desired to take upon it should have been taken before this time, but, on account of certain complications with reference to several of the amendments, it was impossible earlier than this to get an opportunity to call it up.

AMENDMENT OF THE RULES.

Mr. JONES. I desire to present and have read a notice of an amendment intended to be proposed to the rules of the Senate.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

I hereby give notice of my intention to propose the following amendment to paragraph 3 of Rule XVI of the Standing Rules of the Senate, namely:

"Be it resolved by the Senate, That paragraph 3 of Rule XVI of the Standing Rules of the Senate be amended by inserting, after the words 'general legislation,' in line 1 of said paragraph, the words 'excepting legislation affecting the liquor traffic, which shall be in order at any time.'"

STEAMBOAT-INSPECTION SERVICE.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 449) to provide for the appointment of 11 supervising inspectors, Steamboat-Inspection Service, in lieu of 10, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. CHAMBERLAIN. I move that the Senate insist upon its amendments, and agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to, and the Vice President appointed Mr. CHAMBERLAIN, Mr. FLETCHER, and Mr. NELSON conferees on the part of the Senate.

The VICE PRESIDENT. Morning business is closed.

AMENDMENT OF THE FEDERAL RESERVE ACT.

Mr. OWEN. I move that the Senate proceed to the consideration of the bill (H. R. 13391) to amend the act approved December 23, 1913, known as the Federal reserve act, by adding a new section.

Mr. SMOOT. Mr. President, I wish to say to the Senator that the junior Senator from Massachusetts [Mr. WEEKS], a member of the committee, can not reach the Chamber until about 10 minutes after 11. He wishes to be present when this bill is considered. I sent word to his office just 15 minutes ago, when I learned that the Senator from Oklahoma was going to make the motion. The office sent word to me that they will notify the Senator and that he will be here by 10 minutes past 11.

Mr. OWEN. By the time the bill is read, I take it that the Senator from Massachusetts will have reached the Chamber. He is familiar with the bill, and I think I am familiar with the point he wishes to raise; and I think that what he wishes will be readily acquiesced in. It relates to the question of branch banks in States which forbid the exercise of that right by State banks. On behalf of the committee, I will accept an amendment proposed by the Senator from Connecticut [Mr. MCLEAN], which will cover that point.

Mr. GALLINGER. Mr. President, does the Senator from Oklahoma intend to discuss the bill to any extent?

Mr. OWEN. No; only to explain it. There is nothing complicated about it at all. It will not take more than an hour to pass it.

Mr. SMOOT. I will say to the Senator that if the Senator from Massachusetts is not here——

Mr. OWEN. I shall then ask a postponement until he is present.

Mr. SMOOT. With that understanding, I have no objection to taking up the bill, although I thought that this morning we would take up the calendar and consider bills to which there was no objection.

Mr. OWEN. This bill passed the House in March, and it has been waiting here for quite a while. It bears on our financial relations with South America in quite an important way.

Mr. SMOOT. We have a good many bills on the calendar that passed the House even before that time.

The VICE PRESIDENT. The question is on the motion of the Senator from Oklahoma.

Mr. TILLMAN. Mr. President——

Mr. OWEN. I yield to the Senator from South Carolina.

Mr. TILLMAN. With the consent of the Senator from Oklahoma, I should like to have unanimous consent to consider three bills, two of them from the House and one a Senate bill. There will be no objection to any of them.

Mr. GALLINGER. Oh, that can not be done.

Mr. OWEN. I regret that I can not yield for that purpose.

The VICE PRESIDENT. The sole question now, according to the rules of the Senate, is to put the motion of the Senator from Oklahoma, without discussion. The Senator from Oklahoma moves that the Senate proceed to the consideration of House bill 13391.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 13391) to amend the act approved December 23, 1913, known as the Federal Reserve Act, by adding a new section.

The bill had been reported from the Committee on Banking and Currency, with an amendment, to strike out all after the enacting clause and insert:

That section 13 of the act approved December 23, 1913, known as the Federal Reserve Act, be amended to read as follows:

"Any Federal reserve bank may receive from any of its member banks and from the United States deposits of current funds in lawful money, national-bank notes, Federal-reserve notes, or checks and drafts, payable upon presentation, and also, for collection, maturing bills; or solely for purposes of exchange or of collection may receive from other Federal reserve banks deposits of current funds in lawful money, national-bank notes, or checks upon other Federal reserve banks, and checks and drafts, payable upon presentation within its district, and maturing bills payable within its district.

"Upon the indorsement of any of its member banks, with a waiver of demand, notice, and protest by such bank, any Federal reserve bank may discount notes, drafts, and bills of exchange arising out of actual commercial transactions—that is, notes, drafts, and bills of exchange issued or drawn for agricultural, industrial, or commercial purposes, or the proceeds of which have been used, or are to be used, for such purposes—the Federal Reserve Board to have the right to determine or define the character of the paper thus eligible for discount, within the meaning of this act. Nothing in this act contained shall be construed to prohibit such notes, drafts, and bills of exchange, secured by staple agricultural products or other goods, wares, or merchandise from being eligible for such discount; but such definition shall not include notes, drafts, or bills covering merely investments or issued or drawn for the purpose of carrying or trading in stocks, bonds, or other investment securities, except bonds and notes of the Government of the United States. Notes, drafts, and bills admitted to discount under the terms of this paragraph must have a maturity at the time of discount of not more than 90 days, exclusive of days of grace.

"*Provided*, That notes, drafts, and bills drawn or issued for agricultural purposes or based on live stock and having a maturity not exceeding six months, exclusive of days of grace, may be discounted in an amount to be limited to a percentage of the assets of the Federal reserve bank, to be ascertained and fixed by the Federal Reserve Board.

"The aggregate of such notes, drafts, and bills bearing the signature or indorsement of any one borrower, whether a person, company, firm, or corporation, rediscounted for any one bank shall at no time exceed 10 per cent of the unimpaired capital and surplus of said bank; but this restriction shall not apply to the discount of bills of exchange drawn in good faith against actually existing values.

"Any Federal reserve bank may discount acceptances of the kinds hereinafter described, which have a maturity at the time of discount of not more than three months' sight, exclusive of days of grace, and which are indorsed by at least one member bank.

"Any member bank may accept drafts or bills of exchange drawn upon it having not more than six months' sight to run, exclusive of days of grace, which grow out of transactions involving the importation or exportation of goods; or which grow out of transactions involving the domestic shipment of goods provided shipping documents conveying or securing title are attached at the time of acceptance; or which are secured at the time of acceptance by a warehouse receipt or other such document conveying or securing title covering readily marketable staples. No member bank shall accept, whether in a foreign or domestic transaction, for any one person, company, firm, or corporation to an amount equal at any time in the aggregate to more than 10 per cent of its paid-up and unimpaired capital stock and surplus unless the bank is secured either by attached documents or by some other actual security growing out of the same transaction as the acceptance, and no bank shall accept such bills to an amount equal at any time in the aggregate to more than one-half of its paid-up and unimpaired capital stock and surplus, except by authority of the Federal Reserve Board, under such general regulations as said board may prescribe, but not to exceed the capital stock and surplus of such bank; and such regulations shall apply to all banks alike regardless of the amount of capital stock and surplus.

"Any Federal reserve bank may make advances to its member banks on their promissory notes for a period not exceeding 15 days at rates to be established by such Federal reserve banks, subject to the review and determination of the Federal Reserve Board, provided such promissory notes are secured by such notes, drafts, bills of exchange, or bankers' acceptances as are eligible for rediscount or for purchase by Federal reserve banks under the provisions of this act, or by the deposit or pledge of bonds or notes of the United States.

"Section 5202 of the Revised Statutes of the United States is hereby amended so as to read as follows: No national banking association shall at any time be indebted, or in any way liable, to an amount exceeding the amount of its capital stock at such time actually paid in and remaining undiminished by losses or otherwise, except on account of demands of the nature following:

"First. Notes of circulation.

"Second. Moneys deposited with or collected by the association.

"Third. Bills of exchange or drafts drawn against money actually on deposit to the credit of the association or due thereto.

"Fourth. Liabilities to the stockholders of the association for dividends and reserve profits.

"Fifth. Liabilities incurred under the provisions of the Federal reserve act.

"The discount and rediscount and the purchase and sale by any Federal reserve bank of any bills receivable and of domestic and foreign bills of exchange, and of acceptances authorized by this act shall be subject to such restrictions, limitations, and regulations as may be imposed by the Federal Reserve Board."

Any member bank may accept drafts or bills of exchange drawn upon it having not more than three months' sight to run, exclusive of days of grace, drawn under regulations to be prescribed by the Federal Reserve Board by banks or bankers in foreign countries or dependencies or insular possessions of the United States for the purpose of furnishing dollar exchange as required by the usages of trade in the respective countries, dependencies, or insular possessions. And such drafts or bills may be acquired by Federal reserve banks in such amounts and subject to such regulations, restrictions, and limitations as may be prescribed by the Federal Reserve Board: *Provided, however*, That no member bank shall accept such drafts or bills of exchange referred to in this paragraph for any one bank to an amount exceeding in the aggregate 10 per cent of the paid-up and unimpaired capital and surplus of the accepting bank unless the draft or bill of exchange is accompanied by documents conveying or securing title or by some other adequate security: *Provided further*, That no member bank shall accept such drafts or bills in an amount exceeding at any time the aggregate of one-half of its paid-up and unimpaired capital and surplus except by authority of the Federal Reserve Board, but in no contingency to exceed the unimpaired capital and surplus of such accepting bank.

"That section 16, paragraphs 2, 3, 4, 5, 6, and 7 of the act approved December 23, 1913, known as the Federal reserve act, be amended and reenacted so as to read as follows:

"Any Federal reserve bank may make application to the local Federal reserve agent for such amount of the Federal reserve notes hereinbefore provided for as it may require. Such application shall be accompanied with a tender to the local Federal reserve agent of collateral in amount equal to the sum of the Federal reserve notes thus applied for and issued pursuant to such application. The collateral security thus offered shall be notes, drafts, bills of exchange, or acceptances rediscounted under the provisions of section 13 of this act, or bills of exchange indorsed by a member bank of any Federal reserve district and purchased under the provisions of section 14 of this act, or bankers' acceptances purchased under the provisions of said section 14, or gold or gold certificates. The Federal reserve agent shall each day notify the Federal Reserve Board of all issues and withdrawals of Federal reserve notes to and by the Federal reserve bank to which he is accredited. The said Federal Reserve Board may at any time call upon a Federal reserve bank for additional security to protect the Federal reserve notes issued to it.

"Every Federal reserve bank shall maintain reserves in gold or lawful money of not less than 35 per cent against its deposits and reserves in gold of not less than 40 per cent against its Federal reserve notes in actual circulation: *Provided, however*, That when the Federal reserve agent holds gold or gold certificates as collateral for Federal reserve notes issued to the bank, such gold or gold certificates shall be counted as part of the gold reserve which such bank is required to maintain against its Federal reserve notes in actual circulation. Notes so paid out shall bear upon their faces a distinctive letter and serial number, which shall be assigned by the Federal Reserve Board to each Federal reserve bank. Whenever Federal reserve notes issued through one Federal reserve bank shall be received by another Federal reserve bank

they shall be promptly returned for credit or redemption to the Federal reserve bank through which they were originally issued, or, upon direction of such Federal reserve bank, they shall be forwarded direct to the Treasurer of the United States to be retired. No Federal reserve bank shall pay out notes issued through another under penalty of a tax of 10 per cent upon the face value of notes so paid out. Notes presented for redemption at the Treasury of the United States shall be paid out of the redemption fund and returned to the Federal reserve banks through which they were originally issued, and thereupon such Federal reserve bank shall, upon demand of the Secretary of the Treasury, reimburse such redemption fund in lawful money, or, if such Federal reserve notes have been redeemed by the Treasurer in gold or gold certificates, then such funds shall be reimbursed to the extent deemed necessary by the Secretary of the Treasury in gold or gold certificates and such Federal reserve bank shall, so long as any of its Federal reserve notes remain outstanding, maintain with the Treasurer in gold an amount sufficient in the judgment of the Secretary to provide for all redemptions to be made by the Treasurer. Federal reserve notes received by the Treasurer, otherwise than for redemption, may be exchanged for gold out of the redemption fund hereinafter provided and returned to the reserve bank through which they were originally issued, or they may be returned to such bank for the credit of the United States. Federal reserve notes unfit for circulation shall be returned by the Federal reserve agents to the Comptroller of the Currency for cancellation and destruction.

"The Federal Reserve Board shall require each Federal reserve bank to maintain on deposit in the Treasury of the United States a sum in gold sufficient, in the judgment of the Secretary of the Treasury, for the redemption of the Federal reserve notes issued to such bank, but in no event less than 5 per cent of the total amount of notes issued less the amount of gold or gold certificates held by the Federal reserve agent as collateral security; but such deposit of gold shall be counted and included as part of the 40 per cent reserve hereinbefore required and shall be counted and considered as if collateral security deposited with the Federal reserve agent. The board shall have the right, acting through the Federal reserve agent, to grant, in whole or in part or to reject entirely, the application of any Federal reserve bank for Federal reserve notes; but to the extent that such application may be granted the Federal Reserve Board shall, through its local Federal reserve agent, supply Federal reserve notes to the bank so applying, and such bank shall be charged with the amount of such notes issued to it and shall pay such rate of interest as may be established by the Federal Reserve Board on only that amount of such notes which equals the total amount of its outstanding Federal reserve notes less the amount of gold or gold certificates held by the Federal reserve agent as collateral security. Federal reserve notes issued to any such bank shall, upon delivery, together with such notes of such Federal reserve bank as may be issued under section 18 of this act upon security of United States 2 per cent Government bonds, become a first and paramount lien on all the assets of such bank.

"Any Federal reserve bank may at any time reduce its liability for outstanding Federal reserve notes by depositing with the Federal reserve agent its Federal reserve notes, gold, gold certificates, or lawful money of the United States. Federal reserve notes so deposited shall not be reissued, except upon compliance with the conditions of an original issue.

"The Federal reserve agent shall hold such gold, gold certificates, or lawful money available exclusively for exchange for the outstanding Federal reserve notes when offered by the reserve bank of which he is a director.

"Upon the request of the Secretary of the Treasury the Federal Reserve Board shall require the Federal reserve agent to transmit to the Treasurer of the United States so much of the gold held by him as collateral security for Federal reserve notes as may be required for the exclusive purpose of the redemption of Federal reserve notes.

"Any Federal reserve bank may at its discretion withdraw collateral deposited with the local Federal reserve agent for the protection of its Federal reserve notes issued to it, and shall at the same time substitute therefor other collateral of equal amount with the approval of the Federal reserve agent under regulations to be prescribed by the Federal Reserve Board."

That section 24 of the act approved December 23, 1913, known as the Federal reserve act, be amended to read as follows:

LOANS ON FARM LANDS AND OTHER REAL ESTATE.

"Any national banking association not situated in a central reserve city may make loans secured by improved and unencumbered farm land situated within its Federal reserve district or within a radius of 100 miles of the place in which such bank is located, irrespective of district lines, and may also make loans secured by improved and unencumbered real estate located within 100 miles of the place in which such bank is located, irrespective of district lines; but no loan made upon the security of such farm land shall be made for a longer time than five years, and no loan made upon the security of such real estate as distinguished from farm land shall be made for a longer time than one year nor shall the amount of any such loan, whether upon such farm land or upon such real estate, exceed 50 per cent of the actual value of the property offered as security. Any such bank may make such loans, whether secured by such farm land or such real estate, in an aggregate sum equal to 25 per cent of its capital and surplus or to one-third of its time deposits and such banks may continue hereafter as heretofore to receive time deposits and to pay interest on the same.

"The Federal Reserve Board shall have power from time to time to add to the list of cities in which national banks shall not be permitted to make loans secured upon real estate in the manner described in this section."

That section 25 of the act approved December 23, 1913, known as the Federal reserve act, be amended to read as follows:

"SEC. 25. Any national banking association possessing a capital and surplus of $1,000,000 or more may file application with the Federal Reserve Board for permission to exercise, upon such conditions and under such regulations as may be prescribed by the said board, either or both of the following powers:

"First. To establish branches in foreign countries or dependencies or insular possessions of the United States for the furtherance of the foreign commerce of the United States, and to act if required to do so as fiscal agents of the United States.

"Second. To invest an amount not exceeding in the aggregate 10 per cent of its paid-in capital stock and surplus in the stock of one or more banks or corporations chartered or incorporated under the laws of the United States or of any State thereof, and principally engaged in international or foreign banking, or banking in a dependency or insular possession of the United States either directly or through the agency, ownership or control of local institutions in foreign countries, or in such dependencies or insular possessions.

"Such application shall specify the name and capital of the banking association filing it, the powers applied for, and the place or places where the banking operations proposed are to be carried on. The Federal Reserve Board shall have power to approve or to reject such application in whole or in part if for any reason the granting of such application is deemed inexpedient, and shall also have power from time to time to increase or decrease the number of places where such banking operations may be carried on.

"Every national banking association operating foreign branches shall be required to furnish information concerning the condition of such branches to the Comptroller of the Currency upon demand, and every member bank investing in the capital stock of banks or corporations described under subparagraph two of the first paragraph of this section shall be required to furnish information concerning the condition of such banks or corporations to the Federal Reserve Board upon demand, and the Federal Reserve Board may order special examinations of the said branches, banks, or corporations at such time or times as it may deem best.

"Before any national bank shall be permitted to purchase stock in any such corporation the said corporation shall enter into an agreement or undertaking with the Federal Reserve Board to restrict its operations or conduct its business in such manner or under such limitations and restrictions as the said board may prescribe for the place or places wherein such business is to be conducted. If at any time the Federal Reserve Board shall ascertain that the regulations prescribed by it are not being complied with, said board shall be authorized and shall have power to institute an investigation of the matter and to send for persons and papers, subpœna witnesses, and administer oaths in order to satisfy itself as to the actual nature of the transactions referred to. Should such investigation result in establishing the failure of the corporation in question, or of the national bank or bank which may be stockholders therein, to comply with the regulations laid down by the said Federal Reserve Board, such national banks may be required to dispose of stock holdings in the said corporation upon reasonable notice.

"Every such national banking association shall conduct the accounts of each foreign branch independently of the accounts of other foreign branches established by it and of its home office, and shall at the end of each fiscal period transfer to its general ledger the profit or loss accruing at each branch as a separate item.

"Any director or other officer, agent, or employee of any member bank may, with the approval of the Federal Reserve Board, be a director or other officer, agent, or employee of any such bank or corporation above mentioned in the capital stock of which such member bank shall have invested as hereinbefore provided, without being subject to the provisions of section 8 of the act approved October 15, 1914, entitled 'An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes.'"

That the act approved December 23, 1913, known as the Federal reserve act, be amended by adding a new section, as follows:

DOMESTIC BRANCHES.

"SEC. 25a. That any national banking association located in a city or incorporated town or village of more than 100,000 inhabitants and possessing a capital and surplus of $1,000,000 or more may, under such rules and regulations as the Federal Reserve Board may prescribe, establish branches, not to exceed 10 in number, within the corporate limits of the city, town, or village in which it is located.

"Any national banking association located in any other place may, with the approval of the Federal Reserve Board and under such rules and regulations as such board may prescribe, establish branches, not to exceed 10 in number, within the limits of the county in which it is located or within a radius of 25 miles of the place in which such bank is situated, irrespective of county lines: *Provided*, That no such branch shall be established outside of its State or of its Federal reserve district, nor shall such branch be established unless the capital of the parent bank is at least equal to the aggregate of the amounts which would be required of each branch under the provisions of section 5138, Revised Statutes, if it were organized as an independent association, together with the amount required of the parent bank itself by that section."

Mr. VARDAMAN. Mr. President, I should like to ask the Senator from Oklahoma a question with reference to the paragraph beginning on line 21, page 18:

Any national banking association located in any other place may—

And so forth. The amount of the capital stock of the bank does not control in the establishment of these branch banks? It is not necessary that they should have any definite amount but just enough to be a member of the association?

Mr. OWEN. The general statute in regard to the national banks requires a certain amount of capital. The general requirement of the statute fixes that.

Mr. VARDAMAN. Any member of the association may establish these branch banks?

Mr. OWEN. Yes. It is the purpose to modify that so as to exclude those States which forbid State banks to have branches.

Mr. VARDAMAN. I notice that where they are established in towns, villages, and cities it requires a capital stock of $1,000,000, but in the country they are not required to have any fixed amount of capital stock, just so they are members of the association. Is that true?

Mr. OWEN. Yes; that is true.

Mr. President, I wish to have put in the RECORD the various reports received from the Federal Reserve Board with regard to these suggested amendments. The amendments are best understood by taking the report of the committee, Report No. 481, in which the language of the existing statute is printed in ordinary type, the proposed amendments are printed in italics, and the words proposed to be stricken out are printed with a

line drawn through them. In that way any member of the Senate can immediately see what the changes proposed are.

If it be the desire of the Senate to hear the reports of the Federal Reserve Board read with regard to this measure, and the letter of the Comptroller of the Currency of June 8, 1916, I should be glad to have that done for the information of the Senate. Otherwise I shall ask simply that they be printed in the RECORD without reading, as the reports of the Federal Reserve Board have already been printed in the committee report for the use of the Senate.

The matter referred to is as follows:

FEDERAL RESERVE BOARD,
Washington, June 10, 1916.

Hon. ROBERT L. OWEN,
United States Senate.

DEAR SENATOR OWEN: I inclose a copy of a letter dated June 6, 1916, from Mr. Frederic H. Curtiss, Federal reserve agent of the Federal reserve bank of Boston, in which it is suggested that the amendment reported favorably by your committee, which authorizes national banks under certain specified conditions to establish domestic branches, be altered so as to provide that "any member bank" be afforded that privilege.

It is, of course, true that the Federal legislature can not of itself extend the corporate powers of a State corporation, but in view of the fact that certain States have passed special enabling acts to permit State banks and trust companies to become member banks and to exercise the privileges of member banks as defined in the Federal reserve act the suggestion contained in Mr. Curtiss's letter is most reasonable.

The Massachusetts law provides that every trust company which becomes a member bank "may have and exercise any and all of the corporate powers and privileges which may be exercised by member banks under the provisions * * *" of the Federal reserve act.

If the proposed change is made in the amendment relating to domestic branches, Massachusetts trust companies which have become members of the Federal Reserve System would, by virtue of this provision of the Massachusetts law, be entitled to establish branches under the conditions set forth in that amendment. This is also true of several other States which have passed similar laws. It may be mentioned in this connection that to modify the amendment so as to refer to member banks instead of solely to national banks might prove a great inducement to certain State banks to enter the Federal Reserve System.

The Federal Reserve Board, after carefully considering the entire matter, has directed me to write you that it is in favor of such an amendment, and I am inclosing herewith for your information a redraft of that amendment. The only changes are a substitution of the word "member bank" for the words "national banking association," in the first lines of both paragraphs of the amendment, and also slight changes in the wording of the proviso of the second paragraph which become necessary because of such substitutions.

Very respectfully, yours, C. S. HAMLIN, *Governor.*

FEDERAL RESERVE BANK OF BOSTON,
June 6, 1916.

Hon. CHARLES S. HAMLIN,
Governor, Federal Reserve Board, Washington, D. C.

DEAR MR. HAMLIN: The Old Colony Trust Co., a member of the Federal Reserve Bank of Boston, has called my attention to a bill now pending in Congress authorizing national banking associations, under certain conditions, to establish domestic branches.

Under chapter 537 of the Massachusetts acts of 1914, it is provided that every trust company "may have and exercise any and all of the corporate powers and privileges which may be exercised by member banks under the provisions, etc.," of the Federal reserve act.

It is pointed out that the proposed amendment to the Federal reserve act with reference to domestic branches, in that it specifically refers to national banking associations, would not permit the Old Colony Trust Co., for example, to establish branches in Massachusetts in accordance with this amendment.

A change therefore has been suggested to the effect that Congress authorize not only national banking associations but all member banks to establish such domestic branches where it would be consistent with State law. I understand that this matter has already been taken up by the Old Colony with Mr. Joseph Cotton in New York.

While I, of course, knew that the Federal Reserve Board intended to present to Congress a bill authorizing member banks to establish domestic branches, until my attention was called to it in the Commercial and Financial Chronicle of June 3, 1916, I had not seen the specific form in which this amendment was to be presented.

As these amendments affect the banking interests of each district, might it not be advisable to have copies of such bills sent to each of the Federal reserve banks in order that they may keep in touch with the proposed legislation affecting them?

Yours, very respectfully,

(Signed) FREDERIC H. CURTISS,
Federal Reserve Agent.

DOMESTIC BRANCHES.

SEC. 25a. That any member bank located in a city or incorporated town or village of more than 100,000 inhabitants and possessing a capital and surplus of $1,000,000 or more may, under such rules and regulations as the Federal Reserve Board may prescribe, establish branches, not to exceed 10 in number, within the corporate limits of the city, town, or village in which it is located.

Any member bank located in any other place may, with the approval of the Federal Reserve Board and under such rules and regulations as such board may prescribe, establish branches, not to exceed 10 in number, within the limits of the county in which it is located or within a radius of 25 miles of the place in which such bank is situated, irrespective of county lines: *Provided*, That no such branch shall be established outside of its State or of its Federal reserve district, nor shall such branch be established unless the capital of the parent bank is at least equal to the aggregate of the amounts which would be required of each branch under the provisions of section 5138, Revised Statutes, if it were organized as an independent national banking association, together with the amount fixed by that section as a minimum capitalization for a national banking association located in the same place as the parent bank.

FEDERAL RESERVE BOARD,
Washington, June 29, 1916.

DEAR SIR: In addition to the amendments which the Federal Reserve Board has taken the liberty of suggesting for your consideration, the board makes free to recommend to you the following amendment:

Amend section 11, by adding a clause "m," as follows:

"(m) Upon the affirmative vote of not less than five of its members, the Federal Reserve Board shall have power, from time to time, by general ruling, covering all districts alike, to permit member banks, (1) to carry in the Federal reserve banks of their respective districts any portion of their reserves now required by section 19 of this act to be held in their own vaults; (2) to count as part of their lawful reserves Federal reserve notes of their own district not exceeding in the aggregate an amount equal to 5 per cent of their net demand deposits."

The amendment above proposed is substantially the same as recommended by the board to both Houses in September, 1914, when a committee of the board appeared before you and gave the reasons which prompted the board to urge the amendments, and was reported favorably by the Senate Committee on Banking and Currency, August 25, 1914 (calendar day, Sept. 3, 1914). (S. 6439, Rept. No. 777, 63d Cong., 2d sess.) Proposition (1) above, was also contained in S. 6505, which passed the Senate September 18, 1914, and was reported by the House Committee on Banking and Currency, September 24, 1914, with an amendment limiting the period to 36 months after the establishment of the Federal reserve banks. (House Rept. 1166, 63d Cong., 2d sess.)

The board felt at that time, which was before the opening of the Federal reserve banks, that the position of the Federal reserve banks would be strengthened and the confidence of the member banks and the country still further increased, if the Federal Reserve Board were given the powers suggested in the amendments.

Subsequent events—particularly the turn in the tide of European trade, which eliminated for the time being the danger of substantial gold withdrawals—removed the immediate necessity for securing the amendment.

The board feels, however, that the country would be better protected if Congress before adjourning should give to the Federal Reserve Board the additional powers of defense outlined in the amendments.

The effect of these powers would be that the member banks would be placed in a position where, in case of desirability, they could respond to a suggestion when made by the Federal reserve banks or the board, to increase their optional balances with the Federal reserve banks, so as to enable the Federal reserve banks to accumulate a larger percentage of the country's gold holdings and thereby enable the Federal reserve system to withstand withdrawals of gold with greater ease and without the necessity of early or drastic protective increases of interest rates.

In order to enable the member banks freely to respond to such demand, it would be necessary for them to be permitted, to a certain extent, to count Federal reserve notes as reserve money and thus to permit a portion, at least, of the gold certificates held by them to flow into the Federal reserve banks, taking in substitution therefor the Federal reserve notes.

Up to this time our enormous exports have been sufficient to offset the great volume of securities sold back to the United States by Europe and credits opened by the United States to foreign countries. If for any reason, however, there should be a temporary halt or substantial decrease in the exports of the United States (such as might be caused by a larger home demand for the articles that now constitute to a large extent the substance of our exports), or if our imports might increase while foreign securities remain massed and ready to be returned to the United States, the country should be prepared to meet such temporary derangements without being forced to submit to drastic changes in our interest rates.

Conditions as here outlined may occur or may not occur. But the board feels that it should have the means of meeting them whenever they shall arise—whether in the near future or at any later period.

The board therefore earnestly recommends to Congress the enactment of the amendments here suggested, inasmuch as they will tend greatly to strengthen the power of and the confidence in the Federal reserve system.

Respectfully,

C. S. HAMLIN, *Governor.*

Hon. ROBERT L. OWEN,
Chairman Committee on Banking and Currency,
United States Senate.

FEDERAL RESERVE BOARD,
Washington, June 13, 1916.

Hon. ROBERT L. OWEN,
United States Senate.

DEAR SENATOR OWEN: In looking over the amendments to the Federal reserve act reported by your committee I notice that the proposed power to the Federal reserve banks to open and maintain on their books banking accounts for their foreign correspondents or agencies is omitted. At a meeting of the Federal Reserve Board this morning Mr. Warburg stated that according to his recollection the committee voted to report this amendment during the hearing at which Mr. Warburg and I were present. Of course, it is possible that later you voted not to report it, but if it was reported I thought I would call your attention to the fact that it does not appear in the bill as reported to the Senate.

I inclose a copy of a letter sent to you by Mr. Warburg, dated May 19, 1916, with regard to this.

Very sincerely, yours,

C. S. HAMLIN, *Governor.*

MAY 19, 1916.

Hon. ROBERT L. OWEN,
United States Senate.

DEAR SENATOR OWEN: In developing the program of appointing foreign correspondents or agencies for the Federal reserve banks, it has occurred to the Federal Reserve Board that while Federal reserve banks may open accounts in foreign countries they have not the power to act in a similar way for such foreign correspondents or agencies if these should wish to have the Federal reserve banks open accounts for them.

This difficulty could be met by inserting at the end of subsection (e) of section 14 the following words:

"and with the consent of the Federal Reserve Board to open and maintain banking accounts for such foreign correspondents or agencies."

The same effect might possibly be reached by simply inserting the word "reciprocal," so as to make the beginning of the paragraph read:

"To establish accounts with other Federal reserve banks for exchange purposes, and, with the consent of the Federal Reserve Board, to open and maintain reciprocal banking accounts in foreign countries," etc.

This might, however, lend itself to a construction as if the Federal reserve banks might open only reciprocal accounts, and it might therefore be better to add a special paragraph at the end of the section, as above suggested.

Very faithfully, yours,

PAUL M. WARBURG.

TREASURY DEPARTMENT,
COMPTROLLER OF THE CURRENCY,
Washington, June 8, 1916.

MY DEAR SENATOR: The original national-bank act of February 25, 1863, as reenacted by the act of June 3, 1864, authorizing the formation of national banks throughout the country, provided that no national bank should be authorized with a capital of less than $50,000 in any place; that in a place with a population exceeding 6,000 the capital of the bank should not be less than $100,000, and further provided that no national bank with a capital of less than $200,000 should be organized in any place having a population of over 50,000.

Later on it became manifest that there were many country towns and villages which needed banking facilities but which did not have sufficient business to justify the organization of national banks with a capital of as much as $50,000. To extend the benefits of banking facilities to these small places the national-bank act was amended by the act of March 14, 1900, so as to authorize the organization in towns and villages with a population not exceeding 3,000 of banks with a minimum capital of $25,000.

Since this amendment to the bank act went into effect there have been organized throughout the country 3,084 national banks having a capital of $25,000. Four hundred and thirty-eight of these $25,000 banks have either failed or gone into liquidation, some have increased their capital, and the number of such banks with a capital of $25,000 now in operation is 2,079, or 27 per cent of the total number of national banks.

The average deposits (individual and bank) at this time of all $25,000 banks is $178,138, or 7.13 times their capital and 4.6 times their capital, surplus, and profits. A country bank with $25,000 capital and with the average deposits is able, with good management, to lend its money at rates authorized by law and at the same time to return a reasonable dividend to its shareholders. But there are many banks located in country communities where the small deposits which the banks receive may make it somewhat difficult for the banks to charge on their loans only the rates of interest permitted by law and at the same time yield a satisfactory return to shareholders, and in many such cases banks have been tempted to exact excessive and in some cases grossly usurious rates on accommodations which they extend to local borrowers. It is unfortunately true that in many other cases banks have been demanding usurious rates of interest even though they had more than the average deposits and although adherence to the legal rates would still yield them liberal dividends on their shares.

For some time I have been giving careful consideration to the question as to how the powers of these small national banks might be enlarged so as to provide them with additional sources of revenue and place them in a position where they could better compete with local State banks and trust companies which are sometimes authorized under the law to do a class of business not strictly that of commercial banking.

Under section 5736, United States Revised Statutes, the business of national banks at this time is limited to the exercise of "such incidental powers as shall be necessary to carry on the business of banking by (a) discounting and negotiating promissory notes, drafts, bills of exchange or other evidences of debt; (b) receiving deposts; (c) buying and selling exchange, coin, and bullion; (d) loaning money on personal security; (e) obtaining, issuing, and circulating notes according to the provisions of this title."

Under the Federal reserve act the banks are further authorized under specified restrictions to make certain loans on real estate.

National banks are not given either expressly nor by necessary implication the power to act as agents for insurance companies or as brokers or agents for others in procuring or making real estate loans.

The courts have uniformly held that such corporations can exercise only those powers which are expressly granted or which are necessarily incidental to powers that are granted.

As stated by Mr. Justice Harlan, in delivering the opinion of the United States Supreme Court in the case of Logan County National Bank *v.* Townsend (139 U. S., 67):

"It is undoubtedly true, as contended by the defendant, that the national banking act is an enabling act for all associations organized under it, and that a national bank can not rightfully exercise any powers except those expressly granted by that act, or such incidental powers as are necessary to carry on the business of banking for which it was established."

Again in the case of National Bank *v.* Matthews (98 U. S., 625), Mr. Justice Swan, in delivering the opinion of the court, said:

"Section 5136 does not in terms prohibit a loan on real estate, but the implication to that effect is clear. What is so implied is as effectual as if it were expressed."

It is certainly clear that the Comptroller of the Currency has no right to authorize or permit a national bank to exercise powers not conferred upon it by law.

My investigations lead me respectfully to recommend to Congress an amendment to the national-bank act by which national banks located in villages and towns having a population of not exceeding 3,000 may be permitted to act as agents for insurance companies in the placing of policies of insurance—fire, life, etc.—and that they may also be authorized to act as agents for the negotiation of loans on farms or other real estate in their respective sections of the country, where they may be in position to have some direct knowledge as to the value of the property upon which such loans are to be secured.

It seems desirable from the standpoint of public policy and banking efficiency that this authority should be limited to banks in small communities. This additional income will strengthen them and increase their ability to make a fair return to their shareholders, while the new business is not likely to assume such proportions as to distract the officers of the bank from the principal business of banking. Furthermore in many small places the amount of insurance policies written or mortgages to be placed on commission is not sufficient to take up the entire time of an insurance broker, and the bank is not therefore likely to trespass upon outside business naturally belonging to others.

I think it would be unwise and therefore undesirable to confer this privilege generally upon banks in large cities where the legitimate business of banking affords ample scope for the energies of trained and expert bankers. I think it would be unfortunate if any movement should be made in the direction of placing the banks of the country in the category of department stores. The business is one requiring training, skill, and application, and I think that the profession of banking would suffer if there should be a departure from the principles which should govern and have heretofore governed.

I inclose with this a draft of a proposed amendment to the national-banking act designed to empower national banks located in towns of not over 3,000 population, under such regulations and restrictions as may from time to time be approved and promulgated by the Comptroller of the Currency, to act as agents for the placing of insurance policies and also to act as agent in making or procuring loans on real estate.

I respectfully recommend and urge the adoption of such an amendment for the reasons I have given.

I am to-day writing a letter similar to this to Congressman GLASS, chairman of the Banking and Currency Committee of the House of Representatives.

Respectfully,

JNO. SKELTON WILLIAMS,
Comptroller.

Hon. ROBERT L. OWEN,
United States Senate.

Mr. SMOOT. Would it not be just as well for the Senator to take up the amendments, without reading the whole of the report, and explain them briefly?

Mr. OWEN. That is my purpose. The first of these proposed amendments deals with domestic acceptances. The words "upon solvent member banks" are stricken out and there are inserted the words "and also, for collection, maturing bills." The existing law does not provide clearly for the collection of maturing bills, and it is obvious that it ought to be covered by the statute, and so be beyond any possible doubt or question.

The other amendments under the heading of domestic acceptances are along the same line, inserting the words "and checks and drafts" before "payable upon presentation," and after those words inserting "within its district, and maturing bills payable within its district." The insertion of those words is intended to preclude any possible misunderstanding with regard to the function of the bank in handling maturing bills payable within the district.

The next amendment I call attention to is that striking out the words:

Any Federal reserve bank may discount acceptances which are based on the importation or exportation of goods—

And so forth, as appears on page 2 of the report, and inserting in lieu thereof the words printed in italics in the last paragraph on the page, so as to read:

Any member bank may accept drafts or bills of exchange drawn upon it having not more than six months' sight to run, exclusive of days of grace, which grow out of transactions involving the importation or exportation of goods; or which grow out of transactions involving the domestic shipment of goods provided shipping documents conveying or securing title are attached at the time of acceptance; or which are secured at the time of acceptance by a warehouse receipt or other such document conveying or securing title covering readily marketable staples. No member bank shall accept, whether in a foreign or domestic transaction, for any one person, company, firm, or corporation to an amount equal at any time in the aggregate to more than 10 per cent of its paid up and unimpaired capital stock and surplus unless the bank is secured either by attached documents or by some other actual security growing out of the same transaction as the acceptance—

And so forth.

The purpose of that is to permit a limited use of domestic acceptances, where those acceptances are covered by documents conveying or securing title to readily marketable staples, and then confining it further, so that the bank may not make acceptances to over 10 per cent of its paid up and unimpaired capital stock to any particular individual, company, firm, or corporation. That latter limitation is the general principle of the national banking act as applied to other loans than domestic acceptances. On page 3 of the report is another amendment, in which are inserted the words:

Any Federal reserve bank may make advances to its member banks on their promissory notes for a period not exceeding 15 days, at rates to be established by such Federal reserve banks, subject to the review and determination of the Federal Reserve Board, provided such promissory notes are secured by such notes, drafts, bills of exchange, or bankers' acceptances as are eligible for rediscount or for purchase by Federal reserve banks under the provisions of this act, or by the deposit or pledge of bonds or notes of the United States.

Mr. VARDAMAN. Mr. President, I desire to ask the Senator from Oklahoma what is the purpose of making the time so short—15 days?

Mr. OWEN. It does not make the time short. I was just going to explain the purpose of this amendment. At present, under the existing law, these bills, drafts, and so forth, which are used as collateral are actually transferred to the possession of the Federal reserve agent. This is intended to provide an easier method of administration, so that these various notes,

maturing in a short time, shall not themselves be necessarily transferred, but may be merely held in the portfolio as collateral, thus permitting the bank to put up its own note, secured by this collateral, without transferring the individual notes. It is merely an administrative detail which makes more convenient the operation of the bank.

Mr. SMITH of South Carolina. Mr. President, if the Senator from Oklahoma will pardon me, on page 2 of the report, in the proviso having reference to notes, drafts, and bills drawn or issued for agricultural purposes, I see there is a proposed amendment striking out the word "capital" and inserting in lieu thereof the word "assets." I should like to have the Senator from Oklahoma explain that, for I am particularly interested in that part of the bill.

Mr. OWEN. That expands the permission there from the bare capital to the assets, which are larger than the capital, and is intended to liberalize the provision of the law.

Mr. SMITH of South Carolina. I desired to have that explanation in the RECORD, so that the matter might be understood.

Mr. OWEN. Mr. President, at the bottom of page 3 of the report will be found the insertion of these words:

Any member bank may accept drafts or bills of exchange drawn upon it having not more than three months' sight to run, exclusive of days of grace, drawn under regulations to be prescribed by the Federal Reserve Board by banks or bankers in foreign countries or dependencies or insular possessions of the United States for the purpose of furnishing dollar exchange as required by the usages of trade in the respective countries, dependencies, or insular possessions. And such drafts or bills may be acquired by Federal reserve banks in such amounts and subject to such regulations, restrictions, and limitations as may be prescribed by the Federal Reserve Board: *Provided, however,* That no member bank shall accept such drafts or bills of exchange referred to in this paragraph for any one bank to an amount exceeding in the aggregate 10 per cent of the paid-up and unimpaired capital and surplus of the accepting bank unless the draft or bill of exchange is accompanied by documents conveying or securing title or by some other adequate security: *Provided further,* That no member bank shall accept such drafts or bills in an amount exceeding at any time the aggregate of one-half of its paid-up and unimpaired capital and surplus except by authority of the Federal Reserve Board, but in no contingency to exceed the unimpaired capital and surplus of such accepting bank.

At present exchange passing from the Argentine to the United States passes through London by sterling exchange. By this it is proposed to permit these exchanges to be expressed in dollars, so as in that way to establish a direct communication between the South American and other foreign countries and the United States, and to make it unnecessary, in transmitting credits, to transmit them through London in sterling exchange or through other European countries in terms of money of the foreign country through which the exchanges are transmitted. The purpose is to establish the dollar exchange, so as to make the United States a financial center for the transaction of foreign business, and to make this country what it is destined to be—the financial center of the world.

Under the head of "Federal reserve notes," on page 4, there are certain changes made. For instance, in the center of the page, is this provision:

Provided, however, That when the Federal reserve agent holds gold or gold certificates as collateral for Federal reserve notes issued to the bank such gold or gold certificates shall be counted as part of the gold reserve which such bank is required to maintain against its Federal reserve notes in actual circulation.

Of course the Federal reserve bank could transfer its reserve notes over and take that gold back into its own vaults, but for administrative purposes it is more convenient to allow the gold, which is already in the hands of the Federal reserve agent covering outstanding notes, to be counted as if it were owned by the bank, which, in fact, it is, though it is not so in form.

The other changes which were made in section 16 with regard to this matter are for the purpose of making the section harmonious with this end in view. This is more fully explained in the letter from the Federal Reserve Board, which I have already placed in the RECORD.

On page 6, under the head of "Loans on farm lands and other real estate," will be found this provision:

Any national banking association not situated in a central reserve city may make loans, secured by improved and unencumbered farm land situated within its Federal reserve district—

It is proposed there to insert:

or within a radius of 100 miles of the place in which such bank is located, irrespective of district lines, and may also make loans secured by improved and unencumbered real estate located within 100 miles of the place in which such bank is located, irrespective of district lines.

The purpose of that is to permit a bank which happens to be upon the border or edge of one of the Federal reserve districts to exercise its ordinary function in the territory immediately contiguous, which it has heretofore been exercising, and which might appear to have been excluded by the existing statute unless this amendment were inserted.

Under the head of "Banking corporations authorized to do foreign banking business" we have struck out certain words in section 25 and inserted these words in lieu thereof:

First. To establish branches in foreign countries or dependencies or insular possessions of the United States for the furtherance of the foreign commerce of the United States, and to act if required to do so as fiscal agents of the United States.

Second. To invest an amount not exceeding in the aggregate 10 per cent of its paid-in capital stock and surplus in the stock of one or more banks or corporations chartered or incorporated under the laws of the United States or of any State thereof, and principally engaged in international or foreign banking, or banking in a dependency or insular possession of the United States, either directly or through the agency, ownership, or control of local institutions in foreign countries, or in such dependencies or insular possessions.

Such applications shall specify the name and capital of the banking associations filing it, the powers applied for, and the place or places where the banking operations proposed are to be carried on—

And so forth.

The purpose of that provision is to permit the various banks of the United States, if they so wish, to cooperate together in establishing or taking stock in a bank which shall act as a medium for them in dealing with foreign financial affairs and through which they can transact their business, if they please, by establishing a bank in which they will take stock. That is explained also in the letter of the Federal Reserve Board at considerable length.

Under the head of "Domestic Branches," on page 8, section 25a, it is proposed:

That any national banking association located in a city or incorporated town or village of more than 100,000 inhabitants and possessing a capital and surplus of $1,000,000 or more may, under such rules and regulations as the Federal Reserve Board may prescribe, establish branches not to exceed 10 in number within the corporate limits of the city, town, or village in which it is located.

It is my wish to further amend this by providing that it shall not apply to those States which forbid the extension of such rights to State banks or to apply only in States which affirmatively provide for branch banks. The purpose of this is to put the national banks upon a parity with the State banks in those States which permit limited branch banking.

It is the purpose also of this provision to permit banks in a county seat to have branches throughout the county. There are throughout the United States a number of petty State banks, with $10,000 capital, which, it will be found, are in many cases owned by the same men who run a national bank at the county seat. They establish little banks in the different parts of the county and transact business there as an independently organized bank. This method is more expensive than if the small banks were direct branches of some existing bank employing one system of accounting and with limited local authority handled by a clerk; and if there is no State law prohibiting, it is thought it would be desirable to do this.

Mr. THOMAS. Mr. President——

Mr. OWEN. I yield to the Senator from Colorado.

Mr. THOMAS. I think, Mr. President, the section to which the Senator is addressing himself should be amended by limiting its application to those States which permit State banks to have branch banks.

Mr. OWEN. It is proposed, Mr. President, to present an amendment to that effect either negatively or affirmatively, and I will offer it at the proper moment.

Mr. President, the amendments have now been presented and read to the Senate. There are some verbal modifications which are necessary and one or two other amendments which I propose, with the consent of the Senate, to offer, one particularly with regard to giving some additional powers to the small banks to act as agents in insurance matters. Such an amendment has been reported favorably by the Comptroller of the Currency in the letter which I have had inserted in the RECORD, and which I will explain at the proper moment. Before asking the Senate to actually pass upon these items, I wanted to call attention to these few additional proposals which I will present at the proper moment. If there is any question that any Senator would like to ask me with regard to this matter, I would be very pleased to answer it now.

Mr. SMITH of South Carolina. Mr. President, I should like to ask the Senator for a further explanation of the amendment on page 8, section 25a. I listened to his explanation in reference to the establishment of branch banks. The wording to which I call attention is this:

That any national banking association located in a city or incorporated town or village——

Mr. OWEN. I will say to the Senator that I intend to move as an amendment the insertion of the words "any member bank" instead of "national banking association." It would then apply to any State bank that might care to exercise the privilege after joining the Federal Reserve System.

Mr. SMITH of South Carolina. I wanted to call the attention of the Senator to that and also to the fact that the same section provides, reading further:

And possessing a capital and surplus of $1,000,000 or more may, under such rules and regulations as the Federal Reserve Board may prescribe, establish branches, not to exceed 10 in number, within the corporate limits of the city, town, or village in which it is located.

That refers to a banking association. Does it mean that the branches will have to be established within the city in which the association is incorporated, or is it the contemplation of this provision to enable the associations to establish branch banks within the district in which they are situated?

Mr. OWEN. I will explain to the Senator that in New York the Corn Exchange Bank, for example, which is a State institution, has a number of branches, and it has in that way some advantage over the national banks located in the city of New York. It is proposed to give the national banks in the city of New York an opportunity to compete with the Corn Exchange Bank to that extent, if they find it desirable to do so. In the meantime the Corn Exchange Bank has happened within the last few days to express its purpose to join the Federal Reserve System, and that will bring into the system a very large and important element.

Mr. CLAPP. Mr. President, I only want to say a word on this subject. I have the most unbounded confidence in the ability of the chairman of the committee, but I have received a great many letters from my own State protesting against the provision for branch banks. Now, I understand the committee has determined to accept an amendment which excludes from the operation of this bill the State which I have part of the honor to represent.

Mr. OWEN. I will advise the Senator that the proposed amendment is to exclude from the operations of this provision any State whose laws prohibit the establishment of branches by banks chartered by the laws of the State. That would cover the Minnesota case.

Mr. CLAPP. Mr. President, I want to suggest that that, to my mind, is a very good reason for entering a protest—which I realize will probably be futile, for I presume that the bill will pass—against the enactment of so important a measure as this in the manner which is proposed. The fact that the committee has already recognized the importance of such an amendment, which will except Minnesota and other States, the fact that the committee itself now is reporting a number of amendments which certainly can not be thoroughly understood in the hasty consideration of the bill, impels me, fruitless as I know the effort will be, to enter my feeble protest against the passage of legislation of this kind in this manner.

The purpose of this legislation is far-reaching. It is designed to enable the United States to take advantage of that wreck and ruin financially which will come to many countries after the European war is over, and to extend the financial influence of this country. No one can question the merit of that purpose. A great opportunity undoubtedly lies before the American people, and I think perhaps there is no man in the Senate who is better able to meet that opportunity as the chairman of a committee having that matter in hand than the eminent chairman of the Committee on Banking and Currency. But I do not believe, Mr. President, that legislation designed to be as far-reaching as this legislation is with reference to foreign affairs and also to our domestic affairs should ever be passed through the Senate in this manner; and, while opposition is futile—for I realize that it is predetermined that this legislation shall be enacted—and while my opposition, I repeat, is in nowise based upon any suggestion of want of ability or purpose on the part of the chairman—for, as I have said, few men are better qualified than he—yet I do not believe any one man or any one committee possesses the ability to forecast and prepare in this manner as far-reaching and sweeping a piece of legislation as this legislation is. Therefore, although the amendment proposed to be accepted covers the objection that comes from the State that I in part represent, still I, for one, propose to vote against the passage of his far-reaching bill, thus hastily considered by the Senate.

Mr. CURTIS. Mr. President——

Mr. OWEN. Mr. President, if the Senator will pardon me just a moment, I will say just one word in response to the Senator from Minnesota, and then I will yield to the Senator from Kansas. I will take only one minute.

These amendments, of course, have been passed upon by the committee after numerous meetings. The committee has had this general question under its active attention now for over two years. The members of the committee have been studying this matter since 1913—three years. These particular amendments have been under consideration by the committee on numerous occasions. The report has been before the Senate now for nearly 60 days, so that any Senator desiring to comment upon it would have abundant opportunity to do it.

I realize, and every man must realize, that no human sagacity can absolutely and completely preclude the possibility of some particular error. These amendments, for the most part, are amending what has been discovered now in the last two years of operations—some points in the bill which could be improved. They have been carefully considered by the Federal Reserve Board in extended discussions among themselves. Finally, the Federal Reserve Board came before the Banking and Currency Committee and discussed this matter at great length; and the committee itself then discussed it, and finally determined on this report, which represents whatever of capacity the committee has.

Of course, the committee does not pretend to be absolutely perfect in regard to the matter. There may be still found some way in which it could be improved; but we hope, if that occurs, that then we may bring the matter to the attention of the Senate, and continue to improve the bill.

Mr. CLAPP. Mr. President, I am not criticizing the committee. I think the committee is a very able one. I think it has given a great deal of thought and consideration to this subject; but every amendment that the committee has adopted or proposes to adopt is evidence that the original concept of the committee was at fault.

It is true that this report has been lying before the Senate; but reports do not attract the attention which debate attracts. I firmly believe that a great measure like this, after being presented to the Senate as this has been, ought to remain before the Senate for a time, in order that the discussion may proceed, and that the suggestions that arise from the discussion may be considered.

Mr. President, I believe that the time is going to come when we will realize that during the last two years we have passed a great deal of very unfortunate legislation under the whip and spur of exigency, and too often attributed to a condition of war which had no relation whatever to the subject of the legislation. While, as I say, I do not expect my protest to result in postponing action and result in a more deliberate consideration, I felt that I ought to make it. I believe that it is an unwise way of enacting great legislation designed, as this is, not only to affect us in a measure at home, but to be the basis upon which American enterprise and credit and capital may project itself into a world-wide activity.

Mr. CURTIS. Mr. President, the experience of 1907 convinced the Republicans who were then in power, having the President and a majority in each branch of Congress, that provision should be made for the issuance of an emergency currency, and they determined to enact a short and simple law which would prevent panics in the future by providing an emergency currency to be issued when needed and to be returned when the demand had ceased.

So the Republicans in Congress agreed upon and enacted into law what has since been known as the Aldrich-Vreeland Act of May 30, 1908; and it must be remembered that this law was enacted over the protest of the then Democratic minority in Congress.

There was no occasion to test this law during the remainder of the time the Republicans were in control of the national administration. The first real test was had in 1913, during the first year of President Wilson's administration. The Democratic Party having succeeded in electing a President and a majority in the House and Senate, an extra session of Congress was called, and the Democratic majority began its old tactics of changing the tariff and tinkering with the financial policy of the country. The result can be best told by reading the report of the Secretary of the Treasury for the year 1913.

Before I read that, however, I want to say that I was very much surprised at the remarks of the Senator from Colorado [Mr. SHAFROTH] this morning, when he said:

The emergency currency act had been in existence for years, but it had never been invoked, or at least there never had been enough confidence that the Government of the United States could follow it.

The Secretary, in his report of 1913, says as follows:

A special session of Congress convened on April 7, 1913, and immediately began to consider the important questions of tariff and currency reform. The vast economic changes involved in these two important questions had the natural effect of causing in many quarters apprehension as to the possible effects of the anticipated legislation. A feeling of unrest began to pervade business circles. This was accentuated by a certain propaganda of pessimism which, whether designedly or not, produced a condition of extreme nervousness and tension. In the early part of June this assumed a serious aspect. Complaints began to reach the department from many parts of the country that credits were being restricted and that it was increasingly difficult to secure funds for the normal needs of legitimate business. To what extent these reports were justified there was no exact means of ascertaining,

but the general conditions indicated a more or less acute state of affairs. In order to relieve anxiety and let the business interests of the country understand that there was no occasion for unreasonable restriction of credits and to destroy apprehension based upon unjustifiable fears and to assure the country that the means were at hand to cope successfully with any situation that might arise, the Secretary announced that there was actually on hand in the Treasury and ready for immediate delivery to any and every bank complying with the requirements of the law $500,000,000 in new national-bank note currency, which the Secretary said he would not hesitate to issue under the provisions of the Aldrich-Vreeland Act of May 30, 1908, to banks making application therefor in accordance with the terms of that act. The relief occasioned by this announcement was instantaneous. Confidence of the banks in their ability to meet the demands of their customers was largely restored and the unfavorable symptoms promptly disappeared. So completely effective was this action that none of the $500,000,000 of currency was applied for by the banks.

So this Democratic administration, by offering to give relief under the Republican emergency currency law, was able to restore confidence and prevented a panic.

Early in 1913 the exportation of gold from the United States began to increase to an alarming extent. In the last six months of 1912 the exportation of gold only amounted to $13,978,006, while the gold exported in the first six months of 1913 amounted to $63,784,616. The exportation of gold for the year ending June 30, 1914, amounted to $112,038,529, and that exported for the year ending June 30, 1915, amounted to $146,224,148, and the exportation of gold did not decrease until several months after the opening of the European war.

The large exportation of gold in 1913 and 1914, the effect of the new tariff law on the business of the country, the men without jobs, the silent factories, the idle freight cars, and the breaking out of the European war late in the summer of 1914 caused a great demand for the issuance of emergency currency, and again the Secretary of the Treasury, in his report of December 7, 1914, tells us of the condition of the country in the summer and fall of that year in the following language:

> The outbreak of the European war precipitated many grave problems. International credits and exchanges were completely disorganized, ocean transportation was for a time partially paralyzed, the entire business and economic structure of this country was shaken to its foundations, and a catastrophe of calamitous proportions was narrowly averted. * * * A panic * * * might easily have resulted, and if it had the injury to the country would have been incalculable and many years would have been required to overcome its effects. * * * Confidence has been restored and specie payments have been maintained in the face of the world. * * * There is every reason why the country should look to the future with confidence so far as its trade, commerce, and industry are concerned. This has been accomplished notwithstanding the fact that the Federal Reserve System authorized by the act of December 23, 1913, was at that time only in process of formation and was therefore unable to render any service in the situation.

Yet, in the face of that statement, made by one of the members of the President's official family, the President stated, in his speech in Detroit a few days ago that those who opposed the Federal reserve act—

> now admit that it saved the country from a ruinous panic when the stress of war came on.

When his Secretary of the Treasury says the panic was prevented by the Republican emergency act of May 30, 1908.

So the Republican act of May 30, 1908, was again resorted to in order to relieve the situation and between the dates of August 4, 1914, and February 15, 1915, inclusive, the sum of $382,502,645, was issued and, by issuing this amount of emergency currency, the Secretary of the Treasury tells us:

> A country-wide panic of appalling proportions was threatened, but averted. We had emerged with our credit not only unimpaired but strengthened.

So much from the Democratic Secretary of the Treasury for this Republican measure that the Senator from Colorado said had not been put in force, and more. If this Democratic measure was so beneficial, why was it that this act was resorted to and the money issued under it up until February, 1915, more than a year after the act of December, 1913, had been enacted?

So the Republican Aldrich-Vreeland law, that was so loudly condemned by our Democratic friends in Congress in 1908, was used by their administration upon two occasions within two years to avert a panic and bring relief to and restore confidence among the people of the United States; and the total cost of the issue was only $1,390,764 and the interest collected from the issue exceeded the expenses by $1,588,258.85.

Mr. NELSON. Mr. President, will the Senator yield to me?

Mr. CURTIS. Certainly.

Mr. NELSON. I want to call his attention to the fact that by section 27 of the Federal reserve act the life of the Vreeland-Aldrich Act was extended to June 30, 1915; in other words, that at the time when that act was being formulated and prepared the Aldrich-Vreeland Act was deemed of such importance that its life was extended to 1915.

Mr. CURTIS. I intended to call the attention of the Senate to that fact, and I am very glad the Senator interrupted.

Mr. SHAFROTH. Mr. President, will the Senator yield as to that matter?

Mr. CURTIS. For a question only.

Mr. SHAFROTH. Is it not a fact that everybody recognized that the Federal reserve act could not be put in operation for months, and that it was the belief of everybody at the time of the passage of the act that the date of June 30 would arrive long before the Federal reserve act would be put into effect, and the banks were not established under it until, I think, about November 15, 1914?

Mr. CURTIS. It is not a fact that the people realized that the act could not be put in operation. The act was not put in operation for the simple reason that the Democratic Party, then in power, did not have sufficient confidence in it, and they did know that the emergency law of the Republicans had prevented a panic, and they were willing to trust that law. It was charged by the Republicans in Congress and upon the stump that the Democratic majority would not organize under that law until after the election of 1914.

Thus the Republicans gave you a simple, inexpensive remedy bringing relief to the people, and the Government making a profit out of the transaction.

Now, what has the Democratic administration given the country to take the place of the workable and successful Aldrich-Vreeland Emergency Act of 1908? Why, the Federal Reserve System, which provides for 12 Federal reserve banks in different sections of the country and gives employment to 593 new officeholders.

There has been no threatened panic, no chance to test the efficiency of the new system, but we do know that it has cost the Government a large sum to establish, operate, and maintain the 12 reserve banks to date. The organization expenses amounted to $493,960; the cost of the note issue was $804,705; the furniture and equipment cost $284,600; salaries of officers and employees of the Federal Reserve Board to December 31, 1915, amounted to $108,650; the salaries paid to the bank examiners amounted to $396,000; and the current expenses of the 12 Federal reserve banks amounted to $1,677,639. So you have a total expenditure from the date the banks opened for business to December 31, 1915, of $3,765,554, and the earnings of the banks were $2,130,610, or a cost to the Government to that date of $1,634,944.

Now, there has been no threatened panic since the banks were opened for business. The great European war has given the people of this country a great market, and our exports since the beginning of the war have exceeded those of any other period in the history of the country. Yet the Government has maintained this expensive system when it has been demonstrated that the simple plan provided by the Aldrich-Vreeland law would have answered the purpose, and the expense would have been very small, and the interest collected on the notes issued would more than have covered such expenses.

Mr. SHAFROTH. Mr. President, I should like to ask the Senator a question.

Mr. CURTIS Certainly.

Mr. SHAFROTH. That is, whether he believes that the Federal reserve act ought to be repealed now.

Mr. CURTIS. I do not believe it ought to be repealed, but I believe it should be very materially amended and changed and simplified. You now simply have an organization which provides for a horde of officeholders. You have an expensive proposition that could be changed, and the law should be amended so as to give us a simple banking act that would give relief to the people when they need it.

Mr. SHAFROTH. That is just what we are doing right now.

Mr. SMOOT. They have been amending it ever since it was passed.

Mr. CURTIS. This, I understand, is the fifth time the law has been amended since its enactment in December, 1913, and they will keep amending it right along until we get a Republican Senate and House, when it will be amended and be put in workable shape, and will be maintained and operated at a very small cost.

Mr. SHAFROTH. I should like to ask the Senator another question, and that is whether he believes that the Aldrich-Vreeland Act now ought to be in existence.

Mr. CURTIS. Yes. If the Aldrich-Vreeland Act were now upon the statute books of this country there never would be any danger of a panic, because the country would know that they could be relieved from it, as they have been twice before.

Mr. SHAFROTH. But they were relieved at the time the panic did occur.

The VICE PRESIDENT. The morning hour having expired, the Chair lays before the Senate the unfinished business, which is House bill 15947.

LANDS OF BUREAU OF MINES, PITTSBURGH, PA.

Mr. WALSH. I should like leave to submit a report from the Committee on Mines and Mining for consideration. It will not delay the Senate more than a moment.

I am directed by the Committee on Mines and Mining, to which was referred the joint resolution (S. J. Res. 150) to authorize the Secretary of the Treasury to accept from the city of Pittsburgh certain lands in exchange for other lands of equal area, to report it favorably with amendments, and I submit a report (No. 670) thereon. I ask for the present consideration of the bill.

Mr. SMOOT. I will ask the Senator if they are public lands which are to be exchanged?

Mr. WALSH. The Bureau of Mines owns certain lands, as the Senator knows, in the city of Pittsburgh.

Mr. SWANSON. I can not yield if the joint resolution is going to lead to debate.

Mr. WALSH. Adjacent to those are lands owned by the city, and it is proposed to run a street through one side. The city gives land of the city for land at the end of the street.

Mr. SWANSON. I can not yield for any purpose that will lead to discussion.

Mr. OLIVER. I hope the Senator from Virginia will not object to the consideration of this joint resolution. It is a mere formal matter for the exchange of lands.

Mr. SWANSON. I must call for the regular order. Many Senators have requested me to yield and I can not discriminate. I have had nearly a dozen applications to yield for the consideration of measures.

Mr. OLIVER. Then I ask that the report may lie on the table.

Mr. SWANSON. The Senate will have another morning hour in a few days, and the joint resolution can then be called up.

Mr. OLIVER. I will state to the Senator that I expect to be called away by sickness at any moment, and I may not be here when the next morning hour is had. This is a matter which is vital to the city of Pittsburgh, it is a mere formal matter, and in the time we have been talking about it, the joint resolution could have been passed.

The VICE PRESIDENT. The Chair thinks the Senator from Virginia withdraws his objection.

Mr. SWANSON. I withdraw my objection.

Mr. OLIVER. I thank the Senator.

There being no objection, the joint resolution was considered as in Committee of the Whole.

The amendments were, on page 1, line 12, after the word "south," to insert the words "fifteen degrees"; in line 13, before the word "minutes," to strike out "degrees fifty-five"; and in the same line, after the word "minutes," to insert "fifty-five seconds," so as to make the joint resolution read:

Resolved, etc., That the Secretary of the Treasury be, and he is hereby, authorized to accept from the city of Pittsburgh, State of Pennsylvania, that certain lot or parcel of land bounded and described as follows:

Beginning at a point on the line dividing the properties owned by the city of Pittsburgh and the United States of America, occupied by the Bureau of Mines, at a point north 76° 45′ west 42.8 feet from the southeast corner of the said property of the United States of America; thence south 15° 24′ 55″ west 18.44 feet to a point; thence north 74° 36′ 55″ west 457.06 feet to a point; thence south 15° 28′ 45″ west 37.087 feet to a point; thence north 74° 36′ 55″ west 449.66 feet to a point; thence north 15° 28′ 45″ east 21.727 feet to a point on the said line dividing the properties of the city of Pittsburgh and the United States of America; thence south 76° 45′ east 907.39 feet to the place of beginning, containing 18,000 square feet, more or less, for the use of the Bureau of Mines of the Department of the Interior, and to transfer to the city of Pittsburgh in exchange therefor that certain lot or parcel of land now constituting a part of the grounds of the Bureau of Mines of the Department of the Interior bounded and described as follows:

Beginning at a point on the line dividing the properties owned by the city of Pittsburgh and the United States of America, occupied by the Bureau of Mines, at a point north 76° 45′ west 42.8 feet from the southeast corner of said property of the United States of America; thence north 15° 24′ 55″ east 347.8 feet to a point on the dividing line between the properties of the United States of America and the Carnegie Institute of Technology, a Pennsylvania corporation; thence along said dividing line south 50° 41′ 15″ east 47.18 feet to a point; thence along the line dividing the property of the United States of America from the property of the said Carnegie Institute of Technology and the city of Pittsburgh south 15° 28′ 45″ west 327.08 feet to a point; thence north 76° 45′ west 42.8 feet to the place of beginning; together with that part of a circular tract lying west of the above-described tract of land and included within an arc struck with a radius of 51 feet from a point 5 feet east of a point on the westerly line 257 feet from the southwest corner of the above-described tract; said lot or parcel of ground comprising 18,000 square feet, more or less.

The amendments were agreed to.

The joint resolution was reported to the Senate as amended and the amendments were concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

MEMORIAL TABLET TO COL. DAVID DU B. GAILLARD.

Mr. RANSDELL. Mr. President——

Mr. SWANSON. The Senator from Louisiana gave notice that he would address the Senate at this time.

Mr. TILLMAN. Will the Senator from Louisiana yield to me for a moment?

Mr. RANSDELL. Certainly.

Mr. TILLMAN. I ask unanimous consent that the Senate may pass three little bills. If they were important bills, I would not ask for their consideration now.

I ask the Senate to proceed to the consideration of the bill (S. 5752) granting to the widow of Col. David du B. Gaillard authority to place in his memory a tablet in the Memorial Amphitheater at Arlington, Va.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on the Library with an amendment, to strike out all after the enacting clause and insert:

That Katherine D. Gaillard, widow of Col. David du B. Gaillard, deceased, of the Corps of Engineers, United States Army, is hereby authorized to place a tablet in the Memorial Amphitheater in the Arlington National Cemetery, Va. The design, character, and location of the tablet shall be subject to the approval of the commission under whose direction the building is being erected.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARY S. CORBIN.

Mr. TILLMAN. I ask the Senate to proceed to the consideration of the bill (H. R. 11261) for the relief of Mary S. Corbin.

There being no objection, the bill was considered as in Committee of the Whole. It proposes to pay to Mary S. Corbin, of Oconee County, S. C., widow of W. B. F. Corbin, who while in the discharge of his duty as a deputy United States marshal was murdered by Robert Belcher, Lou Belcher, J. B. Palmer, and Charles Palmer, violators of the United States postal laws and regulations, on the 8th day of March, 1909, the sum of $1,000, on account of the murder of her said husband while in the service of the Government of the United States.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MRS. C. D. CORBIN.

Mr. TILLMAN. I ask the Senate to proceed to the consideration of the bill (H. R. 11262) for the relief of Mrs. C. D. Corbin.

There being no objection, the bill was considered as in Committee of the Whole. It proposes to pay to Mrs. C. D. Corbin, of Oconee County, S. C., widow of C. D. Corbin, who, while in the discharge of his duty as a deputy United States marshal, was murdered by Robert Belcher, Lou Belcher, J. B. Palmer, and Charles Palmer, violators of the United States postal laws and regulations, on the 8th day of March, 1909, the sum of $1,000, on account of the murder of her said husband while in the service of the Government of the United States.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RURAL HEALTH—THE NATION'S FIRST DUTY.

Mr. RANSDELL. Mr. President, the pending naval bill carries an appropriation of over $315,000,000, and the Army bill, which is to be taken up next, over $330,000,000, while the coast fortifications law, already passed, provides over $34,000,000, making a total of more than $680,000,000 for the protection of our country against foreign foes and for military preparedness against enemies who perchance may never assail us. I am in favor of these three great measures. I believe them to be dictated by wise, farseeing statesmanship, but they are all framed for the destruction of human life should it become necessary; and while we are about to spend such colossal sums to prepare for killing men by wholesale like our brethren of the Old World have been doing for the past two years, it is high time to pay some attention to the preservation of life by eradicating preventable diseases which sap our national vitality and destroy every year hundreds of thousands of American citizens. If we are to reap full measure of success in our program of preparation, it is necessary to begin at the fountainhead and look well to the health and physical condition of our people. No matter how numerous and strong are our ships and fortifications, nor how many soldiers we have, they will be of little avail unless the men behind the guns are healthy, vigorous, and capable of great exertion.

At this moment, when the summer heats are fiercest, we have a large army in Mexico and in camps near the Mexican border, and the greatest precautions are necessary to protect these

soldiers from disease, especially typhoid fever and malaria, which caused such sad havoc during our War with Spain. Harrington, in his work on practical hygiene, page 615, says:

The various forms of malarial disease are always a curse to armies, especially those operating in hot climates. Though the death roll from malaria may not be great, sickness and consequent invaliding are commonly enormous in amount, and an army stricken with malaria is an army unfit for field operations.

Mr. President, I fear we are not as well prepared in the matter of public health as the enlightened countries of Europe, and desire to present some thoughts on the subject which are very pertinent at this time.

Several months ago I introduced a bill, S. 2214, which I am sorry to say is still in the committee, as I have been unable to secure a favorable report upon it.

Briefly, the bill appropriates $500,000 for the use of the United States Public Health Service in investigating and encouraging the adoption of improved methods of rural sanitation, particularly with reference to the prevention of malaria and typhoid fever, and stating the necessary steps to be taken in cooperation with State and local authorities in the rural districts of the United States.

The great English author and statesman, Benjamin Disraeli, very truly said:

Public health is the foundation on which reposes the happiness of a people and the power of a country. The care of the public health is the first duty of a statesman.

Many years later President Taft said:

It may well be claimed that the care of individual and family health is the first and most patriotic duty of a citizen.

It is with these thoughts in mind that I desire to bring to the attention of the Senate the necessity for increased public-health activities on the part of the Federal Government, particularly with relation to those measures which may be undertaken in cooperation with the States, looking to the increase of health for the rural dweller of our country. It should be borne in mind that at the present time approximately 54 per cent of the total population in our country is rural and that the enactment and enforcement of those measures which will bring greater health to the country dweller will react to the benefit of the entire citizenship of the Union, both in a physical and an economic way.

The Congress of the United States has been slow in realizing the necessity for active and intensive operations for the prevention of disease and the consequent increase of healthfulness and longevity. That sacred document, the Constitution of the United States, if we except the phrase in the preamble relating to the promotion "of the general welfare," makes no mention of health or health activities, and for the most part health laws which were subsequently enacted by Congress had as their stimulus an immediate and pressing danger, such as the presence of epidemic disease or its threatened importation.

A brief review of the health laws of the United States shows that there has been a gradually increasing attention to the governmental protection of the public health. This is a movement which found expression in the act approved August 14, 1912, entitled "An act to change the name of the Public Health and Marine-Hospital Service to the Public Health Service." This gave additional powers to and laid additional duties upon this important branch of our Government and reaffirmed powers and duties of prior existence.

The earlier attempts at colonization in the United States were marked by a series of disastrous epidemics. In fact it may be said that practically every attempt at exploration or colonization has entailed a struggle against some communicable disease. In each of the wars in which our country has engaged, more men have perished from disease than from the violence of war, and it may be said that the political history and geography of our Nation has suffered alteration because of ignorance of the causes and methods of spread of disease and because of failure to apply and bring into action the limited knowledge of which we were possessed.

The health enactments of colonial days were entirely local in their character and did little toward checking the spread of disease. By the time the Revolutionary War ended and our Nation, still in swaddling clothes though it was, was endeavoring to take the first steps toward its place among the great nations of the world, we began to realize that it was the duty of the Nation to control and manage the works and instruments which were to be used in the exclusion of disease from the Nation. And thus the child among the world's governments had its first instruction in the principle "Salus populi suprema est lex." This feeling assumed concrete form in a bill which was introduced into the First Congress providing for the assumption of quarantine functions by the General Government. Unfortunately this measure failed of passage because of the then existent jealousies between the various local ports and the fear that through some unforeseen contingency the Federal operation of quarantine might react against the commercial advantage of some State or port. For the next hundred years, almost, maritime quarantine was administered as a State function until it became apparent that the protection of all the States against the diseases of the world was a matter for the General Government, and not for the communities entering into the formation of that General Government. It was seen that since commerce between the States and with the outside world is controlled by the Federal Government, it is the duty of the Federal Government to so wisely conduct the operations of commerce that the individual States may receive health protection against the other States, and that the entire collection of sovereign States shall be protected against the invasion of disease from abroad. As a result, all of the maritime quarantines of the United States, with the exception of those of New York, Philadelphia, and Baltimore, have been ceded by the States to the General Government, and Congress has enacted wise laws looking to the prevention of the interstate spread of disease and to the cooperation of the Federal Health Service with State and municipal health authorities.

Within the past two months an officer of the United States Public Health Service has been appointed quarantine officer of the port of New York and the legislature of that State, by authorizing the governor to appoint a commission to consider the matter has taken the first steps toward cession of the quarantine function of the Empire State to the Federal Government. This marks a very important advance in the public-health movement in America, and the State of New York is to be commended for the stand which it has taken in this regard.

But this state of affairs was not arrived at spontaneously or by reason of a single law. It has been reached step by step and by the enactment of measures following along the general lines of that of which I am now speaking, measures for the most part prompted by the fear of pestilence or as a result of bitter lessons learned from its ravages. In fact it may be said that the public-health policy of the United States has passed through two developmental stages and is now in the third.

In the first stage the General Government assumed no authority or responsibility whatsoever. It was held that all of the authority was vested in the sovereign States and that the General Government had fulfilled its public-health function when it placed at the disposal of the States such officers and equipment as could be temporarily utilized for public-health duties. Thus in the act approved May 27, 1796, entitled "An act relative to quarantine," the President was authorized to direct revenue officers and officers commanding forts and revenue cutters to aid in the execution of quarantine and the health laws of the States. It is entirely probable that this law had its inspiration in the outbreaks of yellow fever at Charleston, S. C., Philadelphia, New York, Newport, and Boston. This is, however, the first national public-health law. Congress had previously, on April 3, 1794, authorized the President to alter the place for holding the sessions of Congress if in his judgment there existed a prevalence of contagious sickness which would be hazardous to the lives or health of Members of Congress, and important though it is for the legislative body of the United States to enact laws looking to the sanitary salvation of its Members, it is rather remarkable that Congress waited two years before it passed a health law for the country as a whole. It may be noted in passing that the act of May 27, 1796, was repealed by the act of February 25, 1799, but Congress was so well satisfied by the operation of the law of 1796 that the act of 1799 went much further and authorized the Secretary of the Treasury to make regulations governing the cooperation between revenue officers of the Government and State health authorities and provided for the erection of warehouses in which to store goods and commodities held in quarantine. It also authorized the changing of ports of entry on account of contagious or epidemic diseases, for the removal of places of sitting of the United States district courts, and for the removal of the seat of government and the Supreme Court of the United States on account of epidemic outbreaks.

No very great progress was made in the increase of governmental health functions, if we expect the act to encourage vaccination, which was approved February 27, 1813, until the act of May 26, 1866, which authorized the Secretary of War and the Secretary of the Navy to place gratuitously at the disposal of the commissioners of quarantine, or the proper authorities of any of the ports of the United States, vessels and hulks to be used temporarily for quarantine purposes, and under the joint resolution approved the same day authorized

the Secretary of the Treasury to make and carry into effect such orders and regulations of quarantine as in his opinion may be necessary and proper in aid of State or municipal authorities to guard against the introduction of cholera into the ports of the United States. It is not improbable that this law was enacted as the result of cholera, which was then epidemic in the United States.

It is interesting to note that cholera epidemics occurred in our country in 1817, 1819, 1832, 1833, 1848, 1849, 1850, and 1855; but apparently it required this last devastating outbreak to bring home to the American people forcefully the realization that safety from cholera means its exclusion from abroad. The following year Congress again authorized the loan of vessels and hulks to the quarantine authorities of the States.

The memory of the frightful yellow-fever epidemic of 1878 still lingers in the minds of many within the hearing of my voice. It attacked the entire South and for a time completely paralyzed its external commerce and its internal administration. At least 30,000 people were stricken, of whom fully 15,000 lost their lives. Just 25 years before, during the months of June, July, and August, of 1853, 16,000 persons, of whom 8,000 died, were attacked by yellow fever in New Orleans. The outbreak of 1878 swept up and down the Southern States like wildfire. But, thank God, yellow fever has disappeared from our country never to return, and we are entirely safe from the ravages of this awful disease.

Congress was impressed with the fact that the let-alone sanitary policy which was then being pursued was neither wise nor proper, and that the Federal Government must discharge in a better way its health responsibility to the Nation if we were to dwell in prosperity and security from disease. As a result, the act approved April 29, 1878, to prevent the introduction of contagious or infectious diseases into the United States, passed this body. This act provided for consular bills of health and for reports by consular officers on the sanitary condition of the ports at which they were stationed. These reports were to be made to the Surgeon General of the Marine Hospital Service, who was charged, under the direction of the Secretary of the Treasury, with the execution of the provisions of the law and the promulgation of rules and regulations necessary for the conduct of quarantine. It was expressly provided in this act that these rules and regulations should not conflict with or impair any sanitary or quarantine laws or regulations of any State or municipality. The enforcement of the national quarantine rules and regulations was made a duty of the officers of the Marine Hospital Service, and the policy was thus adopted that the protection of all the States against disease from foreign countries or from one another was the function of the General Government.

The issuance of bulletins on health had been authorized by a previous act of Congress, but in an act approved March 3, 1879, an appropriation was made for the publication of these bulletins. This may be said to be the beginning of the Government's policy of issuing from time to time for general distribution information of a public-health character. In reality this was the second stage in our sanitary progress, the basic idea of which is the protection of the individual citizen, locality, or State by the State and municipal health authorities and the protection of all of the States against foreign and domestic disease by the General Government. This policy takes cognizance of the pride of the States and their unwillingness to surrender to the General Government or to lay upon its shoulders any duty or function which they can satisfactorily perform. It imposes on the National Government the protection of the States, one against the other, the assumption of the burden when an epidemic exists in more than one State or is apt to spread beyond the borders of a State and the throwing about interstate commerce those health safeguards which will make such commerce safe and without health hazard to the integral units of our Nation. This policy recognizes the duty of the States to attack and solve problems which are purely intrastate, but it demands that the General Government shall undertake the study and investigation of matters which concern all of the States or which demand the services of Federal experts for the conduct of experiments which will react to the benefit of the various States and the body politic.

In pursuance of this policy, the United States Public Health Service, an organization which has grown out of the Marine-Hospital Service, has been charged with the duty of the study and investigation of the diseases of man. The officers of this organization have opportunities for study and investigation which are entirely closed to the local practitioner. These officers travel over the various parts of the United States, and in many other parts of the world, in the discharge of health functions and they secure in this way a broad viewpoint as well as an extensive experience in the prevention of the spread of communicable disease. As a result, the Public Health Service has become a clearing house of health information, which is ever at its command. The knowledge of all in effect is at the command of each.

An appropriation act approved August 7, 1882, created a fund "for the prevention of the introduction and spread of contagious diseases," which has been continued ever since and which has come to bear a very important relation to our sanitary defenses. This is in effect an emergency fund which the President may expend in aid of State and local boards or otherwise in his discretion in the prevention and suppression of cholera, typhus fever, yellow fever, smallpox, bubonic plague, and trachoma, and in such emergencies in the execution of any quarantine laws which are in force.

The first session of the Fifty-first Congress enacted a law which was approved March 27, 1890, which marked the beginning of a new phase in our national public-health policy. Prior to this time aside from the work of eradicating epidemics the national health authorities had as their function the exclusion of disease from abroad rather than the prevention of the interstate spread of communicable diseases. The act approved March 27, 1890, had to do with cholera, yellow fever, smallpox, and bubonic plague. This act provides that when it is made to appear to the satisfaction of the President that cholera, yellow fever, smallpox, or plague exist in any State or Territory or the District of Columbia, and that there is danger of their spread into other States, Territories, or the District of Columbia, he is authorized to cause the Secretary of the Treasury to promulgate such rules and regulations as will control and prevent such spread. The preparation of these regulations is a duty of the Surgeon General of the Public Health Service, and penalties are imposed for the infraction of these rules and regulations by common carriers, their servants, and the general public. This was the beginning of the policy of governmental control of the spread of disease in interstate traffic. It has grown until it includes other diseases than the major pestilences, and the act approved February 15, 1893, extended and expanded this policy.

The Fifty-first Congress, in its second session, passed an act which was approved March 3, 1891, providing for the medical examination of arriving alien immigrants by the Marine-Hospital Service. This was in reality a further attempt at the prevention of the introduction of exotic disease, and this act and the subsequent amendments thereto has not only served to exclude from our country acute communicable diseases but also to provide a more healthy stock from which to breed the future generations of our Nation.

It will be recalled that in 1892 there was a fulminant outbreak of cholera in Hamburg, Germany, and our Nation was at that time in great danger of the importation of that dread disease into the United States. During the course of this widespread devastating epidemic, which in its journey from the valley of the Ganges through Persia claimed 20,000 victims in Teheran alone, and in its course through Russia destroyed 215,157 more, and which extended through Germany, Austria, France, Belgium, Holland, and even to the harbors of the Western Hemisphere, no more instructive example of the connection between the disease and polluted water and of the immunity conferred by the use of a pure supply could have been yielded or desired than the experience of Hamburg, Altona, and Wandsbek. These three cities adjoin one another so closely that there is no visible line of demarcation, and in a geographical sense might be regarded as one place.

In one important respect, however, the three places differ very materially, namely, their public water supplies. Wandsbek was supplied with filtered water from a lake but little subject to pollution; Altona drew upon the Elbe at a point below the entrance of the sewage of Hamburg, but filtered the water through sand; Hamburg used unfiltered water from the Elbe above the city. During the summer of 1892, or between August 17 and October 23, Hamburg, with a population of 640,000, had nearly 17,000 cases of cholera, of which slightly more than half terminated fatally; Altona, with a population about a quarter as large, had but 500 cases, or only one thirty-fourth as many—400 of these are supposed to have come from Hamburg—and Wandsbek had practically none.

Very noticeable was the fact that where Hamburg and Altona come together the Hamburg side was plentifully sprinkled with cases while the other was comparatively free, and this was still more particularly remarked along a certain street that for a distance formed the boundary line, in which the houses on the Hamburg side had plenty of cases and those opposite had none. Almost as though intended for the purpose of marking more sharply yet the distribution of the two kinds of water, it hap-

pened that a group of tenement houses on the Hamburg side of the boundary was supplied with water from the Altona mains, and in these houses, densely peopled by the laboring class, not a single case occurred, while in neighboring houses the disease was raging.

Thus we have a most eloquent instance of the value of filtration and of the danger of using polluted supplies. Hamburg's unfiltered water came from above the city, while Altona had to depend upon water which before being filtered had received the entire sewage of over three-quarters of a million people.

Congress, fully alive to the danger of the spread of the cholera epidemic to our country, passed an act, which was approved February 15, 1893, creating further barriers against the importation of diseased persons and things from abroad. This act is of great importance. In fact, it may be said to be one of the organic public health laws of the United States, because it not only contemplates the exclusion of epidemic diseases from abroad but also the prevention of the interstate spread of communicable maladies. Under this act the interstate quarantine regulations are promulgated, regulations which have to do not only with the carriage of diseased persons and things but also with regard to the purity of water served to passengers during transportation in interstate traffic and the abolition of common roller towels and common drinking cups on the vessels and vehicles *of common* carriers. The law referred to provides for the publication of the public health reports and for the collection of morbidity and mortality statistics by the Public Health Service.

In 1900 the quarantine function of the United States was extended to Porto Rico and to the Territory of Hawaii, and in 1906, following the 1905 outbreak of yellow fever in the Southern States, Congress passed another act to further protect the public health and to make more effective the national quarantine. This act was approved June 19, 1906, and resulted in the cession to the United States of practically all of the quarantines of the Southern States.

Up to 1893 the public-health function of the United States was entirely administrative. It undertook, by the enforcement of rules and regulations, the exclusion of disease from abroad and the prevention of its interstate spread. It undertook the eradication of epidemics of the major pestilences in cooperation with State and local health authorities. The act of 1893 added another function—namely, of education. The law provided for the collection of data relative to the prevalence and distribution of disease from all available sources, including State and municipal sanitary authorities throughout the United States, and for the preparation and publication of this information so that it might be transmitted to collectors of customs and to State and municipal health officers and other sanitarians. More than this, the law specifically provided that information should be collected from State and municipal health authorities, public associations, and private persons relating to the climatic and other conditions affecting the public health. This was the beginning of the policy that "education is the handmaiden of public health," and it brought to the people of the country and their public-health officers increased information as to the prevalence and distribution of disease and the means of avoiding, preventing, and eradicating such diseases.

In 1902, in an act approved July 1, 1902, a third function was added, that of investigation. That act provided for the advisory board of the Hygienic Laboratory, and established divisions of chemistry, zoology, and pharmacology in this important institution, an institution which has added enormously to the world's store of sanitary knowledge and which has become one of the most important health-research institutions in the entire world.

An act was approved on the same day to regulate the sale of viruses, serums, toxins, and analogous products in the District of Columbia and to regulate interstate traffic in such articles. The application of this act has brought about the licensing of the manufacturers of the various biologic products which are used in the treatment of disease, the establishment of standards of potency for diphtheria and tetanus antitoxin, and has acted as a public-health measure of far-reaching importance, in spite of the fact that Congress has not appropriated any funds whatsoever for the carrying out of this law. This is the more remarkable when we consider that the Sixty-third Congress, in the act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1916, appropriated $607,780 for the general expenses of the Bureau of Animal Industry, said act specifying that a part of this appropriation was to be used for carrying out the provisions of the act approved March 4, 1913, regulating the preparation, sale, barter, exchange, and shipment of viruses, toxins, or analogous products manufactured in the United States and the importation of such products intended for use in the treatment of domestic animals.

Finally, the third stage of the developmental cycle of the public-health activities of the General Government was begun by the passage of the act approved August 14, 1912, which changed the name of the Public Health and Marine-Hospital Service to that of the Public Health Service, and specified among its functions the study and investigation of the diseases of man and conditions influencing the propagation and spread thereof, including sanitation and sewage and the pollution, either directly or indirectly, of the navigable streams and lakes of the United States and the issuance, from time to time, of information in the form of publications for the use of the public.

This short résumé of the public-health acts of the Congress of the United States shows that the public-health functions of the National Government are administrative, investigative, and educational. The machinery for carrying on the administrative functions is the Public Health Service of the United States, a corps of 186 commissioned medical officers, assisted by acting assistant surgeons, research workers, and employees. This administrative function is discharged directly, in so far as it relates to the prevention of the introduction of disease from abroad, the prevention of the interstate spread of disease, the examination of arriving alien immigrants, the regulation of the interstate sale of serums, viruses, and antitoxins used for the treatment of the diseases of man, and indirectly, in cooperation with State and municipal health authorities, in the eradication and prevention of the interstate spread of the major pestilences.

It was in the discharge of this function that Surg. J. H. White carried on the magnificent campaign which freed New Orleans of yellow fever, a campaign which was the more remarkable in that the disease was completely eradicated prior to the appearance of frost.

It used to be thought that the climate of our Gulf States predisposed to this dread disease, but, thanks to the campaign to which I have just referred, and to the efficient application of the quarantine laws by the Public Health Service, not one single case of yellow fever has occurred within the borders of the continental United States since 1905, and the traveler visiting Louisiana and the other Southern States to-day runs absolutely no danger whatsoever from this disease.

Similarly, when bubonic plague made its appearance in the city of San Francisco, just struggling phœnixlike to its feet from the ashes of a great conflagration following upon an earthquake, Rupert Blue, the present Surgeon General of the Public Health Service, attacked the pestilence and by his skillful administration of scientific principles set the standard for plague campaigns for all future time. In much the same manner Surg. R. H. Creel eradicated plague from Porto Rico, thus saving one of our fairest insular possessions from the devastation of a great epidemic; and later, when plague raised its venomous head in New Orleans, threatening not only the Crescent City but Louisiana and the entire Mississippi Valley as well, it was another officer of the Public Health Service—Asst. Surg. Gen. W. C. Rucker—who conducted the measures which so speedily and effectually throttled and evicted the pestilence which walketh in darkness and striketh at noonday.

I doubt if we will ever realize the great and lasting value of the work to which I have just referred. Aside from the loss of human life which it entails, bubonic plague produces an enormous economic loss once it fastens itself upon a community. It paralyzes commerce; it spreads that fear which disrupts business; and the expense of eradicating the disease is very great. As a result of the work of such men as Blue and Rucker and Creel, San Francisco, New Orleans, and San Juan are now rat-proof cities; and being rat-proof cities, they no longer have any fear of plague, because plague is a disease of rats and carried from the sick rats to mankind by fleas. Therefore, if we exclude rats from the home and workshop of man, we protect man against the disease. Never again will there be an epidemic of bubonic plague in New Orleans.

The people of that city realized that the conquest of this disease was one for the Federal Government, and, having before our eyes the wonderful record which Rupert Blue had made at San Francisco, we felt that the Public Health Service could give us the most expert assistance. Our request for aid was met promptly, and so well was the campaign organized and administered, and so sound were the scientific principles upon which it was based, that the epidemic was very speedily stamped out, almost before it had gotten a good start. But this was not enough. We realized that while the present danger was passed, that unless we erected barriers against the rats it would only be a matter of time until the disease reappeared. A great port like New Orleans, having intimate commercial relations with all the world, is, of course, liable to the importation of plague-infected rats, because the best quarantine yet devised by man can not exclude all plague rats without

serious hindrance to shipping. The city of New Orleans passed an ordinance requiring the rat-proofing of buildings, and the warehouses, the docks, the public buildings, the stores, and the factories and residences have been rat-proofed in a way which is remarkable, and to-day, as a result of the campaign against yellow fever and the campaign against bubonic plague, New Orleans is one of the healthiest cities in the world. I have spoken of the eradication of plague from Porto Rico. Dr. Blue had shown in California that plague was capable of eradication. He had laid down the administrative and scientific principles upon which this was to be accomplished. This, however, had never been tried in the Tropics on a large scale until bubonic plague broke out in San Juan and subsequently appeared at one or two other places in Porto Rico. So effectual was the work that the disease was not only speedily wiped out but has never recurred, no case of human plague having occurred in Porto Rico since 1912.

Time does not suffice to mention by name the many officers of the Public Health Service who, on lonely quarantine stations in the Philippines, Alaska, and Porto Rico, have attacked and conquered disease problems, or to tell the story of those officers on the sanitary outposts in the Mexican littoral, Central America, the Canal Zone, and the maritime nations of South America who so ardently have devoted themselves to the protection of their country against disease. This has been of material assistance not only in the protection of the health of the continental United States but in the sanitation of the Panama Canal Zone as well.

Suffice it to say that in proportion to the number of its commissioned personnel the Public Health Service has lost as many officers in the combat against disease as have the strictly military arms of our Government in fighting the battles of our country against human foes.

Some day when the history of sanitation has been written the story will be told of Surg. John McMullen, who, by his field investigations of trachoma, has returned the sight to thousands of eyes which were destined to look out unseeing on the beautiful mountains of Kentucky and Tennessee, and future generations will read of the way in which Surg. L. L. Lumsden has eradicated epidemics of typhoid fever and raised the standard of health in many American communities.

The investigative functions of the Federal health service cover a wide and interesting field and have added large stores of knowledge to science. It was Asst. Surg. Gen. Henry R. Carter, an officer of the Public Health Service, who made the first discovery in the chain of investigations which led to the conquest of yellow fever. Another, Surg. Joseph Goldberger, by his researches in the laboratory and in the field, placed in the hands of science a sure weapon for the prevention, eradication, and cure of pellagra, a disease which in recent years has spread alarmingly on American soil.

Pellagra has been increasing throughout the United States during the past eight years, and it is estimated that 75,000 cases of this disease occurred in the United States in 1915, and of this number at least 7,500 died. In many sections of our country only tuberculosis and pneumonia exceed it as a cause of death. It was Prof. C. W. Stiles, of the Hygienic Laboratory, who discovered the American hookworm, a parasite which has sapped the vitality, lowered the efficiency, and caused the death of large numbers of people in America. Prof. Stiles estimates that in this country 2,000,000 individuals, residing in the zone from the Potomac to the Mississippi and along the Atlantic littoral and Gulf States, suffer from hookworm infection. Hookworm is essentially a rural disease. Its prevention consists in preventing soil pollution and in treating existing cases so as to diminish the amount of infection. The suppression of hookworm disease, according to Prof. Rosenau, of Harvard University, means the social and economic uplift of a large section of this country, the education of millions of people, and an entire change in their daily hygienic habits. Education of the masses, particularly of the rural dweller, is an important factor, calling for cooperation between the Federal, State, and local health authorities, the civic forces, the medical profession, schools, and philanthropic agencies. The disease is very easy to cure and also very cheap to cure. The suppression of hookworm disease, quoting Prof. Rosenau again—

> will diminish the amount of tuberculosis, typhoid fever, and other infections. The prevention of tuberculosis deals especially with personal hygiene and the prevention of typhoid fever and hookworm with the sanitation of the environment. With the combination of improved personal hygiene and improved sanitation we may confidently expect a very great improvement in the standards of health in communities which are at present infected with hookworm disease.

Anderson and Goldberger, two other officers of the Public Health Service, working together, discovered the method of transmission of typhus fever, while Fricks, another officer, evolved by careful scientific study a simple method for the ridding of land of the ticks which carry Rocky Mountain spotted fever. This is essentially an American disease, occurring only in the Rocky Mountain region of the United States. It is transmitted to man through the bite of wood ticks. In some localilties only about 5 per cent of those who receive the infection die from it, but in other localities the death rate has been as high as 95 per cent of those infected.

In its investigations of rural sanitation the Public Health Service has reduced typhoid fever 80 per cent in some counties, and malaria has fallen off in those places in which the Public Health Service has worked as much as 50 per cent in a single year. These facts are not told with the idea of praising the Public Health Service or for the purpose of bringing to the attention of the Senate those facts which may be found in the annual report of the Surgeon General of the Public Health Service. I merely speak of them here to emphasize the point that this work has been carried on—this work for the protection of the health of American citizens—on appropriations which are less than have been expended by other departments in the effort to control a single disease of the lower animals. The legacy of health is the most valuable of all worldly possessions, and the cultivation of a strong, virile, able-bodied citizenship will endow our Nation with the greatest asset which mankind can have. I do not decry the expenditure of money for the protection of the health of live stock or for the prevention and eradication of the diseases of plants, but I desire to leave with the Senate the thought that the health of human beings is of at least as great value to the Republic as that of animals and vegetables, and too great an effort can not be made in protecting and maintaining the people of the United States in a condition of physical vigor. The question of the preservation of life and health lies at the root of individual and national happiness and prosperity. I shall recur to this subject in a few moments and shall by comparisons show that we have in the past made appropriations for the conservation of the health of animal and vegetable life in the United States many times greater than the appropriations for the conservation of American public health.

I have spoken of the administrative public health functions of the Government. I have referred to its investigative functions, and, lastly, I desire to speak of its third duty—that is, the health education of the general public. If the American people as a race have a single characteristic which differentiates them from the other peoples of the world, it is their belief in education. Ours is not the only people who love freedom or who believe in the blessings of liberty. Ours is not the only great Commonwealth which has as its basis the equality of all mankind, but ours is the only nation in the world which endeavors in every possible manner to bring to its people the benefits of education throughout their entire period of existence, from the moment of the first glimmerings of intelligence until the eventide of old age. One of the things which marks the highest advance in sanitation and hygiene is the fact that it has become generally recognized that it is not only necessary that the American citizen shall receive training in the ordinary curriculum of arts and sciences but that he shall learn to conserve and care for that most valuable of all American possessions, the physical body of the American citizen, and it is necessary that this lesson shall be so thoroughly ingrained in the very essence of his nature that in time the maintenance of health and obedience to the rules of sanitation and hygiene shall become so much a matter of habit that they will be as automatically observed as are the rules of propriety and devotion.

The General Government undertakes, first of all, to determine with as great accuracy as possible the distribution of communicable diseases both at home and abroad. This takes the form of morbidity; that is, sickness and mortality; that is, death statistics. From this information it is possible to take measures against such diseases, to take an accurate count of the results of such measures and to point an educational moral. This material is published weekly in the public-health reports. The other publications of the Public Health Service give to the American people the results of investigations and point out methods and means of preserving health and avoiding disease. In this way the American people have been the recipient of a vast fund of information dealing with a great variety of health subjects in a practical manner, and in such a way as will make them of increasing value in the days to come.

In the future this health education must take two forms. The first of these is through the medium of the written page. Not only must our Government health service bring to the citizen information by means of bulletins regarding the methods

of conserving health, but it must also, through the public prints, afford timely and practical instruction in hygiene and sanitation. Congress has already granted authority, in the act approved August 14, 1912, for the issuance of health bulletins for the general public, and this work is progressing as it should. Any careful study of the daily papers and periodicals will show that there is an increasing amount of space devoted to health subjects. Much of this material has been prepared with the assistance of the Public Health Service; in fact, it may be said that the entire public-health movement in America has received a great stimulus from the work of that important service. But this is not enough. In many situations the instruction must come, not by the printed page, but by actual demonstration, and such demonstrations find as their most practical basis scientific field investigations. These are necessary in practically all the rural districts of this country, more peculiarly with regard to typhoid fever and malaria, which are essentially rural diseases.

A careful study of the mortality statistics in the registration area of the United States shows that while there has been a decline in the death rates throughout the Nation as a whole, that the death rate in the country has not fallen as rapidly as that in the urban districts.

The States included in the registration area for deaths for 1913 are as follows:

California, Colorado, Connecticut, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, New Hampshire, New Jersey, New York, North Carolina (municipalities of 1,000 population or over in 1900), Ohio, Pennsylvania, Rhode Island, Utah, Vermont, Virginia, Washington, and Wisconsin.

The following registration cities in nonregistration States, with the registration States previously listed and the District of Columbia, constitute the registration area for deaths in 1913:

Alabama: Birmingham, Mobile, and Montgomery.
Delaware: Wilmington.
Florida: Jacksonville, Key West, and Pensacola.
Georgia: Atlanta, Augusta, and Savannah.
Illinois: Aurora, Belleville, Chicago, Decatur, Evanston, Jacksonville, Quincy, and Springfield.
Kansas: Atchison, Coffeyville, Fort Scott, Hutchinson, Independence, Kansas City, Lawrence, Leavenworth, Parsons, Pittsburg, Topeka, and Wichita.
Louisiana: New Orleans.
Nebraska: Lincoln and Omaha.
Oregon: Portland.
South Carolina: Charleston.
Tennessee: Memphis and Nashville.
Texas: El Paso, Galveston, and San Antonio.
West Virginia: Wheeling.

In 1900 the death rate was 17.2 per 1,000 living in the registration States, and in 1912 the rate for the same States was only 14.6, a reduction of 2.6 per 1,000, or 15.1 per cent. This decline in mortality, however, was much more pronounced in the cities in the registration area. In these cities the death rate in 1900 was 18.9 per 1,000, while in 1912 it had fallen to 14.9, a reduction of 21.2 per cent in the 12 years under discussion.

In the rural part of the registration States it fell only 8.6 per cent. In this connection it should be borne in mind that the country districts are the homes of the native American stock, while the cities receive annually hordes of immigrants from Europe whose mortality rate is and has been for years much higher than that of our American stock, in spite of the efforts which have been made to exclude the unfit. In like manner the colored race, with its high mortality rate, is almost twice as largely represented in the cities of the registration States as in the rural sections. If, therefore, a complete standardization was made of the death rates which I have just mentioned, it would be found that while the average death rate in the country is a little lower than it is in the city, that the conditions mentioned above would more than overbalance this point in favor of the country. In spite of all our preconceived ideas as to the healthfulness of the country—and by the country I mean those centers with a population under 2,500—the rural sections suffer severely from the ravages of tuberculosis. Such typically rural States as Kentucky and North Carolina—and these are but examples of the other States having a large rural population—suffer a death rate from tuberculosis higher than that for the registration States taken as a whole and higher than for the registration cities.

The typhoid problem is, however, one requiring the greatest attention. In 1911 the death rate from this disease was 22.2 per 100,000 in the rural sections as against 18.6 in the cities of the registration States. These figures in themselves clearly indicate the necessity for carrying on careful typhoid-fever investigations, because typhoid fever is always an unfailing signal of the existence of polluted water supplies, infected food products, and unsupervised typhoid carriers. These are a constant menace to the entire State and the neighboring States as well, through their effect on milk and other food supplies. When such progressive States as Colorado, Kentucky, Maryland, Missouri, New York, and Utah have a higher death rate from typhoid fever in the rural districts than in the cities it is a clear indication of the state of affairs in the country districts. It should be borne in mind that typhoid fever is a disease which is received through one route only—that is, through the mouth. Typhoid fever is a disease which is peculiar to man. It does not occur in the lower animals. It is caused by a minute vegetable organism, known as the typhoid bacillus. This bacillus leaves the bodies of infected persons in their excretions. It is taken into the bodies of well persons in polluted water and infected food. Sometimes persons who have had the disease continue to excrete the bacilli for a considerable period of time after their recovery. These are known as chronic carriers, and they may, as for example, in the case of the famous Typhoid Mary, infect many people during their lives. Flies, by reason of their filthy habits, are great distributors of the germ of typhoid fever. They act usually by infecting foodstuffs. When we stop and consider the country as the commissary of the city, when we realize that food products which are in constant movement toward the congested centers of population may have been exposed to infection with the typhoid bacillus, we begin to appreciate that the typhoid problem is not alone the problem of the country, not alone the problem of the State in which it exists, but a problem for the entire Nation.

The problem of rural sanitation calls for consideration from two points of view—that of the possible danger of objectionable surroundings and unhygienic practices to the individual on the farm and to his immediate neighbors; and that of the menace which insanitary farm conditions may present indirectly to urban communities. The sanitary relation of the farm to the city involves almost entirely the possibility of the spread of actual infection from country to city through milk, meat, vegetables, and other farm products.

The milk supply for the average American city is obtained from a large number of dairy farms and the liability of cases of typhoid fever developing among persons living on farms may be readily appreciated. The city of Washington, for example, obtains its milk supply from about 1,000 dairy farms.

When cases of typhoid fever exist on dairy farms there is, in many instances, the likelihood of the infection being conveyed from the patients to the milk. Frequently the cases are not recognized as typhoid fever until the second or third week of illness and during this period no precautions are taken whatsoever. When the germ is not destroyed as it leaves the body of the typhoid-fever patient, there are many ways in which it may be carried from the patient on a dairy farm to the milk, and thus to the city dweller. Thus those caring for the sick or handling the soiled bedding or excreta of the patient may convey the infection on their hands or clothing. In other instances the person who has the disease recovers only to become a chronic carrier. One of these carriers working in milk at a dairy farm or in a dairy may contaminate a can of milk from time to time and may be the source of infection of a great number of cases. For example, at Cedar Falls, Iowa, in October, 1907, 13 cases of typhoid fever occurred in 3 families, all of which received milk from the same source. The man who owned the cow and did the milking had had typhoid fever one year previous to the outbreak. He was found to be a chronic typhoid bacillus carrier. Drs. Lumsden and Woodward have reported an outbreak of typhoid fever in September and October, 1908, in Washington, D. C., in which 54 cases occurred. The cases were among the customers of two different dairymen, both of whom received a part of their milk supply from a certain farm. All the evidence pointed to this farm as the source of the infection in the milk. No history of recent sickness on the farm could be ascertained. A search for bacillus carriers among the persons on the farm was made, and in the specimen of feces obtained from one of the milkers, a woman who had had an attack of typhoid fever about 18 years before the time of the outbreak, typhoid bacilli were found in large numbers. No source other than the feces of this woman could be discovered to account for the infection of the milk.

At Palo Alto, Cal., in 1903, an outbreak of typhoid fever was traced to milk by Fish, Mosher, and Snow. Of 900 persons who used milk from the infected supply, 232 had typhoid fever. In this instance it was determined that the milk became infected through the water used for washing the cans and also at times for diluting the milk. This water was obtained from a creek which received the drainage from several houses in which there were patients with typhoid fever.

A few years ago it was not uncommon for farmers to meet with a spirit of resistance any suggestion of hygienic improvements which were planned to diminish the danger of the farm as a starting point for the spread of disease. At times there

has actually been aggressive opposition to proposed regulations, the object of which was defensible from every unbiased point of view. The milk industry could furnish many instances in recent times of actual refusal on the part of farm communities to supply an essential food to the market under conditions that to-day are everywhere accepted as rational and necessary.

A few years ago the apparent indifference of the rural community to the needs of the urban population dependent on the farm for a healthful food supply could be excused on the basis of ignorance. To-day there is no excuse for apathy toward the teachings of modern sanitation.

Mr. FLETCHER. Mr. President, if the Senator has not already covered it, I should like to call his attention to the ordinary house fly as a carrier of typhoid germs and other bacilli.

Mr. RANSDELL. I will say to the Senator that before he came into the Chamber I did refer to the house fly as one of the most fruitful carriers of disease, and one of the pests that we should use the most strenuous means to destroy.

The campaign of education that is being waged throughout the United States by all manner of forces—municipal, State, and National—by agencies connected with the Public Health Service, the Department of Agriculture, the experiment stations, the State universities, boards of health, civic organizations, and the public press ought to win its way into every rural home that has any ties whatever with civilized communities.

The better understanding of the farmer's unavoidable responsibility toward his distant fellow citizen has in turn reacted to advantage in respect to his own environment. Fortunately, with the general advance in rural standards of living in recent years, there has come about a considerable awakening of interest among farmers and representatives of rural communities along these lines, as well as among the public, as a whole. Modern methods of communication and travel have to a great extent brought the rural districts into closer relationship with the towns and cities. The farmer learns of the improved general health and reduction in the death rate resulting from the decrease of the ravages of contagious disease, which has been brought about through the introduction of such preventive measures as a sanitary water supply, proper methods for the disposal of sewage and garbage, and mosquito and fly extermination, and wishes to avail himself of these benefits.

The trained Federal sanitarian well realizes the futile idealism of much that emanates from an urban desk. Sometimes the most elementary sanitary conditions offer puzzling problems when the expense and feasibility of the proposed remedies are carefully studied. Too often the city reformer forgets the enforced monotony of diet, the lack of recreation, and the excessive hours of work which farm conditions may entail in some sections and at certain seasons. There are social as well as economic forces involved in farm life. The reform of rural sanitation, which is undeniably called for in some parts of the United States, must not overlook the personal element so strong in the country dweller. With the exigencies of the situation kept in mind, the campaign for improvement in rural sanitation is likely to do much to make farm life at once more profitable, more healthful, and more attractive, and by so doing contribute to safeguard the food supply, and therefore the health and the efficiency, of the Nation.

In 1909 the Commission on Country Life reported that—

> The farm should be the most healthful place in which to live, and there are numberless farmhouses, especially of the farm-owner class, that possess most excellent modern sanitary conveniences. Still, it is a fact that there are also numberless other farmhouses, especially of the tenant class, and even numerous rural schoolhouses, that do not have the rudiments of sanitary arrangement. Health conditions in many parts of the open country therefore are in urgent need of betterment.

This is in entire accord with the findings of the United States Public Health Service. In 1914 this service conducted rural sanitation studies in Berkeley County, W. Va.; Lawrence County, Ind.; Union County, Miss.; and Dorchester County, Md. In these four counties it was found on the original survey that at less than one-half of 1 per cent of the homes were sanitary toilets in use. In one of the counties 78 per cent of the rural homes were found to be unprovided with privies of any kind. In all four counties the vast majority of the privies in use were of the surface, open-in-the-back variety, in and about which there was gross soil pollution, with all of its attendant dangers, in the immediate vicinity of the homes. At over 50 per cent of the homes the water supplies in use were obviously polluted or of a very suspicious character. Taking the conditions found in these four counties as fairly representative of those obtaining in the rural districts generally throughout the United States, rural sanitation looks large among the matters vitally affecting the welfare of the Nation.

The bill under consideration contemplates the investigation and encouragement of the adoption of improved methods of rural sanitation, particularly with reference to the prevention of malaria and typhoid fever. It would therefore seem proper for us to step aside for a moment and consider what typhoid fever is doing in the United States. It is estimated from the statistics for the registration States that during the year 1914 there occurred in the United States 156,436 cases of typhoid fever. Of this number it is estimated that 15,643 persons lost their lives. When we take into consideration that the average age of these more than 15,000 persons was about 25 years, the enormous loss to the Nation begins to be apparent. We read with horror how in the engagements of the great European war one, two, three regiments are completely wiped out in a single day, and yet we pass by with indifference the fact that every year in the United States more than 15 regiments of people of an average age of 25 lose their lives from a disease which is wholly and entirely preventable, a disease whose causative agent is definitely known to science, a disease in which the route which this bacterium takes from the body of the sick man into the mouth of the well man has been definitely mapped out; a disease which has been called the great American disease, because, as compared with the other great nations of the world, our rate is unusually high. It is true that the typhoid-fever rate has fallen from 35.9 per 100,000 of population in 1900 to 15.4 in 1914, but this marked decrease has been largely due to improvement in the water supply and in the sewerage systems, the protection of milk, meats, and vegetables from contamination by flies, and other sanitary precautions in the large urban centers. A careful study of the statistics will show that the highest mortality from typhoid fever is from the rural part of our country.

It will also be of value for us to estimate the economic loss from typhoid fever. It is, of course, impossible to express in terms of dollars and cents the misery, the suffering, and the sorrow, which this disease has brought to our country, and it should, of course, be understood that any estimate expressed in terms of dollars and cents must in the very nature of things be only an approximation. When it is considered that only 65.1 per cent of the population of the United States is included in the registration area for vital statistics, it is seen how difficult it is to secure accurate information, in the first place, as to the number of deaths from typhoid fever, and when we consider, further, that there is no registration area for morbidity statistics in the United States, it is seen that the number of cases can only be estimated by considering the average mortality from the disease. On the basis, then, of 15,643 deaths, it may be estimated that the present value of the lives lost in the year 1914 from typhoid fever was $45,364,700. This estimate computes the average present value of a life lost from typhoid fever at $2,900.

In addition to the present value of the lives lost, it should be taken into account that every life lost in this way has a potential value. This is estimated at $12,600 each, which, multiplied by the number of deaths—15,643—gives the potential value of the lives lost at $197,101,800.

A certain proportion of these persons who lost their lives from this wholly preventable disease were wage earners. It is impossible to more than guess at the amount of wages lost by them in the period prior to their death, but $35 per death may be estimated as a conservative figure. This would give a total loss in this way of $547,505.

The medical attention, nursing, undertaker's fees, and so forth, of those who died must also be estimated. Figured at $150 per death, it gives a figure of $2,346,450.

In addition, those who died did not produce during the time that they were sick and it is estimated, figuring this at $40 per death, that the amount of money lost in this way was $617,440.

In other words, the total loss to the United States for the 15,643 people who died from typhoid fever during 1914 reached a grand total of $245,977,895, or $15,718 per death.

Let us now consider the economic loss resulting from those cases which had typhoid fever and did not die. The average death rate from typhoid fever is 10 per cent. Figured on the number of deaths, the number of cases of typhoid fever in the United States during 1914 would be 156,436. If we take from this the 15,643 deaths, we have left 140,793 persons who had the disease, but did not die. The loss incurred by these cases would be, first, loss of wages, which may be estimated at $70, and would give a total figure of $9,855,510.

Medical attention, nursing, and other attention for those who were sick, but did not die may be estimated at $75 per case, giving a total loss in this way of $10,559,475.

The loss of production for those cases which were sick, but did not die, may be estimated at $40 per case, giving a total figure of $2,631,720

In other words, the 140,793 cases which had typhoid fever and did not die cost the United States $23,460,705, or $163.69 per case.

If we add to the loss for the deaths the loss for the cases which recovered, we get a grand total of $271,932,880. If this amount were distributed throughout the inhabitants of our country it would give every man, woman, and child in the United States $2.65. In the face of such loss, it would seem as though every dollar which the United States Government could spend for the eradication of this disease would be money well invested.

Mr. President, let us now consider the economic losses to the Nation from malaria. Again, I desire to state that these figures can only be a very rough approximation. It is even more difficult to secure statistics regarding the incidence of malaria than the incidence of typhoid fever, because while the persons suffering from malaria are to a certain extent incapacitated this incapacity does not obtain to the same degree that it does in typhoid fever. This, perhaps, is balanced by the fact that malaria is a long-drawn-out disease, marked by a lowering of efficiency throughout its entire course, with almost complete disability during the period of its acute crises. These may occur every day, every other day, every fourth day, or at irregular intervals, and during the period of the chill, the fever, and the sweat, the malaria sufferer can do little if any work. It is extremely difficult to determine the average age of the persons attacked with the disease, and this makes it hard to estimate the number of persons having malaria who are wage earners. Therefore the figures which I give you can not be other than a rough guess. They are, however, suggestive, and I believe that I have underemphasized them rather than exaggerated them.

In 1913, 1,565 deaths from malaria occurred in the registration area. Assuming that the same rate prevailed in the remaining 34.9 per cent of the country, and this is an unfair assumption, for most of the malarial portion of the United States unfortunately is not in the registration area, the total deaths from malaria in the United States may be estimated at 2,404.

On the basis of 2,404 deaths, it may be estimated that the present value of the lives lost in the year 1913 from malaria was $7,871,600. This estimate computes the average present value of a life lost from malaria at $2,900, the same as in the case of those dying from typhoid fever.

If we estimate the potential value of a life lost from malaria at $12,600, the same as in typhoid fever, the total potential value of the lives lost from malaria is $30,290,400.

It is estimated that half of the persons who lost their lives from malaria during 1913 were wage earners, and that each person who died of malaria lost at least $35 in wages prior to his death. This would give 1,202 wage earners each losing $35, or a total loss of wages of $42,070.

The cost of medical attention, nursing, undertakers' fees, and so forth, of those who died is not less than in the case of typhoid fever, or $150 per death, giving a total of $360,600 for 2,404 deaths.

The loss of production occasioned by the illness of those who died during the year, upon the assumption that half of those who died were producers, is estimated at $48,080, or $40 each for 1,202 persons.

The total loss to the United States for the 2,404 people who died from malaria during 1913 reached a total of $38,612,750, or $16,061.88 per death.

It is estimated that there are 3,000 cases of malaria to every death from that cause. On this basis there were in the United States 7,212,000 cases in 1913.

The loss of wages, assuming that half the cases occurred among wage earners, and that the average loss to each was $25, was $90,150,000.

Medical attention, nursing, and other attention for those who were sick with malaria may be estimated at $5 per case, or a total of $36,060,000.

The loss of production, assuming that half the cases were among wage earners and that the disease both through loss of time and decrease of individual efficiency, reduced production one-fourth, is $145 per case, or $522,870,000 in all.

The total loss, then, of cases which had malaria but did not die was $656,292,000, or $91 for each person sick with malaria. The total loss by reason of both sickness and death caused by malaria was $694,904,750, or $6.81 per capita, for every inhabitant of the United States.

In other words, the estimated economic loss which our Nation suffers each year from typhoid fever and malaria alone aggregates $928,224,880, leaving out of entire account the sorrow, the unhappiness, the misery, and the inefficiency which follows in their train. Over $900,000,000 lost every year! A sum which is sufficient to put our country in a state of preparedness equal to that of any nation in the world, enough money to give us the largest Navy afloat and the most efficient Army which the world has ever seen is annually offered up as a sacrifice to two diseases which are entirely preventable. Enough money to pay the annual expenses of every college student in the United States is absolutely thrown away every year.

If we can assist the States to search out every case of typhoid fever and to destroy the discharges therefrom before they have had opportunity to be transferred through the intermediation or fingers, flies, food, and water supplies to healthy persons; if we can so educate the citizenship of this country that a person maintaining an insanitary toilet will be considered a public danger; if we can stimulate communities so that they will take the measures looking to the eradication of the anopheles mosquito, which is the distributor of malaria; if we will cure those persons suffering from malaria so that they will not be able to transmit their infection to mosquitoes, which in turn may transmit it to other people, we will be the means of sparing our Nation this tremendous annual economic loss.

But other benefits will follow in the train of such an action. It is a well-recognized principle of sanitary science that those measures which are taken to stamp out and prevent typhoid fever also have a remarkable effect in reducing the incidence of the other communicable diseases in a community, particularly those which are caused by the ingestion of the intestinal discharges of other persons. The amelioration in the death rate which follows the installation of water-purification plants is so well known that it has received a specific name, "the Mills-Reincke phenomenon."

In 1904 Mr. Allan Hazen, a sanitary engineer of international reputation, said:

> When one death from typhoid fever has been avoided by the use of better water a certain number of deaths, probably two or three, from other causes have been avoided. Not only is there a reduction in the typhoid mortality rate, but there has been a marked falling off in the diarrhea and gastrointestinal disorders which cause such a heavy infant mortality.

Following the improvement of the water supply of Lawrence and Lowell, Mass., there was a great falling off in the tuberculosis rate, and two very careful investigators, Profs. Sedgewick and McNutt, of the Massachusetts Institute of Technology, in commenting on this fact, state that—

> Inasmuch as we have been unable, even after the most careful investigation, to discover any other possible explanation of the figures, we are forced to the conclusion that a considerable proportion of the decline in mortality from tuberculosis in Lawrence and Lowell during the years immediately following the change from a polluted water supply was due to that change, and in line with this a similar explanation appears more than possible for Hamburg. A somewhat similar relation stands for pneumonia, bronchitis, and the acute respiratory diseases.

In view of these facts it seems to me that the sum of $500,000, which it is proposed by this bill to appropriate, is insignificant in comparison with the good which will follow.

Mr. OWEN. Mr. President——

The PRESIDING OFFICER (Mr. LEWIS in the chair). Does the Senator from Louisiana yield to the Senator from Oklahoma?

Mr. RANSDELL. I shall be delighted to yield.

Mr. OWEN. I will ask the Senator if he would not be willing to put in, as an exhibit to his remarks, the compilation, in the Irving Fisher report on national vitality, of the various diseases which are preventable? It is not long at all, and it is very persuasive, and is fully confirmatory of what the Senator is now saying.

Mr. RANSDELL. I shall be delighted to put it in. I will say to the Senator that I was trying to speak merely of two diseases at this time, typhoid and malaria, which are supposed to be strictly preventable diseases; but I think the addition of that table will be a genuine contribution, and I shall be delighted to add it to my remarks.

Mr. OWEN. I will say to the Senator that that table demonstrates that with a reasonable publicity the average of human life in the United States could be prolonged 14 years.

Mr. RANSDELL. I thank the Senator for the suggestion. [See appendix.]

Legislation for the benefit of the farmer is being agitated at this session of Congress. The problem of rural credits has occupied the attention of Congress and of the country

for many years, and I am heartily in favor of a rural-credit system. We should, however, not only help the farmer in his financial troubles, but also in his health problems. The agriculturist is the foundation and backbone of the Nation, for he produces the food that feeds our hundred million people, and the conservation of his energy and the preservation of his health are matters of the greatest moment to the entire country. The fact that millions of urban dwellers are exposed to serious diseases owing to the contamination of farm products brings home to all of us in a peculiarly personal manner the necessity for sanitary rural conditions.

Congress has never been slow in appropriating funds for the prevention of the diseases of animals and plant life. The urgent deficiency act approved January 25, 1915, carried an item of $2,500,000 for the arrest and eradication of foot-and-mouth disease, the payment of claims arising out of past and future purchases and destruction of animals affected by or exposed to foot-and-mouth disease, and for a deficiency in the objects specified under the head "General expenses, Bureau of Animal Industry," in the Department of Agriculture appropriation act for the fiscal year 1915. The same act carried an appropriation of $35,000 for the emergency caused by the infectious nature and continued spread of the destructive disease of citrus trees known as citrus canker and for conducting such investigations of the nature and means of communication of the disease and by applying such methods of eradication and control of the disease as in the judgment of the Secretary of Agriculture may be necessary.

Here we have in one act $2,535,000 appropriated for the prevention of animal and plant-life diseases. In the same act $220,000 was appropriated for the prevention of human epidemics and $23,620 was appropriated for the completion of a quarantine station at Portland, Me. Is this to be taken as an indication of the relative value which we place on human life and the lives of domestic animals and plants?

The following table shows the specific appropriations by Congress for the fiscal year 1915 for the investigation and prevention of diseases of man as compared with the appropriations for the investigation and prevention of diseases of animal and vegetable life:

Diseases of man.

TREASURY DEPARTMENT.

Public Health Service:	
Maintenance of Hygienic Laboratory	$20,000
Quarantine Service	155,000
Interstate Quarantine Service	15,000
Preventing spread of epidemic diseases	300,000
Field investigations of public health	200,000
Special studies of pellagra	47,000

DEPARTMENT OF AGRICULTURE.

Bureau of Animal Industry:	
Meat inspection	375,000
Bureau of Chemistry:	
Enforcement of the food and drugs act	644,301

DEPARTMENT OF LABOR.

Children's Bureau:	
Total appropriation	161,265
Total	1,917,566

Diseases and development of animal and plant life.

DEPARTMENT OF AGRICULTURE.

Bureau of Animal Industry:	
For inspection and quarantine work, including the necessary expenses for the eradication of scabies in sheep and cattle, the inspection of southern cattle, the supervision of the transportation of live stock, and the inspection of vessels, the execution of the 28-hour law, the inspection and quarantine of imported animals, including the establishment and maintenance of quarantine stations and buildings thereon; the inspection of work relative to the existence of contagious diseases, and the tuberculin and mallein testing of animals	$625,520
For all expenses for the eradication of the southern cattle tick	400,000
For all necessary expenses for investigations and experiments in animal husbandry; for experiments in animal feeding and breeding	182,840
For all necessary expenses for scientific investigations of diseases of animals	77,360
Bureau of Plant Industry:	
For investigation of plant diseases	37,000
For control of diseases of orchard and other fruits	52,675
For control of diseases of forest and ornamental trees	69,510
For control of diseases of cotton, potatoes, truck crops, forage crops, drug and related plants	46,000
For investigating the physiology of crop plants, and for testing and breeding varieties thereof	44,540
For soil bacteriology and plant nutrition investigations	35,000
For acclimatization and adaptation investigations of cotton, corn, and other crops introduced from tropical regions, and for the improvement of cotton by cultural methods	38,000
Bureau of Plant Industry—Continued.	
For investigation, testing, and improvement of plants yielding drugs, spices, poisons, oils, and related products and by-products, and for general physiological and fermentation investigations	$55,380
For biophysical investigations in connection with the various lines of work done by the bureau	25,000
For investigations and improvement of cereals and methods of cereal production, and the study of cereal diseases, and for the investigation of the cultivation and breeding of flax, including a study of flax diseases, and for the investigation and improvement of broom corn and broom-corn production	135,405
For the investigation and improvement of tobacco and the methods of tobacco production and handling	25,000
For testing and breeding fibrous plants	10,840
For breeding and physiological study of alkali-resistant and drought-resistant crops	22,280
For sugar-beet investigations, including studies of diseases and the improvement of the beet and methods of culture	41,495
For investigations in economic and systematic botany and the improvement and utilization of wild plants and grazing lands	24,000
For farmers' cooperative demonstration work outside of the cotton belt	400,000
For farmers' cooperative demonstrations and for the study and demonstration of the best methods of meeting the ravages of the cotton-boll weevil	673,240
For the investigation and improvement of methods of crop production under subhumid, semiarid, or dry-land conditions	160,000
For the investigation and improvement of fruits and methods of fruit growing, harvesting, packing, storing, handling, and shipping, and for experimental shipments of fruit within the United States and to foreign countries	107,500
For the purchase, propagation, testing, and distribution of rare seeds, and for the investigation and improvement of grasses, alfalfa, clover, and other forage crops	166,500
Bureau of Entomology:	
For investigations of insects affecting deciduous fruits	58,000
For investigations of insects affecting cereal and forage crops	114,500
For investigations of insects affecting southern field crops	59,000
For investigation of insects affecting forests	54,790
For investigations of insects affecting truck crops	41,500
For investigations in bee culture	15,000
For investigations affecting tropical and subtropical fruits	20,100
For investigations of the Mediterranean fruit fly	33,200
Preventing the spread of moths	310,000
Miscellaneous:	
Enforcement of the insecticide act	95,000
Enforcement of plant quarantine act	50,000
Domestic potato quarantine	50,000
Experiments and demonstrations in live-stock production	60,000
Investigations, etc., of hog cholera and dourine	600,000
Total	5,016,175

A study of this table shows that it includes only specific appropriations, not those appropriations which have to do with the salaries of the administrative forces of the Government nor those appropriations which are made for the Army and the Navy, but for the country as a whole. It will be noted that while $5,016,175 was appropriated for the investigation and prevention of the diseases of animal and plant life, only $1,917,566 was appropriated for the investigation and prevention of the diseases of man. I would not reduce by one single cent the appropriations for the conservation of plant and animal life in this country. These appropriations are very vital to the economy of our Nation. It is a worthy thing for the Federal Government to assist and aid the agriculturist in every way that is compatible with the laws and policy of our Government, but it seems to me that it is a sad commentary on the value which we place on human life when we appropriated over $5,000,000 for plant and animal life and less than $2,000,000 for the conservation of the health of man.

The greatest asset which our country can have is the healthy American citizen, and, valuable as it may be to increase the health of live stock and vegetation, it is of far greater importance that we throw every possible safeguard about the health of the man who is responsible for that live stock and vegetation. The argument has been advanced that since the States at the time of their entry into the Union reserved to themselves their police powers and since the administration of health is one of the police powers, that the States should themselves grapple with their own health problems and conquer them, and that it is therefore improper for the Federal Government to make appropriations the application of which will react to the health of States. This argument is fallacious in the extreme. As I have previously pointed out, this problem is not a purely intrastate problem. Milk which is produced under insanitary conditions in New Jersey may produce an epidemic in New York. Butter or cheese which is made under insanitary conditions or from polluted milk in Wisconsin or Illinois may produce disease in Virginia or the District of Columbia. Lettuce or

watercress which is grown in soil which is polluted with human excrement may be shipped in refrigerator cars to a distant point and there produce an epidemic of typhoid fever. The man who contracts typhoid fever on a farm in Texas may become a chronic typhoid bacillus carrier and distribute the disease wherever he goes no matter what the State or what the city. Disease has absolutely no regard for State lines whatsoever. Disease is equally uninterested in States' rights. Sewage poured into a river in one State is easily carried by that stream to another State. So I say to you that the problem of rural sanitation is not a local problem but one which concerns the health and the physical integrity of our entire Nation.

I have referred to the disparity between the typhoid-fever death rate in this country as compared with that of other great nations and it may be of interest for us to stop a moment and consider this in more detail. In 1903 the typhoid death rate in Germany was 7.3 per 100,000, while in the United States it was 34.1 per 100,000. In other words, the difference in the typhoid-fever rate showed a balance of 26.8 per 100,000 of population. In other words, Germany by her typhoid-fever investigations and the improvements which followed them saved in that single year 14,729 lives. In 1912 the death rate for typhoid fever in Germany was 3.3 per 100,000, while in the United States it was 16.5, a balance of 13.2 per 100,000 in favor of Germany. This meant a saving of 8,730 German citizens. In the 10 years from 1903 to 1912 Germany saved in this way 127,598 lives. This does not take into account the enormous saving in cases, the number of which may be estimated at 10 times the number of deaths. In other words, 1,275,980 people were spared the suffering, the misery, the sorrow, and the expense of typhoid fever.

Lives saved in Germany during 10-year period from typhoid fever.

	German rate.	United States rate.	Difference.	Population of Germany.	Lives saved.
1903	7.3	34.1	26.8	54,969,000	14,729
1904	7.4	31.7	24.3	58,433,000	14,199
1905	6.3	27.8	21.5	59,413,000	12,773
1906	5.7	31.3	25.6	61,153,000	15,654
1907	4.8	29.5	24.7	62,013,000	15,316
1908	4.7	24.3	19.6	62,863,000	12,320
1909	4.2	21.1	16.9	63,717,000	10,767
1910	4.0	23.5	19.5	64,568,000	12,589
1911	4.9	21.0	16.1	65,359,000	10,521
1912	3.3	16.5	13.2	66,145,000	8,730
Total					127,598

Lives saved in England and Wales during 10-year period from typhoid fever.

	English rate.	United States rate.	Difference.	Population of England.	Lives saved.
1903	10.1	34.1	24.0	33,293,000	7,990
1904	9.4	31.7	22.3	33,639,000	7,501
1905	8.9	27.8	18.9	33,989,000	6,424
1906	9.2	31.3	22.1	34,342,000	7,590
1907	6.7	29.5	22.8	34,699,000	7,911
1908	7.5	24.3	16.8	35,059,000	5,890
1909	6.0	21.1	15.1	35,424,000	5,349
1910	5.3	23.5	18.2	35,792,000	6,514
1911	6.7	21.0	14.3	36,190,000	5,175
1912	4.4	16.5	12.1	36,382,000	4,402
1913	4.1	17.9	13.8	36,606,000	5,058
Total					69,804

We can do the same in this country. There is no reason why we can not reduce our typhoid-fever rate so that it is as small as that of any country in the world, but in order to do this it is necessary that we take prompt measures. If we put it off until to-morrow, we are bequeathing a heritage of suffering and economic loss to our descendants. If we temporize, if we only use halfway measures, we will not conquer the problem, but if we lay out a broad, constructive policy along practical scientific lines, we will be assured of ultimate and complete success.

Taking the statistics for the registration area as a basis, it is estimated that for the 10 years of 1904 to 1913, inclusive, there died in the United States 217,620 persons from typhoid fever alone:

1904	26,148.2
1905	23,413.1
1906	26,865.8
1907	25,797.8
1908	21,651.3
1909	19,137.7
1910	21,690.5
1911	19,724.0
1912	15,765.8
1913	17,389.9
Total for 10 years	217,620.1

Think of it! In 10 years more people died from typhoid fever than the entire Army of the United States. Of course, not all of these were males, but the average age of these more than 200,000 persons was 25 years, the period which is called the military age. It would seem as though the basis of preparedness in our country should be the conservation of the lives of the persons who are to supply the living, active production of our country.

Death rates from typhoid fever, per 100,000 population.

Country.	1894	1895	1896	1897	1898	1899	1900	1901	1902	1903	1904	1905	1906	1907	1908	1909	1910	1911	1912	1913
United Kingdom	16.7	17.4	16.4	16.3	19.4	19.6	17.0	15.9	12.7	10.3	9.4	9.2	9.1	7.0	7.4	6.2	5.4	6.7	4.4	4.3
Switzerland	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
Spain	.....	.....	.....	.....	.....	.....	.....	51.4	45.8	43.2	44.3	37.6	42.1	35.5	32.7	27.6	23.7	26.6	22.9	22.9
Servia	142.1	115.8	105.3	143.1	112.9	107.6	94.3	95.9	84.6	70.0	73.5	16.2	16.5	13.2	13.2	122.6	121.2	86.9	.....	.....
Scotland	16.8	17.3	15.6	15.2	18.8	18.3	14.5	16.0	12.3	12.2	9.0	8.1	8.7	7.9	6.0	6.3	5.6	5.7	4.1	3.6
Roumania	11.4	10.2	7.1	16.8	12.1	13.8	8.2	19.5	10.1	14.5	12.7	14.4	15.6	17.3	20.7	29.2	15.7	21.0	11.8	6.0
Ontario	.....	26.6	24.4	15.7	17.8	19.6	29.3	22.9	17.7	17.8	21.9	20.2	40.2	23.4	29.7	30.0	31.5	25.2	18.7	16.7
Norway	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
New Zealand	16.9	13.6	17.6	14.7	16.3	12.4	8.9	12.2	6.7	7.4	8.7	5.0	5.4	5.8	9.5	5.7	6.3	6.6	4.4	5.6
Japan	19.2	19.9	21.5	13.6	13.2	15.5	12.4	12.9	11.4	9.8	10.8	12.9	13.8	12.2	11.9	12.7	15.9	.....	.....	.....
Jamaica	8.3	10.9	12.7	16.4	9.0	12.2	7.3	9.3	12.3	11.2	16.3	8.5	10.4	26.7	28.8	28.5	28.7	21.3	30.3	34.2
Italy	43.9	49.8	52.0	49.1	54.5	46.6	46.6	36.2	34.8	35.5	37.0	32.8	28.3	25.7	27.4	28.6	26.0	27.5	22.1	.....
Ireland	17.1	16.7	15.8	22.0	28.4	19.8	17.2	18.6	13.8	10.9	10.6	11.4	8.9	8.3	7.7	6.9	6.3	8.1	5.3	6.6
Hungary	.....	.....	.....	39.1	40.1	35.8	32.3	28.7	27.4	28.2	25.6	32.7	27.4	26.9	24.7	30.7	24.1	23.0	19.2	.....
Germany	.....	.....	.....	.....	.....	.....	.....	.....	.....	7.3	7.4	6.3	5.7	4.8	4.7	4.2	4.0	4.9	3.3	.....
France	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	13.9	13.1	12.3	9.8	8.0	13.3	.....	.....
England and Wales	15.9	17.5	16.6	15.6	18.1	19.8	17.3	15.5	12.6	10.1	9.4	8.9	9.2	6.7	7.5	6.0	5.3	6.7	4.4	4.1
Chile	25.6	31.7	32.0	.....	.....	.....	.....	.....	.....	47.0	38.8	93.9	175.5	132.4	114.2	170.9	53.0	41.7	65.2	.....
Ceylon	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	15.8	11.1	9.3
Belgium	28.0	28.8	24.4	24.3	22.3	24.9	25.4	22.2	17.8	15.6	14.9	13.7	12.3	12.0	11.1	9.3	10.4	10.5	8.5	.....
Austria	37.8	36.0	31.5	29.3	28.0	24.5	24.0	22.4	18.1	19.9	19.4	17.9	15.0	15.0	15.0	14.2	13.3	13.1	12.2	.....
Australia	29.4	31.3	42.2	37.3	44.3	31.1	26.4	22.1	23.5	29.4	17.0	15.6	18.1	13.7	17.5	15.4	14.8	10.9	13.3	10.2
United States	(1)	(1)	(1)	(1)	(1)	(1)	35.9	32.3	34.3	34.1	31.7	27.8	31.3	29.5	24.3	21.1	23.5	21.0	16.5	17.9

[1] Not available.

The foregoing table shows the rate of deaths from typhoid fever per 100,000 population in the leading countries of the world. The high mortality rate for the United States is a disgrace to the Nation. In 1911 and 1912 our typhoid death rate, which was 21 and 16.5 per 100,000 population, respectively, was exceeded only by that of seven countries—Chile, Hungary, Italy, Spain, Serbia, Jamaica, and the Province of Ontario, Canada—while in 1913 Ontario reduced its rate below ours. Our mortality rate was very materially higher than that of such great nations as Austria, Belgium, England, Ireland, Scotland, Germany, France, and Japan.

These figures speak in accusing tones, especially in view of our boasted position among the nations of the world. The tens of thousands of American citizens who die unnecessarily from this dread disease are victims to our criminal neglect. Our medical science is as far advanced as that of any people, the principles of sanitation and prevention of disease are well understood; but we have failed to convey this knowledge to the individual citizen—knowledge that may mean the preservation of his or his neighbor's life. Typhoid is a disease which the experience of the world teaches is entirely preventable.

Rural conditions can not be improved to any very great extent by any other method than field investigation. When a community has gotten to the point where it desires the Federal Government to investigate the conditions of its rural health it has already made a step in the right direction, and if the

Government accedes to this request and sends to that place officers and employees of the Public Health Service, the rural dweller then comes into intimate personal touch with the ideas of health and there is an opportunity to give him by visual demonstration the lesson of the protection of his body against disease. For example, let us consider the demonstration of malarial control which was carried on at Roanoke Rapids, a small town on the Roanoke River in Halifax County, in the northern part of North Carolina. The population is about 1,800, the total number of people living in the immediate vicinity being about 4,100. A careful malaria survey was made and certain measures of ditching, land clearing, oiling, and general clean-up were put into effect. This work was done in 1914. During October 1 to 5, 1913, it was estimated that there were 200 persons sick in bed with malaria; on October 1, 1914, only 1 person, and on September 24 to 28, 1915, none. In 1913 the blood examinations of 400 persons showed that 13.75 per cent were infected with malaria. In 1914 of 780 persons examined 4.48 per cent were found infected. In 1915 of 968 persons examined only 3.51 per cent were found infected. A house to house inspection, taken of persons residing on four blocks in Roanoke Rapids, showed that 48.9 per cent gave a history of having had chills and fever during the period June 1, 1913, to October 15, 1913. In 1914 the number was 33 per cent for the same period and 19 per cent for the same period in 1915. It is thus seen that there was a reduction of 61.1 per cent in the incidence of sickness for two years. The cost of the malaria work in 1914 was $3,600, and for 1915, $1,500. We thus see that as a result of two years' work and the expenditure of $5,100, malaria has been reduced in this community to an almost negligible quantity. It is reported that the efficiency of employees as rated by the Roanoke Rapids mills has increased each year since the community malaria work was instituted. The bulk of the expense was borne locally, the Government expenditure merely including the salaries of the officers who directed and stimulated the work. What has been done in this community can be repeated in practically every malaria-ridden community in this country.

Immediately to the east of the Cascade Mountains, in the State of Washington, there is a wonderfully rich valley known as Yakima County. From 1907 to 1912 the annual typhoid-fever rate averaged 150 per 100,000, and, as was subsequently shown, this very high rate was due for the most part to the insanitary rural conditions. The occurrence of an explosive outbreak of typhoid fever in North Yakima in May, 1911, caused a keen awakening of the people to the seriousness of the situation. At the request of the city, county, and State authorities, an officer of the Public Health Service was detailed to make an investigation of the outbreak with a view to determining the causes of the prevalence of the disease and the measures necessary for its eradication and prevention. I will not take the time of the Senate by repeating matter which is already published in a Government document (Public Health Bulletin No. 51), but it will be interesting to note that the investigation showed that the high rate of prevalence of typhoid fever during the summer and fall of the years 1908, 1909, and 1910 was due for the most part to the insanitary conditions which resulted from the local dissemination of human excreta. As a result of an investigation by the Public Health Service and of the public education which accrued coincident therewith, the prevalence of typhoid fever in Yakima for the summer and early fall of 1911 was reduced by about 90 per cent, as compared with the rate for the corresponding period in previous years. This was accomplished at the expenditure of a very small sum of money, and so fruitful were the results that since 1911 typhoid fever has practically ceased to exist in the Yakima Valley. This example may be repeated in any portion of the United States.

The bill which I am discussing has for its object the encouragement of improved rural health through the work of trained investigators. It does not purpose the curtailment of the liberty of any citizen in this country. It does not purpose the treatment or cure of disease by any method whatsoever. Its entire intent and purpose is the prevention of disease and the increase in the standard of healthfulness in the rural districts of America, to the eternal and everlasting betterment of our country. The dissemination of the gospel of cleanliness, the application of the simple measures of sanitation, and the inculcation of the hygienic conscience, all will follow the enactment of this bill. It is a necessary measure. It is a measure which is aimed directly at two diseases which, as I have already shown, bring death, sickness, unhappiness, inefficiency, and financial loss to our people every year. If the Government of the United States believes in the sacredness of human life, if it believes in the conservation of the vital resources of man, if it believes that the health of a human being is of at least as great importance as the health of a domestic animal, this measure will become law; and when the provisions of this bill shall have been carried into effect, when this annual loss from typhoid fever and malaria and other preventable rural diseases shall have been stopped, then, indeed, may the people rise up and call our Nation blessed.

APPENDIX.

[From Bulletin 30 of the Committee of One Hundred on National Health, being a Report on National Vitality: Its Wastes and Conservation, prepared for the National Conservation Commission by Prof. Irving Fisher, of Yale University, member of the commission. Printed at the Government Printing Office in 1909.]

Part IV.—Results of conserving life.

CHAPTER XI.—PROLONGATION OF LIFE.

SECTION 1.—LIFE IS LENGTHENING.

We have already seen evidence of the possibility of prolonging life. In Europe the life span is double what it is in India. The death rate of Dublin is over twice that of Amsterdam and three times that of rural Michigan. Again, making every allowance for inaccuracies of old records, we have strong reason to believe that life is twice as long as three or four centuries ago, and modern accurate records show that it is to-day increasing more rapidly than ever. The rate at which this lengthening proceeds per century is shown in the following table, based on Chapter I:

Rate of lengthening life (in years, per century).

Country.	Periods.	Males.	Females.
England	1838–1854 to 1871–1881, or 30 years	5	9
Do	1871–1881 to 1891–1900, or 20 years	14	16
France	1817–1831 to 1898–1903, or 76 years	10	11
Prussia	1867–1877 to 1891–1900, or 23 years	25	29
Denmark	1835–1844 to 1895–1900, or 57 years	13	15
Sweden	1816–1840 to 1891–1900, or 67 years	17	15
United States:			
Massachusetts	1789 to 1855, or 66 years	7	
Do	1855 to 1893–1897, or 40 years	14	
India	1881 to 1901, or 20 years	0	

From this table we observe:

First. That the rate of progress is extremely variable in different countries. It is perhaps no accident that the maximum rate obtains in Prussia, which is probably the most progressive country in the discovery and application of scientific medicine. If progress continues for a century at merely the present rate, human life in Prussia will be 25 to 29 years longer than at present. The average rate of improvement for all the countries, excepting India, is about 15 years per century.

Second. It is noticeable that in practically all cases the improvement is more among females than males. This is one expression of the progress which womankind is now making in all lands.

Third. This table, as well as the estimate of Prof. Finkelnburg already quoted, shows that not only is the average duration of human life increasing, but that the rate of increase is also increasing. The estimate of Finkelnburg that the lengthening of life during the interval between the sixteenth century and the end of the eighteenth century was from 18 or 20 years to a little over 30 years shows a rate of increase of about 4 years per century. During the following century he estimated that the life span increased from a little over 30 to 38 or 40 years, or about 9 years per century. In the table we see that in England the length of life was increasing in the middle of the nineteenth century at a rate of from 5 to 9 years per century, while during the last quarter it was increasing at from 14 to 16 years per century. In Massachusetts the imperfect data indicate that life lengthened in the first half of the eighteenth century at the rate of about 7 years a century. The indication for the last part of the nineteenth century is that it increased at the rate of 14 years per century.

We may briefly summarize chronologically the general rate of increase as follows:

Lengthening of human life per century.	Years.
During seventeenth and eighteenth centuries	4
During first three quarters of the nineteenth century	9
Present rate in Massachusetts	14
Present rate in Europe	17
Present rate in Prussia	27

SECTION 2.—TABLE SHOWING FURTHER PRACTICABLE PROLONGATION.

It would be surprising if the future should not witness a further lengthening of human life, and at an increasing rate. Of course there is a limit to the further increase of human life, but there is good reason to believe that the limit is still far off.

The following table shows that at least 14 years could be added to human life by the partial elimination of preventable diseases according to the stated ratios of preventability. This is equivalent to a reduction in the death rate of about 25 per cent. The table is based on the causes of death given in the census volume for mortality statistics for 1906. These causes are arranged according to the average, or rather median, age at death from the disease. This median age is given in the second column. The order in this column shows at a glance the successive onslaught of, or rather fatality from, the various causes of death. The table shows the successive bombardments of disease to which human life is subject.

The third column gives the average lost "expectation of life"; that is, the expectation cut off by each particular cause of death.

The fourth column represents the percentage which the deaths from each particular cause bear to the total number of deaths in 1906 in the registration area. It shows the relative importance of the different causes of death in the present death rate, but has no reference to the age at death.

The fifth column contains an estimate, made by physicians, of the ratio of preventability of deaths from each cause named.

The items in the sixth column are found by multiplying together those in the fourth and fifth columns, and express the percentage which the preventable deaths from each cause named bears to the total number of deaths from all causes.

The seventh and last column gives the figures for which the table is constructed, namely, the amount of prolongation of life which would come about through preventing deaths according to the ratios of preventability in column 5. When it is said that a death is preventable, it is not, of course, meant that the person saved from it will never die, but merely that his death is postponed. The term "postponable" would avoid a great deal of confusion on the subject.

The principle on which the last column is constructed is simply the principle of averages. The column shows the prolongation of life which would be caused by postponing the "postponable" deaths by the amounts indicated in column 3. To illustrate this principle, suppose 10 magnitudes to be averaged arithmetically, and that their average is 30. To fix our ideas, we may suppose these 10 magnitudes to be represented by 10 lines drawn on a sheet of paper. It is evident that if one of these 10 lines is prolonged the average of the 10 will be thereby increased by exactly one-tenth of the prolongation of that one line.

Possible prolongation of life.

(1) Cause of death.	(2) A. Median age of deaths from causes named.	(3) B. Expectation of life at median age.	(4) C. Deaths due to cause named as percentage of all deaths.	(5) D. Ratio of preventability (postponability), i. e., ratio of "preventable" deaths from cause named to all deaths from cause named.	(6) E=CD. Ratio of "preventable" deaths from cause named to all deaths from all causes.	(7) F=BE. Years added to average lifetime if deaths were prevented in the ratio of preventability of column 5.
	Years.	*Years.*	*Per cent.*	*Per cent.*	*Per cent.*	*Years.*
1. Premature birth	1	50	2	40	0.8	0.4
2. Congenital malformation of heart (cyanosis)	1	50	.55			
3. Congenital malformations other than of heart	1	50	.3			
4. Congenital debility	1	50	2.3	40	.92	.46
5. Hydrocephalus	1	50	.1			
6. Venereal diseases	1	50	.3	70	.21	.11
7. Diarrhea and enteritis	1	50	7.74	60	4.64	2.32
8. Measles	1	50	.8	40	.32	.16
9. Acute bronchitis	1	50	1.1	30	.33	.17
10. Broncho-pneumonia	1	50	2.4	50	1.2	.6
11. Whooping cough	1	50	.9	40	.36	.18
12. Croup	2	54	.3	75	.22	.12
13. Meningitis	2	54	1.6	70	1.12	.6
14. Diseases of larynx other than laryngitis	3	54	.07	40	.03	.02
15. Laryngitis	3	54	.06	40	.02	.01
16. Diphtheria	3	54	1.4	70	.98	.53
17. Scarlet fever	3	54	.5	50	.25	.14
18. Diseases of lymphatics	5	54	.01	20	.002	.001
19. Tonsillitis	8	52	.05	45	.02	.01
20. Tetanus	8	52	.19	80	.15	.08
21. Tuberculosis other than of lungs	23	40	.17	75	.13	.05
22. Abscess	24	39	.08	60	.05	.02
23. Appendicitis	24	39	.7	50	.35	.14
24. Typhoid fever	26	38	2	85	1.7	.65
25. Puerperal convulsions	28	[1] 37	.2	30	.06	.02
26. Puerperal septicemia	28	[1] 37	.4	85	.34	.13
27. Other causes incident to childbirth	31	[1] 35	.36	50	.18	.06
28. Diseases of tubes	31	[1] 35	.1	65	.06	.02
29. Peritonitis	31	34	.5	55	.28	.1
30. Smallpox	32	34	.01	75	.01	.003
31. Tuberculosis of lungs	33	33	9.9	75	7.42	2.45
32. Violence	34	32	7.5	35	2.7	.86
33. Malarial fever	34	32	.2	80	.16	.05
34. Septicemia	34	32	.3	40	.12	.04
35. Epilepsy	35	32	.29	0		
36. General, ill-defined, and unknown causes (including "heart failure," "dropsy," and "convulsions")	35	31	9.2	30	2.75	.85
37. Erysipelas	37	30	.3	60	.18	.05
38. Pneumonia (lobar and unqualified)	37	30	7	45	3.15	.94
39. Acute nephritis	39	29	.6	30	.18	.05
40. Pleurisy	42	27	.27	55	.15	.04
41. Acute yellow atrophy of liver	42	27	.02	0		
42. Obstruction of intestines	43	26	.6	25	.15	.04
43. Alcoholism	44	25	.4	85	.34	.09
44. Hemorrhage of lungs	45	25	.1	80	.08	.02
45. Diseases of thyroid body	46	24	.02	10	.002	.0005
46. Ovarian tumor	46	[1] 25	.07	0		
47. Uterine tumor	46	[1] 25	.1	60	.06	.02
48. Rheumatism	47	23	.5	10	.05	.01
49. Gangrene of lungs	48	23	.03	0		
50. Anemia, leukemia	48	23	.4	50	.2	.05
51. Chronic poisonings	48	23	.05	70	.03	.007
52. Congestion of lungs	49	22	.4	50	.2	.04
53. Ulcer of stomach	49	22	.2	50	.1	.02
54. Carbuncle	49	22	.03	50	.015	.003
55. Pericarditis	52	20	.1	10	.01	.002
56. Cancer of female genital organs	52	[1] 21	.6	0		
57. Dysentery	52	20	.5	80	.4	.08
58. Gastritis	53	19	.65	50	.32	.06
59. Cholera nostras	53	19	.09	50	.05	.01
60. Cirrhosis of liver	54	19	.9	60	.54	.1
61. General paralysis of insane	55	18	.3	75	.22	.04
62. Hydatid tumors of liver	55	18	.002	75	.002	.0003
63. Endocarditis	56	17	.8	25	.2	.03
64. Locomotor ataxia	56	17	.17	35	.06	.01
65. Diseases of veins	57	17	.04	40	.02	.003
66. Cancer of breast	58	[1] 17	.4	0		
67. Diabetes	58	16	.8	10	.08	.01
68. Biliary calculi	58	16	.17	40	.07	.01
69. Hernia	59	16	.27	70	.19	.03
70. Cancer not specified	59	16	.9	0		
71. Tumor	59	16	.08	0		
72. Bright's disease	59	16	5.6	40	2.24	.36
73. Embolism and thrombosis	60	15	.26	0		
74. Cancer of intestines	60	15	.5	0		
75. Cancer of stomach and liver	61	14	1.7	0		
76. Calculi of urinary tract	61	14	.03	10	.003	.0004
77. Cancer of mouth	63	13	.1	0		
78. Heart disease	63	13	8.1	25	2.02	.26
79. Influenza	64	13	.7	50	.35	.05

[1] "Expectation" for females.

Possible prolongation of life—Continued.

(1) Cause of death.	(2) A. Median age of deaths from causes named.	(3) B. Expectation of life at median age.	(4) C. Deaths due to cause named as percentage of all deaths.	(5) D. Ratio of preventability (postponability), i. e., ratio of "preventable" deaths from cause named to all deaths from cause named.	(6) E=CD. Ratio of "preventable" deaths from cause named to all deaths from all causes.	(7) F=BE. Years added to average lifetime if deaths were prevented in the ratio of preventability of column 5.
	Years.	*Years.*	*Per cent.*	*Per cent.*	*Per cent.*	*Years.*
80. Asthma and emphysema	64	13	.23	30	.07	.009
81. Angina pectoris	65	12	.4	25	.1	.01
82. Apoplexy	67	11	4.4	35	1.54	.17
83. Cancer of skin	70	10	.2	0	.....	.....
84. Chronic bronchitis	71	9	.8	30	.24	.02
85. Paralysis	71	9	1	50	.5	.04
86. Softening of brain	71	9	.2	0	.....	.....
87. Diseases of arteries	73	9	.83	10	.08	.007
88. Diseases of bladder	74	8	.2	45	.09	.007
89. Gangrene	74	8	.25	60	.15	.01
90. Old age	83	5	2	0	.....	.....
All causes	38	.....	100	42.3	[1] 42.3	14.06
RÉSUMÉ.						
Diseases of infancy (having median age 1)	.....	.....	18.5	47	8.8	4.4
Diseases of childhood (having median age 2 to 8)	.....	.....	4.2	67	2.8	1.51
Diseases of middle age (having median age 23 to 43)	.....	.....	43	49	21.2	6.82
Diseases of late life (having median age 52 to 83)	.....	.....	34.3	28	9.5	1.33
All causes	.....	.....	100	42.3	42.3	14.06

[1] Although this is the ratio of general preventability of deaths under existing conditions, the death rate, i. e., deaths in relation to population, will not in the end be affected in this ratio but by only about 25 per cent. The reason for this paradox is that deaths prevented lead to a larger population.

Similarly, if of the 10 lines 3 are prolonged each a certan stated amount or are prolonged that amount on the average, the average of the whole 10 will be increased by three-tenths of this amount. Consequently, if the saved lives from typhoid fever (No. 24 in the table) are, on an average, prolonged 38 years, and these saved lives represent 1.7 per cent of all lives, the average life will be prolonged by 1.7 per cent of 38 years. This is 0.65, or two-thirds of a year.

All the calculations are on the assumption of expectations of life, such that the saved lives will die according to the present law of mortality. Consequently, if the table should be corrected by substituting in each case such an expectation of life as would conform to the improved mortality, the result would be an addition [2.1 years] (best estimated graphically, as shown in appendix to this chapter) to the estimate of possible prolongation, which would therefore become 16.2 years. The résumé of the table shows that of the 14 years of possible prolongation of life 4.4 would be caused by reducing infant deaths under or near 1 year, 1.51 by reducing mortality from children's diseases, 6.82 from reducing the diseases of middle life, especially tuberculosis and typhoid, and only 1.33 by reducing the mortality of diseases the deaths from which usually come after 50 years of age.

The table shows that seven of the 90 causes of death are responsible for over half of the shortening of life, namely, diarrhea and enteritis (No. 7), broncho-pneumania (No. 10), meningitis (No. 13), typhoid (No. 24), tuberculosis of lungs (No. 31), violence (No. 32), and pneumonia (No. 38). These alone shorten life needlessly by more than eight years. Against these seven causes, therefore, our special efforts should be directed. Pure milk, pure water, pure air, and reasonable protection from accident are the chief means known at present. When the public makes up its mind no longer to endure impure milk, impure water, and impure air, and unreasonable dangers to life and limb, life will lengthen eight years, and probably a great deal more.

In the résumé of the table, columns 4, 6, and 7 are found from the original table by simple addition. Each figure in the fifth column is found by dividing the figure in the sixth by that in the fourth. (The result is in each case a weighted average of the individual ratios of preventability for the individual cause of death.)

The final figure in this column, 42.3, is the same as the sum of column 6, and means that according to medical opinion 42.3 per cent of the deaths which occur under present conditions are preventable (postponable). The death rate, however, will ultimately be reduced, not in this proportion, but by about 25 per cent, while the average duration of life will be increased about 33⅓ per cent.

THE ASIATIC PROBLEM, IMMIGRATION, NATIONAL DEFENSE.

Mr. WORKS. Mr. President, I have been intending for some time to address the Senate on the subject of our relations to the oriental nations, especially Japan. It is a subject in which the people of my State are directly and gravely interested. As one of the reasons or excuses advanced for the increase of the Navy which is now proposed is the fear that we may have war with Japan, this seems to be an appropriate time to discuss that question. I have myself no such fear; I do not believe we are in any such danger; but there are complications between this country and Japan that must be settled in some way, and they should be speedily settled. It is my purpose now to point out what those complications and difficulties are that may lead to trouble in the future and to suggest means by which I think war can be avoided and the settlement of those questions between this country and Japan brought about by peaceful means.

Mr. President, the Asiatic problem enters into the questions of immigration and national defense as these questions are presented by bills now pending in Congress. It is a problem that has been presenting itself in various ways to the nations interested in its solution for many years. It is a problem that might and should have been settled long ago if the countries concerned had not been, and are now, afraid to meet and settle it in the only way that it ever can or will be settled. It has been settled practically as between the United States and China. The status of the subjects of China in this country has been definitely fixed by our laws and treaties between the two countries. The Chinese exclusion act is recognized by both countries as necessary and is observed as being so. The individual Chinaman often has just reason to complain of the unjust and harsh manner in which the exclusion act is enforced, but this is the result of the manner of its administration and enforcement by inconsiderate and often brutal officers who have no respect for the rights or consideration for the feelings of a human being only because he is a Chinaman, and not the fault of the law itself. I shall say but little therefore about our relations with China. The relations between the two nations are friendly and there is no reason to suppose they will not continue to be so.

With Japan the situation is entirely different. We have not been able to deal with that country as we have with China for obvious but not satisfactory reasons. Japan is a proud and sensitive nation. She values her standing among nations and insists, as she has every reason to do, that her standing as a nation and a race of people shall be regarded and treated as second to none. To this claim this Nation takes no exception. We not only regard her as entitled to the same standard and the same treatment as other nations, but are anxious to extend to her the same treatment we extend to others. But, sir, there are differences of race and color—fundamental differences that must be recognized and taken into account by both nations if peace and harmony are to be maintained between them. The Japanese nation must recognize and accept the unalterable fact that unlimited immigration of her people into this country can not and will not be permitted. The fact must not only be admitted but intercourse between the two nations must be settled on that basis and can not be settled on any other basis.

The question is, and this question must be settled between the two nations sooner or later, How can the future relations of the two countries be settled without infringing upon the rights of Japan as compared with other nations and without offending the just race and national pride of her people?

Mr. President, Japan has recognized and acted upon the necessity of restricted emigration of her people to this country by en-

tering into what is called a "gentleman's agreement" to herself restrict such emigration. She was not willing to allow this to be done by us under treaty between the two nations because, as she asserts, it would amount to a discrimination as between her and other nations on account of race.

Now, sir, this is the real problem that is confronting the United States and Japan. It is a problem that must be solved. Shall it be solved by peaceful means or by war? It must be settled one way or the other. That must be taken as a fixed and unalterable fact. The great trouble is that these two friendly nations who should continue to be friendly upon every consideration and for every reason affecting the good of both of them have not met the question frankly and fearlessly. They have both been afraid. The specter of war looms up every time the question arises. But why should the thought of war accompany laws enacted or treaties entered into affecting the right of Japanese subjects to come to this country any more than any other question that may arise between the two nations. The United States has the unquestionable and the unquestioned right to say who shall come within her borders. She has the right to say that no subject or citizen of any other nation shall come here. What Japan maintains is that her people shall not be excluded when the subjects of other nations are admitted. As a matter of law, of course this position is untenable. This country has the undoubted right to invite immigration from one country and forbid it from another. This, I have no doubt, Japan will concede, and, in fact, we have done this very thing. The trouble is not that we limit Japanese immigration but why, or the reason for excluding certain Japanese subjects and not those of other nations. This is the crux of the whole matter. This is the problem that must ultimately be met and solved if the United States and Japan are to continue at peace with each other. The vital question is, Are we excluding Japanese subjects from this country because we regard the Japanese as an inferior and objectionable race? And secondary to it and resulting from it is the further question, If so, are we justified in taking that position as between us and that country and acting upon it?

Mr. President, these are not only very vital but very delicate questions. They are vital because they affect in large degree the future prosperity and happiness of a large portion, if not all, of our own country. They are delicate because, in the estimation of Japan, they touch the pride and national honor of that country if—and I want the Senate to mark the if—the course we must take for our own protection is a reflection upon the people of that country because we claim, or believe, in their inferiority as a race and exclude them for that reason. That we must and will continue to exclude them, or limit their coming as we have done in the past, must be accepted as a certainty.

Therefore, Mr. President, it is due to Japan, it is due to ourselves as a people and as a nation, to search our motives and satisfy ourselves as to the reason why we are insisting and shall continue to insist that certain of the subjects of Japan shall not come to this country and become permanent residents and landowners within any of the States of the Union.

We may just as well deal with this question freely and frankly. It can not be settled by beating about the bush, by evasion of the real problem, or by compromises or temporizing. Such a course only makes matters worse for both countries and keeps the people thinking about and anticipating war as the only and inevitable means of settling it. The American people do not want war with Japan. The people of Japan do not want war with this country. They are not going to have war if they deal with this question with right motives and the desire to settle it fairly and justly to both countries.

Now, Mr. President, why do the people of this country—why, especially, do the people of the Pacific Coast States—object to Japanese of the laboring classes coming to this country and becoming permanent residents and landowners? Is it because they regard the Japanese as an inferior race of people, and therefore objectionable? Does Japan really think so? I am sure that is not the reason, and I do not believe the intelligent Japanese think or believe it is the reason. The people of the Pacific Coast States who speak and act from knowledge do not object to the Japanese because they are inferior as a race, but because they are different. Their color, their manner of living, their habits and customs, their regard or disregard of personal obligations, social and contractual, are different. These differences are such that in the nature of things there can be no amalgamation of the two races or assimilation by our people of a race different in the vital things of life and to national progress and advancement. Looking at it as a purely business or commercial problem, there is serious objection by our own laboring classes to the incoming of Japanese laborers because it is claimed that American labor can not compete with Japanese, sometimes called cheap Japanese labor. This claim is not without foundation, not because Japanese laborers work for less wages than American laborers, but because on account of their different manner of living they can exist and prosper on less wages than our own wage earners, the tendency of which is to degrade labor and force the American laborer to debase himself to the manner of living of his Japanese competitor or abandon the field to him. It will be found also that similar grounds of complaint enter into the objections made to the right of the Japanese immigrants to becoming landowners alongside of and in competition with the American farmer.

The relations between the oriental and occidental nations and the problems presented by them have been the subject of consideration and study by many people on both sides and have resulted in the writing of many books dealing with the problem. In addition to my own views, the result of no little conscientious consideration and study of the subject and its probable consequences, I am going to refer to some of the things that have been said and written about it by others who have made a greater and more painstaken study of conditions than I have been able to do.

The question of our relations with Japan has become more than usually acute on two occasions in my own State by the action of the State authorities, resulting first in the exclusion of Japanese from the public schools of San Francisco and later in the enactment of the alien-land act to which I shall refer later on. When it was proposed to enact this law it was opposed by selfish home interests that it was supposed would be injuriously affected by its passage. One of these was the Panama-Pacific Exposition. A hearing was had on the bill before a joint meeting of the two houses of the legislature.

Subsequently, Mr. Chester H. Rowell, one of the leading newspaper men of the State and of the country, editor of the Fresno Republican, and one of the profound thinkers on this and other questions of national and international importance, in an article in the World's Work, of June, 1913, entitled, "The Japanese in California—Why Californians regard their presence as the beginning of the biggest problem that ever faced the American people," described the scene at this hearing and gave the country his views of the situation. Listen to what he says:

> The California Legislature was assembled in the senate chamber for joint hearing on the Japanese bills, whose recurrent agitation brings California biennially into the spotlight of the world. Directors of the Panama-Pacific Exposition (the writer among them) were pleading for conservative action, or inaction. A gaunt farmer rose to reply: "Up at Elk Grove, where I live," he said, "on the next farm a Japanese man lives, and a white woman. That woman is carrying around a baby in her arms. What is that baby? It isn't white. It isn't Japanese. I'll tell you what it is—it is the beginning of the biggest problem that ever faced the American people."
>
> Psychologically this epitomized the whole question—the beginning of a race problem multiplied in imagination by the possibilities of all the future; the challenge, which sort of baby shall prefigure the future Californian.
>
> * * * * * * *
>
> And, dealing with the problem wide and long, no far-sighted man can dismiss the farmer's challenge as a mere figment of fancy. Let only that happen in California which has already happened in Hawaii; let only an awakening Orient pour through the Golden Gate a stream comparable to that which Europe has poured through Hell Gate, and that baby will have increased to the exact problem the Elk Grove farmer pictured. Injustice has been the only American way of meeting a race problem. We dealt unjustly by the Indian, and he died. We dealt unjustly with the negro, and he submits. If Japanese ever come in sufficient numbers to constitute a race problem, we shall deal unjustly with them, and they will neither die nor submit. This is the bigness of the problem, seen in the telescope of the imagination, and is the whole reason for the emotional intensity of California's agitation over a situation whose present practical dimensions are relatively insignificant. Californians are vividly conscious of their position as the wardens of the western march. They hold not merely a political and geographic but a racial frontier—the border between the white man's and the brown man's world. To a keen sense of this trust, the possible crisis takes on the significance of a new Thermopylæ. Psychologically this is the Japanese problem in California, and no view of the situation would be just to California if it omitted a sympathetic appreciation of this state of mind and of its possible ultimate justification.
>
> It is equally necessary to recognize that the question has a psychological aspect on the Japanese side also. At this very moment, while this is being written, 20,000 people are surging through the streets of Tokyo, clamoring for war with America, all because the California Legislature is considering a measure which is already the unprotested law of the United States by three separate Federal statutes, which is the law of five States, and has been immemorial law in Japan itself. Even a mob would not be so irrational on merely practical provocation. It is the whole revulsion of the brown man's race pride against the white man's race exclusiveness, concentrated for the moment on an otherwise inconsequential act of the white man's outpost province. It is a mutual state of emotional hyperesthesia.

Mr. Rowell then proceeds to depict the conditions as they exist in California. I shall come to that further along.

As touching the phase of the subject I am now considering, he had this further to say of the Japanese:

> When not in the fields the California Japanese congregate in the "Japtown" districts of the principal cities. "Japtown" is usually adjacent to the dwindling Chinatown, which it partly absorbs. But the Japanese build decent houses, admitting light and air, and with chimneys to let out the smoke. Their shops resemble American stores and sometimes grow to be considerable establishments. There are moving-

picture shows, pool rooms, and other places of amusement. Sanitary conditions are usually good, and the general look of life is bright and cheerful. They are a polite, vivacious, and delightfully likable people. And the bitterest anti-Japanese agitator in California has never once suggested that they are an inferior race. They are of a different and physically unassimilable race; that is all.

His final summing up of the situation is as follows:

Whether 10,000 acres of Japanese farms shall become 20,000 is not overwhelmingly important. That the two chief races of mankind shall stay each on its own side of the Pacific, there to conduct in peace and friendship the commerce of goods and ideas and of the things of the spirit, but without general interpenetration of population or commingling of blood—that is precisely the greatest thing in the world.

Mr. President, as Mr. Rowell so graphically sets out in this article, and as I have already said, it is not a question of inferiority of race but of a fundamental difference in the two races that makes it impossible for them to commingle, amalgamate, and live together in peace and harmony. And if this question is ever finally and rightly settled between the two nations, it must, as I have said, be settled on this basis.

The question can not be settled on sentimental grounds or any solution of it founded on personal or national pride. It is an intensely practical question, the solution of which can not rest upon any such unsubstantial foundation. But this country in dealing with the subject should respect the just pride of the Japanese people in their race and their country and endeavor in every reasonable way not inconsistent with our own rights and interests as a nation not to wound the pride or the sensibilities of this great, prosperous, and growing nation with whom we should in the interest of both countries be at peace.

The distinguished Senator from Nevada [Mr. NEWLANDS], in an article in the Annals of the American Academy of Political and Social Science, volume 34, page 269, on "A western view of the race question," says:

The race question is the most important one now confronting the Nation.

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Confronting our Pacific coast lies Asia, with nearly a billion people of the yellow and brown races, who, if there were no restrictions, would quickly settle upon and take possession of our entire western coast and intermountain region.

History teaches that it is impossible to make a homogeneous people by the juxtaposition upon the same soil of races differing in color. Race tolerance under such conditions means race amalgamation, and this is undesirable. Race intolerance means ultimately race war and mutual destruction or the reduction of one race to servitude. The admission of a race of a different color in a condition of servitude is foreign to the spirit of our institutions, which demands equal rights to all within our jurisdiction.

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Japan can not justly take offense at such restrictive domestic legislation upon our part. She would be the first to take such action against the white race were it necessary to do so in order to maintain the integrity of her race and her institutions. She is at liberty to pursue a similar course. Such action constitutes no implication of inferiority of the race excluded. It may even be a confession of inferiority by the excluding race in its ability to cope economically with the race excluded. It involves neither insult nor the possibility of war, for Japan could not possibly sustain a war, even were her finances in better condition than they are, without the sympathy of the world as to the justness of her cause.

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The time has come, in my judgment, when the United States, as a matter of self-protection and self-preservation, must declare by statutory enactment that it will not tolerate further race complications upon our soil. Our country, by law to take effect upon the expiration of existing treaties, should prevent the immigration of all peoples other than those of the white race, except under restricted conditions relating to international commerce, travel, and education.

In the same publication, at page 239, will be found this statement by Walter Macarthur, editor Coast Seamen's Journal, as to what is the foundation of opposition to oriental immigration:

The opposition to oriental immigration is justified upon the single ground of race. Whether the incompatibility of the peoples of Asia and America can be attributed to race repulsion, race antipodalism, or race prejudice, one indisputable ground of race conflict remains, namely, that of race difference. The race difference between these people is radical and irreconcilable, because it reaches to the most fundamental characteristics of each.

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Only upon the race ground can we comprehend the real nature and dimensions of the subject. Considered from this standpoint, exclusion follows as the inescapable law of our national safety and progress. Considered from any other standpoint—that is, with any other point as the basis of reasoning—the subject becomes involved in matters of detail, which, being in themselves matters of dispute, lead only to interminable discussion. Recognizing the race aspect of the subject as the main ground of exclusion, the minor grounds, such as those of an economic or political nature, serve to reinforce the argument as so many corollaries.

Mr. Macarthur is one of the able men of California who has given the subject much intelligent thought and study, looking at it from the point of view of the laboring man. His whole article on the subject is interesting and instructive, and may be read with profit.

The Japanese sentiment on the subject may be found in a series of articles written by Japanese subjects and bound in book form under the title "Japan to America." In one of these, by Kentaro Kaneko, "The spirit of Japan," his pride in the fact that she is the equal if not the superior of any other nation, and the belief that the advancement and success of the Japanese nation has created jealousy in the minds of other nations, is clearly disclosed. He says:

In our own times one of the greatest problems in the world is the race problem. It has arisen in Australia, in America, in Europe, in China, in Korea—indeed, almost everywhere on the surface of the globe; and the true cause of this omnipresent problem is Japan's great development. Had our nation remained a China or a Korea in its progress, the clamor of the race problem would not have been raised to so high a pitch. As it is, Japan has emerged out of her two foreign wars as a nation with a splendid organization and as civilized as the foremost countries in Europe and America, imposing respectful consideration upon them and breaking, to the resentment of some of them, their traditional assumption that the white race is essentially superior to the yellow. Consequently, Japan was allowed a membership in the council of nations, which position had been long denied her. Not all the older members liked to admit her, but she demanded such admission from them on the strength of her achievement and was given it.

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Young Japan is coping with modern learning, just as young America, young England, young France, or young Germany is doing. In the matter of intellectual life, our second generation is under the same process of fermentation as that of every other civilized nation. Supposing that the Japan of to-day is not on an equal basis with her white competitors? The Japan of to-morrow will be, in all probability. If, therefore, there is anything she has to teach them, it is the fact that mankind is a one and indivisible whole, that the yellow race is not inferior to the white, that all the races should cooperate in perfect harmony for the development of the world's civilization. We have obtained a voice in the parliament of man at the cost of blood and money; we must use that new right to good purpose.

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Upon the solution of the race problem the future of Japan, nay, the future of human progress, largely depends.

The last advice that Alexander Hamilton received from his mother on her deathbed—and it is the best and greatest advice, in my opinion, that a son has ever been given by a parent—has been my own constant guide since I, in my boyhood, read the words in the life of Hamilton. And to-day, to young Japan, upon whose shoulders rests the heavy responsibility of teaching the occidentals, do I give the same advice. It is this: "My son, never aim at the second best. It is not worthy of you. Your powers are in harmony with the everlasting principle of the universe."

These declarations by one of the leading men of Japan, who claims Col. Roosevelt as his intimate friend, breathe the independence and superiority of the new Japan. No well-informed and candid citizen of this country will deny to Japan the right of equality with all other nations. America is not jealous of her growth of power, intelligence, courage, and all the things that make a great nation.

No one who knows what Japan has accomplished will advance the claim of inferiority of her people as a reason for excluding some of her subjects from this country. That is not the question. Even if it were true that she is not the equal but the superior of the white races, the problem would be precisely the same. It is not a question of inferiority or equality on either side. The bald fact is—and nothing can change it—the two races are different in such way as to make their amalgamation or assimilation impossible. Both our own country and Japan must come to know this, cease to cover it up by nice speeches, and, as wise and patriotic citizens of two great nations, their rulers and representatives must face the fact calmly and without evasion and act accordingly. By recognizing this unalterable fact and acting up to it, Japan will show her greatness as she can do in no other way. The effort to force her people on another nation, either as equals or superiors, is an evidence of national and racial weakness. If Japan really wants to show herself as great and as magnanimous as her people believe and claim her to be, she has the opportunity to prove it by recognizing the fact that the two races can not live together in peace and unity and keeping at home her people who seek permanent residence here. This example should be followed by the United States. Our people have no better reason for locating in Japan for permanent residence than have the Japanese for coming here. The responsibility to prevent the intermingling of the two races should be and is just as binding on one nation as the other. Excluding as we must the question of inferiority or superiority of either nation, there is no escape from this equal and mutual duty and responsibility. Let each nation maintain its superiority over the other at will. That does not alter the situation. The mutual duty is to keep the two races apart. It is a duty not only to the two nations immediately concerned but to the whole of humanity.

In an article by Dean C. Worcester, "Our Near Neighbor in the Far East," he very well says, in addressing himself to Japan:

It would be idle to deny that in many ways the great mass of your people and that of ours differ from each other profoundly. It is fair to assume that present conditions will not always endure, but the change will necessarily be very gradual. Meanwhile we must look the facts in the face. The questions which have arisen between us do not in reality involve the superiority of the one people or the other. You, who represent an ancient civilization successfully modified and adapted to modern conditions, can well afford to smile at the temerity of those who boast too loudly of the virtues of a social system so short lived as is that of the United States. Each has its advantages and its

defects, and the adherents of the one can ill afford to show contempt for the adherents of the other, yet until human nature changes profoundly for the better the masses in each country will probably continue to maintain that "Orthodoxy is my 'doxy and heterodoxy is your 'doxy."

Suffice 't, therefore, that we are different, and that where representatives of two very distinct peoples which do not readily assimilate live in close contact with each other troubles sometimes necessarily arise. In meeting them we should employ that good sense often called "common" which fortunately is common to educated and intelligent Americans and Japanese. When you are inclined to grow indignant over the treatment accorded your laborers and your school children in California—and I confess to the belief that you have sometimes had ground for indignation—ask yourselves whether you have extended or could extend to Americans in Japan all of the privileges which you have sought for your citizens in the western part of our country. Would not colonies of Americans owning land, living apart from your people and retaining their own language and customs, create some problems for you in Japan?

What a victory it would be for civilization if our two nations, of different races—the easterners of the Orient and the westerners of the Occident—the representatives of a very ancient civilization and those of a civilization of comparatively recent growth, could continue to settle their differences honorably and amicably in mutual respect and esteem! (America to Japan, 189.)

The exchange of sentiments of mutual good will and esteem found in "Japan to America" and, in return, "America to Japan," shows with reasonable accuracy the feeling toward each other of the two nations as entertained by the leading statesmen, educators, and business men of each. That the expressions of good will and friendship on both sides are sincere I have no doubt. But, sir, this does not by any means meet the situation. The United States and Japan are not only at peace, but they entertain for each other mutual respect and esteem. Let no one doubt that. But there is an unsettled question between them that is constantly testing and threatening a breach of these friendly relations. That question must be settled justly and fairly if this much-desired friendly relation is to continue, and the sooner it is settled the better. It is the only safeguard against future enmity and eventual war between the two nations.

The messages exchanged, as published in the two books I have cited, do not help to settle this question. Most of the worthy American gentlemen who wrote these friendly messages knew but little about the question or the obvious necessity of settling it, and in the main those of them who had some knowledge on *the subject* refrained from mentioning the very thing that inspired the messages of good will intended to allay the fears of a rupture between the two nations. One of the messages was written by Hon. Elihu Root, who dealt with the order of the San Francisco school board excluding Japanese from public schools, about which there was such a furore at the time. I will speak of that incident later. Senator Root's evident purpose was to give assurance that the discussion over that question between this country and Japan was friendly throughout, and I have no doubt it was. He says:

It is a pleasure to be able to say that never for a moment was there, as between the Government of the United States and the Government of Japan, the slightest departure from perfect good temper, mutual confidence, and kindly consideration; and that no sooner had the views and purposes of the Governments of the United States, the State of California, and the city of San Francisco been explained by each to the other than entire harmony and good understanding resulted, with a common desire to exercise the powers vested in each for the common good of the whole country, of the State, and of the city.

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There was one great and serious question underlying the whole subject, which made all questions of construction and of scope and of effect of the treaty itself—all questions as to whether the claims of Japan were well founded or not; all questions as to whether the resolution of the school board was valid or not—seem temporary and comparatively unimportant. It was not a question of war with Japan. All the foolish talk about war was purely sensational and imaginative. There was never even friction between the two Governments. The question was, What state of feeling would be created between the great body of the people of the United States and the great body of the people of Japan as a result of the treatment given to the Japanese in this country?

What was to be the effect upon that proud, sensitive, highly civilized people across the Pacific of the discourtesy, insult, imputations of inferiority and abuse aimed at them in the columns of American newspapers and from the platforms of American public meetings? What would be the effect upon our own people of the responses that natural resentment for such treatment would elicit from the Japanese?

Benjamin Ide Wheeler, president of the University of California, another of the message writers, expressed his appreciation of Japan's consent to exclude her own laborers from this country by refusing them passports. He says:

We appreciate the wisdom of Japan's consent to the practical exclusion of Japanese laborers through the device of withholding passports under what is known as the "gentlemen's agreement," and we recognize the honorableness with which Japan has carried out her part of the contract. This would seem to be a fair example of one nation appreciating the difficulties inherent in the situation of the other, i. e., of seeing things as the other sees them. We ask for a continuation of that attitude of sympathy. The Japanese people surely understand that it is not on merely arbitrary grounds that we insist on the necessity of denying admission to their laborers. If for any reason the "gentlemen's agreement" should be abrogated, we should find it extremely difficult to agree upon a treaty which would accomplish the purpose. Japan is one of the great powers of the world; her people represent one of the highest types of the world's civilization. They are not unnaturally jealous of their position and sensitive regarding any apparent infringement of their claim. They would not welcome American legislation discriminating against them, and they certainly would not agree to a treaty which by their very acceptance of it would constitute or seem to constitute a documentary confession on their part of oddity, if not of inferiority. (America to Japan, 177, 178.)

I think we all appreciate the making of the "gentlemen's agreement" by Japan. I believe her agreement has been honorably kept, so far as Japan was able to keep it. But Japanese laborers come to this country through other countries with passports from their home country. The "gentlemen's agreement" is only partially effective if complied with to the letter.

There is another question relating to the "gentlemen's agreement" that is worthy of careful consideration. Is the act of Japan in granting passports to her subjects conclusive on our Government, or may we deport them if upon examination we find them to be undesirable citizens?

The following news dispatch, of date April 28, 1916, from San Francisco, will indicate the difficulties that may arise under this agreement:

JAPANESE BOY DENIED ADMISSION.

Edward White, United States commissioner of immigration here, in a complaint on record Thursday in the United States district court, charges that Matsurtaro Nakao, 17-year-old Japanese boy ordered deported, attempted to gain admission to this country in violation of the Root-Takahira laborer-exclusion agreement. On the basis that Matsurtaro was likely to become a public charge, he was denied admission. Commissioner White said the "gentlemen's agreement" between Japan and the United States had been violated. Representatives of the United States district attorney's office said that the boy could not be barred legally under the agreement.

Mr. President the views of Americans and Japanese that I have thus brought together are interesting. They are important, too, as showing the existence of genuine feelings of friendship between Japan and this country. But these assurances of good will and friendship are significant of the fact that they were thought to be necessary to allay the feeling of hostility that exists on the part of the masses of the people of Japan and of the States of the Union directly interested in the question. This condition of hostility can not be overcome by such exchanges of friendly sentiments. The cause for the friction must be removed. This should be done by joint action of the two Governments. If it can not be done in this way, it must or should be done by the laws of our own country. It can not be justly left to the States immediately concerned. It is a national question, which must eventually be settled by Federal laws. If this is not done, then the States will settle it, and the National Government will have to take the consequences.

The following, from the San Francisco Chronicle of date April 24, 1916, very accurately states the situation:

ORIENTAL LABOR—WHATEVER THE CONSEQUENCES, IT WILL NOT BE ADMITTED TO THIS COUNTRY.

The Japanese Government fully understands that the opposition of the white races everywhere to the admission of oriental labor is due to the fact that it maintains a standard of life which requires less to support it than white labor needs. The result is that when oriental labor comes, white labor goes. Where labor is scarce, oriental labor is as prompt to profit by it as the whites, but there is saving of money to be invested in land. And when the oriental farmer comes, the American farmer goes.

The result of unrestricted immigration of oriental labor would inevitably be the surrender of our land to an oriental civilization. And to that the American people will never submit.

It is not a question of inferiority or superiority in anything. It is a question of difference. Those of each civilization are quite at liberty to prefer their own and to exclude from their boundaries all elements which they think may endanger it. We make no claims for the protection of our own civilization which we do not concede to others. If Japan, for example, objects to the intrusion of American labor, she is quite at liberty to exclude it.

Now, the Japanese Government understands this perfectly and respects the feeling. To the extent of its ability it prevents the emigration of Japanese labor to this country. So far as emigration direct from Japan is concerned, its control is effective. Its control over Japanese domiciled in other countries is not effective, except as our own authorities may make it so by demanding imperial passports from Japanese, no matter where they come from. And we do not know upon what statutory authority that can be done.

If we are to protect ourselves, it is certainly desirable, and probably essential, that there be statutory authority for it. The bill before Congress is in that respect very carefully drawn, with the desire and intent that no national susceptibility be wounded.

Since that time, as I shall point out directly, it has been very considerably and, I think, very unfortunately modified.

HOW THE QUESTION AFFECTS CALIFORNIA.

Mr. President, I have so far discussed this question as a national one. I maintain that it should be treated as wholly a national question. But the Government has not dealt with it effectively up to this time, and when it attempts to do so by a provision in the immigration bill, Japan promptly interposes a protest against any legislation excluding any of her subjects from entry into this country. No one can deny that the United States has that right. We are asked not to do so, because such legislation would wound the proud sensibilities of Japan. Of

course, nothing unnecessary to the protection of our own people should wantonly be done if it is offensive to Japan. But the best interests of the American people should be our first consideration, and Congress may be assured that if it does not protect the people of California from the perils of Japanese immigration and Japanese landholding in the State, by proper and effective laws, then California will legislate for the protection of her own people.

In order that the Senate may understand why California must take this course in self-defense, I am going to call your attention to the conditions as they exist in the State to-day and the dangers that are now confronting her people as well as the action already taken by her for her own protection.

As embodying a fair statement of the number of Japanese in California, how they are occupied, and the quantity of land owned by them, I take the following from the article of Mr. Rowell, in the World's Work, to which I have already referred. Mr. President, the extract to which I refer is quite long. I am not desirous of taking up unnecessary time under present conditions. I wish, however, that every Member of this body might take the time to read what Mr. Rowell says upon that subject, which gives a pretty fair view of the conditions as they exist to-day in my State. I ask that the matter be printed in the RECORD without reading.

The PRESIDING OFFICER (Mr. SHAFROTH in the chair). Without objection, permission is granted.

The matter referred to is as follows:

By the census there were 71,722 Japanese in the United States in 1910, of whom about 55,000 were in California. It is estimated, on Japanese authority, that there were 11,400 Japanese in the United States in 1898, which number, however, was more than doubled in the next two years, and reached nearly 80,000 by 1908. Since then, on the face of the figures, the number has decreased to about 75,000. This estimate is reached, however, by subtracting from the number of residents and recorded immigrants the number departing for Japan. The Exclusion League claims that the majority of the immigrants now come in surreptitiously over the Mexican border, and that the decrease is therefore fictitious. The league even guesses that there may be 100,000 Japanese in the State. Probably a safe maximum estimate would be that not more than 3 per cent of the population of California and not more than 10 per cent of the population of any one county is Japanese. Officially, the proportion in the State is a trifle more than 2 per cent, and the distribution ranges from 9 per cent in Yolo and San Bernardino Counties down to none at all in many counties. The largest percentage in any city is in Sacramento, where Japanese constitute 5½ per cent of the population. The proportion in Sacramento County is 8 per cent. There are nearly 8,000 Japanese in Los Angeles and nearly 7,000 in San Francisco. Ten counties in the State have more than 1,000 Japanese each, ranging from 1,000 in Placer and Contra Costa to 11,500 in Los Angeles County. The Exclusion League's estimates might double some of these figures.

Officially, the history of the migration of Japanese laborers to the United States begins in 1885, when the emigration of laborers was legalized, and ends in 1907, when the "gentlemen's agreement" went into effect whereby passports are no longer issued in Japan to laborers destined for the United States. The number did not reach 1,000 until 1891, and since 1907 it has officially included no laborers, but has included numerous "picture brides," many of whom have engaged in labor for hire after arrival. These women also naturally presage a new population of native-born Japanese who will be American citizens. They are the weak point in the "gentlemen's agreement." If there are 55,000 Japanese men in the State (or 100,000, as the Exclusion League guesses), the privilege of each to send his photograph to Japan and marry it to a wife means a possible immediate increase of the population to 110,000 (or 200,000), with the potential permanent increase of the progeny of these marriages. These wives, of course, also increase the tendency of the Japanese to seek more fixed occupations. The picture bride is not permitted to leave Japan until her photograph husband has provided a place for her. "Catch 'em wife" is one of the motives commonly assigned by Japanese for taking up land leases. To these must be added whatever Japanese slip in from Mexico. The Exclusion League insists that there is a constant stream of Japanese immigration to insignificant Mexican ports near the border, with no increase in the Japanese population of those ports and no sign of its absorption elsewhere in Mexico.

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The characteristic occupation of the Japanese in California is that of migratory farm laborers. On the estimate of 55,000 population, 20,000 were given as "farm hands." But of the 4,500 "farmers" many are on small temporary leaseholds and easily revert to day labor. The 6,000 employees of merchants and the 5,000 domestic servants include many who occasionally do farm labor, and even the 4,000 "merchants" are mostly keepers of insignificant shops—of whom two-thirds have each less than $1,000 capital invested. There are 3,580 unassigned laborers, and 8,500 (mostly women and children) of "no occupation." On railroads, 1,500 are employed. Greeks and Mexicans have largely displaced them. Of the nonlaboring classes, there are 120 officials, teachers, and clergy, 1,000 "students" (many of them doubtless temporary pupils learning English).

The total number of farms owned by Japanese in 1912 was 312, with an acreage of 12,726 and an assessed valuation of $609,605 (real value probably about $1,000,000). The number of farms had increased in three years from 208 to 312, and the acreage from 10,791 to 12,726. Japanese owned 218 town lots, with an assessed valuation, including improvements, of $235,675. This was an increase of $60,981 in three years. There were 319 recorded leases in November, 1909, covering 20,294 acres, and 282 leases were recorded from that date to December 12, 1912, covering 17,596 acres.

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The typical object lessons of conditions as they might become are small districts, like the Vaca Valley, north of San Francisco Bay, or the Florin and Elk Grove districts near Sacramento, where the Japanese have "taken the country" to the extent of moving in in such numbers that white men, by race repulsion, are moving out. These conditions, if they become general, would spell the Hawaiianization of California. The present fact is that they are confined to a few spots, and the Japanese authorities offer their good offices to induce the dispersion of these.

Compared with the total industries and farms of the State, these Japanese enterprises are, of course, insignificant. If it were not for the race question they would be forgotten. But it is quite otherwise with farm labor. Here the principal production of the State is really dominated by the Japanese. On the farms operated by Japanese, of course practically all the labor (96 per cent) is also Japanese. On the farms operated by white farmers, according to an investigation made in 1909, of the total labor employed, 54 per cent was white, 36 per cent Japanese, and the remaining 10 per cent Chinese, Mexicans, Hindus, and Indians. On the large farms the percentage of Japanese was much larger, and on the small farms much smaller than this average.

Mr. VARDAMAN. Mr. President, I ask the Senator what number of the World's Work contains the article to which he has referred?

Mr. WORKS. I have given the volume and page, I will say to the Senator.

Mr. VARDAMAN. I should like to refer to it, and I am glad the Senator has indicated where it can be found.

Mr. WORKS. Mr. President, it must be seen that the conditions as they exist now can not be allowed to increase and grow worse. California will not permit them to do so in that State.

Now, let me call your attention to what the State has already done to protect herself from this threatening and growing evil and what has come from it.

After a full survey of conditions then existing, the San Francisco Chronicle, one of the leading newspapers of the State, in February, 1905, commenced the publication of a series of articles dealing with the Japanese situation. I take some excerpts from these publications from an article of John P. Young, editor of the Chronicle, in The Annals of the American Academy of Political and Social Science, volume 34, page 231. As an introduction to these publications, it was said:

In the accompanying article the Chronicle begins a careful and conservative exposition of the problem which is no longer to be ignored, the Japanese question. It has been but slightly touched upon heretofore; now it is pressing upon California and upon the entire United States as heavily and contains as much of a menace as the matter of Chinese immigration ever did, if, indeed, it is not more serious, socially, industrially, and from an international standpoint. It demands consideration. This article shows that since 1880, when the census noted a Japanese population in California of only 86, not less than 35,000 of the little brown men have come to the State and remained here. At the present day the number of Japanese in the United States is very conservatively estimated at 100,000. Immigration is increasing steadily, and, as in the case of the Chinese, it is the worst she has that Japan sends to us. The Japanese is no more assimilable than the Chinese and he is not less adaptable in learning quickly how to do the white man's work and how to get the job for himself by offering his labor for less than a white man can live on.

On the ensuing March 1 the Senate of Californina by a unanimous vote passed the following resolution:

Resolved by the senate (the assembly concurring), That in view of the facts and the reasons aforesaid (recited in the preamble), and of many others that might be stated, we, as representatives of the people of the State of California, do earnestly and strenuously ask and request, and in so far as it may be proper, demand, for the protection of the people of this State and for the proper safeguarding of their interests, that action be taken without delay, by treaty or otherwise, as may be most expeditious and advantageous, tending to limit without reasonable bounds and diminish to a marked degree the further immigration of Japanese laborers into the United States. That they, our Senators and Representatives in Congress, be, and are hereby, requested and directed to bring the matters aforesaid to the attention of the President and Department of State.

On the 4th of the same month the house concurred in the resolution by a unanimous vote.

Two months later the board of education of San Francisco passed the following resolution:

Resolved, That the board of education is determined in its efforts to effect the establishment of separate schools for Chinese and Japanese pupils, not only for the purpose of relieving the congestion at present prevailing in our schools, but also for the higher end that our children should not be placed in any position where their youthful impressions may be affected by association with pupils of the Mongolian race.

This action by the board of education attracted no particular notice and met with no protest by Japan.

On the 11th of October the board passed this further resolution:

Resolved, That in accordance with article 10, section 1662, of the school law of California, principals are hereby directed to send all Chinese, Japanese, or Korean children to the Oriental Public School situated on the south side of Clay Street, between Powell and Mason Streets, on and after Monday, October 15, 1906.

I will let Mr. Young give you the result of this harmless and inoffensive action of the board of education. He says in the article in the Annals:

It is doubtful whether this declaration would have incited the Japanese to protest had not the authorities at Washington objected. Immediately after its publication, Victor H. Metcalf, then Secretary of the Navy, was sent to the coast to make an investigation, and he made a report to the President, the effect of which was to create the impres-

sion at the East that the Japanese on the coast were the objects of continuous persecution. Trifling affairs, which scarcely merited the attention of a police court, were magnified into matters of international importance. The Chronicle, at the time, took occasion to comment on the unfairness of his presentation, and it has since been explained that he was only expected to see one side of the case. In short, ex-President Roosevelt appeared to be seeking for matter upon which to base the most extraordinary attack ever made upon a section of the American Union. In his message to Congress, delivered in December, 1906, he threatened California with an armed invasion if it did not abandon its recalcitrant attitude, and he pictured a condition of affairs as existing here which, had it really existed, would have been shameful; but as it did not, he merely convicted himself of adding another to the long list of his hasty judgments.

Mr. President, there is no persecution of the Japanese in California. They are employed in almost all kinds of work and go unmolested. By many employers they are preferred to white laborers, because more work for the same pay can be gotten out of them than from white laborers, and they demand less in the way of care and support. In fact, it is mostly the selfishness of the employer classes in the United States that brings the Japanese laborer here and keeps him at work in the place that should be filled by the white laborer.

With them it is a pure matter of business. They welcome the Japanese laborer here because they can get more out of him. Japan does not insist upon her laborers coming here. She has agreed to keep them from coming by refusing them passports, and I am convinced that she has kept the agreement in good faith. But, as I have said, her efforts are not effective. I am sorry to say it, but what we really need most is not legislation against the Japanese but against the selfishness of our own people, who disregard the good of the masses of the people in their own interests.

The question was again agitated when the State of California proposed the enactment of an alien land law that would prevent Japanese subjects from owning land in the State. The Japanese Government protested against such legislation as a discrimination against her people. Our Government attempted to influence and prevent action by the State legislature relating to her own domestic affairs. The Secretary of State went to California and, with State permission, addressed the legislature on the subject. The result was a mongrel compromise enactment containing the following provisions——

Mr. President, I ask to include the quotations without reading.

The PRESIDING OFFICER. Without objection, it will be so ordered.

The matter referred to is as follows:

SECTION 1. All aliens eligible to citizenship under the laws of the United States may acquire, possess, enjoy, transmit, and inherit real property, or any interest therein, in this State in the same manner and to the same extent as citizens of the United States, except as otherwise provided by the laws of this State.

SEC. 2. All aliens other than those mentioned in section 1 of this act may acquire, possess, enjoy, and transfer real property, or any interest therein, in this State in the manner and to the extent and for the purposes prescribed by any treaty now existing between the Government of the United States and the nation or country of which such alien is a citizen or subject, and not otherwise, and may in addition thereto lease lands in this State for agricultural purposes for a term not exceeding three years.

SEC. 5. Any real property hereafter acquired in fee in violation of the provisions of this act by any alien mentioned in section 2 of this act, or by any company, association, or corporation mentioned in section 3 of this act, shall escheat to and become and remain the property of the State of California.

SEC. 6. Any leasehold or other interest in real property less than the fee hereafter acquired in violation of the provisions of this act by any alien mentioned in section 2 of this act, or by any company, association, or corporation mentioned in section 3 of this act, shall escheat to the State of California.

SEC. 7. Nothing in this act shall be construed as a limitation upon the power of the State to enact laws with respect to the acquisition, holding, or disposal by aliens of real property in this State.

Mr. WORKS. It will be seen, Mr. President, that this curious statute does not forbid any alien taking or holding land in the State. It only provides that aliens eligible to citizenship may do so, and provides also that all aliens other than those specially allowed the privilege may do so—

In the manner and to the extent and for the purposes prescribed by any treaty now existing between the Government of the United States and the nation or country of which such alien is a citizen or subject, and not otherwise.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Idaho?

Mr. WORKS. I yield.

Mr. BORAH. The Senator stated a few moments ago, if I understood him correctly, that he regarded this as entirely a national question. Does the Senator mean to include also the question of who should own land within a State?

Mr. WORKS. Oh, not at all, Mr. President. My thought about it is that the Government should protect all the States, either by legislation or by treaty with foreign nations; but the right belongs to a State unquestionably of protecting itself against the owning of land by objectionable people.

Mr. WILLIAMS. Mr. President, will the Senator allow me to interrupt him at this point?

Mr. WORKS. Certainly.

Mr. WILLIAMS. This thought has occurred to me while the Senator has been talking: I agree with him perfectly upon this whole subject matter, but the thought has occurred to me that really the best way to settle it all would be by treaty. The Senator has just referred to that. It strikes me that the Japanese do not object to our excluding their people, provided we exclude them in a manner which will not seem to reflect upon them as a race. It strikes me that the only way to do that is by treaty, effecting mutual exclusion under identical limitations and restrictions, and I have never known why that could not be done.

Mr. BORAH. Mr. President, what does the Senator mean—I do not know that I understand—when he speaks of mutual exclusion?

Mr. WILLIAMS. I mean a treaty whereby we exclude the Japanese and the Japanese exclude us, with certain limitations as to the character of those who shall be exempt from the exclusion.

Mr. BORAH. I may be in error, but I understand that Japan insists that we treat her citizens upon the same basis as we treat people coming from Europe.

Mr. WILLIAMS. I understand that; but that is because we are dealing with the matter by legislation; but when we deal with it by mutual agreement, each Government being a party to it, and she treats our citizens with exactly the same discrimination that we treat hers, and the matter is a matter of international treaty instead of merely a matter of national legislation, the sting is taken out of it.

Mr. BORAH. If Japan would ever make that kind of a treaty, of course that would be true.

Mr. WILLIAMS. Does the Senator from California know whether any negotiations have ever been carried on in that direction?

Mr. WORKS. Oh, yes; negotiations have been carried on in that way, and they resulted in this side agreement on the part of Japan to prevent the emigration of her laborers.

Mr. WILLIAMS. Does the Senator know why that became a so-called gentlemen's agreement, or, as the Senator calls it now, a side agreement, instead of becoming a treaty to be sent to the Senate for ratification?

Mr. WORKS. As I understand, simply because Japan objected to having it go into the treaty, on the ground that it was a discrimination against her people as compared with the people of other countries.

Mr. WILLIAMS. Does the Senator know whether we agreed to let her make exactly the same discrimination against us?

Mr. WORKS. I do not know.

Mr. PHELAN. Mr. President, will the Senator state the terms of the last treaty with Japan by which the United States agreed not to legislate in matters affecting immigration?

Mr. WORKS. I am not able to state them from memory, but I assume that my colleague has already stated them, which may be taken as the fact. I am not familiar with the exact language of the treaty.

Mr. PHELAN. But, as I understand, by that treaty we further bound our hands, and hence we are practically incapable now, without a violation of a treaty or denouncing it, of legislating upon this subject. I ask for information. I was not present when the treaty was ratified in this body, and I thought some Senator might know without referring to the record.

Mr. WORKS. So the State of California attempted by this means to surrender its sovereign right to determine who should hold land within its borders and vest that power in the National Government. Then in order to relieve the State from this humiliating surrender of its right and duty to its people it was provided that "nothing in this act shall be construed as a limitation upon the power of the State to enact laws with respect to the acquisition, holding, or disposal by aliens of real property in the State."

Well, Mr. President, it was not a limitation of the power of the State to deal with the subject, but an absolute and abject surrender of the right for the time being. It was a surrender that did not redound to the credit of the great State I have the honor to represent in this body. The act was further weakened by allowing aliens not eligible to citizenship to lease lands for agricultural purposes for a term not exceeding three years without any provision against the renewal for all time to come by three-year terms.

This statute, so much talked about, amounts to nothing and leaves California practically just where she was. Its only effect was to make uninformed people believe we had an effective alien land law and allay public feeling.

Mr. President, I want now to deal briefly with the question of discrimination so earnestly protested against by the Japanese Government, as it relates to the exclusion of its subjects from this country and the attempt to prevent them from becoming landowners in my State. What is it that constitutes the discrimination complained of, and by whom is this discrimination exercised? Let us go to the root of the matter and see how consistent Japan is in making this complaint.

Mr. President, if there is any just cause for complaint of discrimination it is against the National Government and not my State.

The naturalization laws of the United States prevent a subject of Japan becoming a citizen by naturalization. He is directly discriminated against in this way, and that on account of his race and color. In the act providing for the naturalization of aliens it is provided (U. S. Rev. Stats., sec. 2169):

The provisions of this title shall apply to aliens being free white persons and to aliens of African nativity and to persons of African descent.

Now, why should complaint be made of a State for denying to one who can not become a citizen or a voter under Federal laws the right to hold lands within the State?

I submit, sir, that no alien who is denied citizenship in this country should be allowed to hold or own lands in any State in the Union. Not only is it the right of a State to declare who shall not own land in the State, but it should be her solemn duty to deny that right to anyone, of whatever race or country, who is declared by the laws of the country to be unfit to become a citizen.

Mr. President, I think the State should go further than this. No man should be allowed to own or hold land in fee until he is naturalized and has actually become a citizen. There my State made a mistake. It lacked the courage to take that unassailable stand and enforce it by law. If in that case discrimination should result, it would not be because of the State law. It would deny the right perpetually to those who are denied citizenship by the Federal laws.

It can readily be seen why this course, which would have relieved the State from any charge of discrimination or unfairness, was not taken. It would stop some of the flow of foreign gold into the State. The bankers, the real-estate men, and business men of all sorts would have risen up against it. It would then become a question of money as against the interest of the laboring classes and the social welfare of the State and the Nation. These powerful influences, that go so far in shaping legislation, State and National, would have prevented this just legislation. It is hard to act upon principle and be wholly just when money interests and big business are to be affected. The result of it is that California is practically without an alien land law and her people are not satisfied.

WHAT IS THE NATIONAL GOVERNMENT GOING TO DO ABOUT IT?

Mr. President, has the National Government no duty or responsibility in the matter? It has raised the race issue by excluding the Japanese from citizenship. Having done this, is it going to allow the people that it has in effect declared unfit to become citizens of this country to come here without limit, or leave it to Japan to say who of her subjects shall come to this country, leaving us no control over this admission or exclusion?

I take the broad ground—and I believe it is unassailable—that no alien who has been excluded from citizenship for whatever reason should be admitted to permanent residence in this country. We should have no people here as permanent residents who can not become citizens and share in the privileges, duties, and obligations of citizenship. I am so strongly convinced of this that I am opposed to any treaty between this or any other country that will admit such aliens to this country except for temporary purposes. No treaty should be made that will permit them to become permanent residents or landowners here.

There is an immigration bill now pending in Congress which, as originally reported from committee, in providing who shall be excluded from admission to the United States, contained this:

Persons who can not become eligible under existing law to become citizens of the United States by naturalization, unless otherwise provided for by existing agreements as to passports, or by existing treaties, conventions, or agreements, or by treaties, conventions, or agreements that may hereafter be entered into: Hindus. The two provisions next foregoing, however, shall not apply to persons of the ligious teachers, missionaries, lawyers, physicians, chemists, civil engineers, teachers, students, authors, artists, merchants, and travelers for curiosity or pleasure, nor to their legal wives or their children under 16 years of age who shall accompany them or who subsequently may apply for admission to the United States, but such persons or their legal wives or foreign-born children who fail to maintain in the United States a status or occupation placing them within the excepted classes shall be deemed to be in the United States contrary to law, and shall be subject to deportation as provided in section 19 of this act.

The fatal clause in this provision is this:

Unless otherwise provided for by existing agreements as to passports, or by existing treaties, conventions, or agreements, or by treaties, conventions, or agreements that may hereafter be entered into.

The fact that they can not become citizens under the laws of this country should be conclusive against their admission except in the special cases enumerated. No treaty or agreement to the contrary should ever be made or recognized. If we have any such treaties or agreements they should be abrogated just as soon as it can be done without their violation. Denial of citizenship should be regarded as a denial of the right of permanent residence here, and treated accordingly.

But even in the form reported this clause was not satisfactory to Japan. The ambassador of that country protested against it. Under this pressure and whatever other influences may have been brought to bear upon it or its members, the following clause was substituted by the committee in place of a portion of the one quoted:

Unless otherwise provided for, or by existing treaties, persons who are natives of islands not possessed by the United States adjacent to the continent of Asia situate south of the twentieth parallel of latitude north, west of the one hundred and sixtieth meridian of longitude east from Greenwich, and north of the tenth parallel of latitude south, or who are natives of any country, Province, or dependency situate on the continent of Asia west of the one hundred and tenth meridian of longitude east from Greenwich and east of the fiftieth meridian of longitude east from Greenwich, except that portion of said territory situate between the fiftieth and the sixty-fourth meridian of longitude east from Greenwich and twenty-fourth and thirty-eighth parallels of latitude north.

It might require a good deal of study, that few will give it, to ascertain the fact that this clause was inserted in the bill at the demand of Japan in order to prevent the subjects of some other nation or nations from coming into this country and at the same time exclude Japanese from the provisions of the bill. But that is admittedly the purpose and effect of this anomalous provision.

Of this remarkable situation the Oakland (Cal.) Tribune of May 17, 1916, very well says:

Congress has taken steps toward amending the proposed immigration legislation in such manner as to meet the objections raised to the original bill by the Japanese Government. The modified "Asiatic exclusion" section will put the ban up against people residing in certain geographical latitudes of the Far East. Japan is discreetly left outside the affected zones.

It will be recalled that the protest of Ambassador Chinda was not on account of the form of the immigration bill as reported in the House, but against the United States presuming to enact legislation of any kind regarding the admission of orientals into the country, so long as Japan was in danger of being considered an oriental nation. In effect Japan insists upon settling the United States immigration question in her own way, so far as it may affect Japanese.

The whole controversy is in the main one of principle. Japan considers that the "gentlemen's agreement" negotiated by Secretary of State Root and Ambassador Takahira "limited" Japanese immigration and that it would be an affront to Japan if the United States should now seek to enact regulations concerning immigration. Although the bill in its original form does not mention Japanese it employs the word "Asiatic," so Japan has sought to block, seemingly with fair measure of success, regulation of all Asiatic immigration because Japan is an Asiatic country.

It is little short of preposterous that Japan should be permitted to interject her new-born susceptibilities into purely domestic American affairs. As a matter of principle, Congress should decline to listen to such presumption. The Senate proposal to tediously map out all of Asia into imaginary zones of racial nativity is ridiculous.

It is a surrender of our inherent right to regulate according to our own lights the admission of foreign citizens into our territories, and we should not make such a surrender. Besides it is begging the issue to attempt to draw distinctions between the objections to Chinese, Hindus, and Japanese to admission to the country. The need for restricting Asiatic immigration is based upon economic grounds, and there is no difference in oriental economic standards to justify any differentiation as to the geographical location of the homes of prospective immigrants. The immigration question looms too large and uncertain in the future for Congress to begin now to waive any portion of its power to settle it according to the best interests of the United States.

The astonishing effects of the proposed amendment is well and forcefully stated in an editorial in the San Francisco Chronicle of May 18, 1916, which I ask permission to include in my remarks without reading.

The PRESIDING OFFICER. Without objection, it will be so ordered.

The matter referred to is as follows:

THE NEW EXCLUSION ACT—IT APPEARS TO BE A CURIOUS DOCUMENT BUT MAY SERVE ITS PURPOSE.

In default of the complete text of the new exclusion act as agreed to by the Senate Committee on Immigration and of some explanatory report thereon, it is difficult to understand some of its provisions.

Japan and its possessions, including Formosa, are excluded from the operation of the law, as well as about two-fifths of the Chinese Empire. Nothing east of the one hundred and tenth meridian on the Asiatic Continent is covered by the bill, which, if it operates to repeal all previous laws inconsistent therewith—as it will unless expressly provided to the contrary—would open our door to some hundreds of millions of Chinese from the continent as well as all the Chinese from Formosa.

So far as the Chinese are concerned, one may assume that the California delegation, if no others, may be relied on to see that an effective nonrepeal clause is included in the bill. Without that the paragraph as agreed upon would let in the entire population of China unless our authorities were prepared to prove that applicants were from east of meridian 110.

Another curious thing is its effect on Siberia. Meridian 110 runs just east of Lake Baikal. Those born east of that lake may come to this country, but if born west of the lake they must stay out. A glance at the map suggests that the line is drawn to exclude from the bill Korea, which is a dependency or Province of Japan, and Manchuria, which she is engaged in swallowing, but the geographical margin seems unnecessarily large, except on the assumption that Japan is expected to gobble pretty much all of China.

It is difficult to believe that Japan objects to have its territory included merely as a matter of national pride. The position of Japan as a power is as perfectly established as our own, and that country might exercise its undoubted right to exclude Americans by name, and we should not for a moment regard it as implying that we were not respectable, but merely that she did not wish any of us to come there.

And that is precisely our feeling with respect to the Japanese. We admire their ability, and are astonished at their energy, but we do not wish to live with them and we won't. So long as the Japanese Government can prevent its laborers from coming here, that is entirely satisfactory to us. But when the time arrives—and it will arrive—when the Japanese Government is unable to control the movements of its people, we believe the situation will be more satisfactory to all concerned if geographical limitations operate to prevent immigration. A good many people have too much respect for the Japanese to believe that racial sensitiveness is their real reason for objecting to enact the gentlemen's agreement into law.

Unless the bill has somewhere a considerable list of exceptions if enacted into law, it will have curious results. It is "natives" of the specified territory who are excluded and some of our missionaries, commercial and other, have large families born in the country of their activities which they would have to leave behind should they return to this country.

There is but one sane solution, and that is for each country to use its unquestionable right to admit or exclude as it pleases.

The article closes by saying:

There is but one sane solution, and that is for each country to use its unquestionable right to admit or exclude as it pleases.

So it will be seen, Mr. President, that in the eagerness or willingness of the committee to favor Japan over other nations by excluding her subjects from the effects of the immigration law, it is actually proposed to open the door to Chinese immigration, a door that has long been closed and must be kept closed in the interest of and for the protection of our own people. The attempt is to favor Japan by an impractical and dangerous provision. It looks too much like trifling with the people of the Pacific Coast States in a matter of the most vital interest to them.

What an amazing spectacle! We boast lustily of our independence and Americanism and then propose to surrender to another nation the right to determine who shall come to this country and make their homes here. The "gentlemen's agreement" to this effect was bad enough, but to enact such a humiliating surrender of our rights, as a Nation, to deal with a matter of such grave importance affecting the happiness and tranquillity of our own people should be looked upon as intolerable.

Mr. President, why are we making this inexcusable and humiliating concession to a foreign nation? Are we afraid to assert and maintain our right to say what foreigners shall emigrate to this country? Have we become so pusillanimous that we are willing to allow a foreign nation to exercise this right and dictate to us what laws shall be enacted by Congress affecting so grave a matter? This clause in the bill was forced into it by the representative of Japan. We have allowed Japan to dictate to us what laws we shall enact in the effort to exclude undesirable immigrants from this country. We may very well differ as to what an immigration law shall be as affecting the subjects of any foreign nation. But to have our course in dealing with domestic affairs directed by any foreign government should shock the patriotic sense of the American people. While we are ostensibly endeavoring not to discriminate against and humiliate the people of Japan, we are proposing to insert in this bill a concession a hundredfold more humiliating to our own people than absolute exclusion could be to that country. It is earnestly hoped that no such provision will ever be enacted by Congress.

PREPAREDNESS FOR NATIONAL DEFENSE.

Some will say that any such attitude as I have suggested, taken by the Government or a State, will mean war with Japan. There is no possible reason why that country should have submitted to the provision in the naturalization laws of this country excluding her subjects from citizenship, and then seek war with us, because for the very same reason which induced that legislation we provide that her people, who are excluded from participation in our affairs, shall not become permanent residents or own land in this country. The discrimination which lies at the foundation of it all has existed and been acquiesced in without protest for many years. Besides, the insistence by Japan that her people shall come here when they are not wanted and own lands against our will, would be an evidence of weakness and humiliating to a proud nation. Japan does not want her people to come here when they are not wanted. She has shown that conclusively by her "gentlemen's agreement," that she herself will prevent their coming by refusing them passports. But this, as I have shown, does not prevent their coming and will not. Nor does it meet the necessity of excluding those who are here, or others who may come, from owning land in the States, a condition that is most objectionable. Neither does it meet the complication that is going to result from the incoming of "picture brides," of which there are already hundreds, perhaps thousands, in my State. The offspring of these Japanese women born in this country will be citizens of the United States by virtue of their native birth. With 55,000 Japanese in California, many of whom are married to these women, the Japanese population is bound to increase rapidly if they are allowed to remain, whether immigration of others is allowed or not.

Mr. President, it is not a pleasant prospect. Our people who know the Japanese immigrants, their character, their manner of living, and their mode of dealing with our people, look upon it with great apprehension, as well they may.

The best means of national defense is the enactment of just laws and the fearless enforcement of them. If we had long ago enacted laws excluding everybody from the country who were not eligible to become citizens, as we had a perfect right to do, we would not have 70,000 Japanese in the United States, 55,000 of whom are in California. We have temporized and compromised our just rights, which has brought about the present complications that may imperil our friendly relations with the Japanese nation.

Mr. VARDAMAN. Mr. President, would it interrupt the Senator for me to make an inquiry?

Mr. WORKS. Not at all.

Mr. VARDAMAN. To what extent have the Japanese amalgamated with the whites in California? Has the Senator any information on that subject?

Mr. WORKS. To a very limited extent, because marriage between the two races is forbidden by law. They sometimes go out of California into other States and marry, and return to the State, but that has been a very rare occurrence.

We should temporize no longer. If we do, we will come to regret it. Japan will have no just cause to complain. If she does make trouble, our own Government will be to blame for not asserting its just rights as a nation in the beginning. The sooner we assert our own rights now and maintain them the better for both nations.

But if war with Japan comes, what then? Are we ready for it? Have we prepared for it? Will we be prepared for it if the proposed program of military and naval expansion is carried out? No; not on the Pacific coast. To make the Pacific Coast States secure we must have two separate armies and two navies, one on each of the seacoasts. The Pacific coast has never had anything like its proportionate share of either the Army or the Navy. It is not likely to have under this new plan. I endeavored to make us more secure by an amendment to the Army reorganization bill providing for an industrial reserve military force on the Pacific coast, but the Senate voted down the amendment. I do not believe we are going to have war with Japan. Some people think we shall. Those who think so should see to it that the Pacific Coast States, which must bear the brunt of any fighting with that country, have a sufficient portion of the increased Army and Navy to protect them from attack.

As I said in the beginning I say in the closing. Japan does not want war with us and we do not want war with Japan. That country could not afford to go to war for a mere sentiment. She could not consistently go to war with us for doing what we have every right to do. We should not do it in any offensive way or for any offensive reason, as I have endeavored to point out. If Japan should engage us in war, it would inevitably mean her defeat in the end and nothing gained. It would mean loss of lives and property for us without profit to Japan. Our relations would not be improved. Her people would be less welcome here than they are now. Her people could not gain citizenship or other rights in this country by war. To me, Mr. President, war between the United States and Japan is unthinkable.

NAVAL APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15947) making appropriations for the naval service for the fiscal year ending June 30, 1917, and for other purposes.

The SECRETARY. The pending amendment is found on page 67, being the amendment offered by the junior Senator from Massachusetts [Mr. WEEKS].

Mr. SWANSON. I understand that the Senator from Massachusetts withdraws his amendment.

Mr. WEEKS. Mr. President, I did not understand that the proposition contained in the bill conformed with the law in its application to the Army. As it does, I think it wise to withdraw the amendment.

The SECRETARY. The Senator from Massachusetts had moved to strike out the word "lieutenant" before the word "commander" on line 16.

The VICE PRESIDENT. That amendment being withdrawn, the question is on the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 67, after line 25, to insert:

Hereafter all commissioned officers of the active list of the Navy shall receive the same pay and allowances according to rank and length of service.

The amendment was agreed to.

The next amendment was, on page 68, after line 16, to insert:

The Secretary of the Treasury is hereby authorized and directed to credit in the accounts of Passed Assistant Paymaster James C. Hilton, United States Navy, the sum of $6,033.61, being the amount stolen from the United States funds by a person or persons unknown and charged against the accounts of the said James C. Hilton, passed assistant paymaster, on the books of the Treasury Department.

The amendment was agreed to.

The next amendment was, on page 68, after line 23, to insert:

The accounting officers of the Treasury are hereby authorized and directed to allow in the accounts of Paymaster T. D. Harris, United States Navy, credit for the full payment of the contract price made by him to James Morrow under contract of May 29, 1909, and to Carson, Pirie, Scott & Co., James Corse, N. H. Dow Manufacturing Co., The Snead & Co. Iron Works, and Original Cabinet Co. under contracts of March, 1911, pertaining to the naval training station, Great Lakes, Ill.

The amendment was agreed to.

The next amendment was, on page 69, after line 6, to insert:

That the President of the United States is hereby authorized to cause Ensign Harrold Harrison Little, United States Navy, to be examined for promotion to the grade of lieutenant (junior grade), United States Navy, and subject to his successfully passing such reexamination to promote him to the grade of lieutenant (junior grade), to take place on the Navy list in such grade next after Lieut. (Junior Grade) William G. Greenman, United States Navy, who was the officer immediately above the said Harrold Harrison Little in the list of lieutenants (junior grade) at the date said Harrold Harrison Little became due for promotion to the grade of lieutenant (junior grade), United States Navy: *Provided*, That no back pay, allowances, or emoluments shall accrue by reason of the passage of this act.

The amendment was agreed to.

The next amendment was, on page 69, after line 20, to insert:

Hereafter Asst. Paymaster John D. P. Hodapp, United States Navy, shall be regarded as having been appointed as an assistant paymaster in the United States Navy on the same date as the officer now next above him in grade: *Provided*, That nothing herein shall be construed to entitle the said Asst. Paymaster John D. P. Hodapp, United States Navy, to any back pay, allowances, or other emoluments.

The amendment was agreed to.

The next amendment was, on page 70, after line 2, to insert:

Section 6 of an act entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1917, namely:" approved May 10, 1916, is hereby amended so as to read as follows:

"SEC. 6. That unless otherwise specially authorized by law, no money appropriated by this or any other act shall be available for payment to any person receiving more than one salary when the combined amount of said salaries exceeds the sum of $2,000 per annum, but this shall not apply to retired officers or enlisted men of the Army, Navy, Marine Corps, or Coast Guard, or to officers and enlisted men of the Organized Militia and Naval Militia in the several States, Territories, and the District of Columbia: *Provided*, That no such retired officer, officer, or enlisted man shall be denied or deprived of any of his pay, salary, or compensation as such, or of any other salary or compensation for services heretofore rendered, by reason of any decision or construction of said section 6."

Mr. NORRIS. Mr. President, I should like to inquire of the Senator from Virginia what change is made in section 6 from the law as it exists now?

Mr. SWANSON. The only change is in the proviso.

Mr. NORRIS. From the proviso on?

Mr. SWANSON. In the proviso itself. I will state to the Senator that this takes care of Mr. Theall, who is the secretary of the Naval Affairs Committee of the House. We passed a provision that permitted that, and the Comptroller of the Treasury decided that the clerk of a committee was not a public officer, which precluded him from occupying that position. This simply puts a construction there so that the Comptroller of the Treasury can not deprive him of his present position. We had previously passed a law taking care of him, and he decided that the clerk of a committee was not a public officer, and would not pay the salary.

Mr. NORRIS. Does this apply to anybody except this official of the House of Representatives?

Mr. SWANSON. To no one, I understand, except this officer.

Mr. NORRIS. Why not make a direct reference to the particular person?

Mr. LODGE. We are amending the statute. You can not mention him in another statute.

Mr. NORRIS. This particular position in the House of Representatives is filled by a retired naval officer. There is another question. If this applies only to an official or employee of the House of Representatives, why did not the House of Representatives put it in?

Mr. SWANSON. I understand that there is another one at the navy yard. If the Senator will permit me, we amended section 6 so as to enable them to employ a retired officer in the Navy to be clerk of the committee. That was included in the bill. The provision was included in the legislative, executive, and judicial appropriation bill. Having used the words "public officer," the Comptroller of the Treasury, I understand, rules that the clerk of the committee is not a public officer, and consequently he can not receive his salary. The amendment is in the proviso which prevents the comptroller from giving that interpretation to the law.

Mr. LODGE. If the Senator will allow me, I may remind him that this ruling was not made until after the bill had left the House.

Mr. NORRIS. Even if that be true, this is to give relief to some one in the House, and this is simply, of course, class legislation put on an appropriation bill. I had my attention called to it by a Member of the House, who said that it applied to a large number of retired persons, and I should think it would apply to practically the entire Navy Department. If there is any good reason why one man should be excluded from the operation of the law, I would not have any objection if he was excluded and excluded directly by name or his office or position excluded.

Mr. LODGE. But the general law expressly provides that the provision about the salaries shall not apply to retired officers and enlisted men. That is the general provision of the statute. The exception is in the proviso, because there is an attempt made to exclude this one man from the general law by the comptroller by a ruling which, it seems to me, is absurd. Down to the proviso it is the general existing law.

Mr. NORRIS. Commencing, then, at line 17, with the proviso, that is the only change made in the existing law?

Mr. LODGE. It is to enable him, if the Senator will read it, to receive his compensation as provided by law for services heretofore rendered.

Mr. NORRIS. Let us see how it reads:

Provided, That no such retired officer, officer, or enlisted man shall be denied or deprived of any of his pay, salary, or compensation as such, or of any other salary or compensation for services heretofore rendered, by reason of any decision or construction of said section 6.

Do I understand that the effect of that will be that this official in the House of Representatives, who seems to be the beneficiary, will get his back pay, but will in the future not be able to get any?

Mr. LODGE. No; he will get it in the future. It covers both.

Mr. NORRIS (reading)—

Of any of his pay, salary, or compensation as such, or of any other salary or compensation for services heretofore rendered.

Mr. LODGE. Yes; no such retired officer—

shall be denied or deprived of any of his pay, salary, or compensation as such, or of any other salary or compensation for services heretofore rendered.

Mr. SMOOT. Mr. President——

Mr. NORRIS. I yield to the Senator from Utah.

Mr. SMOOT. The Appropriation Committee of the Senate in reporting the legislative, executive, and judicial appropriation bill for this year inserted section 6 in the bill as follows:

That unless otherwise specially authorized by law no money appropriated by this or any other act shall be available for payment to any person receiving more than one salary when the combined amount of said salaries exceeds the sum of $2,000 per annum.

That is what the committee reported to the Senate. While the bill was under consideration the Senator from Massachusetts [Mr. LODGE] offered an amendment to the committee amendment as follows:

But this shall not apply to retired officers of the Army, Navy, or Marine Corps whenever they may be appointed or elected to public office or whenever the President shall appoint them to office by and with the advice and consent of the Senate or to officers and enlisted men of the Organized Militia and Naval Militia in the several States, Territaries, and the District of Columbia.

That is the way section 6 of the bill finally passed the Senate. I understand of course that this proviso is put in the pending bill to take care of one man in the employ of the House of Representatives. I will say to the Senator that that case was called to the attention of the Appropriation Committee when it first considered the amendment, but the committee at that time did not feel justified in proposing an amendment to take care of one man, but after the Senate adopted the amendment offered by the Senator from Massachusetts it exempted retired officers and enlisted men of the Army and Navy and Marine Corps, and so forth. It develops now that the employee in the House of Representatives referred to is a retired officer, and

if that be true he should be exempted under the amendment offered by the Senator from Massachusetts, but under a ruling it is held that no matter whether he is a retired officer or not, holding the position he does with a committee of the House, he is not entitled to the two salaries.

Mr. NORRIS. I rather think since we have exempted everybody else from the effect of the law we ought not to hesitate to exempt this one man who is left. I understand the law prohibiting anyone from drawing two salaries is so amended that it does not apply to anyone except this clerk in the House of Representatives, and this is to let him out also.

Mr. SMOOT. That is the effect of the proviso, but I will say to the Senator——

Mr. NORRIS. Why not repeal the law altogether?

Mr. SWANSON. If the Senator will permit me, it was held that the appointment by a committee of Congress, as I understand the ruling of the Comptroller of the Treasury, is not a public officer, and consequently not being a public officer he can not get the benefit of the exemption that others have. He is a very valuable man, one of the most valuable men in the House of Representatives as far as naval affairs are concerned, and he can not afford to accept a clerkship in the committee unless this exemption is permitted. This is put in the bill at the request of the chairman of the Naval Committee of the House, who desires to retain the valuable services of this man, and it is made necessary on account of what seems to me to be the foolish ruling of the Comptroller of the Treasury that a clerk of a committee is not a public officer.

Mr. NORRIS. I should like to inquire how many men are drawing two salaries now who are not affected by the law.

Mr. SMOOT. I will say to the Senator that at the time the amendment to the legislative, executive, and judicial appropriation bill was being considered in the Committee on Appropriations we undertook to find out just how many there were in the employment of the Government drawing two salaries. We were unable to ascertain the exact number, but I will say to the Senator there were a great many of them, but since the passage of the legislative, executive, and judicial appropriation bill it has done away with all except retired officers, as stated before.

I will state further to the Senator that the committee found that the practice was growing to such an extent that it decided to pass a law prohibiting it. That is the reason why the committee reported the amendment to the legislative, executive, and judicial appropriation bill.

Mr. NORRIS. Yes; but after it was amended it did not apply to anybody.

Mr. SMOOT. Yes; it applied to everybody, with the exception of enlisted men and officers in the Army and Navy, Marine Corps, and Organized Militia and Naval Militia.

Mr. NORRIS. How many are there of those? Can the Senator state the number?

Mr. LODGE. If the Senator will allow me, it has never been attempted to prevent retired officers from accepting private employment. It would be a useless cruelty.

Mr. NORRIS. This law does not attempt to do that. We could not pass a law under the Constitution that would be of any validity, probably, that would do that, but we could pass a law that would prevent a man from drawing two salaries from the Government of the United States.

Mr. LODGE. You could prevent a retired officer from accepting any other emolument in private life.

Mr. NORRIS. Nobody wants to do that.

Mr. LODGE. You could make him forfeit his pay. That has never been done. Officers have always been allowed to accept private employment. Of course, they are always at the orders of the Government.

Mr. NORRIS. Can the Senator from Utah answer my question as to how many men were drawing two salaries from the Government and are not drawing it now by reason of the enactment of this law?

Mr. SMOOT. It would be only an estimate, but I will say to the Senator that there must have been something over 50 men who were drawing two salaries who are not doing so to-day. I do not want to state positively the number, but there were at least that many, and perhaps a great many more.

Mr. NORRIS. I do not know that that is material now, because it is in the law anyway, but what was the reason for exempting Army officers and officers of the Marine Corps?

Mr. SMOOT. The reason was this: As to retired officers of the Army, Navy, and Marine Corps, and officers of the Guard, their time belongs to them, and if any department of the Government desires to avail itself of their services there should be no objection to that. The exemption was adopted so that the Government could avail itself of their services.

Mr. NORRIS. Why not the other people who are not retired officers of the Army or Navy?

Mr. SMOOT. The reason is this, because their time is already paid for by the Government, and extra long hours must of necessity interfere with their efficiency in both positions.

Mr. WEEKS. It is the custom to pay certain officers connected with the Government a higher rate of pay on account of the excellence of their service. For instance, the clerk of the Committee on Appropriations of the House of Representatives is paid an annual salary of $5,000 a year as long as he holds that position. It is simply a reward for efficiency. The salary which he receives is a thousand dollars greater than would be the salary of any other man holding that place. The same general principle applies to this case. The clerk of the House Naval Committee is a graduate of the Naval Academy and served in the Marine Corps. He was retired for physical disability, but he is entirely competent to perform the duties of that technical position not only as well but better than almost any other man. Therefore it has seemed fair that he should receive his retired pay and such salary as the committee gave him. As a matter of fact, he is paid $2,400 as clerk of the committee, and his retired pay is between $1,900 and $2,000, or about $4,300 a year. That is his entire pay from the Government, and it is not a high salary for that particular place, which he fills so acceptably to the House Naval Committee.

There are three or four other cases which come under this limitation, I understand. There are perhaps three other naval officers who are employed in such a way that they will not receive their salary under the ruling of the comptroller. In this particular case the salary for the last two months which this House employee actually received is being checked up against his retired pay of the Navy, and unless something is done, as proposed in this measure, not only will he in future receive only the retired pay from the Navy, but the actual pay which he has received under the law up to this time will be checked against that retired pay. It seems to me, from my knowledge of the case, there can not be two sides to the fairness and desirability of adopting the provision which the Committee on Naval Affairs has proposed to the bill.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment was, on page 70, after line 21, to strike out:

NAVAL FLYING CORPS.

There is hereby established in the Navy, subject to the laws and regulations governing the same, a special corps to be known as the naval flying corps, whose particular duties shall be in connection with the operation, maintenance, and activities of aircraft in all its phases, and in the education and training of personnel for all duties connected therewith.

The naval flying corps shall be composed of 150 officers and student flyers and 350 enlisted men, appointed, commissioned, enlisted, and distributed in the various grades and ratings of the Navy as hereinafter provided. The said number of officers, student flyers, and enlisted men shall be in addition to the total number of officers and enlisted men which is now or may hereafter be provided by law.

The officers and enlisted men shall receive the same pay and allowances that are now provided by law for officers and enlisted men of the same grade or rank and rating in the Navy detailed for duty with aircraft. Student flyers while undergoing instruction and training shall receive the same pay and allowances as midshipmen at the Naval Academy: *Provided*, That after receiving a certificate of qualification as actual flyers of aircraft they shall receive the same pay and allowances now allowed by law for midshipmen after graduation from the Naval Academy and shall rank with but after midshipmen.

The number of officers shall be distributed in the various grades and ranks as follows: Five flight commanders, one of whom shall be designated as senior flight commander; 10 flight lieutenant commanders, 30 flight lieutenants, 30 flight lieutenants (junior grade), 25 flight ensigns, and such number of student flyers as will maintain a total of 125 in addition to 10 chief warrant officers of the rank of chief machinist and 15 warrant officers of the rank of machinist.

Within two years after the passage of this act the President may, by and with the advice and consent of the Senate, and with the consent of the officer concerned, transfer any officer or officers of the Navy or Marine Corps to fill original vacancies in the various grades of the naval flying corps, provided such officers are skilled in the knowledge of aircraft and have had adequate experience in the flying of the same: *Provided*, That no officer shall be commissioned in the grade of commander in said corps unless he be skilled in the flying of aircraft as well as in the design of the same: *Provided further*, That not more than one commander, two lieutenant commanders, five lieutenants, and five lieutenants (junior grade) shall be commissioned in the naval flying corps in any one year from among officers of other branches of the Navy so transferred, and that officers so transferred will take rank with one another in accordance with the seniority held by them before transfer.

The Secretary of the Navy is hereby authorized within two years after the passage of this act to issue acting appointments in said flying corps to not more than five flight lieutenants (junior grade) and five flight ensigns in any one year from civil life to fill original vacancies created by this act: *Provided*, That such acting appointments shall continue in force for a period of two years unless sooner revoked by the Secretary of the Navy, and that at the end of such period officers holding acting appointments shall be examined and if found qualified under the provisions of this act shall be commissioned in the grade in which they have been acting or to fill vacancies in the next higher

grade: *Provided*, That the Secretary of the Navy is authorized to appoint such number of student flyers, not to exceed 30 in any one year, as added to the number of commissioned and acting commissioned officers will bring the total to 125: *Provided*, That after two years from the passage of this act all appointments to fill vacancies in the various grades shall be made by promotions from the grade next below, and that thereafter all appointments to the grade of flight ensign shall be made by the promotion of such student flyers as may have been duly qualified under the provisions of this act.

Within the first two years after the passage of this act the Secretary of the Navy may issue acting appointments to not more than two chief machinists and three machinists in any one year. Thereafter all appointments to the grade of chief machinist shall be made from the grade of machinist and all appointments to the grade of machinist from the grade of chief petty officer: *Provided further*, That no person shall be appointed to the warrant grades until he shall have fully demonstrated his knowledge of the principles governing the construction of aircraft and all component parts thereof and his mechanical skill in repairing and keeping in working order the same.

The enlisted personnel shall be distributed in the various ratings as now obtain in the Navy in so far as such ratings are applicable to duties connected with aircraft.

Enlistment shall be for not less than two or more than four years, and the Bureau of Navigation shall establish rules governing the qualification and advancement of the enlisted men.

Any enlisted man who passes satisfactorily the prescribed examination and is recommended by a board of officers may be appointed a student flyer.

In time of peace no officer shall be promoted to a higher grade in the naval flying corps until he shall have completed not less than two years of service in the next lower grade, and until he shall have satisfactorily passed such mental, moral, and professional examination as may be prescribed by the Secretary of the Navy, and been recommended for promotion by an examining board composed of officers in a senior grade or grades in the naval flying corps, nor until he shall have satisfactorily passed a physical examination before a board of medical officers of the Navy.

No person shall receive an acting appointment in the commissioned or warrant grades in the naval flying corps, nor shall any person be appointed as student flyer until he shall have qualified therefor by such examination as may be prescribed by the Secretary of the Navy, nor shall any person be appointed or enlisted in said corps unless he be a citizen of the United States.

The Secretary of the Navy shall prescribe regulations governing the examinations of candidates for appointment, enlistment, and promotion in the naval flying corps.

Nothing in this act shall be so construed as to prevent the temporary detail of officers and enlisted men of other branches of the Navy for duty with aircraft.

The Secretary of the Navy is hereby authorized to establish an aeronautic school of instruction and training for student flyers, and prescribe qualifications for their promotion. All student flyers who successfully complete a course of two years at said school shall be given a certificate of graduation and shall be eligible for appointment to fill vacancies in the grade of ensign in said flying corps. Graduates of the aeronautic school shall be appointed to fill vacancies in the grade of ensign in flying corps in the order of merit as determined by their examinations and by their efficiency records at the school.

And in lieu thereof to insert:

NAVAL FLYING CORPS.

The naval flying corps shall be composed of 150 officers and 350 enlisted men, detailed, appointed, commissioned, enlisted, and distributed in the various grades, ranks, and ratings of the Navy and Marine Corps as hereafter provided. The said number of officers, student flyers, and enlisted men shall be in addition to the total number of officers and enlisted men which is now or may hereafter be provided by law for the other branches of the naval service.

The number of officers detailed to duty in aircraft involving actual flying in any one year shall be in accordance with the requirements of the air service as determined by the Secretary of the Navy: *Provided*, That the officers so detailed from the line of the Navy and from the Marine Corps shall not exceed the total number herein prescribed for the naval flying corps: *Provided further*, That the proportion of line officers of the Navy and of the Marine Corps thus detailed shall be the same as the proportion established for the regular services: *And provided further*, That the student flyers hereinafter provided for shall be in addition to the officers and enlisted men comprising the naval flying corps.

The officers detailed and the enlisted men of the naval flying corps shall receive the same pay and allowances that are now provided by law for officers and enlisted men of the same grade or rank and rating in the Navy and Marine Corps detailed to duty with aircraft involving actual flying.

The Secretary of the Navy is hereby authorized to appoint annually in the line of the Navy and the Marine Corps for a period of two years following the passage of this act, in order of merit as determined by such competitive examinations as he may prescribe, 15 acting ensigns or acting second lieutenants for the performance of aeronautic duties only. Persons so appointed must be citizens of the United States, and may be appointed from warrant officers or enlisted men of the naval service or from civil life, and must, at the time of appointment, be not less than 18 nor more than 24 years of age: *Provided*, That no person shall be so appointed until he has been found physically qualified by a board of medical officers of the Navy for the performance of the duties required: *Provided further*, That the number of such appointments to the line of the Navy and of the Marine Corps shall be in the proportion decided for the regular services. Such appointments shall be for a probationary period of three years and may be revoked at any time by the Secretary of the Navy.

Such acting ensigns and acting second lieutenants shall be detailed to duty in the naval flying corps in aircraft involving actual flying.

Such acting ensigns of the Navy and acting second lieutenants of the Marine Corps shall, upon completion of the probationary period of three years, be appointed acting lieutenants of the junior grade, or acting first lieutenants, respectively, by the Secretary of the Navy for the performance of aeronautic duties only, after satisfactorily passing such examinations as he may prescribe, and after having been recommended for promotion by the examining board and found physically qualified by a board of medical officers of the Navy. Such appointments shall be for a probationary period of four years and may be revoked at any time by the Secretary of the Navy.

Such acting lieutenants (junior grade) and acting first lieutenants may elect to qualify for aeronautic duty only or to qualify for all the duties of officers of the same grade in the Navy and in the Marine Corps, respectively. Those officers who elect to qualify for aeronautic duty only shall be detailed to duty in the naval flying corps involving actual flying in aircraft. Those officers who elect to quality for the regular duties of their grade shall be detailed to duty in the regular service for at least two years to allow them to prepare for such qualification.

Such acting lieutenants (junior grade) and acting first lieutenants who have elected to qualify for aeronautic duty only shall, upon completion of the probationary period of four years, be commissioned in the grade of lieutenant of the line of the Navy or captain of the Marine Corps for aeronautic duties only, after satisfactorily passing such competitive examination as may be prescribed by the Secretary of the Navy to determine their moral, physical, and professional qualifications for such commissions and the order of rank in which they shall be commissioned. Such lieutenants for aeronautic duty only shall be borne on the list as extra numbers, taking rank with and next after officers of the same date of commission.

Such acting lieutenants (junior grade) and acting first lieutenants who have elected to qualify for the regular duties of the line of the Navy and of the Marine Corps, respectively, shall, upon completion of the probationary period of four years, two years of which shall have been on such regular duties, be commissioned in the grade of lieutenant of the line of the Navy and captain of the Marine Corps, after passing satisfactorily such competitive examinations as may be prescribed by the Secretary of the Navy to determine their moral, physical, and professional qualifications for such commissions and to determine the order of rank in which they shall be commissioned. Such lieutenants of the line of the Navy and captains of the Marine Corps will be borne upon the lists of their respective corps as extra numbers, taking rank with and next after officers of the regular services of the same date of commissions.

Acting lieutenants (junior grade) of the line of the Navy for aeronautic duties only and acting first lieutenants of the Marine Corps for aeronautic duty only who have completed the probationary period of four years may, upon examination for commissions to the next higher grade, if recommended by the board of examination, be transferred to the naval reserve flying corps and commissioned in the same grade or the next higher grade as may be recommended in accordance with their qualifications as determined by the examination: *Provided*, That at any time during such probationary period any such officer can, upon his own request, if his record warrants it, be transferred to the naval reserve flying corps and commissioned in the acting grade he then holds. Any officer of the naval flying corps holding an appointment of student flyer or acting ensign, second lieutenant, lieutenant (junior grade), or first lieutenant, who, upon examination for promotion, is found not qualified shall, if not recommended by the examining board for transfer to the naval reserve flying corps, be honorably discharged from the naval service.

Officers commissioned for aeronautic duty only shall be eligible for advancement to the higher grades, not above captain in the Navy or colonel in the Marine Corps, in the same manner as other officers whose employment is not so restricted, except that they shall be eligible to promotion without restriction as to sea duty, and their professional examinations shall be restricted to the duty to which personally assigned: *Provided*, That any such officer must serve at least three years in any grade before being eligible to promotion to the next higher grade.

Nothing in this act shall be so construed as to prevent the detail of officers and enlisted men of other branches of the Navy as student aviators or student airmen in such numbers as the needs of the service may require.

Such officers and enlisted men, while detailed as student aviators and student airmen involving actually flying in aircraft, shall receive the same pay and allowances that are now provided by law for officers and enlisted men of the same grade or rank and rating in the Navy detailed for duty with aircraft.

The Secretary of the Navy is hereby authorized to appoint annually for a period of four years, from enlisted men of the naval service, or from citizens of the United States in civil life, not to exceed 30 student flyers for instruction and training in aeronautics who shall receive the same pay and allowances as midshipmen at the United States Naval Academy: *Provided*, That persons so appointed must, at the time of appointment, be not less than 17 or more than 21 years of age: *Provided further*, That no person shall be appointed a student flyer until he shall have qualified therefor by such examination as may be prescribed by the Secretary of the Navy.

The appointment of student flyers shall continue in force for two years, unless sooner revoked by the Secretary of the Navy, in his discretion, and at the end of such period student flyers shall be examined for qualification as qualified aviators: *Provided*, That if such student flyers are not qualified, their appointment will be revoked, or if recommended by the examining board, they shall be transferred to the naval reserve flying corps and commissioned as ensigns therein.

Student flyers shall, after receiving a certificate of qualification as an aviator for actual flying in aircraft, rank with midshipmen and shall receive the same pay and allowances as midshipmen, plus 50 per cent thereof: *Provided*, That student flyers who have qualified as aviators under the provisions of this act shall be commissioned acting ensigns for aeronautic duties only, after three years' service: *Provided further*, That they shall have been examined by a board of officers of the naval flying corps to determine by a competitive examination prescribed by the Secretary of the Navy their moral, physical, and professional fitness and the order of rank in which they shall be commissioned: *And provided further*, That any student flyer qualified as an aviator may at any time, in the discretion of the Secretary of the Navy, if his record warrants it, at his own request, be transferred to the naval reserve flying corps and be commissioned as ensign therein: *And provided further*, That student flyers not considered qualified for commissions as acting ensigns for aeronautic duties only may, upon recommendation of the examining board, be transferred to the naval reserve flying corps and be commissioned as ensigns therein.

The Secretary of the Navy is hereby authorized to establish aeronautic schools for the instruction and training of student flyers and prescribe the course of instruction and qualifications for certificate of graduation as a qualified aviator.

Nothing in this or any other act shall be so construed as to prevent the temporary detail of officers and enlisted men of any branch of the Navy for duty with aircraft.

In the event of the death of an officer or enlisted man or student flyer of the naval flying corps from wounds or disease, the result of an aviation accident, not the result of his own misconduct, received

while engaged in actual flying in or in handling aircraft, the gratuity to be paid under the provisions of the act approved August 22, 1912, entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1913, and for other purposes," shall be an amount equal to one year's pay at the rate received by such officer or enlisted man or student flyer at the time of the accident resulting in his death. In all cases where an officer or enlisted man or student flyer of the Navy or Marine Corps dies, or where a student flyer or an enlisted man of the Navy or Marine Corps is disabled by reason of any injury received or disease contracted in line of duty, the result of an aviation accident, received while employed in actual flying in or in handling aircraft, the amount of pension allowed shall be double that authorized to be paid should death or the disability have occurred by reason of an injury received or disease contracted in line of duty not the result of an aviation accident.

Student flyers and the acting ensigns and acting lieutenants (junior grade) and acting second and first lieutenants for aeronautic duties only provided for herein shall be subject to the laws and regulations and orders for the government of the Navy, but shall not be entitled to retirement or retired pay.

The enlisted personnel of the naval flying corps shall be distributed by the Secretary of the Navy in the various ratings as now obtain in the Navy in so far as such ratings are applicable to duties connected with aircraft.

Within the first two years after the passage of this act, enlisted men may be transferred from other branches of the naval service to the naval flying corps, under regulations established by the Secretary of the Navy governing such transfer and the qualifications for this corps: *Provided*, That the number so transferred shall not exceed one-half the total number of enlisted men allowed by this act.

The Secretary of the Navy shall establish regulations governing the term of enlistment, the qualifications, and advancement of the enlisted men of the flying corps.

Any enlisted man who passes satisfactorily the prescribed examination and is recommended by a board of officers may be appointed a student flyer as herein provided.

Mr. BRANDEGEE. In line 5, on page 84, in the amendment reported by the committee, where the amendment reads "within the first two years after the passage of this act," the language had better be "after the approval of this act," had it not?

Mr. LODGE. Yes.

The VICE PRESIDENT. The amendment to the amendment proposed by the Senator from Connecticut will be stated.

The SECRETARY. On page 84, line 5, after the words "after the," it is proposed to strike out "passage" and to insert in lieu thereof the word "approval," so as to read "within the first two years after the approval of this act," and so forth.

The amendment to the amendment was agreed to.

Mr. WEEKS. Mr. President, I should like to call the attention of the Senator in charge of the bill to the paragraph of the amendment, on page 80, commencing in line 5, which refers to the promotion of civilian employees of the naval flying corps, and to ask the Senator how that promotion is to be brought about? Are they to follow a grade in the Navy? For instance, when the last man in the lieutenant's grade of the Navy is promoted, are these men then to be promoted to lieutenant commanders, or in what manner is that paragraph to be applied?

Mr. SWANSON. I understand that this applies to the method of promotion as provided in this measure.

Mr. WEEKS. I do not find any method of promotion in this measure other than what is in that paragraph. If the Senator from Virginia will read it, he will find that it provides "in the same manner as other officers" of the Navy; but we are going to create a force of officers of junior rank. Now, when is their promotion to commence?

Mr. SWANSON. The language is:

Provided, That any such officer must serve at least three years in any grade before being eligible to promotion to the next higher grade.

Mr. WEEKS. Then, at the end of three years are they to be promoted?

Mr. SWANSON. At the end of three years the officer is eligible to be promoted to the next higher grade.

Mr. WEEKS. In what way is he going to be promoted?

Mr. SWANSON. If he passes a satisfactory examination, such as is required for other officers, the officer will go from junior lieutenant to full lieutenant, and up as high as he can go.

Mr. WEEKS. Then, in 12 years they would become captains in the Navy or colonels in the Marine Corps?

Mr. SWANSON. I have not exactly figured that out, but I understand that is the provision.

Mr. WEEKS. That is substantially correct. Is that what is to happen in the case of these men?

Mr. SWANSON. That is what I understand. I have not examined the matter very fully so as to be able to answer the question directly, but I understand such an officer must serve three years in one grade before being eligible to the next higher grade, and then he must pass a satisfactory examination.

Mr. WEEKS. One more question. I do not find any provision for the retirement of such officers. Are they to be retired as other officers in the Navy and Marine Corps and at the same age?

Mr. SWANSON. I can not speak accurately, because this is a mere change of the House provision, embodying some modifications recommended by the department; but I understand that the rules applying to the Navy generally will apply to the flying corps.

Mr. WEEKS. Mr. President, I have no desire to embarrass the committee in connection with this provision. I want something done, and, so far as I know, this will accomplish a great deal for the service; but it seems to me that there are considerations which should have the attention of the committee and of the Senate. For example, I do not believe that a man after he reaches the age of 45 or 50 is fit for service in the flying corps. I am quite confident that the average man between the age of 50 and 60 has not the nerve to perform the kind of service which this corps will be called upon to perform, and that it is inadvisable to have a considerable number of officers in this corps other than those who are connected with the regular naval service, who shall in their younger days perform service in this corps and at the same time continue their connection with the Navy, so that later they may perform the ordinary duties of a naval officer of higher rank. I think that ought to be taken into consideration.

Mr. LODGE. Mr. President, if I may, I will call my colleague's attention to the paragraph at the bottom of page 83, relating to the matter of retirement, which reads:

Student flyers and the acting ensigns and acting lieutenants (junior grade) and acting second and first lieutenants for aeronautic duties only provided for herein shall be subject to the laws and regulations and orders for the government of the Navy, but shall not be entitled to retirement or retired pay.

As I understand, beyond those grades they will be eligible for retirement up to the grade of captain, and one purpose of that is to bring them within the proper age.

Mr. WEEKS. Mr. President, I have no disposition to criticize the provision, but I do feel that there should be a limitation of the number of civilians who are taken into this service——

Mr. LODGE. That is carefully limited.

Mr. WEEKS. For the reason I have stated, that I do not believe that a man can perform that service acceptably at the advanced age of, say, the average Senator.

Mr. LODGE. I quite agree with the Senator. The age is very carefully limited, and that is the reason for the short periods of promotion, as I understand. I ought to say also that this is a redraft of the House provision, which was found to be inadequate. There is no change in the size of the corps, and the number of civilians is carefully limited.

Mr. WEEKS. May I ask the Senator who drafted this provision?

Mr. LODGE. It was drafted at the department by the Bureau of Navigation.

Mr. WEEKS. And it has the approval of the department in this form?

Mr. LODGE. Absolutely. It is entirely their work; the committee did not prepare a line of it.

The VICE PRESIDENT. The question is on agreeing to the amendment as amended.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Naval Affairs was, on page 84, after line 17, to insert:

ADMINISTRATION OF JUSTICE.

Hereafter all officers of the Navy and Marine Corps who are authorized to order either general or summary courts-martial may order deck courts upon enlisted men under their command, and shall have the same authority to inflict minor punishments as is conferred by law upon the commander of a naval vessel.

Summary courts-martial may be ordered upon enlisted men in the naval service under his command by the commanding officer of any brigade, regiment, or separate or detached battalion, or other separate or detached command, and, when empowered by the Secretary of the Navy, by the commanding officer or officer in charge of any command not specifically mentioned in the foregoing: *Provided*, That when so empowered by the Secretary of the Navy to order summary courts-martial, the commanding officer of a naval hospital or hospital ship shall be empowered to order such courts and deck courts, and inflict the punishments which the commander of a naval vessel is authorized by law to inflict, upon all enlisted men of the naval service attached thereto, whether for duty or as patients.

No sentence of a summary court-martial shall be carried into execution until the proceedings and sentence have been approved by the officer ordering the court, or his successor in office, and by his immediate superior in command: *Provided*, That if the officer ordering the court, or his successor in office, be the senior officer present, such sentence may be carried into execution upon his approval thereof.

When empowered by the Secretary of the Navy, general courts-martial may be convened by the commanding officer of a squadron, of a division, of a flotilla of a fleet, and of a brigade or larger force of the naval service on shore beyond the continental limits of the United States: *Provided*, That in time of war, if then so empowered by the Secretary of the Navy, general courts-martial may be convened by the commandant of any navy yard or naval station, and by the commanding officer of a brigade or larger force of the Navy or Marine Corps on shore not attached to a navy yard or naval station.

Courts of inquiry may be convened by any officer of the naval service authorized by law to convene general courts-martial.

When a force of marines is embarked on a naval vessel, or vessels, as a separate organization, not a part of the authorized complement thereof, the authority and powers of the officers of such separate or-

ganization of marines shall be the same as though such organization were serving at a navy yard on shore, but nothing herein shall be construed as impairing the paramount authority of the commanding officer of any naval vessel over the vessel under his command and all persons embarked thereon.

The amendment was agreed to.

The next amendment was, under the head "Naval reserve force," on page 87, line 3, after the words "Secretary of the Navy," to insert "or by transfer thereto as in this act provided," so as to make the clause read:

The naval reserve force shall be composed of citizens of the United States who, by enrolling under regulations prescribed by the Secretary of the Navy or by transfer thereto as in this act provided, obligate themselves to serve in the Navy in time of war or during the existence of a national emergency, declared by the President: *Provided*, That citizens of the insular possessions of the United States may enroll in the naval auxiliary reserve.

The amendment was agreed to.

The next amendment was, on page 87, after line 8, to insert:

The Secretary of the Navy shall make all necessary and proper regulations not inconsistent with law, for the administration of the provisions of this act which relate to the naval reserve force.

The amendment was agreed to.

The next amendment was, on page 87, line 13, after the words "may be," to strike out "called" and insert "ordered"; in line 14, after the word "into," to insert "active service in the Navy"; in line 15, before the word "by," to strike out "the naval service of the United States"; and in the same line, after the word "by," to strike out "order of," so as to make the clause read:

Members of the naval reserve force may be ordered into active service in the Navy by the President in time of war or when, in his opinion, a national emergency exists.

The amendment was agreed to.

The next amendment was, on page 87, after line 21, to insert:

Members of the naval reserve force appointed to commissioned grades shall be commissioned by the President alone, and members of such force appointed to warrant grades shall be warranted by the Secretary of the Navy: *Provided*, That officers so warranted or commissioned shall not be deprived of the retainer pay, allowances, or gratuities to which they would otherwise be entitled. Officers of the naval reserve force shall rank with but after officers of corresponding rank in the Navy.

The amendment was agreed to.

The next amendment was, on page 88, line 17, before the word "rank," to insert "grade," and in line 21, before the word "rank," to insert "grade," so as to make the clause read:

When first enrolled members of the naval reserve force, except those in the fleet naval reserve, shall be given a provisional grade, rank, or rating in accordance with their qualifications determined by examination. They may thereafter, upon application, be assigned to active service in the Navy for such periods of instruction and training as may enable them to qualify for and be confirmed in such grade, rank, or rating.

The amendment was agreed to.

The next amendment was, on page 88, line 23, after the word "provisional," to insert "grade," so as to make the clause read:

No member shall be confirmed in his provisional grade, rank, or rating until he shall have performed the minimum amount of active service required for the class in which he is enrolled, nor until he has duly qualified by examination for such rank or rating under regulations prescribed by the Secretary of the Navy.

The amendment was agreed to.

The next amendment was, on page 89, line 8, before the word "person," to strike out "The Secretary of the Navy shall prescribe regulations governing the qualifications for enrollment, reenrollment, appointment, promotions, and advancement of all members of the naval reserve force in the various classes, subject to the provisions of this act: *Provided*, That no" and insert "No"; in line 18, after the word "conditions," to insert "and who shall have enrolled in the naval reserve force"; in line 20, before the word "rank," to insert "grade and"; in line 21, before the word "physical," to strike out the letter "a" and insert "the," and in the same line, after the word "examination," to insert "above prescribed," so as to make the clause read:

No person shall be appointed or commissioned as an officer in any rank in any class of the naval reserve force, or promoted to a higher rank therein, unless he shall have been examined and recommended for such appointment, commission, or promotion by a board of three naval officers not below the rank of lieutenant commander, nor until he shall have been found physically qualified by a board of medical officers to perform the duties required in time of war, except that former officers and midshipmen of the Navy, who shall have left the service under honorable conditions, and who shall have enrolled in the naval reserve force may be appointed in the grade and rank last held by them without examination other than the physical examination above prescribed.

The amendment was agreed to.

The next amendment was, on page 90, after line 24, to insert:

Retainer pay shall be paid annually or otherwise, as the Secretary of the Navy, in his discretion, may direct.

The amendment was agreed to.

The next amendment was, on page 91, line 4, after the word "in," to strike out "the Army" and insert "any branch of the military service of the United States or any State thereof"; so as to make the clause read:

No existing law shall be construed to prevent any member of the naval reserve force from accepting employment in any branch of the public service, except as an officer or enlisted man in any branch of the military service of the United States or any State thereof, nor from receiving the pay and allowances incident to such employment in addition to his retainer pay.

The amendment was agreed to.

The next amendment was, on page 91, line 23, before the word "Members," to strike out "The naval reserve force shall be organized and administered under the Navy Department, and its members shall be governed by the Articles for the Government of the Navy and by the Navy Regulations and Instructions only when actively employed with the Navy, or when employed in authorized travel to and from prescribed active duty with the Navy, or in time of war, or when the President of the United States has declared that a national emergency exists," and insert "enrolled members of the naval reserve force shall be subject to the laws, regulations, and orders for the government of the Regular Navy only during such time as they may by law be required to serve in the Navy, in accordance with their obligations, and when on active service at their own request as herein provided, and when employed in authorized travel to and from such active service in the Navy," so as to make the clause read:

Enrolled members of the naval reserve force shall be subject to the laws, regulations and orders for the government of the Regular Navy only during such time as they may by law be required to serve in the Navy, in accordance with their obligations, and when on active service at their own request as herein provided, and when employed in authorized travel to and from such active service in the Navy. Members of the naval reserve force shall be issued a distinctive badge or button which may be worn with civilian dress, and whoever, not being a member of the naval reserve force of the United States and not entitled under the law to wear the same, willfully wears or uses the badge or button or who uses or wears the same to obtain aid or assistance thereby, shall be punished by a fine of not more than $20 or by imprisonment for not more than 30 days or by both such fine and imprisonment.

The amendment was agreed to.

The next amendment was, on page 92, line 7, after the words "set forth in," to strike out "the preceding paragraph, be held and considered to be in all respects in the same status and shall" and insert "this act," and in line 12, after the word "employed," to strike out "with" and insert "in"; so as to make the clause read:

All members of the naval reserve force shall, when actively employed as set forth in this act, be entitled to the same pay, allowances, gratuities, and other emoluments as officers and enlisted men of the naval service on active duty of corresponding rank or rating and of the same length of service. When not actively employed in the Navy, members of the naval reserve force shall not be entitled to any pay, bounty, gratuity, or pension except as expressly provided for members of the naval reserve force by the provisions of this act.

The amendment was agreed to.

The next amendment was, on page 92, line 17, before the words "of the naval reserve force," to strike out "Members" and insert "Enrolled members," so as to make the clause read:

Enrolled members of the naval reserve force may, in time of war or national emergency, be required to perform active service in the Navy throughout the war or until the national emergency ceases to exist.

The amendment was agreed to.

The next amendment was, on page 93, after line 8, to strike out:

Officers and men serving on board United States naval auxiliary vessels, not manned by officers and enlisted men of the regular service, if citizens of the United States, shall within two years enroll in any class of the naval reserve force for which qualified and in the rank or rating in which they are found by examination to be competent to fill.

The amendment was agreed to.

The next amendment was, on page 93, after line 14, to insert:

Hereafter, in shipping officers and men for service on board United States auxiliary vessels, preference shall be given to members of the naval reserve force, and, after two years from the date of approval of this act, no person shall be shipped for such service who is not a member of the naval reserve force herein provided.

The amendment was agreed to.

The next amendment was, under the subhead "Fleet Naval Reserve," on page 95, line 5, after the word "minority," to insert "and who shall have enrolled in the naval reserve force," and in line 7, after the word "Reserve," to strike out "under such regulations as may be prescribed by the Secretary of the Navy," so as to make the clause read:

All former officers of the United States naval service, including midshipmen, who have left that service under honorable conditions, and those citizens of the United States who have been, or may be entitled to be, honorably discharged from the naval service after not less than one four-year term of enlistment or after a term of enlistment during minority, and who shall have enrolled in the naval reserve force, shall be eligible for membership in the fleet naval reserve.

The amendment was agreed to.

The next amendment was, on page 95, line 13, after the words "naval service," to insert "or previous honorable service in the Army," so as to make the clause read:

In addition to the enrollment in the fleet naval reserve above provided the Secretary of the Navy is authorized to transfer to the fleet naval reserve at any time within his discretion any enlisted man of the naval service with 20 or more years' naval service, or previous honorable service in the Army, and any enlisted man, at the expiration of a term of enlistment who may be then entitled to an honorable discharge, after 16 years' naval service: *Provided*, That such transfers shall only be made upon voluntary application and in the rating in which then serving, and the men so transferred shall be continued in the fleet naval reserve until discharged by competent authority.

The amendment was agreed to.

The next amendment was, on page 96, line 10, before the word "enrolled," to strike out "Officers and men" and insert "Men"; in line 12, before the words "per annum," to strike out "$30" and insert "$50"; in line 14, before the words "per annum," to strike out "$60" and insert "$72"; and in line 19, after the word "minority," to strike out "shall be considered as four years," and insert "and any enlistment terminated within three months prior to the expiration of the term of enlistment by special order of the Secretary of the Navy shall be considered as four years' service. The annual retainer pay of officers of the fleet naval reserve shall be two months' base pay of the corresponding rank in the Navy," so as to make the clause read:

Men enrolled in the fleet naval reserve with less than 8 years' naval service shall be paid at the rate of $50 per annum; those with 8 or more years and less than 12 years' naval service shall be paid at the rate of $72 per annum; and those with 12 or more years' naval service shall be paid at the rate of $100 per annum, such pay to be considered as retainer pay for the obligation on the part of such members to serve in the Navy in time of war or national emergency: *Provided*, That for all purposes of this act a complete enlistment during minority and any enlistment terminated within three months prior to the expiration of the term of enlistment by special order of the Secretary of the Navy shall be considered as four years' service. The annual retainer pay of officers of the fleet naval reserve shall be two months' base pay of the corresponding rank in the Navy.

The amendment was agreed to.

The next amendment was, on page 97, line 2, after the word "years," to strike out "under such regulations as the Secretary of the Navy may prescribe"; in line 11, before the words "naval service," to insert "regular"; in line 12, before the words "naval service," to insert "regular"; and in line 15, before the words "naval service," to insert "regular," so as to make the clause read:

Reenrollments in the fleet naval reserve shall be for four years. Officers and men enrolling in the fleet naval reserve within four months of the date of the termination of their last naval service or reenrolling within four months of the date of the termination of their last term of enrollment shall receive an increase of 25 per cent of their retainer pay for each such enrollment: *Provided*, That men who have enrolled in the fleet naval reserve within four months of the date of their discharge from the regular naval service shall, upon reenlistment in the regular naval service within four months of the date of discharge from the fleet naval reserve, be entitled to the same gratuity and additional pay as if they had reenlisted in the regular naval service within four months of discharge therefrom.

The amendment was agreed to.

The next amendment was, on page 98, line 14, before the word "Members," to strike out "enrollments, appointments, and promotions shall be governed by such regulations as may be prescribed by the Secretary of the Navy, and no officer or man shall be enrolled, appointed, or promoted until he has established his qualifications under such regulations," so as to make the clause read:

Members of the fleet naval reserve who have established their qualifications by examination to the satisfaction of the Secretary of the Navy may be given warrants or commissions in the fleet naval reserve in the grades of boatswain, gunner, carpenter, machinist, pharmacist, pay clerk, ensign for deck or engineering duties, or in the lowest grades of the staff corps: *Provided further*, That those so warranted or commissioned shall not be deprived of the retainer pay, allowances, or gratuities to which they would be otherwise entitled.

The amendment was agreed to.

The next amendment was, under the subhead "Naval reserve," on page 99, line 25, before the word "No," to strike out "the naval reserve shall be composed of persons who have been or may be engaged in the seagoing profession who enroll for general service" and insert "members of the naval reserve force who have been or may be engaged in the seagoing profession, and who have enrolled for general service, shall be eligible for membership in the naval reserve," so as to make the clause read:

Members of the naval reserve force who have been or may be engaged in the seagoing profession, and who have enrolled for general service, shall be eligible for membership in the naval reserv. No person shall be first enrolled in this class who is less than 18 or more than 35 years of age, nor unless he furnishes satisfactory evidence as to his ability and character; nor shall any person be appointed an officer in this class unless he shall have had not less than two years' experience as an officer on board of lake or ocean-going vessels.

The amendment was agreed to.

The next amendment was, on page 100, line 9, after the word "is," to strike out "as follows: Officers," and in the same line, after the words "three months," to strike out "men of more than two years' experience on such vessel, three months," so as to make the clause read:

The minimum active service required of members to qualify for confirmation in their rank or rating in this class is three months.

The amendment was agreed to.

The next amendment was, on page 100, line 11, after the word "required," to strike out "in order to maintain," and insert "for maintaining"; in line 14, after the words "may be," to strike out "taken"; and in the same line, after the words "periods of," to insert "not less than," so as to make the clause read:

The minimum active service required for maintaining the efficiency of a member of this class is three months during each term of enrollment. This active service may be in one period or in periods of not less than three weeks each year.

The amendment was agreed to.

The next amendment was, on page 100, line 17, after the words "two months'," to insert "base," so as to make the clause read:

The annual retainer pay of members in this class after confirmation in rank or rating shall be two months' base pay of the corresponding rank or rating in the Navy.

The amendment was agreed to.

The next amendment was under the subhead "Naval auxiliary reserve," on page 100, after line 19, to strike out "The naval auxiliary reserve shall be composed of persons of the seagoing profession who have been or may be employed on board American vessels of the merchant marine of suitable type for use as naval auxiliaries, and which shall have been retained or listed as such by the Navy Department for use in war, who enroll for service on such auxiliaries in time of war or national emergency," and insert:

Members of the naval reserve force of the seagoing profession who shall have been or may be employed on American vessels of the merchant marine of suitable type for use as naval auxiliaries and which shall have been listed as such by the Navy Department for use in war, shall be eligible for membership in the naval auxiliary reserve.

The amendment was agreed to.

The next amendment was, on page 101, after line 6, to strike out "In time of war persons in this class shall be required to serve only in vessels of the merchant-ship type except in cases of emergency, and then only for temporary service," and insert:

In time of war or during the existence of a national emergency persons in this class shall be required to serve only in vessels of the merchant-ship type, except in cases of emergency, to be determined by the senior officer present, when said officer may, in his discretion, detail them for duty elsewhere as the exigencies of the service may require.

The amendment was agreed to.

The next amendment was, on page 102, line 5, after the word "officers," to strike out "one-half of," and in line 7, after the words "two months'," to insert "base," so as to make the clause read:

The annual retainer pay of members in this class after confirmation in rank or rating shall be for officers one month's base pay of the corresponding rank in the Navy, and for men, two months' base pay of the corresponding rating in the Navy.

The amendment was agreed to.

The next amendment was, under the subhead "Naval coast defense reserve," on page 102, after line 9, to strike out "The naval coast defense reserve shall be composed of those persons who may be capable of performing special useful service in the Navy or in connection with the Navy in defense of the coast and who obligate themselves to perform such service with the Navy in time of war or national emergency" and insert:

Members of the naval reserve force who may be capable of performing special useful service in the Navy or in connection with the Navy in defense of the coast shall be eligible for membership in the naval coast-defense reserve.

The amendment was agreed to.

The next amendment was, on page 102, line 20, after the word "service," to insert "in connection with the naval defense of the coast, such as service"; in line 22, before the word "patrol," to strike out "or"; and in the same line, after the word "vessels," to strike out "as they may elect," so as to make the clause read:

Persons may enroll in this class for service in connection with the naval defense of the coast, such as service with coast-defense vessels, torpedo craft, mining vessels, patrol vessels, or as radio operators, in various ranks or ratings corresponding to those of the Navy for which they shall have qualified under regulations prescribed by the Secretary of the Navy: *Provided*, That the Secretary of the Navy may permit the enrollment in this class of owners and operators of yachts and motor-power boats suitable for naval purposes in the naval defense of the coast; and is hereby authorized to enter into contract with the owners of such power boats and other craft suitable for war purposes to take over the same in time of war or national emergency upon payment of a reasonable indemnity.

The amendment was agreed to.

The next amendment was, under the subhead "Volunteer naval reserve," on page 103, line 17, after the word "those,"

to strike out "persons" and insert "members of the naval reserve force," and in line 18, after the words "eligible for," to strike out "enrollment" and insert "membership," so as to make the clause read:

The volunteer naval reserve shall be composed of those members of the naval reserve force who are eligible for membership in any one of the other classes of the naval reserve force and who obligate themselves to serve in the Navy in any one of said classes without retainer pay and uniform gratuity in time of peace.

The amendment was agreed to.

The next amendment was, under the subhead "Naval reserve flying corps," on page 103, line 24, after the words "officers and," to strike out "enlisted men" and insert "student flyers"; on page 104, line 1, after the word "corps," to insert "and of enlisted men who shall have been so transferred"; in line 3, before the word "enlisted," to strike out "officers and"; and in line 7, after the word "President," to strike out "*Provided further*, That citizens of the United States skilled in the flying of aircraft or in their design, building, or operation may be commissioned, appointed, or enlisted in such grades and ratings of the naval reserve flying corps as may be determined after examination by a board of officers of the naval flying corps under regulations established by the Secretary of the Navy: *Provided further*, That members of the naval reserve flying corps who so request may be called into active service for drills and exercises for not less than two weeks and not more than one month in any one year, and while so employed shall be subject to the regulations of the Navy and shall receive the same pay as those of corresponding rank or rating in the regular service, together with transportation from their homes and return," and insert "Members of the naval reserve force skilled in the flying of aircraft, or in their design, building, or operation, shall be eligible for membership in the naval reserve flying corps. The amount of active service required for confirmation in grade, rank, or rating, and for maintaining efficiency therein, shall be the same as that required for members of the Naval Reserve. The retainer pay of members of the naval reserve flying corps shall be the same as that of members of the Naval Reserve," so as to make the section read:

The naval reserve flying corps shall be composed of officers and student flyers who have been transferred from the naval flying corps to the naval reserve flying corps and of enlisted men who shall have been so transferred under the same conditions as those provided by law for enlisted men of the Navy transferred to the fleet naval reserve: *Provided*, That surplus graduates of the aeronautic school may be commissioned as ensigns in the naval reserve flying corps and promoted therein under such regulations as may be prescribed by the President. Members of the naval reserve force skilled in the flying of aircraft or in their design, building, or operation shall be eligible for membership in the naval reserve flying corps. The amount of active service required for confirmation in grade, rank, or rating, and for maintaining efficiency therein, shall be the same as that required for members of the Naval Reserve. The retainer pay of members of the naval reserve flying corps shall be the same as that of members of the Naval Reserve.

The amendment was agreed to.

The next amendment was, under the subhead "Marine Corps Reserve," on page 105, line 10, after the word "same," to strike out "conditions" and insert "provisions," and, in line 12, after the words "for the," to strike out "fleet naval reserve of the naval reserve force provided for in this act" and insert "naval reserve force in this act: *Provided*, That the Marine Corps reserve shall consist of five classes corresponding, as near as may be, to the fleet naval reserve, the naval reserve, the naval coast-defense reserve, the volunteer naval reserve, and the naval reserve flying corps, respectively," so as to make the clause read:

A United States Marine Corps reserve, to be a constituent part of the Marine Corps and in addition to the authorized strength thereof, is hereby established under the same provisions in all respects (except as may be necessary to adapt the said provisions to the Marine Corps) as those providing for the naval reserve force in this act: *Provided*, That the Marine Corps reserve shall consist of five classes corresponding, as near as may be, to the fleet naval reserve, the naval reserve, the naval coast-defense reserve, the volunteer naval reserve, and the naval reserve flying corps, respectively.

The amendment was agreed to.

The next amendment was, on page 105, after line 18, to strike out:

All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

The amendment was agreed to.

The next amendment was, on page 105, line 21, after the words "expenses of," to insert "organizing," and, on page 106, line 2, after the words "naval reserve force," to insert: "The retainer pay and active-service pay of members of the naval reserve force shall be paid from the appropriation 'Pay—the Navy,' and the retainer pay and active-service pay of the Marine Corps reserve shall be paid from the appropriation 'Pay, Marine Corps,'" so as to make the clause read:

Naval reserve force: For the authorized expenses of organizing the naval reserve force, $130,000, and the unexpended balance of the appropriation for carrying into effect the provisions of the act of March 3, 1915, relating to a naval reserve, be, and it is hereby, made immediately available to carry into effect the foregoing provisions relating to a naval reserve force. The retainer pay and active-service pay of members of the naval reserve force shall be paid from the appropriation "Pay—the Navy," and the retainer pay and active-service pay of the Marine Corps reserve shall be paid from the appropriation, "Pay, Marine Corps."

Each commissioned and warrant officer on the active list of the Naval Militia shall receive compensation for his services, referred to hereinafter as retainer pay, except during periods of service for which he may become lawfully entitled to the same pay as an officer of corresponding grade of the United States Navy or Marine Corps, at the following rates per annum, namely:

To officers of or above the naval rank or equivalent rank of lieutenant, $500;

To officers of the naval rank or equivalent rank of lieutenant (junior grade), $240;

To officers of the naval rank or equivalent rank of ensign, $200;

To warrant officers, $120:

Provided, That no commissioned or warrant officer of the Naval Militia shall be entitled to any retainer pay for any period during which he has not attended the minimum number of drills prescribed in section 15 of an act entitled "An act to promote the efficiency of the Naval Militia, and for other purposes," approved February 16, 1914, or duly authorized equivalent official duty.

That each enlisted man on the active list of the Naval Militia shall receive compensation for his services, referred to hereinafter as retainer pay, except during periods of service for which he may become lawfully entitled to the same pay as an enlisted man of corresponding rate or rank of the United States Navy or Marine Corps, at a rate equal to 25 per cent of the base pay now, or as may be hereafter, provided by law for an enlisted man of corresponding rate or rank in the United States Navy or Marine Corps, but not to exceed $120 per annum: *Provided*, That such enlisted man shall receive the full retainer pay represented by said 25 per cent of said base pay only if he shall have attended, during any one year, the maximum number of assemblies for drill, instruction, and target practice, but for the purpose of computing pay not to exceed 48 (or equivalent official duty), which he shall have been duly required to attend, and a proportionate amount for attendance at a lesser number of the same, being in no case less than 50 per cent of said maximum, nor less than the minimum total number of assemblies for drill, instruction, and target practice provided for by section 15 of an act entitled "An act to promote the efficiency of the Naval Militia, and for other purposes," approved February 16, 1914, or duly authorized equivalent official duty.

That no member of the Naval Militia shall be entitled to the retainer pay herein provided for until he has been found qualified, both physically and professionally, in accordance with the standards prescribed by the Secretary of the Navy, and until he has enrolled in the National Naval Volunteers hereinafter provided for.

That the compensation provided for herein shall be computed for quarterly periods under such regulations as the Secretary of the Navy may prescribe, beginning the first days of January, April, July, and October, respectively, of each year, in proportion to the number of said assemblies attended, and no compensation shall be paid to any enlisted man during the first semiannual period of any year unless he shall have attended during said period at least 50 per cent of said minimum of assemblies; but attendance at any lesser number of said assemblies during said period shall be reckoned with the said assemblies attended during the second, third, and fourth quarterly periods in computing the compensation, if any, due him for that year: *Provided*, That when any enlisted man enters into an enlistment he shall be entitled to proportional compensation for that year if during the remainder of the year he shall attend a number of said assemblies whose ratio to said minimum is not less than the ratio of the part of the year so served to the whole year; and when the enlistment of any man shall expire the compensation, if any, to which he may be entitled shall be determined in like manner: *And provided further*, That periods of any actual military duty equivalent to the assemblies hereinabove particularly referred to, except those periods of service for which, under existing or future laws, members of the Naval Militia may become entitled to the same pay as officers and enlisted men of the corresponding ranks, grades, or rates in the United States Navy and Marine Corps, may be accepted as service in lieu of such drills, when approved by the Secretary of the Navy.

Whenever a member of the National Militia who is employed under a department of the Government of the United States attends drills, cruises, or other ordered duty of the Naval Militia, he shall receive the amount of the salary or wages he would have earned when so employed, in addition to the amount provided for by law as a member of the said Naval Militia: *Provided, however*, That such attendance shall not affect his efficiency rating in said department.

That the retainer pay provided above shall be paid quarterly, except as otherwise above provided, to officers and enlisted men of the Naval Militia through the disbursing officer provided for under section 11 of an act to promote the efficiency of the Naval Militia, and for other purposes, approved February 16, 1914, who shall be an officer of the pay corps of the Naval Militia. The Secretary of the Navy is hereby authorized to pay to such disbursing officer so much of the amount appropriated to carry out the provisions of this act as shall be necessary for the above purposes. When disbursing officers are traveling in the performance of their official duties under orders issued by the Secretary of the Navy, they shall be reimbursed for their actual and necessary traveling expenses, the same to be made a charge against the appropriation "Arming and equipping Naval Militia."

The governor of each State and Territory, and the commanding general of the District of Columbia Militia, shall appoint either the above-described disbursing officer or such other officer of the pay corps of the Naval Militia as he may elect as accounting officer for each battalion thereof, or, at his option, for each larger unit or combination of units of the same, who shall be responsible for the proper accounting for all property belonging to the United States issued to and for the use of such battalion or larger unit or combination of units.

Accounting officers shall render accounts as prescribed by the Secretary of the Navy and shall be required to give good and sufficient bonds to the United States in such sums as the Secretary of the Navy may direct, conditioned upon the faithful accounting for all property belonging to the United States and for the safe-keeping of such part thereof as may be in the personal custody of such officer. Accounting officers may issue any or all such property to other officers or enlisted men of the Naval Militia under such rules and regulations as may be prescribed: *And provided further*, That the Secretary of the Navy shall cause an inspection of the accounts and records of the accounting officers to be made by an officer of the Navy at least once each year.

When accounting officers are traveling in the performance of their official duties under orders issued by the Secretary of the Navy, they shall be reimbursed for their actual and necessary traveling expenses, the same to be made a charge against the appropriation "Arming and equipping Naval Militia."

That officers and enlisted men of the Naval Militia to whom property has been issued as herein provided for shall be responsible for the safe-keeping and return thereof. Stoppages may be made against the compensation payable to any officer or enlisted man of the Naval Militia to cover the cost of public property lost or destroyed by and chargeable to such officer or enlisted man.

That no part of the Naval Militia which is entitled to compensation under the provisions of this act shall be disbanded without the consent of the President.

That to provide a force for use in any emergency, including that of actual or imminent war, requiring the use of naval forces in addition to those of the Regular Navy, of which emergency the President shall be, for the purposes of this act, the sole judge, there is hereby created a force, to be known as the "National Naval Volunteers," into which the President alone is authorized, under such regulations as he may prescribe, to at any time enroll, by commission, warrant, and enlistment, respectively, and without examination, such number of the officers and men of the various branches of the Naval Militia as he may decide to so enroll from among those of the Naval Militia who have theretofore conformed to the standard of professional and physical examination prescribed for such officers and men under section 5 of an act entitled "An act to promote the efficiency of the Naval Militia, and for other purposes," approved February 16, 1914, and who may volunteer for such enrollment; and may also similarly enroll, immediately upon the occurrence of any such emergency (subject to their first or subsequently passing examinations satisfactory to him, or may, if he shall think best, enroll without any examination), such further number of the officers and men of the Naval Militia as may so volunteer from among those of the Naval Militia who have not theretofore conformed to said standards. Such officers and men, so enrolled by commission, warrant, or enlistment, shall be eligible and liable for call for immediate service in the event of any such emergency.

That the President may also, in the event of such emergency, draft into the naval service of the United States and enroll as members of the said Volunteers as many officers and men of the Naval Militia as he may think best, and with or without examination, as he may decide, from among those of the Naval Militia who shall not theretofore have volunteered and been enrolled in said Volunteers: *Provided*, That no commissioned or warrant officer drafted or otherwise enrolled shall be compelled to serve in said Volunteers in a lower rank or grade than that which he held in the Naval Militia at the time of being drafted or otherwise enrolled: *Provided further*, That the President may commission, warrant, or rate in said Volunteers any person who shall be so enrolled as above.

That when the national naval volunteers are ordered by the President into the active service they will, from the date such orders are issued until such time as they may be discharged from such service, be subject to the laws for the government of the Navy in so far as those laws may properly be applied to persons not in the regular permanent naval service.

That all persons so enrolled shall be held to service in said volunteers during the continuance of any such emergency and during the period of any existing or thereafter ensuing war, unless sooner relieved by order of the President or until reaching the age of 62 years for those in the naval branch and the age of 64 years for those in the Marine Corps branch, upon attaining which ages such persons, respectively, shall be relieved from such enrollment: *Provided*, That during the continuance of any such emergency or war any enrolled person who shall fail to obey the call to service of the President may be arrested and compelled to serve, and, in addition thereto, may be tried by court-martial as a deserter and punished as such in such manner as said court-martial may lawfully direct.

That any person so enrolled may tender his resignation to, or request his discharge from, the President, who may, in his discretion, accept such resignation or grant such discharge and disenroll such person, and any person so enrolled may be disenrolled by the President for any cause: *Provided*, That no person so enrolled shall be held against his will to such enrollment for a longer continuous period than three years, except during the pendency or duration of the emergency or of war hereinabove referred to. Any person enrolled may subsequently, upon his own application while so enrolled and if still a member of the Naval Militia, be reenrolled in any rank, grade, or rating for which he shall have been found qualified under the provisions of section 5 of an act entitled "An act to promote the efficiency of the Naval Militia, and for other purposes," approved February 16, 1914, and for which he shall also have been duly commissioned, warranted, enlisted, or rated, as the case may be, in the Naval Militia.

That every person enrolled in said volunteers shall, from the date of the call of the President, and during the continuance of his active service under said call, stand relieved from all duty as a member of the Naval Militia, and shall, during said period, have in said volunteers all the authority and obligations of a person of similar rank, grade, or rate in the United States Navy or Marine Corps, shall be governed by the laws and regulations for the government of the Navy, and shall, during his time of active service, be entitled to the same pay and allowances as are, or may be hereafter, provided by law for a person of similar rank, grade, or rate in the United States Navy and Marine Corps, respectively.

That the members of the said volunteers may be ordered to duty with the Navy or separately, and either within or without the territorial limits of the United States, and when so serving shall rank with but after those of corresponding rank, grades, or rates in the United States Navy or Marine Corps, except that for the purpose of determining who shall exercise command over a combined force, composed of vessels commanded by officers of said volunteers, and of vessels commanded by officers of the United States Navy, acting in conjunction, and for the purpose of determining who shall exercise command on shore over a combined force composed of military units commanded by officers of said volunteers and officers of the United States Navy or Marine Corps, acting in conjunction, all officers of said volunteers of or above the rank of lieutenant commander (naval branch) or major (Marine Corps branch) will be regarded as junior to lieutenant commanders of the Navy and majors of the United States Marine Corps, respectively, and provided that as between themselves officers of the said volunteers shall take rank and precedence as of the dates of the commissions in the Naval Militia under which enrolled in said volunteers.

That when serving under the call of the President, officers of said volunteers may serve on courts-martial for the trial of officers and men of the United States naval or Naval Militia service, or of said volunteers, but in the cases of courts-martial convened for the trial of officers of the United States Navy or Marine Corps, the majority of the members shall be officers of the regular naval service, and officers and enlisted men of the said volunteers may be tried by courts-martial, the members of which are members of the regular naval service, or of said volunteers, or any or all of the same.

That when any officer or enlisted man of the said volunteers is disabled by reason of wounds or disabilities received in the active service of the United States, when called to duty under the provisions of this act, he shall be entitled to all the benefits of the pension laws existing at the time of his service for the benefit of members of the United States Navy or Marine Corps, respectively, and in case such officer or enlisted man dies in the active service of the United States, or in returning to his place of residence after being relieved from such active service, or at any time in consequence of wounds or disabilities received in such active service, his widow and children, or previously designated dependent relative, if any, shall be entitled to all the benefits of such pension laws.

That the President may relieve any and all persons in the United States naval volunteers from active service when their services are no longer needed.

That no distinction shall be made between the regular naval service and the national naval volunteers when in active service under the call of the President in respect to promotions or rewards for valorous conduct or to the conferring upon officers or enlisted men of brevet rank, medals of honor, or other rewards for distinguished conduct.

That the Naval Militia shall consist of the regularly enlisted militia between the ages of 18 and 45 years, organized as prescribed for the Naval Militia by law, and commissioned officers between the ages of 21 and 62 years (naval branch) and 21 and 64 years (Marine Corps branch): *Provided, however*, That enlisted men may continue in service after the age of 45 years and until the age of 62 years (naval branch) or 64 years (Marine Corps branch), provided the service is continuous.

That hereafter the period of enlistment in the Naval Militia shall be three years. An enlisted man who has served honorably for the full term of his enlistment may reenlist for a term of one, two, or three years, as he may elect. When a man reenlists within 30 days from the date of the expiration of his prior enlistment his term of service shall be considered as continuous and shall be so dated.

That courts-martial in the Naval Militia of the several States and Territories and in the District of Columbia shall, except when the Naval Militia shall have been called into the service of the United States, consist of general courts-martial, summary courts-martial, and deck courts.

That general courts-martial shall consist of not less than 3 nor more than 13 officers, and may be convened by order of the governor of a State or Territory or the commanding general of the District of Columbia Militia.

That summary courts-martial may be ordered by the governor of a State or Territory or by the commanding general of the District of Columbia Militia or by the commanding officer of a Naval Militia battalion or brigade.

That deck courts may be ordered by the commanding officer of a Naval Militia battalion or brigade or by a Naval Militia officer in command of Naval Militia forces on shore or on any vessel loaned to a State, Territory, or the District of Columbia or on any vessel on which said forces may be serving.

That the above courts-martial and deck courts herein provided for shall be constituted and have cognizance of the same subjects and possess like powers, except as to punishments, as similar courts provided for in the Navy of the United States, and the proceedings of courts-martial of the Naval Militia shall follow the forms and modes of procedure prescribed for such courts in the Navy of the United States.

That every precept or order for the convening of any such court may authorize said court to sit at any place or places within the Territorial limits of the State, Territory, or District where such Naval Militia may be located or organized as the convening authority may designate, and may further provide that any such court may be convened and sit on board any such naval or other vessel wherever the same may from time to time happen to be or at such place or places ashore outside the territorial limits referred to above, as in the judgment of the said convening authority may be convenient or desirable for the purposes of such courts-martial.

That general courts-martial shall have power to impose fines not exceeding $200, to sentence to forfeiture of pay and allowances, to a reprimand, to dismissal or dishonorable discharge from the service, to reduction in rank or rating, or any two or more of such punishments may be combined in the sentences imposed by such courts.

That summary courts-martial shall have the same powers of punishment as general courts-martial, except that fines imposed by summary courts-martial shall not exceed $100.

That deck courts may impose fines not exceeding $50 for any single offense, may sentence enlisted men to reduction in rank or rating, to forfeiture of pay and allowances, to a reprimand, to discharge with other than dishonorable discharge, or to a fine in addition to any one of the other sentences specified.

That all courts-martial of the Naval Militia, including deck courts, shall have the power to sentence to confinement in lieu of fines authorized to be imposed: *Provided*, That such sentences shall not exceed one day for each dollar of fine authorized.

That no sentence of dismissal or dishonorable discharge from the Naval Militia shall, except when the Naval Militia shall have been called into the service of the United States, be executed without the approval of the governor of the State or Territory or the commanding general of the District of Columbia Militia.

That presidents of general courts-martial, senior members of summary courts-martial, and deck-court officers of the Naval Militia shall have the power to issue warrants to arrest accused persons and to bring them before the court for trial whenever such persons have disobeyed an order in writing from the convening authority to appear before such court, a copy of the charge or charges having been delivered to the accused with such order, and to issue subpœnas and subpœnas duces tecum, and to enforce by attachment attendance of witnesses and the production of books and papers, and to sentence for a refusal to be sworn or to answer, all as authorized for similar proceedings for courts-martial in the Navy of the United States.

That all processes and sentences of said courts-martial shall be executed by such civil or other officers as may be prescribed by the laws of the several States and Territories, except as hereinafter alternatively provided, and in any State where no provisions have been made for such action and in the Territories and the District of Columbia the same shall be executed by a United States marshal, or by his duly appointed deputy, and it shall further be the duty in any case of any United

States marshal, when so required by the convening authority of any such court-martial, to execute all such processes and sentences and make return thereof to the officer issuing or imposing the same.

That the Naval Militia shall be subject to the system of discipline prescribed for the United States Navy and Marine Corps, and the commanding officer of a Naval Militia battalion or brigade, and the Naval Militia officer in command of Naval Militia forces on shore or on any vessel of the Navy loaned to the States, Territories, and the District of Columbia, or on any vessel on which such forces are training, shall have the power, without trial by courts-martial, to impose upon members of the Naval Militia the punishments which the commanding officer of a vessel of the Navy is authorized by law to impose.

That the amount of any fine imposed under sentence of the courts heretofore named on any member of the Naval Militia may be collected from him, or may be deducted from any amount due said member as accrued pay or retainer pay under the provisions of this act, or otherwise.

That all fines assessed under the provisions of this act and collected or withheld shall be paid to the commanding officer of the Naval Militia brigade, battalion, or separate unassigned unit of which the person against whom such fine shall have been assessed is a member, to be used by said commanding officer to replace lost or damaged property or for such other purposes of his Naval Militia organization as he may decide, subject to such regulations as may be prescribed by the Secretary of the Navy. Upon the receipt of a certificate from the authority convening the court as to any fine assessed by it, any United States disbursing officer concerned shall pay over any funds due the said member not exceeding the amount of such fine to said commanding officer upon the sole receipt of said commanding officer.

That courts of inquiry in the Naval Militia shall be instituted, constituted, and conducted in the same manner and shall have like powers and duties as similar courts in the Navy of the United States, except that in the Naval Militia courts of inquiry shall be ordered by the governor of the State or Territory, the commanding general of the District of Columbia Militia, or the commanding officer of a Naval Militia brigade or battalion.

That officers of the United States Navy and Marine Corps may, with the approval of the Secretary of the Navy, be elected or appointed and commissioned as officers of the Naval Militia without prejudice to their position or status in the regular service: *Provided*, That such officers so commissioned shall, when directed by the Secretary of the Navy, tender their resignations of such State commissions: *And provided further*, That nothing herein contained shall limit the authority of the Secretary of the Navy over such officers so commissioned.

That line officers of the Naval Militia may be for line duties only, for engineering duties only, or for aeronautic duties only.

That, under such regulations as the President may prescribe, the Secretary of the Navy may, upon the recommendation of the governor of any State or Territory, or the commanding general of the National Guard of the District of Columbia, authorize a limited number of selected officers or enlisted men of the Naval Militia to attend and pursue a regular course of study at any Navy or Marine Corps service school of the United States, except the United States Naval Academy; or to be attached to any Navy or Marine Corps command for routine practical instruction; and such officer or enlisted man shall receive, out of any Naval Militia allotment of funds available for the purpose, the same travel allowances and quarters, or commutation of quarters, and the same pay, allowances, and subsistence to which an officer or enlisted man of the naval service would be entitled for attending such school, college, or practical course of instruction under orders from proper naval authority, while in actual attendance at such school, college, or practical course of instruction: *Provided*, That in no case shall the pay and allowances authorized by this section exceed those of a lieutenant in the Navy.

That the Secretary of the Navy shall cause to be estimated annually the amount necessary for carrying out the provisions of this act, and no money shall be expended under said provisions, except as shall, from time to time, be appropriated for carrying them out.

During the reading of the foregoing amendment,

Mr. SHAFROTH. Mr. President, I should like to make an inquiry of the Senator from Virginia concerning the provision on page 116, reading as follows:

That the members of the said Volunteers may be ordered to duty with the Navy or separately, and either within or without the territorial limits of the United States, and when so serving shall rank with but after those of corresponding rank, grades, or rates in the United States Navy or Marine Corps, except that for the purpose of determining who shall exercise command over a combined force, composed of vessels commanded by officers of said Volunteers, and of vessels commanded by officers of the United States Navy, acting in conjunction, and for the purpose of determining who shall exercise command on shore over a combined force composed of military units commanded by officers of said Volunteers and officers of the United States Navy or Marine Corps, acting in conjunction, all officers of said Volunteers of or above the rank of lieutenant commander (naval branch) or major (Marine Corps branch) will be regarded as junior to lieutenant commanders of the Navy and majors of the United States Marine Corps, respectively, and provided that as between themselves officers of the said Volunteers shall take rank and precedence as of the dates of the commissions in the Naval Militia under which enrolled in said Volunteers.

I should like to ask the Senator, under that provision, where there is a combined force of volunteers and regular members of the Navy, whether the senior volunteer would sometimes take command of a fleet or take command of a ship in preference to one in the regular service? It seems to me it would be unwise to do that, inasmuch as the volunteer has never had experience in handling these war vessels; and, when there is a combination force, to put him in command of the fleet would be something that would be a detriment to the service. If it bears that construction, it seems to me it ought to be changed, and the part with relation to a combination ought to be stricken out.

In other words, as I understand from this, if there is operating a combined force of, say, half a dozen vessels, and the admiral in charge dies, the highest officer of the volunteer forces takes command of the fleet and orders it.

Mr. SWANSON. But there is a limit to how high a volunteer officer can go. If the Senator will look at the bill he will find that there is a limit.

Mr. SHAFROTH. What is that limit?

Mr. LODGE. There are no volunteer officers of flag rank in the Navy.

Mr. SHAFROTH. Would there be an officer who could command a battleship? Would that apply in case of a battleship? If it would not, I do not see any objection to it.

Mr. SWANSON. I think it is limited to lieutenant commander under that language.

Mr. SHAFROTH. The question arose in my mind, where there is a combination of forces, and there is present one of the militia of the rank of commander, whether he, not having had experience in regard to the handling of a battleship or handling a fleet, ought to take preference over the officer of lower rank but in the regular service.

Mr. SWANSON. I am satisfied that under the provisions of this bill that can not occur, and if it does it will be corrected.

Mr. LODGE. It is not possible, I am sure. The Senator is quite right, but I am sure it is carefully provided for.

After the conclusion of the reading of the amendment,

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, under the subhead of "Coast Guard," at the top of page 127, to insert:

That the Secretary of the Treasury is hereby authorized and directed to construct and equip two steam Coast Guard cutters for service on the Pacific coast and in Alaskan waters, at a total cost not to exceed the sum of $700,000; one steam Coast Guard cutter for service as an anchorage patrol boat in New York Harbor, at a cost not to exceed the sum of $125,000, such vessel to be especially constructed for ice breaking; to purchase or construct and equip two or more cutters for service in harbors and shoal waters, at a total cost not to exceed $50,000; to purchase or construct and equip three light-draft river steamboats, including lifeboats and such other life-saving appliances and equipment as may be necessary, to be used in rescuing lives and property and in distributing food and clothing to marooned people during flood times on the Mississippi and Ohio Rivers and their tributaries, for patrolling said waters for the enforcement of navigation and motor-boat laws, and for rendering aid to vessels in distress, at a total cost not to exceed $240,000. On account of Coast Guard vessels herein authorized, to be available until expended, $400,000: *Provided*, That the Secretary of the Navy, at the request of the Secretary of the Treasury, is hereby authorized to build the vessels herein authorized, or any Coast Guard vessels hereafter authorized, at such navy yards as the Secretary of the Navy may designate.

That for the purpose of saving life and property along the coasts of the United States and at sea contiguous thereto, and to assist in the national defense, the Secretary of the Treasury is authorized to establish, equip, and maintain aviation stations, not exceeding 10 in number, at such points on the Atlantic and Pacific coasts, the Gulf of Mexico, and the Great Lakes as he may deem advisable, and to detail for aviation duty in connection therewith officers and enlisted men of the United States Coast Guard. At one of these stations there may be instituted a school for the purpose of special instruction in aeronautics, and the Secretary of the Treasury is hereby authorized to employ one expert instructor in aeronautics, at a salary of $4,000 per annum, and one assistant instructor, also skilled in aeronautics, at a salary of $3,000 per annum.

Mr. WEEKS. I should like to turn to page 127 and ask the committee if it is proposed to keep those steamers provided for—that is, light-draft river steamboats—in commission all the time, and if so, who is going to man them?

Mr. SWANSON. I am not acquainted in that particular. I think they will usually be manned by the Coast Guard.

Mr. WEEKS. It is a new service, I understand, and I wondered whether it is going to be necessary to maintain it all the time or not.

Mr. SWANSON. I can not speak with respect to that. The Coast Guard has been made a part of the Navy, and very properly that is a part of this bill.

Mr. LODGE. The law providing for the Coast Guard is, of course, a separate law, including the Life-Saving Service and the Revenue-Cutter Service. They are provided for under other bills.

Mr. WEEKS. Floods do not occur all the time, we only occasionally have a flood, and therefore it would be only occasionally necessary to use these vessels. I am wondering if it is going to be necessary to keep them commissioned and manned all the time.

Mr. LODGE. They are also to be used, the Senator will notice, "for patrolling said waters for the enforcement of navigation and motor-boat laws, and for rendering aid to vessels in distress."

The amendment was agreed to.

The next amendment was, on page 128, after line 13, to insert:

At the request of the Secretary of the Treasury the Secretaries of War and Navy are authorized to receive officers and enlisted men of

the Coast Guard for instruction in aviation at any aviation school maintained by the Army and Navy, and such officers and enlisted men shall be subject to the regulations governing such schools.

The amendment was agreed to.

The next amendment was, on page 128, after line 19, to insert:

Hereafter officers and enlisted men of the Coast Guard, when detailed for aviation duty, shall receive the same percentages of increases in pay and allowances as are now or may hereafter be prescribed by law for officers and men of the Navy detailed for aviation duty: *Provided*, That no more than a yearly average of 15 commissioned officers and a total of 40 warrant officers and enlisted men of the Coast Guard detailed for duty involving actual flying in aircraft shall receive any increase in pay or allowances by reason of such detail or duty: *Provided further*, That the number of third lieutenants and third lieutenants of engineers now authorized by law for the Coast Guard is hereby increased 10 and 5, respectively, and such portion of the act approved August 24, 1912, which provides that no additional appointments as cadets or cadet engineers shall be made in the Revenue-Cutter Service unless hereafter authorized by Congress is hereby revoked.

The amendment was agreed to.

The next amendment was, on page 129, after line 10, to insert:

LIGHTHOUSE SERVICE.

The President is hereby authorized, whenever in his judgment a sufficient national emergency exists, to transfer to the service and jurisdiction of the Navy Department, or of the War Department, such vessels, equipment, stations, and personnel of the Lighthouse Service as he may deem to the best interest of the country, and after such transfer all expenses connected therewith shall be defrayed out of the appropriations for the department to which transfer is made: *Provided*, That such vessels, equipment, stations, and personnel shall be returned to the Lighthouse Service when such national emergency ceases in the opinion of the President, and nothing in this act shall be construed as transferring the Lighthouse Service or any of its functions from the Department of Commerce except in time of national emergency and to the extent herein provided: *Provided further*, That any of the personnel of the Lighthouse Service who may be transferred as herein provided shall, while under the jurisdiction of the Navy Department or War Department, be subject to the laws, regulations, and orders for the government of the Navy or Army, as the case may be, in so far as the same may be applicable to persons, whose retention permanently in the military service of the United States is not contemplated by law.

The amendment was agreed to.

The next amendment was, on page 130, after line 7, to insert:

The Secretary of the Navy, the Secretary of War, and the Secretary of Commerce shall jointly prescribe regulations governing the duties to be performed by the Lighthouse Service in time of war, and for the cooperation of that service with the Navy and War Departments in time of peace in preparation for its duties in war, and this may include arrangements for a direct line of communication between the officers or bureaus of the Navy and War Departments and the Bureau of Lighthouses to provide for immediate action on all communications from these departments.

The amendment was agreed to.

The next amendment was, on page 131, line 12, after the words "United States Navy," to insert "Commander Allen M. Cook, retired, to be a commander on the active list and to take rank next after Commander John R. Brady, United States Navy; Commander Emmet R. Pollock, retired, to be a commander on the active list, to take rank next after Commander Andre Morton Proctor, United States Navy; Capt. Washington Irving Chambers, retired, to be a captain on the active list, to take rank next after Rear Admiral Walter McLean, United States Navy," so as read:

That the President be, and he is hereby, authorized to appoint the following-named officers now on the retired list of the United States Navy to the grade and rank on the active list of the United States Navy, as hereinafter provided:

Commodore Ten Eyck De Witt Veeder, retired, to be a rear admiral on the active list, to take rank next after Rear Admiral Austin M. Knight, United States Navy; Capt. Templin Morris Potts, retired, to be a rear admiral on the active list, to take rank next after Rear Admiral William B. Caperton, United States Navy; Capt. John Henry Gibbons, retired, to be a captain on the active list, to take rank next after Capt. Frank M. Bennett, United States Navy; Capt. Frank Kinsey Hill, retired, to be a captain on the active list, to take rank next after Capt. Clarence S. Williams, United States Navy; Capt. Armistead Rust, retired, to be a captain on the active list, to take rank next after Capt. Robert B. Higgins, United States Navy; Commander Allen M. Cook, retired, to be a captain on the active list, to take rank next after Capt. Thomas S. Rodgers, United States Navy; Capt. John Morris Ellicott, retired, to be a captain on the active list, to take rank next after Capt. Robert B. Higgins, United States Navy; Commander Allen M. Cook, retired, to be a commander on the active list and to take rank next after Commander John R. Brady, United States Navy; Commander Emmet R. Pollock, retired, to be a commander on the active list, to take rank next after Commander Andre Morton Procter, United States Navy; Capt. Washington Irving Chambers, retired, to be a captain on the active list, to take rank next after Rear Admiral Walter McLean, United States Navy.

Mr. BRANDEGEE. I have no objection at all to agreeing to the amendment, but if the officers named are those who were removed from the service by the so-called plucking board I want to suggest one other name.

Mr. LODGE. Some of them were.

Mr. BRANDEGEE. It occurred to me that some of them were. I did not want to be concluded by the Senate having agreed to a committee amendment that could not be further amended; that is all.

Mr. LODGE. The Senator can move to amend the amendment now.

Mr. BRANDEGEE. I have not the name with me, lest I would make the motion now.

Mr. LODGE. It certainly would be open to amendment.

Mr. BRANDEGEE. Not after it is agreed to, perhaps.

Mr. LODGE. The fact that the amendment was agreed to does not estop any Senator from offering an individual amendment when individual amendments are reached.

Mr. BRANDEGEE. Very well.

Mr. SWANSON. In line 18, page 38, there is a mistake. The word "captain" ought to be "rear admiral."

The VICE PRESIDENT. The Chair thinks it is fair to state to the Senator from Connecticut that if his amendment applies to the committee amendment it is now in order.

Mr. BRANDEGEE. Of course, I wanted to amend the committee amendment.

The VICE PRESIDENT. It is now in order, then.

Mr. BRANDEGEE. It is in order now before agreement to the committee amendment. I do not want to do anything that would prevent action upon the question.

Mr. LODGE. If the Chair will allow me and the Senator will permit me——

Mr. BRANDEGEE. I will yield.

Mr. LODGE. This whole clause is a list of names. The committee added certain names, each one of which is an amendment. It does not seem to me that an individual amendment of another name offered by a Senator is out of order. He need not offer it in the place where the committee amendment occurs; he can offer it anywhere. It is a long list of names.

The VICE PRESIDENT. The Chair was only making a general observation that a Senator has a right to move to amend the committee amendment.

Mr. LODGE. Certainly; the Chair is quite right.

Mr. BRANDEGEE. I will make no objection. I will say frankly to the Senate I think the gentleman whose name I shall move to insert is quite as much entitled to be included as those who were inserted by the House and those who have been inserted by the Senate committee. I did not know that the committee was going to have this legislation.

Mr. SWANSON. If the Senator will present the name, I will consent to its insertion.

Mr. BRANDEGEE. I only want an opportunity to have it considered on the same basis when the time comes.

The VICE PRESIDENT. The amendment to the amendment suggested by the Senator from Virginia will be stated.

The SECRETARY. On page 131, line 18, strike out the word "captain" and insert "rear admiral," so as to read:

Capt. Washington Irving Chambers, retired, to be a rear admiral on the active list, to take rank next after Rear Admiral Walter McLean.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 132, after line 4, to insert:

That hereafter no officer of the Navy who is a graduate of the United States Naval Academy shall be retired for age on reaching the age of 62 years unless and until he shall have completed 41 years of service in the Navy from the date of graduation from said Naval Academy.

Mr. SMITH of Georgia. I desire to make a point of order against this piece of legislation. At present the law fixes the same age for all to retire. It is a general statute. This changes a general statute in an appropriation bill. I make the point that it is out of order and objectionable.

Mr. SMOOT. On what ground?

Mr. SMITH of Georgia. On the ground that it is general legislation on an appropriation bill.

Mr. SMOOT. Mr. President, I recognize the fact that a point of order will lie against the amendment, but I want to ask the Senator, for information, whether——

Mr. SWANSON. I do not object to its going out.

The VICE PRESIDENT. The Senator from Virginia does not object?

Mr. SWANSON. If the Senator will permit me, I think it changes existing law entirely.

Mr. SMOOT. I am perfectly aware of it, and is subject to a point of order, and I so stated. I said that a point of order would lie against it; there is no question about it; but I wanted to ask the Senator a question. Would the Senator make a point of order against an amendment extending——

Mr. SMITH of Georgia. The time of service of all?

Mr. SMOOT. Yes.

Mr. SMITH of Georgia. On the contrary, I would be glad to see it done.

Mr. SMOOT. I think the age of retirement in the Navy ought to be the same as the age of retirement in the Army—64 years instead of 62. I will say to the Senator having the bill in

charge that the proposed committee amendment would not reach some of the efficient officers I had in mind. Unless the age limit is extended to 64 years, Rear Admirals C. McR. Winslow, T. B. Howard, C. J. Boush, D. W. Coffman, and A. M. Knight, some of the very best naval officers that we have, will have to retire, and to retire within a very few weeks.

It seems to me that at present, while we are building up a Navy and are short of officers and seamen of all grades, it would be a very proper time, indeed, to extend the age limit of retirement to 64 years instead of 62.

Mr. SMITH of Georgia. Mr. President, I think the law on this subject when changed should be changed wholly in the interest of those not in the service. I think it is a question as to how the people who provide for the Navy and pay the taxes—citizens of the United States, who through legislation organize a Navy—can be best served by their naval officers. If 62 is the right age to retire them, it is the right age to retire all of them. The mere fact that a man would not be promoted to a higher office if he is retired at 62 is no excuse whatever for changing the rule as to him. If naval officers can do efficient service, as a rule, longer than the age of 62, then the time of service ought to be extended as to all of them. If 64 is the age at which we may expect complete proficiency, then none of them ought to retire before they are 64. It is a mistake, if 64 is the proper age for service, to retire any before 64.

My position is simply this, that legislation should not be shaped simply to take care of particular men. It should be framed to take care of the interests of those who are not in office; and whatever time is considered the appropriate time to which some should serve, I would be glad to see the same time made for all. I object to one date for one and another date for another.

Mr. SMOOT. Mr. President, I quite agree with the Senator from Georgia. I will say, further, that at the time the rear admirals named entered the Naval Academy the ages of entrance to the academy were from 14 to 18 years, as I remember. Many entered the academy in those early days at 16 years and graduated when they were 20 years old. The age has been increased since then from 16 to 20, but I believe that it would be wise to extend the age limit from 62 to 64, and I hope there will be no objection to an amendment of that kind when I offer it.

Mr. SWANSON. I can not consent to extend the age from 62 to 64, and I make a point of order against it.

Mr. SMOOT. It has not been offered yet.

Mr. SWANSON. The point of order is made against this provision. I have always doubted the wisdom of a provision which extends to the Naval Academy of the same class the right of serving 41 years. Some graduate when they are 24 and some graduate when they are 20. The effect of it would be to extend the age limit probably to 65. The man who would graduate at 24 and would serve 41 years would be 65.

Another disadvantage would be that the entire class would be retired at one time. I have doubted the wisdom of retiring a class entirely at one time. I am opposed to extending the age limit for retirement in the Navy. In the Army some of the ablest generals we have are old men, but nearly all of the commanders of the fleets in Europe are young men. It is a more trying life and requires more activity, more physical strength than service in the Army. I would be compelled to make a point of order against an amendment extending the age limit to 64.

Mr. SHAFROTH. I suggest to the Senators that Lord Nelson was 48 years old when he fought the Battle of Trafalgar and his greatest naval achievement, the Battle of the Nile was fought when he was 39 years old. It is the tendency of the European countries to keep young men in command of their fleets.

Mr. WEEKS. But other instances can be given where the officers were of much greater age. Lord St. Vincent was materially over 60 years old when at the height of his service.

The application is not universal that the younger officers perform the best service. Of course, if the Senator from Virginia makes a point of order against the suggested amendment, I assume that it will be sustained, and there is not any purpose to be served by taking time to discuss the question. Otherwise I should like to have done so.

Mr. SWANSON. I make a point of order against it. I think it would be a very unwise thing to do in the Navy.

The VICE PRESIDENT. Against what—your own amendment?

Mr. SWANSON. A point of order has been made against this amendment. It is a clear violation of the rule, changing the statute that fixes the time of retirement. I think the point of order is well taken.

Mr. WEEKS. The idea the Senator expresses, that he thinks such an amendment would be very bad public policy, is not a reason for making the point of order.

Mr. SWANSON. The point of order was made against the amendment. I was asked whether I would make a point of order against an amendment extending the retirement age to 64 in the Navy, and I said I would.

Mr. SMOOT. I expect to offer such an amendment.

The VICE PRESIDENT. Just a moment. Does the bill contain legislation on this subject? It does not. The point of order is sustained.

The next amendment was, on page 133, line 7, after the words "in all," to strike out "$9,087,823.85" and insert "$9,820,900.25," so as to make the clause read:

Provisions, Navy: For provisions and commuted rations for the seamen and marines, which commuted rations may be paid to caterers of messes, in case of death or desertion, upon orders of the commanding officers, commuted rations for officers on sea duty (other than commissioned officers of the line, Medical and Pay Corps, chaplains, chief boatswains, chief gunners, chief carpenters, chief machinists, chief pay clerks, and chief sailmakers) and midshipmen, and commuted rations stopped on account of sick in hospital and credited at the rate of 50 cents per ration to the naval hospital fund; subsistence of officers and men unavoidably detained or absent from vessels to which attached under orders (during which subsistence rations to be stopped on board ship and no credit for commutation therefor to be given); and for subsistence of female nurses, and Navy and Marine Corps general courts-martial prisoners undergoing imprisonment with sentences of dishonorable discharge from the service at the expiration of such confinement: *Provided*, That the Secretary of the Navy is authorized to commute rations for such general courts-martial prisoners in such amounts as seem to him proper, which may vary in accordance with the location of the naval prison, but which shall in no case exceed 30 cents per diem for each ration so commuted; and for the purchase of United States Army emergency rations as required; in all, $9,820,900.25, to be available until the close of the fiscal year ending June 30, 1918.

The amendment was agreed to.

The next amendment was, on page 134, line 6, before the words "coffee mills," to insert "expenses of disbursing offices"; in line 15, after the word "expenses," to insert "pay of chemists and for inspection service and"; in line 26, before the words "for clerical," to strike out "for chemists and"; in the same line, after the word "inspection," to strike out "storekeeper" and insert "storeman"; on page 135, line 3, after the word "stations," to insert "and disbursing offices"; in line 5, after the word "exceed," to strike out "$1,021,000" and insert "$1,183,000"; and in the same line, after the words "in all," to strike out "$2,276,000" and insert "$2,623,640," so as to make the clause read:

Maintenance, Bureau of Supplies and Accounts: For fuel; the removal and transportation of ashes and garbage from ships of war; books, blanks, and stationery, including stationery for cammanding and navigating officers of ships, chaplains on shore and afloat, and for the use of courts-martial on board ship; purchase, repair, and exchange of typewriters for ships; packing boxes and materials; interior fittings for general storehouses, pay offices, and accounting offices in navy yards; expenses of disbursing offices; coffee mills and repairs thereto; expenses of naval clothing factory and machinery for the same; laboratory equipment; purchase of articles of equipage at home and abroad under the cognizance of the Bureau of Supplies and Accounts, and for the payment of labor in equipping vessels therewith, and the manufacture of such articles in the several navy yards; musical instruments and music; mess outfits; soap on board naval vessels; athletic outfits; tolls, ferriages, yeomen's stores, safes, and other incidental expenses; pay of chemists and for inspection service and labor in general storehouses, paymasters' offices, and accounting offices in navy yards and naval stations, including naval stations maintained in island possessions under the control of the United States, and expenses in handling stores purchased and manufactured under "General account of advances"; and reimbursement to appropriations of the Department of Agriculture of cost of inspection of meats and meat-food products for the Navy Department: *Provided*, That the sum to be paid out of this appropriation, under the direction of the Secretary of the Navy, for clerical, inspection, storeman, store laborer, and messenger service in the general storehouses, paymasters' offices, and accounting offices of the navy yards and naval stations and disbursing offices for the fiscal year ending June 30, 1917, shall not exceed $1,183,000; in all, $2,623,640.

The amendment was agreed to.

The next amendment was, on page 135, after line 6, to insert:

For such appliances, equipment, and storage facilities as may be required in the handling, segregation, and care of materials and scrap and for the reworking of the same, including the services of necessary employees, $80,000: *Provided*, That scrap sorters may be employed at the various navy yards and stations for the purpose of sorting scrap, whose wages may be charged to this appropriation.

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Construction and Repair," on page 137, line 2, after the word "auxiliaries," to insert "pay of technical, drafting, and inspection force and," so as to read:

Construction and repair of vessels: For preservation and completion of vessels on the stocks and in ordinary; purchase of materials and stores of all kinds; steam steerers, pneumatic steerers, steam capstans, steam windlasses, and all other auxiliaries; pay of technical, drafting, and inspection force and labor in navy yards and on foreign stations.

The amendment was agreed to.

The next amendment was, in the item of appropriation for "Construction and repair of vessels," on page 139, line 6, after the word "clerical," to strike out "drafting, inspection," and

in line 10, after the word "exceed," to strike out "$1,300,000" and insert "$400,000," so as to read:

And the Secretary of the Navy is hereby authorized to make expenditures from appropriate funds under the various bureaus for repairs and changes on the vessels herein named, in an amount not to exceed the sum specified for each vessel, respectively, as follows: *North Dakota*, $730,000; *Georgia*, $525,000; *Virginia*, $525,000; *Salem*, $430,000; *Cincinnati*, $285,000; *Saratoga*, $335,000; *Henley*, $150,000; *Mayrant*, $150,000; *F-1*, $205,000; *F-2*, $205,000; *F-3*, $205,000; *Pontiac*, $20,000; *Constitution*, $150,000; in all, $3,915,000: *Provided further*, That the sum to be paid out of this appropriation, under the direction of the Secretary of the Navy, for clerical, watchmen (ship keepers), and messenger service in navy yards, naval stations, and offices of superintending naval constructors for the fiscal year ending June 30, 1917, shall not exceed $400,000.

The amendment was agreed to.

The next amendment was, on page 139, line 25, after the word "cost" to strike out "the money obtained from such sale to be covered into the Treasury as miscellaneous receipts" and insert "All moneys received from such sale shall be deposited by the Secretary of the Navy in the Treasury. This money, when so deposited, is hereby appropriated toward the construction of additional auxiliary ships of the Navy classified as colliers, transports, tenders, supply ships, or hospital ships," so as to make the clause read:

The Secretary of the Navy is hereby authorized to sell any or all of the auxiliary ships of the Navy classified as colliers, transports, tenders, supply ships, special types, and hospital ships, which are 18 years and over in age, which he deems unsuited to present needs of the Navy and which can be disposed of at an advantageous price, which shall not be less than 50 per cent of their original cost. All moneys received from such sale shall be deposited by the Secretary of the Navy in the Treasury. This money, when so deposited, is hereby appropriated toward the construction of additional auxiliary ships of the Navy classified as colliers, transports, tenders, supply ships, or hospital ships.

The amendment was agreed to.

The next amendment was, on page 140, line 19, after the words "South Carolina," to strike out "$10,000" and insert "$25,000," so as to make the clause read:

For repairs and improvement of machinery and implements at plant at navy yard, Charleston, S. C., $25,000.

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Steam Engineering," on page 141, line 18, after the words "pay of," to insert "technical, drafting, inspection, and," so as to read:

Engineering: For repairs, preservation, and renewal of machinery, auxiliary machinery, and boilers of naval vessels, yard craft, and ships' boats, distilling and refrigerating apparatus; repairs, preservation, and renewal of electric interior and exterior signal communications and all electrical appliances of whatsoever nature on board naval vessels, except range finders, battle order and range transmitters and indicators, and motors and their controlling apparatus used to operate machinery belonging to other bureaus; maintenance and operation of coast signal service, including expenses of office of superintendent of radio service and the purchase of land as necessary for sites for radio shore stations; equipage, supplies, and materials under the cognizance of the bureau required for the maintenance and operation of naval vessels, yard craft, and ships' boats; purchase, installation, repair, and preservation of machinery, tools, and appliances in navy yards and stations; pay of technical, drafting, inspection, and classified force under the bureau; incidental expenses for naval vessels, navy yards and stations, inspectors' offices, the engineering experiment station, such as photographing, technical books, and periodicals, stationery, and instruments; instruments and apparatus, supplies, and technical books and periodicals necessary to carry on experimental and research work in radiotelegraphy at the naval radio laboratory.

The amendment was agreed to.

The next amendment was in the item of appropriation for engineering, on page 142, line 1, after the word "clerical," to strike out "drafting, inspection"; in line 6, after the word "exceed," to strike out "$801,876.28" and insert "$350,000"; and in line 8, after "$10,000," to insert:

Provided further, That such land of the United States under the control of a particular department or other branch of the Government that has been or may hereafter be mutually selected as a site for a naval radio station may, by direction of the President, be transferred to and placed under the control and jurisdiction of the Navy Department for use as a naval radio station or other naval purposes: *Provided*, That the sum to be paid out of this appropriation under the direction of the Secretary of the Navy for clerical and messenger service in navy yards, naval stations, and offices of the United States inspectors of machinery and engineering material for the fiscal year ending June 30, 1917, shall not exceed $350,000: *Provided further*, That the sum to be paid out of this appropriation for the purchase of land for sites for radio shore stations shall not exceed $10,000: *Provided further*, That such land of the United States under the control of a particular department or other branch of the Government that has been or may hereafter be mutually selected as a site for a naval radio station may, by direction of the President, be transferred to and placed under the control and jurisdiction of the Navy Department for use as a naval radio station or other naval purposes.

Mr. BRANDEGEE. To what does the word "mutually" refer?

Mr. SWANSON. I take it it means between the different departments of the Government. I think the purpose is to transfer certain land that might belong to the Army to the radio stations of the Navy.

Mr. BRANDEGEE. If the Senator from Virginia is clear about that, I shall not now delay the consideration of the bill, but it does not seem to me to be at all so from its hasty reading at the desk. I could not tell as the Secretary read the language whether it meant the land was to be mutually agreed upon by a certain department and by the President, and then by direction of the President to be set aside, or what it did mean. I do not yet feel clear about it.

Mr. SWANSON. We will correct it in conference.

Mr. BRANDEGEE. Let it be corrected in conference.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Naval Affairs was, on page 142, line 25, to increase the total appropriation for the Bureau of Steam Engineering from "$9,051,876.28" to "$9,056,376.28."

The amendment was agreed to.

The next amendment was, on page 142, line 25, after the amendment just adopted, to insert the following proviso:

Provided further, That an expenditure under this appropriation of not exceeding $4,500 is authorized for the installation of a pneumatic tube between the communication office in the State, War, and Navy Building, and the branch communication office in the Navy annex.

The amendment was agreed to.

The next amendment was, under the subhead "Naval Academy," on page 145, line 10, after "$2,400," to insert "2 clerks, at $1,800 each"; in line 13, before the word "clerks," to strike out "four" and insert "two"; and in line 19, after the words "Naval Academy," to strike out "$238,860" and insert "$240,780," so as to make the clause read:

One swordmaster, $1,600; 1 assistant, $1,200; and 2 assistants, at $1,000 each; 2 instructors in physical training, at $1,500 each; and 1 assistant instructor in physical training, at $1,000; and 1 instructor in gymnastics, $1,200; 1 assistant librarian, $2,160; 1 cataloguer, $1,200; and 2 shelf assistants, at $900 each; 1 secretary of the Naval Academy, $2,400; 2 clerks, at $1,800 each; 2 clerks, at $1,500 each; 4 clerks, at $1,200 each; 4 clerks, at $1,000 each; 4 clerks, at $900 each; 2 clerks, at $840 each; 1 stenographer, at $840; 1 draftsmen, $1,200; 1 surveyor, $1,200; services of organist at chapel, $300; 1 captain of the watch, $1,100; 1 second captain of the watch, $1,000; 22 watchmen, at $900 each; 3 telephone switchboard operators, at $600 each; 1 attendant, at $300. In all, pay of professors and others, Naval Academy, $240,780.

The amendment was agreed to.

The next amendment was, on page 147, line 4, after the words "civil establishment," to strike out "$334,521.92" and insert "$336,441.92," so as to read:

In all, civil establishment, $336,441.92.

The amendment was agreed to.

The next amendment was, on page 147, after line 16, to strike out, "Expenses of the Board of Visitors of the Naval Academy, being actual expenses while engaged upon duties as members of the board not to exceed $5 a day and actual expenses of travel by the shortest mail routes, and for clerk hire, and other incidental and necessary expenses of the board, $500," and insert:

From and after the passage of this act there shall be appointed every year, in the following manner, a board of visitors, to attend the annual examination of the academy: Seven persons shall be appointed by the President and two Senators and three Members of the House of Representatives shall be designated as visitors by the Vice President or President pro tempore of the Senate and the Speaker of the House of Representatives, respectively, at the session of Congress next preceding such examination. The chairman of the Committee on Naval Affairs of the Senate and chairman of the Committee on Naval Affairs of the House of Representatives shall be ex officio members of said board.

Each member of said board shall receive not exceeding 8 cents per mile traveled by the most direct route from his residence to Annapolis and 8 cents per mile for each mile from said place to his residence on returning.

For expenses of the Board of Visitors to the Naval Academy, $3,000.

Mr. PENROSE. Mr. President, I should like to ask the Senator from Virginia what the law is at present regarding the number of Senators and Representatives who are appointed as visitors to the Naval Academy?

Mr. SWANSON. The present Board of Visitors is composed of Senators and Representatives——

Mr. PENROSE. I understand that; but is there any limit to the number?

Mr. SWANSON. I think there is a limit, though I forget the exact number.

Mr. PENROSE. I do not at all object to it; in fact, I think it is a very excellent provision to have seven civilians appointed by the President; but it seems to me that the bill has fixed a rather low limit on the number of Senators and Representatives who should visit the academy. I feel that every Senator and Representative who goes to the academy comes back with information which is of value in the discharge of his duties.

I know also how difficult it is to get Senators and Representatives to visit the academy, but it seems to me as if this were rather a low limit. I do not know whether the Senator

from Virginia has given the subject any special attention, but would he object to making the number on the board 5 Senators and 10 Representatives?

Mr. SWANSON. The board is now composed, as I understand, of 2 Senators, 3 Members of the other House, and 7 civilians, 12 in all, and it seems to me that that is enough.

Mr. PENROSE. The bill provides for only two Senators.

Mr. SWANSON. For two Senators and three Representatives.

Mr. PENROSE. It is not an important matter, but I really think the more Senators and Representatives visit the academy the better able they will be to cope with the many complex questions that come up in Congress in connection with legislation for the acadamy and for the discipline of the cadet corps.

The VICE PRESIDENT. The Chair has no right to interfere, but, as the Chair reads the amendment, the language is identical with the present law.

Mr. PENROSE. I should like simply to ask the Senator, by unanimous consent, if I am out of order, whether he does not think he has the limit rather low?

Mr. SWANSON. This amendment provides for a board of 12 members—7 civilians, 2 Senators, and 3 Members of the House. I have no objection to increasing the number and taking it to conference.

Mr. PENROSE. I would suggest to the Senator to increase the number slightly, because I was once a visitor to the academy, and I know how much I learned when I was there which has been useful to me in participating in the consideration of such legislation.

Mr. SWANSON. Does the Senator suggest three Senators and three Members of the other House?

Mr. PENROSE. I should be almost willing to suggest five Senators and 10 Representatives, if the Senator from Virginia does not think that too large a number, but I do not press it.

Mr. SWANSON. If the members of this board do not happen to be in Washington, it might be very expensive for them to visit the academy if they were at home, a long distance away.

Mr. PENROSE. I leave the matter to the Senator. I merely desired to call his attention to it. I repeat, however, I think he has the number a little low.

Mr. SWANSON. I offer the amendment that we appoint four Senators——

Mr. PENROSE. The expense would not be very much of an item compared to the good which would be accomplished.

Mr. SWANSON. I am willing to adopt any number the Senator may suggest—four Senators and five Members of the other House and then the chairmen of the Committee on Naval Affairs of the two Houses as members. I offer an amendment to the amendment to that effect.

Mr. PENROSE. Make it four Senators and five Members of the other House.

Mr. WEEKS. Mr. President, I am sorry to find the Committee on Naval Affairs has gone back to what I consider the discredited method of carrying out an antiquated provision of the law. The old method was to have the Board of Visitors to the Military and Naval Academies made up of three or four Senators and Representatives and a half dozen or more civilians. The inspection which is made is at the time of the annual examinations, when everything is on dress parade, and no useful purpose is accomplished by attending at such a time. Incidentally the board does not have an opportunity to witness the conduct of the affairs of the academy, as the academy is carried on from day to day and from week to week, but simply preparation is made for them in the shape of drills and examinations without any opportunity to witness the instruction or the courses which are being taken or anything of that sort.

My judgment is that while the cost of visitors going to the academy is not expensive, and therefore is not of great importance, it is a waste of money. If provision were made to send civilian visitors there during the actual course—that is to say, while the actual course was being conducted at any time during the year—let them drop in there from time to time and witness the drills, the recitations, and the conduct of other affairs at the academy, they would get some knowledge of matters them which would enable them to make recommendations which would be of importance in conducting that institution.

Mr. CLAPP. Will the Senator from Massachusetts allow an interruption?

Mr. WEEKS. I will do so in just a moment. I do not believe that the recommendations of a Board of Visitors to the Naval Academy was ever looked at by a Senator or by a Representative since the beginning of time; I do not think any consideration was ever given to their report; but whatever report they make is based on the recommendations of officers stationed at the academy at the time, recommendations which should be made in the usual course if it were desirable to do so.

I am not going to make a motion to strike out this provision, but I wanted to submit these observations, because I think it is a foolish waste of public money and a foolish method of attempting to correct any policies or methods at the academy, which might be changed if they were inspected by proper officials.

Mr. CLAPP. I want to ask the Senator from Massachusetts if his criticism as to civilians going to the academy when the institution is on dress parade would not apply with equal force to Members of the Senate and House of Representatives going there?

Mr. WEEKS. I think so, absolutely. I think Members of the Senate and of the House should go to the Naval Academy and should go to West Point during the term when they can see work as it is being done and learn something, as the Senator from Pennsylvania [Mr. PENROSE] has suggested. What we should do is to have visitors go there who not only can get information, but who are competent to make suggestions which will improve the course or improve the methods followed at the academy and the manner of conducting it. This meeting of the Board of Visitors is entirely foreign to any such result.

Mr. CLAPP. I think myself it is very valuable to have civilian visitors to the academies at West Point and Annapolis. They become interested, and we obtain suggestions from them. I quite agree, however, with the Senator that the visitation by anybody to an institution when the visitation is anticipated is very apt to involve a certain degree of preparation for the visitors and a dress parade condition for their inspection.

Mr. PENROSE. Mr. President, I will ask the Senator from Massachusetts whether he would approve of a suggestion that the annual visit should be made at a date designated by the Secretary of the Navy?

Mr. WEEKS. Mr. President, it would be an improvement if the visit were made at any other time than at the time of the annual graduation ceremonies.

Mr. PENROSE. Well, rather than fix an arbitrary date, I move to amend the amendment—and it can be considered in conference—so that it will read:

The date of the annual visit of the board aforesaid to be fixed by the Secretary of the Navy.

Mr. SWANSON. I will accept the amendment for the consideration of the conferees.

The VICE PRESIDENT. The Secretary will state the amendment proposed by the Senator from Pennsylvania to the amendment reported by the committee, and the Chair will ask the Senator from Pennsylvania to note the amendment prepared by the Secretary to see whether it carries out his idea.

The SECRETARY. In the amendment of the committee on page 147, line 24, after the word "to," it is proposed to strike out "attend the annual examination of the academy" and insert "visit annually the academy, the date of the annual visit of the board aforesaid to be fixed by the Secretary of the Navy," so as to read:

From and after the passage of this act there shall be appointed every year, in the following manner, a Board of Visitors, to visit the academy, the date of the annual visit of the board aforesaid to be fixed by the Secretary of the Navy.

Mr. SHAFROTH. I suggest that it might be better to insert the words "at a date to be fixed by the Secretary of the Navy" following the words "to attend the annual examination of the academy."

Mr. LODGE. The annual examination is a fixed date, and that would not meet the object of the Senator from Pennsylvania.

Mr. SHAFROTH. Very well.

Mr. PENROSE. I think the amendment is all right as the Secretary has read it.

Mr. SWANSON. I accept the amendment.

The amendment to the amendment was agreed to.

The VICE PRESIDENT. The Senator from Virginia has proposed an amendment to the amendment, which the Secretary will now state.

The SECRETARY. In the committee amendment on page 147, line 25, after the word "and," it is proposed to strike out "two" and insert "four"; and on page 148, line 1, after the word "and," to strike out "three" and insert "five," so as to read: "and four Senators and five Members of the House of Representatives."

The VICE PRESIDENT. Without objection the amendment to the amendment is agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Naval Affairs was, on page 149, line 17, after the words "Naval Academy," to strike out "$701,446.92" and insert "$705,866.92"; so as to make the clause read:

In all, Naval Academy, $705,866.92.

The amendment was agreed to.

The next amendment was, under the subhead "Marine Corps," on page 149, line 21, after the word "paymasters," to strike out "seven" and insert "nine," and in line 22, after the word "authorized," to strike out "$1,328,749" and insert "$1,421,849," so as to make the clause read:

Pay, Marine Corps: Pay of officers, active list: For pay and allowances prescribed by law of officers on the active list, including clerks for assistant paymasters, nine, and for the following additional officers hereby authorized, $1,421,849.

The amendment was agreed to.

The next amendment was, in the item of appropriation for pay, Marine Corps, on page 151, line 1, after the word "colonel," to insert the following proviso:

Provided further, That the officers serving in the senior grades of the Adjutant and Inspector's, Quartermaster's, and Paymaster's Departments shall, while serving therein, have the rank, pay, and allowances of a brigadier general: *And provided further*, That for the purpose of determining the number of officers in the various ranks as herein provided such staff officers shall be counted as being of the rank of colonel: *And provided further*, That officers holding permanent appointments in the staff departments shall not be eligible for appointment to the grade of brigadier general of the line, as hereinbefore provided.

The amendment was agreed to.

The next amendment was, on page 155, line 6, after the words "Marine Corps," to insert "or Navy Pay Corps," and in line 8, after the words "Marine Corps," to insert "or Navy Pay Corps," so as to make the clause read:

The President is hereby authorized, within two years after the approval of this act, by and with the advice and consent of the Senate, to transfer to the active list of the Marine Corps or Navy Pay Corps any officer under 50 years of age who may have been transferred from the active list to the retired list of the Marine Corps or Navy Pay Corps by the action of any retiring board for physical disability incurred in the line of duty: *Provided*, That such officer shall be transferred to the place on the active list which he would have had if he had not been retired, and shall be carried as an additional number in the grade to which he may be transferred or at any time thereafter promoted: *Provided further*, That such officer shall establish to the satisfaction of the Secretary of the Navy his mental, moral, professional, and physical qualifications to perform the duties on the active list of the grade to which he is transferred. The provisions of sections 1493 and 1494 of the Revised Statutes of the United States shall apply to the Marine Corps.

The amendment was agreed to.

The next amendment was, on page 155, after line 21, to insert:

In lieu of suspension from promotion of any officer of the Marine Corps who hereafter fails to pass a satisfactory professional examination for promotion, or who is now under suspension from promotion by reason of such failure, such officer shall suffer loss of numbers, upon approval of the recommendation of the examining board, in the respective ranks, as follows: Lieutenant colonel, 1; major, 2; captain, 3; first lieutenant, 5; second lieutenant, 8: *Provided*, That any such officer shall be reexamined as soon as may be expedient after the expiration of six months if he in the meantime again becomes due for promotion, and if he does not in the meantime again become due for promotion he shall be reexamined at such time anterior to again becoming due for promotion as may be for the best interests of the service: *Provided further*, That if any such officer fails to pass a satisfactory professional reexamination he shall be honorably discharged, with one year's pay, from the Marine Corps.

The amendment was agreed to.

The next amendment was, on page 157, line 1, before the words "sergeants major," to strike out "Seventeen" and insert "Twenty-eight"; in line 2, before the words "quartermaster sergeants," to strike out "seventy-two" and insert "one hundred and seventeen"; in line 3, before the words "first sergeants," to strike out "sixty-five" and insert "one hundred and seven"; in line 4, before the words "gunnery sergeants," to strike out "sixty-five" and insert "one hundred and seven"; in line 5, before the word "hundred," to strike out "three" and insert "five"; in line 6, before the word "corporals," to strike out "five hundred" and insert "eight hundred and thirty-five"; in the same line, before the word "drummers," to strike out "thirty" and insert "fifty"; in the same line, before the word "trumpeters," to strike out "thirty" and insert "fifty"; in line 7, before the word "privates," to strike out "two thousand" and insert "three thousand two hundred and thirty-five"; and in line 20, after the words "In all," to strike out "$3,434,582.52" and insert "$3,665,942.52," so as to make the clause read:

Pay of enlisted men, active list: Pay and allowances of noncommissioned officers, musicians, and privates, as prescribed by law, and for the following additional enlisted men hereby authorized: Twenty-eight sergeants major, 117 quartermaster sergeants, 107 first sergeants, 107 gunnery sergeants, 500 sergeants, 835 corporals, 50 drummers, 50 trumpeters, 3,235 privates; and hereafter the number of enlisted men of the Marine Corps shall be exclusive of those sentenced by court-martial to discharge, and for the expenses of clerks of the United States Marine Corps traveling under orders, and including additional compensation for enlisted men of the Marine Corps regularly detailed as gun captains, gun pointers, mess sergeants, cooks, messmen, signalmen, or holding good-conduct medals, pins, or bars, including interest on deposits by enlisted men, post-exchange debts of deserters, under such rules as the Secretary of the Navy may prescribe, and the authorized travel allowance of discharged enlisted men and for prizes for excellence in gunnery exercise and target practice, both afloat and ashore. In all, $3,665,942.52.

The amendment was agreed to.

The next amendment was, on page 157, after line 21, to insert:

The President is authorized when in his judgment it becomes necessary to place the country in a complete state of preparedness, to further increase the enlisted strength of the Marine Corps to 17,400: *And provided*, That the distribution in the various grades shall be in the same proportion as that authorized at the time when the President avails himself of the authority herein granted.

The amendment was agreed to.

The next amendment was, on page 159, line 7, after the word "undrawn," to strike out "$90,000" and insert "$100,000," so as to make the clause read:

Undrawn clothing: For payment to discharged enlisted men for clothing undrawn, $100,000.

The amendment was agreed to.

The next amendment was, on page 159, line 9, after the word "troops," to strike out "$55,000" and insert "$58,000," so as to make the clause read:

Mileage: For mileage to officers traveling under orders without troops, $58,000.

The amendment was agreed to.

The next amendment was, on page 159, line 11, after the word "quarters," to strike out "$56,000" and insert "$61,000," so as to make the clause read:

For commutation of quarters of officers on duty without troops where there are no public quarters, $61,000.

The amendment was agreed to.

The next amendment was, on page 160, line 9, after the words "Marine Corps," to strike out "$5,331,406.30" and insert "$5,673,866.30," so as to make the clause read:

In all, pay, Marine Corps, $5,673,866.30.

The amendment was agreed to.

The next amendment was, under the subhead "Maintenance, Quartermaster's Department, Marine Corps," on page 160, line 24, after the word "rations," to strike out "$1,150,068.90" and insert "$1,491,621.90," so as to read:

Provisions, Marine Corps: For noncommissioned officers, musicians, and privates serving ashore; subsistence and lodging of enlisted men when traveling on duty, or cash in lieu thereof; commutation of rations to enlisted men regularly detailed as clerks and messengers; payments of board and lodging of applicants for enlistment while held under observation, recruits, and recruiting parties, or in lieu of board, commutation of rations to recruiting parties; transportation of provisions, and the employment of necessary labor connected therewith; ice machines and their maintenance where required for the health and comfort of the troops and for cold storage; ice for offices and preservation of rations, $1,491,621.90.

The amendment was agreed to.

The next amendment was, on page 161, line 14, after the word "law," to strike out "$926,423.50" and insert "$1,158,058.50," so as to make the clause read:

Clothing, Marine Corps: For noncommissioned officers, musicians, and privates, authorized by law, $1,158,058.50.

The amendment was agreed to.

The next amendment was, on page 161, line 20, after the word "officers," to strike out "$217,092,660" and insert "$243,561.92," so as to make the clause read:

Fuel, Marine Corps: For heat, light, and commutation thereof for the authorized allowance of quarters for officers and enlisted men, and other buildings and grounds pertaining to the Marine Corps; fuel, electricity, and oil for cooking, power, and other purposes; and sales to officers, $243,561.92.

The amendment was agreed to.

The next amendment was, on page 162, line 23, after the word "supplies," to insert "including a reserve supply of small-arms ammunition"; and in line 24, after the words "in all," to strike out "$713,648.78" and insert "$1,657,021.74," so as to make the clause read:

Military stores, Marine Corps: Pay of chief armorer, at $4 per diem; one mechanic, at $3 per diem; two mechanics, at $2.50 each per diem; one chief electrician, at $4 per diem, and one assistant electrician, at $3.50 per diem; per diem of enlisted men employed on constant labor for periods of not less than 10 days; purchase of two armored automobiles, to cost not exceeding $10,000 each, military equipments, such as rifles, revolvers, cartridge boxes, bayonet scabbards, haversacks, blanket bags, canteens, rifle slings, swords, drums, trumpets, flags, waistbelts, waist plates, cartridge belts, spare parts for repairing rifles, machetes; purchase and repair of tents, field cots, field ovens, and stoves for tents; purchase and repair of instruments for bands; purchase of music and musical accessories; purchase and marking of prizes for excellence in gunnery and rifle practice; good-conduct badges; medals awarded to officers and enlisted men by the Government for conspicuous, gallant, and special service; incidental expenses of schools of application; construction, equipment, and maintenance of school, library, and amusement rooms and gymnasiums for enlisted men, and the purchase and repair of all articles of field sports for enlisted men; purchase and repair of signal equipment and stores; establishment and maintenance of targets and ranges, renting ranges, construction of buildings for temporary shelter and preservation of stores, and entrance fees in competitions; procuring, preserving, and handling ammunition and other necessary military supplies including a reserve supply of small-arms ammunition; in all, $1,657,021.74.

The amendment was agreed to.

The next amendment was, on page 163, line 24, after the word "service," to strike out "$459,711.65" and insert "$549,630.65," so as to read:

Transportation and recruiting, Marine Corps: For transportation of troops and of applicants for enlistment between recruiting stations and recruit depots or posts, including ferriage and transfers en route, or cash in lieu thereof; toilet kits for issue to recruits upon their first enlistment and the expense of the recruiting service, $549,630.65.

The amendment was agreed to.

The next amendment was, on page 164, line 12, after the word "days," to strike out "$170,000" and insert "$220,000," so as to make the clause read:

Repairs of barracks, Marine Corps: Repairs and improvements to barracks, quarters, and other public buildings at posts and stations; for the renting, leasing, improvement, and erection of buildings in the District of Columbia and at such other places as the public exigencies require; and for per diem to enlisted men employed under the direction of the Quartermaster's Department on the repair of barracks, quarters, and other public buildings on constant labor for periods of not less than 10 days, $220,000.

The amendment was agreed to.

The next amendment was, on page 164, line 14, after the word "horses," to strike out "$39,246" and insert "$80,306," so as to make the clause read:

Forage, Marine Corps: For forage in kind and stabling for public animals of the Quartermaster's Department and the authorized number of officers' horses, $80,306.

The amendment was agreed to.

The next amendment was, on page 165, line 3, after the words "per month," to strike out "$107,512" and insert "$111,928," so as to make the clause read:

Commutation of quarters, Marine Corps: Commutation of quarters for enlisted men on recruiting duty, for officers and enlisted men serving with troops where there are no public quarters belonging to the Government, and where there are not sufficient quarters possessed by the United States to accommodate them; commutation of quarters for enlisted men employed as clerks and messengers in the offices of the commandant, adjutant and inspector, paymaster, and quartermaster, and the offices of the assistant adjutant and inspectors, assistant paymasters, assistant quartermasters, at $21 each per month, and for enlisted men employed as messengers in said offices, at $10 each per month, $111,928.

The amendment was agreed to.

The next amendment was, in the item of appropriation for "Contingent, Marine Corps," on page 166, line 21, after the word "classify," to strike out "$654,345" and insert "$846,385," so as to make the clause read:

Improving parade grounds; repair of pumps and wharves; water; straw for bedding, mattresses; mattress covers, pillows, sheets, furniture for Government quarters and repair of same; packing and crating officers' allowance of baggage on change of station; deodorizers, lubricants, disinfectants; and for all emergencies and extraordinary expenses arising at home and abroad but impossible to anticipate or classify, $846,385.

The amendment was agreed to.

The next amendment was, on page 166, line 24, after the words "Marine Corps," to strike out "$4,469,048.49" and insert "$6,389,513.71," so as to make the clause read:

In all, for the maintenance of Quartermaster's Department, Marine Corps, $6,389,513.71; and the money herein specifically appropriated for the maintenance of the Quartermaster's Department, Marine Corps, shall be disbursed and accounted for in accordance with existing law as maintenance, Quartermaster's Department, Marine Corps, and for that purpose shall constitute one fund.

The amendment was agreed to.

The next amendment was, on page 167, after line 4 to insert:

For the authorized expenses of the Marine Corps reserve, $25,000.

The amendment was agreed to.

The next amendment was, on page 167, line 7, after the words "public works," to strike out "$9,800,454.79" and insert "$12,088,380.01," so as to make the clause read:

Total Marine Corps, exclusive of public works, $12,088,380.01.

The amendment was agreed to.

The next amendment was, under the subhead "Increase of the Navy," on page 167, after line 9, to strike out:

For the purpose of further increasing the Naval Establishment of the United States the President of the United States is hereby authorized to have constructed five battle cruisers carrying suitable armor and as powerful armament as any other vessel of their class, to have the highest practicable speed and greatest desirable radius of action, to cost, exclusive of armor and armament, not to exceed $15,000,000 each.

Four scout cruisers, carrying suitable protection and armament suited to their size and type, to have the highest practicable speed and greatest desirable radius of action, to cost, exclusive of armor and armament, not to exceed $4,500,000 each.

Ten torpedo-boat destroyers, to have the highest practicable speed and greatest desirable radius of action, to cost, exclusive of armor and armament, not to exceed $1,000,000 each: *Provided*, That four of said torpedo-boat destroyers herein authorized shall be built on the Pacific coast: *Provided further*, That the cost of construction on the Pacific coast does not exceed the cost of construction on the Atlantic coast plus the cost of transportation from the Atlantic to the Pacific.

Fifty submarines, of which number three shall be of a surface displacement of about 800 tons each, to cost, exclusive of armor and armament, not to exceed $1,100,000 each, and the remaining 47 submarines shall be the best and most desirable and useful type of a submarine which can be procured at a cost, exclusive of armor and armament, not to exceed $625,000 each, and the sum of $9,387,000 is hereby appropriated for said purposes, to be available until expended.

Fifteen of the submarines herein authorized shall be built on the Pacific coast: *Provided*, That the cost of construction on the Pacific coast does not exceed the cost of construction on the Atlantic plus the cost of transportation from the Atlantic to the Pacific.

One fuel-oil ship, to cost, exclusive of armor and armament, not to exceed $1,265,000.

One ammunition ship, to cost, exclusive of armor and armament, not to exceed $2,600,000.

One hospital ship, to cost not to exceed $2,250,000.

The Secretary of the Navy shall build any of the vessels herein authorized in such navy yards as he may designate should it reasonably appear that the persons, firms, or corporations, or the agents thereof, bidding for the construction of any of said vessels have entered into any combination, agreement, or understanding the effect, object, or purpose of which is to deprive the Government of fair, open, and unrestricted competition in letting contracts for the construction of any of said vessels: *Provided*, That the Secretary of the Navy is hereby authorized to build any of the vessels herein authorized in such navy yards as he may designate.

Construction and machinery: On account of hulls and outfits of vessels and machinery of vessels heretofore and herein authorized, to be available until expended, $47,366,860.

Increase of the Navy, torpedo boats: On account of submarine torpedo boats heretofore authorized, to be available until expended, $5,282,593.

Increase of the Navy, armor and armament: Toward the armor and armament for vessels heretofore and herein authorized, to be available until expended, $33,896,060.

Increase of the Navy, ammunition: For ammunition for the vessels herein authorized, to be available until expended, $11,329,925.

Total increase of the Navy heretofore and herein authorized, $107,262,438.

And insert:

For the purpose of further increasing the Naval Establishment of the United States the President of the United States is hereby authorized to undertake prior to July 1, 1919, the construction of the vessels enumerated below:

Ten first-class battleships, carrying as heavy armor and as powerful armament as any vessels of their class, to have the highest practicable speed and greatest desirable radius of action; four of these at a cost, exclusive of armor and armament, not to exceed $11,500,000 each, to be begun as soon as practicable.

Six battle cruisers, carrying suitable armor and as powerful armament as any vessels of their class, to have the highest practicable speed and greatest desirable radius of action; four of these to cost, exclusive of armor and armament, not to exceed $16,500,000 each, to be begun as soon as practicable.

Ten scout cruisers, carrying suitable protection and armament suited to their size and type, to have the highest practicable speed and greatest desirable radius of action; four to cost, exclusive of armor and armament, not to exceed $5,000,000 each, to be begun as soon as practicable.

Fifty torpedo-boat destroyers, to have the highest practicable speed and greatest desirable radius of action; 20 to cost, exclusive of armor and armament, not to exceed $1,200,000 each, to be begun as soon as practicable: *Provided*, That not less than 4 of these shall be built on the Pacific coast: *Provided further*, That the cost of construction on the Pacific coast does not exceed the cost of construction on the Atlantic coast plus the cost of transportation from the Atlantic to the Pacific.

Nine fleet submarines.

Fifty-eight coast submarines, of which number 3 to have a surface displacement of about 800 tons each, to cost, exclusve of armor and armament, not to exceed $1,200,000 each, and 27, which shall be the best and most desirable and useful type of submarine which can be procured at a cost, exclusive of armor and armament, not to exceed $700,000 each, shall be begun as soon as practicable; and the sum of $8,217,000 is hereby appropriated for the construction of said submarines, to be available until expended. Not less than 12 of the submarines herein authorized to be begun as soon as practicable shall be built on the Pacific coast: *Provided*, That the cost of construction on the Pacific coast does not exceed the cost of construction on the Atlantic coast plus the cost of transportation from the Atlantic to the Pacific.

One submarine, equipped with the Neff system of submarine propulsion, exclusive of armor and armament, $250,000: *Provided*, That the owners of the Neff system of submarine propulsion will construct, in accordance with drawings, plans, and specifications provided by them, one coast-defense submarine of about 150 tons displacement when submerged, carrying armor and armament similar and equal to that of the "C" class of submarines, with fittings, equipment, machinery, devices, appliances, and appurtenances of every kind with latest improvements, complete in all respects, and suitable for naval purposes: *Provided further*, That the money appropriated for this purpose shall not be paid to the builders of said boat until the same has been completed, passed satisfactory service tests, and been accepted by the Secretary of the Navy; but upon such completion, tests, and acceptance by the Secretary of the Navy the sum appropriated shall be paid.

Three fuel ships, one at a cost not to exceed $1,500,000, to be begun as soon as practicable.

One repair ship.

One transport.

One hospital ship, at a cost not to exceed $2,350,000, to be begun as soon as practicable.

Two destroyer tenders.

One fleet submarine tender.

Two ammunition ships, one at a cost, exclusive of armor and armament, not to exceed $2,350,000, to be begun as soon as practicable.

Two gunboats, one at a cost, exclusive of armor and armament, not to exceed $860,000, to be begun as soon as practicable: *Provided*, That the 66 vessels directed herein to be begun as soon as practicable shall be contracted for or shall be begun in navy yards within six months from the date of the approval of this act.

The Secretary of the Navy shall build any of the vessels herein authorized in such navy yards as he may designate should it reasonably appear that the persons, firms, or corporations, or the agents thereof, bidding for the construction of any of said vessels have entered into any combination, agreement, or understanding the effect, object, or

purpose of which is to deprive the Government of fair, open, and unrestricted competition in letting contracts for the construction of any of said vessels: *Provided*, That the Secretary of the Navy is hereby authorized to build any of the vessels herein authorized in such navy yards as he may designate.

Construction and machinery: On account of hulls and outfits of vessels and machinery of vessels heretofore and herein authorized, to be available until expended, $59,000,194.

Increase of the Navy, torpedo boats: On account of submarine torpedo boats heretofore authorized, to be available until expended, $5,282,593.

Increase of the Navy, armor and armament: Toward the armor and armament for vessels heretofore and herein authorized, to be available until expended, $47,110,000.

Increase of the Navy, ammunition: Toward ammunition for the vessels herein authorized, to be available until expended, $19,485,500.

Total increase of the Navy heretofore and herein authorized, $139,345,287.

Mr. THOMAS. Mr. President, the amendment just read is, of course, the most important part of the bill, and will very naturally provoke some discussion. I suggest to the Senator having the bill in charge that this amendment be passed over and the bill proceeded with, so that the reading of the bill can be completed this evening.

Mr. SWANSON. I have no objection, Mr. President.

Mr. NORRIS. Mr. President, I could not hear the request.

Mr. SWANSON. The Senator from Colorado requested that this amendment be passed over, and I consent to that.

Mr. NORRIS. I was going to make the same request.

Mr. VARDAMAN. Mr. President, may I ask the Senator in charge of the bill a question?

Mr. SWANSON. Certainly.

Mr. VARDAMAN. The Senator is not going to try to force the bill to final passage this afternoon, is he?

Mr. SWANSON. No; I have no purpose of forcing it to final passage this afternoon.

The VICE PRESIDENT. The amendment will be passed over.

The reading of the bill was resumed.

The next amendment was, on page 174, after line 21, to strike out:

In the event the Secretary of the Navy is unable to secure from the shipbuilders contracts for the expeditious construction of the ships herein authorized at a fair and reasonable price, the sum of $6,000,000, or so much thereof as may be necessary, is hereby appropriated to enable the Secretary of the Navy to equip the navy yards at Puget Sound, Philadelphia, Norfolk, Boston, Portsmouth, Charleston, and New Orleans with suitable and necessary machinery, implements, building ways, and equipment for the construction of such of the ships herein authorized as may be assigned to such yard for construction. The yards at Puget Sound, Philadelphia, Norfolk, and Boston to be equipped for the construction of capital ships.

And insert:

The Secretary of the Navy is authorized to improve and equip the navy yards at Puget Sound, Philadelphia, Norfolk, Boston, Portsmouth, Charleston, and New Orleans for the construction of such ships herein or as may be hereafter authorized as may be assigned to such yards for construction, and the sum of $6,000,000, or so much thereof as may be necessary, is hereby appropriated for this purpose: *Provided*, That the navy yards at Puget Sound, Norfolk, and Boston shall be equipped for the construction of capital ships forthwith.

Mr. PENROSE. Mr. President, I desire to call the attention of the Senator from Virginia to the fact that in line 16 Philadelphia has been apparently omitted by a printer's error, as it appears in the paragraph which was amended in line 6. I will ask unanimous consent to insert "Philadelphia" before "Norfolk," in line 16.

Mr. SWANSON. I have no objection.

Mr. PENROSE. It is evidently an error.

Mr. SWANSON. That was included in the House bill.

Mr. PENROSE. Yes; it was included in the House bill.

The VICE PRESIDENT. That will be done by unanimous consent.

Mr. BROUSSARD. Mr. President, the amendment of the committee enumerates a number of navy yards which the Secretary of the Navy is authorized to improve and equip, with a view to the use of these navy yards in the construction of ships provided for in the bill. The proviso of the amendment specifies Puget Sound, Norfolk, and Boston, and, I understand, by the amendment of the Senator from Pennsylvania, Philadelphia, for the larger ships; and it is made obligatory that the Secretary shall forthwith prepare these navy yards with a view of constructing there the largest ships provided in this bill. With regard to the other navy yards recited in the amendment, the authority is given to the Secretary, and an appropriation of $6,000,000 is made, to equip these navy yards; but there is no direct instruction to the Secretary to equip and improve any one of these navy yards, thus leaving the matter entirely to the discretion of the Secretary.

I desire to call the attention of the chairman of the committee to the fact that so far as our experience goes, if this authority is placed in the discretion of the Secretary, nothing will be done, so far as the naval station at New Orleans is concerned, toward equipping it with a view of building any of the ships provided for in this bill. The policy of the Navy Department with regard to that naval station is such that we of Louisiana are warranted in believing that the name of the station at New Orleans might as well be entirely left out of this amendment unless it is the purpose of the committee to utilize that station in the construction of the smaller vessels.

I will ask the chairman of the committee if this amendment might not be further amended so as to direct the Secretary of the Navy to utilize this appropriation toward the equipment of the yards recited therein with a view of getting them in readiness for their share of the construction of the number of vessels provided for in the bill?

Mr. SWANSON. The provision is that the Secretary is authorized to improve and equip them.

Mr. BROUSSARD. He is authorized, but he is not directed to do it, as he is in regard to Puget Sound, Boston, Norfolk, and Philadelphia, regarding the construction of the larger ships in those yards. Now, I do not object at all to the direction given with regard to these larger yards, and to the direction given to the Secretary forthwith to equip those yards, but, in so far as the other yards are concerned that are not enumerated in the proviso, it is left discretionary with the Secretary as to whether or not he shall equip those yards with a view of their utilization in the construction of the smaller ships.

Mr. SWANSON. If the Senator will permit me, we put in the language that is usually used for appropriations. The House provision left it entirely discretionary. We thought it should not be left discretionary on certain conditions occurring, so we used the language that is usually used—that he is authorized to equip them. Some of the yards that were included have not been investigated, and we thought there ought to be some little discretion, though the language is as strong as the language that is usually used in authorizations for any of the navy yards in the previous part of the bill; and we made it much stronger than the House provision.

Mr. BROUSSARD. I will call the attention of the chairman of the committee to the fact that in so far as the navy yards provided for in the proviso are concerned, there is an absolute direction, an absolute command, that these yards shall be equipped, and in so far as the other yards are concerned the Secretary is simply authorized to equip them. So that the one is mandatory, and the other, after all, is in the discretion of the Secretary. He may or he may not equip them.

I know that the provision placed in the bill by the House has been improved upon by the amendment of the Senate committee; but would it not be proper to insert, after the word "authorized," the words "and directed," so that it would read that he is authorized and directed to equip them? This would make it mandatory with regard to the yards, say, at Charleston and New Orleans, and place them in the same category with regard to the construction of the smaller vessels in those yards as with regard to the construction of the larger vessels in the yards enumerated in the proviso.

I move that after the word "authorized" the words "and directed" be inserted.

Mr. SHAFROTH. Mr. President, does the Senator believe that no discretion should be left to the Secretary?

Mr. BROUSSARD. Oh, I believe that all discretion should be left to him; and there is plenty of discretion if you insert the words "and directed," because there is a lump appropriation of $6,000,000 to provide for half a dozen or more navy yards, and he can expend just as much or just as little as he pleases on each yard.

Mr. SHAFROTH. In view of the fact that the Congress does not know the condition of the navy yards, is it not best to leave it to his discretion?

Mr. BROUSSARD. I will state to the Senator that I am as convinced as I am of anything in the future that unless there is some direction with regard to this matter the station at New Orleans will not be looked after, or will be entirely overlooked; and so far as that station is concerned, the name might as well be left out of the provision if the Secretary is not directed to equip the yard at New Orleans.

Mr. SHAFROTH. If that is true, it is because the construction can not be done as well there.

Mr. BROUSSARD. Oh, I do not believe that at all.

Mr. SHAFROTH. We are not capable here, with the present data before us, of determining that, and I do not believe that these yards ought to be improved unless the cheapest and the best construction can be carried on there. This thing of our designating a place that is not the best, and making it mandatory upon the part of the Secretary of the Navy, seems to me to be absurd. If New Orleans is a place where these vessels can be constructed better and cheaper, it ought to get all of them

that its capacity justifies; but if it is not, the work ought to go to those places where it can be done cheaper and better. It is not that this construction ought to be distributed around. It ought to be a question of the efficiency of the construction at particular points.

Mr. SWANSON. If the Senator will permit me, it seems to me that if we put in the word "shall," so as to read "and shall equip," it will limit it to such vessels as may be assigned there.

Mr. BROUSSARD. That will be satisfactory.

Mr. SWANSON. I think the insertion of the word "shall" there will leave a discretion that is reasonable.

Mr. BROUSSARD. I move that the word "shall" be inserted.

The PRESIDING OFFICER (Mr. KENYON in the chair). Will the Senator state exactly where his amendment comes in?

Mr. BROUSSARD. In line 10, page 175, before the word "equip," I move to insert the word "shall."

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. On line 10, in the committee amendment on page 175, before the word "equip," the first word in the line, it is proposed to insert the word "shall."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. NORRIS. I offer an amendment, which I desire to have printed and lie on the table.

The PRESIDING OFFICER. Without objection, it will be so ordered.

Mr. NORRIS. I wish to make a further inquiry of the Senator from Virginia, having charge of the bill. I could not hear the remark he made a while ago, but I understood him to say there would be no attempt made to finish the bill to-night.

Mr. SWANSON. There will be no attempt made to finish the bill tonight.

Mr. NORRIS. The amendment that was recently laid over, regarding the increase of the Navy, will not come up to-day?

Mr. SWANSON. It will go over until to-morrow. I assure the Senator that it will not be brought up again to-day.

Mr. NORRIS. I asked that question because the amendment that I have just asked to have printed is an amendment to that part of the bill.

Mr. SWANSON. We will let it go over until to-morrow. I will not bring up that amendment until to-morrow.

The SECRETARY. After the amendment just agreed to, it is proposed to insert:

The Secretary of War and the Secretary of the Navy are authorized and directed to report to Congress at the earliest practicable date, not later than December 4, 1916:

First. Specific plans for improvement of the harbors and connecting channels which, in their judgment, will best provide adequate facilities for operations of the fleet for defense of the harbors of Portland, Me.; Boston, Mass.; Providence, R. I.; New London, New Haven, and Bridgeport, Conn.; New York, N. Y.; Norfolk, Va.; Savannah and Brunswick, Ga.; Charleston, S. C.; New Orleans, La.; Galveston, Tex.; San Diego and San Francisco, Cal.; and Seattle, Wash.

Mr. PENROSE. Mr. President, while that paragraph is before the Senate I should like to ask the Senator from Virginia whether there would be any objection to adding "Philadelphia"?

Mr. SWANSON. None whatever.

Mr. LODGE. I suggest that the amendment be read first.

Mr. PENROSE. Well, there is one paragraph——

The PRESIDING OFFICER. Let the Secretary finish reading the amendment.

Mr. SWANSON. I have an amendment including that. I should like to get the committee amendment perfected first. Possibly it is included in that. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The Senator from Pennsylvania has been recognized.

Mr. PENROSE. I should like to have the word "Philadelphia" put in after "New York"—"Philadelphia, Pa."

Mr. SWANSON. I have no objection.

Mr. BORAH. Why not put it in before "New York"?

Mr. PENROSE. I was putting it in before "Norfolk," in line 2, and I thought that was sufficient presumption.

The PRESIDING OFFICER. The Senator offers that as an amendment?

Mr. PENROSE. I do; and it is accepted, as I understand.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. On page 176, line 2, after the words "New York," it is proposed to insert "Philadelphia, Pa.," and a semicolon.

The amendment to the amendment was agreed to.

Mr. SWANSON. Now, I have an amendment that I wish to offer.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. It is also proposed to insert "Camden, N. J.," and "Wilmington, Del."

The amendment to the amendment was agreed to.

Mr. SWANSON. I have another committee amendment here.

Mr. LODGE. I have a committee amendment to offer.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. On page 175, line 22, after the word "harbors," it is proposed to insert the words "and canals."

Mr. LODGE. That was the amendment I was about to offer.

The amendment to the amendment was agreed to.

The SECRETARY. On page 176, line 5, after the word "Seattle," it is proposed to insert the words "Willapa and Grays Harbors."

The amendment to the amendment was agreed to.

Mr. SHEPPARD. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. On page 176, line 4, between the words "Texas" and "San Diego," it is proposed to insert:

Port Arthur, Tex.; Freeport, Tex.; Port Aransas, Tex.; Corpus Christi, Tex.; Rockport, Tex.; Brazos Island, Tex.

Mr. VARDAMAN. Mr. President, I should like to amend that by adding "Gulfport and Pascagoula, Miss."

Mr. LODGE. In behalf of the Senator from Oregon I desire to offer an amendment.

The PRESIDING OFFICER. The Chair will state to the Senator from Massachusetts that an amendment to the amendment is now pending.

Mr. LODGE. I beg pardon; I thought it was disposed of.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Mississippi [Mr. VARDAMAN] to the amendment of the Senator from Texas [Mr. SHEPPARD] to add "Gulfport and Pascagoula, Miss."

Mr. BORAH. What are these amendments for?

Mr. LODGE. For the board of officers to visit.

Mr. SWANSON. The board of officers on the question of preparedness will visit these places, and the Secretary of War and the Secretary of the Navy will make a report on a proper plan of preparedness.

Mr. OVERMAN. Mr. President, there is one place left out that I think the committee ought to have put in, and that is Wilmington, N. C. There was fought there the greatest battle of the Civil War, at Fort Fisher. Wilmington ought to be included, and that place ought to be looked into to see if there are proper defenses. We have a fort there now. I think Wilmington ought to be included.

Mr. WILLIAMS. I think that if this is to go on indefinitely we had better take a map and look around the Gulf coast and the South Atlantic coast and the Pacific coast and put in all the places, and take the towns in Arizona and New Mexico and Texas on the Rio Grande and put them all in. It seems to me that these officials can be trusted to know what towns we should prepare to defend without having them specially designated by Congress, when mentioning one by omission implies that some others are not equally worthy of defending.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Mississippi [Mr. VARDAMAN] to the amendment.

The amendment to the amendment was agreed to.

Mr. LODGE. I wish to offer an amendment to the amendment.

The PRESIDING OFFICER. The question pending is the amendment of the Senator from Texas [Mr. SHEPPARD] to the amendment of the committee.

The amendment to the amendment was agreed to.

Mr. LODGE. Mr. President——

Mr. SHAFROTH. I desire to move that all from the words "Portland, Me.," in line 25, be stricken out and that the words "the United States" be inserted, so as to leave the wording of it as follows:

First. Specific plans for improvement of the harbors and connecting channels which, in their judgment, will best provide adequate facilities for operations of the fleet for defense of the harbors of the United States.

That will avoid naming any harbors.

Mr. LODGE. If I am recognized now——

The PRESIDING OFFICER. The Chair has recognized the Senator from Massachusetts.

Mr. LODGE. So I understood.

The PRESIDING OFFICER. The Chair will ask other Senators to take their seats.

Mr. LODGE. I was about to make the motion which the Senator from Colorado has just made.

Mr. THOMAS. Will the Senator permit me to suggest that the amendment refers to salt-water harbors. There are a number of harbors where there could be no possible operation of a fleet.

Mr. LODGE. I think it ought to be "tidewater harbors" or Atlantic and Pacific and Gulf coasts. It is obviously those harbors and it is a mere question of making it exact. There is no sense in making the amendment ridiculous by stringing on every possible harbor that anyone may think of on the Atlantic and Pacific and Gulf coasts. What we want is a report from the officers of the Navy Department and the War Department as to the harbors, canals, and channels on our Atlantic, Gulf, and Pacific coasts, and they will select and let us know what is necessary to be done. That seems to me to be the sensible way to frame the amendment.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Colorado [Mr. SHAFROTH] to the amendment.

Mr. LODGE. I think it would be better to say Atlantic, Gulf, and Pacific coasts.

Mr. SHAFROTH. I accept that.

Mr. SHEPPARD. Let it be read.

The PRESIDING OFFICER. The Secretary will read the amendment to the amendment as modified.

The SECRETARY. Strike out all after the word "harbors," in line 25, on page 175, down to and including the word "Washington," in line 5, on page 176, and insert:

On the Atlantic, Gulf, and Pacific coasts of the United States.

Mr. LODGE. To make the amendment exact, the words "and canals" should be inserted after "harbors."

The PRESIDING OFFICER. It will be so modified. The Secretary will read it as proposed to be amended.

The SECRETARY. So as to read:

First. Specific plans for improvement of the harbors and canals and connecting channels which, in their judgment, will best provide adequate facilities for operations of the fleet for defense of the harbors of the Atlantic, Gulf, and Pacific coasts of the United States.

Mr. VARDAMAN. Mr. President, a point of order. Has not the amendment been adopted as amended?

The PRESIDING OFFICER. It has not.

Mr. VARDAMAN. This is offered as a substitute for the amendment as amended.

The PRESIDING OFFICER. It is a substitute for the several amendments to the amendment that has been offered and agreed to.

Mr. LODGE. The whole amendment has not been read.

The Secretary continued the reading of the amendment on page 176, line 6, as follows:

Second. The feasible extensions requisite to make existing approved projects for improvement of the aforementioned harbors available for the purposes stated in the foregoing paragraph.

Third. The cost of each such several improvements calculated upon the basis of completion thereof under contract within five years.

Mr. PENROSE. I suggest to the Senator from Virginia that the words "aforementioned harbors" ought to be stricken out in lines 7 and 8, on page 176.

Mr. BRANDEGEE. They are mentioned as harbors of the United States.

Mr. PENROSE. But canals are included.

Mr. BRANDEGEE. But it still stands "harbors on the Atlantic, Pacific, and Gulf coasts of the United States." Therefore they are aforementioned.

Mr. PENROSE. Ought it not to read "harbors and canals," in line 8, to follow the other language?

Mr. LODGE. I move to insert, after the word "harbors," the words "canals and channels."

The SECRETARY. On page 176, line 8, after the word "harbors," insert "canals and channels."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 176, after line 12, to insert:

The President, in time of war or when war is imminent, or for the purpose of carrying out the authorizations for which appropriations are made in this act, is empowered, through the head of any department of the Government, in addition to the present authorized methods of purchase or procurement, to place an order with any individual, firm, association, company, corporation, or organized manufacturing industry for such product or material as may be required, and which is of the nature and kind usually produced or capable of being produced by such individual, firm, company, association, corporation, or organized manufacturing industry.

Compliance with all such orders for products or material shall be obligatory on any individual, firm, association, company, corporation, or organized manufacturing industry or the responsible head or heads thereof and shall take precedence over all other orders and contracts theretofore placed with such individual, firm, company, association, corporation, or organized manufacturing industry, and any individual, firm, association, company, corporation, or organized manufacturing industry or the responsible head or heads thereof owning or operating any plant equipped for the manufacture of shipbuilding, engineering, and ordnance material, and any individual, firm, association, company, corporation, or organized manufacturing industry or the responsible head or heads thereof owning or operating any manufacturing plant, which, in the opinion of the Secretary of the Navy, shall be capable of being readily transformed into a plant for the manufacture of shipbuilding, engineering, and ordnance material, or other necessary supplies or equipment, who shall refuse to give to the United States such preference in the matter of the execution of orders, or who shall refuse to manufacture the kind, quantity, or quality of shipbuilding, engineering, and ordnance material, or any necessary supplies or equipment, as ordered by the Secretary of the Navy, or who shall refuse to furnish such shipbuilding, engineering, and ordnance material, or other supplies or equipment, at a reasonable price as determined by the Secretary of the Navy, then, and in either such case, the President, through the head of any department of the Government, in addition to the present authorized methods of purchase or procurement herein provided for, is hereby authorized to take immediate possession of any such plant or plants and, under the supervision of the Secretary of the Navy, to manufacture therein in time of war, or when war shall be imminent, such product or material as may be required, and any individual, firm, company, association, or corporation, or organized manufacturing industry, or the responsible head or heads thereof, failing to comply with the provisions of this section shall be deemed guilty of a felony, and upon conviction shall be punished by imprisonment for not more than three years and by a fine not exceeding $50,000.

Mr. BORAH. Is that an amendment of the Senate committee?

The PRESIDING OFFICER. It is an amendment of the Senate committee.

Mr. LODGE. It was put in by the Senate committee. It is a copy of the provision in the Army law which has just been passed.

Mr. BORAH. It is a very drastic proposition, it makes no difference where it comes from.

Mr. LODGE. It is a very drastic proposition.

Mr. BORAH. I should like to have it go over to-night.

The PRESIDING OFFICER. Without objection, it will go over.

Mr. SWANSON. I wish to say to the Senator that we have no objection to its going over, but this is what we passed in the Army bill, except it is applicable to what is appropriated this year.

Mr. LODGE. And in time of war.

Mr. SWANSON. And in time of war. We had information that it was nearly impossible to construct ships of any kind now. The contracts have been delayed a great many years, and a great many of these industries and manufacturing establishments have contracts for years ahead. It is impossible, except when we purchase the ships for the department to facilitate the construction unless there is some such power as this given. We duplicated the law relative to the Army as far as we could, simply putting in the addition that it should apply to the authorizations this year for which we make the appropriations. If the Senator desires it will go over.

Mr. BORAH. I should like, at least, to read one of these promulgations of the guard.

Mr. WEEKS obtained the floor.

Mr. SHAFROTH. Before it goes over I should like to make a suggestion.

The PRESIDING OFFICER. The Senator from Massachusetts [Mr. WEEKS] has been recognized twice.

Mr. WEEKS. Mr. President, I was called from the Chamber when the provision, on page 175, relating to navy yards and the development of navy yards was considered. I wish to make some comments on that paragraph, and I ask unanimous consent to return to it.

Mr. President, the other day, during the consideration of this bill, some suggestion was made about navy-yard development and the building of ships in navy yards. This proposition, in my opinion, is the most indefensible item in the bill. We are going to spend $6,000,000 to partially prepare half a dozen navy yards for building purposes. We have within five minutes reached a provision which will enable the Government to go into a manufacturing establishment and take possession of it and do what it likes when an emergency arises, and yet we are, on the very next page, appropriating $6,000,000 to put the shipbuilding industry of this country out of business.

If the appropriations were to be limited to $6,000,000, I would not especially criticize it, but we are appropriating $315,000,000 in the bill, and that is only a starter. We now have two plants where we can manufacture capital ships. We are going to develop five more. So we are going to have seven shipyards where we can manufacture capital or other ships. The annual appropriation for such a purpose will be, in my judgment, very much greater than most Senators have contemplated. The maintenance of our navy yards is a very important matter. We have 26 or 27 navy yards now. Every year we appropriate to maintain the plants, to keep the yards and buildings in order and repair, and the appropriations are a very considerable part of the total appropriations for the naval service.

Just listen to the list of navy yards which we now maintain for ordinary purposes: Portsmouth, Boston, Newport, New London, Sacket Harbor, New York, Philadelphia, Norfolk, Charleston, Port Royal, Key West, Pensacola, New Orleans, Guantanamo, San Juan, Culebra, Cavite, San Diego, Mare Island, Bremerton, Great Lakes, Indianhead, Tutuila, Pearl Harbor, and Washington, D. C.

Many of those are not equipped to build capital ships, and that is the movement which we are now undertaking.

Our total naval appropriations from 1900 to 1913, inclusive, amounted to $1,656,000,000. Up to the 30th of June, 1910, for the first 10 years of that period the total appropriations made to cover the cost of navy yards amounted to $320,600,000, or more than 20 per cent of the total amount appropriated for all naval purposes.

To show that an unreasonable amount has been expended for this purpose, it is only necessary to call attention to the appropriations for the year 1914, which aggregated $140,736,000. This appropriation was divided as follows: Increase of the Navy, $35,300,000; pay of the Navy, $41,000,000; Marine Corps, $7,600,000; supplies, $9,600,000; navigation, $3,000,000; Naval Academy, $600,000; medicine and surgery, $700,000; and coal, $5,000,000. Of the balance—$38,000,000—$12,700,000 was appropriated for the Bureau of Ordnance, largely for the purchase of supplies and the manufacture of mines, torpedoes, and guns at Washington, Newport, and Indianhead; $6,100,000 for the Bureau of Steam Engineering, which included the purchase of engines and other material used in this department; $5,300,000 for the Bureau of Equipment, largely for the purchase of supplies other than coal; and $8,665,000 was expended by the Bureau of Construction and Repair, which expenditure covers the repair of ships at navy yards, the preservation and completion of vessels on the stocks, the purchase of material and stores for this purpose, all kinds of machinery necessary for employment in connection with such work, designing naval vessels, repair of vessels connected with the yard and many miscellaneous expenses connected with that service.

Substantially speaking, the item which I have just referred to covers the cost of the work carried on at all of our navy yards, although the accounts are so kept that it is impossible to differentiate between new construction and renewals, while some items connected with the work of the Bureaus of Equipment, Steam Engineering, and Yards and Docks should be added to this appropriation. However, I think it is safe to say that not less than 8 nor more than 10 millions of dollars would be the total amount required for construction work, except the increase of the Navy item, carried on at our navy yards, including all repairs. Yet, in 1914 there was appropriated $4,348,945 for the extension, renewals, and repair of public works connected with navy yards.

Of this expenditure for navy yards, naval stations, and magazines only $800,000 was actually appropriated for repairs and preservation, so that the additions made to the plants—now, bear this in mind—so that the additions made to the plants at our navy yards and naval stations for the year 1914 amounted to $3,823,000. While these figures seem exorbitant and out of all proportion to the amount of work carried on at such places, an examination of naval appropriations in other years seems to indicate that that is about the normal amount required for that purpose.

What manufacturing business could be carried on successfully which required, in the form of additions, changes, and other similar expenditures, an amount aggregating substantially 50 per cent of the gross output of the plant? The fact of the matter is that a large percentage of these appropriations are not necessary, or would not be necessary, if a change were made in the location and management of our navy yards. Although England's Navy is two to three times as large as ours, we have twice as many navy yards as has Great Britain and more than three times as many as Germany, whose navy is certainly larger than ours at this time. If our plants could be concentrated into not exceeding three on the North Atlantic coast, one at or near Key West, one at Pearl Harbor, and not exceeding two on the Pacific coast, the remainder of the present plants being disposed of, I believe the change could be made without a very large new expenditure and that the cost of maintenance in future could be reduced at least one-half. I am using these figures simply to illustrate one of the elements in our naval expenditures where, it seems to me, material savings can be made and would be made by any business concern conducting operations of the character involved in the work of our yards; and yet now we are undertaking to equip five great yards so that we can build naval ships there, involving the expenditures incident to the equipment and maintenance of these yards during the life of the Republic so far as we can see. In other words, instead of 50 per cent of the total appropriation made for the repairs of ships and expenses incident thereto being expended for additions in navy yards, we are going to put ourselves in a position where we shall spend 75 per cent as much money to maintain our plants as we shall spend in the repairs of ships and other such matters.

Mr. VARDAMAN. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Mississippi?

Mr. WEEKS. I yield to the Senator from Mississippi.

Mr. VARDAMAN. I was very much impressed with what the Senator was saying, and it occurred to me that if at the conclusion of war in Europe the President of the United States should be able to effect the understanding which would bring about world peace and which this bill contemplates he may effect, $200,000 being appropriated to pay the expenses of the commission to the Peace Conference of the Nations, the outlay which the Senator has just commented upon would be without warrant or justification; that the plants to be constructed would be wholly unnecessary, and they would have to be torn down or given away or destroyed, and the people of this country who pay the taxes which furnished the money that constructed them would be needlessly burdened. I am personally in favor of the Government building all of its fighting ships, and if the ships were needed I should favor getting ready for the building. But the Government does not need the ships and may never need them. Then why, in the name of justice and truth, should this tremendous load be put upon the taxpayers? Why this haste in this matter, which means so much to the people, whose labor bears all the expense of government?

Mr. WEEKS. I do not expect to accomplish anything by the comments I am making. I am simply scolding about an item of what I consider willful waste.

Mr. VARDAMAN. I agree very heartily with the Senator as to that. I agree with him also that he will not accomplish anything by what he is saying, nor will anybody else who proposes to cut down appropriations. I think the enormous appropriations carried in this bill for the enlargement of our Navy is wholly unjustified from any viewpoint of the public good. The people are to be taxed and the money squandered in the building of a navy which will never be needed if the people of this Republic shall be true to their own interests, loyal to their Government, and faithful to the traditions of the Democratic Party.

Mr. WEEKS. We are providing for the building of seven capital ships; that is to say, we can build under the provisions of this act capital ships in seven navy yards; and I will make the prediction that we shall not again build seven capital ships in any one year or in any two years within the term of service of any Member of this body to-day; in other words, these plants are going to be idle very much of the time with the expense of maintenance going on every year.

We have seen examples within the last two days of the desire of individual Senators to have something accomplished in their own neighborhoods. What Senator is going to stand idly by and not have his plant running at full capacity if he can get it done? The pressure on the Navy Department to get ships built at navy yards will be pretty nearly enough—I do not know whether it will be entirely sufficient—to drive any man from the position of Secretary of the Navy.

We are immeasurably overdoing this thing. I can not enter too strong a protest against this general policy of putting the Government in business at the expense of private concerns. I agree that we should be able to prevent monopoly; that we should be able to prevent collusion among manufacturers, so that we could get ships built at a fair price; but I maintain that it costs from 10 to 20 per cent more to build a ship in a Government navy yard than it does by a private concern; and that, if we prepare these plans as is contemplated in this bill, we are going to build in navy yards hereafter instead of by contract. The result is going to be a largely increased expense to build the Navy, to maintain the naval establishment, and in every item connected with it. I wish I had the power to knock at least three-fourths of this item out of the bill.

Mr. OVERMAN. How many navy yards are prepared to build capital ships?

Mr WEEKS. Two.

Mr. OVERMAN. Only two?

Mr. WEEKS. Only two.

Mr. OVERMAN. Where are they located?

Mr. WEEKS. At New York and Mare Island.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Idaho?

Mr. WEEKS. I do.

Mr. BORAH. How much is provided for by this item?

Mr. WEEKS. The item which is now appropriated for carries an appropriation of $6,000,000, but that is but a beginning; that is simply the first appropriation.

Mr. BORAH. That is a very good beginning.

Mr. WEEKS. It will not amount to anything compared with the appropriations that will follow for the completion and maintenance of these plants.

Mr. SHAFROTH. Mr. President, I should like to ask the Senator from Massachusetts whether this provision would not be more satisfactory to him, beginning at line 9, on page 175——

Mr. SWANSON. That provision has been adopted, but it can again come up in the Senate.

Mr. SMOOT. The vote whereby it was adopted may be reconsidered.

Mr. OVERMAN. The Senator may ask unanimous consent to have that done.

Mr. SHAFROTH. I will merely make the suggestion to the Senator from Massachusetts, though I do not expect to make any motion in relation to it. I suggest that the amendment be changed to read in this way:

The Secretary of the Navy is authorized to improve and equip such of the navy yards of the United States as he deems most desirably located for the construction of such ships herein or as may be hereafter authorized as he may assign to such yards for construction, and the sum of $6,000,000, or so much thereof as may be necessary, is hereby appropriated for this purpose.

Then strike out the remainder of the clause. It seems to me that that would give the Secretary the opportunity of selecting the very best places. We, not having sufficient knowledge, are not competent to do so.

Mr. WEEKS. I think I shall consider the form of the change suggested by the Senator from Colorado, and to-morrow I shall move to reconsider the vote by which the amendment was adopted and endeavor to suggest an amendment to better the proposition.

Mr. OVERMAN. I call the attention of the Senator from Massachusetts to the words in line 9, page 175, which read:

Provided, That the navy yards at Puget Sound, Norfolk, and Boston shall be equipped for the construction of capital ships forthwith.

In addition to those, as I understand, we have the navy yards at Mare Island and at New York equipped for building such ships.

Mr. WEEKS. That would make five navy yards at which capital ships could be built, and there are several others adapted to other purposes.

Mr. OVERMAN. For what purpose are the other navy yards to be used—merely to make repairs?

Mr. WEEKS. They are for repairs and various other purposes.

Mr. BRANDGEE. Mr. President, I desire to call the attention of the Senator in charge of the bill to a matter to which I referred a while ago. A few moments ago I allowed the amendment on page 131 as to the restoration of certain officers to the service to be acted upon with the understanding that when I procured the name of another officer similarly situated I might be allowed to offer an amendment including his name. I now ask unanimous consent to turn back for a moment to that amendment, and I move, on page 131, in line 12, before the word "Commander," and after the word "Navy," to insert the name I have sent to the Secretary's desk.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. On page 131, line 12, after the word "Navy," and before the word "Commander," it is proposed to insert "Capt. Frank W. Kellogg, retired, to be a captain on the active list to take rank next after Capt. Thomas Snowden, United States Navy."

The PRESIDING OFFICER. The question is on agreeing to the amendment

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Naval Affairs was, on page 178, after line 10, to insert:

That section 125 of the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, be, and it is hereby, amended to read as follows:

"Protection of the uniform: It shall be unlawful for any person not an officer or enlisted man of the United States Army, Navy, or Marine Corps to wear the duly prescribed uniform of the United States Army, Navy, or Marine Corps, or any distinctive part of such uniform, or a uniform any part of which is similar to a distinctive part of the duly prescribed uniform of the United States Army, Navy, or Marine Corps: *Provided*, That the foregoing provision shall not be construed so as to prevent officers or enlisted men of the National Guard from wearing, in pursuance of law and regulations, the uniform lawfully prescribed to be worn by such officers or enlisted men of the National Guard; nor to prevent members of the organization known as the Boy Scouts of America, or the Naval Militia, or such other organizations as the Secretary of War or the Secretary of the Navy may designate, from wearing their prescribed uniforms, nor to prevent persons who in time of war have served honorably as officers of the United States Army, Navy, or Marine Corps, Regular or Volunteer, and whose most recent service was terminated by an honorable discharge, muster out, or resignation, from wearing, upon occasions of ceremony, the uniform of the highest grade they have held by brevet or other commission in such Regular or Volunteer service; nor to prevent any person who has been honorably discharged from the United States Army, Navy, or Marine Corps, Regular or Volunteer, from wearing his uniform from the place of his discharge to his home, within three months after the date of such discharge; nor to prevent the members of military societies composed entirely of honorably discharged officers or enlisted men, or both, of the United States Army, Navy, or Marine Corps, Regular or Volunteer, from wearing, upon occasions of ceremony, the uniform duly prescribed by such societies to be worn by the members thereof; nor to prevent the instructors and members of the duly organized cadet corps of a State university, State college, or public high school offering a regular course in military instruction from wearing the uniform duly prescribed by the authorities of such university, college, or public high school for wear by the instructors and members of such cadet corps; nor to prevent the instructors and members of the duly organized cadet corps of any other institution of learning offering a regular course in military instruction, and at which an officer or enlisted man of the United States Army, Navy, or Marine Corps is lawfully detailed for duty as instructor in military science and tactics, from wearing the uniform duly prescribed by the authorities of such institution of learning for wear by the instructors and members of such cadet corps; nor to prevent civilians attendant upon a course of military or naval instruction authorized and conducted by the military or naval authorities of the United States from wearing, while in attendance upon such course of instruction, the uniform authorized and prescribed by such military or naval authorities for wear during such course of instruction; nor to prevent any person from wearing the uniform of the United States Army, Navy, or Marine Corps, or who is accredited by the Secretary of the Navy as a representative or correspondent of the press or, in any playhouse or theater or in moving-picture films while actually engaged in representing therein a military or naval character not tending to bring discredit or reproach upon the United States Army, Navy, or Marine Corps; *Provided further*, That the uniforms worn by officers or enlisted men of the National Guard, or by the members of the military societies or the instructors and members of the cadet corps referred to in the preceding proviso, shall include some distinctive mark or insignia to be prescribed by the Secretary of War or the Secretary of the Navy to distinguish such uniforms from the uniforms of the United States Army, Navy, or Marine Corps: *And provided further*, That the members of the military societies and the instructors and members of the cadet corps hereinbefore mentioned shall not wear the insignia of rank prescribed to be worn by officers of the United States Army, Navy, or Marine Corps, or any insignia of rank similar thereto.

"Any person who offends against the provisions of this section shall, on conviction, be punished by a fine not exceeding $300, or by imprisonment not exceeding six months, or by both such fine and imprisonment."

Mr. PENROSE. Mr. President, in the committee amendment, on page 179, line 2, I desire to offer an amendment. I have not, however, prepared the amendment as yet, and will therefore take an opportunity of bringing it up later if the Senator from Virginia has no objection.

Mr. THOMAS. Mr. President, I shall not take up the time of the Senate very long in referring to this amendment. I merely wish to point out that as it stands it is of no value whatever. When the Army reorganization bill was before the Senate I submitted an amendment which was agreed to, but afterwards emasculated in conference, designed to protect the American uniform. I presume it was impossible to secure the enactment of such a measure by the conference committee, and the bill should not have been delayed by any effort to force it after the improbability of doing so became apparent. That amendment is, I presume, the basis for this one, since it is designed to supersede that one and to apply as well to the Navy and Marine Corps.

Mr. President, the only thing that this amendment does is to make it unlawful for those who are not entitled to wear the uniform to do so, except under the circumstances which are specified. As conditions are in this country, nobody wants to wear the American uniform—and, of course, I refer to the uniform of the private—because it is no mark of honor or distinction, but rather one of reproach and sometimes of humiliation. The Amreican uniform is discriminated against constantly. It is not necessary to go into the many reasons assigned for it, but it is a matter of common knowledge that men wearing the uniform are frequently precluded from the privileges of playhouses, are denied entertainment at hotels and other public places. These are not always open to the wearers of the American uniform. Under these circumstances it is idle, it seems to me, to provide penalties for unlawfully wearing it.

I believe that we ought to protect the uniform; I believe that it should be made a badge of distinction, and it must be made at least as respectable as the clothing of an ordinary citizen if we are ever to have an army worthy of the name.

We have recently enacted a law providing for enormous increases in our Army, in response to a public demand, or a seeming public demand for that increase. Recently the militia has been mobilized, and some of the States have responded by presenting the quotas to which they were entitled, and their troops have been sent to the border. A large number of other National Guard organizations are unable to go, notwithstanding the most strenuous efforts at recruiting and at enlistment carried on, not only by public authorities, but through private solicitation on the part of those who are anxious to proceed to the border. It may be that this failure to respond is due to a lack of national spirit; it may be that it is due to the more

attractive pursuits of civil life; there may be many reasons for it; but I believe I am safe in saying that one of them is that the uniform of an enlisted man has no protection. In some places he does not receive decent treatment and is not accorded proper respect if he appears upon the streets clothed in the uniform of the American Army.

This amendment, instead of meeting that difficulty, does not even refer to it, and, instead of offering to the Army and Navy something substantial, it enacts a measure that will remain an idle and, in my judgment, an entirely valueless part of this bill, if it becomes a law.

Of course I can not blink my eyes to the fact that one reason for this discrimination against the uniform is largely due to the character and the complexion of a great many of the men who wear it. I am saying nothing whatever, Mr. President, that can be construed even indirectly—at least, I am not intentionally saying anything that can be so construed—in advocacy of a measure that is designed in any way to interfere with those social conditions which are regulated by the common customs of mankind and which no statute law can overthrow.

Nor am I in favor of a measure which, while pretending to protect the uniform, establishes a regulation that will interfere with the social customs of the country. That is not necessary at all. If John Smith is not worthy to enter a given house of entertainment because he is intoxicated, or because his character is such as to justify his expulsion if he enters or a denial of entry if he applies for it, or if his color is objectionable, those may or may not be perfectly legitimate grounds for exclusion; but it should not be placed upon the fact of the uniform he wears. It should not be permitted to be placed upon that fact under any circumstances.

We can enact this species of legislation forever; we can provide for a huge Army and for a huge Navy; we can appropriate untold millions to meet what is supposed to be a great national exigency; we may turn out the best ordnance in the world and the finest ships that sail the seas; but we will never have an Army, we will never have a Navy in this country until the fighting force in both is composed of American citizens filled with the spirit of patriotism and national unity, a spirit which is absolutely inconsistent with those practices which tend to humiliate and to cast reproach upon the men who wear the uniform.

Mr. PENROSE. Mr. President, I call the attention of the Senator from Virginia to line 1, page 179. I should like to amend that so that it will read "nor to prevent members of the organizations known as the Sons of Veterans and the Boy Scouts of America."

Mr. SWANSON. The Boy Scouts are included.

Mr. PENROSE. The Boy Scouts are included now. I want to make the word "organization" plural, and insert the words I have stated, so that it will read "members of the organizations known as the Sons of Veterans and the Boy Scouts of America."

Mr. SWANSON. I have no objection.

The PRESIDING OFFICER. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 181, line 23, after the word "who," to insert "in his judgment," and in line 24, after the words "qualified for," to strike out "the mission by eminence in the law and by devotion to the cause of peace" and insert "such duty," so as to make the clause read:

Upon the conclusion of the war in Europe, or as soon thereafter as it may be done, the President of the United States is authorized to invite all the great Governments of the world to send representatives to a conference which shall be charged with the duty of suggesting an organization, court of arbitration, or other body, to which disputed questions between nations shall be referred for adjudication and peaceful settlement, and to consider the question of disarmament and submit their recommendation to their respective Governments for approval. The President is hereby authorized to appoint nine citizens of the United States, who in his judgment shall be qualified for such duty to be representatives of the United States in such a conference. The President shall fix the compensation of said representatives and such secretaries and other employees as may be needed. Two hundred thousand dollars, or so much thereof as may be necessary, is hereby appropriated and set aside and placed at the disposal of the President to carry into effect the provisions of this paragraph.

The amendment was agreed to.

The next amendment was, on page 182, line 14, after the word "tribunals," to strike out "shall" and insert "may," so as to make the paragraph read:

If at any time before the appropriations authorized by this act shall have been contracted for there shall have been established, with the cooperation of the United States of America, an international tribunal or tribunals competent to secure peaceful determinations of all international disputes, and which shall render unnecessary the maintenance of competitive armaments, then and in that case such naval expenditures as may be inconsistent with the engagements made in the establishment of such tribunal or tribunals may be suspended, when so ordered by the President of the United States.

The amendment was ageed to.

The next amendment was, at the top of page 184, to insert:

The Secretary of the Navy is hereby directed to submit to the Congress during its next regular session a report on the largest battleship which can be undertaken in the United States in the present state of the shipbuilding and engineering sciences and arts, giving due consideration to the present and prospective depths and other limiting dimensions of the docks and harbors of the United States and its possessions and of the locks of the Panama Canal, and he shall further report the principal characteristics of such a vessel, giving the displacement, cost, number and size of guns, thickness of armor, speed and cruising radius, and he shall further report on the desirability of building one or more such vessels.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. SWANSON. Mr. President, there are some amendments that were passed over. I should like to take them up in their order.

The PRESIDING OFFICER. The Secretary will state the amendments passed over.

The SECRETARY. The first committee amendment passed over is on page 4, after line 22.

Mr. SWANSON. Let that go over. The Senator from Wisconsin [Mr. LA FOLLETTE] desired to have that passed over.

The PRESIDING OFFICER. The amendment will be again passed over.

The SECRETARY. The next amendment passed over is on page 29, after line 7.

Mr. SWANSON. Let that go over. I desire to get more information on it.

The PRESIDING OFFICER. The amendment will be again passed over.

The SECRETARY. The next amendment passed over is on page 42, after line 3, referring to an experimental and research laboratory.

Mr. SMOOT. Mr. President, I should like to have that go over until to-morrow morning. I have not the data at hand that I expected to get together. I will say to the Senator that if it does not arrive to-morrow I will not ask that action be delayed further.

Mr. SWANSON. Let that go over.

The PRESIDING OFFICER. The amendment will be again passed over.

The SECRETARY. The next amendment passed over is on page 49, after line 22—the amendment relating to the Naval Dental Corps.

Mr. OVERMAN. Let that go over.

The PRESIDING OFFICER. The amendment will be again passed over.

The SECRETARY. The next amendment passed over is on page 62——

Mr. POINDEXTER. I ask that that go over until to-morrow.

The PRESIDING OFFICER. The amendment will be again passed over.

The SECRETARY. The next amendment passed over is on page 65, lines 14 to 17, both inclusive.

Mr. WILLIAMS. That is the amendment that I requested to go over because I wanted to look into it. I have looked into it, and I find that it is perfectly satisfactory, and I have no objection.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 65 it is proposed to strike out lines 14 to 17, both inclusive, in the following words:

Such officers shall thereafter be required to perform engineering duties only, and shall be eligible for advancement to the higher grades in the manner herein provided for line officers assigned to engineering duty only.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SECRETARY. The next amendment passed over is on page 167, after line 8, the amendment relating to the increase of the Navy.

The PRESIDING OFFICER. That goes over under the agreement.

Mr. SWANSON. That goes over.

The SECRETARY. The next amendment passed over is on page 176, after line 12.

Mr. SWANSON. Let that go over.

The PRESIDING OFFICER. The amendment will be again passed over. That completes the amendments passed over.

Mr. SWANSON. I presume it will be in order now to consider amendments offered by individual Senators, if there are any such amendments to be offered. [A pause.]

The PRESIDING OFFICER. What is the further pleasure of the Senate?

EXECUTIVE SESSION.

Mr. SWANSON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

RECESS.

Mr. KERN. I move that the Senate take a recess until 10 o'clock to-morrow morning.

The motion was agreed to; and (at 5 o'clock and 55 minutes p. m.) the Senate took a recess until to-morrow, Saturday, July 15, 1916, at 10 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate July 14, 1916.

ASSOCIATE JUSTICE OF THE SUPREME COURT.

John H. Clarke, of Cleveland, Ohio, now serving as United States district judge northern district of Ohio, to be Associate Justice of the Supreme Court of the United States, vice Charles E. Hughes, resigned.

EXCISE BOARD, DISTRICT OF COLUMBIA.

Henry S. Baker, of the District of Columbia, to be a member of the excise board for the District of Columbia for a term of three years. (A reappointment.)

Andrew J. Cummings, of Chevy Chase, Md., to be a member of the excise board for the District of Columbia for a term of three years.

REAPPOINTMENT IN THE ARMY.

BUREAU OF INSULAR AFFAIRS.

Brig. Gen. Frank McIntyre, Chief of the Bureau of Insular Affairs of the War Department, to be chief of said bureau for the period of four years beginning August 24, 1916, with rank of brigadier general, with rank from August 24, 1912. Incumbent's present appointment will expire August 23, 1916.

POSTMASTERS.

ARKANSAS.

W. L. Hoover to be postmaster at England, Ark., in place of F. B. Schooley, resigned.

CALIFORNIA.

Frank A. Chapman to be postmaster at McFarland, Cal., in place of Frank A. Chapman. Office became presidential July 1, 1916.

IOWA.

R. C. Morse to be postmaster at Belmond, Iowa, in place of John L. McAlpine, resigned.

KANSAS.

Nancy M. McKechnie to be postmaster at Pawnee Rock, Kans., in place of Nancy M. McKechnie. Office became presidential July 1, 1916.

KENTUCKY.

Thomas Mimms to be postmaster at Guthrie, Ky., in place of W. L. Kimbrough. Incumbent's commission expires July 18, 1916.

MINNESOTA.

Mayme Murphy to be postmaster at Tower, Minn., in place of J. D. Murphy, resigned.

George W. Shipton to be postmaster at Ogilvie, Minn., in place of George W. Shipton. Office became presidential July 1, 1916.

NEBRASKA.

Gilbert E. Swanson to be postmaster at Oshkosh, Nebr., in place of Gilbert E. Swanson. Office became presidential January 1, 1916.

OHIO.

Thomas A. Duckworth to be postmaster at Johnstown, Ohio, in place of C. A. Burke. Incumbent's commission expired June 14, 1916.

PENNSYLVANIA.

Eli Hess to be postmaster at New Holland, Pa., in place of John Roland. Incumbent's commission expired May 20, 1916.

R. H. Johnston to be postmaster at Farrell, Pa., in place of John Leyshon. Incumbent's commission expired June 5, 1916.

Martin A. King to be postmaster at Clarks Summit, Pa., in place of W. B. Parker. Incumbent's commission expired December 18, 1915.

John Ray to be postmaster at West Middlesex, Pa., in place of A. E. Lewis. Incumbent's commission expired July 13, 1916.

VIRGINIA.

J. H. Cecil to be postmaster at Dublin, Va., in place of John S. Cecil. Incumbent's commission expired May 1, 1916.

WASHINGTON.

Lula M. Craft to be postmaster at McCleary, Wash., in place of Lula M. Craft. Office became Presidential July 1, 1916.

Lydia M. Rouls to be postmaster at Everson, Wash., in place of Lydia M. Rouls. Office became Presidential July 1, 1916.

CONFIRMATIONS.

Executive nominations confirmed by the Senate July 14, 1916.

COMMISSIONER OF THE DISTRICT OF COLUMBIA.

Oliver P. Newman to be a Commissioner of the District of Columbia.

CONSULS GENERAL.

CLASS 3.

George A. Chamberlain.

CLASS 5.

George N. West.

CONSULS.

CLASS 5.

Stuart K. Lupton.

CLASS 6.

Clarence E. Gauss.

CLASS 7.

Robertson Honey.
Felix Willoughby Smith.
Henry M. Wolcott.

CLASS 9.

Tracy Lay.

RECEIVER OF PUBLIC MONEYS.

Philip W. Brooks, receiver public moneys, El Centro, Cal.

REGISTER LAND OFFICE.

F. C. Farr, register land office, El Centro, Cal.

PUBLIC HEALTH SERVICE.

Dr. Robert R. Ivey to be assistant surgeon.
Dr. Vance B. Murray to be assistant surgeon.
Dr. Lendon H. Smith to be assistant surgeon.

APPOINTMENTS IN THE ARMY.

DENTAL CORPS.

Acting Dental Surg. Eugene Milburn to be dental surgeon with rank of first lieutenant.

Acting Dental Surg. Claudius Gordon Baker to be dental surgeon with rank of first lieutenant.

PORTO RICO REGIMENT OF INFANTRY.

Capt. Orval P. Townshend to be lieutenant colonel.
Capt. John M. Field to be major.
Capt. Edwin J. Griffith to be major.
Capt. Miles K. Taulbee to be major.

PROMOTIONS IN THE ARMY.

INFANTRY ARM.

To be colonels.

Lieut. Col. Joseph P. O'Neil.
Lieut. Col. Clarence E. Dentler.
Lieut. Col. Henry D. Styer.
Lieut. Col. Robert H. Noble.
Lieut. Col. Benjamin C. Morse.
Lieut. Col. John P. Finley.
Lieut. Col. Frederick R. Day.
Lieut. Col. Carl Reichmann.
Lieut. Col. Leon S. Roudiez.
Lieut. Col. Abraham P. Buffington.
Lieut. Col. William M. Wright.
Lieut. Col. André W. Brewster.
Lieut. Col. Charles H. Muir.
Lieut. Col. Almon L. Parmerter.
Lieut. Col. Samuel E. Smiley.
Lieut. Col. Daniel B. Devore.
Lieut. Col. Beaumont B. Buck.
Lieut. Col. William F. Martin.
Lieut. Col. Evan M. Johnson.
Lieut. Col. David J. Baker, jr.
Lieut. Col. Benjamin A. Poore.
Lieut. Col. James H. McRae.
Lieut. Col. Walter H. Gordon.

Lieut. Col. Armand I. Lasseigne.
Lieut. Col. James H. Frier.
Lieut. Col. Frank L. Winn.

To be lieutenant colonels.

Maj. Charles Gerhardt.
Maj. James T. Dean.
Maj. Ulysses G. McAlexander.
Maj. William K. Jones.
Maj. Edmund Wittenmyer.
Maj. Michael J. Lenihan.
Maj. Mark L. Hersey.
Maj. Frank H. Albright.
Maj. Frederic D. Evans.
Maj. Earl C. Carnahan.
Maj. Edson A. Lewis.
Maj. Charles E. Tayman.
Maj. James W. McAndrew.
Maj. Edward R. Chrisman.
Maj. Peter C. Harris.
Maj. Munroe McFarland.
Maj. William T. Wilder.
Maj. William R. Sample.
Maj. William R. Dashiell.
Maj. Eli A. Helmick.
Maj. William C. Bennett.
Maj. Frederic H. Sargent.
Maj. Wilson Chase.
Maj. Charles B. Hagadorn.
Maj. Harry R. Lee.
Maj. Francis E. Lacey, jr.
Maj. Sydney A. Cloman.
Maj. Charles Crawford.
Maj. William S. Graves.
Maj. Frank D. Webster.
Maj. Joseph D. Leitch.
Maj. Samuel Burkhardt, jr.
Maj. Robert Alexander.
Maj. William O. Johnson.
Maj. James R. Lindsay.
Maj. Fred W. Sladen.
Maj. Harry H. Bandholtz.
Maj. Henry T. Ferguson.
Maj. Henry G. Learnard.
Maj. Peter Murray.
Maj. Paul A. Wolf.

To be majors.

Capt. John C. McArthur.
Capt. Frank D. Ely.
Capt. Edwin Bell.
Capt. Otho B. Rosenbaum.
Capt. George H. Estes.
Capt. Oliver Edwards.
Capt. John S. Battle.
Capt. William E. Welsh.
Capt. Frederick G. Stritzinger, jr.
Capt. Charles C. Smith.
Capt. Frank L. Wells.
Capt. Briant H. Wells.
Capt. John W. Barker.
Capt. James P. Harbeson.
Capt. Hugh D. Wise.
Capt. Pegram Whitworth.
Capt. James A. Moss.
Capt. Ulysses G. Worrilow.
Capt. Frank J. Morrow.
Capt. Henry C. Clement, jr
Capt. Robert S. Offley.
Capt. Murray Baldwin.
Capt. Samuel P. Lyon.
Capt. Jens Bugge
Capt. Charles H. Paine.
Capt. Thomas W. Darrah.
Capt. Americus Mitchell.
Capt. Perry L. Miles.
Capt. James A. Lynch.
Capt. Milton L. McGrew.
Capt. Lorrain T. Richardson.
Capt. Charles R. Howland.
Capt. Louis M. Nuttman.
Capt. Glenn H. Davis.
Capt. Franklin S. Hutton.
Capt. Fine W. Smith.
Capt. Walter S. McBroom.
Capt. Benjamin T. Simmons.
Capt. Girard Sturtevant.
Capt. Louis H. Bash.
Capt. Frank B. Watson.
Capt. Oscar J. Charles.
Capt. Thomas A. Pearce.
Capt. Robert H. Allen.
Capt. Dwight W. Ryther.
Capt. William F. Creary.
Capt. Edward T. Hartmann.
Capt. Frederick B. Shaw.
Capt. William B. Cochran.
Capt. Harry F. Rethers.
Capt. Herschel Tupes.
Capt. George H. Shelton.
Capt. Isaac Newell.
Capt. Lawrence B. Simonds.
Capt. Merch B. Stewart.
Capt. Frederick W. Lewis.
Capt. Dennis E. Nolan.
Capt. James N. Pickering.
Capt. William A. Burnside.
Capt. Reynolds J. Burt.
Capt. Russell C. Langdon.
Capt. Harry H. Tebbetts.
Capt. Arthur R. Kerwin.
Capt. George S. Goodale.
Capt. Frank C. Bolles.
Capt. James W. Clinton.
Capt. Alexander T. Ovenshine.
Capt. Henry E. Eames.
Capt. Carroll F. Armistead.
Capt. Robert Field.
Capt. Paul Giddings.
Capt. Edward S. Walton.
Capt. Alfred T. Smith.
Capt. Fred L. Munson.
Capt. Thomas M. Anderson, jr.
Capt. John E. Hunt.
Capt. Charles D. Roberts.
Capt. Claude H. Miller.
Capt. Harold B. Fiske.
Capt. John H. Hughes.
Capt. George W. Helms.
Capt. Rufus E. Longan.
Capt. Edward A. Roche.
Capt. William M. Fassett.
Capt. Henry M. Dichmann.
Capt. Halstead Dorey.
Capt. George F. Baltzell.
Capt. Edgar T. Conley.
Capt. Edgar T. Collins.

To be captains.

First Lieut. Harry W. Gregg.
First Lieut. Staley A. Campbell.
First Lieut. John R. Brewer.
First Lieut. Leo A. Dewey.
First Lieut. John P. McAdams.
First Lieut. Nolan V. Ellis.
First Lieut. Richard Wetherill.
First Lieut. John B. Barnes.
First Lieut. Thomas T. Duke.
First Lieut. Harry A. Wells.
First Lieut. George W. Harris.
First Lieut. Edward C. McCleave.
First Lieut. John K. Cowan.
First Lieut. Pat M. Stevens.
First Lieut. George S. Gillis.
First Lieut. Deas Archer.
First Lieut. John J. Fulmer.
First Lieut. Francis C. Endicott.
First Lieut. Frederick E. Wilson.
First Lieut. Henry Hossfeld.
First Lieut. John J. Mudgett.
First Lieut. Wilford Twyman.
First Lieut. William St. J. Jervey.
First Lieut. Channing E. Delaplane.
First Lieut. Laurance O. Mathews.
First Lieut. Thorne Strayer.
First Lieut. Francis B. Eastman.
First Lieut. Kneeland S. Snow.
First Lieut. Robert G. Caldwell.
First Lieut. Hugh A. Parker.
First Lieut. Charles W. Tillotson.
First Lieut. Will D. Wills.

First Lieut. Arthur T. Dalton.
First Lieut. Otho E. Michaelis.
First Lieut. William C. Stoll.
First Lieut. Ira A. Smith.
First Lieut. James E. Ware.
First Lieut. William J. Davis.
First Lieut. John F. Clapham.
First Lieut. Kenneth P. Williams.
First Lieut. William A. Alfonte.
First Lieut. Daniel A. Nolan.
First Lieut. Charles E. Swartz.
First Lieut. Benjamin D. Foulois.
First Lieut. Ralph H. Leavitt.
First Lieut. Goodwin Compton.
First Lieut. Launcelot M. Purcell.
First Lieut. James E. McDonald.
First Lieut. William F. C. Jepson.
First Lieut. Carl F. von dem Bussche.
First Lieut. Fay W. Brabson.
First Lieut. Royden E. Beebe.
First Lieut. William J. O'Laughlin.
First Lieut. Charles T. Smart.
First Lieut. Girard L. McEntee.
First Lieut. Charles Keller.
First Lieut. John Scott.
First Lieut. George C. Rockwell.
First Lieut. Smith A. Harris.
First Lieut. Noble J. Wiley.
First Lieut. George C. Marshall, jr.
First Lieut. Robert L. Meador.
First Lieut. Samuel T. Mackall.
First Lieut. Charles C. Herman, jr.
First Lieut. Walter C. Short.
First Lieut. John C. Waterman.
First Lieut. Austin M. Pardee.
First Lieut. Frank F. Jewett.
First Lieut. Hunter Harris.
First Lieut. Augustus F. Dannemiller.
First Lieut. James W. Everington.
First Lieut. William R. Leonard.
First Lieut. Alfred A. Hickox.
First Lieut. Samuel G. Talbott.
First Lieut. Edwin P. Thompson.
First Lieut. John E. Green.
First Lieut. Jason M. Walling.
First Lieut. Robert L. Weeks.
First Lieut. Albert G. Goodwyn.
First Lieut. Charles A. Hunt.
First Lieut. Harry S. Adams.
First Lieut. Gilbert H. Stewart.
First Lieut. Edward J. Moran.
First Lieut. John R. McGinness.
First Lieut. Henry M. Nelly.
First Lieut. Frederick F. Black.
First Lieut. James M. Hobson, jr.
First Lieut. David H. Bower.
First Lieut. Hiram M. Cooper.
First Lieut. Benjamin F. Miller.
First Lieut. Louis Soléliac.
First Lieut. Charles M. Blackford.
First Lieut. Walter O. Boswell.
First Lieut. Deshler Whiting.
First Lieut. Gulielmus V. Heidt.
First Lieut. Samuel J. Sutherland.
First Lieut. Emory S. Adams.
First Lieut. Ralph W. Drury.
First Lieut. John C. Fairfax.
First Lieut. Fred C. Miller.
First Lieut. Charles L. Mitchell.
First Lieut. Robert John West.
First Lieut. Odiorne H. Sampson.
First Lieut. Albert Hardman.
First Lieut. William E. Holliday.
First Lieut. Frank B. Kobes.
First Lieut. Jesse M. Holmes.
First Lieut. Maynard A. Wells.
First Lieut. Hans O. Olson.
First Lieut. Alfred Brandt.
First Lieut. Charles A. Thuis.
First Lieut. Claremont A. Donaldson.
First Lieut. Franklin T. Burt.
First Lieut. Rutherford S. Hartz.
First Lieut. Townsend Whelen.
First Lieut. Charles S. Hamilton.
First Lieut. Oscar K. Tolley.
First Lieut. Joseph F. Ware.
First Lieut. Harry L. Jordan.
First Lieut. Dean Halford.
First Lieut. Ralph W. Kingman.
First Lieut. Donald D. Hay.
First Lieut. Philip G. Wrightson.
First Lieut. George W. Ewell.
First Lieut. Claire R. Bennett.
First Lieut. Bowers Davis.
First Lieut. John McE. Pruyn.
First Lieut. Henry W. Fleet.
First Lieut. Charles G. Sturtevant.
First Lieut. Francis H. Burr.
First Lieut. John C. Ashburn.
First Lieut. Robert T. Phinney.
First Lieut. Charles H. Mason.
First Lieut. Nicholas W. Campanole.
First Lieut. John G. Macomb.
First Lieut. L. Worthington Moseley.
First Lieut. Reginald H. Kelly.
First Lieut. Edward H. Pearce.
First Lieut. Joseph O. Mauborgne.
First Lieut. Joseph M. Cummins.
First Lieut. Thomas C. Musgrave.
First Lieut. Converse R. Lewis.
First Lieut. George A. Lynch.
First Lieut. Samuel M. Parker.
First Lieut. Robert M. Lyon.
First Lieut. Francis H. Farnum.
First Lieut. Benjamin E. Grey.
First Lieut. Elvid Hunt.
First Lieut. Benjamin F. McClellan.
First Lieut. Cambpell B. Hodges.
First Lieut. Jacob W. S. Wuest.
First Lieut. Max B. Garber.
First Lieut. Leo I. Samuelson.
First Lieut. Corbit S. Hoffman.
First Lieut. Walter V. Gallagher.
First Lieut. Clifton M. Butler.
First Lieut. E. Llewellyn Bull.
First Lieut. Truman W. Carrithers.
First Lieut. George F. Rozelle, jr.
First Lieut. Arthur E. Ahrends.
First Lieut. Charles F. Severson.
First Lieut. Harry S. Grier.
First Lieut. Reuben C. Taylor.
First Lieut. Charles B. Moore.
First Lieut. Clark Lynn.
First Lieut. C. Stockmar Bendel.
First Lieut. Robert E. Boyers.
First Lieut. Burt W. Phillips.
First Lieut. Ben F. Ristine.
First Lieut. George R. Guild.
First Lieut. Stuart A. Howard.
First Lieut. John F. Franklin.
First Lieut. William C. Russell.
First Lieut. Roland W. Boughton.
First Lieut. John S. Upham.
First Lieut. Keith S. Gregory.
First Lieut. Irving M. Madison.
First Lieut. Ellery Farmer.
First Lieut. Everett N. Bowman.
First Lieut. Homer N. Preston.
First Lieut. Jesse Gaston.
First Lieut. William F. Harrell.
First Lieut. Jesse D. Elliott.
First Lieut. Edward H. Tarbutton.
First Lieut. Carroll B. Hodges.
First Lieut. Fitzhugh B. Allderdice.
First Lieut. James M. Churchill.
First Lieut. Philip H. Bagby.
First Lieut. Luther R. James.
First Lieut. Andrew D. Chaffin.
First Lieut. Ernest B. Smalley.
First Lieut. Frederick W. Boschen.
First Lieut. Manfred Lanza.
First Lieut. Louis Farrell.
First Lieut. Fred W. Pitts.
First Lieut. James B. Nalle.
First Lieut. William F. Robinson, jr.
First Lieut. John J. Burleigh.
First Lieut. Manuel M. Garrett.
First Lieut. Augustine A. Hofmann.
First Lieut. Henry S. Brinkerhoff.
First Lieut. James Blyth.

First Lieut. Edwin Gunner.
First Lieut. Resolve P. Palmer.
First Lieut. Edward E. McCammon.
First Lieut. Philip Remington.
First Lieut. Charles H. Rich.
First Lieut. Paul C. Potter.
First Lieut. Albert T. Rich.
First Lieut. David P. Wood.
First Lieut. Donald W. Strong.
First Lieut. Edgar Z. Steever, 3d.
First Lieut. Hornsby Evans.
First Lieut. Walton Goodwin, jr.
First Lieut. Philip B. Peyton.
First Lieut. Karl Truesdell.
First Lieut. Frederick B. Terrell.
First Lieut. Charles A. Dravo.
First Lieut. James G. McIlroy.
First Lieut. Jay L. Benedict.
First Lieut. Joseph W. Stilwell.
First Lieut. Richard J. Herman.
First Lieut. Edward L. Hooper.
First Lieut. Irving J. Phillipson.
First Lieut. Robert C. Richardson, jr.
First Lieut. Edmund B. Gregory.
First Lieut. Wilber A. Blain.
First Lieut. Gordon R. Catts.
First Lieut. Ursa M. Diller.
First Lieut. Edwin Butcher.
First Lieut. Russell V. Venable.
First Lieut. Arthur J. Davis.
First Lieut. Roderick Dew.
First Lieut. Martin C. Wise.
First Lieut. Andrew J. White.
First Lieut. Walter S. Drysdale.
First Lieut. Charles A. Meals.
First Lieut. Matthew H. Thomlinson.
First Lieut. Joseph A. Atkins.
First Lieut. Charles F. Thompson.
First Lieut. Augustus B. Van Wormer.
First Lieut. Thomas L. Crystal.
First Lieut. Arthur D. Budd.
First Lieut. Ralph R. Glass.
First Lieut. Erle M. Wilson.
First Lieut. Merrill E. Spalding.
First Lieut. John D. Burnett.
First Lieut. Joseph A. McAndrew.
First Lieut. Robert B. Hewitt.
First Lieut. William F. L. Simpson.
First Lieut. Richard R. Pickering.
First Lieut. Lowe A. McClure.
First Lieut. Clement H. Wright.
First Lieut. William R. Scott.
First Lieut. William W. Harris, jr.
First Lieut. Napoleon W. Riley.
First Lieut. Otto L. Brunzell.
First Lieut. George C. Lawrason.
First Lieut. Robert P. Harbold.
First Lieut. James B. Woolnough.
First Lieut. Walter S. Fulton.
First Lieut. Sherburne Whipple.
First Lieut. Harry Hawley.
First Lieut. Thomas N. Gimperling.
First Lieut. Hugh L. Walthall.
First Lieut. John B. Richardson.
First Lieut. Anton C. Cron.
First Lieut. George W. Edgerly.
First Lieut. Oscar W. Hoop.
First Lieut. John C. Moore.
First Lieut. William F. Pearson.
First Lieut. James A. Ulio.
First Lieut. Frank Moorman.
First Lieut. Harry H. Bissell.
First Lieut. Charles B. Elliott.
First Lieut. John B. Corbly.
First Lieut. Fitzhugh L. Minnigerode.
First Lieut. Joseph L. Topham, jr.
First Lieut. Charles L. Sampson.
First Lieut. John M. True.
First Lieut. Bruce R. Campbell.
First Lieut. John C. French.
First Lieut. Benjamin B. McCroskey.
First Lieut. James H. Van Horn.
First Lieut. Cassius M. Dowell.
First Lieut. Marvin E. Malloy.
First Lieut. Albert B. Kaempfer.
First Lieut. Forrest E. Overholser.
First Lieut. Charles W. Mason.
First Lieut. Allan R. Williams.
First Lieut. Loren C. Grieves.
First Lieut. Aristides Moreno.
First Lieut. Richard D. La Garde.
First Lieut. William Lay Patterson.
First Lieut. Charles W. McClure.
First Lieut. Ambrose R. Emery.
First Lieut. Edmund C. Waddill.
First Lieut. Rolland W. Case.
First Lieut. Norman F. Ramsey.
First Lieut. De Witt C. T. Grubbs.
First Lieut. Thomas W. Hammond.
First Lieut. Calvin P. Titus.
First Lieut. William C. Miller.
First Lieut. Frederick W. Manley.
First Lieut. Arthur W. Lane.
First Lieut. Bernard Lentz.
First Lieut. Frederick C. Test.
First Lieut. Owen S. Albright.
First Lieut. Fred H. Baird.
First Lieut. Clifford C. Early.
First Lieut. George F. Waugh.
First Lieut. Allan Rutherford.
First Lieut. William S. Weeks.
First Lieut. Avery D. Cummings.
First Lieut. Charles F. Caffery.
First Lieut. Allen W. Gullion.
First Lieut. Louis A. Kunzig.
First Lieut. John P. Bubb.
First Lieut. Joseph E. Barzynski.
First Lieut. Ben W. Feild.
First Lieut. Bloxham Ward.
First Lieut. Paul H. Clark.
First Lieut. Thomas H. Lowe.
First Lieut. Torry B. Maghee.
First Lieut. George W. Maddox.
First Lieut. Walter E. Pridgen.
First Lieut. James W. H. Reisinger, jr.
First Lieut. Rupert A. Dunford.
First Lieut. Charles C. Bankhead.
First Lieut. John P. Adams.
First Lieut. Ira Longanecker.
First Lieut. William C. Whitener.
First Lieut. Frederick J. Ostermann.
First Lieut. William J. Connolly.
First Lieut. Everett D. Barlow, jr.
First Lieut. Lawrence E. Hohl.
First Lieut. James G. Boswell.
First Lieut. Arthur D. Minick.
First Lieut. Charles A. Lewis.
First Lieut. Paul R. Manchester.
First Lieut. Byard Sneed.
First Lieut. Oscar Westover.
First Lieut. Martyn H. Shute.
First Lieut. George G. Bartlett.
First Lieut. Henry B. Clagett.
First Lieut. Clyde R. Abraham.
First Lieut. Richard H. Jacob.
First Lieut. Ralph A. Jones.
First Lieut. Hugo D. Schultz.
First Lieut. Max A. Elser.
First Lieut. George R. Byrd.
First Lieut. William T. MacMillan.
First Lieut. Jacob E. Fickel.
First Lieut. Jesse W. Boyd.
First Lieut. Ebenezer G. Beuret.
First Lieut. Rush B. Lincoln.
First Lieut. Walter F. L. Hartigan.
First Lieut. Bruce Magruder.
First Lieut. George H. Huddleson.
First Lieut. George C. Keleher.
First Lieut. Harry H. Pritchett.
First Lieut. Edgar L. Field.

To be first lieutenants.

Second Lieut. Jacob H. Rudolph.
Second Lieut. Elbe A. Lathrop.
Second Lieut. Raymond C. Baird.
Second Lieut. Matthew A. Palen.
Second Lieut. Joseph T. Clement.
Second Lieut. Frederick C. Rogers.
Second Lieut. Clarence E. Partridge.

Second Lieut. Edward A. Everts.
Second Lieut. Thom Catron.
Second Lieut. Philip Hayes.
Second Lieut Franz A. Doniat.
Second Lieut. Carl A. Baehr.
Second Lieut. James G. Ord.
Second Lieut. Wallace C. Philoon.
Second Lieut. Herbert L. Taylor.
Second Lieut. Delos C. Emmons.
Second Lieut. Arnold N. Krogstad.
Second Lieut. Eley P. Denson.
Second Lieut. Roy H. Coles.
Second Lieut. Robert L. Eichelberger.
Second Lieut. Edwin F. Harding.
Second Lieut. Joseph C. Morrow, jr.
Second Lieut. Arthur R. Underwood.
Second Lieut. Robert Sears.
Second Lieut. Thomas S. Bowen.
Second Lieut. Lee D. Davis.
Second Lieut. Frank L. Purdon.
Second Lieut. Merl P. Schillerstrom.
Second Lieut. Carlin C. Stokely.
Second Lieut. Louis P. Ford.
Second Lieut. John M. McDowell.
Second Lieut. Clifford Bluemel.
Second Lieut. Wentworth H. Moss.
Second Lieut. John Pullman.
Second Lieut. Manton C. Mitchell.
Second Lieut. William H. Simpson.
Second Lieut. Walker E. Hobson.
Second Lieut. Vernon G. Olsmith.
Second Lieut. Ralph E. Jones.
Second Lieut. James A. McGrath.
Second Lieut. Courtney H. Hodges.
Second Lieut. Rollo C. Ditto.
Second Lieut. Clarence M. McMurray.
Second Lieut. Guy I. Rowe.
Second Lieut. Charles M. Everitt.
Second Lieut. Robert E. Jones.
Second Lieut. Alexander W. Cleary.
Second Lieut. George M. Parker, jr.
Second Lieut. James I. Muir.
Second Lieut. Daniel H. Torrey.
Second Lieut. John R. Emory, jr.
Second Lieut. Durward S. Wilson.
Second Lieut. Parker C. Kalloch, jr.
Second Lieut. Maurice D. Welty.
Second Lieut. Joseph E. Carberry.
Second Lieut. Frank S. Scowden.
Second Lieut. Emmett W. Smith.
Second Lieut. Herbert E. Marshburn.
Second Lieut. Thomas S. Bridges.
Second Lieut. Walter H. Frank.
Second Lieut. Fred B. Carrithers.
Second Lieut. Frederick E. Uhl.
Second Lieut. Harvey H. Fletcher.
Second Lieut. Jasper A. Davies.
Second Lieut. John F. Landis.
Second Lieut. Joseph S. Leonard.
Second Lieut. Walter Moore.
Second Lieut. Oscar W. Griswold.
Second Lieut. Robert H. Dunlop.
Second Lieut. John R. Walker.
Second Lieut. John E. Beller.
Second Lieut. Emil F. Reinhardt.
Second Lieut. Harrison C. Browne.
Second Lieut. John G. Thornell.
Second Lieut. William A. Beach.
Second Lieut. James A. Stevens.
Second Lieut. Emmert W. Savage.
Second Lieut. Tolbert F. Hardin.
Second Lieut. David O. Byars.
Second Lieut. Whitmon R. Conolly.
Second Lieut. Frank A. Sloan.
Second Lieut. Russell P. Hartle.
Second Lieut. Oswald H. Saunders.
Second Lieut. Spencer B. Akin.
Second Lieut. Robert G. Sherrard.
Second Lieut. Leon M. Logan.
Second Lieut. Horace G. Ball.
Second Lieut. Marion P. Vestal.
Second Lieut. Frederick R. Palmer.
Second Lieut. Alexander Wilson.
Second Lieut. Xavier F. Blauvelt.
Second Lieut. Frank D. Lackland.
Second Lieut. Mason W. Gray.
Second Lieut. Albert S. Peake.
Second Lieut. Floyd D. Carlock.
Second Lieut. Arthur Boettcher.
Second Lieut. Fred L. Walker.
Second Lieut. Alvan C. Gillem, jr.
Second Lieut. Rapp Brush.
Second Lieut. Bert M. Atkinson.
Second Lieut. Edward G. McCormick.
Second Lieut. William A. Reed.
Second Lieut. Harry R. Kutz.
Second Lieut. Thompson Lawrence.
Second Lieut. Harry J. Keeley.
Second Lieut. Charles P. Hall.
Second Lieut. William E. Larned.
Second Lieut. Alfred J. Betcher.
Second Lieut. Charles L. Byrne.
Second Lieut. George R. Hicks.
Second Lieut. Haig Shekerjian.
Second Lieut. Charles S. Floyd.
Second Lieut. Benjamin C. Lockwood, jr.
Second Lieut. Carroll A. Bagby.
Second Lieut. Oliver S. McCleary.
Second Lieut. Frederick G. Dillman.
Second Lieut. Gregory Hoisington.
Second Lieut. Ziba L. Drollinger.
Second Lieut. Frank B. Clay.
Second Lieut. Jesse A. Ladd.
Second Lieut. Paul W. Baade.
Second Lieut. James R. N. Weaver.
Second Lieut. Emanuel V. Heidt.
Second Lieut. William H. H. Morris, jr.
Second Lieut. Sidney H. Foster.
Second Lieut. Carl F. McKinney.
Second Lieut. Roscoe C. Batson.
Second Lieut. Allen R. Kimball.
Second Lieut. Ira A. Rader.
Second Lieut. Alvan C. Sandeford.
Second Lieut. William J. Calvert.
Second Lieut. Kenneth E. Kern.
Second Lieut. David H. Cowles.
Second Lieut. Ira T. Wyche.
Second Lieut. Arthur C. Evans.
Second Lieut. Joseph D. Patch.
Second Lieut. Archibald D. Cowley.
Second Lieut. Patrick Frissell.
Second Lieut. Edward L. Hoffman.
Second Lieut. Casper B. Rucker.
Second Lieut. John P. Edgerly.
Second Lieut. Lindsay McD. Silvester.
Second Lieut. Herbert M. Pool.
Second Lieut. Leonard T. Gerow.
Second Lieut. Norman W. Peek.
Second Lieut. Mord P. Short.
Second Lieut. William C. Rose.
Second Lieut. Wesley F. Ayer.
Second Lieut. George C. Elsey.
Second Lieut. James A. O'Brien.
Second Lieut. George A. Sanford.
Second Lieut. Maxon S. Lough.
Second Lieut. Ford Richardson.
Second Lieut. Lester M. Wheeler.
Second Lieut. William R. Van Sant.
Second Lieut. Eugene W. Fales.
Second Lieut. John T. Rhett.
Second Lieut. Livingston Watrous.
Second Lieut. Lester Gehman.
Second Lieut. J. Pendleton Wilson.
Second Lieut. Charles S. Little.
Second Lieut. Herbert A. Wadsworth.
Second Lieut. George M. Halloran.
Second Lieut. William E. Brougher.
Second Lieut. Medorem Crawford, jr.
Second Lieut. Sumner Waite.
Second Lieut. Albert M. Jones.
Second Lieut. John E. Creed.
Second Lieut. Harrison McAlpine.
Second Lieut. Samuel H. Houston.
Second Lieut. James R. Alfonte.
Second Lieut. Gerald E. Cronin.
Second Lieut. Glenn P. Wilhelm.
Second Lieut. Andrew G. Gardner.
Second Lieut. Albert S. Kuegle.
Second Lieut. Matthew J. Gunner.
Second Lieut. Herbert E. Pace.

Second Lieut. Harold H. Taintor.
Second Lieut. James R. Jacobs.
Second Lieut. Robert S. Lytle.
Second Lieut. Henry Terrell, jr.
Second Lieut. Thomas J. Camp.
Second Lieut. Harry A. Musham.
Second Lieut. Frank C. Mahin.
Second Lieut. Lawrence S. Churchill.
Second Lieut. George E. Arnemann.
Second Lieut. Dale F. McDonald.
Second Lieut. Paul K. Johnson.
Second Lieut. Edward H. Bertram.
Second Lieut. Hayes A. Kroner.
Second Lieut. Allan S. Boyd, jr.
Second Lieut. Harry L. Twaddle.
Second Lieut. John H. Harrison.
Second Lieut. Clarence L. Tinker.
Second Lieut. William R. White.
Second Lieut. Donald B. Sanger.
Second Lieut. Martin F. Scanlon.
Second Lieut. William H. Gill.
Second Lieut. Lee H. Stewart.
Second Lieut. Harry Gantz.
Second Lieut. Gilbert P. Strelinger.
Second Lieut. Thomas J. Hayes.
Second Lieut. d'Alary Fechét.
Second Lieut. William H. Wilbur.
Second Lieut. Edgar S. Gorrell.
Second Lieut. Basil D. Edwards.
Second Lieut. Davenport Johnson.
Second Lieut. Wade H. Haislip.
Second Lieut. William Dean.
Second Lieut. Walter M. Robertson.
Second Lieut. Harry J. Malony.
Second Lieut. John H. Hinemon, jr.
Second Lieut. Charles N. Sawyer.
Second Lieut. Gilbert R. Cook.
Second Lieut. Max W. Sullivan.
Second Lieut. Franklin C. Sibert.
Second Lieut. Archibald V. Arnold.
Second Lieut. John N. Smith, jr.
Second Lieut. Stephen J. Chamberlin.
Second Lieut. William H. Hobson.
Second Lieut. Walter G. Kilner.
Second Lieut. Raymond O. Barton.
Second Lieut. Walton H. Walker.
Second Lieut. Millard F. Harmon, jr.
Second Lieut. Edward C. Rose.
Second Lieut. Albert E. Brown.
Second Lieut. Ralph C. Holliday.
Second Lieut. William G. Weaver.
Second Lieut. Adrian K. Polhemus.
Second Lieut. Charles C. Drake.
Second Lieut. James D. Burt.
Second Lieut. Max S. Murray.
Second Lieut. William J. Morrissey.
Second Lieut. Robert T. Snow.
Second Lieut. Henry C. McLean.
Second Lieut. Gustav J. Gonser.
Second Lieut. Frank V. Schneider.
Second Lieut. Frank J. Riley.
Second Lieut. Benjamin F. Delamater, jr.
Second Lieut. Theodore W. Martin.
Second Lieut. Ralph S. Kimball.
Second Lieut. Francis B. Mallon.
Second Lieut. Lathrop B. Clapham.
Second Lieut. Carl J. Adler.
Second Lieut. Otto G. Pitz.
Second Lieut. Theophilus Steele.
Second Lieut. George H. Gardiner.
Second Lieut. Dabney C. Rose.
Second Lieut. Hamilton Templeton.
Second Lieut. Edward F. Witsell.
Second Lieut. Alfred L. Rockwood.
Second Lieut. George W. Polhemus.
Second Lieut. Floyd C. Hecox.
Second Lieut. Carl A. Hardigg.
Second Lieut. Carl L. Cohen.
Second Lieut. William R. Gruber.
Second Lieut. Wiilliam T. Pigott, jr.
Second Lieut. Albert J. Lawes.
Second Lieut. Robert C. Williams.
Second Lieut. Paul X. English.
Second Lieut. Estil V. Smith.
Second Lieut. Troy H. Middleton.
Second Lieut. Roland F. Walsh.
Second Lieut. Paul Murray.
Second Lieut. Robert G. Calder.
Second Lieut. William D. Faulkner.
Second Lieut. Edgar A. Stadden.
Second Lieut. Roy M. Jones.
Second Lieut. Arthur R. Christie.
Second Lieut. Percy E. Van Nostrand.
Second Lieut. Frederic V. Hemenway.
Second Lieut. Clarence M. Dodson.
Second Lieut. Virgil V. Enyart.
Second Lieut. James M. Moore.
Second Lieut. Percie C. Rentfro.
Second Lieut. Sidney B. Colquitt.
Second Lieut. Carl J. Ballinger.
Second Lieut. Richard T. Taylor.
Second Lieut. George LeR. Brown, jr.
Second Lieut. John R. Baxter.
Second Lieut. John C. P. Bartholf.
Second Lieut. James P. Cole.
Second Lieut. Robert H. Barrett.
Second Lieut. Ernest J. Carr.
Second Lieut. Patrick J. Hurley.
Second Lieut. Donald R. McMillen.
Second Lieut. Hugh B. Keen.
Second Lieut. Ora M. Baldinger.
Second Lieut. Lewis K. Underhill.
Seocnd Lieut. Harold S. Martin.
Second Lieut. John H. Van Vliet.
Second Lieut. Leland S. Devore.
Second Lieut. Charles A. Ross.
Second Lieut. Douglass T. Greene.
Second Lieut. Clarence H. Danielson.
Second Lieut. James N. Peale.
Second Lieut. Francis R. Fuller.
Second Lieut. Clinton W. Russell.
Second Lieut. William R. Schmidt.
Second Lieut. George L. Hardin.
Second Lieut. Otis K. Sadtler.
Second Lieut. William H. Jones, jr.
Second Lieut. John E. Ardrey.
Second Lieut. David B. Faulk, jr.
Second Lieut. Henry P. Perrine, jr.
Second Lieut. Dennis E. McCunniff.
Second Lieut. Henry B. Lewis.
Second Lieut. Henry B. Cheadle.
Second Lieut. Samuel A. Gibson.
Second Lieut. Paul W. Newgarden.
Second Lieut. Harley B. Bullock.
Second Lieut. Charles A. King. jr.
Second Lieut. Dana Palmer.
Second Lieut. Alexander M. Patch, jr.
Second Lieut. Charles B. Lyman.
Second Lieut. Robert L. Spragins.
Second Lieut. George W. Krapf.
Second Lieut. Charles H. Corlett.
Second Lieut. Hans R. W. Herwig.
Second Lieut. Howard C. Davidson.
Second Lieut. William L. Roberts.
Second Lieut. William A. McCulloch.
Second Lieut. William A. Rafferty.
Second Lieut. Lathe B. Row.
Second Lieut. Frank B. Jordan.
Second Lieut. Alfred E. Sawkins.
Second Lieut. Roy M. Smyth.
Second Lieut. Cleveland H. Bandholtz.
Second Lieut. Fritz P. Lindh.
Second Lieut. Harry C. Ingles.
Second Lieut. James L. Bradley.
Second Lieut. Willis J. Tack.
Second Lieut. Floyd R. Waltz.
Second Lieut. Weldon W. Doe.
Second Lieut. Carl Spatz.
Second Lieut. Harold R. Bull.
Second Lieut. Charles M. Milliken.
Second Lieut. James F. Byrom.
Second Lieut. Woodfin G. Jones.
Second Lieut. Paul C. Paschal.
Second Lieut. John L. Parkinson.
Second Lieut. Rudolph G. Whitten.
Second Lieut. Louis T. Byrne.
Second Lieut. Francis R. Kerr.
Second Lieut. Francis M. Brannan.
Second Lieut. William R. Orton.
Second Lieut. Francis H. Forbes.

Second Lieut. Rufus S. Bratton.
Second Lieut. Thomas G. Lanphier.
Second Lieut. Jefferson R. Davenport.
Second Lieut. Benjamin G. Weir.
Second Lieut. Ralph Royce.
Second Lieut. Harry M. Brown.
Second Lieut. Thomas H. Monroe.
Second Lieut. Roger B. Harrison.
Second Lieut. Cedric W. Lewis.
Second Lieut. George P. Nickerson.
Second Lieut. Clifford J. Mathews.
Second Lieut. Howard P. Milligan.
Second Lieut. Frank W. Milburn.
Second Lieut. J. Warren Weissheimer.
Second Lieut. Isaac Gill, jr.
Second Lieut. Walter C. Gullion.
Second Lieut. Hamner Huston.
Second Lieut. Jens A. Doe.
Second Lieut. Sheldon H. Wheeler.
Second Lieut. Lester L. Lampert.
Second Lieut. John W. Hyatt.
Second Lieut. Parley D. Parkinson.
Second Lieut. Charles W. Ryder.
Second Lieut. Joseph T. McNarney.
Second Lieut. Omar H. Bradley.
Second Lieut. Paul J. Mueller.
Second Lieut. Leland S. Hobbs.
Second Lieut. Charles C. Benedict.
Second Lieut. Vernon Evans.
Second Lieut. Roscoe B. Woodruff.
Second Lieut. Lewis C. Davidson.
Second Lieut. Dwight D. Eisenhower.
Second Lieut. Harold W. James.
Second Lieut. James B. Ord.
Second Lieut. John E. Rossell.
Second Lieut. Whitten J. East.
Second Lieut. Sidney C. Graves.
Second Lieut. Jo H. Reaney.
Second Lieut. John W. Leonard.
Second Lieut. John A. McDermott.
Second Lieut. Clyde R. Eisenschmidt.
Second Lieut. James A. Van Fleet.
Second Lieut. Louis A. Merillat, jr.
Second Lieut. Edward G. Sherburne.
Second Lieut. Michael F. Davis.
Second Lieut. Luis R. Esteves.
Second Lieut. Stuart C. MacDonald.
Second Lieut. Metcalfe Reed.
Second Lieut. Benjamin G. Ferris.
Second Lieut. Charles S. Ritchel.
Second Lieut. Thomas G. Hearn.
Second Lieut. Donald Henley.
Second Lieut. Alfred S. Balsam.
Second Lieut. George Pulsifer, jr.
Second Lieut. Otto A. B. Hooper.
Second Lieut. Howard Donnelly.
Second Lieut. John N. Robinson.
Second Lieut. Tom Fox.
Second Lieut. Thomas J. Hanley, jr.
Second Lieut. Jacob J. Gerhardt.
Second Lieut. Vernon E. Prichard.
Second Lieut. Robert B. Lorch.
Second Lieut. Adlai H. Gilkeson.
Second Lieut. Gilbert S. Brownell.
Second Lieut. Richard C. Stickney.
Second Lieut. Philip K. McNair.
Second Lieut. Jesse B. Hunt.
Second Lieut. John B. Duckstad.
Second Lieut. John R. Mendenhall.
Second Lieut. Norman Randolph.
Second Lieut. Joseph M. Murphy.
Second Lieut. George E. Stratemeyer.
Second Lieut. Leroy H. Watson.
Second Lieut. Henry H. Dabney.
Second Lieut. John H. C. Williams.
Second Lieut. Melchior McE. Eberts.
Second Lieut. Oscar A. Straub.
Second Lieut. Earl M. Price.
Second Lieut. Arthur A. White.
Second Lieut. John Keliher.
Second Lieut. Benjamin W. Mills.
Second Lieut. Thomas F. Taylor.
Second Lieut. Marshall H. Quesenberry.
Second Lieut. Robert L. Williams.
Second Lieut. Charles C. Herrick.

QUARTERMASTER CORPS.

Lieut. Col. Albert D. Kniskern to be colonel.
Maj. Alexander M. Davis to be lieutenant colonel.

CORPS OF ENGINEERS.

To be colonels.

Lieut. Col. Charles S. Riché.
Lieut. Col. Thomas H. Rees.

To be lieutenant colonels.

Maj. Robert R. Raymond.
Maj. William B. Ladue.
Maj. William J. Barden.
Maj. Edward H. Schulz.

To be majors.

Capt. William H. Rose.
Capt. Richard C. Moore.
Capt. Lewis M. Adams.
Capt. Charles R. Pettis.
Capt. William D. A. Anderson.
Capt. Ralph T. Ward.
Capt. John J. Kingman.
Capt. Robert P. Howell.

ORDNANCE DEPARTMENT.

Lieut. Col. George W. Burr to be colonel.
Maj. John H. Rice to be lieutenant colonel.
Maj. David M. King to be lieutenant colonel.

SIGNAL CORPS.

Maj. Edgar Russell to be lieutenant colonel.
Capt. Basil O. Lenoir to be major.
Capt. William Mitchell to be major.

CAVALRY ARM.

To be colonels.

Lieut. Col. John B. McDonald.
Lieut. Col. Tyree R. Rivers.
Lieut. Col. Henry T. Allen.
Lieut. Col. John W. Heard.
Lieut. Col. William W. Forsyth.
Lieut. Col. John C. Waterman.
Lieut. Col. George H. Cameron.
Lieut. Col. William S. Scott.
Lieut. Col. Daniel L. Tate.
Lieut. Col. Robert D. Walsh.
Lieut. Col. George W. Read.
Lieut. Col. DeRosey C. Cabell.
Lieut. Col. Farrand Sayre.
Lieut. Col. Grote Hutcheson.
Lieut. Col. George O. Cress.
Lieut. Col. Robert A. Brown.
Lieut. Col. Willard A. Holbrook.
Lieut. Col. Lewis M. Koehler.
Lieut. Col. Robert E. L. Michie.
Lieut. Col. Selah R. H. Tompkins.

To be lieutenant colonels.

Maj. Charles C. Walcutt, jr.
Maj. Peter E. Traub.
Maj. Jesse McI. Carter.
Maj. Malvern Hill Barnum.
Maj. Edmund S. Wright.
Maj. William H. Hay.
Maj. Stephen H. Elliott.
Maj. John M. Jenkins.
Maj. P. D. Lochridge.
Maj. Nathaniel F. McClure.
Maj. William C. Rivers.
Maj. Ellwood W. Evans.
Maj. Thomas Q. Donaldson.
Maj. Francis H Beach.
Maj. Alonzo Gray.
Maj. Alexander L. Dade.
Maj. John S. Winn.
Maj. Charles A. Hedekin.
Maj. Francis J. Koester.
Maj. John D. L. Hartman.
Maj. Robert L. Howze.
Maj. Guy H. Preston.
Maj. Edward Anderson.
Maj. George E. Stockle.
Maj. William T. Littebrant.
Maj. Matthew C. Butler, jr.

To be majors.

Capt. Kirby Walker.
Capt. Claude B. Sweezey.
Capt. Sterling P. Adams.
Capt. Julian R. Lindsey.
Capt. Edmund M. Leary.
Capt. Julius T. Conrad.
Capt. Howard R. Hickok.
Capt. Samuel B. Arnold.
Capt. Samuel McP. Rutherford.
Capt. George W. Kirkpatrick.
Capt. Cornelius C. Smith.
Capt. Joseph E. Cusack.
Capt. Walter M. Whitman.
Capt. Lincoln C. Andrews.
Capt. William R. Smedberg, jr.
Capt. John M. Morgan.
Capt. Andrew E. Williams.
Capt. Walter C. Babcock.
Capt. Herbert B. Crosby.
Capt. Benjamin B. Hyer.
Capt. Mathew C. Smith.
Capt. Kenzie W. Walker.
Capt. Harry H. Pattison.
Capt. Francis LeJ. Parker.
Capt. George F. Hamilton.
Capt. William H. Paine.
Capt. John W. Craig.
Capt. Hugh D. Berkeley.
Capt. Albert E. Saxton.
Capt. Hamilton S. Hawkins.
Capt. Frank Parker.
Capt. George Vidmer.
Capt. Casper H. Conrad, jr.
Capt. Nathan K. Averill.
Capt. Harry LaT. Cavenaugh.
Capt. Mortimer O. Bigelow.
Capt. William G. Sills.
Capt. August C. Nissen.
Capt. Clyde E. Hawkins.
Capt. James S. Parker.
Capt. Joseph S. Herron.
Capt. George B. Pritchard, jr.
Capt. Alvord Van P. Anderson.
Capt. Le Roy Eltinge.
Capt. John B. Christian.
Capt. George W. Moses.
First Lieut. George M. Russell to be captain.
First Lieut. Lewis Brown, jr., to be captain.
Second Lieut. Hugh H. McGee to be first lieutenant.
Second Lieut. Carleton G. Chapman detailed in the Aviation ection, Signal Corps.
Second Lieut. Joseph Plassmeyer, jr., to be first lieutenant.
Second Lieut. Archibald T. Colley to be first lieutenant.

FIELD ARTILLERY ARM.

Lieut. Col. Charles T. Menoher.
Lieut. Col. Ernest Hinds.
Lieut. Col. Peyton C. March.
Lieut. Col. William L. Kenly.
Lieut. Col. Edward F. McGlachlin, jr.
Lieut. Col. William Lassiter.

To be colonel.

Lieut. Col. George Le R. Irwin.

To be lieutenant colonels.

Maj. Le Roy S. Lyon.
Maj. Tiemann N. Horn.
Maj. Charles P. Summerall.
Maj. William M. Cruikshank.
Maj. Otho W. B. Farr.
Maj. Dwight E. Aultman.
Maj. Adrian S. Fleming.
Maj. Brooke Payne,
Maj. William S. Guignard.
Maj. Albert J. Bowley.

To be majors.

Capt. Fox Conner.
Capt. Henry W. Butner.
Capt. Henry L. Newbold.
Capt. Ernest D. Scott.
Capt. Wright Smith.
Capt. Alfred A. Starbird.
Capt. Charles R. Lloyd.
Capt. Oliver L. Spaulding, jr.
Capt. Conrad H. Lanza.
Capt. Fred H. Gallup.
Capt. Henry B. Farrar.
Capt. Ralph S. Granger.
Capt. Dan T. Moore.
Capt. Frank E. Hopkins.
Capt. Fred T. Austin.
Capt. Charles C. Pulis.
Capt. Louis T. Boiseau.
Capt. William McK. Lambdin.

To be captains.

First Lieut. Edmund L. Gruber.
First Lieut. Carroll W. Neal.
First Lieut. Donald C. Cubbison.
First Lieut. Louis H. McKinlay.
First Lieut. Thomas D. Osborne.
First Lieut. William H. Dodds, jr.
First Lieut. John S. Hammond.
First Lieut. Albert T. Bishop.
First Lieut. Walter E. Prosser.
First Lieut. James W. Riley.
First Lieut. Harold W. Huntley.
First Lieut. Edwin De L. Smith.
First Lieut. Ralph McT. Pennell.
First Lieut. Walter S. Sturgill.
First Lieut. Sherman Miles.
First Lieut. Cortlandt Parker.
First Lieut. Richard C. Burleson.
First Lieut. Joseph R. Davis.
First Lieut. John R. Starkey.
First Lieut. René E. De R. Hoyle.
First Lieut. Dawson Olmstead.
First Lieut. John C. Maul.
First Lieut. Albert L. Hall.
First Lieut. George H. Paine.
First Lieut. Leroy P. Collins.
First Lieut. Ballard Tyerly.
First Lieut. Robert H. Lewis.
First Lieut. Phillip W. Booker.
First Lieut. Fred T. Cruse.
First Lieut. James P. Marley.
First Lieut. Waldo C. Potter.
First Lieut. Harry Pfeil.
First Lieut. Walter W. Merrill.
First Lieut. John W. Downer.
First Lieut. Benjamin M. Bailey.
First Lieut. William F. Sharp.
First Lieut. Frank Thorp, jr.
First Lieut. John G. Tyndall.
First Lieut. Alfred L. P. Sands.
First Lieut. Charles P. George.
First Lieut. Charles W. Harlow.
First Lieut. William H. Rucker.
First Lieut. William H. Shepherd.
First Lieut. Marshall G. Randol.
First Lieut. John N. Greely.
First Lieut. Webster A. Capron.
First Lieut. John E. Mort.
First Lieut. Frederick M. Barrows.
First Lieut. William E. Dunn.
First Lieut. James H. Burns.
First Lieut. Everett S. Hughes.
First Lieut. Thomas J. Smith.
First Lieut. Roger S. Parrott.
First Lieut. Telesphor G. Gottschalk.
First Lieut. Harvey D. Higley.
First Lieut. Edward P. King, jr.
First Lieut. Kenneth S. Perkins.

To be first lieutenants.

Second Lieut. Burton O. Lewis.
Second Lieut. Herbert R. Odell.
Second Lieut. Clyde A. Selleck.
Second Lieut. Ernest J. Dawley.
Second Lieut. Louie A. Beard.
Second Lieut. Ivens Jones.
Second Lieut. Robert C. F. Goetz.
Second Lieut. Bernard R. Peyton.
Second Lieut. John Magruder.
Second Lieut. E. Francis Riggs.
Second Lieut. Curtis H. Nance.
Second Lieut. Freeman W. Bowley.
Second Lieut. John C. Beatty.
Second Lieut. John E. Hatch.

Second Lieut. Charles A. Walker, jr.
Second Lieut. Bethel W. Simpson.
Second Lieut. Neil G. Finch.
Second Lieut. Harvey M. Hobbs.
Second Lieut. Joseph Andrews.
Second Lieut. Thomas G. M. Oliphant.
Second Lieut. Mert Proctor.
Second Lieut. William J. Wrona.
Second Lieut. Vincent P. Erwin.
Second Lieut. Frank Bloom.
Second Lieut. Vincent Meyer.
Second Lieut. Edward H. Hicks.
Second Lieut. Norman P. Morrow.
Second Lieut. Lloyd E. Jones.
Second Lieut. Newton N. Polk.
Second Lieut. Follett Bradley.
Second Lieut. Jonathan W. Anderson.
Second Lieut. Percy Deshon.
Second Lieut. Julian F. Barnes.
Second Lieut. Harold C. Vanderveer.
Second Lieut. Clift Andrus.
Second Lieut. Russell L. Maxwell.
Second Lieut. Charles J. Browne.
Second Lieut. John N. Hauser.
Second Lieut. Karl C. Greenwald.
Second Lieut. Richard E. Anderson.
Second Lieut. James A. Gillespie.
Second Lieut. Wesley M. Bailey.
Second Lieut. John D. von Holtzendorff.
Second Lieut. Walter F. Winton.
Second Lieut. Bertram Frankenberger.
Second Lieut. Raymond B. Austin.
Second Lieut. Joseph O. Daly.
Second Lieut. Edwin P. Parker, jr.
Second Lieut. John M. Eager.
Second Lieut. Richard C. Scott.
Second Lieut. Howard Eager.
Second Lieut. William C. Young.
Second Lieut. William C. Crane, jr.
Second Lieut. Carlos Brewer.
Second Lieut. David E. Cain.
Second Lieut. John E. McMahon, jr.
Second Lieut. Herbert S. Clarkson.
Second Lieut. Charles L. Kilburn.
Second Lieut. Charles G. Helmick.
Second Lieut. Ernst Sedlacek.
Second Lieut. Philip L. Thurber.
Second Lieut. William C. Houghton.
Second Lieut. John C. Wyeth.
Second Lieut. Arthur R. Harris.
Second Lieut. John G. Burr.
Second Lieut. John B. Anderson.
Second Lieut. William E. Burr.
Second Lieut. James A. Lester.
Second Lieut. Herman Beukeman.
Second Lieut. Herbert S. Struble.
Second Lieut. Francis J. Dunigan.
Second Lieut. Edwin A. Zundel.
Second Lieut. Clinton W. Howard.
Second Lieut. Charles M. Busbee.
Second Lieut. Albert W. Waldron.
Second Lieut. John H. Wallace.
Second Lieut. Raymond Marsh.
Second Lieut. Joseph M. Swing.

COAST ARTILLERY CORPS.

To be colonels.

Lieut. Col. John L. Hayden.
Lieut. Col. Edmund M. Blake.
Lieut. Col. William G. Haan.
Lieut. Col. Morris K. Barrell.
Lieut. Col. Delamere Skerrett.
Lieut. Col. Archibald Campbell.

To be lieutenant colonels.

Maj. William R. Smith.
Maj. Henry H. Whitney.
Maj. Arthur W. Chase.
Maj. Samuel A. Kephart.
Maj. Louis R. Burgess.
Maj. James A. Shipton.
Maj. William Chamberlaine.
Maj. Gordon G. Heiner.
Maj. George H. McManus.
Maj. Edward J. Timberlake.
Maj. James M. Williams.
Maj. Alston Hamilton.
Maj. John C. Gilmore, jr.

To be majors.

Capt. Frederick W. Phisterer.
Capt. Robert H. C. Kelton.
Capt. Percy P. Bishop.
Capt. Henry J. Hatch.
Capt. Elmer J. Wallace.
Capt. William F. Hase.
Capt. William R. Doores.
Capt. James F. Howell.
Capt. John C. Goodfellow.
Capt. John T. Geary.
Capt. Edward Carpenter.
Capt. Henry M. Merriam.
Capt. Harry P. Wilbur.
Capt. Elijah B. Martindale, jr.
Capt. Le Vert Coleman.
Capt. Jesse C. Nichols.
Capt. Frank C. Jewell.
Capt. Herman W. Schull.
Capt. Clifton C. Carter.
Capt. Henry B. Clark.
Capt. Francis N. Cooke.
Capt. Stanley D. Embick.
Capt. Clarence B. Smith.
Capt. Russell P. Reeder.
Capt. Robert F. McMillan.
Capt. Godwin Ordway.
Capt. Charles E. Kilbourne.
Capt. William H. Monroe.
Capt. Richard T. Ellis.
Capt. Frederick W. Stopford.
Capt. Henry H. Sheen.
Capt. John W. Gulick.
Capt. Ernest R. Tilton.
Capt. Homer B. Grant.
Capt. Leonard T. Waldron.
Capt. Ernest A. Greenough.
Capt. Alexander Greig, jr.

To be captains.

First Lieut. Earl McFarland.
First Lieut. Joseph A. Green.
First Lieut. Alexander G. Pendleton.
First Lieut. John C. Henderson.
First Lieut. Edward W. Wildrick.
First Lieut. Alexander G. Gillespie.
First Lieut. John S. Pratt.
First Lieut. Edward J. Cullen.
First Lieut. Pierre V. Kieffer.
First Lieut. Joseph J. Grace.
First Lieut. George E. Turner.
First Lieut. Harry A. Schwabe.
First Lieut. Oscar A. Russell.
First Lieut. Walter J. Büttgenbach.
First Lieut. Charles O. Schudt.
First Lieut. Philip Mathews.
First Lieut. Marcellus H. Thompson.
First Lieut. William R. McCleary.
First Lieut. William W. Rose.
First Lieut. John G. Hotz.
First Lieut. Albert Gilmor.
First Lieut. Clarence A. Mitchell.
First Lieut. William P. Currier.
First Lieut. Horace F. Spurgin.
First Lieut. Ralph D. Bates.
First Lieut. Edward A. Brown.
First Lieut. John G. Donovan.
First Lieut. Guy L. Gearhart.
First Lieut. George A. Wildrick.
First Lieut. Allen Kimberly.
First Lieut. Howard K. Loughry.
First Lieut. Thomas A. Clark.
First Lieut. William S. Dowd.
First Lieut. Richard H. Somers.
First Lieut. Thomas L. Coles.
First Lieut. John B. Rose.
First Lieut. Charles T. Harris, jr.
First Lieut. Maxwell Murray.
First Lieut. Geoffrey Bartlett.
First Lieut. William E. Shedd, jr.
First Lieut. James A. Gallogly.
First Lieut. Royal K. Greene.

First Lieut. Robert P. Glassburn.
First Lieut. Harry K. Rutherford.
First Lieut. Paul J. Horton.
First Lieut. Robert Arthur.
First Lieut. John P. Keeler.
First Lieut. Lucian D. Booth.
First Lieut. Thomas F. McNeill.
First Lieut. George M. Peek.
First Lieut. Perry M. Gallup.
First Lieut. William P. Wilson.
First Lieut. Charles L. Williams.
First Lieut. Alexander J. Stuart.
First Lieut. Chester J. Goodier.
First Lieut. John E. Townes, jr.
First Lieut. Robert E. Vose.
First Lieut. Dean Hall.
First Lieut. John S. Williams.
First Lieut. George Ruhlen, jr.
First Lieut. Junnius Pierce.
First Lieut. Henry W. T. Eglin.
First Lieut. Halvor G. Coulter.
First Lieut. West C. Jacobs.
First Lieut. James W. Lyon.
First Lieut. Harold Geiger.
First Lieut. Rodney H. Smith.
First Lieut. Albert L. Loustalot.
First Lieut. Richard Donovan.
First Lieut. Sanderford Jarman.
First Lieut. Clair W. Baird.
First Lieut. Edward W. Putney.
First Lieut. Gilbert Marshall.
First Lieut. Louis L. Pendleton.
First Lieut. Thomas A. Terry.
First Lieut. Edward N. Woodbury.
First Lieut. Ray L. Avery.
First Lieut. Edward A. Stockton, jr.
First Lieut. James H. Cunningham.
First Lieut. Allison B. Deans, jr.
First Lieut. Robert R. Welshimer.
First Lieut. William W. Hicks.
First Lieut. Eugene B. Walker.
First Lieut. Karl F. Baldwin.
First Lieut. Charles K. Wing, jr.
First Lieut. Robert O. Edwards.
First Lieut. Robert N. Campbell.
First Lieut. Guy A. Mix.
First Lieut. John H. Pirie.
First Lieut. George R. Norton.
First Lieut. Eugene Reybold.
First Lieut. Hugo E. Pitz.
First Lieut. Thomas C. Cook.
First Lieut. Olin H. Longino.
First Lieut. Peter H. Ottosen.
First Lieut. Edgar H. Thompson.
First Lieut. Samuel H. McLeary.
First Lieut. John N. Reynolds.
First Lieut. Louis D. Pepin.
First Lieut. Rufus F. Maddux.
First Lieut. Herbert A. McCune.
First Lieut. Lincoln B. Chambers.
First Lieut. Willis C. Knight.
First Lieut. John R. Ellis.
First Lieut. John Mather.
First Lieut. Chester R. Snow.
First Lieut. Robert E. M. Goolrick.
First Lieut. Walter P. Boatwright.
First Lieut. John P. Smith.
First Lieut. Harry R. Vaughan.
First Lieut. Abney Payne.
First Lieut. Edwin K. Smith.
First Lieut. Clarence T. Marsh.
First Lieut. Thomas D. Sloan.
First Lieut. John B. Maynard.
First Lieut. Jacob Frank.
First Lieut. Warren R. Bell.
First Lieut. Arthur G. Campbell.
First Lieut. John T. Rowe.
First Lieut. Frederick L. Martin.

To be first lieutenants.

Second Lieut. Francis J. Torney.
Second Lieut. Edgar B. Colladay.
Second Lieut. Frederick R. Garcin.
Second Lieut. Douglas C. Cordiner.
Second Lieut. Julian S. Hatcher.
Second Lieut. Ralph W. Wilson.
Second Lieut. Fred M. Green.
Second Lieut. Delmar S. Lenzner.
Second Lieut. Roland W. Pinger.
Second Lieut. Donald Armstrong.
Second Lieut. Franklin Babcock.
Second Lieut. Hermann H. Zornig.
Second Lieut. Gladeon M. Barnes.
Second Lieut. Earl J. W. Ragsdale.
Second Lieut. Raycroft Walsh.
Second Lieut. Harvey C. Allen.
Second Lieut. Edward B. Dennis.
Second Lieut. Roger B. Colton.
Second Lieut. Oliver L. Spiller.
Second Lieut. Ruskin P. Hall.
Second Lieut. Walter W. Vautsmeier.
Second Lieut. John E. Sloan.
Second Lieut. William B. Hardigg.
Second Lieut. Charles A. Schimelfenig.
Second Lieut. Charles R. Baxter.
Second Lieut. Gustav H. Franke.
Second Lieut. Hubert G. Stanton.
Second Lieut. Harold F. Nichols.
Second Lieut. Franklin Kemble.
Second Lieut. Herbert A. Dargue.
Second Lieut. John G. Booton.
Second Lieut. James B. Crawford.
Second Lieut. Robert W. Clark, jr.
Second Lieut. John L. Homer.
Second Lieut. Robert C. Gildart.
Second Lieut. George D. Holland.
Second Lieut. Douglas B. Netherwood.
Second Lieut. Arnold Heinrich.
Second Lieut. Roy T. Cunningham.
Second Lieut. Felix E. Gross.
Second Lieut. William T. Boyd, jr.
Second Lieut. Lawrence A. McLaughlin.
Second Lieut. George R. Meyer.
Second Lieut. Homer A. Bagg.
Second Lieut. Andrew L. Pendleton, jr.
Second Lieut. Lewis H. Brereton.
Second Lieut. Cherubusco Newton, jr.
Second Lieut. Walter Smith.
Second Lieut. Hugh J. Knerr.
Second Lieut. George F. Humbert.
Second Lieut. Arthur W. Ford.
Second Lieut. Reuben N. Perley.
Second Lieut. Joseph R. Cygon.
Second Lieut. John H. Birdsall.
Second Lieut. Frank R. Sessions.
Second Lieut. Levin H. Campbell, jr.
Second Lieut. Harold G. Douglas.
Second Lieut. Harold De F. Burdick.
Second Lieut. John A. Baird.
Second Lieut. Philip G. Blackmore.
Second Lieut. Henry C. Davis, jr.
Second Lieut. Theodore R. Murphy.
Second Lieut. Benjamin N. Booth.
Second Lieut. George I. Thatcher.
Second Lieut. Edwin F. Silkman.
Second Lieut. Octave De Carré.
Second Lieut. Robert S. Oberly.
Second Lieut. Claude M. Thiele.
Second Lieut. Cedric M. S. Skene.
Second Lieut. Avery J. French.
Second Lieut. Edward Montgomery.
Second Lieut. Robert Edes Kimball.
Second Lieut. Shepler W. FitzGerald.
Second Lieut. Leigh F. J. Zerbee.
Second Lieut. Carleton U. Edwards.
Second Lieut. Coleman W. Jenkins.
Second Lieut. Wilmer T. Scott.
Second Lieut. Herbert E. Ellis.
Second Lieut. Randolph T. Pendleton.
Second Lieut. Stewart W. Stanley.
Second Lieut. Kenneth T. Blood.
Second Lieut. Roy S. Atwood.
Second Lieut. Samuel F. Hawkins.
Second Lieut. Jesse L. Sinclair.
Second Lieut. Oscar Krupp.
Second Lieut. Charles Thomas-Stahle.
Second Lieut. Charles M. Wood.
Second Lieut. Edwin J. O'Hara.
Second Lieut. Alden G. Strong.
Second Lieut. Rudolf W. Riefkohl.
Second Lieut. John P. Leavenworth.
Second Lieut. Alexander C. Sullivan.
Second Lieut. Harold B. Sampson.

Second Lieut. Clarence L. Gilbert.
Second Lieut. Arthur E. Rowland.
Second Lieut. Leon R. Cole.
Second Lieut. Lee R. Watrous, jr.
Second Lieut. Joseph D. Brown.
Second Lieut. Spencer B. Lane.
Second Lieut. Paul L. Ferron.
Second Lieut. Leslie MacDill.
Second Lieut. Charles A. French.
Second Lieut. John A. Hoag.
Second Lieut. Oscar A. Eastwold.
Second Lieut. William H. Jouett.
Second Lieut. Earl H. Metzger.
Second Lieut. Lee O. Wright.
Second Lieut. Lewis A. Nickerson.
Second Lieut. Philip R. Faymonville.
Second Lieut. William C. Harrison.
Second Lieut. John S. Wood.
Second Lieut. Robert H. Lee.
Second Lieut. David McL. Crawford.
Second Lieut. Oscar J. Gatchell.
Second Lieut. Cris M. Burlingame.
Second Lieut. Raymond V. Cramer.
Second Lieut. Sidney P. Spalding.
Second Lieut. Leonard L. Barrett.
Second Lieut. Stephen H. MacGregor.
Second Lieut. James Kirk.
Second Lieut. Robert N. Bodine.
Second Lieut. James H. Johnson.
Second Lieut. John H. Lindt.
Second Lieut. Bird S. Du Bois.
Second Lieut. Cyril A. Phelan.
Second Lieut. Earl B. Hochwalt.
Second Lieut. John W. Churchill.
Second Lieut. Byron R. Coleman.
Second Lieut. Harry W. Stark.
Second Lieut. Stiles M. Becker.
Second Lieut. Raymond G. Payne.
Second Lieut. Archie S. Buyers.
Second Lieut. William A. Borden.
Second Lieut. Francis T. Armstrong.
Second Lieut. Edwin B. Spiller.
Second Lieut. Cecil G. Young.
Second Lieut. Carl A. Waldmann.
Second Lieut. Paul W. Evans.
Second Lieut. Henry A. Wingate.
Second Lieut. William C. Washington.
Second Lieut. Alfred B. Quinton, jr.
Second Lieut. Harold A. Strauss.
Second Lieut. Cyril A. W. Dawson.
Second Lieut. Walter O. Rawls.
Second Lieut. Francis A. Englehart.
Second Lieut. William A. Copthorne.
Second Lieut. Selby H. Frank.
Second Lieut. Robert H. Van Volkenburgh.
Second Lieut. Samuel J. Heidner.
Second Lieut. Junius W. Jones.
Second Lieut. Manning M. Kimmel, jr.
Second Lieut. Vern S. Purnell.
Second Lieut. Robert M. Perkins.
Second Lieut. Lawrence B. Weeks.
Second Lieut. William C. Foote.
Second Lieut. Stewart S. Giffin.
Second Lieut. Ward E. Duvall.
Second Lieut. James B. Gillespie.
Second Lieut. Redondo B. Sutton.
Second Lieut. Francis J. Toohey.
Second Lieut. Charles L. Kilburn.
Second Lieut. Joe Eikel.
Second Lieut. Robert D. Brown.
Second Lieut. Edward O. Halbert.
Second Lieut. Harry L. King.
Second Lieut. Augustin M. Prentiss.
Second Lieut. Russell A. Osmun.
Second Lieut. Lester E. Moreton.
Second Lieut. La Rhett L. Stuart.
Second Lieut. Alfred E. Larabee.
Second Lieut. John A. Brooks, jr.
Second Lieut. Albion R. Rockwood.
Second Lieut. Frank L. Hoskins.
Second Lieut. John H. Jouett.
Second Lieut. Joseph D. McCain.
Second Lieut. Eugene Villaret.
Second Lieut. Reiff H. Hannum.
Second Lieut. Harold F. Loomis.
Second Lieut. Leland H. Stanford.
Second Lieut. James C. Waddell.
Second Lieut. Richard B. Paddock.
Second Lieut. Charles C. Griffith.
Second Lieut. James B. Haskell.
Second Lieut. James P. Hogan.
Second Lieut. Gooding Packard.
Second Lieut. Glenn P. Anderson.
Second Lieut. Adam E. Potts.
Second Lieut. Henry S. Aurand.
Second Lieut. Harold E. Small.
Second Lieut. Henry B. Sayler.
Second Lieut. Albert H. Warren.
Second Lieut. John F. Kahle.
Second Lieut. Reinold Melberg.
Second Lieut. Clarence B. Lindner.
Second Lieut. John H. Cochran.
Second Lieut. Logan W. Serles.
Second Lieut. John K. Meneely.
Second Lieut. Joseph J. Teeter.
Second Lieut. John S. MacTaggart.
Second Lieut. Martin J. O'Brien.
Second Lieut. Joseph C. Haw.
Second Lieut. Iverson B. Summers, jr.
Second Lieut. Clifford R. Jones.
Second Lieut. John B. Wogan.
Second Lieut. Clesen H. Tenney.
Second Lieut. Frank E. Emery, jr.
Second Lieut. Edward C. Wallington.
Second Lieut. Carl E. Hocker.
Second Lieut. Richmond T. Gibson.
Second Lieut. Edward B. Hyde, jr.
Second Lieut. Walter W. Hess, jr.
Second Lieut. Thomas J. Brady.
Second Lieut. Herbert R. Corbin.
Second Lieut. Hubert R. Harmon.
Second Lieut. Joseph D. Coughlan.
Second Lieut. Charles H. Chapin.
Second Lieut. William P. Cherrington.
Second Lieut. Charles R. Finley.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Ensign William J. Butler to be a lieutenant (junior grade).
Ensign Anson A. Merrick to be a lieutenant (junior grade).
Ensign Frederick Baltzly to be a lieutenant (junior grade).
The following-named ensigns to be lieutenants (junior grade):
Henry L. Abbott.
Cullen H. Want.
Carl T. Hull.
Thomas G. Berrien.
Hamilton V. Bryan.
Elroy L. Vanderkloot.
George B. Junkin.
Louis J. Roth.
Philip C. Ransom.
William Masek.
Wilfred W. Hawke to be an assistant surgeon in the Medical Reserve Corps.
Boatswain William De Fries to be chief boatswain.
Passed Asst. Surg. Harry Shaw to be a surgeon.

POSTMASTERS.

ALASKA.

John J. Walsh, Nome.

ARKANSAS.

J. R. Cotham, Monticello.
G. B. Greenhaw, Leslie.

DELAWARE.

E. B. Harrington, Harrington.

GEORGIA.

Mary R. Blacker, Fort Oglethorpe (late Dodge).

ILLINOIS.

H. Chester McAuliff, Franklin Park.
Hugh A. Mason, Mound City.
Mary E. Sullivan, Riverside.
W. J. Wangerow, Clearing.

INDIANA.

Herman Doyle, Hebron.

KANSAS.

Stephen J. Ross, Coats.

KENTUCKY.

Ernest E. Birkhead, Hartford.
Otho Dexter, Beaver Dam.
Conrad Maraman, Shepherdsville.
William E. Wooton, Madisonville.

MARYLAND.

Margaret T. Bowdoin, College Park.

NEVADA.

Dora E. Kappler, Carlin.

NORTH DAKOTA.

W. S. Murray, Elgin.
John H. Walters, New England.

OHIO.

Alfred L. Foreman, College Corner.

TEXAS.

W. E. Abbe, Dublin.
Albert P. Hinton, Columbus.

WEST VIRGINIA.

William M. Davis, Bridgeport.
M. Grundy Gilmer, Matoaka.
Charles L. Watkins, Shinnston.

HOUSE OF REPRESENTATIVES.

FRIDAY, *July 14, 1916.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou great Spirit, whose rays divine permeate all space and fill the soul with the holy spirit of truth which clarifies the mind and heart of man, gives him a livelier sense of the eternal values, and fits him to meet the supreme test in every individual crisis, help us as we pursue the journey of life to be master of self, that we shall be able to say at the close of our earthly pilgrimage, "I have fought a good fight; I have finished my course; I have kept the faith; henceforth there is laid up for me a crown of righteousness." Amen.

The Journal of the proceedings of yesterday was read and approved.

STEAMBOAT INSPECTION.

Mr. ALEXANDER. Mr. Speaker, I desire to call up from the Speaker's table the bill (H. R. 449) to provide for the appointment of 11 supervising inspectors, Steamboat-Inspection Service, in lieu of 10. It is a House bill with a Senate amendment, and I ask unanimous consent that the Senate amendment be disagreed to and that the House ask for a conference.

The SPEAKER. The gentleman from Missouri calls up a House bill with a Senate amendment, the title of which the Clerk will report.

The Clerk read the title of the bill.

The SPEAKER. The gentleman asks unanimous consent to disagree to the Senate amendment and ask for a conference. Is there objection?

There was no objection; and the Speaker announced as conferees on the part of the House Mr. ALEXANDER, Mr. BURKE, and Mr. GREENE of Massachusetts.

CHANGE OF CONFEREES.

Mr. HELM. Mr. Speaker, H. R. 4767, authorizing the Director of the Census to collect and publish statistics of cotton seed and cottonseed products, has been sent to conference. Two of the conferees, the gentleman from Tennessee [Mr. HOUSTON] and the gentleman from Maine [Mr. HINDS], are temporarily out of the city, and I am expecting to leave to-night, and I ask that other conferees be appointed in their stead.

The SPEAKER. The Chair appoints Mr. SUMNERS, Mr. ASWELL, and Mr. SMITH of Minnesota as conferees.

LEAVE TO EXTEND REMARKS.

Mr. CANNON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks on the compensation bill.

The SPEAKER. The gentleman from Illinois [Mr. CANNON] asks unanimous consent to revise and extend his remarks on the compensation bill. Is there objection?

There was no objection.

Mr. MEEKER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a report on the new barge line that is operating between St. Louis and New Orleans.

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD by inserting a report on the new barge line that is operating between St. Louis and New Orleans. Is there objection?

There was no objection.

Mr. TAYLOR of Colorado. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing two short editorials, one from a Republican and the other from a Democratic paper in Colorado, on the Mexican situation.

The SPEAKER. The gentleman from Colorado asks unanimous consent to extend his remarks by printing two editorials from Colorado papers, one Republican and one Democratic, on the Mexican situation.

Mr. MANN. Reserving the right to object, the leader of the majority [Mr. KITCHIN] the other day said he should object to these requests. In his temporary absence I will act for him, and I object.

The SPEAKER. The gentleman from Illinois objects.

RECLAMATION EXTENSION.

Mr. TAYLOR of Colorado. Mr. Speaker, I call up the conference report on the bill (H. R. 6057) to amend section 14 of the reclamation extension act approved August 13, 1914, and I ask to have the statement of the House conferees read.

Mr. MANN. Let the conference report be read. It is very short.

The conference report and statement were read as follows:

CONFERENCE REPORT (NO. 953).

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6057) to amend section 14 of the reclamation extension act, approved August 13, 1914, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment as follows: In lieu of the matter inserted by the amendment of the Senate insert the following: "that where the applicant for such acceptance is in arrears on construction charges, he shall at the time of acceptance pay such installments of the construction charge as he would have been required to pay had he accepted this act within the time limit hereinabove fixed, plus the penalties that would have accrued had he so accepted, and such applicant shall thereafter be upon the same status that he would have been had he accepted the provisions of this act within the time limit hereinabove fixed"; and on page 2 of the bill, line 8, strike out the words "upon the"; and the Senate agree to the same.

EDWARD T. TAYLOR,
JOHN E. RAKER,
MOSES P. KINKAID,
Managers on the part of the House.
M. A. SMITH,
HARRY LANE,
W. L. JONES,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference of the disagreeing vote of the two Houses on the amendment to bill H. R. 6057, to amend section 14 of the reclamation extension act, approved August 13, 1914, submit the following written statement, explaining the effect of the action agreed upon:

The bill as it passed the House contained provisions that were more drastic and imposed conditions that were, upon more careful consideration, deemed most too hard upon delinquent settlers under reclamation projects. The provisions might penalize innocent entrymen in an unwarranted manner. In fact, the terms of the bill did not exactly carry out either the intention of the committee or of the Reclamation Service, as the language was subsequently construed.

On the other hand, the amendment inserted by the Senate was looked upon as erring in the opposite direction and not being sufficient to fully protect the welfare of the Reclamation Service. The compromise language agreed upon, which is in the nature of a substitute for both the House and Senate provisions, meets with the hearty approval of the representatives of both committees and of the Reclamation Service, and it is believed that this language will amply guard the interests of the Government and be entirely fair to the applicants and promote the welfare of the service and development under the various reclamation projects. Your House conferees believe they have retained the intention of the House, and that this language is much better than the language adopted by either the Senate or the House.

Respectfully submitted.

EDWARD T. TAYLOR,
JOHN E. RAKER,
MOSES P. KINKAID,
Managers on the Part of the House.

The SPEAKER. The question is on agreeing to the conference report.

Mr. WALSH. Is this amendment, which now meets with the approval of the conferees, the same amendment that was proposed and defeated in the House during the discussion of the bill?

Mr. TAYLOR of Colorado. No; I do not think it is. It is a substitute for both the Senate and House language. When we passed the act amending the reclamation law and extending the time for the payments by settlers from 10 years to 20 years, we provided that people on Government reclamation projects who desired to take advantage of that act must come in and make application within a certain time—six months. There were a good many people who were absent from the State. Some of them never heard of it. Some of them never were able to get in under that act, and we passed this bill providing that they now might come in, but we imposed as a condition upon them a penalty of 1 per cent per month for their delinquency. That was construed to mean 1 per cent per month upon the entire construction cost, which would be unnecessarily and unreasonably harsh, as there was no bad faith or anything of that kind. The Senate struck out that, and provided that they might come in without being required even to pay the ordinary assessments and arrears that would have been charged against them if they had come in; so that strictly speaking neither the Senate nor the House language carried out what ought to be done. When the irrigation committees of the two houses got together, and the Reclamation Service called our attention to the situation, we very readily agreed upon this language as a substitute, which we think fully protects the Government and lets these delinquents come in by squaring up and paying what they would have had to pay if they had come in. It meets with the hearty approval of the Reclamation Service, and we think this will protect the interest of everybody and let the delinquents come in, whom the service wants to have come in. We want them in there, and we feel that there can be no objection to the adoption of the conference report, and I trust our report will be adopted. I prepared and presented the report and statement as the acting chairman of the Committee on Irrigation of Arid Lands.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, one of its clerks, announced that the Senate had passed with amendments bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 12717. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1917, and for other purposes.

SHANGHAI DOCK & ENGINEERING CO. (LTD.).

Mr. GREENE of Massachusetts. Mr. Speaker, I call up a privileged resolution (H. Res. 275), calling on the Secretary of War for information concerning the contract with the Shanghai Dock & Engineering Co. (Ltd.), of Shanghai, China, for the construction of a collier for the use of the United States Army.

The SPEAKER. The gentleman from Massachusetts calls up a resolution, which the Clerk will report.

The Clerk read as follows:

Resolved, That the Secretary of War be, and he is hereby, directed to transmit to the House of Representatives detailed information in the War Department concerning the contract with the Shanghai Dock & Engineering Co. (Ltd.), of Shanghai, China, for the construction of the single-screw steel collier *No. 1* for the use of the United States Army.

Mr. FOSTER. I would like to ask the gentleman from Massachusetts if he is not willing to let this matter go over until the gentleman from Virginia, Mr. HAY, who is very much interested, of course, can be present?

Mr. GREENE of Massachusetts. I have no objection to that. The resolution was introduced on the 24th of June.

Mr. MANN. I do not think that anybody is opposed to the resolution.

Mr. FOSTER. I do not know that anyone is opposed to it, but I think it would be better to take it up when the gentleman from Virginia can be present.

Mr. GREENE of Massachusetts. I am perfectly willing. All I want to get is the information, and I have not been able to get it. I am willing that it should go over until Mr. HAY is present.

SAMUEL SCHWARTZ.

Mr. BENNET. Mr. Speaker, I move to discharge the Committee on Foreign Affairs from the further consideration of House resolution 280, which I will ask the Clerk to report.

The SPEAKER. How long has it been introduced?

Mr. BENNET. For 16 days.

The Clerk read as follows:

House resolution 280.

Resolved, That the Secretary of State be, and he is hereby, requested to furnish the House of Representatives with a statement of what he has done to secure the release of Samuel Schwartz, an American citizen alleged to be unjustly deprived of his liberty by or under the authority of the Government of Great Britain, since proof was given him that the said Samuel Schwartz did not expatriate himself, but, on the contrary, resided at 22 West One hundred and twelfth Street, New York City, from 1902 to 1907.

Mr. FOSTER. Mr. Speaker, I reserve a point of order that this is not a privileged resolution; and, further, that the information has been once secured by the gentleman from the State Department.

Mr. BENNET. The gentleman is wrong in both instances. The present Speaker ruled on the question in connection with a resolution introduced by the gentleman from Wyoming [Mr. MONDELL], I think, in the first term in which the present Speaker was Speaker. This calls for information as to what has been done since a particular time.

Mr. FOSTER. The information is contained in the report of the Secretary of State.

Mr. BENNET. This asks for what has been done since that time. The report of the Secretary of State was a romance.

Mr. FOSTER. The gentleman is trying to get information in regard to a gentleman whose life, it seems, was more than a romance, as I read the report of the Secretary of State.

Mr. BENNET. This asks for information since I made my remarks the other day on the floor calling attention to certain facts, subsequent to which I furnished the Department of State with certain proof about a month ago, and I want to find out what they have done to secure the liberation of this man since that time.

Mr. MANN. The gentleman from New York wants another chapter of the romance. [Laughter.]

Mr. FOSTER. It seems that he was a much-married man and had much notoriety throughout the world.

Mr. BENNET. If the gentleman had done me the honor to listen to my speech or had read it in the RECORD, he would not have made those remarks.

Mr. FOSTER. Oh, I always listen to the gentleman's speeches, and I have read the report of the Secretary of State.

Mr. BENNET. If the report had been accurate, this man would have been a bad citizen. The only trouble is that the report of the Secretary of State was a tissue of misinformation.

Mr. FOSTER. If the State Department can furnish the gentleman with any different information from what it has already furnished him in regard to his constituent, I do not know that there is any harm in getting it.

Mr. BENNET. I have sufficient confidence in it to call for it.

The SPEAKER. The point of order is overruled, and the question is on the resolution.

The question was taken, and the resolution was agreed to.

WATER-POWER BILL.

The SPEAKER. The unfinished business is the vote on the bill of which the Clerk will report the title.

The Clerk read as follows:

An act (S. 3331) to amend an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906, as amended by the act approved June 23, 1910, and to provide for the improvement and development of waterways for the uses of interstate and foreign commerce.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. COOPER of Wisconsin) there were 51 ayes and 17 noes.

So the bill was passed.

On motion of Mr. ADAMSON a motion to reconsider the vote whereby the bill was passed was laid on the table.

CAMPAIGN CONTRIBUTIONS AND EXPENDITURES.

Mr. RUCKER. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 15842) relating to campaign contributions and expenditures.

The SPEAKER. The gentleman from Missouri moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15842.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. ALEXANDER in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the consideration of the bill of which the Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 15842) to revise, amend, and codify the laws relating to publicity of contributions and expenditures made for the purpose of influencing the nomination and election of candidates for the offices of Senator and Representative in the Congress of the United States, extending the same to candidates for nomination and election to the offices of President and Vice President of the United States, limiting the amount which may be expended, providing for the publicity of campaign expenses, and for other purposes.

The CHAIRMAN. General debate is closed, and the Clerk will read.

Mr. BENNET. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BENNET. Is the bill to be read according to the numbered sections or by paragraphs?

The CHAIRMAN. By sections, as the Chair understands.

The Clerk read as follows:

Be it enacted, etc., That an act entitled "An act providing for publicity of contributions made for the purpose of influencing elections at which Representatives in Congress are elected," approved June 25, 1910, as amended by an act entitled "An act to amend an act entitled 'An act providing for publicity of contributions made for the purpose of influencing elections at which Representatives in Congress are elected,' and extending the same to candidates for nomination and election to the offices of Representative and Senator in the Congress of the United States and limiting the amount of campaign expenses," approved August 19, 1911, and all acts amendatory thereof, be, and they are hereby, revised, amended, and codified to read as follows:

"SECTION 1. That the term 'committee,' when used in this act, shall be construed to include the national, State, and the national congressional campaign committees of all political parties, and all other committees, association, or organizations, political or nonpolitical, which shall receive or expend any money, or give or promise anything of value, for the purpose of influencing or attempting to influence the result of any convention, primary election, or election at which candidates for President and Vice President of the United States are to be nominated, or candidates for Senator or Representative in Congress are to be nominated or elected.

"The term 'election' or 'elected,' whenever used in this act, shall mean and include nomination by primary, convention, or otherwise, as well as final elections.

"The words 'Representative,' 'Representatives,' and 'Representatives in the Congress,' wherever they occur in this act, shall be held and construed to include and embrace Delegates to the Congress of the United States.

"The term 'candidate,' whenever used in this act in relation to the nomination or election to the office of President or Vice President of the United States or Senator or Representative in Congress, shall mean and include every person who seeks to become the nominee of any political party, every person who is the nominee of any political party, every person who seeks nomination or election independently of all political parties, every person whose name is presented to any convention or primary election with his knowledge and consent, and every person who declares himself a candidate for nomination or election or who has expended money or incurred any expense in an effort or attempt to secure nomination or election, whether nominated or elected or not.

"The terms 'contribute' or 'contributed,' 'disburse,' 'disbursed,' or 'disbursement,' 'expend,' or 'expenditure,' whenever used in this act, shall mean and include every act or transaction by or through which any money, check, note, property, or thing of value passes or is, directly or indirectly, conveyed, transferred, assigned, paid, given, provided, promised, pledged, loaned, or advanced.

"The term 'person,' whenever used in this act, shall mean and include any private person, firm, copartnership, association, or committee, and the singular shall include the plural.

Mr. PLATT. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I shall have no hesitation in voting against this bill, not because I disapprove of a great deal that is in it, but because it is unfair to pass a bill in the midst of an election which does not apply to everybody. It applies to primaries and to the November elections, and one-half of the primaries have already been held.

Mr. RUCKER. If the gentleman will yield, perhaps the gentleman was not present on yesterday when I stated that an amendment would be offered which would leave the existing law in force so far as the election this fall is concerned. I agree with the gentleman that it would be unfair to change the law now, and we will not do it.

Mr. PLATT. Well, Mr. Chairman, that changes the matter somewhat; but why pass it at this time in a hurry? Those complicated laws after all give those of us who are now in Congress a certain advantage over our opponents. We know all about them, because we are here and we hear them discussed, but the fellow who is trying to beat us on the outside does not know all about them, and he gets stuck. I remember in the last campaign I nearly scared the life out of my opponent—a nice old gentleman, a Progressive, who had been indorsed by the Democrats. I happened to go down to file one of the statements of my expenses in the office of the Clerk of the House of Representatives, and quite accidentally I discovered that my opponent had not filed any statement. He had not spent very much money and it was not a matter of any consequence. I am not sure that he had spent anything, but the law required him to file a statement, and I wrote to him in my most solemn terms and informed him that he had laid himself liable before the courts of the United States to a fine of $1,000 or more through his violation of the corrupt-practices act. The poor fellow was pretty nearly scarced to death. He had done nothing wrong and had intended nothing wrong, but that is the way the law works. I do not know what would have happened to my opponent if the law at that time had contained section 12 of this bill, requiring the Clerk of the House of Representatives to certify to the district attorney of the United States for the southern district of New York the fact of his failure to file, and requiring the institution of a prosecution against him. Mr. Chairman, such a bill as this is unfair. It may be called a bill to make it as difficult as possible for anybody to run against a sitting Member of Congress, either at a primary or at a general election.

Mr. CANNON. Mr. Chairman, I move to strike out the last word. I was not here yesterday, and I have not read the bill, and I am now called to a meeting of the subcommittee of the Committee on Appropriations to consider the general deficiency appropriation bill, and it is of some importance that I be there to help make a quorum. I am going there, and I do not know how long the meeting will last; but before doing so I would like to ask the gentleman in charge of the bill a question. He is familiar with these bills. Does the gentleman's bill make it any more difficult to commit perjury or violate the law than the existing law? [Laughter.]

Mr. RUCKER. More difficult to commit perjury?

Mr. CANNON. Yes.

Mr STAFFORD. That is a stunner.

Mr. RUCKER. I confess that it is a stunner. Really, with all deference to the gentleman, I do not believe I quite understand him. Any man can commit perjury. There is not very much difficulty about it if he can get his own consent to it.

Mr. CANNON. Very well. Is it any more difficult to escape conviction?

Mr. RUCKER. Does the gentleman mean whether this makes it more difficult?

Mr. CANNON. Yes.

Mr. RUCKER. I am glad to say to the gentleman that it makes conviction much easier and escape much more difficult, if a man should violate the provisions of this bill than under existing law.

Mr. CANNON. Is there a severe penalty for those people who do not file their returns either for the primary or for the election, before and after?

Mr. RUCKER. The penal section of the bill applies to everyone who shall willfully violate any of the provisions of the law, and makes him subject to a fine of not more than $10,000 or more than one year of imprisonment.

Mr. CANNON. In a conversation in answer to an inquiry which I made some months ago respecting returns that were made of gentlemen who were defeated at the primaries, and so on, I was informed that in a great many instances the law had been violated, though perhaps not as a rule. I did not know whether there was any penalty for its violation under existing law.

Mr. RUCKER. The same penalty is provided for failure to make a statement as is provided for making a false statement.

Mr. CANNON. Yes.

Mr. RUCKER. I confess the gentleman's criticism is correct.

Mr. CANNON. Oh, I am just asking questions for information.

Mr. RUCKER. The gentleman's suggestion presents a situation to the House. Many people, especially those who are not nominated, have ignored the law, and in some instances I have heard that those who were nominated have ignored the law, though I am not stating positively about that. Under existing law there is a kind of loophole or opportunity for candidates to escape, growing out of this condition. The one man of all who would likely have the most knowledge would be the opponent of a candidate for nomination, and whether successful or defeated, the opponent does not want to become an informer against his adversary. If successful, he feels that he has had triumph enough and that his opponent has been punished enough, and if defeated, he feels that he would be very much criticized if he invoked the law against his successful opponent. We have provided in this bill a means by which all embarrassment is removed, and through official channels those parties will be brought to justice.

This bill when it becomes a law requires each candidate who files his statement to give the name and address and the Federal district in which his opponent resides, and then the Clerk of the House is required to scan all of these statements and make a list of all of the people who are candidates for nomination or for election, and if any one of those listed as a candidate fails to file his statement within the time required by the law

it becomes the duty of the Clerk of the House of Representatives to give official notice of that fact to the district attorney prosecuting in the district where the delinquent resides.

Mr. CANNON. It makes the successful man, then, either for nomination or election, turn informer against his opponent?

Mr. RUCKER. Oh, no; that is what it does not do. It makes the Clerk of the House do that in his official capacity, and the Member has nothing to do with it at all.

Mr. CANNON. Oh, the Clerk must keep posted.

Mr. RUCKER. Yes.

Mr. CANNON. I am gratified to learn that.

Mr. RUCKER. I believe if the gentleman would permit me to explain to him all the provisions of the bill, he would be gratified with all of them.

Mr. BENNET. Mr. Chairman, I move to strike out the last two words. We have had laws like this on our statute books for, I should imagine, 20 years in the State which I have the honor in part to represent. This particular kind of a law does not do anything to do away with corruption. We have had corruption at elections in New York State. I remember 25 years ago seeing men marched through a room to the polling place, and each man was made to hold his hand up so that the other side could not slip ballots into it, and when he got to the polling place he was permitted to let his hand come down so that the bunch of ballots he carried could be delivered to the inspector, and the presumption was that for that act of humiliation he got what he considered was satisfactory pecuniary compensation. That time has passed in New York State. I live in a Democratic city, and I presume I ought to take more or less joy in criticizing a Democratic city; but I want to state very frankly that in the twenty odd years I have been connected with politics in the Democratic city of New York, I have never known of vote buying and I do not think there is any vote buying. I will tell you what made the change. I do not know that we are any better in New York than 25 years ago, but we adopted the Australian ballot, and the men who used to be addicted to those practices lost their incentive to buy votes because they could not make sure the goods were delivered. That is why, therefore, this bill is practically a masquerade. It is assumption of virtue without any cause. It does not make any difference one way or the other. You will not do a very consciously good act by voting for it and you will not accomplish any useful purpose by voting against it. This is a piece of paper passing through the House and gets nobody anywhere.

Mr. COLEMAN. It is a waste of the time of the House to pass such a bill, is it not?

Mr. BENNET. Oh, I do not know; it is a sort of expression that virtue is its own reward, and people believe in decency at election, and we are so far ahead of the other body nothing is a waste of time.

Mr. WALSH. Will the gentleman yield?

Mr. BENNET. Yes.

Mr. WALSH. Is there any need for this legislation to protect elections in the State of New York?

Mr. BENNET. Not only is there no need but it will not accomplish anything. In the mayoralty election of 1909, in which I was connected, the contributions amounted to $275.000, and under the State law we published how we spent the money.

Mr. RUCKER. Will the gentleman yield?

Mr. BENNET. I will.

Mr. RUCKER. I believe you have a statute something like this in New York, have you not?

Mr. BENNET. We have a statute which is not so long, but I think it is better. We have had it for 20 years.

Mr. RUCKER. Will the gentleman kindly give the House the benefit of his information and help to make this bill better instead of saying it is worth nothing?

Mr. BENNET. Mr. Chairman, my criticism does not go so much to the particular bill which so far as the mere arrangement of words is concerned seems to be pretty fair, but to the fact that you are coming in about 25 years after the reason for anything of this kind has occurred and pass a bill when——

Mr. RUCKER. In view of the fact that my friend votes the Republican ticket and lives in a Democratic district, I am glad to hear the old practice has become antiquated.

Mr. BENNET. During the 25 years I have been connected with the politics of New York State I have never known of a vote being bought by a Democrat or a Republican, not because we are better than anybody else—I do not want to be a Pharisee—and if I can have a minute more I want to tell you——

The CHAIRMAN. The time of the gentleman has expired.

Mr. BENNET. I would like to have two minutes additional.

Mr. RUCKER. If the gentleman will comply with this law, I think he will find good results from it.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. BENNET. A colored man is ordinarily a Republican in New York anyhow, and some of my Democratic brethren thought they could beat the game a little bit and they paid the colored men a dollar apiece if they would bring the star, which was the Democratic emblem, cut out of the ballot and deliver it. Well, some of the colored men thought that was a pretty good idea and voted the Republican ticket and cut the star out of the ballot and went back and got the dollar. That spoiled every Republican ticket cast by one of those colored men. The next year the Democrats got even more stars than the first year, but the Republicans had waked up by this time and they supplied these colored men with stars. [Laughter.] The result was that they went in and voted the Republican ticket and came out with a star, leaving the ballot unmutilated, and collected a dollar apiece for each star. [Laughter.]

Mr. RUCKER. The gentleman seems to have so much knowledge about this and living in a Democratic district, is not he just mistaken in the historical fact? Was it the Democrats or the Republicans who——

Mr. BENNET. A Republican does not waste any money buying colored votes; they are mostly Republicans anyway. [Applause.] No; I am not mistaken.

Mr. RUCKER. I want to say to the gentleman that in some sections of the country the Democrats treat the negroes much better than you do in New York, because I have known them to get as much as $2.

Mr. BENNET. I am glad to hear they pay $2 instead of $1. [Laughter.]

Mr. SLOAN. Will the gentleman yield?

Mr. BENNET. I will.

Mr. SLOAN. This bill apparently is directed against improper inducements for voting. Is there anything in the bill providing for the removal of obstructions in any of the States from the votes being cast?

Mr. BENNET. No; and I should be very glad to see something of that kind in the bill. I remember when the Democrats came back into power in 1894 they repealed the old statutes which were on the statute books at that time which tended to honest, fair elections throughout the United States. There is nothing of that kind in this bill.

Mr. RUCKER. Let me say to the gentleman that in my judgment there never will be anything like that in any other bill that is before the House and passed.

Mr. BENNET. That is just simply 1 gentleman's opinion out of 435. My colleague from Albany County disagrees with you.

Mr. PLATT. Will the gentleman yield?

Mr. TOWNER. Mr. Chairman——

Mr. RUCKER. Mr. Chairman, I ask unanimous consent that all debate on this section close and all amendments thereto in five minutes.

Mr. CHIPERFIELD. Mr. Chairman, I would like to have five minutes on this section.

Mr. RUCKER. Make it 10 minutes, then, Mr. Chairman.

The CHAIRMAN. The gentleman from Missouri [Mr. RUCKER] asks unanimous consent that debate on this section close in 10 minutes and that the gentleman from Iowa [Mr. TOWNER] have 5 minutes and the gentleman from Illinois [Mr. CHIPERFIELD] 5. Is there objection?

There was no objection.

Mr. TOWNER. Mr. Chairman, it is always very easy to criticize a bill of this kind. I believe that this bill is subject to some criticism. I believe, however, that it is a marked step in advance over the three incomplete, somewhat contradictory, and altogether incomprehensible bills that have preceded it.

Mr. Chairman, I do not agree with my friend from New York [Mr. BENNET] in regarding it as an unnecessary bill. I think it is very necessary, and I think that it will accomplish a great deal of good. We should remember, gentlemen, that this bill applies only to national elections. It applies only to the election of President and Vice President and to the election of Senators and Representatives in Congress. And it is essential that this Congress should pass that kind and character of legislation. And although any bill presented may be subject to criticism, although there may be loopholes in it, and although gentlemen may see a degree of incompleteness in its terms so that there may be still violations of law, it is a great step in advance, and the moral effect of legislation of this kind, in my judgment, is extremely good. I think that the very fact that it is known in the United States of America that no man who expects to be a candidate for Senator or for Congress can expend an unlimited amount of money in corrupting the elec-

torate to which he appeals will deter the unfit and unscrupulous from becoming candidates. [Applause.]

Mr. WALSH. Will the gentleman yield?

Mr. TOWNER. I will.

Mr. WALSH. Does the gentleman understand that this bill prevents the expenditure of an unlimited amount of money for the purpose of securing the election of a Member of Congress?

Mr. TOWNER. I said, if the gentleman will remember, at the outset that this bill by the very fact that it does put limitations on the corruption of the voters and puts upon them the necessity of accounting for their expenditures, makes it more difficult for men to corrupt the electorate, and I still think there is no question but that is true.

Mr. BENNET. What is the limitation on the committee appointed for a senatorial primary?

Mr. TOWNER. What is the limitation?

Mr. BENNET. Yes.

Mr. TOWNER. None, I will say to the gentleman, but there ought to be. I have always argued for that before when bills of this kind were under consideration. But I will say to the gentleman, does that excuse you or me for not supporting a bill that at least is some defense against unscrupulous politicians?

Mr. BENNET. I was simply following out the gentleman's argument that this prevented a man of wealth from spending a good deal of money in a senatorial contest.

Mr. TOWNER. I think it does.

Mr. BENNET. It simply prevents him from drawing a check.

Mr. TOWNER. I think there is a good deal of benefit under the terms of this bill.

Mr. CHIPERFIELD. Will the gentleman yield?

Mr. TOWNER. Yes.

Mr. CHIPERFIELD. I think everyone would agree with the gentleman in his statements about the corruption of voters, but does he think it necessarily follows that any sum in excess of $2,500 in a congressional district or $5,000 in a senatorial contest means everything?

Mr. TOWNER. Not necessarily, I will say to the gentleman; but it occurs to me that gentlemen will agree that there must be some limitation placed upon these amounts. Of course it is arbitrary, and in some instances it may be unfair, but I do not believe it is not of value in the protection of the electorate.

Mr. RUCKER. The $2,500 the gentleman from Illinois [Mr. CHIPERFIELD] just asked the gentleman from Iowa [Mr. TOWNER] about, is $2,500 exclusive of all personal expenses of travel, for writing letters and sending telegrams, and telephone messages, and all those things.

Mr. TOWNER. That is true. I want to make one observation in closing, and that is addressed to these gentlemen who criticize the bill. It is now before you for amendment. Present your amendments. If they are fair and reasonable, if they will strengthen and make more effective this bill, I and others will support them. But the fact that imperfections exist which may be corrected is no reason why the bill should be condemned and why gentlemen should set themselves up in opposition to the bill.

The CHAIRMAN. The time of the gentleman from Iowa has expired. The gentleman from Illinois [Mr. CHIPERFIELD] is recognized.

Mr. CHIPERFIELD. Mr. Chairman, I cordially agree with the statements that have been made by the gentleman from Iowa [Mr. TOWNER] with reference to the necessity for carrying on both primary and general elections in a cleanly, decent, upright, and honorable way, and I would not yield to him any greater admiration for the accomplishment of this purpose than I possess.

But I take it, Mr. Chairman, that this bill, in practical operation, will have the result of bringing about and promoting hypocrisy and inducing perjury and subterfuge and concealment in connection with the expenses that are incurred in both congressional and senatorial elections.

Mr. RUCKER. Mr. Chairman, will the gentleman yield?

Mr. CHIPERFIELD. Yes; I will be glad to do so.

Mr. RUCKER. Do I understand the gentleman's position is that the law which forbids a candidate for Congress to do a certain thing would induce that man to commit perjury?

Mr. CHIPERFIELD. No; that is not my position at all. My position is this, if the gentleman asks the question for an answer and will give me his attention: That when you say that under no circumstances can a candidate for Congress spend more than $2,500 for the purpose of organization and necessary expenses in a primary election in a congressional district you are putting a premium upon dishonest practices.

If it be your own district and the contest gets warm and your political fate and future are at stake, if you do not violate this provision yourself your friends and your political associates will do for you indirectly what you say by this law can not be done directly.

And you might as well recognize the situation first as last.

Mr. RUCKER. The gentleman is not recognizing the situation, because I say to the gentleman that that is an impossible situation. I want to say to the gentleman that no mortal man, so far as I know, ever spent one dollar to secure my election except myself. I have never violated the law, and this year I have a hard fight on my hands and I can not spend as much as $500 in my district.

Mr. CHIPERFIELD. I make bold to say this, without regard to what the gentleman urges, and he need take it as no possible reflection against the veracity of his statement, that when the time comes in the gentleman's district where he and his party organization are convinced that the gentleman's nomination means the success of his party his friends will see to it that he is nominated, and they will pay the price for doing it, whatever it may be.

Mr. RUCKER. There is no trouble in my district after getting the nomination.

Mr. COLEMAN. Mr. Chairman, will the gentleman yield?

Mr. CHIPERFIELD. Yes.

Mr. COLEMAN. In other words, the principle involved is paramount over everything else, and the people will fight for that principle?

Mr. CHIPERFIELD. Yes. You provide that in the State of Illinois in a senatorial contest not more than $5,000 can be expended for the campaign expenses of a candidate. That is absurd and ridiculous.

Mr. SANFORD. Mr. Chairman, will the gentleman yield?

Mr. CHIPERFIELD. Yes.

Mr. SANFORD. Will the gentleman tell the House the purpose for which he would want to spend money in a crisis? He might spend $2,500 in addition to the exceptions contained in the bill.

Mr. CHIPERFIELD. Yes; I will tell you. If it was the gentleman's own case the purpose would be to make sure that he was the one nominated by his party, regardless of other candidates.

Mr. SANFORD. What item would be expended outside the $2,500? If the gentleman will read the bill, he will find he is perfectly inconsistent in his attitude.

Mr. CHIPERFIELD. Oh, the gentleman is evidently laboring under the impression that he is the only man in the House who reads. [Laughter.] If the gentleman generally maintains that attitude, it would take more than $2,500 to be nominated in his district. [Renewed laughter.]

Mr. SANFORD. I do not want to be personal; I did not intend to be. I asked the gentleman to name any one item.

Mr. CHIPERFIELD. If the gentleman will kindly allow me to continue and cease interrupting, I will name to him the items for which he inquires and show him the application.

In the State of Illinois a man desires to be a candidate for Senator. By this bill he is limited to expending $5,000.

With the approval of the people of the State of Illinois in the last senatorial campaign, the expenses have run to $50,000 and $75,000 and $100,000, and gentlemen need not hold up their hands in holy horror on account of it. Many of the best men of the State of Illinois generously contributed for the expenses of these senatorial candidates in that State, and waged a hot campaign.

Mr. RUCKER. Mr. Chairman, will the gentleman yield?

Mr. CHIPERFIELD. Yes; if I may get the time.

Mr. RUCKER. Does the gentleman know that one of the United States Senators from the State of Illinois was the first to write in the law the $10,000 limitation, and last year the $5,000 limitation?

Mr. CHIPERFIELD. I do not care who wrote it in the bill. I know that a senatorial campaign can not be made in the State of Illinois for $5,000, and it is hypocrisy to pretend that it can.

Mr. SANFORD. It does not need to be.

Mr. CHIPERFIELD. When you assert that a senatorial campaign can be carried on in the State of Illinois for $5,000 you are hypocritically pretending what can not be. If the State committee desires to communicate with the voters of the party in that State with but one letter, requiring a 2-cent stamp——

Mr. SANFORD. It exempts that.

Mr. CHIPERFIELD. I say if the campaign committee desires to communicate with the voters of the State of Illinois and sends to each of them a 2-cent letter, figuring the total cost of preparing and posting each letter at 3 cents, it would cost from $25,000 to $30,000 to do that alone.

Mr. RUCKER. That would not be an expense to the candidate.

Mr. CHIPERFIELD. Well, if you mean that a campaign committee can expend an indefinite sum, you simply nullify the law and make it ineffective. A campaign committee can not expend a great sum for a candidate under this law without violating its provisions.

The CHAIRMAN. The time of the gentleman from Illinois has expired. All time has expired on the paragraph.

Mr. MANN. I ask unanimous consent, Mr. Chairman, that the gentleman may have five minutes more.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] asks unanimous consent that his colleague [Mr. CHIPERFIELD] be permitted to proceed five minutes more. Is there objection?

There was no objection.

Mr. CHIPERFIELD. I am not, and I will not be put in the attitude of being opposed to a bill that means an honest limitation of campaign expenses.

Mr. TOWNER. Mr. Chairman, will the gentleman yield?

Mr. CHIPERFIELD. Yes.

Mr. TOWNER. If you believe that the amounts named in the bill—$2,500 and $5,000—are too small, can they not be changed by amendment?

Mr. CHIPERFIELD. Yes; of course they can.

Mr. TOWNER. And will the gentleman suggest to the committee what he thinks ought to be the change?

Mr. CHIPERFIELD. In my opinion there can be no fixed rule.

Mr. TOWNER. What amount should be stated instead of the amount stated in the bill?

Mr. CHIPERFIELD. There can be no rule that would apply equally to a senatorial contest in a State like New York and in a State like Arizona. There can be no rule made to apply to the State of Illinois and at the same time to the State of Idaho, because the conditions are so entirely different; for instance, 9,000,000 population in New York, 6,000,000 population in Illinois, and but a few thousand in the other States.

The candidate has got to reach the voters, and the purposes of the primary law are defeated if the candidate's claims can not be decently and legitimately laid before the people and a proper appeal submitted to their judgment.

Mr. TOWNER. I am concerned to know how the gentleman would meet that difficulty.

Mr. CHIPERFIELD. It is a great deal easier to say this is an improper limitation than to prescribe a rule that would properly fit every case.

Mr. TOWNER. The gentleman surely would not say we ought to have no legislation of this kind, would he?

Mr. CHIPERFIELD. I suppose because I will not say that, in the gentleman's opinion, that is an argument in favor of this particular sum; because I can not definitely prescribe a rule, this limitation is right. But, speaking from my personal observation of the conditions that exist in Illinois and the conditions that exist in Chicago, I say you might as well prescribe that you can not spend a dollar as to say you must limit to $5,000 the expenses in a senatorial campaign.

In the city of Chicago in the mayoralty campaign it is hotly contested; they hold their meetings; they have their organizations; they maintain headquarters; they conduct an educational campaign, apparently and avowedly for the purpose of selecting the best candidate, and make a thoroughly organized fight. The expenses of those primaries run from $50,000 to $100,000, with the approval of the people and the press of that city.

Now, when you not only include the city of Chicago but cover the entire State of Illinois, or perhaps run for Congress in the entire State of Illinois, how can one meet the people of the entire State? How can you present your views to the people of that State, by letter or otherwise, for $2,500 or $5,000?

And when you leave open a loophole to a committee to do for the candidate what the candidate can not do directly for himself you are putting a man who is inclined to obey the law at a disadvantage as compared with the man who does desire not to obey the law and who does not obey it.

Mr. MADDEN. Mr. Chairman, will the gentleman yield there?

Mr. CHIPERFIELD. Yes.

Mr. MADDEN. The question is whether the rule should be applied to a State of 6,000,000 people as it is applied to a State having only 200,000 people.

Mr. CHIPERFIELD. Exactly. You have got to bring your claims before the people through the medium of the modern campaign methods, and there is no other way to do it; and legislation of this sort prevents the dissemination of the knowledge that is necessary for intelligent action on the part of the voters. There has got to be used in these campaigns the lithograph, the billboard, many forms of advertising, letters from the candidate and from the campaign committee, speakers, campaign headquarters, clerical aid, workers, and there has got to be the organization necessary to present the claims of the candidate to the people.

Mr. RUCKER. Will the gentleman yield?

Mr. CHIPERFIELD. Yes.

Mr. RUCKER. My judgment is that when this bill becomes a law the gentleman from Illinois will find a way to get back here without violating the law.

Mr. CHIPERFIELD. It is not a question whether I can come back or whether I must remain at home.

Mr. RUCKER. Whoever succeeds the gentleman, then, will come back without violating this law. And if it ever should dawn on the intelligent judgment of this House that any mortal man sits here as a criminal, then every man here, whether he comes from the great State of Illinois or any other State, ought to record his vote in favor of lashing that man from this floor.

Mr. CHIPERFIELD. I entirely agree with the gentleman on that. Now, just let me suggest one case where this law might work a hardship.

Suppose there is a man in the Senate or in the House who does not properly represent the wishes of his State or district. I have in mind no particular man, but I am taking the abstract proposition of a man who does not properly represent his district or State.

The forces that make for good, as they are lovingly called in the State of Illinois, desire to displace him and desire to place a man in nomination and present his claims to the people of the State. Does any man within the limits of this Hall think that can be done in a State of the size of Illinois for $5,000? It would prevent the claims of the other candidate being properly presented.

Mr. RUCKER. Will the gentleman yield?

Mr. CHIPERFIELD. Yes.

Mr. RUCKER. For what purpose will the money be expended?

Mr. CHIPERFIELD. When I look at the silvered hair of my friend from Missouri and realize the great extent of his political experience——

Mr. RUCKER. Oh, it is not because of age. Do not respect my age at all.

Mr. CHIPERFIELD. I understand that the gentleman knows far better than I do what is necessary to be done in the proper conduct of a political campaign; and, instead of instructing him, I am very sure I should sit humbly at his feet and receive instruction from him. [Laughter.]

Mr. RUCKER. I am trying to get instruction.

Mr. CHIPERFIELD. The gentleman knows the legitimate purposes for which money is expended in a political campaign.

Mr. RUCKER. State them.

Mr. CHIPERFIELD. Very well, I will state them. I will tell the gentleman what we do in the State of Illinois to organize a campaign for a worthy man. Does the gentleman mean to say now that it is not necessary to have the people who are interested in his campaign and in his nomination go about the State and present his claim? Is it not necessary to hold meetings? Is it not necessary to hire halls, to have advertisements in the papers, to cover the dead walls, to communicate with voters, and to organize the forces down to the smallest voting precinct?

Mr. RUCKER. In that great State of Illinois, where the office seeks the man, they always find good men like the gentleman——

Mr. CHIPERFIELD. That does not answer my question. I am talking in all seriousness. You have got to have your campaign headquarters. There must be a suite of rooms in a centrally located city. You have got to have your clerical force, and when you attempt to reach 6,000,000 people in 60 days the expense has run legitimately to $50,000 or $100,000 for a senatorial campaign in Illinois.

Mr. RUCKER. If the gentleman will permit me, I do not want to interrupt him——

Mr. CHIPERFIELD. The gentleman may interrupt all he pleases.

Mr. RUCKER. The gentleman is making all his argument with reference to the senatorial end of this situation. Now, I believe that the Senators at the other end of this Capitol will be quite capable of taking care of their interests in this bill.

Mr. CHIPERFIELD. That is probably true; but the bill is before us now, and the chief iniquity of it, as I see it, is in the senatorial situation, although I think $2,500 for congressional campaigns may very often work a hardship.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TOWNER. I ask unanimous consent that the gentleman's time be extended five minutes.

Mr. RUCKER. I will not object, of course.

Mr. TOWNER. Let me say to the gentleman from Missouri that I do not think he ought to object.

Mr. RUCKER. I said I would not object.

Mr. TOWNER. Let me explain to the gentleman that I think it is necessary that we have this discussion regarding the general propositions embraced in the bill, at some time, and we might as well have it now as at any time.

Mr. RUCKER. Yes.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa, that the time of the gentleman from Illinois [Mr. CHIPERFIELD] be extended five minutes?

There was no objection.

Mr. CHIPERFIELD. I did not enumerate all of the expenses that would be necessary.

Of course, the publicity given a candidate can not all be in the form of a personal letter. There has got to be much campaign literature; and in a State like Illinois—I speak of that because it is the particular thing I have in mind—there are many complicated issues in which the people of the State are vitally and intimately and seriously concerned and interested.

Those issues can only be put before the people of that State by spreading literature broadcast, by getting out documents, pamphlets, and circulars, by going to the press and asking for the use of their editorial columns, by posters on the dead walls, by using the advertising columns of the papers; and it is impossible to present the issues of a campaign on any great issue in the State of Illinois for $5,000 or $10,000 or $20,000, so far as the printing and advertising alone is concerned.

Mr. WALSH. Will the gentleman yield?

Mr. CHIPERFIELD. Yes.

Mr. WALSH. I should like to ask the gentleman if he does not represent a district as large as that represented by either of the Senators from the State of Illinois?

Mr. CHIPERFIELD. Yes. I did not care to speak of my own personal interest in this matter, but I represent the whole State of Illinois, and in the carrying on of my campaign it is necessary to go to every county in the State of Illinois, and to these present my claims precisely as would be done in a senatorial or gubernatorial race.

In the present primary I will have against me a gentleman connected formerly with the Chicago Tribune, also a former Senator, and a number of other distinguished gentlemen. Under the provisions of this bill I have the privilege of spending in any county in Illinois, of which there are 102, the princely sum of $24 and some odd cents.

What does it mean?

It means that I might just as well, and a good deal better, remain at home and not spend a penny in any county of Illinois. If any man thinks that when a candidate spends $50 in a county he is debauching the electorate, that gentleman is credulous in the extreme.

Mr. TOWNER. Will the gentleman yield?

Mr. CHIPERFIELD. Yes.

Mr. TOWNER. Does not the gentleman recognize the fact that his opponents will be subject to the same law?

Mr. CHIPERFIELD. Theoretically I do. I am answering the gentleman seriously. Let me tell you, the gentleman I just mentioned, who is opposing me in this primary, and for whom I have the highest regard, was formerly in the newspaper business in the State of Illinois, and every newspaper in the State of Illinois will give him space for publicity that I will not get. They will give it to him voluntarily. He will have help of that kind which will be the equivalent of many thousands of dollars in the way of advertisement.

Mr. COLEMAN. Does not this law give the controller of a newspaper a great advantage?

Mr. CHIPERFIELD. Unquestionably.

Mr. SMITH of Michigan. Will the gentleman yield?

Mr. CHIPERFIELD. Yes.

Mr. SMITH of Michigan. I would like to inquire whether or not the gentleman is limited in his expenditure by any statute of his own State.

Mr. CHIPERFIELD. No.

Mr. SMITH of Michigan. They are in a good many States.

Mr. CHIPERFIELD. So far as I know, and I ask any gentleman from Illinois to correct me if I am wrong, I know of no limitations on the subject.

Mr. TOWNER. Will the gentleman further yield?

Mr. CHIPERFIELD. Yes.

Mr. TOWNER. The gentleman believes, does he not, that the people require and are justified in requiring the passage of a corrupt-practice act?

Mr. CHIPERFIELD. Yes; but it should be a law that will enable a candidate to properly conduct his campaign and to make a fair appeal to the voters.

Mr. TOWNER. If that be the case, how can we get one if there is no limitation to be made on the expenditure? What does the gentleman recommend?

Mr. CHIPERFIELD. My idea is that there are certain things that are so legitimate, such as the unlimited use of the newspaper, the unlimited use of every form of advertising, the sending of pamphlets and circulars in the use of which there can be no corruption, and a lot of allied things that I can not name just now—those things should be taken out of this bill absolutely.

You can not corrupt a man by advertisement or by an appeal to his intelligence.

I have received letters from newspapers of the State of Illinois, many of them, from every county and section of the State, urging me to let them have some advertising in my own campaign.

Under this law I can not do that. Every man on the floor knows that you have to recognize and deal with the papers in your own county, your district, and the State, and so I am prevented in my own case from using the newspapers of the State. I say that such forms of advertising are legitimate. I favor, as much as any man, honest elections.

They are the very foundation upon which the Republic is builded. But, in order to secure the selection of capable men, the candidates should have the absolute right to fully present the issues for which they stand, to widely promulgate their platforms, and to communicate most fully and freely with the voters.

This bill proceeds upon the theory that the most laudable expenditure of any money in excess of a certain amount is corrupting. This bill seeks to close the usual and approved avenues of publicity, and has as its effect the denying of information to the voter.

My contention is that the improper use of money in the smallest amount should be prohibited, and that the proper use of money for the fullest publicity and the widest and most accurate information should be encouraged.

The weakness of this measure is that it makes an arbitrary and insufficient limit to expenditures and does not properly consider the purpose for which the expenditure is to be made.

In this respect it is illy conceived and unwisely prepared.

It will only bring about lack of information, evasion, and deceit.

Mr. MANN. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. MANN. Mr. Chairman, I want to get some information as to what the first definition in the bill covers. In the existing law the word "committee" is used as a political committee, and only includes the political committee which seeks to influence the election of Members of Congress in two or more States. It does not include the local committee. But the language of the present bill is so broad that I think we ought to understand what is its purpose. Remember that every committee now in the bill must make a report of its contributions and expenditures and must have a chairman and a treasurer. The language is:

> That the term "committee," when used in this act, shall be construed to include the national, State, and the national congressional campaign committees of all political parties and all other committees, associations, or organizations, political or nonpolitical, which shall receive or expend any money, or give or promise anything of value, for the purpose of influencing or attempting to influence the result of any convention, primary election, or election at which candidates for President and Vice President of the United States are to be nominated, or candidates for Senator or Representative in Congress are to be nominated or elected.

That includes all the fall elections, all of the primary elections at which Members of Congress who are candidates are selected.

This will require every township committee, every school-district committee, every ward organization to make a report of all of its receipts and expenses, and to have an organization, to make them under oath, get them properly transmitted to the clerk of the House of Representatives, or be subject to a criminal prosecution. Here are the ladies in the State of Illinois or Colorado up on some district in the mountain top where there are three or four of them organized in a club for the purpose of promoting the election of the gentleman from Colorado, Mr. TAYLOR, to Congress. They may spend 10 cents or they may promise something.

Mr. RUCKER. If the gentleman will yield.

Mr. MANN. I will not yield just now. I want to finish this statement. Nobody has been able to make a consecutive state-

ment without being interrupted by some member of the committee. I want to get some information.

Mr. RUCKER. But I may not answer the gentleman if the gentleman is going to talk in that way.

Mr. MANN. I am not complaining of the gentleman, but I do want to make a consecutive statement.

Mr. RUCKER. When the gentleman makes a mistake, as he sometimes does, I thought it would be right to correct him.

Mr. MANN. It seems to be impossible in the consideration of this bill for the gentleman from Missouri to contain his soul in patience for a moment. We all look to him for advice and information on the bill. Now, do not misunderstand me. I am not complaining, but let some of the rest of the Members express themselves, so that we can get the information.

I do not know now just where I was. I was making a consecutive argument, and was interrupted by the gentleman, who asked an inconsequential question.

Mr. HAMILTON of Michigan. The gentleman was with the ladies on the mountain top. [Laughter.]

Mr. MANN. If the ladies making up that organization do not make a report, under the terms of this bill they are liable to be sent to jail or fined.

A MEMBER. Oh, no!

Mr. MANN. Some gentleman who does not know anything about it says "Oh, no," but that is the bill and that is what the bill is for. What I want to know is, if I may ask the gentleman, if I may very respectfully and I hope very courteously ask the gentleman from Missouri [Mr. RUCKER], whether this bill does not cover every kind of an organization or committee or association which in any way seeks to influence the election of a Member of Congress, whether that organization be an organization in a school district or half a school district, or what not, or a ward in a country town, or a national organization. May I have the gentleman's attention now?

Mr. RUCKER. Mr. Chairman, will the gentleman permit me to answer? [Laughter.]

Mr. MANN. I beg the gentleman to answer it.

Mr. RUCKER. For fear the gentleman misunderstood me before, I am going to get closer, so that if he has any further demonstrations to make he will not have to walk so far to make them. Mr. Chairman, in response to the questions propounded by the gentleman from Illinois [Mr. MANN] I want to say that he is now as far wrong as I have ever known him to be in my life, except that he is always wrong on political questions. This bill requires nothing of the kind, as I understand it.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MANN. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. RUCKER. I do not want to be interrupted. [Laughter.] It does require every committee, association, or organization, political or nonpolitical, which receives and expends money to affect the result of a nomination of a candidate for Senator or Representative to account, and it ought to do it. Otherwise criticisms which I have heard would be well founded. It will not do to allow a gentleman who might want to do it to organize a personal committee and do the very thing which the whole body of the people protest against, namely, debauch society.

Mr. MANN. Now, will my friend yield?

Mr. RUCKER. Oh, the gentleman must not interrupt me; but I will yield to him.

Mr. MANN. Yes; inasmuch as it is my time. The gentleman is not now answering the question that I put at all.

Mr. RUCKER. Let the gentleman put the question again.

Mr. MANN. He said that I was as far wrong as could be, and he dodged—well, I will not say that; but he does not answer the question. He is arguing as to whether it ought to be. I want to know whether it is, not whether it ought to be. That is another question. Does the law apply to every precinct, every school-district organization, whether it be political or nonpolitical, which seeks to influence the election of a Member of Congress or, for that matter, the election of the President of the United States?

Mr. RUCKER. Every organization which collects and expends money for that purpose must account for it and ought to account for it.

Mr. MANN. Mr. Chairman, every one of these organizations expends money or something else. This is not confined to money. It provides with respect to money or promise of something of value. Every kind of an organization, if it be composed of only three people, does something which comes within the terms of the bill. The result of that would be, in my opinion, to bring the bill into disrepute. People will become accustomed to violating the law. Nobody believes that such a law will be complied with or that you will send people to jail. If I were the President of the United States and this law were on the statute books, I would have it within my power to have half the prominent Democrats of the country looking through the bars of a penitentiary.

Mr. RUCKER. Mr. Chairman, will the gentleman yield?

Mr. MANN. Of course, I would not prosecute the Republicans.

Mr. RUCKER. I was going to ask the gentleman what would become of this great horde of Republicans with whom we contend?

Mr. MANN. Every one in politics or out of politics, every one who thinks he has an idea who ought to be President of the United States, under the terms of this bill is subject to being placed in the penitentiary. It may be they will not all be sent there, because when everyone is guilty of crime you can not convict anyone.

Mr. RUCKER. I want to say to the gentleman courteously and respectfully, that I am sure he takes a strained view of this law.

Mr. MANN. Point out to me some place in the bill where it does not say exactly what I suggest.

Mr. RUCKER. I am not surprised at the solicitude the gentleman feels for the organization of ladies in this country, after a recent utterance from him.

Mr. MANN. Oh, well, the gentleman is getting gay now. That is rot.

Mr. RUCKER. It is true all the same.

Mr. MANN. It is not true.

Mr. RUCKER. I say it is true, and I am not surprised——

Mr. MANN. I say it is false.

Mr. RUCKER. What are you talking about?

Mr. MANN. What you say.

Mr. RUCKER. Mr. Chairman, the gentleman must not—I was talking courteously to him, and he must not get gay.

Mr. MANN. Oh, no; the gentleman was not talking courteously.

Mr. RUCKER. I was.

Mr. MANN. Very well. The gentleman is one of my very best friends and he can not quarrel with me. I have a great affection for him.

Mr. RUCKER. If the gentleman were not so ugly in his utterances I would embrace him. [Laughter.]

Mr. MANN. The gentleman will still not deny the statement that I made that under the terms of this bill every kind of a committee, political or nonpolitical, a sewing society, any body that seeks to influence in any way by money or otherwise the candidacy of a man for nomination, or election, for the Presidency or to Congress, must make the reports required in this bill, and if they do not, they are guilty of a penal offense. Is not that true?

Mr. RUCKER. No; it is not true. The gentleman has an entirely wrong notion. I wanted to tell him but he is cross this morning.

Mr. MANN. I am glad to have the interruption. I would like to have the gentleman point it out.

Mr. COOPER of Wisconsin. I would like to answer that question if I might be permitted. I think the gentleman from Illinois is slightly in error. He says this proposed law would punish any party or any committee which should expend money or do anything else to influence votes. I do not think that. It says, "expend any money or give or promise anything of value for the purpose of influencing," and so forth. Now, I think anybody who spends money——

Mr. MANN. Now, the gentleman is giving an opinion and not stating a fact.

Mr. COOPER of Wisconsin. That is what this bill proposes.

Mr. MANN. That is what I said.

Mr. COOPER of Wisconsin. No; the gentleman said, "in any way."

Mr. MANN. Expend or give or promise anything of value.

Mr. COOPER of Wisconsin. Exactly.

Mr. MANN. That is, in any way.

Mr. COOPER of Wisconsin. Oh, no; it is not.

Mr. MANN. Promise anything of value. It does not say money.

The CHAIRMAN. The time of the gentleman has again expired.

The Clerk read as follows:

SEC. 2. That every committee as defined in this act shall have a chairman and a treasurer. It shall be the duty of the treasurer to keep a detailed and exact account of all money or things of value contributed to such committee or any member thereof or by or to any person acting under its authority or in its behalf, and the name of every person, firm, association, or committee from whom received, and of all disburse-

ments made by the committee or any member thereof, or by any person acting under its authority or in its behalf, and to whom disbursed. No officer or member of such committee, or other person acting under its authority or in its behalf, shall receive any money or thing of value or expend or promise to expend any money on behalf of such committee until after a chairman and treasurer of such committee shall have been chosen.

Mr. RUCKER. Mr. Chairman, I do not care to discuss this provision here at all.

The CHAIRMAN. Does the gentleman desire to offer an amendment?

Mr. RUCKER. I move to strike out the last word. Mr. Chairman, I merely want, in justice to myself and to the membership of this House, including the gentleman from Illinois [Mr. MANN], to say that evidently he misunderstood what I said or I was exceedingly unfortunate in my use of language.

The gentleman knows very well I would not intentionally say that which would offend any gentleman in this House, and particularly himself; but when I was trying to make overtures to him and get real close to him, because he knew he was arguing a bad case, as he frequently does, he grew somewhat petulent and cross and ugly with me. I am sorry for it, and if I wounded his feelings I sincerely apologize for it, because I had no intention whatever to do so. [Applause.]

Mr. MANN. Mr. Chairman, if the gentleman will permit me, in the rough and tumble of debate nobody wounds my feelings. I fight back when gentlemen fight me. Do not think you can walk all over me without getting kicked if I can kick. The gentleman from Missouri and I never quarrel more than a minute at a time.

Mr. BENNET. Mr. Chairman, I am going to move to strike out the section. If the gentleman from Michigan desires to make an amendment prior to that——

Mr. SMITH of Michigan. I did not have an amendment, but I wanted to inquire something about the bill of the chairman of the committee.

Mr. BENNET. The gentleman can move to strike out the last word.

Mr. SMITH of Michigan. Mr. Chairman, I move to strike out the last word, and I do that for the purpose of obtaining some information. I would like the attention of the chairman of the committee, if he will kindly give it to me. I want to inquire of the chairman, in view of what has been said between the chairman and our minority leader [Mr. MANN], as it seems to me whether it is true, that if a committee is appointed that in any way favors the election of a Member of Congress, they must make a report of the amount expended, such as ladies on a mountain top, or a committee or a township or a precinct in my district?

Now, if a committee is appointed of its own volition, without my solicitation, or without being authorized under the law, I would like to know what effect it would have on my election if I do not know or consent to it, and under this law it must report as I understand it has to do?

Mr. RUCKER. I may not be able to make myself clear to the gentleman, but I will try to do so. I believe that if a committee or association, whether composed of one or more people, gather and spend money solely in your interest, or in my interest, that they must account for it, if acting as a committee.

Mr. SMITH of Michigan. That is what I wanted to know.

Mr. RUCKER. And I believe you, and I would have to account for it if it is spent in our interests solely with our knowledge and consent.

Mr. SMITH of Michigan. But suppose we did not know it?

Mr. RUCKER. Then it would not be.

Mr. SMITH of Michigan. Thank you.

Mr. BENNET. Mr. Chairman, I move to strike out section 2 for this reason: The language of section 1 covers, this year, at any rate, one-third of the Protestant churches of the Northern States. There are, I think, five States in which there is going to be a prohibition election, and the temperance boards of every State have asked the churches to contribute—I know the Presbyterian Church has been asked to contribute, and I have no doubt the Methodist, the Baptist, and everybody else have. Now, those organizations are going to be added to the 8,000 committees that have to report under the provisions of this law. We have 8,000 local committees that I know of in the State of New York that have to report to the secretary of state under our existing law. They will have to make two reports this year, or 16,000 reports, which will have to come down to the Clerk of the House, and he will have to go over them and see who shall be prosecuted. But section 1 provides that all other committees, associations, or organizations—and that includes the churches—political and nonpolitical, it seems to me sometimes a question whether the church is one or the other, but it certainly is one or the other—which gives any money to be spent for or against the election of a particular candidate for Congress at which candidates for President and Vice President of the United States are to be nominated, must elect a chairman, section 2 provides, and a treasurer, and make reports.

Now, every single one of the Protestant churches that contributes to these prohibition elections in the five States will have to organize, with the election of a chairman and treasurer. Of course, they will not do it. But in this law, in the latter part of it, there are teeth. The Clerk of the House must report to the clerk of the proper judicial district of the United States district courts, and they must bring down the ministers of all those churches——

Mr. MAPES. Will the gentleman yield?

Mr. BENNET. Yes.

Mr. MAPES. Will these ministers and churches contribute to campaign committees?

Mr. BENNET. They will contribute to committees. The Presbyterian Church, of which the gentleman from Indiana [Mr. MORRISON] and myself are elders, and of which the gentleman from Illinois [Mr. MCKINLEY] is a very honored member, will contribute to the board of temperance of our church.

Mr. MAPES. If the gentleman will refer to section 9, he will see that they do not have to make an accounting if they contribute to regular committees.

Mr. BENNET. I think that section there refers to regular political committees.

Mr. MAPES. It refers to all the committees——

Mr. BENNET. Suppose that instead of contributing to the board of temperance they send it to the Amethyst, which is the organ of our church. Then they have all to make these two reports, in not more than 15 nor less than 10 days after the election, and the Clerk of this House has got to investigate those expenditures and put the warrants in the hands of the clerks of the district courts of the various districts and bring all those good Presbyterians and Baptists to jail, along with the Woman's Christian Temperance Union, and the Antisaloon League, and the liquor dealers' organizations, whatever they are, and the labor organizations, and we will have more good people in jail at one time than we ever had before.

Mr. BARKLEY. Is it the gentleman's contention that the mere fact that the prohibition election is to be held on the same day on which the general election is held would require these committees to make this report that you have been detailing?

Mr. BENNET. Of course. The language is specific.

Mr. BARKLEY. If that is true, then could it not be carried still further and require the committee in any county where the election will be held on the same day that the general election is held to report also.

Mr. BENNET. They have all to report. As I have stated, the political committees in the State of New York that I know of will have to make 16,000 reports under the provision of this statute. My colleague on the committee, Mr. SANFORD, can not deny that.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. BENNET. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. LONGWORTH. Will the gentleman yield?

Mr. BENNET. Yes.

Mr. LONGWORTH. Would this, in the gentleman's opinion, apply to, say, a ward political club at an election where a very large number of officers were to be elected incidentally with the Congressman?

Mr. BENNET. Certainly.

Mr. LONGWORTH. And how could they in filing their statement determine the amount that was expended for the election of the Congressman as distinguished from these various others?

Mr. BENNET. If a Congressman is elected, they would have to file a report showing all their receipts and all their disbursements. The aggregate of all the receipts and disbursements, and for all disbursements over $10, they have to have a receipt from the man to whom they paid it out.

Mr. LONGWORTH. I assume that probably in every ward of the gentleman's district there is a Democratic committee——

Mr. BENNET. I have 142 election districts in my congressional district. In each one there is a Democratic committee, a Progressive committee, a Republican committee, and Independence League, and a Socialist committee. In some of them there are Prohibition committees, but not in all. And in addition to that, if there are independent candidacies, as there usually

are in New York City districts, each one of them under our State laws must in practice have an election district committee.

Mr. LONGWORTH. And because a Member of Congress is to be elected, perhaps only 1 of more than 100 candidates of that particular party with which this club is associated, they would have to make a return to the Clerk of the House, stating all the receipts and expenditures made by them in the election?

Mr. BENNET. Mr. Chairman, it looks to me under this law they would have to do more than that. Some of us will be candidates at the primaries. We may not have any opposition. It may not cost me $4 to be renominated—I hope it will not—or some of the other gentlemen who are nominated. But it is a primary, and we are candidates for Congress. They will have to make 568 reports to the Clerk of this House from my congressional district.

Mr. BARKLEY. Will the gentleman yield further?

Mr. BENNET. Yes.

Mr. BARKLEY. If this law is to require county committees that have charge of the election of county officers who are elected on the same day a general election is held to report to the Clerk of the House of Representatives in States where they have State laws regulating corrupt practices, how is a man to know what one he has to obey?

Mr. BENNET. He has simply to report to the State and to the Congress, both.

Mr. BARKLEY. Suppose there is a limitation on the expenditure in the two laws that are entirely different, then he is compelled to obey the one that requires the smallest amount?

Mr. BENNET. I do not know how it would work out. He must obey the law so far as the election for Congress is concerned; but suppose the limitation was $600, as it is in Missouri, for a Congressman, and they have another limitation for county officers, as I assume they have, or State officers, now it might be that a political organization would spend out of its proportion for the election of State or county officers—that is, out of its proportion in connection with Congress—and be put in a position where they would violate either the State or the Federal law?

Mr. BARKLEY. Does the gentleman believe that reports on purely local offices, like county or precinct offices, ought to be required to be made to Congress?

Mr. BENNET. I do not. I have moved to strike out the section.

Mr. DALLINGER. Mr. Chairman, will the gentleman yield?

Mr. BENNET. Yes.

Mr. DALLINGER. Is it not a fact that there is conflict between sections 1 and 2 and 9? Section 1 says that the term "committee," when used in this act, shall be construed to include the national, State, and the national congressional campaign committees of all political parties, and all other committees, associations, or organizations, political or nonpolitical—any committee that contributes anything?

Mr. BENNET. Yes.

Mr. DALLINGER. And section 2 requires that every committee shall have a treasurer and shall make report, and section 9 confines it to every person, firm, association, or organization that shall spend or promise any sum of money or other thing of value amounting to $50 or more.

Mr. BENNET. I do not know that there is a conflict. I think the scheme for the perpetration of the outrage is fairly consistent. If this Congress wants 150,000 reports, more or less, this fall, of course we have the right to put it on the statute books. If you want all your Baptists and Methodists and Presbyterians——

Mr. SANFORD. Mr. Chairman, will the gentleman yield there?

Mr. BENNET. Yes.

Mr. SANFORD. I would like to ask the gentleman if he thinks the Baptist sewing circle or the Presbyterian sewing circle or the Young Men Christian Association does collect some money to advance the gentleman's interest in the election, does not that society or sewing circle immediately become a political committee within the proper definition of the law? That is, if you want to assume that you need and want publicity, is there any other way of getting it than the way provided right here?

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. BENNET. I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. BENNET. I know of one Catholic priest who is a warm friend of mine, although I am a Presbyterian, and I know that he will put in at least a day in my campaign; and I know that if he does, unless he organizes his church with a chairman and treasurer, he must report to the Clerk of this House, and be arrested unless he makes a report of all receipts and disbursements of his church during the campaign.

Mr. SANFORD. Does the gentleman mean that would happen when he does not contribute money?

Mr. BENNET. Yes. He contributes something of value, and that is his time.

Mr. RUCKER. Mr. Chairman, will the gentleman yield?

Mr. BENNET. Yes.

Mr. RUCKER. I wanted several times to interrupt the gentleman as he was proceeding, because he has several times repeated statements that I think are erroneous. I do not think the gentleman wants to remain in error. The gentleman speaks of the Clerk of the House attempting to put a warrant in the hands of a Catholic priest. There is nothing in this bill to warrant that idea at all. There is something in this bill providing that a candidate for Congress or for Senator must give the name and residence of his opponent for nomination or election, and that the Clerk, if those opponents are named and fail to comply with this law, must certify that fact to the district attorney. But that has no reference to a committee whatever.

Mr. BENNET. Then, the argument of the chairman of the committee is this, that while my statement may be accurate that these 100,000 committees may violate the law, we nevertheless ought to pass the bill, because under his construction of section 9 it is nobody's duty to enforce it, and that therefore these good people can go ahead and defy the law ad libitum. That in itself ought to defeat the bill.

Mr. MEEKER. Mr. Chairman, will the gentleman yield?

Mr. BENNET. Yes.

Mr. MEEKER. Is there anything in this bill that will bring in reports of all the moneys collected for political activity, that would compel everybody to report money raised for political purposes?

Mr. BENNET. Every man that contributes as much as $10, or every man, at least, that contributes as much as $50, would surely get in, and possibly, under one construction, a man who contributes as much as $10.

Mr. MEEKER. Would that apply only to the election of candidates?

Mr. BENNET. No; it would apply also to the primaries.

Mr. MEEKER. Would it apply only to individuals or to a cause?

Mr. BENNET. It would apply to a man who contributes as much as $50 to a cause. To be specific, in the thirty-fourth congressional district of New York the Anti-Saloon League has asked for a contribution of $50,000 to defeat the sitting Representative at the primaries. Of course that means, if this becomes a permanent thing and the Anti-Saloon League attempted to influence the election of a single Representative in Congress—and, of course, they do every year, openly—they would have to file a complete statement of their receipts and disbursements.

Mr. MEEKER. They do it secretly now by attempting to defeat Congressmen in advance of the primary.

Mr. CHIPERFIELD. Mr. Chairman, will the gentleman yield right there?

Mr. BENNET. Yes.

Mr. CHIPERFIELD. Taking the same organization to which the gentleman has referred, and supposing they spend $3,000 to influence or attempt to influence the election of a Congressman in the election or at the primary, would not that be an absolute disqualification of the sitting Member?

Mr. BENNET. Yes; if they did that in the campaign for him and did not report.

Mr. CHIPERFIELD. Under section 13, would it not disqualify him?

Mr. BENNET. If the Anti-Saloon League in the thirty-fourth congressional district that has asked for a contribution of $50,000 spends $3,000, and they happen to defeat the sitting nominee, I should imagine that under this bill the successful candidate would be rendered ineligible for reelection.

Mr. SMITH of Michigan. Mr. Chairman, will the gentleman yield?

Mr. BENNET. Yes.

Mr. SMITH of Michigan. I see the bill recites "that no candidate for Senator or Representative found by the House in which he claims membership to be a party to a violation of this act shall receive or retain the office to which he was declared elected." If he is not a party to the violation of the act, he is not concerned?

Mr. BENNET. If he allows an organization in his district to make a public appeal for $50,000 to be expended in his behalf, and accepts the benefits of it, that makes him amenable to it.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. HULBERT. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BENNET. I thank my colleague, but I do not care to take up the time further, and will yield to others.

Mr. WALSH. Mr. Chairman, I rise in opposition to the motion of the gentleman from New York [Mr. BENNET] to strike out the paragraph.

Mr. Chairman, this measure, among other purposes, is to provide for publicity of campaign contributions and expenses, and where it does that it seems to be an admirable bill.

But it goes into other matters, and it results in leaving the laws relating to the nomination and election of candidates in rather a doubtful condition. Section 16 says that if any laws of the States are not directly in conflict with this bill, they are to be considered as in force. Now, if Congress is going to enact a measure relating to the election of Senators, Members of the House, President, and Vice President, I submit that it ought to standardize the laws and provide that they should apply to all candidates throughout all the States. Why, the learned chairman of the committee yesterday cited a condition which exists in his own State, where in one district they can spend $600 and in an adjoining district in the same State they are allowed by the State law to spend $1,000 or $1,200. There should be no such condition as that. If Congress is going to take charge of the election of its Members, we ought to enact a law that will apply in all the States and abrogate the State laws, and say that the law enacted by the Congress shall be the law relating to Members of the House and Members of the Senate, and that if a different law exists in any of the States it is abrogated by the act of Congress. We ought not to enact a law which will say, "If you have a law in your State that says you can only spend $2,400, and this act says you can spend $2,500, the law saying that you can spend only $2,400 is to govern, and you must be bound by that provision, but if you have a law which says you may spend $3,000, that law is in conflict with this act, and you must be bound by this act."

Mr. DYER. No doubt the gentleman is referring to the statement of the chairman of the committee. What the chairman meant was that the amount you can expend in Missouri is dependent upon the vote.

Mr. WALSH. Upon the vote cast.

Mr. DYER. We have one district in the State where more than three times as many votes are cast as in another district.

Mr. WALSH. The gentleman can see how unfair that is. In some of the Southern States, where there are no contests worthy of the name, if any law should be in force depending upon the size of the vote cast, it would make a considerable difference in the application of the law. Now, I have the honor to represent in part a State which was one of the first, if not the very first State, to enact a corrupt-practices act relating to elections and nominations, and it is one of the most stringent laws on the statute books of any State in the Union, and I represented a defendant in a prosecution set on foot under that very strict statute to punish for an alleged election fraud, and one of the evidences of corruption was simply that a political worker said to a voter, "John, I will see you to-morrow morning at the polls," or words similar to that, and it was attempted to be shown that under the Massachusetts act that was an indirect promise to give something of value to a voter for the purpose of influencing his vote, and it was a reasonable interpretation under the Massachusetts law, but did not, of course, make much of an impression on a jury. Now, I submit if the committee is going to report a bill to protect Members of Congress they should all be put on the same footing; a law should be framed which will apply equally to candidates in every congressional district throughout the country, and not leave it to some States to say that this restriction does not exist, and to say that in another State a more stringent regulation or restriction shall exist. I submit that publicity is wise, that we can give the utmost publicity to our campaign contributions and expenditures, but the manner in which it is to be done in this bill is going to lead to some absurd complications and results. The gentleman from Illinois [Mr. MANN] has already shown the unusual requirement with reference to committees.

Mr. DOWELL. Mr. Chairman, I desire to submit a question.

The CHAIRMAN. All debate on this paragraph is exhausted.

Mr. DOWELL. I move to strike out the last two words.

Mr. RUCKER. I ask unanimous consent that debate on this section and amendments thereto may close in 10 minutes, the gentleman from Iowa [Mr. DOWELL] to have 5 minutes, and I to have 5 minutes.

Mr. BARKLEY. I want to offer an amendment.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that debate on this section and amendments thereto close in 10 minutes. Is there objection?

Mr. DALLINGER. Reserving the right to object, I hope the gentleman will not press that request. There are a number of other gentlemen who want to speak.

Mr. RUCKER. I supposed there were no others. Let us see if we can agree on time.

Mr. SANFORD. I would like five minutes.

Mr. BARKLEY. I would like five minutes.

Mr. RUCKER. I ask unanimous consent that debate on this section and amendments thereto may close in 25 minutes.

Mr. MEEKER. Reserving the right to object, do I get five minutes?

Mr. RUCKER. I will make it 30 minutes.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that debate on this section and all amendments thereto close in 30 minutes. Is there objection?

There was no objection.

Mr. DOWELL. Mr. Chairman, I desire to offer a few observations on this bill in view of the remarks of the gentleman from Massachusetts [Mr. WALSH]. Apparently his objection to this bill is because it does not repeal the legislation of the various States. I desire to say, however, that it does provide that the elections in these States shall come within certain limitations prescribed in this bill.

The gentlemen from Illinois have raised some serious objections to this bill from their standpoint, because it makes a limitation upon the expenditures of money. No one has yet ventured an assertion as to what amount should be allowed if the provisions of this bill are to be changed. I want to say that when the gentleman from Illinois makes the assertion that it requires $100,000 to elect a United States Senator or a Congressman in the State of Illinois——

Mr. CHIPERFIELD. Will the gentleman yield?

Mr. DOWELL. Yes.

Mr. CHIPERFIELD. I do not think the gentleman wishes to do me an injustice. I made no such statement. I said that such amounts have been expended, with the approval of the newspapers and the public of Illinois.

Mr. DOWELL. Then I want to say that the public and the newspapers of the State of Illinois, in my humble opinion, do not properly give their approval to such an expenditure of political campaign funds. [Applause.] It seems to me that it has not been very long since the State of Illinois brought this great country of ours into disrepute because of alleged improper elections in that State. [Applause.] It occurs to me Congress should make some kind of limitation, so that one may become a candidate for office without having behind him millionaires and corporations, who are able to expend these large fortunes for the purpose of electing a Member of Congress or a United States Senator. [Applause.] I believe that the people are able to judge for themselves who ought to be elected to these offices, without the expenditure of $100,000 or any like sum in any congressional district within the United States, and I believe that the people are perfectly competent to elect these officers without the expenditure of this large amount of money. I hope that we may have some proper restrictions and some regulations with reference to the election of Congressmen and United States Senators, under a provision that requires all the publicity suggested in this bill.

Mr. DALLINGER. Mr. Chairman, it seems to me, as the gentleman from Massachusetts [Mr. WALSH] has said, that we ought to have one uniform law on this subject. If Congress is going to pass a bill regulating the expenditure of money at congressional elections, it ought to exercise its exclusive jurisdiction and pass a law that shall be uniform throughout the country and that shall abrogate all existing State laws on the subject.

There was a time when the different States elected presidential electors at any time they saw fit. That has been changed. The Congress of the United States decided to have presidential electors elected on the same day throughout the country. Incidentally I believe that Congress ought to provide that Members of Congress shall be elected on the same day.

Now, Mr. Chairman, those of us who are not well off financially in our congressional campaigns have to rely upon some friend to act as treasurer of our campaign committee. At the present time, under the present system, we have 48 different States, with conflicting laws in regard to this matter, and the treasurer of one of these committees has to make an itemized report in many cases both before and after the primary and both before and after the election to the State authorities.

This bill, as well as the present law, requires such treasurer, in addition, to make a report to the Clerk of this House both before and after the primary and both before and after the election. It simply duplicates the work, and it means that a candidate will be obliged to hire somebody and pay him a salary so that he can be keeping the accounts and making oath to them, and see to getting them properly filed. A man's friends are not going to give their time, no matter how much friendship they may have for him, if they have to do all this unnecessary clerical work.

We should make up our minds what would be a fair and reasonable amount to expend in the election of a Congressman or in the election of a President or a Vice President, and we should have one law, and that should be a uniform law that should supersede all State laws on the suoject.

In conclusion, I wish to say that, while I shall probably vote for this bill, personally I do not believe that this or any other similar law which we may pass will amount to very much. Laws limiting the expenditure of money spent in elections are notoriously violated. I believe—and I want to go on record to-day as saying—that you will never meet this evil until throughout this land we prohibit by National and State legislation the expenditure of all money, both at primaries and at elections, by anybody whatever, and provide that the public shall pay all the necessary expenses incurred by candidates for public office. In this connection a Member of Congress might be allowed in his campaign to use his franking privilege within reasonable limits, and his opponent might be given the same privilege. When you prohibit the expenditure of all money in elections you will stop corrupt practices, and not before. Any law which simply limits the amount that may be expended will never permanently correct the evil. [Applause.]

Mr. SANFORD. Mr. Chairman, I interrupted the gentleman from Illinois [Mr. CHIPERFIELD] during his discussion and asked him a question. It seems to me that if the facts he states are true, or if his theory of this bill is correct, he has a very strong case against the bill. In my interruption I was anxious to try to point out to him that he had not the understanding, at least such as the committee had, of the provisions of the bill. I want to make myself clear, if I can, because in this discussion of the bill we can not get very far if we all have a different understanding of what it actually does.

There is no provision in the bill which would prevent the doing of things which the gentleman says are necessary to be done to carry on an election in the great State of which he is a Representative at large. I can see his problem in a campaign extending all over the State of Illinois and the necessity of a political committee expending a large amount of money. I know of no provision in the bill that limits the expenditure of money by political committees in the State of Illinois at any sum whatever. There are provisions of the bill that require great political committees that may operate in his State to give an account of the receipts and expenditures.

There is a provision in the bill that the candidate himself must not spend over $2,500, and that is the only limitation I know of. He says it may be necessary to spend $100,000. The political committee can under the operation of this bill spend a million dollars if they wish. The committee has not attempted to limit the amount expended by such political committees. It is the conception of the committee that Congress should not limit in any way whatever the expenditure of money for legitimate purposes.

Mr. CHIPERFIELD. Will the gentleman yield?

Mr. SANFORD. Certainly.

Mr. CHIPERFIELD. I merely want to inquire of the gentleman if it is his position that a campaign committee, not a regular party committee, can spend $100,000 in influencing the nomination of a candidate?

Mr. SANFORD. Let me make myself clear upon that. The limitation is that the candidate himself shall not expend over $2,500. I think in the spirit of this limitation it means that you can not evade that provision by handing some money over to a personal committee which would operate in your name, but it does mean that your friends can organize by the thousands and raise hundreds of thousands of dollars and operate for you. It does not mean that you can evade this by saying, "I am not doing this, but the Smith committee is doing it." I think it would be a violation of this provision if you should appoint a committee, or a committee should operate to use your money; but there is no limitation here upon any organization or any committee spending any amount of money they may care to expend independently of the candidate to accomplish the election of the gentleman.

Mr. COOPER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. SANFORD. Yes.

Mr. COOPER of Wisconsin. Is it the gentleman's construction of the proposed law that while the candidate can not expend more than $2,500 some multimillionaire might contribute, or some committee could, and expend $10,000,000 to elect him?

Mr. SANFORD. The bill permits that.

Mr. COOPER of Wisconsin. Then I think that would better be amended.

Mr. SANFORD. Let me make myself clear. The theory of the committee is that a multimillionaire or the Anti-Saloon League or anyone else should be permitted to expend any amount of money they desire to, but that they should be required to tell the public what they do with it.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. SANFORD. Yes.

Mr. STAFFORD. The gentleman states it is the purpose of this bill to restrict the expenditures to legitimate purposes. Where is there any provision in the bill restricting the expenditure to any particular character of expenditure?

Mr. SANFORD. The only provision of the bill that will accomplish that is the influence of compelling the publication of the amounts and of the amounts which make up the expenditures.

Mr. STAFFORD. It is not necessary to compel the publication of any item in excess of $10 except the total amount paid to any individual, and there is no provision here to prevent a committee paying $9.99 to every worker in the State.

Mr. SANFORD. I think that is a hole in the bill which should receive the gentleman's attention. But I said this for the purpose of making clear to the gentleman from Illinois [Mr. CHIPERFIELD] the meaning of my question to him. I asked him for what purpose he wanted to expend the money. This bill provides that an individual candidate may expend only $2,500, but he need not count in that limitation what he expends for travel and subsistence for himself, for stationery or for postage, for writing or printing letters, except what he may expend for newspaper advertisement. In my imagination I am unable to think of anything that a candidate would want to spend money for that is legitimate which is prohibited by this bill except what he spends for advertising and newspapers, so when I interrupted the gentleman I asked him to specify the thing for which he wanted to expend the money. It almost looks to me on the face of the bill as though the Congress were giving the candidate for Congress the right to expend money for an illegitimate purpose, and I think perhaps some gentlemen are right who criticize the bill because it is too liberal in that regard.

Mr. BENNET. Mr. Chairman, will the gentleman yield?

Mr. SANFORD. Yes.

Mr. BENNET. Is it not a legitimate, proper, and sometimes very necessary expenditure to have watchers at the polls, and ought not a candidate to be permitted to expend money for that purpose?

Mr. SANFORD. Under the law of the State of New York, as I recollect it, a candidate is entitled to have a watcher at the polls, and to have the candidate's name on a ribbon. I know that I had one, and it was a very pretty ribbon. I think that is provided by law. I know that I paid nothing for the privilege.

Mr. BENNET. This does not come within the exemptions of this statute. Let us take a candidate for United States Senator. There are at least 2,000 polling places in the State of New York. You could not get a watcher for less than $3, and therefore if a candidate for the United States Senate had a hard contest and simply wanted to have the polls watched in the State of New York he could not do it within the limitations of this bill.

Mr. SANFORD. I think in answer to that that I will say to my colleague from New York——

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. SANFORD. I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. The time has been limited by the committee.

Mr. SANFORD. I ask unanimous consent to be permitted to answer this question in not to exceed 30 seconds.

Mr. RUCKER. Mr. Chairman, I reserved five minutes of the time for myself, and I will be very glad to grant the gentleman a half a minute.

The CHAIRMAN. Does the Chair understand that the gentleman from Missouri has control of the time?

Mr. RUCKER. Oh, no.

Mr. SANFORD. In answer to my colleague's question with reference to the paying of watchers, I want to say to him that if any candidate for the United States Senate, or for the House of Representatives, can not get for love and without price a

watcher in each election district wherein he is operating, there is no hope for his election, and the expenditure of the money would be foolish.

Mr. BENNET. I want to say frankly that my friend is not a "practical" politician in Albany County.

Mr. SANFORD. I do not believe any of us are "practical" politicians in Albany County, although we try to get good results.

Mr. DALLINGER. Mr. Chairman, I wish to ask the chairman of the committee a question.

Mr. RUCKER. Mr. Chairman, one moment. I desire to know if any of the other gentlemen who expressed a desire to speak want to do so now, because I want to close the debate upon this section. If no one desires to speak, I would be glad to answer the gentleman from Massachusetts.

Mr. DALLINGER. I want to ask the chairman of the committee if he understands that this bill requires that every local committee in his district or mine to whom he or I make a contribution will have to make a return of it to the House of Representatives.

Mr. RUCKER. As the question is propounded, I will say no.

Mr. DALLINGER. That is the way it seems to me.

Mr. RUCKER. If the gentleman says to whom we make contributions to aid in an election or nomination of some candidate for Representative or Senator, then I would say yes.

Mr. DENISON. Will the gentleman yield?

Mr. RUCKER. I will yield to the gentleman.

Mr. DENISON. Just for a question. I know of certain churches and religious organizations that want to raise a little fund to employ automobiles to use on election day in the interest of candidates. Now, will those organizations have to elect a treasurer and make reports of the amount expended for that purpose? I would like to have the gentleman give his judgment on that point.

Mr. RUCKER. Mr. Chairman, I believe we had unanimous consent to close debate in 30 minutes, and that only a part of that time has been used——

Mr. MANN. I thought it was 10 minutes.

Mr. RUCKER. That was some time ago. Assuming we have more time, if nobody else desires to use it I shall be perfectly willing to answer all questions; otherwise I do not want to take up the time in answering questions. Let me say to the gentleman it does seem to me, in all candor and frankness, that gentlemen are taking erroneous views of the provisions in this bill. Everybody should recognize, or at least many of the Members who have heard this debate this morning will recall, that according to statements made here in some localities a vote is worth $1 and in some others it is worth $20. Does every man who votes have to organize himself into a committee, elect himself chairman, secretary, and treasurer? It is nonsense, I say with all due respect. This act contemplates that every national committee which deals with national elections must under the plain provisions of this bill make reports. In order to make this law effective—as the gentleman from New York said, put teeth in it—the committee provided that every other organization or association or committee, whether political or nonpolitical, which expends money or uses things of value in securing a nomination or election of these Federal officers, must make reports. Why, just in order to do the very thing we intend to do, if we can, make it impossible for a designing man—nobody here, but some man who might want to come here—to organize a committee of three or five——

Mr. MEEKER. Will the gentleman yield?

Mr. RUCKER (continuing). And spend large sums of money and then go unwhipped of justice. Now I yield to the gentleman from Missouri.

Mr. MEEKER. Is there anything in this bill which would reach an individual or an organization which would attempt to pledge a candidate in advance of his nomination or election, which is a very common method in one of the organizations of the country?

Mr. RUCKER. There is nothing in the bill, as far as I know.

Mr. FESS. Will the gentleman yield for a question?

Mr. RUCKER. Yes.

Mr. FESS. I understand that the purpose of the law is not so much to prevent the expenditure of money as it is to make public for what the money is expended. Now, if that be the case—and I take it that it is for the purpose of preventing the corrupt use of money—is there any reason why a church or any other association that stands for what we denominate "better things"—is there any reason why it should not require them to make a report? Is there any harm to come by requiring any of those organizations that stand for what we call a righteous cause being required to make public their contributions?

Mr. RUCKER. Mr. Chairman, if the gentleman will pardon me, I think I anticipate—or, rather, understand—his question. The gentleman will keep this fact in mind. Some of us still respect the rights of States along certain lines—the police powers of States, and so forth—that we think are involved, but we believe the Federal Government can go all over this great domain and legislate so far as pertains to the election of Federal officers, and we have put restrictions in this bill on all those matters which do not infringe upon purely State matters.

Now, if these societies or organizations for the uplift of humanity undertake to work out their ends and accomplish their great purposes through the election of certain candidates and spend their money for those candidates, obviously they ought to account for it——

Mr. FESS. I agree with the gentleman.

Mr. RUCKER. And allow me to add this: I said yesterday your committee had worked diligently and tried to present a bill which we thought would be acceptable to this House and approved of by the country—gentlemen have made a great many verbal criticisms or technical criticisms or criticisms against the technicalities that they think are in this bill without offering a solution or suggesting an amendment.

Mr. CHIPERFIELD. Will the gentleman permit a question?

Mr. RUCKER. Make it brief.

Mr. CHIPERFIELD. Certainly I will do so. Does the gentleman think there is any precise limitation which could be put on here by which States like New York and Idaho could be put upon the same basis so far as a senatorial election is concerned?

Mr. RUCKER. Mr. Chairman, I answer the gentleman in this way: This House primarily never undertook to do that. We were invited by that body over yonder to put that identical limitation in this bill on a candidate for Senator in New York and one in Nevada. They did it, and this House merely consented to what the Senate said ought to be done in that regard.

And I want to say further that gentlemen need not lash themselves into a fury. We are not crippling the candidates and those who may become candidates for the Senate because the Senate fixed this limitation.

Mr. PLATT. Does this law contain anything as to what time a man becomes a candidate for office of Senator?

Mr. RUCKER. Yes, sir. He becomes a candidate whenever he declares himself or expends any money looking to his candidacy.

Mr. PLATT. He becomes a candidate before his nomination?

Mr. RUCKER. That is one of the problems of the age. The gentleman and myself have been candidates for a great many years. Now, just when? This bill says whenever you do anything or expend any money looking to your renomination or reelection you are a candidate.

Mr. PLATT. I do not see how that can possibly be enforced. When you start in on a term in Congress you become a candidate for nomination the next time the minute you do anything toward it.

Mr. RUCKER. There are many things that are not prohibited that you do not account for and can not. No man is prohibited from working out his political salvation by efficiency and courtesy and painstaking efforts in behalf of his constituents, and that is the biggest capital he can employ and is most effective.

Mr. PLATT. And your limitation of the expenditure of money begins immediately?

Mr. RUCKER. Whenever he spends money looking to a reelection, it begins.

Mr. Chairman, I want to say this to the committee: The amendment, I understand, as offered by the gentleman from New York [Mr. BENNET], is to strike out this section. Does the gentleman know that this section is almost word for word with the existing law? You have been elected under it two or three times, once at least, and ought to have been, possibly, the other time, but were not.

Mr. BENNET. That is the way I felt about it.

Mr. RUCKER. It is the law to-day, and the gentleman would strike it out of this bill by his amendment. This section has never been criticized severely before. I hope the committee will leave it in the bill.

Mr. SMITH of Michigan. Will the gentleman yield for a question?

Mr. RUCKER. I will.

Mr. SMITH of Michigan. Now, it is very evident to me from what has been said that a township committee that employs any activity and spends any money for the election of a Member of Congress must make a report. Is that right?

Mr. RUCKER. I will give the gentleman the benefit of my judgment about it, that the conclusion suggested by his question is absolutely wrong.

Mr. McKELLAR. I think I can clear it up. Section 9, on page 8 of the bill, provides that he shall make a report of it unless he contributes the same to one of the committees heretofore referred to.

Mr. MANN. The gentleman has not read the right section at all.

Mr. RUCKER. I do not think it is germane to the question the gentleman asks.

Mr. SMITH of Michigan. If the gentleman will kindly answer this question—I ask it for information——

Mr. RUCKER. I assure the gentleman I shall be glad to answer it the best I can.

Mr. SMITH of Michigan. Suppose this township committee, or county committee, in my district fails to report the money they have expended to aid my election, what effect does that have upon my election under section 17 of this act? I know all the time that they are going to aid and assist me in my election, and they are using money for that, and I contribute small amounts to that end; now, if they do not report to this Congress, what effect will that have on my election?

Mr. RUCKER. It would have no bearing upon your election, provided you were elected—as I hope the gentleman will be—but that committee would have to account for it if they were acting as a committee.

Mr. SMITH of Michigan. If they did not, would it have any effect——

Mr. RUCKER. Not on your election, but upon the individual members of the committee, possibly.

Mr. JAMES. Is it not true that a township committee is not appointed for the purpose of his campaign? It is for the entire county ticket and State ticket.

Mr. RUCKER. In my opinion, it does not apply to any county committee in the United States that devotes its attention solely to election of county tickets and State tickets.

Mr. DALLINGER. How are you going to distinguish where there is a county committee or township committee that is working for the success of the whole ticket, Republican or Democratic? If a Member of Congress makes a contribution to help his election, how are you going to distinguish between the work they do for the Member of Congress and the rest of the ticket?

Mr. RUCKER. There is no effort to distinguish. It can not be done. The amount of money that a candidate for Congress contributes he must account for, but he can not be responsible for the balance of expenditures of the committee.

Mr. DALLINGER. They are trying to elect him?

Mr. RUCKER. Alone?

Mr. DALLINGER. No. But it does not say "alone" in this bill.

Mr. COX. I want to pursue a little further the query propounded by the gentleman from Michigan [Mr. SMITH]. Now, take the State of Indiana, our really active committee to-day is our county central committee, and it has its chairman, secretary, and treasurer. Each voting precinct of each county has a committeeman. So the organization of each county is made up in proportion to voting precincts. Now, they are the acting committees of the State of Indiana. Suppose a candidate for Congress from Indiana contributes under our State corrupt-practices act and stays within the provisions of that act, but the county central committee to which I would report fails to report to the Clerk of this House, and later that fact is found out, would I, as an illustration, come under this part of your bill which reads:

No candidate for Senator or Representative found by the House in which he claims membership to be a party to a violation of this act shall receive or retain the office to which he was declared elected.

Would not that be sufficient to unseat me or any other Member of the House?

Mr. RUCKER. Let me answer the gentleman by asking him a question.

Mr. COX. Yes.

Mr. RUCKER. In the case you suggested, as an illustration, in what earthly way could you have done a thing so that it violates any provision of this bill?

Mr. COX. Well, the gentleman is in charge of this bill, and he has been chairman of this committee now for nearly six years, and he ought to be willing to answer these questions at least intelligently.

Mr. RUCKER. Now, the gentleman ought not to make that statement. I asked the gentleman in good faith in what possible way the fact he suggested would affect him. Let me answer the gentleman's question in another way.

Mr. COX. I ask, then, why could not the gentleman have answered in that way at first? The gentleman ought not to be so peevish.

Mr. RUCKER. I protest that I am not peevish. I thought, when I suggested my answer to the gentleman, that such a statement of fact could not be offensive.

Mr. BARKLEY. Mr. Chairman, will the gentleman yield?

Mr. RUCKER. Yes.

Mr. BARKLEY. Let us take another case, the case of the November election. There is a candidate for Congress who is to be elected. There is also a sheriff to be elected. A committee has been appointed to look after the congressional end of it in that particular county, and another committee has been appointed to look after the sheriff end of it. They are two independent, separate committees. Now, would that committee that is appointed for the purpose of conducting the campaign for sheriff have to report under this bill to the Clerk of the House of Representatives?

Mr. RUCKER. If I could answer that without offending the gentleman, I would say what does the gentleman think?

Mr. BARKLEY. I would answer "no."

Mr. RUCKER. I think the gentleman is clearly correct.

Mr. BARKLEY. It says:

All other committees, associations, or organizations, political or non-political, which shall receive or expend any money, or give or promise anything of value, for the purpose of influencing or attempting to influence the result of any convention, primary election, or election at which candidates for President and Vice President of the United States are to be nominated.

Now, the candidate for Congress is to be elected at this election, and therefore it falls within that provision.

Mr. RUCKER. The plain effect of it would be that it would not have that result.

Mr. BENNET. Mr. Chairman, there are worse sections in this bill than section 2, and I ask unanimous consent to withdraw my motion to strike it out.

The CHAIRMAN. The gentleman from New York [Mr. BENNET] asks unanimous consent to withdraw his motion to strike out the section. Without objection, the motion will be withdrawn.

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 3. That no committee as defined in this act shall distribute in any one State any sum whatever in notes, checks, drafts, money, or anything of value in excess of or greater than the aggregate amount contributed to such committee by actual residents of such State: *Provided*, That nothing in this section shall be construed to limit the amount which such committee may expend in actually employing campaign speakers, in defraying actual expenses of campaign speakers sent out by such committee, the actual expenses of maintaining committee headquarters, the expense of printing literature and distributing it through the mails, and the cost of newspaper advertisements, plainly marked as such, when ordered by such committee.

Mr. BENNET. Mr. Chairman, I move to strike out this section.

The CHAIRMAN. The gentleman from New York moves to strike out the section.

Mr. BENNET. I shall ask for a vote on that after debate.

Mr. Chairman, this section is so obviously improper and so out of concert with what my colleague from New York [Mr. SANFORD] has stated to be the purpose of the committee that it ought to be stricken out by the unanimous vote of the House.

Either campaign committees ought to be limited or they ought not. If they ought to be limited, and if the purpose of the bill, as stated by my colleague, simply is to rely on publicity, what difference does it make, to be plain about it, if the rich man in New York or Illinois contributes largely from his large means, and those sums are expended in part in other States? If that is not going to be the idea, anybody can see just what this is aimed at. It is aimed at the Republican Party, that has to conduct a real campaign in the States which it carries. It does not make much difference whether any money is sent down to Mississippi, for example, to help elect a Democratic candidate for President. He is reasonably sure to get the electoral vote of Mississippi. But the purpose of this bill is to hamper the national committee of the party that has to carry on a vigorous campaign in the other States.

Mr. MANN. There is even a better reason than that.

Mr. BENNET. The gentleman from Illinois says there is even a better reason than that. There may be. But that is enough to require that this section shall go out, when on the face of it it is aimed at one particular party and is not aimed at any corrupt use of money. It simply says, no matter for what purpose it is used in the State to which it is sent, that it can not be used unless the people of that particular State raise a sum equivalent to the amount sent by the national committee to that State. There is no relation between that section and

any improper purpose. It might refer to a new State that has no particular means within itself, or it might be that the national committee might want to carry on an educational campaign, not with particular reference to 1916, but with the idea of fruits to come in subsequent years. That might be the particular object.

Mr. DECKER. Mr. Chairman, will the gentleman yield?

Mr. BENNET. Yes.

Mr. DECKER. Does the gentleman know of any way in which the Republican Party has been in the habit of spending money raised in New York for other purposes than those mentioned there, to wit, in employing campaign speakers, in defraying actual expenses of campaign speakers sent out by such committee, the actual expenses of maintaining committee headquarters, the expense of printing literature and distributing it through the mails, and the cost of newspaper advertisements, plainly marked as such? It gives you the right to spend all the money from New York you want in that way. In what other way would you want to spend money?

Mr. BENNET. For instance, if the State of Arizona, which is a big State territorially, did not contribute very much to the national committee, the presidential candidate could not even be taken through there on a railroad train.

Mr. DECKER. He would be a campaign speaker, would he not?

Mr. BENNET. No.

Mr. DECKER. I mean if you have one that can speak. [Laughter.]

Mr. BENNET. Oh, we have one that can speak, believe me! [Applause on the Republican side.]

Mr. DECKER. I know; but almost any man can speak, and it allows the payment of the expenses of anybody who can speak.

Mr. BENNET. Oh, no. It does not allow the payment of the expenses of anybody that goes with him. The candidate for President usually travels on a special train, and unless the State of Arizona happens to contribute as much to the expenses of the national committee as the expense of that train would amount to that train would have to go around the State, according to the way this section is drafted.

Mr. BARKLEY. That would not be considered an expense incurred within the State. It would be an outlay made outside of the State.

Mr. BENNET. Why, certainly it would.

Mr. BARKLEY. Because that would be an outlay in the State where the company was paid.

Mr. BENNET. Oh, no.

Mr. DECKER. Why not put in an amendment so that it would let you take your candidate for President through some of these States? And why make it possible to raise the money in New York to corrupt somebody in Arizona or Wyoming in the interest of either a Republican or a Democratic candidate?

Mr. BENNET. The reason why they raise the money in New York is the same as the reason why they doubled the income tax. They get the money in the place where the money is.

Now, there is no necessary relation between raising money and using it corruptly. I think the Democratic Party in 1912 spent something like $2,000,000. I do not charge that they spent a dollar of it corruptly.

Mr. MANN. Mr. Chairman, I want to say something about this section before I get through. I have not yet got it through my clumsy brain, in view of the statement of the chairman of the committee presenting the bill, what reports have to be made. If I am erroneous I want to be corrected. My reading of the bill indicates that every kind of a committee that has anything to do with influencing or attempting to influence the election of anybody, no matter what office he is running for, which election takes place at the biennial fall election, is required to make a report to the Clerk of the House of Representatives. That is what the bill says. If that is not what the bill intends, let us make the language clear. As the gentleman from Kentucky [Mr. BARKLEY] stated a moment ago, the committee that is referred to is a committee—

for the purpose of influencing or attempting to influence the result of any convention, primary election, or election at which candidates for President and Vice President of the United States are to be nominated, or candidates for Senator or Representative in Congress are to be nominated or elected.

That is the primary election at which candidates for President or Members of Congress are concerned, or the election at which Members of Congress are concerned.

Mr. DECKER. What line of the bill does the gentleman refer to?

Mr. MANN. Page 2, lines 16 to 21. That is what the bill says. It does not say even that the money is to be spent to influence the election of a Member of Congress, but to influence the result of an election at which Members of Congress are nominated or elected. That is the function of the word "committee."

Mr. RUCKER. Before the gentleman leaves that may I ask him a question?

Mr. MANN. Certainly.

Mr. RUCKER. Before propounding the question let me make a statement.

Mr. MANN. Certainly.

Mr. RUCKER. I held the same view with reference to the former bill as that which the gentleman has now proclaimed with reference to this bill, and I believe that the phraseology of the former bill was such that it required statements to be made by committees which expended money to influence or control the nomination or election of a candidate for Congress——

Mr. MANN. In two or more States.

Mr. RUCKER. In two or more States. Of course, that was a different proposition, however. But this matter was thrashed out on the floor of the House. This language was put in the bill subsequently introduced because of the former action of the House. I will say to the gentleman frankly that if there is any well-founded conviction in the minds of gentlemen that this bill would require county committees and district committees and town or township committees to make reports, it would be an absurd proposition to require them to do that, and I, for one, would not ever stand for it, because it would make the whole thing top-heavy. Now, if gentlemen desire to offer an amendment on that subject, I shall have no objection to going back to section 1 in order that it may be more fully discussed, because I think it can be made perfectly clear that that is not the intention of Congress nor the proper legal construction of this language. Gentlemen differ about this, it is true.

Mr. MANN. I have no amendment prepared to offer. Let me state what the situation is.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. I ask unanimous consent for five minutes more, and then I shall want five minutes more after that.

The CHAIRMAN. Unanimous consent is asked that the time of the gentleman from Illinois be extended five minutes. Is there objection?

There was no objection.

Mr. MANN. The law originally placed on the statute books has been amended several times. Two years ago the gentleman from Missouri [Mr. RUCKER], chairman of the Committee on Election of President, Vice President, and Representatives in Congress, reported into the House a bill, and on consideration in Committee of the Whole it was amended. Let us be perfectly candid about it. I remember the circumstances very well. I was here. The Committee of the Whole went crazy one afternoon and proceeded to insert into the bill all sorts of things. I do not know whether it was because they wanted them in the bill or because they thought there was a chance to kill the bill. These amendments went in, and the bill passed the House, and there was not one Member in the House at the time who thought that bill had the slightest opportunity of becoming a law. No one here thought it had the chance of a snowflake in hades, and it had not.

Mr. BARKLEY. Will the gentleman yield?

Mr. MANN. In just a minute. That is the way these things went into the bill. A lot of gentlemen here were outdoing one another trying to see who could write into the bill the craziest propositions. Now, I have no criticism of the committee that accepted the action of the House in bringing some of these things back, or all of them back, in this bill. But let us understand what we are doing before we do it.

Mr. RUCKER. Did I make myself clear?

Mr. MANN. The gentleman did.

Mr. RUCKER. I do not stand for one moment for a proposition that means what the gentleman says this means. If I thought it did, I would oppose it.

Mr. BARKLEY. During the consideration of this bill I prepared an amendment which I did not offer, because the chairman of the committee said he did not think it would apply in that sort of a case. I want to read it to the gentleman to see if he thinks it would be proper to exempt committees of that sort.

Mr. MANN. I do not see how you can do it in section 2.

Mr. BARKLEY. At the end of the section add the following:

Provided, however, That the provisions of this section shall not apply to committees organized solely in connection with the nomination and election of officers of a State or a subdivision thereof.

Mr. MANN. I do not think it would be sufficient to say that as to this section, and besides you want this to apply to a State committee.

Mr. BARKLEY. But if the State committee had charge solely of the election of State officers——

Mr. MANN. I can not answer the suggestion offhand. I want to demonstate to the House that every one of these so-called committees, whether a committee or an association, church, temperance, political, religious, or otherwise, would be required to make a report to the Clerk of the House under the terms of this bill.

Mr. SLOAN. I heard the illuminating statement of the chairman of the committee. I also heard that this was the unanimous report of the committee. I do not, however, understand that the membership of the committee agree that the various committees are excluded from the provisions of this bill. If it is a unanimous report, I should like to know from some member of the committee whether the members of the committee agree with the chairman.

Mr. MANN. The words "unanimous report from the committee" do not mean very much; and it is not to be expected that members of the committee will agree as to what certain language means unless they carefully examine it. I never knew the gentleman from Nebraska to agree to everything that seemed very illuminating to me.

Mr. SLOAN. I will put all the blame for that on the gentleman from Illinois.

Mr. MANN. Put it on the "gentleman from Illinois." I am able to bear it. [Laughter.] What I want to do is to get at the substance, and not discuss as to whether certain people disagree or whether somebody is to be criticized. I know enough about making up bills to know that after everybody has given all the thought they can to the subject there will be a great deal of wisdom that has not been brought to light.

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. BENNET. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MAPES. Will the gentleman yield?

Mr. MANN. Yes.

Mr. MAPES. I want to say, for the benefit of the gentleman and other Members, that some members of the committee took the language for what it says. They believe that it includes all committees that attempt to influence the result of an election at which Members of Congress or candidates for the Senate or for Vice President or President are to be elected, and that it should. We do not see any way to make the law effective except to include these committees, because there is no way to differentiate between money that has been spent in a campaign for county and State officers and that expended for the campaign of a Member of Congress. If the law is to be effective, it must include those committees; otherwise those committees that raise $50,000, which have been referred to here, to defeat a candidate could go ahead and spend it and accomplish the result.

Mr. MANN. Mr. Chairman, hunters have been seeking some rule by which they could be sure when they fired a shot at an object that they would kill it if it was a deer and miss it if it was a calf. [Laughter.] But that is not possible. If the gentleman from Missouri is correct, I can not understand the meaning of the English language. If the gentleman from Michigan is correct, I can not understand how anybody can favor such a proposition in a bill. To say that you are going to require every little organization of any kind that seeks to influence the election of a school board, if it happened to elect a school board at a congressional election, shall organize, shall be subject to the penalties if they do not conform to the requirements, shall elect a treasurer and a secretary and make report, is to my mind to write a provision in the law which damns it to begin with, and which nobody would expect to be obeyed.

Mr. MAPES. There has been a good deal said about the election in school districts. Is it not true that in most of the States there is no committee taking part in the campaign except the county committee?

Mr. MANN. That illustrates what some gentlemen from country districts know about politics. [Laughter.] Probably they never run a political campaign. I am not speaking of the gentleman from Michigan; but gentlemen who never run a political campaign, never knew what a campaign was, had their nomination presented to them on a silver platter, and election followed. Such a man does not know what it is to go out in a political fight, a fight from the ground up. Talk about a campaign being run only by certain big committees! Why, great Cæsar, in my district they organize by the block, and by the block on each side of the street, one block apart.

Mr. MAPES. Will the gentleman yield? I am now asking for information. When these block committees are organized do they get their money from the general committee or not?

Mr. MANN. Some of them do and some raise it themselves, but that would not make any difference.

Mr. MAPES. If they got it from the general committee, does the gentleman think they would have to make a report in addition to the report of the general committee?

Mr. MANN. Certainly, under the terms of this bill, and if you give me a chance I will demonstrate it.

Mr. BARKLEY. Will the gentleman yield?

Mr. MANN. Yes.

Mr. BARKLEY. If the gentleman's interpretation and my interpretation, which is in harmony with his, is correct, would it not be necessary for any committee organized for a stock bond issue or a road bond issue to report to the Clerk of the House?

Mr. MANN. Certainly. The term "committee" covers everything.

Mr. RUCKER. Will the gentleman yield?

Mr. MANN. Yes.

Mr. RUCKER. Following up the suggestion made by the gentleman from Kentucky [Mr. BARKLEY], I believe the gentleman from Illinois will recollect that a year ago when the bill was under consideration I took the same position that he has taken now, but the House by a decided vote took a different view and put the provision in the bill.

Mr. MANN. Yes; I understand the situation. Here is the case: There is no way to make a law, and never will be, that somebody will not claim methods of evading it. But the mistake is that when you attempt to make it too drastic you destroy it. That is the reason we abolished the high penalties for criminal offenses, because you could not convict men, the people would not stand for it.

The House committee, in addition to what I said about it two years ago, had narrated to it how some committees were organized and that the committees ought to make a report. And they ought, if there is any way to differentiate it. I am willing to have every committee make a report where it does not become ridiculous, but you know that you will never comply with the law when you ask every little association and every little committee which may be organized to comply with it, and when they do not comply with the law it is difficult to enforce it against anybody else.

Now you determine what is a committee in section 1, and having provided in section 2 that there must be a chairman and treasurer, you provide under section 7 that the treasurer of every such committee—

shall, not more than 15 days and not less than 10 days next before an election at which Senators or Representatives in Congress are to be elected in two or more States, and not more than 15 days and not less than 10 days next before any general or special election for Senator or Representative in Congress in a single State or district, if such committee shall attempt to influence the result of an election held in a single State or district or in any manner participate therein, file in the office of the Clerk of the House of Representatives, at Washington, D. C., with said Clerk, an itemized detailed statement of all money or things of value received and disbursed by such committee; and on each sixth day thereafter, until such election, said treasurer shall file with said Clerk a supplemental itemized detailed statement.

That provides that the treasurer of every one of these committees shall file a report. It would not make any difference if they had expended only 10 cents for stationery, he would have to file a report, and have to report every sixth day thereafter. It will not do to say that they will not comply with the law. We know they will not comply with the law. The great majority of them will not know there is such a law, but what is the use of passing a law with the designed purpose of having people violate it, because when you do that you do not ask anyone to comply with it. Members of Congress will. Their opponents may not. That has been the case with the existing law. We have never prosecuted a single soul for a noncompliance with the existing law. Every Member of Congress files some kind of a statement, although they do not all comply with the law. I made an investigation last election. They had not all complied with the law, but many of their opponents had not attempted to comply with the law at all. There was some question in reference to the law, it is true, but if you pass a law that calls for hundreds of thousands of reports, not one in fifty of which will ever be filed, and not one in a hundred of which ought to be filed, you will make the law ridiculous. [Applause.]

I desire now to say a word or two about section 3 of the bill. Section 3 provides that except for certain purposes no money can be expended in a State unless it has been raised in the State. That does not apply to expenses of campaign

speakers, expenses of committee headquarters, expenses of printing and of distributing literature or newspaper advertising. It does apply to all other expenses.

If the State of Missouri should have a very distinguished candidate for President, as it did have four years ago [applause], under the terms of this bill his friends in Missouri could not organize and raise any money to go across the line into Illinois to perfect an organization there. It happens that the distinguished candidate from Missouri four years ago was well and widely known, but in the past there have been many candidates for the Presidency who in the first instance were scarcely known outside of their own States. Why should not the people of a State, desiring to present a candidate from that State for nomination for the Presidency, have a right to raise money enough to organize a committee in other States—not for improper expenditure of money. People talk here as though all of the money for campaign purposes was expended for the corruption of voters. That is not the case. It may be true in some places, but in the great general average it is not true. We seek to influence the judgment of people, we seek to arouse their feelings, we organize campaign clubs, we hire bands, we engage halls, we finance processions, we expend money legitimately in many ways. Why should not a people who believe they have a good candidate to present to the country have a right to do it in some way other than by buying newspapers through advertisements? [Applause.] I think there is no sense in such a provision.

That is another provision which was put in here by the committee. It never had the recommendation of a committee of the House until this bill was reported in, never had been reported or received the sanction of the committee, but in a blind moment the committee of the House two years ago put the provision in.

Mr. RUCKER. I think the gentleman is mistaken about that.

Mr. MANN. I think I am not. Still the gentleman's recollection might be better than mine on that.

Mr. CLARK of Missouri. Mr. Chairman, will the gentleman yield?

Mr. MANN. Yes.

Mr. CLARK of Missouri. I would like to ask the gentleman a question about the committees about which he was talking a moment ago. I have 10 counties in my district. There is a general congressional committee for the whole district, and there is a county committee for each county. None of them spend very much money, but is the interpretation that the gentleman puts upon that section he was talking about that these 11 committees will have to file affidavits?

Mr. MANN. It is as plain as the nose on my face. Not only would the county committees have to file their statements, but if there are any city committees in the district they would have to file their statements. If there are any township committees, if there are any ward committees in the city, they would have to file their statements. If there are school district committees, they would have to file their statements. If there is any kind of a committee, political or nonpolitical, if there is a church committee that passes a resolution favoring the candidate for Congress, the gentleman from Missouri [Mr. CLARK], they would have to elect a secretary and treasurer and file their statements.

Mr. CLARK of Missouri. That is ridiculous, anyway.

Mr. MANN. That is the reason I am talking.

Mr. RUCKER. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 20 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BARKLEY. Mr. Chairman, I have read this language of section 1 undertaking to define the word "committee" several times very carefully, and while I have the greatest respect for the gentleman from Missouri, who is the chairman of the committee, and I am sure he is sincere in his interpretation of the language at this time, yet I believe his interpretation a year ago was the correct interpretation, and I do not believe that the mere fact that the House voted this provision in the bill at that time is an indication of how the House would interpret the bill, or how the courts would interpret the language if the bill is passed in the present form. The definition of section 1 is as follows:

That the term "committee," when used in this act, shall be construed to include the national, State, and the national congressional campaign committees of all political parties and all other committees, associations, or organizations, political or nonpolitical, which shall receive or expend any money, or give or promise anything of value, for the purpose of influencing or attempting to influence the result of any convention, primary election, or election at which candidates for President and Vice President of the United States are to be nominated, or candidates for Senator or Representative in Congress are to be nominated or elected.

I am in favor of as stringent a bill as can be passed for regulating the election of the President and Vice President and Members of Congress, but it seems to me that it would have been easy for this committee to have framed the language so as to carry no doubt that the object of Congress was to regulate the election of the President and Vice President and Members of Congress and not to regulate elections of other officials who may be elected at the same time that the Congressmen are elected—

* * * and all other committees, associations, or organizations, political or nonpolitical * * * for the purpose of influencing or attempting to influence the result of any convention, primary election, or election at which candidates for President and Vice President * * * Senator or Representative in Congress are to be nominated or elected.

Mr. WINGO. Mr. Chairman, the gentleman is aware of the fact that each separate contest is, in law, considered a separate election, and this statute would certainly not be interpreted as meaning that a county committee that was organized for and interested solely in the election of a county ticket would have to comply with this law simply because at the same time a congressional election was held.

Mr. BARKLEY. I do not think it ought to mean that, I am frank to say, but the meaning of this language is that it does mean it, because if a committee, even a nonpolitical committee, which may not have any connection with a congressional election——

Mr. WINGO. I will say to the gentleman that the courts have held that each and every contest is a separate election in the contemplation of the law.

Mr. BARKLEY. That is true, but it is no indication what the Supreme Court of the United States will hold as to the meaning of this section which requires that every committee that has any function whatever in an election must report if the election is held at the same time Senators and Representatives are elected or nominated.

Mr. WINGO. I suggest to the gentleman he study the decisions of the court and he will find that what constitutes an election has been clearly defined.

Mr. BARKLEY. I am familiar with the decisions of the courts, but I do not think the language of this bill has been thrashed out at all in any court, and nobody can prophesy how a Federal court will decide it.

Mr. WINGO. I think if the gentleman will investigate the question he will find that the language used has a well-understood meaning.

Mr. BARKLEY. It would be a very easy matter to frame it so it would not be in doubt. Take the city in which I live, where we have a commission form of government. In the coming election we elect four commissioners which are nonpartisan or bipartisan, but without device. They will have a committee. A man who is a candidate may have a committee to look after his interests in that election which is on the same day of election on which Members of Congress are elected, and the Vice President and President.

Now, under the strict interpretation of this language, as I believe it may be interpreted by the court, that committee would have to report to the Clerk of this House the amount of money received and expended in the election of those commissioners. There ought not to be any doubt about the meaning of the language. Congress ought not to undertake to infringe upon the rights of the States in regulating their own elections of city, county, and State officials; and if this section does infringe in any way upon those local affairs, it seems to me it ought to be cleared up——

The CHAIRMAN. The time of the gentleman has expired.

Mr. BARKLEY. I ask for five minutes more.

The CHAIRMAN. The gentleman from Kentucky asks to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. BARKLEY. Now, as to section 3, I am opposed to the motion of the gentleman from New York to strike out that section. It is a well-known fact that in many elections in this country in the past certain interests have contributed money toward the control of elections of Members of Congress in other States. It is a well-known fact, and it has been brought out here by investigation of Congress and committees appointed by legislatures, that certain interests or citizens in one or more States have contributed money to be sent to some other State to control the election of a Senator or a Member of the House. Now, while it may be it will work an injustice in some way in preventing outside citizens from contributing money toward the presidential campaign even in a State in which they do not live, yet I can not imagine how anybody would want to contribute funds even for the nomination or election of a President for any other purpose except those permitted in this section.

I can imagine no other legitimate object that can be contemplated by the law in permitting the expenditure of money in another State for the purposes which are permitted by this bill. But the thing which this section seeks to strike at is the outside interference of corporations and interests that have the desire to control the election of Members of Congress for some particular reason in some particular district because they may have something coming up in the approaching session in which they are interested, and they are anxious to secure the nomination or election of a particular man who will vote for or against a certain thing in the next Congress, and I believe this section ought to remain as it is, because it prohibits outside influence of corporations that have a desire to get their hands upon the throats of Members of Congress, at least by implication, and they should be prevented from going outside of their States and contributing money for the purpose of controlling the election in any county or any district in the United States. I believe this section ought to remain in this bill, because I do not believe that the people of any congressional district or any State in the election of a Senator ought to be compelled to submit to outside money being sent into the district or State for the purpose of undertaking to debauch the electorate and controlling the nomination or election of either a Member of the House or the Senate.

Mr. PLATT. Will the gentleman yield?

Mr. BARKLEY. I will.

Mr. PLATT. Would not section 3 prevent a political party, for instance, from sending a canvasser into an adjoining State if he was not paid for by that State?

Mr. BARKLEY. Not at all. He could have his expenses. The gentleman means by "canvasser" some one to take a poll?

Mr. PLATT. Yes.

Mr. BARKLEY. To find out how men vote?

Mr. PLATT. The canvasser might influence votes perhaps.

Mr. BARKLEY. I think if local committees and local expenditures can not take care of the expenses of a man who goes around to find out how men are going to vote they ought not to be permitted to send to New York or Chicago or anywhere else to get the money to carry it on.

Mr. PLATT. Suppose the Prohibitionists want to send a canvasser into a certain section of the country that is not prohibition?

Mr. BARKLEY. They should be permitted to do it. I do not think a prohibition election ought to come within the meaning of this section to section 2. It ought not to be necessary for a committee in charge of a prohibition election to report to Congress, because Congress at present does not control prohibition elections in the States, but those elections are held under the authority of the States.

Mr. PLATT. Suppose the Socialist Party that is not organized in some States at all wanted to send a man in them to organize?

Mr. BARKLEY. They can send them there for legitimate purposes. What does he want to do it for except as a matter of publicity?

Mr. PLATT. He can organize a committee and go and see the people and talk to them. They can not do it unless they send public speakers; but they can not send canvassers into the State.

Mr. BARKLEY. I do not think they ought to send canvassers to go around secretly in order to try to influence the votes of the people. How can Congress tell whether they confine their operations merely to verbal persuasion? Under cover of night they might slip to voters something else than a quantity of language, and yet it would be difficult to prove such an offense.

Mr. SANFORD. Can the gentleman understand how a county committee having $5,000 to spend can spend it to cause the election of a sheriff or other county officers, without influencing the election of the Member of Congress running at the same time?

Mr. BARKLEY. If it would get somebody to the polls who would vote for the whole ticket, who otherwise would not vote at all, to that extent it would influence the election of the Member of Congress, but the purpose of it is to primarily elect the sheriff.

Mr. SANFORD. Has the gentleman ever heard of committees that operate for one candidate?

Mr. BARKLEY. Oh, yes; frequently.

Mr. RUCKER. Mr. Chairman, this section now under consideration—section 3—is not a part of existing law, although it was in the bill reported by the committee, as I have suggested, two years ago and passed the House as a part of that bill. I think this is one of the most important sections in the bill, and I can not appreciate the argument of gentlemen who think it vicious and bad. It looks to me like, if we are going to do anything that even remotely looks to purifying politics, we must leave this section in the bill. What does it do? Does it curb in any way or in any manner, shape, or form the most complete and far-reaching campaign of education that can be conceived of? It does not limit the amount of money in any way that may be expended for literature or for advertisement, marked as such, in the newspapers. It does not limit the amount of money that any campaign committee may expend in touring the State with campaign speakers and visiting every village and hamlet and city in the State. It only says that you shall not send across the State line into another State actual money in greater sum than was actually contributed by citizens of that State. Now, I can not think that there is any serious objection on the part of any gentlemen to this.

Mr. GREEN of Iowa. Will the gentleman yield right there?

Mr. RUCKER. I will.

Mr. GREEN of Iowa. I notice in the bill you use the term "distributed in the State." Was there a particular reason for using the term "distributed in the State"?

Mr. RUCKER. If the gentleman will turn back to the first section, which contains the definition, it will show what that word means. It has a broad meaning as defined in this bill, and I think that is an appropriate word for it.

Now, let me say just a word. There seems to be considerable discussion here while this section is under consideration of a section that has been passed and to which, as I recall, no amendment was offered. Gentlemen have varying and conflicting views about it. I have had two views of it. At one time I held to the same thought that some gentlemen have advanced here to-day, but after hearing the matter discussed two years ago I came to the conclusion that I was wrong, and therefore I followed the mandate of the House and wrote into the bill substantially what the House by its vote then directed. The language says:

> For the purpose of influencing or attempting to influence the result of any convention—

And so forth.

Now, they do not vote on road bonds or school bonds in a convention, and they do not vote to elect school directors at a convention—

> primary election, or election at which candidates for President and Vice President of the United States are to be nominated or candidates for Senator or Representative in Congress are to be nominated or elected.

I think the plain meaning and legal construction that would be placed upon that language is that any committee—and I am speaking now of section 1, lines 19 and 20—that any committee which operates solely or largely for the purpose of influencing the result of a contest for nomination or election to one of these Federal offices referred to would have to make an accounting. I do not believe the others would, and I say frankly I do not think they ought to.

The CHAIRMAN. The gentleman has consumed five minutes.

Mr. RUCKER. I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. RUCKER. Make it short.

Mr. GREEN of Iowa. I find the gentleman misunderstood the inquiry I made a short time ago. I referred to the word "distribute," in section 3, line 21, which is not covered by the definition at the bottom of page 3. The word "distribute" has a different meaning than the word "disburse," and I wondered if there was some special reason——

Mr. RUCKER. To which part does the gentleman refer?

Mr. GREEN of Iowa. Line 21, on page 4.

Mr. RUCKER. Line 21, on page 4, the words "shall distribute"?

Mr. GREEN of Iowa. That word is not defined, and I take it there was some special reason for using that particular word.

Mr. MANN. While the gentleman is thinking I think I can give him a reason.

Mr. GREEN of Iowa. I rather think I can myself.

Mr. MANN. The language of the bill last year was "disburse, loan, advance, give, or promise." I suppose the gentlemen thought that they would save printers' ink by using the one word.

Mr. GREEN of Iowa. I think the word that was intended to be used was "disburse."

Mr. MANN. You used all six of them last year.

Mr. RUCKER. I know we did, but we have tried to save those words now. I will say that under modern conditions

there are in some sections of the country three well-defined political parties, and in some sections there are more.

Mr. FARR. And in some less.

Mr. RUCKER. Each one of them generally has a county committee, always a congressional committee, always a State committee, always a judiciary committee, always a State senatorial committee, always a United States senatorial committee, always a national campaign committee, and so on, so that in the aggregate they would amount to 70,000 or 80,000 committees.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. RUCKER. Yes.

Mr. MANN. I have not a congressional committee in my district.

Mr. HAMILTON of Michigan. I have not had a congressional committee in my district for several years.

Mr. RUCKER. There may be many districts in which that is the case.

Mr. EMERSON. In some cases we do not find friends to contribute to our campaigns.

Mr. RUCKER. Every committee that contributes to the election of a candidate or at the primary would be included.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. GREEN of Iowa rose.

The CHAIRMAN. The Chair will recognize the gentleman from Iowa for three minutes. Three minutes remain.

Mr. GREEN of Iowa. Mr. Chairman, if that word "distribute" was used as I thought it was used, intentionally, as distinguished from the word "disbursed" and other words that are defined in the last part of page 3, and if it means simply the handing out and passing around of money, I think section 3 is unobjectionable if that construction be put upon it. But if it means payments for ordinary and legitimate expenses, I recognize the force of the objections that have been made on the floor to section 3.

Mr. SANFORD. Mr. Chairman, will the gentleman yield there? I think the word was used intentionally to prevent distribution in any way except through the mails.

Mr. GREEN of Iowa. Oh, the gentleman is talking about the use of the word in another place.

Mr. SANFORD. I was not talking about the use of the word on line 21 on page 4, but I was talking about its use on line 5 of page 5.

Mr. GREEN of Iowa. I am not talking about that. If the committee had no intention to distinguish from the other words at the bottom of page 3, I think the objection is valid.

Mr. RUCKER. I think it should be "disbursed." I move, Mr. Chairman, to perfect the section by amending, on line 21, page 4, by striking out the word "distribute" and inserting the word "disburse."

The CHAIRMAN. The gentleman from Missouri [Mr. RUCKER] offers an amendment. There is already an amendment pending.

Mr. MANN. This is a preferential amendment. It has the preference.

The CHAIRMAN. It is a preferential motion. The Clerk will report the amendment of the gentleman from Missouri [Mr. RUCKER].

The Clerk read as follows:

Amend, page 4, line 21, by striking out the word "distribute" and inserting the word "disburse."

Mr. BENNET. Mr. Chairman, I ask unanimous consent to proceed for one minute in discussing that amendment.

The CHAIRMAN. The gentleman from New York asks unanimous consent to proceed for one minute. Is there objection?

There was no objection.

Mr. BENNET. Mr. Chairman, what this would simply mean would be that a national committee could incur any amount of proper expenditures within the State, and, so long as they simply paid the bill somewhere else, they would not violate the section. The section is bad enough as it is, but worse, if it could be worse, as it is to be amended, because it takes off any limitation whatever. It simply takes the paymaster's office from one place to another.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Missouri [Mr. RUCKER].

The amendment was agreed to.

The CHAIRMAN. The question is upon agreeing to the amendment offered by the gentleman from New York [Mr. BENNET] to strike out section 3.

The question was taken, and the Chairman announced that the ayes seemed to have it.

Mr. RUCKER. I ask for a division.

The CHAIRMAN. A division is called for.

The committee divided; and there were—ayes 32, noes 26.

Mr. RUCKER. I ask for tellers, Mr. Chairman.

The CHAIRMAN. The gentleman from Missouri asks for tellers.

Tellers were ordered, and the Chairman appointed Mr. RUCKER and Mr. BENNET to act as tellers.

The committee again divided; and the tellers reported—ayes 49, noes 37.

Mr. RUCKER. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Missouri makes the point of order that there is no quorum. Evidently there is not a quorum present. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Allen	Gallagher	Kent	Powers
Anthony	Gallivan	Key, Ohio	Ragsdale
Bacharach	Gandy	Kiess, Pa.	Rayburn
Bailey	Gardner, Mass.	Kreider	Riordan
Barchfeld	Garland	Lafean	Roberts, Mass.
Barnhart	Garner, Tex.	La Follette	Rogers
Beales	Garrett	Lazaro	Rowe
Black	Good	Lenroot	Rowland
Bowers	Goodwin, Ark.	Liebel	Sabath
Bruckner	Gould	Lindbergh	Saunders
Burgess	Graham	Linthicum	Scott, Pa.
Butler	Gray, N. J.	Loft	Scully
Callaway	Gregg	McAndrews	Shackleford
Capstick	Griest	McCulloch	Sherwood
Charles	Griffin	McDermott	Siegel
Clark, Fla.	Guernsey	McFadden	Slayden
Cline	Hamill	Maher	Slemp
Coleman	Hamilton, N. Y.	Meeker	Smith, Minn.
Cooper, Ohio	Hardy	Miller, Del.	Smith, N. Y.
Cooper, W. Va.	Harrison	Miller, Minn.	Smith, Tex.
Copley	Hart	Miller, Pa.	Snell
Costello	Haskell	Montague	Snyder
Crago	Hastings	Moon	Sparkman
Crosser	Hawley	Mooney	Stagall
Dale, N. Y.	Hayes	Moore, Pa.	Steele, Pa.
Danforth	Henry	Morgan, La.	Steenerson
Davenport	Hensley	Morin	Stephens, Cal.
Davis, Minn.	Hill	Morrison	Stiness
Dempsey	Hinds	Moss, W. Va.	Stout
Dewalt	Holland	Mott	Sumners
Dooling	Houston	Murray	Swift
Driscoll	Howard	Nelson	Switzer
Drukker	Howell	Nicholls, S. C.	Talbott
Dunn	Huddleston	Nichols, Mich.	Tavenner
Eagle	Humphreys, Miss.	North	Temple
Edmonds	Husted	Oglesby	Tilson
Edwards	Hutchinson	Oliver	Vare
Estopinal	Igoe	O'Shaunessy	Ward
Fairchild	Jones	Parker, N. J.	Wason
Ferris	Kahn	Parker, N. Y.	Wilson, Fla.
Fields	Kearns	Patten	Wilson, Ill.
Finley	Keister	Peters	
Flynn	Kennedy, Iowa	Porter	
Foss, Ill.	Kennedy, R. I.	Pou	

The committee rose; and the Speaker having resumed the chair, Mr. RUSSELL, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration the bill (H. R. 15842) to revise, amend, and codify the laws relating to publicity of contributions and expenditures made for the purpose of influencing the nomination and election of candidates for the offices of Senator and Representative in the Congress of the United States, extending the same to candidates for nomination and election to the offices of President and Vice President of the United States, limiting the amount which may be expended, providing for the publicity of campaign expenses, and for other purposes, finding itself with a quorum, he caused the roll to be called, when 258 Members answered to their names, and he presented the names of the absentees to be entered on the journal.

The SPEAKER. A quorum being present, the committee will resume its sitting.

Mr. RUCKER. Mr. Chairman, I suppose automatically we have another vote by tellers.

The CHAIRMAN. The Chair understands that as there was no quorum present, the former vote is vacated. It may be necessary to call for a further vote by tellers.

Mr. RUCKER. I call for a further vote by tellers.

Mr. BENNET. Mr. Chairman, what is there to indicate that at the time the vote by tellers was taken there was not a quorum present? After it was over the gentleman from Missouri [Mr. RUCKER] made the point of order that there was no quorum present, and the Chair counted and declared that there was not then a quorum present.

Mr. RUCKER. The vote showed that there was no quorum present when the vote was taken by tellers.

Mr. BENNET. All the Members within the bar of the House are not required to vote by tellers, and it may very well have been that in addition to the 85 Members who voted by tellers there were more than 15 others present.

The CHAIRMAN. When the point of no quorum was made the Chair counted and found that there was no quorum present.

Mr. BENNET. But even after the inspection made by the Chair, if the Chair then decided that there was no quorum present, that does not relate back to the time of the taking of the vote by tellers, and it seems to me that the former vote by tellers ought to be allowed to stand.

The CHAIRMAN. The vote by tellers and the count made by the Chair both showed that there was no quorum present.

Mr. BENNET. It is a very easy matter for at least 15 Members to get back into the cloakroom.

Mr. FOSTER. The Chair decided that there was no quorum present, and the roll was called. Now, it seems to me, it is too late for anyone to make the point of order that there was a quorum present at that time.

Mr. BENNET. The gentleman does not understand.

Mr. FOSTER. Wait until I get through. The gentleman now raises the question, as I understand, that there was a quorum present when the former vote was taken, and that because there was a quorum present, the vote by tellers ought to stand? It is the invariable rule that when a vote is taken in Committee of the Whole and it is disclosed by that vote that there is no quorum present, and the point is made that there is no quorum present, and the Chair decides that there is no quorum present, and the roll is then called, the former vote is vitiated, and the gentleman can not come in now and claim that there was a quorum present. The Chair has decided that there was no quorum present. That being so, and the point being made at the time when the vote was announced, there is no question that that vitiates the vote that was taken. It has never been held any other way.

Mr. BENNET. Just see what a condition we would be in if the gentleman's argument were sound——

The CHAIRMAN. The Chair understands that the gentleman from New York is merely propounding a parliamentary inquiry. The vote by tellers and the count by the Chair determined that there was no quorum present.

Mr. BENNET. But how does the condition of the House at the time the Chair counted relate back to the vote by tellers?

Mr. FOSTER. The Chair has decided that question. The Chair has decided that there was no quorum present.

Mr. BENNET. At the time of the count.

Mr. FOSTER. He decided when the point was made.

Mr. BENNET. Now, if the gentleman will allow me two uninterrupted sentences, I do not question that at the time the Chair counted the committee there was no quorum present; but does the Chair see in what position it would leave the Committee of the Whole if every time the dominant party in the House was beaten by a few votes, within a short time after that some one could raise the question of no quorum, and by that time enough Members might be off the floor, so that there would be no quorum present? But that is no proof that there was not a quorum present at the time the vote was taken.

The CHAIRMAN. The gentleman from Missouri [Mr. RUCKER] has called for tellers.

Tellers were ordered, and the Chairman appointed Mr. RUCKER and Mr. BENNET.

The committee again divided; and the tellers reported—ayes 74, noes 111.

Accordingly the amendment was rejected.

The Clerk read as follows:

SEC. 4. That any political advertisement contained in any newspaper, handbill, circular, or other publication shall, when published, contain the name of the committee, person, firm, or organization that has caused the same to be published and has paid or agreed to pay for the publication thereof.

Mr. RUCKER. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. RUCKER: Page 5, line 9, after the word "publication," insert a comma and add the words "or posted on any billboard, wall, or fence."

Mr. MANN. Mr. Chairman——

Mr. RUCKER. I yield to the gentleman from Illinois.

Mr. MANN. Of course I have no objection to the amendment, as far as that is concerned. What I wanted to ask was this: If, as I think is correct, the word "committee" applies to any committee, practically, does this term "political advertisement" apply to anything except in relation to Members of Congress and candidates for President and Vice President? We undertake to control a county committee seeking to affect the election of candidates at the fall election. Will this, then, require any county committee, or any other committee that may be described by the bill, when it gets out any kind of a handbill, circular, or other publication, to put its name on it?

Mr. RUCKER. I will say to the gentleman frankly that I think the literal language of the section would require it, although I do not believe that that is the intention of the committee. The idea is to regulate these matters so far as the election of Federal officers is concerned.

Mr. STAFFORD. Will the gentleman yield?

Mr. RUCKER. Yes.

Mr. STAFFORD. Does not the gentleman think that by inserting the word "poster" in the clause relating to political advertisements it would be better than to adopt the gentleman's amendment? In my campaign they placed the posters on stakes. That could not be held to be placed on a billboard or on a fence, and the person would be relieved of this requirement.

Mr. RUCKER. The amendment was handed to me by a Member on the floor, and because of conditions which he told me existed I thought it would be wise to adopt it.

Mr. STAFFORD. I am pointing out a case or an instance which would not be covered by that.

Mr. RUCKER. What is the suggestion of the gentleman from Illinois that he thinks would cover these matters?

Mr. STAFFORD. That is that the poster, no matter whether it is on a billboard or a fence or wherever it may be, adds to the generality of the clause as stated in the paragraph.

Mr. RUCKER. What is the gentleman's suggestion?

Mr. STAFFORD. That the gentleman withdraw his amendment and insert the word "poster," which covers everything, while his proposed amendment is restrictive.

Mr. RUCKER. Mr. Chairman, I ask unanimous consent to withdraw the amendment I have offered and offer the amendment suggested by the gentleman from Massachusetts.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to withdraw his amendment. Is there objection?

There was no objection.

Mr. RUCKER. Now, Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amend page 5, line 9, by inserting after the word "handbill" the word "poster."

Mr. WALSH. Mr. Chairman, I want to ask the chairman of the committee if he thinks that by accepting that amendment it would cover the case of a sign or advertisement being painted on a wall?

Mr. RUCKER. I take it that the gentleman is serious about that question. I do think the poster would cover that. I understand that method of campaigning is indulged in in some places. My judgment is it would cover it. What difference does it make whether the poster is printed or painted?

Mr. HAMILTON of Michigan. The term poster has an entirely different meaning from a painted advertisement on the wall.

Mr. RUCKER. I think the poster or handbill is the same whether printed or painted.

Mr. HAMILTON of Michigan. A poster is a detached piece of paper on which something has been printed or lithographed.

Mr. RUCKER. I want to cover the evil and my judgment is that this does it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri.

The question was taken, and the amendment was agreed to.

Mr. BENNET. Mr. Chairman, I move to strike out the last word to make an observation. This section provides that any political advertisement contained in any newspaper, and so forth, shall, when published, contain the name of the committee, person, firm, or organization that has caused the same to be published and has paid or agreed to pay for the publication thereof.

Now, suppose that the gentleman from Tennessee [Mr. AUSTIN] desired to publish an advertisement relating to himself. He fully satisfies the statute if his name appears anywhere in the advertisement. He does not even have to put the word "Adv." under it. And, quite naturally, if a gentleman should advertise in order to help his own candidacy he would have his name appear somewhere in the advertisement. He does not have to say that it was paid for by him. It would be enough to say that "among other good things performed by the gentleman from Tennessee [Mr. AUSTIN] was" so and so.

Mr. RUCKER. The gentleman notices the language in lines 11 and 12, "that has caused the same to be published and has paid or agreed to pay for the publication thereof." Does the gentleman think that because the name of Mr. BENNET appears in any political advertisement contained in a newspaper that that is compliance with this language?

Mr. BENNET. The language is:

That any political advertisement contained in any newspaper, handbill, circular, or other publication shall, when published, contain the name of the committee, person, firm, or organization that has caused the same to be published and has paid or agreed to pay for the publication thereof.

Mr. KELLEY. It would have to contain the name of the candidate to be of any value to him, would it not?

Mr. BENNET. Certainly; that is all it does. What it means is this: We had a classical song in our town at one time in which was a line, "You bought the box, but not the socks." What I mean to say is that this is a penal statute, and that if you print an advertisement all you have to do is to mention your name in it. Suppose they wanted to extol the virtues of my colleague, Mr. SIEGEL. They would print something like this: "Samuel S. Koenig, chairman of the Republican county committee, when asked last night what he thought of Congressman SIEGEL, said:" That would be all that would be necessary to say in order to comply with the statute. That avoids any violation of the statute.

Mr. PLATT. Does the gentleman insist on the pro forma amendment? I think the section would be better with the last word stricken out.

Mr. MANN. Will the gentleman yield?

Mr. BENNET. Yes.

Mr. MANN. The gentleman knows that the law requires all newspapers making use of the second-class mail rates to print the word advertisement on anything they print which is paid for.

Mr. BENNET. Yes; but this provision may repeal it.

Mr. MANN. It does not.

Mr. BENNET. The requirement to put the word advertisement at the bottom is to know that it was paid for.

Mr. COX. Where does the gentleman get his authority for saying that if the name appeared anywhere in the article it would comply with the requirements of section 4?

Mr. BENNET. I get it from the language of the bill.

Mr. COX. Section 4 defines the conditions that shall be complied with in a political advertisement?

Mr. BENNET. Yes.

Mr. COX. Does the gentleman contend that what he said about Mr. SIEGEL constitutes an ordinary advertisement?

Mr. BENNET. The fact is that if the reading notice was published in the newspaper, and it complied with the provision in relation to second-class mail matter by having the word "advertisement" appended to it, there is nothing in this bill that provides for it to be plain and specific who was paying for the advertisement so long as somewhere in the advertisement appeared that name in any form whatever.

The Clerk read as follows:

SEC. 5. That every disbursement made by a committee exceeding $10 in amount shall be evidenced by a receipted bill stating the particulars of expense, and every such record, voucher, receipt, or account shall be preserved for 15 months after the election to which it relates and be open to public inspection.

Mr. HOPWOOD. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WALSH. Mr. Chairman, I move to amend the section by striking out, in line 15, the words "exceeding $10 in amount."

The CHAIRMAN. The Clerk will report the amendment of the gentleman from Massachusetts.

The Clerk read as follows:

Amend, on page 5, line 15, by striking out the words "exceeding $10 in amount."

Mr. COX. Mr. Chairman, I would like to be heard upon that amendment. The gentleman from Massachusetts offers the identical amendment that I had in mind to offer, and I am going to support it for the purpose of making the bill more effective, making it a real bill, a bill in earnest, a measure that will amount to something. In other words, as some gentlemen on the other side of the Chamber have well said, I desire to make it a bill, if possible, that "has teeth in it." This bill has been characterized as a publicity bill. It is more—much more—than an ordinary publicity bill It has two or three new features in it which, in my opinion, are of extreme importance and make it a valuable measure. Heretofore I do not think the law has been complied with by candidates for Congress, as a rule, and there has been no way of compelling the defeated opponent to comply with the law.

Under the terms of the bill each successful candidate for Congress is required to give the name of his opponent and his address and the name of his judicial district, and in addition to that the Clerk of the House is required to report to Congress the names of all candidates for Congress who have failed to comply with the provisions of the law. These two provisions in the bill will make it a real, live, active measure, but I am unable to understand or conceive of the reason why, when disbursements are made, it shall only include amounts in excess of $10

Mr. RUCKER. Mr. Chairman, will the gentleman yield?

Mr. COX. Yes.

Mr. RUCKER. I will state to the gentleman the reason. It is simply this: We apply the same practical knowledge that we have of our own personal affairs to the activities of a great committee. It is conceivable that a committee expends a great many items, in the course of months, that are very small. For instance, a dollar or two for postage stamps, $2.50 for stationery, and $2.50 for postal cards and things of that kind, trivial expenses that go to the maintenance of the office of the committee, and we make this provision in order not to put an unnecessary burden on any committee. For instance, a committee might hire a messenger boy to run an errand, and I will submit to the gentleman whether he thinks those items ought to be reported?

Mr. COX. I do.

Mr. GORDON. Suppose they hire fellows to vote at $5 apiece, how do you catch them—these blocks of five?

Mr. RUCKER. The gentleman will now bear in mind that we are now dealing with the committee.

Mr. GORDON. Yes; and they are the fellows that distribute the money.

Mr. RUCKER. I know, but the purpose is to ascertain to whom that goes. The committee distributes the money in bulk and the other man does it in blocks of five. We are now dealing with the committee headquarters.

Mr. COX. Mr. Chairman, there are two theories in this bill; first, the publicity theory, and I believe that is a more effective way of bringing about purity in elections than the other way contained in the bill. I think conditions have improved and improved wonderfully all over the United States in the last 20 years. I think every Member of this House will agree with me, at least those of us who were in politics 20 years ago, that never again do we want this country to return to the condition that existed then. I do not refer to any political party; I do not refer solely and alone to the Republican Party; oh, no. The party with which I am affiliated has many motes in its eye, and I am one of those men who believe that a man should always pull the mote out of his own eye before he undertakes to pull it out of some one else's eye. This bill has two theories; first, publicity. I believe that that is the most powerful weapon to be used in order to purify elections in this country. An ordinary thief can not ply his trade when his rendezvous is found out.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. COX. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. COX. When the limelight of publicity is thrown on contributions for campaign purposes, unless the money is contributed for a legal and lawful purpose no man can individually stand up under the light of criticism. Mr. Chairman, I know there is no intentional joker in this bill; none whatever.

But right here in section 5 of this bill is the dangerous feature in it. If we want to purify elections, if we want to uphold the sovereignty of the people of the United States, here is the chance to do it.

Mr. RUCKER. Will the gentleman yield further?

Mr. COX. Yes; for a question.

Mr. RUCKER. Just for a statement of one sentence. I say to the gentleman in good faith——

Mr. COX. I am satisfied of it.

Mr. RUCKER. I stated the only reason we fixed this limit, and I want to say I have no earthly objection to the amendment suggested.

Mr. COX. I thank the gentleman.

Mr. RUCKER. None at all, if the House thinks it wise to do so. I thought it was unwise.

Mr. COX. I know that the argument is used that it would take some time to distribute all these various amounts of money; but let us see, Mr. Chairman, to whom the money is going. Let us see what is to be bought with it. Let us see exactly who is getting the money and what he is receiving for it. Why, under this provision, Mr. Chairman, if I was disposed to do it, I could hire on election day 100 men to distribute my cards at every voting place in my district and pay them $2 a day. They would be the class of men who heretofore have been fellows who sold their votes.

Mr. BENNET. Will the gentleman yield?

Mr. COX. In a moment. Under this provision, Mr. Chairman, I could hire 100 men, if there were that many, to stay away from the voting places on election day.

Here is where the real devilment is going to be done. If I am disposed to hire men to distribute my cards on election day, let us see whether that is the purpose or not. Let us follow

that up. Why, under the anticorrupt-practices act of the State of Indiana, I think the only time it has ever been construed by our Supreme Court, men undertook to get men out by hiring a large number of men on election day to distribute their cards at the rate of $2 a day. They happened to be the fellows, however, who heretofore, before we had the anticorrupt-practices act, were willing to take $2 a day to vote, or were willing to take $2 a day to stay away from the polls. Undertaking to avoid the anticorrupt-practices act of the State of Indiana, men who were candidates sought to hire men to distribute their cards, and the lower court quashed the indictment and the supreme court held the indictment good; in other words, holding that they could not violate the law indirectly in a way that they could not do directly.

Now, the only way, in my judgment, we are going to purify elections in this country—and I have offered motions on the floor of this House aimed to get right at that point—is, first, to have the fullest glare of publicity; second, to remove the temptation to expend a large amount of money in little sums. Now, it will cost some—there is no doubt about that—to keep an extra clerk in the committee room to give out receipts, but that will cost a mere bagatelle as compared with the benefits the public will receive through publicity. Why, you can expend with this provision in the bill, gentlemen, a million dollars in the State of New York; yes, $5,000,000 in the State of New York; you could expend a million dollars in the State of Indiana under this clause, not to be accounted for in excess of $10.

Mr. RUCKER. The gentleman means taking a receipt; the amount had to be accounted for.

Mr. COX. I mean taking a receipt.

The CHAIRMAN. The time of the gentleman has again expired. The question is on the amendment offered by the gentleman from Massachusetts.

The question was taken, and the amendment was agreed to.

Mr. BENNET. Mr. Chairman, I move to strike out the last word simply for the purpose of asking what sort of a committee it is that is described as "a committee exceeding $10 in amount"? I have heard of committees not exceeding five in number, but this bill says, "a committee exceeding $10 in amount." I would like to ask the gentleman from Missouri if the language ought not to be changed so as to read——

Mr. MONDELL. The language "exceeding $10 in amount" is out.

Mr. BENNET. Then there is no description of the committee.

The Clerk read as follows:

SEC. 6. That whoever, acting under the authority or in behalf of any committee, whether as a member thereof or otherwise, receives any contribution shall, within five days after the receipt of such contribution, render to the treasurer of such committee a detailed account of the same, together with the name and address from whom received, and said treasurer shall forthwith enter the same in a ledger or record to be kept by him for that purpose, which ledger or record shall plainly show the items or sums contributed by citizens of each State separate and apart from contributions made by citizens of other States and shall be open to public inspection.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. Mr. Chairman, under the general debate yesterday I called the attention of the chairman of the committee to the fact that these accounts had to be kept in a ledger or record, and I asked him if he did not think it was better that they should be kept upon forms to be furnished by the Clerk of the House, and I want to renew my query and ask him if he does not think that the records which are to be kept by the treasurer of a committee in order to promote uniformity of accounting should not be kept upon a form furnished by the Clerk of the House? This is a record which is to be open to the public inspection, as I understand it, and the treasurer of any committee keeping the accounts of these items is obliged to show that record or ledger for these accounts to anybody who desires to inspect them.

The question I again ask the chairman, because, I take it, since the query was propounded yesterday he may have given further deliberation to the matter, is, Does not he think it better to provide that the Clerk of the House shall furnish these committees with ruled forms so they should be all uniform, and that the treasurers be required to keep these accounts on those forms?

Mr. RUCKER. Mr. Chairman, I will answer the gentleman as I answered him yesterday. I do not think so. There is no necessity whatever for the uniformity of those records. Anything that meets the requirement, a record or ledger, will be sufficient.

Mr. WALSH. Mr. Chairman, I suppose if they entered the records in the Greek language upon the ledger, it would plainly show the items of the sums contributed—to somebody that could read Greek?

Mr. RUCKER. I think the gentleman is right.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

SEC. 7. That the treasurer of every such committee shall, not more than 15 days and not less than 10 days next before an election at which Senators or Representatives in Congress are to be elected in two or more States, and not more than 15 days and not less than 10 days next before any general or special election for Senator or Representative in Congress in a single State or district, if such committee shall attempt to influence the result of an election held in a single State or district or in any manner participate therein, file in the office of the Clerk of the House of Representatives, at Washington, D. C., with said Clerk, an itemized detailed statement of all money or things of value received and disbursed by such committee; and on each sixth day thereafter, until such election, said treasurer shall file with said Clerk a supplemental itemized detailed statement. Each of said statements shall conform to the requirements of the following section of this act, except that the supplemental statements herein required need not contain any item of which publicity is given in a previous statement. Each of said statements shall be full and complete, and shall be signed and sworn to by said treasurer.

It shall also be the duty of said treasurer to file a similar statement with said Clerk within 30 days after such election, such final statement also to be signed and sworn to by said treasurer and to conform to the requirements of the following section of this act. The statements so filed with the Clerk of the House shall be preserved by him for 15 months and shall be a part of the records of his office and shall be open to public inspection.

Mr. WALSH. Mr. Chairman, I move to strike out, on page 6, line 18, the words "with said Clerk."

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, on page 6, in line 18, by striking out the words "with said Clerk."

Mr. WALSH. Mr. Chairman, it seems to me, if you require the statement to be filed in the office of the Clerk of the House here in Washington that that is sufficiently explicit. You might send somebody down here to file a statement and the Clerk might not be here. I think he should be allowed to file it with whomsoever is in charge.

Mr. MANN. Will the gentleman yield?

Mr. WALSH. Yes.

Mr. MANN. I think the purpose of that language was to permit anyone to mail a statement addressed to the Clerk of the House. That would be held as a sufficient compliance.

Mr. WALSH. Does the gentleman think that with the language left out the statements mailed and addressed to South Trimble, Clerk of the House of Representatives, at Washington, and a return registry card signed by Mr. Jerry South, Chief Clerk, showing that he received that, would not be a sufficient compliance with the law?

Mr. MANN. I have no doubt it would be a sufficient compliance. If it was filed there at all it would be a sufficient compliance.

Mr. WALSH. I submit taken in connection with the other language which this specifies it must not only be filed in the office of the Clerk but filed with the Clerk.

Mr. MANN. The purpose of putting it in was to avoid saying "to file in the office of the Clerk." They said, "Clerk." Now, if they mail it to the Clerk, that is an assumption that it is filed in the office of the Clerk. It probably would be sufficient, but might not.

Mr. WALSH. I would like to ask the chairman of the committee what the purpose was.

Mr. MANN. I just told you.

Mr. WALSH. I would like to know what the purpose was in phrasing the language in that way. The gentleman from Illinois told me what he thought, but I want to know what the chairman of the committee thinks.

Mr. RUCKER. I think the gentleman's question has been answered, and if I answered it I would answer it in that way.

Mr. WALSH. I understand the gentleman is in accord with the gentleman from Illinois?

Mr. RUCKER. On this one question.

The CHAIRMAN. The question is on the amendment of the gentleman from Massachusetts [Mr. WALSH].

The question was taken, and the amendment was rejected.

Mr. KELLEY. Mr. Chairman, I would like to call the attention of the chairman to the language in lines 15 and 16 on page 6, where it places a prohibition upon the committee in attempting to influence the election or participate in the election in any way. Might not that prohibit them even from voting at the election?

Mr. RUCKER. I think not. I think the gentleman misunderstands it.

Mr. KELLEY. They might be inspectors of the election and also be members of a committee.

Mr. RUCKER. Let me answer the gentleman, if I catch his thought. It excepts and exempts the committee from making a report in individual districts unless they indulge in some political activity in that State or district.

Mr. KELLEY. It says they must make this report if they attempt to influence the election.

Mr. RUCKER. Or in any manner participate therein.

Mr. KELLEY. Or participate in the election. I think that would prohibit them from voting.

Mr. RUCKER. I take it that if it so happened that the entire committee would live in the congressional district it might do that.

Mr. BENNET. Mr. Chairman, I move to strike out the last word.

I have made a little computation of the number of reports that will have to be filed from my congressional district under this section 7. On page 2, line 22, the term "election" is defined to include nomination by primaries. We have 142 election districts in my congressional district. We have five political parties. Each one of those parties must make a report not more than 15 days nor less than 10 days before the primaries. They must make a report after the primaries. They must make a report not more than 15 nor less than 10 days prior to the election and every 6 days thereafter, which is at least twice more, and they must make a final report after the election.

Mr. RUCKER. Not necessarily twice more.

Mr. BENNET. It might be only once.

Mr. RUCKER. Ten days.

Mr. BENNET. Well, once more. We will cut out one. So each committee must make five reports.

Mr. MAPES. Will the gentleman yield?

Mr. BENNET. Not until I get through with this calculation. There are five reports to be made by each committee. There are five parties, and that means 25 reports for each election district. One hundred and forty-two districts multiplied by 25 makes 3,550 reports from one congressional district in one State.

Mr. RUCKER. Will the gentleman yield?

Mr. BENNET. Yes.

Mr. RUCKER. If we could ever get 3,550 reports from that one district, we would get a lot of publicity.

Mr. BENNET. We would not get any publicity at all. If 3,550 committees would report from each congressional district, no living human being would take the time to look them up.

Mr. MAPES. I desired to ask the gentleman if the State law of New York does not require his committee to file a report now?

Mr. BENNET. The State law of our State requires our committee to report once after the primaries and once after the election. So we are now making from my district under our State law 284 largely unnecessary reports, and this House proposes to add to that somewhere between 3,000 and 4,000 reports from my congressional district.

Mr. MAPES. Mr. Chairman, will the gentleman yield?

Mr. BENNET. Yes.

Mr. MAPES. There are States where no statement is required. There are other States where they are required to file a statement. In Michigan I do not think the committees would have to do anything more, if this bill is enacted into law, than to make a duplicate report. That is true in a great many of the States. The committee feels that in States where there is no publicity and no reporting required they should be made to account.

Mr. BENNET. And therefore, because Michigan is not up to date enough to have a proper election law——

Mr. MAPES. Oh, Mr. Chairman, the Michigan law is up to date.

Mr. BENNET. It is not, because otherwise they would require more reports. Because Michigan is not up to date, therefore the State of New York is to be penalized by being compelled to file, if we have 4,000 election districts in the States, 100,000 reports with the Clerk of the House. Why, the proposition is so ridiculous that it startles me to think that this bill is permitted to progress at all in this House in the face of these undisputed figures.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. BENNET. Yes.

Mr. MADDEN. The gentleman from New York, in including the number of reports to be made in his district, has overlooked the medical associations, and the social clubs, and the churches, and the Anti-Saloon League, and the little breweries, and everything that could be organized for the purpose of filching a dollar out of the pocket of the candidate.

Mr. BENNET. Yes; and everybody who can organize a chowder party or a picnic. It will be a picnic, literally, before they get the reports down here. I am referring only to the reports of the regular committees in my congressional district.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. BENNET. Yes.

Mr. COX. The gentleman is willing to handle all those reports in his district?

Mr. BENNET. I do not have to handle them.

Mr. COX. But the gentleman is willing to see to it?

Mr. BENNET. If I do not see to it, or if anybody does not look to it, the seat of the man elected might be vacated.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 8. That the statements required by the preceding section of this act shall show:

First. The name and address of each person, firm, association, or committee that has contributed to such committee, or any officer, member, or agent thereof, either in one or more items, money, or other things of value of the aggregate amount or value of $100 or more, and the amount or sum contributed by each.

Second. The aggregate sum contributed to such committee, or to any officer, member, or agent thereof, in amounts of less than $100.

Third. The aggregate amount contributed by citizens of each State, respectively, together with the total sum contributed to said committee or any officer, member, or agent thereof by citizens of the several States.

Fourth. The name and address of each person, firm, association, or committee to whom such committee, or any officer, member, or agent thereof, has distributed any sum of money or thing of value of the amount or value of $10 or more, stating the amount or sum distributed to each, the date and purpose thereof, together with a true and accurate statement of the items or sums distributed to persons, firms, associations, or committees in each State separate from other States.

Fifth. The aggregate sum distributed by such committee, or any officer, member, or agent thereof, where the amount or value of the sum distributed to any one person, firm, association, or committee, in one or more items, is less than $10.

Sixth. The total sum disbursed by such committee, or any officer, member, or agent thereof.

Mr. COX. Mr. Chairman, I move to strike out the language, "of the amount or value of $10 or more," in lines 6 and 7, page 8, so as to correspond with the amendment to which the committee agreed on page 7.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Indiana [Mr. Cox].

The Clerk read as follows:

Amend, on page 8, lines 6 and 7, by striking out "of the amount or value of $10 or more."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Indiana.

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. COX. Let us have a division on that, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 12, noes 27.

So the amendment was rejected.

Mr. DYER. Mr. Chairman, I move to strike out on page 7, line 17, after the word "value," the words "of the aggregate amount or value of $100 or more."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Missouri [Mr. DYER].

The Clerk read as follows:

Page 7, lines 17 and 18, strike out the words "of the aggregate amount or value of $100 or more."

Mr. DYER. Mr. Chairman, I offer that amendment for the reason that I take it, of course, that the committee that reported this bill is anxious to get a bill really adapted to the purpose for which it has been introduced. We all know that if some one were to contribute a large sum of money to a committee and chop it up and have it put in in the name of a dozen or more persons, whereas he might contribute $1,000 or more, the names of none of them would have to appear in the report. I think that has been done many times in the past, and it is a dangerous proposition to leave in the bill. I think my colleague, the chairman of this committee, will recognize the danger of it.

Mr. RUCKER. Mr. Chairman, will the gentleman yield?

Mr. DYER. Yes.

Mr. RUCKER. Do I understand the gentleman to say that under this section a person contributing $10,000 or $5,000 would not have to be named?

Mr. DYER. It is provided that the person who contributes $100 or more must be reported.

Mr. RUCKER. $100 or more?

Mr. DYER. Yes. Suppose a man wants to contribute $1,000. He covers it up. It is put in under fictitious names of employees or anybody, in sums of $90 or so, and the necessity of publishing the names is avoided. That has been done in the past.

Mr. RUCKER. The amendment of the gentleman from Missouri, if adopted, would change the existing law and also the provisions of this bill so as to make it unnecessary for the committee to preserve the names of the contributors.

Mr. DYER. No; I would have the names of everybody who contributed put upon the books, whether it be a dollar or a hundred dollars or a thousand dollars.

Mr. RUCKER. Let me suggest this to the gentleman and see if the gentleman wants to do that: A few years ago it became popular, and I think wisely so, for the great political committees to solicit what were called "dollar campaign contributions," and I have learned from the press that many hundreds of thousands of people gave a dollar contribution. It was patriotic and proper, and certainly it was free from any proper criticism. And yet, if the gentleman's idea should prevail, if I understand him correctly, it would require a committee to keep the name and address of each and every dollar contributor in the United States, and then certify all those names to the Clerk of the House of Representatives.

Mr. DYER. I think that is an extreme assumption.

Mr. RUCKER. But is not that true?

Mr. DYER. If that has ever been done, it has been in only one or two instances.

Mr. RUCKER. But is it not true that so far as numbers are concerned, the contributors of small sums vastly exceed the contributors of large sums?

Mr. DYER. I come from a city, and it has been charged and I believe it is a fact that sometimes in a city a man goes out and solicits money and raises a large sum for a political committee or a candidate, and he puts it in under 100 names, in such a way as to shield entirely the real contributor. This is a dangerous proposition.

Mr. RUCKER. Even if that is true, what change does the gentleman suggest?

Mr. DYER. I suggest that the amendment I have offered should be agreed to. If we are going to have a law, let us do as the gentleman from Indiana [Mr. Cox] suggests, take care of every instance. If a man contributes a dollar, he probably contributes as much in proportion to his means as another man who contributes a thousand dollars.

Mr. RUCKER. I will tell the gentleman frankly that I should believe I was defeating the purposes of the bill rather than advancing them if I should vote for the amendment. Therefore, I hope the amendment will not be agreed to.

Mr. KING. Mr. Chairman, I hope this amendment will be voted down. There seems to be an attempt here to emasculate the bill. The first step was taken by the gentleman from Indiana [Mr. Cox] in order to make it an inoperative act and next by the gentleman from Missouri [Mr. DYER], who has just spoken. The honorable chairman of this committee [Mr. RUCKER] has made a long and careful study not only of this bill but of the law as it stands, and it is his opinion that this section ought not to be stricken out, that the law ought not to be changed, and I hope he will receive the support of the Members of the House. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri [Mr. DYER].

The question being taken, on a division (demanded by Mr. DYER) there were—ayes 8, noes 36.

Accordingly the amendment was rejected.

The Clerk read as follows:

SEC. 9. That every person, firm, association, or organization that shall expend or promise any sum of money or other thing of value amounting to $50 or more for the purpose of influencing the nomination or election of a candidate for President, Vice President, Senator, or Representative in Congress, unless he or it shall contribute the same to one of the committees hereinbefore referred to, shall file statements of the same under oath in the office of the Clerk of the House of Representatives at Washington, D. C., as required of the treasurer of a committee by section 7 of this act, which statements shall be held by said Clerk in all respects as required by said section.

Mr. PLATT. Mr. Chairman, I move to strike out the section.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

On pages 8 and 9, strike out section 9.

Mr. PLATT. Mr. Chairman, under this section if a friend of mine takes me around in his automobile for three days he has got to file a statement in Washington. The use of his automobile is worth at least $20 a day. It is a thing of value, and it is perfectly absurd to have such a section as this in the bill. It does not say either that he can contribute it to the person who is a candidate. It says unless he shall contribute to some one of the committees hereinbefore referred to he shall file a statement of the same under oath with the Clerk of the House of Representatives. Now, why he could not contribute it to the candidate and let the candidate file the statement I do not know, but that is what it says here. You will make thousands of criminals in the United States if you leave this section in the bill. There is no sense in it at all.

Mr. RUCKER. Will the gentleman yield?

Mr. PLATT. I yield.

Mr. RUCKER. In view of the language in the section I think the gentleman can hardly sustain the contention he makes. It says—

Shall expend or promise any sum of money or thing of value.

I do not think that would mean that some gentleman in your district who takes you automobile riding would have to file a statement of it.

Mr. PLATT. Are not service and gasoline things of value?

Mr. KELLEY. Gasoline has a cash value these days.

Mr. LANGLEY. And a high cash value.

Mr. MANN. I should like to know what gentleman here has a friend who takes him around in his automobile for three days.

Mr. PLATT. I have had such a friend.

Mr. MANN. Then you ought to report it.

Mr. PLATT. I think there is no sense in the section, and it ought either to be amended or come out.

Mr. RAKER. Mr. Chairman, I oppose the motion to strike out the section. This section intends to cover the expenditure of money by any individual, and so forth. The whole argument to-day by some of the Members is that we are trying to make criminals by endeavoring to comply with what the people of this country have desired for the last 15 years—in providing honest elections and straightforward returns.

Mr. WALSH. Will the gentleman yield?

Mr. RAKER. I can not yield at the present time. They are afraid to file an honest account. There can be no objection on earth to a man putting a statement on record when he contributes to the election of a candidate, in order that the public may know what he is contributing for, why he is contributing, and why he is so much interested in that particular candidate, and how much. It is but right that the public should know. If he is furnishing automobiles, if he is furnishing dinners, if he is furnishing railroad passes, the public ought to know it; and that has been the very object of the demand of the American people for the last 10 years. The people of all parties have stated that they are in favor of enacting laws for the purpose of securing publicity of campaign expenses. Most of the States have these laws; and it sounds peculiar to me to hear men on the floor of the House to-day ridicule the bill on account of the number of affidavits and statements to be filed. If the public desire to elect a man, they ought to have the opportunity to vote for him, and not permit Tom, Dick, and Harry, who have a personal interest in the matter, to slip around and buy votes galore, to pay all the bills, or go to a hack driver and have their work done, and pay him $5 for the same when it is worth but 50 cents, or have a man at every turn at the polls. If you expend that money, you ought to put it on record. The public ought to know who is behind the candidate; it is their business, and they should know all the facts. The man without means, who has struggled along, who has the ability and experience to represent a constituency in this House or in the Chamber at the other end of the Capitol, ought to have an equal chance with the man who has a million or half a million dollars to expend on an election. The way it is to-day, if every individual could contribute what he desires, if firms and associations could contribute, ought not the people of that district to know that this man or this association is behind the candidate, and know, when he comes to Congress, whether or not the great body of the citizenship of that district are going to be represented, or whether some particular interest or firm or manufacturing establishment is going to be represented?

No man who is in favor of giving his constituents and the people of this country what they are entitled to can have an objection to the man who contributes to the individual's expenses. If the man contributes to the campaign expenses of an individual, if he is giving the money for an honest and legitimate purpose, if he believes the man is able and competent to represent the district in Congress, ought he to be ashamed or ought he to be afraid for his name to go on record and the amount he contributes. He ought to be glad to publish to the district that he contributed $100 to John Smith, he being an able and competent man, and one that would represent the district well in Congress, and also the fact that there was no great interest or great concern that would control his vote or action when elected, and that he would give every man a fair and square deal.

That is what this legislation is for. The States have demanded it and most of them have got it. The people of this country ask that this Congress give them the same kind of legislation. Let me tell you that the man who votes against this legislation will hear from home, and he ought to, because everywhere, no matter how humble he may be, no matter whether he is a farmer or a blacksmith in the shop, he ought

to have the same consideration for Congress or for the legislature that any other man has. There is not a piece of legislation in relation to land, not a piece of legislation with reference to water power, but that you will find the interests all ready and plenty of men representing the large concerns on hand to represent those interests, but who sees the man here representing the farmer or the blacksmith or the ordinary consumer. We are entitled to know who is behind the candidate, if anyone. That is what the people want.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RAKER. Mr. Chairman, I ask for two minutes more.

Mr. RUCKER. Mr. Chairman, I would like to see if we can not get an agreement to close debate.

Mr. MANN. If gentlemen are going to talk—and I have no objection—we can not finish this bill to-night.

Mr. RUCKER. There seems to be no great desire to talk on this section, and I ask unanimous consent that all debate on the section and amendments thereto close in nine minutes.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that all debate on this section and amendments thereto close in nine minutes. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from California asks unanimous consent for two minutes more. Is there objection?

There was no objection.

Mr. RAKER. Mr. Chairman, in addition to the provisions provided for in this section, the other provision that has been passed in regard to publishing the name of the person or the committee on posters or handbills, found in section 4 and kindred provisions put this bill upon a plane where the public knows who is behind the literature and the money that is expended. If a man has anything to say, he ought to be ready and willing to attach his signature to it whether it is a poster or a circular or a publication in a newspaper. If he contributes the money he ought to be more willing to make the same statement and to give the amount of money received, the person from whom it was received, and a full statement. If these individuals desire to assist a candidate why doesn't he pay his money to the committee?

Mr. PLATT. Why should not he pay it to the candidate?

Mr. RAKER. That is not the purpose of this section. Every person, firm, association, or organization—

that shall expend or promise any sum of money or other thing of value amounting to $50 or more for the purpose of influencing the nomination or election of a candidate for President, Vice President, Senator or Representative in Congress, unless he or it shall contribute the same to one of the committees hereinbefore referred to, shall file statements—

And so forth.

If he wants to contribute the money let him contribute it to the committee, where a record will be kept. If he does not want to go on this list, but wants to go and expend the money without any string to it or any limit to the expenditure——

Mr. PLATT. Let him contribute it to the candidate directly.

Mr. RAKER. I am for this legislation. It is what the country wants.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. MANN. Mr. Chairman, I have listened with great interest to the eloquent, able, and learned speech of our distinguished friend from California [Mr. RAKER]. He will have it printed at Government expense as far as the typesetting is concerned; he will pay for the paper on which it is printed, have it folded and sealed at Government expense, put into an envelope which the Government pays for, and send it to his district at the expense of the Government of the United States for the purpose of demonstrating to his constituents why he is a very learned and able man and ought to be returned to Congress.

But the man who runs against him will have to pay for all the things that he sends out out of his own pocket, and in both cases will have to make an expense account to the Government, while all the work which may be done in connection with this speech is either paid for by the Government directly or done by clerks paid for by the Government.

Mr. WALSH. Mr. Chairman, I have listened to the remarks of the gentleman from California [Mr. RAKER] with a great deal of interest, and I agree with considerable that he has said, that the people of the country want publicity with reference to campaign contributions and expenses. I do not agree, however, with the deduction he evidently draws in support of this section, that every firm, corporation, or association contributing $49.50 is honest, and that therefore they need not account for such a contribution, whereas the man or association who contributes $51, if it be not accounted for, stamps such contributors as crooks. I can not support that view. I submit that if we are going to write a law it should apply with at least a semblance of uniformity, whether they contribute 10 cents or $100—put them all on the same plane and make them all report.

And if you enforce it you will find that half the friends of each Congressman—that is of all the successful candidates for Congress, and of the unsuccessful ones, too, for that matter—will be filling your jails throughout the country before the Congressmen take their seats, because you are making this law so stringent, you are making it so much without any regard for rhyme or reason in the fixing of restrictions and regulations which you are putting upon the candidates and the various political committees, that something like that must inevitably result. You are writing this law predicated upon the assumption that every committee and every man favoring a candidate is a lawbreaker and crook and is bent on no other purpose than that of breaking the law, and I resent that assumption being placed upon any supporter individually or collectively of any candidate upon either side of the House. [Applause on the Republican side.] I say we ought to write a law here that has some reason in it, and a law which, if you are going to require accounts and affidavits, will require them from the man who gives $40 as well as from the man who gives $51. If you are going to require affidavits and sworn statements from committees, I think you should require them from committees that have to do with the expenditure of small sums of money just the same as you require them from committees that expend larger amounts, and not seek to set up a privileged class here that can draw its garments about itself, as the gentleman from Alabama said the other day, and say "I am holier than thou; I only gave $49.99 and therefore I am pure and honest, while John Smith gave $52, and forgot to account for it, and he is a crook and liable to serve a term in the penitentiary or pay a fine of $10,000." You are holding out the opportunity for evasion and subterfuge. That is the difficulty with this section as I see it, and with several other sections in the bill. I offered an amendment which struck out one of the limitations, which was accepted and voted favorably upon by the House, and I submit that if this section remains in the bill we ought to strike out that limitation of $50 and make it so that it will read "anything of value," and require a statement and account of it whether they pay it to the candidate himself or an individual or some committee or organization representing the candidate.

This bill, covering several pages, might well have been condensed so that it would occupy not more than three pages, and there would be no need of eliminating its teeth either.

You are attempting to go so much into detail that it will only encourage all sorts of schemes and plans which will fall just outside the law.

I say a broad, general law, plain and emphatic, requiring publicity, irrespective of State laws, applicable to all alike, would be a better way to legislate on this important subject.

The CHAIRMAN. All debate on this section and amendments thereto has expired.

Mr. TINKHAM. Mr. Chairman, I ask unanimous consent to offer an amendment.

The CHAIRMAN. That is in order. The question first is on the amendment offered by the gentleman from New York [Mr. PLATT] striking out the section.

Mr. STAFFORD. Mr. Chairman, if the amendment of the gentleman from Massachusetts [Mr. TINKHAM] is to perfect the text, it would come first.

Mr. TINKHAM. Mr. Chairman, I have an amendment which I desire to offer, and which I believe will be accepted, to add in line 25, after the word "to," the words "or to the candidate."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 8, line 25, after the word "to" insert the words "or to the candidate."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Massachusetts.

The amendment was agreed to.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from New York.

The amendment was rejected.

The Clerk read as follows:

SEC. 10. That every person who shall be a candidate for nomination or for election to the office of President or Vice President of the United States, and every person who shall be a candidate for nomination or for election at any general or special election for Senator or Representative in the Congress of the United States shall, before the nominating convention or primary election, and again before the general or special election, make and file a full, correct, and itemized statement of all moneys and things of value received by him, or by anyone for him with his knowledge and consent, from any source, in aid or support of his candidacy for nomination or election, together with the names of all those who have furnished the same, in whole or in part. Such state-

ment shall contain a true and itemized account of all moneys and things of value contributed, disbursed, or expended by such candidate, or by his agent, representative, or other person for and in his behalf, with his knowledge and consent, together with the names of all those to whom any and all such contributions, disbursements, or expenditures were made for the purpose of procuring his nomination or election.

The statements herein required to be made by candidates for President or Vice President of the United States before nomination and election, respectively, shall be made, executed, and filed not less than 15 nor more than 20 days before the date of the nominating convention and not less than 15 nor more than 20 days before the date of the election at which presidential electors are to be elected; and the statements herein required to be made by candidates for Senator or Representative before nomination and election, respectively, shall be made, executed, and filed not less than 10 nor more than 15 days before the holding of the primary election or nominating convention, and not less than 10 nor more than 15 days before the general or special election at which Senators or Representatives are to be elected.

Every person who shall be a candidate for nomination or for election to the office of President or Vice President of the United States, and every person who shall be a candidate for nomination or for election at any general or special election for Senator or Representative in the Congress of the United States, shall, after the nominating convention or primary election, and again after the general or special election, make and file a full, correct, and itemized statement all moneys and things of value received by him, or by anyone for him with his knowledge and consent, from any source, in aid or support of his candidacy for nomination or election, together with the names of all those who have furnished the same, in whole or in part; and such statement shall contain a true and itemized account of all moneys and things of value contributed, disbursed, or expended by such candidate, or by his agent, representative, or other person for and in his behalf with his knowledge and consent, up to, on, and after the day of such primary election, nominating convention, or general or special election, together with the names of all those to whom any and all such contributions, disbursements, or expenditures were made for the purpose of procuring his nomination or election.

The statements herein required to be made by candidates for President or Vice President of the United States, after nomination and election, respectively, shall be made, executed, and filed within 15 days after such nominating convention and within 30 days after the election at which presidential electors were elected; and the statements herein required to be made by candidates for Senator or Representative, after nomination and election, respectively, shall be made, executed, and filed within 15 days after the primary election or nominating convention and within 30 days after such general or special election at which Senators or Representatives were elected.

No statement herein required to be made need contain the items of which publicity is given in a previous statement but the statement required to be made and filed after a general or special election, in addition to an itemized statement of all contributions, disbursements, or expenditures not theretofore given publicity, shall contain a summary of all preceding statements: *Provided*, That the foregoing provisions in relation to nominations shall not apply to candidates who are declared nominated by a committee, acting under authority of law or party usage, where no convention or primary is held to make such nomination.

All statements herein required to be made and filed by a candidate for President or Vice President or for Senator shall be filed with the Secretary of the Senate of the United States, and all statements herein required to be made and filed by a candidate for Representative shall be filed with the Clerk of the House of Representatives at Washington, D. C. The statements required by this section to be filed with the Secretary of the Senate or the Clerk of the House of Representatives shall, when filed, become a part of the records of the office in which they are filed, shall be open to public inspection, and be preserved for at least two years.

Every candidate for Senator or Representative shall, within the time herein required, in addition to the statements required to be filed with the Secretary of the Senate and the Clerk of the House, as the case may be, file a copy of the statements required in this section, under oath or affirmation, with the clerk of the United States district court having jurisdiction over the Federal judicial district in which he resides. The statements required by this section to be filed with the clerk of the United States district court shall, when filed, become a part of the records of his office, be open to public inspection, and be preserved for at least two years.

No candidate for President, Vice President, Senator, or Representative in Congress shall promise any office or position to any person, or to use his influence or to give his support to any person for any office or position for the purpose of procuring the support of such person or of any person in his candidacy; but such candidate may within the limitations and restrictions and subject to the requirements of this act contribute to committees having charge of the disbursement of campaign funds.

No candidate for President of the United States shall contribute, disburse, or expend, or cause to be contributed, disbursed, or expended, in procuring his nomination and election any sum in the aggregate in excess of $50,000; no candidate for Vice President shall contribute, disburse, or expend, or cause to be contributed, disbursed, or expended, in procuring his nomination and election any sum in the aggregate in excess of $25,000; and no candidate for Senator or Representative in Congress shall contribute, disburse, or expend, or cause to be contributed, disbursed, or expended in procuring his nomination and election any sum in the aggregate in excess of the amount which he may lawfully contribute, disburse, or expend under the laws of the State in which he resides: *Provided*, That no candidate for Senator shall contribute, disburse, or expend any sum in the aggregate exceeding $5,000 in any campaign for his nomination and election; and no candidate for Representative shall contribute, disburse, or expend any sum in the aggregate exceeding $2,500 in any campaign for his nomination and election: *Provided further*, That money expended by any such candidate to meet and discharge any assessment, fee, or charge made or levied upon candidates by the laws of the State in which he resides, or for his necessary personal expenses, incurred for himself alone, for travel and subsistence, stationery and postage, writing, or printing (other than in newspapers), and for telegraph and telephone service, shall not be regarded as an expenditure within the meaning of this section, and shall not be considered any part of the sum herein fixed as the limit of expense and need not be shown in the statements herein required to be filed.

Mr. BARKLEY. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee a question. On page 12, line 11, the proviso reads:

Provided, That the foregoing provisions in relation to nominations shall not apply to candidates who are declared nominated by a committee acting under authority of law or party usage where no convention or primary is held to make such nomination.

In the State of Kentucky under the primary law where only one candidate files his papers for nomination within 40 days of the primary election the primary is declared to be off, and the man who is the only candidate is nominated by operation of law, and the secretary of state is required to give him his certificate of nomination. In that case would the language of this proviso be broad enough to cover it?

Mr. RUCKER. Mr. Chairman, I will say to the gentleman that I drew this with especial reference to the States of Kentucky and Tennessee.

Mr. BARKLEY. The language is "who are declared nominated by a committee." The nomination is not declared by a committee but by the secretary of state acting under the law.

Mr. RUCKER. I will say to the gentleman that since reporting the bill it has occurred to me that the language ought to be amended. I had in mind an amendment to the language in line 10, to strike out the words "in relation to" and insert "requiring statements to be made before and after," so that it will read, "That the foregoing provisions requiring statements to be made before and after nominations," and so forth.

Mr. BARKLEY. But the language is "shall not apply to candidates who are declared nominated by a committee."

Mr. RUCKER. I desire to make the bill clear. I will say to the gentleman that I thought when this provision was drawn that the laws of Kentucky were similar to those of Tennessee, but I now know that in the gentleman's State the secretary of state declares the nomination.

Mr. BARKLEY. I am in a quandary about making my report. The 26th day of June was the last day for filing papers for nomination. Having no opposition, the secretary of state sent me my certificate of nomination. Of course, I have not filed a report prior to June 26, because I did not know whether there was going to be anybody running, and there being no primary or a convention I did not know how to interpret this law.

Mr. RUCKER. I will fix it so that it will be satisfactory.

Mr. SMITH of Michigan. This law is not yet in effect.

Mr. DUPRÉ. How would the gentleman interpret the present law in regard to the case suggested by the gentleman from Kentucky? It applies to some of us in Louisiana.

Mr. RUCKER. I will say to the gentleman from Louisiana that the law, of course, is the general law of the United States. There are some State or local conditions that were not in the minds of those who framed the bill.

Mr. DUPRÉ. I see the gentleman did not catch the import of my question as to what is necessary to do under the present statute.

Mr. RUCKER. The gentleman has not allowed me to finish answering his question. I say these conditions, discovered after the enactment of the law, caused some confusion, and I am frank to say I do not know how to tell the gentleman what to do, because I do not know, except I have advised some gentlemen, in my opinion, just in a tentative way, and I will say to the gentleman, that 10 days before his committee meets or before the secretary of state acts the candidate ought to file a statement of his expenses.

Mr. BARKLEY. That could not be done, because no candidate could anticipate within 10 days of the expiration of the time whether anybody else would file.

Mr. RUCKER. I would then anticipate that condition which could not be anticipated by stating that I did this merely for the purpose of complying with law as nearly as possible.

Mr. BARKLEY. Does not the gentleman think under the present law it would be a sufficient compliance if the report was made within 15 days after he was nominated, whether by a committee or otherwise?

Mr. RUCKER. I would say to the gentleman this: The present law must be complied with, literally complied with, so far as the provision of the preelection nomination statement is concerned.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DUPRÉ. Mr. Chairman, I ask unanimous consent that the time of the gentleman may be extended five minutes.

Mr. RUCKER. I have not the floor now.

Mr. MANN. Mr. Chairman, I move to strike out the proviso, page 12, beginning line 9——

Mr. RUCKER. Before the motion is put to the House I want to offer an amendment to perfect the text.

Mr. MANN. Let the amendment be reported; I have no objection to the gentleman offering an amendment to perfect the text.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 12, line 9, after the word "statements," strike out the proviso down to and including the word "nomination" in line 15.

Mr. MANN. The gentleman from Missouri wants to offer an amendment to perfect the text.

Mr. RUCKER. Mr. Chairman, I want to offer an amendment perfecting the text of the language which the gentleman from Illinois moves to strike out. Amend page 12, line 10, by striking out the words "in relation to" and inserting "requiring statements to be made before and after"; and in line 11, after the word "committee," insert the words "or officers."

Mr. MANN. Mr. Chairman, I have no objection to this amendment being agreed to.

Mr. RUCKER. Mr. Chairman, I do not care to discuss the amendment; it has been discussed somewhat.

The CHAIRMAN. The Clerk will first report the amendment.

The Clerk read as follows:

Page 12, line 10, strike out the words "in relation to" and insert "requiring statements to be made before and after"; and after the word "committee," in line 11, insert the words "or officer."

The question was taken, and the amendment was agreed to.

Mr. MANN. Now, Mr. Chairman, I think the proviso should be stricken out of the bill. I know of no reason why if a candidate for Congress buys off an opposition candidate he should not make a report of it. I know of no reason why if a candidate for Congress, where the original candidate has resigned, goes to a considerable expense to get a committee to nominate him, he should not make a report on it. In every State in the Union, I guess, if a man who is nominated at a primary dies or resigns the vacancy is filled by the committee. The man may have spent a considerable amount of money. Why should he be exempt from making a report of his expenditures? Why should any Member from Kentucky or Tennessee—the gentleman said it was particularly for those States—if he has expended money for the purpose of getting the nomination, be relieved from making a statement in regard to it because he did not have to go to the expense of the primary?

He is lucky enough to get off without the expense of the primary and he ought not to be permitted to get off further without making any statement. Of course, he can not make a statement before he gets the nomination—that is, I take it, an impossibility. He does not know when he has got the nomination until he has it, but he can make a statement after the nomination as to any expense he has had. Now, of course, I do not assume, as some gentlemen seem to, that everybody connected with politics is crooked. I have no doubt that all men who get elected to Congress are honest.

Mr. BARKLEY. If the gentleman will yield——

Mr. MANN. And while there are some who do not get elected who are not honest, to place everybody above suspicion, if he is elected he ought to make a statement so as to make the other fellow make a statement.

Mr. BARKLEY. I just want to put right in the gentleman's remarks here that I have decided to do that very thing. Under the law as it now exists it does not seem to cover that particular case, but I expect to file my report since receiving the nomination in that way. I agree with the gentleman from Illinois that possibly there ought to be just as much moral obligation or legal obligation on the men to file a statement showing the expenditure of money.

Mr. MANN. I do not see why, and I do not see any reason for this proviso.

Mr. DUPRÉ. The only difficulty arising is that the law states that the statement must be filed after the primary. If there was no primary, it is a question what one should do, and in my case two years ago I filed an affidavit within two or three days after receiving the nomination stating what the law of my State was as to the expenditure and what I had expended, and that I made that return in order to comply with the law. That is all I can see one can do.

Mr. MANN. If that difficulty was one which was sought to be met, and I take it that was the difficulty, it seems to me it would be wiser if this provision is to remain in the bill to say "the foregoing provision, requiring filing of statement after nomination, shall apply to candidates who are nominated by the committee."

Mr. BARKLEY. Would it be better to state that the provisions as to the filing before nomination should not apply?

Mr. MANN. But the gentlemen both say there is a question about the existing law. There would be no question if you say, "*Provided*, That the foregoing provision requiring statements to be filed after nomination shall apply to candidates who are declared nominated by the committee or an officer acting under authority of law."

Mr. RUCKER. Will the gentleman yield?

Mr. MANN. Certainly.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RUCKER. Mr. Chairman, I take the floor in opposition to the amendment.

The CHAIRMAN. The gentleman from Missouri is recognized for five minutes.

Mr. RUCKER. I would like to ask the gentleman this question, after stating frankly that some suggestions have been made here that I know nothing about. I have never assumed, because I knew nothing about it, that in cases of the kind I referred to a while ago, that any expense whatever had been incurred. If incurred it ought to be accounted for. Now, what would the gentleman say to an amendment like this, following the language now in the bill, at the end of line 13:

But in such instances the statement required after nomination shall contain a detailed statement of every item of expense incurred by such candidate before nomination.

Mr. MANN. Let them do it. What is the harm?

Mr. RUCKER. He is bound to do it now.

Mr. MANN. They say they are not.

Mr. RUCKER. After the nomination?

Mr. MANN. Yes. One gentleman said that he did not file the statement, because he did not think the law required him to do it; and one did file a statement because he thought the law required him to do it.

Mr. DUPRÉ. It applies to a primary. None is held in such a case.

Mr. MANN. It seems it would be wise to say that the provision in regard to filing, or the language the gentleman has in the bill, that the statements after nomination should apply, that being a specific provision.

Mr. RUCKER. That exactly meets the view I have. I concur in what the gentleman says. I think I understand the proposition.

Mr. MANN. Why not change this proviso by leaving out the word "not" and say "The foregoing provision requiring "——

Mr. MAPES. Would not the purpose be covered by leaving out of the gentleman's amendment the words "and after," so that it would read——

Mr. MANN. Let us make it clear, so that is applies after nomination.

Mr. MAPES. There is none now, but I think if we put in the express provision that it would apply to statements made before nomination, there would not be any question about it.

Mr. MANN. I have always learned that when you have got a question between a positive and a negative, to take the positive.

Mr. RUCKER. The language as suggested by the gentleman from Illinois, as I understand it, is that the foregoing provision requiring statements to be made shall apply to candidates after nomination?

Mr. MANN. Read the language of the amendment that is agreed to there, and we will get it quickly enough. The language of the last amendment that was agreed to, in line 10, page 12, striking out in line 2 and inserting.

Mr. RUCKER. That puts it in worse shape.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 12, line 10, strike out the words "in relation to" and insert "requiring statements to be made before and after."

Mr. MANN. Now, if you leave out "before and," making it read "the foregoing provisions requiring statements to be made after nomination shall apply to candidates," you have got it in perfect form.

Mr. RUCKER. I gladly make that change, because I think it is right, and that is exactly what we are trying to do.

The CHAIRMAN. The Clerk will report the amendment as modified.

The Clerk read as follows:

Page 12, line 10, strike out the words "in relation to" and insert the words "requiring statements to be made after nomination."

Mr. MANN. And strike out the word "not."

Mr. RUCKER. And strike out the word "not" in line 10.

The Clerk read as follows:

And strike out the word "not" following the word "shall," so that as amended it will read: "*Provided*, That the foregoing provisions requiring statements to be made after nominations shall apply to candidates who are declared nominated by a committee or officers acting under authority of law," etc.

Mr. MANN. The word "officers" ought to be singular instead of plural.

Mr. KINCHELOE. Mr. Chairman, referring to the situation in Kentucky, my colleague [Mr. BARKLEY] said we did not know—that we did not know we were going to have opposition until the 26th of the month. Is there any provision here providing that we must make these statements before the primary?

Mr. MANN. There is no provision here at all, except by inference, requiring you to make statements in the situation you are in. Now, if we put in a positive provision that you must make statements after nomination, that would exclude the necessity of making them before nomination.

Mr. KINCHELOE. That would preclude our making statements before?

Mr. MANN. Yes. You might pass 40 laws, but they would not be effective.

Mr. RUCKER. I move, Mr. Chairman, to modify the amendment voted on a few minutes ago by striking out the words "before and."

Mr. MANN. Make that singular instead of plural in "nominations."

The CHAIRMAN. The gentleman from Missouri asks leave to modify his amendment by striking out the words "before and" and also by striking out the word "not," in line 10, and the letter "s" in the word "nominations."

Mr. MANN. Let the gentleman ask unanimous consent to have the paragraph modified as the Clerk reports it.

The CHAIRMAN. The Clerk will report the amendment as it will read when amended.

The Clerk read as follows:

Amend, page 12, line 9, so that it will read, "That the foregoing provisions requiring statements to be made after nomination shall apply to candidates who are declared nominated by a committee or officer acting under authority of law," etc.

Mr. MANN. Mr. Chairman, I ask unanimous consent to withdraw my amendment to strike out.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to withdraw his amendment. Is there objection?

There was no objection.

Mr. MAPES. Mr. Chairman, may I ask the chairman of the committee a question?

Mr. RUCKER. Yes.

Mr. MAPES. Does the chairman hold that under the law as it is now the men who are nominated by these committees and by State officers do not have to file a statement?

Mr. RUCKER. We hold that it is impossible for them to comply with the provisions of the law as it exists.

Mr. MAPES. This is an additional declaration that they shall file after the nomination?

Mr. RUCKER. Yes. That includes all the expenses. The only thing it does not do is it does not give publicity before nomination.

The CHAIRMAN. The question is on agreeing to the modified amendment offered by the gentleman from Missouri [Mr. RUCKER].

The amendment was agreed to.

Mr. TINKHAM. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Massachusetts [Mr. TINKHAM].

The Clerk read as follows:

Amendment offered by Mr. TINKHAM: Page 14, line 22, after the word "newspapers" insert the words "and distributing letters, circulars, and posters."

Mr. TINKHAM. Mr. Chairman, the amendment is offered in order that this section may conform with the present law. If the amendment which I have offered is adopted, then the section will read as the present law reads. I think the omission of those words was an unconscious mistake by the committee, because the committee in their report in relation to section 10—and that is the section we are discussing and the section that I am offering an amendment to—says:

This is one paragraph of section 8 of the existing law, as amended August 19, 1912, which in the opinion of your committee ought to be carried in a separate section.

It does not change the present law except to prescribe the manner in which the duplicate statement may be delivered to the opponents, as required by section 9 herein.

Mr. RUCKER. What report is the gentleman reading from?

Mr. TINKHAM. I am reading from report No. 88, "Publicity Campaign Contributions."

Mr. RUCKER. Printed when?

Mr. TINKHAM. September 20, 1914.

Mr. RUCKER. The gentleman has an old report.

Mr. TINKHAM. I believe the honorable Representative from Missouri [Mr. RUCKER] is right, upon looking at the report; it is my mistake.

Mr. RUCKER. I hope the gentleman's amendment will not be adopted. I think it is wrong.

Mr. TINKHAM. Mr. Chairman, as I understand the purpose of this bill, it is this: That no attempt shall be made in any part of the bill to limit any expenditure of money used in an effort to reach the electorate by appeals to the mind and judgment of men by political parties and candidates for political office which are commendable. Now, why is not an expenditure for the distribution of letters, of circulars, and of posters in conformity with the principle upon which this bill is founded? Should the right of the candidate be limited as to how his letters or communications should be sent?

Mr. RUCKER. Does the gentleman desire me to answer his question?

Mr. TINKHAM. I do.

Mr. RUCKER. The reason the committee struck out the language which the gentleman now seeks to reinsert in the bill was this: It is so apparent that the logical, usual, ordinary, almost invariable way of distributing or circulating letters is through the mails, that we thought a practice might grow up, which I hope never will grow up, by which candidates would hire a hundred or perhaps a thousand men to distribute letters which ought to go through the post office, with the ostensible purpose of distributing literature, but with the actual purpose of putting these men under some obligation by reason of a financial consideration.

Mr. TINKHAM. Mr. Chairman, on page 5 of this bill, as drawn and approved by the chairman of the committee, it says that the committee may expend money for headquarters and the expense of printing literature and distributing it through the mails. Now I want to know why there is any more liability of corruption in allowing for the expense of distributing literature by a candidate than there is by a committee? On page 5 you specifically allow the expense of printing literature and distributing it through the mail, and the cost of newspaper advertisements plainly marked as such, when ordered by such committee.

Mr. RUCKER. The gentleman will notice that we expressly state in the language just read by the gentleman, "through the mail," and that was done to preclude the idea that it was the intention of the committee to sanction the distribution by messenger or by hand, for the very reason that we thought it might lead to corruption.

Mr. MANN. Mr. Chairman, I should like to ask the gentleman from Missouri a question in this connection. This language in the bill does not include stationery and postage, or writing and printing other than in newspapers, in the amount that is to be accounted for.

Mr. RUCKER. What page is the gentleman reading from?

Mr. MANN. The gentleman certainly must be familiar with the language.

Mr. RUCKER. I am familiar with it.

Mr. MANN. I do not remember the page.

Mr. SANFORD. Page 14.

Mr. MANN. I have noticed recently in the CONGRESSIONAL RECORD quite a large bunch of speeches, not upon any public question, but stating how the Members of Congress who made these speeches got this legislation and got that, or have been in favor of this or in favor of that, speeches which are just as purely advertisements of Members for political purposes as though they were printed on a big poster. Can a Member conscientiously refuse to include in his statement the cost to which he goes in having those speeches addressed, the one thing that he has to expend money for in the whole connection, to put the names of his constituents on the envelopes?

The envelopes are furnished free by the Government. Is the cost of putting the name of the recipient on the envelope chargeable as a part of the campaign expenses? It does not seem to be eliminated in this provision. I want the gentleman's opinion as to whether the gentlemen who are doing this thing very extensively—a good many of them now having from 2 to 10 clerks each at work doing that sort of thing—should be exempted from including the cost in their statements of expenses? They want to restrict me, in a large city, to the expenditure of $2,500 for proper campaign expenses, but they want to sneak in under the tent and spend a good deal more than that and call it public business, when it has no more relation to public business than a cow has to heaven.

Mr. RUCKER. Do I understand that the gentleman wants me to answer his question?

Mr. MANN. Yes.

Mr. RUCKER. If I understand the gentleman's question, I shall answer it. The query, as I understood the gentleman, is, The expense of stationery and postage, writing, and printing being exempted, is the expense of addressing envelopes to the parties to whom the Member sends them also exempted? Is that the idea?

Mr. MANN. Yes.
Mr. RUCKER. I think it clearly does——
Mr. MANN. Include it?
Mr. RUCKER. I do not think we have to render an account, under Federal law, of the expenses we incur in addressing 20,000 envelopes, for instance.
Mr. MANN. Why not? It is not excluded here?
Mr. RUCKER. I think when we exclude stationery, postage, and writing we necessarily exclude in these words the things necessary to complete the writing of a letter and its mailing. We exclude stationery, stamps, and writing.
Mr. MANN. Then if I should employ every man who is purchasable in my district to write his name on election day and pay him $2 I would not have to account for it. If course that would be crooked under the law of my State, but it would not come under the terms of this bill.
Mr. RUCKER. I think that would be a subterfuge and the expense incurred would not be excluded under this bill, but would have to be accounted for.
Mr. MANN. I suppose some hypocritical Members of Congress would favor keeping out all campaign expenses, using the money themselves in sending out literature and keeping their opponents from doing the same thing.
The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. TINKHAM].
Mr. KING. Mr. Chairman, I move to strike out the last word. It would be unprofessional for me to state that I labored long with the committee to get it to retain the provision, and, of course, I will not make that statement to the House. Under the theory upon which the bill was drafted, which is that every avenue ought to be left open to appeal to the mentality and intelligence of the voter, how better can you appeal to them than through literature? I know it was suggested by some members of the committee and some Members of the House that this might be used for the purpose of covering up expenditures of a dollar or two by some candidate in employing men to go to the polls and labor on election day. I know that no Member of the House of Representatives ever resorted to a practice of that kind with a view of defeating the law. It has been pointed out by the distinguished gentleman from Illinois [Mr. MANN] that we who are already here are permitted to send out all kinds of literature, and why not then be fair and square with our opponents and give them the right to circulate literature in opposition. I trust that the amendment offered by the gentleman from Massachusetts [Mr. TINKHAM] will be adopted and that the clause will be put back in the law.
Mr. TINKHAM. Mr. Chairman, I desire to ask the honorable Representative from Missouri [Mr. RUCKER] how he would interpret such an expenditure as we have to make in the East? We have large mailing concerns, and if we want a circular sent in our district we turn the circular over to them and they then mail it, making a charge for addressing, which clearly would be writing, also making a charge for folding, for inserting it in the envelope, and for sealing the envelope. It would seem that a strict construction of the word "writing" could not include all these expenditures which are necessarily incidental to the sending of a circular.
Mr. RUCKER. I think it would necessarily include all those things. We exempt the expense of writing, and undoubtedly it includes the cost of folding, stamping, and so forth.
Mr. TINKHAM. Why not use words in a criminal statute, which are plain and unmistakable?
Mr. RUCKER. I have no objection. I am desirous of making this so plain that no man can misconstrue it and so fair that every man will obey it.
Mr. TINKHAM. I think the chairman of the committee should accept the amendment.
The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.
The question was taken; and on a division (demanded by Mr. RUCKER) there were 36 ayes and 33 noes.
So the amendment was agreed to.
Mr. RUCKER. Mr. Chairman, I move that the committee do now rise.
The motion was agreed to.
Accordingly the committee rose; and the Speaker having resumed the chair, Mr. ALEXANDER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 15842) relating to campaign expenditures and had come to no resolution thereon.

HOUR OF MEETING TO-MORROW.

Mr. RUCKER. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow.
The SPEAKER. The gentleman from Missouri asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow. Is there objection?
Mr. MANN. Reserving the right to object, which I shall not do, I take it that this is with the hope that we may get through with this bill and possibly another matter and adjourn early to-morrow.
Mr. RUCKER. Yes.
Mr. KITCHIN. We will try to do that.
The SPEAKER. Is there objection to the request of the gentleman from Missouri?
There was no objection.

ENROLLED BILLS SIGNED.

Mr. LAZARO from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:
H. R. 12193. An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.
The Speaker announced his signature to enrolled bill of the following title:
S. 2845. An act authorizing the sale of the marine hospital reservation in Cleveland, Ohio.

SPEECHES OF THE PRESIDENT OF THE UNITED STATES.

Mr. FOSTER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing two speeches made by the President on his trip to Detroit, Mich., recently.
Mr. MANN. Mr. Speaker, have not those already been printed?
Mr. FOSTER. Not these. One of them was made at a luncheon given by the salesman in the city of Detroit.
Mr. MANN. I shall not object, though it is a mystery to me how the President has force enough to write all of these speeches.
The SPEAKER. The gentleman from Illinois asks unanimous consent to print in the RECORD two speeches made by the President of the United States recently. Is there objection?
There was no objection.

CONSTRUCTION OF COLLIER "NO. 1."

Mr. GREENE of Massachusetts. Mr. Speaker, I present the following privileged resolution, which I send to the desk and ask to have read.
The Clerk read as follows:

House resolution 275.

Resolved, That the Secretary of War be, and he is hereby, directed to transmit to the House of Representatives detailed information in the War Department concerning the contract with the Shanghai Dock & Engineering Co. (Ltd.), of Shanghai, China, for the construction of the single-screw steel collier *No. 1*, for the use of the United States Army.

Mr. GREENE of Massachusetts. Mr. Speaker, I move that the committee be discharged from further consideration of the resolution, and that the resolution do pass.
Mr. MANN. Mr. Speaker, I desire to state that the gentleman from Virginia [Mr. HAY] saw me this afternoon and stated that he had no objection to the passage of this resolution, and that if his attention had been called to it he would have reported it.
The SPEAKER. The question is on agreeing to the resolution.
The resolution was agreed to.

CHANGE OF REFERENCE.

The SPEAKER. The Chair calls the attention of the House to the fact that House resolution 209, directing the Secretary of the Treasury to report to Congress the advisability of establishing free ports, and so forth, and the bill (H. R. 16873) to authorize the adoption of a national trade-mark for manufactures of the United States, particularly for export duties, and to authorize the Secretary of Commerce to license manufacturers to use the same, and for other purposes, were in some way referred to the Committee on Appropriations. They should, in the judgment of the Chair, be referred to the Committee on Ways and Means, and without objection the rereference will be made.
Mr. MANN. I am not so sure about the trade-mark bill, though I have no objection.
Mr. ALEXANDER. Ought it not to be referred to the Committee on Patents?
The SPEAKER. It is not an ordinary trade-mark.
Mr. MANN. I know what the bill is. I have read it. I have no objection to its being referred to the Committee on Ways and Means, and if the Committee on Patents desires it, they can get it from the Committee on Ways and Means.
The SPEAKER. Without objection, the rereference will be made.
There was no objection.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 1 minute p. m.), in accordance with the order heretofore made, the House adjourned until to-morrow, Saturday, July 15, 1916, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting an estimate of appropriation required for the Internal-Revenue Service for fiscal year ending June 30, 1917 (H. Doc. No. 1287); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting additional estimates of appropriation required for the Internal-Revenue Service for fiscal year 1917 (H. Doc. No. 1288); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. BARKLEY, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 455) to define the rights and privileges of municipally owned interstate railways and construing the act to regulate commerce with reference thereto, reported the same with amendment, accompanied by a report (No. 973), which said bill and report were referred to the House Calendar.

Mr. HAYDEN, from the Committee on Indian Affairs, to which was referred the bill (H. R. 16396) to authorize the Secretary of the Interior to lease, for production of oil and gas, ceded lands of the Shoshone or Wind River Indian Reservation in the State of Wyoming, reported the same with amendment, accompanied by a report (No. 975), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the Committee on Irrigation of Arid Lands, to which was referred the bill (H. R. 14825) to provide for an auxiliary reclamation project in connection with the Yuma project, Arizona, reported the same with amendment, accompanied by a report (No. 976), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. STEPHENS of Mississippi, from the Committee on Claims, to which was referred the bill (H. R. 13788) for the relief of Joseph A. Prat, reported the same without amendment, accompanied by a report (No. 974), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills and resolutions were introduced and severally referred as follows:

By Mr. OLNEY: A bill (H. R. 16989) authorizing the Secretary of War to issue certain magazine rifles; to the Committee on Military Affairs.

By Mr. WISE: A bill (H. R. 16990) to enlarge and make additions to and further improve the post-office building at Macon, Ga.; to the committee on Public Buildings and Grounds.

By Mr. CALDWELL: A bill (H. R. 16991) authorizing the Secretary of War to deliver to the Borough of Queens, city and State of New York, two condemned cannon, with carriages and balls; to the Committee on Military Affairs.

Also, a bill (H. R. 16992) authorizing the Secretary of War to donate condemned cannon and balls; to the Committee on Military Affairs.

By Mr. SEARS: A bill (H. R. 16993) to validate a patent to certain lands heretofore issued to the State of Florida, to allow said State to claim certain other lands, and for other purposes; to the Committee on the Public Lands.

By Mr. SLOAN: A bill (H. R. 16994) to enable volunteer soldiers during the military affair with Mexico to vote at presidential, senatorial, and congressional elections; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. TRIBBLE: A bill (H. R. 16995) granting the consent of Congress to A. N. Alford to construct a bridge across the Savannah River; to the Committee on Interstate and Foreign Commerce.

By Mr. FINLEY: A bill (H. R. 16996) authorizing the Secretary of War to issue certain magazine rifles; to the Committee on Military Affairs.

By Mr. SMITH of Idaho: A bill (H. R. 16997) to enable volunteer soldiers in the service of the United States in the field to vote at congressional elections; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. HAY: Joint resolution (H. J. Res. 265) authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point Mr. J. Ricardo de Borja, a citizen of Ecuador; to the Committee on Military Affairs.

By Mr. CARY: Joint resolution (H. J. Res. 266) directing the Secretary of the Navy to accept a certain proposal of Louis Gathmann; to the Committee on Naval Affairs.

By Mr. HOWARD: Joint resolution (H. J. Res. 267) authorizing the appointment of a special joint commission of the Senate and House of Representatives to investigate the employment of Federal prisoners in industrial occupations for the benefit of the Government of the United States; to the Committee on the Judiciary.

By Mr. BACHARACH: Joint resolution (H. J. Res. 268) authorizing the Department of Commerce to cooperate in the extermination of man-eating sharks along the New Jersey coast of the Atlantic Ocean; to the Committee on the Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills were introduced and severally referred as follows:

By Mr. ALLEN: A bill (H. R. 16998) for the relief of The John Douglas Co.; to the Committee on Claims.

By Mr. ASHBROOK: A bill (H. R. 16999) granting a pension to Fletcher Duling; to the Committee on Pensions.

By Mr. BRITT: A bill (H. R. 17000) granting an increase of pension to Robert S. Robertson; to the Committee on Pensions.

Also, a bill (H. R. 17001) for the relief of F. E. A. Roberts, administratrix of G. M. Roberts, deceased; to the Committee on War Claims.

By Mr. DENISON: A bill (H. R. 17002) for the relief of C. D. Pautler; to the Committee on Claims.

By Mr. FORDNEY: A bill (H. R. 17003) granting an increase of pension to Capt. Henry Miller; to the Committee on Invalid Pensions.

By Mr. JACOWAY: A bill (H. R. 17004) for the relief of Stephen W. Bates; to the Committee on Military Affairs.

By Mr. MORGAN of Oklahoma: A bill (H. R. 17005) granting a pension to Ellen Payton; to the Committee on Invalid Pensions.

By Mr. OLNEY: A bill (H. R. 17006) granting an increase of pension to Ira McLaughlin; to the Committee on Invalid Pensions.

By Mr. POWERS: A bill (H. R. 17007) granting a pension to Eli Bowling; to the Committee on Pensions.

By Mr. PRICE: A bill (H. R. 17008) granting a pension to Martin Jackson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17009) granting a pension to Joseph R. Bamberger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17010) granting a pension to Isaac James Riggin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17011) granting an increase of pension to Mary A. Melvin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17012) for the relief of William H. P. Steward and Emma S. Wise, heirs of John T. Steward; to the Committee on War Claims.

By Mr. RUSSELL of Missouri: A bill (H. R. 17013) granting an increase of pension to Francis A. Ashby; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17014) granting an increase of pension to Lemuel C. Kittrell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17015) for the relief of Rufus J. Hoke; to the Committee on Military Affairs.

By Mr. SMITH of Idaho: A bill (H. R. 17016) granting an increase of pension to Henry Cummings; to the Committee on Invalid Pensions.

By Mr. STINESS: A bill (H. R. 17017) granting an increase of pension to Edward Tanner; to the Committee on Invalid Pensions.

By Mr. VAN DYKE: A bill (H. R. 17018) granting a pension to Mary V. Nafey; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of East Side Business Men's Club, of Portland, Oreg., in re Senator LEWIS's bill establishing a West Point of the West; to the Committee on Military Affairs.

Also (by request), memorial of East Side Business Men's Club, of Portland, Oreg., in re proposed Alaska-Portland municipal steamship line; to the Committee on the Merchant Marine and Fisheries.

Also (by request), memorial of Illinois Branch Congressional Union for Woman Suffrage, favoring the Susan B. Anthony amendment; to the Committee on the Judiciary.

By Mr. FULLER: Petition of Retail Merchants' Association of Illinois, favoring 1-cent letter postage; to the Committee on the Post Office and Post Roads.

By Mr. LONDON: Petition of Socialist Party convention of the first congressional district of Kentucky, demanding the withdrawal of United States troops from Mexico and declaring that the "preparedness" agitation is merely an attempt to thwart the struggle of the working class to secure a larger share of the wealth which they produce; to the Committee on Military Affairs.

Also, petition of R. H. Looney, Ennis, Tex., urging that change from horse to motor-vehicle conveyance of the mails on any rural route be made only upon petition of a majority of the patrons of such route; to the Committee on the Post Office and Post Roads.

Also, petition of Bakery and Confectionery Workers' Local Union, No. 78, Detroit, Mich., urging the adoption of the Crosser employers' liability bill applying to industrial workers in the District of Columbia; to the Committee on the District of Columbia.

SENATE.

SATURDAY, *July 15, 1916.*

(Legislative day of Friday, July 14, 1916.)

The Senate reassembled at 10 o'clock a. m., on the expiration of the recess.

NAVAL APPROPRIATIONS.

The Senate, is in Committee of the Whole, resumed the consideration of the bill (H. R. 15947) making appropriations for the naval service for the fiscal year ending June 30, 1917, and for other purposes.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Beckham	Gallinger	Norris	Sterling
Brady	Gronna	Overman	Swanson
Brandegee	Hollis	Penrose	Taggart
Bryan	Johnson, Me.	Pittman	Thomas
Chamberlain	Johnson, S. Dak.	Shafroth	Thompson
Chilton	Jones	Sheppard	Tillman
Clapp	Kenyon	Sherman	Vardaman
Culberson	La Follette	Simmons	Williams
Curtis	Lodge	Smith, Ga.	Works
Dillingham	Martin, Va.	Smith, S. C.	
Fletcher	Nelson	Smoot	

Mr. PITTMAN. I desire to announce the absence on account of illness of the Senator from Montana [Mr. MYERS] and the Senator from Oregon [Mr. LANE].

Mr. JOHNSON of South Dakota. I desire to announce that the Senator from Wisconsin [Mr. HUSTING] is detained on official business.

The VICE PRESIDENT. Forty-two Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of absent Senators, and Mr. KERN answered to his name when called.

Mr. BORAH, Mr. CUMMINS, Mr. HARDING, Mr. WALSH, and Mr. HARDWICK entered the Chamber and answered to their names.

The VICE PRESIDENT. Forty-eight Senators have answered to the roll call. There is a quorum present.

Mr. SWANSON. I ask that the amendment of the committee inserting the matter on page 49, after line 22, under the heading "Naval Dental Corps," may now be laid before the Senate.

Mr. HARDWICK. Mr. President, on that provision I make a point of order that it is general legislation.

Mr. SWANSON. If the Chair has any doubt about it, I should like——

The VICE PRESIDENT. My understanding of this bill is that the House of Representatives started in to revise and alter and amend the laws which had to do with the Naval Establishment of the United States and the personnel of the Naval Establishment. The ruling of the Chair is therefore——

Mr. HARDWICK. Will the Chair hear me briefly on that point? I do not think that the principle which the Chair has in mind covers this question at all. Just because they make one amendment in the House about the personnel of the Navy, it does not throw the whole subject open.

The VICE PRESIDENT. Notwithstanding the rule of the Senate to the effect that general legislation may not be attached to an appropriation bill, still when the House of Representatives opens the door and proceeds to enter upon a field of general legislation which has to do with a subject of this character, the Chair is going to rule, but of course the Senate can reverse the ruling of the Chair, that the House having opened the door the Senate of the United States can walk in through the door and pursue the field.

Mr. HARDWICK. I understand, therefore, that the Vice President overrules the point of order.

The VICE PRESIDENT. The Chair overrules the point of order.

Mr. HARDWICK. From that ruling I respectfully appeal, and on that appeal I wish to be heard. I think I am entitled to be heard.

The VICE PRESIDENT. The question is, Shall the ruling of the Chair stand as the ruling of the Senate?

Mr. HARDWICK. Mr. President——

The VICE PRESIDENT. The point of order is not debatable.

Mr. HARDWICK. The appeal is not debatable?

The VICE PRESIDENT. The appeal is not debatable under the rule of the Senate, the Chair thinks.

Mr. HARDWICK. I think the appeal is debatable, Mr. President.

The VICE PRESIDENT. Let us see:

A question of order may be raised at any stage of the proceeding, except when the Senate is dividing, and, unless submitted to the Senate, shall be decided by the Presiding Officer without debate——

Mr. HARDWICK. But this is not decided by the Presiding Officer.

The VICE PRESIDENT (reading)—

subject to an appeal to the Senate.

Mr. HARDWICK. An appeal is debatable, all right, of course. The question is submitted to the Senate now, and under general parliamentary law and all practice it is debatable.

The VICE PRESIDENT. It is not submitted to the Senate. The Chair has ruled on the question.

Mr. HARDWICK. I understand, and I am appealing from the ruling of the Chair, and that is debatable.

The VICE PRESIDENT. Let us see if there are any precedents on the subject. [After a pause.] There is not any doubt about it. It is debatable.

Mr. HARDWICK. There is no doubt about it; it is debatable.

Mr. President and Senators, I quite agree with the general statement of the Chair that where the House of Representatives undertakes to legislate on a given matter, and I have urged that view on this floor myself very recently, the Senate has a full right of amendment in respect to that particular matter, but the limit ought to be very narrow about the extent to which the Senate can amend the legislative proposition of the House. But the ruling of the Vice President now is utterly abhorrent to every principle of reason, with all deference to the Vice President and all personal respect to him. Here is the proposition which the Chair lays down, that, because the House of Representatives undertakes to legislate at all in connection with the personnel of the Navy, therefore the Senate can legislate not only with respect to the matters on which the House legislated, but also with respect to every matter relating to the personnel of the Navy. Why, Senators, we had just as well not have any rule at all as to give it that construction. There is not a Senator, I think, on either side of the Chamber——

Mr. NORRIS. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Nebraska?

Mr. HARDWICK. I yield to the Senator.

Mr. NORRIS. I should like to state to the Senator from Georgia that there probably never was a bill that came over from the other House but had some word or clause of legislation in it.

Mr. HARDWICK. Exactly, and the Vice President's present construction——

Mr. NORRIS. And if the present ruling of the Vice President is right, there never would be a case——

Mr. HARDWICK. We should just wipe out Rule XVI forever, and there would be no need of having it on the books.

With all personal deference to the Vice President, a more extreme ruling I have never known or heard of.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER (Mr. THOMPSON in the chair). Does the Senator from Georgia yield to the Senator from Idaho?

Mr. HARDWICK. I yield.

Mr. BORAH. Had we not just as well wipe out the rule at once and be done with it?

Mr. HARDWICK. I do not think so.

Mr. BORAH. We have practically abrogated and annulled the rule. I agree with the Senator from Georgia that the ruling does have that effect; but we have from time to time here, whenever we wanted to put a proposition on an appropriation bill, notwithstanding the fact that it was in violation of Rule XVI, put it on by vote of the Senate.

Mr. HARDWICK. Mr. President, I do not like to take issue with the Senator from Idaho on a statement of fact, but I do not think the Senate does that as a matter of habit and generally. As a usual thing we stand by our rules. We ought to do so always, and without exceptions.

Mr. LODGE. Mr. President, if the Senator from Georgia will allow me, I desire to say that I have been here a great many years, and I have seen the Senate put general legislation on appropriation bills time after time. When the Chair has submitted the question to the Senate, the Senate has voted on the merits of the proposition without the slightest regard to the rule.

Mr. HARDWICK. Undoubtedly.

Mr. LODGE. But this is not covered by that; this is a much stronger case.

Mr. HARDWICK. This is a much stronger case, but an entirely different case.

Mr. LODGE. And this is a sound ruling of the Chair; in my opinion it is entirely sound.

Mr. HARDWICK. Does the Senator from Massachusetts contend that the ruling of the Chair is sound in this case?

Mr. LODGE. It is absolutely so, and I shall try to show that it is in a moment.

Mr. HARDWICK. With all due respect to the distinguished Senator from Massachusetts, it is impossible for me to see how he arrives at any such conclusion as that.

Mr. LODGE. When the Senator from Georgia shall have concluded, I shall try to show him how I do so.

Mr. HARDWICK. I hope the Senator will.

Here is the proposition which I want to lay before the Senate, and then I want to challenge any Senator on either side to show any reason whatever for this ruling: The Chair says that because the House of Representatives has legislated in any respect about any portion of the personnel of the Navy, therefore the Senate can legislate not only with respect to that, not only as to the particular thing as to which the House has legislated, not only with respect to all the particular things which the legislation of the House has covered and touched, but with respect to everything connected with the personnel of the Navy. I say that, if that is sound, there is no reason whatever for clause 3 of Rule XVI; it has no sense, no meaning, and no place in this Book of Rules, if that ruling is sound, if it is common sense.

Mr. BRANDEGEE. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Connecticut?

Mr. HARDWICK. I yield; yes.

Mr. BRANDEGEE. Does it follow, in the opinion of the Senator from Georgia, from what the Chair said, that because the House of Representatives has submitted a certain piece of legislation the Senate, when it enters upon that subject, can put on general legislation of all kinds?

Mr. LODGE. Mr. President, if the Senator from Georgia will allow me, that is not the contention.

Mr. BRANDEGEE. I assumed it was not; and the reason I asked the question of the Senator from Georgia was to state that the Senator from Georgia was perhaps stretching the ruling of the Chair——

Mr. HARDWICK. I did not intend to do so.

Mr. BRANDEGEE. What the Chair said, as I understood the Chair, was that when the House of Representatives had opened the door on a particular subject, the Senate could enter that field.

Mr. HARDWICK. But the Chair said more than that, with deference to the Senator from Connecticut and also to the Senator from Massachusetts. The Chair said—and I hope the Chair will correct me if I am not right—that when the House of Representatives undertook to legislate on any subject connected with the personnel of the Navy that opened up the whole question about legislation on the Navy personnel. That is exactly what I understood the ruling of the Chair to be.

Mr. LODGE. If the Senator from Georgia will allow me at this point, it is just as well to state exactly what the Chair did say. The Chair said that he believed when the House entered into that field the Senate had a right to pursue that field; that in the particular line of general legislation the Senate had the right to pursue it. As I say, I think the ruling of the Chair is absolutely sound.

Mr. HARDWICK. That is not all the Chair said. The Chair said just what I stated before, and if the Senator were here at the time I think he would recall it.

The Chair did say—and I hope the Chair will correct me if I am wrong—that the House of Representatives having undertaken to legislate in connection with the personnel of the Navy that threw open that entire subject, to wit, the personnel of the Navy; and I utterly dispute that contention.

There has been no legislation by the House of Representatives with respect to the Dental Corps, a particular, definite, and separate part of the Naval Establishment.

Mr. LODGE. If the Senator will allow me, the House of Representatives sent over this bill loaded with personnel legislation.

Mr. HARDWICK. In connection with the Dental Corps?

Mr. LODGE. One moment. The House of Representatives entirely reorganized the Hospital Corps; they entirely reorganized the Marine Corps; they entirely reorganized the pharmacists. Now, if they can deal with a part of the personnel of the Navy, the Senate is permitted, within its right to deal with the personnel question generally.

Mr. HARDWICK. Of course, that is exactly the statement the Chair made, and is exactly the statement with which I take issue. I say that the Senate can deal as fully and completely as the House did with any branch and every division of the personnel on which the House legislated, and thus opened the door for the Senate to that extent, and no more. Why? Because, if that position is sound, if the position occupied by the Senator from Massachusetts is sound on this proposition, then if the House legislated with respect to enlisted men in the Navy, it would open up legislation as to all the rest of the personnel of the Navy. That is what it means; that if the House legislated with respect to only one branch of the service, it would open up all personnel legislation and would warrant legislation on every other branch of the service. I utterly dispute that contention. It does not seem to be sound to me, and I do not believe the Senate will take any such view as that.

The Senator stated just now that we could do what we pleased with regard to the merits, and we have done so sometimes, I reckon; but usually only by unanimous consent have such questions been submitted to the Senate. There has been in this case, however, no unanimous consent.

The merits behind this proposition appeal to me. The Dental Corps is an important part of the naval personnel. It has a status fixed by law that is fair and just, or moderately so, and it is completely changed, and changed to the injury of these dentists, by this legislation. I do not think the question ought to be disposed of in any such way as this. We ought to have an issue, and of course we shall get it, on this appeal, between the merits of the committee's proposition and the merits of the existing law.

Mr. President, I have said about all I care to say. If the contention advanced by the Senator from Massachusetts has one atom of soundness in it, there is no reason, there is no excuse, and there is no pretext for keeping clause 3 of Rule XVI in our Book of Rules at all. If the Senate is prepared to say that when the House of Representatives legislates upon any question about any branch of the personnel of the Navy, therefore the Senate is at liberty to put on any legislation that it pleases without regard to Rule XVI about every other branch and division of the personnel, then the ruling of the Chair is undoubtedly sound and my appeal ought to be lost; otherwise——

Mr. BRANDEGEE. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Connecticut?

Mr. HARDWICK. I will yield to the Senator as soon as I finish this sentence. Otherwise my contention is absolutely sound and ought to be sustained by the Senate. Now, I yield to the Senator from Connecticut.

Mr. BRANDEGEE. In order to clarify my own mind about this matter, I wanted to ask the Senator from Georgia if the question does not depend upon the definition as to what the subject of legislation is with which the House attempted to treat. For instance, if the personnel—and "personnel" is a large word; it covers, I suppose, all the persons on a ship——

Mr. HARDWICK. Yes; and in any branch of the naval service.

Mr. BRANDEGEE. Yes. But suppose the House had attempted to deal with that portion of the personnel of a battleship which operated guns, to wit, gunners. Then the question would be, it seems to me, Would that open up the door for the Senate to deal with the question of how many lieutenants or captains or cooks would be necessary?

Mr. HARDWICK. Precisely; and that is exactly the idea I have tried to convey to the Senate; because the House of Representatives should undertake, for instance, to open up the question of personnel legislation as to the men who operate the guns would be no reason why the Senate would have a right to turn around and say "We will open up legislation as to all other branches of the service." If the House of Representatives had undertaken to deal at all in any legislative way with the Dental Corps, then the contention would be sound; but the House not having undertaken to deal in any way whatsoever with the Dental Corps, there is no excuse whatever for the Senate not living up to its own rule and enforcing it.

Mr. CLAPP. The Senator from Georgia says that the appeal will raise the question of the merits of the proposed amendment.

Mr. HARDWICK. Let me interject there that if the Senate follows the course that the Senator from Massachusetts suggests it often does, it will.

Mr. CLAPP. I do not think so at all. I am, I think, opposed to the amendment; but on the question of the Senate having a right to deal with a subject that the House has dealt with in an appropriation bill, I am quite in accord with the ruling of the Chair.

Mr. HARDWICK. Let me ask the Senator a question in my own time. I have the floor, and I want the Senator to answer it in my time. Has the House undertaken to deal in any way whatsoever with the Dental Corps of the Navy?

Mr. CLAPP. The Dental Corps is a mere incident.

Mr. HARDWICK. It is one branch of the personnel; it is a distinct, separate branch of the naval personnel. Now, has there been any legislative action of the House with respect to the Dental Corps?

Mr. CLAPP. Yes.

Mr. HARDWICK. In this bill?

Mr. CLAPP. Yes.

Mr. HARDWICK. I should like to have the Senator point it out.

Mr. CLAPP. The enlargement of the personnel of the Navy affects the necessity of a similar enlargement, perhaps, of the Dental Corps.

Mr. HARDWICK. But the Senator is wandering from the question. I asked him if the House had legislated in any way with respect to the Dental Corps—not merely as to making appropriations for the corps under existing law, but so as to change their status?

Mr. CLAPP. Yes.

Mr. HARDWICK. Well, where?

Mr. CLAPP. I say, if the House increases the personnel of the Navy, that necessarily involves an increase in the Dental Corps.

Mr. HARDWICK. This is an appropriation bill which contains items of appropriation, and it is utterly impossible for me to argue with a Senator who occupies that ground, because——

Mr. CLAPP. Well, that is the contention.

Mr. HARDWICK. I know it is the contention. It is courtesy to call it that, because every item of appropriation, then, that involves an increase in expenditure and provides more places would be legislation according to that view. General legislation is a very different proposition, according to my understanding of what general legislation in connection with an appropriation bill means, as it is used in the rule.

The House has not legislated in one single respect in connection with this particular branch of the service. Therefore the rule of the Senate against such legislation in connection with this appropriation bill applies in full force and vigor, and, without repeating—I do not care to do that—it looks to me like it is utterly unreasonable to say that because the House has perhaps legislated as to the personnel of gun crews, for example, therefore the Senate can legislate about everything connected with this bill, or at least everything connected with any branch or division of the personnel of the Navy.

Mr. CLAPP. Mr. President, I simply desire to say that when the House enters the door of legislation outside of mere appropriations in reference to the naval appropriation bill, that legislation, while it may not name a particular corps, may make it very necessary that there be legislation in regard to that corps, and, that being the case, it has entered the domain of legislation. It is true they have not mentioned the Dental Corps in their legislation, but they may have put in many provisions of additional and new legislation which render additional legislation as to the Dental Corps necessary. That is a question for the Senate to settle when the time comes to pass upon whether or not we will adopt the amendment, the only question now being whether, the House having entered upon general legislation which may involve additional general legislation, we are bound to keep out of that field simply because of the existence of our rules, when the other body may have made it absolutely necessary in the development of the Navy that that field be further occupied by legislation.

Mr. SWANSON. It seems to me that the ruling of the Chair is clearly right and, if not sustained, will embarrass greatly the legislative powers of this body. Now, let us see whether there is personnel legislation in this bill as it came from the House. On page 6 there is personnel legislation in connection with the Chief of Naval Operations. On page 47 the entire Hospital Corps of the Navy is reorganized. That is personnel legislation. As the Senator from Minnesota [Mr. CLAPP] has well said, if the House increases the number of enlisted men, that necessarily requires an increase in the Dental Corps. After the House has increased the personnel in other corps and branches of the Navy, does the Senator from Georgia contend that the Senate can not pass any legislation involving an increase in the number of the Dental Corps?

Mr. HARDWICK. Undoubtedly; the House did not change the law governing the corps.

Mr. SWANSON. They have not changed the specific law, perhaps, but they have increased the number of the personnel in other branches of the service, and have enacted legislation affecting the personnel of the Navy in that respect. Now, let us go through the bill and see. The House has enacted legislation affecting engineers in the Navy. That is personnel legislation, and will be found on page 63. The House bill contained legislation affecting the personnel in connection with the flying corps, making an entire change, as will be found by reading the provision at the bottom of page 75. On page 86 the House bill contains legislation affecting the personnel by completely changing the provisions in regard to the Naval Reserve.

Mr. JONES. Mr. President, will the Senator permit me to ask him a question?

Mr. SWANSON. I will when I get through.

Mr. JONES. The question I desire to ask is right in connection with that very matter. Suppose that the House had merely reorganized the Aviation Corps, does the Senator contend that the Senate could then have gone over every department of the personnel of the Navy?

Mr. SWANSON. So far as the aviation feature affected other branches of the personnel, the Senate could go into it.

Mr. JONES. It would affect, according to the contention of the Senator, all the other branches of the Navy?

Mr. SWANSON. I will say that the provisions of the House bill are general legislation and affect the entire organization of the Navy. Almost the entire personnel of the Navy is involved in the House legislation, and we would have an imperfect and absolutely disarranged system unless provision were made affecting the entire personnel. The House bill contains legislation, although it is an appropriation bill, in respect to the Marine Corps and affecting its personnel very materially.

Mr. HARDING. Mr. President——

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from Ohio?

Mr. SWANSON. In a moment. The Marine Corps personnel legislation fixes the status of various commissioned officers, prescribes how they shall be appointed, and so forth. The Dental Corps is a part of the Medical Corps, and consequently the Dental Corps is affected by an increase in the personnel of the Marine Corps under the legislation contained in the House bill.

Mr. HARDWICK. The Senator does not make that contention seriously, does he?

Mr. SWANSON. I do.

Mr. HARDWICK. I merely wanted to know that.

Mr. SWANSON. Has not the Senator judgment enough to see that? I hope he has.

Mr. HARDWICK. I certainly have not.

Mr. SWANSON. I regret it.

Mr. HARDWICK. I did not know that the Senator was really in earnest about that.

Mr. SWANSON. I did not think the Senator was in earnest about the proposition that the House can enact legislation as to the size of the Marine Corps, for instance, which is a part of the Navy, and the method of the appointment of officers, and so forth, and the Senate must either adopt or reject the method prescribed.

This bill has come here loaded with personnel legislation. Does the Senator from Georgia contend that the House can

select the subjects of personnel legislation which affect the entire Navy, and that the Senate can not enter that field?

Mr. HARDWICK. Will the Senator yield to me right there?

Mr. SWANSON. Does he contend that we must either reject the subject matter acted upon by the House or accept it, and can not enter the field of general legislation of that character?

Mr. HARDWICK. The Senator, of course, is wrong. If he will allow me, in the House of Representatives they have just the same kind of rules, but they have certain ways of getting around them.

Mr. SWANSON. Wait a moment; I am not talking about the rules.

Mr. HARDWICK. I am.

Mr. SWANSON. What I contend is, that when legislation comes here affecting a subject, the Senate has the right to perfect it, even if it be related to another subject.

Mr. HARDWICK. Undoubtedly.

Mr. SWANSON. We have a right to pursue, as the Vice President has well said, the field selected by the House of Representatives.

Mr. HARDWICK. But the trouble is, if the Senator will pardon me, you have taken an entirely different field.

Mr. SWANSON. No.

Mr. HARDWICK. Now, just a moment.

Mr. SWANSON. Our contention is that the personnel legislation is so interwoven with the Hospital Corps, so interwoven with the Marine Corps—they are appointed in the same way, the Dental Reserve being a part of the Medical Corps, which furnishes one corps both for the Navy and the Marine Corps—that consequently, having entered that field, having changed the law in connection with the Marine Corps, of which the dental surgeons are a part, the Senate is entitled to enter that field.

Mr. HARDWICK. Does the Senator yield? I should like to ask him a question.

Mr. SWANSON. I will yield later.

Mr. HARDWICK. If the Senator does not want to yield, I will not ask him the question. I will take the floor myself later.

Mr. SWANSON. My contention is that, having entered this field in a dozen or more cases, the Senate is entitled to enter the field into which the House invited it. If it does not do so, it means what? They might come here with personnel legislation in connection with the officers, and do you tell me that we can not affect the men in relation to the officers, when the two are closely connected?

Mr. HARDING. Mr. President——

Mr. SWANSON. I yield now to the Senator from Ohio.

Mr. HARDING. I want to ask the Senator from Virginia why the reorganization legislation is not taken up as a separate and distinct measure?

Mr. SWANSON. We have had the matter here, and it is utterly impossible to get consideration of it. It was put in this bill for the reason that it ought to go in with the personnel of the entire reorganization of the Navy and Marine Corps. That is the only way in which it can be done consistently. It is the only way in which it can be done scientifically. I should like to say in reference to this matter that, as I understand, the dentists of America favor this legislation and have so indorsed it. The Navy Department favors it and has so indorsed it.

Mr. HARDWICK. Mr. President, does the Senator want to yield now?

Mr. SWANSON. I shall be glad to yield.

Mr. HARDWICK. Does the Senator mean the legislation in this bill?

Mr. SWANSON. The legislation in this bill, as I understand.

Mr. HARDWICK. Oh, I have a telegram from the president of the national association now protesting against it.

Mr. SWANSON. I understood exactly the reverse.

Mr. HARDWICK. The Senator is wrong, dead wrong.

Mr. SWANSON. I understood from the Senator from Massachusetts——

Mr. HARDWICK. I am making this point of order at his request and because I agree with him.

Mr. SWANSON. I understood from the Senator from Massachusetts that the information had come to him that the bill was satisfactory to the dentists of America.

Mr. LODGE. I ask to have read the telegram which I send to the desk.

Mr. SWANSON. That is my source of information; and it is utterly impossible to organize this Dental Corps except with the other legislation that we have here.

Mr. BORAH. We are getting at the merits of the case, anyway.

Mr. LODGE. No; this has nothing to do with the merits of the case.

The VICE PRESIDENT. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

ATLANTA, GA., *July 13, 1916.*

Senator LODGE, *Washington, D. C.:*

As president of the National Dental Association, I wish to urge that you give your support to the Navy Dental Corps amendment as reported to the Senate. I believe if this amendment is passed it will be the most satisfactory solution of the Army and Navy dental problems.

THOMAS P. HINMAN, *President.*

Mr. HARDING. Mr. President, perhaps I shall not be able to speak directly to the merits of the ruling of the Chair, but while I am on my feet I want to say that, as a relatively new Member of this body, I am going to begin now to do the utmost in my power to stop this system of legislation in appropriation bills, and with that thought in mind I am going to vote on this occasion to reverse the ruling of the Chair.

I think I have discovered no greater menace in handling the affairs of the Republic than this persistent legislation in appropriation bills and the passing upon matters that will not stand before this body on their own merits.

It occurs to me that the reorganization legislation relating to the Navy ought to be here as a separate measure and ought to be considered on the distinct merits of the case.

Mr. LODGE. Mr. President, what the Senator from Ohio [Mr. HARDING] has said leads me to make, at the outset, a few observations on general legislation on appropriation bills.

I am as much opposed to general legislation on appropriation bills as he is. I do not think it is a wise way to legislate; but Congress has been driven to it by the difficulty of getting through these bills as separate measures.

Both Houses have taken the utmost care to shut out general legislation on appropriation bills. Our rule says that no general legislation shall be in order on an appropriation bill, and a point of order, if sustained, carries it out. The House rule is even more drastic. The House rule provides that there shall be no legislation upon an appropriation bill which changes existing law. That is even more drastic.

Now, this is the situation that is created: The House has a system of special rules, which are unknown to the Senate. Under a special rule, which is prepared and brought in by the Committee on Rules in this and in other bills, the House allowed the Committee on Naval Affairs to put a mass of general legislation on this bill. They put it on the Post Office bill, too. It comes over to the Senate a mass of general legislation affecting many subjects, and are we to be told that we are to be deprived of our power of general legislation when the House can engage in it to any extent they please—that our rule is to hold in the minutest way——

Mr. CURTIS and Mr. HARDWICK addressed the Chair.

Mr. LODGE. One moment. Mr. President, I should like to finish this point—that our rule is to hold and that we are to be cut off from general legislation by action taken in the House, which we can not imitate because we do not have the system of special rules?

Mr. HARDWICK. Mr. President, will the Senator now yield?

Mr. LODGE. I yield.

Mr. HARDWICK. That is not the situation, is it? Is it not true that the Senate itself——

Mr. LODGE. I think it is the situation, or I should not have stated it so.

Mr. HARDWICK. I am going to try to show the Senator why it is not the situation. There is a provision in our rules, in Rule XL, that the Senate can suspend the rules just like the House of Representatives does. The Senate is not helpless. The rules can be suspended.

Mr. LODGE. It is not done in the House under suspension of the rules.

Mr. HARDWICK. I understand; it is done in another way, but it can be done here and it is done there, too, under the rules.

Mr. LODGE. It is done in the House by a majority vote, adopting a rule reported from the Committee on Rules.

Mr. HARDWICK. That is the only difference, of course.

Mr. LODGE. And we have to have, rightly, two-thirds to suspend the rules.

Mr. HARDWICK. That is right.

Mr. LODGE. The House has a power that we have not.

Mr. CURTIS. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Kansas?

Mr. LODGE. I do.

Mr. CURTIS. I should like to ask the Senator from Massachusetts if this abuse could not be corrected if the Senate committees would strike out all legislation in appropriation bills and instruct their conferees to insist that nothing but

appropriations should be contained in the bills, and that no legislation should be consented to?

Mr. LODGE. The powers of conferees are considerable, but they do not go to the extent of making the House abandon legislation it has put on. Now, the House general legislation comes over here, and is not subject to a point of order.

Mr. THOMAS. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Colorado?

Mr. LODGE. I do.

Mr. THOMAS. I want to ask the Senator, before he takes his seat——

Mr. LODGE. I am not going to take my seat just yet, but I shall be glad to have the Senator put the question.

Mr. THOMAS. I just want to ask him to explain to the Senate what the position of this corps will be in the event that some legislation is not enacted concerning it?

Mr. LODGE. I will touch on that in a moment.

In this bill, Mr. President, the House began by increasing the number of enlisted men. That they have a prescriptive right to do without regard to a special rule, as we have. But by increasing the number of enlisted men they necessitated changes affecting the entire personnel of the Navy. If you increase the number of enlisted men you are obliged to have more flag officers and more captains and more of the different grades. You have got to keep your officers in proportion to the enlisted men. The House did nothing on that point. It is absolutely essential that it should be done—absolutely essential in order to have the Navy in a workable condition. The Senate thereupon has put in the legislation increasing the grades, increasing the number of officers in each grade. That is made absolutely necessary by the legislation of the House. The House went much further than that. They entered into the whole field of personnel. They added to the personnel. They permitted men to be appointed from civil life to the engineers only, and those men were to come into the line, and, by so doing, change the whole arrangement of the line. They brought in the Naval Reserve; they brought in the Aviation Corps—all new legislation of the most extensive kind, all affecting the personnel of the Navy, because they introduced in the Aviation Corps, as among the engineers, officers from civil life who can be subsequently placed in the line, affecting the whole ranking of the line.

The Senator from Georgia has attempted to narrow it down to the proposition that this is a separate corps, and that therefore, unless the House has legislated specifically on the Dental Corps, the Senate has no right to touch it. The Dental Corps is not a separate and independent corps. It is under the Surgeon General. It is part of the Medical Corps of the Navy, and under the command of the Surgeon General. The House, in dealing with the Medical Corps, reorganized the pharmacist service. They reorganized the Hospital Corps throughout, the Hospital Corps being part of the Medical Corps, exactly like the Dental Corps. They put in, on page 49, a hospital and ambulance service provision, and they provided that officers and enlisted men of the Medical Department of the Navy serving with a body of marines detached for service with the Army shall be subject to the Rules and Articles of War, and that includes the Dental Corps; and they put in new legislation, in that clause, covering the Dental Corps.

Mr. HARDWICK. Mr. President, if the Senator will pardon me, if it does not bother him, does not his own bill call this the Dental Reserve Corps, and make it a separate corps?

Mr. LODGE. Why, they called it the Hospital Corps——

Mr. HARDWICK. I know; but does not your bill, the one that we have under consideration, call this the Dental Reserve Corps?

Mr. LODGE. Certainly. That is a mere subheading. I am speaking of the law.

Mr. HARDWICK. I am speaking of the law, too.

Mr. LODGE. Those heads are not law.

Mr. HARDWICK. I know, but the bill says "a Navy Dental Reserve Corps is hereby authorized."

Mr. LODGE. Yes.

Mr. HARDWICK. That is part of the language of the bill—not a subhead.

Mr. LODGE. It does not make any difference. The Hospital Corps is under it. You can not detach the Hospital Corps. You can not detach the pharmacists. They all come under the Medical Corps, under the Surgeon General, under one command.

Mr. HARDWICK. They all come under the Secretary of the Navy, too. The whole business does.

Mr. LODGE. Now, Mr. President, if we are going to be technical, on page 49, in the provision about officers and enlisted men of the Medical Department, the House has covered the Dental Corps, and it is open to us to amend and extend. I put it, however, on the broad ground on which the Chair put it. The House entered into the great field of naval personnel, which covers every corps in the Navy and every officer in the line. They entered into it largely. They entirely reorganized the Marine Corps. I need not rehearse them. They filled the bill with personnel legislation. Now, the Dental Corps at this moment rests on two provisions, both in appropriation bills, both put in in the Senate, both general legislation; and those two provisions of 1912 and 1913 conflict. The result of the conflict, and of the points raised against the rulings of the department, is that the assistant dental surgeons who come into the corps, who pass examinations and serve their probationary period, have been hung up here all winter on the Executive Calendar. It needs legislation.

This legislation was prepared in the department. Not a line was written by any member of the committee. The amendment about the Dental Reserve Corps was brought to me by Dr. Brown, of Columbus, who is chairman of the legislative committee of the National Dental Association. The department made no objection to it, and it was put in exactly as it was handed to me by Dr. Brown, who told me it was satisfactory to all the members of the Dental Reserve Corps.

That is the origin of the legislation. The object is to put the Dental Corps of the Navy on a working basis. It is treated exactly as the Army is. The legislation is based on the Army legislation, and it is put in as a necessary addition to the wide-sweeping personnel legislation of the House.

Mr. President, I think it is properly there. I am in full accord with the ruling. I was in full accord with the ruling when the Chair made it on June 20, in which he said, as I have already cited it—

> The Chair has no doubt that Rule XVI, with reference to general legislation upon an appropriation bill, does not apply where the House puts general legislation in the bill. The Chair believes that when the House enters into that field the Senate has a right to pursue the field.

Now, the House has entered into this field in every direction.

Mr. BORAH. Mr. President, as a future guide, does the Senator go any further than to say that when the general legislation of the House relates to a particular field we may enter that particular field, and no more? Or may we enter into the entire field of general legislation?

Mr. LODGE. Oh, I do not say for a moment, because the House has put in general legislation, that we can enter on any other general legislation.

Mr. BORAH. Then it all revolves around the proposition of what is the particular subject upon which the House has entered?

Mr. LODGE. Certainly.

Mr. BORAH. And we must confine ourselves to that particular subject.

Mr. LODGE. I think so. Now, the House has entered very largely into the field of personnel legislation, affecting the personnel of the Navy throughout. It has even put in general legislation affecting this precise Dental Corps.

Mr. HARDWICK. Mr. President, will the Senator yield for a question?

Mr. LODGE. Yes.

Mr. HARDWICK. If the House entered at all into the field of personnel legislation, according to the theory of the Senator, could the Senate pursue it as far as it pleased?

Mr. LODGE. Personnel legislation?

Mr. HARDWICK. Yes.

Mr. LODGE. Absolutely.

Mr. HARDWICK. In other words—I am just trying to get the Senator's view—if the House enacted legislation relating to gunners in the Navy, then the Senate could take the whole field, from admirals down to gunners, everything, according to the Senator's view?

Mr. LODGE. I do not think that the organization of a gun crew would ever be classified by anybody as personnel legislation.

Mr. HARDWICK. I say, if we did have it presented.

Mr. LODGE. It is not a matter of law, to begin with; it is not a matter of regulation here. The Senate never regulated a gun crew, and never will.

Mr. HARDWICK. I do not want the Senator to get away from the question.

Mr. LODGE. I do not get away from the question at all. I am talking about personnel legislation—not about something that is not personnel legislation.

Mr. HARDWICK. Suppose the House of Representatives enacted legislation affecting the personnel of enlisted men in the Navy, would that authorize the Senate to start out with admirals and go clear through and cover the whole field?

Mr. LODGE. That is precisely what has been done. It has been rendered necessary by the increase of enlisted men.

Mr. BRANDEGEE. I wish to ask the Senator in relation to the statement he has just made, as I understood him, that the House had entered into some legislation in this bill in relation to the naval Dental Corps.

Mr. LODGE. On page 49, "officers and enlisted men of the Medical Department of the Navy," of which the Dental Corps is a part, "serving with a body of marines if detached for service with the Army"—Hospital Corps, doctors, everybody—it puts them all while serving with the marines detached for service with the Army under the Rules and Articles of War. It affects them directly.

Mr. BRANDEGEE. Does the Senator claim that, under the language on page 49, line 15, where the House treats the Medical Department of the Navy, that that is the same sort of legislation as the amendment on page 52, which creates a Dental Reserve Corps?

Mr. LODGE. There is a Dental Reserve Corps now. It does not create it.

Mr. BRANDEGEE. Well, it says it is authorized to be organized and operated.

Mr. LODGE. No; it exists. It is simply to put it on a proper footing.

Mr. BRANDEGEE. It revises the present legislation in relation to that subject.

Mr. LODGE. That is all. Now, the Senate committee is endeavoring to make the personnel legislation coherent, standing on the broad ground that, as the House under its special rule has entered widely into the field of personnel, it seemed to the Senate committee not only to be the duty but the absolute right to go on and perfect that personnel legislation.

It was on that basis that the committee acted, and the decision of the Chair, that the House having largely entered in the field of personnel—that is, affecting the rank of officers and the organization of the staff—the Senate has a right to pursue it, I fully believe is right, because if we submit to this thing we remain bound by our rules while the House can enter the whole field of general legislation and the Senate is cut off from its constitutional rights in that respect.

Mr. WORKS. Mr. President, I have come to have very little confidence in any decision of the Senate upon a point of order. We are so prone to be influenced by our views of the merits of the question before the Senate that I think decisions of the Senate are very rarely based upon the pure and simple question as to whether the ruling of the Chair is right or wrong.

I suppose that nobody is more strongly opposed to the pending bill than I am. I may be too strongly opposed to it. It rather horrifies me to think of the extent to which we are going in the enlargement of the Navy by this proposed legislation. I am opposed to this particular provision, but not more so than I am to other provisions of the bill and to the bill as a whole. But notwithstanding my conviction as to the merits of the bill I am perfectly satisfied that the ruling of the Chair on the point of order is correct and should be sustained, and for this reason: The House has made the subject matter of this legislation the complete reorganization and enlargement of the Navy. That is the form in which it is presented to the Senate. If the Senate shall conclude that in order to make that reorganization and enlargement perfect something else should be added, it seems to me that it is perfectly legitimate and not in any sense in violation of the rules of the Senate for it to make this addition.

So, Mr. President, notwithstanding my views upon the merits of this legislation I shall vote to sustain the ruling of the Chair. I agree with other Senators that we have gone to great lengths in violation of the rules of the Senate by including general legislation in appropriation bills. I think the Senator from Ohio feels just as every other new Senator does, that this is a great evil and should be prevented. I know how strongly I felt that way myself when I came into the Senate. I have in the nearly six years I have been here become accustomed to the continuous violation of the rules by the insertion in appropriation bills of new or general legislation.

The insertion in appropriation bills of general legislation is generally attempted to be justified on the ground, just as has been done here, that legislation of that kind can not be enacted in any other way; but that is the very reason why it should be excluded from appropriation bills. If they can not be passed upon their merits, then they ought not to be passed at all. But in this instance I do not believe that we are violating the rules of the Senate, and for that reason I agree with the Chair.

The Chair is not a part of the legislative body. The Chair is not supposed to have any views upon the merits of this proposed legislation. We may expect from the Chair a perfectly fair and unbiased ruling upon any question that comes before the Senate, and we do expect it and are not disappointed. The Chair, like all the balance of us, may be mistaken, but I think the Senate accepts the ruling of the Chair as being perfectly fair and just to all parties concerned, and in this instance I am perfectly satisfied that the Chair is right in the ruling which has been made.

Mr. CUMMINS. Mr. President, fortunately I am in a position to reach a conclusion upon the question before the Senate without any prejudice growing out of a positive conviction with respect to the merit of the proposed amendment. I do not know at this moment how I will vote upon the amendment if it is finally submitted to the Senate.

We are constantly between two conflicting rules. The Senate has a constitutional right to amend bills that are sent from the House to the Senate. Under parliamentary law the right of amendment has no limitations with which I am familiar. We have attempted to limit by rule our right of amendment in certain instances. We have provided that upon a general appropriation bill an amendment proposing general legislation shall not be in order.

I should like to ask the Senator from Georgia, however, this question: Suppose the House had legislated upon the Dental Corps, and an amendment to the House bill in that particular were proposed, the amendment offered by the Senator in the Senate would be general legislation. The fact that the House had legislated upon the subject would not change the character of the amendment proposed in the Senate, and it would be prohibited by the strict letter of our rule, no matter if it were the simplest amendment to a House bill which in itself proposed general legislation.

Mr. HARDWICK. If the Senator will pardon me, in connection with the Post Office appropriation bill I had occasion to look into that question very closely, and I think not, because the text of the bill that comes from the House can not be subject to the Senate rule. Any amendment to the House text is therefore in order and germane.

Mr. CUMMINS. The Senate rules make no exception of that kind. I am not suggesting, as you will presently see, that there is not an exception, but I simply say that the rules make no such exception, and if they are literally applied we could not add to a House bill an amendment proposing general legislation, no matter how intimately connected it might be with the House proposal. Therefore we have introduced the exception. We have substantially said that we can propose general legislation upon a House bill if it is germane to the House provision.

So far as I am concerned, I intend to vote upon the question now before the Senate with no reference whatever to the merits of the amendment, but strictly guided by what I believe to be a fair construction of our rules. I believe that inasmuch as the Dental Corps is an integral part of the naval service in a bill which proposes a reorganization of the naval service which radically changes the scope of the duties which are to be performed by the dental surgeons, an amendment respecting the Dental Corps is germane to the House proposal, and if it is germane to the House proposal then we can, without violation of our rules, consider an amendment to it.

I can not see how any other conclusion can be reached and preserve our right of amendment. Any other rule, as it seems to me, must put into operation the second or third section of Rule XVI and excludes all amendments proposed in the Senate which are of a general legislative character.

If the point of order were, Is this amendment germane to the House bill? I would be compelled to vote that the point of order was not well taken, for I think it is germane to the legislation proposed by the House, and therefore is not prohibited by our rules; and my vote will be in support of the ruling of the Chair.

Mr. OVERMAN. Mr. President, the question before the Senate is not the question of germaneness, but we have a rule affecting that question, and that question is submitted to the Senate.

The first question we ought to consider is whether this is new legislation. I was very much impressed by what the Senator from Ohio [Mr. HARDING] said. Though a new Member, he has seen where this thing is leading. I would commend to the Naval Committee what the Military Committee have done. They brought in a separate bill for the reorganization of the personnel of the Army, and it was heard here in the Senate, discussed at length, and passed in the regular way and under the rules as provided.

Mr. LODGE. If the Senator will allow me, the whole dental legislation of the Army is in the Army bill. It is not a separate bill.

Mr. OVERMAN. I understand that we can do anything by unanimous consent.

Mr. LODGE. It was not in the Army appropriation bill; it was in the Army bill.

Mr. OVERMAN. We had an Army personnel bill here and discussed it for weeks and enacted it into law, and that ought to have been done in regard to the Navy. But the House, instead of doing that, has loaded up this bill with new legislation in regard to the personnel of the Navy and has touched upon every point except one, and what is that? That is the Dental Corps.

The Senator says they have legislated in regard to the personnel of the Dental Corps. I deny it. He said that is the case because the Medical Corps is legislated upon, not the personnel of the Medical Corps, but simply because there is some legislation here in regard to the Medical Corps that will make it in order.

Mr. WORKS. I want to say that in what I said about the ruling of the Chair I was not intending in any way to justify the course taken by the House. That is not the question that is presented here, it seems to me.

Mr. OVERMAN. No; I only mentioned that incidentally, because I was impressed with what the Senator from Ohio said as to the danger of this legislation and the reason of the rule.

Mr. WORKS. I agree with the Senator from North Carolina entirely upon that subject.

Mr. OVERMAN. Mr. President, what is the question? What does the rule say? Are we to be bound by the rules?

No amendment which proposes general legislation shall be received to any general appropriation bill.

Is this a general appropriation bill? The title of it shows that it is a general appropriation bill, making appropriations for the Navy. Now, what is the ruling of the Chair? That because the House has violated the rule the Senate can violate the rule.

Mr. President, certainly that position can not be maintained. Then, is this a violation of the rule? The Senator argues that because there is a reorganization of the personnel of the Navy we can legislate with a part of the Navy that is not mentioned in the bill; that has not been legislated on in any respect whatever.

Now, is this in order? The rule says it is not in order. Is it general legislation? That is admitted. If that is admitted, it is out of order, because the rule says it is out of order. Then all this argument is leading us to do it because the House has legislated upon some department and that therefore we can legislate. The House has legislated as to the Hospital Corps. Yes; we can amend that. The House did wrong, but it is here. It legislated about one department and another. We can amend that. Have you amended it? Have you reorganized in any way the Dental Corps? There is not one line of it. Because the House has legislated in regard to the Hospital Corps you claim that you can legislate on the Dental Corps. There are two laws on the subject, I admit.

There is a contention that the law of 1912 is in existence, and there is a contention on the other side that the law of 1913 repealed or modified that. These are the two laws that are attempted to be dealt with here.

So, Mr. President, this is new legislation and against the rules.

Mr. SWANSON. Mr. President——

Mr. OVERMAN. I wish to have read a telegram from Dr. Crenshaw. I send it to the desk.

The VICE PRESIDENT. It will be read.

The Secretary read as follows:

ATLANTA, GA., *July 14, 1916.*

Senator THOMAS W. HARDWICK,
Washington, D. C.:

Let me urge you to make point of order against the dental matter carried in naval appropriation, it destroys the 1913 law.

W. M. CRENSHAW.

Mr. LODGE. Since two telegrams have been read I think it is just as well to have it known just who the signers of the telegrams are.

The Secretary read as follows:

Dr. Crenshaw is president of the Faculty Association, composed of deans of some 35 or 40 dental colleges.

Hinman is president of the National Dental Association, composed of about 20,000 members.

Mr. SWANSON. I move to lay the appeal on the table.

Mr. HARDWICK. On that I demand the yeas and nays.

The yeas and nays were ordered.

The VICE PRESIDENT. On the motion of the Senator from Virginia to lay the appeal from the decision of the Chair upon the table the yeas and nays have been ordered, and the Secretary will call the roll.

Mr. LODGE. A vote to lay on the table sustains the Chair?

The VICE PRESIDENT. A vote to lay on the table sustains the Chair.

The Secretary proceeded to call the roll.

Mr. BECKHAM (when his name was called). I am paired with the Senator from Delaware [Mr. DU PONT] and withhold my vote for the present.

Mr. CATRON (when his name was called). I have a pair with the Senator from Oklahoma [Mr. OWEN]. He does not seem to be present, and I therefore withhold my vote.

Mr. CLAPP (when his name was called). Owing to the absence of my general pair, the senior Senator from North Carolina [Mr. SIMMONS], I am constrained to withhold my vote.

Mr. CLARKE of Arkansas (when his name was called). I observe that the junior Senator from Utah [Mr. SUTHERLAND] is not present. I have a pair with that Senator, and I therefore withhold my vote for the present.

Mr. HARDING (when his name was called). In the absence of my general pair, the junior Senator from Alabama [Mr. UNDERWOOD], I withhold my vote. If I were permitted to vote, I should vote "nay."

Mr. SHERMAN (when his name was called). I have a pair with the senior Senator from New Jersey [Mr. MARTINE] and therefore withhold my vote.

Mr. VARDAMAN (when the name of Mr. SHIELDS was called). I am requested to announce the absence of the junior Senator from Tennessee [Mr. SHIELDS] on important business. I wish this announcement to stand for the day.

Mr. SIMMONS (when his name was called). I wish to inquire whether the Senator from Minnesota [Mr. CLAPP] has voted?

The VICE PRESIDENT. He has not.

Mr. SIMMONS. I have a pair with that Senator, and I therefore withhold my vote.

Mr. TILLMAN (when his name was called). I transfer my pair with the Senator from West Virginia [Mr. GOFF] to the Senator from Tennessee [Mr. LEA] and vote "yea."

Mr. VARDAMAN (when his name was called). I have a pair with the junior Senator from New York [Mr. WADSWORTH]. In his absence I withhold my vote. If permitted to vote, I should vote "nay."

Mr. WALSH (when his name was called). I have a general pair with the Senator from Rhode Island [Mr. LIPPITT], but I transfer it to the Senator from New Jersey [Mr. HUGHES] and vote "yea."

The roll call was concluded.

Mr. BECKHAM. I transfer my pair with the Senator from Delaware [Mr. DU PONT] to the Senator from Tennessee [Mr. SHIELDS] and vote "yea."

Mr. GALLINGER. I have a general pair with the senior Senator from New York [Mr. O'GORMAN]. He is not in the Chamber, and for that reason I withhold my vote.

Mr. DILLINGHAM. I have a general pair with the senior Senator from Maryland [Mr. SMITH]. In his absence I withhold my vote.

Mr. WEEKS (after having voted in the affirmative). I have a general pair with the senior Senator from Kentucky [Mr. JAMES]. He is not present, and therefore I wish to withdraw my vote.

Mr. HOLLIS. I announce my pair with the junior Senator from New York [Mr. WADSWORTH]. In his absence I withhold my vote.

Mr. WALSH. I desire to announce that my colleague [Mr. MYERS] is absent on account of illness.

Mr. CATRON. I have previously stated that I am paired with the Senator from Oklahoma [Mr. OWEN], who is not present. I wish further to state that if at liberty to vote I should vote "yea."

Mr. VARDAMAN. There is evidently a misunderstanding somewhere. I notice the Senator from New Hampshire [Mr. HOLLIS] has announced a pair with the junior Senator from New York [Mr. WADSWORTH]. Since that has taken place, I desire to be recorded as voting "nay."

Mr. SMITH of Georgia (after having voted in the affirmative). Mr. President, I was out of the Chamber when the question on which the Senate is now voting was stated. When I voted I did not understand it, and I do not really understand it now. I therefore ask the privilege of withdrawing my vote.

The VICE PRESIDENT. In the absence of objection, permission to do so will be granted.

Mr. CHAMBERLAIN. Though I believe it has been heretofore stated that my colleague [Mr. LANE] is detained from the Senate by illness, I desire to make that announcement for the day, and shall not again make it.

Mr. CHILTON. I desire to announce my pair with the Senator from New Mexico [Mr. FALL], to transfer it to the Senator from California [Mr. PHELAN], and to vote "nay."

Mr. CURTIS. Mr. President, I am requested to announce the following pairs:

The Senator from Rhode Island [Mr. COLT] with the Senator from Delaware [Mr. SAULSBURY];

The Senator from Vermont [Mr. PAGE] with the Senator from Oklahoma [Mr. GORE];

The Senator from Michigan [Mr. SMITH] with the Senator from Missouri [Mr. REED]; and

The Senator from Wyoming [Mr. CLARK] with the Senator from Missouri [Mr. STONE].

The result was announced—yeas 37, nays 15, as follows:

YEAS—37.

Ashurst	Johnson, Me.	Penrose	Taggart
Bankhead	Johnson, S. Dak.	Pittman	Thomas
Beckham	Kenyon	Poindexter	Thompson
Brady	Kern	Pomerene	Tillman
Broussard	Lee, Md.	Ransdell	Walsh
Chamberlain	Lodge	Shafroth	Williams
Culberson	McCumber	Sheppard	Works
Cummins	Martin, Va.	Smith, Ariz.	
Fletcher	Nelson	Smith, S. C.	
Husting	Oliver	Swanson	

NAYS—15.

Borah	Curtis	Jones	Smoot
Brandegee	Gronna	La Follette	Sterling
Bryan	Hardwick	Norris	Vardaman
Chilton	Hitchcock	Overman	

NOT VOTING—43.

Catron	Harding	Newlands	Smith, Ga.
Clapp	Hollis	O'Gorman	Smith, Md.
Clark, Wyo.	Hughes	Owen	Smith, Mich.
Clarke, Ark.	James	Page	Stone
Colt	Lane	Phelan	Sutherland
Dillingham	Lea, Tenn.	Reed	Townsend
du Pont	Lewis	Robinson	Underwood
Fall	Lippitt	Saulsbury	Wadsworth
Gallinger	McLean	Sherman	Warren
Goff	Martine, N. J.	Shields	Weeks
Gore	Myers	Simmons	

So the motion to lay on the table the appeal from the decision of the Chair was agreed to.

Mr. SWANSON. I desire to offer an amendment to the pending amendment of the committee. I send the amendment to the desk and ask the Secretary to read it.

The VICE PRESIDENT. Does the Senator desire action upon the amendment beginning on page 49?

Mr. SWANSON. I desire to amend it before it is acted upon.

The VICE PRESIDENT. The Secretary will state the amendment to the committee amendment.

The SECRETARY. On page 51, line 20, after the word "service," it is proposed to insert "and all officers in active service appointed under the provisions of the act of March 4, 1913."

The VICE PRESIDENT. Without objection, the amendment to the amendment is agreed to.

The amendment as amended was agreed to.

Mr. FLETCHER. Mr. President, I ask the indulgence of the chairman of the committee for a moment.

Mr. SWANSON. I yield to the Senator from Florida.

Mr. FLETCHER. A few days ago I presented an amendment intended to take care of the repairs and construction made necessary by reason of the storm which damaged very considerably the aeronautic station at Pensacola, Fla. At that time estimates had not been received as to the extent of the damage. Since then the estimates have come in, and I desire to withdraw the proposed amendment of which I gave notice several days ago, and in lieu of it to offer the amendment which I send to the Secretary's desk. I understand that the Senator in charge of the bill will not object to the amendment.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 34, after line 20, it is proposed to insert:

Navy aeronautic station, Pensacola, Fla.: To repair and reconstruct, where necessary, public works damaged by storm of July, 1916, $420,000.

Mr. SWANSON. Mr. President, it is evident that the amendment ought to be adopted. It provides an appropriation to repair the damage to the aviation station at Pensacola occasioned by the recent hurricane. The station can not be made effective unless the repairs are made, and I accept the amendment on behalf of the committee.

Mr. WEEKS. Mr. President, I will ask the Senator if the amount stated in the amendment is estimated by the department? Do they state that it will require that amount of money?

Mr. SWANSON. I have a letter from the Secretary of the Navy, stating what the amount is to be used for, and saying that it is absolutely necessary.

Mr. FLETCHER. I will say to the Senator from Massachusetts that that is the estimate based on the report made to the department.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. FLETCHER. In connection with the amendment, I have the permission of my colleague to insert in the RECORD a letter which he received after taking up the same matter with the department. The letter explains the necessity for the appropriation, and I ask unanimous consent that it may be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The letter referred to is as follows:

NAVY DEPARTMENT,
Washington, July 13, 1916.

Hon. NATHAN P. BRYAN,
United States Senate, Washington, D. C.

MY DEAR SENATOR: With reference to your letter of July 8, 1916, I have just received a detail estimate of the damage incurred at the Navy aeronautic station, Pensacola, Fla., by the very severe storm of July 5, 1916. All of the wharves and piers at the station were practically wrecked and will require almost entire reconstruction. Overhead wiring, sea walls, and roads also suffered severely, and buildings were damaged to a less extent. The station estimates that it will require an expenditure of $133,000 to repair the wharves and piers and $87,000 to repair the other damage. This contemplates the rebuilding of the present wooden piers with creosoted-timber structures and retaining the overhead wiring for electric distribution and telephone systems.

In view of the fact that this station is within the area where periodic storms of severe intensity may be expected, it is considered desirable that the wharves and piers be rebuilt of masonry or concrete in a permanent manner and that all overhead wires be placed underground in conduits. This will require an additional expenditure of $200,000, making the total necessary $420,000.

It is not possible to undertake any such extensive work out of the current appropriations, and it is considered desirable to have a provision inserted in the naval appropriation bill now before the Senate providing $420,000 for this purpose. The following phraseology is suggested:

Navy aeronautic station, Pensacola, Fla.: "To repair and reconstruct, where necessary, public works damaged by storm of July, 1916, $420,000."

Sincerely, JOSEPHUS DANIELS.

Mr. SWANSON. I should now like to call up the next amendment which has been passed over.

The VICE PRESIDENT. The first amendment which has been passed over is on page 4.

Mr. SWANSON. Let that go over.

The VICE PRESIDENT. The Secretary will state the next amendment passed over.

The SECRETARY. The next amendment passed over is, on page 41, after line 23, to strike out: "Experimental laboratory: For laboratory and research work, including the construction, equipment, and operation of a laboratory, to be expended at the discretion of the Secretary of the Navy (limit of cost, not to exceed $1,500,000), $1,000,000," and insert:

Experimental and research laboratory: For laboratory and research work on the subject of gun erosion, torpedo motive power, the gyroscope, submarine guns, protection against submarine, torpedo, and mine attack, improvement in submarine attachments, improvement and development in submarine engines, storage batteries and propulsion, improvement in radio installations and such other necessary work for the benefit of the Government service, including the construction, equipment, and operation of a laboratory, the employment of scientific civilian assistants as may become necessary, to be expended under the direction of the Secretary of the Navy, $2,000,000.

Mr. SMOOT. Mr. President, it was at my request that this amendment went over. I asked that it might go over, because I had received a great many protests against this item in the bill. The objections received by me were in the form of telegrams, with very little information attached. I wrote to the parties sending the telegrams asking for detailed information and requesting that they give their reasons for their objection to the provision. I will say that up to the present time I have not received answers to my letters; perhaps I have hardly had time since I asked that the item go over and since writing the protestants to receive their replies.

I hardly feel competent, Mr. President, to express an opinion as to the real necessity for the establishment of this experimental laboratory. I suppose some good may flow from it in years to come; but, so far as any advantage may accrue to the United States as affecting the additions to the Navy as provided for in this bill or in the event we should become involved in war, either with Mexico or with some European power, I do not believe that it would amount to anything.

I take it for granted that it will require at least two years to complete the laboratory and secure the necessary instruments and machinery to operate it. It seems to me that $2,000,000 for that purpose at this particular period is an exceedingly large sum of money.

In some of the telegrams which I received it was stated that the senders did not understand why the Government of the United States should spend $2,000,000 for putting up a laboratory as a plaything for a few men. That I consider a mere statement, and had no facts to sustain it.

I had hoped that I would receive from the men sending me the protests definite information which I could present to the Senate in opposition to this item, if in my opinion it was rea-

sonable, but not having received it, and the time having arrived when the Senate must act upon the amendment, I will say no more than I have.

Mr. SWANSON. Mr. President, I simply wish to say that this is a very important matter and that it is very strongly urged by the Navy Department and the experts of that department. At the proposed laboratory there will be investigated subjects pertaining to gun erosion, torpedo motive power, and so forth.

Mr. BRANDEGEE. Mr. President, I should like to hear what the Senator is saying, but I can not hear him on account of the confusion.

Mr. SWANSON. This proposed laboratory is intended not as a plaything, as suggested by some of the parties who have corresponded with the Senator from Utah [Mr. SMOOT]. It is intended to inaugurate a practical business investigation of the needs of the Navy and the Army. Gun erosion is a very important subject. We have never had a laboratory or any proper means of practically ascertaining the best way to prevent the rapid erosion of our guns. If we can make a saving there, we will save this amount very quickly.

Mr. CLARKE of Arkansas. What is gun erosion?

Mr. SWANSON. Gun erosion is caused by the passage of the projectile and the blast of the explosion through the barrel of the gun.

Mr. OVERMAN. Has this amount been estimated for?

Mr. SWANSON. It has been estimated for, and the House made provision for it, authorizing an expenditure of $1,500,000. Unless, however, the laboratory is going to be made really efficient, there is no use appropriating for it at all, and the million and a half dollars, which was the limit of cost in the House provision, would not be sufficient. There is no great business establishment that does not have a workshop similar to the one now proposed for the Navy to study scientific and efficiency methods. The work to be done in the laboratory for the Navy Department is to be entirely under the control and the advice of scientific experts.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from Idaho?

Mr. SWANSON. I yield.

Mr. BORAH. The thought to which the Senator has just given expression, that the different manufacturing establishments have these experimental stations, and so forth, had occurred to me. It must be true that the great gun factories and manufacturing establishments have applied every scientific test that is possible in their own affairs.

Mr. SWANSON. But the Senator must remember that the Government manufactures a great many of its own guns, both for the Army and for the Navy; and if private enterprise has this privilege, I do not see why the Government should be deprived of an equal opportunity to find the best, the cheapest, and the most scientific way of accomplishing something.

I should like also to say to the Senate that our air craft have not been as satisfactory as otherwise they would have been had we good motors. This is to make experiments and efforts to standardize motors for submarines and also for our air craft, among other things.

Mr. OVERMAN. How much will the building cost, Mr. President? Has the Senator any figures as to the amount necessary for the purchase of the site and the erection of the building?

Mr. SWANSON. An estimate was made of the building, of the machinery, of the apparatus, and everything that was needed by men of as high character as Edison, men in the Navy, and men who have nothing except a patriotic purpose and who desire a wise expenditure of money to accomplish governmental good.

Mr. OVERMAN. I was just asking how much the plant would cost?

Mr. SMOOT. One million five hundred thousand dollars, and $500,000 additional for operation.

Mr. SWANSON. It is the hearings, on page 332.

Mr. SMOOT. I understand the plant will cost $1,500,000.

Mr. OVERMAN. What is the other $500,000 for?

Mr. SWANSON. It is to equip it, and for running expenses.

Mr. OVERMAN. Will the running expenses in one year be $500,000?

Mr. SWANSON. This is not limited to one year. It is appropriated for that purpose until expended.

Mr. OVERMAN. Then, after we once get the plant established, we will have to appropriate money each year to carry it on.

Mr. BRANDEGEE. Mr. President, has the Senator read the testimony before the House committee in relation to this matter?

Mr. SWANSON. I have read the testimony.

Mr. BRANDEGEE. What officials of the Government appeared in behalf of this appropriation?

Mr. SWANSON. The Secretary of the Navy.

Mr. BRANDEGEE. Is he the only one?

Mr. SWANSON. I can not recall any other one. He was speaking for the Navy Department.

Mr. BRANDEGEE. Does the Senator know where it is expected that this laboratory will be located?

Mr. SWANSON. I have not the slightest idea. I do not think the department has reached any conclusion whatever in that respect.

Mr. BRANDEGEE. Has the Senator any idea whether it is to be located here in Washington, or can it be located anywhere?

Mr. SWANSON. I have not the slightest information on that subject.

Mr. BRANDEGEE. Does the Senator understand that it is going to involve the purchase of a cite for the laboratory, or that it is to be located somewhere on land that the Government already owns?

Mr. SWANSON. That is not expressed in the appropriation.

Mr. BRANDEGEE. I noticed the absence of it, and I was curious to know whether we were going to appropriate $2,000,000 for the construction and equipment of a laboratory that was not going to be standing on any land anywhere or whether it was to be suspended in nubibus.

Mr. SWANSON. If the Government has land that is suitable, I am satisfied that the department would prefer erecting it on Government land to purchasing land.

Mr. BRANDEGEE. Is the department authorized to build the laboratory on any piece of land that the Government may own anywhere?

Mr. WEEKS. Mr. President, I will suggest that this may be a part of the Aviation Corps.

Mr. BRANDEGEE. Oh, this is going to be an aviating laboratory? Well, I do not know anything about it, any more than the Senator appears to. Therefore I am not prepared to oppose it; but I really think such a proposition ought to have a little more definite statement.

Mr. TILLMAN. Mr. President, there is in existence somewhere—I gave it to the Senator from Virginia or to my clerk; it has been mislaid for a moment—a letter directly from Thomas A. Edison to me explaining what this is for.

Mr. BRANDEGEE. I did not hear the Senator.

Mr. TILLMAN. I say there is a letter in existence from Thomas A. Edison himself, explaining what this is for and what is to be accomplished by it.

Mr. BRANDEGEE. I should be very glad to hear what Mr. Edison has to say.

Mr. TILLMAN. I ask to have it read at the desk. We have just found it.

Mr. BRANDEGEE. I think it will be a good thing.

The VICE PRESIDENT. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

LABORATORY OF THOMAS A. EDISON,
Orange, N. J., July 13, 1916.

Senator B. R. TILLMAN,
United States Senate, Washington, D. C.

MY DEAR SIR: Your telegram, requesting copy of Mr. Edison's letter to you re the naval laboratory, was received by me during Dr. Hutchison's absence.

I have had a copy of the letter in question made, and take pleasure in inclosing it herewith.

This letter goes forward by special-delivery mail, to insure its receipt by you to-morrow morning, the 14th instant.

Please do not hesitate to call on me if there is anything further I can do.

Respectfully,
N. M. ESROLIN,
Secretary to Dr. Hutchison.

Mr. TILLMAN. Dr. Hutchison is Thomas A. Edison's chief lieutenant and chief engineer.

I ask now to have the other letter read.

The Secretary read as follows:

ORANGE N. J., *June 5, 1916.*

Hon. B. R. TILLMAN,
United States Senate, Washington, D. C.

MY DEAR MR. TILLMAN: I was somewhat disappointed at the action of the House Naval Committee in not suggesting a little more money for the experimental laboratory.

The plans were made for a works which, when completed and fully equipped, would cost $5,000,000, but the minimum construction would cost not less than one and a half millions. It will require at least half a million after completion of the minimum to lay in a supply of materials and start operating.

For quick action it is necessary to have a considerable stock of supplies of every kind in order that there shall be no delay when the naval authorities want results quickly, especially if the laboratory is to work 24 hours daily with three shifts of men, making it possible to accomplish in 30 days what would generally require 3 months with one shift of men. In fact, with the tools proposed and the supplies, I believe it could be reduced to 15 days.

As to the amount of work to be done and the extension of buildings and machinery to the full extent of the plans and the further sums of money required, all this will, of course, depend upon the demands made by the naval authorities.

If the United States of America desires that its fighting machinery be kept up to date and not excelled or even approached by that of any other nation, so as to get machinery that has been thoroughly tested and standardized, and so that duplicates can be obtained at low costs from competitive manufacturing establishments, then the experimental laboratory is the only possible way this object can be attained; but whatever you do, vote at least two million. If this is impossible, it would be better to drop the thing altogether.

Yours, very truly, THOS. A. EDISON.

Mr. SWANSON. Mr. President, I wish to say to the Senate that we have a consulting board in the Navy, consisting of two men appointed from each of the 11 great scientific societies of America, with which the Navy will consult with reference to the running of this laboratory; and the Navy are very insistent that this item should be agreed to. They believe that it will be very beneficial, and it seems so to me.

The claim is repeatedly made that our Army and Navy do not lead in progress. Here is an opportunity to give them a chance to have the most scientific method of ascertaining the needs enumerated in this appropriation. If Senators will only read the item on page 42, they can clearly see the purposes sought to be accomplished.

Mr. LODGE. Mr. President, as I think the Senate is aware, I am very strongly in favor of this bill. I opposed this amendment in the committee. I opposed the original House provision. I must be honest about it. I think the whole thing is a sheer waste of the public money. I do not think it is needed. I think there is nothing at all to it; and I feel bound, out of respect for myself, to say that.

Mr. BORAH. Mr. President, I have undertaken to read the statement of Mr. Edison as made before the committee of the House with regard to this matter with the hope that I should find something in Mr. Edison's statement, whose word and whose views upon these matters we all profoundly respect, to justify voting for this amendment. But it seems to me to be just what the language implies, namely, an experimental laboratory. It is an idea, apparently, that certain things may be accomplished; that they desire, at least, to experiment with reference to certain things. But the objection I have to this is the loose and general way in which the amendment is drawn. There is no safeguard surrounding the expenditure. I am opposed to those lump-sum appropriations.

Mr. SMOOT. I ask for the yeas and nays on the amendment.

Mr. NORRIS. Mr. President, the amendment proposed by the committee is one that appropriates, it is true, a great deal of money. As I look at it, however, it is an investigation of a scientific nature. The investigations can not be known in advance to be either of benefit or otherwise; but any investigation of this kind necessarily must be an uncertain one. When we realize that all improvements that have been made in armaments, in guns, in ammunition, and in shells were the necessary result of investigation, it seems to me that if we want to have our Navy scientific and efficient we ought to favor any reasonable investigation, although we can not know in advance that the results are going to be beneficial.

I am opposed to the increases in the Navy. I suppose most of the Senators and a great many other people would regard me as a crank on the subject. The great agitation for preparedness that has covered such a wide field and brought within its fold armies of men and women in all walks of life all over the United States has not impressed me. I believe they are wrong. I think they have had a great effect upon public opinion and upon Members of Congress and that we are undertaking in this bill to expand away beyond reason.

I presume most of those would say in advance that I would be opposed to an amendment of this kind, but I have always contended, Mr. President, that I favor an efficient Navy. I do not believe in "peace at any price." I want to maintain the honor of our country, and if we are so unfortunate as to get into war I want us to have the best that can possibly be made through the ingenuity of mankind. Therefore I favor investigations of this kind. I am going to vote for this amendment, although I am opposed, and especially at this time, to practically all of the program in regard to the building of battleships and other similar vessels provided for in this bill. It seems to me that this goes toward efficiency, and I am in favor of efficiency in private life and in public life. I believe that whatever Navy and whatever Army we do have we ought to make it absolutely the best that we possibly can make it.

Mr. President, I remember when I first came to Congress, a little more than 13 years ago, sitting in the House of Representatives listening to a debate on one of the great appropriation bills. It was at a time when Mr. Langley had been investigating in regard to the flying machine, and there was an attempt made to provide a small appropriation in that bill to supply him with funds, and it was virtually laughed and ridiculed out of the House of Representatives. It would be interesting to read now the debates that took place then within the memory and within the recollection of all of us. Sometime, I think, when the weather is not so hot and we have more time, I am going to read to the Senate some of the things that were said then by some of the great men of the country, some still in public life. Honest as they were, they were nevertheless opposed to that investigation, because they compared Langley with Darius Green and made all similar comparisons, and, as I said, laughed the appropriation out. But time has demonstrated that Langley was really the father of the flying machine and that it was due to his initiative and his investigation to a great extent that this machine was afterwards perfected. I say "perfected"—I ought to modify that, because probably it is in its infancy now.

I hesitate, in any business, to criticize the man who wants to make an investigation. We know that improvements have been made in the past along the lines that are indicated in this amendment—improvements that would now mean the difference between success and failure of a navy founded and built according to the old plans, as against one built upon the new plans.

As long as we must have a Navy or an Army, and must equip it, I want to equip it with the best that can be obtained. It seems to me that we ought not to hesitate to vote any reasonable amount of money for any scientific investigation having for its honest object and its honest purpose the improvement of guns, the improvement of shells, the improvement of submarines, torpedoes, mines, and all similar things. This is one of the few committee amendments tending, perhaps, to expansion—although I do not think it does—that I favor; and I hope therefore that the committee amendment will be agreed to.

Mr. SWANSON. Mr. President, I certainly hope the Senate will retain this amendment. We appropriate in this bill $139,000,000 for the construction of ships of various types. We have appropriated $3,500,000 for aviation. When the department asks for a laboratory of its own, so that it will not be dependent upon outside private individuals for research and for efficiency to solve the problems of the Navy, if we are going to have a Navy, it seems to me that it is wise and proper to respond to that request and give them an opportunity to do these things.

Take the motors. The trouble with our aircraft and our submarines has been that we have not developed, either in the Navy or in private manufacturing establishments, motors that are satisfactory either for our air craft or for our submarines. Our troubles in that respect have arisen from lack of a motor. This is to make an investigation of that kind. Torpedoes require very peculiar machinery. The improvements in that line, if we make them in secret, might at some time mean either victory or defeat. This is an appropriation of $2,000,000 for efficiency.

What is the great nation of to-day, in proportion to its population, for efficiency? The German nation. Why? Because the German Government has laboratories, and the Government makes experiments. In agriculture, in war, in munitions, and in all directions the Government has great laboratories in which it can ascertain the efficient, economical, and scientific way of accomplishing things.

It seems to me the time has arrived when the Navy should have a laboratory plant under experts in the Navy with the advice of 22 of the most scientific men in America to give this Government the same opportunity and the same chance. It is useless to ridicule a consulting board of 22 scientists of this country headed by Mr. Edison, who has revolutionized many of the arts in electricity. Mr. Edison and 22 of the greatest scientists in America have agreed to give their knowledge, their genius, and their time without any expense whatever to the Government in trying to make this laboratory a success, and there will be united with the genius and skill and knowledge in the Navy these 22 scientists selected by the 11 great scientific bodies of America. It seems to me we would be derelict in our duty if we did not appropriate the sum of $2,000,000 to make this a possibility for efficiency and for success.

Now, as to the purposes. The House simply made it a million and a half without defining the purpose. The amendment of the Senate committee defines the work to be done. Anyone can read the amendment on page 42 and see that it will be of the utmost value and importance to the Navy.

Mr. BRANDEGEE. Mr. President, I am in favor of efficiency quite as much as any other Senator, and especially at this time I am in favor of anything that will contribute to the efficiency of the Army and the Navy. The trouble with this amendment is it is, in my opinion, an inefficient amendment to accomplish any desirable purpose. It is impossible, I think, for anybody to read the Senate committee's substitute amendment and form any accurate idea of what is to be done with this money. I am going to read it myself so that it will be in the RECORD:

Experimental and research laboratory: For laboratory and research work on the subject of gun erosion, torpedo motive power, the gyroscope, submarine guns, protection against submarine, torpedo and mine attack, improvement in submarine attachments, improvement and development in submarine engines, storage batteries and propulsion, improvement in radio installations and such other necessary work for the benefit of the Government service, including the construction, equipment, and operation of a laboratory, the employment of scientific civilian assistants as may become necessary, to be expended under the direction of the Secretary of the Navy, $2,000,000.

It starts out by saying "For laboratory and research work." How much of this appropriation is going to be used for the construction of a laboratory? How many scientific civilian assistants are to be hired and paid out of this appropriation of $2,000,000? This so-called scientific consulting board, I understand, is an extra official body and not under the employment of the Government at all. Who is to say what their relation will be and how much they will have to say about running this thing? Who is to say what is to be done when they disagree?

The truth of it is this appropriation of $2,000,000 is to expended by the Secretary of the Navy in his discretion. According to the letter of Mr. Edison which was read at the desk, he says there ought to be $5,000,000 appropriated for this service to do it effectively. I am perfectly willing to vote to appropriate $5,000,000 or $10,000,000 to investigate this subject if the end of it can be seen and if it is to be done upon a plan and a schedule which would appeal to the judgment of business men.

It is perfectly evident from this amendment—at least it is perfectly evident to me—that no Senator on this floor and no Senator on the committee who has advocated it has any definite idea in his mind about what is to become of this appropriation of $2,000,000, except that it is to be benevolently assimilated according to the intuitions of the Secretary of the Navy and disbursed according to his pulsating generosity.

That is not the way for the Government to go ahead and appropriate money. As to every other department of the Government the two Houses of Congress, after a specific examination of witnesses before the committee, decide what the salaries of every official and every employee, even down to stenographers and doorkeepers and clerks, shall be. Here no man knows what is to be done.

Mr. SWANSON. Will the Senator permit me?

Mr. BRANDEGEE. I will.

Mr. SWANSON. In a large construction like that of the factory of the Ford automobile, I have no doubt that they have for their purpose a regular factory with a laboratory to develop their engines and to develop their machinery. Yet this Government, in the Navy Department, has no such laboratory.

Mr. BRANDEGEE. I do not yield to the Senator to make a speech inside my speech. The Senator has made two speeches and he can make as many as he has a mind to, but not in my time. I will yield to the Senator or to any other Senator for a question.

I understand perfectly well that the Ford Motor Co. and every other successful enterprise has its advisory department and its experimental department and its laboratories and it attempts to get the best men it can for intelligent experimentations. I admit that the subjects that are enumerated in this amendment are obscure and highly technical and they are very necessary subjects to be investigated. They are being investigated before the country to-day by the very kind of experts who were mentioned by the Senator from Virginia.

It may be desirable to have a Government experimental station and an investigating laboratory here in Washington, and if so I will vote for one. I should like, however, to feel when I vote for a few trifling millions in a jaunty and flippant way that I at least could see the finishing of the factory before the money was expended and would have some sort of an estimate about what probably the next session of Congress might be called upon to appropriate for running it after the first year.

Of course this amendment contemplates not only that the laboratory will be built but it states here that this money is to be used for operating it as well. I do not know whether there is an estimate or whether it is contemplated to put this $2,000,000 in a factory or a laboratory and then at the end of the year come in with a deficiency and say, "Well, it was the opinion of such scientists in consultation with the Secretary of the Navy that it would be bad public policy for the Government to invest only $2,000,000 and we thought it would be wasting the money. Therefore, we have taken it upon ourselves to lay this plant out so that to complete it will cost $4,000,000, and we ask you for $2,000,000 to complete the plant." It does not appear from this whether the $2,000,000 is to complete it or not for laboratory and experimental purposes, including the erection of factory.

If I thought for $2,000,000 the whole laboratory could be built, completed, and equipped and then operated that would be one thing. As I said, I am willing to vote for this or any other sum if it will be handled on a business basis by a business department of the Government and officials put in charge and held responsible, the number of scientific employees enumerated, and the salaries fixed. I would be perfectly willing to vote for such a provision, but I do not think this has had proper consideration at all.

Mr. GALLINGER. I move to amend the amendment by inserting after the word "laboratory," in line 12, the words "to be located in the city of Washington on land owned by the Government."

Mr. TILLMAN. Mr. President, I am not surprised that our friends from New England should be opposed to this amendment, because their custom has been since I have been in Washington to have inventions for the benefit of themselves, not for the Government. They take out patents and charge the Government enormous profits on them. Perhaps I would do the same thing. In any experiment made by private parties it is always necessarily for the benefit of the private parties. This is a Government experiment station, or, rather, a Government laboratory, under the Secretary of the Navy, and I at least have enough faith in the Secretary to believe that he will expend this money economically and honestly, and that any inventions or discoveries that are made will be for the benefit of the Navy and not for some patentee, to grind Uncle Sam and get rich out of him.

I hope this amendment will remain in the bill.

Mr. BORAH obtained the floor.

Mr. GALLINGER. I ask that the amendment I submitted be stated at the desk.

The VICE PRESIDENT. The Secretary will state the amendment offered by the Senator from New Hampshire.

The SECRETARY. The Senator from New Hampshire proposes the following amendment to the amendment of the committee. On page 42, line 12, after the word "laboratory," insert:

To be located in the city of Washington on land owned by the Government.

Mr. BORAH. Mr. President, I realize the force of the argument made by the Senator from Nebraska [Mr. NORRIS] as to the necessity of having the scientific judgment of those who are best capable of giving it upon these matters connected with making more efficient and perfect our Navy. But the difficulty with this proposition is that it is a leap in the dark. If a bill were presented here outlining in detail how this should be done, where it should be located, how it should be managed, how it should be operated and taken care of, I could understand the force and effect of the argument of the Senator from Nebraska and I would be perfectly willing to vote with him. But I have read Mr. Edison's statement since I have been sitting here in regard to this matter, and it is just as indefinite with reference to the plans and details or with reference to the future as the general argument here in regard to it.

Doubtless Mr. Edison, with his great capacity, knows what he desires to do, but really the men who vote the money and who are responsible in the future for the large amount which is voted ought to know something about the details; and it ought to be put in the form of a bill, and it ought to come here as a separate proposition, with the details carefully stated.

Mr. Edison and his men claim that nothing less than $5,000,000 will be of any practical value. We are to make a start with $2,000,000. They all agree that they really ought to have $5,000,000 to start with, and, of course, $5,000,000 to start with would undoubtedly mean other millions annually for years to come.

In other words, we can not put up an experimental station in six months or a year and have it of any value. We must

sustain it and keep it up; and, according to the estimate made by Mr. Edison, to start out with $5,000,000 means millions of dollars annually thereafter undoubtedly for years.

Before we incur such an obligation it ought to be put in such a form that we will know precisely how it is to be administered, and how, for instance, if Mr. Edison should be called hence, who is to take his place and how it is to be operated. I think it is a matter of detail that is wanting here and not a lack of spirit to start an investigating laboratory.

Mr. SWANSON. If the Senator will permit me, this will be left under the Navy Department, and, if Mr. Edison were to die, it would still be under the control of the Navy Department. These 22 scientists are to consult with the Navy, and it is left with the experts of the Navy to have a laboratory in which to devote their minds in ascertaining the scientific facts in connection with the problems that are unsettled now and that are of the utmost importance in connection with torpedoes, submarines, air craft, the manufacture and use of gun powder, and so forth.

When the department earnestly asks to be put on an equal footing with private plants that construct guns, with private plants that make gunpowder, with private plants that sell torpedoes, with private plants that sell submarines, with their various laboratories, research work, and scientists it seems to me but right that the Government should have at least an equal opportunity to have a laboratory under the control of the Navy Department, simply consulting with the 22 scientists appointed by a body of 11 scientific institutions, who give their services to the Government and of which Mr. Edison is chairman.

Mr. BORAH. Mr. President, if the Secretary of the Navy should entertain the same view with reference to the Navy to-day or to-morrow that he entertained a year and a half ago, I would have no encouragement whatever to vote for this kind of a proposition. I am aware that since that time he entertains views which would perhaps lead him to make this a different proposition to what he would have made it a year and a half or two years ago. But suppose he should pass out of office after the 4th of next March, which is liable to happen, and suppose it should occur that the next Secretary of the Navy should have a different view of things, shall the Government of the United States appropriate $2,000,000 or $5,000,000 without any detail or instruction or provision whatever as to maintaining the laboratory—as to how it shall be maintained? Shall our judgment not be incorporated or crystallized into law? Shall we, who are responsible for the appropriation of this money, exercise no judgment whatever as to the manner in which the laboratory shall be operated and sustained?

I think we are abandoning our duty when we fail to do those things. This is just a lump-sum appropriation without any direction as to use. I am not opposed to the cause, but no cause is good enough to justify such a loose method of appropriatin.

Mr. SWANSON. What amendment would the Senator suggest defining and outlining specifically how the money shall be spent?

Mr. BORAH. It does not outline anything at all.

Mr. SWANSON. As to whether the building will cost $1,000 or $1,050 or as to whether they will need one clerk or two clerks can not be determined until it is organized and the scope of it fixed by men in whom you have confidence, it seems to me it is difficult to be more specific than the language now is.

Mr. OVERMAN. Mr. President, I asked the Senator from Virginia a question as to what would be the cost of the plant. He said $1,500,000. Then they want $500,000 in a lump sum for the purpose of carrying on the plant. It does seem to me that $500,000 for carrying on the plant is too much.

Mr. SWANSON. The Senator is mistaken. Mr. Edison in his letter said they will have to get copper and various materials to make these investigations, chemically and scientifically and practically. I can understand how a great many private manufacturing establishments competing with the Government wish to have the Government dependent upon their discoveries and their science antagonize this provision. The Government competes for submarines. There are private plants. The Government competes in powder, it competes in guns. We make some of the best guns we have. I can understand why they can ridicule this proposition. I can understand why they want to keep the Government eternally dependent upon their experiments and their discoveries. But I can not understand how in regard to this laboratory the language can be more definite than it is. Mr. Edison said that $500,000 would be needed to furnish the material and the labor for the first year. After it is organized and started you can come to a more specific direction of it. The Navy Department in this branch could not have started out with clerks 10 years ago to begin with. It is only within the last eight or nine years that there has been a divided department. You start with a lump sum and then it is divided into different departments. You ascertain what clerks are needed in each one of the departments. It is only in the last 10 or 15 years that it has been able to get outside of the lump-sum appropriation in the Navy Department.

Mr. OVERMAN. Does Mr. Edison say that it will take $500,000 to purchase material and labor?

Mr. SWANSON. His letter so states.

Mr. OVERMAN. I did not hear it read. I am heartily in favor of something on this line, but it seems to me that $500,000 is an enormous lump sum to put in the hands of one man to make what selection he pleases and pay it out just as he pleases.

Mr. SWANSON. I should like to tell the Senator that there are some inventions in connection with smokeless powder which were discovered by the Government and the Government ought not to have let other people have them. If our Government had kept those discoveries to itself, it would have been almost invaluable. The secrets of our scientific men connected with the Navy Department should be kept by the Government alone. It would be worth ten times the money if these inventions and discoveries made in these laboratories belong to the Government and are not given to all the world.

Mr. OVERMAN. The question is whether it takes $500,000 to do it.

Mr. SWANSON. No; only $2,000. Last year we had to get out an injunction to prevent our torpedoes, in which we had made the discovery, from being sold to foreign Governments by private people manufacturing them in this country.

Mr. BORAH. Mr. President, that is all very well, but it is not so guarded or protected by this amendment here. Those things might occur, even after these most valuable things should have been discovered after this laboratory research. That is the objection to it. There is no protection to the Government anywhere. There is not even protection as to the manner of expending the money. It says, "for laboratory and research work," and so forth, "to be expended under the direction of the Secretary of the Navy, $2,000,000." I repeat it is not the purpose, but the loose and reckless way in which it is done.

I am not going to criticize the Secretary of the Navy nor intimate for a moment that he would not spend it just as honestly as any other Secretary of the Navy; but does the Senator from Virginia think it wise to simply turn over vast sums of money to the unlimited discretion of the head of a bureau? It is an unwise and an unsafe way in which to legislate with reference to public money.

Mr. SWANSON. Does the Senator want me to answer that?

Mr. BORAH. Yes.

Mr. SWANSON. I will say, to begin this work Mr. Edison made a very full statement with the other men, and fixed up as accurately as could be done what was needed. They thought a great deal more than this amount would be needed. We could not say how much would be needed for the construction of the plant and the purchase of the machinery. We could not say what kind of machinery is wanted, whether it ought to be $1,000 or $10,000 for machinery. After one year from now I think Congress ought to investigate it thoroughly and rigidly and fix and determine what line of expenditure is needed, and organize that service like it organizes everything else.

I can remember when I was in the House, many years ago, the Post Office Committee appropriated a lump sum, and it could not do otherwise until the Post Office Department had decided on the number of clerks needed and the number of rural carriers. It is only by evolution and development that you can specify accurately.

All I ask is to let this start, and next year I will be as rigid and demand, as much as the Senator from Idaho, that the appropriation shall be itemized, the salaries fixed, and the entire matter organized like other departments are organized.

Mr. TILLMAN. I should like to ask the Senator from West Virginia [Mr. CHILTON] to prepare an amendment to the amendment requiring an itemized report next year as to what this money is spent for.

The VICE PRESIDENT. The question is on the amendment of the Senator from New Hampshire [Mr. GALLINGER] to the amendment of the committee.

The amendment to the amendment was agreed to.

The VICE PRESIDENT. The question recurs on the amendment of the committee as amended.

Mr. CHILTON. On page 42, line 10, before the word "improvement," I move that there be inserted "aeroplanes and air craft."

Mr. SWANSON. I accept that.

Mr. CHILTON. I understand that the amendment to the amendment is accepted.

The VICE PRESIDENT. The amendment to the amendment will be agreed to, without objection.

Mr. CHILTON. After the figures "$2,000,000," in line 15, I move to insert:

$2,000,000: *Provided*, That the Secretary of the Navy shall make detailed reports to the Congress showing the manner in which all expenditures hereunder have been made.

Mr. SWANSON. I will be very glad to have that agreed to and to have the report as full and complete as possible.

Mr. GALLINGER. I think it had better be in the form of a proviso.

Mr. CHILTON. I drew it hurriedly. Let it be a proviso.

Mr. SWANSON. I accept that.

Mr. GALLINGER. Let it be read.

The SECRETARY. So as to read:

$2,000,000: *Provided*, That the Secretary of the Navy shall make detailed reports to the Congress showing the manner in which all expenditures hereunder have been made.

Mr. CLARK of Wyoming. It seems to me there ought to be some definite date as to when the report shall be made.

Mr. TILLMAN. In the next annual report.

Mr. SMOOT. I do not think it would be proper to put it in the annual report. The Secretary of the Navy ought to report to Congress not later than June 30, 1917.

Mr. CHILTON. I accept that modification.

Mr. SWANSON. We accept that.

Mr. BRANDEGEE. Let it read "not later than June 30, 1917, and annually thereafter."

Mr. SWANSON. "And annually thereafter."

Mr. CHILTON. I accept that, too.

The VICE PRESIDENT. The amendment to the amendment will be read as modified.

The Secretary read as follows:

Provided, That the Secretary of the Navy shall make detailed reports to the Congress not later than June 30, 1917, and annually thereafter, showing the manner in which all expenditures hereunder have been made.

The VICE PRESIDENT. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The VICE PRESIDENT. The question is on agreeing to the amendment as amended.

Mr. NORRIS. On that I ask for the yeas and nays.

The yeas and nays were ordered.

The VICE PRESIDENT. The Secretary will call the roll.

Mr. GALLINGER. Mr. President, I will suggest the absence of a quorum.

The VICE PRESIDENT. The Senator from New Hampshire suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Curtis	Martin, Va.	Smith, Ga.
Bankhead	Dillingham	Nelson	Smith, S. C.
Borah	Gallinger	Newlands	Smoot
Brady	Gronna	Norris	Sterling
Brandegee	Harding	Oliver	Swanson
Broussard	Hitchcock	Penrose	Taggart
Bryan	Hollis	Pittman	Thomas
Catron	Husting	Poindexter	Thompson
Chamberlain	Johnson, Me.	Pomerene	Tillman
Chilton	Jones	Ransdell	Walsh
Clapp	Kenyon	Shafroth	Weeks
Clark, Wyo.	La Follette	Sheppard	Williams
Culberson	Lee, Md.	Sherman	Works
Cummins	Lodge	Smith, Ariz.	

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). Fifty-five Senators have answered to their names. A quorum is present.

Mr. CHILTON. Mr. President, I wish to make one suggestion, with the permission of the Senate, upon the section of the bill found on page 42, which is now under consideration. The House put in a general provision allowing $1,500,000 for a laboratory. The Senate committee proposes to increase that to $2,000,000 upon the lines of the recommendation of Mr. Edison, one of the experts who have given their services to the Government in this emergency. He said $2,000,000 would probably be sufficient for the purpose.

Mr. President, I confess that I am very much amazed that anyone who advocates preparedness for this Government should hesitate as to the advisability of this appropriation. The word which is upon the lips of the world at this time is "efficiency." Those who have been efficient in private life have pointed the way by which the Government may be efficient. Take great concerns like the Ford establishment, like the Standard Oil Co., like the United States Steel Co., and the great railroad organizations and combinations of the country, which have developed upon lines of efficiency, and the first thing which they do before they begin operations is to ascertain what they are going to do. It is impossible in manufacturing to accomplish results except by experiment.

I take no stock in this talk about the Government not getting the benefit of private invention and that this amendment may bring advantage that way; there is nothing in that. The development of an engine is simply a process of "cut and try"; it is test; and you can not test unless you have a place in which you can experiment under scientific observation and preparation.

Mr. President, it is amazing that when this Government is to start out to build a Navy and proposes to go into fields which to the most of us are new, where we must test submarine engines, air craft, and submarine craft—where they will go into all of this difficult and intricate work, involving new machinery, involving new kinds of bombs and explosives—and yet the Government must spend these hundreds of millions of dollars in the dark.

To my mind it would be most unwise for us not to profit by the lessons of experience. We have called in men who have knowledge, who have had experience in these affairs, and all of them have told us that the first thing to do is to have a laboratory, a place where we can, under the eyes and instruction of men who know, make these tests. If we do not have a laboratory we shall be simply working in the dark, blinding ourselves to the experiences of modern success, and, I might say, of intelligent management in private life. Success in private enterprise is based upon knowledge. In mechanics knowledge is based upon experiment and test. Recognizing that the great minds which had developed steam and electricity would be useful to the Government, we have called many of the successful business men and engineers to our council board, and they have patriotically responded. The first thing advised by them is to follow the rules which have brought good results in private enterprise, and in this advice the Secretary of the Navy concurs. This amendment is in response to that advice, and I submit no good reason for failing to act upon that advice has been advanced.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER (Mr. WALSH in the chair). Does the Senator from West Virginia yield to the Senator from Idaho?

Mr. BORAH. I desire to ask the Senator a question.

Mr. CHILTON. I will not guarantee to answer the Senator's question, but I will endeavor to do so.

Mr. BORAH. I think the Senator will be able to answer without difficulty. Is it the purpose to defer the expenditure of the $315,000,000 proposed to be appropriated by the pending bill until this laboratory can demonstrate the wisdom of building or the best method of building the new ships?

Mr. CHILTON. I take it that we should defer the expenditure of as much of it as possible until something is demonstrated. Meanwhile we should proceed along beaten lines. I think, however, the idea is that we shall probably make some discoveries or inventions in this country which may startle the world. I think we have as much initiative here, as much brains, as much energy, and as much inventiveness as have any people on earth. We have found that some nations of the world are now facing odds in men, odds in money, odds in natural advantages, and yet they are holding their own by efficiency, and we are informed that their Governments have shown them how to be efficient. I desire that we shall follow in their tracks as nearly as we can. Our activities have been exerted along lines that develop the useful for a peaceful people. Until quite recently it has not occurred to us as a people that there exists even a remote chance that the peaceful development of our resources could be disturbed. But, since the Congress deems it wise to take out an insurance policy in the shape of a strong Navy, it is our duty to see to it that none shall surpass us; and I firmly believe that, with our talent focused upon the work, none can equal us. But we can not solve the mysteries of chemistry except by experiment; we can not make the best air craft nor the best submarine unless we proceed by patient and intelligent test, as has private enterprise. He is indeed a brave adviser who would turn down, without strong reason, the mature advice of Thomas A. Edison.

Mr. BORAH. Mr. President, I appreciate that, but I am in favor of a strong Navy, and always have been. It has, however, occurred to me that it might be well if we should defer action with reference to expending some of these larger sums until we shall have had the entire benefit of the work of this corps of experimentation; but I did not understand there was any purpose to defer the expenditure of this $315,000,000 until we had experimented as to what it was best to do with it. I wish we could have the full benefit of all the lessons of the war before expending so much money; but, on the other hand, there are many reasons which seem to forbid delay.

Mr. CHILTON. And nothing which I said should cause the Senator from Idaho to change his impression. Of course, we can go along on certain beaten tracks; we can build dreadnaughts; we can build the kind of submarines that now seem to be most efficient; but we hope to go into the field of development and experiment and be the pioneers in invention. If the

purpose of the world is to invent things which kill people, as Mr. Edison says, we can be just as efficient in that as we have been along the paths of peace.

Mr. GALLINGER. Mr. President, will the Senator from West Virginia permit me to ask him a question?

Mr. HITCHCOCK. Mr. President——

The PRESIDING OFFICER. Does the Senator from West Virginia yield, and, if so, to whom?

Mr. CHILTON. I will yield first to the Senator from New Hampshire.

Mr. GALLINGER. Without committing myself one way or the other on this amendment, I desire to ask the Senator from West Virginia, who has made a plea for efficiency, if he recalls the fact that in almost every appropriation bill which has been passed this year we have repudiated the tests for efficiency which private establishments have made, and that we have provided that money shall not be expended if those efficiency tests are applied? I believe the Senator from West Virginia voted for all those provisions.

Mr. CHILTON. Mr. President, the Senator from New Hampshire has made a very general statement, and not meaning to contradict the Senator, for he knows the high regard in which I *hold him*, I do not think the action of this Congress will justify the sweeping indictment which the Senator now makes.

Mr. GALLINGER. Am I not correct in my statement?

Mr. CHILTON. And it will not be long until the people will hear and try the Senator's indictment; and Senators upon this side of the Chamber have no fears as to what the popular judgment will be.

Mr. GALLINGER. I again ask the Senator from West Virginia the question whether we have not in our appropriation bills denied the Government the right of applying the efficiency tests that almost every great manufacturing establishment in this country has in vogue to-day? Is that not true?

Mr. CHILTON. I do not think so; but, even if we have done so, now is the time to stop, and we should from now on go in the right direction.

Mr. OLIVER. Mr. President——

Mr. HITCHCOCK. I should like to ask the Senator a question.

Mr. OLIVER. I call the attention of the Senator from West Virginia to the fact that that same provision is in the pending bill.

The PRESIDING OFFICER. Does the Senator from West Virginia yield; and if so, to whom?

Mr. CHILTON. I yield to the Senator from Nebraska for the present.

Mr. HITCHCOCK. Mr. President, in the bill as it came from the other House there is an appropriation of $1,500,000 for a laboratory and testing establishment.

Mr. CHILTON. No; that is merely for a laboratory.

Mr. HITCHCOCK. The amendment which the Senator advocates, and which is presented by the committee, provides for an additional $500,000. Will the Senator state what evidence there is that an additional $500,000 is needed?

Mr. CHILTON. That necessity developed further this morning, when probably the Senator from Nebraska was not in the Chamber. If he will examine the testimony of Mr. Edison, he will see that Mr. Edison testified that we should not begin this work with less than $2,000,000; and the committee thought, inasmuch as the Government had called in these master minds, who had been successful, we should largely carry out our experiments upon the lines suggested by them. It was that testimony which was before the committee that induced the committee to insert $2,000,000 instead of one and a half million dollars.

Mr. HITCHCOCK. Is it not also true that the House committee had expert testimony before it?

Mr. CHILTON. I do not know whether they had that testimony before them or not. I only know what is before us, and it would be improper for me to criticize what the House did or to make any comments upon it. I am interested only in what the Senate committee did.

Mr. SWANSON. Mr. President, if the Senator will permit me, I desire to state that the House appropriation was for a million and a half dollars, but Mr. Edison, who is the chairman of this board of experts, stated that, unless we gave them $2,000,000, that appropriation would not be sufficient to start a laboratory and do work which would be satisfactory to the Government; that we ought to either abandon it altogether or to make an appropriation of $2,000,000. He stated that one million and a half dollars would be necessary for a plant and $500,000 would be necessary for the purchase of material needed for the various experiments provided for on page 43; and that, unless Congress thought it could appropriate that amount of money for this research laboratory and experimental work, we had better make no appropriation at all; that he thought it ought to be made a success; but that it was useless to try to do it with that small amount.

Mr. HITCHCOCK. Yet, in the face of that testimony, the House only provided for an appropriation of $1,500,000.

Mr. SWANSON. The House only made an appropriation of a million and a half, but the bill came to the Senate, and Mr. Edison made that statement in a letter written to the chairman of the committee, the Senator from South Carolina [Mr. TILLMAN], which has been read.

Mr. TILLMAN. That letter from Mr. Edison was read at the Secretary's desk.

Mr. HITCHCOCK. What I am trying to find out is this: The House of Representatives went into this question very elaborately; it heard the testimony of experts; in fact, I understand the House committee gave larger and longer hearings than did the Senate committee; and yet, after those hearings, the House provided for a laboratory at a cost of $1,500,000. Now, is the Senate committee depending altogether and only upon the testimony of Mr. Edison as a reason for proposing this appropriation of an additional half million dollars?

Mr. SWANSON. No. The Secretary of the Navy also appeared before us and discussed the matter with us. He was very urgent that the appropriation should be increased to $2,000,000. It seems to me that the men who are making these estimates in the various departments and the 22 scientists, including Mr. Edison, who have no purpose, except to serve the Government without pay, should know more about this subject than we do. It seems to me, if they say it is useless to give them only a million and a half dollars for this purpose, we should follow their advice, and give the necessary sum. We presented to the Senate the recommendation of the Secretary of the Navy and also the recommendation of Mr. Edison, stating the conditions.

Mr. CLARK of Wyoming. Will the Senator from Virginia yield for a question?

Mr. SWANSON. Yes.

Mr. CLARK of Wyoming. What was the appropriation which the House of Representatives made?

Mr. SWANSON. They appropriated a million and a half dollars.

Mr. CLARK of Wyoming. They only appropriated a million dollars, I think.

Mr. SWANSON. They appropriated a million and a half dollars, but only a million dollars was authorized to be expended this year.

Mr. CLARK of Wyoming. Only a million dollars is appropriated for this year?

Mr. SWANSON. For this year.

Mr. CLARK of Wyoming. And the Senate committee proposes to appropriate a million this year. Then, the Senate committee takes the appropriation of the other House and Mr. Edison's estimate of $500,000 and adds $500,000 to both of those items in order to reach the $2,000,000?

Mr. SWANSON. The House authorized an appropriation of one and a half million dollars, and made an appropriation of $1,000,000 of that amount for this year. The Senate committee recommends an appropriation of $2,000,000, and authorizes nothing. We simply add a half million dollars. Mr. Edison says he wants to work three shifts a day to equip the laboratory and start the work quickly. His letter shows that he has thought it all out.

Mr. CLARK of Wyoming. I understand that perfectly, and I am taking that into consideration; but is not this the fact, that the House, without the letter of Mr. Edison, appropriated a million dollars, and the Senate committee, with the letter of Mr. Edison, has recommended an appropriation of $2,000,000? The House authorized the cost of the laboratory to be $1,500,000.

Mr. SWANSON. No; the Senator is mistaken. If he will look at page 42 of the bill, he will find that the limit of cost in the House bill is fixed at not to exceed a million and a half dollars.

Mr. CLARK of Wyoming. I am not speaking of the limit of cost; I am speaking of the appropriation.

Mr. SWANSON. I have said to the Senator that the House appropriated a million dollars and authorized the expenditure of a million and a half dollars.

Mr. CLARK of Wyoming. Exactly so.

Mr. SWANSON. Now, the Senate committee proposes to authorize an appropriation for the same purpose of $2,000,000.

Mr. CLARK of Wyoming. The Senate provision proposes to appropriate $2,000,000.

Mr. SWANSON. It authorizes enough to complete the laboratory.

Mr. CLARK of Wyoming. Then, my first statement is absolutely correct so far as the appropriation is concerned. The

Senate committee takes the House appropriation of $1,000,000; then it allows Mr. Edison's estimate of $500,000, and adds $500,000 more to complete what the House authorized both for this year and for future years.

Mr. SWANSON. The purpose being, as Mr. Edison says, to complete the laboratory quickly. I hope the Senator has read his letter——

Mr. CLARK of Wyoming. Yes, I have.

Mr. SWANSON. In which he says that he expects to work three shifts and to get it equipped quickly, for if it is going to be done at all it ought to be done quickly.

Mr. CLARK of Wyoming. I understand all that. The only purpose of my inquiry was to find out exactly what this appropriation consisted of and the reason for the increase of $500,000 over the House appropriation and over the amount thought necessary, as disclosed by Mr. Edison in his testimony.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER (Mr. ASHURST in the chair). Does the Senator from West Virginia yield to the Senator from Utah?

Mr. CHILTON. I have yielded the flood.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. SMOOT. Mr. President, the Senator having the bill in charge made the statement that the laboratory work would involve the examination of $315,000,000 work of construction work as provided in this bill.

Mr. SWANSON. The Senator is mistaken. There is not that much construction work involved in the bill. I said that $139,000,000 worth of construction work is involved in the bill. We will spend that much in new construction, including submarines, and so forth. We have not yet found a motor that is entirely satisfactory for submarine use, and everybody knows that the motors in connection with our air craft are not satisfactory.

Mr. SMOOT. I am aware of that, Mr. President.

Mr. SWANSON. I say that, in view of the amount involved in construction work, we can well afford to expend $2,000,000 for a laboratory to engage in research work and to advise the department in connection with unsolved problems.

Mr. SMOOT. The amount of construction provided for in this bill will be taken care of in Government navy yards or private yards wherever the vessels are built. Every possible test is made to-day in the navy yards of the Government, just as in private yards. The proposed laboratory will not divert the work from the navy yards, but if it is carried on in conjunction with the work in the navy yards it will result in duplication. Not only that, but this laboratory will not be located where the tests must necessarily be made. So this money which is being appropriated is for experimental work along the lines of improvements and discovery of new kinds of instruments of warfare. It is to study improvements in submarines and for the investigation of improvements in torpedoes, aeroplanes, and so forth.

The laboratory will be located under one roof; it will not be where the work in connection with naval construction is being undertaken and completed. Tests of metal are made to-day in Government yards, just as tests are made in private yards, and efficiency methods are supposed to obtain in the Government yards the same as in private yards. The board of experts referred to by the Senator will never have anything to do with that class of work. This item is for investigation, not construction.

After the hearings which the House held, and at which Mr. Edison appeared and made his statement, the House decided that they would authorize an appropriation of $1,500,000. The amount expended for the laboratory, including research work, construction, equipment, and operation, was not to exceed $1,500,000, and the House appropriated $1,000,000 for this year. Why? Because the House knew that, considering the testimony, the construction of the laboratory and the construction and gathering of the machinery could not be accomplished in a year, and so they decided that $1,000,000 was all that could be expended profitably during the year; but they provide that plans could be approved for the expenditure of $500,000 more. That is what the provision of the bill as it came from the House says, and that is the program mapped out by the House. The Senate committee now proposes to add $1,000,000 to the appropriation made by the House. That is the situation as it exists.

Mr. WILLIAMS. Mr. President, this is preeminently one of those things which, if it is to be done at all, ought to be done just as quickly as possible. Mr. Edison is exactly right about that. The House appropriated, to be expended this year, $1,000,000, and authorized $500,000 to be spent next year. Mr. Edison says that if both these sums are used we will still fall $500,000 short of what is necessary, and advises that it is better to drop the whole thing rather than to spend $1,500,000 during the two years, or even one year, and accomplish nothing.

Now, as to the importance of this laboratory: There is nothing more important in the world than to keep up with all the new ideas that are offered in connection with warfare at this time. The very fact that Germany has done that; that she has her scientific governmental and Krupp laboratories to test every new idea, to examine it thoroughly, to test everything in connection with it, from the idea itself to the finished model, accounts for the fact that she entered upon this war with superior aeroplanes, superior submarines, and superior nearly everything else, including big guns. It all came from the fact that the Government tested all those things, and that the inventions and the testing she was able in many cases to keep secret.

There is hardly a Senator here—I reckon not one—who does not get from time to time letters or see a visitor suggesting what the inventor considers a very valuable idea—valuable to the Navy or valuable to the Army or valuable in the aeronautic service. He is sent down to the Navy Department or to the War Department, where there is absolutely nobody who can give him a sufficient hearing and who can sufficiently test out his device. "I have a contrivance here," he says, "which, in my opinion, will blow up a battleship at 20 miles," let us say. He may be a wild man; in nine cases out of ten he is; perhaps in forty-nine cases out of fifty; but the fiftieth man is not a wild man, and it is the tenth or fiftieth man who counts in the world's progress in inventiveness, not only in peaceful industry but in warlike industries.

Now, what is the use of inaugurating this laboratory at all unless you inaugurate it at once and appropriate every dollar at once which you propose to authorize, and let the construction take place as soon as possible, so that the laboratory may be put in full working order, with three shifts, so that it will not be behindhand, and so that whenever any man comes with an idea it may be tested? Ideas, by the way, are the most precious thing in this world. Although perhaps nine-tenths of so-called ideas are not ideas at all, yet when a man has a real idea it is the most precious thing in the world. Now, here is a man who comes and says, "I have a new gun which, in my opinion, will shoot faster and shoot farther and more accurately and will do more damage than any other gun you have." We have no one who sits in judgment upon that who is able to assist and at the same time safeguard the inventor. Here is a man who comes along and says, "I have a peculiar sort of thing which when applied will keep barnacles off the bottoms of warships when you have not time to carry them into fresh water, so that the barnacles may drop off." On a case of that kind I myself spent I do not know how long trying to help the man who said he had it; but I never could get a test or examination of that man's invention. There is nobody to do it.

You do not want routine naval officers to do it. That has not been in the line of their thought; they are not fitted to do it. What you want is a man like Edison and men like the other men who are, as members of this board, offering their services to the country; inventors themselves, mechanicians, scientists, who know things when they see them, and who in half the time that would be consumed by others can determine, first, whether the idea is good; and, secondly, whether the method of putting the idea into practical application is good. They decide the first point upon the knowledge which they already possess of things of that sort, and then for the second point they take the machine or other thing and actually test it in the laboratory. A man comes and says, "I have a new explosive which excels anything in existence." We want, to a certain extent, to keep the testing of it private. This board can test it in secrecy in the Government laboratory, and it can at least be hoped, if the thing is proven a success, that the Government can thereafter keep its own secret.

I do not regard anything in this bill as of so much initial importance as this very item, and I regard the idea of putting off its execution, if you are going to do it at all, as folly.

> If it were done when 'tis done, then 'twere well
> It were done quickly.

If you need it, you will need it in three or four years; if you need it at all, in my opinion, you will need it in less time than that. Perhaps you will never need it at all; but it is like David Crockett's pistol. He told the boy to put it on and keep it loaded, oiled, and bright, saying:

> Maybe you will never need it at all; but if you do need it, you will need it like the dickens, and you do not want to have to lose time when you get ready to use it.

Mr. SMOOT. Mr. President, may I ask the Senator a question?

Mr. WILLIAMS. Certainly.

Mr. SMOOT. I want to call the Senator's attention to the fact that every year we appropriate not only in the Army bill but in the Navy bill hundreds of thousands of dollars——

Mr. WILLIAMS. I know that——

Mr. SMOOT. For the testing of all sorts of inventions.

Mr. WILLIAMS. Oh, yes.

Mr. SMOOT. We have a board for that purpose; that board has worked for years and years along those lines; and we have appropriated millions of dollars for that class of work.

Mr. WILLIAMS. But that is not a board composed of inventors and of chemists or other scientists or of men who have made a practical success in the particular line of work and thought. The existing boards are composed of routiners who are absolutely—well, I will not say that—but who are relatively helpless for the purpose. Those boards which test existing machinery to see whether the steel is right, to see whether the armor is of the right character, of course are fully competent for all the work they do; but if you are going to have a board to test new inventions and see that they come up to the representations, the boards that you have now do not answer the purpose. They have not behind them the laboratory, they have not, therefore, behind them the proper and full opportunity to test, and they have not behind them the thought training that makes them equipped for it.

Mr. SMOOT. Well, the boards may not be perfect; but I doubt the statement that the Senator made as to their not answering the purpose of which they were organized. There is no question but that modern inventions of all kinds that are referred to this board—and thousands and thousands of them are referred—are investigated by that board, and many of them have been adopted and many of them rejected.

Mr. WILLIAMS. Oh, yes; and I believe among those rejected was the Lewis gun.

Mr. LA FOLLETTE. Which is recognized by England to be the most efficient weapon that there is.

Mr. WILLIAMS. Yes; and they have naturally rejected a great many good things, because they are a conservative, routine body.

Mr. SMOOT. We have no reason to believe that the men that would be appointed under this provision would be any other than conservative men; and they, too, would make mistakes, the same as the board made a mistake, perhaps, in rejecting the Lewis gun.

Mr. WILLIAMS. But surely the Senator knows we have. We know the personnel of the board beforehand. We know that they are men who have made themselves illustrious in the world of invention and in the world of standardizing and in the world of industrial efficiency, in the world of "new things."

Mr. SMOOT. Mr. President, I do not think they know any more in relation to the usefulness of a gun or what it could accomplish in case of its use in war than the board that passed upon the Lewis gun. The present board consists of men that we rely upon to direct our Army and to direct our Navy. They have been educated by the Government of the United States for the purpose of knowing just what is required in a gun to make it the most effective in time of war.

Mr. SWANSON. Mr. President, will the Senator permit me to interrupt him?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Virginia?

Mr. SMOOT. I do.

Mr. SWANSON. One of the greatest problems we have to solve in connection with submarines—which, as the Senator knows, run under water entirely by electricity—is how they can make electricity and store it in batteries. Now, here is Edison, the greatest man on electricity in the world, ready to assist in solving the submarine problem if you can store enough electricity. He is willing to give his services to this Government free to solve many of those difficult problems. Now, of course, I can understand that the people who have developed other submarines do not want that done.

Mr. SMOOT. As to the intimation made by Senators that the Senators who are opposed to this provision are working in the interest of some private individual or some corporation, it is unworthy of the Senators who made it. I do not know the makers of submarines in this country, and I do not care who they are. I never think of the individual. I never legislate for individuals or any class of corporations. I vote as I think best for the country as a whole.

Mr. GALLINGER. Mr. President, the creation of a scientific and technical board appeals to me very strongly. I chance to know of two inventions that men of rather remarkable accomplishments have made during my term in the Senate that were taken to the departments, and in each instance the reply that was given was: "We have technical men in the Navy Department and in the War Department that can do this work better than any outside party," and they were rejected practically without examination.

I really do think, however, without going into the merits of this amendment particularly, that if we are to have this great Navy and this great Army it would be well for the Government to have a board of scientists such as Mr. Edison and his associates on this voluntary board, I believe it is, which has been created, and that they could be of inestimable value to the Government in passing upon inventions that might be submitted to the Government for its consideration.

Mr. TILLMAN. Mr. President, the Senator from Mississippi [Mr. WILLIAMS], with his usual penetration, has gone straight to the mark and touched a point that appeals to me very much. Not a week has passed since Congress met here that I have not had one letter, and sometimes three or four, from inventors and people who have ideas, or believe they have them, which they think will revolutionize naval warfare, and when the letters do not come, the men do. As the Senator from Mississippi said, there is no place in the Navy Department where these things can be tested out. I write letters and send the men or their letters up there to some naval officer. Usually the reply comes back that "We have examined this, and there is nothing to it."

We have already had illustrations, and mention made of the Lewis gun having been rejected by the War Department.

Therefore I believe this laboratory, which it is proposed to give the Navy Department, is one of the most vitally important items in this bill. It would be a clearing house for American inventions or American inventors—for the inventors need a clearing house more than the inventions do—whereby I and others could be relieved of these persistent and insistent geniuses, as they think themselves to be, who believe they can save the country and revolutionize naval warfare.

Naval officers have not the time, some of them have not the inclination, and some of them perhaps have not the patience, to listen to these men. We know that a long time ago Ericsson was turned down at the Navy Department with his *Monitor* idea, and yet it revolutionized naval warfare—that and the *Merrimac* together. It has never been decided which ship won, and never will be; but that naval warfare was revolutionized by that battle in Hampton Roads we all know. Ericsson was turned down by the Navy Department, as I have said; but if we had had a laboratory of some kind there, and a board, a clearing house to test new ideas and examine them carefully, it would not have happened.

Therefore I hope this bill will not be passed without this item in it.

It is not generally known, but the Navy already has a small laboratory at Annapolis where tests of various kinds are conducted, mostly of material furnished under Government specifications. I know this, because I had some coal tested there two years ago to test its qualities for naval use. The building and equipment involved an expenditure of only about $400,000, but this establishment has been justified by the character and extent of the experimental work turned out. I would advocate its enlargement instead of building a new one somewhere else, but that is not advisable; and besides, the Naval Laboratory ought to be near deep water where the largest ships can come alongside, and where propeller and other tests relating to naval architecture and marine engineering and ordnance installation could be carried on. There is no doubt in my mind that the work done at this laboratory will in a short while more than pay for itself a half dozen times over and will result in such an improvement in the construction of torpedoes, submarines, battle cruisers, and battleships that we will wonder how we got along at all without it.

Thinking it nothing but just that the American officers should be given a fair opportunity to prove their side of the case, I communicated with Gen. Crozier, Chief of the Bureau of Ordnance, of the Army, and insert herewith the letter received from him giving the facts about the test of the Lewis gun and its supposed rejection:

ORDNANCE OFFICE, WAR DEPARTMENT,
July 15, 1916.

MY DEAR SENATOR: The Lewis gun was offered for test to the Board of Ordnance and Fortification of the War Department something over three years ago. The gun was presented by a private company, which apparently controlled it, and which offered for test a gun of foreign manufacture. The gun was thereafter tested by a board composed of officers of different branches of the service, in competition with some half dozen other guns, including the one with which the service was then, and is still, armed, known as the Benet-Mercié (otherwise

known as the Hotchkiss), and the Vickers. In this test the Lewis gun performed badly, and was apologized for by its proponents as having been badly manufactured, which they claimed as the reason for its bad showing, asking that they be permitted to submit, later on, another gun for test, which was readily granted. It is very likely that the poor construction of the Lewis gun prevented the principle of its construction from being really tested, which principle therefore rested as neither established nor condemned by the test.

The two guns shown by the test to be the best were the Benet-Mercié and the Vickers, and to decide between these two a further and more extensive test was made, including the use of four guns of each type and an extensive field trial. The Vickers finally won out, but being an English gun, the European war has greatly delayed the acquisition of any supply, even by manufacture in this country where the manufacture is being prepared for.

Before the second Lewis gun was presented for test the war also made it impossible to get one, as this gun had not then been produced on this side of the ocean. Since the commencement of the European war the manufacture of the Lewis gun has been taken up at an establishment in New York, and a number have been produced for the Canadian Government. In April last the War Department secured from this company two of the guns for further test, one arranged for the use of American ammunition and the other for British ammunition. The one arranged for American ammunition did not do well, which perhaps was not astonishing, as it had not been developed for this ammunition, which is stronger than the British ammunition. The one using British ammunition did better, but the testing board, which consisted of a Cavalry officer, an Infantry officer, and an officer of ordnance, stated that it was not in its present state of development equal or superior to either the Benet-Mercié gun or the Vickers gun, and added:

"The Lewis gun, on the other hand, is lighter and simpler and has a fewer number of parts than the other guns mentioned, and in the opinion of the board the question as to whether or not it can be developed to a satisfactory degree of reliability and dependability is an open one."

So much for the official tests. Last month (June, 1916) an informal test by verbal order of the commanding general of the Eastern Department was held of the Lewis gun and the Benet-Mercié gun at Plattsburg, as a result of which the Lewis gun was declared to be superior to the Benet-Mercié gun in all respects except portability. The reason for the opposite conclusion from that which had been reached in the two official tests must be sought in the different conditions of the Plattsburg test. At that test the guns of both classes were handled by civilian attendants of the military instruction camp, but the Benet-Mercié gun was in charge of the officer commanding the machine-gun troop of a regular regiment, and its troubles were looked after by a noncommissioned officer of that troop, while the Lewis gun was in charge of an official of the manufacturing company and had its troubles seen to by an expert furnished by that company. There is no evidence as to the condition in which the Benet-Mercié gun entered the trial, or the degree of knowledge in regard to them of the military people who were in charge. These points need clearing up. The number of rounds fired at this test by the Lewis gun was less than 2,000. At the official test last April the number was 15,000.

The following is taken from the report of the official board which tested the Lewis gun in April:

EXTRACT FROM THE REPORT OF THE BOARD WHICH TESTED THE LEWIS GUN IN APRIL, 1916.

Considering the performance of the Lewis gun in the test reported herein, and comparing that performance with the performances of the Vickers gun (automatic machine gun, model of 1915) and of the Springfield gun (automatic machine rifle, caliber .30, model of 1909) in the test conducted by the board convened by S. O. No. 191, War Department, August 16, 1913, the board finds that the Lewis gun in its present state of development is not equal or superior to either of the above-mentioned guns. The Lewis gun is not as reliable or as dependable as are the other guns mentioned. The following table shows in summary the data upon which this opinion is based:

Endurance test, 15,000 rounds.

	Lewis gun.	Springfield.[1]	Vickers.
Time of firing, excluding cooling and repairing	2 h. 3 m.	2 h. 27 m.	1 h. 24 m.
Number of jams and malfunctions	314	59	23
Number of broken parts	8	7	.....
Number of parts not broken but replaced	5	.....	.....

[1] Benet-Mercié.

The Lewis gun, on the other hand, is lighter, simpler, and has a fewer number of parts than the other guns mentioned; and in the opinion of the board the question as to whether or not it can be developed to a satisfactory degree of reliability and dependability is an open one.

The board therefore finds that the results of the present test were not such as to justify the purchase of four Lewis guns chambered for the service ammunition for further test at this time, but in view of the desirable features of the gun the board recommends that if the Savage Arms Co. undertake to develop a gun for the service ammunition, a further test be made, upon their request, after the development shall have been carried to a satisfactory stage.

There being no further business before it, the board adjourned sine die.

I am, Senator, very sincerely, yours,

WILLIAM CROZIER,
Brigadier General, Chief of Ordnance.

Hon. B. R. TILLMAN,
United States Senate, Washington, D. C.

Mr. BRANDEGEE. Mr. President, as I said before, I would gladly vote for a much more comprehensive amendment than this, and a much larger laboratory and a better equipped one than this $2,000,000 will furnish, in spite of the statement of the Senator from South Carolina that he was not surprised to see this provision opposed by a New England man, because those people took out patents and held up the Government, as he says, which intimation I thought was entirely uncalled for and unworthy of the Senator.

Mr. President, I think one defect in this amendment is that it confuses the research work to be done with the laboratory to be built. It does not appear from the amendment that there is any limit of cost fixed for the laboratory; but it appropriates this $2,000,000 for laboratory and research work on various subjects, and so forth, including the construction and operation of a laboratory. It seems to me that if the committee's intention is that $2,000,000 shall be spent upon the construction and equipment of a laboratory for these purposes, it will be easy to say so; and I was simply going to suggest to the Senator in charge that if this amendment were made it would accomplish that purpose. I do not know whether he desires to accomplish that purpose or not. I assume that it will take a year or two to build the laboratory and spend the $2,000,000 on it, and I assume it is only going to be spent on that laboratory and its equipment. If so, I think we had better say so.

I would suggest, if the Senator can follow me, that in line 4 of page 42 we interline, after the word "For," on line 4, the words "construction and equipment of a," and in line 5——

Mr. SWANSON. So that it will read "For construction"?

Mr. BRANDEGEE. Yes. I will read it as I should like to have it, and then I will tell the Secretary where to make the interlineations afterwards. I would have it read in this way:

For construction and equipment of a laboratory for research work—

On all these different subjects, leaving them just as they are—

and such other necessary work for the benefit of the Government service as may become necessary, to be expended under the direction of the Secretary of the Navy, $2,000,000, which shall be the limit of cost of said laboratory.

The House provision established a limit of cost. The Senate provision does not. Now, that could be done by making it read in that way, as I said.

Mr. SWANSON. Does the Senator mean to leave the entire language as it is included in the provision? I should like to have the Senator read it again.

Mr. BRANDEGEE. I will. After the word "For," on line 4 of page 42, I would interline the words "construction and equipment of a." On line 5, the second word in the line, I would change the word "and" to the word "for," so that it would read:

For construction and equipment of a laboratory for research work on the subject of gun erosion * * * and such other necessary work for the benefit of the Government service as may become necessary, to be expended under the direction of the Secretary of the Navy, $2,000,000, which shall be the limit of cost of said laboratory.

Mr. SWANSON. I understand that would simply limit it to the laboratory, and would exclude the research work.

Mr. BRANDEGEE. If it is the intention that the research work can be done in the laboratory before it is built, I do not know how that could be accomplished.

Mr. SWANSON. They could be doing some of it.

Mr. BRANDEGEE. In other words, does the Senator intend this $2,000,000 to be spent upon a laboratory and its equipment or upon research work?

Mr. SWANSON. Both. It says both, and for some scientific assistants.

Mr. BRANDEGEE. I thought the laboratory was to be built and equipped for the purpose of conducting research work.

Mr. SWANSON. If the Senator will remember the letter of Mr. Edison, he thought that for a million and a half the laboratory could be equipped.

Mr. TILLMAN. Built and equipped.

Mr. SWANSON. Built and equipped; and then it would take half a million dollars to get the material, to employ assistants, and conduct the research work.

Mr. BRANDEGEE. I supposed the research work was to be conducted in the laboratory which is to be built for the purpose of conducting research work; but if the research work is going to be done without a laboratory, I do not see the necessity of having a laboratory.

Mr. SWANSON. I will say to the Senator that the House language was very ambiguous, and did not designate what they wanted it for, and it was left with a great deal of looseness, as we thought. They did not say what they would investigate.

Mr. BRANDEGEE. I am not defending the House language. I agree that it was loose.

Mr. SWANSON. This is an effort to designate subjects that are of practical value, that are useful, and to provide a research laboratory for these purposes. We did not care to turn a million and a half dollars over to a parcel of people for laboratory research and investigation that did not appertain to problems confronting the Navy; so we eliminated the House provision and put in subjects of practical value to the Navy.

Mr. BRANDEGEE. Mr. President, I know, of course, that the Senate committee eliminated the House provision and put in another provision, which I am criticizing. I want to ask the Senator whether he is willing to have a limit of cost put upon this laboratory, as the House put one?

Mr. SWANSON. I am willing to put the limit of cost at not to exceed $2,000,000.

Mr. BRANDEGEE. On the laboratory?

Mr. SWANSON. The laboratory and the research work. I am perfectly willing to have that done.

Mr. BRANDEGEE. How much of this $2,000,000 is to be spent on the laboratory?

Mr. SWANSON. A million and a half.

Mr. BRANDEGEE. And how much on the equipment?

Mr. SWANSON. A million and a half is for the laboratory and equipment; $500,000 is for the material and the research work and the scientists that it will be necessary to employ.

Mr. BRANDEGEE. Why not say, then, that the limit of cost on the laboratory and equipment is a million and a half?

Mr. SWANSON. I have no objection to that going in, except that it might cost a little over that. They might have to buy a very important machine that would cost $25,000 more, and they could not do it if that language were put it. If this were not to be done under the direction of 22 as fine business and scientific men as possible, it would be a different situation. These are not wild theorists that are to direct this work. These are men who have made a success of business. Mr. Edison is a business man as well as a scientist.

Mr. BRANDEGEE. I have heard all I care to hear in my time about Mr. Edison.

Mr. SWANSON. I do not care to take any more of the Senator's time.

Mr. BRANDEGEE. I acknowledge his preeminence, and if we did our work as well as he does his we would have a better amendment in this bill. If the House limited the cost of the structure and its equipment to a million and a half, and that is satisfactory to the Senator, I should think he would make the same limit here and say that the other $500,000 was to be spent, in the judgment of the Secretary, for anything he has a mind to spend it for. But this leaves it so that they can spend the whole $2,000,000 on the laboratory if they want to, and they can devote nothing to research, or they can spend it all on research.

Mr. TILLMAN. Does not the Senator realize that this will have to go to conference and that the House is going to contend for its provision, and the conferees can lick it into shape there better than we can do it here?

Mr. BRANDEGEE. Yes; I know, but when the bill comes back, as the Senator knows, after the conferees arrange it to suit themselves, and report it back here, we swallow the whole bill or else reject the whole bill. I thought we might devote a few minutes to getting it into as good shape as we could here; but if it is not desirable, I withdraw the amendment, and the Senator can do as he pleases with it.

Mr. GALLINGER. Mr. President, I have interlined my bill by adding a few words which I will submit to the Senator from Virginia. After the word "Navy," in line 15—if the Senator will turn to the bill—add the words, in parentheses, "limit of cost not to exceed $2,000,000"; and then I would appropriate a million dollars, just as the House has done.

I am not very anxious to appear in the light of an economist when the burden is upon the other side of the Chamber, but of course this laboratory will not be built in one year; it will not be equipped in one year; it would have a million dollars to operate with during the present fiscal year, and I think that is abundant.

Mr. SWANSON. I think a million and a half would be sufficient for the present appropriation.

Mr. GALLINGER. Very well; I will make it a million and a half, then—"limit of cost not to exceed $2,000,000, $1,500,000"—and I offer that amendment.

Mr. SWANSON. I accept it.

The PRESIDING OFFICER. The Senator from New Hampshire proposes an amendment which will be stated by the Secretary.

Mr. GALLINGER. I think it is understood, Mr. President.

The PRESIDING OFFICER. Very well. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question now is on agreeing to the amendment of the committee as amended.

Mr. CLAPP. I understood that a roll call was desired on this amendment. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Minnesota suggests the absence of a quorum. The Secretary will call the roll.

Mr. SWANSON. Does the Senator from Nebraska desire a yea-and-nay vote?

Mr. GALLINGER. The absence of a quorum is suggested.

Mr. NORRIS. I asked for a yea-and-nay vote, and it was ordered. The Senator from Minnesota——

The PRESIDING OFFICER. Debate is not in order. The Senator from Minnesota has suggested the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Dillingham	Nelson	Smith, Ariz.
Borah	Fletcher	Newlands	Smith, Ga.
Brady	Gallinger	Norris	Smith, S. C.
Broussard	Johnson, Me.	Overman	Smoot
Catron	Jones	Owen	Sterling
Chamberlain	Kenyon	Pittman	Swanson
Chilton	La Follette	Poindexter	Thomas
Clapp	Lane	Ransdell	Thompson
Clarke, Ark.	Lee, Md.	Shafroth	Tillman
Culberson	Lewis	Sheppard	Williams

The PRESIDING OFFICER. Forty Senators have answered to their names—less than a quorum. The Secretary will call the names of absentees.

The Secretary called the names of absent Senators, and Mr. HOLLIS, Mr. TAGGART, Mr. TOWNSEND, and Mr. WEEKS answered to their names when called.

Mr. CLARK of Wyoming, Mr. GRONNA, Mr. OLIVER, Mr. HITCHCOCK, Mr. KERN, Mr. BECKHAM, Mr. LODGE, and Mr. VARDAMAN entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty-two Senators have answered to their names. There is a quorum present.

Mr. TILLMAN. Mr. President, I ask unanimous consent to have inserted in the RECORD—not read, but printed in large type, so that it will be read after it gets there—the statement of Mr. A. M. Hunt, of the Naval Consulting Board, in regard to this laboratory.

The PRESIDING OFFICER. Is there objection to the request of the Senator from South Carolina to have certain matter incorporated in the RECORD? There being none, it is so ordered.

Mr. TILLMAN. I have marked in blue pencil the portion that I want inserted.

The matter referred to is as follows:

STATEMENT OF MR. A. M. HUNT.

"Mr. HUNT. I think, in speaking in favor of a laboratory for naval purposes, or an experimental station, that I approach the matter within perhaps a wider point of view than some of the other members of the Naval Consulting Board. I am a graduate of the Naval Academy, and served for 15 years in the Engineer Corps of the Navy, until 1894, resigning then, and since that time have been engaged in consulting engineering work in a great many varied lines of industry, reaching over the entire country from Alaska and the Pacific coast to the East. I have always retained my interest in the naval service and have followed its development and progress. When Mr. Edison was laying before the Naval Consulting Board at one of its meetings the plans which he was preparing and developing for this laboratory the question came up of the hearings to

be held before this committee, and Mr. Edison stated that he was perfectly willing to work and to get out plans, but that he was not at all fitted to argue the question, and requested that a subcommittee be formed to prepare such an argument. I was appointed on that committee, and a formal argument was prepared, which I would like to read into the record.

"The paper is as follows:

"The Government of this country now has under consideration a program looking to the expending of $500,000,000 for increasing the strength of the Navy. This money will be spent on warships, submarines, flying machines, ordnance, ammunition, etc.

"Admiral Melville, one of the most able men the United States Navy ever had, took great pains, 12 years ago, to urge the establishment of experimental laboratories for getting the best and most efficient results of any money spent on our Navy. In urging the importance of all this, he wrote:

"'If it be true that the battleship of one generation is the junk heap of the next, then an economical race like the German is pursuing a wise policy in conducting experimental research and investigation in the direction of finding out how the weak links in the naval chain can be strengthened.

"'Experience has shown that the German engineering laboratories are more than a good paying investment, for there is not an expert in that Empire familiar with the work being done at these laboratories who does not believe that their destruction would be a greater national calamity to the Navy and the nation than the loss of one of the battleships of the home squadron. The warship could be replaced in four years. It would take six years to rebuild and put in effective operation the complete installation for conducting experimental research that has been developed and perfected at the Charlottenburg and Dresden technical colleges.

"'There is probably not an eminent naval or mechanical engineer in America or England who has given consideration to this question who is not also of the opinion that the establishment of a national experimental laboratory for naval purposes will vastly contribute to military strength. Probably the majority of these experts also believe that such an institution would eventually contribute more to actual naval strength than the building of a battleship. One does not need to possess vivid imagination to realize that much is contributed to the fighting strength of a navy by carrying on research along engineering lines, and thus preventing the design, construction, and installation of appliances that are ill-suited for the purpose intended.'

"Unfortunately, Congress has not seen fit to be guided by the recommendations of this eminent officer, and the Navy Department has to-day no adequate facilities for carrying out the research and experimental investigations which should precede and accompany the expenditures contemplated.

"Any manufacturing or other establishment in this or any other country would, under similar circumstances, immediately provide such facilities, and this is what the Naval Consulting Board has advised and recommended.

"The task of developing and increasing our Navy is essentially one dependent on exact knowledge and engineering and technical skill.

"If we are content to adopt as a standard the results of the past, and not to endeavor to improve on them, then no experimental and research investigations are necessary. Naval construction, however, does not stand still, and to keep abreast with other nations, to say nothing of keeping in advance of them, means must be available to try out and test new ideas in advance of their use in actual service.

"It is true that at the different navy yards and naval stations there are laboratories in which the routine work of testing materials for use in the Navy is carried on, and a minor amount of investigation and experimental work is also conducted.

"It may be contended that the purposes of the experimental station and laboratories which have been proposed by the Naval Consulting Board can be adequately taken care of by the existing facilities. Anyone familiar with the situation at the various yards and with the conditions obtaining will at once understand the folly of such a suggestion.

"The yards and their facilities are fully occupied with active work of construction and with the maintenance of the fleet as their primary function. Anything in the nature of experimental work would be inevitably subordinated to the exigencies of this primary function, and suffer accordingly. Examples of this may be found at practically any of our yards to-day. When you are trying to discount the future, delays are fatal, and it is evident that no satisfactory results can be hoped for unless facilities, primarily intended for the investigation and experiment, are provided.

"The creation and operation of such a laboratory and experimental station as has been proposed by the Naval Consulting Board will result in the production of battleships and other elements of naval warfare which will be several years in advance of those produced under present methods.

"The extreme importance of this is self-evident, and if the above statement can be established no other justification for the expenditure required is necessary.

"Assume that the construction of a battleship has been authorized by Congress, and that the bureaus of the Navy Department are instructed to proceed with the design. The latest battleship that has been built and put into service was probably designed at least three years ago. Therefore, if the new ship is to include only elements which have been tested by actual use, she will be at least three years behind the times when she is designed and six years behind the times when she is completed and ready for service.

"This situation forces the Navy Department, if it wishes to improve on previous designs, to incorporate in the new ship many features which under present circumstances must in a large degree be untried and unproven, and which may or may not prove wholly successful.

"There will be hesitation to assume the serious risks which are involved in incorporating in such an important structure elements which may jeopardize her efficiency and usefulness.

"If such a laboratory and experimental station as has been proposed were in existence, the procedure would probably be as follows:

"The officials of the Navy Department would decide that in the new battleship they would want to incorporate certain new elements and devices. Even before designs of the ship were started, orders could be given for getting out and testing at the laboratory such new elements. Before the designs were completed, the results of such tests would be available, and the designs, as sent out to bidders, would include not only elements which had previously been in use on battleships but also new elements and improvements which had been tested at the experimental station.

"If means existed for such experimental trials, many things would be tried out which, at the present time, no naval officer would be justified in suggesting for adoption in the building of a new ship.

"The net result would be that the designs of our vessels would be the very latest word. As it is, due to justifiable conservatism, the designs do not embrace the very latest ideas.

"That we may not fall hopelessly behind in naval progress, new ideas have to be incorporated in the designs. They are worked out with all the skill and knowledge available, but they can not be submitted to actual test of operation. The design goes to the bidder. He finds that he must guarantee and make good on the operation of such new devices. Naturally he increases his bid by an amount which covers the risk which he thinks is involved, and the amount which he will have to expend in developing and testing such new elements.

"In at least certain cases it can be demonstrably shown that the delay in completing naval vessels under contract has been due to failure of these new elements when tried, and the necessity for rebuilding them or substituting other devices for them.

"Such a laboratory and experimental station would enable us not only to keep abreast of the times but ahead of them.

"The laboratory would be useful and valuable to the Navy in many other and various ways, perhaps not of as striking a character as that above set forth, but serving purposes equally useful.

"Problems vitally affecting the efficiency of the fleet are constantly before our naval officers which can not be solved without research and experiment. Much valuable and important work has been done with the limited facilities available, but much more could have been done, and many serious delays would have been avoided if the proposed laboratory had been in existence.

"The work of such a laboratory and experimental station would be a real gain in other directions than the improvement of the Navy. Advance in any line of engineering or technical industry inevitably affects all others.

"The work of such an experimental station in improving and developing advanced types of internal-combustion engines for submarines, aeroplanes, etc., will benefit the entire internal-combustion engine industry of the country. It is only necessary to recall the extent to which the gasoline engine is used for agricultural purposes and for automobiles to realize how many of the people of this country may receive direct benefits from the work done in such an establishment as is proposed.

"Investigations which would be carried on looking toward the development of the natural resources within our own country

that would furnish all the materials requisite for the manufacture of explosives would have a direct bearing upon other branches of chemical industry, such as the manufacture of fertilizers.

"It is worse than foolish to expend any money for 'naval program,' unless its expenditure will give us fighting elements of the highest and best type. It is certainly justifiable, in view of the large expenditure contemplated, to devote to investigation and experimental work, which conduce so largely to the desired result, the relatively modest gun which the Naval Consulting Board has recommended."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee as amended.

The amendment as amended was agreed to.

The PRESIDING OFFICER. The Secretary will state the next amendment passed over.

The SECRETARY. The next amendment passed over is the amendment on page 176, beginning on line 13, passed over at the request of the Senator from Idaho [Mr. BORAH].

Mr. BORAH. Mr. President, I desire to make a point of order upon the amendment found on page 170, beginning in line 13 with the words "The President" and ending at page 178, line 10, with the numerals "$50,000."

I make the point of order on the ground that it is general legislation to an appropriation bill.

Mr. SWANSON. Mr. President, the point of order is well taken if the Senator insists on the point of order. The Secretary of the Navy and others have urged this provision as being absolutely necessary; but if the Senator has any objection to it, the point of order will clearly lie. I will be willing to accept any amendment that might obviate any objection the Senator has to this provision.

Mr. BORAH. The Senator from Virginia stated to me last night that he would be glad to have me offer an amendment instead of making the point of order, but in looking over the amendment last night I found it was impossible to make an amendment and leave any vitality in it, because I think in its entirety it is bad.

I am not going to discuss it, because it is clearly, in my judgment, subject to the point of order.

Mr. SWANSON. It is clearly subject to a point of order.

Mr. BORAH. I have no doubt about that; I will take the ruling of the Chair.

The PRESIDING OFFICER. The chairman of the committee admits that it is subject to the point of order?

Mr. SWANSON. It is clearly subject to the point of order.

The PRESIDING OFFICER. The Chair sustains the point of order.

Mr. SWANSON. A similar provision was included in the Army bill. If the Senator will eliminate the provision that applies to the authorization which this amendment makes, it is then exactly the law which applies to the Army in time of emergency or war. Will that satisfy the Senator?

Mr. BORAH. I do not want to offer an amendment to it at all, for the reason that I am opposed to the entire principle. If it were desired to have this power conferred in time of war, it would be conferred, no doubt—there would be no necessity whatever for any delay—but to have this kind of a power conferred in time of peace and covering authorizations which will be carried out in time of peace is so obnoxious, to my view of matters, that I would not want to offer any amendment at all. I prefer to have the matter go out in its entirety.

Mr. SWANSON. If the Senator would offer an amendment before he makes a point of order, on page 176, line 14, to strike out this part which is the only change in the law, "or for the purpose of carrying out the authorizations for which appropriations are made in this act," I would agree to amend it by eliminating that.

The PRESIDING OFFICER. Is there objection to the matter being temporarily restored, so that the Senator from Virginia can offer his amendment to the amendment? If there be no objection it is considered temporarily restored, and the Senator from Virgina proposes the following amendment:

The SECRETARY. On page 176, lines 14 and 15, strike out the words "or for the purpose of carrying out the authorizations for which appropriations are made in this act."

Mr. LODGE. If the Chair will permit me, I think I am right in saying that a point of order having been made and sustained it is not possible to make it in order and bring it back.

The PRESIDING OFFICER. The Senator from Massachusetts is clearly right.

Mr. SWANSON. I ask unanimous consent that the amendment may be offered.

Mr. GALLINGER. It can not be offered.

Mr. LODGE. It can not be done after a point of order has once been made and sustained. You can not unmake a point of order.

Mr. GALLINGER. The Senator from Virginia can offer a separate amendment.

Mr. SWANSON. I will offer an amendment to the paragraph.

Mr. GALLINGER. Let us understand it.

Mr. LODGE. It is the same amendment modifying it as to authorization.

Mr. SWANSON. It is precisely the same as the provision for the Army. It seems to me that in war, in an emergency, the Army should not have this distinct advantage of compelling people who are reluctant to serve for the public good. It would result in the Army having a strong arm and being able to meet its requirements promptly and quickly, while the Navy would be unable to do it. It seems to me if the Army has the power the Navy ought to have it.

Mr. BORAH. Mr. President, I voted against the Army bill, so that does not appeal to me. It is extraordinary to my mind to confer this power unless in case of actual war, and if actual war exists there will be no difficulty in getting the power without any delay whatever. But even in actual war it should not be done in such terms as these.

This amendment, on page 176, reads that—

> The President, in time of war or when war is imminent, or for the purpose of carrying out the authorizations for which appropriations are made in this act, is empowered, through the head of any department of the Government, in addition to the present authorized methods of purchase or procurement, to place an order with any individual, firm, association, company, corporation, or organized manufacturing industry for such product or material as may be required, and which is of the nature and kind usually produced or capable of being produced by such individual, firm, company, association, corporation, or organized manufacturing industry.
>
> Compliance with all such orders for products or material shall be obligatory on any individual, firm, association, company, corporation, or organized manufacturing industry or the responsible head or heads thereof and shall take precedence over all other orders and contracts theretofore placed with such individual, firm, company, association, corporation, or organized manufacturing industry, and any individual, firm, association, company, corporation, or organized manufacturing industry or the responsible head or heads thereof owning or operating any plant equipped for the manufacture of shipbuilding, engineering, and ordnance material, and any individual, firm, association, company, corporation, or organized manufacturing industry or the responsible head or heads thereof owning or operating any manufacturing plant, which, in the opinion of the Secretary of the Navy, shall be capable of being readily transformed into a plant for the manufacture of shipbuilding, engineering, and ordnance material, or other necessary supplies or equipment, who shall refuse to give to the United States such preference in the matter of the execution of orders, or who shall refuse to manufacture the kind, quantity, or quality of shipbuilding, engineering, and ordnance material, or any necessary supplies or equipment, as ordered by the Secretary of the Navy, or who shall refuse to furnish such shipbuilding, engineering, and ordnance material, or other supplies or equipment, at a reasonable price as determined by the Secretary of the Navy, then, and in either such case the President, through the head of any department of the Government, in addition to the present authorized methods of purchase or procurement herein provided for, is hereby authorized to take immediate possession of any such plant or plants and, under the supervision of the Secretary of the Navy, to manufacture therein in time of war, or when war shall be imminent, such product or material as may be required, and any individual, firm, company, association, or corporation, or organized manufacturing industry, or the responsible head or heads thereof, failing to comply with the provisions of this section shall be deemed guilty of a felony, and upon conviction shall be punished by imprisonment for not more than three years and by a fine not exceeding $50,000.

I have no objection at all to the Government going into the manufacture of munitions of war, but to give the head of a department the right to go in at his own discretion and upon his own view as to what constitutes a right price, and so forth, take possession and make people who disagree with him as to the value or price punishable by fine and the penitentiary is something that is so obnoxious to me that I would not consent to its going in, and I would not vote for the bill if it was in.

Mr. WORKS. Mr. President, I should like to ask the Senator from Idaho if he does not think this section is in entire harmony with the balance of the bill. The whole thing is an attempt to create a military power here to control the civil power, after a while, if not now. It is one of the steps in that direction.

Mr. BORAH. I can not agree with the Senator. I think there is a way to democratize preparedness just the same as there is to democratize government, and I do not think we should ape absolute or monarchical governments in the way of preparing ourselves. There is no necessity for those things. Does anybody suppose that if war actually existed in this country or was imminent the manufacturing establishments of the country would not give their plants over to the Government if they were unable themselves to operate them effectively, or that they would not put their plants at the service of the Government to the fullest capacity? If, on the other hand, war did exist and they should fail to aid the Government, we could pass a resolution or a bill here in an hour for the purpose of taking possession of them.

Mr. WEEKS. Mr. President, I wish to call the Senator's attention to the part of the paragraph which says:

Or who shall refuse to furnish such shipbuilding, engineering, and ordnance material, or other supplies or equipment, at a reasonable price as determined by the Secretary of the Navy.

The Secretary of the Navy is on record this year in the House hearings as saying that he would not buy armor of the armor-plate plants if they would furnish it for nothing. Is it going to be left to a Secretary who made as broad a statement as that to determine what is a reasonable price, and when he determines that the going price is unreasonable permit the prosecution of men and fining them an excessive amount because they do not happen to agree with the views of a public official?

Mr. SWANSON. The Secretary of the Navy wrote a letter asking that the Navy be given the same power that we conferred on the Army.

The VICE PRESIDENT. Is a point of order made on the amendment?

Mr. OLIVER. I make the point of order.

The VICE PRESIDENT. The Chair is clearly of opinion that the amendment is not connected in any way with the rest of the bill, and sustains the point of order.

Mr. SWANSON. There is an amendment on page 62, passed over at the request of the Senator from Washington.

The VICE PRESIDENT. It will be stated.

The SECRETARY. On page 62, after line 4, insert the matter down to and including line 10 on page 63. It went over on the suggestion of the junior Senator from Washington [Mr. POINDEXTER].

Mr. POINDEXTER. Mr. President, one objection to this amendment is that it has no provision whatever in it for the appointment of the board. It says the board shall select officers for promotion. It does not state how the board shall be created. That is why I asked that it should go over. However, having called the attention of the Senator in charge of the bill to that omission, I am perfectly willing to leave it with the conference committee to supply the defect. If there is no provision for the appointment of a board, of course they could not act.

I stated the other day some possible vices that might grow out of the operation of a board of this kind, but it is all the time in the power of Congress to remedy it and abolish this board, as it did abolish the plucking board.

I am in favor myself of some system of promotion on merit. This would be a good system if it is properly administered. If it should fall into the hands of cliques or factions who would play politics in the Navy, as it has been played in conspicuous instances in the past, and compel officers seeking promotion to cater to the favor of those in charge of the naval politics, it would be so obnoxious that undoubtedly it would be abolished.

I have nothing further to say on the subject.

Mr. OLIVER. Mr. President, I should like to ask the Senator from Virginia whether the committee considered at all the advisability of making the selections in the lower instead of the higher grades? I have acquired the opinion from talks I have had with men in the Navy and in the Army as well that the time to make selections is in the early part of the officer's career, and that by the time a man reaches or perhaps passes middle life he should have made a record for himself that would entitle him to promotion by seniority. I have also heard that that is the plan followed in other navies.

While I do not propose to object to the amendment and expect to support it, I would ask the Senator whether that question came up for consideration or not?

Mr. SWANSON. The committee considered very carefully all phases of the question by selection. There are some who favor selection at the beginning, in the junior grade. If there came in at an early age 2,000 young officers, none of them with a record to show any distinctive difference, it would produce more trouble, more discontent, than any good that could possibly accrue from it. So seniority as now provided by law is applied when the promotion comes from commander to captain. We felt that the time to make the selection was when the hour of responsibility came. We thought the duty of junior lieutenants, lieutenants, and lieutenant commanders is not so distinctively responsible as to require the exercise of selection.

We believe that by requiring an examination before promotion from one grade to another inefficient people would be more or less eliminated from the Navy, because there must be an examination mentally, morally, and physically before they are promoted from one grade to another. When they come to command large battleships and to command a fleet and to outline the policy in connection with naval warfare, we thought the most capable, the most worthy, man should be selected, and we thought the hour of selection should be the hour of responsibility as that of the commander of one of the large battleships. We believed, too, that it would produce less friction after a man has served in the Navy 20 or 25 years. Then, if he has any marked superiority over others it becomes sufficiently great to be noted. I think that is better than to have the selection made early, and that it will produce less friction. That was the view which prevailed in the committee and with those who prepared this amendment.

Mr. NORRIS. Mr. President, I do not care to take the floor, but I wish to ask the Senator from Virginia a question. Referring again to the point suggested by the Senator from Washington, I wish to ask the Senator from Virginia what his idea is as to the appointment of this board.

Mr. SWANSON. All the boards are appointed by the Secretary of the Navy. That is the general method of appointment and I suppose that will prevail in this case.

Mr. WEEKS. I wish to ask the Senator in charge of the bill if he will have any objection to an amendment which will read something like this, speaking of the board:

Consisting of 9 flag officers of the line of the Navy who shall be selected by the Secretary of the Navy from the first 12 on the rear admirals list.

Mr. SWANSON. That was considered by the committee and also by those who prepared this amendment. Some wanted the first nine. These are usually men of ability. Some of them might be far off in a fleet in eastern waters when the question of promotion came up, and we thought if limited to 12 and to take 9 out of the 12, it would produce more trouble than to take any flag officers. It would simply make 12 men decide the entire recommendation and those 12 men might be with the fleet somewhere. After discussing it from the broader field we thought it would be better to leave it to the flag officers entirely who are composed of rear admirals.

Mr. WEEKS. I make the suggestion that the junior rear admirals very frequently belong to the same class at the Naval Academy with the senior captains. If they are selected from the senior rear admirals they would be farther removed from the personal equation, and being near their retirement, in all probability you would get more judicial treatment.

Mr. SWANSON. I will accept the amendment and let it go into conference and we will consider it. There has been some difference of opinion in regard to how the board should be constituted but I will accept the amendment.

Mr. WEEKS. I think it would be embarrasing to limit the number to 12.

The VICE PRESIDENT. Will the Senator from Massachusetts send up his amendment or indicate it so that the Secretary can get it accurately.

Mr. WEEKS. In line 11, page 62, after the word "board" insert the word "consisting," and then read:

Of 9 flag officers of the line of the Navy who shall be selected by the Secretary of the Navy from the first 12 on the rear admirals list.

Mr. SWANSON. I have no objection to that amendment.

The amendment to the amendment was agreed to.

Mr. NORRIS. I wish to ask the Senator from Virginia another question in regard to these promotions, entirely for information. The men selected for promotion by this board would be recommended to the President?

Mr. SWANSON. They would be recommended to the President.

Mr. NORRIS. And the President under the law, of course, would actually make the appointment that would bring about the promotion.

Mr. SWANSON. The law provides that it shall be made on the recommendation of this board.

M.. NORRIS. Suppose the law were enacted as amended now, would a President be under any constitutional obligation to comply with it? Could he disregard the recommendation if he wanted to do so?

Mr. SWANSON. That question has been debated as to whether, a law fixing a certain office, the President must not make the appointment in pursuance of the law as fixed by Congress. I would have the impression that Congress determining how officers shall obtain the rank of captain and rear admiral the President could not fill those places except by complying with the law. It has been a debated question, but I have never known any case where it was violated except, possibly, when President Johnson was impeached for violating the act of Congress in reference to the removal of the Secretary of War. There have been two lines of thought as to whether the President has the power to make these appointments, anyway. If he has, he could ignore the law of seniority that exists in the Navy now. These promotions are made entirely by seniority under the present law in the Navy. The President has, I think, always complied with that.

The idea was when the question came up as to whether he could violate it or not, that the offices being created by law and he being empowered by Congress to create offices, he must fill them as required by law, but he could violate the law of seniority as much as he could violate this.

Mr. NORRIS. I agree with the Senator that he could. The question is, could he not violate either one if he wanted to do so. In other words——

Mr. SWANSON. I do not know; I have never heard of such a case.

Mr. NORRIS. Have we not by this amendment taken away from the President any discretion whatever?

Mr. SWANSON. It does practically take it from him; it says he shall appoint them on the recommendation of the board.

Mr. NORRIS. That means, then, in its practical effect that the board makes the appointment, does it not?

Mr. SWANSON. The board makes the appointment.

Mr. NORRIS. I can see that if the board were required to recommend to the President a certain number and from that list a certain smaller number were to be appointed by the President, and it prohibited the President from going outside of that list, there might be reasons for sustaining it on constitutional ground, but if we provide by law that the President shall appoint certain officers whom a certain board has recommended to a certain position, when the Constitution gives the President the right to make the appointment, we have practically taken away from the President the constitutional prerogative of making the appointment.

Mr. SWANSON. If the Senator will permit me, the present law is that when a vacancy occurs in a higher grade the appointment shall be made from the highest in the next lower grade. The President sends the appointment to the Senate and it is confirmed, and that law has been sustained and complied with. There are two lines of thought in reference to it, one opinion being that it really deprives the President of the appointing power under the Constitution, and another line of thought being that the offices are created by Congress in a certain way and that with the creation there comes a method of filling them. I do not know whether the Supreme Court has ever passed on the question or not.

Mr. NORRIS. I suppose there is not any doubt but that these officers are officers of the United States.

Mr. SWANSON. No person is an officer of the United States unless the office is created by an act of Congress. The President can not create an office.

Mr. NORRIS. I understand. We are creating the office here.

Mr. SWANSON. But when the office is created the question has been whether the method of appointment is not a part of the creation. Congress provides that promotions shall be made in certain ways and the President signs the act of Congress concurring in it. The question is whether that does not establish the only method in which it can be filled.

Mr. NORRIS. I am referring to the constitutional provision:

> But the Congress may by law vest the appointment of such inferior officers as they think proper in the President alone, in the courts of law, or in the heads of departments.

I presume these would be inferior officers, and we would have a right to provide by law for their appointment by the head of a department. In this case it would be the Secretary of the Navy. But whatever appointing power makes the appointment, we shall have in effect, by this proposed law, taken that power away by saying that these offices shall be filled from a list made up by a board, that board to make just as many suggestions as there are vacancies to be filled; in other words, there will not be any discretion left with the appointing power.

I am not objecting to the provision; but it seems to me, to avoid difficulty, we ought to leave some discretion with whatever appointing power we provide shall make the appointments.

Mr. WORKS. Mr. President——

Mr. NORRIS. I yield to the Senator.

Mr. WORKS. Does not the Senator think that Congress may fix the qualifications of officers?

Mr. NORRIS. I think so.

Mr. WORKS. And that the President shall not appoint them unless they possess those qualifications?

Mr. NORRIS. I think so.

Mr. WORKS. How is that different from the provision that they shall be recommended by some body designated by Congress? One is as much of a limitation of his power as is the other.

Mr. NORRIS. The difference, as I see it, is that we provide for an office and then provide for a man who shall be qualified to fill it, his qualifications being fixed by a certain board. Then we provide that the President in this case—I presume we could just as well say the Secretary of the Navy—shall appoint that person to that place; in other words, we compel the appointing power to appoint a certain man to a certain position. My own idea is that that goes to the extreme. Of course, the other extreme would be to give him the latitude to appoint anybody without any qualifications and without recommendations from anyone; but there is a ground between the two, I should think, where a board might select a list or where we might provide by law for certain qualifications to be possessed by an official. I have no doubt that we have the perfect constitutional right to do that, but it still leaves the appointing power a discretion. In the one case it takes it away, and that takes away in reality the appointing power prescribed by the Constitution.

Mr. OLIVER. Mr. President, it seems to me that this provision is simply a modification of the rule which has prevailed in the Navy and in the Army for many years. To-day in all ranks of the Navy an officer is entitled to promotion by seniority, but he is not actually promoted until the President sends his name to the Senate and he is confirmed and receives his commission. This provision simply means that, instead of the officer being entitled to promotion by seniority, there shall be a certain method of selection of the higher ranks of the Navy. If the contention of the Senator from Nebraska is correct, then, with regard to both military and naval appointments to-day, the law is all wrong, and the President has the right to take any junior lieutenant in the Navy and make him a rear admiral, provided the Senate will confirm the appointment.

I do not think, unless you give the President the absolute discretion to promote every officer in the Navy as he sees fit, that you can place any other limitation upon the appointment than the one which is placed here in this proposed amendment.

Mr. NORRIS. Mr. President, the discussion of the question is somewhat academic. I am not opposing the provision or professing my ability to amend it. I merely suggested that it seemed to me that it would be wise to at least provide a larger list from which appointments could be made than the number of appointments that must be made. That would permit the appointing power to have some discretion.

The example given by the Senator from Pennsylvania [Mr. OLIVER] would be true if there were no law on the subject. I am not contending that Congress can not prescribe qualifications for officers, can not provide that a man to whom a certain office is to be given must have been in the junior grade a certain length of time, or something of that kind. I only suggested that there might be a question of constitutionality involved in it.

Since I took my seat a few moments ago I have been handed a copy of the Constitution, and I wish to read the provision which I had in mind, and which I then attempted to quote. It is found in paragraph 2, section 2, of Article II of the Constitution. Perhaps I had better read the entire paragraph. The language is:

> He—
>
> Referring to the President—
>
> He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and, by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court—
>
> Now, this is the language that has particular bearing—
>
> and all other officers of the United States whose appointments are not herein otherwise provided for—
>
> That is, who are not otherwise provided for in the Constitution—
>
> and which shall be established by law.

If the Constitution ended there, we could not provide that the Secretary of the Navy should make any of these appointments. The President, thus far in the constitutional provision which I have read, is given authority to appoint all the officers named by title, and "all other officers of the United States whose appointments are not otherwise provided for" in the Constitution of the United States. If the Constitution went no further, we could not by law provide for any other method of appointment; but now let me read a little further:

> But the Congress may by law vest the appointment of such inferior officers as they think proper, in the President alone—

That would be without confirmation. Second:

> in the courts of law—
>
> Third:
>
> or in the heads of departments.

The point I am making here is that Congress, under that provision of the Constitution, if it provides for an office and in the same law provides a man who shall fill it, has taken away from

the appointing power, from the President or the head of a department, if it be an inferior officer, the right to make any selection; and that takes away from him a constitutional prerogative that he possesses by virtue of the Constitution.

I mention this matter here, not because I am opposed to this provision, but because that provision of the Constitution has an important bearing upon a great many offices which are provided for by law and which are sought by law to be controlled through the operation of the Civil Service Commission. I do not know just how far the appointment of these inferior officers, such as Congress thinks to be inferior, might extend, and I do not believe the courts have decided that question; but as to such officers as Congress should think were inferior, the appointment could be delegated to the heads of departments; that would be to members of the Cabinet; second, to the courts of law; and, third, the power could be given to the President to appoint them if it were so desired without retaining in the Senate the right to pass on the appointment in the way of confirmation after it was made. So in the enforcement of the civil-service law, the Civil Service Commission is considerably handicapped because we provide that they shall make a list. I think it has always been held that the President can disregard the list if he wishes to do so, although, in my judgment, if we provided by law that these inferior officers should be appointed by the heads of departments, and then provided by law what their qualifications should be, and if we further provided by law for the Civil Service Commission or other board to make a list from which the appointments should be made, it would be perfectly constitutional, and the appointing power could not go outside of the list. In this case, if we provided a list that permitted some discretion to be exercised by the appointing power, in my judgment it would not be subject to any constitutional inhibition.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee as amended.

The amendment as amended was agreed to.

The VICE PRESIDENT. The next amendment passed over will be stated.

The SECRETARY. The next amendment passed over was that in relation to the building program, on page 167, under the head of "Increase of the Navy."

Mr. SWANSON. Mr. President, I have an amendment which I desire to offer.

Mr. GALLINGER. Mr. President, would the Senator from Virginia, before taking up this debatable question, permit me to submit a small amendment, which I think will not be objected to?

Mr. SWANSON. I shall yield to the Senator for that purpose in a moment; but, first, I should like to dispose of the amendment which I have sent to the desk. I think it will provoke no great amount of debate.

Mr. GALLINGER. Very well.

The VICE PRESIDENT. The amendment proposed by the Senator from Virginia will be stated.

The SECRETARY. On page 174, at the end of line 21, it is proposed to insert the following:

Provided, That if, in the judgment of the Secretary of the Navy, the most rapid and economical construction of the battle cruisers authorized herein can be obtained thereby, he may contract for the construction of any or all of them upon the basis of actual cost, plus a reasonable profit, to be determined by him.

Mr. SWANSON. Mr. President, I should like to have the letter of the Secretary of the Navy read in connection with that amendment.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

NAVY DEPARTMENT,
Washington, July 7, 1916.

MY DEAR SENATOR: In connection with the new program, the question has arisen as to the practicability of building the contemplated battle cruisers by contract under the form of contract hitherto customary.

These vessels will be larger than any other vessels of war now extant or under construction, so far as the department is aware, and will also largely surpass any vessels of their class in speed and power. As you know, they will cost a great deal of money in any case, and in view of the novelty of their type with us, and the enormous power, speed, and size required, it might be found that the builders in this country undertaking their construction under the usual form of contract would cover themselves by unusually high bids, particularly in view of the present state of the shipbuilding market.

In order to make certain that the department may promptly undertake the construction of these vessels, it is believed that it would be wise to incorporate in the pending bill some such proviso as the following:

"*Provided*, That if, in the judgment of the Secretary of the Navy, the most rapid and economical construction of the battle cruisers authorized herein can be obtained thereby, he may contract for the construction of any or all of them upon the basis of actual cost, plus a reasonable profit to be determined by him."

A suitable place for the insertion of this proviso would seem to be page 174, line 21, of the bill as reported to the Senate.

Sincerely, yours,

JOSEPHUS DANIELS.

Hon. B. R. TILLMAN, United States Senator,
Chairman Committee on Naval Affairs,
United States Senate.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Virginia.

The amendment was agreed to.

Mr. GALLINGER. Mr. President, on page 140, under the head of "Improvement of construction plants: For repairs and improvement of machinery and implements," and so forth, the appropriation for the navy yard at Boston is $25,000; for the navy yard at New York, $35,000; for the navy yard at Philadelphia, $25,000; for the navy yard at Norfolk, Va., $35,000; for the navy yard at Mare Island, Cal., $35,000; and for the navy yard at Puget Sound, Wash., $25,000; while for the navy yards at Charleston, S. C., and Portsmouth, N. H., the appropriation is but $10,000.

The committee, I think, acted wisely when they increased the appropriation for the Charleston Navy Yard to $25,000; and I wish to move, Mr. President, that the appropriation, in line 8, on page 140, for the Portsmouth (N. H.) Navy Yard be increased from $10,000 to $25,000, and to let the matter go to conference.

Mr. SWANSON. I accept the amendment, and we shall let it go to conference.

The VICE PRESIDENT. The amendment proposed by the Senator from New Hampshire will be stated.

The SECRETARY. On page 140, line 8, after the name "New Hampshire," it is proposed to strike out "$10,000" and to insert "$25,000," so as to make the clause read:

Improvement of construction plants: For repairs and improvement of machinery and implements at plant at navy yard, Portsmouth, N. H., $25,000.

The amendment was agreed to.

Mr. SWANSON. I have another amendment which I desire to offer.

Mr. NORRIS. Mr. President, may I make an inquiry of the Senator from Virginia? I was under the impression that the debate on the amendments which have been considered to-day would last longer, and I think other Senators were under the same impression. There are quite a number of Senators who desire to speak, all of them briefly, I think, on the question of the increase of the Navy. Would the Senator have any objection to permitting that amendment to go over until Monday?

Mr. SWANSON. Possibly we might have some discussion of it this afternoon, but I have no idea that we will be able to dispose of it so as to have a final vote to-day.

Mr. NORRIS. I will have no objection, I will say to the Senator, to modifying the procedure and letting individual amendments come in. I am not anxious to have the Senate adjourn, but there are quite a number of Senators who are interested in the building program, and they expected that it would go over until Monday, and I think some of them are not here because of that impression. I understand they would like to hear the debate, and I want to say to the Senator that there will be, so far as I know—and I think I know—no effort whatever to prolong the discussion. There will be no lengthy speeches, so far as I know, and there will be no attempt to delay a vote.

Mr. SWANSON. I will say to the Senator that my purpose is to let that amendment go over and give an opportunity for individual amendments to be offered before it is disposed of. I think that would be the better course.

Mr. NORRIS. It would be agreeable to me to have the Senator do that.

Mr. SWANSON. There may be some Senator who would be willing to speak on the building program this afternoon, and consequently I should not like to have it go over entirely.

Mr. NORRIS. Would it be agreable to the Senator now to have it understood that that amendment will go over until Monday?

Mr. SWANSON. It will not be pressed for a vote this afternoon.

Mr. WORKS. Mr. President, I should be glad to take up some of the time this afternoon by offering some amendments, if this is the appropriate time to do so.

Mr. SWANSON. Opportunity will be given the Senator to offer any amendment he desires as soon as we get through with the committee amendments.

Mr. WORKS. I was inquiring particularly to learn whether the committee amendments had finally been disposed of.

Mr. SWANSON. No; there are a few more.

Mr. WORKS. Very well.

Mr. SWANSON. I offer the amendment which I send to the desk, to come in on page 153, at the end of line 11.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 153, at the end of line 11, it is proposed to insert the following:

Provided, That hereafter vacancies in the grade of second lieutenant shall be filled as follows: First, as far as practicable, from graduates of the Naval Academy each year upon completing the prescribed course at the Naval Academy; second, from meritorious noncommissioned officers of the Marine Corps; third, from meritorious petty officers of the Navy; fourth, from civil life: *Provided further*, That the ages of appointees from petty officers of the Navy shall be the same as now provided or may be hereafter provided for noncommissioned officers of the Marine Corps.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The SECRETARY. Also, on page 153, line 19, after the word "Corps," insert a comma and the words "from petty officers of the Navy."

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SWANSON. There was an amendment passed over in connection with the purchase of land for the gun factory at the Washington Navy Yard. The amendment went over at the request of the Senator from Colorado [Mr. THOMAS], of the Senator from Utah [Mr. SMOOT], and myself. I have asked the Navy Department to give me a full and explicit account of all the appropriations which have been made, of the law governing the matter, and of present conditions. I am satisfied that the amendment reported by the committee should be agreed to, provided the amendment to it which has been sent in by the Secretary, and which I offer at this time, is added to it.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. On page 30, line 3, of the committee amendment, beginning with the words "Secretary of the Navy," it is proposed to strike out all down to and including the word "available," in line 4, page 31, and to insert the following:

The Secretary of the Navy is hereby authorized to enter into an agreement or agreements with such railroad company or companies as he may deem proper for the purpose of establishing, maintaining, and operating a sufficient and satisfactory track connection or connections with the railroad track system of the Washington Navy Yard as said system is now or may be hereafter established: *Provided*, That so much of said track connection or connections as can not be constructed over any right of way or property now or hereafter owned or occupied by such railroad company or companies shall be constructed wholly upon a suitable and satisfactory right of way to be provided by the United States, the title to which at all times remain in the United States: *Provided further*, That so far as may be consistent with the public interests said track connection or connections, with appurtenant turnouts and sidings, may be located and constructed in, upon, over, and through public grounds, space, and streets of the United States as the same are now or may be hereafter ascertained and established: *Provided further*, That the Secretary of the Navy is hereby authorized to acquire any part of the land or property necessary for said right of way by purchase or condemnation, and to secure the construction of the connections, sidetracks, turnouts, switches, etc., necessary to the proper operation of the yard system in connection with the said track connection or connections, and for the purpose of acquiring said right of way such part of the sums herein appropriated for additions to said navy yard as may be necessary are hereby made available: *Provided further*, That authority is hereby granted to the railroad company and its successors and assigns entering into the agreement aforesaid to construct, maintain, and operate a bridge and approaches thereto for such track connection across the Anacostia River, D. C., at a point suitable to the interests of navigation to an available point within or in the vicinity of the said navy yard, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. THOMAS. Mr. President, I ask the Senator having charge of the bill to insert in the RECORD the correspondence with the Secretary of the Navy which accompanies the proposed amendment.

Mr. SWANSON. I am going to request that that be done.

The VICE PRESIDENT. The question now is on agreeing to the amendment as amended.

The amendment as amended was agreed to.

Mr. SWANSON. I now ask that the communication from the Secretary of the Navy be incorporated in the RECORD at this point.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

NAVY DEPARTMENT,
Washington, July 14, 1916.

MY DEAR SENATOR SWANSON: Referring to my letter of July 10, 1916, relative to the proposed amendment to the Navy bill authorizing the purchase of additional land at the Washington Navy Yard and the entering into of negotiations for a railroad track connection to this yard, I have the honor to transmit herewith for your further information a memorandum, in triplicate, of the solicitor in regard to this matter.

This memorandum sets forth in detail the views of the department in regard to the need for additional land at this yard, and also shows the present situation in respect to the need for a permanent arrangement for a track connection to this yard.

Sincerely, yours,

JOSEPHUS DANIELS, *Secretary.*

Hon. CLAUDE A. SWANSON,
United States Senate.

NAVY DEPARTMENT,
OFFICE OF THE SOLICITOR,
July 14, 1916.

[Memorandum—Repurchase of additional land at Navy Yard and authority of Secretary of Navy to enter into agreement for establishing track connection.]

APPROPRIATIONS.

The appropriation referred to in the Senate amendment, at page 29 of the naval bill, H. R. 15947, print dated June 30, 1916, found in the act of March 3, 1907 (34 Stat., 1187), for a railroad bridge and track at the Washington Navy Yard, carried $40,000. Of this amount $34,000, in round numbers, is still available. The other appropriation referred to in the amendment in question, found in the act of June 24, 1910 (36 Stat., 615), carried $136,000 for improving railway facilities at the yard. Of this amount $135,000, in round numbers, remains available. This makes the total amount reappropriated and made available for the purchase of additional land $169,000, in round numbers, which added to the $331,000 proposed in the Senate amendment will make a total appropriation of $500,000 for the purposes recited in the amendment.

TRACK CONNECTION.

The present track connection at the Washington Navy Yard extends from a point on the old Baltimore and Potomac tracks, at Fifth and K Streets southeast, across Government reservations 15 and 16, across L Street, then south on Sixth Street, crossing M and entering the navy yard at the intersection of Sixth and M Streets. So much of this connection as extended from Fifth and K Streets to the Washington Navy Yard was paid for by the Government, under the provisions of the act of March 2, 1889 (25 Stat., 813), for which purpose $15,000 was appropriated. These tracks are located on grade and have been a constant source of objections made by the citizens in the vicinity.

By the acts of February 12, 1901 (31 Stat., 767), and February 28, 1903 (32 Stat., 909), certain railroad tracks in the District, including the present railroad track connection to the navy yard, were required to be removed not later than April 28, 1908. Some time prior to April 28, 1908, the Pennsylvania Co. advised the department that it proposed immediately after that date to begin tearing up the railroad track connection to the navy yard. Injunction proceedings were thereupon instituted on the part of the Government to restrain the company from removing this track, and the temporary injunction was issued by the court.

By the act of May 27, 1908 (35 Stat., 397), the Philadelphia, Baltimore & Washington Railroad Co. was authorized and directed to construct a single-track connection to the navy yard. This act likewise authorized the retention of the present track connection for two years from the date thereof. The railroad company, however, declined to construct this branch track, and there appeared to be no means whereby the Government could compel the construction thereof.

The act of June 24, 1910 (36 Stat., 615), authorized the Secretary of the Navy to enter into an agreement with the railroad company for a track connection to the navy yard along the shore of the Anacostia River and entering the navy yard on the eastern side. Under this act the United States was to furnish the railroad company a right of way from the main Pennsylvania tracks in the vicinity of L and Water Streets southeast, along the water front, down to the navy yard, and the railroad company was to expend in constructing the tracks on this Government right of way not to exceed $92,500. The department carried on extensive negotiations with the railroad company looking to the execution of the agreement contemplated, but was not successful in having an agreement executed. While the Government claimed title to practically all of the land along the water front that was needed for the right of way, there were a number of adverse claims to this property, and the railroad company declined to enter into an agreement until a right of way free of adverse claims could be provided by the Government. Under the provisions of the act the Government could not expend any money in acquiring land in private ownership until the agreement was executed, while the railroad company refused to execute the agreement until the Government was in a position to turn over a right of way free of any adverse claims of title.

In this situation the act of April 27, 1912 (37 Stat., 93), was passed, authorizing the Attorney General to institute suit to determine the title to certain lands claimed by the United States in the District of Columbia, including lands within, under, and adjacent to the Eastern Branch of the Potomac River. Under this act suit was filed by the United States under date of July 3, 1912 (U. S. *v.* Thomas W. Smith et al., in the Supreme Court of the District of Columbia, No. 31138, in equity), to determine the title to certain lands forming part of the proposed right of way. The lands involved in this suit constitute all the land to the channelward of the original high-water line in square 955 and in square 979, lying to the eastward of the navy yard. This suit is still pending, and it will undoubtedly be several years before final action may be had, particularly should appeal be taken by either party.

Under the provisions of the act of June 24, 1910, the retention of the present railroad-track connection is authorized until the new track connection therein provided for has been completed.

While the act of June 24, 1910, contemplated an expenditure by the railroad company in establishing a track connection of not to exceed $92,500, there was no means whereby the Government could force the railroad company to enter into an agreement under which they would expend that much money for the purpose contemplated, and it may well be that the real reason back of the objections made by the company to entering into the agreement in question was the fact that they

did not care to make an expenditure in this amount, particularly so as under the provisions of the act the present connection, that was paid for by the Government, was to remain until the new connection was completed. The railroad company accordingly, in the present situation, has all the yard business without incurring any additional expense in furnishing the track connection.

In case the amendment as it appears in the bill should be enacted, the Secretary would then have the right to negotiate with either the railroad company having the present track connection at the navy yard or with some other company with which it may be practicable to establish a connection in an entirely different place. So far as the requirement for the railroad company to expend the money in establishing the connection over Government right of way is concerned, it is believed that the broader powers conferred in the amendment will place the Secretary in a better position to secure the construction work by the railroad company than if the act attempted to require the railroad company to spend a specified amount, particularly so as it is doubtful whether under the circumstances there would be any legal steps that the Government could take to require an expenditure of this character on the part of the railroad company.

It is suggested that the amendment recommended in the department's letter of July 10, 1916, might be modified to read as follows:

"The Secretary of the Navy is hereby authorized to enter into an agreement or agreements with such railroad company or companies as he may deem proper for the purpose of establishing, maintaining, and operating a sufficient and satisfactory track connection or connections with the railroad-track system of the Washington Navy Yard as said system is now or may be hereafter established: *Provided*, That so much of said track connection or connections as can not be constructed over any right of way or property now or hereafter owner or occupied by such railroad company or companies shall be constructed wholly upon a suitable and satisfactory right of way to be provided by the United States, the title to which shall at all times remain in the United States: *Provided further*, That so far as may be consistent with the public interests said track connection or connections, with appurtenant turnouts and sidings, may be located and constructed in, upon, over, and through public grounds, space, and streets of the United States as the same are now or may be hereafter ascertained and established: *Provided further*, That the Secretary of the Navy is hereby authorized to acquire any part of the land or property necessary for said right of way by purchase or condemnation and to secure the construction of the connections, sidetracks, turnouts, switches, etc., necessary to the proper operation of the yard system in connection with the said track connection or connections, and for the purpose of acquiring said right of way such part of the sums herein appropriated for additions to said navy yard as may be necessary are hereby made available: *Provided further*, That authority is hereby granted to the railroad company and its successors and assigns, entering into the agreement aforesaid, to construct, maintain, and operate a bridge and approaches thereto for such track connection across the Anacostia River, D. C., at a point suitable to the interests of navigation to an available point within or in the vicinity of the said navy yard in accordance with the provisions of the act entitled 'An act to regulate the construction of bridges over navigable waters,' approved March 23, 1906."

The amendment, if modified as suggested, would, it is believed, authorize the Secretary of the Navy, if he saw fit, to enter into negotiations to provide means whereby more than one railroad company could share in the business of the navy yard, which condition would probably result in a keener competition for the Government's business and might also have the effect of reducing freight charges.

If the proposed amendment is enacted, the department contemplates providing a railroad connection at the navy yard from a point at or near New Jersey Avenue down the canal reservation in Second Street SE., entering the yard on the west side in the property that is proposed to be acquired as an addition thereto. This connection would be brought down so as to eliminate crossing the intervening streets on grade, and would also furnish a direct track connection for the District pumping plant at the foot of Second Street SE.

NEED FOR ADDITIONAL LAND.

The department proposes to acquire as an addition to the yard all of the land on the west side lying south of the south line of M Street and east of the east line of Second Street. This tract embraces squares 770, 771, 801, and 802, and the property south of Potomac Avenue to the water front, the title to which is now claimed to be in the United States. On the east side of the yard it is proposed to acquire the privately owned lands in squares 955 and 979. The total area proposed to be acquired on the west side, including streets and alleys and land already in Government ownership, amounts to about 810,000 square feet, while the total area on the east side proposed to be acquired, including streets and alleys and land already in Government ownership, comprises about 270,000 square feet, making a total area of about 1,000,000 square feet.

With respect to the necessity of acquiring additional land, the commandant of the Washington Navy Yard says that:

"At this time the necessity of gun-shop extension for heavy ordnance became so urgent that various plans were suggested to relieve the congestion and at the same time allow for future development. All suggestions that contemplated extensions to the present shops within the yard limits means the destruction of existing buildings and the paralysis of the present output for a year or more. With this in view, it was deemed good policy, in connection with the western railroad extension, to acquire land to the west and erect a gun shop that would facilitate the construction of the most advanced types of ordnance. The eastern area is not desirable for heavy ordnance shops, owing to the distance from the central power plant and the nature of the substrata, but is particularly desirable because of its water frontage. It is believed that the navy yard should control, and will in the near future require, water front from the District pumping plant at Second Street to the Anacostia Bridge at Eleventh Street SE. The western land is most desirable for heavy ordnance shops, due to the nature of the substratum, proximity to the central power plant, water front area, and railroad facilities, all harmonizing with the development plans now under consideration."

The naval bill, as now before the Senate, provides for an additional gun shop at the Washington Navy Yard to cost not exceeding $600,000. It is proposed that this additional gun shop be located on the area to be acquired on the western side of the yard. The yard authorities say that within two years the entire capacity of the present gun shop will be required for relining guns now in service and a new gun shop is urgently needed for new construction work. To locate this new shop within the present limits of the yard would necessitate extensive rearrangements of present facilities and the tearing down of valuable shops already in existence and their replacement which would add seriously to the already congested condition of the yard and for some time materially interfere with the output. In addition, the present storage facilities at the yard are already inadequate. The additional area to the west would also place the power plant in the center of industrial activities, thus reducing the amount of copper cable necessary and the loss in potential due to distance. The substratum of the western area is a hard type of clay that will support ordinary building construction without piling, reducing the cost thereof from 10 to 15 per cent in case piling were necessary. This western area would also provide excellent facilities for future expansion of the yard, and it is believed that if the land is not acquired at the present time it will be eventually necessary for the Government to acquire it at probably a materially increased cost than at which it could be acquired at the present time.

GRAHAM EGERTON.

Mr. SWANSON. The Senator from Utah [Mr. SMOOT] had an amendment which he desired to offer to the amendment, which has been agreed to, the effect of his amendment being, as I understand, to give the privilege to all railroads of using the tracks when constructed. The Senator from Utah is not present now, but I have sent for him, and if he desires to offer such an amendment I will ask that the matter be reopened.

Mr. TOWNSEND. Mr. President, I should like to call the attention of the Senator in charge of the bill to an amendment which I should like to propose, for his consideration and the consideration of the conferees, in connection with the amendment which he has offered and which has been agreed to on page 153 of the bill. I refer to the part of the bill from line 12 to line 17, inclusive, relating to the age of second lieutenants who may be commissioned in the Marine Corps from civil life. The fact is that there are several young men formerly in the service who are just above the specified age for appointment. The department would like to have the services of those young men. They resigned before the recent demand for additional officers arose. They would like to be restored. They had a higher rank than that of second lieutenant, but would be very glad to reenter the service in that grade. Therefore I should like to ask the Senator if he will not accept an amendment on page 153, after the word "*Provided*," in line 18, inserting the words, "That the Secretary of the Navy, in his discretion, may waive the age limit in favor of officers who have already had service in the Marine Corps: *Provided further*."

Mr. SWANSON. I will accept that amendment for the consideration of the conferees.

The VICE PRESIDENT. The Chair will ask the Senator from Michigan to send the amendment to the desk.

Mr. TOWNSEND. Very well.

The VICE PRESIDENT. The Secretary will state the amendment.

The SECRETARY. On page 153, line 18, after the word "*Provided*," insert:

That the Secretary of the Navy, in his discretion, may waive the age limit in favor of officers who have already had service in the Marine Corps: *Provided further*.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. WEEKS. Mr. President, I move to reconsider the vote by which the Senate adopted the amendment on page 175, commencing with line 9 and ending with line 17, relating to the fitting out of navy yards for the construction of vessels. I think I ought to say to the Senate that if the motion to reconsider carries I shall move to strike out the paragraph from the bill.

Mr. SWANSON. I suggest to the Senator that he make his speech on the motion to reconsider in order to conserve time.

Mr. WEEKS. I am not especially anxious to make a speech.

Mr. SWANSON. I expect to move to lay the motion to reconsider on the table, and that is the reason I made the suggestion to the Senator.

Before the Senator from Massachusets proceeds, however, the Senator from Utah [Mr. SMOOT] was out of the Chamber when the amendment in connection with the purchase of land for the Washington Navy Yard was considered. The Senator is now in the Chamber. I said at the time that if the Senator desired to offer an amendment I would ask that the matter be reopened. I understand the Senator desires to offer an amendment providing that all railroads may have the privilege of using the tracks.

Mr. SMOOT. That they shall all have the use of the tracks.

Mr. SWANSON. I suggest that the Senator from Utah look over the amendment adopted by the Senate a few minutes ago, so that he may prepare an amendment, to be inserted at the proper point. If he desires to offer such an amendment, I will be very glad to accept it, as provisions of that kind are usually included in all such matters affecting the city of Washington.

Mr. WEEKS. Mr. President, yesterday afternoon I submitted some comments on the cost of the maintenance of our Naval Establishment as applied to navy yards, naval stations, maga-

zines, and other similar plants. I tried to demonstrate briefly that in my judgment we have too many navy yards, and that the cost of their maintenance is altogether out of proportion to the results obtained in the construction and repair work which is carried on there. I think I demonstrated that substantially 50 per cent of the money that is actually spent in repair work and other work at the navy yards is spent in the maintenance of plants, the construction of additional buildings and additional docks, and the keeping in repair of these buildings and other appurtenances connected therewith. I followed that through a course of years, and, I think, demonstrated the fact that that is not peculiar to any one year, but that it obtains as a general course in connection with our naval appropriations.

In this particular bill the appropriation for public works is $10,335,715.70. In addition to that we appropriated this morning $450,000 for the repair or rebuilding of a plant at Pensacola, destroyed by a hurricane. That does not include the purchase of the land provided for in the last amendment considered by the Senate. It does not include a projectile plant, for which there is appropriated this year $705,000, the total appropriation for the plant, the balance to be appropriated next year, to be $1,411,000. It does not include an armor-building plant, to cost $11,000,000, so far as this appropriation is concerned, but many more millions before it is completed, in my judgment. It does not include three and a half million dollars provided for the construction of buildings and docks at the Philadelphia yard. It does not include four and a half million dollars provided in this bill for docks and buildings at the Norfolk yard. It does not include about $300,000 for the navy yard at Charleston, S. C. It does not include the million and a half dollars which we have just appropriated for the construction of an experimental laboratory.

What I want to point out, Mr. President, is that in my judgment the equipping of the navy yards, as proposed in this amendment for the construction of vessels, and especially for the construction of capital ships, is bad public policy from the standpoint of economy in the construction of ships, because I think it can be demonstrated that it costs from 10 to 20 per cent more at a navy yard than it does at a private yard. But the minute we do equip these yards for that purpose the contention is going to be made that the equipment should be used, and it will be impossible in an ordinary year to use all of the equipment for construction purposes at seven or eight or nine navy yards, as is proposed in this bill. Not every Senator knows that if he has in the territory which he represents a navy yard equipped to build a ship, and Congress appropriates money for that purpose, there will be the greatest pressure brought to bear on him to have that ship built at that navy yard, whether it can be built there as cheaply as at some other point or not, and it is going to have an influence on naval appropriations in the future which we can not estimate at this time.

I admit that if it only meant $6,000,000 for equipment as provided in this bill it would not be so bad, but it will mean the keeping in operation of that equipment, maintaining it from year to year, and a very large increase in similar appropriations which are sure to follow. I think, as I said yesterday, that it is the most indefensible—in fact, I think it is perhaps the one indefensible thing in this bill, from my standpoint. I am opposed to it not only because of its cost to-day, but for the effect it will have on the future, and I am opposed to it because it is going to mean that every ship we construct for naval purposes in the future is going to cost from 10 to 20 per cent more than it would cost if constructed at other places and in other ways.

Mr. KENYON. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Iowa?

Mr. WEEKS. I yield to the Senator.

Mr. KENYON. I think the Senator stated yesterday the number of navy yards we have in this country.

Mr. WEEKS. Yes; 26 or 27 navy yards, naval stations, and similar plants.

Mr. NELSON. How many of them can build capital ships?

Mr. KENYON. That is the question I was going to ask.

Mr. WEEKS. They can build capital ships in two yards now, and we propose to add three to that number, and in addition to that to build other vessels at four other yards, so that we would be able to build capital ships at five yards and ships of some class at nine yards altogether.

Mr. KENYON. I should like to ask the Senator further how many navy yards, in his judgment, are essential to adequately take care of the purposes of any naval situation we might have in this country?

Mr. WEEKS. I think, Mr. President, that that is a matter for discussion. There will be a difference of opinion about it; but if we were commencing a new Naval Establishment and had nothing with which to commence operations, I doubt if we would have half as many yards as we have, and perhaps not more than one-third as many. We have a Navy about two-fifths or perhaps one-third the size of that of Great Britain and we have more than twice as many yards as Great Britain.

Mr. KENYON. I should like to ask the Senator further as to why that is. Why do we have so many more navy yards than we need?

Mr. WEEKS. They have been established from time to time, sometimes as a result of local pressure; but as soon as a yard is established, even for minor purposes, there is always a pressure to add to the equipment of that yard to fit it for work which can be done at some neighboring yard. That is inevitable in our political establishment.

Mr. GALLINGER. Mr. President——

Mr. WEEKS. I yield to the Senator from New Hampshire.

Mr. GALLINGER. If I correctly understood the Senator from Massachusetts, he says we have 26 navy yards and naval stations.

Mr. WEEKS. Yes.

Mr. GALLINGER. What is covered by the term "naval stations"?

Mr. WEEKS. That term would apply to the Indianhead Proving Grounds and it would apply to the New London Naval Station, and so forth.

Mr. GALLINGER. Yes; but, as a matter of fact, they have no relation to a navy yard proper.

Mr. WEEKS. Well, yes; to some degree. It depends on what is being done there. Take Port Royal. That would be a naval station. There are buildings and equipment there, and there is an appropriation in this bill for their maintenance. There is a naval station at Cavite. There is no navy yard at Pearl Harbor at this time, but that will be a navy yard ultimately, if it is not to-day; and, as the Senator knows, large amounts of money are being spent there.

Mr. GALLINGER. Now, I want to ask the Senator whether or not it is a fact that in the navy yards proper there has been, as a rule, an abundance of work for them all?

Mr. WEEKS. Why, no. I can say distinctly, no. For instance, only two or three years ago the only work done at the New Orleans Navy Yard, where we spend $500,000 for maintenance for the year, was the repairing of the boiler of a steam launch for the Louisiana Naval Militia.

Mr. GALLINGER. That navy yard has been pretty well taken care of since then.

Mr. WEEKS. Oh, it is provided in this bill that we shall provide ways, so that ships can be built there.

Mr. GALLINGER. I apprehend they are doing much more work now. I have not looked it up. The Senator states that we have twice as many navy yards as Great Britain.

Mr. WEEKS. Yes; we have.

Mr. GALLINGER. Does the Senator include the naval stations, and call them navy yards?

Mr. WEEKS. No; I do not.

Mr. GALLINGER. What yards does the Senator include?

Mr. WEEKS. I include Portsmouth, Boston, New York, Philadelphia, Norfolk, Charleston, Pensacola, Guantanamo, Mare Island, Bremerton, and probably Cavite. I may not be accurate about it, but that is substantially the list.

Mr. GALLINGER. I will ask the Senator how much of a navy yard there is at Pensacola?

Mr. WEEKS. We have just appropriated $450,000 for the rebuilding of some buildings there that were destroyed by a hurricane recently.

Mr. GALLINGER. Yes.

Mr. WEEKS. We have enough of a navy yard there to require the expenditure of that amount of money at that point, as provided in this bill.

Mr. GALLINGER. But that amount would not go very far toward establishing a navy yard.

Mr. WEEKS. Oh, no. I will say to the Senator, however, that there is a very large plant at Pensacola—a large area, sufficient for an aviation field, and a great many buildings, though they are probably not suitable for up-to-date naval construction.

Mr. GALLINGER. Now, Mr. President, I will venture to ask the Senator if, from his personal knowledge, he is warranted in saying that we have twice as many navy yards as Great Britain?

Mr. WEEKS. I think I am.

Mr. GALLINGER. Have I not correctly read that Great Britain has twice or three times as many dry docks as we have?

Mr. WEEKS. Oh, I am not talking about dry docks.

Mr. GALLINGER. I am.

Mr. WEEKS. If the Senator limits himself to the number of dry docks, I am perfectly in agreement with him, that we should have more dry docks.

Mr. GALLINGER. As a separate matter of construction?

Mr. WEEKS. Oh, no; dry docks at the navy yards that are already established.

Mr. GALLINGER. Where does Great Britain place her dry docks?

Mr. WEEKS. She places them in her navy yards.

Mr. GALLINGER. That is, she has three or four, for instance, in one navy yard?

Mr. WEEKS. Oh, yes.

Mr. GALLINGER. Of course that answers my question.

Mr. President, I had not the privilege of listening to what the Senator from Massachusetts said yesterday about our superfluity of navy yards in this country. It is a subject that I have listened to several times before, and I know the attitude that a Secretary of the Navy from Massachusetts took on that subject. Recently I read a most remarkable pronouncement from him, in which he called attention to the Portsmouth Navy Yard as being not only superfluous but an abomination. Notwithstanding these denunciations or these criticisms, I do not think we are going to abolish any of our well-established navy yards.

Mr. WEEKS. I do not think we are. I am not at all optimistic about it. I am confident that every Senator in whose State there is a navy yard will do just what the Senator from New Hampshire is doing—rise in his place and protest against anything being done to injure the navy yard which he has under his special jurisdiction.

Mr. GALLINGER. The navy yard that I represent, as the Senator suggests, is in the State of Maine; but we have an interest in it in New Hampshire, and we are very proud of it. We are proud of the quality of our mechanics there and of the work that we are turning out. While, if there is any well-considered plan whereby the navy yards shall be reduced, we will take our chances with the rest, yet we do not want our navy yard abolished by newspaper articles or magazine contributions or speeches in the Senate. We are not going to have it abolished in that way.

Mr. WEEKS. Mr. President, I have made no motion to abolish navy yards. My motion is to prevent an appropriation being made which, I think, will add greatly to the cost of maintenance and the carrying on of our naval operations without any commensurate return.

Mr. GALLINGER. I am not going to argue that question with the Senator. Possibly the proposed appropriation is an extravagant or unnecessary appropriation. I have not looked into it. But the committee, in their wisdom, seemed to think it was wise, and I am quite inclined to follow the committees in this body unless I am persuaded that they are absolutely wrong in their conclusions.

Mr. CURTIS. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Kansas?

Mr. WEEKS. I yield to the Senator.

Mr. CURTIS. Did I understand the Senator to say that there was a navy yard established, or to be established, at Pearl Harbor?

Mr. WEEKS. I think so.

Mr. CURTIS. Has there been any appropriation for it?

Mr. WEEKS. There is an appropriation in this bill of $700,000 for dock construction.

Mr. CURTIS. Has that harbor been placed in condition yet so that large vessels can be handled there?

Mr. WEEKS. I do not know that that has been done, but we have a rear admiral in command of the naval station at Pearl Harbor at this time, and we have had for the last three or four years.

Mr. CURTIS. I was in Pearl Harbor a few years ago, and the larger vessels could not be handled in the harbor at that time.

Mr. WEEKS. The docking facilities are being constructed at this time.

Mr. SMOOT. They are dredging there now for the larger vessels.

Mr. CHAMBERLAIN. Mr. President, may I interrupt the Senator?

Mr. WEEKS. Yes; I yield to the Senator from Oregon.

Mr. CHAMBERLAIN. May I ask the Senator at how many of the navy yards that are now established capital ships can be constructed?

Mr. WEEKS. Two.

Mr. CHAMBERLAIN. What are they?

Mr. WEEKS. New York and Mare Island.

Mr. CHAMBERLAIN. Those are the only two?

Mr. WEEKS. Those are the only two.

Mr. CHAMBERLAIN. Does the Senator understand, from this provision, that it is intended that the yards that are provided for are to be so remodeled and reconstructed that capital ships can be built at them?

Mr. WEEKS. At three of them; and at four additional yards ships other than capital ships can be constructed.

Mr. LODGE. There are to be four for capital ships.

Mr. CHAMBERLAIN. How does the Senator construe the section on page 43 of the bill which provides for an investigation and report as to the construction of a navy yard on the Pacific coast, while another provision of the bill provides for the construction of a capital yard on the Pacific coast? Are not the two provisions inconsistent? If there is going to be an investigation and a report, ought not that investigation to be made and the report placed in the hands of the Secretary of the Navy before a large amount of money is appropriated for the purpose of remodeling?

Mr. WEEKS. My judgment is, Mr. President, that this paragraph ought to go out of the bill. If after suitable investigation it is decided that some additional facilities should be provided at some navy yards, I would not make a contention against it; but an indiscriminate increase of naval provision for construction purposes, as provided in this bill, is very unwise, and we will recognize it as such in years to come when we make the appropriations for its maintenance.

Mr. CHAMBERLAIN. I want to call the Senator's attention to the fact that my colleague [Mr. LANE] some time in February introduced a bill for the purpose of establishing a navy yard on the Columbia River. Just let me call the Senator's attention to it, and I want to show my reason for asking these questions.

The committee took no action with reference to that proposition. The amendment that my colleague suggested was practically recommended in 1900 by a special committee that reported favorably upon the construction of such a place at the mouth of the Columbia River; and, as I understand, the evidence before the Naval Affairs Committee does not recommend the enlargement of these three yards that it is now proposed to appropriate money to enlarge. In other words, a port where a navy yard was recommended was turned down by the committee, and one which was not recommended has been appropriated for.

Mr. WEEKS. Was not that recommendation made before the establishment of the yard at Bremerton?

Mr. CHAMBERLAIN. It was in 1900.

Mr. WEEKS. I think that was before the location of the yard at Bremerton.

Mr. LODGE. I think so. Mr. President, if my colleague will yield to me for a moment, I will say to the Senator from Oregon that this appropriation was not intended to remodel any yard. The money would not be nearly sufficient to do that to one yard. The whole purpose of this is to put slips or ways for shipbuilding in yards which do not now possess them. The four yards named for capital ships are highly equipped yards—Norfolk, Philadelphia, and Boston; and Bremerton is in process of equipment. All that is needed in those yards to enable them to build capital ships is to put in slips or ways. In the other yards—Portsmouth, Charleston, and New Orleans—which are smaller yards, it is proposed to put in ways or slips for the building of the smaller ships of the Navy, which, of course, have to be built somewhere.

There is no intention of going into any general remodeling or rebuilding of yards. The sum is altogether too small for anything of that sort.

Mr. WEEKS. Mr. President, let me ask my colleague if he does not think it likely that there will be a loud cry from these yards that are now being equipped to build minor ships to be provided with suitable equipment to build capital ships as soon as another bill comes before Congress?

Mr. LODGE. I should doubt it, because what is desired in any yard is the building of ships, the work, probably, for the locality; and the small ships, of which there are so many, can be built at the smaller yards. Why, there are 20 torpedo-boat destroyers authorized in this bill, four scout cruisers, one transport, one fuel ship, and so forth, all of which could be built in these smaller yards.

Mr. WEEKS. I notice that that did not satisfy those who represented the Philadelphia Navy Yard, which in the original print of the bill which is before us——

Mr. LODGE. That was provided for in the House. It was left out by mistake in the Senate amendment. In the House provision the House had inserted it. Philadelphia is another large yard which needs only ways in order to build ships. I

mean, by that, it has the shops, it has the machinery, it has the great labor population to draw upon, and is perfectly able, if ways are put in, to build ships.

Mr. CHAMBERLAIN. Mr. President, if the Senator will allow me to interrupt him again, I am disposed to agree with the junior Senator from Massachusetts that this provision ought to be stricken from the bill. As the Senator has shown quite distinctly, it is simply the beginning of a very large appropriation, without adequate information by the committee as to what ought to be done. It seems to me that the provision which is made on page 43 of the bill is a very wise one; that is, to provide for an examination into this whole matter, and to have a report made to the Secretary of the Navy, so that when action is taken it will be made advisedly, and upon the report of an expert commission.

Mr. SWANSON. For the new navy yards?

Mr. CHAMBERLAIN. For the new navy yards, or for any navy yards. They can report at the same time upon those that are already established. It may be that some of these on which it is now proposed to expend something like $6,000,000 are not as good as some that would be investigated and reported upon by this expert commission.

I want to be perfectly frank with the Senator. The people in my section of the country have been insisting that a navy yard ought to be established at the mouth of the Columbia River. I have not been disposed to agree with that recommendation in its entirety, after having read what there is on the subject, because, while I feel its importance not only to that section but to the whole country, I think it is not a local matter. It is a national matter; and before this vast sum of money is expended the people ought to be able to judge from the reports as to whether or not the expenditure ought to be made at any particular place.

I feel now that the position of the junior Senator from Massachusetts is absolutely unassailable. The money ought not to be expended without fuller information upon this whole subject.

Mr. WEEKS. Mr. President, let me call the Senator's attention to the fact that even where there is a well-equipped yard it does not mean that the addition of facilities of this kind will not be followed by appropriations for other things contingent to this. Let us take the Norfolk yard in this bill as an indication of what may be required by a well-equipped yard. The items for public works at the Norfolk navy yard are, ventilating system, $15,000; toilet and locker facilities, $12,000; to complete 150-ton crane, $265,000; dry dock (limit of cost not exceeding $3,500,000), $500,000; one structural shop (cost not to exceed $1,000,000), $400,000.

Mr. SWANSON. Does the Senator contend that a dry dock has anything to do with construction?

Mr. WEEKS. Mr. President, I have said that I approve of the construction of more dry docks; but I am calling to the attention of the Senate the fact that when you establish one facility at a yard it is followed by many others.

Mr. SWANSON. Does not the Senator know that all that would have to be done to construct a battleship at Norfolk would be to provide a building way there—that is, a way upon which the ship could be put?

Mr. WEEKS. The Senator need not be sensitive because I am referring to Norfolk.

Mr. SWANSON. No; I am not sensitive. In the case of Boston, does not the Senator know that all that is needed to construct a battleship at Boston is a building way? They have the yard, they have the machinery, they have the land, and all they need to be able to do it is to have a building way there. These yards have been there since this Government was established. All those other expenses to which the Senator alludes are in connection with our repair work. They are to make repairs at these various yards.

Mr. WEEKS. How about a structural shop to cost a million dollars?

Mr. SWANSON. We had a fire at Norfolk. The shop was burned up. We have not had anything there in the way of new shops for years; and the department quickly recommended that while it would be intended for repairs, it could also be used, when required, for construction.

Mr. WEEKS. Salvage and tools are appropriated for to the extent of $50,000.

Mr. SWANSON. That is done every year, whether you put up buildings there or not, for repair work.

Mr. WEEKS. I simply repeat the statement that I started with—that we spend a larger amount of money for the maintenance of our manufacturing plants at navy yards than any other manufacturing establishment in the world spends, in percentage, and that we will spend a greatly increased amount if we provide for these building ways.

Mr. SWANSON. Mr. President, I will detain the Senate only a few minutes.

There is nothing in this bill that I know of in connection with construction that has not been urgently requested by the Secretary of the Navy. This provision was drawn by the Secretary of the Navy, and he urgently requested that an opportunity be given to construct some of these ships at these yards, so as not to be compelled to pay exorbitant prices to private shipbuilders.

Take the instance the senior Senator from Massachusetts [Mr. LODGE] related the other day. When battleships *No. 43* and *No. 44* were up for contract we had appropriated a general sum of money, but the only two yards in which we could construct them were filled, and consequently could not be utilized; and they would not give a bid within the authorization made by Congress.

Mr. OLIVER. Mr. President——

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from Pennsylvania?

Mr. SWANSON. I yield to the Senator.

Mr. OLIVER. Is it not a fact that the reason why they could not be constructed within the amount appropriated was that the appropriation was made before the great advance in cost of construction and in price of materials? And is it not a fact that the amounts appropriated in this bill for like ships are larger than the amounts appropriated for the construction of the ships to which the Senator refers? I will prophesy that it is a fact that they will never be constructed in the navy yards, notwithstanding the great delay consequent upon so constructing them, within the appropriation.

Mr. SWANSON. Mr. President, the Senator from Pennsylvania is correct to some extent. There has been an advance, but the department does not think the advance in material is sufficient to prevent the ships from being built within the authorization. This equips four yards. With the number of ships we are building unless something like this is done we will be completely at the mercy of private shipbuilders in this program.

There is no intention of building all the ships in private yards. The department has asked Congress to give it enough yards so that there may be fuller competition between the navy yards of the Government and the private yards, that the Government may have the ships constructed at a reasonable price.

The department has urged this, the House considered it fully and passed it, and it seems to me that it would not be wise not to give the Government at the earnest request of the Navy Department this opportunity to have ships built in private yards at a fair price, and if they are not fair but are unreasonable then that they shall be constructed in Government yards.

I move to lay the motion to reconsider on the table.

Mr. CHAMBERLAIN. Mr. President, before the Senator from Virginia makes the motion to table, I wish to take issue with him in his statement that this appropriation has all been recommended by the Navy Department. On the contrary, it is rather discountenanced by the Navy Department, and I am going to call the Senator's attention to the record. As a matter of fact, the committee is acting in the teeth of recommendations heretofore made on this subject by the Secretary and his aids.

It is very natural that all these matters take a local tint. I appreciate that. There is nothing unfair on the part of Senators from particular sections of the country insisting upon the construction of these bases or navy yards and these expenditures in their particular sections. There is no better evidence that this is being done now than the fact that the distinguished Senators on the Committee on Naval Affairs are entirely within the localities where the expenditure of this $6,000,000 is to be made. There is nothing wrong about it; it is simply a case where Senators are looking to the interests of their own constituents and their own sections.

But, Mr. President, this expenditure does not involve a local proposition. It is a great national question, aye, Mr. President, it is an international question, and we ought to get entirely away from the local aspect of the matter when we come to consider the expenditure of money not so much for the present as for the future protection of our coasts and our country. Our very national life may be involved in the course we shall here decide upon.

As I said a while ago, my colleague in February introduced a bill which had for its purpose the establishment of a navy yard at the mouth of the Columbia River. That bill was as follows:

A bill authorizing the establishment of a naval base on the Columbia River near Astoria, Oreg., and making appropriation for the beginning of construction.

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized to secure a suitable site on the Columbia River, Oreg., as near to the entrance as may be deemed advisable, for the construc-

tion of a first-class naval base, including the following: Building ways, for building large and small vessels; dry docks, capable of docking the largest dreadnaughts; marine railways; machine shops; boiler shops; electrical shops; pattern shops; paint shop; copper shop; galvanizing shop; joiner shop; ship-fitter shop; smithery and chain shop; sheet-metal shop; boat and aeroplane shop; sail, rigging, and flag shops; oxyhydrogen and acetylene shops; foundry; tracks and rolling stock; barracks; chemical laboratories; radio plant; magazines; hospital, dispensary; fire-engine house; stables and garages; piers; fueling plant; storehouses; office buildings; floating derrick; and sawmill; and that $3,000,000 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the acquisition of a site and beginning of the work of construction.

Of course, I was interested in that proposition as a local one, as the whole Northwest was interested in it. Commercial bodies of the West got behind it and a good deal of money was expended by the people of the Northwest in sending agents here to see and induce the Secretary of the Navy to authorize the construction of a navy yard at the mouth of the Columbia River.

Very naturally, Mr. President, I espoused the western side of that proposition, and I was very anxious and solicitous that something might be done in the way of the construction of a navy yard at the mouth of the Columbia River. But after looking into it and after consulting with the Secretary of the Navy and distinguished naval officers on the subject, I felt that it would be unpatriotic to undertake to get the Government to adopt a plan and expend a vast sum of money for constructing a navy yard without having sufficient information as to what ought to be done in the premises.

Mr. President, the proposition that these people were urging was based upon a report that was made by a special board of naval officers made to the Secretary of the Navy in 1900. So there was some warrant for urging it, not only because the people of that section were interested in it but because it had the indorsement of experts of the Navy. They recommended in that report the construction of a navy yard at the mouth of the Columbia River, with certain limitations disclosed by the report. The only thing that made them hesitate at that time was the fear of a lack of water on the bar at the mouth of the river, and they recommended that as soon as that obstacle was overcome the Government ought to construct a navy yard at the mouth of the Columbia River.

Mr. President, I am going to ask to have printed in the RECORD the report that was made at that time by the special board of experts. It is to be found in Senate Document No. 60, Fifty-sixth Congress, second session, pages 2, 3, and 4.

The VICE PRESIDENT. Without objection, the report will be printed.

The report is as follows:

ADVANTAGES.

Location and strategic position: The mouth of the Columbia River is one of four points on the Pacific coast of the United States which affords safe harbor for moderate-draft shipping. It is the natural outlet for an immense productive territory, and as a shipping point is important because of its excellent through railroad communications.

Its position, 550 miles from San Francisco, and the only available point between San Francisco and Puget Sound, makes it highly important, from a strategic standpoint, to have the Columbia River possible as a harbor of refuge and repair for naval vessels, more especially as the entrance to the Puget Sound naval station lies between shores, one of which belongs to another nation.

Fresh water: The Columbia River, from a point about 15 miles above its mouth, is always fresh. Numerous mountain streams make available an abundant supply of potable water anywhere on the river.

Railroad: Ample railroad communication is found in a railroad on the south or left bank of the Columbia to the mouth of the river, near and beyond Astoria. By this railroad supplies can be received from all the great railroads leading into Portland.

Labor and supplies: Portland, the largest city in the extreme Northwest, is convenient to all points on the Columbia River, and is an excellent labor and supply center.

Climate: The climate along the Columbia River is mild, with but little snow, and work at a shipyard could proceed without interruption throughout the year.

DISADVANTAGES.

Columbia River bar: In considering the advisability of establishing a dry dock on the Columbia River, the depth on water on the river bar must always be the leading consideration.

The ruling depth of the bar channel, previous to the construction of the jetty, was from 20 to 21 feet. The jetty was commenced in 1885 and completed in 1895, when a depth of 31 feet was secured in the main ship channel at low water, 30 feet having been expected.

The survey of 1896 showed a shoaling to a 30-foot channel; that of 1897 showed no change, while in 1898 the depth had decreased to 29 feet, and in 1899 to 28 feet. For these four years the decrease in depth may be said to have been fairly uniform, but last winter, during the nine months from September, 1899, to June, 1900, the bar has shoaled from 28 to 23 feet, a decrease in depth of 5 feet.

A plan has been prepared and approved by the War Department for a continuation of jetty work, with the expectation of obtaining a 40-foot channel. For this purpose an appropriation has been granted to make preparations for the proposed jetty extension, thus probably insuring the whole appropriation necessary for the complete improvement of the bar. With this work accomplished, the Army engineers expect that at least 35 feet, and probably 40 feet, will be secured.

It is also proposed to secure a depth of 25 feet at low water in the channel of the river from a point immediately above Astoria to Portland. The most serious difficulty existing at present is the shoalness of the channel from Tongue Point to Point Harrington, on the north shore, a depth of 17 feet only at mean low water being shown in some spots. This must be remedied before the river can be considered open at all times to vessels of deep draft.

Crossing bar: With or after a southeast or southwest gale the Columbia River bar is very rough and practically not navigable Under these conditions vessels are bar bound often for a considerable time.

According to numerous authorities, from 10 to 12 feet are needed under the keel of a moderate-draft vessel in very rough weather. Last winter ships drawing 17 feet coming in are reported to have touched during rough weather; for ships drawing 22 feet or over exceptionally favorable conditions of weather, tide, and bar are necessary.

Annual freshets: From the mouth of the Columbia River to just above Astoria the yearly freshets produce no effect on the height of the tide, while from this point to the mouth of the Willamette the variation in height of water from this cause is from zero to 15 feet.

The average range of tides in the vicinity of Astoria is between 7 and 8 feet.

Weather and bar conditions: For the general conditions of wind and weather and state of the bar, reference may be made to Appendix F, a table covering these points for a period of about 18 months.

In view of the above, the board is unanimously of the opinion that while the present conditions exist the benefit to be derived by the naval service would not warrant the expense of locating a dry dock and the naval station, which would result, and maintaining the same.

Should the proposed improvements of the bar and river channel be carried out and result in obtaining the necessary depth of water, which seems assured from past experience, the board is of the opinion that the location on the Columbia of a dry dock and naval station for making repairs to modern vessels of war would be most desirable from the undoubted advantages possessed by the river.

Not being able to report that the location of a dry dock on the river is advisable at this time, the board did not select any location, but is of the opinion that a desirable site could be obtained without undue expense to the Government that would meet the requirements noted in the instructions of the Bureau of Yards and Docks.

Very respectfully,

HENRY GLASS,
Captain, United States Navy, Senior Member.
PHILIP ANDREWS,
Lieutenant, United States Navy, Member.
HOMER R. STANFORD,
Civil Engineer, United States Navy, Member.

The SECRETARY OF THE NAVY,
Navy Department, Washington, D. C.

Mr. CHAMBERLAIN. Now, the committee in the amendment under consideration have abandoned that report and that recommendation entirely, and notwithstanding the fact that the conditions exist now which warrant favorable action based upon that report, I am not at this time going to insist that that report be followed.

I call the attention of the Senate to the fact that the distinguished Senator in charge of this bill is mistaken when he says the expenditure is demanded by the Secretary of the Navy. On page 3180 of the hearings before the House Mr. STEPHENS of California, when Admiral Benson was testifying, asked:

Mr. STEPHENS. How do you consider Puget Sound Navy Yard; among the very best we have?

Admiral BENSON. I think it is a very good yard; a yard that should be developed.

Mr. STEPHENS. Do you favor this Congress appropriating $2,000,000 for fitting it for the construction of battleships?

Admiral BENSON. I do not believe I would, sir. I do not think I would advise $2,000,000 at Puget Sound for building battleships.

Mr. STEPHENS. Do you think the one yard at Mare Island sufficient to construct what should be constructed on the Pacific coast?

Admiral BENSON. Under present conditions my idea would be to establish a plant in San Francisco Bay that would be adequate for building as many battleships as we would be required to build on that coast. We have assigned *No.* 44 to Mare Island, and, as I said before, I concurred, if I did not suggest building it at Mare Island; but I do think that the time has come when we should establish a station in San Francisco Bay for the purpose of the primary naval station on the California coast.

So we see that instead of recommending what is suggested in this bill, Admiral Benson recommended aganist it, and yet the committee reports an amendment here advocating the enlargement of this particular yard amongst others. But, Mr. President, my insistence is that all these yards that are mentioned in the bill ought to have no money expended on them until a report has been made by a special committee. So Admiral Benson differs from the distinguished Senator in charge of the bill.

Again, at page 3457 of the hearings, Mr. STEPHENS of California asked this question of the Assistant Secretary of the Navy:

Mr. STEPHENS. Mr. Secretary, you are aware, no doubt, that the Senate has passed a bill appropriating $2,000,000 for the construction of ways and machine shops, etc., for battleship building at the Bremerton yards.

Mr. ROOSEVELT. Yes.

Mr. STEPHENS. Does it meet with your approval?

Mr. ROOSEVELT. Yes; but I would like to have seen something else coupled with it.

Mr. STEPHENS. What would that be?

Mr. ROOSEVELT. That is the establishment of a proper naval base—and that is at the present moment of vital necessity on the Pacific coast—in the neighborhood of San Francisco Bay.

Mr. STEPHENS. Would you establish a naval base at any place on the Pacific coast without first sending a commission to examine and report upon the advisability of and location for such a base?

Mr. ROOSEVELT. As far as Puget Sound goes, we do not need the commission.

Mr. President, I am calling attention to these facts to show that the Navy Department has not recommended these things, and common business prudence suggests that before action is taken for the expenditure of large sums of money there ought to be some examinations made, some hearings had so that the Secretary of the Navy and Congress can act intelligently and upon the basis of the facts submitted.

Secretary Daniels on this very subject at page 3644 said, in answer to a question by the chairman:

Secretary DANIELS. I think, Mr. Chairman, that the increase of the Navy and its development are going to make the Pacific Fleet more important than heretofore and that we ought to have a real study of what we will need on the Pacific. I would recommend that you incorporate in the bill a provision directing the Secretary to appoint such a board and have it investigate during the summer, so that a report can be made to Congress in December.

That report has not been made yet, and the amendment proposed by the committee with reference to the expenditure of $6,000,000 is made without any recommendation from the different naval officers who ought to be informed upon the subject.

Mr. President, if we are going to expend $6,000,000, instead of naming the yards the matter ought to be left entirely to the discretion of the Secretary of the Navy to say how many yards the money should be expended on and what particular yards ought to be utilized for the purpose of carrying out the enlarged program for naval construction that is here contemplated.

I might, Mr. President, call attention to other testimony in this connection to show that this expenditure for any particular yard has not been recommended by the Secretary of the Navy. It may be that Bremerton is the proper place, and I am not criticizing that. It is an excellent location for a yard. Whether it is the place where capital ships ought to be built or not I do not know, and there is no evidence before the committee to show whether they know or not. Whether the mouth of the Columbia River is the place or not I do not know. As a resident of the State of Oregon, and as representing in part that State, I am not going to ask the Congress of the United States to establish a navy yard there without knowing that the money for that purpose is to be expended in the interest of the whole country and for our most efficient defense against enemies, from whatsoever place they may come.

It may not or it may be the proper place. It may be, Mr. President, that Mare Island is the place where all this money should be expended; and if the evidence that might be submitted here by a committee appointed to investigate the subject was that Mare Island is the best place, I would be the last man to stand on the floor of this Chamber and say that a dollar of it ought to be spent in my State.

Senators have been talking about getting excited over this preparedness proposition. To authorize the expenditure of large sums of money without a basis upon which to expend it does look like acting with some excitement and without mature reflection, and it is for that very reason that in a matter of such vital importance to our country nothing ought to be done until we have been advised fully and by experts.

I introduced a resolution in the Senate the other day calling upon the Secretary of War for information as to conditions of defense on the Pacific coast. I was expecting an answer that I could give to the public through the instrumentality of the CONGRESSIONAL RECORD. When the report came in it was a confidential report. Why? Because that magnificent coast, Mr. President, is so absolutely poorly defended that the War Department did not want the public or, possibly, foreign governments to know how poorly we are defended there. Now, we are going to work expending money here for navy yards and shipbuilding without having the information that is necessary to authorize Congress to act with that intelligence and with that patriotism which are necessary in this emergency.

All I want, Mr. President, is that when we do authorize the construction of navy yards on the Pacific coast—and this bill provides for an investigation of conditions out there—that when we do authorize the expenditure of money on the Pacific coast the Congress of the United States and the people of the country shall know that the money is going to be expended at a place that will be best for the interest of the whole country.

The only objection I have to this provision is that under it we are to expend $6,000,000 in certain locations without having the benefit of the expert advice of the officers of the Navy who are in a position to know conditions. A month or two will not make any difference. Let us strike out that provision, and let us leave in the bill the first part which provides that an examination shall be made of the Pacific coast and the proper places selected for the establishment of a navy yard. It might be enlarged so that the investigations may be made along the Atlantic coast as well. It ought to be done. Let the officials report here by December. They can do it. They possibly have the information and data in the office down at the Navy Department. Let them make the report, and when that report is in, let us appropriate the money and expend it not for the benefit of any locality in this country, but for the benefit of the whole country to protect our shores against our enemies, whether at home or abroad.

Mr. President, I hope the motion of the Senator from Massachusetts will prevail, and that the provision under consideration will be stricken from the bill, in order that before we act we may have more information and more light, and know just exactly how and where the navy yards ought to be established and how much should be expended at each one.

I hope that that action will be taken and that the scope of the bill will be enlarged so that if necessary the investigation of the commission to be created shall extend to the Atlantic and Gulf coasts as well as to the Pacific coast.

Mr. SWANSON. I move that the motion to reconsider be laid on the table.

Mr. CHAMBERLAIN. On that I ask for the yeas and nays.

The yeas and nays were ordered.

The VICE PRESIDENT. The Secretary will call the roll.

Mr. CATRON. I should like to know what the question is that we are voting on.

The VICE PRESIDENT. The Senator from Massachusetts [Mr. WEEKS] has moved to reconsider the vote whereby the amendment on page 175 of the bill was agreed to. The motion now is to lay the motion of the Senator from Massachusetts on the table.

The Secretary proceeded to call the roll.

Mr. BECKHAM (when his name was called). I transfer my pair with the Senator from Delaware [Mr. DU PONT] to the Senator from Tennessee [Mr. SHIELDS] and vote "nay."

Mr. CATRON (when his name was called). I am paired with the Senator from Oklahoma [Mr. OWEN], but by an understanding with him, I am authorized to vote notwithstanding my pair. I vote "yea."

Mr. DILLINGHAM (when his name was called). I have a pair with the senior Senator from Maryland [Mr. SMITH], who is absent to-day, for which reason I withhold my vote.

Mr. SHERMAN (when his name was called). I have a pair with the Senator from New Jersey [Mr. MARTINE] and withhold my vote.

Mr. THOMAS (when his name was called). Has the senior Senator from North Dakota [Mr. MCCUMBER] voted?

The VICE PRESIDENT. He has not.

Mr. THOMAS. Then I withhold my vote, having a pair with that Senator. If I were at liberty to vote, I should vote "nay."

Mr. TILLMAN (when his name was called). Announcing the same pair and transfer as on the former vote, I vote "yea."

Mr. UNDERWOOD (when his name was called). I am paired with the junior Senator from Ohio [Mr. HARDING]. In his absence, I transfer that pair to the junior Senator from Arkansas [Mr. ROBINSON] and vote "yea."

Mr. VARDAMAN (when his name was called). I have a pair with the junior Senator from New York [Mr. WADSWORTH]. In his absence I withhold my vote. If permitted to vote, I should vote "nay."

Mr. WEEKS (when his name was called). I have a general pair with the senior Senator from Kentucky [Mr. JAMES]. I transfer that pair to the senior Senator from Idaho [Mr. BORAH] and vote "nay."

The roll call was concluded.

Mr. CHILTON. I transfer my pair with the Senator from New Mexico [Mr. FALL] to the Senator from New Jersey [Mr. HUGHES] and vote "yea."

Mr. GALLINGER. I have a general pair with the senior Senator from New York [Mr. O'GORMAN], which I transfer to the senior Senator from South Dakota [Mr. STERLING] and vote "yea."

Mr. SIMMONS. I transfer my general pair with the junior Senator from Minnesota [Mr. CLAPP] to the Senator from Nebraska [Mr. HITCHCOCK] and vote "yea."

Mr. NORRIS (after having voted in the negative). I voted under a misapprehension. I desire to vote "yea."

Mr. WARREN. My colleague the Senator from Wyoming [Mr. CLARK] has been called from the Chamber. He is paired with the senior Senator from Missouri [Mr. STONE].

Mr. WEEKS. I think I noticed in the list of Senators who voted in the affirmative, as they were read, the name of the Senator from Tennessee [Mr. SHIELDS]. I did not see him in the Chamber and I understood that he was not present. I think some Senator answered when his name was called under a misapprehension.

Mr. SWANSON. Possibly I thought my name was called and I answered at the wrong time.

Mr. WEEKS. No; the Senator answered when the name of the Senator from Missouri [Mr. STONE] was called.

Mr. SWANSON. I know my name was called. I caught my name.

Mr. CURTIS. Mr. President, I am requested to announce the following pairs:

The Senator from Rhode Island [Mr. COLT] with the Senator from Delaware [Mr. SAULSBURY];

The Senator from Delaware [Mr. DU PONT] with the Senator from Kentucky [Mr. BECKHAM];

The Senator from New Mexico [Mr. FALL] with the Senator from West Virginia [Mr. CHILTON];

The Senator from West Virginia [Mr. GOFF] with the Senator from South Carolina [Mr. TILLMAN];

The Senator from Rhode Island [Mr. LIPPITT] with the Senator from Montana [Mr. WALSH];

The Senator from Connecticut [Mr. MCLEAN] with the Senator from Montana [Mr. MYERS];

The Senator from Vermont [Mr. PAGE] with the Senator from Oklahoma [Mr. GORE].

The Senator from Michigan [Mr. SMITH] with the Senator from Missouri [Mr. REED];

The Senator from Utah [Mr. SUTHERLAND] with the Senator from Arkansas [Mr. CLARKE]; and

The Senator from Michigan [Mr. TOWNSEND] with the Senator from Florida [Mr. BRYAN].

The result was announced—yeas 38, nays 16, as follows:

YEAS—38.

Ashurst	Johnson, Me.	Owen	Smith, Ga.
Bankhead	Johnson, S. Dak.	Penrose	Smith, S. C.
Broussard	Jones	Phelan	Swanson
Catron	Kern	Pittman	Taggart
Chilton	La Follette	Poindexter	Tillman
Culberson	Lee, Md.	Pomerene	Underwood
Fletcher	Lewis	Ransdell	Warren
Gallinger	Lodge	Shields	Williams
Hardwick	Martin, Va.	Simmons	
Husting	Norris	Smith, Ariz.	

NAYS—16.

Beckham	Cummins	Nelson	Sheppard
Brady	Curtis	Newlands	Smoot
Brandegee	Kenyon	Oliver	Weeks
Chamberlain	Lane	Overman	Works

NOT VOTING—41.

Borah	Gronna	Myers	Stone
Bryan	Harding	O'Gorman	Sutherland
Clapp	Hitchcock	Page	Thomas
Clark, Wyo.	Hollis	Reed	Thompson
Clarke, Ark.	Hughes	Robinson	Townsend
Colt	James	Saulsbury	Vardaman
Dillingham	Lea, Tenn.	Shafroth	Wadsworth
du Pont	Lippitt	Sherman	Walsh
Fall	McCumber	Smith, Md.	
Goff	McLean	Smith, Mich.	
Gore	Martine, N. J.	Sterling	

So the motion to lay on the table the motion to reconsider was agreed to.

Mr. SWANSON and Mr. JONES addressed the Chair.

The VICE PRESIDENT. The Senator from Virginia.

Mr. SWANSON. I have some small amendments to perfect the text of the bill, which I desire to offer. The Senator from Utah [Mr. SMOOT], however, has an amendment to an amendment, which was adopted in his absence and which I promised to call up when he returned. I now yield to him, so that he may offer his amendment.

Mr. SMOOT. Mr. President, in the amendment which was adopted by the Senate and which had been offered by the Senator having the bill in charge, the lines are not numbered, but I move to amend that amendment after the word "company" by inserting the words "or companies," and after the word "its" by inserting "or their," so that the provision, if so amended, will read:

Provided further, That authority is hereby granted to the railroad company or companies and its or their successors and assigns—

And so forth.

Mr. SWANSON. I accept that amendment.

The VICE PRESIDENT. Without objection, the vote whereby the original amendment was agreed to will be reconsidered, and the amendment to the amendment will be agreed to, and the amendment as amended agreed to.

Mr. SWANSON. There are some small amendments to correct the language of the bill, in which there have been some misprints. I desire that the amendments which I now send to the desk may be adopted.

The VICE PRESIDENT. The amendments proposed by the Senator from Virginia will be stated.

The SECRETARY. On page 148, line 17, it is proposed to strike out the figures "$35,085" and to insert "$37,585."

The VICE PRESIDENT. Without objection, the amendment is agreed to. The next amendment proposed by the Senator from Virginia will be stated.

The SECRETARY. On page 109, line 16, it is proposed to strike out the word "National" and to insert in lieu thereof the word "Naval."

The VICE PRESIDENT. Without objection, the amendment is agreed to. The next amendment proposed by the Senator from Virginia will be stated.

The SECRETARY. On page 117, line 23, it is proposed to strike out the name "United States" and to insert in lieu thereof the word "National."

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. SWANSON. Mr. President, that finishes all the amendments of the committee, except the amendment on page 4, which is dependent upon the adoption by the Senate of the building program as outlined. I shall not call those amendments up this evening, but shall reserve the right to call them up early on Monday morning. I ask unanimous consent that those two amendments may go over until the Senate meets on Monday morning.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. LODGE. Mr. President, I offer an amendment to come in on page 61, after line 5, reading, "That section 1440 of the Revised Statutes of the United States shall hereafter apply only to officers on the active list." I send the amendment to the desk. It is in the House personnel bill, and I send it in that form.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 61, after line 5, it is proposed to insert:

Provided further, That section 1440 of the Revised Statutes of the United States shall hereafter apply only to officers on the active list.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. PITTMAN. Mr. President, on behalf of the Committee on Naval Affairs, I offer an amendment which has been overlooked by the chairman. The amendment is to come in at the end of line 12, on page 184.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 184, at the end of line 12, it is proposed to insert:

That each and every employee of the navy yards, gun factories, naval stations, and arsenals of the United States Government is hereby granted 30 days' leave of absence each year without forfeiture of pay during such leave: *Provided*, That it shall be lawful to allow pro rata leave only to those serving 12 consecutive months or more: *And provided further*, That in all cases the heads of divisions shall have discretion as to the time when the leave can best be allowed.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. BRANDEGEE and Mr. THOMAS addressed the Chair.

The VICE PRESIDENT. The Senator from Connecticut.

Mr. THOMAS. I wished to make an inquiry in regard to the amendment just read, but the Chair stated that it was agreed to without objection.

The VICE PRESIDENT. If the Senator from Colorado desires to address himself to the amendment, the statement of the Chair as to the amendment being agreed to will be set aside.

Mr. BRANDEGEE. Mr. President, if the Senator from Colorado desires to discuss the amendment——

The VICE PRESIDENT. The Chair so understands.

Mr. THOMAS. No; I yield the floor.

Mr. BRANDEGEE. Very well.

Mr. PITTMAN. Mr. President, will the Senator yield to allow me to inquire what disposition has been made of the amendment?

The VICE PRESIDENT. The Chair understands that the Senator from Colorado desires to discuss the amendment.

Mr. THOMAS. No, Mr. President; I wanted to have the amendment restated, as I did not fully understand it; but I have a copy of it here, which I have examined, and I will yield the floor to the Senator from Connecticut.

Mr. OLIVER. Mr. President, I should like to ask something about this amendment. Do I understand that it grants 30 days' leave of absence, with full pay, to all men employed in the navy yards and under the Navy Department?

Mr. PITTMAN. It does.

Mr. OLIVER. I ask if that is the custom with regard to other employees of the Government engaged on similar work?

Mr. PITTMAN. Mr. President, I will answer that question in a moment. A bill providing for leaves of absence for the employees enumerated in the amendment has passed the House of Representatives. There were hearings before the Committee on Naval Affairs of the House, and that committee unanimously

reported the bill favorably. It came to the Senate and was referred as an individual bill to the Committee on Naval Affairs of the Senate. The Committee on Naval Affairs has directed that that measure be reported as a committee amendment to this bill.

Now I will answer the question of the Senator from Pennsylvania. This provision simply follows the practice with regard to nearly all similar departments of the Government. Let me read from the statement:

Executive departments, not including those outside of the city of Washington, 30 days' leave of absence, 22,965 employees; Bureau of Engraving and Printing, 30 days, 4,000 employees; Government Printing Office, 30 days; Immigration Service, 30 days; Customs Service, 30 days; Isthmian Canal service, 6 weeks; navy yards, gun factories, naval stations, and arsenals, 15 days.

This is simply an effort to place these employees in exactly the same position as are the others.

Mr. OLIVER. Mr. President, I will have to ask that that amendment go over until Monday. I should like to have a little time to consider it.

The VICE PRESIDENT. Without objection, the amendment will go over.

Mr. BRANDEGEE. Now, Mr. President, I send to the desk an amendment, to come in on page 44, after line 10.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 44, after line 10, it is proposed to insert:

Provided further, That the sum of $10,000 is hereby appropriated to defray the expenses of said commission, including drafting, technical and clerical assistance in the Navy Department or elsewhere; for the taking of borings and making other tests necessary to determine the availability of any site found desirable for the location of dry docks, slips, piers, etc., and submarine and aviation bases, same to be available until expended.

Mr. BRANDEGEE. Mr. President, my reason for offering that amendment is this: The bill provides for the creation of a commission to report upon the advisability of an additional navy yard or naval station, submarine bases, and aviation bases. I happened to be in the Navy Department the other day talking about another matter with the Assistant Secretary and one of his assistants when they referred to this amendment and stated it would be impossible for the commission without some appropriation to execute the duties which this amendment imposes upon them. Of course, there will be no expense connected with the services of the members of the commission themselves, because they will probably be retired officers of the Navy; but I was told at the department that in order to decide upon the availability of a place for a slip or a dry dock or a navy yard they would have to make borings, sink test pits, and so forth, to test the foundation and determine what its character was, and so forth. I told them I would be glad to present such an amendment for the consideration of the Senate. They asked for $50,000. I have simply asked for $10,000, or so much thereof as may be necessary, and my only desire is to have it go to conference, so that if the conferees want to call upon the department for further information they can do so and agree to it or reject it in conference if the Senate sees fit to adopt it now.

Mr. SWANSON. Mr. President, the Senate has imposed additional duties upon this commission, which was first created by the House, by placing within the scope of their investigations the establishment of submarine and aviation bases, which are very important. I think the expenditure of some money is absolutely necessary. I told the Senator that I would consent to let the amendment go to conference. The amount is small, being $10,000. I will accept the amendment and will make inquiry of the department, and if the work can be done for less I will certainly try to get the amount reduced in conference. I have no objection to the amendment being adopted.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Connecticut.

The amendment was agreed to.

Mr. WEEKS. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 132, after line 4, it is proposed to insert:

For pay and other purposes the service of any professor of mathematics in the Navy, as an instructor or professor at the United States Naval Academy previous to being commissioned, shall count as service in the Navy.

Mr. WEEKS. Mr. President, that paragraph would affect two professors at the Naval Academy—Prof. T. W. Johnson and Prof. Cusachs. These officers were employed as instructors at the Naval Academy in the year 1900, and served as such until 1913, when they were commissioned in the professors' corps. At the time of their commission in 1913 they were receiving $3,000 a year.

They are the two junior lieutenants in the professors' corps, and their pay as such is $2,400 a year. Therefore, when they were commissioned their pay was reduced from $3,000 to $2,400 a year. If they were given their fogies, counting the time when they served as instructors as fogies, they would be given pay amounting to $3,120. That is to say, it would increase their pay $120 a year over what they were receiving as instructors.

It seems to me that it is only right and just that those officers should have that privilege accorded them. It happens that the two lieutenants who are immediately senior to these officers were formerly instructors and were later on commissioned as professors, and it was especially stipulated in the provision providing for those officers that their time of service as instructors should count as service in the Navy.

Mr. SWANSON. Mr. President, this is a very broad amendment intended to cover two cases. I saw these officers and friends in their behalf, and I think there was a disposition to aid these two professors if it could be done without using language as broad as this, which might cover a great many cases. As you will remember from the discussions we have had here, where we count service it gives longevity pay and it gives the privilege of retirement; and this would carry the privilege of retirement and longevity pay to these officers back prior to their commission. I do not know how many persons in the Navy it would apply to. I am opposed to having the privilege of retirement and the privilege of longevity pay fixed by putting the service of people back several years before they received their commissions; but I will accept this amendment with the understanding that I will take it to conference and examine it and see if it applies only to these two professors.

Mr. WEEKS. Mr. President, it will be perfectly satisfactory to me, in case the amendment does not cover that stipulation, if the conferees adjust it so that it will be confined to these two officers.

Mr. SWANSON. I do not think the salaries of these two officers ought to be reduced under the conditions that have been stated; but I am unwilling to have language inserted that might give an increase of salary and retirement to a great many other officers. So I have no objection to taking it to conference for consideration.

Mr. PAGE. Mr. President, I should like to ask the Senator how many officers he thinks this probably might apply to in case it were passed?

Mr. SWANSON. It is impossible to say. I am not willing for it to apply to anyone, to give him longevity pay and the right of retirement, except from the time he received his commission; but there is some merit in the contention of these two professors. Their salary has been reduced. But I could not consent to this language except with the understanding that it will go to conference to be examined and see if it applies to any others except these two professors.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. OVERMAN. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to insert, at the end of the bill, the following:

To mark the grave of Rear Admiral Charles Wilkes: To provide a suitable tablet over the remains of Rear Admiral Charles Wilkes, United States Navy, in the National Cemetery at Arlington, Va., $1,500.

Mr. OVERMAN. Mr. President, a short time ago I was visited by the commander of the Loyal Legion, who told me that when Sir Ernest Shackleton, the great explorer, came to this country he inquired for the grave of Admiral Wilkes, the great American explorer, and he could not tell him where it was. Sir Ernest Shackleton wanted to lay a wreath upon the grave of that distinguished naval officer. When that was done, the Loyal Legion took up the matter and moved his remains to Arlington.

I have here a letter which the Secretary of the Navy has written to me about this matter. I introduced, at their request, a bill appropriating $5,000 to erect a monument to his memory. That bill has been twice reported favorably by the committee; it has twice passed the Senate; but I do not ask that it be put on this bill as an amendment. I simply ask this small appropriation to put a tablet upon his grave.

The Secretary of the Navy says:

Rear Admiral Wilkes, born 1801, served in the United States Navy from 1818 until his death, in 1877. He was an associate and friend of Capt. Matthew Fontaine Maury, the hydrographer, and was the first to set up and use astronomical instruments in the United States, about 1830, and was chosen to command the exploring expedition authorized by Congress in 1836.

From 1838 to 1842 Wilkes circumnavigated the globe; discovered the Antarctic Continent, a large part of which bears his name, in Wilkes Land; located the South Magnetic Pole; surveyed and charted a new

world; and published the greatest single contribution made to geography and researches, out of which grew history of plants, races of men, comparative grammar of Polynesian dialects, and splendid volumes on geology, botany, ethnology, and philology, which have laid the foundation for all subsequent researches concerning the peoples of the Pacific Ocean.

The Secretary recommends $5,000. I have only asked for $1,500. I hope the chairman of the committee will let it go in the bill.

Mr. SWANSON. Mr. President, of course, the proper committee for that is the Committee on the Library, but I will accept the amendment for consideration in conference.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. OVERMAN. I should like to put in the RECORD a letter from the Loyal Legion, written to me in regard to this matter, so that when it comes up in conference the conferees can see the Secretary's letter, and also the letter from the commander of the Loyal Legion.

The VICE PRESIDENT. Without objection, the letters will be printed in the RECORD.

The matter referred to is as follows:

DEPARTMENT OF THE NAVY,
OFFICE OF THE SECRETARY,
Washington, July 8, 1916.

Hon. LEE S. OVERMAN,
United States Senator, United States Senate.

MY DEAR SENATOR: Mr. J. Frank Wilkes, of Charlotte, N. C., has written me that you and a committee of the Loyal Legion are working for an appropriation for the suitable marking of the grave in Arlington where lie the remains of his grandfather, the distinguished Rear Admiral Charles Wilkes, United States Navy.

Senate bill 6876, March 2, 1910, proposed a $5,000 monument in Arlington for this purpose, and the Navy Department then recommended favorable action on that bill.

Rear Admiral Wilkes, born 1801, served in the United States Navy from 1818 until his death in 1877. He was an associate and friend of Capt. Matthew Fontaine Maury, the hydrographer, and was the first to set up and use astronomical instruments in the United States, about 1830, and was chosen to command the exploring expedition authorized by Congress 1836.

From 1838 to 1842 Wilkes circumnavigated the globe; discovered the Antarctic Continent, a large part of which bears his name in Wilkes Land; located the South Magnetic Pole; surveyed and charted a new world; and published the greatest single contribution made to geography and researches, out of which grew history of plants, races of men, comparative grammar of Polynesian dialects; and splendid volumes on geology, botany, ethnology, and philology, which have laid the foundation for all subsequent researches concerning the peoples of the Pacific Ocean.

During the Civil War he commanded the West India Squadron. It is suggested that few men have contributed so much as Admiral Wilkes to the reputation of his service, and I venture the hope that his grave will be marked in a manner befitting his life, character, and achievements.

Sincerely, yours,

JOSEPHUS DANIELS,
Secretary of the Navy.

MILITARY ORDER OF THE
LOYAL LEGION OF THE UNITED STATES,
COMMANDERY OF THE DISTRICT OF COLUMBIA,
City of Washington, June 23, 1916.

To the Hon. JOSEPHUS DANIELS,
Secretary of the Navy, Washington, D. C.

SIR: When Sir Ernest Shackleton, the Antarctic explorer, visited Washington in 1910 he inquired for the place of burial of Rear Admiral Charles Wilkes, United States Navy, the most distinguished explorer and navigator of Antarctic regions. He was informed that it was in a neglected spot in the Oak Hill Cemetery, and he could not visit it or pay tribute of respect to the memory of that officer.

The District of Columbia Commandery of the Military Order of the Loyal Legion at once, upon being informed of the facts, took immediate steps to correct that discreditable condition of things. Its committee appointed for that purpose took the necessary steps to have the remains of Admiral Wilkes removed to the National Cemetery, at Arlington, Va., and had plans and estimate of cost of a suitable monument to mark the grave prepared, the same to cost not over $1,500, which plan and estimate were submitted to the then Secretary of the Navy, Mr. Meyer, who approved the same.

The committee then prepared a bill (S. 6876, 2d sess., 61st Cong.) providing for an appropriation of the $1,500 needed for the purpose—a copy of which is submitted herewith—and had the same introduced in the Senate, and it was favorably reported to and was passed by the Senate, and was sent over to the House of Representatives for action.

The House Committee on the Library reported the bill favorably, but the Congressman in charge of the bill neglected to have it called up and passed. The bill was again introduced in the Sixty-second Congress (S. No. 1774).

We are advised that, under these facts and following many precedents therefor, it is competent for the Congress to hasten action upon this measure, so approved by both Houses of Congress, by a paragraph in the Naval appropriation bill which would make that small sum immediately available.

The report of the Senate Committee (No. 684, 61st Cong., 2d sess.) herewith states succinctly and forcibly the facts, which should convince the Congress that immediate action would be greatly to the honor of the country in correcting a bit of neglect which causes unfavorable comment wherever it is known.

Asking your influence in speeding this action, we are,
Respectfully, your obedient servants,

COLBY M. CHESTER,
Rear Admiral, United States Navy, Commander.
THOMAS H. MCKEE,
Recorder.

P. S. The correspondence with the family of Admiral Wilkes urging the continuance of our efforts is herewith inclosed.

Mr. WEEKS. Mr. President, I offer an amendment on page 58, line 21, to strike out the word "five" and insert the word "eight," and on line 23 of the same page to strike out the last word in the line, "nine," and insert "six."

I assume, Mr. President, that the general scheme for the assignment of officers in the Navy to particular corps, and for the assignment and the division of those so assigned to grades in a corps, has been pretty carefully work out; but I think a mistake has been made in this instance, and for that reason I should like the attention of the committee, at least, so that it may be taken up in conference and a correction made if there is sufficient reason for it.

As I have the facts in the case of the naval constructor who stands No. 15 on the list, and who will be promoted to captain upon the fourth or fifth vacancy—both of which would occur in the same year, pursuant to the new retirement clause contained in this bill, by which the first five vacanices will occur one each in 1921, 1922, and 1924, and two in 1926, with 3½ per cent captains as above—this constructor would be promoted to a captain in the year 1926, at the age of 56 years, whereas his line classmates would be promoted to the grade of captain by 1917 or 1918. In other words, he would be about nine years behind his line classmates.

The constructors in the Navy are taken from those who graduate near the head of their classes. They are naturally among the brighter men in their classes. Therefore it seems particularly unfair that an officer in the constructors' corps should not reach the grade of captain before he is 56 and nine years after his line classmates have reached that grade.

I submit the statement to the committee, and I should like to have it taken up and figured out, and have the committee see if my facts are correct.

Mr. SWANSON. I will say to the Senator that this personnel bill was worked out most carefully; and I have had, I reckon, 25 requests to take care of special individuals in connection with changing the percentages. Before I would give my approval to the measure I requested Admiral Blue to ascertain what were the percentages for these various ranks for the last 20 years, and then to take an average of them; and there has been a fair and conservative estimate made in that way.

To change this from 5½ to 8½, as suggested by the Senator, might take care of this person; but the Senator must remember that as the commissioned officers increase—and they will increase each year—and as the enlistment increases, 8½ per cent to be fixed would be an unusually large number, and would be very uneven and unfair for the future.

Mr. WEEKS. It would be 8½ per cent for the constructors alone, of course. This does not change the number of officers assigned to any particular grade in any other corps.

Mr. SWANSON. In the construction corps there are now no rear admirals. They will have one rear admiral, however. Of the rank of captain, they now have five. One captain, on account of this condition, is promoted to rear admiral, which leaves only four captains. Now, there might be some merit in that, as the captains are reduced. They reduce one, under this provision, in the construction corps. The rank of commander, though, is increased from 5 to 10.

Mr. WEEKS. Mr. President, all I will ask in this case is that this amendment be adopted; and if it is not demonstrated that there has been a mistake made, then I do not make any contention for it.

Mr. SWANSON. I will say to the Senator that this entire matter will be in conference. The House has no provision on this specific subject; and as the number of captains is reduced from five to four on account of the promotion of one to be a rear admiral, if it can be done I will be very glad to do it; but there is no use in having an amendment. The matter can be easily fixed in conference without having an amendment adopted, because the House has no provision on this subject.

Mr. GALLINGER. But would the House increase that figure, the House not having any provision on the subject in the bill?

Mr. SWANSON. As the House has no provision on it, the entire matter is in conference.

Mr. GALLINGER. That is a very grave question. The House has no provision naming any percentage. The Senate puts in a percentage of five and one-half. Now, can the conferees increase that percentage? If not, the contest is between nothing and five and a half.

Mr. SWANSON. I have no objection to having the amendment go in for consideration in conference; but I think, upon examination, the Senator himself would not ask for that as a permanent basis.

Mr. WEEKS. I am giving the facts as they have been presented to me. As they have been presented to me it seems that a great injustice has been done, and I suspect that a mistake has been made in this particular feature.

Mr. SWANSON. I have no objection to its going to conference.

Mr. GALLINGER. Mr. President, just a word. My attention has been called to this same matter. While I am not going to say that I am satisfied that the amendment submitted by the Senator from Massachusetts ought, as a matter of fact, to be agreed to, yet I think there is a great deal of merit in it. As any rate, it seems to me that the conferees ought to give it further consideration. I hope the amendment will go in the bill.

The VICE PRESIDENT. Without objection, the vote whereby the amendment was agreed to will be reconsidered. The question now is on agreeing to the amendment submitted by the Senator from Massachusetts to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. WEEKS. Mr. President, I move to strike out on page 64, commencing at line 12 with the words "*Provided further*," all the rest of that page and the next page down to and including line 13.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. Beginning on page 64, line 12, with the words "*Provided further*," it is proposed to strike out all down to and including the word "Navy," at the end of line 13, page 65.

Mr. GALLINGER. In order to have the matter properly before the Senate, I should like to have read the words that it is proposed to strike out.

The SECRETARY. It is proposed to strike out the following words, beginning on line 12, page 64:

Provided further, That the Secretary of the Navy is hereby authorized to appoint annually in the line of the Navy for a period of 10 years following the passage of this act, in the order of merit determined by such competitive examination as he may prescribe, 30 ensigns for the performance of engineering duties only. Persons so appointed must have received a degree of mechanical or electrical engineer from a college or university of high standing or be graduates of technical schools approved by the Secretary of the Navy, must have been found physically qualified by a board of medical officers of the Navy for the performance of the duties required, and must at the time of appointment be not less than 20 nor more than 26 years of age. Such appointments shall be for a probationary period of three years, and may be revoked at any time by the Secretary of the Navy.

Such ensigns shall, upon the completion of the probationary period of three years, of which two years shall have been spent on board cruising vessels and one year pursuing a course of instruction at the Naval Academy prescribed by the Secretary of the Navy, be regularly commissioned in the grade of lieutenant of the junior grade after satisfactorily passing such examination to qualify for the general duties of the line as may be prescribed by the Secretary of the Navy, and having been recommended for promotion by the examining board and found physically qualified by a board of medical officers of the Navy.

Mr. WEEKS. Mr. President, this is the first attempt to inject a number of civilians into the line of the Navy. It has a great many objections, some of which I have summarized, and I should like to present them to the Senate. The objection is not based on these graduates as graduates, but arises from the fact that long experience has shown that better results are obtained from graduates of the Naval Academy.

In the early days of engineering in the Navy engineers came from civil life—mature men of some experience on shore. Later on the supply came from young men engaged either as artisans or as draftsmen in engine-building establishments, but this did not prove satisfactory. Experience obtained during the Civil War indicated the necessity for special training for the engineers of the low-powered ships of that period. Accordingly, in 1866, and for two or three years afterwards, a small number of graduates of a technical school were appointed assistant engineers in the Navy; and, while some very good men were obtained, it was realized that better results could be secured by educating our engineers at the Naval Academy. Accordingly, appointments of cadet engineers were begun in 1871 and continued thereafter until 1882, when a special course was given certain naval cadets during their last year at Annapolis.

The experience during the Civil War will illustrate the probable result of this experiment. Some very excellent men were taken into the naval service as engineers; but, on the whole, they were not of the highest type of engineers, and there were some men who were moderately inefficient. It did not present a homogeneous corps, as would have been the case if they were educated at the same institution.

Special education for engineer officers ceased in 1899. There followed at the same time a marked change in the character of our ships and of the instruction of midshipmen at Annapolis, until now every midshipman graduates with much greater engineering knowledge than was the case when two independent courses were pursued during the last year or two. I think Senators will recall many disagreements between the line of the Navy and the Engineer Corps, which very largely was the reason for bringing about the amalgamation of the force. Personally I never could have believed that there should be a separate Engineer Corps in the Navy, but as different attempts have been made to overcome the manifest objections to the present system the results on the whole have been fairly good.

About 10 years ago it became apparent that the engineering instruction given at Annapolis was not sufficient to produce the desired results along designing and constructing lines, and so postgraduate instruction was undertaken in the Bureau of Steam Engineering for a limited number of officers. This continued for two years, when a regular postgraduate course was established at Annapolis, and this has been so changed that officers now pursue the last year of the course at Columbia University.

The present plan is an admirable one; it takes an officer who has been in the service long enough, and who has shown an aptitude for engineering, sends him back to school with practical experience to study the broad principles of design, and returns him to the service with an equipment whose value to the Navy it would be difficult to estimate.

Taking graduates from technical schools will have the following effect:

(a) It will amount practically to the creation of another engineer corps, with all the objectionable features of the past.

(b) It will discourage young officers from pursuing engineering, because they will look upon it as the prerogative of the graduate of the technical school.

(c) It will thus indirectly deprive line officers of experience which is very necessary for them to have to become efficient commanding officers.

(d) It will have a discouraging effect on the warrant machinists in the service to see young men who know nothing about a ship or her machinery placed in positions of authority over them. They will resent it.

The entry of these young men is undesirable for the following reasons:

(e) They are unaccustomed to discipline and will enter the Navy at an age at which young men do not readily respond to discipline.

(f) They are unfamiliar with the Navy and with naval vessels, and it will take a long time to make them of much value.

(g) They lack a knowledge of marine engineering—few technical schools give any instruction in it and few are qualified to do so.

(h) They lack knowledge in handling men, which is a matter of prime importance, and which is instilled into the Annapolis man from the time he enters the Naval Academy.

(i) Experience during the Spanish War showed that the technical-school man would require a long period of training to make him of real assistance.

(j) Annapolis is now turning out 150 officers a year more than the waste. In a few years this will reach 225 to 250, and then we shall reach a condition where no vacancies exist and yet will be taking in young men from civil life. The congestion in the lower grades will be something appalling.

(k) In case of emergency, it has always been customary to send out to service at least two classes from the academy. This would have the effect of immediately putting in the service about 500 officers, all of whom would be much better prepared for the duty required of them than the technical-school men. If necessity demanded it, another class might be sent, and this class would probably do somewhat better duty than the technical man because of their familiarity with the Navy and with naval vessels, having made one practice cruise.

For all these reasons, Mr. President, it seems to me extremely undesirable to start this kind of a corps of men coming from such a source in the Navy. My judgment is that one of the weakest features of the Army has been that there are so many untrained civilians who have been taken into the military service because they can pass the prescribed examination. If the officers had been taken from the ranks, or if they had been graduates of the Military Academy, the average efficiency of the officers of the Army would be higher. This not only will give us any number of officers of less efficiency than otherwise would be the case, but it will be a real discouragement to men who enter the service in the engineering department, who become machinists, and who might become officers under the provisions of the law.

On the whole, I hope the Senate will vote to eliminate from the bill what I think is a dangerous undertaking.

Mr. SWANSON. Mr. President, there is no provision of the bill, I believe, which is more important to give us a competent and efficient Navy than this one. It provides that for 10 years the Secretary of the Navy from competitive examination can appoint 30 officers who shall be entered. They must be graduates of colleges in electricity and engineering. They must have a degree and be efficient in that respect before they enter the competitive examination. Then they must serve two years on a battleship. Then after they serve two years they must go to the academy for one year, and after they have served a year satisfactorily on a battleship and gone to the academy one year and have stood an examination satisfactorily they are commissioned as junior lieutenant of Engineers.

What is the condition of the Navy in reference to officers to-day? We have 1,978, say 2,000, officers of the line. We fix a basis of 4 per cent, which is the smallest number there can be with a degree of safety to have our Navy well officered. That would give 1,000 additional officers whom we need to-day, not

to-morrow, not two years, not three years, but to-day. We have put that in the bill. That is what most navies need. What is this proposition?

Mr. WEEKS. If the Senator will pardon me, it provides for the appointment of only 30 a year, and the Senator will recall that we have nearly 800 midshipmen at the Naval Academy and will have a thousand there within a year.

Mr. SWANSON. If the Senator will permit me, this is as many as will be needed for this purpose. We have endeavored to supply the needs of the Navy for officers. Shall we wait until all these men can graduate in four years before you can have your Navy properly manned with officers? Not all of them, but there are some of the men who graduate at the Naval Academy who resent the idea of a man from civil life entering the aviation service, the engineering service, or the electric service. They want to have this service reserved entirely for graduates of the Naval Academy. We need engineers to run battleships: That is as important as a captain. A battleship is entirely dependent upon the electrical and steam engineering. A battleship is useless unless you have an expert engineer in electricity, in steam, in coal, and in fuel. The Naval Academy graduates must usually have an experience of several years before they are thoroughly equipped in engineering in connection with the machinery of a great battleship. One of the urgent needs is to get this class of people outside who will come into the Navy. How is the best way to get them? First, we require them to be graduates of a college with the requirements needed in electricity and in engineering and to run the machinery of a great battleship. That is the first requisite. The second requisite is that you must have competitive examinations and get the best at the college. I am satisfied that if this is done you will have better men to take charge and erect the machinery of these great battleships than we have to-day.

Now, what else do we do? After they have graduated at school and taken a degree, in order to get the military spirit at the Naval Academy we will require them to go there for one year in a course marked out. After that is done they must show themselves worthy to be junior lieutenants.

In the letter read by the Senator, which he said was written to him, or rather a memorandum—that was before the Senate committee amendment was prepared and introduced and adopted by the committee. We desired to get rid of the old fight beween the Engineer Corps and the line. Many worthy naval officers objected to the provision, and so did members of the committee, until we devised a method to get rid of it. After they have graduated at college and taken a two years' course in sailing and one year's course in the Naval Academy, they are fitted in every respect to be line officers in the Navy of the junior grade. They go through as good a course for the purpose needed as is prescribed at the Naval Academy, and you get rid of the old difference that used to exist between the line and the staff.

The Senator was mistaken when he said that they enter the service as line officers, junior lieutenants. Nearly all of the objections formerly to the provision as it passed the House I have heard from naval men has been eliminated since we require them to remain in the Naval Academy for one year, and we make them line officers so as to get rid of the old fight between the Engineer Corps and the line corps. I am satisfied the best interest of the country will be subserved by pursuing that course. I believe these officers are needed. I know of no better way to get good engineers who will know all about the machinery of great battleships than the course here pursued. Then we require them to go to the Naval Academy and stand an examination, and after they have done that they are worthy to be junior lieutenants in the Navy.

Mr. WEEKS. The number of officers in the Navy is now about 2,000. The number of officers who will be required under the provisions of this act will be about 2,800. This provision which is inserted in the bill——

Mr. SWANSON. This will give in 10 years 300 officers specially educated in engineering.

Mr. WEEKS. What I want to call the Senator's attention to is that it takes 10 years to get 300 officers, who, he says, are greatly needed at this time. We have 2,000 officers. We have 800 men at the Naval Academy. With all who will be graduated within 4 years, some of them next year, we will increase the number so that within 10 years we will graduate from the Naval Academy at least 1,200 men. That will make 3,200 officers in round numbers in the Navy. Four per cent of the enlisted force of the Navy would be 2,800 officers. So in the course of four or five years we are going to have commissioned officers in the Navy up to the requirements of this law; yet the Senator is arguing that these men are necessary, and necessary at once, when it will take 10 years to produce 300.

I do not expect my voice to be heeded, but I warn the Senate that this is the first attempt to inject politics into the line of the Navy, and it is one of the most fatal steps that could be taken. We have had politics in the line of the Army, and we have had too much of it, but it has never been in the line of the Navy.

Mr. SWANSON. Mr. President——

The PRESIDING OFFICER (Mr. OVERMAN in the chair). Does the Senator from Massachusetts yield to the Senator from Virginia?

Mr. WEEKS. Let me finish what I am saying.

The PRESIDING OFFICER. The Senator from Massachusetts declines to yield.

Mr. WEEKS. We have had too much in the Army, and we never have had any politics in the line of the Navy.

The Senator talks about differences between the Engineer Corps and the line of the Navy. The amalgamation was made in 1900. Every man in the Navy now is a line officer. There is no Engineer Corps per se. The engineers are detailed from the line of the Navy.

There can not be under present conditions any possible difference between the Engineer Corps and the line. Yet we are injecting by this provision in the bill a cause for difference which we will hear from in the future. I regret exceedingly that the committee has seen fit to favor something which, in my judgment, is sure to inject politics into the line of the naval service.

Mr. NELSON. Mr. President, it is hard for me to see how this could inject politics into the Navy. How can the taking of men from civil life, who are otherwise competent, into the Navy savor of politics? The argument of the Senator seems to savor of the gospel that no one can enter the Navy as an officer unless he comes from out the gates of Annapolis. It is that old exclusive spirit which pertains to the graduates of these institutions. They want nobody else to come into the service through their door and in their garb and with their equipment.

I take it that we have institutions in this country that can prepare graduates and instruct young men who will make competent engineers. They are appointed in the first place on trial. They have to be two years at sea and then supplement that with a year of instruction at the academy. In God's name, is that a dangerous matter for the Navy?

Mr. SWANSON. Mr. President, this is a very important matter. The general complaint in the Navy to-day is in regard to the matter of engineering officers. A man who is chief engineer of a battleship is as important as a captain, because, as I said before, unless you have an expert engineer the battleship can not be run well and splendidly.

We provide in the bill that after naval officers pass to the grade of lieutenant commander they can specialize and become engineers. Now, why? It is because after they pass the grade of lieutenant commander they are really eligible to be chief engineers on one of the great battleships, and after they have shown a disposition to go in that direction they specialize, so that the battleship will not be at the mercy of an engineer who is incompetent and incapable.

The object is to get men into the Navy in a way that will make competent those who have a special talent for engineering. A great many of these men have applied, possibly, for admission to the Naval Academy, but they could not get the appointment, and they went into engineering schools connected with engineering appertaining to the Navy. This is a good way to get every year, in addition to the officers needed, 10 men whose specialty, whose thought, whose ambition and ideas have been directed toward engineering.

All the officers of the Navy in these various bureaus, the Bureau of Steam Engineering and others, have told me that the greatest need of the Navy to-day is good, expert, competent engineers. It seems to me we should give heed to a recommendation when it comes from that source and we should do what would give the Government each year young men who would make splendid engineers.

Now, the Senator talks about politics.

Mr. WEEKS. May I ask the Senator a question?

Mr. SWANSON. I yield.

Mr. WEEKS. Does the Engineer in Chief of the Navy recommend this?

Mr. SWANSON. Admiral Griffin, if I mistake not, is in favor of it. I think he appeared before us and said that one of the greatest needs is engineers.

Mr. WEEKS. Yes; but did he recommend it?

Mr. SWANSON. The Secretary of the Navy, after consulting with his board or his chiefs of bureaus, strongly recommended it. I can not see how anybody can be hurt except people who want to give an absolute monopoly to the Naval Academy. They go through a college, they take a course and graduate and receive a degree of mechanical or electrical engineer, and then they must take one year's course at the Naval Academy. How can there be any politics in it when the Secretary of the Navy

under the provision of the bill would appoint them in the order in which they make their mark in the competitive examination?

The Senator left the impression that the Secretary of the Navy could appoint each year whom he pleased. The law is not drawn that way. He appoints them as a result of a competitive examination and in the order in which they stand in that examination, and those are to be graduates of colleges before they enter the examination, and from those he makes the selection.

The PRESIDING OFFICER. The question is on the adoption of the amendment proposed by the Senator from Massachusetts [Mr. WEEKS].

The amendment was rejected after a division.

Mr. POINDEXTER. Mr. President, in connection with the remarks of the Senator from Oregon [Mr. CHAMBERLAIN] a while ago about the Puget Sound Navy Yard, and the testimony of Admiral Benson on that subject, I ask leave to have printed in the RECORD a report from the Senate Committee on Naval Affairs to accompany Senate bill 4505. It is a brief report, and contains the testimony of a number of naval authorities on the question.

The PRESIDING OFFICER. Without objection, the report referred to will be printed in the RECORD.

The report referred to is as follows:

PUGET SOUND NAVY YARD.

Mr. POINDEXTER, from the Committee on Naval Affairs, submitted the following report to accompany S. 4505:

The Committee on Naval Affairs, to whom this bill (S. 4505) was referred, reports the same back to the Senate with the recommendation that it pass The report of the Secretary of the Navy to whom the bill was referred is as follows:

FEBRUARY 25, 1916.

SIR: Senate bill 4505, appropriating money to equip Puget Sound Navy Yard for battleship construction, which was referred for the views of this department, is fully concurred in. The amount specified, $2,065,000, appears to be the correct amount according to the estimates received for equipping the Puget Sound Navy Yard for the construction of a battleship.

I am of the opinion that it is very desirable to equip the Puget Sound Navy Yard for the construction of a battleship, and, should the bill pass and the appropriation become immediately available, steps will be taken to expedite the work.

Sincerely, yours, JOSEPHUS DANIELS.

The CHAIRMAN COMMITTEE ON NAVAL AFFAIRS,
United States Senate.

Admiral Stanford, of the United States Navy, assigned to the navy yard at Philadelphia, before the House Naval Affairs Committee January 5 and 6, 1916 (hearings before the Committee on Naval Affairs, pp. 20 and 35), testified as follows:

"Mr. CALLAWAY. Mr. Chairman, may I ask how many navy yards have we that our big ships can get into? I have been informed that we only have four—Norfolk, New York, San Francisco, and Puget Sound.

"Admiral STANFORD. We have only one thoroughly reliable and excellent deep-water station, and that is Puget Sound. There is difficulty in getting into the New York yard at times. At some times it will happen you have to lay to outside the San Francisco Harbor before entering, because of sea or fog. The Philadelphia Navy Yard is 90 miles from the Capes, and there is a portion of the river between those two points which, under certain tidal conditions, would barely pass our largest vessels. At the Norfolk yard dredging is required in the river in front of the yard, and also a widening of the channel is required.

"Mr. ROBERTS. Please continue with the controlling depth of water at the other yards.

"Admiral STANFORD. At Puget Sound the controlling depth of water from the yard to the sea is over 40 feet. The controlling width of the channel is 980 feet and the mean rise and fall of the tide is 7.8 feet.

"Mr. BUTLER. Ought we not to have two first-class naval stations on the Pacific?

"Admiral STANFORD. I think so, without question.

"Mr. BUTLER. We have one at Bremerton.

"Admiral STANFORD. Bremerton is a suitable place.

"Puget Sound Navy Yard is the only navy yard on either coast of the United States which is thoroughly adapted in its natural condition without artificial dredging for the reception of the largest battleships afloat. At the same time, being on an inland water, a protected arm of the sea, it is perfectly secure against hostile attacks. With our growing interests in the Pacific it is essential that we should be fully prepared to defend our possessions and rights in that quarter. This will be greatly facilitated by having a navy yard on that cost equipped for the construction of the largest war vessels. It is especially appropriate at this time to begin the equipment of this navy yard for that purpose in view of the fact that the Atlantic coast is already prepared in that regard, the navy yard at New York having been provided for in this respect."

The following extracts are made from recent testimony before the Committee on Naval Affairs of the House of Representatives:

"Admiral BLUE. It is an ideal yard and should be fully developed. Our largest dry dock is located there and all buildings are new and modern."

"Admiral STRAUSS. An ideal yard and well protected. With the torpedo station at Keyport, only 7 miles away, and a fully equipped plant at Bremerton, it will be a model and useful naval station. It should be fully equipped."

"Admiral TAYLOR. It is a very satisfactory yard, well located, and should be developed to its fullest capacity."

"Admiral BADGER. A very fine yard and is the only yard that vessels can go into at any time of the day, excepting, of course, in a dense fog."

"Admiral WINSLOW. If you are going to equip any of the yards for construction, this one should be so equipped. A large force of well-trained workmen there would be a great advantage in case of trouble in the Pacific. At this time it is the only place on the Pacific that our largest and deepest draft vessels could be taken into."

Mr. PHELAN. Mr. President, for the information of the Senate on the subject of an amendment offered by the Senator from Nevada [Mr. PITTMAN], I submit a communication and ask that it be inserted in the RECORD.

The PRESIDING OFFICER (Mr. POMERENE in the chair). Is there objection? The Chair hears none, and permission to do so is granted.

The communication referred to is as follows:

Hon. JAMES D. PHELAN,
United States Senate.

SIR: I have sent this letter to Hon. Samuel Gompers, James O'Connell, Secretary Daniels, Hon. BENJAMIN TILLMAN, and Hon. CHARLES CURRY:

JULY 3, 1916.

Hon. JAMES O'CONNELL,
President Machinists' Union, American Federation of Labor, Washington, D. C.

DEAR SIR: You will remember me as being Secretary of the Vallejo Chamber of Commerce in 1901, when I started the national fight for building ships in the navy yards.

I desire at this time to call your attention to a matter of the most vital importance to organized labor and a matter which brooks no delay in action.

Some time between 1898 and 1900 Congressman Mudd, of Maryland, introduced into Congress and had passed a bill giving 15 days' leave of absence to all employees of the navy yards with full pay.

When I was making the fight as the secretary of the chamber of commerce through the Vallejo Labor Council and the American Federation of Labor for the building of ships in the navy yards one of the strongest arguments the Shipbuilding Trusts had against us was the overhead charge of 15 days' leave of absence with full pay and the holidays with full pay, making 22 days' absence with full pay.

They claimed we could not build ships as cheaply with that overhead as could be built by private contractors. You fully remember the fight we had and that two ships were ordered constructed as a test, one at the Brooklyn yard and one at the Newport News.

When Congressman Mudd introduced and had passed the bill giving the leave of absence with full pay he did not do it for the good of the mechanics of the country; he did it in the interest of the shipbuilding combine, as I have expressed in all the cards and information I sent to Congress. He was a false friend to labor.

Since that time, through the fight we all made, ships have been and are being constructed in the navy yards, and done successfully.

At the present time we have bid at the Mare Island Navy Yard for the building of the dreadnaught *California* $1,100,000 less than the contractor could build the ship for, and we got the contract.

In every instance, on all work for the War Department, in the repairs of the Government transports we have had to bid against private yards to get the work; we have had to bid for the Navy Department against the private shipbuilders, and if our bid was the lowest, then we got the work; if not, then the private yards got it.

Now I desire to call your attention to a matter of vital importance to us all and to the American Federation of Labor.

In the present Congress they have passed a bill in the House giving the private ship builders 20 per cent bonus for completing the ships on contract time.

In 1895 they were given speed premiums, and I had that knocked out, through Congressman Holman, of Indiana, known as the "Bulldog of the Treasury."

Now, the shipbuilding combine are back again with a bonus proposition, and if they should get it on such a ship as the *California* it would amount to $1,600,000. What a swell profit to gouge the National Treasury out of.

Now, Congressman TALBOTT, of Maryland, has introduced into the House, and it has been passed, a bill giving the men employed at the navy yards 30 days' leave of absence with full pay; this, with the 7 days' holidays with full pay, with the half holidays on Saturdays with full pay for 3 months in the year, gives them 43 days a year with full pay.

How are we to complete the *California* at Mare Island, or the *Pennsylvania* at the Brooklyn yard with that overhead? Can we complete them within our bids? The increased pay we have to give on account of the activity in shipbuilding and the increased cost of material bars us from completing that ship within the contract price.

The greatest activity ever shown by Congress in the building of the Navy is shown in this Congress, and the shipbuilding combine are getting ready, and they are using the 30 days' leave with pay to put the navy yards in a position where they can not bid successfully against them. They have planned the greatest raid ever made on the National Treasury, and doing it by making Congress believe that they are the friends of organized labor.

With the 43 days' leave with pay figuring against the navy yards bidding and the 20 per cent bonus, they will have the sweetest pickings they have ever had.

I have been figuring as the present Congress has passed a blanket appropriation of six million to equip the Boston, Norfolk, and Bremerton yards for capital shipbuilding, we had them beat to a finish, for I figured that they could not compete against us, and all the ships in the future would be built by the navy yards.

But TALBOTT'S bill passed the House with a big majority, and I can see that we will not have the building of the ships in the future, for any intelligent man can see we can not build a ship as cheaply at the navy yards as by contract if we have 43 days with full pay overhead against us.

In 1902 the matter was taken up by the Vallejo Council, and they passed resolutions asking for 30 days' leave with pay. I called your attention to the matter, also Mr. Samuel Gompers, and the matter was ditched.

You should get busy immediately in the Senate and beat this bill, for it is not framed or is it in the interest of the workmen of the country. It will bar us from building ships at the navy yard.

I sincerely hope you will give this matter immediate attention, for you know my record. I desire to see the navy yards build the ships, for more men will be working eight hours a day, and they will get better pay and better conditions than if working for the contractors; but if the present bill passes, good-by to shipbuilding in the navy yards.

Yours, truly,

GEO. J. CAMPBELL,
Ex-Secretary Vallejo Chamber of Commerce.

Mr. OVERMAN. Mr. President, I offer an amendment, to which I call the attention of the Senator from Virginia.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 131, line 20, after the word "Navy," it is proposed to insert:

Commander George N. Hayward, retired, to be a captain on the active list, to take rank next after Capt. Lloyd H. Chandler, United States Navy.

Mr. SWANSON. I accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SWANSON. I inquire if there are other amendments to be offered by Senators? I understood the Senator from Oregon [Mr. CHAMBERLAIN] had an amendment which he desired to offer.

Mr. CHAMBERLAIN. My colleague [Mr. LANE] has one.

Mr. CUMMINS. Mr. President, is it to be understood that no amendments are to be offered after this evening?

Mr. SWANSON. No; but I should like to dispose of as many amendments as I can this afternoon before adjournment. Of course amendments are in order until the bill is passed.

Mr. CUMMINS. I shall probably have an amendment to offer on Monday morning.

Mr. SWANSON. I will inquire of the Senator from Oregon [Mr. LANE] if he has an amendment which he desires to offer at this time?

Mr. LANE. I desire to offer an amendment, but I am not ready to offer it at this time. I have been confined to my house for a day or two by illness, and did not suppose that there would be opportunity to offer the amendment before Monday. I have not a copy of it at hand.

Mr. CHAMBERLAIN. I suggest, in view of my colleague's illness for the last two days, that the matter go over until Monday.

The PRESIDING OFFICER. Is there objection?

Mr. SWANSON. The Senator from Oregon has a right to offer the amendment on Monday. I simply wanted to know if there was any other Senator who now desired to offer an amendment.

Mr. LANE. When I offer the amendment I wish to discuss it at considerable length.

Mr. SWANSON. If there is no Senator who desires to offer an amendment, I will move that the Senate take a recess.

Mr. SMOOT. I suggest to the Senator that he make a motion to adjourn.

Mr. GALLINGER. There was a tacit understanding that we should adjourn.

Mr. SMOOT. That will enable us to have a morning hour on Monday.

Mr. OVERMAN. There is a desire for a brief executive session.

EXECUTIVE SESSION.

Mr. SWANSON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session, the doors were reopened.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that Mr. SUMNERS, Mr. ASWELL, and Mr. SMITH of Minnesota had been appointed managers at the conference on the part of the House on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4767) authorizing the Director of the Census to collect and publish statistics of cotton seed and cottonseed products, and for other purposes, in the place of Mr. HELM, Mr. HOUSTON, and Mr. HINDS.

The message also announced that the Speaker of the House had signed the enrolled bill (S. 2845) authorizing the sale of the marine-hospital reservation in Cleveland, Ohio, and it was thereupon signed by the Vice President.

RIVER AND HARBOR APPROPRIATIONS.

The VICE PRESIDENT. According to law, the Vice President announces his signature to the enrolled bill H. R. 12193, an act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

THE BOTANIC GARDEN.

Mr. GALLINGER, from the Committee on the Library, to which was referred the bill (S. 6227) to increase the area of the United States Botanic Garden in the city of Washington, D. C., reported it with an amendment and submitted a report (No. 671) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JONES:

A bill (S. 6656) granting an increase of pension to William Dougherty (with accompanying papers); to the Committee on Pensions.

By Mr. TOWNSEND:

A bill (S. 6657) authorizing the appointment of Frank Russell Weeks as captain of Field Artillery, United States Army; to the Committee on Military Affairs.

By Mr. WARREN:

A bill (S. 6658) for the relief of settlers and homesteaders who have taken timber from the public domain without intention of trespass; to the Committee on Public Lands.

By Mr. POMERENE:

A bill (S. 6659) to authorize the President to reinstate Guy H. B. Smith, formerly captain, Fourth United States Infantry, in the Army; to the Committee on Military Affairs.

WITHDRAWAL OF PAPERS—MARY C. COLEMAN.

On motion of Mr. TAGGART, it was

Ordered, That the papers in the case of the bill (S. 4035, 64th Cong., 1st sess.) granting a pension to Mary C. Coleman be withdrawn from the files of the Senate, no adverse report having been made thereon.

CONSTRUCTION OF DAMS.

The VICE PRESIDENT laid before the Senate the amendment of the House to the bill (S. 3331) to amend an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906, as amended by the act approved June 23, 1910, and to provide for the improvement and development of waterways for the uses of interstate and foreign commerce.

Mr. CLARKE of Arkansas. I move that the Senate disagree to the amendment and request a conference with the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to, and the Vice President appointed Mr. SHIELDS, Mr. BANKHEAD, and Mr. NELSON conferees on the part of the Senate.

LANDS AT MYTON, UTAH.

Mr. SMOOT. The bill (S. 35) to authorize the Secretary of the Interior to issue patents for certain lands to the town of Myton, Utah, was passed by the House with an amendment. The Senate disagreed to the amendment of the House and requested a conference. I have been authorized by the conferees to report back the bill to the Senate and to move that the Senate recede from its disagreement to the amendment of the House.

The VICE PRESIDENT. The Senator from Utah moves that the Senate recede from its disagreement to the amendment of the House and concur in the amendment. The Chair hears no objection, and the bill stands passed.

LANDS AT DUCHESNE, UTAH.

Mr. SMOOT. The bill (S. 36) to authorize the Secretary of the Interior to issue patent to certain lands to the town of Duchesne, Utah, was passed by the House with an amendment in which the Senate disagreed and requested a conference. I have been authorized by the conferees to report back the bill to the Senate and to move that the Senate recede from its disagreement to the amendment of the House.

The VICE PRESIDENT. Is there any objection to the motion of the Senator from Utah? The Chair hears none, and the bill stands passed.

STANDARDIZATION OF LIME BARRELS.

Mr. CLAPP submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 5425) to standardize lime barrels having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House numbered 1, 4, 5, 6, 7, 8, and 9 and agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 2, and agree to the same with an amendment, as follows:

"SEC. 2. That it shall be unlawful for any person to sell or offer for sale lime in barrels for shipment from any State or Territory or the District of Columbia to any other State or Territory or the District of Columbia without first by stencil or otherwise clearly marking on one or both heads of the small

barrel the figures '180 lbs. net' and of the large barrel the figures '280 lbs. net' and on either barrel in addition the name of the manufacturer of the lime and where manufactured and, if imported, the name of the country from which it is imported."

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 3, and agree to the same with an amendment as follows:

"SEC. 3. When lime is sold in interstate or foreign commerce in containers of less capacity than the standard small barrel, it shall be sold in fractional parts of said standard small barrel and the net weight of lime contained in such container shall by stencil or otherwise be clearly marked thereon, together with the name of the manufacturer thereof, and the name of the brand, if any, under which it is sold and if imported, the name of the country from which it is imported."

And the House agree to the same.

MOSES E. CLAPP,
J. H. BANKHEAD,
Managers on the part of the Senate.
WILLIAM A. ASHBROOK,
JOHN W. ABERCROMBIE,
C. F. REAVIS,
Managers on the part of the House.

The report was agreed to.

Mr. JONES subsequently said:

Mr. President, a few moments ago a conference report on the bill (S. 5425) to standardize lime barrels was adopted on motion of the Senator from Minnesota [Mr. CLAPP]. At his request I desire to say that a mistake was made. I therefore move that the Senate reconsider the vote by which the conference report was agreed to, and I ask that the Secretary be directed to request the House of Representatives to return to the Senate the message showing the agreement of the Senate to the report of the committee of conference.

The VICE PRESIDENT. Without objection, the House of Representatives will be requested to return to the Senate the conference report.

Mr. SWANSON. I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 30 minutes p. m., Saturday, July 15, 1916) the Senate adjourned until Monday, July 17, 1916, at 10 o'clock a. m.

NOMINATIONS.

Executive nomination received by the Senate July 15 (legislative day of July 14), 1916.

JUDGE OF COURT OF CLAIMS.

James Hay, of Madison, Va., to be judge of the Court of Claims, vice George W. Atkinson, resigned.

CONFIRMATIONS.

Executive nominations confirmed by the Senate July 15 (legislative day of July 14), 1916.

POSTMASTERS.

CALIFORNIA.

Robert E. Walsh, Angels Camp.

IOWA.

J. J. McManus, Ossian.
Edgar F. Medary, Waukon.

KANSAS.

Robert Shouse, Ellinwood.

NORTH DAKOTA.

Henry E. Brown, Buffalo.

SOUTH CAROLINA.

Achilles W. Knight, Bamberg.

TEXAS.

Kenneth T. Biggs, Sabinal.
J. G. Lewis, Walnut Springs.
George D. Staton, Grand Saline.

VIRGINIA.

John D. Shepperson, Charlotte Court House.

WASHINGTON.

William F. Brown, Renton.
Clarence A. Morgan, Hoquiam.
Mabel Murphy, Marysville.

HOUSE OF REPRESENTATIVES.

SATURDAY, *July 15, 1916.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Eternal and ever-living God, source of all our longings, hopes, and aspirations, hold us, we beseech Thee, close to Thee, lest we, in our anxiety to succeed, forget our obligations to Thee and our fellow men and do the ignoble, the unjust, which is subversive, destructive to the higher life as we know it in Christ Jesus our Lord. For Thine is the kingdom and the power and the glory forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, one of its clerks, announced that the Senate had passed joint resolution and bill of the following titles, in which the concurrence of the House of Representatives was requested:

S. J. Res. 150. Joint resolution to authorize the Secretary of the Treasury to accept from the city of Pittsburgh certain lands in exchange for other lands of equal area; and

S. 5752. An act granting to the widow of Col. David Du B. Gaillard authority to place in his memory a tablet in the Memorial Amphitheater at Arlington, Va.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 11261. An act for the relief of Mary S. Corbin; and

H. R. 11262. An act for the relief of Mrs. C. D. Corbin.

The message also announced that the Senate had insisted upon its amendment to the bill (H. R. 449) to provide for the appointment of 11 supervising inspectors, Steamboat-Inspection Service, in lieu of 10, disagreed to by the House of Representatives; had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. CHAMBERLAIN, Mr. FLETCHER, and Mr. NELSON as the conferees on the part of the Senate.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 5752. An act granting to the widow of Col. David Du B. Gaillard authority to place in his memory a tablet in the Memorial Amphitheater at Arlington, Va.; to the Committee on the Library.

S. 5424. An act to construct a bridge in San Juan County, State of New Mexico; to the Committee on Indian Affairs.

LEAVE OF ABSENCE.

By unanimous consent, Mr. COOPER of West Virginia was granted leave of absence for one week, beginning Saturday, July 15, 1916, on account of important business.

ORDER OF BUSINESS.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. We have a special privileged status bill which was under consideration yesterday in the Committee of the Whole House on the state of the Union. I think that is where it should be considered, but I notice it was referred to the House Calendar. It is a Union Calendar bill. I take it if we should now transfer it to the Union Calendar it would not interfere with our proceedings.

The SPEAKER. Not a particle.

Mr. MANN. I ask that it be transferred to the Union Calendar.

The SPEAKER. The gentleman from Illinois asks that this bill (H. R. 15842) be transferred to the Union Calendar. The Chair supposed it was there all the time. Without objection it is so ordered.

There was no objection.

CAMPAIGN CONTRIBUTIONS AND EXPENDITURES.

Mr. RUCKER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15842.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15842, with Mr. ALEXANDER in the chair.

The CHAIRMAN. The House is in the Committee of the Whole House on the state of the Union for the further consideration of the bill the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 15842) to revise, amend, and codify the laws relating to publicity of contributions and expenditures made for the purpose of influencing the nomination and election of candidates for the offices of Senator and Representative in the Congress of the United States, extending the same to candidates for nomination and election to the offices of President and Vice President of the United States, limiting the amount which may be expended, providing for the publicity of campaign expenses, and for other purposes.

Mr. LEWIS. Mr. Chairman, I desire to offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. LEWIS: Page 14, line 10, after the word "Senator," insert "his wife or relatives," and in line 11, page 14, after the word "shall," insert "individually or collectively"; and on page 14, line 13, after the word "Representative," insert "his wife or relatives," and after the word "shall," in the same line, insert "individually or collectively."

Mr. LEWIS. Mr. Chairman, the object of this clause is, of course, to restrain a candidate individually interested in his success from excessive expenditures of money in prosecuting his campaign. His wife has the same interest in his success. She is unrestrained by the section as it stands. His brother, his father, his son, and other relatives may have, indeed, the same interest in his success that he has. All of his relatives likewise are unrestrained by the provision of this bill as it stands, and the object of the amendment, therefore, is to restrain all persons who are under this peculiar temptation to the use of money in the conduct of elections. A provision applied to the wife and the father and the son is as much called for and would likely prove as efficacious in restraining the evils of the excessive use of money in elections as a restraint upon the candidate himself. Members of the House know that it frequently happens that a candidate himself is without special means, without those circumstances of fortune which would enable him to violate the correct rules of public conduct in this matter, when his father, his wife, or some relative, equally interested and interested in the same way, may have boundless funds. If it be desired to correct the evil of the excessive use of money under those circumstances the amendment should be adopted to include such persons as well as the candidate himself. I submit this is a very proper amendment, and I believe the chairman of the committee, in view of the object he is endeavoring to obtain by this clause, might be willing to accept it.

Mr. SANFORD. Will the gentleman yield?

Mr. LEWIS. I will.

Mr. SANFORD. Will the gentleman make a little clearer what degree of relationship he has in mind? Does the gentleman have in mind the relationship of both consanguinity and affinity, or only blood relation?

Mr. LEWIS. I think that would have to be left to the existing decisions of the courts on the subject.

Mr. SANFORD. Does not the gentleman realize the courts can not very well deal with the question unless you make it clear whether it is a matter of affinity or consanguinity?

Mr. LEWIS. The courts have already dealt with the word relative, of course, primarily in other connections, and the definition of the word "relatives" which they have laid down would be in pari materia in interpreting this clause.

Mr. SANFORD. What is the gentleman's definition of the word "relatives"?

Mr. LEWIS. I do not care now to make a definition.

Mr. SANFORD. I think the gentleman will find there is just as much trouble to find a definition from the courts for the word "relatives."

Mr. LEWIS. We all realize that the less money that is spent under these circumstances all the better, and if it be that a second cousin or a third cousin, if that be the proper characterization of relationship, were included under the prohibition of this clause, no public harm would be done.

Mr. CHIPERFIELD. Will the gentleman yield?

Mr. LEWIS. I will.

Mr. CHIPERFIELD. Is it the opinion of the gentleman that this body can lawfully provide that a man who happens to be related to a candidate can spend no money at all in his behalf? Is not that an unreasonable infringement on the right of a citizen interested in the outcome of political affairs?

Mr. LEWIS. It is my opinion that the Congress, having power to deal with this subject, if it has power at all, can prohibit the use of money entirely; can determine by whom and under what circumstances it shall be contributed or expended. The power of Congress over this subject is plenary if it has any power at all.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman, I do not know at times whether I have any desire to make this bill a workable bill or not, because it seems to me it has so many foolish things in it that nobody can comply with, and yet when a proposition like this comes up, which is liable to put every Member of Congress in the position of defending himself as a criminal or claimed criminal, it seems to me we ought to hesitate a moment. Here is a proposition which limits the amount of money which a candidate for Congress can expend. The gentleman proposes now to include in that limit what his wife or any relative may spend. As to the candidate himself, certain personal expenses for traveling, and so forth, are not included, but as to wife or relative, those are not exempt. So that here is a candidate for Congress who spends $2,000, with a limit of $2,500. He does not know and he can not know whether some relative has spent $500 or not. If a relative spends $500 the relative must make a report, but the candidate for Congress can not know in advance. It is impossible for him to know, and yet, not knowing, he is subject to being accused as a criminal and punished. Now, what could be more absurd than that?

Many Members of this House will expend close to the limit. Most of them will expend more than the limit, but most of them will report close to the limit. And yet if a man reports that he has expended $2,450 under the terms of this bill for legitimate expenses for his nomination and election, he may be sent to jail because John Jones, related to him, has spent over $50. He may have spent it for the very purpose of sending some relative, whom he does not like, to jail. What could be more absurd than that?

Mr. LEWIS. Mr. Chairman——

The CHAIRMAN. All debate on this amendment is exhausted.

Mr. LEWIS. I move to strike out the last word in reply to the gentleman from Illinois.

The gentleman's test about absurdity, I think, raises a very proper line of inquiry here, and while we are pursuing that line of inquiry I want to ask the House what is more absurd than putting this restraint of $2,500 on the candidate himself, while perhaps a millionaire father or a millionaire wife who may spend $250,000 or $1,000,000 are completely exonerated from any of the restraints of this act?

Mr. CHIPERFIELD. Will it annoy the gentleman if I ask a single question?

Mr. LEWIS. No.

Mr. CHIPERFIELD. Take a situation such as existed in the State of Illinois when Raymond Robbins was running for United States Senator. It is my information—and I will make it very brief—that the Joseph Fells Association spent a large amount of money in that State in his behalf. Would you prevent that by the operation of this bill?

Mr. LEWIS. I do not know enough about the circumstances to pass upon the case the gentleman submits, and I would rather not.

Mr. CHIPERFIELD. Then I will not press the inquiry.

Mr. LEWIS. Of course, any provision of law can be given imaginary applications—long-drawn applications—which may for the moment make it seem absurd; but judges and juries are not absurd in the applications of law, certainly not absurd enough to convict a candidate of a violation of this law because some relative has contributed money to his campaign when he was completely ignorant of the fact. No jury or court would be absurd enough to make such an application. Intention and knowledge are involved in the commissions of crime, and, of course, Members of the House are well acquainted with this fact. If the House wants to save this bill in this respect, at least from the obvious charge of absurdity, it needs to put on the restraints which are suggested by this amendment. Otherwise its operations will be discriminating in character and wholly inadequate to accomplish the purpose of preventing the evil intended to be prevented.

Mr. CHIPERFIELD. Mr. Chairman, I want to speak in opposition to the amendment. Yesterday I did not feel like taking any more of the time of the committee with reference to my position upon this bill, but I would like to elucidate what I have in mind a little further this morning. It was my idea then, and it still remains my idea, that the arbitrary naming of any amount, such as is named in this bill, $2,500 in the one case and $5,000 in the other case, Congressman and Senator, respectively, is not a sound basis upon which to predicate a bill.

It is to my mind unspeakable impertinence and impudence for any man to assume that the expenditure of $2,600 in the one case or $5,100 in the other case is corruption.

I can well imagine a case where an illy disposed candidate can take $100 or $500 and do more widespread corrupting of the voters of a district or a State than a man spending $5,000 or $10,000 as a candidate for Congress or for Senator, respectively. It was my idea then, and it is my idea now, that while

we will all agree, without a single exception, that corrupt practices in elections should be prohibited, they should be prohibited not by putting an arbitrary limit upon the amount of money that may be expended, but by defining the things that can not be done by a candidate or committee, and allowing no sum of money—$2,500 or $100, or any other amount—to be spent for such improper purposes.

It is idle to say that you can not define those offenses, because they can easily be defined and prohibited, and a man should not be permitted to spend any sum of money, large or small, for any improper purposes in any election. It is idle to contend that by naming $2,500 as the limit it will insure only proper expenditures. Now, what does this bill do? This bill, among other things, cuts off the sources of information of the voter. In the State of Illinois there are some 500 Republican newspapers through whose columns it would be perfectly proper for a Republican candidate to promulgate information concerning his candidacy and a Democratic candidate would have access to about an equal number of Democratic papers in the State.

Gentlemen, I inquire of you, for you to answer by your votes, what justice is there in saying as to the expense that a man puts into advertising, where he is publicly laying his claims and his issues and his platform before the people for their final decision and consideration in the quiet of their homes before the election, that any sum of money so expended can be said to be corrupt in any way?

You can not corrupt the electorate by appealing to their intelligence. You can not deny men the right to resort to the newspapers of Illinois and any other State, so that their claims may be most widely spread and published, without cutting off a part of the source of information which should enter into the judgment of the voter when he casts his vote either at the primary or the general election.

Of course, I understand that it is fashionable at this time to rail out against these things, but I remember in the city of Chicago, when a number of men who were seeking sincerely and earnestly to redeem the city of Chicago from what they called misrule, nominated a very excellent gentleman by the name of Charles Merriam for mayor.

Julius Rosenwald and other rich men in the city interested in this candidate raised a campaign fund, it is commonly stated, of over $200,000, and not a dollar of that campaign fund was used for the purpose of corrupting any voter in all the city of Chicago.

It is not the size of the campaign fund that determines the matter, but it is the use that is made of it; and, for one, I protest against that course of action that will prevent a man from using the press of the country in its advertising columns just as fully and just as extensively as he can desire.

It is his right. Nay, more, it is the right of a voter that all the sources of information that may be available for him shall be laid before him, and the man who does not squarely submit his campaign and his issues and the things that he stands for to the consideration of the people is not doing his duty. [Applause.]

The CHAIRMAN. The time of the gentleman from Illinois has expired. All debate on this amendment is closed.

Mr. RUCKER. Does any other gentleman want to address himself to this amendment?

The CHAIRMAN. All debate on this amendment is closed.

Mr. RUCKER. I ask unanimous consent, Mr. Chairman, to proceed for five minutes.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. RUCKER. Mr. Chairman, I am in sympathy with the purpose which is sought to be accomplished by this amendment.

It will not do to deal with matters of this importance by demonstrations of feeling, sometimes indulged in as to the inequity of preventing by law a man spending money to debauch his neighbor. It might just as well be understood now as at any other time, because it is a fact that the people of this country intend to see that money is not used in as large sums as it has heretofore been used in conducting campaigns, whether it is a campaign for the Presidency or for membership in this House.

It is impossible by law to provide conditions or systems which will be universally satisfactory. We can not conceive of a plan by which we could hope to limit expenditures in campaigns which would be equitable in every locality and under every condition.

This House has within recent years dealt with questions on the floor of this House in which it was made to appear that a certain relative, a father, a rich man, had notoriously violated the law of his State; not a Federal law, because at that time we had none, but the law of his State; and this House for that reason denied a man a seat in this House. Now, we are attempting to do by law what this House has heretofore done by its vote, and I see no difference whatever in putting a limitation on a member of the family from putting a limitation on the man himself.

I do not like the phraseology of this amendment. I believe, though, if the gentleman would modify his amendment so as to provide for his wife or member of the family, and not go into the broad term "or relative," it would be an improvement, because that is too broad a term. I do not know what decisions the gentleman has referred to, but my recollection of the law is that the term "relative" can be spread so as to cover almost the entire human race. It looks to me like it is too broad.

Mr. LEWIS. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. RUCKER. In a moment I will. Let me say to the gentlemen opposing this amendment that I do not believe, as the gentleman from Illinois [Mr. MANN] said a few moments ago, that the expenditures by these parties without the consent of the candidate would involve him in any liability at all.

Mr. LEWIS. I accept the expression "member of his family" instead of "relative."

Mr. RUCKER. Then I move to amend by striking out "or relative" and inserting "or member of his family."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Missouri.

The Clerk read as follows:

Strike out the words "or relative" and insert "or member of his family."

Mr. WALSH. Mr. Chairman, may we have the section read as it will read if adopted?

The CHAIRMAN. The Clerk will read the section as it will read if adopted.

Mr. CANNON. On what page is it?

The CHAIRMAN. Page 14, line 10.

Mr. RUCKER. Mr. Chairman, if I can modify the amendment with the consent of the committee, I would like to modify it so that it would read "his wife, father, mother, or member of his immediate family."

Mr. LEWIS. I accept that.

Mr. COX. Well, that would cut out a brother or sister.

Mr. FORDNEY. Surely.

Mr. COX. I do not think that would be right.

Mr. CANNON. You can not cut out "a member of his family" and put in another member who had a wife in Washington and lives in a separate house.

Mr. COX. There is a time in our lives when brothers are of the same family, and a time when they are not; but there is no time when we are not brothers. I think that amendment should be broadened to include brothers.

Mr. FARR. Why not make it include mother-in-law? [Laughter.]

The Clerk read as follows:

Amendment to the amendment: Strike out "relative" and insert "father, mother, or member of his family."

Mr. MANN. I move to amend there by inserting "or friend."

Mr. LEWIS. Oh, the gentleman is altogether too jocular for a legislative assembly.

Mr. CANNON. Why, the whole blessed thing is a joke. [Laughter.]

Mr. LLOYD. Mr. Chairman, may I ask the gentleman a question?

Mr. MANN. It is just as easy for a friend to put up money as for a brother to do it.

Mr. RUCKER. Mr. Chairman, I ask for a vote.

Mr. McKENZIE. I should like to ask the gentleman from Illinois if the words "any person" would not cover it.

The CHAIRMAN. The clerk will report the amendment offered by the gentleman from Illinois [Mr. MANN].

The Clerk read as follows:

Amend by inserting the words "or friend," so that it will read, "father, mother, or member of his family, or friend."

Mr. WALSH. May we have the section read now as it will read if this amendment is adopted?

The CHAIRMAN. If there be no objection, the Clerk will report the section as proposed to be amended.

The Clerk read as follows:

Provided, That no candidate for Senator, his wife, father, mother, or member of his family, or friend, shall individually or collectively contribute, disburse, or expend any sum in the aggregate exceeding $5,000 in any campaign for his nomination and election; and no candidate for Representative, his wife, or relative, or father, mother, or member of his family, or friend, shall disburse or expend any sum in the aggregate exceeding $2,500 in any campaign for his nomination and election.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. MANN].

Mr. MADDEN. I move to amend the amendment——

Mr. LEWIS. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. LEWIS. The amendment of the gentleman from Illinois [Mr. MANN] is in the third degree, and violates the rule.

The CHAIRMAN. The Chair sustains the point of order.

Mr. MANN. It is not in the third degree at all. The gentleman offers an amendment and I offer an amendment. It is in the second degree.

The CHAIRMAN. The gentleman from Missouri has offered an amendment to the amendment, which will first be disposed of.

Mr. MANN. That can be disposed of first. I offer as a substitute for both amendments the language which the Clerk has just reported.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Illinois as a substitute for the amendment offered by the gentleman from Maryland and the amendment from the gentleman from Missouri.

The Clerk read as follows:

Substitute the word "friend" in lieu of "member of his family."

Mr. STAFFORD. That is not the substitute.

Mr. CULLOP. Mr. Chairman, I desire to offer an amendment to the substitute.

The CHAIRMAN. Let the Clerk first report the substitute.

The Clerk read as follows:

Substitute for the amendment the word "friend," so that the section will read: "that no candidate for Senator or friend shall contribute, disburse, or spend any sum in the aggregate exceeding $5,000 "——

Mr. RUCKER. May I ask the gentleman from Illinois to restate his substitute. If not, I will restate it for him.

Mr. MANN. I offered as a substitute the language which the Clerk had just reported, the section with the proposed amendments, including mine.

Mr. RUCKER. That is what I understood.

The CHAIRMAN. The Clerk will finish reading the amendment in the nature of a substitute.

The Clerk read as follows:

"in any campaign for his nomination and election; and no candidate for Representative, or his friend, shall contribute, disburse, or expend any sum in the aggregate exceeding $2,500."

Mr. WALSH. Mr. Chairman, I rise to a point of order.

Mr. CULLOP. I offer an amendment to the substitute of the gentleman from Illinois, to strike out the word "friend" and insert the words "any person for him or on his behalf."

Mr. WALSH. I rise to a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. WALSH. That the amendment as reported by the Clerk is not the amendment which is pending, offered by the gentleman from Illinois as a substitute.

Mr. MANN. Certainly not.

The CHAIRMAN. The committee will be in order. It is impossible to hear what gentlemen are saying. As the Chair understands, the gentleman from Illinois says that the Clerk has correctly reported his substitute.

Mr. MANN. Oh, no; I have not said any such thing. The Clerk has not reported it as I offered it.

The CHAIRMAN. The gentleman will state it.

Mr. MANN. I offered an amendment to insert the word "friend." The Clerk reported the amendment pending, with my amendment inserted, to show how the section would read as amended. Then I offered the whole thing as a substitute for what was pending.

The CHAIRMAN. The amendment ordered by the gentleman from Illinois will not be in order until the committee first disposes of the amendment offered by the gentleman from Missouri [Mr. RUCKER]. This is an amendment in the third degree.

Mr. MANN. The substitute is in order, but not to be voted on now.

The CHAIRMAN. The Chair understands the gentleman's position.

Mr. CULLOP. Mr. Chairman, I desire to be recognized.

Mr. HOWARD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HOWARD. It seems that we are hopelessly at variance here about the different amendments. For my own benefit I would like to have the amendment written out just as it was intended by the gentleman from Illinois [Mr. MANN]. I do not think the Clerk can understand it. I do not think anybody else can understand these amendments. There are half a dozen of them thrown in here at one time.

Mr. CULLOP. Mr. Chairman, I think this whole situation can be cleared up, if you strike out of the several amendments offered the persons of the family of the candidate and also the amendment of the gentleman from Illinois the word "friend," and make it read "the candidate or any other person for him or his behalf." That will get at the very kernel of the proposition the purpose that you are seeking to enact into law here. Under either of these other amendments it would be mere byplay, and it would not stop the use of money in a campaign or for a candidate under this law as it stands, or if amended as has been suggested here by the other amendments offered. Unless it is amended as I have suggested, a million dollars could be expended for a candidate, and nobody would be liable; but if you will write into it the language which I have indicated here, it will put teeth in the law and cover the question that you seek to have corrected in the enactment of this law by providing that neither the candidate nor anybody for him shall expend more than $2,500, or $5,000, or whatever the sum may be fixed. But as long as you leave it as written and as proposed to be written by these other amendments, some stranger may come along and drop into the campaign contribution box $10,000 or $20,000 or $50,000 and corrupt the election, and nothing herein prohibits such procedure, but my amendment would. It puts teeth in the law and makes it mean something.

Mr. WALSH. Mr. Chairman, will the gentleman yield at that point?

Mr. CULLOP. I yield.

Mr. WALSH. Has the gentleman noticed that on page 4 of the bill the term "person" includes a committee, and would not the gentleman's amendment preclude a committee expending any money on behalf of the candidate?

Mr. CULLOP. Oh, no. I hardly think it would be so construed.

Mr. WALSH. I think it would.

Mr. CANNON. Mr. Chairman, will the gentleman yield to me?

Mr. CULLOP. In a moment. And if it does, why should any committee expend any more than that sum in behalf of a candidate for Congress? Why should not the sum be fixed; and then, when a man becomes a candidate, he knows what he has to meet—the limit of the opposition. If he has to meet a certain sum and has not the money to compete with it, he must go out upon his record and undertake to capture the nomination or the election on his merits. Now I yield to the gentleman from Illinois.

Mr. CANNON. Mr. Chairman, will the gentleman read his proposed amendment again?

Mr. CULLOP. I do not have it here as I reported it, but it is to strike out all of the several amendments that have been offered and write in the place of them "any candidate or any person for him or in his behalf."

Mr. CANNON. If a man who was full of solitary acuteness who lives in the gentleman's district or out of his district would go down and contribute $100 and have it used in his behalf and the gentleman should be elected, although he did not know the man, it would be a good way to dispose of the gentleman, and I am not sure that he could ever be disposed of in any other way.

Mr. CULLOP. Let me say to the gentleman from Illinois, I do not think such methods will be employed in any district in the United States; and further, if on the contrary, some man gets so enthusiastic for any candidate, the candidate will soon discover the liberality of his friend and have knowledge of it, and when he is informed and does not protest he becomes a party to it and should be held responsible for the conduct as much so as if it was his own.

Mr. CANNON. But the gentleman's amendment does not provide for the knowledge.

Mr. CULLOP. Oh, but he will become a party to it. Such generosity does not exist in these days.

Mr. CANNON. Well, $10 or $5 would be enough.

Mr. CULLOP. Information will get to the candidate. It will not escape him. I apprehend no danger of that kind. Mr. Chairman, if the object of this law is to be accomplished—and we hope it will—this amendment will meet the question. It is useless to leave it as it was originally proposed, because some other member of the family than the one nominated may conduct the financial part of the campaign for him and be entirely without the scope of the law; but if the amendment I propose is written into the law, we have hemmed the proposition in so that whenever anyone is growing immensely liberal in the interest of some friend or relative who is a candidate, he will come within the purview of the law and can be prosecuted under it and the penalty of the law enforced. It will then serve the purpose intended and have a genuine purifying effect in elections. It will relieve the candidate from much embarrassment which he now suffers and much that he dislikes. This amendment, if adopted, puts teeth in the law, and with its adoption the law means some-

thing. It will accomplish the purpose for which the legislation is being enacted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri [Mr. RUCKER] to the amendment offered by the gentleman from Maryland [Mr. LEWIS].

Mr. KEATING. Mr. Chairman, may we have the amendment stated?

The CHAIRMAN. Without objection, the Clerk will report the Lewis amendment and the Rucker amendment to the Lewis amendment.

Mr. MANN. I object.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri to the amendment offered by the gentleman from Maryland [Mr. LEWIS].

The question was taken, and the amendment to the amendment was rejected.

The CHAIRMAN. The question now is on the Lewis amendment.

Mr. MANN. Oh, no; the question is on the Cullop amendment to my substitute.

Mr. FOSTER. But the gentleman from Maryland offered an amendment.

Mr. MANN. We have voted upon an amendment to that. The original amendment was the amendment of the gentleman from Maryland.

Mr. FOSTER. We voted on an amendment to the amendment of the gentleman from Maryland.

Mr. MANN. The original amendment was offered by the gentleman from Maryland.

Mr. FOSTER. Yes.

Mr. MANN. And the vote was upon that amendment which the gentleman from Missouri offered to the Lewis amendment. That has been voted upon. I offered a substitute for the Lewis amendment, and the gentleman from Indiana has offered an amendment to my substitute. You have to vote upon the substitute and the amendment to it before you vote on the original amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Indiana.

The Clerk read as follows:

Amendment to the substitute of Mr. MANN: "or any person for him or in his behalf."

The CHAIRMAN. The question is on the Cullop substitute.

Mr. LEWIS. Mr. Chairman, I move to strike out the last word.

Mr. MANN. I make the point of order that that amendment is not in order. It is in the third degree.

The CHAIRMAN. The Chair hardly thinks it is an amendment to the substitute.

Mr. MANN. It is offered as an amendment to the substitute.

The CHAIRMAN. The point of order is sustained.

Mr. HOWARD. Mr. Chairman, the gentleman from Indiana stated a substitute for the amendment of the gentleman from Illinois [Mr. MANN], and in stating the substitute, as stated by the gentleman from Indiana [Mr. CULLOP], he moved to strike out all of the amendments that had been offered and substitute the language quoted by the Clerk for all of the amendments, the amendment of the gentleman from Missouri, the amendment of the gentleman from Maryland, and the amendment of the gentleman from Illinois.

Mr. CULLOP. That is it; and I make the further point of order that the point of order of the gentleman from Illinois comes too late.

Mr. FARR. It has already been sustained.

The CHAIRMAN. The gentleman can offer his amendment later if the amendment offered by the gentleman from Illinois is disposed of. The question is on the amendment by way of substitute of the gentleman from Illinois [Mr. MANN].

Mr. KEATING. Mr. Chairman, a parliamentary inquiry.

Mr. MANN. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The gentleman will state the point of order.

Mr. KEATING. Mr. Chairman, the parliamentary inquiry I desire to make is this. The gentleman from Illinois offers a substitute. The gentleman from Indiana offered an amendment to that substitute. The vote should come on the amendment of the gentleman from Indiana to the substitute of the gentleman from Illinois.

Mr. MANN. That is what I stated, but the Chair did not agree with me.

The CHAIRMAN. The amendment of the gentleman from Indiana is not an amendment to the substitute, but is in the nature of a substitute itself.

Mr. KEATING. No; it is an amendment to the substitute.

The CHAIRMAN. The question is on the Mann amendment.

The question was taken; and on a division (demanded by Mr. MANN) there were—ayes 33, noes 40.

So the Mann amendment was rejected.

The CHAIRMAN. The question now is on the amendment in the nature of a substitute offered by the gentleman from Indiana.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The question now is upon the amendment as amended by the substitute of the gentleman from Indiana.

The question was taken, and the Chairman announced the noes seemed to have it.

Mr. CULLOP. Division, Mr. Chairman.

The committee divided; and there were—yeas 40, noes 40.

The CHAIRMAN. The yeas are 40 and the noes are 40, and the amendment is agreed to.

Mr. STAFFORD. Then the amendment is lost?

Mr. CULLOP. The Chairman has the right to decide it.

The CHAIRMAN. The Chair presumes the Chair has a right to vote, and he voted in favor of the amendment. [Applause.]

Mr. MAPES. Mr. Chairman, I ask for tellers on that.

The CHAIRMAN. The gentleman from Michigan demands tellers. Fifteen gentlemen have risen, not a sufficient number and tellers are refused.

Mr. RUCKER. Mr. Chairman, I desire to offer the following amendment.

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

Amendment by Mr. RUCKER: Amend by inserting at the end of line 26, page 14, the following:

"*Provided further*, That the provisions of existing law limiting the amount that may be expended by candidates for Senator and Representative in securing nomination and election shall remain in force until January 1, 1917."

Mr. RUCKER. Mr. Chairman, I believe no explanation is needed.

Mr. CANNON. I do not know what it means. Then this law does not go into effect until that time?

Mr. RUCKER. So far as the amount is concerned.

The question was taken, and the amendment was agreed to.

Mr. MANN. Mr. Chairman, I move to amend, on page 14, by striking out, beginning in line 17, after the word "candidate," the words "to meet and discharge any assessment, fee, or charge made or levied upon candidates by the laws of the State in which he resides, or."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, on page 14, by striking out, beginning in line 17, the following: "to meet and discharge any assessment, fee, or charge levied or made upon candidates by the laws of the State in which he resides, or."

Mr. MANN. Mr. Chairman, no assessment is levied upon a candidate unless he gets some value for it. I know of no reason why everybody should not stand upon the same footing in this matter as to the expenditure, or why, if there is an assessment levied upon a candidate, he should not report it as a part of his expenses.

Mr. RUCKER. Will the gentleman yield for a question?

Mr. MANN. I yield to the gentleman.

Mr. RUCKER. I will say to the gentleman this language was put in there for this reason——

Mr. MANN. I know why it was put in there, but I am glad to have the gentleman state.

Mr. RUCKER. In some of the States there is a nominal sum levied upon a candidate before he can get his name on the ticket. In other States it is a larger sum. If the information which has come to me is true, in one State where the law requires the candidate for Senator to be nominated by popular election, and further provides that the candidate or candidates must pay all expenses of primaries, the Senator had to pay the expenses of an election all over his State in order to be nominated under the law, and it was obviously unfair to tax that up as part——

Mr. MANN. I do not see why it would be unfair at all.

Mr. RUCKER. I will say to the gentleman the costs of the primary far exceed the limit the bill provides——

Mr. MANN. That is very well; legitimate campaign expenses somewhere else exceed the limit provided in here. Those are legitimate campaign expenses. There was in this House where under this provision, in a contested-election case, it appeared that the contestee in his affidavit of expenses showed that he had expended up to $5,000, not including an assessment which he had paid to the governing committee. Well, in that case the State law did not provide for the payment to the governing committee, but the party rules did. He thought, reading this language, that his payment to the party committee under party regulation did not have to be accounted for and not to be

allowed to cost more than this sum of money. If they have some provision in a statute somewhere soaking a Member of Congress who is a candidate and allowing only wealthy people to run, we ought to break that law. I am in favor of letting the poor man run for Congress. [Applause.] I yield to the gentleman.

Mr. TOWNER. The gentleman's statement was that it was not to be accounted for. I think that what the gentleman really meant was it was not to be included in this——

Mr. MANN. Oh, it is not to be accounted for at all.

Mr. TOWNER. I think the plain language is it is not to be included in the $2,500 and $5,000 limitation.

Mr. MANN. Oh, well, the gentleman is not very careful. It does not include his stationery account, his traveling expenses, or things of that sort in the statement he files.

Mr. TOWNER. The language of the statute——

Mr. MANN. I have read the language in the bill.

Mr. TOWNER. If the gentleman has read it the gentleman does not remember it because the language is this, "shall not be regarded as an expenditure within the meaning of this section."

Mr. MANN. "And need not be shown on the statements herein required to be filed"—the language of the bill.

Mr. TOWNER. Exactly.

Mr. MANN. That means it is not to be accounted for. You do not have to show it anywhere.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. MANN].

Mr. TOWNER. Mr. Chairman, I do not question the fact that it can not be accounted for in this particular. I only tried to correct the impression that I thought might be caused by the gentleman's statement that the object and purpose of this provision was to see that these particular expenditures should not be included in the limitation. And that, I think, is clearly shown. Of course, there should be an accounting. Everybody knows that, or else you can not determine the amount that has been expended.

Mr. MANN. Well, but these expenses are not included in the limit and do not have to be shown in the statements filed.

Mr. TOWNER. Exactly. That is what I contend.

Mr. MANN. Then they do not have to be accounted for.

Mr. TOWNER. That is very true in a sense. But it is a very different proposition when you say and only say that they are not to be accounted for. They must be accounted for in any event, but this is a provision only that they shall not be taken into account in the limitation.

Mr. MANN. Perhaps they must be paid, if that is what the gentleman means, but the candidate does not have to account for it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. MANN].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. MANN. I ask for a division.

The committee divided, and there were—ayes 36, noes 25.

So the amendment was agreed to.

Mr. MORGAN of Oklahoma. Mr. Chairman, I offer an amendment. I move to amend, on page 14, by striking out in line 19 all after the word "resides," and striking out all of lines 20 and 21, and all of line 22, after the word——

Mr. FOSTER. Mr. Chairman, I ask that the amendment be reduced to writing.

Mr. MORGAN of Oklahoma. The gentleman who just preceded me offered an amendment on the floor.

Mr. MANN. It did not require to be reduced to writing. Mr. Chairman, I move to amend, on page 14——

The CHAIRMAN. The gentleman from Oklahoma offered an amendment.

Mr. MANN. He is preparing the amendment.

Mr. Chairman, I move to amend, on page 14, in line 15, by striking out "$2,500" and inserting "$4,000."

The CHAIRMAN. The gentleman from Illinois offers an amendment which the Clerk will report.

The Clerk read as follows:

Amend, on page 14, in line 15, by striking out "$2,500'" and inserting "$4,000."

Mr. MANN. The present limit is $5,000.

Mr. RUCKER. Mr. Chairman, I will say that that fully meets with my personal approval. The House has heretofore voted differently.

Mr. MANN. I understand. I do not think that $4,000 is an excessive amount.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. MANN].

Mr. STAFFORD. Mr. Chairman, I wish to be recognized. I would like to ascertain from the chairman of the committee the view of the committee as to limiting the expenditure to $2,500 for both the primary and the election. The gentleman well knows that some Members may have opposition in the primary, and, if they do, the amount available for expenditures would be $2,500; and if he does not escape opposition at the primary he would be obliged to divide up the $2,500 in expenditures for both the primary and election. Is it fair that the limit of amount should apply to either and not to both?

Mr. RUCKER. It has got to apply to both.

Mr. STAFFORD. That is what I am contending. Here is a candidate who has no opposition at the primaries. He is privileged to spend $2,500 in the election. If he has opposition in the primaries, he has to expend $2,500 for both. I contend that is not fair. In the case of a man who has opposition in a primary, he ought to be privileged to expend not only the $2,500 there but in addition $2,500 for the election.

Mr. JOHNSON of Washington. Now, take the case where two opponents appear and one opponent arranges with the second one to go into the race, and each one of them has the sum of $2,500 to expend against the sitting Member by an arrangement with themselves. They can spend $2 to the sitting Member's $1.

Mr. STAFFORD. You can see how, in a severe primary contest, he will be obliged to spend $2,500, and then he would be prevented from spending $1 in the election, and yet the election may be as severe a fight as the primary contest. You can not justify that kind of a condition by placing a limitation, in one instance, where a candidate may have the privilege of spending the full amount in the election, and when he has opposition in the primary not being privileged to have the same amount available for the election contest.

Mr. CANNON. As I understand it, in many of the States of the Union, notably, say, in the farther Southern States, there is but one contest, and that is in the primary. They go off and cool their heels after they are nominated, which is another reason, it seems to me, why the amount should be increased.

Mr. STAFFORD. Of course, if the gentleman would take the position the candidate should have $2,500 available for each, that would be consistent, because I agree that $2,500 is ample for the primary contest or the election contest; but if you are going to restrict this amount that he may expend to both the primary and election, it is hardly fair. And I appeal to the southern Representatives, who have only one contest. In the North, in some of the States, we have a primary contest as well as the election contest, and where the primary contest is sometimes just as severe as the election contest. We are seeking to place a limit on the candidate in each individual contest, and we say $2,500 is that amount. If he has a contest in the primary, he expends $2,500; if he has not, he does not spend that amount. If he has an election contest, he should be privileged to expend $2,500 in the election.

Mr. RUCKER. The amendment now pending, offered by the gentleman from Illinois, is to increase the amount from $2,500 to $4,000. As I understand the gentleman, he is opposed to that amendment?

Mr. STAFFORD. I would very much favor the striking out of the word "and" and inserting "or." There are many contests in some of the States going on for United States Senator. I have in mind the State of Vermont, where there is a very severe contest going on now for that office.

Take, for instance, the contests that are going on in some of the States for United States Senator. I have in mind a contest that is progressing now in the State of Vermont, a severe fight that is going on for the nomination for United States Senator on the Republican ticket. That candidate for United States Senator will very likely use the entire $5,000 in the contest at the primary, and he would be unable to use any money at all later on to wage his contest for election.

Now, I take it you want this law to be workable at least. You do not want to make a man a perjurer unnecessarily. You want to give him a fair allowance of expenditure wherever he conducts a fight for primary, or if he has a fight for election, or both, so that he might make expenditures for both. Therefore, when the proper times comes, I propose to move to strike out the word "and "in the two particulars and insert the word "or."

Mr. MAPES. Mr. Chairman, I am not sure that I fully understand the purport of the amendment offered by the gentleman from Indiana [Mr. CULLOP]. If his amendment is broad enough to cover the expenditures of committees, under the theory of this bill it would be very difficult for a committee to conduct a campaign. If it does not include committees and applies only to

individuals in their individual capacity, then I do not believe that this amendment to increase the amount to $4,000 ought to pass.

There has been more or less criticism of this bill by gentlemen hailing from the State of Illinois. Illinois is one of the few States which now has no corrupt-practices act, limiting the amount which candidates for Congress or for other offices can expend. I am not sure but that every State which has passed laws limiting the amount of expenditures makes the limit less than this bill. This bill provides the limitation of $2,500 for certain expenditures, but allows a candidate an unlimited expenditure for postage, stationery, printing, writing, and traveling expenses, an unlimited amount for almost everything that a man can think of that money ought to be expended for. Now, if we raise this limitation, we put it entirely beyond the limit that has been fixed by any State legislature. In my own State of Michigan we have a law which limits us for every kind of expense to 25 per cent of the first year's salary.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. MAPES. Certainly.

Mr. WALSH. Does not the gentleman think that the candidate in the State at large, representing an entire State, ought to be allowed to expend more than a district Representative?

Mr. MAPES. I think so.

Mr. TOWNER. Ought he not be allowed to expend as much as a Senator?

Mr. MAPES. I think he should be. But this applies to Members generally, and they are nominated and elected from the districts. I think the amount fixed in this bill, $2,500, in addition to the other expenditures, is a very liberal amount, and ought not to be increased.

Mr. RUCKER. Mr. Chairman, while the gentleman from Illinois [Mr. MANN] held the floor a few minutes ago I interrupted him to say that personally I thought the amount suggested by him was not excessive, and that as an individual I agreed with him. I did that, basing my statement upon the very many statements and profuse arguments made here by gentlemen who were decrying and denouncing the amount written in the bill. I did not mean by that to say that I would vote for the increase. The gentleman from Wisconsin [Mr. STAFFORD] just now disclosed another proposition that we have to contend with. Gentlemen are insisting not only that the amount shall be raised but that the amount written in the bill must be allowed to be expended both in nomination and election; and it is argued that in the Southern States a nomination is equivalent to an eelction, that there is only one contest. Yet the fact is that in some other Southern States a nomination is equivalent to an election—that is not true. It is absolutely untrue. The last fight in some of the districts of the South is the greatest fight. In some of the districts in the State I live in the nomination of either party is equivalent to an election. In other districts in that State there are two fights—one for the nomination and one for election.

I will say to gentlemen that the purpose of this bill is to stop the use of money in ways and through channels which debauch people. As just stated by the gentleman from Michigan [Mr. MAPES], this bill, if it becomes a law, like the existing law, allows Members of Congress or those who are seeking to become Members of Congress almost unlimited expense along lines going to the education of the people or directed to the judgment of men. It only seeks to put a limitation on the use of money in ways that money ought not to be used.

Mr. SANFORD. Mr. Chairman, will the gentleman yield there?

The CHAIRMAN. Does the gentleman from Missouri yield to the gentleman from New York?

Mr. RUCKER. Yes; I yield.

Mr. SANFORD. The gentleman, as chairman of the committee, consented to the amendment offered by the gentleman from Indiana. I would like to ask the gentleman now if he understands that that amendment, which provides that no candidate for Senator or no person acting in his behalf shall expend more than the amount named, includes all committees, national, State, or county, or any other committee? If that is the theory of the amendment, I want to say to the gentleman that although we have cooperated with him all winter to get a corrupt-practice act, for my part I shall be compelled to abandon the bill, because I can not see how any man under that provision should dare run for Congress. If I am mistaken in my interpretation of the amendment I would like to be enlightened by the gentleman who is chairman of the committee.

Mr. RUCKER. I am sorry the gentleman has made that statement.

Mr. SANFORD. I would like to have the matter made clear. I would like to have the gentleman's construction.

Mr. RUCKER. I say it does not apply to the national committee. I would not favor that, as the gentleman knows. I do not believe it would have the effect that the gentleman seems to think it would have.

Mr. WALSH. Mr. Chairman, will the gentleman pardon an interruption there?

Mr. RUCKER. Yes.

Mr. WALSH. On page 4 the act says:

> The term "person," whenever used in this act, shall mean and include any private person, firm, copartnership, association, or committee, and the singular shall include the plural.

Mr. WALSH. There is nothing in the amendment which has been adopted that takes it out of that definition.

Mr. RUCKER. The gentleman has heard my statement. I did not believe the Cullop amendment applied to committees at all, and I would not support it if I thought it did.

Mr. SANFORD. Under the wording of this bill and under all of its definitions there is, in my judgment, no question of doubt that if more than $2,500 should be spent in the gentleman's district in his canvass, no matter who spent it or whether the gentleman knew it or not, the gentleman himself and everybody who had anything to do with the spending of it would be liable to the penalties of this bill.

Mr. RUCKER. I shall be glad to confer with the gentleman further about it, and if he convinces me that his construction is right this language will not be in the bill when it becomes a law, if I can prevent it.

Mr. STAFFORD. The gentleman voted for it. He will remember that there was a tie vote.

Mr. RUCKER. I know I voted for it. Gentlemen construe the language differently. I want to say that so far as prescribing what may be spent for nomination and election, I believe there are gentlemen here no who, if we put a limit of $10,000, would still want $10,000 to spend in the campaign for nomination and a like sum to spend in the campaign for election, which, of course, would be grossly wrong.

Mr. MANN. Mr. Chairman, I ask unanimous consent to speak for three minutes on another matter, out of order.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] asks unanimous consent to speak for three minutes, out of order. Is there objection?

There was no objection.

JAMES HAY.

Mr. MANN. Mr. Chairman, I came into the House in the Fifty-fifth Congress, and the service of the gentlemen who came into that Congress, who have remained in continuous service, is now running into its twentieth year. Quite an aggregation of gentlemen came into the Fifty-fifth Congress who have remained here. Some very brilliant men, particularly on the Democratic side of the House, are Members of that class. Occasionally we lose one of our best Members through the will of constituents at home, often to our personal regret. Occasionally we lose one of our best Members through selection by the President for some other office. I hold in my hand a little note which one of the newspaper boys sent me a few moments ago, which says:

> The President to-day nominated Representative JAMES HAY, of Virginia, a judge of the United States Court of Claims.

[Applause.]

Mr. Chairman, the gentleman from Virginia is one of the ablest Members of this House. [Applause.] He is one of the gamest fighters that ever threw his hat into any kind of a ring. He will make one of the best judges who ever sat on the bench. [Applause.] The good will of every Member of this House goes with the distinguished gentleman from Virginia. Though we shall be sorry to part with him here, though we shall regret that we do not have the opportunity to meet him personally from day to day and get the valued assistance of his counsel, he will always be warm in our hearts. [Applause.]

Mr. CLARK of Florida. Mr. Chairman, the gentleman from Illinois [Mr. MANN] has just stated a gratifying piece of news to the House, and I ask unanimous consent that the gentleman from Virginia [Mr. HAY] be allowed five minutes to address the House. I think we would all like to hear him.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that the gentleman from Virginia may address the committee for five minutes. Is there objection?

There was no objection.

Mr. HAY. Mr. Chairman, I am very deeply touched by the good will and good feeling which has been displayed toward me by the Members of the House, particularly because I know of no body on earth which measures up to a higher standard of high-minded ability and good-hearted feeling than the Members of the House of Representatives. [Applause.]

The remarks of my good friend, the gentleman from Illinois [Mr. MANN], with whom I came here almost 20 years ago, are appreciated by me more than I can say; and in leaving this arena, where I have enjoyed the friendship and good will, I believe, of almost every man with whom I have served, I leave

it with great regret, and only because I feel that it is my duty to do so. I most heartily thank the gentleman from Illinois and all gentlemen in the House for their good feeling toward me. [Applause.]

PUBLICITY OF CAMPAIGN CONTRIBUTIONS.

Mr. CULLOP. Mr. Chairman, I move to strike out the last word. In reply to the gentleman from Michigan [Mr. MAPES], I desire to say that we have in Indiana a corrupt-practices act which limits the candidate for Congress to the expenditure of $25 for each 1,000 votes up to 50,000 votes and $15 per thousand votes in excess of that number, so that in that State we limit the expenditure in the ordinary district to about $1,300. Now, candidates for Congress get along very well in Indiana under that law; but the gentleman from Michigan [Mr. MAPES], opposing the amendment that I have offered, seems to take into consideration that the candidate for Congress is the only man running on the ticket at the election.

Mr. MAPES. Will the gentleman yield?

Mr. CULLOP. In one moment. There will be 25 or 30 other candidates probably on the same ticket—at least 10 or 12, anyway—all of whom are conducting their campaigns, and when all this is considered, the candidate for Congress will not be without the mutual assistance because of this fact.

Again, I want to remind the gentleman from Michigan that if he, as a candidate, is bound by this rule, his opponent is in exactly the same situation and must come under the same rule. This will tend, therefore, to reduce the extravagant expenditures made in some instances by candidates for Congress, many of them far beyond their ability to make. It will apply to all alike and work out well. Now, I will yield to the gentleman from Michigan.

Mr. MAPES. I will say to the gentleman that the language of this bill requires every committee that expends any money in attempting to influence the result of an election at which a Representative in Congress or Senator is to be elected to make a report. The amendment of the gentleman from Indiana provides that the expenditure of any money by the candidate or any person in his behalf——

Mr. CULLOP. Or for him.

Mr. MAPES. Or for him is limited to a certain amount.

Mr. CULLOP. Yes.

Mr. MAPES. The bill provides that the term "person"—

Whenever used in this act shall mean and include any private person, firm, copartnership, association, or committee, and the singular shall include the plural.

Now, it seems to me that with the gentleman's amendment and with the definition of the term "person," and with the language in this bill requiring every committee that expends any money to influence the result of an election at which a candidate for Congress is to be elected, to report, the committees and the candidate himself must all come within this limit of $2,500.

Mr. CULLOP. Well, certainly $2,500 is enough. How much do you want to pour into the corrupt pool for the purpose of influencing the electorate of a district and debauching the voters?

Mr. MAPES. Will the gentleman yield there?

Mr. CULLOP. Certainly.

Mr. MAPES. Perhaps that might be true if it applied only to the congressional district, but under the theory of this bill the State committee and the national committee all have to account, because they are expending money in attempting to influence the result of an election at which a Representative in Congress is to be elected.

Mr. CULLOP. Now, let me say to the gentleman from Michigan that the sooner we get out of politics these excessive amounts expended in elections the sooner we will get down to the deliberate judgment of the voter and get his candid judgment upon measures and candidates—the thing that is most desired in this country. The merits should be the standard and not the biggest corruption found. When men and measures are the standards for the exercise of the ballot, and not cash per vote, suffrage will perform the functions for which it was given. The people then will realize the higher standards of administration, the dawning of a better day in official life, and a healthier tone of public affairs. The corrupting influences practiced in campaigns and elections bear fruits in public service and degrade the administration of public affairs. The sooner it is eliminated the better it will be for all.

Mr. SANFORD. Will the gentleman yield?

Mr. CULLOP. Certainly.

Mr. SANFORD. I should like to call attention to page 14, where the gentleman offered his amendment. I should like to ask him if he does not think, in order to be consistent, he ought also to introduce his amendment so as to cover disbursements by the President, so that all over the United States there shall not be expended over $50,000? For the sake of consistency the amendment ought to be adopted.

Mr. CULLOP. I hope it will be adopted. It is time to stop pouring into campaign funds these excessive amounts which are wasted, used to debauch the voter and corrupt the ballot, and in the end constitute the corrupting influence of politics; because after a campaign fund is collected and expended, the contributors to that fund demand their pay in the way of legislation, of public favors, official recognition, and because of their liberal contributions have the ears of those they have helped. It is degrading, and the public welfare requires that a stop should be put to it.

THE CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. MANN].

The question was taken, and on a division (demanded by Mr. MANN) there were 38 ayes and 37 noes.

Mr. RUCKER. Mr. Chairman, I ask for tellers.

Mr. KEATING. Pending that, Mr. Chairman, I make the point that there is no quorum present.

The CHAIRMAN. The gentleman from Colorado makes the point that no quorum is present.

Mr. KEATING. Mr. Chairman, I will withdraw the point.

The CHAIRMAN. The gentleman from Missouri demands tellers.

The question was taken, and tellers were ordered.

The Chair appointed as tellers Mr. RUCKER and Mr. MANN.

The committee again divided, and the tellers reported that there were 42 ayes and 59 noes.

So the amendment was rejected.

Mr. MORGAN of Oklahoma. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 14, strike out all of the section after the word "election" in line 16.

Mr. MORGAN of Oklahoma. Mr. Chairman, the amendment which I have offered proposes to strike out the proviso of section 10, beginning after the word "election," in line 16, page 14. To understand the purpose of my amendment it is necessary to have a general idea of the purpose of this bill. This bill is H. R. 15842, introduced by Mr. RUCKER, of Missouri, the chairman of the Committee on the Election of President, Vice President, and Representatives in Congress. The bill proposes to amend the existing law relating to the publicity of contributions and expenditures made for the purpose of influencing the nomination and election of Senators and Representatives in Congress. This bill amends the existing law by including within its provisions candidates for President and Vice President of the United States. The title of the bill indicates that the existing law is to be amended by "limiting the amount that may be expended, providing for the publicity of campaign expenses, and for other purposes."

Mr. Chairman, as I have read this bill and as I have heard it explained in this debate this is not a bill which limits the expenditure of money for campaign purposes, but is a bill confined almost entirely in providing for publicity of campaign expenses. In section 10 of the bill there is a paragraph which in effect would limit the expenses of a candidate for President to $50,000; for Vice President, $25,000; for United States Senator, $5,000; and for Representative in Congress, $2,500, were it not for the proviso at the close of the paragraph. This proviso is as follows:

Provided further, That money expended by any such candidate to meet and discharge any assessment, fee, or charge made or levied upon candidates by the laws of the State in which he resides, or for his necessary personal expenses, incurred for himself alone, for travel and subsistence, stationery and postage, writing or printing (other than in newspapers), and for telegraph and telephone service shall not be regarded as an expenditure within the meaning of this section, and shall not be considered any part of the sum herein fixed as the limit of expense and need not be shown in the statement herein required to be filed.

Under this proviso there is no limit to the amount of money which a candidate may expend for travel and subsistence, for stationery and postage, for writing or printing (other than in newspapers), and for telegraph and telephone service. Neither is he required to make any report of the amount of money expended for any of the above purposes. He may, if he so desires mail a letter to every voter in his district during every day of the campaign; he may have printed and mailed to every voter in his district, monthly, weekly, or daily any amount of printed matter; he could mail to every voter expensive pictures or photographs of himself; and he could send to his voters telegrams without limit or restriction and as frequently as he desired hold unlimited conversation by local or long-distance telephone with the voters of his district. In this way it would be an easy matter for a candidate for Senator or Representative to spend $25,000, $50,000, or even more than $100,000 in influencing the

electors of the State or district, and yet, under the provisions of this bill, he would not be required even to report it. In my judgment, such a provision and such a bill does not meet the demands of the public sentiment of the country to-day.

In my judgment, the law should define for what purposes a candidate may expend money to promote his candidacy. Money expended for other purposes should be regarded illegitimate. I would permit no expenditures for illegitimate purposes and I would limit the amount that might be expended for legitimate purposes.

Mr. WALSH. Will the gentleman yield?

Mr. MORGAN of Oklahoma. Yes.

Mr. WALSH. Does the gentleman think that postage is an illegitimate purpose in connection with a campaign?

Mr. MORGAN of Oklahoma. I do not.

Mr. WALSH. Why do you want to limit it?

Mr. MORGAN of Oklahoma. I would allow no money to be spent for illegitimate purposes, and I would limit the amount spent for legitimate purposes. I know of no reason why a candidate should be allowed unlimited use of the mail and postage during election. The gentleman from Missouri [Mr. RUCKER] says that a candidate may have unlimited use of money when he is addressing the judgment of the electorate. We know that much of the matter that goes through the mails may not be of the right kind and character, it may be misleading, it may not appeal to the reason, judgment, and conscience of the voter.

Mr. LONGWORTH. Will the gentleman yield?

Mr. MORGAN of Oklahoma. Certainly.

Mr. LONGWORTH. The gentleman realizes that that has been the law for a good many years; that this is not new in this bill.

Mr. MORGAN of Oklahoma. I realize that, but I think now is the time to change the law. We should not have a statute which is a mere pretense, and is ineffective in accomplishing any good purpose.

Mr. FESS. Why do you use the term "illegitimate" in reference to these items? Suppose you are kept here because of the session of Congress, your primary fight is going on and you want to use the newspapers for a letter, and suppose you had 73 newspapers, as I have in my district, is that an illegitimate use of money?

Mr. MORGAN of Oklahoma. I think not.

Mr. FESS. It is required here, and you use the term "illegitimate."

Mr. MORGAN of Oklahoma. I say generally speaking.

Mr. SMITH of Michigan. Will the gentleman yield?

Mr. MORGAN of Oklahoma. Yes.

Mr. SMITH of Michigan. Does the gentleman think that Members of Congress should be limited in the number and amount of speeches that they send out for campaign purposes?

Mr. MORGAN of Oklahoma. I think we might limit the amount of mail that a man sends out under frank.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. MORGAN of Oklahoma. Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MORGAN of Oklahoma. I was about to say that this bill requires us to report what we expend for newspaper advertisements, and I see no reason why you should do that if we are not required to report what we pay out for mailing printed matter to the voters.

Mr. RUCKER. Mr. Chairman, the reason for that is simply this, that if we do not require any publicity statement as to expenditures in newspapers it leaves an opening through which designing parties might, under pretense of publishing a little notice, furnish a newspaper man with a thousand dollars, which would at least tend to corrupt him.

Mr. MORGAN of Oklahoma. The gentleman misunderstands my position. As I understand, the restriction is this: You make us report what we expend for newspaper advertising, and that is included within the $2,500, but we may expend $10,000 or more for other printed matter, and we are not required to even report it.

Mr. RUCKER. Certainly.

Mr. MORGAN of Oklahoma. I do not think that is based upon sound principle or wise policy. It is just as legitimate and appropriate to speak to the public through the daily or weekly newspapers, aye, even more so, than it is to send written or printed matter through the mails.

Mr. RUCKER. The gentleman did not catch the answer clearly. The reason for it is this: Without this requirement somebody might, under the pretense of putting a card in the newspaper, give to the editor a check for a thousand dollars, when $5 would be ample pay, and if he takes that you understand that he is bought at once.

Mr. MORGAN of Oklahoma. I would class newspaper advertising as the most appropriate and legitimate method and means to reach the voters, and I think it the most effective. I believe in patronizing the editors. What a man says in the public press is open and aboveboard. The use of the press is a most honorable way to do campaigning, in my judgment. I believe we should limit the amount of money that a man may expend in securing a nomination or an election to office. Let us be fair with the public. Let us not pretend we are doing something we are not doing.

Let us not pass a bill which does not do what it purports to do. This bill, as it now stands, neither limits campaign expenditures nor requires effective publicity. Under its provisions a man may expend, as I have pointed out, $50,000, or even a much greater sum, and would not be required to report one cent of it.

Mr. RUCKER. That is, by buying postage stamps and writing letters?

Mr. MORGAN of Oklahoma. Yes. Is not that true?

Mr. RUCKER. But could that possibly be thought to corrupt anyone?

Mr. MORGAN of Oklahoma. I think the gentleman from Missouri [Mr. RUCKER] is mistaken in his conception of what is a proper law. He says the only object of this legislation is to restrict a candidate in the use of money in ways which may or might corrupt or debauch a voter. My conception is that money should not be used at all in a way that would corrupt a voter. We should strictly prohibit, with severe punishment attached, any use of money for campaign purposes which would corrupt or debauch a voter. But I believe that the excessive use of money for any purpose to influence elections will corrupt the voter. I am therefore in favor of restricting every candidate who aspires either to a National, State, or local office in the use of money to secure his nomination or election. I believe, as the gentleman from Indiana [Mr. CULLOP] expresses it, that the real object of this legislation is to restrict the use of money and the influence of money in elections. Indeed, Mr. Chairman, that is the very object of requiring the publicity of campaign expenditures. The theory is that money in excessive amount will not be used in elections if publicity is required. But we should not rely on publicity alone. We should go further. My amendment should be adopted. A candidate should be limited in the amount of his campaign expenses, and his report should cover all expenditures.

The CHAIRMAN. The time of the gentleman from Oklahoma has again expired.

Mr. BORLAND. Mr. Chairman, I rise to oppose the amendment of the gentleman from Oklahoma [Mr. MORGAN]. I feel a good deal of sympathy with the argument that he has advanced, that no corrupt-practices act ought to be framed upon the basis that it permits any expenditure for illegitimate purposes. I do not think we ought to recognize that there is a margin of illegitimate expenses in politics which ought to be taken into consideration. I think the gentleman is in error, however, in assuming that that is the case, and that this bill is framed upon the proposition that certain expenses are legitimate, and therefore excluded from any return necessary to be made, and that certain others not excluded are to be thereby classed as illegitimate. That is not the case. The reason for excluding some of these items is perfectly plain. For instance, the one requiring the filing fees of candidates. There is no reason why a man should be limited in his expenses because another law compels him to file $50, as it does in our State, as a filing fee.

Mr. MORGAN of Oklahoma. I do not regard a fee required by law as a part of a man's expenses at all.

Mr. BORLAND. No; and the same is true of a great many of these other items that everyone recognizes are common, normal, and legitimate, like stationery and postage and writing and printing other than in the newspapers; but it is not quite correct to say that all other items not excluded are, therefore, illegitimate items and are included in this margin of corruption fund. They are items which we can not foresee in all cases, but not necessarily illegitimate. There may be items such as those spoken of by the gentleman from Ohio [Mr. FESS] where he might want to publish a letter in a series of newspapers. He ought to be allowed to do so, and yet the gentleman from Missouri [Mr. RUCKER] is right in saying that there ought to be a limit in the amount that the man can pay the newspapers.

There ought to be a limit even upon legitimate expenses. The great point in this bill is this: That it leaves no margin at all for illegitimate expenses, and confines the pretext for legitimate expenses down to a margin so that the average poor man of

ability can run for office. That is the real theory of this bill. I do not want the criticism to be leveled at this bill that any interpretation of it provides for illegitimate expenses. I do not pretend but that some men are going to make use of it up to that point for expenses that they would not like to disclose, but the primary design of the bill is that counting all margin of legitimate expenses, those excluded and those not excluded, they shall come within a reasonable limit.

Mr. FARR. Is there any limit upon the amount of material that you can send through the post office?

Mr. BORLAND. No; but that does not stamp it as illegitimate.

Mr. FARR. I did not say it did.

Mr. BORLAND. But as the gentleman from Missouri [Mr. RUCKER] has well said, not a great deal of harm can be done in sending matter through the post office. Certainly no corruption of voters can occur in that way. A man may send out a large amount of misinformation, and I have no doubt that most candidates for Congress do. He may send out a large number of specious arguments. He may occasionally make an egregious fool of himself in a circular letter, but he is not corrupting anybody by doing it when the money is going to make up a sum that represents the running expenses of the Government that carries on the service. These are the normal expenses of sending out circulars, postage, his traveling expenses, his telephone and telegraph expenses, those expenses that no candidate can escape. That is the theory on which they are recognized by this bill. Then above that is placed a margin of other expenses that may in a particular case he can not foresee be perfectly legitimate and in a particular district may be perfectly legitimate, and which must be kept within the reasonable limits of the law.

The CHAIRMAN. The time of the gentleman has again expired. The question is on the amendment.

The question was taken, and the amendment was rejected.

Mr. McKELLAR. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows.

Page 14, lines 21 and 22, after the parenthesis and after the word "printing," strike out the words "other than in newspapers," and insert "as advertisements and showing in such printed matter that it is an advertisement."

Mr. McKELLAR. Now, I have another amendment I want to go along with it.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

After the word "expense," in line 25, strike out "and need not" and insert "and must."

Mr. McKELLAR. The provision of the bill on this subject as reported is as follows:

Provided further, That money expended by any such candidate for his necessary personal expenses incurred for himself alone for travel and subsistence, stationery and postage, writing or printing (other than in newspapers), and distributing letters, circulars, and posters, and for telegraph and telephone service shall not be reported as expenditures within the meaning of this section and shall not be considered any part of the same fixed herein as the limit of expenditure and need not be shown in the statement herein required to be filed.

The objects of these two amendments are (1) to put newspaper advertisements on the same basis with other printed advertisements, and (2) to require all expenditures to be reported and shown, whether they are in the excepted list or not.

Under the bill, as it has been reported, a candidate for Congress can spend an unlimited amount of money for the following matters: Personal expenses, travel and subsistence, stationery and postage, writing or printing (other than in newspapers), distributing letters, circulars, and posters, telegraph and telephone service; and none of these items are to be included in the $2,500, or $5,000 in the case of a candidate for Senator, that is permitted to be spent by the candidate and which expenditure must be reported.

Mr. Chairman, I wish, first, to discuss the question of newspaper advertising. I do not think newspaper advertising ought to be excepted. Frauds are not committed by publicity. If a candidate wants to spend money in newspaper advertising, he ought to be allowed to do it. Why should he be allowed to advertise in magazines without having to report it and not in newspapers without having to report it? It is claimed that it would give him an undue advantage over his opponent. This is not correct. Suppose his opponent owns a newspaper and devotes the greater part of it to advertising his own candidacy. This is frequently done, and it is unfair to the opposing candidate. What we ought to do is to set forth for what purposes money may be spent and put a limit on all expenditures. Let us cut out this excepted list and fix a sum which may be spent, including sums spent for these purposes.

Under the bill as reported, which in this particular is the law as it exists now, a candidate may spend $10,000 for postage, $5,000 for telephone and telegraph service, and $5,000 more for office force in distributing letters, circulars, and posters, and he does not have to report a cent of it. The only limitation put upon him is he can not advertise in newspapers without reporting it. If he advertises in a newspaper, he has to report it, and it comes out of the amount allowed. I do not see any difference between advertising by circulars and paying $5,000 therefor and advertising in a newspaper and paying $5,000 therefor. The truth is the law ought to require every cent paid out by the candidate or his campaign committee or friends to be reported and for what purposes it was spent should be stated.

Again, the object and purpose in passing this law is to secure honesty in elections and prevent the unlawful use of money in elections. If these are the purposes, let us accomplish them. I do not take any stock in the idea that corruption can be brought about by newspaper advertising. A man can not commit fraud by publishing it in a newspaper. The truth of the matter is that what we most need to provide for is publicity. I think we ought to require a full statement of every use to which campaign money is put. For instance, we should require an itemized statement of the personal expenses of a candidate incurred for himself alone; expenses for travel and subsistence; for stationery and postage; writing or printing, including newspaper and magazine printing; the expenses of headquarters; distribution of letters, circulars, and posters; and telegraph and telephone charges; and then limit the amount that can be spent by the candidate for all these purposes or for any other purposes. If you permit him to spend unlimited sums for all these purposes and then give him a general fund of $2,500, or in the case of a Senator $5,000, to be used for any unnamed purpose, you open the door to possibility of wrongdoing.

I am convinced that there should be a limit placed on the amount that a candidate might spend for these purposes named in the bill. In other words, he should be limited in the amount that he shall spend for telegraph and telephone service, for newspaper advertising and other advertising, for headquarters, for stationery and postage. I would rather vote to make the limit larger and require a publication of all than to make the limit small and leave a large number of expenditures which do not have to be reported or published. Publicity is the safest remedy against corrupt elections. I know I am right when I say that the candidate ought to be required to show in his statement filed with the Government authorities just how much he has used for all these purposes, whether such expenditures are in the excepted class or not. This will bring about the necessary publicity.

The gentleman from Missouri, my good friend Judge RUCKER, says the reason newspapers were excepted was that some candidate might buy up a newspaper. If you require him to report his purchase he will not buy much of a newspaper or many of them. Publicity is the deadliest enemy of fraud in elections. For my part I am perfectly willing to strike out the $2,500 general fund permitted in the bill, and to require all candidates to specify just what they expend and for what purposes expended. If we are going to have a general fund for unnamed purposes, a $2,500 fund in the case of a Congressman, and $5,000 in the case of a Senator, these amounts may not be unreasonable. But what I want to insist upon is that candidates report all sums expended and for whatever purposes. Publicity is what we want, and the way to get it is to require the candidates to file statements here in Washington, showing in detail what they spend for printing and advertising, for postage and stationery, for personal expenses, and for all other purposes, and you will find that it will create a very strong influence in favor of honest elections, and honest elections are what we are seeking to obtain in the passage of this bill.

Gentlemen, it seems to me that the time has arrived when if we want to uphold and maintain our American institutions we must protect the purity and honesty of the ballot box. [Applause.]

Some say that this is not an effective measure. It may not be as effective as we would like it. It may not be as effective as it should be; it is not as effective as I would like it; but it is a step in the right direction, and we are going to take it. We should do all we can to bring about honesty in elections. In elections of the Members of the House and Members of the Senate, and in all other elections, dishonest practices is one of the crying evils of the day.

I believe that the State should bear all the expenses of the elections, primary and regular, except the candidate's necessary personal expenses incurred for himself alone, and for travel and subsistence, and perhaps a limited amount, say not exceeding $1,000 incurred for postage, and for telephone and

telegraph service an amount not to exceed $500. It has gotten to be so that unless a candidate is a rich man he can not run for an office in this country. One man may be better fitted for the office, he may be a better speaker, he may be more popular; and yet, unless he has money for a campaign fund, or has wealthy friends who will put it up for him, he is precluded in many instances under our system from running for office. This ought not to be. The State should see to it not only that the elections themselves are honest and pure, but that all candidates who have a desire to be elected to office should have an equal show, whether they are rich or poor.

Mr. PLATT. Will the gentleman yield for a question?

Mr. McKELLAR. Of course.

Mr. PLATT. Does not the gentleman think the United States Government ought to pay this expense for advertising in the home newspapers, so that we may be sure they would be published?

Mr. McKELLAR. I am for it, provided that the candidates all have an equal show. I am for anything that will secure the honesty and integrity of the ballot box. I do not care how you make it or how strong you make it.

Mr. FOCHT. And to be entirely fair——

The CHAIRMAN. The time of the gentleman has expired.

Mr. McKELLAR. Mr. Chairman, may I have two minutes more?

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. FOCHT. In that connection would it not also be fair to the opposing candidate, who is a Member of Congress, that the Member of Congress who is running also publish in his home papers the total amount in dollars and cents of benefits and privileges he has had in franking from the Government?

Mr. McKELLAR. I see no objection to that. I think it would be entirely proper.

Mr. Chairman, I am heartily in favor of this bill. I wish it placed greater restrictions and limitations upon the use of money in elections. I wish it provided for greater publicity. I think we ought to require all candidates to report all expenditures, regardless of their nature or kind. I think we ought to make all expenditures public. If, for instance, a candidate spends $10,000 for stationery and circulars, he ought to be required to report it to the Clerk of the House or Senate, and then the newspapers back home may publish it, if they desire. Whatever a candidate spends, for whatever purpose, whether for personal expenses or for any other purpose, should be reported here and made a public document, so that it can be published back home. This will, in my judgment, do away with the corrupt use of money in elections.

This bill, as reported, does not entirely meet my approval for the reasons I have outlined, but I am for it, whether my amendments are adopted or not, believing it to be a step in the right direction, and I hope that the Senate or conference committee will make it a more effective measure. If I were writing a bill upon this subject, I would make publicity the dominant theme which would run through the entire bill. Publicity will prevent any fraud. The two can not go hand in hand together. [Applause.]

The CHAIRMAN. The question is on the amendment of the gentleman from Tennessee [Mr. McKELLAR].

The question was taken, and the amendment was rejected.

Mr. WALSH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

Mr. McKELLAR. Mr. Chairman, was the second amendment voted on?

The CHAIRMAN. The Chair understood the gentleman to say it was read for information. Does the gentleman want it considered now?

Mr. McKELLAR. I think the second amendment should be reported. All these expenses are required to be reported. I desire to have that voted on.

The CHAIRMAN. The question is on the second amendment offered by the gentleman from Tennessee [Mr. McKELLAR].

The question was taken, and the amendment was rejected.

The CHAIRMAN. The gentleman from Massachusetts [Mr. WALSH] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 14, line 16, after the word "election," insert:

"*Provided further*, That candidates for nomination or election as Representatives at large from any State may contribute, disburse, or expend a sum within the limit provided for candidate for Senator as provided by this section."

Mr. WALSH. Will the gentleman from Missouri [Mr. RUCKER] accept the amendment?

Mr. RUCKER. I think it ought to be adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. WALSH].

The amendment was agreed to.

Mr. MORGAN of Oklahoma. Mr. Chairman, I offer an amendment in the nature of a new section to follow section 10.

The CHAIRMAN. The gentleman from Oklahoma offers an amendment, which the Clerk will report.

The Clerk commenced the reading of the amendment.

Mr. STAFFORD. Mr. Chairman, we are not through offering amendments to section 10. I would like to offer an amendment to that section.

The CHAIRMAN. Does the gentleman from Wisconsin desire to offer an amendment to section 10?

Mr. STAFFORD. I do.

The CHAIRMAN. The gentleman will be recognized for that purpose.

Mr. STAFFORD. Strike out the first "and," in line 13, page 14, and insert "or," and also strike out the word "and," in line 15, and insert "or."

The CHAIRMAN. The gentleman from Wisconsin offers an amendment which the Clerk will report.

The Clerk read as follows:

Page 14, line 13, at the beginning of the line, strike out the word "and" and insert the word "or." And in line 15, at the end of the line, strike out the word "and" and insert the word "or."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. STAFFORD].

Mr. STAFFORD. Mr. Chairman, the purpose of this amendment is to give candidates who have opposition at the primary as well as at the election the privilege of spending $2,500 each at both the primary and election. I consider it unfair to the man who has opposition at both primary and election to be limited to the total expenditure of $2,500 and which would put him at a disadvantage in running with a man who has no opposition on the opposition ticket at the primary election.

The purpose of this bill is to restrict the candidate to a limited expenditure of money in either the primary or election. You should not by this bill provide that the man who has opposition at the primary election should expend only $2,500 for both and allow the man who has no opposition in the primary to spend $2,500 at the election.

Many times in the northern districts, where the contests for nomination are very severe, $2,500 is no more an unreasonable amount than $2,500 is for a contested election. It does not savor of any slush fund when you restrict the amount to $2,500 that may be expended at the primary and to $2,500 that may be expended at the election. It is but carrying out the fundamental principle of this bill, only applying it to those cases where the man has opposition both at the primary and at the election. If he has no fight at the primary, he does not expend the $2,500, and the $2,500 limit will apply only to the election. But if he has opposition at the primary, then you should, in fairness to him, after he gets the nomination, permit him to have a like amount to spend for election. Otherwise you are going to put a premium on perjury, and I do not believe anyone here wants to do that, but wants to give a man who has made a hard fight for the nomination and may have had to spend $2,000 the right to spend $2,500 for election and not $500. It is his privilege and should be granted to him. Who can say that a man who has spent $2,500 for Congress is trying to buy a seat if he is privileged to spend an additional amount for his election. And there are many Members here who do not call on committees to finance their campaign. They pay their own expenses out of their own pockets. And I ask you to meet that condition by allowing the candidate who has opposition at the primary to have the same amount available to spend at the election.

Mr. KEATING. Mr. Chairman, I hope the amendment of the gentleman from Wisconsin will not be adopted.

Mr. LONGWORTH. It will not be.

Mr. KEATING. On the assurance of the distinguished gentleman from Ohio that it will not be, I will not make a speech.

Mr. STAFFORD. I wish the gentleman from Ohio had not made that assurance.

The CHAIRMAN. The question is on the amendment of the gentleman from Wisconsin [Mr. STAFFORD].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. STAFFORD. Division, Mr. Chairman.

The committee divided; and there were—ayes 9, noes 41.

So the amendment was rejected.

Mr. MORGAN of Oklahoma. I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Oklahoma.

The Clerk read as follows:

Amendment offered by Mr. MORGAN of Oklahoma: Add as a new section—section 10—the following:

"That it shall be unlawful for any individual or person to contribute money or other thing of value exceeding in value $5,000 in connection with any election at which electors for President and Vice President of the United States or a Representative in the Congress of the United States are to be voted for."

Mr. MORGAN of Oklahoma. Mr. Chairman, the object of the amendment which I propose is to make effective the ideas which I expressed in part in discussing my former amendment. The amendment proposes to add a new section to the bill which would prohibit any person from contributing more than $5,000 to influence the result of any election in which candidates for presidential electors or candidates for Senators and Representatives in Congress are voted for. I have restricted the amount to $5,000. This may be too high or too low. I am not particular as to the amount just so the amount is reasonably restricted. I believe it is not only just and right, but that it is eminently wise to place a reasonable limitation and restriction upon the power of men of great wealth to influence national elections, national legislation, and national administration. There is nothing in this bill which in any way restricts the amount of money which one man may give to secure the nomination or the election to the Presidency or Vice Presidency of the United States or to membership in the Senate or House of Representatives of the United States. There should be a limit in this respect.

Gentlemen, you will recall the investigation that was conducted in 1912 by the Senate Committee on Privileges and Elections relative to the amount of money that was expended in previous campaigns in the nomination and election of candidates for President and Vice President. Without intending any criticism upon any political party or upon any individual in connection therewith, it is true that the revelation made in that investigation was regarded in the nature of a public scandal. As one having the good of my country at heart, I hope that never again in this country will single individuals contribute such immense sums of money to secure the nomination and election of any candidate for the Presidency of the United States. It is not my purpose to assail wealth or to attack men who possess great wealth. This is not involved in this discussion. We do know that in recent years men in this country have acquired immense wealth—wealth which in amount is beyond the grasp and comprehension of the human mind. Such men can contribute $100,000, $500,000, or $1,000,000 without feeling it. I do not believe it is a wise policy to permit men, through the use of their money, to multiply by a thousandfold their power and influence in politics. In politics dollar signs are danger signals. If it be wise, as this bill proposes, to restrict candidates in the use of money, it is also wise to restrict their friends and supporters in the use of money.

Let me point you to an illustration of an ideal way in which a great party selected a candidate for President. I refer to the nomination which occurred at Chicago during the month of June. The Republican Party, in its national convention, this year nominated a man for President who had not himself spent any money to secure his nomination and for whom nobody else had expended money to secure his nomination. [Applause on the Republican side.] That fact will give the Republican candidate prestige before the American people. It will give him standing and position with the voters of the country that no other candidate for President has had in recent years. [Applause on the Republican side.] And I predict that this man so nominated—Charles Evans Hughes—will be elected President of the United States. [Applause on the Republican side.]

Mr. CANNON. Mr. Chairman, I want to say a word about this bill and about the existing law. Congress hitherto has not undertaken to provide an election at which a President or Senators or Members of Congress shall be chosen, as it has the power to do, so that elections are now held under State laws.

Now, I suppose there is not a State anywhere in the United States that has not election laws, that has not severe penalties for bribery. If there is a public sentiment that will punish, that is the proper place for prosecution. If there is not a public sentiment that will punish, we have come to a condition in the country where there is a debauched public sentiment. There ought to be, really, under the State law enough of law-abiding people to punish for bribery and like offenses. An election for a Senator or Member of Congress is not the main thing. Why, there are members of the legislature, there are governors and State officers, there are county officers to be chosen who are of great importance locally to the elector who votes; on the average, more important than the election of national officials, the presidential electors on the one hand or Members or Senators on the other.

Still, about all you could say about this bill from my standpoint is, to an honest man, he will not commit perjury, whatever the provisions of your bill may be [applause]; and if he is a dishonest man and seeks to evade the law, he can find wherein he can evade it, whatever it may be in God's chancery, without violating the law so that he can be placed in the penitentiary or convicted. So that it puts the honest man at the mercy of the dishonest man. The whole thing, in my judgment, is simply undiluted demagogy. [Applause on the Republican side.]

The CHAIRMAN. All debate on this amendment is exhausted. The question is on agreeing to the amendment offered by the gentleman from Oklahoma [Mr. MORGAN].

Mr. LEWIS. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Maryland moves to strike out the last word.

Mr. LEWIS. Mr. Chairman, I regret that the gentleman from Oklahoma [Mr. MORGAN], who offered this amendment, felt compelled in a measure to sophisticate its support by the reference to a candidate with which he concluded his remarks. It is obvious to the people and to the House that remarks of that character might as well have been directed to the Democratic candidate——

Mr. MORGAN of Oklahoma. It might be said of the Democratic candidate——

Mr. LEWIS. Who probably spent not a cent to secure his nomination; and I am afraid the gentleman may have injured a very meritorious cause by an obviously partial and partisan conclusion to his address.

Mr. KING. The gentleman included President Wilson in his eulogy.

Mr. LEWIS. I am glad he included the President of the United States.

Now, Mr. Chairman, in regard to the statement just made by the gentleman from Illinois [Mr. CANNON], if the gentleman's reasoning is sound, then all the corrupt-practice laws of all the States themselves, related to human nature as they are and as this law will be, are placed upon the wrong reasoning and based upon misapprehension of human affairs. I do not take that view of this matter. I believe that the strongest tendency among all human being, good and bad, is to obey the law. There are exceptions, and there always have been exceptions; otherwise no law would be required.

I believe, in addition to that, there will be a disposition to respect a Federal law on this subject, even a stronger disposition than is manifested toward the statutes of a State. The people of the country do have, whether they should have or not, more fear of national statutes than they do of the mandates of the State alone, and we therefore have the right to feel that this statute will secure a degree of obedience in the future which the statutes of a State may not have succeeded in obtaining in the past.

On the point as to the amount of money which any individual shall be permitted to contribute, should any individual be permitted to contribute more than $5,000? I rest the argument for that amendment on that question. If any man thinks that an individual should be permitted to contribute more than $5,000, then the burden of proof is upon him. I am in favor of this amendment and shall so vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma [Mr. MORGAN].

Mr. STAFFORD. I ask unanimous consent that the amendment be reported again.

The CHAIRMAN. The Clerk will report the amendment again.

The amendment was again read.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma [Mr. MORGAN].

The question being taken, on a division (demanded by Mr. MORGAN of Oklahoma) there were—ayes 19, noes 36.

Mr. MORGAN of Oklahoma. Mr. Chairman, I ask for tellers.

Tellers were refused, four Members, not a sufficient number, rising to second the demand.

Accordingly the amendment was rejected.

Mr. WALSH. Mr. Chairman, I move to strike out lines 1 to 12, inclusive, on page 13.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. WALSH: Page 13, strike out lines 1 to 12, inclusive.

Mr. WALSH. Mr. Chairman, this provision requires a candidate, in addition to filing the many statements already required, to send a statement to the clerk of the United States district court of the judicial district in which the candidate

resides. That applies to Senators and Members of the House; candidates for President and Vice President are excused. It seems to me that is an unnecessary provision and that if any Member of the House disobeys this law or violates its provisions his opponent or the Clerk of the House will see to it that due publicity is given such infraction of law, and that the district attorney for the district will be duly notified in ample time, so that the machinery of the law shall be put into operation to punish the culprit. But it seems to me idle to require that a candidate shall send word to the clerk of the district court by filing a statement of his expenses. You are practically saying to the candidate that he shall send word to the clerk of the district court that he probably has violated the law in running his campaign for this office; but in any event he wants the evidence duplicated and filed ready for disposal.

The gentleman from Missouri [Mr. BORLAND] made a few observations with reference to the purity of elections, following the line of argument made by the gentleman from Indiana [Mr. CULLOP], and I congratulate those two distinguished Democrats that they, with their vivid imaginations, are able to say here on the floor of the House that if a man spends $2,500 he is clothed with purity and honesty, but if he spends one dollar more than that he is committing a crime and is a crook, and that there is so much virtue and righteousness in the sum of $2,500 when expended by a candidate for this branch of the Congress. The gentleman from Missouri [Mr. BORLAND] spoke of misinformation being sent through the mails to constituents during a campaign. Oh, yes, Mr. Chairman; and a fair share of it is sent under a Member's frank.

I want to extend my congratulations also to the distinguished gentleman from Tennessee [Mr. MCKELLAR], who is soon to depart from this body and take his seat in the upper branch, that he stands here as the apostle of purity of the ballot. Time was when the voters from some sections of States not far removed from his vicinity were very familiar with impurity of elections and violations of election laws as applied to Members of Congress and also to State officers. You can not legislate honesty into a human being, and I submit that if you leave this law in the condition in which it is to-day it will be much harder for a poor man to conduct a campaign or become elected a Member of this House. You are practically saying, "You have got to have $2,500 in order to be a candidate for Congress." I trust that this idle, useless provision of the law appearing in the first 12 lines of page 13 will be stricken from the bill.

Let us assume that a candidate for nomination or election can run an honest campaign and that he may have a few friends—one or two at least—who desire his election and will help him honestly and from worthy motives.

If the arguments of some of the gentlemen who have spoken on this bill were followed to their logical conclusion the only proper law that could be enacted would be to prevent a single dollar being expended by the candidate or a political committee.

Mr. RUCKER. I hope this paragraph will not be stricken from the bill. It is not useless or idle. It is a very essential feature of the bill providing for publicity, and I hope it will be left in the bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. WALSH].

The amendment was rejected.

Mr. ANDERSON. Mr. Chairman, I offer an amendment as a new section following section 10.

The CHAIRMAN. The gentleman from Minnesota offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ANDERSON: Page 14, following section 10, insert the following as a new section:

"No disbursements may be lawfully made except for the following purposes, to wit:

"First. For the traveling expenses and expenses of subsistence of the candidate and of the members of political committees and their bona fide officers and assistants.

"Second. The payment of fees or charges for placing the name of the candidate upon the ballot.

"Third. The hire of clerks and stenographers and the cost of clerical and stenographic work and of addressing, preparing, and mailing campaign literature.

"Fourth. Telegraph and telephone tolls, postage, freight, and express charges.

"Fifth. Printing and stationery.

"Sixth. Procuring and formulating lists of voters.

"Seventh. Headquarters or office rent.

"Eighth. Newspaper and other advertising.

"Ninth. Renting of halls or providing places for public meetings and all expenses of advertising and other expenses usually incident to holding such meetings.

"Tenth. For payment of speakers and musicians at public meetings and their necessary traveling expenses."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. ANDERSON].

The amendment was rejected.

Mr. ANDERSON. Mr. Chairman, I offer a further amendment as a separate section.

The CHAIRMAN. The gentleman from Minnesota offers an amendment which the clerk will report.

The Clerk read as follows:

Amendment by Mr. ANDERSON: Insert the following as a new section following section 10:

"Any person who, otherwise than in compliance with the provisions of this act shall hire or employ or offer to hire or employ, or shall reward or give to any person anything of value for his services, or for loss of time or for reimbursement for his expenses in consideration of such person directly or indirectly working or electioneering, except for making public addresses, for or against any candidates or candidate, or who rewards or offers to reward any person for his vote or influence, or the promise of his vote or influence, for or against any candidate for the office of President, Vice President, or Senator of the United States, or Member of the House of Representatives, shall be deemed guilty of a felony, and upon conviction shall be punished by imprisonment in the penitentiary for a term of not less than 1 or more than 10 years."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. ANDERSON].

The amendment was rejected.

The Clerk read as follows:

SEC. 12. That the statements required by section 10 of this act to be made by candidates for Senator or Representative, before nomination and before election, respectively, shall include the full name and post-office address, if known, of each opponent for nomination or election, as the case may be, together with the name or number of the Federal judicial district in which such opponent resides. If any person named in any such statement as a candidate for nomination or election to the office of Senator or Representative shall fail, neglect, or refuse to file any statement therein required, it shall be the duty of the Secretary of the Senate or the Clerk of the House of Representatives, as the case may be, within 30 days after such statement or statements should have been filed, to certify the fact that such candidate has failed to comply with the provisions of section 10 herein to the district attorney of the United States for the Federal judicial district in which said candidate resides, and upon receiving such certificate the district attorney shall immediately ascertain the facts as to those candidates certified to be delinquent and institute prosecutions against all who have violated this act.

Mr. MANN. Mr. Chairman, I move to strike out, on page 16, lines 5 to 8, inclusive.

The CHAIRMAN. The gentleman from Illinois offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MANN: Page 16, strike out all of lines 5 to 8, inclusive.

Mr. MANN. Mr. Chairman, the rest of the section provides that the facts shall be certified to the district attorney. The provision which I have offered moves to strike out the requirement that the district attorney, upon receiving this certificate, shall institute prosecutions against all who have violated this act.

In the first place, the district attorney can not institute prosecutions. All he can do is to lay the matter before the grand jury, and it is the duty of the grand jury to do that. That is not a prosecution until the grand jury reports the indictment. I do not think it ought to be required that if some one innocently failed to comply with this law, perhaps through illness, perhaps through accident, perhaps through lack of knowledge, that he ought to be indicted in every case or that he ought to be prosecuted—whatever that may mean. If the facts are certified to the district attorney, it is his duty to take cognizance of the facts, and if there is any case for prosecution to bring it. It is enough to certify the facts to the district attorney.

Mr. RUCKER. Mr. Chairman, with a part of what the gentleman from Illinois has said I concur, and with a part of what he has said I do not concur. I do not believe that any man after this law has been on the statute books for a while ought to be exempt from penalty because he does not know what the law is, because of ignorance of law. That is not the law in my State, and I do not think it is in the gentleman's State or any State in the Union.

Mr. MANN. Oh, theoretically, that is not true anywhere.

Mr. RUCKER. It is not true anywhere.

Mr. MANN. But no Member of this House can tell the first time what this law means.

Mr. RUCKER. I realize that district attorneys have well-defined duties which they ought to perform, but I thought it would not do any hurt to put this provision in here.

Mr. KING. Is it not the duty of the district attorney to look after violations of law without specific instructions? It looks like a reflection on the district attorney.

Mr. RUCKER. We did not mean any reflection upon attorneys of the United States, as the gentleman knows. I am not particular about the provision remaining in.

Mr. JOHNSON of Washington. What is the penalty for a man failing to file this information?

Mr. RUCKER. The penalty is shown in the section, and is not more than $10,000 or imprisonment not exceeding one year.

Mr. JOHNSON of Washington. Suppose in a district there are 15 candidates and a large number file at the last moment, but 4 or 5 do not send in such a certificate. The district attorney would be obliged to indict them all.

Mr. RUCKER. Not all; those people who complied with the law would not be subject to prosecution.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

SEC. 13. That the Secretary of the Senate and the Clerk of the House shall, on or before the 15th day of January next after each general election, and after each special election for Senator or Representative, report to the Senate and House, respectively, the name of each candidate for nomination or election to any office referred to in section 10 herein who has filed statements as required by this act, giving the place of residence of each candidate for Senator or Representative who has filed and the congressional district or State, as the case may be, in which he was such candidate. Said report shall recite the total amount of campaign expenses disbursed or expended by any candidate referred to in section 10 herein, or by anyone for him, as shown by such statements; also the name of each candidate for nomination or election to any office therein mentioned, as shown by the files of his office or otherwise ascertained by him, whether nominated or elected or not, who has failed, neglected, or refused to file any or all of the statements required by this act, and in case of a candidate for Senator or Representative said report shall give his place of residence and the congressional district or State, as the case may be, in which he was such candidate, as shown by said files or otherwise ascertained by him; also a like summary of the reports of committees as defined in this act. The reports required by this section shall be printed as public documents.

Mr. MORGAN of Oklahoma. Mr. Chairman, I offer the following amendment as a new section.

The Clerk read as follows:

Insert as a new section after line 8, page 17, the following:

"That it shall be unlawful for any individual or person to contribute money or other thing of value exceeding in value $10,000 in connection with any primary or general election at which electors for President and Vice President of the United States or a Representative in the Congress of the United States are to be voted for.

Mr. MORGAN of Oklahoma. Mr. Chairman, this is the same amendment I heretofore offered, except I have changed the maximum from $5,000 to $10,000. I was very much pleased with the remarks of the gentleman from Maryland [Mr. LEWIS]. I was pleased to see so many Democrats vote for my amendment. It has been the doctrine of the Democratic Party to restrict the amount of money which an individual might contribute in an election.

In the Democratic platform of 1908 I find these words:

We pledge the Democratic Party to the enactment of a law prohibiting any corporation from contributing to a campaign fund, and any individual from contributing any amount above a reasonable maximum, and providing for the publication before election of all such contributions above a reasonable maximum.

Now, in the Democratic platform for 1912 I find this declaration:

We pledge the Democratic Party to the enactment of a law prohibiting any corporation from contributing to a campaign fund and any individual from contributing any amount above a reasonable maximum.

I have glanced over the platform for 1916 of the Democratic Party, and I do not observe that declaration. Now, then, my Democratic friends, twice in succession your party has declared in favor of limiting the amount of funds that an individual may contribute to an election. You came into power in the campaign of 1912 with that language in your platform. You say a reasonable maximum amount. I proposed in my first amendment $5,000 as the maximum one person could contribute, but the majority of you did not vote for my amendment, and I have given you another chance. The amendment I now propose fixes the maximum at $10,000. You must vote to pass this amendment or go back on the solemn pledge that you made in your two platforms.

Mr. KEATING. Will the gentleman yield?

Mr. MORGAN of Oklahoma. Certainly.

Mr. KEATING. Will the gentleman guarantee that the Members on his side of the aisle will vote for his amendment?

Mr. MORGAN of Oklahoma. I will guarantee that some of them will vote for it.

Mr. BRUMBAUGH. Will the gentleman yield?

Mr. MORGAN of Oklahoma. Yes.

Mr. BRUMBAUGH. I was going to suggest to the gentleman that he try and convert an equal number on that side and his amendment will carry.

Mr. MORGAN of Oklahoma. I do not find any specific declaration in the platform of the Republican Party on this point. I do find two specific declarations of your party. I know and you know that the American people trusted the Government to you and you came before the people with those two declarations in your platform, and now I say you have to keep your platform pledges. Here are two pledges that can not be misconstrued in any way as to what it said. I will presume that you made them in good faith and you should keep them in good faith; and I hope, as I fixed the limit at $10,000, you will send out word to the country that you have agreed to my amendment and redeemed one solemn, specific pledge that you made to the American people. If you do, the people will give you credit and approve your action, and I hope the Republicans on this side will join in and let us say to the American people that the time has come when a man with unlimited means shall not with his money multiply his influence in elections a thousandfold. Vote for this amendment and please the American people.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma.

The question was taken; and on a division (demanded by Mr. MORGAN of Oklahoma) there were—ayes 22, noes 35.

So the amendment was rejected.

The Clerk read as follows:

SEC. 17. That every person who shall willfully violate any of the provisions of this act shall, upon conviction, be fined not more than $10,000 or imprisoned not more than one year, or both.

No candidate for Senator or Representative found by the House in which he claims membership to be a party to a violation of this act shall receive or retain the office to which he was declared elected.

Mr. MANN. Mr. Chairman, I move to strike out, on page 18, lines 3 to 6, inclusive.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, on page 18, by striking out lines 3 to 6, inclusive, being the language:

"No candidate for Senator or Representative found by the House in which he claims membership to be a party to a violation of this act shall receive or retain the office to which he was declared elected."

Mr. MANN. Mr. Chairman, this language provides in substance that any candidate for Senator or Representative who has violated this act shall not receive or retain the office to which he was declared elected. Just how you could determine that he should not receive the office I do not know.

Mr. RUCKER. Mr. Chairman, will the gentleman yield?

Mr. MANN. Just one moment. Of course, the provision is plainly unconstitutional, as far as that is concerned. The Constitution provides:

Each House shall be the judge of the elections, returns, and qualifications of its own Members.

I would be perfectly willing to adopt a policy providing that where a man has willfully violated this act, and that is determined, he shall be excluded from Congress, but under the language of the bill it is provided that he shall not receive the office.

We receive our certificates of election, and we come here on the first day of the first session to be sworn in. It will not have been decided by that time whether a man has violated the law; but supposing I should rise on the floor of the House and charge that all of the Members from the Southern States have violated this law, would you have them stand aside? Nobody knows. We would never organize Congress if such a ruling would be held, and it is not held; it does not amount to anything until Congress has acted on the case, and then the House must be the judge itself under the Constitution whether it will declare that somebody else was elected or declare the seat vacant. I now yield to the gentleman from Missouri.

Mr. RUCKER. Mr. Chairman, in the report which accompanies the bill the committee expressly stated that we retain this provision in the bill simply because we found it in the Senate bill, and that we refrain from expressing any opinion as to its constitutionality. The fact is that no member of the committee believed it was constitutional.

Mr. MANN. The gentleman means that this matter was inserted in the Senate?

Mr. RUCKER. Yes.

Mr. MANN. Of course no one has ever accused the Senate of knowing what the Constitution is.

Mr. RUCKER. I want to say to the gentleman that the committee of the House left the language which we found in the Senate bill for the simple purpose of taking the sense of the House upon it.

Mr. MANN. I think it would better go out, and if the Senate puts it in it can go to conference.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

Mr. DAVIS of Texas. Mr. Chairman, I move to strike out the last word. I just want to be heard and put myself on record in this matter. During both the years that the platform declared for a maximum limit on campaign contributions I campaigned 12 or 15 States. I cheerfully supported that declaration in the

platform and I voted in this bill for the limit of $5,000, believing it was a proper limit, and I voted for the limit of $10,000, believing that was a proper limit—a second choice—and yet we stand here as a House of Representatives and prohibit a candidate from expending more than $2,500 for his own expense and on his own account in a campaign and then allow his wife's brother and his daddy-in-law, who has half a million, to spend a hundred thousand dollars secretly, somewhere, in support of a party or candidate and not compel him to report it. I want myself recorded as having supported a proper limit, in proportion, as the platform directed. I think we have made ourselves absolutely ridiculous as a legislative body in ignoring a platform of that sort and voting down these very proper and necessary limitations. I want a law with virtue and power to prevent organized plutocracy from sluicing out funds to sway and debauch elections.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was agreed to.

The Clerk concluded the reading of the bill.

Mr. RUCKER. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to, and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. ALEXANDER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 15842, relating to publicity of campaign contributions, and had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. RUCKER. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? [After a pause.] If not, the Chair will put them in gross. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill as amended.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. MANN. Mr. Speaker, I move to recommit the bill to the Committee on the Election of President, Vice President, and Representatives in Congress.

The SPEAKER. The question is on the motion of the gentleman from Illinois to recommit the bill to the Committee on the Election of President, Vice President, and Representatives in Congress.

The question was taken; and on a division (demanded by Mr. MANN) there were—ayes 46, noes 58.

So the motion was rejected.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

On motion of Mr. RUCKER, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. MORGAN of Oklahoma. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon this bill.

Mr. RUCKER. Mr. Chairman, pending that, I ask unanimous consent that all Members who desire to do so may have leave to extend their remarks in the RECORD upon the bill.

Mr. MANN. I shall object to that.

The SPEAKER. The gentleman from Illinois objects. The gentleman from Oklahoma asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection and it was so ordered.

Mr. McKELLAR. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, the gentleman spoke of his desire to preserve the purity of elections. Does the gentleman intend to extend his remarks by including the amount of how much it cost to distribute his brilliant speeches and public documents? The gentleman said that he wanted it all put in

Mr. McKELLAR. I have accounted for what it cost me——

Mr. MANN. Oh, no; the gentleman has not accounted for the public documents he distributed at public expense.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

ENROLLED BILLS SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 6057. An act to amend section 14 of the reclamation extension act approved August 13, 1914;

H. R. 11262. An act for the relief of Mrs. C. D. Corbin; and

H. R. 11261. An act for the relief of Mary S. Corbin.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bill:

H. R. 12193. An act making appropriations for the construction, repair, and preservation of certain public work on rivers and harbors, and for other purposes.

INTERSTATE AND FOREIGN COMMERCE.

Mr. ADAMSON. Mr. Speaker, I ask unanimous consent for the present consideration of Senate joint resolution No. 60. If that is granted, I shall ask that it be considered in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER. The gentleman from Georgia asks unanimous consent for the present consideration of the Senate joint resolution, which the Clerk will report by title.

The Clerk read as follows:

Senate joint resolution (S. J. Res. 60) creating a joint subcommittee from the membership of the Senate Committee on Interstate Commerce and the House Committee on Interstate and Foreign Commerce to investigate the conditions relating to interstate and foreign commerce, and the necessity of further legislation relating thereto, and defining the powers and duties of such subcommittee.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. ADAMSON. Mr. Speaker, I ask unanimous consent that it be considered in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER. The gentleman from Georgia asks unanimous consent that the joint resolution be considered in the House as in the Committee of the Whole House on the state of the Union. Is there objection?

ORDER OF BUSINESS.

Mr. MANN. As I understand, consent to consider this bill having been given, so that it will come up this afternoon and probably be disposed of, what is the intention then of the leader of the majority in reference to the work in the House for the future?

Mr. ADAMSON. I yield to the gentleman from North Carolina [Mr. KITCHIN].

Mr. KITCHIN. I will say to the gentleman from Illinois and to the House that upon the disposition of this resolution the legislative program of the administration so far as the House is concerned will have been completed. I would like to have unanimous consent that after Monday—let the unanimous-consent business go ahead Monday—that the House will take up nothing else but, of course, the conference reports, except by unanimous consent, and if we can get that then we can adjourn over three days at a time, waiting on the Senate.

Mr. MANN. I will say to the gentleman that while I would be glad to see that arrangement made, I do not think it is practicable. But I think this is, that we can have an understanding that if there is a contest which goes to the point of consideration or disposition of Senate amendments or conference reports, or something of that sort, we will endeavor to give Members who are absent notice sufficient so that they can come back. Of course we can not say we will not consider anything except by unanimous consent, because we have got to dispose of appropriation bills and Senate amendments, or some other things.

Mr. KITCHIN. Except these bills that come from the Senate and conference reports. I mean no original legislation in the House.

Mr. MANN. What I want to get at is, if Members go home or go away from Washington, with the assurance that they will be fairly well taken care of, you can not do any business without a quorum, without notifying them to come back. The majority would want to reserve the right to do that.

Mr. LLOYD. There is one conference report it seems to me that ought to be provided for before the gentleman's agreement is entered into.

Mr. MANN. All conference reports will be provided for.

Mr. LLOYD. What I mean is, it is a very important matter, and it is agreed upon, and there ought to be a quorum here when

we consider it. I have reference to the Post Office appropriation bill, which was agreed upon yesterday.

Mr. MANN. If there is going to be a conflict or fight over it in the House, we would have to send word out, anyhow. That is what I want to get at.

Mr. KITCHIN. When will that be ready to be taken up in the House?

Mr. LLOYD. The chairman of the conference committee——

Mr. KITCHIN. Would that be ready Tuesday?

Mr. LLOYD. The gentleman is not on the floor, so I can not answer.

Mr. KITCHIN. What does the gentleman think about it?

Mr. LLOYD. I think it would be ready Tuesday, and I think it ought to be disposed of Tuesday, and I think we ought to have a quorum here when the bill is considered.

Mr. MANN. Here is the situation, and the gentleman from Missouri [Mr. LLOYD] understands it is a practical proposition: There may be a quorum in town to-day, but I doubt it. A large number of Members have gone away with the understanding, even now, that we would send notice if anything was to come up where there was to be a contest. The majority, in order to protect itself, must be in a position to give that kind of a notice.

Mr. LLOYD. On this particular matter, the Post Office bill, personally I am very anxious to agree to the conference report.

Mr. KITCHIN. Would the conference report go to the Senate first or come here?

Mr. LLOYD. To the Senate first.

Mr. KITCHIN. Then, of course, we can not tell whether we can agree upon it Tuesday or Wednesday.

Mr. GARNER. Why not have a mutual understanding that if there is a contest to come up in any case that there be three days' notice given to the absent Members?

Mr. MANN. If a contest develops that we notify the absent Members.

Mr. GARNER. You can use the words "contest develops," but if there is no quorum we will protect them and protect the absentees by adjourning three days and give them a chance to come back.

Mr. JOHNSON of Washington. Would that include the Pacific coast Members?

Mr. GARNER. Yes; or the Texas Members.

Mr. MANN. That will protect the Pacific coast Members. They would come back in air machines. They are always up in the air.

Mr. KITCHIN. Let us have an understanding, if there is any contest, that we give three days' notice. If there is any contest, we will give the minority leader three days' notice.

Mr. MANN. In other words, gentlemen may leave the city of Washington subject to call?

Mr. KITCHIN. Subject to call of three days, after Monday.

Mr. MANN. Now, Monday is unanimous-consent day.

Mr. KITCHIN. Monday is unanimous-consent or suspension day.

Mr. MONDELL. Mr. Speaker, do I understand the leader of the majority to say that he does not expect to bring up any legislation hereafter, for the present at least, under suspension of the rules?

Mr. KITCHIN. Monday will be unanimous-consent day.

Mr. MONDELL. Will there be some suspension of the rules on that day?

Mr. KITCHIN. I suspect so. They can do it under the rules.

Mr. ADAMSON. But if there is a contest develops on any question Monday——

Mr. MANN. Let gentlemen understand who have special bills now that there is not much chance to pass them during the rest of the present session of Congress.

Mr. KITCHIN. As to new legislation or bills now, you can not pass them except in two ways, by suspension of the rules and by unanimous consent, for the reason that you can not reach them on the calendar or in any way unless you bring in a special rule, and we are not going to bring in a special rule.

Mr. ADAMSON. What I was suggesting to the gentleman from North Carolina was this, in answer to the gentleman from Wyoming [Mr. MONDELL], if on Monday a contest develops the agreement you just made applies to that also?

Mr. KITCHIN. I said in my statement Monday would be unanimous-consent day, and that takes care of itself.

Mr. ADAMSON. That ought to be understood.

Mr. KITCHIN. We do not dispense with Monday.

Mr. NOLAN. I wish to say that I expect to get recognition on Monday to suspend the rules to pass the minimum-wage bill.

Mr. KITCHIN. I understand that. Therefore I did not include Monday in my understanding.

The SPEAKER. Is there objection to the request of the gentleman from Georgia [Mr. ADAMSON]?

Mr. MONDELL. Reserving the right to object, Mr. Speaker——

The SPEAKER. The Chair hears none.

Mr. MONDELL. Mr. Speaker, reserving the right to object, the gentleman from North Carolina [Mr. KITCHIN] does not expect to attempt to make provision for the passage of any legislation after Monday, except for bills as they come over from the Senate?

Mr. KITCHIN. Conference reports, unless——

Mr. MONDELL. I would say to the gentleman that there are a number of bills on the calendar that are very important to Members from the West. Now, all those men have to remain here. They do not get the benefit of these intermissions.

Mr. KITCHIN. Let me say to the gentleman——

Mr. MONDELL. Just a moment. We are expected to stay here; we are compelled to stay here, as a matter of fact. We will remain here, and yet we are notified that so far as concerns our legislation, which has not had consideration, although the bills have been on the calendar for many months, we are to remain here marking time, with no opportunity to secure consideration of our legislation except by unanimous consent.

Mr. KITCHIN. You will have the same opportunity that you would have anyway, unless you get a special rule, because you can not reach one of those bills to save your life except on Calendar Wednesday. If there is any contest on any other proposition, the minority leader there will be given three days' notice.

Mr. MONDELL. There will be some contest.

Mr. KITCHIN. Then he will be given three days' notice to take them up.

Mr. MONDELL. What I want to know is if the gentleman from North Carolina, who is responsible for legislation, has in mind the giving of any opportunity to consider this legislation?

Mr. KITCHIN. You will have the same opportunity any time we meet. You will have it by unanimous consent. You will have it on the Unanimous Consent Calendar. You will have opportunity for those things, of course.

Mr. GARNER. In the last seven days of the session the gentleman will have opportunity.

Mr. KITCHEN. I do not know as to that.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mr. COOPER of Wisconsin. Mr. Speaker, I ask to have the propositions pending before the House restated.

The SPEAKER. The proposition is to have this bill considered in the House as in Committee of the Whole.

Mr. COOPER of Wisconsin. Mr. Speaker, I was under a misapprehension. I was in the library when I heard this statement made by the gentleman from North Carolina.

Mr. KITCHIN. The gentleman would have understood it as well if he had stayed in the library. We have been mixing it up. [Laughter.]

The SPEAKER. The gentleman from North Carolina and the gentleman from Illinois [Mr. MANN] broke in with the gentleman from Georgia and had a confabulation for some time. [Laughter.]

Mr. ADAMSON. They did not have to break in in order to get in.

The SPEAKER. Is there objection?

Mr. COOPER of Wisconsin. Reserving the right to object, Mr. Speaker, I would like to ask the gentleman from North Carolina what it was he said?

Mr. KITCHIN. The Lord only knows. [Laughter.]

Mr. MANN. Does not the gentleman know what the governor of North Carolina said to the governor of South Carolina? [Laughter.]

Mr. COOPER of Wisconsin. Mr. Speaker, may I make a parliamentary inquiry?

The SPEAKER. Yes. Let the gentleman state it.

Mr. COOPER of Wisconsin. Has there been anything like a contest agreement made as to the conduct of business before the House?

The SPEAKER. Yes; that three days' notice will be given of a contested bill by the gentleman from North Carolina and the gentleman from Illinois.

Mr. COOPER of Wisconsin. Mr. Speaker, I ask unanimous consent that I may have two minutes on that proposition.

The SPEAKER. Does the gentleman object to getting this other proposition out of the way first? The Chair may forget it himself otherwise. [Laughter.]

Mr. COOPER of Wisconsin. I do not.

The SPEAKER. Is there objection to considering this bill in the House as in Committee of the Whole?

There was no objection.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent to proceed for two minutes. Is there objection?

There was no objection.

Mr. COOPER of Wisconsin. Mr. Speaker, I wish to direct the attention of the House to what is involved in the proposition made, as I am informed by the gentleman from North Carolina [Mr. KITCHIN], and tacitly agreed to. He said that as to unimportant legislation there would be no objection; that most things would go through. Presumably there will be few Members on the floor.

But in this connection there is a fact which gentlemen should not forget; that the most important proposition before the House of Representations in 25 years is likely to be contained in the conference report yet to be written and submitted on the water-power bill.

Mr. ADAMSON. The gentleman need not have any apprehension about that. He will be fully heard before that is ever done.

Mr. COOPER of Wisconsin. That is not what I mean. My views are not of paramount importance. But, in my judgment, the proposed water-power legislation more vitally concerns the people of the United States than has any other bill considered by the House in a generation.

The water powers of the country ought to be developed, but they should be developed only under safeguards that will thoroughly protect the public. And unless that conference report shall contain provisions properly to safeguard the interests of the people there will result such a monopolization of power, and consequently of control over the industries of a Nation, as the world has never known. No well-informed person can doubt this. No one can read the messages of Presidents vetoing previous water-power bills; no one can read the alleged arguments put forth by men who want these water powers turned over to them without anything like proper control on the part of the Government; no one can read all these and not be impressed by the vast importance of the conference report yet to be brought in.

Mr. ADAMSON. The gentleman need not have any apprehension.

Mr. COOPER of Wisconsin. I am directing attention to the way in which we legislate.

Mr. ADAMSON. Mr. Speaker, will the gentleman yield?

Mr. COOPER of Wisconsin. I have no time to yield now. Many weeks ago the Post Office appropriation bill passed the House and went to the Senate. It has been in conference for a long time. The newspapers have from time to time informed us that the conferees were struggling over important propositions—propositions vitally important to a proper administration of the Post Office Department. But the conference report on that bill also has been held up until midsummer, when Members are anxious to leave Washington to take part in the campaign.

The water-power bill was reported to the House on the 21st of March, but not brought up for consideration until a few days ago, in the intense heat of mid-July, and then during the debate we were two or three times quietly informed that, after all, the bill which is expected to become the future law will be written in conference.

Gentlemen talk about there being only unimportant legislation to come up, and they promise that should important measures be brought in we shall have three days' notice. But who can go to his distant home and come back here again? Only a rich man can afford the expense.

Mr. KITCHIN. We are not telling Members to go home; but we do not want to sit here three days doing nothing in this House, waiting on the Senate.

Mr. COOPER of Wisconsin. I wish to protest against this method of holding up proposed legislation until midsummer and then, when a long-delayed bill is brought up, calmly informing the House that the conference report is to embody the provisions of the law to be placed on the statute books.

Mr. SHERLEY. If the gentleman will yield I will relieve his mind by saying that that conference report is not coming in at this session.

Mr. COOPER of Wisconsin. Will it not come in at this session?

Mr. SHERLEY. It will not.

Mr. COOPER of Wisconsin. Which conference report is that?

Mr. SHERLEY. On the water-power bill.

Mr. ADAMSON. I think I can administer a sedative to the gentleman——

Mr. COOPER of Wisconsin. The gentleman from Kentucky [Mr. SHERLEY] has just assured the House that the conference report on the water-power bill will not come in at this session. Is that so, I ask the chairman of the House conferees?

Mr. ADAMSON. What is the gentleman's question?

The SPEAKER. The time of the gentleman from Wisconsin has expired.

Mr. COOPER of Wisconsin. I ask one minute more, in order to ask the gentleman from Georgia a question.

Mr. ADAMSON. What is the question?

Mr. COOPER of Wisconsin. The gentleman from Kentucky [Mr. SHERLEY] has just said that the conference report on the water-power bill will not come in at this session. Is that so?

Mr. ADAMSON. Mr. Speaker, I have been trying for the last five minutes to get the gentleman from Wisconsin to yield. I want to ask him a question myself.

Mr. COOPER of Wisconsin. I ask the chairman if the statement of the gentleman from Kentucky [Mr. SHERLEY] is true?

Mr. ADAMSON. I have been trying for five minutes to administer a sedative to the gentleman.

The SPEAKER. The time of the gentleman from Wisconsin has expired. The gentleman from Georgia, who has charge of this joint resolution, is recognized.

Mr. ADAMSON. If the gentleman will allow me——

Mr. COOPER of Wisconsin. Mr. Speaker, I ask for one minute more for the purpose of hearing the answer to my question.

Mr. ADAMSON. I will answer in my own time, if the gentleman will allow me.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent for one minute more. Is there objection?

There was no objection.

Mr. COOPER of Wisconsin. I ask the gentleman from Georgia if the statement just made to the House by the distinguished gentleman from Kentucky [Mr. SHERLEY] that there will be no conference report presented by the conferees on the water-power bill at this session is correct?

Mr. ADAMSON. I do not know whether the Senate is ready to yield on the points which the House insists upon or not. If the Senate yields, there will be a conference report. Otherwise there will not.

The SPEAKER. The gentleman from Georgia [Mr. ADAMSON] is recognized.

Mr. MANN. Let the joint resolution be read.

Mr. ADAMSON. I want to hear the joint resolution read before I speak.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, one of its clerks, announced that the Senate had disagreed to the amendments of the House to the bill (S. 3331) to amend an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906, as amended by the act approved June 23, 1910, and to provide for the improvement and development of waterways for the uses of interstate and foreign commerce, had asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. SHIELDS, Mr. BANKHEAD, and Mr. NELSON as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 5425) to standardize lime barrels.

WATER POWER.

Mr. ADAMSON. I am not in a hurry to take up that conference, Mr. Speaker, but I ask unanimous consent to print that bill in parallel columns, showing the two bills.

Mr. MANN. What bill?

Mr. ADAMSON. The bill that has just come in from the Senate—the water-power bill (S. 3331).

The SPEAKER. The gentleman asks to have the water-power bill printed in parallel columns to show the difference between the House and Senate provisions. Is there objection?

Mr. MANN. What is the object of that now?

Mr. ADAMSON. The subject has come up here all of a sudden. The gentleman asked the other day to have that done. I thought we had agreed to it then.

Mr. MANN. If we had had it during the consideration of the bill, it would have been of some use.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

INTERSTATE AND FOREIGN COMMERCE.

Mr. ADAMSON. Mr. Speaker, we were about to have the joint resolution reported by the Clerk.

The SPEAKER. The Clerk will report the joint resolution.

The Clerk read Senate joint resolution 60, creating a joint subcommittee from the membership of the Senate Committee on Interstate Commerce and the House Committee on Interstate and Foreign Commerce to investigate the conditions relating to

interstate and foreign commerce and the necessity of further legislation relating thereto, and defining the powers and duties of such subcommittee, as follows:

Resolved, etc., That the Interstate Commerce Committee of the Senate and the Committee of the House of Representatives on Interstate and Foreign Commerce, through a joint subcommittee to consist of five Senators and five Representatives, who shall be selected by said committees, respectively, be, and they hereby are, appointed to investigate the subject of the Government control and regulation of interstate and foreign transportation, the efficiency of the existing system in protecting the rights of shippers and carriers and in promoting the public interest, the incorporation of control of the incorporation of carriers, and all proposed changes in the organization of the Interstate Commerce Commission and the act to regulate commerce, also the subject of Government ownership of all public utilities, such as telegraph, telephone, express companies, and railroads engaged in interstate and foreign commerce and report as to the wisdom or feasibility of Government ownership of such utilities and as to the comparative worth and efficiency of Government regulation and control as compared with Government ownership and operation, with authority to sit during the recess of Congress and with power to summon witnesses, to appoint necessary experts, clerks, and stenographers, and to do whatever is necessary for a full and comprehensive examination and study of the subject and report to Congress as expeditiously as may be; that the sum of $24,000, or so much thereof as is necessary to carry out the purposes of this resolution and to pay the necessary expenses of the subcommittee and its members, is hereby appropriated out of any money in the Treasury not otherwise appropriated. Said appropriation shall be immediately available and shall be paid out on the audit and order of the chairman or acting chairman of said subcommittee, which audit and order shall be conclusive and binding upon all departments as to the correctness of the accounts of such subcommittee.

Mr. ADAMSON. Mr. Speaker, I am ready for a vote.

Mr. KITCHIN. Mr. Speaker, I want to ask the gentleman if, in his opinion, the object of this resolution or any part of it is finally to deprive the States of any of their rights over intrastate traffic or other intracommon-carrier matters which the States have been exercising heretofore.

Mr. ADAMSON. Mr. Speaker, I am not the author of this resolution, but in so far as in me lies I expect to be the finisher of it if that turns out to be the purpose.

Mr. MANN. Will the gentleman yield? As long as the matter has been introduced, was not that the reason given by the proponents of the resolutions in the hearings before the committee of which the gentleman is the chairman?

Mr. ADAMSON. I will say to the gentleman that the carriers think there ought to be some changes which would improve the conditions under which they work and the treatment they receive, and they have made that showing before the committee; but as I understand it, this joint committee will hear both sides of the question, and I doubt if the purpose of centralization or nationalization in its complete extent will ever be realized as a result of the investigation.

Mr. MANN. If the gentleman will yield—I do not want to take the floor in my own right—if I could beat this resolution I would do so, but I realize that it is the intention of the majority to put it through.

Mr. GARNER. This is not a partisan measure.

Mr. MANN. Oh, the President has said that this resolution should be passed. What is the use of quarreling with me about this?

Mr. GARNER. This is the first time I have heard that it is a partisan measure.

Mr. MANN. It is.

Mr. KITCHIN. I want to say to the gentleman that if I thought that that was the object of it, or that the passage of this resolution would effect anything of the kind that has been suggested, I would oppose it myself.

Mr. MANN. The trouble is that the gentleman will not think that way in view of the fact that the President has indicated that he wants it passed. Everybody who knows anything about the resolution knows that it was gotten up by attorneys for the railroad companies for the express purpose of having hearings to demonstrate that State control over railroads should be abolished, that control over railroads should be in the Interstate Commerce Commission; and the attorneys for the railroads not only have succeeded in getting this resolution in shape where it has passed one body and is going to pass another, but they succeeded in getting a plank in the Republican platform in Chicago in 1916. The resolution is intended to carry out what both parties are pledged to do, which I think is improper.

Mr. ADAMSON. Mr. Speaker, the purpose, so far as our committee understood it, was the investigation in order to know the truth of these matters. The Republican convention placed in their platform a demand that blindly and without investigation they would go to the full limit of nationalization. We believe that it is absolutely necessary that an investigation should be had in order to show the truth and let the country know whether that demand is wise. We are not afraid of the truth, and we will have members on that committee who will stand by the truth.

Mr. DUPRÉ. Will the gentleman yield?

Mr. ADAMSON. Certainly.

Mr. DUPRÉ. I want to ask the gentleman this question: Is the investigation of water transportation contemplated?

Mr. ADAMSON. I think it says "carriers," and water carriers make joint routes with the railroad carriers.

Mr. HUDDLESTON. Will the gentleman yield?

Mr. ADAMSON. I will.

Mr. HUDDLESTON. Has this resolution any relation to the dispute between the railroads and the employees in regard to the eight-hour day?

Mr. ADAMSON. Not a particle.

Mr. HUDDLESTON. Is any action to be taken with reference to it?

Mr. ADAMSON. The resolution relates to the method of regulating transportation, corporations that do a transportation business.

Mr. HUDDLESTON. Has the gentleman's committee any resolution before it in relation to the dispute between the railroads and the employees on that matter?

Mr. ADAMSON. Four months ago when the clouds gathered above the horizon the Republican leader and I investigated to see whether there would be any strike. I will not say where we went, but we were assured by the representatives of the employees that there would be no walkout and they did not mean to stop the wheels, and the Interstate Commerce Commission did not favor any investigation, and I concluded that no action was necessary and dropped the subject.

Mr. MANN. I hope the gentleman will not put me into that agreement.

Mr. ADAMSON. I did not mean to say that the gentleman agreed to that, but there is a resolution in the Senate proposing to investigate the subject of wages, but it is entirely disconnected with this resolution. This resolution has no such purpose or scope.

Mr. GREEN of Iowa. Mr. Speaker, I move to amend by striking out lines 1 and 2, on page 1.

The SPEAKER. The Clerk will report the amendment.

The CLERK. Mr. GREEN of Iowa moves to strike out the resolving clause.

Mr. GREEN of Iowa. Mr. Speaker, this measure is the most comprehensive bill that has ever been introduced for sending a lot of valuable legislation to the legislative graveyard. It is intended to put off, as it seems to me, or at least the result will be to put off some very important and necessary legislation until long after January 1, 1917. I am entirely opposed to the bill, and while I have not had any conference with the distinguished gentleman from Georgia [Mr. ADAMSON], I have my doubts whether he is very much in favor of it. I am unable to see what purpose can be accomplished except to put off measures described on page 2 of the resolution from being considered by the House. Consider for a moment what these are. They are "the Government control and regulation of interstate and foreign transportation." That will not be considered until after the committee reports. "The efficiency of the existing system in protecting the rights of shippers and carriers, and in promoting the public interest"; "the incorporation or control of carriers." That will not be considered until after the 1st of January, 1917, and then it will take a long time to get any legislation started. All proposed changes in the interstate-commerce law ought not to go over until after January 1, 1917. The subject of Government ownership of all public utilities, such as telegraphs, wireless, telephone, express companies, and railroads engaged in interstate and foreign commerce is to be postponed. Probably a large number of members would like to have that postponed until after January 1, 1917, and considerably later. As far as I am concerned I would not.

There is the further subject of the comparative worth and efficiency of Government regulation and control, as compared with Government ownership and operation. All these measures concerning which we probably would have received some important bills from the Committee on Interstate and Foreign Commerce, which would be submitted to the House and brought up for consideration, will be postponed if this resolution passes.

Mr. Speaker, I do not believe that the people want all subjects disposed of in this kind of a way. The practical effect will be to take them from the consideration of the committee until after January, 1917, which would mean that it would be a year or two later than that before new bills could be reported from the committee; in other words, two to five years before we would get any legislation on this subject. I think that that is the real purpose at the bottom of this resolution when it originated in another Chamber.

Mr. CRAMTON. Will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. CRAMTON. Does the gentleman consider that in a period of less than six months this commission can make an investigation of these matters that will amount to anything or that will furnish any information to Congress?

Mr. GREEN of Iowa. I do not think it could. I do not think the commission could accomplish anything in that time.

Mr. BARKLEY. Will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. BARKLEY. Does the gentleman think that if the resolution was not passed or considered that any legislation could be adopted between now and the second Monday in January?

Mr. GREEN of Iowa. There ought to be, or at least to get legislation originated.

Mr. CRAMTON. Mr. Chairman, will the gentleman yield further?

Mr. GREEN of Iowa. Yes.

Mr. CRAMTON. It being impossible for this commission to accomplish anything in that time, is it not quite probable that the commission being organized and not ready to report on the 1st of January, we will then be called upon for a continuance of six months or a year or two years, during which there could be no legislation on these subjects?

Mr. GREEN of Iowa. Yes; that is also likely, but that is the object and purpose of the resolution as I view it.

The SPEAKER. The question is on the amendment of the gentleman from Iowa—to strike out the resolving clause.

The question was taken, and the amendment was rejected.

The SPEAKER. The question now is on agreeing to the committee amendments.

The committee amendments were agreed to.

Mr. ESCH. Mr. Speaker, I move to amend by inserting, after the word "wireless," in line 11, page 2, the word "cable."

Mr. ADAMSON. Mr. Speaker, I have no objection to that.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 11, after the word "wireless," insert the word "cable."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question now is on the third reading of the Senate joint resolution.

The question was taken, and on a division (demanded by Mr. ADAMSON) there were—ayes 39, noes 18.

The Senate joint resolution was read a third time.

The SPEAKER. The question now is on the passage of the joint resolution.

The question was taken, and the Senate joint resolution was passed.

On motion of Mr. ADAMSON, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

EXCHANGE OF CERTAIN LANDS IN PITTSBURGH.

Mr. FOSTER. Mr. Speaker, I ask unanimous consent that Senate joint resolution 150, to authorize the Secretary of the Treasury to accept from the city of Pittsburgh certain lands in exchange for other lands of equal value be laid before the House.

Mr. MANN. Has a similar House resolution been reported?

Mr. FOSTER. Yes; there is a similar House joint resolution on the calendar.

The SPEAKER. The gentleman from Illinois asks unanimous consent that Senate joint resolution 150 be laid before the House for consideration at this time. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Senate joint resolution 150.

Resolved, etc., That the Secretary of the Treasury be, and he is hereby, authorized to accept from the city of Pittsburgh, State of Pennsylvania, that certain lot or parcel of land bounded and described as follows:

Beginning at a point on the line dividing the properties owned by the city of Pittsburgh and the United States of America, occupied by the Bureau of Mines, at a point north 76° 45′ west 42.8 feet from the southeast corner of the said property of the United States of America; thence south 15° 24′ 55″ west 18.44 feet to a point; thence north 74° 36′ 55″ west 457.06 feet to a point; thence south 15° 28′ 45″ west 37.087 feet to a point; thence north 74° 36′ 55″ west 449.66 feet to a point; thence north 15° 28′ 45″ east 21.727 feet to a point on the said line dividing the properties of the city of Pittsburgh and the United States of America; thence south 76° 45′ east 907.39 feet to the place of beginning, containing 18,000 square feet, more or less, for the use of the Bureau of Mines of the Department of the Interior, and to transfer to the city of Pittsburgh in exchange therefor that certain lot or parcel of land now constituting a part of the grounds of the Bureau of Mines of the Department of the Interior bounded and described as follows:

Beginning at a point on the line dividing the properties owned by the city of Pittsburgh and the United States of America, occupied by the Bureau of Mines, at a point north 76° 45′ west 42.8 feet from the southeast corner of said property of the United States of America; thence north 15° 24′ 55″ east 347.8 feet to a point on the dividing line between the properties of the United States of America and the Carnegie Institute of Technology, a Pennsylvania corporation; thence along said dividing line south 50° 41′ 15″ east 47.18 feet to a point; thence along the line dividing the property of the United States of America from the property of the said Carnegie Institute of Technology and the city of Pittsburgh south 15° 28′ 45″ west 327.08 feet to a point; thence north 76° 45′ west 42.8 feet to the place of beginning; together with that part of a circular tract lying west of the above-described tract of land and included within an arc struck with a radius of 51 feet from a point 5 feet east of a point on the westerly line 257 feet from the southwest corner of the above-described tract; said lot or parcel of ground comprising 18,000 square feet, more or less.

The SPEAKER. The question is on the third reading of the Senate joint resolution.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. FOSTER, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

By unanimous consent, House joint resolution 256, of similar intent, was laid on the table.

EXTENSION OF REMARKS.

Mr. VINSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of rural credits.

The SPEAKER. Is there objection?

There was no objection.

Mr. CULLOP. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing therein a letter from the President of the United States to Mr. Edward N. Hurley, of the Federal Trade Commission.

The SPEAKER. Is there objection?

There was no objection.

The letter referred to is as follows:

THE WHITE HOUSE,
Washington, May 12, 1916.

MY DEAR MR. HURLEY: Your Boston speech is before me, in which you outline some of the work which the Federal Trade Commission is doing for the business men of the country. I wish to commend your efforts generally, and in particular your endeavor to assist the small manufacturer and merchant to better his condition by helping him to improve his cost accounting and bookkeeping methods.

This is a step in the right direction and one of the main fundamentals of any successful business. It is most important to the future success of a business man that he should know what his goods actually cost to manufacture and to sell. If he has these facts, they will enable him to present a modern balance sheet to his bank, and as a result he will be better able to obtain credit with which to expand and develop his business.

Your suggestion that trade associations, associations of retail and wholesale merchants, commercial clubs, boards of trade, manufacturers' associations, credit associations, and other similar organizations should be encouraged in every feasible way by the Government seems to me a very wise one. To furnish them with data and comprehensive information in order that they may more easily accomplish the result that they are organized for is a proper and useful Government function. These associations, when organized for the purpose of improving conditions in their particular industry, such as unifying cost-accounting and bookkeeping methods, standardizing products and processes of manufacture, should meet with the approval of every man interested in the business progress of the country.

Too much emphasis can not be placed on your suggestion that materials, methods, and products in industry should be standardized upon the basis of specifications drawn up in friendly cooperation with engineering societies, industrial experts, and trade associations. Further standardization in our industries will not only reduce the cost of production, but assure the producer better materials and more efficient workmanship, and to the consuming public the manifest benefit resulting from not having to pay for a wide and increasing variety of products and materials. Judicious standardization also means a greater return on a given investment. Capital now tied up because of inefficient methods will be released and can be used effectively elsewhere.

If we are to be an important factor in a world's markets, we must be more thorough and efficient in production. The encouragement of trade associations and standardization, and the installing of better cost-accounting methods in our business concerns will go a long way toward accomplishing this end.

It is my hope that, in addition to the other work which the Federal Trade Commission is doing, it will ascertain the facts regarding conditions in our various industries. If it finds that an industry is not healthy, it should, after carefully considering the facts, in cooperation with the parties interested, suggest a practical and helpful remedy. In this way many of our difficult business problems might be solved.

I am very anxious to see you continue to cooperate with the business men of the country along the lines upon which you are working.

Cordially and sincerely, yours,

WOODROW WILSON.

Hon. EDWARD N. HURLEY,
Federal Trade Commission.

Mr. OLIVER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting therein a statement recently issued by my colleague, the gentleman from Georgia, Mr. HOWARD, with comments thereon.

The SPEAKER. Is there objection?

Mr. MANN. Is that a newspaper statement?

Mr. OLIVER. No; it is just a statement that the gentleman has issued personally. I do not know that it has been published in the newspapers.

The SPEAKER. Is there objection?

There was no objection.

Mr. SCHALL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the shipping bill, and the armor-plate factory provision of the naval bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD with reference to an investigation of the Pere Marquette Railroad Co. by the Interstate Commerce Commission.

The SPEAKER. Is there objection?

There was no objection.

Mr. FESS. Mr. Speaker, on behalf of the gentleman from New Jersey [Mr. CAPSTICK], who is ill at his home with bronchial pneumonia, I ask unanimous consent that he may be permitted to extend his remarks in the RECORD on a resolution that he introduced on the subject of facilitating correspondence by soldiers at the front.

The SPEAKER. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 44 minutes p. m.) the House adjourned until Monday, July 17, 1916, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Acting Secretary of the Treasury, transmitting an estimate of deficiency in the sum of $200, submitted by the Commission of Fine Arts for expenses of the commission for the fiscal year ending June 30, 1916 (H. Doc. No. 1289), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. DECKER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 16681) to promote the safety of employees and travelers on railroads by requiring common carriers engaged in interstate commerce by railroad to afford a safe clearance between structures located on their roadways and locomotives and cars passing over their lines, to require such common carriers to equip their passenger cars with cinder deflectors, and for other purposes, reported the same with amendment, accompanied by a report (No. 979), which said bill and report were referred to the House Calendar.

Mr. HADLEY, from the Committee on the Merchant Marine and the Fisheries, to which was referred the bill (H. R. 16647) to authorize the changing of the name of the steamship *Aroline*, reported the same without amendment, accompanied by a report (No. 980), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. WISE, from the Committee on Military Affairs, to which was referred the bill (S. 1378) to amend the military record of John P. Fitzgerald, reported the same without amendment, accompanied by a report (No. 977), which said bill and report were referred to the Private Calendar.

Mr. FIELDS, from the Committee on Military Affairs, to which was referred the bill (S. 6279) for the relief of William Harold Kehoe, reported the same without amendment, accompanied by a report (No. 978), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills and resolutions were introduced and severally referred as follows:

By Mr. CASEY: A bill (H. R. 17019) to provide an industrial alcohol commission, under the general direction of the Secretary of Agriculture, devoted to aiding in developing denatured-alcohol production in farm distilleries, and its use for light, heat, and power, and other industrial purposes; to the Committee on Agriculture.

By Mr. REILLY: A bill (H. R. 17020) making an appropriation for the benefit of the Aviation Corps of the Department of War, and repealing the provisions of certain acts relating to the acquisition of a site and the erection of a public building at Ripon, Wis.; to the Committee on Military Affairs.

By Mr. WINSLOW: A bill (H. R. 17021) for the acquisition of a site for a public building at Westboro, Mass.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 17022) for the acquisition of a site for a public building at Whitinsville, in the township of Northbridge, Mass.; to the Committee on Public Buildings and Grounds.

By Mr. TAGUE: Resolution (H. Res. 306) directing the Secretary of Agriculture to cooperate with steamship companies to prevent dumping carcasses into the ocean near the shore; to the Committee on the Merchant Marine and Fisheries.

By Mr. JAMES: Resolution (H. Res. 307) directing the Secretary of State to negotiate a treaty to define status of American citizens who were formerly subjects of Italy; to the Committee on Foreign Affairs.

By Mr. CAPSTICK: Concurrent resolution (H. Con. Res. 48) to facilitate and encourage correspondence between the Volunteer soldiers, their families, and business associates; to the Committee on the Post Office and Post Roads.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 17023) granting an increase of pension to Henry N. Hamilton; to the Committee on Invalid Pensions.

By Mr. DUPRÉ: A bill (H. R. 17024) for the relief of the L. Grunewald Co. (Inc.); to the Committee on Claims.

By Mr. FAIRCHILD: A bill (H. R. 17025) granting an increase of pension to William A. Bush; to the Committee on Invalid Pensions.

By Mr. HAYES: A bill (H. R. 17026) for the relief of Francenia H. Dale; to the Committee on Claims.

By Mr. KETTNER: A bill (H. R. 17027) for the relief of James Y. Whitsitt; to the Committee on Military Affairs.

Also, a bill (H. R. 17028) granting a pension to Sarah E. Thacker; to the Committee on Invalid Pensions.

By Mr. LESHER: A bill (H. R. 17029) granting an increase of pension to Andrew S. Larish; to the Committee on Invalid Pensions.

By Mr. PRICE: A bill (H. R. 17030) granting an increase of pension to Rebecca A. Le Compte; to the Committee on Pensions.

Also, a bill (H. R. 17031) granting an increase of pension to Eliza E. Earickson; to the Committee on Pensions.

By Mr. RAMSEYER: A bill (H. R. 17032) granting an increase of pension to John W. Carr; to the Committee on Invalid Pensions.

By Mr. REILLY: A bill (H. R. 17033) granting an increase of pension to Emil Priebe; to the Committee on Invalid Pensions.

By Mr. STEPHENS of Nebraska: A bill (H. R. 17034) granting an increase of pension to Eugene B. Justice; to the Committee on Pensions.

By Mr. STERLING: A bill (H. R. 17035) granting an increase of pension to Alexander Kightlinger; to the Committee on Invalid Pensions.

By Mr. SULLOWAY: A bill (H. R. 17036) granting an increase of pension to Eugene B. Eastman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17037) granting an increase of pension to John C. Stevens; to the Committee on Invalid Pensions.

By Mr. SWIFT: A bill (H. R. 17038) for the relief of Louis S. Barrett; to the Committee on Claims.

By Mr. WALSH: A bill (H. R. 17039) granting a pension to Charles H. Williams; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. DALE of New York: Petition of National Society for the Promotion of Industrial Education, favoring passage of the Smith-Hughes vocational education bill, House bill 11250; to the Committee on Education.

Also, petitions of Martha E. Colburn, of Dover, and Clara Selfe, of Wellesley, Mass., favoring woman-suffrage amendment; to the Committee on the Judiciary.

Also, petition of executive committee of the United States penitentiary employees, Leavenworth, Kans., favoring passage of the Nolan bill; to the Committee on Labor.

By Mr. DILL: Petition of Mr. T. J. Watkins and other residents of Spokane, Wash., protesting against the passage of House bill 652; to the Committee on the District of Columbia.

Also, petition of Mr. T. J. Watkins and other residents of Oakville, Wash., protesting against the passage of House bills 6468 and 491; to the Committee on the Post Office and Post Roads.

Also, petition of the Frances Willard Woman's Christian Temperance Union, urging the establishment of a Federal motion-picture commission for the efficient and economical censorship of motion-picture films so far as the jurisdiction of the Federal Government, of the District of Columbia and the Territories, and interstate commerce permits; to the Committee on Education.

Also, petition of Mr. H. G. Schnasse and other residents of Spokane, Wash., protesting against the passage of House bills 6468 and 491; to the Committee on the Post Office and Post Roads.

By Mr. EAGAN: Petition of American Forestry Association, relative to Senate amendment to the Agricultural appropriation bill; to the Committee on Agriculture.

Also, petition of Chicago Liquor Dealers' Protective Association, relative to tax on land values; to the Committee on Ways and Means.

By Mr. FLYNN: Petition of executive committee, United States penitentiary employees, Leavenworth, Kans., favoring passage of the Nolan bill; to the Committee on Labor.

By Mr. LINTHICUM: Memorial of the Calvert Mortgage Co., Baltimore, Md., favoring passage of Senate bill 5673, relative to taxes paid under excise-tax act; to the Committee on Ways and Means.

By Mr. LONDON: Petition of executive committee of United States penitentiary employees, Leavenworth, Kans., urging the adoption of the Nolan minimum-wage bill; to the Committee on Labor.

Also, telegram of National Lodge of Machinists at New York Navy Yard urging the adoption of the Nolan minimum-wage bill and declaring that "it is the belief of organized labor throughout the country that this bill will give a necessary relief to the underpaid men and women who are working at rates of pay established in some instances 50 years ago"; to the Committee on Labor.

Also, telegram from joint meeting of railroad brotherhoods, at Salida, Colo., July 14, 1916, "denouncing the action of the Denver Post through their telegram to Senator WARREN, of Wyoming, in assuming the right to voice the sentiments of the citizens of Colorado and the entire West upon the demands made by the railroad transportation employees in trying to secure the eight-hour day and time and a half for overtime," and opposing any legislation which would make this issue subject to compulsory arbitration; to the Committee on Interstate and Foreign Commerce.

Also, petition of National Society for the Promotion of Industrial Education, urging the passage of the Smith-Hughes vocational education bill, as indorsed by the National Educational Association, the American Federation of Labor, the Farmers' Educational and Cooperative Union, and the National Grange; to the Committee on Education.

By Mr. RANDALL: Petition of Echo Park Methodist Episcopal Church, Los Angeles, Cal., favoring national prohibition; to the Committee on the Judiciary.

By Mr. SANFORD: Papers to accompany House bill 16907, granting an increase of pension to Martin Lockwood; to the Committee on Invalid Pensions.

SENATE.

MONDAY, *July 17, 1916.*

The Senate met at 10 o'clock a. m.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, the light of Thy Word falls full upon the path of human life. Thou art the Father of our spirits and Thy light giveth light unto men. Thou art the guardian of our rights. Thou art the center and source of our inspirations and our hopes. We come into the consciousness of sonship with Thee through our willing submission to Thy will and our cooperation with Thee in the divine plan of life.

We pray that this day we may work in such full harmony with Thy plan for us that we may abide in the blessed consciousness of our relation to Thee as Thy sons, and that we may have before us the ever-alluring prospect of inheriting our future destiny and our glory from Thee, who art our Father in heaven. To this end do Thou guide and bless us to-day. For Christ's sake. Amen.

THE JOURNAL.

On request of Mr. GALLINGER, and by unanimous consent, the reading of the Journal of the proceedings of the legislative day, Friday, July 14, 1916, was dispensed with and the Journal was approved.

CALLING OF THE ROLL.

Mr. GALLINGER. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Husting	Overman	Taggart
Bankhead	Johnson, Me.	Page	Thomas
Brandegee	Johnson, S. Dak.	Ransdell	Thompson
Bryan	Jones	Sheppard	Townsend
Chamberlain	Kenyon	Sherman	Walsh
Clapp	Kern	Simmons	Warren
Culberson	Lodge	Smith, S. C.	Williams
Dillingham	McCumber	Smoot	Works
Gallinger	Martin, Va.	Sterling	
Harding	Martine, N. J.	Sutherland	
Hardwick	Norris	Swanson	

The VICE PRESIDENT. Forty-one Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of the absent Senators, and Mr. LANE, Mr. SHAFROTH, and Mr. WEEKS answered to their names when called.

The VICE PRESIDENT. Forty-four Senators have answered to the roll call. There is not a quorum present.

Mr. KERN. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The VICE PRESIDENT. The Sergeant at Arms will carry out the instructions of the Senate.

Mr. MARTINE of New Jersey. I was requested to announce that the Senator from West Virginia [Mr. CHILTON] is detained from the Chamber on official business.

Mr. LA FOLLETTE, Mr. CURTIS, Mr. STONE, and Mr. HITCHCOCK entered the Chamber and answered to their names.

The VICE PRESIDENT. Forty-eight Senators have answered to the roll call. There is a quorum present.

Mr. KERN. I move that further proceedings under the call be vacated.

The motion was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives by J. C. South, its Chief Clerk, announced that the House had passed the joint resolution (S. J. Res. 150) to authorize the Secretary of the Treasury to accept from the city of Pittsburgh certain lands in exchange for other lands of equal area.

The message also announced that the House had passed the joint resolution (S. J. Res. 60) creating a joint subcommittee from the membership of the Senate Committee on Interstate Commerce and the House Committee on Interstate and Foreign Commerce to investigate the conditions relating to interstate and foreign commerce, and the necessity of further legislation relating thereto, and defining the powers and duties of such subcommittee, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed a bill (H. R. 15842) to revise, amend, and codify the laws relating to publicity of contributions and expenditures made for the purpose of influencing the nomination and election of candidates for the offices of Senator and Representative in the Congress of the United States, extending the same to candidates for nomination and election to the offices of President and Vice President of the United States, limiting the amount which may be expended, providing for the publicity of campaign expenses, and for other purposes, in which it requested the concurrence of the Senate.

The message also communicated to the Senate the intelligence of the death of Hon. HUNTER HOLMES MOSS, late a Representative from the State of West Virginia, and transmitted resolutions of the House thereon.

PETITIONS AND MEMORIALS.

Mr. WEEKS presented a petition of the Old Schoolboys' Association, of Boston, Mass., praying for a thorough and expeditious examination of the condition of the Army and Navy, which was ordered to lie on the table.

Mr. PHELAN presented a memorial of the Board of Supervisors of Alameda County, Cal., remonstrating against an inheritance tax, which was referred to the Committee on Finance.

He also presented a petition of Local Union No. 220, Cooks and Waiters' Union, of Eureka, Cal., praying for the enactment of

legislation to prohibit interstate commerce in the products of child labor, which was ordered to lie on the table.

Mr. NELSON presented telegrams in the nature of memorials from sundry citizens of Minneapolis, Minn., and Chicago, Ill., remonstrating against a tax on theaters, which were referred to the Committee on Finance.

He also presented a telegram in the nature of a memorial from the Gamble Robinson Co., of Minneapolis, Minn., remonstrating against the stamp tax and tax on commission merchants, which was referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. BRYAN, from the Committee on Claims, to which was referred the bill (H. R. 2208) for the relief of James L. Yokum, asked to be discharged from its further consideration and that it be referred to the Committee on Post Offices and Post Roads, which was agreed to.

Mr. BRYAN, from the Committee on Claims, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

H. R. 8630. An act for the relief of the Farmer's State Bank of Eureka, Woodford County, Ill. (Rept. No. 677);

H. R. 8141. An act for the relief of the dependent widow of Patrick Curran, civilian employee of the Government, who was killed while in the discharge of his duties at the United States naval magazine at Iona Island, N. Y. (Rept. No. 678);

H. R. 14528. An act for the relief of W. W. Finn (Rept. No. 679);

H. R. 10641. An act for the relief of Fred Henderson (Rept. No. 680);

H. R. 5453. An act for the relief of the State Board of Harbor Commissioners of the State of California (Rept. No. 681);

H. R. 10643. An act for the relief of Theodore Bagge (Rept. No. 682); and

H. R. 1777. An act for the relief of Frank J. Deutsch (Rept. No. 683).

Mr. BRYAN. I am directed by the Committee on Claims, to which was referred the bill (H. R. 9898) for the relief of John E. Jones, to report it adversely, and I submit a report (No. 684) thereon.

The VICE PRESIDENT. The bill will be placed on the calendar.

Mr. BRYAN. I am directed by the Committee on Claims, to which was referred the bill (H. R. 1373) for the relief of W. W. Wall, to report it adversely, and I submit a report (No. 685) thereon.

The VICE PRESIDENT. The bill will be placed on the calendar.

Mr. BRYAN. I am directed by the Committee on Claims, to which was referred the bill (H. R. 2638) for the relief of Austin G. Tainter, to report it adversely, and I submit a report (No. 686) thereon.

The VICE PRESIDENT. The bill will be placed on the calendar.

Mr. THOMAS, from the Committee on Public Lands, to which was referred the bill (S. 6013) to confirm the entry of John Dowd, reported it with an amendment and submitted a report (No. 687) thereon.

Mr. CHAMBERLAIN, from the Committee on Military Affairs, to which was referred the bill (S. 6430) directing the reexamination of the accounts of the late Peter G. S. Ten Broeck, asked to be discharged from its further consideration and that it be referred to the Committee on Claims, which was agreed to.

He also, from the same committee, to which was referred the bill (S. 6650) to provide for preserving the list of the Commissary General of prisoners of war, or record of deaths of prisoners of war, 1861 to 1865, in the office of The Adjutant General, United States Army, Washington, D. C., and printing the same as a public document, asked to be discharged from its further consideration and that it be referred to the Committee on Printing, which was agreed to.

Mr. LANE, from the Committee on Claims, to which was referred the bill (H. R. 11984) for the relief of William E. Heffner, reported it without amendment and submitted a report (No. 676) thereon.

He also, from the same committee, to which was referred the bill (S. 1548) for the relief of Emmett W. Entriken, reported it without amendment and submitted a report (No. 675) thereon.

He also, from the Committee on Fisheries, to which was referred the bill (S. 4970) to establish a fish hatchery in the State of Delaware, reported it with amendments and submitted a report (No. 674) thereon.

He also, from the same committee, to which was referred the bill (S. 4811) to establish a fish-cultural station at some point in the State of Louisiana, reported it without amendment and submitted a report (No. 673) thereon.

CONNERS BROS.

Mr. BRYAN, from the Committee on Claims, reported the following resolution (S. Res. 232):

Resolved, That the bill (S. 5656) entitled "A bill for the relief of Milton C. Conners and George G. Conners, doing business under the firm name of Conners Bros., now pending in the Senate, together with all the accompanying papers, be, and the same is hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; and the said court shall proceed with the same in accordance with the provisions of such act and report to the Senate in accordance therewith.

BERKSHIRE TROUT HATCHERY, MASSACHUSETTS.

Mr. LANE. I report back from the Committee on Fisheries the joint resolution (S. J. Res. 128) authorizing the acceptance of the gift of the Berkshire Trout Hatchery, Berkshire County, Mass., and I submit a report (No. 672) thereon.

Mr. LODGE. Mr. President, I ask unanimous consent for the present consideration of the joint resolution. I think there will be no objection to it.

I desire first, however, to ask the Senator from Oregon a question. I understand that a House joint resolution relating to the same subject has passed the House and is now before the Committee on Fisheries.

Mr. LANE. The House joint resolution has come over and is before the committee.

Mr. LODGE. May not the House joint resolution be substituted for the Senate joint resolution which the Senator has just reported, so the matter can be disposed of? I wish the Senator would report the House joint resolution, as the Senate joint resolution is precisely similar to it.

Mr. LANE. I am willing to do so, if I may, at this time.

Mr. LODGE. If the Senator will do so, the matter can then be disposed of.

Mr. LANE. I will gladly do so, if it be a proper method of procedure at this time.

Mr. LODGE. Certainly. As the joint resolution passed the House it is precisely the same as the Senate joint resolution.

Mr. LANE. Then I report from the Committee on Fisheries the joint resolution (H. J. Res. 218) authorizing the acceptance of the gift of the Berkshire Trout Hatchery, Berkshire County, Mass., and I ask that it may be substituted for the Senate joint resolution which I have just reported.

Mr. LODGE. I move to substitute the House joint resolution, which is to precisely the same effect, for the Senate joint resolution.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which was read, as follows:

Resolved, etc., That the United States of America hereby accepts from Mrs. Mary E. Scully, as a memorial to her husband, title to the lands known and to be known as the Berkshire Trout Hatchery, located in Berkshire County, Mass., together with the buildings, ponds, and other improvements located thereon and the water and other rights pertaining thereto, and the Secretary of Commerce is hereby authorized to receive from Mrs. Mary E. Scully a deed for the said property. The title to said property is accepted upon the terms and conditions prescribed by the donor, namely, that it shall be used by the United States Bureau of Fisheries, Department of Commerce, as a fish hatchery and for experimental work in fish culture.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The VICE PRESIDENT. In the absence of objection, Senate joint resolution 128 on the same subject will be postponed indefinitely.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. TAGGART:

A bill (S. 6660) granting an increase of pension to Ferdinand Davis;

A bill (S. 6661) granting an increase of pension to Francis Gibson (with accompanying papers); and

A bill (S. 6662) granting an increase of pension to William Allfgree (with accompanying papers); to the Committee on Pensions.

By Mr. BORAH:

A bill (S. 6663) granting an increase of pension to John Cooper (with accompanying papers); to the Committee on Pensions.

By Mr. PENROSE:

A bill (S. 6664) granting a pension to Samuel Breitigan (with accompanying papers); to the Committee on Pensions.

By Mr. POINDEXTER:

A bill (S. 6665) granting a pension to Arthur Rose (with accompanying papers); to the Committee on Pensions.

By Mr. SUTHERLAND:

A joint resolution (S. J. Res. 152) providing that the Congress of the United States shall participate in the celebration of the "golden wedding" of the first transcontinental lines of railway in the United States; to the Committee on Industrial Expositions.

By Mr. SMITH of South Carolina (by request):

A joint resolution (S. J. Res. 153) directing the Secretary of the Treasury to acquire by purchase the estate known as Monticello, in the State of Virginia, including the former home of Thomas Jefferson and lands surrounding the same, being about 700 acres, said property being located in Albemarle County, Va.; to the Committee on Public Buildings and Grounds.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. OLIVER submitted an amendment providing that the Federal Trade Commission be directed annually, upon request of the Secretary of the Navy, to investigate and inventory the armor-plate plants of the United States, etc., intended to be proposed by him to the naval appropriation bill (H. R. 15947), which was ordered to lie on the table and be printed.

Mr. SUTHERLAND submitted an amendment proposing to appropriate $300,000 to enable the commission created by section 22 of the public-buildings act approved March 4, 1913, to continue proceedings toward the acquisition of lands required for a connecting parkway between Potomac Park, the Zoological Park, and Rock Creek Park, etc., intended to be proposed by him to the District of Columbia appropriation bill (H. R. 15774), which was ordered to lie on the table and be printed.

THE REVENUE.

Mr. LODGE submitted two amendments intended to be proposed by him to the bill (H. R. 16763) to increase the revenue, and for other purposes, which were referred to the Committee on Finance and ordered to be printed.

THE LIGHTHOUSE SERVICE.

Mr. PHELAN submitted an amendment intended to be proposed by him to the bill (S. 21) to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes, which was referred to the Committee on Commerce and ordered to be printed.

DONATION OF CANNON.

Mr. NELSON submitted an amendment intended to be proposed by him to the bill (S. 6625) authorizing the Secretary of War to make certain donations of condemned cannon and cannon balls, which was ordered to lie on the table and be printed.

TARGET PRACTICE IN THE NAVY.

Mr. LODGE submitted the following resolution (S. Res. 231), which was read, considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Navy be, and he is hereby, directed, if not incompatible with the public interest, to send to the Senate a statement of the scores made by the Atlantic battleship fleet in division practice and battle practice in 1916.

PRICE OF PRINT PAPER.

Mr. PENROSE submitted the following resolution (S. Res. 233), which was referred to the Committee on Interstate Commerce:

Whereas on April 24, 1916, Senate resolution 177 was agreed to requesting the Trade Commission "to inquire into the increase of the price of print paper during the last year and ascertain whether or not the newspapers of the United States are being subjected to unfair practices in the sale of print paper; and

Whereas no report has as yet been made to the Senate by the Trade Commission in compliance with this request; and

Whereas much complaint continues to be made concerning the increase of the price of print paper during the last year: Therefore be it

Resolved, That the Trade Commission is hereby requested to inform the Senate as to the progress made in its investigation of this subject and whether any preliminary data are ready for submission to the Senate relative to the complaint referred to.

FEDERAL FARM-LOAN ACT (S. DOC. NO. 500).

Mr. FLETCHER. Mr. President, I have here a statement regarding the Federal farm-loan act by Mr. Flannagan, the very capable and efficient secretary of the Joint Committee on Rural Credits, with marginal notes and index explaining the act. I ask unanimous consent that it be printed as a public document. There is a great demand for an explanation and statement regarding the Federal farm-loan act.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and it is so ordered.

AMENDMENT OF THE RULES.

Mr. LA FOLLETTE. Mr. President, I send to the desk a notice which I intend to propose to the rules of the Senate, and which I ask to have read.

The VICE PRESIDENT. The notice will be read.

The SECRETARY. The Senator from Wisconsin gives notice that—

On Tuesday, July 18, or as soon thereafter as possible, I shall move to suspend that provision of paragraph 3 of Senate Rule XVI prohibiting any amendment proposing general legislation to any general appropriation bill for the purpose of offering the following amendment to the bill (H. R. 15947) making appropriations for the naval service for the fiscal year ending June 30, 1917, and for other purposes, by inserting, after line 13, page 172, a new paragraph as follows:

"*Provided*, That no battleship, battle cruiser, scout cruiser, torpedo-boat destroyer, or submarine herein appropriated for shall be employed in any manner to coerce or compel the collection of any pecuniary claim of any kind or to enforce any claim of right to any grant or concession for or on behalf of any private citizen, copartnership or corporation of the United States against the Government of Mexico or of any Central or South American Government."

ROBERT M. LA FOLLETTE.

The VICE PRESIDENT. The notice will lie over one day under the rule.

Morning business is closed.

SIR ROGER CASEMENT.

Mr. MARTINE of New Jersey. Mr. President, I respectfully ask for a report from the Committee on Foreign Relations on the resolution introduced by me regarding Sir Roger Casement, which resolution I submitted some 10 days ago.

The VICE PRESIDENT. The Chair does not know any way in which the Senator can compel a committee to report. The Senator may make a motion to discharge the committee from the further consideration of the resolution.

Mr. MARTINE of New Jersey. Then, Mr. President, I move that the Committee on Foreign Relations be discharged from the further consideration of the resolution (S. Res. 223) to request the President to ask a stay of execution of Sir Roger Casement, now under sentence of death by the British Government.

Mr. GALLINGER. Mr. President, under the rules that motion will have to go over for a day. Notice of one day will have to be given.

The VICE PRESIDENT. The Senator may ask unanimous consent for the consideration of the resolution.

Mr. MARTINE of New Jersey. I respectfully ask unanimous consent that the Committee on Foreign Relations may be relieved from the further consideration of the resolution.

Let me say, Mr. President, in urging that request, that I feel—in fact, I know—that the committee does not intend to act on the resolution. This is no secret, as the chairman of the Committee on Foreign Relations stated to me one day—I think, on Wednesday last—that that committee would take no action on the resolution and would not make a report thereon. I was astonished at the statement, but the chairman declared the committee would make no report. That seems to me to be manifestly wrong, and to be placing the Senate of the United States in a position that is not enviable. I feel that this great body can not afford to stifle a measure of this character. Hence I am prompted to make the motion which I have made.

The Vice President has stated that it is necessary that I shall have unanimous consent in order that the Committee on Foreign Relations may be relieved of the consideration of the resolution. I realize that it would perhaps be impossible to secure such consent; but when I remember that to-day the trial of the appeal of Sir Roger Casement, who is condemned to death in England, will come up, it seems to me infinitely fitting that a motion of this kind should be made.

Mr. President, my heart is in this matter very deeply. In connection therewith I desire to say that at or about the close of our Civil War, when men's passions were fired and public feeling ran high, a detachment of troops of the Union Army captured Jefferson Davis, President of the fallen Confederacy. Almost every newspaper, magazine, and periodical of the North of that day fairly teemed with articles and expressions, in which many public men joined, crying out, "Hang the traitor." "Hang the conspirator." "Hang the murderer of our sons and brothers." "Hang the old woman." This latter cry came from the charge that he had been captured wearing a woman's shawl as a disguise. But, Mr. President, thank God! wiser counsels and more humane thoughts prevailed, and Jefferson Davis was not hanged.

Mr. President, at that very time almost every great newspaper and periodical in Great Britain inveighed against such a course, insisting that "it would be to turn back the wheels of civilization and human progress."

Their pleadings had the effect of arousing public sentiment to a sense of justice and humanity, and the life of Jefferson Davis was spared.

Mr. President, if it was then the judgment of the English people that such action would have been "repugnant to human civilization and humah progress," what will the world say to-day, after 50 years of advanced intelligence, religion, culture, and humanitarian thought, if Roger Casement shall be hanged?

Mr. President, let the proud sons of Great Britain ponder before taking this step.

I ask no drastic step at the hands of the Senate. I ask no arms, no money, no men, only the simplest, kindliest thing in the world, namely, that the President may use his kindly offices to try to stop the execution of Sir Roger Casement.

Mr. President, as it was with Robert Emmet, so it was with Casement—his condemnation was assured before he was arraigned.

Mr. President, I feel that this great Republic, the pride and admiration of the world, should sound a clear and clarion cry to stay the execution of the sentence of death upon Sir Roger Casement. Civilization stands aghast at the thought. The world has moved. To carry out this sentence is to turn backward the advance of human progress. What would the world have said if, after our late Civil War, the United States Government had proposed and carried out the thought of hanging on the gallows Robert E. Lee, Robert Toombs, Judah P. Benjamin, and others?

Why, Mr. President, the 50 years that have elapsed since that unhappy strife would not have effaced the hate and vengeance that to this day would fill the very air with curses. But a wiser, more humane policy has brought to this country love, friendship, and loyalty.

Mr. President, my resolution but asks the kindly intercession of the President to stay this judicial murder. Will not the great Senate of the United States raise its voice to ask a halt against this unholy and inhuman proceeding?

An anonymous letter to me says that I was "moved by a woman's tears." Yes, Mr. President; I was. A day or two ago a woman came to me, clad in somber garb. She was a stranger, who, suffused with tears, and, in a voice choked with sobs, told me she was the sister of Sir Roger Casement. I listened to her sad story. Yes, Mr. President; my heart was touched. Yes; I was moved by a woman's tears, and I am proud of it, and I would be ashamed of a man who would not be so moved.

Mr. President, in urging my resolution necessarily I am not pressing the cause of Ireland's freedom, though I believe in it; but rather I am pleading the cause of justice and the promptings of humanity. Senators, my brothers, will you not aid to stay the execution of this brutal and unholy sentence?

Mr. President, the Manchester Guardian, of England, makes a direct plea for clemency for Sir Roger. It says:

His crimes are free from taint of sordidness and meanness. The death penalty will do nothing to kill such dreams as his. Rather, it will give them life.

Mr. President, I feel that this body should have entered a protest in the cases of the poor men who were braced up against a wall in Dublin and shot as dogs in a kennel; but that slaughter was perpetrated so rapidly that there was no opportunity for the people and the Senate of the United States to express themselves. I ask, in God's name, have not Great Britain and the world had enough of bloodletting? Must more of human gore be shed to satisfy this Moloch of war?

I trust, Mr. President, that unanimous consent may be given to discharge the Committee on Foreign Relations from the further consideration of the resolution to which I have referred.

The VICE PRESIDENT. The Senator from New Jersey moves that the Committee on Foreign Relations be discharged from the further consideration of Senate resolution 223. Is there objection to the present consideration of the motion?

Mr. STONE. I ask that it go over under the rule.

The VICE PRESIDENT. The resolution will go over under the rule.

Mr. MARTINE of New Jersey. Now, Mr. President, may I ask the chairman of the Committee on Foreign Relations, if by parliamentary method the resolution can be stifled and stayed, whether he would consider a resolution in the following words:

Resolved, That the President be requested to advise our ambassador to Great Britain to use his kindly offices unofficially to ask for the commutation of the sentence of death passed upon Sir Roger Casement.

I should like to ask the Senator as to his feelings on a resolution of that character.

Mr. STONE. Mr. President, I have been out of the city for four or five days. I returned this morning, and came into the Senate when the motion of the distinguished Senator was made. Under the circumstances, I should like to have it go over.

Mr. MARTINE of New Jersey. Does the Senator refer to the last resolution which I have indicated?

Mr. STONE. I wish the whole matter to go over until to-morrow morning.

Mr. MARTINE of New Jersey. Well, Mr. President, I must bow, of course, to the rules of this body; but I say earnestly it is a wrong on the part of the United States Senate to refuse to take action; it is a crime against justice and humanity. I might expect, and mayhap tolerate, opposition from some other source, but I can not understand the position of a great, wise man, a leader of the great Democratic Party of the people, in opposing a resolution which simply asks the President to request our Ambassador to Great Britain to use his kindly offices unofficially. I ask not to tie you; I only ask an expression of this liberty-loving and peaceful people.

Mr. STONE. Mr. President, I hope the matter will go over under the rule. I ask that it take that course.

Mr. MARTINE of New Jersey. Very well.

The VICE PRESIDENT. The matter goes over under the rule.

POST-OFFICE APPROPRIATIONS—CONFERENCE REPORT (S. DOC. NO. 499).

Mr. BANKHEAD. I submit a report of the conferees on the Post Office appropriation bill, which I ask may be printed.

The VICE PRESIDENT. Without objection, it will be so ordered.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10484) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1917, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 43, 55, and 64.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 27, 28, 30, 31, 32, 34, 36, 37, 38, 40, 42, 44, 47, 49, 50, 51, 52, 53, 56, 57, 58, 59, 60, and 61, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: Page 5, after line 4 in lieu of the matter inserted by the said amendment, insert the following: "That the Postmaster General shall not approve or continue any rule or regulation which terminates the employment of any employee by reason of absence on account of illness for a period of less than one year, and that any postal employee who has entered the military service of the United States or who shall hereafter enter it shall, upon being honorably discharged therefrom, be permitted to resume the position in the Postal Department which he left to enter such military service"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: Page 5, after line 4, at the end of the amendment of the Senate, following the amount "$6,000" insert the following: "and the employment of such officer hereafter is authorized"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: Page 12, restore the matter stricken out by said amendment; amend to read as follows: "For compensation to printers, mechanics and skilled laborers, 22, at $1,200 each, 4 at $1,100 each; 3 at $1,000 each and 28 at $900 each; in all, $59,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: On page 13, line 16, strike out all of the amendment after the amount "$130,000"; and the Senate agree to the same.

That the House recede from its agreement to the amendment of the Senate numbered 29, and agree to the same with an amendment as follows: Page 29, line 19, in line 3 of the amendment, strike out all after the word "annum"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: Page 16, line 5, in line 4 of said amendment, strike out "June 30" and insert in lieu thereof the words "March 4"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows: Page 16, after line 16, at the end

of said amendment, after the word "sixteen," insert the following: "And that section 10 of the said act be amended by inserting after the first word of said section, 'That,' the words 'section 198 of the'"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment as follows: Page 17, line 24, in lieu of the matter inserted by the said amendment, insert the following: "*Provided*, That hereafter every railroad company carrying the mails shall carry on any train it operates and without extra charge therefor the persons in charge of the mails and when on duty and traveling to and from duty, and all duly accredited agents and officers of the Post Office Department and the Railway Mail Service and post-office inspectors, while traveling on official business, upon the exhibition of their credentials: *Provided further*, That no part of this appropriation shall be paid for carrying the mail over the bridge across the Mississippi River at St. Louis, Mo., other than upon a mileage basis: *But provided further*, That the Postmaster General may, in his discretion, pay within the present law a fair and reasonable price for the special transfer and terminal service at the Union Station at East St. Louis, Ill., and at the Union Station at St. Louis, Mo., including the use, lighting, and heating of the mail building, and transfer service at St. Louis, Mo., provided the amount so paid shall not exceed $35,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: Page 19, line 8, in lieu of the matter inserted by the said amendment, insert the following: "*Provided further*, That railway postal clerks shall be credited with full time when deadheading under orders of the department"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment as follows: On page 26, line 16, restore the amount proposed by the House, and on page 26 of the bill, in line 14, after the word "purchase," insert the word "rental"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 46, and agre to the same with an amendment as follows: On page 27, line 26, in lieu of the matter stricken out and inserted by said amendment, insert the following:

"That rural mail delivery shall be extended so as to serve, as nearly as practicable, the entire rural population of the United States.

"Hereafter all rural mail delivery routes shall be divided into two classes to be known as—

"Standard horse-drawn vehicle routes, which shall be 24 miles in length, and

"Standard motor-vehicle routes, which shall be 50 miles in length, and shall only be established hereafter when a majority of the proposed patrons who are heads of families residing upon such proposed routes shall by written petition ask the Post Office Department to establish the same.

"Nothing herein contained shall be construed to prohibit the establishment of horse-drawn vehicle routes of less length than the standard of 24 miles: *Provided*, That if in the discretion of the Postmaster General, in order to render more complete service, it should be necessary to do so the Postmaster General is hereby authorized to increase the length of routes not to exceed 50 per cent above the standards herein prescribed, and in such cases the compensation of the carrier on such horse-drawn vehicle routes shall be increased above the maximum pay heretofore fixed by law for rural carriers at the rate of $24 per annum for each mile of said routes in excess of 30 miles, and any major fraction of a mile shall be counted as a mile: *Provided further*, That carriers in rural mail-delivery service shall furnish and maintain at their own expense all necessary vehicle equipment for prompt handling of the mail: *And provided further*, That nothing herein shall be construed, and no order shall be issued, to prevent the use of motor vehicles on horse-drawn vehicle routes: *Provided further*, The Postmaster General in his discretion may require all carriers to furnish sufficient equipment to properly handle postal business on their routes: *And provided further*, That the Postmaster General may, in his discretion, allow and pay additional compensation to rural letter carriers who are required to carry pouch mail to intermediate post offices, or for intersecting loop routes, in all cases where it appears that the carriage of such pouches increases the expense of the equipment required by the carrier or materially increases the amount of labor performed by him, such compensation not to exceed the sum of $12 per annum for each mile such carrier is required to carry such pouch or pouches.

"The Postmaster General is hereby authorized and directed to reorganize and readjust existing Rural Mail Delivery Service where necessary to conform to the standards herein prescribed: *Provided further*, That in making appointments of rural carriers for service on new routes, which may be created by the reorganization herein ordered, preference shall be given to carriers who were formerly employed in Rural Delivery Service and who were separated therefrom on or after June 30, 1915, by reason of any previous reorganization of the service and without charges against them: *And provided further*, That the Postmaster General is authorized and directed to pay, out of the appropriations already made and still available and unexpended for Rural Free Delivery Service for the fiscal year ending June 30, 1915, to all letter carriers in the Rural Free Delivery Service during the fiscal year ending June 30, 1915, their executors or administrators, the difference between what they received for their said services and the amount that would have been paid to them in accordance with the proviso contained in joint resolution making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1916, approved March 4, 1915: *Provided*, That no part of the money paid under this provision shall be paid to any agent or attorney, directly or indirectly, for any alleged services in connection with this appropriation."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: Page 28, line 7, strike out all of the amendment after the amount "$250,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: On page 31, line 19, in lieu of the matter inserted by said amendment insert the following: "But no publication shall be sent by freight if such method of transportation results in unfair discrimination: *Provided*, That whenever the owner of any publication required by an order of the Post Office Department to be transmitted by freight believes that he is unfairly discriminated against, he may apply to the Post Office Department for an opportunity to be heard; that upon such application being duly filed in writing, the owner of such publication shall have opportunity for a full and fair hearing before said department, and pending final determination no change shall be made in the method of transportation of such publication as ordered by the department. The testimony in any such hearing or proceedings shall be reduced to writing and filed in the Post Office Department prior to entering an order upon such hearing. That upon such hearing if the Post Office Department decides adversely to the contention of the publisher, such publisher shall have the right, within the period of 20 days after the date of the order of the Post Office Department made upon such hearing, to appeal to the United States Court of Appeals of the District of Columbia for a review of such order by said court of appeals, by filing in the court a written petition praying that the order of the Post Office Department be set aside. A copy of such petition shall be forthwith served upon the Post Office Department and thereupon the said department forthwith shall certify and file in the court a transcript of the record and testimony. Upon the filing of such transcript the court shall have jurisdiction to affirm, set aside, or modify the order of the department. The jurisdiction of the Circuit Court of Appeals of the District of Columbia to affirm, set aside, or modify such orders of the Post Office Department shall be exclusive. Such proceedings in the Circuit Court of Appeals of the District of Columbia shall be given precedence over other cases pending therein and shall be in every way expedited"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment as follows: On page 36, line 6, in lieu of the matter stricken out and inserted by the amendment of the Senate, insert the following:

"SEC. 16. That the Postmaster General is authorized and directed to readjust the compensation to be paid to railroad companies from and after the 30th day of June, 1916, or as soon thereafter as may be practicable, for the transportation and handling of the mails and furnishing facilities and services in connection therewith upon the conditions and at the rates hereinafter provided.

"The Postmaster General may state railroad mail routes and authorize mail service thereon of the following four classes, namely: Full railway post-office car service, apartment railway post-office car service, storage-car service, and closed-pouch service.

"Full railway post-office car mail service shall be service by cars 40 feet or more in length, constructed, fitted up, and main-

tained for the distribution of mails on trains. The authorizations of full railway post-office cars shall be for standard-sized cars 60 feet in length, inside measurement, except as hereinafter provided.

"Apartment railway post-office car mail service shall be service by apartments less than 40 feet in length in cars constructed, fitted up, and maintained for the distribution of mails on trains. Two standard sizes of apartment railway post-office cars may be authorized and paid for, namely, apartments 15 feet and 30 feet in length, inside measurement, except as hereinafter provided.

"Storage-car mail service shall be service by cars used for the storage and carriage of mails in transit other than by full and apartment railway post-office cars. The authorizations for storage cars shall be for cars 60 feet in length, inside measurement, except as hereinafter provided: *Provided*, That storage space in units of 3 feet, 7 feet, 15 feet, and 30 feet, both sides of car, may be authorized in baggage cars at not exceeding pro rata of the rates hereinafter named for 60-foot storage cars.

"Service by full and apartment railway post-office cars and storage cars shall include the carriage therein of all mail matter, equipment, and supplies for the mail service and the employees of the Postal Service or Post Office Department, as shall be directed by the Postmaster General to be so carried.

"Closed-pouch mail service shall be the transportation and handling by railroad employees of mails on trains on which full or apartment railway post-office cars are not authorized, except as hereinbefore provided. The authorizations for closed-pouch service shall be for units of 7 feet and 3 feet in length, both sides of car.

"The rates of payment for the services authorized in accordance with this section shall be as follows, namely:

"For full railway post-office car mail service at not exceeding 21 cents for each mile of service by a 60-foot car.

"In addition thereto he may allow not exceeding $4.25 as a combined initial and terminal rate for each one-way trip of a 60-foot car.

"For apartment railway post-office car mail service at not exceeding 11 cents for each mile of service by a 30-foot apartment car and 6 cents for each mile of service by a 15-foot apartment car.

"In addition thereto he may allow not exceeding $2.75 as a combined initial and terminal rate for each one-way trip of a 30-foot apartment car and $2 as a combined initial and terminal rate for each one-way trip of a 15-foot apartment car.

"For storage-car mail service at not exceeding 21 cents for each mile of service by a 60-foot car.

"In addition thereto he may allow not exceeding $4.25 as a combined initial and terminal rate for each one-way trip of a 60-foot car.

"Where authorizations are made for cars of the standard lengths of 60, 30, and 15 feet, as provided by this section, and the railroad company is unable to furnish such cars of the length authorized, but furnishes cars of lesser length than those authorized, but which are determined by the department to be sufficient for the service, the Postmaster General may accept the same and pay only for the actual space furnished and used, the compensation to be not exceeding pro rata of that provided by this section for the standard length so authorized: *Provided*, That the Postmaster General may accept cars and apartments of greater length than those of the standard requested, but no compensation shall be allowed for such excess lengths.

"For closed pouch service, at not exceeding 1½ cents for each mile of service when a 3-foot unit is authorized, and 3 cents for each mile of service when a 7-foot unit is authorized.

"In addition thereto he may allow not exceeding 25 cents as the combined initial and terminal rate for each one-way trip of a 3-foot unit of service and 50 cents as a combined initial and terminal rate for each one-way trip of a 7-foot unit of service.

"Railroad companies whose railroads were constructed in whole or in part by a land grant made by Congress, on the condition that the mails should be transported over their roads at such price as Congress should by law direct, shall receive only 80 per cent of the compensation otherwise authorized by this section.

"The initial and terminal rates provided for herein shall cover expenses of loading and unloading mails, switching, lighting, heating, cleaning mail cars, and all other expenses incidental to station service and required by the Postmaster General in connection with the mails that are not included in the car-mile rate. The allowance for full railway post-office cars, apartment railway post-office cars, and storage cars may be varied in accordance with the approximate difference in their respective cost of construction and maintenance.

"In computing the car miles of the full railway post-office cars and apartment railway post-office cars, the maximum space authorized in either direction of a round-trip car run shall be regarded as the space to be computed in both directions, unless otherwise mutually agreed upon.

"In computing the car miles of storage cars, the maximum space authorized in either direction of a round-trip car run shall be regarded as the space to be computed in both directions, unless the car be used by the company in the return movement, or otherwise mutually agreed upon.

"New service and additional service may be authorized at not exceeding the rates herein provided, and service may be reduced or discontinued with pro rata reductions in pay, as the needs of the Postal Service may require: *Provided*, That no additional pay shall be allowed for additional service unless specifically authorized by the Postmaster General.

"The Postmaster General is authorized to make special contracts with the railroad companies for the transportation of the mails where in his judgment the conditions warrant the application of higher rates than those herein specified, and make report to Congress of all cases where such special contracts are made and the terms and reasons therefor.

"All cars or parts of cars used for the Railway Mail Service shall be of such construction, style, length, and character, and furnished in such manner as shall be required by the Postmaster General, and shall be constructed, fitted up, maintained, heated, lighted, and cleaned by and at the expense of the railroad companies. No pay shall be allowed for service by any railway post-office car which is not sound in material and construction and which is not equipped with sanitary drinking-water containers and toilet facilities, nor unless such car is regularly and thoroughly cleaned. No pay shall be allowed for service by any wooden full railway post-office car unless constructed substantially in accordance with the most approved plans and specifications of the Post Office Department for such type of cars, nor for service by any wooden full railway post-office car run in any train between adjoining steel cars, or between the engine and a steel car adjoining. After the 1st of July, 1917, the Postmaster General shall not approve or allow to be used, or pay for service by, any full railway post-office car not constructed of steel or steel underframe or equally indestructible material; and all full railway post-office cars accepted for this service and contracted for by the railroad companies hereafter shall be constructed of steel. Until July 1, 1917, in cases of emergency and in cases where the necessities of the service require it, the Postmaster General may provide for service by full railway post-office cars of other than steel or steel underframe construction, and fix therefor such rate of compensation within the maximum herein provided as shall give consideration to the inferior character of construction, and the railroad companies shall furnish service by such cars at such rates so fixed.

"Service over property owned or controlled by another company or a terminal company shall be considered service of the railroad company using such property and not that of the other or terminal company: *Provided*, That service over land-grant roads shall be paid for as herein provided.

"Railroad companies carrying the mails shall furnish all necessary facilities for caring for and handling them while in their custody. They shall furnish all cars or parts of cars used in the transportation and distribution of the mails, except as herein otherwise provided, and place them in stations before the departure of trains at such times and when required to do so. They shall provide station space and rooms for handling, storing, and transfer of mails in transit, including the separation thereof, by packages for connecting lines, and such distribution of registered mail in transit as may be necessary, and for offices for the employees of the Railway Mail Service engaged in such station work when required by the Postmaster General, in which mail from station boxes may be distributed if it does not require additional space.

"If any railroad company carrying the mails shall fail or refuse to provide cars or apartments in cars for distribution purposes when required by the Postmaster General, or shall fail or refuse to construct, fit up, maintain, heat, light, and clean such cars and provide such appliances for use in case of accident as may be required by the Postmaster General, it shall be fined such reasonable sum as may, in the discretion of the Postmaster General, be deemed proper.

"The Postmaster General shall in all cases decide upon what trains and in what manner the mails shall be conveyed. Every railroad company carrying the mails shall carry on any train it operates, and with due speed, all mailable matter, equipment, and supplies directed to be carried thereon. If any such railroad company shall fail or refuse to transport the mails, equip-

ment, and supplies when required by the Postmaster General on any train or trains it operates, such company shall be fined such reasonable amount as may, in the discretion of the Postmaster General, be deemed proper.

"The Postmaster General may make deductions from the pay of railroad companies carrying the mails under the provisions of this section for reduction in service or infrequency of service where, in his judgment, the importance of the facilities withdrawn or reduced requires it, and impose fines upon them for delinquencies. He may deduct the price of the value of the service in cases where it is not performed, and not exceeding three times its value if the failure be occasioned by the fault of the railroad company.

"The provisions of this section shall apply to service operated by railroad companies partly by railroad and partly by steamboats.

"The provisions of this section respecting the rates of compensation shall not apply to mails conveyed under special arrangement in freight trains, for which rates not exceeding the usual and just freight rates may be paid, in accordance with the classifications and tariffs approved by the Interstate Commerce Commission.

"Railroad companies carrying the mails shall submit under oath, when and in such form as may be required by the Postmaster General, evidence as to the performance of service.

"The Postmaster General shall, from time to time, request information from the Interstate Commerce Commission as to the revenue received by railroad companies from express companies for services rendered in the transportation of express matter, and may, in his discretion, arrange for the transportation of mail matter other than of the first class at rates not exceeding those so ascertained and reported to him, and it shall be the duty of the railroad companies to carry such mail matter at such rates fixed by the Postmaster General.

"The Postmaster General is authorized, in his discretion, to petition the Interstate Commerce Commission for the determination of a postal carload or less-than-carload rate for transportation of mail matter of the fourth class and periodicals, and may provide for and authorize such transportation, when practicable, at such rates, and it shall be the duty of the railroad companies to provide and perform such service at such rates and on the conditions prescribed by the Postmaster General.

"The Postmaster General may, in his discretion, distinguish between the several classes of mail matter, and provide for less frequent dispatches of mail matter of the third and fourth classes and periodicals when lower rates for transportation or other economies may be secured thereby without material detriment to the service.

"The Postmaster General is authorized to return to the mails, when practicable for the utilization of car space paid for and not needed for the mails, postal cards, stamped envelopes, newspaper wrappers, empty mail bags, furniture, equipment, and other supplies for the Postal Service.

"The Postmaster General, in cases of emergency between October 1 and April 1 of any year, may hereafter return to the mails empty mail bags and other equipment theretofore withdrawn therefrom as required by law, and, where such return requires additional authorization of car space under the provisions of this section, to pay for the transportation thereof as provided for herein out of the appropriation for inland transportation by railroad routes.

"The Postmaster General may have the weights of mail taken on railroad mail routes, and computations of the average loads of the several classes of cars and other computations for statistical and administrative purposes made at such times as he may elect, and pay the expense thereof out of the appropriation for inland transportation by railroad routes.

"Pending the decision of the Interstate Commerce Commission, as hereinafter provided for, the existing method and rates of railway mail pay shall remain in effect, except on such routes or systems as the Postmaster General shall select, and to the extent he may find it practicable and necessary to place upon the space system of pay in the manner and at the rates provided in this section, with the consent and approval of the Interstate Commerce Commission, in order to properly present to the Interstate Commerce Commission the matters hereinafter referred thereto: *Provided*, That if the final decision of the Interstate Commerce Commission shall be adverse to the space system, and if the rates established by it under whatever method or system is adopted shall be greater or less than the rates under this section, the Postmaster General shall readjust the compensation of the carriers on such selected routes and systems in accordance therewith, from the dates on which the rates named in this section became effective.

"All railway common carriers are hereby required to transport such mail matter as may be offered for transportation by the United States in the manner, under the conditions, and with the service prescribed by the Postmaster General and shall be entitled to receive fair and reasonable compensation for such transportation and for the service connected therewith.

"The Interstate Commerce Commission is hereby empowered and directed as soon as practicable to fix and determine from time to time the fair and reasonable rates and compensation for the transportation of such mail matter by railway common carriers and the service connected therewith, prescribing the method or methods by weight, or space, or both, or otherwise, for ascertaining such rate or compensation, and to publish the same, and orders so made and published shall continue in force until changed by the commission after due notice and hearing.

"In fixing and determining the fair and reasonable rates for such service the commission shall consider the relation existing between the railroads as public-service corporations and the Government, and the nature of such service as distinguished, if there be a distinction, from the ordinary transportation business of the railroads.

"The procedure for the ascertainment of said rates and compensation shall be as follows:

"Within three months from and after the approval of this act, or as soon thereafter as may be practicable, the Postmaster General shall file with the commission a statement showing the transportation required of all railway common carriers, including the number, equipment, size, and construction of the cars necessary for the transaction of the business; the character and speed of the trains which are to carry the various kinds of mail; the service, both terminal and en route, which the carriers are to render; and all other information which may be material to the inquiry, but such other information may be filed at any time in the discretion of the commission.

"The Postmaster General is authorized to employ such clerical and other assistance as shall be necessary to carry out the provisions of this section, and to rent quarters in Washington, D. C., if necessary, for the clerical force engaged thereon, and to pay for the same out of the appropriation for inland transportation by railroad routes. The Postmaster General shall file with the commission a comprehensive plan for the transportation of the mails on said railways and shall embody therein what he believes to be the reasonable rate or compensation the said railway carriers should receive. Thereupon the commission shall give notice of not less than 30 days to each carrier so required to transport mail and render service, and upon a day to be fixed by the commission, not later than 30 days after the expiration of the notice herein required, each of said carriers shall make answer and the commission shall proceed with the hearing as now provided by law for other hearings between carriers and shippers or associations.

"All the provisions of the law for taking testimony, securing evidence, penalties, and procedure are hereby made applicable.

"For the purpose of determining and fixing rates or compensation hereunder the commission is authorized to make such classification of carriers as may be just and reasonable and, where just and equitable, fix general rates applicable to all carriers in the same classification.

"Pending such hearings, and the final determination of the question, if the Interstate Commerce Commission shall determine that it is necessary or advisable, in order to carry out the provisions of this section (a), to have additional and more frequent weighing of the mails for statistical purposes, the Postmaster General, upon request of the commission, shall provide therefor in the manner now prescribed by law, but such weighing need not be for more than 30 days.

"At the conclusion of the hearing the commission shall establish by order a fair, reasonable rate or compensation to be received, at such stated times as may be named in the order, for the transportation of mail matter and the service connected therewith, and during the continuance of the order the Postmaster General shall pay the carrier from the appropriation herein made such rate or compensation.

"Either the Postmaster General of any such carrier may at any time after the lapse of six months from the entry of the order assailed apply for a reexamination, and thereupon substantially similar proceedings shall be had with respect to the rate or rates for service covered by said application, provided said carrier or carriers have an interest therein.

"For the purposes of this section the Interstate Commerce Commission is hereby vested with all the powers which it is now authorized by law to exercise in the investigation and ascertainment of the justness and reasonableness of freight, passenger, and express rates to be paid by private shippers.

"The Interstate Commerce Commission shall allow to railroad companies whose railroads were constructed in whole or in part by a land grant made by Congress on condition that the mails should be transported over their roads at such price as Congress should by law direct only 80 per cent of the compensation paid other railroads for transporting the mails and all services by the railroads in connection therewith.

"The existing law for the determination of mail pay, except as herein modified, shall continue in effect until the Interstate Commerce Commission under the provisions hereof fixes the fair, reasonable rate or compensation for such transportation and service.

"That the appropriations for inland transportation by railroad routes and for railway post-office car service for the fiscal year ending June 30, 1917, are hereby made available for the purposes of this section.

"That it shall be unlawful for any railroad company to refuse to perform mail service at the rates or methods of compensation provided by law when required by the Postmaster General so to do, and for such offense shall be fined $1,000. Each day of refusal shall constitute a separate offense."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment as follows: Page 48, line 15, in line 16 of the amendment strike out all of the balance of the amendment after the word "Commission," and in lieu thereof insert the following: "after thorough and independent consideration by that body in such manner as it may determine"; and the Senate agree to the same.

J. H. BANKHEAD,
T. W. HARDWICK,
CHAS. E. TOWNSEND,
Managers on the part of the Senate.
JOHN A. MOON,
D. E. FINLEY,
H. STEENERSON,
Managers on the part of the House.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. Latta, one of his secretaries, announced that the President had, on July 17, 1916, approved and signed the following act:

S. 2986. An act to provide capital for agricultural development, to create a standard form of investment based upon farm mortgage, to equalize rates of interest upon farm loans, to furnish a market for United States bonds, to provide for the investment of postal savings deposits, to create Government depositaries and financial agents for the United States, and for other purposes.

LAWS OF PORTO RICO (H. DOC. NO. 1291).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying paper, referred to the Committee on Pacific Islands and Porto Rico:

To the Senate and House of Representatives:

As required by section 19 of the act of Congress approved April 12, 1900, entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," I transmit herewith a copy of the Journal of the Executive Council of Porto Rico for the second session of the eighth legislative assembly, beginning February 14 and ending April 13, 1916.

WOODROW WILSON.

THE WHITE HOUSE, *July 17, 1916.*

INTERSTATE AND FOREIGN COMMERCE.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the joint resolution (S. J. Res. 60) creating a joint subcommittee from the membership of the Senate Committee on Interstate Commerce and the House Committee on Interstate and Foreign Commerce to investigate the conditions relating to interstate and foreign commerce, and the necessity of further legislation relating thereto, and defining the powers and duties of such subcommittee, which were, on page 2, line 6, after "telegraph," to insert "wireless, cable"; on page 2, line 13, after "witnesses," to insert "to administer oaths, and to require the various departments, commissions, and other Government agencies of the United States to furnish such information and render such assistance as may in the judgment of the joint subcommittee be deemed desirable"; on page 2, line 16, to strike out "as expeditiously as may be," and insert in lieu thereof "on or before the second Monday in January, 1917."

Mr. NEWLANDS. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

HOUSE BILL REFERRED.

H. R. 15842. An act to revise, amend, and codify the laws relating to publicity of contributions and expenditures made for the purpose of influencing the nomination and election of candidates for the offices of Senator and Representative in the Congress of the United States, extending the same to candidates for nomination and election to the offices of President and Vice President of the United States, limiting the amount which may be expended, providing for the publicity of campaign expenses, and for other purposes, was read twice by its title and referred to the Committee on Privileges and Elections.

ORDER OF BUSINESS.

Mr. SMOOT. I ask unanimous consent that the Senate proceed to the consideration of unobjected bills on the calendar under Rule VIII.

The VICE PRESIDENT. Is there any objection?

Mr. OWEN. Mr. President, I think there will be a convenient opportunity afforded later in the afternoon to take care of unobjected bills on the calendar.

Mr. SMOOT. No; there will not.

Mr. OWEN. But I will not be able to agree to that proposal this morning.

Mr. SMOOT. Then, Mr. President, I move that the Senate proceed to the consideration of unobjected bills on the calendar under Rule VIII.

Mr. OWEN. I raise the parliamentary point that the Senator had not the floor after he asked that question.

The VICE PRESIDENT. The Chair is of the opinion that under Rule VIII there is not any necessity for a motion. Unless some Senator moves to take up specifically a bill under Rule VIII, the calendar of unobjected bills is now in order.

Mr. OWEN. I move, as a substitute for the motion of the Senator from Utah, that the Senate proceed to the consideration of House bill 13391, the amendment to the Federal reserve act.

Mr. SMOOT. Mr. President, a motion can not be made to substitute another bill.

The VICE PRESIDENT. It must be perfectly apparent to the Senate that under Rule VIII the calendar is now in order for unobjected bills, and it does not require any motion.

Mr. SMOOT. That is, the calendar is in order, Mr. President; but I think what the Senate desires, on both sides of the Chamber, is that bills shall be taken up to which there is no objection, and acted upon and the calendar cleared. There is no doubt but that the Senator can bring his bill up by motion, or any other bill on the calendar, if the Senate desires to consider it, as soon as the other bills are out of the way.

The other day it was understood that we were to have at least two morning hours a week. The first morning hour that the Senate had, the whole time was taken up in considering the bill that the Senator from Oklahoma now wants to consider again. I think, in justice to all the balance of the Senators who have bills on the calendar in which they are deeply interested and to which there is no objection, that the time ought to be given to those bills this morning.

Mr. OWEN. Mr. President, I ask unanimous consent, in lieu of the suggestion made by the Senator from Utah, that from 5 to half past 6 the Senate act on unobjected bills.

Mr. SWANSON. I object to that Mr. President.

Mr. OWEN. Then, I make the same request for to-morrow afternoon.

Mr. SWANSON. I can not consent to anything that would displace the consideration of the naval appropriation bill.

Mr. OWEN. After 5 o'clock it is difficult to keep a quorum here, and I call the attention of the Senator from Virginia to that fact. It is very difficult to keep a quorum between 5 and half past 6, and on the unobjected bills there will be no difficulty of that sort.

Mr. GALLINGER. I ask for the regular order.

Mr. SMOOT. My motion was in order, to proceed to the consideration of unobjected bills.

Mr. SMITH of Georgia. Mr. President, I am in sympathy with the desire to call the calendar for unobjected-to cases, but I do not think that can be done by motion. You can not start the call of the calendar and stop the right, after it starts, to move to take up any bill on the calendar. The Senator from Utah, I am sure, agrees with me about that. We can really only call the calendar for unobjected-to cases by unanimous consent. When we start the call of the calendar, except under unanimous consent, any Senator has the right to move to take up some other case.

I make this point of order, not because I object to the call of the calendar, but because I do not wish to see any rule established that such a motion can be made.

The VICE PRESIDENT. Every once in a while the present occupant of the chair tries to cut a Gordian knot by paying no attention to the rules of the Senate. The question now before the Senate is simply whether it will proceed with the calendar for the consideration of unobjected bills, or whether the motion of the Senator from Oklahoma shall prevail. If the Senate wants to proceed with the unobjected bills, there is no trouble in doing so by voting down the motion of the Senator from Oklahoma. If it does not, it can agree to that motion.

Mr. SMOOT. Mr. President, just a moment, in answer to the Senator from Georgia. I was of the opinion that under the rules that motion could not be made until it was held by the Vice President that a motion of that kind could be made. There is a record of it, and I thought I had it here in my desk, but I have not. I can get it, however, in a very few moments.

Mr. GALLINGER. Mr. President, before the motion of the Senator from Oklahoma is put, if that is in order now, I will ask the Senator from Oklahoma to repeat his request that we give from 5 to half past 6 to the consideration of unobjected cases.

Mr. OWEN. I requested unanimous consent that from 5 to half past 6 we might take unobjected bills, because at that time it is so difficult to keep a quorum on the naval bill.

Mr. SWANSON. I have objected to that, and I will object to any arrangement that interferes with the progress that ought to be made on the naval appropriation bill.

Mr. SMOOT. Then I will ask the Senator from Oklahoma to withdraw his objection, and let us consider the unobjected bills now.

Mr. OWEN. My request is withdrawn by the objection of the Senator from Virginia, because I could only ask unanimous consent. I withdraw it, however.

Mr. SMOOT. No; I mean the Senator's objection to my request for the consideration of unobjected bills on the calendar.

Mr. OWEN. Mr. President, I was right in the midst of the disposition of this matter when I was interrupted. It will take only a short time to dispose of it. It is a very important matter—a matter affecting the operation of the Federal reserve act.

Mr. SMOOT. I will say to the Senator that there are a good many other bills on the calendar that are very important, and perhaps we will reach the bill to which the Senator refers today. I do not know that there is any objection at all to it.

Mr. OWEN. I think we can dispose of the bill in half an hour. There are just some verbal amendments to be added to the act. The matter is practically an agreed report. I do not know of any objection to it.

Mr. SMOOT. Well, let the Senate decide what they want to do.

The VICE PRESIDENT. Rule VIII is perfectly plain:

> At the conclusion of the morning business for each day, unless upon motion the Senate shall at any time otherwise order, the Senate will proceed to the consideration of the Calendar of Bills and Resolutions, and continue such consideration until 2 o'clock, and bills and resolutions that are not objected to shall be taken up in their order, and each Senator shall be entitled to speak once and for five minutes only upon any question.

There is not a question of doubt about the rule, and the motion that is in order is the motion of the Senator from Oklahoma to proceed to the consideration of the bill indicated by him. If the Senate does not want to take up that bill, all it has to do is to vote down the motion. [Putting the question.] The Chair is in doubt.

Mr. HITCHCOCK. I suggest the absence of a quorum.

Mr. SMOOT. Oh, let us not take up the time of the Senate in that way.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Harding	Norris	Sterling
Bankhead	Hardwick	Oliver	Stone
Brandegee	Hitchcock	Overman	Sutherland
Catron	Hughes	Owen	Swanson
Chamberlain	Husting	Page	Thomas
Clapp	Johnson, Me.	Phelan	Thompson
Clark, Wyo.	Jones	Pomerene	Townsend
Clarke, Ark.	Kenyon	Ransdell	Vardaman
Culberson	La Follette	Shafroth	Walsh
Cummins	Lane	Sheppard	Warren
Curtis	Lodge	Simmons	Weeks
Dillingham	McCumber	Smith, Ariz.	Williams
Fletcher	Martin, Va.	Smith, Ga.	Works
Gallinger	Martine, N. J.	Smith, S. C.	
Gronna	Nelson	Smoot	

Mr. VARDAMAN. I wish to announce that the junior Senator from Tennessee [Mr. SHIELDS] is unavoidably absent on important business of the Senate. I desire this announcement to stand for the day.

Mr. SMITH of Georgia. I desire to state that both the Senators from Indiana [Mr. KERN and Mr. TAGGART] have been called to one of the departments on an important matter of public business.

Mr. MARTINE of New Jersey. I have been requested to announce that the senior Senator from West Virginia [Mr. CHILTON] is absent on official business and is paired with the senior Senator from New Mexico [Mr. FALL].

Mr. SHEPPARD. I wish to state that the junior Senator from New Hampshire [Mr. HOLLIS] is absent on official business.

The VICE PRESIDENT. Fifty-eight Senators have answered to the roll call. There is a quorum present.

AMENDMENT OF FEDERAL RESERVE ACT.

Mr. GRONNA. Mr. President, I wish to state briefly that I am a member of the Committee on Banking and Currency. I have not had an opportunity of giving the time I should have given to the bill which the Senator from Oklahoma desires to take up. I wish to state that the bankers of my State are protesting against certain provisions of the bill. They are opposed to a system of branch banks, and I believe the bill ought to be amended. Undoubtedly it will require a great deal of time. It ought to be fully discussed.

Mr. OWEN. Mr. President, I will say to the Senator from North Dakota that the objection he has in mind will be fully met by the insertion, in line 4 of page 19, after the word "district," of the words:

> Or in any State whose statutes do not specifically authorize branches for banks having State charters.

Mr. GALLINGER. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from New Hampshire will state it.

Mr. GALLINGER. Is the bill before the Senate now?

The VICE PRESIDENT. It is not.

Mr. GALLINGER. The motion is not debatable.

The VICE PRESIDENT. It is not debatable. The question is on the motion of the Senator from Oklahoma that the Senate proceed to the consideration of House bill 13391, to amend an act approved December 23, 1913, known as the Federal reserve act, by adding a new section. [Putting the question.] The Chair is in doubt.

Mr. OWEN. I call for a division.

The VICE PRESIDENT. Those in favor of the motion will please rise. [A pause.] Those opposed will rise. [A pause.] The vote is a tie—26 to 26.

Mr. HITCHCOCK. I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. HARDING (when his name was called). On account of the absence of the junior Senator from Alabama [Mr. UNDERWOOD], with whom I am paired, I withhold my vote.

Mr. TILLMAN (when his name was called). I transfer my pair with the Senator from West Virginia [Mr. GOFF] to the Senator from Tennessee [Mr. LEA] and vote "yea."

Mr. TOWNSEND (when the name of Mr. SMITH of Michigan was called). I wish to announce the absence of my colleague [Mr. SMITH of Michigan]. He is paired with the junior Senator from Missouri [Mr. REED]. This announcement may stand for all votes to-day.

Mr. VARDAMAN (when his name was called). I have a pair with the Senator from New York [Mr. WADSWORTH], but it relates only to the naval bill. I vote "yea."

Mr. WALSH (when his name was called). I transfer my pair with the Senator from Rhode Island [Mr. LIPPITT] to the Senator from Illinois [Mr. LEWIS] and vote "yea."

Mr. WEEKS (when his name was called). I have a general pair with the senior Senator from Kentucky [Mr. JAMES]. In his absence I withhold my vote.

Mr. WILLIAMS (when his name was called). I transfer my general pair with the Senator from Pennsylvania [Mr. PENROSE] to the Senator from Tennessee [Mr. SHIELDS] and vote "yea."

The roll call was concluded.

Mr. CURTIS. I was requested to announce the following pairs:

The Senator from Rhode Island [Mr. COLT] with the Senator from Delaware [Mr. SAULSBURY];

The Senator from New Mexico [Mr. FALL] with the Senator from West Virginia [Mr. CHILTON];

The Senator from Connecticut [Mr. MCLEAN] with the Senator from Montana [Mr. MYERS]; and

The Senator from New York [Mr. WADSWORTH] with the Senator from New Hampshire [Mr. HOLLIS].

Mr. DILLINGHAM (after having voted in the negative). I observe that the senior Senator from Maryland [Mr. SMITH]

has not voted. Having a general pair with that Senator, I withdraw my vote.

Mr. GALLINGER. I am paired with the senior Senator from New York [Mr. O'GORMAN], who is absent. I transfer my pair to the senior Senator from Idaho [Mr. BORAH] and vote "nay."

Mr. BECKHAM. I transfer my pair with the senior Senator from Delaware [Mr. DU PONT] to the Senator from Oklahoma [Mr. GORE] and vote "yea."

Mr. SUTHERLAND (after having voted in the negative). I inquire whether the Senator from Arkansas [Mr. CLARKE] has voted?

The VICE PRESIDENT. He has not.

Mr. SUTHERLAND. I have a pair with that Senator, and I withdraw my vote.

The result was announced—yeas 32, nays 26, as follows:

YEAS—32.

Ashurst	Johnson, Me.	Pittman	Stone
Beckham	Johnson, S. Dak.	Pomerene	Swanson
Broussard	Lane	Ransdell	Thomas
Chamberlain	Martin, Va.	Shafroth	Thompson
Culberson	Martine, N. J.	Sheppard	Tillman
Hitchcock	Overman	Simmons	Vardaman
Hughes	Owen	Smith, Ga.	Walsh
Husting	Phelan	Smith, S. C.	Williams

NAYS—26.

Brady	Fletcher	McCumber	Smoot
Brandegee	Gallinger	Norris	Sterling
Catron	Hardwick	Oliver	Townsend
Clapp	Jones	Page	Warren
Clark, Wyo.	Kenyon	Poindexter	Works
Cummins	La Follette	Sherman	
Curtis	Lodge	Smith, Ariz.	

NOT VOTING—37.

Bankhead	Gore	McLean	Smith, Md.
Borah	Gronna	Myers	Smith, Mich.
Bryan	Harding	Nelson	Sutherland
Chilton	Hollis	Newlands	Taggart
Clarke, Ark.	James	O'Gorman	Underwood
Colt	Kern	Penrose	Wadsworth
Dillingham	Lea, Tenn.	Reed	Weeks
du Pont	Lee, Md.	Robinson	
Fall	Lewis	Saulsbury	
Goff	Lippitt	Shields	

So the motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13391) to amend the act approved December 23, 1913, known as the Federal reserve act, by adding a new section.

Mr. OWEN. Mr. President, I move to amend, on page 19, after line 4, by inserting certain words. I call the attention of the Senator from North Dakota to it. I move to insert the words: "or in any State whose statutes do not specifically authorize branches for banks having State charters," so that the language would read:

Provided, That no such branch shall be established outside of its State or of its Federal reserve district, or in any State whose statutes do not specifically authorize branches for banks having State charters.

The VICE PRESIDENT. The question is on agreeing to the amendment to the amendment.

Mr. SUTHERLAND. Mr. President, a parliamentary inquiry. Has the bill been read?

The VICE PRESIDENT. It was before the Senate an hour and a half the other day. The amendment proposed by the Senator from Oklahoma will be stated.

The SECRETARY. In the amendment of the committee, page 19, line 4, after the word "district" and the comma, insert "or in any State whose statutes do not specifically authorize branches for banks having State charters."

Mr. WEEKS. I wish to inquire if section 25 is considered as one paragraph or two, whether down to the word "located" on page 18, line 20, is one paragraph?

Mr. OWEN. The proper division of the amendment should be in paragraph, although the Senate has not declared a fixed purpose with regard to it. I will move, Mr. President, that this matter be considered section by section, dealing with the different sections as paragraphs.

Mr. WEEKS. The reason why I make the inquiry is because I am opposed to all that comes after line 21, on page 18. I think the amendment offered by the Senator from Oklahoma applies with propriety to the part that comes before as well as the part that comes after, and that these branches should be limited to the State or territory where the State laws permit that form of banking.

Mr. OWEN. That is the express purpose of it.

Mr. WEEKS. I am opposed to that part of the paragraph which comes after line 21, page 18. In other words, I am not in favor of branch banks in the counties or in the territory outside of the municipality where the bank is chartered.

Mr. OWEN. I ask unanimous consent that these amendments shall be considered section by section, so that any objection to any individual section may be expressed and the sentiment of the Senate taken with regard to it. That will open the way for the objection of the Senator without embarrassing other parts of the bill.

The VICE PRESIDENT. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

Mr. OWEN. In section 25a, page 18, line 13, I move to strike out the words "national banking association" and to insert in lieu "member bank."

The amendment to the amendment was agreed to.

Mr. OWEN. In line 21 I move the same amendment, striking out "national banking association" and inserting "member bank."

The amendment to the amendment was agreed to.

Mr. OWEN. On page 19, in the same section, line 9, after the word "independent," I move to insert "national banking," so as to read:

If it were organized as an independent national banking association.

The amendment to the amendment was agreed to.

Mr. OWEN. In the same section, in line 9, I move to strike out the words "required of the parent bank itself by that section" and insert in lieu thereof "fixed by that section as a minimum capitalization for a national banking association located in the same place as the parent bank."

The amendment to the amendment was agreed to.

Mr. OWEN. On page 8 of the proposed amendment, after line 2, I move to insert an amendment desired by the Senator from Minnesota [Mr. NELSON]. I call the attention of the Senator from Minnesota to this proposal, a proposal which has been reported upon favorably by the Comptroller of the Currency, giving certain limited rights of agency to national banks, as follows:

That in addition to the powers now vested by law in national banking associations organized under the laws of the United States any such association located and doing business in any place the population of which does not exceed 5,000 inhabitants, as shown by the last preceding decennial census, may, under such rules and regulations as may be prescribed by the Comptroller of the Currency, act as the agent for any fire, life, or other insurance company authorized by the authorities of the State in which said bank is located to do business in said State, by soliciting and selling insurance and collecting premiums on policies issued by such company; and may receive for services so rendered such fees or commissions as may be agreed upon between the said association and the insurance company for which it may act as agent; and may also act as the broker or agent for others in making or procuring loans on real estate located within 100 miles of the place in which said bank may be located, receiving for such services a reasonable fee or commission: *Provided, however*, That no such bank shall in any case guarantee either the principal or interest of any such loans or assume or guarantee the payment of any premium on insurance policies issued through its agency by its principal: *And provided further*, That the bank shall not guarantee the truth of any statement made by an assured in filing his application for insurance.

The comptroller recommended in any place where the population does not exceed 3,000 inhabitants. I am willing to insert 5,000, as desired by the Senator from Minnesota. The matter is unimportant either way, I think.

The amendment to the amendment was agreed to.

Mr. OWEN. On page 9, after line 2, I move to insert:

That section 14 of the said Federal reserve act be amended by adding after the last word of paragraph (e) the following words:

"And with the consent of the Federal Reserve Board to open and maintain banking accounts for such foreign correspondents or agencies."

Some question arose as to the rights of the Federal reserve bank to open these accounts which were reciprocal, and the Federal Reserve Board recommended that the language of the law be made free from any obscurity.

Mr. BRANDEGEE. In every other instance in the bill where the section of the Federal reserve act is amended the entire section as it would read if amended is quoted.

Mr. OWEN. There are only a few additional lines added at the end of the section. It was not necessary to insert the whole section.

Mr. BRANDEGEE. Very well.

Mr. GALLINGER. Let the amendment be read from the desk.

The VICE PRESIDENT. It will be read.

The SECRETARY. On page 9 of the committee amendment, after line 2, insert:

That section 14 of the said Federal reserve act be amended by adding after the last word of paragraph (e) the following words:

"And with the consent of the Federal Reserve Board to open and maintain banking accounts for such foreign correspondents or agencies."

The amendment to the amendment was agreed to.

Mr. OWEN. On page 3, after line 15, I move to insert the following:

Add to section 11 a clause, as follows:

"(m) Upon the affirmative vote of not less than five of its members the Federal Reserve Board shall have power from time to time by

general ruling covering all districts alike to permit member banks to carry in the Federal reserve banks of their respective districts any portion of their reserves now required by section 19 of this act to be held in their own vaults."

Mr. BRANDEGEE. Mr. President, it is impossible for any Senator, especially one not a member of the Banking and Currency Committee and a Senator who has not the original reserve act before him, to have the slightest conception of what these very important amendments are to accomplish or wherein they change existing law. From the amendment just read it would seem to me as it is phrased any portion of it might be construed to be the whole of it; certainly it would be 99 per cent of it.

Mr. OWEN. The purpose is, I will explain to the Senator, to permit banks, with the unanimous consent of the Federad Reserve Board—that is, five out of its members—to hold any part of their reserves that they see fit in the Federal reserve banks. Take some of the big banks in New York City, they would like to have the liberty of putting a larger amount of their reserves in the Federal reserve banks.

Mr. BRANDEGEE. I know, and my comment on that language is that any part of it would include anything less than the whole.

Mr. OWEN. It does.

Mr. BRANDEGEE. I am not able to form any opinion, of course, about the merit of the amendment. I simply make this observation in passing. I do not think that this is at all the way in which a very important measure should be passed by the Senate in the morning hour with these amendments which are proposed on the floor and heard for the first time, not considered by the committee, and with no explanation. The Senate is voting on the bill whatever the chairman of the committee proposes. It may be all exceedingly wise legislation, but the Senate is doing it without any real conception of what all the changes are going to mean in the Federal reserve act after the bill is passed.

Mr. WEEKS. Mr. President——

Mr. OWEN. I yield to the Senator.

Mr. WEEKS. I wish to suggest to the chairman of the committee that amendments which have not been considered by the committee should not be presented. Here is an important matter pending before the Senate. I am personally in favor of the passage of this bill and I am going to take the time of the Senate to explain my reasons for favoring its passage, but the Senator is now offering amendments which have not been considered by the committee. The one which he has just offered I recognize as being right in language, but it does seem to me this legislation is of such importance that Senators are justified in objecting to the consideration of amendments which have not been considered by the committee.

Mr. OWEN. I have no objection to the Senate disregarding this particular amendment. It is true it came by report from the Federal Reserve Board after the committee had reported the bill, but it is a perfectly plain, simple proposal to permit these banks to put a larger part of their reserves with the reserve banks if they should so desire upon a vote of five of the members of the Federal Reserve Board. If any Senator, however, objects to the amendment, I am willing to have it laid aside.

Mr. GRONNA. Mr. President——

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from North Dakota?

Mr. OWEN. I yield to the Senator.

Mr. GRONNA. Would the Senator from Oklahoma be willing to have his bill printed after the amendments which he suggests have been adopted and let us consider them to-morrow morning?

Mr. OWEN. Certainly. I should be glad to have that done.

Now, Mr. President, I ask for action upon the amendment which I have submitted.

Mr. TOWNSEND. To which amendment does the Senator from Oklahoma refer?

Mr. OWEN. I refer to the last amendment proposed to section 11 by adding paragraph M.

Mr. TOWNSEND. Where does that come in? I do not think I understand the Senator's statement as to what point it is to come in.

Mr. OWEN. I desire that the amendment be inserted on page 3, after line 15.

Mr. TOWNSEND. Lines 13, 14, and 15, on page 3 of the bill, I think, refer simply to an amendment of section 13.

Mr. OWEN. I am going to suggest certain amendments immediately to that section, so as to make the language perfectly clear, and then let the amendments and the bill be printed and lie over. I shall not ask the Senate to act on the matter this morning, after suggesting the amendments so that any Senator will have an opportunity of examining the amendments which have been proposed and of understanding the reasons for them.

The VICE PRESIDENT. The amendment will be agreed to, without objection.

Mr. BRANDEGEE. Will the Senator from Oklahoma again state that amendment?

Mr. OWEN. The amendment was to have paragraph M added to section 11 of the bill; and I intend to move, in line 13, certain verbal changes, so as to make the language harmonious; but I am only able to take one step at a time.

Mr. SMOOT. Mr. President, if the Senator from Oklahoma is going to ask that the bill be recommitteed to the committee——

Mr. OWEN. I am not going to ask that it be recommitted to the committee.

Mr. SMOOT. I understood that the request of the Senator from North Dakota [Mr. GRONNA] to be that the bill be recommitted.

Mr. OWEN. No.

Mr. SMOOT. Then I misunderstood the Senator from North Dakota.

Mr. OWEN. My request was simply that the bill be printed for the information of the Senate, then to let it go over until we can act upon it without any condition being placed upon it, and without any suggested idea that it is not understood.

Mr. SMOOT. Then if any changes are to be made in any of the amendments, the amendments must be reconsidered on to-morrow or whenever the bill may hereafter be taken up?

Mr. OWEN. The amendments will be laid before the Senate in the same order, and any single point on an amendment will be open to amendment by any Senator who desires to amend it.

Mr. BRANDEGEE. I wish to make a suggestion to the Senator from Oklahoma. Inasmuch as he has stated that one of the amendments which he has proposed is going to be followed by another, I suggest that the Senator state both amendments now, so that we may see what the effect of both amendments will be before we agree to one amendment.

Mr. OWEN. Mr. President, I move, coincidently with the amendment I have suggested, in line 13, page 3, that the words "section 13 of" be stricken out, and that, in line 15, the words "to read" be stricken out, so as to read:

That the act approved December 23, 1913, known as the Federal reserve act, be amended as follows.

The VICE PRESIDENT. The amendment is agreed to, without objection.

Mr. OWEN. Then I desire to follow that insertion as to section 11 by the words "amend section 13 to read as follows," which makes the language harmonious.

The VICE PRESIDENT. The amendment proposed by the Senator from Oklahoma will be stated.

The SECRETARY. Before the words "any Federal reserve bank," in line 16, page 3, it is proposed to insert the words "Amend section 13 to read as follows."

Mr. BRANDEGEE. I think that should read:

That section 13 be amended to read as follows.

Mr. OWEN. I accept that suggestion, and ask that it be amended so as to read:

That section 13 be amended to read as follows.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. OWEN. On page 9 I move to strike out, in line 4, the words "act approved December 23, 1913, known as," and to insert, after "the," the word "said," so as to read:

That section 16, paragraphs 2, 3, 4, 5, 6, and 7 of the said Federal reserve act be amended and reenacted so as to read as follows."

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. WEEKS. Mr. President, do I understand that all of these amendments are to be printed for the information of the Senate and taken up for consideration the next time the bill comes before the Senate?

Mr. OWEN. Yes.

Mr. WEEKS. I have several times heard the Vice President put an amendment to a vote.

Mr. OWEN. These amendments are only to perfect the committee amendment. After the committee amendment shall have been perfected the amendments will themselves be subject to suggested amendments, I take it, from the floor. Would that not be the correct parliamentary position, Mr. President?

The VICE PRESIDENT. The Chair does not think there is any doubt about that.

Mr. OWEN. I am only perfecting the committee amendment so that the matter may then be acted upon by the Senate. If the Senator from Massachusetts then wishes to offer an amendment to the amendment as proposed by the committee, he will be at liberty to offer it.

Mr. CLARK of Wyoming. But the amendments themselves, if action is had upon them, would have to be reconsidered for that purpose, would they not?

Mr. OWEN. If any Senator asks that an amendment be reconsidered, I shall certainly agree to the request.

Mr. CLARK of Wyoming. But the parliamentary situation is what I desire to get at.

Mr. OWEN. What the Senator from Wyoming states is true; but I say I shall readily agree to any request for the reconsideration of an amendment.

Mr. CLARK of Wyoming. But it would require a formal reconsideration of the vote whereby the amendment was agreed to.

Mr. OWEN. Mr. President, that perfects the amendments to the amendment, except an amendment to correct a verbal error. On page 10, line 12, where the word "reserves" is plural, it should be singular. I move in that line to strike out the word "reserves" and to insert in lieu thereof the word "reserve."

The amendment was agreed to.

Mr. BRANDEGEE. Has the Senator from Oklahoma now finished with his proposed amendments for this morning?

Mr. OWEN. Yes; I have.

Mr. BRANDEGEE. I did not want to interrupt the Senator at all, but before the bill is laid aside to be printed, I desire myself to make one or two suggestions. I will do so now, if I do not interrupt the Senator.

Mr. OWEN. I was going to ask that the bill be printed and lie over.

Mr. BRANDEGEE. I will agree to that, if the Senator will withhold the request until I have made a few suggestions, which he will have an opportunity to agree to or disagree to. They are verbal changes.

Mr. OWEN. I yield to the Senator from Connecticut.

Mr. BRANDEGEE. I wish to make a further suggestion to the Senator. For instance, take page 3, where the first committee amendment appears. Beginning with line 16, I notice that each one of the committee amendments printed in italics bears quotation marks at the beginning and end of each amendment. Inasmuch as this bill provides that certain sections of the Federal reserve act are to be amended "to read as follows," does the Senator think the amended sections ought to be left in quotation marks, so that they will appear in that way in the Federal reserve act?

Mr. OWEN. I will say to the Senator that in the report of the committee those quotation marks were used, but I do not think they should be used; in fact, I think they should be omitted.

Mr. BRANDEGEE. Then I suggest that in the reprint to be made of the bill the quotation marks be omitted.

Mr. OWEN. I accept that amendment.

Mr. BRANDEGEE. Then the law will be in proper form in case the bill is passed.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. BRANDEGEE. Now, Mr. President, I suggest, on page 8, line 11, that the word "And," the first word in the line, beginning a new sentence, should be stricken out and the word "Such" should be substituted in its place.

Mr. OWEN. That would be better English. I agree to that.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. BRANDEGEE. On page 9 there is a word which differs entirely from the language used in connection with other sections of the Federal reserve act which are amended. I call attention to line 6, on page 9, where it is said "the Federal reserve act be amended and reenacted so as to read as follows:"

Mr. OWEN. The words "and reenacted" may go out with propriety.

Mr. BRANDEGEE. I think they should be stricken out.

The SECRETARY. On page 9, line 6, after the word "amended," it is proposed to strike out the words "and reenacted."

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. BRANDEGEE. On page 14, lines 1, 2, and 3, read:

That section 24 of the act approved December 23, 1913, known as the Federal reserve act, be amended so as to read as follows.

Should not the words "Section 24" precede the beginning of line 5, so as to have those words a part of the section?

Mr. OWEN. That should be done.

The SECRETARY. On page 14, line 5, before the word "Any," it is proposed to insert the words "SEC. 24."

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. BRANDEGEE. Now, should not the subhead in line 4 be stricken out?

Mr. OWEN. The subhead should be stricken out.

The SECRETARY. On page 14, line 4, it is proposed to strike out the subhead "Loans on farm lands and other real estate."

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. BRANDEGEE. On page 17, line 4, I notice there is a provision reading as follows:

If at any time the Federal Reserve Board shall ascertain that the regulations prescribed by it are not being complied with, said board shall be authorized and shall have power to institute an investigation of the matter—

And so forth.

I think it would be an improvement to say "said board is hereby authorized and empowered."

Mr. OWEN. That would be better English.

The SECRETARY. On page 17, line 6, after the word "board," it is proposed to strike out the words "shall be" and insert the word "is"; and in line 7, after the word "and," to strike out "shall have power" and insert "empowered," so as to read:

If at any time the Federal Reserve Board shall ascertain that the regulations prescribed by it are not being complied with, said board is authorized and empowered to institute an investigation of the matter.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. BRANDEGEE. In line 21, I think the idea intended to be conveyed would be more effectually expressed if it said "profit or loss accrued," instead of "accruing at each branch."

Mr. OWEN. I think either word would suffice; but I have no objection to the amendment.

Mr. BRANDEGEE. I think "accruing" contemplates a continuing process, while "accrued" contemplates a completed one.

The SECRETARY. On page 17, line 21, after the word "loss," it is proposed to strike out "accruing" and to insert "accrued."

Mr. OWEN. I accept that amendment.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. HITCHCOCK. Mr. President——

Mr. OWEN. I yield to the Senator.

Mr. HITCHCOCK. Mr. President, I can not permit to go unchallenged the extraordinary statement made here on Friday by the Senator from Kansas [Mr. CURTIS] in condemnation of the Federal reserve act; nor can I permit to pass without notice his equally erroneous statement concerning the Vreeland-Aldrich Act. For the first time, so far as I know, a Republican of responsibility has ventured to attack the Federal reserve act, which may be termed the great constructive business—saving and commerce—promoting act of this administration.

Recently a Republican national convention met in Chicago, not only for the purpose of proclaiming Republican principles and Republican purposes, but also, evidently, for the purpose of pointing out weaknesses in the Democratic armor and condemning Democratic mistakes. That representative Republican convention did not venture to say one word in criticism of the Federal reserve act, which has done so much to mobilize the great banking resources of the United States, to protect the business world, and to establish upon a firm basis American credit.

Mr. President, how did it happen that this great Republican convention did not dare even to mention the Federal reserve act, which has revolutionized American banking and credit? It is an act which has commanded the attention of the world, and which may well be pointed to as the greatest achievement of President Wilson's administration. Why did the Republican convention ignore it? Mr. President, it was evidently for the reason that an attack upon that act would have been an affront to the intelligence of the American people and would have injured the Republican Party, rather than aided it. And so the Republican convention was silent. But the Senator from Kansas, more venturesome than his party, puts into the RECORD here some of the most reckless and unwarranted statements concerning this Federal Reserve System.

Mr. President, in the first place, the Senator from Kansas declares that the Vreeland-Aldrich Act—yes, he says the "Republican" Vreeland-Aldrich Act—of 1908 was used by this administration to save the country from panic. He is mistaken. The Republican Vreeland-Aldrich Act of 1908 was never used.

Mr. SMITH of Georgia. It could not have been used.

Mr. HITCHCOCK. Of course it could not have been used. From the date it was enacted it was an obsolete law, an unworkable law. It was unworkable because it provided a rate of interest or a rate of tax on emergency currency so high that no bank could avail itself of it without practically confessing bankruptcy. It was unworkable because it provided for currency associations which the banks themselves would not accept and operate under. It was unworkable because it did not permit national banks as individual borrowers to avail

themselves of its provisions, unless they had a bond-secured note issue already outstanding equal to 40 per cent of their capital; and we know that most of the larger banks of the country have never had and never will have any such amount of currency outstanding. Thus the big banks of the country could not get currency. So, Mr. President, I say that the Republican Vreeland-Aldrich Act of 1908, rather than having been used by this administration to protect the country from a panic, was never used from the time it was enacted. It was not used until the Democratic Congress had amended it twice, and then it was no longer what Senator CURTIS calls the Republican Vreeland-Aldrich Act.

The first amendment appears as a part of the Federal reserve act itself, which was enacted in December, 1913. That amendment reduced the rate of interest on emergency currency, so that, instead of paying 7 per cent for a 90-day emergency note, a bank could be able to procure it for 3 per cent.

Mr. CURTIS. Mr. President——

Mr. HITCHCOCK. It reduced the rate of interest on long-time emergency notes so that a bank, instead of attempting to pay the impossible rate of interest of 10 per cent on currency to loan to its customers, could secure it for 6 per cent.

Mr. CURTIS. Mr. President——

The PRESIDING OFFICER (Mr. BECKHAM in the chair). Does the Senator from Nebraska yield to the Senator from Kansas?

Mr. HITCHCOCK. I yield.

Mr. CURTIS. Does not the Senator know that the Secretary of the Treasury says in his report of December 1, 1913, that the offer to issue $500,000,000 under the Aldrich-Vreeland Act prevented a panic, and that no request was made for the money because it was not needed, but as soon as the offer was made to issue it confidence was restored?

Mr. HITCHCOCK. I heard the Senator make that statement.

Mr. CURTIS. I read that statement from the report of the Secretary of the Treasury.

Mr. HITCHCOCK. Yes; and when was that statement made by the Secretary of the Treasury?

Mr. CURTIS. In December, 1913.

Mr. HITCHCOCK. That was after the Vreeland-Aldrich Act had already been amended so as to make it workable. He could not have made that statement before it has been so changed, it would not have been workable; his offer could not have been accepted by the banks, because they could not have availed themselves of the law in its original form.

Mr. SMOOT and Mr. WEEKS addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Utah?

Mr. HITCHCOCK. I do.

Mr. SMOOT. The Senator knows there was no occasion to use the currency before that time. There was nothing in the business of this country that would justify the banks in calling for it. But if there had been a panic, the rate of interest that was provided for in the Vreeland-Aldrich Act in the first place would not have prevented the use of that currency throughout the United States. I take it for granted that the Senator is sufficiently familiar with the business of this country to know that the rates that were provided in that bill would not have prevented its use if a panic had occurred; but no panic occurred, and no occasion for its use arose.

Mr. HITCHCOCK. I am very much interested to hear the views of the Senator from Utah, but the fact was that until the Vreeland-Aldrich Act was amended it was not accepted by the bankers. We know that the Treasury authorities of the United States urged the banks of the country to form currency associations, and that for two or three years after it passed there was only one currency association formed in the United States, and there never was a Vreeland-Aldrich currency association formed and put into successful operation.

Mr. WEEKS. Mr. President——

Mr. HITCHCOCK. There never was a currency association that brought any relief to the country. The only feature of the Vreeland-Aldrich Act which was ever workable at all was that feature which provided for the issue of emergency notes direct to the individual bank; and that feature was only made workable and acceptable to the banks when the interest rate was reduced to 3 per cent on 90-day currency.

Even then the Vreeland-Aldrich Act was not available to most of the banks in the big cities, because it denied the use of emergency currency to banks which did not have a bond-secured currency equal to 40 per cent of their capital. Many of the banks of the big cities and hundreds of those throughout the country did not have any such amount of bond-secured currency. Therefore it was necessary to amend the Vreeland-Aldrich Act again and allow emergency currency to banks whether they had bond-secured currency or not. The Vreeland-Aldrich Act had limited the amount of emergency currency to $500,000,000. This limit was now repealed. The Vreeland-Aldrich Act had limited the amount for any single bank to 100 per cent of its capital and surplus. This was now raised to 125 per cent, and the Vreeland-Aldrich Act, by these extensive changes, some of them made in December, 1913, when the Federal reserve act was passed, and the rest of them made in August, 1914, just after the outbreak of the war, was radically changed and placed in operation.

So I repeat that the old Republican Vreeland-Aldrich Act, referred to by the Senator from Kansas, was never placed in operation; it could not have been placed in operation, and by general confession it was a dead letter until the time it was amended by the Democratic Congress in the Federal reserve act.

Mr. SMOOT. Mr. President, the Senator must admit, however, that after the Vreeland-Aldrich bill had been amended as he has referred to here that act itself would never have been made use of by the banks of this country unless occasion arose to use it, and that could only happen in case of a threatened panic, which did happen at the beginning of the European war. Ordinarily no commercial bank in this country would pay 3 to 6 per cent for money. The Senator knows banks could not afford to do it; and therefore, as far as the Vreeland-Aldrich Act was concerned, it was intended and was an emergency measure pure and simple.

Mr. HITCHCOCK. Mr. President, I can not submit to anything but a question, because there are only a few minutes remaining.

Mr. WEEKS. Mr. President——

Mr. HITCHCOCK. But if, as the Senator from Utah says, no bank in the country could afford to pay 3 per cent for money, how ridiculous for the Republican Congress to have written into the Vreeland-Aldrich Act a condition that the banks could not get emergency currency for their customers except by paying at the rate of 7 per cent for 90 days and at the annual rate of 10 per cent for six months. How ridiculous to hold that offer out to them, if, as the Senator from Utah says, they could not afford to pay even 3 per cent for money.

Mr. SMOOT. I stated in ordinary times, but if there was a panic on they could pay 5 per cent, or they could pay 6 per cent, or they could pay 10 per cent, if it would save them from failure.

Mr. HITCHCOCK. It was the purpose of the Democratic administration not to have "a panic on." In that respect the Democratic administration was different from previous Republican administrations. The Vreeland-Aldrich Act was intended to attempt to remedy a panic after it had arrived. The purpose of the Democratic legislation has been to prevent a panic, and that has been achieved. It is fair to say that the Democratic Congress did the wise thing when, at the time it enacted the Federal reserve act for the permanent good of the country, it also provided for such amendments of the Vreeland-Aldrich Act as would make it workable, and then extended its existence over a number of months to June 30, 1915, pending the time that the new Federal Reserve System should be placed in operation.

Mr. WEEKS, Mr. CURTIS, and Mr. NORRIS addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Massachusetts?

Mr. HITCHCOCK. I do, very briefly, as I want to finish in a few minutes.

Mr. WEEKS. I do not wish to take the Senator's time, but I am astonished that so intelligent a student of banking matters as is the speaker should make such statements. I will hazard the opinion that he can not find a responsible banker in the United States who will state, over his signature, that any change was made in the Aldrich-Vreeland Act by the legislation to which the Senator is referring which had anything to do with putting it into operation.

Mr. HITCHCOCK. I am amazed at that statement from the Senator from Massachusetts.

Mr. WEEKS. Well, I make the statement, and I challenge the Senator to disprove it.

Mr. HITCHCOCK. The Senator from Massachusetts was a Member of this body, as I was, and he was a member of the committee, as I was; and he knows that ingrafted upon the Federal reserve act were provisions made by this Democratic Congress, and, I think, voted for by the Senator from Massachusetts himself, which made possible the operation of the Vreeland-Aldrich Act——

Mr. CURTIS and Mr. WEEKS addressed the Chair.

Mr. HITCHCOCK. And that that same act was again amended, four days after the war in Europe broke out, so that the banks of the country availed themselves of it to the extent of $382,000,000 in emergency currency——

Mr. NORRIS and Mr. WEEKS addressed the Chair.

Mr. HITCHCOCK. And by that means a panic was prevented.

Mr. WEEKS. There were changes made in the Aldrich-Vreeland Act in the Federal reserve bill; but that they had any influence in putting that act into operation I deny, and I repeat that the Senator can not find a responsible banker in the United States who will say that they did have. The fact is, as the Senator from Utah [Mr. SMOOT] has stated, that there never had been, during the life of the Aldrich-Vreeland Act, any occasion to put it into operation. The rates that were prescribed in the original bill were made to conform to the average and ordinary rates that were paid for taking out clearing-house certificates. They were taken out, without regard to the rates, when it was necessary to do it; and if there had been occasion——

Mr. HITCHCOCK. Mr. President, I must ask to have the floor. I have only a few moments remaining.

Mr. WEEKS. I beg the Senator's pardon.

Mr. HITCHCOCK. And now I want——

Mr. CURTIS and Mr. NORRIS addressed the Chair.

Mr. HITCHCOCK. I decline to yield, because I have only a few moments.

Now, Mr. President, permit me to come, for the remaining moments of my time, to the Federal reserve act, which has been thus recklessly attacked by the Senator from Kansas. He states in his speech that the cost of maintaining the Federal reserve banks and the Federal Reserve System is paid by the Government of the United States. If he has read the bill, he certainly can not think such a thing to be the fact. Whatever cost there is of maintaining the Federal Reserve System falls upon the banks that are parts of the system, not upon the Government of the United States, not upon the taxpayers of the United States. If these reserve banks temporarily work at a loss, the loss falls upon the 7,500 national banks of the United States which make up the system; and they have been compensated a thousand times over for any such cost of this system. Why, Mr. President, this system has brought into one firm organization 7,500 banks of the United States that formerly stood each alone. It has mobilized their great capital, their huge deposits, and their vast resources into one great system under the control of the Federal Reserve Board. The result has been that a vast sum of money has been released from the idle reserves of 7,500 banks for the use of the people of the United States. Interest rates all over the United States have been stabilized and lowered, yet bank dividends have been increased by reason of the great growth of deposits. There are in deposits over two thousand million dollars to-day in the national banks of this system more than there were at the time the Federal reserve act was passed, and loans have increased in equal proportion, but at lower rates.

Mr. President, what has become of the annual cry that formerly went up under Republican administrations of the difficulty of moving the crops? Gone, and gone forever. The crops are now moved as regularly and as simply by the operations of this act as if there were no money required for the purpose. In the great crisis of the war the Federal Reserve System, hardly ready to be placed in operation, and in its very infancy, grappled with the great problems which confronted the country, and within a few moments was able to bring order and confidence to the business world in the United States.

Under the protection of the Federal Reserve System the United States alone, of all the countries on the Western Hemisphere, has enjoyed an unparalleled prosperity. There has been a stability of business, an abundance of credit, and a confidence among bankers never known before in the history of wars.

Mr. SUTHERLAND. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Utah?

Mr. HITCHCOCK. For a question.

Mr. SUTHERLAND. Just a question. Does the Senator from Nebraska think that the Federal reserve act has been responsible for the increased deposits in the banks and the lowering of the rates of interest?

Mr. HITCHCOCK. I have no doubt of it in the world; no doubt of it in the world.

Mr. SUTHERLAND. Then——

Mr. HITCHCOCK. For the first time in history the great resources of the United States have been mobilized. For the first time in the history of America credit has been stabilized. For the first time in the history of the United States it has been taken out of the power of a few great financial interests to bring about periodic panics and periodic stringencies.

Mr. SUTHERLAND. Let me ask the Senator——

Mr. HITCHCOCK. Now, whenever the need for additional credit or currency comes we have in this reservoir of the Federal Reserve System hundreds of millions of gold and thousands of millions of available credit. We have on hand now under a single control $400,000,000 in gold and several times that amount of loanable credit.

Mr. SUTHERLAND. Now, may I ask the Senator a further question there? Does the Senator from Nebraska think that the tremendous flood of money that has come to this country from European countries engaged in war has had nothing to do with increasing the amount of money which we have on hand, and the consequent decrease in the rates of interest?

Mr. HITCHCOCK. Oh, Mr. President, I have no doubt that that has had its influence; but that flood of money would not have come, our manufacturing interests could not have been financed, our banks might have been entirely unable to grapple with the situation, if it had not been for this system. Even now this country would be unable to reach out to get the great foreign trade which is to be changed in its course after this war if it were not for a system which unites in one organization all of the banks of the country that formerly stood separate rivals to each other. And, Mr. President, it must be remembered that during this same time the United States has shown its wonderful powers by buying thousands of millions of its own securities from stricken Europe, and that was only possible by the operations of this national system, uniting thousands of banks.

Mr. President, Republicans here, as a campaign measure, may smile and make speeches for campaign purposes; but the financial writers and statesmen of every country in the world have acknowledged the excellence of this system which has been established in the United States. There is not any other neutral country in the world that shows the degree of prosperity which has been developed in the United States during this war under this administration.

Mr. President, I doubt whether my Republican friends will care to prolong this discussion of the Federal Reserve System to any great length. It would be a poor campaign policy for them. The fact is that the Federal reserve act received in this body at least 7 Republican votes; it received in the House of Representatives 35 Republican votes, 6 Progressive votes, and 1 Independent vote; and if the Senator from Kansas had the temerity to offer here a bill to repeal the Federal reserve act, I doubt whether it would receive any vote except his own.

Mr. CURTIS. Mr. President——

Mr. HITCHCOCK. The Federal reserve act is like some other acts of this administration. It has received so many Republican votes in its passage, and has been so vindicated by experience, that a great national convention of Republicans assembled in Chicago has not had the temerity to attack it. It has been vindicated by experience and accepted as a great evidence of the fact that the Democratic Party is possessed of constructive statesmanship—a matter which our Republican friends in the past have delighted to question.

Mr. President, I believe if we could make a list here of Republican Senators and of Republican Members of the House of Representatives who have at different times voted for Democratic measures like the Federal reserve act, the rural-credits bill, the Federal Trade Commission bill, the Clayton antitrust bill, and other acts of this administration, the list of Republicans would be so long that there would be a very small minority still holding out against these great measures.

It is true, Mr. President, that the Republican convention recently assembled made a criticism of the rural-credits bill recently passed by this Congress, criticized it and condemned it; yet how many of you Republican Senators on the other side opposed it on its final passage? Only five, and three of you were members of the resolutions committee of the Republican convention.

Mr. President, not only the Democrats of the country, not only the independent voters of the country believe that these great acts, led and headed by the Federal reserve act, have come as permanent reforms in this country, but there is a large section of the Republican Party ordinarily voting the Republican ticket which will reject such attacks as have been made by the Senator from Kansas on the Federal reserve act. Those voters proclaim it good, because they know that it has had a beneficent influence upon the business of the United States.

Mr. CURTIS. Mr. President——

Mr. SUTHERLAND. Let me ask the Senator a question before he takes his seat.

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Kansas?

Mr. HITCHCOCK. I do.

Mr. CURTIS. I do not ask the Senator to yield to me. I want to take the floor in my own right.

Mr. HITCHCOCK. I am through.

Mr. SUTHERLAND. Will the Senator from Kansas permit me to ask the Senator from Nebraska a question before he begins his remarks?

Mr. CURTIS. I will yield to the Senator from Utah for his question.

Mr. SUTHERLAND. The Senator from Nebraska has eulogized the Federal reserve act without qualification. The majority of Republicans have not been opposed to the principle of the Federal reserve act. It was a Republican principle, advocated by Republicans before the Democratic Party came into power. But the Republicans upon this floor criticized some of the provisions of the Federal reserve act; and I ask the Senator from Nebraska whether he can call to mind now any Republican upon this side who criticized certain features of that legislation any more vigorously than did the Senator from Nebraska himself?

Mr. HITCHCOCK. Mr. President, I criticized the bill in the making and helped to amend it, but when it reached the perfection that it did reach I voted for it with enthusiasm, and I have defended it consistently as the most remarkable piece of constructive legislation of recent years.

Mr. SUTHERLAND. Mr. President, the Senator concealed his enthusiasm from those sitting about him. Did the Senator vote with enthusiasm for the provision of the bill which called for 12 reserve banks instead of 4?

Mr. HITCHCOCK. The Senator knows very well that I advocated four reserve banks, but the Senator knows also that my chief fight was for certain provisions which concerned my constituents in the West. I insisted upon agricultural paper, including the notes of stock feeders and stock raisers, being recognized as paper suitable for rediscount even though it ran four, five, and six months, and as being just as much self-liquidating paper as the paper of the manufacturer or the merchant in the East and entitled to just as much consideration by the Federal reserve banks. I was successful in getting that amendment accepted. I urged also that national banks should be given the right to lend a certain amount of money upon farm lands, and upon that also I was successful and the provision was ingrafted in the bill. I urged also the incorporation of a provision for the guaranty of bank deposits, and the Senate also accepted that amendment, though it was later rejected by the House. It was after these amendments had been accepted which were vital to my constituents and under these conditions that I voted for the bill and have been glad that I had a share in its making.

Mr. CURTIS. Mr. President, I am a little surprised that the Senator from Nebraska should say that the reserve act was amended by the Democratic administration before the report to which I called attention was published. My statement to the Senate was that the report of the Secretary of the Treasury, Mr. McAdoo, to which I referred, was issued December 1, 1913.

The PRESIDING OFFICER. The hour of 12 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 15947) making appropriations for the naval service for the fiscal year ending June 30, 1917, and for other purposes.

Mr. CURTIS. The truth is—and I want to call the Senator's attention to it, and I do not want him to forget it in the future—the act to which he refers was not amended until August 4, 1914.

Mr. HITCHCOCK. The Senator is entirely mistaken.

Mr. SMITH of Georgia. The act was amended——

Mr. CURTIS. I can only yield for a question.

Mr. HITCHCOCK. The Senator is wrong in his statement.

Mr. CURTIS. I will print the separate amendment as a part of my remarks. I hold it in my hand.

The act referred to is as follows:

[Public, No. 163, 63d Cong.]

An act (S. 6192) to amend section 27 of an act approved December 23, 1913, and known as the Federal reserve act.

Be it enacted, etc., That section 27 of the act approved December 23, 1913, known as the Federal reserve act, is hereby amended and reenacted to read as follows:

"SEC. 27. The provisions of the act of May 30, 1908, authorizing national currency associations, the issue of additional national-bank circulation, and creating a National Monetary Commission, which expires by limitation under the terms of such act on the 30th day of June, 1914, are hereby extended to June 30, 1915, and sections 5153, 5172, 5191, and 5214 of the Revised Statutes of the United States, which were amended by the act of May 30, 1908, are hereby reenacted to read as such sections read prior to May 30, 1908, subject to such amendments or modifications as are prescribed in this act: *Provided, however*, That section 9 of the act first referred to in this section is hereby amended so as to change the tax rates fixed in said act by making the portion applicable thereto read as follows.

"National banking associations having circulating notes secured otherwise than by bonds of the United States shall pay for the first three months a tax at the rate of 3 per cent per annum upon the average amount of such of their notes in circulation as are based upon the deposit of such securities, and afterwards an additional tax rate of one-half of 1 per cent per annum for each month until a tax of 6 per cent per annum is reached, and thereafter such tax of 6 per cent per annum upon the average amount of such notes: *Provided further*, That whenever in his judgment he may deem it desirable the Secretary of the Treasury shall have power to suspend the limitations imposed by section 1 and section 3 of the act referred to in this section, which prescribe that such additional circulation secured otherwise than by bonds of the United States shall be issued only to national banks having circulating notes outstanding secured by the deposit of bonds of the United States to an amount not less than 40 per cent of the capital stock of such banks, and to suspend also the conditions and limitations of section 5 of said act except that no bank shall be permitted to issue circulating notes in excess of 125 per cent of its unimpaired capital and surplus. He shall require each bank and currency association to maintain on deposit in the Treasury of the United States a sum in gold sufficient in his judgment for the redemption of such notes, but in no event less than 5 per cent. He may permit national banks, during the period for which such provisions are suspended, to issue additional circulation under the terms and conditions of the act referred to as herein amended: *Provided further*, That the Secretary of the Treasury, in his discretion, is further authorized to extend the benefits of this act to all qualified State banks and trust companies which have joined the Federal Reserve System or which may contract to join within 15 days after the passage of this act."

Approved, August 4, 1914.

Mr. HITCHCOCK. Will the Senator yield to me?

Mr. CURTIS. Yes.

Mr. HITCHCOCK. Does the Senator dispute the fact that the Federal reserve act which was passed December, 1913, and which was reported in October or November previous, amended the Vreeland-Aldrich Act?

Mr. CURTIS. I say the Vreeland-Aldrich Act was amended in August, 1914, but also——

Mr. SMITH of Georgia. It was not amended until that time?

Mr. HITCHCOCK. It had been previously amended.

Mr. CURTIS. When?

Mr. HITCHCOCK. By positive act.

Mr. CURTIS. In December, 1913, so as to extend its operation until June 30, 1915, and as to the rate of interest.

Mr. HITCHCOCK. That was not all. There was an additional amendment.

Mr. CURTIS. I want to call the Senator's attention to this report. This report was issued December 1, 1913. It is the report of the Secretary of the Treasury, and it says:

$500,000,000 EMERGENCY CURRENCY ANNOUNCEMENT.

A special session of Congress convened on April 7, 1913, and immediately began to consider the important questions of tariff and currency reform. The vast economic changes involved in these two important questions had the natural effect of causing in many quarters apprehension as to the possible effects of the anticipated legislation. A feeling of unrest began to pervade business circles. This was accentuated by a certain propaganda of pessimism which, whether designedly or not, produced a condition of extreme nervousness and tension. In the early part of June this assumed a serious aspect. Complaints began to reach the department from many parts of the country that credits were being restricted, and that it was increasingly difficult to secure funds for the normal needs of legitimate business. To what extent these reports were justified there was no exact means of ascertaining, but the general conditions indicated a more or less acute state of affairs. In order to relieve anxiety and to let the business interests of the country understand that there was no occasion for unreasonable restriction of credits, and to destroy apprehension based upon unjustifiable fears, and to assure the country that the means were at hand to cope successfully with any situation that might arise, the Secretary announced that there was actually on hand in the Treasury and ready for immediate delivery to any and every bank complying with the requirements of the law, $500,000,000 in new national-bank note currency, which the Secretary said he would not hesitate to issue under the provisions of the Aldrich-Vreeland Act of May 30, 1908, to banks making application therefor in accordance with the terms of that act. The relief occasioned by this announcement was instantaneous. Confidence of the banks in their ability to meet the demands of their customers was largely restored and the unfavorable symptoms promptly disappeared. So completely effective was this action that none of the $500,000,000 of currency was applied for by the banks.

That was issued before the Democratic majority amended the act of 1908 in any respect.

If the Senator read the speech I made the other day——

Mr. NORRIS. Will the Senator state what report that is?

Mr. CURTIS. It is the report of the Secretary of the Treasury of December, 1913.

Mr. GALLINGER. Secretary McAdoo's report.

Mr. CURTIS. Secretary McAdoo's, the Democratic Secretary of the Treasury.

If the Senator read my speech with any view of criticism, he should have the fairness to say that when the question was asked me by the Senator from Colorado, if I favored repealing the Federal reserve act, I said no, but that I would materially amend the act. If it is so successful, why should you gentlemen on the other side want to materially amend it? Since it was written on the statute book you have amended it four times, and you are now asking for the fifth amendment. If it was so perfect, so workable, why so many amendments?

Mr. HITCHCOCK. Mr. President——

Mr. CURTIS. I would amend the act so as to make it less cumbersome. The Senator says it is not expensive to this country, yet the report of the Secretary of the Treasury giving the

expenses of putting it in operation and its maintenance to December 31, 1915, was quoted by me and put in the RECORD, and it shows that it has been quite expensive. It is not only expensive to the Government, but it is expensive to the banks. You have taken money from the banks and have it lying idle, and they are receiving no dividends and no interest. Every national banker in this country will tell you how expensive it is to his bank.

More than that, as was stated by the Senator from Massachusetts, when the original bill was being considered in 1913 about 75 per cent of the act was Republican. That part of it is good. The 25 per cent that is Democratic seems to be bad. You on the other side will keep on amending it until you get rid of the objectional features and if you do not finish it when the Senate becomes Republican after the 4th of next March and the House becomes Republican, the Republicans will amend it so that it will be workable and less expensive to the people of this country.

Mr. HITCHCOCK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Nebraska?

Mr. CURTIS. Certainly.

Mr. HITCHCOCK. The Senator seems to be disturbed because the Federal reserve act has been amended and is likely to be amended again. Will he turn his mind for a moment to the great Republican constructive measure known as the national banking act, and tell the Senate how many times it was amended before it became satisfactory?

Mr. CURTIS. In its lifetime it was amended a good many times, but that act was passed during the war period. The Federal reserve act was not passed until after the National Monetary Commission, composed of both Republicans and Democrats alike, had worked more than four years upon it and had it in an almost perfect condition. The Senator knows that as well as I do.

Mr. HITCHCOCK. Will the Senator say the national banking act was amended less than 20 times?

Mr. CURTIS. It lasted 55 years. You have amended this act four times in two years and are now asking to amend it again.

Mr. HITCHCOCK. So the amendment of this act by the administration which enacted it is simply toward its perfection in the light of experience. The Senator will not object to that?

Mr. CURTIS. It shows that the matter which was put in by your side was not properly digested or considered.

Mr. HITCHCOCK. That is true of the banking act. It is true of any legislation.

Mr. CURTIS. The Senator from Kansas is not objecting to amending the act. I want to see it amended. I want to see it made workable. I want to see it made less expensive not only to the people of the country but to the bankers. I want to see it amended so it will give relief. That is what I said to the Senator from Colorado. I would favor putting back on the statute books the act of 1908, the Aldrich-Vreeland Act, under which money could be furnished to move crops as it was furnished before the act of December, 1913, was put upon the statute books.

Mr. SMITH of Georgia. Mr. President, it is now lacking only a few days of two years since the beginning of the European war, but we must all still remember the feeling of financial suspense which spread over the country the last of July and first of August, 1914. It was known that large quantities of American securities had been dumped upon the markets in New York City. There had not been time to put the new reserve banking system into operation. The people all over the country were needing money and wished enlargement of credits.

It was feared that the big banks in the large cities, instead of enlarging credits, would call upon the smaller banks throughout the country for settlements; that instead of broadened credits a curtailment of credits would take place. With this once begun, the big banks calling upon the smaller banks for settlements, the smaller banks would have been compelled to call on their creditors for settlements, and so all down the line liquidation would have been the rule.

With the depression incident to the European disturbances temporarily affecting adversely all parts of the country, liquidation would have meant forced settlements and forced sales, and a national panic would have followed.

I do not believe this country ever faced a more dangerous financial condition than that of August 1, 1914. The panic was averted, due to the wise financial legislation passed during the present administration. The Senator from Kansas is mistaken when he asserts that to the Aldrich-Vreeland Act is due the credit for the manner in which this country withstood the financial pressure of the summer and fall of 1914. There never was a bank note issued for circulation under the Aldrich-Vreeland Act until after amendments were made to it in December, 1913.

Mr. CURTIS. Mr. President——

Mr. SMITH of Georgia. I decline to yield at present.

The first real life was put into that act by legislation adopted in December, 1913, strengthened, as it was, by the legislation of August, 1914. The Aldrich-Vreeland Act was passed in 1908. The act expired by limitation under its own provisions on the 30th day of June, 1914. It authorized national banks to make an increase of currency through the issue of their own notes for circulation under certain restrictions. Those restrictions were so severe that no bank had ever availed itself of the act to issue any notes. They were so severe that no bank could issue notes under it without practically conceding great financial distress, damaging to the standing of the bank availing itself of the act.

Let me take up, first, the tax feature of the act. A national bank issuing its own notes for circulation under this act was required to deposit an amount equal to 5 per cent of the notes so issued in gold with the Treasurer of the United States and to maintain such a deposit for redemption of its notes. The bank, therefore, only obtained an increase of circulation of 95 per cent of the notes which it issued, 5 per cent of its circulation having been curtailed by the gold deposit. The act then required the bank so issuing these notes to pay 5 per cent per annum on the average amount of such notes in circulation for the first month of the circulation, and added 1 per cent more for the second month, 1 per cent more for the third month, 1 per cent more for the fourth month, 1 per cent more for the fifth month, and thereafter a continuing tax at the rate of 10 per cent per annum. So that the tax which the bank paid on its own notes put in circulation was to be 5 per cent per annum for the first month, 6 per cent per annum for the second month, 7 per cent per annum for the third month, 8 per cent per annum for the fourth month, 9 per cent per annum for the fifth month, 10 per cent per annum for the sixth month, and 10 per cent per annum thereafter, while the actual increase of the circulation which the bank obtained was only 95 per cent of the notes issued.

The security required from the bank to be deposited with the Treasurer to permit this note issue was of such a character that it could only be furnished by a few of the large banks of the country, and the average national bank was excluded entirely from the privilege of the issue, and the big banks, to make the issue of their notes, were compelled to pay the enormous charges I have described. All the national banks were limited in their rate of interest to 8 per cent, and under this tax placed upon the big banks the currency could not have gotten out to the smaller banks, much less to the public generally.

The Senator from Massachusetts desires to know the name of any bank that would only have utilized the act in consequence of the amendments passed in 1913 and 1914. I will state to him that an organization was made in my section under the Aldrich-Vreeland Act prior to the fall of 1913, but that no currency was ever issued, and my attention was called by members of the organization to the heavy interest charges and to the difficulties of issue surrounding the Aldrich-Vreeland Act and to the necessity for changes in the act to make it available.

Mr. WEEKS. Will the Senator yield to me?

Mr. SMITH of Georgia. Yes.

Mr. WEEKS. I will make the same general statement to the Senator from Georgia that I did to the Senator from Nebraska, that he can not find a responsible banker in the United States who will say, over his own signature, that the change made in the law to which the Senator is referring had anything to do with the issuing of circulation when the stress came. In other words, it would have been issued as readily under the old provision of the law as under the new.

Mr. SMITH of Georgia. And I reply I have no doubt hundreds of them can be found who will make it. No such written statements have been before suggested, so I can not furnish them at this instant.

Mr. WEEKS. Of course not.

Mr. SMITH of Georgia. But I am sure they can be obtained.

Mr. WEEKS. I hope the Senator will take occasion to find it.

Mr. SMITH of Georgia. I may do it to gratify the curiosity of the Senator from Massachusetts, but any sane man studying the subject can see it is unnecessary to gratify his curiosity to know the truth. Let us see what change has been made in the tax levied by the Aldrich-Vreeland Act. I invite the Senator to furnish statements from banks that issued notes under the amended act that they would have issued their notes and paid the 10 per cent tax.

Now, let us see how the Aldrich-Vreeland Act was changed in December, 1913. I am quite familiar with it, as I offered the amendment in the Democratic caucus; it was approved by

the caucus, reported to the Senate by the Banking and Currency Committee, and unanimously adopted by the Senate. There was not a Republican vote against the modification. Let me state the modification.

The amount of the taxes was reduced so as to make it a tax at which a bank could afford to issue notes for circulation. It was reduced so for the first three months the tax was at the rate of 3 per cent per annum upon the average amount of notes put in circulation under the act, increasing at the rate of one-half per cent per annum for each month until the tax of 6 per cent per annum was reached, and thereafter under no circumstances made over 6 per cent.

Under the Aldrich-Vreeland Act the tax was 7 per cent during the third month. Under the amendment it was only 3 per cent. Under the Aldrich-Vreeland Act the tax was 9 per cent the fifth month. Under the amendment it was 4 per cent the fifth month. So it will be seen that the amendment placed the rate of the tax at a figure which made it possible for a bank to issue the notes and put them in circulation, while under the Aldrich-Vreeland Act the rate was so high that it was impossible for a bank to issue the notes and put them in circulation.

The restrictions also of the Aldrich-Vreeland Act as to the amount of the issue and the character of the security excluded the large majority of the banks from utilizing the act.

Mr. WEEKS. Is the Senator willing to be interrupted?

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Massachusetts?

Mr. SMITH of Georgia. Yes.

Mr. WEEKS. I call the Senator's attention to the fact that sometimes during troublous times in this country national banks have had issued to them clearing-house certificates that bore from 6 to 7.3 per cent. They were willing to pay that rate of interest for the accommodation that was given them. The Aldrich-Vreeland rates were made somewhat lower than the average of clearing-house certificates for that reason and because there never has been an instance in the history of our emergencies when those clearing-house certificates have not been retired substantially within four months.

Mr. SMITH of Georgia. They never paid that tax to the Government. It was a contribution among themselves as a general security.

Mr. WEEKS. What difference does it make who paid it, as long as they paid it?

Mr. SMITH of Georgia. It was paid back to them on the final close of the transaction.

Mr. WEEKS. Not at all.

Mr. SMITH of Georgia. They never paid back anything.

Mr. WEEKS. The Senator from Georgia is entirely mistaken.

Mr. SMITH of Georgia. The Senator from Georgia is entirely informed about it as to some clearing-house associations.

Mr. WEEKS. The Senator may be as to one, but he is entirely misinformed as to every other one. I say they did pay those rates of interest and they never received the money back.

Mr. SMITH of Georgia. Who finally got the money?

Mr. WEEKS. The bank that loaned the money kept it.

Mr. SMITH of Georgia. Then the banks of the clearing house to which the Senator refers charged these high rates of interest to those borrowing the clearing-house certificates which they issued. The banks did not pay it to anybody. There was no tax on their clearing-house certificates. The public generally bore the immediate burden of these high charges, and the banks deemed it necessary to make the charge to justify the issue as their profit on the transaction. If the Government had placed a charge of from 5 to 10 per cent on the issue, how could the banks have afforded to issue the notes and use them?

Let me again call attention to the reduction of the tax made in the act of December, 1913. Instead of 5 per cent per annum for the first month, 6 per cent per annum for the second month, and 7 per cent per annum for the third month, the uniform rate for the three months under the amendment was 3 per cent per annum. This was a rate which the banks could afford to pay and put their notes in circulation, while the rate of the Aldrich-Vreeland Act was prohibitory.

Mr. President, not only was the change in the rate one which made the opportunity for the issue of notes for currency by the national banks practical, and relieved the notes from a charge that one might believe was intended to prevent their issue, but the character of the security required for the issue of the notes and the amounts of issue each bank was permitted to make were so changed as to facilitate the issue of the notes and make the measure practical.

In connection with the reduction of the rate of interest the life of the Aldrich-Vreeland Act was extended 12 months. Immediately after the beginning of the war, on August 4, 1914, an additional bill was passed broadly liberalizing the security required from each bank and the volume of the issue by each bank. Before this last amendment the banks of the city of New York were practically in a state of panic. For several days before August 4 they were declining to renew notes, and practically suspending credits to their customers all over the United States. The banks of New York and the big cities did this not to create trouble but because they dreaded a situation that threatened them and believed it necessary as a matter of precaution.

The national banking laws contained no sufficient opportunity for enlarging the currency, even after the reduction of the tax by the act of December, 1913. The securities required from the banks to make the increased note issue for circulation, and the limitation of the quantity of these notes that could be issued, left the banks with no proper facility for enlarging the currency to meet the great emergency which confronted the country.

On August 4, 1914, the amendment to the Aldrich-Vreeland Act was passed permitting largely increased volume of bank notes and broadening the securities which the bank must furnish, and giving the Secretary of the Treasury quite a discretion in passing upon those securities. The assurances of the Secretary of the Treasury to the bankers of New York that he would facilitate their effort to meet the crisis which confronted the country if they would liberally issue their bank notes under the law, vitalized by the amendments to which I have referred, changed the situation in New York City and in other financial centers from one of panic into one of buoyancy. Nearly $500,000,000 of bank notes were promptly put in circulation. Instead of curtailing credits the big banks broadened credits, and the liquidation which threatened the country with panic and ruin was averted by the wise legislation passed in a Democratic administration and through Democratic leadership.

But it was not the old Aldrich-Vreeland Act which saved the country. It was the life put into the corpse by the legislation passed in December, 1913, and since that time which met the emergency and averted disaster.

Now, I am never prone to make a partisan speech. I do not like to do it. I like to see Senators on both sides of the aisle side by side, without reference to party, all the time striving without any effort for party advantage just to serve the whole people. I would about as willingly join with a Senator on that side to help do something that I thought would serve all the people as to help a Senator on this side of the Senate. Occasionally we are obliged to draw the line and stand by our party associates. It is a fact, however, that the country was saved from perhaps the most serious financial disturbance that ever threatened by the wise legislation of December, 1913, and of August, 1914.

Mr. NELSON. Will the Senator allow me to make a suggestion?

Mr. SMITH of Georgia. Yes.

Mr. NELSON. While it may be true that that law had some sentimental effect, yet I think there were other causes and actions that operated to stay the panic which threatened at that time. Among other things I refer the Senator, and he will recall it, to the fact that during the early part of the war there was a large dumping of foreign securities sent to New York to be sold on the stock exchange, that it was depleting the gold supply in the country, and a great threat arose from that conduct. What did the banks do? What did the New York Stock Exchange do. The stock exchange was closed for a long period—I do not recall the time—and even the cotton exchange was closed. I think those things combined had as much to do as anything else with allaying the panic.

Mr. SMITH of Georgia. Mr. President, undoubtedly one of the elements that threatened us with the panic in the last of July and in August, 1914, was the dumping of our securities held abroad upon the American market. I understand that several hundred million reached New York in the early part of August, and it became necessary to care for them. It was the fact that the bankers felt that threat hanging over them which contributed to bring almost a condition of panic about August 1, 1914.

There were many elements of danger. Unquestionably it was wise to stop operations on the New York Stock Exchange, but even with the stoppage of the exchange the use of the note issue for currency by the National Government was essential to stay the threatened panic. Most of the Senators on the other side joined us in passing the bill of August 4, liberalizing the issue of bank notes.

We had already passed a bill cutting down the rate of tax. We together passed a bill to liberalize the issue in amounts and character of securities.

Mr. WEEKS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Massachusetts?

Mr. SMITH of Georgia. Yes.

Mr. WEEKS. Does the Senator from Georgia think that any Senator at that time could have afforded to have voted against a financial measure which tended to give relief, whether he belonged to the dominant party or not?

Mr. SMITH of Georgia. Mr. President, I answer no; and I go further and say that no Senator belonging to either party at any time ought to be willing to vote against a measure that will probably be beneficial to the country no matter from which party it comes. I do not believe in the doctrine of playing politics in legislation. I think the majority of the questions that confront us are really national, and that party politics should have little to do with them. Nothing pleases me more than to see the lines broken in behalf of measures that I think are really beneficial to the people of the country——

Mr. WEEKS. I think, Mr. President, the Senator would recognize the fact that many times during this administration the minority in this Chamber have been placed in a position where they must either refuse to support the Government in time of need or they must act in a partisan way. They have thrown away partisanship in all those instances, and I think we should have credit for it.

Mr. SMITH of Georgia. I have said all I desire to say, Mr. President. I simply insist that it is true that with one of the most dangerous panics threatening this country that ever confronted it the danger has been met, the machinery to relieve the stress has been provided, and it came largely from legislation passed in December, 1913, and in August, 1914, and any charge that Democrats can not meet a great crisis is without foundation.

We can congratulate the people of the country that no such financial crisis as that of the summer of 1914, after the European war began, can come upon us hereafter, for the banking and currency bill passed in December, 1913, is now in full and successful operation. By its safe and wise provisions opportunity is given for an enlargement of the currency in case of emergency, while at the same time the restrictions thrown round such enlargement prevent inflation and secure safety.

I believe it to be the greatest financial legislation ever passed in the history of this Nation, and while it stands to the credit of the present Democratic administration, in the White House and in Congress, its value to the people of the country rises above party, and I value it more on that account than I do for party reasons.

Mr. SHAFROTH. Mr. President, I desire to give notice that on Wednesday, at the close of the morning business, I will address the Senate on prosperity and the Federal reserve act.

NAVAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15947) making appropriations for the naval service for the fiscal year ending June 30, 1917, and for other purposes.

Mr. THOMAS. Mr. President, the amendment to the naval bill which I understand to be before the Senate is that relating to the so-called naval program, and to that amendment I wish to address myself for a few moments.

Mr. President, I am conscious of the fact that to oppose the program provided by the Senate amendment will not only be unavailing, but that it is also unpopular, if, indeed, it is not unpatriotic; yet at this time, and in view of the developments of the past 24 months and the effect of those developments upon the public mind, it is my belief that any vote cast against the bill as reported from the committee should be based upon some substantial reason—substantial, at least, to the man who casts it, if not convincing to those who are burdened with the necessity of listening to its expression.

I say it will be unavailing, Mr. President, because this so-called program has been worked up through a great many years. It has been inspired and enlarged and developed by a systematic appeal to public sentiment through the press, from the platform, through the medium of conventions, and by all the other modern processes, which have been multiplied for reaching the imagination and inspiring the fears and apprehensions, rather than the reasoning faculties, of the public.

The committee, Mr. President, has responded to this organized campaign, which found its ultimately successful stimulus in the developments and events of the great war now raging in Europe. That war, Mr. President, has given to those who believe in what some are pleased to call an "adequate Navy" and others an "incomparable Navy" the menace of an unseen but positive danger, and that has been preached so persistently that it perhaps may be fairly said half of the people believe it. The imagination has outlined it, and the picture has found material expression, not only through constant iteration and reiteration, but through illustrations and moving pictures, which have been utilized to make it more material and vivid, and it has been emphasized by the German crisis with which we were confronted within the last 60 days.

Consequently, Mr. President, when this bill came from the other House it embodied a naval program requiring the expenditure of a greater sum of money than was ever before appropriated for the purpose by any nation in history in times of peace. The House of Representatives, after a long series of hearings, after a full consideration of the needs of the Navy from every possible standpoint, and very soon after the great naval battle between the German and the British fleets off Jutland, determined to recommend a program unusually large, requiring an enormous amount of money for its purposes, and yet it provoked expressions of disappointment in many directions because of its alleged inadequacy.

Mr. President, that program provided for the construction of 72 ships, including capital ships, consisting of 5 battle cruisers, and carried with it an immediately available appropriation of somewhere in the neighborhood of $270,000,000. I do not know whether the program enacted in the other House and sent to the Senate would have been possible except for the effect upon public sentiment of the result of the battle off Jutland; but whatever may be the fact in that regard, it is a fact that the House presented the Senate with a naval program having no parallel in peace times in any country on earth. Great Britain has the greatest navy in the world; necessarily its annual appropriations have been greater than those of any other country; but not until the beginning of this war did Great Britain at any time in its history make an appropriation of $270,000,000 for naval purposes. The House of Representatives broke the record, Mr. President, both in the amount of the appropriation and in the number of ships to be constructed; and yet that enormous appropriation, that tremendous program, carrying with it the necessary expenditure of hundreds of millions of dollars of the people's money, has been denounced in many places and has been subject to criticism here because, forsooth, it has failed to meet a so-called great national emergency. And the Senate committee has rejected it because too small. It recommends a program for 157 ships, 66 of which are to be constructed at once.

Mr. President, I should, all things considered, remain silent if I did not vote for the program which has been so carefully thought out, so cautiously constructed, and so thoroughly considered by the House committee, which has given six or seven long months to hearings and to a determination of what its duty in the premises should be, but when to that have been added the stupendous increases of the Senate Committee on Naval Affairs, after the most careful consideration of the matter and of all the reasons which have thus far been advanced in support of it, I find myself unable to vote for its final passage.

Mr. President, we have heard much—and I have had occasion to refer to it heretofore—in season and out of season during the past 18 or 20 months, and from many sources, upon the subject of preparedness—a word as indefinite and as illusory as any in the English lexicon; a word which has a definite meaning and a different one in the mind of every individual discussing it; a word which extended to the Army and the Navy of the United States may embrace the addition of 1 per cent or of 1,000 per cent, and each included in its all-embracing proportions. So indefinite, indeed, it is, Mr. President, that many have sought to either modify or enlarge it according to the different point of view by the word "adequate," thus, Mr. President, adding to its vagueness and uncertainty.

What preparation is, what it is to be, is the subject of as many opinions as there are men and women in the United States; and those opinions run the gamut from practically nothing at all to a policy which, if adopted, would make this not only the greatest military and naval nation in the world, but for a long and historic policy inseparable from free institutions would substitute militarism pure and simple.

We have in America, Mr. President, many unconscious militarists, unconscious through their fears, through their interests, through their opinions, through their information; and, I am sorry to say, largely through their lack of it. In this connection I will read an editorial from the Saturday Evening Post in its issue of July 8 last, prompted by the passage of this bill in the other House. The article, though very short, covers the subject completely.

UNCONSCIOUS MILITARISTS.

The Navy bill, as it passed the House, appropriated $270,000,000, which is considerably more, to the best of our knowledge, than any other nation ever appropriated for a navy in time of peace—20 per cent more, for instance, than Great Britain appropriated in the fiscal year 1913–14.

Yet this provision for sea defense, we read, is miserably inadequate. Whether the appropriation was judiciously directed is immaterial for present purposes, because if it had provided more battleships and fewer cruisers it would still have painfully disappointed those who have become infected from Europe with exactly the same truculent, suspicious, invidious patriotism that caused the great war. They want a far bigger navy and conscription. Most of them, no doubt, are honest in saying they do not want militarism—being too excited to perceive the obvious fact that a huge navy and conscription are militarism.

You can readily see how it works. The extreme propaganda for preparedness consists in shouting to Uncle Sam that he is being insulted and browbeaten and is going to get licked; Germany is about to bombard New York; Japan is ready to land in California; he will be slapped in the face, have his goods stolen, and his throat cut. It consists, in fine, in inculcating a raw-sore spirit of truculent suspicion of his neighbors. Get that thoroughly inculcated and war follows as a matter of course.

Take your peaceably inclined man; tell him day by day that his neighbors are circulating insults and threats; that they are going to thrash him and sack his house. When you have nettled him to the point where he goes out looking for insults he will be quite sure to find one.

Mr. President, I heartily agree with the sentiment expressed in this short editorial. We are, and every advocate of this enormous naval program must be, a conscious or an unconscious militarist, because, although not so intended, it involves a complete transformation of the attitude of this country with regard to its Navy. The program outlined, while nominally confined to the period of three years, is a program upon which we will have entered indefinitely, which will be terminated either in another great war, in which we shall be a participant, or after the Nation is face to face with general bankruptcy.

Mr. President, it is contended that we need a Navy second to that of any other nation in the world for defensive purposes. Why we need one that is second only, if the argument in favor of this increase is sound, I am unable to see. If we need a Navy for our adequate protection so large as to be second to that of any other nation in the world, we are still defenseless as against that nation whose navy is larger than ours. If we are in danger of foreign invasion, what man can so correctly read the future as to exempt this Nation from a possible conflict with the mistress of the seas?

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Nebraska?

Mr. THOMAS. I yield for a question.

Mr. NORRIS. In furtherance of the Senator's suggestion that if there is still one navy larger than ours we are in the same danger we are in now, I want to ask the Senator, even though we have a larger Navy than any other nation, are we not still in a possible danger from a combination of nations? So that the only full relief, on the theory of protecting ourselves against every possible attack, would be that we must have a larger Navy than all the other nations of the world combined.

Mr. THOMAS. Mr. President, I thank the Senator for his suggestion, because every reason which is advanced and every apprehension that has been expressed as a justification for this naval program inevitably and necessarily leads to the inference suggested by the question of the Senator from Nebraska. I concede that if it can be demonstrated that we have no fear of Great Britain, that the currents of our trade and our international politics will never cross her's, we may be perfectly safe in providing a Navy sufficient to meet that of any other country; but, Mr. President, what is there to prevent a combination of the smaller-navy nations against this great Republic? Inasmuch as this is not only possible, but probable in these days of great international alliances, I am still unable to grasp that system of reasoning which would confine us in our operations to a second place among the navies of the world; and, Mr. President, it can only be reconciled, I think, to but one situation, which is that the nation against which such enormous preparation must be made is Germany, which is said to have the second navy in the world, although two of our very expert and competent admirals as late as December, 1914, testified that ours was the second navy in the world.

It may be, Mr. President, that Germany is the natural antagonist of the United States; I neither affirm nor deny it; but the fact lurking in the mind of nearly every one who insists that our preparedness program is satisfied only with a Navy second in the navies of the world, that the nation which is now said to be second is the antagonist we apprehend. Mr. President, Germany is a great military nation. It is an aggressive nation. It has the greatest army in the world, and before the outbreak of the war its battleships were multiplying more rapidly than were those of any other nation except England. It has sometimes cast its eyes longingly upon the Western Hemisphere, and on one or two occasions there have been differences between that country and ours which, were the destinies of this country in the hands of some one of these war-like citizens now beating the air for militarism, might easily have precipitated a conflict; but, assuming that that is so, Mr. President, does any one imagine that Germany will keep quiet and permit us to occupy the second position for which we strive without making an effort to still maintain it? Does not that mean a race in naval construction between the United States and Germany the success of which will depend not upon the dangers apprehended, but upon the length of the respective purses of the two nations; and does not that mean, Mr. President, that when one shows signs of exhaustion, the condition which naval construction has reached will inevitably produce the thing we apprehend and bring about that conflict which it is now declared can only be postponed by this system of adequate defense? No man who knows anything of the German people, no man, Mr. President, who has kept in touch with the events of the European war, can for a moment question the fact that if she can Germany will maintain her place as the possessor of the second greatest fleet and maintain it if she can do so in spite of our efforts to wrest the coveted prize from her possession.

It can not be Japan, Mr. President, that we fear. We hear now, and have heard for a good many years, a great deal about threatened trouble with Japan. I think war with Japan—trouble with Japan—has been a great, if not the greatest, asset of the advocates of preparedness during the last 15 or 20 years. Trouble with Japan is a matter of chronic apprehension. I read this morning that the Japanese were colonizing in Mexico, coming over in large numbers, notwithstanding the unsettled condition of that country, and doubtless for the purpose of inspiring some feeling of distrust among our people. Of course this is fiction. But, Mr. President, what is the Japanese naval strength? A very intelligent Japanese, Mr. K. K. Kawakani, in the North American Review of May, under the heading, "Shall America prepare against Japan?" draws a very interesting parallel between our own and the Japanese Navy. I read from page 677 of that magazine. He says:

Let us, then, study the existing naval strength of Japan as well as the program which she has adopted for the construction of additional warships. At present Japan's fighting fleet consists of 6 dreadnaughts (total tonnage, 191,500), including 2 now under construction; 4 battle cruisers (total tonnage, 82,500); 13 battleships of the old style (total tonnage, 193,666); 4 armored cruisers (total tonnage, 56,700); 50 destroyers (total tonnage, 36,118); and 17 submarines. All in all, Japan's fighting craft aggregate 560,484 tons.

As against this strength, the American Navy, as it stands to-day, consists of 19 dreadnaughts (total tonnage, 506,636), 23 battleships (total tonnage, 314,906), 10 armored cruisers (total tonnage, 140,080), 62 destroyers (total tonnage, 73,097), 51 submarines, and 22 colliers (total tonnage, 236,401). This makes a grand total of 1,271,120 tons; i. e., 710,636 tons more than the Japanese fleet.

In other words, we are more than 100 per cent stronger upon the sea to-day than are the Japanese.

Now, I ask consent to insert in the RECORD, without reading, the remainder of the page from which I have read and the next four pages of this article, which graphically portrays the relative and future naval strength of the two countries.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

Even a cursory survey of the above figures convinces us that the Mikado's fighting fleet is far inferior to the American. But when we scrutinize more carefully the character and equipment of the ships on both sides the discrepancy becomes all the more obvious. In the first place, the American dreadnaughts are much larger than the Japanese. Of the American fleet the seven largest dreadnaughts have each a displacement of 32,500 tons, while the four largest Japanese dreadnaughts are of a displacement of 30,600 tons each. Again, as against six American dreadnaughts of 27,500 tons each, Japan has only four battle cruisers of the same size. The remaining two Japanese battleships displace 20,800 tons each, whereas the United States has two dreadnaughts of 27,243 tons each, two of 21,825 tons each, two of 20,000 tons each, and two of 16,000 tons each. In modern naval warfare the dreadnaught is the cornerstone of a fighting fleet. In spite of the increasing efficiency of the submarine, this theory has not been altered. Not only in point of numbers but also in the size of each vessel the American fleet of dreadnaughts is far superior to the Japanese.

I am fully aware that the tonnage of a warship is not the only or even the most important criterion of efficiency. Much of the fighting power of a man-of-war depends upon the kind of guns with which she is armed. How does the American Navy stand in this respect?

Of the nineteen dreadnaughts of the American Navy, five are equipped with twelve 14-inch guns, four with ten 14-inch guns, two with twelve 12-inch guns, four with ten 12-inch guns, and two with eight 12-inch guns. The remaining two dreadnaughts which are now under construction and which are not yet named will probably be of the type of the *California* and will be equipped with twelve 14-inch guns. On the Japanese side there is not a single dreadnaught equipped with so many as twelve 14-inch guns. To go into details, four of the six Japanese dreadnaughts have only ten 14-inch guns, while two are equipped with twelve 12-inch guns. The Japanese battle cruisers, four in all, have each only eight 14-inch guns.

It is obvious that the fighting power of a navy can not be estimated by the number of the ships of which it is composed. Much depends upon the number and the kind of guns with which each vessel is equipped. In point of numbers the American dreadnaughts are almost twice as powerful as the Japanese dreadnaughts and battle cruisers combined, but when the power of the guns on both sides is taken into consideration the American dreadnaughts are nearly three times as powerful as the Japanese.

Let us turn our attention to the battleships of the predreadnaught period. I have said that Japan has 13 of such ships, aggregating 193,666 tons, as against America's 23, with a total displacement of 314,906 tons. In the face of these figures the superiority of the American fleet of battleships can not be disputed. Yet when it is known that only 2 of 13 Japanese battleships are fit to stand on the first line of battle, as against 6 of the American fleet, the inferiority of the Japanese Navy becomes the more apparent.

On the American side there are 62 destroyers and on the Japanese side 50. Here the discrepancy is not, prima facie, very great. But we must remember, what is more vital, that the majority of American destroyers are seagoing, having a displacement greater than 800 tons each, while the Mikado's Navy has only 6 destroyers above 800 tons. Thus 62 American destroyers have a total displacement of 73,097 tons, which is more than twice the total tonnage of 50 destroyers of Japan.

As most of the Japanese destroyers are for the purpose of coast defense, so are the Japanese submarines, of which there are only 17, as against America's 51. While the Japanese submarines are mostly not seagoing, the majority of the American submarines are of a large type, and therefore seagoing.

Last, but not least, we must remember that the American Navy has 22 colliers, aggregating 236,401 tons, while Japan has none. In a naval expedition to distant waters the collier is as important as the fighting craft, for without fuel no warship can move. The Japanese Navy, being intended to protect Japanese and Chinese waters and not to send expeditions to distant lands, has made no such elaborate provision for supplying its warships with fuel as has been made by the British, German, and American Navies. In case of emergency the Japanese Navy requisitions merchant ships, which are, of course, decidedly unsatisfactory as colliers.

So much for the existing naval strength of Japan as compared with that of the United States. We have seen how insignificant the Japanese fleet is beside the American. And yet this is the fleet which has constantly been held up by scaremongers and demagogues as the force which the Mikado will some day send across the Pacific to attack the fair coast of California.

But the Japanese, we are told, are feverishly engaged in building new warships. Are they not secretly smarting under the slight which America has meted out to them and scheming to settle old scores at the point of the bayonet?

Japan has never been "feverishly" engaged in building warships. Has it ever occurred to the average American that as early as 1907 the American Navy was twice as powerful as the Japanese? In the two years that followed America launched six dreadnaughts, while Japan launched only three. The result was that by 1910 the United States had a fleet of warships three times as powerful as the Mikado's, and this ratio has been maintained ever since.

It is significant that while alarmists are raising hysterical cries about the alleged rapid expansion of the Japanese navy, Japan's naval critics are deeply deploring the utterly "unprepared" condition of their country. As an instance of their lamentation I quote the following passage from a series of 10 articles written by the naval expert of the Jiji-Shimpo, assuredly the most reliable newspaper in Japan:

"It is regrettable that while other powers have each been pursuing a definite naval policy our navy should be permitted to drift, with no preconceived plan. The United States adopted, as early as October 19, 1903, the principle which is in reality the foundation of the stupendous naval program formulated by Secretary Daniels. According to the program of 1903 the United States was to build 34 dreadnaughts in 17 years.

"Turning to Europe, we see that Germany adopted a naval-repletion program in 1907, Russia in 1911, France in 1912, Italy in 1910, and Austria in 1912. In the meantime we were lagging hopelessly behind these powers. When at last we awakened to our own sluggishness and decided upon a program last year it was only on a ridiculously small scale."

In these two paragraphs is expressed the universal feeling of uneasiness which the Japanese entertain over what they consider the aggressive naval policies of Europe and America. Let us study Japan's new naval program, which the Jiji-Shimpo's naval expert tells us is "on a ridiculously small scale," and compare it with the great program proposed by Secretary Daniels.

The Japanese program, adopted last September by the national defense council, calls for the construction in the five years from 1917 to 1921 of 4 dreadnaughts, 6 cruisers, 10 destroyers, and 9 submarines. For the execution of this program Japan is to expend $85,000,000 in five yearly installments.

Beside this modest program the American program looks prodigious. It calls for the building of 10 battleships, 6 battle cruisers, 10 scout cruisers, 50 destroyers, 15 seagoing submarines, 85 coast submarines, 4 gunboats, 1 hospital ship, 2 ammunition ships, 2 fuel-oil ships, and 1 repair ship. This requires an expenditure of $422,964,087 in the five years from 1917 to 1921. This enormous expenditure is for new ships alone. In addition to it $48,518,127 is to be expended for the completion of the dreadnaughts for which work has already been begun. Nor is that all, for the plan provides for an appropriation of $6,000,000 for naval aviation and $25,000,000 for reserve ammunitions. All told, the five-year program entails an expenditure of $502,482,214.

Assuming that this stupendous plan were adopted, let us picture the relative strength of the Japanese and American Navies at the end of 1921, when their respective programs will have been carried out. Leaving out of consideration minor ships, such as gunboats, hospital ships, ammunition and repair ships, with which Japan is ill supplied, the relative position of the two navies by 1921 will be as follows:

	America.	Japan.
Dreadnaughts	27	8
Battle cruisers	6	4
Battleships	25	15
Cruisers	20	10
Destroyers	112	60
Submarines	151	27
Colliers	24	.....

Mr. THOMAS. The article recites the naval programs, so called, the building programs of the two nations, their relative gun strength, the amount of appropriations up to date, the resources of the two countries, and then draws as to 1921 the foregoing conclusions, if both these programs are continued to that time:

Yet, Mr. President, there are those of us who tremble with apprehension when awake and whose sleep is disturbed by hideous nightmares of Japan, and particularly of the Japanese fleet and that magnificent army of hers, which is to be transported, without reference to the difficulties attendant upon such a huge task, to California some time after midnight and before daybreak in the very near future. No; it can not be Japan, Mr. President, which demands from us this enormous expenditure and this huge program of construction. If it is necessary, let us by all means pursue it; but if it is unnecessary, I think that we should pause before involving this country in such an enormous expenditure. What is that expenditure? To begin with, Mr. President, this bill authorizes appropriations for the building program alone of over $110,000,000. The total expenditures under the bill involve the enormous sum of $319,000,000. In its report the committee says:

> The total cost of the whole program of 156 vessels, which excludes the submarine to have the Neff system of propulsion, is estimated at $588,180,576, leaving to be appropriated $477,454,416. Other authorizations in this bill for objects other than new ships will require future appropriations of $10,737,611, making the total of appropriations to be made in future years for authorizations in this bill $488,192,027.

In other words, Mr. President, in addition to the appropriations here made are authorizations contained in this bill which require an additional positive expenditure of about $500,000,000.

Now, Mr. President, when this bill is enacted we will immediately perceive that our theoretical adversaries are alarmed at our attitude and have increased their naval programs, so that next year ours must again be increased to meet theirs, and in the course of four or five years we will be expending not $300,000,000 but $600,000,000 or $700,000,000 every year in order to keep our place in this race for preparedness and for adequate defense, as it is called.

The Army bill, soon to be taken up, and now upon the calendar, makes current appropriations of $329,000,000; and our military bill has made authorizations, which mean that there also are to be expenditures, which, added to these, necessarily make the total estimate very much in excess of a thousand millions of dollars.

In these days, and especially in the Congress, where millions are appropriated with as much nonchalance as a millionaire exhibits when he spends 25 cents for a Havana cigar, the imagination has become somewhat dulled as to the extent and significance of a billion dollars. For the purpose of giving a practical illustration of what is meant, let me say that if a man, endowed with immortality at the beginning of the Christian era, had been given $500,000, and had received thereafter $500,000 every succeeding year, he would in this year of our Lord 1916 have but $958,000,000. He would have to live 84 years, until the year A. D. 2000—a period of more than two generations from this time—before his total accumulations would amount to one thousand millions. But we here, under the spur of a hysteria artificially created and crystallizing into an act of legislation, are about to authorize and afterwards appropriate this enormous amount of money, because, forsooth, preparedness makes it necessary, and adequate defense makes it absolutely and immediately essential. And this enormous sum is but the beginning of our expenditures.

I can not, Mr. President, lend my support to such a policy. I might say in passing, although I did not intend to allude to it, that if this scheme of naval preparedness is so essential and should be carried to the point of making us the equal of Great Britain, the same line of logic makes it necessary that we should have an Army equal to the army of the strongest of all the military powers of the earth—a situation that is just as sure to transform our institutions as that time is to pass.

The other day we appropriated in a very few minutes $45,000,000 for coast fortifications, notwithstanding the fact that Gen. Weaver, before the House and Senate Military Affairs Committees, declared with emphasis and without qualification that this country had the finest system of coast fortifications in the world, and all that was necessary to make them effective was an increase of the number and personnel of the Coast Guard. Forty-five millions is a very small sum compared to this program, and yet it is a sum which in itself is of stupendous proportions.

Mr. President, we are considering a revenue bill in connection with this program; and inasmuch as I am a member of the committee which has that bill in charge, and have received hundreds of telegraphic and written and personal protests against its various provisions, I have regretted extremely that that bill was not reported before these preparedness bills, because, Mr. President, there is scarcely an item in our revenue bill, forming the basis of our proposed increase of revenue to meet these stupendous expenditures, that is not resisted by those upon whom it falls, and in nine cases out of ten it falls upon some extreme advocate of preparedness. Now, preparedness comes high.

Mr. SMITH of Georgia. Does not the Senator think it is wise for those who are so anxious for these expenditures to bear the burden?

Mr. THOMAS. I think those who are so anxious for this expenditure, and whose property interests are the basis of their apprehension, or whose business craves Government contracts, should bear as great a proportion of this added expenditure as is consistent with our ideas and notions of equity and justice; and yet we know they will not do it whenever and wherever it is possible for them to shift the burden and pass it on.

If I were a high protectionist, I think I might be for this bill. The people have been paying indirect taxes so long that they have become accustomed to it; and of course the increased expenditure naturally suggests two things: One, a return to the good old days of protection, when a man was robbed unconsciously, and therefore cared nothing about it; and the other a bond issue, which is being advocated as a very fair means of meeting a part of this burden. "Pass it on," in other words, "to posterity. Let our children, and our children's children, and their children, be responsible for and bear the burden of our present extravagance." No, Mr. President, let us put it in the shape of direct taxation upon all of the property of the United States as far as possible, because the man who pays taxes directly is very apt to be concerned about the manner in which the money is expended, and the man who has to pay taxes directly is very apt to be heard from when the bill for that purpose is pending; and we are hearing from them everywhere. I do not blame them. I do not like to pay taxes any more than anybody else, and the wit of man has never yet devised a popular tax. But I think that when the people of the United States are face to face with what they have to encounter in the shape of increased taxation, they may revise their attitude concerning the necessity of an enormously expensive system of preparation, and particularly when they discover that this is only the beginning not only of our increase in armament but of our increase of taxes. The two are progressive.

We have boasted in this country that we were the most moderately taxed people in the world, and boasted truly. Mr. President, all that is changing. The Congresses of the United States for the last 20 years, whether Democratic or Republican, have wasted the people's money, and are continuing to do so, upon many so-called projects and schemes which are not only inequitable but which we have no power to provide money for; and we are going to continue to do it as long as the people demand it. Now, added to our extravagance comes this additional burden, and in a sense I am thankful for it, because I believe it will bring the people face to face with a realizing sense of two things: First, the necessity of returning to the old economic practices of other days. Second, the folly of wasting these hundreds of millions upon schemes of preparation which, by the time they shall have been effectuated, will become obsolete through the process of chemical and engineering science.

Mr. BRANDEGEE. Mr. President, will the Senator yield?

Mr. THOMAS. I yield.

Mr. BRANDEGEE. On the same theory, would the Senator be in favor of reducing the exemption contained in the income-tax provision?

Mr. THOMAS. I have always been in favor of it, Mr. President. I think it should go down to a thousand dollars, at least.

Mr. BRANDEGEE. So as to make everybody feel some responsibility as to expenditures?

Mr. THOMAS. Certainly; certainly. I think that ought to be done. I do not believe it will be done. I do not believe this body has the political courage to do it. It ought to be done, however. It ought to be done as a matter of justice, because every man who pays a little something directly to the Government contributes his proportion, as he ought to, since he receives protection from it.

Mr. HITCHCOCK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Nebraska?

Mr. THOMAS. I do.

Mr. HITCHCOCK. I am sure the Senator concedes the fact that those people with small incomes already contribute to the expenses of the Government a share disproportionately large to those of large incomes, because they are consuming the necessaries of life, which are already increased in cost by our tariff and internal-revenue taxes.

Mr. THOMAS. That is true, Mr. President.

Mr. HITCHCOCK. And that there are, therefore, two reasons why the exemption should exist: First, because those of small incomes are contributing a disproportionately large share when they pay their tariff and internal-revenue taxes; second, because those of small incomes do not derive from the Government of the United States a benefit equal to those of very large incomes who are enjoying a prosperous business under the national administration.

Mr. THOMAS. Oh, Mr. President, I think the tax ought to be graduated. There is a great deal of force in what the Senator says, and yet we ought to have an income tax that makes an exemption much lower than the one which we have now, accompanied, of course, by a lower normal tax. That it is equitable and right to do so and that it is inequitable to make exemptions to the extent to which they are now made seems to me to be difficult of denial.

Mr. President, I have just referred to the probable obsolete character of much of this program by the time it is completed. I am no naval expert. I do not pretend to be.

What I do not know about naval affairs would fill a great many more volumes than what I do know about it. But I have tried, Mr. President, to observe and act upon the views of gentlemen who do know, and who are justified, therefore, in expressing an opinion upon the subject. I read the House hearings, or a great many of them, and I was impressed very strongly with the arguments which were there presented in favor of the battle cruiser in preference to the battleship, in view of the developments of naval warfare during the last 10 or 12 years, and also of the fact that of these vessels we have up to the present time none whatever.

I happen to enjoy the friendship of Admiral Peary, whose views upon this and kindred subjects are entitled, in my judgment, to the greatest consideration; and in this connection I ask leave to introduce in the RECORD, without reading them, two articles by Admiral Peary upon this subject, appearing in the New York Times. I do not subscribe to all of the views of the admiral, but I think what he has to say in support of the battle cruiser as the successor in naval development of the battleship is at least sufficiently cogent to address itself to the consideration of the Senate.

The PRESIDING OFFICER. In the absence of objection, permission is granted.

The matter referred to is as follows:

[From the New York Times.]

BATTLE CRUISERS THE BEST NAVAL TYPE FOR US—REAR ADMIRAL PEARY TELLS WHY THIS IS SO AND ADVOCATES IMMEDIATE BUILDING OF A SQUADRON OF THEM.

(By Rear Admiral Robert E. Peary, United States Navy.)

WASHINGTON, D. C., *April 30, 1916.*

To the EDITOR OF THE NEW YORK TIMES:

I appreciate the compliment of the editorial "Building a Navy" in the Times of Saturday. Referring to your figures of $360,000,000 as the cost of three weeks of the present European war to Great Britain alone, it has been stated at various times, apparently on good authority, that the daily cost of the war to Great Britain is $22,000,000 to $24,000,000, and I have not seen these figures contradicted or questioned. Senator STONE, chairman of the Senate Committee on Foreign Relations, who is conservative and perhaps better informed than anyone else in this country, said in an address in Philadelphia last night that the daily cost was over $25,000,000.

It was on such figures that my statement was based, and three weeks at that rate means, in round numbers, $500,000,000. Rear Admiral Taylor, Chief of the Bureau of Construction, recently gave before Congress the estimate of $20,435,531 for a 35-knot battle cruiser. According to these figures, the equivalent of each day of present war cost to Great Britain would give us a battle cruiser, with her attendant destroyers, submarines, and seaplanes.

If we can build a 35-knot battle cruiser—and Admiral Taylor said he had plans for such cruisers in his bureau—let us build them. If we can build them in three or perhaps two and a half years—and it has been so stated to Congress by responsible parties—let us build them at once; and if the facilities of the country permit building 16 of them simultaneously—and this has been so stated on the floor of Congress within the last two months—it will be a safe policy to build 16. We are more likely to need the fullest strength of our Navy in 2 or 3 years from now than in 5 or 10 years, and sixteen 35-knot battle cruisers will go far toward rendering us immune from attack.

Such an addition to our Navy would put it in absolutely unquestioned second place, and might, from the great preponderance of this superior type, make it nearly or quite equal to the navy of any other power.

If the sum of $500,000,000 will permit us to build 20 instead of 16 of these ships, with their attendant destroyers, etc., let us do it. They are the ships for this country.

Just as the Russo-Japanese War rang down the curtain on the battleship with primary, secondary, and tertiary batteries, and brought in the all-big-gun ships, so this war is ringing down the curtain on the battle-

ship of 22 and 24 knots and bringing in the swift battle cruiser of 30 knots and over. There is little or no doubt but that these new ships are now the first line of the British Navy. They certainly are the pride and dependence of that navy.

Whether it is in a great machine shop or in military power, the introduction of a new and superior tool or method which gives greater results in less time makes previous tools and methods obsolete. And superiority in the machine shop or in military power results automatically from numerical superiority in the new and controlling tool or method. The battle cruiser is such a new and superior tool.

The great lesson of the European war has been the value of speed—speed in concentrating troops, speed in transporting guns, speed in ammunition, speed in ships. The startling development of the submarine and torpedo has given much greater proportionate value to speed in capital ships as a means of safety against these deadly weapons.

Efficiency as a fighting machine and safety against submarine attack are on the side of the 35-knot battle cruiser as compared with a 22-knot battleship (the speed of the *Pennsylvania*). In nine out of ten cases a battle cruiser which can deliver her guns where they can get busy in two-thirds the time that a battleship can do it will exercise a much greater influence on the final result. The battle cruiser is the type for this country. And it is entirely possible that if we have a sufficient number of battle cruisers, submarines, and aeroplanes the slow and ponderous battleship will become negligible.

A year ago in the hearings before the House Naval Committee the majority testimony was in favor of the battleships. This year, of 10 officers of high rank who testified before the same committee, all advocated battle cruisers, and 7 of them advocated battle cruisers to the exclusion of battleships. The Navy Department and the General Board are advocating them. I venture to think that after another year of war the majority testimony before the same committee next winter will be in line with what I have jus suggested—that battle cruisers, submarines, and aeroplanes will give the ideal defense for the United States.

For every purpose except, perhaps, that of stolidly accepting attack, the battle crusier is superior to the battleship (always granting it greatly superior speed), and there are dozens of commanders and captains in our Navy who, in command of a 35-knot battle cruiser carrying 16-inch guns, would gladly try conclusions with any battleship afloat to-day, and win nine times out of ten. As to moral effect, unless I misunderstand officers and men of our Navy, the feel under their feet of one of these ships driving at 40 miles an hour to meet an enemy with guns capable of engaging that enemy at 15 miles, the thought that the Nation had given them the best there was afloat and expected from them all there was in them, would make a man and a half of everyone on board from captain in command to the youngest stoker.

As to the country, those who recall the trepidation along our coast from the time Cervera's fleet left Spain until it was located in the West Indies can understand what the feeling of security would be with a fleet of these superb fighters at Hampton Roads, able to reach any point between Halifax and Havana in 24 hours, or meet and engage an enemy 300 miles east of Bermuda in the same time.

Could I afford the amount personally, or should I find the money in the street and be unable to locate the owner, I would offer a prize to-morrow of $1,000 in gold eagles for the best paper on "The battle cruiser, the best naval type for the United States," open the competition to anyone in the country, and ask the Times to appoint judges to determine awards. I believe it is the most vital question affecting the United States Navy to-day.

[From the New York Times.]

BATTLE CRUISERS BEST NAVAL TYPE FOR US—REAR ADMIRAL PEARY SHOWS HOW IMMEDIATE CONSTRUCTION OF TWO FLEETS OF EIGHT EACH WOULD SAFEGUARD BOTH OUR COASTS.

(By Rear Admiral Robert E. Peary, chairman of the National Aerial Coast Patrol Commission.)

WASHINGTON, *May 21, 1916.*

To the EDITOR OF THE NEW YORK TIMES:

The decision of the House Naval Committee in favor of the battle cruiser type of capital ship exclusively and the reported vote of 13 to 8 in favor of this decision indicates that the overwhelming weight of testimony for battle cruisers in the various hearings before the committee made a strong impression.

It is assumed that these battle cruisers will have the speed of 35 knots indicated in recent testimony before the Naval Committee, with a displacement of 35,000 to 36,000 tons, and will be armed with 16-inch guns. A ship of this speed and armament can cover nearly 1,000 miles between noon and noon, and in a single broadside can throw 8 tons of explosive shells more than 20 miles.

Of this type of superior fighting machines Great Britain and Germany possess almost a monopoly. The United States has none. The present battle cruiser strength of the navies of various foreign powers, so far as is known, is as follows:

Great Britain, 10, with 6 building; Germany, 9; Japan, 4, with 4 more said to be authorized; Russia, 4 now being built. The greatest tonnage of any of these is 32,000 (Russia). The highest speed is 33 knots (Great Britain). The heaviest guns are 15-inch (Great Britain and Germany). These statements are taken from the report of the General Board, May 2, 1916.

Following are recommendations in regard to battle cruisers from various official sources:

The Secretary of the Navy recommends 7 or 10 in five years.

The General Board, in its report of May 2, 1916, to put our Navy in second place in three years, recommends 10.

Rear Admiral Benson, Chief of Naval Operations, recommends 10 in five years.

Rear Admiral Knight, president of the War College, recommends nine.

Rear Admiral Fiske recommends nine.

Rear Admiral Winslow recommends eight or nine.

Capt. Sims recommends eight or nine.

Capt. McKean recommends 12, "to make our present number of battleships of the utmost efficiency." (Hearings before House Naval Committee.)

I have suggested 16 in three years, in two fleets of 8 each in the Atlantic and in the Pacific. It will be very desirable if the number of battle cruisers proposed by the House Naval Committee can be increased to 8.

Press reports credit the administration with a desire to have the committee program increased, and Secretary Daniels is quoted as saying: "The need for these swift, huge, heavily gunned ships is so pressing when we consider the other great navies of the world, that I had far rather see the number suggested increased than diminished."

Eight battle cruisers will provide a symmetrical fleet of the most powerful fighting ships known to the world to-day—a fleet that can be divided into two balanced squadrons of four ships each. Thus for the first time our Navy would have a swift, powerful, and homogeneous first-line fleet. The result would be:

A fleet in which every unit, be it ship, squadron, or the entire fleet as a single entity, would have the same speed.

A fleet in which the same shells would fit every gun on every ship.

A fleet in which officers or crew, or both, if suddenly transferred from one ship to another, even in the midst of a battle, would be instantly at home, having under them a duplicate of the machine they had just lost and would not lose an hour of fighting efficiency. A fleet in which the admiral in command, feeling his flagship, would feel the entire fleet.

The president of one of the greatest steel and shipbuilding companies in the country stated recently before Congress, presumably with full knowledge and responsibility for his statement, that his company was ready to take four of these battle cruisers and complete them in three years, or possibly in two and one-half years, from receipt of plans. This would leave but four to be constructed in navy yards or other private shipyards.

With such a fleet on the Atlantic coast, say at Hampton Roads, with ample fleet aeronautical accessories, including no less than 50 hydro-aeroplanes, and supplemented by an adequate aerial coast-defense system, as advocated by the National Aerial Coast Patrol Commission—which we should also have within three years—we would feel measurably secure.

A fleet of eight of these battle cruisers at Hampton Roads could protect the entire Atlantic coast.

In 24 hours it could reach any point between Halifax and Habana or meet an enemy 300 miles east of Bermuda in the same time.

If divided into two squadrons of four ships it could cover the Gulf of St. Lawrence, the Straits of Florida, and the Windward and Mona Passages in 24 hours.

In 48 hours it could be off the Panama Canal.

The naval appropriation for next year should provide for another fleet of eight battle cruisers for the Pacific coast. If stationed at San Francisco, this fleet could guard our entire Pacific coast. In 24 hours it could meet an enemy 1,000 miles off San Francisco. If divided into two squadrons of four cruisers—and each of these squadrons would be more powerful than anything of the kind in any foreign navy to-day—the entrance to Puget Sound and to the Gulf of Lower California could both be covered in 24 hours.

With two such fleets in commission, and both coasts protected in addition by a sufficient aerial coast-defense system, we might feel that our sea fences were in fairly good shape.

The United States is to-day the wealthiest nation in the world. We have a more extensive available coast line than any other country. We are the only two-ocean naval power in the world. We are the only nation in the world that has deliberately made the first article of its international creed—the Monroe doctrine—a clear-cut claim to a sphere of influence covering an entire hemisphere.

We are the only one of the premier world powers not now engaged in a struggle in which force, expressed in terms which the lowest intelligence can understand, is the principal thing that counts. We may be drawn in at any time. We are not ready.

No other nation has such imperative reasons for a swift, powerful, and far-reaching navy as has the United States. The first requisite of such a navy is a homogeneous fleet of the fastest and heaviest armed ships afloat. Eight 35-knot battle cruisers mounting 16-inch guns will constitute such a fleet. If we are not to begin at once to put our Navy in second place within three years, then these eight battle cruisers will be the next best thing.

I venture, however, the unqualified statement that a fleet of sixteen 35-knot battle cruisers carrying 16-inch guns, with their proper accessories of destroyers, submarines, and an ample equipment of sea planes, will put our Navy in second place more quickly, more effectively, more cheaply than any other addition we can make to it, and that these ships will be more adapted to our needs than any other type.

Here is an opportunity for us to be a step in advance rather than several steps in the rear.

PEARY,
Chairman National Aerial Coast Patrol Commission.

Mr. OVERMAN. Mr. President, did the Senator read the Washington Post this morning?

Mr. THOMAS. I was coming to that. I noticed, Mr. President, that Admiral Knight, in the Washington Post of this morning, said he is still unconvinced of any error or fallacy in his original position, although he does stand for both the battleship and the battle cruiser.

A good many vessels were destroyed at the recent battle off Jutland. A number of battle cruisers, the first time they appeared in any great force in a naval battle, were sunk. The same was true of battleships.

I have heard it stated that Jutland has demonstrated that the battleship was still the backbone of every fleet. That may be true. Certainly it would not be becoming in me to say that it is not true. But I was impressed by one fact in that battle that has not been prominently noticed, and that is that the 11-inch guns of the German vessels did as much, if not more, execution than the 14-inch guns of the British vessels. I have seen photographs of the effect of those shots upon the ironclads. They convinced me that the wit of man has never been able, and never will be able, to devise an armor that will float which can stand the impact of an 11-inch gun. I think it would be just as cogent for me to insist that because the 11-inch gun proved perhaps to be more than the equal of the 14-inch gun, therefore we should abandon our 14 and 15 inch guns and go back to the old 11-inch type. That would be illogical; it would

certainly be unreasonable and foolish for a novice to do so; and yet it is one of the facts established by that most notable conflict, the real lessons of which I do not believe we are at present able to draw with any certainty.

Mr. President, I am not favorable to this program for still another reason. It pays too much attention to craft floating upon the surface of the water and not enough to those which go underneath it and above it. I think this war has demonstrated two things, perhaps beyond peradventure—two things that are so evident that it only requires careful observation to see and be convinced. One is that the submarine is the coming destroyer of the sea. So is the airship, which is a courier as well, and that adequate protection for a country which does not propose to carry on an offensive warfare can be made by confining the bulk of its expenditure and operations to undersea craft and to aircraft far more effectually than by repeating and adding to these enormous leviathans of our already very large fleet.

Mr. President, while the submarine was not particularly in evidence in the battle off Jutland, if we compare the number of war vessels that have been sunk or disabled by the submarine since the beginning of this war with the number which have been destroyed in that single battle of the sea during this war, the result, in my judgment, will be most startling; and if to that we add the destruction inflicted by raids that have been made upon the British Isles by aircraft and the advantages the aircraft has given both in conveying information and in aiding both the offensive and the defensive, we should be far more liberal in our appropriations here for the construction and the equipment of that sort of sea defense than we have been.

I hold in my hand, Mr. President, a clipping from a newspaper giving some extracts from a debate in the House of Commons on this subject of aircraft which, I think, occurred some two or three months ago. The purpose of it—reading from the article—is to give—

some idea of how death and destruction, fear, rage, and bitterness of spirit have driven home to England the vital importance of air power. Equally instructive material could be presented from Germany, from France, from Italy, from Russia, but the British material is more convenient and accessible. Mr. Balfour, in the House of Commons, said:

"It would avail nothing to England to have control of the sea unless it had also control of the air."

Mr. President, that is one of the most pregnant sentences which ever fell from the lips of man, coming as it does from a great modern English statesman, quickened with a sense of his responsibility and alive to the lessons of this great war. I will repeat it:

"It would avail nothing to England to have control of the sea unless it had also control of the air."

Lord Montagu, of Beaulieu, in the House of Lords, March 9, said:

"At the present time the air service is merely auxiliary to the fighting forces of the navy and army. I can see a time coming when the air service will be more important than the army and navy. We must get into the habit of looking at the air service not as an auxiliary to the army and navy but as a great service which is an establishment of itself, and to which we shall have to look in future years for the defense of this country. * * * The advantages of our insularity are rapidly disappearing. Upon the efficiency of the air service much will depend. Let it not be said with shame of our generation that we did not trouble to guard in the air what our forefathers won on the sea."

Lord Beresford said:

"The new air warfare is going to be of so tremendous a character that it may supersede the army and navy. Anyway, we should be ahead in the air, the same as we are on the water."

And I pause to suggest that while we are trying to get ahead on the sea the chances are that by the time we succeed England will be ahead in the air, and perhaps Germany or France, or all of them, and then our vast scheme of naval program goes for nothing. We must wipe it out and begin all over again—

On the 22d of March, in the British House of Commons, the following statements were made in the course of debate:

"For dealing with this very pressing question of the air there should be sittings every day, and if necessary all day, until some solution is found for our third-class position as an air power. Our national pride has suffered a blow which it will take us many years and much labor to recover from. Our very national existence in the next 20 years will lie in the ocean of the air. Within the next 5 or 10 years we may live to see the sky darkened by aeroplanes. The idea of a country owning 500 aeroplanes will be looked upon as a humorous event of the past. * * * The supremacy of the air lies ready to any Government which has sufficient initiative to see to it."

At a meeting called by the United Ward's Club of the City of London on March 28 a resolution was moved "that the meeting considers the most effective means of protection against air raids would be by the creation and maintenance of an efficient air fleet in addition to and independent of the existing naval and military requirements."

At this meeting Mr. Pemberton-Billing, a member of the House of Commons, said:

"What we want to bring about is something grander than the air defense of London. We want to demand of the Government that the money, brains, ability, and resources we possess shall be employed, and that we shall gain as soon as possible and maintain forever the supremacy of the air."

And then he goes on to say that they should have a fleet which would darken the skies.

Lord Montagu of Beaulieu, guest of the Liberal war committee, at a luncheon at the House of Commons March 22, said among other things:

"He had come to speak to a serious and well-informed body on the need of concentrating special attention and effort on aviation. He was pleading for a more energetic policy in regard to all forms of air craft. * * * The struggle for supremacy in the air was only just beginning and would not stop when peace came. * * * Compared with the cost of dreadnaughts, field guns, and armies in the field, the cost of even a huge aerial fleet would be small. What was wanted now in our statesmen and in our nation was more power of imagination. They could neither win nor hold an empire merely by 'safe' policies. 'Safe' men were all very well for times of peace. But time came when they might be dangerous. What they wanted now was new men with new ideas. Problems of the air were all new. There were no precedents to bear in mind, no files to refer to, no historical works to consult. The new service would need leaders who had ideals, foresight, imagination, and scientific training. These leaders must always have a clear vision of future possibilities, most of which were probabilities."

To give an idea of what is being done in Great Britain in the way of air service, I was told by a well-informed gentleman the other day that membership of the aircraft service of Great Britain was greater in number than our entire naval force, officers and men; and that in France the aircraft service was greater in numbers than the American Army as it existed prior to the enactment of the bill of last May. They are doing something in this line not only necessary because of the tremendous exigencies of the war, but as recognizing the fact that it is not the craft which float on the sea but those which people the air and go under the surface which will determine not only the freedom of the seas but the destinies of nations in the sea warfare of the future. And yet, while we provide for a reasonably numerous fleet of submarines, we give to the air service less than $4,000,000 out of $319,000,000, when its proper development, in my judgment, would do away with the necessity for one-half of this naval program if it were properly developed; and I will cheerfully vote for any reasonable appropriation for this purpose.

I have not the time, and I would not take it if I did, to elaborate this idea any further. Suffice it to say that one of my objections to this huge naval program is that it is unbalanced. The Senator from Massachusetts [Mr. LODGE] the other day declared—and he was right about it—that what we ought to have is a well-proportioned Navy, which we have not had up to the present time. There can be no well-proportioned Navy, in my judgment, in which the air arm is not at least equal to, if not greater in efficiency than, the fleet that floats upon the surface, and certainly in the number of our craft if not in the number of men that are required to man them.

Why, suppose a war should occur to-morrow and one of these huge armies, which in the imaginations of many are concrete things, should endeavor to make a landing upon our Atlantic shore. We have a Navy which has cost us about three and a half billions of dollars, and which we are told is worthless. Assuming that that is so, what else have we to meet this invasion? We have not enough aircraft to detect its presence, to say nothing about the importance of conveying information if they did.

But in this bill, which provides for battleships and battle cruisers galore, we have seen fit to devote less than four millions for the development of a new arm of service so tremendous and so potent that the great, perhaps the greatest living, British statesman declares that the nation which controls that service controls the sea.

Mr. President, that is another reason why I think this increase of program should not be voted at this time, and I see no reason why it should be regarded as an emergency bill. A great many have declared, and I think the senior Senator from Mississippi [Mr. WILLIAMS] said a few days ago, that we would need this Navy more earnestly and urgently within the next four or five years than at any other period, and probably within the next three years; by which I assume he meant that the European war would probably end in some manner within that period, and that as a result of its ending we would be confronted with problems and conditions that would require an enormous naval force properly to confront them and protect the Nation's welfare and safety. If he is right, of course his conclusion is irresistible, and we should build ships as fast as possible and man them faster than we build them, if such a thing could be. It seems to me that this apprehension of a cataclysm menacing the immediate future of this country, and resulting, not because of but concomitant with the ending of the war, has no substantial basis in fact.

Here is the world's spectacle. All the mighty nations of European civilization are battling with each other to the death. They have been so battling for practically two years. The destruction of property and of human life is so appalling that the imagination of man can not begin to grasp it. The extension of credit has resulted in the creation of a huge debt soon to become $100,000,000,000 in the aggregate, commanding $5,000,000,000

per annum for interest charges only, and placing upon their generations to come a financial burden which they must either avoid or under which they will sooner or later disappear; a countless army of cripples, legions of widows and of orphans, men and women sick and tired unto death of this perpetual and horrible slaughter.

How it is possible for the mind of man to conceive that nations so situated will, upon the conclusion of peace, spring to arms and invade a powerful foe 3,000 miles across the seas with a force sufficiently strong to make it necessary that we should immediately have the second navy in the world to protect ourselves I am unable to imagine.

I know it is said, Mr. President, that nations are never so formidable as when they have just emerged from conflict, and that is true. If we consider only the fighting capacity of the survivors, there is no question but that the seasoned veterans of this mighty conflict would be better equipped to meet any foe, however powerful, than any other nation could furnish. But do they still want to fight? Do their wives or their children want them to renew the struggle elsewhere? Is there any glory in it? Is there any need for it?

Some say they are coming for the purpose of wiping out their huge obligations through the pillage and plunder of the cities of our Atlantic coast; in other words, our very riches will attract them, and that of itself will be sufficient cause for our invasion. Oh, Mr. President, that is assigned as a reason why we should abandon our national policy and enter upon this unbelievable program of naval expenditure!

I know the bill will pass, and I am painfully conscious of the fact, Mr. President, that the majority of public opinion will at least seem to approve it, because men now are not reasoning creatures when war is mentioned. We have been in the presence as spectators of this awful tragedy so long that we have become imbued with the same spirit which animates the combatants, and it is easy to assume that inasmuch as this war came so suddenly and with so little warning we will be confronted with a similar condition and be overwhelmed if we are not prepared to meet it.

If I thought so, Mr. President, I would of course be willing to vote for the expenditure of every dollar of the Treasury if needed to safeguard our property and our households, but believing that the extraordinary conditions of the time when the imagination yields so easily and so readily to the hysteria of the moment have conjured up a mere specter of imminent danger, I am unable to cast my vote for this naval program. I would vote for that recommended by the House, large as it is, if the committee would be satisfied with its action, not because I deem it essential now or hereafter, but because it is well to satisfy to some degree the public demand, however unfounded it may be.

Mr. VARDAMAN. Mr. President, I realize that what I am about to say regarding the question at issue before the Senate will not influence the vote of a single Member of this body. One "might preach to the storm or reason with despair" to some effect, but I am quite sure that the minds of the Senators are made up, the conclusions reached, and they are only waiting for the opportunity to register their conclusions. But I should be altogether untrue to myself, unfaithful to those whom I have the honor to represent in part in this Chamber, and disloyal to all the American people, were I to refrain from expressing my utter and unconditional disapproval of this bill. I am unable upon any theory consistent with my sense of obligation to my constituents and my adherence to the principles of free government to lend my approval of the bill with its contents and the policy which it inaugurates.

The measure is unprecedented in the magnitude of the appropriation which it carries, the scope of its provisions, and the undemocratic—I might say, un-American—spirit of its purposes. It marks a turning point in the life of this Republic and opens up the way which has led the republics of the past into the pitfalls of imperialism. If the fighting material provided for in this bill were needed to defend this Republic from invasion or to uphold the rights of American citizens in other parts of the earth, I should not utter one word of protest against it. On the contrary, it should have my heartiest approval.

Mr. President, I yield to no man in my devotion to my country and my willingness to make any sacrifice necessary for the defense of the Nation's flag. And in my own proper person in that regard I but poorly body forth the heroic qualities which glorify the characters of the brave men and pure women for whom I have the privilege in this presence to speak. The advocates of this bill who would undertake to put the odium of disloyalty to the Government upon those of us who withhold our approval of this measure will find in the end that the unwisdom and questionable patriotism of their own course will not be corrected or minimized by a manifest injustice to some one else.

The most enthusiastic and radical advocate of "preparedness" who has any respect whatever for the sanctity of the truth will not claim that we really need such a Navy, either for defense or offense, as is provided for in this bill, at this time. Really, the prospects of this country becoming involved in war with any foreign nation is more remote to-day than at any time during the last half century. We are threatened with no foes from without, we are happily at peace with all the world, and the nations with which we would be more likely than all others to have trouble are less able to wage war against us to-day and less inclined, I believe, to provoke war with us in the future than ever before in the history of this Government. And yet, in the face of these facts, facts that are admitted by the leaders of American thought and contradicted nowhere by anyone whose opinion is worthy of consideration, this Congress proposes to appropriate money with which to provide for the building of 157 ships of war which will cost in the neighborhood of $400,000,000, imposing an average tax of at least $25 per family on the people of the United States, regardless of the poverty of the masses.

This item of taxation, added to that which is already borne by the toilers of this country to pay the expenses of wars that have been fought and to get ready for the possible wars in the future, will amount to something like $50 for every head of a family in the United States. That tax, added to other taxes for the support of the National Government, the State, county, and municipal taxes, will amount almost to confiscation in the course of time, because the tax will increase as the years go by if the influences which now control the Nation—dominate the Executive and the Congress, shall be perpetuated. And for what purpose? Mr. President, what influences demand the enactment of this law at this time? What harm would result from the postponement for three or four years of the building program provided for in this bill? There are already contracts let for the building of battleships which will not be completed for three years. I am advised that the unexecuted contracts for the Navy amount to something like $120,000,000. O, Mr. President, is it not time that Members of the American Senate should pause and consider what all of this means to the toilers of this Republic? It would not be out of place for me to suggest to the Senate that there are hundreds of thousands of families in the rural districts of the United States whose impecunious condition is such that the small amount of $50 will determine the question as to whether or not their children shall have proper clothing and shoes in the wintertime to wear to school.

The learned Senator from Massachusetts [Mr LODGE] a day or two ago on the floor of this Chamber referred to the fact that some of the instruments of naval warfare had been in the course of construction for the last five or six years—since 1908, I believe. Now, the delay in the construction was not due to the fact that it required that much time for the building, but rather because the officers in charge of the matter did not think it at all necessary to hurry the completion. Certainly the Chief Executive of the Nation, the Secretary of the Navy, and the naval officers would not have tolerated this delay in the building of ships already authorized if there had been any possible danger of immediate war with any foreign country. To intimate that these officers charged with the responsibility of their great places would be guilty of such a dereliction of duty would be an impeachment which I would not make. That our Navy is big enough and strong enough to take care of American interests and meet successfully any demand made upon it, the most radical advocate of preparedness will not deny. There is abundant evidence from the lips and pens of the highest naval authorities in America to establish that fact. Our Navy is greater than Germany's, much stronger than France's, nearly twice as large as Japan's. There is no doubt, I repeat, about the superiority of our Navy. Can it be possible, then, that this haste is due to the fact that the advocates of this nefarious policy—this unfortunate scheme—understand that this law must be enacted now while the public mind is inflamed, public judgment distorted by the manufactured sentiment which has fired the war spirit, or it will not be enacted at all? Is it the purpose of the preparedness patriots to weld the collar of imperialism around the necks of American freemen while the iron is hot? Must we commit the American people to this un-American policy before cool and deliberate judgment assumes her normal sway?

Must the course of the ship of state that has floated so steadily, guided by reason and truth, justice and altruism, for the past 100 years, now be turned from her splendid course by the storm of passion, the undercurrents of greed and cupidity and consuming desire for gain, into the maelstrom of military despotism? God forbid! It is time, Mr President, that the American Congress should take counsel of its higher wisdom and consider the interests of the American people, a large part

of the products of whose toil this policy of "preparedness" will absorb. Think of the burdens that will be piled upon the aching stoop of the men and women whose labor feeds and clothes the world. Think of the opportunities that this expensive policy will deny the boys and girls of America living, and those yet to come. Think of the influence that this one act is going to have upon the nations of the earth.

It is pregnant with the suggestions of conflict. It breathes the breath of imperialism and inculcates by example the lessons of war. It is fuel to the flames that burn in the hearts of the people and which consume the nobler and gentler qualities of the soul. It is altogether contrary to the genius of American institutions and involves a repudiation of American ideals. We should consider how it will postpone the coming of that glorious day when the umpirage of reason shall rule the world rather than the force of the bloodstained sword. We should think of all these things before taking this unfortunate step. For when the step shall be once taken it will be difficult to retrace it. Now, to say that world peace is a Utopian dream and to discard with a sneer the suggestion that an international court may be organized by the nations of the earth, to which all international differences shall be submitted, and the rule of reason rather than the arbitrament of the sword shall settle these questions, will be very foolish on our part; and, in fact, the suggestion is condemned by the very terms of this bill itself.

Let us see what the bill provides. I read:

Upon the conclusion of the war in Europe, or as soon thereafter as it may be done, the President of the United States is authorized to invite all the great Governments of the world to send representatives to a conference which shall be charged with the duty of suggesting an organization, court of arbitration, or other body, to which disputed questions between nations shall be referred for adjudication and peaceful settlement, and to consider the question of disarmament and submit their recommendation to their respective Governments for approval. The President is hereby authorized to appoint nine citizens of the United States, who, in his judgment, shall be qualified for such duty, to be representatives of the United States in such a conference. The President shall fix the compensation of said representatives and such secretaries and other employees as may be needed. Two hundred thousand dollars, or so much thereof as may be necessary, is hereby appropriated and set aside and placed at the disposal of the President to carry into effect the provisions of this paragraph.

If at any time before the appropriations authorized by this act shall have been contracted for there shall have been established, with the cooperation of the United States of America, an international tribunal or *tribunals competent* to secure peaceful determinations of all international disputes, and which shall render unnecessary the maintenance of competitive armaments, then and in that case such naval expenditures as may be inconsistent with the engagements made in the establishment of such tribunal or tribunals may be suspended, when so ordered by the President of the United States.

Mr. President, what does that mean? Did the authors of that provision in this bill think that this peace court could be created and accomplish the purpose of its creation? Or do you think it is a mere insincere sop thrown to the despised pacifists of America? Can it be possible that it is intended to deceive the people—a kind of anesthetic administered to the American voters while they are subjected to the painful ordeal of being robbed of their blood-bought rights as freemen and plundered of their earnings for the beneficiaries of militarism? Is it conceivable that this provision is placed in this bill for partisan political purposes? No, Mr. President; I am not going to impute such discreditable motives to the authors of this provision. I believe the men who wrote it were sincere in what they did and cherished the hope that the plan outlined might reach effective consummation. Mr. President, I am a devout believer in the ultimate triumph of righteousness. I hold that—

Out of the twilight of the past
We move to a diviner light;
For nothing that is wrong can last;
Nothing's immortal but the right.

I believe that if the doctrine taught by the Prince of Peace shall be given a fair trial by the nations of the earth in their intercourse with each other, the same beneficial results will follow that universally come to the individual citizen who makes that doctrine the rule and guide of his conduct in private life. Genuine Christianity has never been given a fair trial in international matters. Then why not have the United States, so advantageously situated at this moment, lead off in this superb, this glorious experiment of international government by the Golden Rule? It would be a unique distinction—the embracing of an opportunity which seldom comes to a great nation to serve all mankind.

The ordeal may be painful through which the man will be forced to pass in order to come into his own, but the day is not far distant, in my judgment, when the nations of the earth are going to be controlled by the good judgment, the sense of prudence, and self-preservation of the individual citizen. "The common sense of most will be the supreme law of the land." It has been suggested that the Republics and democracies of ancient times have decayed and been swept from the earth because of their failure to prepare for defense by the organization of great armies and navies. Nothing could be further from the facts of history. Governments and civilizations of the past that arose to eminence by the inspiration of the genius of free institutions have perished from the earth because of the moral decadence of the individual citizen—the fatal fault has invariably been in the individual man. But there is one vital, cardinal truth which history teaches us and which I would impress upon the American people and have them teach it to their children until it becomes an instinct of the race. It is this: Free institutions can not live long when they are upheld and the flag of the nation defended by a hired professional army. The present war which is being waged in Europe is a disgrace to the world's civilization, making their pretended faith in the Prince of Peace a bloody lie, was brought about without consulting with the men who bear the brunt of the conflict, and who pay the enormous expense in blood and treasure. But the day of reckoning and readjustment will come; a just God still reigns, and righteousness and truth will prevail. In the situation it seems to me that I can see the possible fulfillment of the dream of the inspired English bard who more than half a century ago was able to stand within the shadow of the night and, looking beyond it, saw the dawn of a brighter and a better day—

For I dipt into the future, far as human eye could see,
Saw the Vision of the world, and all the wonder that would be;
Saw the heavens fill with commerce, argosies of magic sails,
Pilots of the purple twilight, dropping down with costly bales;
Heard the heavens fill with shouting, and there rained a ghastly dew
From the nations' airy navies grappling in the central blue;
Far along the world-wide whisper of the south wind rushing warm,
With the standards of the peoples plunging thro' the thunder storm.

Mr. President, in that glorious vision the poet saw with the eye of prophecy that which we see to-day with the physical eye—distance annihilated, the telegraph and the telephone, the wireless telegraphy, the airship and the steamship, the railroads and all the modern means of rapid transportation, transforming the world into one great neighborhood. Close contact, looking deep into the eyes of each other, and recognizing the kinship of every soul, their pulses meeting in the cordial handshake, filling the heart with brotherly love and driving out of their souls the old enemy of hate. Cooperation taking the place of competition, selfishness giving away to altruism, and men taught the great lesson that the way to grow rich and strong and wise and useful is to do something for somebody else. And then—

Till the war-drum throbb'd no longer and the battle flags were furl'd
In the parliament of man, the federation of the world.
There the common sense of most shall hold a fretful realm in awe,
And the kindly earth shall slumber, lapt in universal law.

Now is the time for America to act and help to bring about the fulfillment of this glorious dream. Mr. President, I believe it is possible for the nations of the earth to do the very rational, humane, and proper thing of creating such a court to which all differences may be submitted and all disagreements composed without resorting to the brutal methods now employed by the European powers.

And I believe that an effort should be made to organize this court before any of the extraordinary expenditures are made which are provided for in this bill. Why build the battleships, construct the shipyards, and incur other expenses, when we all cherish the hope that an international agreement may be effected which will render unnecessary this tremendous outlay? It is the duty of the United States Government to exhaust every means within its reach, employ every proper method to bring about the organization of an international court of arbitration. And, as I said a moment ago, do it before embarking upon the untried, un-American, and undemocratic course which this bill outlines. This bill violates the sacred traditions of the Democratic Party. It is an affront to the teachings of Thomas Jefferson, is at variance with the time-honored policy of the Government since its organization. It gives the lie to the Sermon on the Mount and makes the decalogue but a concatenation of meaningless words. And all for what? What influences call for it? Not a threat of invasion by a foreign foe—no internal dissensions which threaten our peace at home—no necessity under God's sun, that I can see, but on the contrary, the horizon of our future is without one speck of war cloud to mar the wide expanse of its peaceful blue. Less danger, in fact, of war than this country has enjoyed for the last 50 years. Of course, no one really considers seriously the little fiasco with Mexico. Now, who demands this legislation? Nobody except the profit sharers of such a policy, and the politicians who imagine that the brutal passion of war has so benumbed the Christian instincts and beclouded the judgment of civilized peoples that the voters can be misled or used for partisan political purposes.

The United States Government, Mr. President, notwithstanding what the advocates of "preparedness" have said, and the

slanderers of the American Navy may suggest, has the greatest Navy to-day in the world, except Great Britain. This Nation is better equipped to defend its right on land—it is better equipped in men and material resources to defend the American flag both on land and sea than ever before in its history. That statement can not be successfully contradicted. And, in addition to that, I want to repeat, there is less danger of foreign or domestic war than this country has enjoyed since 1865. Mr. President, the American people are wont to denounce the selfish and ambitious rulers of Europe, and charge them with responsibility for the cruel war being waged over there to-day. I join with them in that criticism. It is a war brought about by the ambitious, designing criminal few, to be fought and suffered by the exploited many. The men and women who are suffering and sacrificing in this war were not consulted about it at all. And yet, in utter disregard of that terrible example, the Congress of the United States is pursuing the same course, doing the same thing, that the rulers of Europe did prior to and leading up to that fearful conflict. Getting ready for war when no war is threatened. Taking the money that ought to go for the support, maintenance, and education of the children of the toiling masses and investing it in gunboats, cannons, and other forms of armaments that will never be needed—that is, if the men responsible for the official affairs of this Nation shall do their duty. We propose to build battleships that are not needed. We propose to organize armies that are not needed. We are martialing the forces of war, not for the purpose of defense but for the purpose which organized and martialed physical forces in the forms of armies and navies are always used by ambitious rulers. It seems to me that this Congress has lost its discretion—"judgment thou art fled to brutish beasts and men have lost their reason"—under the influence of an abnormal pernicious sentiment. Old and tested moorings are broken, and in the midst of breakers the ship of state is to be turned over to the commercial pirates. I can not understand it.

I have listened in vain for one word for peace to be spoken—one note of peace to be sounded by this administration. No organized official effort has been put forth by this Government in the interest of peace. The President, in his admirable address to Congress on the 8th of December, 1914, declared a purpose and outlined a policy which, if pursued, would have given this Republic a position of moral altitude which would have commanded the admiration of the peoples of the earth and won the gratitude of every rational Christian man and woman in the world. Mr. President, I am going to ask permission to insert here in my remarks an extract from that wonderful address. I regard it as the crowning effort of a great brain, glorified with the rare fragrance of a heart imbued, at the time, with genuine love for humanity.

I beg to be permitted to employ the President's words as the better expression of my own views on this momentous issue.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

"It is not expenditure, but extravagance that we should fear being criticized for; not paying for the legitimate enterprises and undertakings of a great Government, whose people command what it should do, but adding what will benefit only a few or pouring money out for what need not have been undertaken at all or might have been postponed or better and more economically conceived and carried out. The Nation is not niggardly; it is very generous. It will chide us only if we forget for whom we pay money out and whose money it is we pay. These are large and general standards, but they are not very difficult of application to particular cases.

"The other topic I shall take leave to mention goes deeper into the principles of our national life and policy. It is the subject of national defense.

"It can not be discussed without first answering some very searching questions. It is said in some quarters that we are not prepared for war. What is meant by being prepared? Is it meant that we are not ready upon brief notice to put a nation in the field—a nation of men trained to arms? Of course we are not ready to do that; and we shall never be in time of peace, so long as we retain our present political principles and institutions. And what is it that it is suggested we should be prepared to do? To defend ourselves against attack? We have always found means to do that, and shall find them whenever it is necessary, without calling our people away from their necessary tasks to render compulsory military service in times of peace.

"Allow me to speak with great plainness and directness upon this great matter and to avow my convictions with deep earnestness. I have tried to know what America is, what her people think, what they are, what they most cherish and hold dear. I hope that some of their finer passions are in my own heart—some of the great conceptions and desires which gave birth to this Government and which have made the voice of this people a voice of peace and hope and liberty among the peoples of the world—and that, speaking my own thoughts, I shall, at least in part, speak theirs also, however faintly and inadequately, upon this vital matter.

"We are at peace with all the world. No one who speaks counsel based on fact or drawn from a just and candid interpretation of realities can say that there is reason to fear that from any quarter our independence or the integrity of our territory is threatened. Dread of the power of any other nation we are incapable of. We are not jealous of rivalry in the fields of commerce or of any other peaceful achievement. We mean to live our own lives as we will, but we mean also to let live. We are, indeed, a true friend to all the nations of the world, because we threaten none, covet the possessions of none, desire the overthrow of none. Our friendship can be accepted and is accepted without reservation, because it is offered in a spirit and for a purpose which no one need ever question or suspect. Therein lies our greatness. We are the champions of peace and of concord. And we should be very jealous of this distinction which we have sought to earn. Just now we should be particularly jealous of it, because it is our dearest present hope that this character and reputation may presently, in God's providence, bring us an opportunity such as has seldom been vouchsafed any nation, the opportunity to counsel and obtain peace in the world and reconciliation and a healing settlement of many a matter that has cooled and interrupted the friendship of nations. This is the time above all others when we should wish and resolve to keep our strength by self-possession, our influence by preserving our ancient principles of action.

"From the first we have had a clear and settled policy with regard to military establishments. We never have had, and while we retain our present principles and ideals we never shall have, a large standing army. If asked, Are you ready to defend yourselves? we reply, Most assuredly, to the utmost; and yet we shall not turn America into a military camp. We will not ask our young men to spend the best years of their lives making soldiers of themselves. There is another sort of energy in us. It will know how to declare itself and make itself effective should occasion arise. And especially when half the world is on fire we shall be careful to make our moral insurance against the spread of the conflagration very definite and certain and adequate indeed.

"Let us remind ourselves, therefore, of the only thing we can do or will do. We must depend in every time of national peril, in the future as in the past, not upon a standing army, nor yet upon a reserve army, but upon a citizenry trained and accustomed to arms. It will be right enough, right American policy, based upon our accustomed principles and practices, to provide a system by which every citizen who will volunteer for the training may be made familiar with the use of modern arms, the rudiments of drill and maneuver, and the maintenance and sanitation of camps. We should encourage such training and make it a means of discipline which our young men will learn to value. It is right that we should provide it not only, but that we should make it as attractive as possible, and so induce our young men to undergo it at such times as they can command a little freedom and can seek the physical development they need, for mere health's sake, if for nothing more. Every means by which such things can be stimulated is legitimate, and such a method smacks of true American ideas. It is right, too, that the National Guard of the States should be developed and strengthened by every means which is not inconsistent with our obligations to our own people or with the established policy of our Government. And this, also, not because the time or occasion specially calls for such measures, but because it should be our constant policy to make these provisions for our national peace and safety.

"More than this carries with it a reversal of the whole history and character of our polity. More than this, proposed at this time, permit me to say, would mean merely that we had lost our self-possession, that we had been thrown off our balance by a war with which we have nothing to do, whose causes can not touch us, whose very existence affords us opportunities of friendship and disinterested service which should make us ashamed of any thought of hostility or fearful preparation for trouble. This is assuredly the opportunity for which a people and a Government like ours were raised up, the opportunity not only to speak but actually to embody and exemplify the counsels of peace and amity and the lasting concord which is based on justice and fair and generous dealing.

"A powerful Navy we have always regarded as our proper and natural means of defense; and it has always been of defense that we have thought, never of aggression or of conquest.

But who shall tell us now what sort of navy to build? We shall take leave to be strong upon the seas in the future, as in the past, and there will be no thought of offense or of provocation in that. Our ships are our natural bulwarks. When will the experts tell us just what kind we should construct, and when will they be right for 10 years together, if the relative efficiency of craft of different kinds and uses continues to change as we have seen it change under our very eyes in these last few months?

"But I turn away from the subject. It is not new. There is no new need to discuss it. We shall not alter our attitude toward it because some amongst us are nervous and excited. We shall easily and sensibly agree upon a policy of defense. The question has not changed its aspects because the times are not normal. Our policy will not be for an occasion. It will be conceived as a permanent and settled thing, which we will pursue at all seasons, without haste and after a fashion perfectly consistent with the peace of the world, the abiding friendship of States, and the unhampered freedom of all with whom we deal. Let there be no misconception. The country has been misinformed. We have not been negligent of national defense. We are not unmindful of the great responsibility resting upon us. We shall learn and profit by the lesson of every experience and every new circumstance; and what is needed will be adequately done.

"I close, as I began, by reminding you of the great tasks and duties of peace which challenge our best powers and invite us to build what will last, the tasks to which we can address ourselves now and at all times with free-hearted zest and with all the finest gifts of constructive wisdom we possess. To develop our life and our resources; to supply our own people, and the people of the world as their need arises, from the abundant plenty of our fields and our marts of trade; to enrich the commerce of our own States and of the world with the products of our mines, our farms, and our factories, with the creations of our thought and the fruits of our character—this is what will hold our attention and our enthusiasm steadily, now and in the years to come, as we strive to show in our life as a Nation what liberty and the inspirations of an emancipated spirit may do for men and for societies, for individuals, for States, and for mankind."

Mr. VARDAMAN. But for some reason which has not been given to the public the President changed his course. He descended from the high place he assumed in that incomparable speech and permitted himself to get on the level with the advocates of brute force—the disciples of "preparedness" for pelf and the hungry hoard of profit makers, who would coin the blood and tears of the toiling millions of this country that dividends might be increased. Mr. President, a sense of disappointment sank into my soul that words can not express when the President of the United States threw away that great opportunity to serve humanity and to lead the world to higher and better and nobler things. As I said in the beginning, I presume the die is cast. The order has gone forth. The Congress has made up its mind. I am prepared to believe that the worst is to be done. Any effort to bring about a change in the determination of this Congress would be as idle as to attempt to resist the rushing forces of Niagara with the floating mists that hover over its roaring vortex. O God!

> When shall all men's good
> By each man's rule, and universal peace
> Lie like a shaft of light across the land
> And like a lane of beams athwart the sea?

Mr. WORKS. Mr. President, I understand perfectly that in the present excited, hysterical, and perverted condition of the public mind one who opposes this program of enlarging and expanding the Navy is going to make himself unpopular. I know that my views on this important subject run counter to those of other Senators just as conscientious as I am, and who believe in all sincerity that this proposed legislation is wise and necessary. As the bill is bound to pass and become a law I wish I might agree with them. I listened with interest and no little apprehension to the speech of the junior Senator from Virginia [Mr. SWANSON] in opening the debate on the bill. I say with apprehension because I look upon it as one of the most unfortunate and dangerous, I had almost said unpatriotic, speeches ever delivered in the United States Senate. It was full of dire predictions of misfortune and dangers to the country. It is calculated to instill into the minds of the American people a false sense of the impotency of this great, free, peace-loving Nation to protect itself except by force. It will arouse in their minds feelings of fear, apprehension, and distrust of their own Government that may never be allayed and which may bring upon us worse disasters than those he predicts. It minimizes the power of peaceful methods of settling international disputes and exalts in the minds of the people the methods of force and warfare. I am sorry that such sentiments should have fallen from the lips of a United States Senator who, because of his exalted official position, speaks with authority.

Mr. President, this is a critical time in the history of this Nation. No more important question, none of greater significance, none fraught with greater or more dangerous consequences to the country, has ever confronted us. We are now definitely entering upon the broad highway that leads to militarism, the domination of the military over the civil authorities. We are proposing to change the fundamental policies of the Government in a matter affecting, as no other policy could, the peace, happiness, and prosperity of this great and beneficent country. Heretofore it has been our fixed and unaltered policy to exalt peaceful means above force in the settlement of disputes and the maintenance of peace with other nations and within our own borders; now we propose to elevate force above honor and probity and peaceful methods. Up to this time the people of this country have been taught to believe that our greatest protection was justice and fair dealing with other nations as with other men, and willingness to arbitrate and settle disputes with other nations as we would settle with our neighbor by going to a court provided by law. Now, by the speech of the Senator from Virginia, if he is believed, and the passage of this bill, if that misfortune shall come upon the country, there is instilled into the minds of the American people the deadly poison of unbelief in peaceful means of maintaining peace and reliance upon a great army and navy. It is not so much the building up of a great navy or the unnecessary and wasteful expenditure of hundreds of millions of dollars for that purpose that I deplore. It is the dangerous and unpatriotic thought which lies behind it that is most alarming. It is the fact that we are taking a false step that will change the minds of the American people from thoughts of peace and reliance upon peaceful means as the one sure preservative of peace, with its consequent manifold blessings of prosperity and happiness and contentment, to thoughts of force, with reliance upon a powerful army and navy as a preventive of war.

We have severely criticized other nations for doing with much greater reason just what we are proposing to do now. Sheltered in belief behind the protection of a great army and navy, imbued with the feeling of distrust of all other nations, distrustful even of our own Nation which can no longer protect itself except by force of arms, this Nation can no longer be great except in money and military power and her people can never be happy or contented.

We, as a nation, are about to step down from the exalted position we have held as an advocate of universal peace among nations and the settlement of disputes without resort to war, and descend to the level of the nations who kill and slay and maintain great standing armies as the only means of protection. What a spectacle we are about to present to a civilized and enlightened world! What an example to be set by a nation that has heretofore boasted of its free institutions and plumed itself on its advocacy of peace! By this one act of legislation we surrender all pretensions of superiority over other nations in this respect and admit that we can not protect our own people except by war. What a travesty on free and enlightened government! What a libel on humanity! What a terrible arraignment of the times in which we live and of our own Nation and its people!

Mr. President, why should we do this dreadful thing now? There is no reason in the interest of the people. We are in no danger of war. There is less reason to fear it now than at any time in half a century. By this large armament we are exciting the fear and apprehension of our own people and the hatred and malice of other nations. Filled with fear and armed for the conflict we are inviting war. There is nothing more dangerous than the man filled with fear and armed with a loaded revolver. Nations are made up of men, and a nation afraid and possessed of a great army and navy is dangerous only in greater degree.

Mr. President, this is not a political question. If this great wrong to the people of this country is consummated, the two great political parties now struggling for control of the Government will be equally responsible. It may seem to be popular now, but unless the people of the country have become reconciled to militarism, which God forbid, the men in this body who are instrumental in passing this bill will live to see their error and regret the course they are now taking. But, sir, that will not entirely heal the injury they are about to inflict upon the country. The marks of this day's work may never be wholly removed and the Nation restored to the high position it occupied before the wrong was committed.

Mr. President, I enter my solemn protest against it. I know that what I have said here will have but little effect. It will not prevent the passage of the bill. It may arouse some of the

people of this country who have been misled by designing people to a realization of the enormity of the sentiments that have been aroused in favor of preparedness for war and the injury that has been done them by the passage of the bill.

At all events I shall have the consolation of having done what seems to me to be an imperative duty at a time of great peril to the country.

Mr. BORAH. Mr. President, this is a program which I presume no one wants, but it is a program which some of us believe to be necessary. All would be glad if the expense could in safety be avoided. Some of us believe we can not in safety do so. Those of us who believe in a strong Navy are quite as much in favor of peace as our colleagues, for whom we have the highest regard, who are opposed to it. We believe that conditions are such as to require some action on the part of Congress, and that action has taken the form which we now find in this bill. It is not just as I would like to see it, but I must not permit the lesser to control the greater.

The Senator from California [Mr. WORKS], speaking upon what he considered a grave and delicate situation, expressed my views with reference to a very important feature of our foreign affairs. He is of the opinion, and others are of the opinion, that this matter may be, and possibly it will be, settled without any difficulty. I sincerely hope that may be true. But the thought occurred to me at the time he was speaking, and it has occurred to me since, suppose it were not settled in accordance with our views or as we feel it should be settled, what would we do? Would we submit to the views of a foreign power with reference to those matters which we deem to be vital to the existence of our Government and to the preservation of our civilization? We would not, and it is cheaper and wiser to settle grave questions in the atmosphere of security. The premier of Japan a short time ago said that the only way that diplomacy could become effective was when it was backed up by sufficient force. When he thus spoke he was not, I take it, making a threat but uttering a most practical precept of international action. I would not like to sit down with the masterful men of that great nation to deal with matters of vital concern and have them feel that there was no force behind our diplomacy. I am too anxious to retain their respect.

Mr. President, a great deal has been said since this debate started months ago to the effect that we have no enemy in sight and may therefore be at ease. Senators have also indulged in the intellectual pastime of analyzing the financial and industrial conditions of other nations, comparing those conditions in that respect with ours and deducing from it all security against aggression from any source. We are said to be friendly with all powers or if not friendly secure nevertheless in the fact so conclusively demonstrated that all the great powers now in conflict will escape from this fearful carnage broken in spirit and in purpose and anxious for years of resuscitation and rebuilding. It is something of a task, at least it has usually been found much beyond the ken of mortal man heretofore, to foresee all the causes of war. It has generally been considered beyond the capacity of the most trained statesmen to divine the sinister and often wholly fortuitous influences which bring even friendly nations into conflict often within a fortnight. It is something of a risk to permit security to life and property to rest upon the ability of men to search out in advance the consciences and to run out and reveal the plans and purposes of other nations. It seems to me much wiser to follow the more prudent and better tested policy of the wisest of men. It was Washington who said:

> If we desire to avoid insult we must be able to repel it. If we desire to secure peace it must be known that we are at all times prepared for war.

I perfectly agree with those who reject the theory that any particular nation is planning an attack upon the United States. But I reject the other theory also which seems in the minds of many to follow as a matter of logic that because there is no specific purpose to that end anywhere observable, therefore there is no danger and hence no necessity for preparing to meet danger. You had just as well tell me to take the policemen off the streets of Washington because no one is able to unravel to a definite and specific conclusion the mysterious workings of the criminal mind and advise in advance when it will act. I do not know and no one can know very much concerning the specific plans and purposes of other nations. I do not need to know them in order to act wisely concerning the interests of this Government and for the protection of our countrymen. I do know that steam and electricity have made us neighbors to all the world; that among these neighbors are powerful and ambitious nations reaching for trade, searching for points of commercial advantage, determined upon commercial supremacy. I know furthermore that one of two things is true: That as a people we will either become a dominant and world factor in this race for commercial supremacy or we will be sheared of our prestige, our power, and even our dominance unto humiliation. We must either go forward finding an outlet for our trade, a market for our goods, and thereby a living wage for our workingmen, insuring efficiency and prosperity at home, or we must be content to be shut in and circumscribed, to see our markets glutted, labor underpaid and discontented, internal dissension and dissatisfaction, and other things of which I do not care to prophesy. If we are to play the part which we should play and which we are entitled to play, shall we hope to do so without the ability or the means by which to protect our own and without that preparation which shall insure respect to the flag and a due regard for our rights? There may come a time when the policemen may be dispensed with in safety to the community, when the vices of men will make war no longer upon the peace and good order of society, but that time is not yet. There may come a time when nations shall be satisfied with their market, their commerce, and their territory, but that time is not yet.

Washington advised us that—

> The great rule of conduct for us in regard to foreign nations is in extending our commercial relations to have with them as little political connection as possible.

I trust we shall always adhere to that rule; it is a policy the foresight and wisdom of which time has fully justified. But while we are, I assume, to remain aloof from European politics, we can not forego our rightful, indeed, our necessary place in the world's commercial affairs. Neither can we expect, nor do we desire, that Europe or the Orient shall have no part in the commercial affairs of the Western Continent. Exchange and trade between nations are as essential and inevitable in the twentieth century as was barter between neighbors in the seventeenth. New York and London and Liverpool and Berlin and Vienna are as close neighbors in the field of trade now as were New York and Philadelphia when Washington issued his farewell address. In politics let us in so far as we may have our own theories of government, our own standards of right and wrong, our own civilization. But in commerce there must always be that close grip of power with power which may give rise any day to grave misunderstandings. Then there is that other fateful, sinister question to which the able Senator from California [Mr. WORKS] referred effectively in his speech a few days ago, of the intermingling of races and nationalities. We all know that more than once of late this question has caused our Nation, "the asylum of the oppressed," to make inquiry of a certain proud and sensitive nation of its further purposes and plans in this particular. Fortunately and much to the gratification of both parties that difficulty has been obviated for the present. But he is a complacent soul, indeed, who does not scent danger in this close rub of irreconcilable nationalities. Here, in these commercial and racial conflicts, lie the causes of modern contention, and here, too, are the warning signals to a reflecting people to prepare against the day when even some race riot shall ignite the embers of race prejudice and race hatred, passions which sometimes sleep but never die and before which arbitration tribunals and peace treaties disappear like stubble in the flame.

All kinds of causes for this war have been assigned. The ambition of a powerful personality, the most striking European figure since Napoleon; the assassination of the representative of a royal family, who ventured into unfriendly territory; and finally the invasion of Belgium have each and all been given their place as culminating incidents to the bringing on of this conflict. But at bottom and in its primary causes it is a commercial war. Desire for commercial supremacy was the underlying influence which brought into conflict the forces of the central and allied powers. We will not gather from this crisis the lesson which we are under every obligation to learn if we fail to give consideration to that fact. Here were two great people, the German and the English people, each rich in the traditions of ancient valor, and in each of which lived and dwelt eternally the genius for empire. One of them the most efficient, the most thoroughly organized industrial unit in the world, sending its trade into every port and its merchants into every clime; the other the possessor or dominating influence of over one-fifth of the inhabitable globe. There had to be the curtailment of commercial ambition and of territory, or there had to be conflict, and now there may be both. Henry Clay once said:

> The greatest want of civilized society is a market for the sale and exchange of the surplus produce of the labor of its members.

When we look over this great war and its causes I am almost compelled to agree with him. The assassin's aim might have hastened it on, the invasion of Belgium was no doubt a concluding incident and served well to gild other reasons with the halo of humanity. But the originating causes of the conflict lay back, far back, of those things, deep buried in the history, the tradi-

tions, the ambitions, and the wide-spreading influence of the two most dominant social and moral forces which have yet appeared in European history. Socially, governmentally, commercially they were at war long before the manifesto of war was issued. With both, with each, it seems there were two alternatives and no third, world dominion or ruin, and all these things moved forward to the final clash at a time when the citizens of the respective countries were upon the friendliest terms and at a time when the expressions of friendship between the respective Governments were weekly and even daily incidents. I know there are those who will disagree with me and seek to place this conflict upon higher ground. But I challenge those who think so to go back and study the business and commercial literature of these two nations for 10 years prior to the conflict.

Let us then exclude all specific plans of attack, all specific purposes of invasion, and look out upon broader fields. Do we not see nations, aggressive for room and hungry for markets and restless for power, some of which nations contrast with ours in their standards of civilization and conceptions of government in a more marked degree than the contrast which denotes the two leading warring nations of Europe? And seeing these things, shall we be misled by the solemn, meaningless language of diplomacy, with which time and cunning have so often sought to lull into security the public mind? Do we not see a world every part of which the genius of man has brought into close touch with every other part? Do we not see the spirit of nationality, the strenuous, persistent, inscrutable spirit of nationality, everywhere dominant? Seeing these things, and knowing well that it is our task to insure protection and security to all, shall we fail to do our full duty? I do not support programs of preparedness because of some supposed specific enmity nor because of some supposed contingency, not in fear or perturbation, but because I can not conceive of a great nation, with thousands of miles of seacoast and millions of property at the water's edge and an ever-widening influence in commerce, entering upon the future with safety to the Government or to the people without full preparation. I find no better statement of the principle upon which all programs should be built than that announced by that thoroughgoing American, Andrew Jackson:

> It is unquestionably our true interest to cultivate the most friendly understanding with every nation and to avoid by every honorable means the calamities of war. And we shall best attain this object by frankness and sincerity in our foreign intercourse by the prompt and faithful execution of treaties and by justice and impartiality in our conduct to all. But no nation, however desirous of peace, can hope to escape occasional collisions with other powers, and the sauest dictates of policy require that we should place ourselves in a condition to assert our rights if a resort to force should ever become necessary. * * * We shall more certainly preserve peace when it is well understood that we are prepared for war.

Mr. President, militarism has always aroused the fears of free governments, and justly so. Large standing armies have been regarded by them with distrust, and justly so. A body of men organized and set aside and dedicated to military pursuits has been looked upon with disfavor. The result has been that republics have been the least prepared of all governments in the hour of actual peril. In seeking to escape militarism they have suffered incalculably when attacked because unprepared to repel the attack. Unwilling to accept that form of preparedness which ordinarily accompanies absolute governments, we have not as yet worked out or adopted that form which harmonizes with free institutions except possibly in the instance of Switzerland. We have democratized government but have not democratized preparedness.

It would seem self-evident and axiomatic that a self-governing people should be a self-protecting people, that a man who has a right to vote should have the obligation to defend the right to vote.

When it is a well understood and thoroughly accepted principle of democracy that universal service is the obligation which accompanies suffrage, that every man who enjoys the privileges and blessings of free government must prepare himself to defend those privileges and protect those blessings, we shall have found the only true basis of preparedness for a peace-loving and self-respecting, self-protecting republic. When we come thoroughly to understand that every man should fit himself for the duties and obligations of military service and shall understand that these duties and obligations are the complements of citizenship, we shall avoid, on the one hand, the expense and burdens of large standing armies, and on the other the even greater dangers of weakness and unpreparedness in the hour of peril. Democracy should have its own form of preparedness, for it is vain to suppose that even the most peaceful of nations may not be called upon to defend its rights and its honor.

But of all forms of preparedness that of a strong Navy appeals to me most. With a powerful Navy we do not need a large standing Army. It seems, too, that a strong Navy, considing our situation, would not only be safer and more effective in case of war but more calculated to insure peace. I repeat, therefore, what I said in this debate some time ago that I look upon the Navy not only as the first line of the defense but in a large measure as the last line of defense.

It is of the utmost importance in this matter that we be not misled by names or by appearances. We are not seekers of aggression or of controversy, but we have a magnificent heritage; we have much to safeguard and to defend. Any reasonable rule for the protection of such a heritage must necessarily be within the compass and bounds of reason and of wisdom.

We have heard during the last few months, Mr. President, very much concerning the evils of militarism, with all of which I am in accord. We have had recounted to us on other rostrums, and in other places particularly, the evils which flow from such lives as those of Philip, of Alexander, of Cæsar, of Charlemagne, of Cromwell, and of Napoleon, and the enmity of these great men and their principles to civil institutions, and to the peace and the comfort of the human family, with all of which we are all inclined to agree.

But, Mr. President, there is another side to this question. There is a part of the story which no reflecting man can overlook, and that is the evil, the misery, which have come to the human race by reason of the fact that the great, free governments of the earth have almost invariably found themselves unprepared in the hour of attack or of aggression. If we will but pause, sir, and study the history of free institutions and free governments we shall find more to have perished by reason of the failure to prepare and to be ready to meet agression than have perished by reason of militarism from within. The saddest story in the baffling history of the race is that in which well-meaning free governments have loitered and procrastinated in the face of danger, or in which they have in their complacency and ease refused to listen to the warning voice of wisdom.

Of course, Mr. President, I shall not in this heat and haste undertake to recount the experiences of republics in this respect, but I should like to glance at some of those experiences. I should like to recall in briefest time to my friends who believe in free institutions, as we all do, who are known to be sincere and no less patriotic, that other men have also stood in the Halls of Congress and in the parliaments of other nations and have pleaded for peace and for disarmament; and I beg them to remember the evil consequences which followed the adoption of their policy.

When Demosthenes entered public life in Greece he found three evils undermining and sapping the life of his great country. First, the venality or corruption in public life; second, the lack of civic spirit among the masses; and, third, the utter unpreparedness of Athens either in army or navy to meet those who were, to his mind, manifestly aggressors. He devoted his entire life to these great subjects, and it is startlingly interesting even at this hour to see the applicability, the pertinency, of the argument of Demosthenes to his people for preparedness. He plead with the people of Athens to give him a navy; he plead with them to give him an army, not for conquest but for defense. But they saw no enemy in sight; they could not believe that Philip was intending to oppress Greece, and they replied to him it is a burden which we are not willing to assume until there shall be sufficient evidence of the necessity for it. I will read a paragraph from the Fourth Philippic delivered by Demosthenes, not that I would weary my colleagues with ancient history, but because I can in this way best apply certain great principles of reasonable conduct to the affairs of national life and because I believe that conditions in this respect have not very much changed. Human nature was largely then what it is now, and the things which actuated and moved men then will actuate and move men now:

> You, Athenians, have never made the necessary disposition in your affairs or armed yourselves in time, but have ever been led by events. Then when it proves too late to act you lay down your arms. If another incident alarms you, your preparations are once more resumed in general tumult and confusion. But this is not the way to obtain success. * * * When Philip was preparing, you, instead of doing the like and making counter preparations, remained listless, and if anyone spoke a word of warning shouted him down. When you receive news that any place is lost or besieged, then you listen and prepare. But the time to have heard and consulted was when you decline to listen, and the time to act and employ your preparation is now when you are hearing me. Such being your habits, you are the only people who adopt this singular course. Other nations deliberate before action. You deliberate after action.

Even then they had learned to "wait" on events, to look for "physical demonstration" of war; they had passed under the soothing spell of procrastination and tremendously they suffered for it.

In the First Philippic he said:

Yet is there time, O Athenians; yet is there time. Cease to hire your armies, cease to fill your ranks with the offscourings of a planet. Go yourselves and stand in the ranks; and then, dying, you shall die greatly and with a glory that shall surpass the glories of the past, or, victorious, you shall gain a victory that shall exceed all your victories in the past.

But they gave no heed. They were not interested in the advice, and we all know the result. The statesman pleaded in vain. The people turned from matters of public concern and went about their games and their private pursuits. Those who were then the aggressors easily took possession, and the civilization of Athens perished. In the language of Edward Everett, though spoken to a different argument, "Greece pleads with us by the convulsed lips of her poisoned, dying Demosthenes."

Not dissimilar in many respects is the story of Venice, the most advanced of free governments of that era. She was warned that Turkey was planning an attack or an invasion of the Island of Crete and, her wisest advisers believed, an attack upon her entire possessions. But when warned Turkey assured her that she was friendly, and Venice, seeing no enemy in sight, delayed. The Venetian ambassador, Sorance, at the court of Constantinople, warned the Venetian Senate of the impending peril and entreated the senate to prepare. A contemporary student, analyzing the conditions which seemed to be undermining Venice, said:

The Venetian Senate is in time of danger liable to steer a middle course, which is the worst course of all. If two different policies are proposed, one brave and daring and the other timorous and cowardly, the Venetians are apt to follow a policy which is partly brave and partly cowardly, without inquiring whether it is wise, whether it will avert danger.

The result of this unconcern, of this delay, is soon recorded. The fortress of St. Theodore was taken, Cyprus was later invaded, and other portions of her territory continued to be seized, until finally the sovereigns, united into the League of Cambray, invaded and took control of the entire Venetian possessions. I can not believe that these lessons and these instances are wholly uninstructive. I can not believe that we live in an age or in a time when human nature is wholly different or the laws of the survival of the fittest are wholly changed.

Let me intrude upon your patience with one other illustration before I go to more modern instances. William the Silent, when struggling against the tyranny of Spain, using his little principality of Orange, fitted out a few privateers. As the Staatholder of the Netherlands, he set about to construct a great navy, and he did so. This policy was maintained by his immediate successors, and while it was maintained the Netherlands ruled the sea, had colonies in every part of the world, dominated and directed the world's trade, and was the most wealthy, contented, and prosperous power in Europe. I may not trespass upon your patience by reading, as I had intended to do, some excerpts from the fascinating history of Motley, but if you will turn to the concluding chapter of Motley's Netherlands you will read as magnificent a story of true greatness as anywhere to be found. He tells us there were no beggars in the land; that labor was well paid and contented; that prosperity was universal; that while Netherlands' ships sailed every sea and carried cargoes and commodities to every market, while her colonies dotted every part of the earth, there was also the most unquestioned contentment among the people at home. But this policy in 1650 was changed. The whole theory of government which had theretofore prevailed was abandoned. The navy was neglected. The commerce of the Netherlands was soon driven off the sea, depression and stagnation prevailed at home. Her colonies were taken over by other powers, her dominancy of the sea passed to England, and the Netherlands ceased to be a controlling factor in the affairs of men.

Mr. President, in 1812 we had our second conflict with Great Britain. That war was another instance illustrating the disposition of republican governments, of free institutions, to lag in the preparation for danger. We owe as much for our success and for the final triumph of our arms in 1812 to the French as we did for our success in 1776 to the same great nation. When we reflect upon the disasters which followed one upon another of our army, the fact that our Capitol was in the hands of the enemy and burned, the reason is apparent when we remember that with the breaking out of the War of 1812 we had just 6,744 men in our army to defend the most magnificent heritage ever left to free men! But, fortunately for us, the conditions across the water served well our cause. In July, 1812, Napoleon started upon his march for Moscow.

In September, 1812, the Russians burned Moscow and fled. Then began the retreat of Napoleon, which was really the end of his career; for, as said by Ingersoll, "the infantry of the snow and the cavalry of the wild blast" accomplished what the combined armies of Europe could not accomplish. Driven back upon Paris, the nations upon which he had placed his domination arose against him; his forces became demoralized; then followed Dresden and Leipsic and Fontainebleau and Elba and the escape, the recapture of an empire, and then Waterloo. During these days, in which we were relying on our little Army and our little but brilliant Navy, all the resources, all the energy, all the financial power, and all the fighting power of England were engaged in her death grip with the plans and ambitions of the greatest captain of modern warfare. What would have been the result in this country had England been permitted to turn toward this shore and upon our 6,744 men and our little Navy and our State militia the embattled hosts of Trafalgar and the conquering armies of Waterloo?

Weakness is indeed a source of war. I am in favor of a great navy, sir, of a strong navy, not because I believe less than my brothers in peace, but because I believe it is an assurance of peace, and I know, if peace can not be had, it is essential to our safety. I would rather pay a few dollars for safety, for insurance, than thousands in misery and in sacrifice. I would rather advertise to the nations of the earth that, peace loving as we are, we realize the responsibilities of a great free people and propose to defend our rights than to invite aggression by indifference to and a disregard of our rights. I would rather in the days of peace act in foresight and wisdom than when war comes act in confusion and with infinite sacrifice.

But perhaps the most remarkable incident I can bring to your attention finds its record in the recorded events which took place only a few months before the great war. In 1900 Lord Salisbury made a notable address to the English people. He outlined the dangers which were confronting the English people by reason of the constant commercial growth and aggrandizement of Germany.

He advised his people that that was the hour in which to prepare; that, according to his view as a reader of public events, the time must shortly come when those two nations could not remain on such friendly terms. But time passed on and his word passed unheeded. Lord Roberts also entered into this field and plead with the English people to prepare against the day which he foretold with remarkable accuracy; but his words passed unheeded. The men engaged in the politics of England seemed unwilling to meet the situation and deal openly and candidly with these unpalatable truths. They adopted the policy "wait and see," and they waited and they have been permitted to see.

I want to read now a paragraph or two from a book which was written about two years before this conflict began. The learned author, a student of history, holding his chair then in one of the great educational institutions of England, after giving most thorough study to the history and the ambitions of these two nations, advised his people to prepare for the time when they would meet in deadly conflict. This is from Prof. Cramb's book entitled "Germany and England":

Germany will never sincerely cease arming. If England builds on the dream of Germany acquiescent, she is destined to a bloody and terrible awakening.

We all recall the asseverations of friendship passing between these powers at this time. We recall with what complacency statesmen surveyed the future and how they calmed the fears which alarmists would arouse and stilled the questionings which radicals, so called, would excite. It was about this time, or even later, that well-meaning men in this country advised us that the world would never again see a great war. Yet the volcanic heat was so near the surface that it almost burned the feet of the inhabitants.

And here let me say, with regard to Germany, that of all England's enemies she is by far the greatest; and by "greatest" I mean not merely magnitude, not her millions of soldiers, her millions of inhabitants; I mean grandeur of soul. She is the greatest and most heroic enemy—if she *is* our enemy—

Which no one at that time in England believed—

that England, in the thousand years of her history, has ever confronted.

Mr. President, this has something of the coolness of tone and the authenticity of statement of the old Hebrew prophets. It is to-day found in verity upon a hundred battle fields and it is recorded in almost every family Bible in England. She was not only the greatest, the most powerful enemy of England, but she was the enemy of England; that is to say, the interests and the ambitions of these two peoples were heading for a fearful conflict. And to-day England is gathering her strength for the first time, after months and months of preparation and discipline, to meet the situation against which she was advised and warned long before the conflict came. What would she not have given many times in these last months to have acted sooner?

I read another paragraph from page 104:

And here a law, obvious, universal, and inevitable in its application, discloses itself. It concerns the struggle for power. Amongst free, independent nations weakness means war, and the empire which is not prepared to defend itself by forces proportionate to the magnitude of that empire must fall.

What historian in this Chamber, looking back over the records of history, will dispute that fact? How often has it been legibly written for the instruction of us all! Weakness means aggression; weakness means war; and in proportion to the magnificent estate which you hold you must prepare to reckon with that rule.

Again, at page 130:

There the question lies, and it is a difficult question—more difficult for a German than for an Englishman. To talk about "friendly rivalry" is no answer. I never can understand what meaning that kind of talk has—"friendly rivalry," "generous emulation," and the image of racers on a race course. Even if such a thing were possible or thinkable among nations—and there is no example in history of any such "friendly rivalry," of any such "generous emulation"—but even if it were possible, what is to be the state of mind of a young and ardent German at the present day who feels within his nation very nearly an unlimited power, and who sees only one great adversary, one great obstacle, between him and the realization of the world ideal of his race? There are tens of thousands of such young Germans. What are you or I to think of them if they sit still and fold their hands in "friendly rivalry," in "generous emulation" of England, a power which is described to them by their leaders and thinkers as already tottering to its grave. What other spirit is to arise within them than the spirit which I have indicated in these lectures?

I have lived amongst Germans and know something of the temper of Germany's manhood and of her youth. I have read much in her history and in her literature. I have been impressed, as with the motion of tides and of great rivers, by the majesty of that movement by which, from the days of the Saxon and the Hohenstaufen Emperors, through centuries of feudal anarchy and disintegration made still more disintegrated by the convulsive forces of the fiercest religious strife, she has attained to her position to-day; and with the best will in the world I can see no issue to the present collision of ideals but a tragic issue. England, indeed, desires peace; England, indeed, it is certain, will never make war upon Germany; but how is the youth of Germany, the youth of that nation, great in arts as in war, to acquiesce in the world predominance of England? With what thoughts are they to read the history and the literature of their country? If, from love of peace or dread of war, Germany submits, it would seem as if her great soldiers had fought in vain, as if the long roll of her battles had passed like an empty sound, as if the Great Elector and Frederick, Stein, and Scharnhorst and Bismarck had schemed in vain, as if her thinkers had thought their thoughts and her poets had dreamed their dreams not less in vain. But if, on the other hand, Germany has not declined from her ancient valor the issue is certain, and a speedy issue. "It is war."

At the time this book was written, as I have said, there were the friendliest relations, apparently, between these two powers. But the student of history, the vigilant and remorseless dissector of passing events, realized that the contention between them was that of commercial supremacy, that the conflict was inevitable, and he advised his countrymen to that effect in language which now sounds as if it had been spoken not before the war but after the war, so veritable seems it all.

We can not ignore the situation that confronts us to-day. Let us put aside all this idea of any particular nation planning an attack upon the United States. Let us dispense with the theory that there is anywhere lurking an intention to specifically intrude upon us. I am willing to concede all these things. But can we ignore the growth of nations, the growth of nationalism, the intense spirit of nationality, the growth and the commercial ambitions of nations? If not, can we ignore the iron rule of history that weakness means war?

Mr. President, we are told in this debate that we are at peace, and that there is less danger of war now than at any time during the last 50 years. Yes; we are at peace; we have not sought war, and we do not propose to seek war. But look about us. We have had some 200 of our citizens drowned at sea and from 500 to a thousand assassinated and murdered on land. We have had millions of property seized at sea and billions of property destroyed on land. We have seen the open door, supposedly well guarded by our treaties and by our honor, closed in the Orient, and we now watch the process while the door which has been closed is being bolted. No; we have not offended, but we have suffered incalculable loss in honor and in property. Weakness is an invitation to aggression, weakness is an invitation to war. As a people and as a Nation, we can not escape our responsibility.

Mr. President, there is little room after all for the play of selfishness, for the successful practice of complacency in a true democracy. Every hour is burdened with its obligations and every deed worthy to be recorded involves some sacrifice for our fellows. "The Lord said unto Cain, where is Abel, thy brother, and he said I know not; am I my brother's keeper?" I am my brother's keeper. It may sometimes mean sacrifice, nevertheless, in government and in morals, I am my brother's keeper. Upon that principle this Republic was organized. That obligation was built and mortised into every portion of the structure of government under which more than a century and a quarter ago we started to work out our salvation as a people. What symmetry, what strength, what commanding power it has given to that government all men know. Take it away, abandon it, and the whole splendid fabric, crumbling, falls. Without it the traditions we have so long cherished and consulted become false and misleading and the great charter under which we have lived and strengthened becomes a solemn and stately falsehood. Without it the achievements of American history lose their inspiration and the great names in our story grow dim and meaningless. Without it all is purposeless and the law of life is that of selfishness and brute force. You can no more give it up, abandon it, and remain a Republic, a united and civilized community, than you can blot religion from the thoughts of men and escape the degradation of brutes. It is a part, an inherent, a vital part, of our national purposes and ideals, and the ideals of a nation are not to be sacrificed because timid and complacent souls fail to grasp the great truth of history that men must sometimes suffer and martyrdom sometimes obtain that civilization may not perish. In the midst of this tremendous war which threatens to engulf the whole world in moral anarchy and challenges the logic of 19 centuries of Christian civilization, let us not lose our way, as we are apt to do, by compromising, by shirking our responsibility, by seeking to escape through the bypaths and side arches of expediency or policy. Let us take the highway of honor and right, the broad, open way of justice and courage over which our fathers trod, even in the hour of adversity, and never leave it. Let us declare once and for all as a national policy that we will shirk not at all from the responsibility of guarding and protecting our own, whether by land or by sea. Let us declare that while we love peace and covet the respect and friendship of all nations, that even these blessings are not to be purchased at the price of the dignity and the security of American citizens. And so declaring and so believing these things, let us make ready as a great people to meet the obligations which rest upon us as a Government and as a Nation.

Mr. LEWIS. Mr. President, I am moved to address the Senate at this moment because of expressions set forth by the eminent Senator from Idaho [Mr. BORAH]. I have not always been able to agree with him. Our personal association has been entwined through 20 years, since the youth of life's manhood, in the West. Our combats in the forum of the law and that of politics did not begin here. For his patriotism I have ever held regard, and to his ability I have ever found it agreeable to pay testimonial. To-day we are in accord as to the object sought. Our reasons for action toward a common end may vary.

Mr. President, when I listened to the Senator who comes from the great West, I could not but contemplate for a moment how much the land from whence he comes needs the education of his splendid teaching; how little, sir, the land from whence I come—the Middle West—and the State that I now have the honor to serve realize the real conditions of danger which surround this Republic. Here we can confess how the public representatives are scoffed for every utterance they give in behalf of preparation for dangers threatening their country. How they are scorned and condemned for every undertaking they enter upon for the military defense of their Nation. Let us remember how they are held up as unworthy of credit when they sound the alarm, and charged as having purposes ulterior and serving designs ignoble and debasing.

Sir, let it be now understood—as from me, at least, one Member of this distinguished body—that the only way you will ever get the American people to give their support to measures essential to the military defense of this Republic is to let them know what are the real dangers which surround this country. The only way you will ever bring the citizenship of America to give support to officials who seek to serve in providing defense, because of the lights they have, is to stop this policy of disguise, this practice of masking the real situation that the Republic is in, and tell frankly and freely to your countrymen the exact situation of the Republic. Go speak it to all—to the humblest plowman that balances his curved blade through the rolling furrow, as well as to the learned professor who writes treatises in the quiet cloister of the scholar, such as was read to-day by my eminent friend from Idaho. With them all let us be frank, and speak to them of the things that we feel justify the tax which we are now on the eve of laying upon them.

Rest assured, Mr. President, you can never get people to indorse a levy upon their property, accept a tax upon their wealth, approve the taking of their earnings, until you shall present to them evidences which justify the act. It is not sufficient that we shall be content to appeal to men by the abstract thing called patriotism.

You may address a man as a patriot, and he may feel that he is one; but most men who raise a voice against anything that is a change from what was, call themselves patriots. There are those who justify opposition to anything affecting their personal interest as patriotism. Thus it was that Robert Walpole said:

Patriots? I can make a dozen of them in an hour by merely denying their wishes.

Therefore, Mr. President, that we may appeal to the real patriotism of our people it is necessary to let them see what are the things that shall bring that patriotism into an obedience to the legislative demand such as is expressed in this naval bill. I am a member of the committee which prepared this bill. I know the burdens it carries. I ask the able statesman from Idaho what reasons will he give to Idaho, which trusts him, for presenting to this body his support of this measure, carrying millions upon millions of money, to be gotten by taxation? Shall it be sufficient that you shall say to them: "Behold, in ancient days there were those who cried for protection, but were mocked, and I therefore call upon you to beware?" Shall we say to them, in the language of the ancient law, "Remove not the ancient landmarks that thy fathers have set"—these were the rocks of defense? They will cry out in reply: "For what purpose do you ask us still to steer to these landmarks and also ask us to chart new seas? Why do you put upon America a change of the course of a century? She was ever for peace, not war; she was for the plow, not the spear. Why do you reverse her attitude fixed in history and establish in the morning of the twentieth century in this, the first free Republic of the earth, the fortresses of militarism on land and the fleet of iron-sheathed engines of death on water?"

Shall it be sufficient to reply, saying "Because we have the power"? Shall it serve to say it is because of patriotism you have that we enter upon the undertaking? No. There must come more feasible reason for these things or we will defeat the undertaking.

Mr. President, I charge this distinguished body that it will not avail that you only pass this bill. And to you, the chairman of the Military Committee, Mr. CHAMBERLAIN, I say, nor that we pass your bill and send them both to the country, if the country will not believe in their necessity and justify their object. There will arise revolt from those who are affected by them, and for want of reasons that justify they will rise up at the next election to protest against these measures, and there will stand here in our place in this body and in the House of Representatives, new men pledged to defeat these measures, to repeal them for the mere reason that nothing had been shown to justify them, and everything from their conviction against "militarism," to condemn them.

What avail will it be to us to pass a bill wherein we establish the splendid equipment of a navy such as is prescribed in this measure or that of an army as is provided in the Army bill if the very next body to be elected at this coming election shall receive instructions from the constituencies to dissent and protest against the measures and repeal them? They will have hardly started on their course until they have ended.

Then confusion would follow and a season of defenselessness would result. The Senator from Idaho read from two speeches of Demosthenes, protesting against his country refusing to prepare against invasion. May I invite attention to another speech of that distinguished orator? Not only did Demosthenes remind his people that there had been no preparation against the anticipated advance from Philip, but likewise told them of the reasons why they trooped to the cities from the farms, crying out their resentment against the Government in power. Said he, upon the first threat of invasion, that—

You are unlearned as to the danger it means. You will not know because there are those in your midst who will not speak bravely. You are being soothed to confidence in yourselves because of the cowardice of your masters—

He continued:

That you will not follow my advice is because those in power who counsel you wrong against your country.

For this it is recalled he was held to be an enemy of the State. This quotation was brought against him when he was on trial to prove that he was an enemy of the State; the record of that speech was produced as an evidence that he should be exiled from the community, and by a vote of the shells to be ostracized and sent forth as one who was polluting the Athenians with creeds of enmity to men.

How true, may I say to the able Senators about me, that such season of condemnation is duplicated the very hour around us. Mr. President, now when a man rises in public life to speak of the evils threatening his country as he sees them approaching from afar, there are those who attack him as an alarmist, others impugn the motive of his undertaking, and he becomes the subject of the scorn of those who busy themselves with that form of assault that they may hold his utterances up to the contempt of the intelligent.

Then, sir, I admonish this distinguished body that as long as you leave your record where you have it this day, with nothing before your country but the mere declaration for $850,000,000 in toto, all to be taxed from the people for an increase in army, to reconstruct anew an enlarged navy, establish fortifications on your coasts, equip the National Guard and convert it into a Federal standing army, and yet give to your countrymen no reason for the departure that they can adopt and none they can understand, there is no security that the policy we write will remain; there is no assurance that if it is not justified by the believed dangers it will be continued. We do a fruitless task; we perform a useless act. Then, sir, let us be frank to ourselves, and to our country let us be true.

What are the dangers? Sir, the same evils which had wrought destruction upon Governments before ours was founded will be found, sir, to exercise the same influences upon ours. Human beings have not been changed. Mankind is still the product of his creation. He is but of the human kind since he began to dot the earth under the blossoming influence of the sun. "That which was yesterday will be to-day—and all the tomorrows of man are as the yesterdays of his fathers." The motives that inspired him, the hatreds that embittered him, the influences that controlled him in the days long past, of which we speak as the Dark Ages, the hour of unrecorded antiquity; these are the same as those which invest and control him this hour. He is but a man.

Mr. President, the conditions of this hour, as I behold them, more completely repeat the theater of action as portrayed in ancient times than at any time which history has recorded, so far as my memory can revive. All the Old World is at war. Twelve nations and five dependent lands are in battle, each for life of self or death of the other. Senators, do you reflect that this great strife in Europe has forced into conflict more men in one year than were engaged in all the wars combined in all the years from the time of William the Conqueror to Waterloo; more than all the men and forces that were engaged in the world wars from the time of Yorktown, where Cornwallis surrendered to Washington, to Appomattox, where Lee yielded to Grant?

Will it be then contended that it is unusual for a Government like our own, founded in peace, christened in justice, to have hoped that the creed of Christianity—peace on earth, good will to men—by which it lives, would survive? With the world at peace for generations, with no such startling spectacle which now blears the sight to have awakened their fear and aroused their suspicion, naturally the people of such government would feel that that which had continued for so long among men would continue and would persist for their children.

But, sir, the change came. Why? Mr. President, in this body of intelligent and able men, shall it be given out to our countrymen that we feel that the conflict in Europe has been inspired by the spirit of patriotism? Was there any great moral law as the mainspring for that encounter? No. Was there any policy of the ancient Bible to be enforced? Was there a crusader who was leading to the Holy Land or summoning his sanctified followers to rescue some holy grail? Truth responds, No; not one of such.

With great respect to the people who are guiding that conflict on every side of it, we are compelled here to certify that there is no evidence of any motive which moved it as would call for any liberty-preserving patriot to cry "Well done," nor to give praise in the name of One who loved freedom for man and dedicated His life to justice for people. To all of them shall we not say, "Ye come red with splashed blood to filch gold"?

Mr. President, at periods on earth the world seems to swing upon its material axes and turn anew in an opposite course from that which before it seemed to have moved. But, sir, investigation will always disclose that there are reason for the revolution. The reasons for the past are the reasons of the present. The selfish pursuit of man for aggrandizement of self, the enlargement of his sphere, the multiplication of his riches, the increase of his own importance by his increased power, and the demand for supremacy are the things which man seeks for himself or his country. For these at stated times man fights, and with him falls or rises anew his country.

Mr. President, history recalls that at the battle of Arbela, when the master of the Greeks, Alexander, met Darius leading the Persians it was a contest then, sir, whether the men of Darius and the force under Alexander would settle forever whether the world should move eastward or westward. At the close of the contest the Persians were defeated. The

Greeks became then the directors of the new movement of the Old World. From the Byzantine Empire down, sir, to the country of the Gauls all seemed suddenly to pass from longer being recognized as governmental influences in the destinies of men. From that time on to a certain period in history designated as the Reformation the great East ceased in the world to be the dominating power. Persia passed to ancient history, Egypt into scriptural adage, Greece into classic glory, and then the material world moved under new guidance—it was commerce! England became established on trade, France revived anew under Charlemagne the mistress of arts, Germany under the Ger-men (war-men) assumed their existence for the first time as civilized peoples of commerce from what they were previously called by their foes—barbarians.

Then the New World was new founded upon the basis of commercial prowess maintained by martial power. Neither constitution of government as we know it now nor freedom for man as we feel it now was known to those who were engaged in that conflict. The supremacy of their commercial power, the aggrandizement of their private riches, the multiplication of their national possessions—these were the dominant and inspiring impulses which moved them forward. By this spirit of gain, enrichment, advance in material power they survived to their destiny.

Mr. President, how stands America to-day? We are reminded that Napoleon told his countrymen that the world would either be republican or Cossack. In my judgment, Senators, viewing through the glass of history and noting now the march of new events, I am compelled to say that I behold my America for the future either to be all American or Asiatic. I can not accept the thought that America can be part Asiatic without recognizing at the very moment that the influence once ingrafted will grow until the whole American system is infused with the disease of that which makes certain oriental systems so obnoxious to American civilization.

Let us reflect upon the theory upon which we are moving. Let us see what are the troubles in America and why the chairman of the Naval Committee, the eminent Senator from South Carolina [Mr. TILLMAN], the distinguished chairman of the Military Committee, the Senator from Oregon [Mr. CHAMBERLAIN], are justified, with the splendid following behind them, in presenting these bills carrying this innovation of power to enforce peace for our free Republic.

It is true that the able Senator from Idaho says all forms of militarism have received condemnation from those who either realized the danger or those who fancied ills flowing from such possibility. Henry Clay denounced Andrew Jackson on the floor of the Senate. Jackson was endeavoring then to prepare to avoid the repetition of the very evil of 1812 and 1814 to which the able Senator alluded. Gen. Grant, when seeking to revive this Republic to a consciousness of military weakness and to reestablish itself upon American lines of national defense, was condemned by Charles Sumner on the floor of the United States Senate as lacking both in wisdom and in patriotism. Benton, of Missouri, occupying his splendid place on the floor of the Senate, turned his maledictions against two of the powerful Senators who then came from the South because he believed that they were then giving support to the theory of an unnecessary Army and the unjustified expansion of the Navy. Sirs, ever we are the creatures of our fears and the victims of our dreams. Self-satisfaction and opposition to change of status is "the stuff that dreams are made on." Benton of the West, Sumner of the East, in their opposition struck the very pulse and artery of the complaint which beats against us in this hour. Senators, it is necessary that you justify the expense and prove the necessity for your adventure into this field of "preparation." If you can not justify before your countrymen, the party that put the measures into law will be repudiated, and the men who voted it will be put out of public life. All because of want of information—because of ignorance of the truth of the situation our country stands in before the world.

Then, sir, let me be bold enough to say we began creating difficulties when we began to advance in competition with the world. When this Nation advanced toward the Orient she was compelled there to collide with nations which had remained stationary and with others which were moving in from Europe to govern and control, and which we had dealt with as alone entitled to that sphere, particularly since we had denied them this.

Remember, sir, that when we went to the Philippine Islands and established ourselves in government—whatever the reason we need not now discuss—it was impossible then to avoid Asia demanding the reciprocity of coming into America when America had gone into Asia. We contemplate at this moment—1898—contemporaneous with our occupying the Philippines, America had moved into the main Orient, and we had engaged with a European banking syndicate to participate, together with certain English interests, in the construction of railroads in China from Canton to Hankow. This was explained to be for the benefit of interests which were "to the welfare of the Orient." Naturally we awakened from these oriental people their opposition, and when we declined to let their people come into our country upon equal terms with our own and engage in land investments we augmented the opposition and intensified the hostility.

Yet we never would speak frankly to our people of the facts nor tell them what these complications meant. We never would explain to them that no nation that ever lived ever endured the indignity of having its people humiliated by being discriminated against without resenting it, whenever powerful enough to do so. Sir, it was the case of Egypt, familiar to scholars about me, when she penalized the Hebrews by imprisonment into slavery, remembering the days the Israellte spurned the Egyptian from his land as "the Ethiop." It was the final vengeance upon the Greeks which Rome eventually put into execution by absorbing Greece in revenge of the day when the Greek asserted himself as superior and slurred the Roman as a slave, forbidding him entrance save by back gates and denied him "citizenship."

Who shall now ignore that Germany in this hour is still recalling when the Angles, which we speak of as England, referred to her people as barbarians and as unworthy of the association of mankind? Year by year they have groaned under what they felt was the increasing insult to the descendants, and have increased their power to where they now resent the long-aged affronts—as the "ancient grudge they bear." At this very hour Belgium, the Marne, and Verdun speak the German resentment in the experience of that which history has recorded to every nation spurned. How true it is with nations, as with men that—

> Time at last sets all things even—
> If we do but watch the hour,
> There never yet was human power
> Which could evade, if unforgiven,
> The patient search and vigil long
> Of him who treasures up a wrong.

Sir, shall we take the course that nations have taken to their downfall and make no preparation to oppose the results that have ever followed such experiments? Has American judgment flown to brutish beasts? Have American men lost their reason?

Sir, when America went into the world to assert her dominance—to establish her supremacy—then America began her course toward her new destiny of conflicts. This we did in the hour of that weakness which the Senator well described means war. Sir, no nation with a grievance against another will fail to be on the outlook for the hour when it can wreak vengeance for the wrong, as well as to justify itself in power in the land where it resides.

Then, Mr. President, came the hour of the demand of America for commercial advantage. We moved out farther when in the possession of the Philippines, and demanded such recognition under the Japanese that they were compelled to ask in return favors and privileges—concessions, I may say—on the part of America. These as asked could not be yielded because of the peculiar interests of our American people. We there, in denial of Japan's demands, had again multiplied grievances with the Orient. Japan in these requests for equality in America spoke also for China. Senators, then came the hour when the Orient realized that there must be some commanding power within that continent. Japan saw her opportunity, her natural hour. Japan had her war with China. China had gone down in the conflict. Japan had been forced to relinquish the fruits of her victory under the pressure of France, Russia, and Germany, Germany as the controlling influence. That Japan would long carry within her memory the wrong that she felt Germany had done her is but natural, and her opposition to Germany later was the natural course of Governments. Sir, in the meantime Japan grew and expanded, she increased her navy, she enlarged her army, she moved out to Korea, she took Sakhalien: she possessed herself of Formosa; and she then became the possessor of territory large enough to allow her people to expand to the limit she felt necessary. Japan fascinated civilization with the evidence of her power and originality. She is the just pride of every historian and to be praised as a marvel of achievement.

Then came the demand upon America for the privilege of coming over into our land as we had gone into the Orient. This claim was pending when, as you will recall, sir, came her conflict with Russia. Russia had been moving down toward Manchuria. Japan realized that as Russia moved farther and possessed part of China, she would be in the sphere of middle Asia, the land of the Mongols. That she would be in possession of the heart of Asia. Japan felt herself unable to stand against

that invasion and defend herself against the advance unless she struck early.

Russia, with her millions upon millions, would move farther and farther east, fulfilling the prophecy of Napoleon, making the country all Cossack. Japan turned essentially to defend herself against the advance and prepared to meet the invaders. The result of that conflict is familiar to you all. The United States stepped in, and in some form of interposition prohibited Japan from enjoying the full fruits of her victory, as it likewise defeated the hopes of Russia and forced the treaty of Portsmouth. We left both nations, therefore, our enemy; we left both nations our foe. We then ruptured the treaty we had with Russia, and we left her in a position where she was held up before the world as humiliated by the United States. She likewise carries her grievance against us anew as she had carried it before and holds it now.

Mr. President, let us be perfectly open with our countrymen, and call to their attention that when Japan had made her treaty and alliance with England and with France and with Russia to aid them in the present conflict against Germany, and drove Germany out of the Orient, the real purpose of Japan was to begin the policy of the creation of an Orient for the orientals. England will be called on to go. She knows it. She yields to Japan's treaty demands now, as a makeshift for time. Will anyone here fancy that Japan will not likewise see the necessity of enforcing against America the same rule she has enforced against Germany, and this at the very first available moment and for the grievances which she feels she has endured at the hands of us, who have visited upon her what she esteems to be a humiliating discrimination against her citizens?

Has she not added grievance in the resolution we passed in this Senate as late as July, 1913, prohibiting a Japanese commercial house ownership in Magdalena Bay in Mexico? This under our Monroe doctrine.

Mr. President, if the hour shall come when Japan, feeling her weight and power sufficient to resent the wrongs which she feels we have done her by coming into the Orient while we prevent her from coming into the Occident, and should seize the Philippine Islands of America lying at her door, she would but execute the very policy we carried out against Spain, when in our conflict with her we did not go to Barcelona or Cadiz, but we seized the Cubas at our door and told Spain to come and get them. Will we fancy Japan less wise than ourselves or less preserving of its interest as we preserved ours? Then, sir, if we without a navy of such prodigious strength that it could defend us against the hour of humiliation, how would America be able to go to the Philippine Islands and rescue them from the invader and wrest them from those who had invested them? How could we protect Hawaii or Guam from the same power once it had undertaken the course of its natural resentment? Sir, we must prepare to reap where we have sowed. We can not retreat from a just advance necessary to the welfare of our country merely because it threatens inconvenience, nor can we surrender our rights in the world because the enforcement may bring dangers to us. Our course is forward—for America, for humanity.

Sirs, when the world war has come to a close the European nations will seek footing in South America—South America desiring the immigration—and the aid will concede land and spheres of territory to these different lands of the Old World. America must object under her Monroe doctrine and prevent this invasion by Europe of the Western Hemisphere. Let it be now understood that the Monroe doctrine is no stronger than our power to enforce it. We can only execute it against the navies of Europe by an American Navy prepared to execute the will of the American people.

Now, sir, will any man who sits in the Senate venture for a moment to assume that Japan in any hour of conflict with the United States—for her own cause and that of China—will not call upon her European allies, reminding England, France, and Russia that as she was faithful to these in the hour of their travail with Germany she demands England, France, and Russia shall come to her aid in any conflict against the United States? What other course could these countries take but to comply, or Japan and China combined would drive England and France out of the Orient at once, as she did Germany? While any of the European allies in any conflict with us over the Monroe doctrine would call upon their Asiatic allies, Japan and Russia. Sir, I tendered a resolution a few days ago having for its object the investigation by this Government of the extent to which the new compact between Russia and Japan went, looking to the exclusion of the United States and to establishing a monopoly on the part of these two Governments of all the privileges of the Orient. Mr. President, since then there has come expressions from certain officials professing to represent these Governments, setting forth that this particular treaty between Japan and Russia in nowise differs from that which was negotiated between Japan and England, that it was "a mere repetition of the clauses contained in the treaties of 1907." This morning's papers bring to you the statement of the representative of the Russian Government, while yesterday morning's papers brought to you that of the Japanese.

Senators, did you notice, as a matter of history, that in the very week when the treaty or the trade arrangement between France and England was consummated looking to creating a territorial trade monopoly zone of their own for Europe that in that very same week their allies, Japan and Russia, likewise consummated a similar arrangement in the zone of Asia within exactly three days' time? Yet they are on opposite sides of the world. How this discloses an understanding as to the future disposition of the United States all will admit.

But now I invite you, Senators, to notice that in article 2 of the Anglo-Japanese treaty the words are "that these nations shall come to the aid of each other whenever any special interest of either is assailed." I invite your attention, Senators, to the fact that previously the words used in the treaties were "general welfare" or "common interests." What is the meaning of these new clauses, heretofore without definition in parliamentary and traditional diplomacy, by which the expression is "*special interests*"?

Then, why this navy, why that army, if it be not to protect ourselves when the "special interests" of Asia will mean that Asia shall dominate to the injury of America and that the "special interests" shall be the preserving to itself of the oriental sphere for trade privileges as a special interest and for the enjoyment by oriental citizens in all the world—especially in America—of equal citizenship with American citizens? Naturally we must confess that the "special interest" shall be its interest in having its people recognized in America as they are in England, in France, and in Russia, with the right to come and go at will and at pleasure. What "special interest" is that of Russia? It is that Russia shall enjoy the trade of the Orient, dividing in China the privileges to be enjoyed by Japan, omitting America when necessary. Then, Senators, if America shall ask that the arrangement made in 1899 by the United States, through the State Department of this Government, looking to the maintenance or the continuance of the policy toward America as had previously existed between England and the Orient—giving America equal opportunities of trade and commerce in Asia—we must be prepared to back up the demand for just rights by the only way modern nations now recognize.

Sir, America must be of the world, and of the commerce of the world, and demand that the United States shall send its cotton goods to China, build railroads in the Orient, send its manufactured goods to Asia. If the reply to your demand shall come back to you that it is neither within your right nor your privilege, what shall be your course? Do you feel that the United States can, under these particular treaties and their very language, surrender? Shall we become a humiliating spectacle before the world? Shall America behold Germany growing powerful by virtue of her splendid science and efficiency, notwithstanding the awful strain of the unparalleled war, and England grow rich and affluent both in the field of trade, where America by virtue of her superiority, had she the opportunity, would long have excelled? Shall she behold France in Cochin China and throughout the Orient rise to that eminence which her industries and science would justify, while all America, through the trade treaties of specific exclusion shall be eliminated? Then, if you are not to be eliminated, how shall you be preserved?

Senators, it may not sit well upon our constituents to hear from us that without the advance of trade there is no advance of liberty; that without the growth of commerce there is no growth of freedom; but these are established governmental truths. Mr. President, no government can be stifled within its own bounds without withering. No government can be pent up within narrow confines without dying.

Sir, for a while we were a new Republic, with a widening waste of land to the west that has been a sufficient market house for all our products for a hundred years. This will not in future suffice, when, with the growing millions of our Republic, the filling up of the land with homes, we are moving out in our superiority to give to our Nation her "place in the sun," to give to our people their privileges before the world. We can only do that by presenting to those who would prevent us an exhibition of power sufficient to compel our rights. If our opponents shall observe that we are lacking in the same instru-

mentalities by which they enforce their demands, they will take such absence as the evidence of weakness upon our part, and prepare, as they have been prepared, to assail us where we are defenseless. Finding us powerless, they will leave us helpless; our fate will be to bemoan the day of our humiliation before the world, as we will shame our children before men.

Mr. President, we need not fear the prophesied evils of a military establishment. This can never be a military nation. Let no man indulge that specter to present us as a frightening aspect to the young generation. This Nation grows by the ballot. It lives upon the popular will. The inherent right to undo to-day that which was done yesterday is the assured protection on the part of every American against the action of any ruler. There neither can be the militarism of Napoleon, on the one hand, nor the imperialism of Cæsar on the other in America.

The very provisions of guardianship surrounding this Republic give to the citizen the power which no citizen had in those governments which were converted to militarism and by that to the destruction of liberty.

It is because of that security of a free government in the hands of free men, who exercise a free ballot, that there is that security against militarism which has frightened and looked ominous to those who should have been more reflective as to the conditions surrounding their Republic—the dangers encompassing her. Sirs, America seeks not a European militarism, but an American protection; not an Army and Navy for assault or aggression in foreign lands but one sufficient to defend us against assault and aggression upon our land.

Sir, one truth must be expressed, and to my eminent friend, the able Senator from Idaho [Mr. BORAH], I voice it, as I do here in the presence of the Senate—why not tell it to our countrymen—that America has not one friend in all the nations of the world. If to-morrow she should become involved in conflict, there is not one nation on the earth from which she could feel the right nor could enjoy the hope of aid and assistance. She stands alone from every point of view, an island now between seas and a people surrounded by their opponents. We have severed all friendly union to preserve our point of right. Shall we now go unarmed, conscious that there lurks in every field of commerce, in every highway of civilization, enemies who would not only assault the Republic, but leave its children without liberty or hope? Their feeling against the Republic of America has been incited, first in jealousy, then in envy, now in hatred, and shall we disguise from our countrymen the truth? This is the state of the Republic. Heaven grant that soon in renewed peace and concord we can reestablish ourselves with the world in friendship and brotherhood.

Sirs, therefore to-day to our fellow Americans we point out to them the dangers, we give them the reasons why we are imposing upon them a burden of military debt the like of which the Republic never knew and the like of which the fathers of the Republic prayed to their God should never be established in these United States. If these prayers are all to be unheeded, if past theories are all to fade, if these hopes are all to die, then let us go to our countrymen with the reasons we have for the new course of their country. They will justify us. If they will not, then we should be repudiated, for no public representative of this country has a right, in defiance of its citizenship, to place any theory of government or any power upon a nation contrary to the will of its people. Yet, rest assured, Senators, you will never get your countrymen to indorse this program either of military or naval advancement until you speak the truth, telling them of your dangers. Here it is we let them know that we, too, are surrounded with conditions which at any hour may break upon us in this universal storm that thunders about our head and lights our skies with the fires of desolation.

Tell them the truth, let them know how stands the Republic of America, that we may move forward, because we must. That we move eastward because it is our right, and that we can not endure to have it said that we shall be pent up and pinned down by those who are our rivals and to be denied equal opportunities in the world. Tell our countrymen that we are this day preparing for America to assert the right of the American in any land where he is at peace and within his rights. That this day we are becoming armed to assail no man or country, but to maintain the honor of the American country in any zone in the world where it shall be wrongfully assailed.

By this example, by this lesson, we will protect ourselves. We will need no further object lesson. The example will suffice because of the undertaking made necessary by the conditions of the Republic. On the Atlantic, on the Pacific, from the north or the south, threat may come, sir, aggregated from all in one, and make show of conflict against the Republic. When it comes all will behold we are prepared. We will feel within ourselves that we have become prepared. Women and children will sleep in peace. Men will feel secure. Patriots will recognize that their country is again put upon a level with every country in the world, in power, for the maintenance of right, the enjoyment of justice. The nobility and grandeur of our just Republic will stand out as an example to all the earth, reminding them that we stand for justice to all, but for all rights to ourselves, willing to give all rights due to others, but ready to maintain our rights against all others for ourselves. The sword of justice by the side of the Book of Christ in this our America shall stand as the emblem of our country, reminding the world that we seek to oppress none, we seek freedom to all, but we will endure wrong from none, nor oppression from any. That it is justice to man and liberty to nations for which America was sent to earth and which, under the guidance of God, she will perpetuate through the ages to come. Sir, to every demand asking reason of our new course our reply is, This is America.

Mr. GALLINGER. Mr. President, I am in favor of the bill in its essential particulars, and will follow the committee in its recommendations. I believe in having our country prepared for all possible emergencies. But in voting for this bill, and in voting for the Army bill, I do not do so because I believe that the doleful picture that has just been painted—that every nation of the earth is our enemy—is correct. I do not believe our country has done anything that would warrant a statement of that kind. I believe that to-day as in the past, and I believe in the future, we will have friends, if we deserve them, among the nations of the earth; and I believe that we do deserve them now, as in the past.

Therefore, Mr. President, in voting for this bill I vote for it believing that we ought to have a strong and efficient Navy—a Navy that in time of peace will be an assurance against war; a Navy that in time of war will enable us to meet any attack from any country on the face of the earth. But I want to repeat that I do not vote for it because I believe war between the United States and any other country in the world is imminent to-day. I do not vote for it because I believe that we either deserve or have incurred the hostility of every other great nation in the world, as the Senator from Illinois says that we have.

Mr. KENYON. Mr. President, I feel that in voting on this bill I am parting company with a good many friends, and perhaps am not voting the majority sentiment of my State, and so I take a moment or two to place in the RECORD my reasons for my vote.

The sentiment of my State, I think, is very much divided on this question of preparedness. I do not mean by that that any part of our people are in favor of "peace at any price," but many of them do fear that any large measure of preparedness is a trend toward militarism and a tendency in our national life that may eventually destroy the position of the Republic as a leader in directing the thought of the world toward an era of universal peace.

Iowa people are a thinking people. They do not easily lose their heads on a proposition, and are not readily stampeded. They are not lacking in patriotism, nor do they count the cost in money or life if real danger ever threatens the Republic. Iowa has the lowest per cent of illiteracy of any State in the Union, and it is claimed sent to the Civil War more soldiers in proportion to its population than any other State.

Many of the farmers, as they visit one another over the line fence, have been asking each other a good many questions during the last few months. A question-asking citizenship is always a safe citizenship. They have been inquiring:

Who is going to attack us?

Why should any nation attack us?

What have we done to provoke any of the nations of the world?

Do the people of other nations enjoy war?

Do they like to be killed, and do those who remain enjoy paying for having their relatives and friends killed?

Why do we not have a better Navy?

How does it happen that, having spent more for our Navy than many other nations, we do not have so large a Navy as some nations spending less?

Why do we have so many navy yards and Army posts?

If we have spent more than other nations having better navies how do we know the money spent for a new Navy will give us a much better one?

Just how much of the agitation for preparedness comes from munition makers?

Who is to pay for this preparedness?

How is it all to be paid for?

If there was no profit in war, would there be so much agitation?

All of which questions seem worthy of consideration.

A great many of the people of my State believe in a large measure of preparedness. I think the calm, deliberate judgment is in favor of reasonably adequate preparedness—for common-sense preparation. They are not carried away by the alarming predictions that we are soon to be the theater of a great war. On the other hand, they are not so foolish as to close their eyes, in view of world conditions, to the fact that we may be in war.

I believe it is the duty of a Senator of the United States, however, to vote for what he believes is best for the entire Nation, even though it might not be the sentiment of his State. We are all for peace, but we know peace does not exist in the world. Few people believe in peace at any price. Every person hopes that a day of universal peace will come, "when swords shall be beaten into plowshares, and spears into pruning hooks." But that day is not here, and is not in the immediate future.

For four months a battle has gone on at Verdun, the most horrible in the history of the world. The picture comes to us as a picture of "hell-fire on black cloth." The world is not the same and will never be again. We must realize that we can not bury our heads in the sand and be an ostrich nation.

It is foolish for us to say we can not be invaded, for we have recently been invaded by bandits from Mexico and American people killed in their own houses. No red-blooded American is willing to permit such things to go on. We can not sit by, content with prosperity, and not be willing to make some sacrifice to have a country and maintain a government.

The President on his western trip told the people of dangers confronting us. While we should not be governed entirely by what the President says, his word certainly is persuasive. He is our President, actuated by patriotism just as much as we are. We have no right to disregard what he says—he is in a better position to know than anyone else.

Kings and rulers sometimes want war. The people do not want war, except to avenge a national insult or to preserve some great right. People are dying on European battlefields because of the whims of rulers. No rulers are being shot at the front, but remain safely in the rear, with the exception of King Albert of Belgium. I wish, where kings and emperors and czars go to war upon a mere whim or pretext, they were compelled themselves to be on the firing line in the front rank of the first battle, and war would not be quite so popular.

Adequate preparedness, as I view it, is in the nature of national insurance. A strong navy is our best insurance. We do not need a large standing army, because in time of trouble our Nation eventually must be protected by the Volunteers, and it will be. Most men who are wise out of an abundance of caution carry life insurance, accident insurance, and fire insurance upon their property. They do not carry so much of it that they find it difficult to meet the necessities of life, but prudent people, and especially where they have others dependent upon them, set aside some part of their income for life insurance. They do not desire to have the insurance paid. And so it is with national preparedness. An efficient navy that never had to fire a shot would be ideal. With the great seacoast that this Nation has to protect it must have a strong navy. I have always believed in an adequate navy for our country. The stronger the navy, the less need for a large army.

There is another phase of preparedness that goes even deeper than armies and navies and forts and armor-plate factories and nitric-acid plants, and that is a belief among the people that their Government stands for justice at home as well as abroad.

The man with a hungry family, finding difficulty in obtaining work, who believes that legislation is being passed to benefit the few—in other words, believes that injustice dwells in this Nation—will not be a good soldier.

Robert Ingersoll once said that "no one ever went to war in defense of a boarding house." Men will go to war in defense of home—in defense of principle.

A home-owning nation is always patriotic. That nation is the best prepared in which every man, woman, and child receives justice. Plant in a people the thought that the few in their country are becoming excessively rich and the many are becoming exceedingly poor, that those comprising the Government are responsible therefor, and you will find preparedness becomes a difficult proposition and enlistments will be few.

We have passed a rural-credits bill to help the farmers secure loans on long time. That is good legislation. We ought to devise some system of credit by which men who desire to secure homes could receive long-time loans at small rates of interest.

There is no lack of patriotism in the Republic. There is too much partisan politics. Partisan politics is injurious to patriotism. It is the curse of this country. Too many men believe in the shibboleth, "My party, right or wrong."

There is plenty of patriotism in either party. The aisle is not the division in this Chamber on the question of patriotism. We find on this side men who went out at the call of their country and were willing to give their lives under the Stars and Stripes; on the other side, with the same heroic love of home, went out men sacrificing everything for the Stars and Bars. In the Spanish War we found the sons of the men who wore the blue and the sons of the men who wore the gray fighting side by side for the same flag, the same country, and the same purpose.

There has been a revival of patriotism in this country, and it is well. There is love for the flag. It sometimes seems as if we did not pay enough attention to developing that respect and affection for it in the young that should characterize our people.

In our State a former member of our legislature, Hon. George Schee, set about to place the flag on the country schoolhouse. He has carried on that campaign with great earnestness, and it is a most inspiring sight in going through the country to see the flag floating on the country schoolhouses. The Stars and Stripes should be on every schoolhouse, city or country, and on all public buildings. It should be in the halls of Congress; in this Chamber behind the Vice President's chair; it should float on the steeples of our churches; should be in our court rooms over the judges' desks. We can not have too much of the flag. Patriotism in a man's soul is dead when he does not feel a thrill at the sight of the flag. No true lover of that flag can be an undesirable citizen.

We have heard a great deal in this debate about protecting the wealth of our country; that other nations coveted it. Our wealth is not the main thing to protect in this country. This is a land of ideals, of freedom, independence, liberty, opportunity, that no other nation possesses. It is our duty as legislators of to-day to so build that in the future the ideals of America will be protected against any force that may seek to destroy them. The protection of those ideals is more important than the protection of our wealth.

I desire to vote for a navy that is strong enough to accomplish all these purposes. My judgment is that the Senate committee has gone somewhat too far; that a plan not so elaborate would be sufficient. I agree with the Senator from California in his statement, that a certain hysteria has developed in this country on this question. There have been great preparedness parades in all our cities that, so far as I have been able to observe, never wind up at the recruiting station.

I should prefer, however, if I err, to err on the side of a navy too strong than one too weak; the former error can be corrected, the latter perhaps not. I want a navy strong enough so that we may not have to beg from other nations for our rights; that we may not have to plead with other nations to keep off our shores and respect our civilization. I do not want this Government to become in any way a bulldozing nation. It never will. I want it so just that for no act of itself will a navy ever be required, but I want the Navy so strong that every foreign nation will recognize its power to protect the right; that the high purposes, ideals, opportunities of the people of this Nation may never be destroyed or impaired.

Everyone who loves peace must realize that it may affect our standing as an exponent of peace to be engaged in building a great navy. That has been the serious question with me, because I think it will affect such standing. The world will find, however, that we are still devoted to peace; that this Nation will ever be found ready to unite with other nations of the world in disarmament and some plan for perpetual peace. We can not live in the ethereal region of theory and have our heads too far in the clouds so that our feet do not touch the earth. If we were the only nation in the world we might, but we must realize the practical, hard-headed situation.

It would be best for the world if all the navies of all nations could be taken far out into the ocean and sunk, but it would be utterly foolish for one nation to set such an example while the other nations were increasing their armament. It is my hope and prayer that when this war in Europe is over the people of these nations, after they have overthrown their kings and czars and emperors and have established great governments of the people, will unite with the liberty-loving, peace-loving Republic of the west in a complete plan of disarmament and some well-regulated scheme for international peace.

We as a Congress are charged with the duty to help put our Nation in such condition that the mission and purpose of our flag for the future shall not be misunderstood, either at home or abroad, and the fulfillment of that purpose made possible. That purpose will never injure mankind.

The history of this Nation, the sacrifices of its men and women in war and in peace, the high ideals of those who formed here a new Government, have made its flag in the past, as it must in the future, float as a symbol of a nation where every faith has found a shelter, every wrong a redress, and every right a protection.

I shall vote, if opportunity presents, for some reduction in the number of war vessels proposed by the committee. I feel we would be amply protected if we reduced by a few, at least, the number provided for in this bill. However, if that can not be accomplished, I shall support the bill, not believing myself justified under world conditions as they exist to-day, and in view of the statements that have been made by the President of the United States as to our condition and our national perils, in voting against the entire bill.

Mr. WEEKS. Mr. President, nations, like individuals, are frequently brought face to face with conditions which necessitate their taking an account of stock. The European war has brought us face to face with our own individual preparation. As a result people have learned that we have a small, efficient Army, probably entirely too small for any reasonable purpose, and that we have a larger and very efficient Navy, but that in both respects we have fallen behind other nations in the development of this means of defense.

There is a difference of opinion, and a very radical difference of opinion, about the size of the Army which we should maintain. There is some, but very much less, difference of opinion about the size of the Navy which the country requires. I think it is pretty nearly universally the opinion of our people that we should have a navy entirely commensurate with our probable or possible needs. The Naval Committee in framing this bill have recognized that conclusion, and they have followed the judgment and advice of the General Board of the Navy, the technical advisers of Congress on the subject.

I am not entirely in sympathy with some of the provisions of the bill, but I am in sympathy with the building program which has been presented to us, and I want to submit to the Senate some practical reasons for my sympathy and approval of the program which we are now considering.

In considering the question of military and naval preparedness, we must not fail to note the fact that we have recently celebrated the one hundredth anniversary of the restoration of peaceful relations with Great Britain, and that during the past century we have maintained with the people of Canada not only peace in form but in spirit as well. Business relations between the two countries have been most intimate. For many years emigration from Canada to the United States has been very large, and in recent years many citizens of our country have crossed the line and have become citizens of Canada. We have the same general forms of government and methods of procedure, and therefore it is fair to assume that if the wishes of the people of either country were observed, as would necessarily be the case, there could be no breach in the relations which now exist.

To the south we are in contact with a turbulent population which, from a military standpoint, however, is not of sufficient importance to materially affect our military requirements or to in any way influence our naval development; so in treating with Mexico, while there may be occasions like the present, when uncertainty resulting from disorders will prevail, these conditions will not cause any great uneasiness and need not affect, except temporarily, the development of our military establishment.

These being the conditions to the north and south, our only real fear of serious entanglements comes from the east and west. It has been frequently stated by both the thinking and unthinking that the Atlantic and Pacific Oceans are our best international friends. That was true in former days, when the means of transportation were slow and infrequent; but with the development of transportation facilities and the use of such modern implements of warfare as the flying machine, the submarine, the battle cruiser, and the destroyer, the oceans which separate us from European and Asiatic shores can not give us the same feeling of security which obtained in the early days of the Republic.

A nation's naval policy must depend on its requirements. If other nations did not maintain navies, it would be unnecessary and foolish for us to do so. If the nations with which we are likely to be brought in contact maintain extravagantly large forces, it is necessary for us to follow their example. While there is very nearly a universal feeling that the Navy is for defense and is the first line of defense, its great value as such a weapon must always rest on the knowledge that its units can be moved from point to point and be available not only in defending our outlying possessions, as well as our own coast, but, at the same time, be used as an offensive weapon.

The two questions which we should decide before appropriating for new construction are: Is the Navy which we have or which is contemplated in the plan submitted by the Secretary of the Navy adequate for our needs and will it, when completed, be a symmetrical and efficient force? The question of what is an adequate Navy for us is not one to be determined by our naval experts; it is one for the administration and Congress to outline. Many important international and far-reaching matters have a bearing on the course to be taken. For instance, are we going to abandon the Philippines? If so, it will materially modify our naval program. If the Philippines are abandoned, are we at the same time to abandon our interests in the Samoan Islands, in Guam, in the Midway Islands, or are those islands to be our outer Pacific coast line? Their abandonment would modify a naval program. Are we to make the defenses at Pearl Harbor and the Hawaiian Islands impregnable, providing a base from which the Pacific coast, including Alaska and the Panama Canal, may be adequately protected? An expedition of a single ship or any considerable number of ships directed against the Pacific coast might possibly slip through and make a desultory attack, but the result would not be serious if our Pearl Harbor base is protected and our fleet in condition to engage in active operations in the rear of the attacking fleet. Are we to establish a similar base in the Atlantic primarily for the protection of the Atlantic end of the Panama Canal and from which we can protect the coasts of the Southern States? Both of these questions should be given consideration by Congress.

There is another question which is of the first importance in this connection. In order to promote our defense and insure the impossibility of lessening the advantages resulting from the thousands of miles of ocean which separate us from possible enemies, the Monroe doctrine was promulgated nearly 100 years ago, since which time it has been in somewhat varied degrees the established policy of this country—I say "in somewhat varied degrees" because it seems to me that there may be a legitimate variety of opinions as to the limitations of its application. For example, the activities of the present administration, which has been insistent for the extension of our relations with South America, seem to indicate that the original purpose of this policy is not the governing one in the minds of some of those who are now in control of our Government. My own judgment is that the Monroe doctrine was orginally intended to aid in and provide for our defense; that it was to prevent the landing and establishment of depots and bases on American soil from which operations could be more advantageously conducted against the United States; that it did not originally relate to or have any particular bearing on the protection of South and Central American countries, and that in the instances where the doctrine has been applied we have acted because of the necessity to provide for our own protection rather than to protect other countries.

It now seems to be the prevailing idea that this policy, if my impression is correct, is to be extended to cover other relations with Central and South American countries. Even an arrangement of offense as well as defense is being discussed, and we are likely, if this view of the doctrine is to prevail, to find ourselves materially involved in the affairs of some country with which we have not close relations, and in the final analysis our coast line would be extended to cover every mile of coast on both the Atlantic and Pacific from Patagonia to the Canadian line. My own impression is that the original purposes of the Monroe doctrine should be continued as far as it applies to those Central and South American countries in the immediate neighborhood of the United States or our dependencies, but it might well be modified, and perhaps abandoned, in so far as it applies to those South American countries which are removed from our sphere of action.

One of the distinct disadvantages which may be charged against our naval policy is that we have never had a homogeneous naval construction or building plan. In recent years the battleship has been the one important element in our provisions for defense, but we have not taken it as a unit and provided other facilities to make the battleship as useful as it might be if we had provided every supplemental vessel the service might require. Years ago we should have made provision in connection with our construction policy so that when a battleship was added to our Naval Establishment we provided at the same time the men to man it, or at least provided for a reserve force in case of need. At the same time there should have been supplied the number of auxiliaries of every character which might be required to make up a homogeneous fleet. Whatever naval policy we establish, this criticism could be easily avoided, and while there will be differences of opinion as to the number of smaller craft necessary for a unit of battleships, yet, in a general way, such opinions may be coordinated and a reasonable basis established which would give us a sufficient fleet of auxiliaries for our general needs.

If we are to build a navy—as the President has once expressed himself as being desirable and as the General Board recom-

mends—equal to the strongest navy maintained by any single power, we are entering upon a very ambitious and expensive policy, because our construction and maintenance is very much greater than are those of European nations. There are properly only two courses for us to follow—either provide ourselves with a navy sufficient to defeat the naval forces of our probable enemies or entirely abandon our Naval Establishment, and thereby save money, which we are literally throwing away if we maintain an insufficient force, one which will bring us nothing but defeat and humiliation in war. Moreover, in order to guarantee success it is desirable to have a larger navy than our possible competitor. If the Navy is of equal size to that of a possible enemy, the outcome is going to depend on the character of the personnel and, to some degree, on accidents; and certainly two navies of equal size and of equal qualities in every respect will necessarily carry on a contest for a long time, resulting in the destruction of a vast amount of merchant shipping and other valuable property, so large an amount, in fact, that such a loss would probably demonstrate the folly of not having added sufficiently to our Naval Establishment to make us stronger than our possible enemy. On the other hand, to maintain a navy smaller or having less power than that of a probable antagonist is not only useless but is literally worse than useless. Such a fleet can neither attack nor successfully defend, and, in the final analysis, would not only mean the destruction of the fleet but loss of our men and bitter humiliation to our people.

Necessarily all phases of the question must be taken into account in determining the kind of ships we are to build, and in the construction of each class of ships consideration must be given to the weight of armor, weight of machinery, the space it will occupy, as well as the weight of broadside. Unfortunately we have been building battleships which, while excellent in themselves, are not of a class to compete successfully with the up-to-date ships of other nations; that is to say, the policy of other countries has been not so much to increase armor or weight of broadside as to increase range of guns and the speed of the ship.

What do we need in order to put our Navy in a relatively strong position? The following table includes the recommendations of the General Board and the President's program for the next five years:

	General Board's program, July report.	President's program.				
Year to be authorized	1916	1916	1917	1918	1919	1920
Battleships	4	2	2	2	2	2
Battle cruisers	4	2		1	2	1
Scout cruisers	6	3	1	2	2	2
Destroyers	23	15	10	5	10	10
Fleet submarines	7	3	4	2	2	2
Coast submarines	30	25	15	15	15	15
Gunboats	6	2	1			1
Hospital ships	1	1				
Ammunition ships	1				1	1
Fuel-oil ships	4		1		1	
Repair ships	1					1
Destroyer tenders	1					
Fleet submarine tenders	2					
Supply ships	1					
Transports	1					

Unfortunately we have never been willing to take the recommendations of our General Board as a basis for a building program. Of course, such a board makes its recommendations without any regard to our available financial resources. It is the business of the President, the Secretary of the Navy, and, finally, the duty of Congress to determine how much money shall be spent for this purpose. But it can not be charged against the General Board that it has failed in its recommendations to point out how our fleet could be kept apportioned and as strong as any foreign fleet not superior to ours a dozen years ago, for in 1903 it prepared a building program covering a period of 15 years. If this program had been followed, we should now have a Navy of such size and character that we would have no concern about the possibilities of a conflict with any foreign power, as far as that arm of the service is concerned.

It is true that some Secretaries have approved the recommendations of the board, but, generally speaking, they have been modified by the administration and always by congressional action. It would be interesting to go over the votes in Congress during the last dozen years and see in how many cases those who are to-day most vigorous in asking for suitable national defense have failed to sustain the reports prepared by our technical officers, men competent to look ahead and determine what our real requirements were likely to be. Last July, when the General Board made its report, the present administration, instead of disclosing the recommendations of the board, called upon it for another report, limiting it to an expenditure of $100,000,000 instead of $265,000,000, and insisting that it recommend a construction program based on the smaller amount of money.

It goes without saying that neither the President, the Secretary of the Navy, nor Congress has the technical knowledge to criticize the recommendations of the General Board. Only in looking at the question from a financial position can they in any way justify a modification of the recommendations of the board.

Let us turn to the construction recommended by the General Board in its 1903 report, outlining a building program for 15 years, the recommendations by the Secretaries of the Navy, and the authorizations made by Congresses, so that we may place the responsibility for the condition of the Navy to-day. In order to do so I have put these recommendations in parallel columns:

Construction recommended and authorized since 1903.
[Reprinted from Report of Secretary of the Navy, 1915.]

Recommended by the General Board.	Recommended by the Secretary of the Navy.	Authorized by Congress.
1903.	(Secretary Moody.)	(Act of 1904.)
	2 hospital ships	
2 battleships	1 battleship [1]	1 battleship.
1 armored cruiser	1 armored cruiser [1]	2 armored cruisers.
3 protected cruisers	3 protected cruisers [1]	
4 scout cruisers	2 to 4 scout cruisers [1]	3 scout cruisers.
	2 submarines	4 submarines.
2 fuel ships	2 fuel ships [1]	2 fuel ships.
3 destroyers		
1904.	(Secretary Morton.)	(Act of 1905.)
3 battleships	3 battleships [2]	2 battleships.
6 destroyers	6 destroyers (if practicable) [2]	
5 scout cruisers		
6 torpedo boats		
2 fuel ships		
1 gunboat		
2 river gunboats		
2 Philippine gunboats		
$850,000 for submarines		
3 battleships	2 battleships	1 battleship.
1 gunboat	1 gunboat	
2 river gunboats	2 river gunboats	
3 scout cruisers	2 scout cruisers	
4 destroyers	4 destroyers	3 destroyers.
4 submarines	2 submarines	8 submarines.
4 torpedo boats		
2 small gunboats		
1906.	(Secretary Bonaparte.)	(Act of 1907.)
2 battleships	1 battleship, and, with hesitation, 2.	1 battleship.
1 gunboat	2 gunboats	
2 river gunboats	3 river gunboats	
4 destroyers	4 destroyers	2 destroyers.
2 fuel ships	2 fuel ships	
4 ships' torpedo boats	4 ships' torpedo boats	
2 scout cruisers		
2 small gunboats		
1 ammunition ship		
1907.	(Secretary Metcalf.)	(Act of 1908.)
4 battleships	4 battleships	2 battleships.
4 scout cruisers	4 scout cruisers	
10 destroyers	10 destroyers	10 destroyers.
4 submarines	4 submarines	8 submarines.
2 fuel ships	4 fuel ships	2 fuel ships.
1 ammunition ship	1 ammunition ship	
1 repair ship	1 repair ship	
2 mine-laying ships (conversion of 2 cruisers now on list).	2 mine-laying ships (conversion of 2 cruisers now on list).	
4 ships' mortar torpedo boats.		
		Purchase of 3 new fuel ships.
1908.	(Secretary Metcalf.)	(Act of 1909.)
4 battleships	4 battleships	2 battleships.
4 scout cruisers	4 scout cruisers	
10 destroyers	10 destroyers	5 destroyers.
4 submarines	4 submarines	4 submarines.
3 fuel ships	3 fuel ships	1 fuel ship.
1 ammunition ship	1 ammunition ship	
1 repair ship	1 repair ship	
2 mine-laying ships (conversion of 2 cruisers now on list.)	2 mine-laying ships (conversion of 2 cruisers now on list.)	
		1 destroyer whose vitals are located below the water line.

[1] Recommended in his hearings before the House Naval Committee. Not in his annual report.

[2] Recommended in his hearings before the House Naval Committee. No specific recommendation in his annual report.

Construction recommended and authorized since 1903—Continued.

Recommended by the General Board.	Recommended by the Secretary of the Navy.	Authorized by Congress.
1909.	(Secretary Meyer.)	(Act of 1910.)
4 battleships	2 battleships	2 battleships.
1 repair ship	1 repair ship	
		2 fuel ships.
		4 submarines.
10 destroyers		6 destroyers.
4 scout cruisers		
1 ammunition ship		
1 fuel ship (oil tank)		
1910.	(Secretary Meyer.)	(Act of 1911.)
4 battleships	2 battleships	2 battleships.
1 gunboat	1 gunboat	1 gunboat.
2 river gunboats	1 river gunboat	1 river gunboat.
	2 submarines	4 submarines.
4 fuel ships	1 fuel ship	2 fuel ships.
2 tugs	2 tugs	2 tugs.
3 submarine tenders	1 submarine tender	1 submarine tender.
16 destroyers		8 destroyers.
1 repair ship		
4 scout cruisers		
2 destroyer tenders		
1 mine layer		
2 transports		
1 hospital ship		
1911.	(Secretary Meyer.)	(Act of 1912.)
4 battleships	2 battleships	1 battleship.
4 fuel ships	2 fuel ships	2 fuel ships.
16 destroyers		6 destroyers.
2 destroyer tenders		1 destroyer tender.
5 submarines		8 submarines.
2 submarine tenders		1 submarine tender.
1 repair ship		
4 scout cruisers		
1 ammunition ship		
1 mine layer		
2 transports		
1912.	(Secretary Meyer.)	(Act of 1913.)
4 battleships	3 battleships	1 battleship.
2 battle cruisers	2 battle cruisers	
2 gunboats	2 gunboats	
16 destroyers	16 destroyers	6 destroyers.
6 submarines	6 submarines	4 submarines.
	1 fuel ship (conditionally)	
1 ammunition ship	1 ammunition ship	
2 transports	2 transports	1 transport.
2 tugs	2 tugs	
1 submarine tender	1 submarine tender	
1 destroyer tender	1 destroyer tender	
1 supply ship	1 supply ship	1 supply ship.
1 submarine testing dock	1 submarine testing dock	
1913.	(Secretary Daniels.)	(Act of 1914.)
4 battleships	3 battleships	3 battleships.
16 destroyers	8 destroyers	6 destroyers.
8 submarines	3 submarines	8 or more submarines.
1 destroyer tender		1 submarine testing dock.
1 submarine tender		
2 fuel ships (oilers)		
2 gunboats		
1 transport		
1 supply ship		
1 hospital ship		
1914.	(Secretary Daniels.)	(Act of 1915.)
4 battleships	2 battleships	2 battleships.
16 destroyers	6 destroyers	6 destroyers.
3 fleet submarines	8 submarines or more, 1 to be of seagoing type and 7 or more of coast-defense type.	2 seagoing submarines. 16 coast-defense submarines.
4 scouts		
4 gunboats	1 gunboat	
2 oil-fuel ships	1 oiler	1 oil-fuel ship.
1 destroyer tender		
1 submarine tender		
1 Navy transport		
1 hospital ship		
1 supply ship		

Fighting ships authorized and laid down, 1904 to 1913, inclusive.

1904.

	Battleships.	Battle cruisers.	Scout cruisers.	Destroyers.
United States	1		3	
England	2			
Germany	2		3	6
Japan	2			
France				
Italy	4			
Russia				19

Fighting ships authorized and laid down, 1904 to 1913, inclusive—Contd.

1905.

	Battleships.	Battle cruisers.	Scout cruisers.	Destroyers.
United States	2			
England	1	3		
Germany	2		3	6
Japan	2	1	1	
France				6
Italy	1			
Russia				39

1906.

	Battleships.	Battle cruisers.	Scout cruisers.	Destroyers.
United States	1			3
England	3			
Germany	1		2	12
Japan		1		
France	3			
Italy	1			
Russia				

1907.

	Battleships.	Battle cruisers.	Scout cruisers.	Destroyers.
United States	1			2
England	3		2	[1] 47
Germany	3	1	2	12
Japan				[2] 37
France	3			[3] 13
Italy				
Russia				

1908.

	Battleships.	Battle cruisers.	Scout cruisers.	Destroyers.
United States	2			10
England	1	2	5	16
Germany	3	1	2	12
Japan	1			1
France				12
Italy				[4] 10
Russia				

1909.

	Battleships.	Battle cruisers.	Scout cruisers.	Destroyers.
United States	2			5
England	6	2	6	20
Germany	3	1	2	12
Japan	1		3	1
France	2			2
Italy	1		1	
Russia		4		

1910.

	Battleships.	Battle cruisers.	Scout cruisers.	Destroyers.
United States	2			6
England	4	2	6	26
Germany	3	1	2	12
Japan		1		
France	2			
Italy	1			
Russia				1

1911.

	Battleships.	Battle cruisers.	Scout cruisers.	Destroyers.
United States	2			8
England	4	1	6	20
Germany	3	1	2	24
Japan		1		2
France	3			6
Italy	2		2	
Russia	3			9

[1] Total for years 1903–1907.
[2] Total for years 1904–1907.
[3] Total for years 1906–1907.
[4] Total for years 1905–1908.

It will be seen, for example, that for this period the General Board recommended the building of 42 battleships; the Secretaries of the Navy recommended the construction of 29, and Congress provided for the building of 20, including 2 battleships to take the place of 2 ships sold to the Greek Navy; so that we have actually provided for building less than one-half of the battleships recommended by the General Board. During the time referred to the General Board recommended the building of 40 scout cruisers, the Secretaries of the Navy recommended the construction of 14, while Congress provided for the building of 3. The General Board recommended the construction of 124 destroyers, the Secretaries reduced this to 50, and Congress provided for the construction of 53. Only in the case of battle cruisers and submarines does the recommendation of the General Board for this period seem to be insufficient; but it must be remembered that in 1903 the possibilities of the effective use of the submarine were very much in dispute and the battle cruiser was not being constructed by other nations. Undoubtedly, a 15-year building program prepared in 1908 or 1913 would have made very different provisions for both of these requirements. A careful study, however, of the recommenda-

tions made in 1903—and they could have been modified from time to time, dependent on what other nations were doing—demonstrates the fact that if the General Board's program had been followed there would have been no reason for criticism or fear at this time that we are not fully prepared to protect ourselves.

Within the period to which I have referred, or for the 10 years from 1904 to 1913, inclusive, the United States has authorized:

Battleships	15
Battle cruisers	None.
Scout cruisers	3
Destroyers	46
Vessels in all	64

England during the same time has authorized:

Battleships	34
Battle cruisers	10
Scout cruisers	41
Destroyers	167

Germany during the same time authorized:

Battleships	24
Battle cruisers	7
Scout cruisers	22
Destroyers	120

Japan during the same time authorized:

Battleships	10
Battle cruisers	6
Scout cruisers	4
Destroyers	43

France during the same time authorized:

Battleships	22
Battle cruisers	None.
Scout cruisers	6
Destroyers	46

Italy during the same time authorized:

Battleships	16
Battle cruisers	None.
Scout cruisers	4
Destroyers	37

Russia during the same time authorized:

Battleships	3
Battle cruisers	8
Scout cruisers	6
Destroyers	104

Carefully considering the authorizations for each country and the class of ships constructed, it must be admitted that with the single exception of Russia the United States has made less effective provision for the future than any of these first-class sea-power nations. Even in the case of Russia, which has constructed twice as many destroyers, twice as many scout cruisers, and eight of the all-important battle cruisers, it is doubtful if she has not done more for real naval development than has our country.

These construction programs of the different nations are emphasized by what has taken place during the four years preceding the present war; and how inadequately we have been providing for our needs, although we have known what other nations were undertaking, for during that period—that is, from 1909 to 1913, inclusive—we authorized the construction of but 8 ships capable of taking their place in a battle line, while England authorized 29, Germany 18, France 16, and Japan 9. Even in the case of Japan the preparation, in my judgment, has been more effective than ours, because Japan authorized during this time five battle cruisers and we had not authorized a single one.

The two most important elements which must be recognized in considering the effectiveness of a fighting ship are range and speed. While the naval actions which have taken place since the beginning of the European war are not conclusive, they tend to confirm the accuracy of this statement, for in every such action the result has largely been due to these two elements. From the broad standpoint, excelling in these conditions has enabled England to retain substantially complete control of the sea. Therefore both range and speed should be given most careful consideration in the authorizations for naval construction to be made by Congress this year.

Our fastest dreadnaughts have a speed of 21½ knots, while the English, for example, have dreadnaughts which make nearly 4 knots greater speed. Now, if the English ship at the same time carried guns of greater range, it will at once be seen how impotent would be the ships of heavier broadside which we have constructed. This example leads to the conclusion that it is not as necessary to carry out our own ideas as to the desirability of any particular type of ship as it is to build similar but somewhat more effective vessels than do our probable antagonists, so that we may be able to compete successfully with them in every kind of naval warfare. We must, therefore, consider our fleet not only as a defensive but an offensive weapon. Quite likely, if it were to be used entirely for defense, our fleet would answer the purposes for which it was constructed, but it can not be considered satisfactory from any other standpoint.

Let me briefly refer to the three important actions which have taken place between ships of similar classes since the beginning of the European war. The first one was fought off the coast of Chile between English and German men-of-war of similar classes. The English fleet included the *Good Hope*, a 14,000-ton, 12 years old, 23-knot ship, armed with two 9.2-inch and sixteen 6-inch guns; the *Monmouth*, having substantially the same speed and carrying fourteen 6-inch guns; the *Otranto*, an armed liner, with comparatively little resisting power; the battleship *Canopus*, 16 years old, carrying four 12-inch guns, but not having a greater speed than 18 knots; and the small fast cruiser *Glasgow*, incapable of taking its place in the battle line. The German fleet consisted of the battle cruisers *Gneisenau* and *Scharnhorst*, each armed with sixteen 8.2-inch guns, and the light cruisers *Leipzig* and *Nurnberg*, carrying batteries of about the same quality as the battery of the *Glasgow*. The *Scharnhorst* and the *Gneisenau* had a speed of about 24 knots; in other words, they were at least 1 knot faster than the *Good Hope* and *Monmouth*, and, with with the exception of the two 9.2-inch guns on the *Good Hope*, their batteries had a greater range than those of the English ships.

It is true that the battery of the *Canopus*, with its four 12-inch guns, would have been effective in deciding the action if the ship had had greater speed; in fact, with the same speed as that of the German ships she would have been a most important factor in the fight. Her greatest possible speed, however, was more than 5 knots an hour less than that of the Germans, and she was therefore unable to take an active part in the contest. The Germans having a greater speed and range were able to fight the British on their own terms, the result being that they very quickly destroyed the entire British fleet, with the exception of the *Glasgow*, which was able to escape in the darkness.

This same German fleet, six weeks later, fell in with another British squadron, which had been sent to the waters in which the Germans were operating for the specific purpose of destroying the German ships. In selecting vessels for this purpose, the British Admiralty adopted the only sane course; that is, they selected ships that had greater range and speed than the German ships. These were the battle cruisers *Invincible*—and the *Invincible*, by the way, was one of the battle cruisers lost in the last battle—and *Inflexible*, which carried 12-inch guns, as against the German 8.2-inch guns, and had a speed of at least 2 knots an hour greater than the Germans. In this case conditions were exactly reversed—the English ships made the fight on their own terms, and the result was foreclosed as soon as the contest commenced.

In the third contest, which took place in the North Sea, the German fleet, consisting of battle cruisers and destroyers, was returning to its home port from a raid when it fell in with a British squadron made up of similar vessels, and the result was not dissimilar, as far as it went, to those in the cases I have cited. The German fleet consisted of the battle cruisers *Moltke*, *Derflinger*, *Seydlitz*, *Von der Tann*, and *Blücher*. With the exception of the latter, these ships had a speed of 28 knots, so that if they had been brought into contact with the *Invincible* and *Inflexible*, the British ships which had been sent to the southern Pacific, they would have easily overcome them; but in this instance they fell in with the British cruisers *Lion*, *Tiger*, and the *Queen Mary*, battle cruisers of the latest and fastest type, somewhat larger than the Germans, with an average of about 1½ knots greater speed and heavier batteries in about the same proportion.

The German were armed with 11-inch guns and the British battle cruisers with 13½-inch guns, so that in every respect the British had superior ships to their rivals and they were immeasurably superior to the *Blücher*, which was 2 knots slower than the other ships in the German squadron. Both fleets were steaming in column, the *Blücher* being the last in the German line. As each British ship passed it at a distance beyond the range of the *Blücher's* guns a destructive fire was maintained and continued as the other ships of the German fleet were overhauled.

By the time the three British battle cruisers had dealt with the *Blücher* she was completely crippled and was promptly sunk by a destroyer; in fact, it is probable that the final result of this contest would have been like the others had not the German commander used his destroyers and submarines in a manner which caused more or less delay to the British ships, and at a most inopportune time a chance shot destroyed a feed tank on the *Lion*, the leading British ship, rendering that vessel incapable of further action. If the British fleet had not been accompanied by a considerable number of destroyers to protect it

under such circumstances, the *Lion* would have soon fallen a prey to the German destroyers or submarines as had the *Blücher* to the British torpedo. Therefore, while the gun power of the *Lion* had not been damaged, her speed effectiveness was destroyed, and it was necessary to tow her into port. This accident and the delays caused by it enabled the German fleet to escape; this incident indicates the possibilities which may result in any sea fight; that is, a chance shot disabling some intricate part of a fighting machine. The confusion caused by this accident, and the disparity in force of the remaining ships, undoubtedly saved the whole German squadron.

Briefly told, this describes the three important naval actions which took place before the great action of June 2, which can not at this time be discussed in detail, and it would seem to be conclusive evidence of the necessity of our constructing battle cruisers. If we had become engaged in a war with Germany, which has vessels of the type of the *Moltke*, with a speed at least 7 knots greater than our fastest battleships, not only would she be able to run away from our ships of similar type, but she would have speed enough to overhaul and power enough to destroy any cruiser in our Navy. The result would be that Germany would very soon control the sea and practically tie up all of our merchant ships; and the same result would follow in case we became involved with any nation which had constructed battle cruisers.

England has always been the most enterprising developer of a navy. She has equipped herself not only with battleships and battle cruisers, but with first-class destroyers and submarines, and in so doing has kept ahead of the navies of the rest of the world. Having a large number of destroyers and submarines, she has been able to furnish a complete screen for her large ships, enabling them to keep at sea at all times and, in addition, to provide ample protection for her transports and a large part of her commerce. If she had had a greater number of ships of the destroyer class she would not only have been able to protect her battle fleet and transports, but all of her commerce, in which case there would not have resulted, as has been the case from time to time, the destruction of any English merchant ships.

The figures are not at hand to show what this loss amounts to, but hardly a day passes that we do not read of the sinking of one or more English merchant ships; so it is perfectly apparent that if there had been provided before the war a sufficient number of destroyers this destruction of merchantmen would have been impossible. It is for this reason that the English have been making the contention with which we are familiar—of the right to arm merchantmen in order that they may protect themselves.

If her merchant ships were armed, had sufficient speed, and used ordinary precautions, there should be no possibility of German submarines doing the damage with which we are familiar. As a matter of fact, most of the ships which have been torpedoed were slow; and, generally speaking, it has only been in cases where the enemy submarines have happened to be in the path of ships that have enabled them with their limited speed to destroy merchant vessels of considerably greater speed. For example, it would seem from the evidence at hand that if reasonable prudence had been used in the case of the *Lusitania* that ship might easily have escaped the submarine which attacked her. It will be recalled that she was following her usual course, and instead of running at a high rate of speed, with her ports closed, her boats swung out, and everything ready for a possible attack, she followed exactly the contrary course, running at a very moderate rate of speed, following her usual course, her boats stored, and her ports wide open, as if she were starting on her voyage in a smooth sea in time of peace.

This whole question should be an object lesson to us in the plans which we are to make in providing for the construction of small, fast cruisers and destroyers. If we are to have an effective Navy—that is, sufficiently effective to protect our battle fleets, our transports, and our commerce—we must have a number of small, swift vessels quite as large in proportion to our battle fleet as there are now in the English Navy.

One can not speak of the present personnel of the Navy, to which I shall refer briefly, except in superlative terms. The operations of the plucking board has resulted in retaining in the higher grades of the active service none but competent men, and the training we are giving our young officers at the Naval Academy has not been materially lessened in its efficiency or in its results. The method of appointment to the Naval Academy has been materially modified; but, to my mind, it makes very little difference what the source of appointment is provided the standard of the entrance examinations, physically and mentally, is maintained. Our Military and Naval Academies have been great and effective molding schools, and there should be no possibility of lowering the standard.

The personnel before the mast in the Navy was never composed of as good material as at present. During the last 30 years, since the establishment of our training ships and training schools and the extension of the fields for recruiting into the agricultural sections of the country, practically precluding the enlistment of those who are not citizens of the United States or those who have not declared their intention of becoming citizens, there has resulted an increase in the character and effectiveness of our seamen in a most marked degree. The old man-of-war's man of the type prevailing 30 years ago was a strong and interesting character, but only a portion of a ship's company was made up of this class. It usually included many untrained landsmen and, in addition, a rough, ungovernable, and intemperate element very different from anything that can now be found in the naval service.

Our officers and men are drawn from the same general source of supply, and if we had enough of them we might look forward with complacency to the result of any conflict in which their personality was to be of material influence, because, I think, no other nation in the world can equal the quality of our seafaring men. But we have not enough of them; the Navy Department reports indicate that we need 20,000 additional men to man the ships now available for service, and there is no place to get these men except from the seven or eight thousand naval militiamen. These militiamen, taken as a whole, compare favorably with the members of the National Guard of the several States, but they are not superior to the best organizations of the land forces of the National Guard, and under the best conditions are only fair reserve men.

We have not been able to develop a real naval reserve in this country, and I see no prospect that it can be done within a reasonable time. Therefore, if we are going to make available our men of war, it is necessary to increase the number of seamen belonging to the Regular Establishment. We have already increased the number of possible officers by providing for more appointments to the Naval Academy. It would be the height of folly, in my judgment, to build additional ships without at the same time providing a complement for them. Indeed, that should be a part of the program which should be followed whenever we build a battleship or battle cruiser. Not only the men but the auxiliary ships required to make it a perfect unit should be furnished at the same time, or provided so that they will be available as soon as the ship is ready for commission. Therefore, even including the naval militiamen, and assuming that they are suitable for any service, when we take into account this year's building program, it seems to me that we should provide in the naval bill for at least 20,000 additional seamen.

The following table shows the number of officers and men in the naval service in 1891 and each five-year period since that time:

	Officers.	Men.
1891	1,483	8,250
1896	1,459	9,000
1901	1,702	18,825
1906	2,278	32,163
1911	2,883	47,612
1915	3,403	52,561

The number of officers in this 24-year period has increased two and a half times, the number of men six and a half times, the appropriations for the Navy six times, while the tonnage of our fleet has increased ten times. It will be noticed that there has not been an increase in the number of officers at all comparable with the number of men. There will be required substantially 4,000 men to man the *Pennsylvania*, *Arizona*, *Nevada*, and the *Oklahoma*, now completed or nearing completion. Therefore, if we were short 20,000 men at the beginning of the year it will require 24,000 men to man all of our ships. The Naval Militia should be used to fill the vacancies caused by casualties; so my contention that at least 20,000 are required, it seems to me, has been practically met by the recommendations made by the committee, and, generally speaking, it seems to me that this report carrying a very large amount of money for the upbuilding of our fleet and providing additional men, as it does, is simply filling up the deficiencies of the past few years. We probably will never have to make a similar provision again, but I think, on the whole, that this is the most homogeneous arrangement for the construction of a fleet and the preparation of officers and crews to man the fleet that we have ever had, and I personally want to congratulate the com-

mittee on having had the good judgment to follow the advice of the General Board in this respect in giving us an adequate Navy and an adequate number of men.

Mr. WORKS. Mr. President, in the little that I have already said in opposition to this bill I have intended only to express, in a very brief way, my objections to it, and the reasons why I think it is an unfortunate and dangerous piece of legislation. Since then I have listened with a great deal of interest and pleasure to the very eloquent address in support of the bill by the Senator from Idaho [Mr. BORAH]. From the Senator's point of view his support of the bill is logical, forceful, and convincing; but his point of view is not mine.

I am not opposing this bill because of the large expenditure of money that results from it alone. I am not considering so much the effect it will have upon our relations with foreign countries. My concern is as to its effect upon our own people and our own country. I do not believe in disarmament as applied to our own country under present world conditions. I am a lover of peace, but no more so than the Senator from Idaho and the other Senators who have addressed the Senate in support of the bill. We differ as to the best means of preserving the peace and as to the effect of this kind of legislation upon our own affairs.

At this very time, Mr. President, the military authorities of the Federal Government are resisting the civil authorities of the Senator's own State and putting at defiance the decisions of its courts.

It has been only a few months since the eloquent voice of the Senator from Idaho rang out in this Chamber against the usurpation of military power and the suppression of the civil authority in one of the States of this Union. We are now proposing to build up a great military power in this country which may or may not result in a military oligarchy that will control the affairs of the country and place the civil authorities in subordination to its power. That is what I am afraid of. That is my principal reason for opposing the passage of the bill.

The Republic of Mexico has as liberal a constitution and one that is as much intended and calculated to preserve the liberties of its people as our own, but Mexico and her people came under the power of the military. The civil authority has lost all power. The constitution of Mexico has meant nothing to its people for the past five years and longer; and that unfortunate country to-day is—and has been for five years—in a state of revolution and anarchy. The people are being robbed and murdered, the civil authorities are put at defiance, and there is in fact no government in that country upon which the people can rely for the protection of their lives and their liberties.

I know it is said that nothing of that kind can befall this country, that there is no danger of this country falling under such influences. But, sir, human nature is very much the same the world over, and we know enough now of the arrogance of the military in our own country to know that if the opportunity should offer they may become just as arrogant as the military powers of other countries, if they become great and strong enough.

Mr. President, I have not been opposed to the gradual increase of our Navy. I have never opposed such measures. I recognize the fact that it is necessary for us to have a Navy of reasonable size for our protection. But why should we now, at one bound, place ourselves in the position of one of the great military powers of the world? Is there any danger confronting us that makes it necessary that we should take this step now and at once?

It is the effect that this sort of legislation is going to have upon the thoughts of the people that concerns me more than anything else. We are beginning already to rely upon the military power of the country and not the civil power. We are teaching the people, by this kind of legislation, that they can not depend upon the civil authorities for their protection, but that they must be protected by armed force. This is militarism, plain and simple. If it be true, we are no longer a free and independent Republic governed and protected by constituted civil authority.

Mr. President, I do not believe it. I see no indication at the present time that can justify any such enormous increase of the Navy as we are now proposing to make. I think it bad policy. I think it is an expenditure of a large sum of money that is absolutely unnecessary, and a waste of the public funds. It is placing upon the people a burden that will be continued for years to come; because as we start in now we are going to pursue that road from this time on. There will be no going back to the conditions that have existed heretofore. It is perfectly idle, in that view of the situation, to appeal to ancient history or the eloquence of Demosthenes to justify the passing of this kind of legislation.

Of course, if it were necessary to establish and maintain a large navy in order to protect the country from aggression on the part of any foreign nation or nations, then the people would be perfectly willing that this money should be expended in that way. So would I. But I want to see some reason for it, and I want to see some indication of danger that justifies this sudden and enormous increase of the naval power of the country at such an expense to the Government.

Now, sir, I did not expect to discuss this question further, and I should not have done so except for the position taken by the Senator from Idaho, particularly, and by other Senators. The Senator certainly has not understood my opposition to the bill. I think, perhaps, he has not understood the opposition of other Senators to legislation of this kind. It is not, with me, a question of money alone. It is not a question of our relations with foreign countries. It is a simple question of the effect of such legislation upon our own country, and the probable effect it will have upon our own free institutions.

Mr. NORRIS. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 173, after line 6, it is proposed to insert the following words:

Provided further, That the construction of the battleships and battle cruisers herein appropriated for shall not be commenced until the President has made an effort to secure an agreement for the establishment of a permanent international court of arbitration as herein provided. At the conclusion of the war in Europe the President of the United States is hereby authorized and directed to propose to the belligerent nations that the United States Government desires to join in the treaty of peace to the extent of providing—

For the establishment of a permanent international court of arbitration;

For the limitation of armaments; and

For the establishment and maintenance of an international navy to enforce the decrees of such court. If such treaty is agreed upon as a result of such negotiations with the belligerent nations or with the leading nations now engaged in war, then the appropriation herein made for said battleships and battle cruisers shall lapse, and the same shall not be constructed.

And provided further, That in negotiating such treaty the President is hereby authorized to provide for the turning over of such part or parts of our present Navy to constitute our contribution to such international navy as may be agreed upon in such treaty.

Mr. NORRIS. Mr. President, at the beginning of the debate on this bill I addressed the Senate at some length and expressed my views on the question involved in the increase of the Navy, and I do not desire at this time to repeat what I then said. I am offering this amendment, however, on the theory, and I think I am justified in the belief, that those who favor international arbitration for the settlement of international disputes will be willing to support it.

There is already in the bill as it came from the House, and I believe included in one of the committee amendments, a provision that at the close of the European war the President shall suggest to the nations of the world that a treaty of general arbitration be agreed upon. The difference with the proposition now offered, in the shape of the amendment that the Secretary has just read, is that the building of the 16 battleships and battle cruisers provided for in this bill shall not be commenced until the close of the war and until the President has had an opportunity to negotiate with the belligerent nations in regard to the establishment of an international court of arbitration and the limitation of armament; and if those negotiations are successful and such a treaty is agreed upon, then the 16 capital ships provided for in this bill shall not be built, but the appropriation for them shall thereupon lapse.

It seems to me that if we are in earnest in our belief, as we all have the hope, that sometime there may be an international court of arbitration to settle the disputes between nations, and if we want to do our part toward bringing about such a condition, then we ought to couple with this appropriation the suggestion contained in the amendment. We have here an appropriation bill that appropriates more money for the building of a navy than was ever included in any appropriation in time of peace by any nation of the world; and yet we are doing that on the one hand, at a time when we are professing our desire for international arbitration and international peace, and on the other hand in the fact of a war going on between all the other leading nations of the world that may, before it ends, absolutely annihilate practically every navy of the world except ours. No man knows but that at the close of this war we will already, without building another ship, have the largest navy in the world. Such a condition is not only possible, but it is very probable.

It seems to me, therefore, that we ought to say, as we would if we adopted this amendment, that as we believe in international peace and in the establishment of an international court by agreement between the leading nations of the world, we will stay our hand in the construction of these monsters of destruc-

tion to give to the other nations an opportunity to meet us on that fair ground.

Mr. President, I spoke somewhat the other day, and it has been mentioned several times since by other Senators, of the great propaganda that has been going on for a year or two in this country—in fact, ever since the beginning of the European war—having for its object the building up of a public sentiment in favor of a big navy. While in one of the eloquent addresses that was made to the Senate to-day—joined in by another Senator, as I remember, in this debate—they said that they would discount all this talk about our being in danger at the close of the war from any of the belligerent nations, yet it must be remembered that that is the scarecrow that has been used in every newspaper and in every magazine, from every rostrum and from many pulpits, to make the people of the United States believe that at the close of this war we would be in danger of absolute annihilation by some one or more of the powers now engaged in the war. That is the one thing more than any other that has been held up before the American people as a scare to induce them to ask Congress to appropriate money in sums unheard of and undreamed of previous to this Congress for the building up of an enormous navy.

I want to call attention first to a resolution—and I am not finding fault with this and several other resolutions that I am going to refer to—introduced by the Senator from Missouri [Mr. STONE], in which he asked the State Department, or the President through the State Department, to inform Congress what had been done over in Paris at a meeting of the allies' representatives there having for its purpose, as the newspapers generally announced, the reaching of some agreement between the allied powers, as to how they could conduct the war and how they could recuperate after the war from its damages.

At the time the Senator made his remarks in this body the report of the President had not come in. He was followed by the Senator from Massachusetts [Mr. LODGE], who in a very able speech carrying out the same idea with the Senator from Missouri rather conveyed the impression that in that meeting of those representatives over there in Paris there was some agreement that had a vital effect upon the interests of our country. In fact, that was the object of the resolution as I take it.

Now, I do not find fault with what the Senator from Missouri said on that occasion, nor with what the Senator from Massachusetts said. I do not agree with what the Senator from Massachusetts said about the preparedness that he discussed, but I have no criticism to make. The point I want to make is that those two speeches made in reference to that meeting in Paris excited in all the newspapers of the United States comment, always to the effect that these statesmen saw something in that meeting that meant dire and injurious results to the United States Government.

After they had spoken the message from the President brought in the report, and I think any Senator or any citizen who will read the official report from our State Department showing what took place in Paris, what the agreement was, must reach the conclusion that they did nothing there, that they entered into no agreement there that we have any reason or right to find fault with. From their standpoint what they did there was perfectly proper. There was no menace anywhere to the United States in anything that they did or agreed upon. The nearest they came to it was in one of the clauses of the agreement in which they agreed to assist each other after the close of the war to recuperate their lost forces and to build up their business in order that they might develop the resources of the various countries and to put those countries on their feet. We ought not to object to that. It is something that we have been trying to do ourselves with South America ever since the days of Secretary Blaine. Nobody found fault with it across the ocean when we tried to build up trade with those countries. They were interested in it; if we took away the trade from them, it meant a benefit to us and an injury to them; but it was legitimate, it was proper; and so this agreement was proper and legitimate.

Yet, Mr. President, what do we find? I want to quote first, briefly, from what the Senator from Missouri said:

> Primarily it appears to be the chief mutual purpose of these allied nations to wage a commercial war against Germany after Germany has been defeated on the field of physical combat. As to that there has been no attempt to disguise their purpose; but, as I have gone along reading the various discussions which have come under my notice, I am impressed with the apprehension that there may be, and probably is, a purpose having a larger reach.

Now, there is a suspicion. Every newspaper jumped at that sentence, every newspapers heralded it in great head lines, and although on the same day the President reported what the facts were, and no man can take offense at the facts, those facts received no notice from the newspapers of our country; and the idea now of 99 per cent of our citizenship is that there was something rotten over there in that conference, it having something in view that will injure us. The Senator from Missouri said:

> There is talk of an international understanding between them that the allied powers, after the war, would work with each other and for themselves as against not only Germany but the balance of the world. There is much talk of fiscal and economical policies looking to that end, the underlying purpose being to aid each other in recouping and rehabilitating themselves.

I submit that is a worthy object, and no man ought to criticize it. The Senator says further:

> I am impressed with the notion of a purpose and tendency toward a close and somewhat exclusive commercial and industrial union of that character.

Now, if they had approached an industrial union we might not like it; I mean to say, even though it might injure our trade, it is a right they have. We have a treaty with Cuba, for instance, giving her some preferential rights under our tariff laws, and she gives us some preferential rights. We have other similar reciprocal agreements. Now, the Senator from Massachusetts said:

> I am very deeply convinced of the necessity of such preparation on the physical side as to make the application of force and violence to the United States as remote as possible.

He was speaking of the question of preparedness, the building of a big navy:

> I wish such preparation had been begun long ago. It is not too late even now, although much precious time has been lost, and we ought to make every possible preparation for our own defense, both by sea and by land. I believe that we are about to make suitable preparation by sea.

Referring to the naval bill:

> We must have such an armament for defense as will secure our own peace; as will be sufficient to make it apparent to all the world that we are not to be attacked with impunity by anybody, either on our Pacific or our Atlantic coast. Into this question of physical defense and preparation I do not care to enter further at this moment.

He said further, referring to our industries:

> We must try to put them in such a condition so that they can stand behind the people and the Government, be able to meet any test, and make the world clearly understand, as we must make them understand in the matter of armaments, that we can not be invaded, either physically or economically, with impunity.

Now, after these speeches were made there came the report of the President. That ought to satisfy everybody, I think, on a fair reading of the agreement. No attempt is made to cover it up. Our ambassadors sent it here verbatim, together with the signatures of the representatives of the various allied powers. When that was given publicity the same day, within an hour after these speeches were made, it ought to have quieted every fear that any citizen possibly could have had in regard to there being something in the way of a bad omen against our country or our people. But what was done? The next morning there were glaring headlines from a leading daily:

> United States faces trade war. STONE and LODGE so tell Senate in pleas for preparedness. Congress expected to act.

Then follows a report of their speeches carrying out to the people the idea, and it is left there now, that in that agreement over there there was a menace to America, and therefore if we want to protect ourselves we must build up a large Navy and do it now.

Mr. President, all the leading daily papers of the United States have reports similar to that from which I have quoted the headlines. In no place did they give to their readers, except perhaps in a way in which you would have to study the fine print and find it perhaps at the bottom of the article, one sentence in which it was stated that the President had communicated to the Senate that day a copy of the agreement.

At this point, Mr. President, I wish to incorporate as a part of my remarks the entire agreement. It is not very long.

The VICE PRESIDENT. Without objection, it will be so ordered.

The matter referred to is as follows:

[Translation.]

ECONOMIC CONFERENCE OF THE ALLIED GOVERNMENTS.

The representatives of the allied Governments have met in Paris, Mr. Clementel, minister of commerce, presiding, on the 14th, 15th, 16th, and 17th of June, 1916, for the purpose of fulfilling the mandate which was confided to them by the conference of Paris on March 28, 1916, to put into practice their solidarity of views and interests and to propose to their respective Governments suitable measures for realizing this solidarity.

They perceive that the central powers of Europe, after having imposed upon them their military struggle, in spite of all their efforts to avoid the conflict, are preparing to-day, in concert with their allies, a struggle in the economic domain which will not only survive the reestablishment of peace but, at that very moment, will assume all its amplitude and all its intensity.

They can not in consequence conceal from themselves that the agreement which is being prepared for this purpose amongst their enemies has for its evident object the establishment of their domination over the production and the markets of the whole world and to impose upon the other countries an inacceptable hegemony.

In the face of such a grave danger the representatives of the allied Governments consider that it is their duty, on the grounds of necessary and legitimate defense, to take and realize from now onward all the measures requisite on the one hand to secure for themselves and the whole of the markets of neutral countries full economic independence and respect for sound commercial practice and on the other to facilitate the organization on a permanent basis of this economic alliance. For this purpose the representatives of the allied Governments have decided to submit for the approval of their Governments the following resolutions:

(A) MEASURES FOR WAR PERIOD.

I.

Laws and regulations prohibiting trading with the enemy shall be brought into accord; for this purpose:

(*a*) The allies will prohibit their own subjects and citizens and all persons residing in their territories from carrying on any trade with the inhabitants of enemy countries of whatever nationality, or with enemy subjects, wherever resident, persons, firms, and companies whose business is controlled wholly or partially by enemy subjects or subject to enemy influence, whose names will be included in a special list.

(*b*) The allies will also prohibit importation into their territories of all goods originating or coming from enemy countries.

(*c*) The allies will further devise means of establishing a system of enabling contracts entered into with enemy subjects and injurious to national interests to be canceled unconditionally.

II.

Business undertakings owned or operated by enemy subjects in the territories of the allies are all to be sequestrated or placed under control. Measures will be taken for the purpose of winding up some of these undertakings and realizing the assets, the proceeds of such realizations remaining sequestrated or under control. In addition, by export prohibitions which are necessitated by the internal situation of each of the allied countries, the allies will complete the measures already taken for the restriction of enemy supplies both in the mother countries and the dominions, colonies, and protectorates—

(1) By unifying lists of contraband and export prohibition, particularly by prohibiting the export of all commodities declared absolute or conditional contraband.

(2) By making the grant of licenses to export to neutral countries from which export to the enemy territories might take place conditional upon the existence in such countries of control organizations approved by the allies, or, in the absence of such organizations, upon special guaranties, such as the limitation of the quantities to be exported, and supervision by allied consular officers, etc. * * *

(B) TRANSITORY MEASURES FOR THE PERIOD OF THE COMMERCIAL, INDUSTRIAL, AGRICULTURAL, AND MARITIME RECONSTRUCTION OF THE ALLIED COUNTRIES.

I.

The allies declare their common determination to insure the reestablishment of the countries suffering from acts of destruction, spoliation, and unjust requisition, and they decide to join in devising means to secure the restoration to those countries, as a prior claim, of their raw materials, industrial, agricultural plant, and stock, and mercantile fleet, or to assist them to requip themselves in these respects.

II.

Whereas the war has put an end to all treaties of commerce between the allies and enemy powers, and it is of essential importance that during the period of economic reconstruction the liberty of none of the allies should be hampered by any claim put forward by enemy powers to most-favored nation treatment, the allies agree that the benefit of this treatment will not be granted to those powers during a number of years to be fixed by mutual agreement among themselves.

During this number of years the allies undertake to assure each other, so far as possible, compensatory outlets for trade in case consequences detrimental to their commerce should result from the application of the undertaking referred to in the preceding clause.

III.

The allies declare themselves agreed to conserve for the allied countries, before all others, their natural resources during the whole period of the commercial, industrial, agricultural, and maritime reconstruction, and for this purpose they undertake to establish special arrangements to facilitate the interchange of these resources.

IV.

In order to defend their commerce and industry and their agriculture and navigation against economic aggression, resulting from dumping or any other mode of unfair competition, the allies decide to fix by agreement a period of time during which commerce with the enemy powers will be submitted to special treatment, and goods originating from their countries will be subjected either to prohibitions or to a special régime of an effective character. The allies will determine by agreement through diplomatic channels the special conditions to be imposed during the above-mentioned period on the ships of enemy powers.

V.

The allies will devise measures to be taken jointly and severally for preventing enemy subjects from exercising in their territories certain industries or professions which concern national defense or economic independence.

(C) PERMANENT MEASURES OF MUTUAL ASSISTANCE AND COLLABORATION AMONG THE ALLIES.

I.

The allies decide to take the necessary steps without delay to render themselves independent of enemy countries in so far as regards raw materials and manufactured articles essential to the normal development of their economic activities. These measures will be directed to assuring the independence of the allies, not only so far as concerns sources of supply, but also as regards their financial, commercial, and maritime organization. The allies will adopt such measures as seem to them most suitable for the carrying out of this resolution according to the nature of the commodities and having regard to the principles which govern their economic policy. They may, for example, have recourse to either enterprises subsidized and directed or controlled by the Governments themselves or to the grant of financial assistance for the encouragement of scientific and technical research and the development of national industries and resources, or to customs duties or prohibitions of a temporary or permanent character, or to a combination of these different methods.

Whatever may be the methods adopted, the object aimed at by the allies is to increase the production within their territories as a whole to a sufficient extent to enable them to maintain and develop their economic position and independence in relation to enemy countries.

II.

In order to permit the interchange of their products, the allies undertake to adopt measures facilitating mutual trade relations, both by the establishment of direct and rapid land and sea transport services at low rates, and by the extension and improvement of postal, telegraphic, and other communications.

III.

The allies undertake to convene a meeting of technical delegates to draw up measures for the assimilation, so far as may be possible, of their laws governing patents, indications of origin and trade-marks. In regard to patents, trade-marks, literary and artistic copyright, which come into existence during the war in enemy countries, the allies will adopt, so far as possible, an identical procedure to be applied as soon as hostilities cease. This procedure will be elaborated by the technical delegates of the allies.

(D)

Whereas for the purpose of their common defense against the enemy, the allied powers have agreed to adopt a common economic policy on the lines laid down in the resolutions which have been passed, and whereas it is recognized that the effectiveness of this policy depends absolutely upon these resolutions being put into operation forthwith, the representatives of the allied Governments undertake to recommend that their respective Governments shall take, without delay, all the measures, whether temporary or permanent, requisite to giving full and complete effect to this policy forthwith, and to communicate to each other the decisions arrived at to attain the object.

PARIS, *June 17, 1916.*

Mr. NORRIS. That is the thing I find fault with. I know men disagree honestly as to what we should do in the building of a navy, but the public sentiment that has been built up has been built up under false colors. This great propaganda that has gone over the country has emphasized every idea of suspicion that there was a menace against the Government of the United States coming out of the war in Europe.

What do we find? We find another resolution introduced asking the Secretary of State to make a report as to all the facts in regard to an agreement that the newspapers had been talking about between Russia and Japan. We have had all kinds of dire calamities prophesied from newspaper sources from that agreement. We find still another resolution introduced calling on the President to get the agreement made between Germany, Austria, and their allies as to what they are going to do—as to whether it means a menace to us. The fact that there has been such a meeting and such an agreement is heralded all over the country, and the idea conveyed in every instance where I have been able to see it published is that there is a menace in it for the Government of the United States.

As this paper said, the Senators mentioned called upon the Senate to build a big navy as an answer to that agreement. Yet, Mr. President, when we trace it down, it is made out of whole cloth; there is not anything to it.

What is the condition, Mr. President, over in Europe? What is the condition of our own country in regard to a navy that will necessarily demand such expedition? It has been urged from the very beginning of this session of Congress, by various newspapers and magazines all over the United States, that Congress ought to provide for the building of a big navy, and do it early. I have read criticisms in newspapers because the naval bill was not the first appropriation bill put through Congress, citing the fact that over in Europe, where the war is going on, there was going to come out suspicion against this Government at its close; that the war is liable to cease at any time, and that this Government would be at once involved.

Would we run any risk if we wait a while before we build our big navy? If we are bound to get into this race and build the biggest navy in the world, would we run a risk if we would wait until to-morrow before we commence?

Mr. President, there are many lessons to be learned out of the present war, lessons that we do not know about now. The program provided in this bill was originally a five years' program when it came from the Cabinet and from the General Board and from the President. There was a general belief when the bill was in the House that we needed battle cruisers. There was a good deal of talk about the fact that we did not have any; that the war was demonstrating, as far as it had gone, that the swift ship with the big gun was what we wanted, and therefore we had to sacrifice armor to get speed. Therefore we wanted battle cruisers. So they provided for the building of, I believe, six large battle cruisers. But before the bill got to the Senate there had been a naval battle fought in Europe and the program was changed. It was found that we needed battleships as well. It was found that while the battle cruiser was useful it was not the only pebble on the beach. We

had to change the program almost overnight. This program, which three months ago it was to take five years to complete, is now carried down to three years.

Mr. President, it only illustrates that you can not take a program and carry it out and be logical. It depends on things that may happen to-morrow about which we know nothing to-day. This bill illustrates it. Do we know now since that naval battle just exactly what we will learn later, and ought we not to know all we can about the war before we commence to construct this immense navy? Here is a letter from Rear Admiral Knight, just printed in this morning's paper:

Replies to Daniels's query—

Is the headline.

Declares Jellicoe's fast ships held foe until grand fleet arrived.

I will not read all of it. I only want to read enough to show that even now the experts do not know what the lessons are that we can learn from that battle; it is too early.

In my opinion—

Wrote the admiral to the Secretary—

neither Admiral Jellicoe's report nor any other source of information at present available affords a basis for definite judgment as to the actual results of the battle.

The most significant fact thus far established is that three British battle cruisers were sunk. It is not clear by what ships of the enemy fleet they were sunk, nor to how heavy a fire they were subjected, nor is it known whether they were destroyed by gunfire alone or by the explosion of their magazines.

Going to show, it seems to me, a good reason why, even though we were not trying to get any agreement for peace, we ought to wait before we embark upon this remarkable program of military expansion until we can get the lessons of the present war. Wait, Mr. President, until perhaps another battle. Mayhap it has taken place to-day between these navies or two other navies, that one has utterly obliterated the other navy off the face of the earth, and we would have no occasion to build battleships to contest against fleets that are on the bottom of the ocean.

Another thing, Mr. President, tending to show that anything which happens, innocent though it may be, is exaggerated, it seems to be a part of this propaganda relating to some great danger, the same paper from which I read a portion of the letter of the admiral, contains another announcement in glaring headlines, as follows:

More Japanese arrive. Mexican reports say colonies are being organized in force. Enter on the Pacific coast.

Those are the headlines. What for? To convey the idea to the people that Japan is about to capture us from the Pacific side of the country. When you read the article you find that there were 35 Japanese in this force of invasion.

Reports received in Washington through official channels—

It does not say the reports are official, but "through official channels." They have been tipped off by some official in the department.

Reports received in Washington through official channels yesterday show that Japanese are colonizing in Mexico in force. One official report said that 35 Japanese in one party had landed in Mexico at a west-coast port. Others have arrived in smaller parties at ports widely scattered on the coast. While Americans were coming out the Japanese were going in, officials said yesterday. It was apparent that officials looked on this colonization movement with some concern, especially since the recent official report—

Remember, it says "official report"—

showing Japanese partly responsible for the attack on the American troops at Carrizal gave evidence of hostility toward Americans among Japanese in Mexico.

Mr. President, have any of us before heard that Japan was to blame for some of Villa's bandits attacking or some of Carranza's bandits attacking the American forces in Mexico? Yet that is the idea that has gone out to the people. While the newspaper writer does not say that it is official—and, of course, it is not—he uses an innuendo, indicating that he had got it from official sources; and it may be that he did; I do not know—and that over in the Capital at Washington, among the officials of the Government, they are trembling in their boots for fear those 35 Japanese will come up through Mexico and conquer our country.

Mr. President, the other day, when the Military Establishment bill was before the Senate, some one who is now in the Hall came to me and said: "Do you notice those Japanese up there in the gallery?" I said I had not seen them; but he pointed out three men in the gallery who looked like Japanese. He said: They are in relays, and if you watch them you will see that when they go out more will come in. They are listening to this debate on the military bill." He was really worked up about it. I do not know but there may be some Japanese in the gallery now; perhaps there is a German there, and it may be that he will take back to the Kaiser what is said here. Some Englishman may wire it to-night to King George, of England, or even the powers in Turkey may be informed as to what we are doing here. However, is it necessary, Mr. President, to send spies to sit in the gallery of the Senate? Those people can read; the CONGRESSIONAL RECORD is accessible.

What I have stated only illustrates that ever since this propaganda has been going on in the eastern part of the country the people have been scared by the picture of the Kaiser, and over on the Pacific coast they drive the children off the street after dark by crying, "The Japs are coming." These things will go to the other countries and even result in legislation in this country and other countries originating out of nothing.

Mr. President, the nations of Europe—and this takes in all of the European nations—now fighting are all disappointed. They all now know that their preparedness has been a failure. One Senator very eloquently said to-day that weakness brings war, and yet it is true that the strong nations of the world are to-day at war. It is said that preparedness preserves peace, and yet the two nations of all the world that have made the greatest preparedness on the sea and on the land are fighting each other to-day.

The cause of the European war, or one of its causes, was this eternal preparation for war, which has been going on for 50 years. Now we are going to get excited because some friendly nations, much as we may regret it, are killing each other and practically bankrupting all of the nations but ours, for fear that the cripples and the widows and the orphans that are left are going in some way to construct a raft, after the fleets are destroyed, and come across the Atlantic Ocean and capture the United States!

Why, Mr. President, one of the greatest—and he is one of the greatest—writers of the country, connected with one of the greatest publications, perhaps the one which has the largest circulation of any in the United States, has written a good many articles about preparedness. I saw him not long ago and asked him if he really believed all he wrote. He said, "I am excited; I am worked up about it. There is only one thing now to keep us from being conquered by Germany, and that is the English fleet. We are protected now by the English fleet." I had read an article which he had just previously written, in which he outlined how Germany with 250,000 men could come over here and capture this country overnight. It is true that our experts—Maj. Gen. Miles and others—stated that we have the best coast defenses known to man. Just before I took the floor we had a Senator, who himself once belonged to the Navy, telling us that the personnel of the American Navy was the best in the world; and yet the people of the country have been led to believe that our Navy is worthless and that we have no coast defenses. Gen. Miles said he thought there ought to be more coast defenses, but that those which we had were up to date and the best which were in existence anywhere on earth, in his judgment.

Mr. President, I do not believe there is any danger of an attack from Japan, from Germany, or from any other foreign country. I think we ought to have a navy and an army well equipped and of reasonable size, but I can not agree with the widespread contention that we ought to enter into a military race with the balance of the world, the object being to get the largest army and the biggest navy in existence.

Right here, Mr. President, I desire to say that some of the people who believe in this program say that we do not want the biggest navy, but that we want the second largest navy; that we want to be second only to England. It has been stated in this debate on this floor that we have no fear of war with England because of Canada; and yet the same men who say we shall never have war with England because Canada adjoins us for 4,000 miles along our border line will protest and go into hysterics if a couple of Japanese on a rowboat should land anywhere along the coast of Mexico. If England will not go to war with us because she has territory adjoining us, why would it not be a good idea, in order to preserve peace, to give the Kaiser a little strip of territory somewhere in our country in order that we might have peace with him, or to give Japan a few acres, and then say the danger is past? But, Mr. President, as was said so eloquently by the Senator from Idaho [Mr. BORAH] to-day, the nations that are at war now were at peace just a few weeks before they got into war. How, then, do we know that it will not be England with whom we shall be engaged in war. If we follow the history of the last year or two, we shall realize that we are just as likely to have war with England as with any other country. If that be true, then, why should we not have a bigger navy than has England? How do we know that England, France, Russia, and Japan will not combine against us as they combined against Germany?

If that be true, then why should we not say that we must have a navy and an army bigger than the combined armies and navies of all these countries? That, it seems to me, would be the only logical course.

Our Navy, as well as the navies of other nations, must depend somewhat as to its size upon the size of other navies. If other countries of the world build immense navies, we must, to a certain extent, increase ours. If we start on the proposed program with a view of getting the largest navy in the world it will incite the other nations, and it will be a race that will be ended only when taxation exhausts the people. Those engaged in the manufacture of armor plate, munitions of war, and other things necessary for the support of the Navy and Army would make immense fortunes, as they have already done. The balance of the people would get poorer and poorer with the increased taxation, until the country would become bankrupt, or we would have, in the course of years, a class of aristocracy and another class of citizens who would be practically slaves. All the property would be held by a few, and in the end it would mean revolution.

At the present time the balance of the world is fighting. The nations will exhaust themselves both in men and in money. At the close of this war in most of the leading nations the population will be composed of women and cripples—the nations' paupers, bowed down with debt and overcome with sorrow. In this condition it seems to me perfectly foolish to think that they will undertake to make war upon us. They will be less prepared for it at the close of the war than they have been at any time within the last hundred years.

Mr. President, the people of Europe now engaged in this titanic struggle will be so sick of war that if a ruler of any European country should undertake to make war upon America, provided America minded her own business and remained neutral, there would be a revolution in that country.

Mr. CLAPP. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Minnesota?

Mr. NORRIS. I yield to the Senator.

Mr. CLAPP. I should like to ask the Senator if he does not think that there are very likely to be some upheavals after the war, regardless of the suggestion he has just made?

Mr. NORRIS. If the war keeps on much longer, there will probably be some upheavals before the war is closed.

Mr. CLAPP. I think not.

Mr. NORRIS. I think there will be if the war continues long enough.

Mr. CLAPP. If the Senator will pardon me, so long as a nation is at war, and the people of that nation are made to believe that it is fighting a battle for its existence, it will stand anything. It is after the pressure and the strain of the contest pass that the trouble comes.

Mr. NORRIS. Oh, yes; they are all patriotic, but Mr President, when the people of Germany and the people of England and the people of France begin to realize that between the people themselves in those nationalities there is no hatred, there is no enmity, there is nothing but friendship, and that it is only the rulers who have brought on the war, they will have a vastly different feeling. The German farmer and the French farmer, tilling the soil with only an imaginary line between their farms, were friends and they will begin to realize after a while, if this war does not cease, that they have been brought into this struggle without reason, without justice, and with neither one of them having any wrong to be righted by the cruelties of war, and then there will be revolution.

The idea of Germany landing two hundred or two hundred and fifty thousand men on our shores and capturing our country at the close of this war does not seem to me to be reasonable or even sensible. I know that a great many wise men, honest men, patriotic men, think that this is not only possible, but that it is extremely probable. A great many men think it is a certainty. In the first place, Germany will not think of such a thing, and, in the next place, if she did, it would be utterly futile and idiotic to undertake it. She could no more land her soldiers on our soil and capture our country than England was able to capture the Dardanelles with the greatest navy that the world has ever known and with a fleet of transports many times greater than Germany ever has had or would have at the close of this war. In the first place, there would be no reason why Germany should want to do this. In the next place, she will be bankrupt when the war is over, the majority of her best soldiers will be dead, and the balance of them will be mostly cripples. She will be taxed to death and sick of war. If such a thing were possible or had ever been desired by the German people, they would have done it long ago, before this war began. Although England has a navy several times larger than Germany and although she is allied in the war with France, another nation that has a large navy, their combined efforts have not been able in the present war to drop a single shell from a naval vessel upon German soil. With her great navy England was unable to take the Dardanelles, a country that was but poorly fortified and manned by guns that are out of date. She has not been able to properly blockade a single German port. This has not been on account of Germany's navy. She has not been able to approach the ports because of mines that have been put in the waters since the beginning of hostilities, or within a few days or weeks prior to their actual commencement. We must remember, too, that England's base of supplies is but a few miles away from the German ports. Think how Germany would be handicapped with her base of supplies on one side of the Atlantic while undertaking to conquer a country like ours, on the other side of the ocean. She could not land a single man; she could not take a single port. Germany knows it. She would not undertake even if she had the desire. I am saying all this on the theory that Germany wants to do this. I do not believe she does. When this war is over she will be as anxious for peace as we are. If she had this in mind, she would have done it before the beginning of this war, when she was in much better shape than she is now or will be at its close.

It seems to me that it is equally foolish to think of Japan conquering this country. Her base of supplies will be more than 4,000 miles away from our Pacific coast. Japan has a population of about one-half of what we have. The whole area of Japan is less than that of California, and a large part of her area is not susceptible of cultivation. The wealth of Japan is about half of the wealth of the State of New York alone. The national debt of Japan is greater than the national debt of the United States, and her wealth is less than one-twelfth of the wealth of the United States. The taxes in Japan are much heavier than they are here, brought about on account of her war with Russia and the present war. The two principal products of export of Japan are tea and silk. The United States takes the most of her tea and the larger part of her silk. A war between this country and Japan would mean that Japan's best customer would be at once cut off. We could get along without tea and without silk, but Japan would be bankrupt if she could not sell her tea and silk. It would be perfectly foolish for Japan to go to war with America in her present financial condition, and thus cut off her greatest and best source of revenue, without material injury to us. The United States has a larger Navy than Japan.

In order to transport her troops to America, Japan would have to bring them across 4,000 miles of water in transports. A liberal estimate would be that she could bring 1,000 men on a transport. Each transport would have to be guarded by a naval vessel. She has neither the transports nor the naval vessels for such a purpose. It would not do to come across this large expanse of water with transports unguarded and unprotected. A navy inferior to hers could prevent her from doing this, because one shot would sink a transport. Her war vessels could not carry enough coal to make a round voyage, and a single hostile vessel could prevent new supplies from being sent.

The idea of war with Japan is usually given publicity just before we are to pass the naval appropriation bill. Prophecies have been made ever since I have been in Congress that in the very next year we would be at war with Japan. Quotations are made from Japanese often to sustain this theory, and yet, if you will trace it down, you will find that such sentiments do not represent the Japanese people. The great majority of the Japanese people do not want war with us any more than the majority of our people want war with them. The wiser heads in Japan, in addition to this, know that the war with us would mean disaster if Japan were the aggressor. I am basing all I say upon the theory that no one here wants to make war upon Japan. If our plan was to go across the ocean and attack Japan, then I concede that we ought to increase our Army and Navy manyfold. But if we want to remain at peace, all we have to do is to keep quiet, deal fairly with our neighbors, and discount this war talk that is given wide circulation by men who have already made millions and want to make millions more at the expense of the common citizen.

This talk about war with Japan originates mainly with men who either do not understand the situation or who are anxious to have the United States embark on the enormous expenditure of building up a huge Navy and establishing a large Army. There are, of course, many honest men who favor such a course and who are agitated on the subject. If you will analyze it you will find that the present campaign that has been made throughout the United States in favor of a big Navy and a large Army originates to a great extent with men and institutions that would make money by such a course. Why is it that when the balance of the world is prostrate, struggling in pools of human blood, bowed down with the burden of taxation, starving and suffering for food, we should all at once become excited for

fear, notwithstanding this condition, they would make an attack upon us? If we fear, as some people do, that when these nations that are now fighting each other exhaust themselves they will immediately combine and unite in an attack upon us, how do we explain the fact that they did not do this before the war and before exhaustion?

When the bloody conflict in Europe is over, as everybody knows that in time it must be, we should be in a position to take an important part for the benefit of humanity in the settlement of the controversy. We will not be in shape to do this if it is known that we ourselves are aspiring to be the greatest military Nation in the world. We can not extend one hand in fellowship while the other, behind our back, is filled with munitions of human destruction. Humanity is much the same the world over, and I can not help but believe that the people of all nations at the close of this war are going to be unanimously in favor of a world permanent peace. My own idea is that when the war ceases and it becomes necessary for a treaty of peace to be made the United States will be in condition, if we keep our own skirts clear, to suggest to all other nations of the world that the treaty of peace should be signed by us as well as the warring nations, and should provide for the limitations of armaments, for the limitation of navies, and perhaps for an international navy to do police duty. We will have a world's peace just as soon as the nations of the earth do not have such an overabundant supply of guns, ammunition, war vessels, and other elements of human destruction. A treaty of peace that would turn the navies of the world into scrap iron and provide for a few vessels that should be international in their service, for the purpose of doing police duty, will bring about a never-ending peace. Is it not possible, indeed is it not probable, that this much-desired condition can be brought about at the close of the present gigantic struggle? Is it not worth while that the United States, for the benefit of humanity, should make an honest attempt to bring about this condition? We can not do it if we ourselves are engaged in a mad rush to have the biggest Army and the largest Navy of the world.

So many people who favor the enlargement of our Army and Navy neglect to take into consideration the fact that such a program means an enormous increase of taxation. Congress levied last session the so-called war tax, and has extended the same law this session. This provision for increased taxation would have been necessary even if there had been no war, because we were gradually running behind before the war began, and had been for about a year. If we undertake the so-called preparedness program, no man can now tell how high the taxes are bound to go. This race for supremacy in military affairs we must remember is one that can be engaged in by others as well as ourselves. It is absolutely impossible to say now that we will begin a program that will land us on the top in a certain number of years. We can not engage in this enormous military expansion plan without exciting the military men of all other nations. It is perfectly foolish to think that the other nations of the world are going to remain idle and permit us to build up this Army and Navy without entering into the race. And when we say now that the plan can be carried out by certain appropriations in a certain number of years in the future, we do not take into consideration the fact that when the other nations enlarge their military programs we will have to again increase ours. The result will be that instead of increasing taxation, as has been estimated, we would have to increase in the years that are to come the estimates in an enormous ratio. Instead of the expenditure being one or two billions, we must count that in this race which it is proposed we should enter the expenditure would be many, many billions. Instead of ten or twelve dreadnaughts, we would have to build hundreds of dreadnaughts. Instead of hundreds of other ships, we would have to build thousands of other ships. Instead of thousands of additional sailors, we would have to have millions of additional men to man these vessels. Instead of an army of four or five hundred thousand, as is proposed, we would have to have an army of four or five million. There would be absolutely no stopping place. It would mean a race to destruction, to exhaustion, to poverty for the great masses of the people. It would be an exhaustion similar to the exhaustion of actual warfare, with the only difference that in one case it would be long drawn out, while in the other it would be quick and decisive.

How can we raise this money? I fear that the President's preparedness plan is to go through. He has always succeeded in controlling his party and, while there is rebellion in some quarters, he will get recruits sufficient to make up the loss from the Republican Party. If the plan does go through and we come to the question of raising the revenue to carry it out, I am in favor of producing this additional revenue from two sources—first, by increasing the income tax on large incomes; and, second, by a progressive inheritance tax, that will tax bequests in a progressive way, beginning with a nominal tax and running up to a tax of 50 or 60 per cent where the bequest runs up into the millions.

Mr. CLAPP. Mr. President, will the Senator pardon a question?

Mr. NORRIS. Yes.

Mr. CLAPP. Does the Senator for one moment dream that the force behind this propaganda would then turn around and permit the burden of taxation to be placed upon themselves?

Mr. NORRIS. Probably not.

Mr. CLAPP. A more iridescent dream was never indulged in than that the Senator is now indulging.

Mr. NORRIS. But, Mr. President, there are evidences right now that that very system of taxation will eventually be brought about if this program is carried out to its extreme and to its logical conclusion. There have been, from the beginning of history, instances galore everywhere showing that men who crowd the people into a program of this kind do not realize that they are fastening chains about their own necks. The proposition of taxing the ordinary person out of existence and out of a living, until his children go cold and unfed and naked, means that there will come a time when they will not stand it longer; and the men who bring it about will be the sufferers, with everybody else, when that time comes.

Mr. CLAPP. Mr. President, will the Senator pardon another interruption?

Mr. NORRIS. Yes.

Mr. CLAPP. There is abundant reason why that human force that is either back of war which is unjust and unfair, or which imposes unjust burdens, should feel secure from the burden so imposed; because in all history, universally, the men who are responsible for the war are not the ones who are called upon to bear the burden, either on the field of battle or in the realm of taxation.

Mr. GALLINGER. Mr. President——

Mr. NORRIS. I yield to the Senator.

Mr. GALLINGER. I observe that the Senator is going to raise the enormous revenue that will be required by increasing the income tax upon those who have large incomes and through a progressive inheritance tax. I will ask the Senator if he is not in favor of revising our tariff laws so that the foreigner will contribute somewhat?

Mr. NORRIS. Yes; I am.

Mr. GALLINGER. I am very glad the Senator adds that to his list.

Now, Mr. President, one other remark, if the Senator will permit me. The Senator speaks of the purpose of making our Navy the greatest navy of the world. I do not think anyone has ever made that suggestion, except that the President of the United States on a certain occasion, in a moment of mental aberration, as I think, did make that suggestion; but those of us who have some interest in the Navy of the United States have never dreamed that we would even reach, much less excel, the naval armament of Great Britain.

Mr. NORRIS. Mr. President, I tried to show a while ago that the men who believe in the second largest navy, in order to be consistent, ought to believe in the largest navy; that there is just as much reason to think we would get into war with England as with Germany or with Japan or with France. As was said to-day by the Senator from Idaho [Mr. BORAH], two weeks before this war in Europe began these nations were friendly. Almost in the twinkling of an eye old friends became enemies; and that is a common thing among men when they go into the military business.

When your neighbor arms himself with a shotgun and somebody tells you he has bought it because he is watching you, you buy a shotgun. The next day somebody tells you he has bought a revolver, and you buy one. He probably tells him, after you have bought yours, that you have bought it, and then he buys a gatling gun. When you find that out from the same source, you arm yourself a little further. You get some dynamite. You go to investigating making shells and all kinds of infernal machines; and this same busybody tells your neighbor, every time that is done, what you are doing, and he does something more.

That is what France did; that is what Germany did; and that going on between two men means after a while that they are going to fight, and each one of them is doing this for self-defense. Why, Mr. President, every time Germany took a step in building up her army, every time Great Britain or any other country built a new battleship, it was always for peace and defense; never for aggression.

Mr. GALLINGER. Mr. President, if the Senator will permit me, the Senator very wisely observed a few moments ago that there was not any danger of the United States being involved

in a war with Japan, because Japan would have to cross the Pacific Ocean to attack us, and she would be at so great a disadvantage that she would have no chance whatever of conquering the United States. Now, to a very large extent that applies to Great Britain. Great Britain has to cross the Atlantic, and while Great Britain is approaching our shores we have our submarines, our mines, our aeroplanes, our coast defenses, and our Navy; and we have Canada on the north of us, which Great Britain would be considerably anxious about. I really think there is quite as little danger of a war with Great Britain as there is of a war with Japan, and I do not believe there is danger of war with any nation on the face of the earth.

Mr. NORRIS. I agree with the Senator on that. Mr. President, we have a treaty with England by which both nations agree not to put battleships on the Great Lakes. We have 4,000 miles of boundary line, only an imaginary line, with not a soldier, not a fort, anywhere. It has been there for years and years and years, with no danger of war. If England should commence to build battleships on Lake Erie, then we would have to do likewise; and if we built a fort along the line, she would build one on the other side of the line, and when we got armed to the teeth we would commence to fight. It is natural. These armaments lead to war; and these two neighbors that I was describing, buying their revolvers and their shotguns and their dynamite and their bomb-throwing machines, would eventually get to shooting across the line fence, and somebody would get killed.

Now, who are our neighbors? Why, our neighbors are cripples. We will find at the close of this war that the neighbor we are arming against is in the hospital. He is bankrupt, as the Senator says. He has lost all his property; he has a mortgage on his home and the mortgagee has commenced foreclosure. He has lost one leg at the knee and the other at the hip. One arm is cut off at the elbow and the other one at the wrist. He has had one eye shot out, and he has a cataract on the other one. One of his lungs is gone, and he has tuberculosis in the other one. He has cancer of the stomach. He is "all in"; he is all gone; and yet we are going to go into the greatest military-expansion program and appropriate more money to defend ourselves against him than was ever appropriated in any one bill in the history of civilization in time of peace.

In many cases this program I have been speaking of will make billionaires of present millionaires. Men engaged in the manufacture of arms and ammunition and other equipments of war will get rich at an enormous rate, while the poor will get poorer. We can not place the wealth of the country in the hands of a fewer number of people without increasing to a very large extent the number in the poorer classes. Carry this out to its logical conclusion and this same Army will be expected to be used in the protection of the property that is thus congregated and amalgamated in the hands of a comparative few. If those who are already rich are to be made richer by this scheme, then it seems to me that they should at least bear the chief burden of the expense.

Railroad rates have already been boosted, both in the East and in the West, this on the plea that the railroads were poor and were not making any money, and in the face of the fact that the cost of living is gradually going up every day. And now we have the condition where railroads are refusing to take certain classes of freight because they have so much to do they can not handle the business. In the main, the same class of people who are now crying aloud in apparent distress for the expenditure of money in the building up of an Army and Navy were the ones who in the same way, through the same newspapers, built up a sentiment in favor of increased railroad rates, yet they say nothing now of a reduction of rates, when it is admitted that the railroads are doing such a large business that they are absolutely swamped. The same President who used his influence and the influence of his office to bring about the increase in railroad rates is urging the preparedness program. The program means that the cost of living must go higher and higher and that, therefore, the income of the poor man will be insufficient often to keep soul and body together. This false cry in favor of militarism, if carried to its logical conclusion, means suffering in the end for the common people. Europe is being bankrupted by war, and if we continue in this pace we will be bankrupt in times of peace getting ready for war. This propaganda in America will increase the wealth of those already rich, and to the same extent, through the increased cost of living, decrease the wealth of the countless poor. If we would take out of this propaganda the interested ones, the ones who are in it for the dollars and cents, if we would rise to a higher plane of morality and consider the welfare not only of our people but of humanity, we could not help, it seems to me, to realize that we are already treading on dangerous ground. The man who has an income of several hundred thousand dollars and from that up to several millions of dollars is not affected in any appreciable degree by the increased cost of living, but the man who has an income that is already stretched to support himself and family, to clothe and feed his wife and children, can not stand much more of an increase without becoming a pauper.

In a general way, the poor man has to have about as much food and clothing as a rich man. It takes just as much to satisfy the stomach of a pauper as it does the stomach of a millionaire. It takes just as much clothing to protect the little child of the laborer as it does the child who lives in luxury and never knows want. In addition to this, the poor man, as a rule, has several children to the rich man's one. There must be a reckoning somewhere some day, and the wealth and military spirit are leading at a pace and a rate that will bring down upon their own heads the destruction of government and law. We ought to take heed; we ought to take warning; we ought to realize that this race can not always be kept up without ruin.

I am not one who believes in a policy of peace at any price. I do not think, however, that the present time is one when we should embark upon an increase in the Army and Navy. This war will teach us many lessons, and if at its close a treaty is not made that will in a reasonable degree at least insure the peace of the world, then we should take advantage of the lessons that the war has taught in the way of armor, guns, and ammunition, in future additions to our Army and Navy. With perhaps one exception, there has been during the present war no general engagement by the navies of the belligerents. We have learned some lessons, it is true, but there are many more that we will learn and understand when the war is over. It is undoubtedly true that we can build fighting ships, make guns and ammunition of a better quality when the lessons of this war are thoroughly learned, than we can make with the information that we have now. Already there has been an improvement in submarines that has put all submarines that were in existence at the beginning of the war out of date. The same may be true in regard to the guns and to shells and other munitions of war. Why should we not wait and see what all the lessons of the war really are, and then if we desire to increase our Navy or our Army, take advantage of these lessons and build a Navy and recruit an Army that will be in every respect modern and up to date?

Mr. President, I have offered the amendment that is now pending, having in view first the belief that it proposes a condition that all men are in favor of if it could be brought about. I know that many men honestly think it is a dream; that it is idle, and that it can not be brought about, simply because it never has been brought about. It is a step every man knows, every man believes, and every man will admit which is in the right direction. If we can take that step, if we make an honest effort, assuming that we do not succeed and that it results in failure, we all know that the lesson to the world in the willingness of America to hold back her program of building these naval vessels will be an influence for good upon the world. It will place us on a higher pedestal with the other nations of the world.

Even though we think it can not succeed we have no reason not to try it unless we will lose by the delay, and I think I have shown and it has been shown over and over again that there is no possibility of loss by delay. There is no danger of war with crippled and ruined nations, and besides by a delay we will get the benefit of doing what we may decide upon at its close in the most modern and the most scientific way known to mankind.

Why not, then, wait? Why not hold off this part of the building program until the lessons of the war are taught? If we had no other motive than just to get the best Navy possible, it seems to me we ought to do it. There is only one excuse for not doing it, and that is the fear that in the meantime somebody will attack us.

But, Mr. President, there is a possibility of accomplishing something toward international peace if we take this course and hold back this building program until the war is over. I do not believe any man doubts that all of the nations of the world are anxious for peace now. They have all gone into the war with the belief that they were going to accomplish something that they found after they went in they could not accomplish. They realize now that it means destruction. Even if the war ceased to-day it would be a hundred years before they could recuperate. There is no indication of its stopping now. It is practically now a war of exhaustion, and when it is over, crippled and bowed down with overtaxation, they are going to demand that their rulers shall not be again guilty of going into a useless and worthless war.

Mr. President, while there are various causes and various reasons that may be given for the war, in my judgment I think all history demonstrates, and the present condition of the

nations demonstrates, that they got into this war because it was a natural result of the military program of the rulers in Europe. They led their people to believe that such a program in every case was necessary to defend themselves. The people had no idea that the people of the adjoining nation hated them, but they were led to believe that they had to arm themselves, that they had to drill, that they had to tax themselves, that they had to make big guns, that they had to make ammunition, and that they had to build big battleships and expend millions and millions of money in order to defend themselves against the neighbor on the other side of the line, and the ruler over in the other country instilled the same kind of a sentiment in his people.

These people know now that they were deceived. They were also led to believe that it would be easy to conquer any other nation in the world, or, in some instances, all the world combined. They know now that that is not true, and never has been true and never will be true; they know now that they are meeting foes in every case who are worthy of their steel, prepared like they were, some prepared along one line and some along another, but prepared in every case for defense, and prepared for peace in such a way that the logical and only result means war. And, Mr. President, if we go on, if we build the battleships outlined in this program and then find that in a year or two we shall have to double the program, it will not be long until we will be in war. Expanding military and naval power leads to it; there is no other outlet, because every battleship that we build will be considered a menace by every other nation in the world, just as we consider their battleships a menace to our peace, our prosperity, and our happiness. So when we do for peace what they do for peace, which in every case means war or preparation for war, war will come and there will be no escape from it.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Nebraska.

Mr. SWANSON. Mr. President, the amendment of the Senator from Nebraska would be absolutely fatal to this bill. It would mean that all construction would be stopped for an indefinite period. Furthermore, this bill, on page 181, makes splendid provision for a peace conference. It directs the President, as soon as the European war has terminated, to invite the nations of the earth to a conference, authorizes him to appoint nine eminent citizens to attend such a conference, in an effort to secure an agreement for disarmament, and also a tribunal to settle difficulties international in character. It also authorizes the President when peace is made, when disarmament occurs, and when conditions arise which shall render unnecessary the maintenance of competitive armaments, not to enter upon the construction of the building program provided in this bill. I think that is ample; and I move to lay the amendment of the Senator from Nebraska on the table.

Mr. NORRIS. Mr. President, I hope the Senator will not do that. There is no attempt here to cause delay. I do not object, if no Senator desires to speak upon it, to voting on the amendment at once; but I should like a roll call on it, and I do not think the Senator ought to take that course in respect to this amendment. Let us vote on it on its merits.

Mr. SWANSON. Mr. President, the only way in which cloture, even in a modified form, can be applied in the Senate is to move to lay on the table. We have spent all day on this bill.

Mr. NORRIS. But we have not spent all day on this amendment.

Mr. SWANSON. We have made very slow progress. I think it is understood by all that when a Senator moves to lay an amendment on the table he is opposed to the amendment, and the sense of the Senate in regard to the amendment can be tested by a vote on the motion to lay on the table as well as by a direct vote on the amendment itself.

The VICE PRESIDENT. The Senator from Virginia moves to lay on the table the amendment proposed by the Senator from Nebraska.

Mr. NORRIS. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CATRON (when his name was called). I am paired with the Senator from Oklahoma [Mr. OWEN], who is absent. If I were privileged to vote, I should vote "yea."

Mr. CLAPP (when his name was called). Owing to the absence of the senior Senator from North Carolina [Mr. SIMMONS], with whom I have a general pair, and not knowing how he would vote, if present, I withhold my vote. If at liberty to vote, I should vote "nay."

Mr. CLARK of Wyoming (when his name was called). I have a general pair with the senior Senator from Missouri [Mr. STONE]. In the absence of that Senator I withhold my vote.

Mr. THOMAS (when his name was called). I inquire if the senior Senator from North Dakota [Mr. MCCUMBER] has voted?

The VICE PRESIDENT. He has not.

Mr. THOMAS. I withhold my vote, having a pair with that Senator.

Mr. TILLMAN (when his name was called). I transfer my pair with the Senator from West Virginia [Mr. GOFF] to the Senator from Tennessee [Mr. LEA] and vote "yea."

Mr. VARDAMAN (when his name was called). I have a general pair with the Senator from New York [Mr. WADSWORTH]. In his absence I withhold my vote. If I were permitted to vote, I should vote "nay."

While on my feet I desire to announce the absence on official business of the junior Senator from Kentucky [Mr. BECKHAM]. He is paired with the senior Senator from Delaware [Mr. DU PONT].

Mr. WALSH (when his name was called). I transfer my pair with the Senator from Rhode Island [Mr. LIPPITT] to the Senator from Arkansas [Mr. ROBINSON] and vote "yea."

I further desire to announce that my colleague [Mr. MYERS] is absent on account of continued illness.

The roll call was concluded.

Mr. CURTIS (after having voted in the negative). I transfer my pair with the junior Senator from Georgia [Mr. HARDWICK] to the Senator from Vermont [Mr. PAGE] and let my vote stand.

Mr. CATRON. I transfer my pair with the Senator from Oklahoma [Mr. OWEN] to the Senator from Idaho [Mr. BRADY] and vote "yea."

Mr. THOMAS. I transfer my pair with the Senator from North Dakota [Mr. MCCUMBER] to the Senator from Oklahoma [Mr. GORE] and vote "yea."

Mr. MARTINE of New Jersey. I desire to announce that the Senator from West Virginia [Mr. CHILTON] is absent on public business, and that he is paired with the Senator from New Mexico [Mr. FALL].

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Rhode Island [Mr. COLT] with the Senator from Delaware [Mr. SAULSBURY];

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from Utah [Mr. SUTHERLAND] with the Senator from Arkansas [Mr. CLARKE];

The Senator from Connecticut [Mr. MCLEAN] with the Senator from Montana [Mr. MYERS];

The Senator from Michigan [Mr. SMITH] with the Senator from Missouri [Mr. REED];

The Senator from New Hampshire [Mr. GALLINGER] with the Senator from New York [Mr. O'GORMAN];

The Senator from Ohio [Mr. HARDING] with the Senator from Alabama [Mr. UNDERWOOD]; and

The Senator from Massachusetts [Mr. WEEKS] with the Senator from Kentucky [Mr. JAMES].

The result was announced—yeas 33, nays 11, as follows:

YEAS—33.

Broussard	Lee, Md.	Pittman	Swanson
Catron	Lodge	Poindexter	Taggart
Clark, Wyo.	Martin, Va.	Pomerene	Thomas
Fletcher	Martine, N. J.	Ransdell	Tillman
Hollis	Nelson	Sheppard	Townsend
Johnson, Me.	Oliver	Sherman	Walsh
Johnson, S. Dak.	Overman	Smith, Ariz.	Warren
Jones	Penrose	Smith, Ga.	Williams
Kern	Phelan	Smoot	

NAYS—11.

Brandegee.	Curtis	Kenyon	Norris
Chamberlain	Gronna	La Follette	Sterling
Cummins	Hitchcock	Lane	

NOT VOTING—49.

Ashurst	Fall	McLean	Smith, S. C.
Bankhead	Gallinger	Myers	Smith, Mich.
Beckham	Goff	Newlands	Stone
Borah	Gore	O'Gorman	Sutherland
Brady	Harding	Owen	Thompson
Bryan	Hardwick	Page	Underwood
Chilton	Hughes	Reed	Vardaman
Clapp	Husting	Robinson	Wadsworth
Clarke, Ark.	James	Saulsbury	Weeks
Colt	Lea, Tenn.	Shafroth	Works
Culberson	Lewis	Shields	
Dillingham	Lippitt	Simmons	
du Pont	McCumber	Smith, Md.	

The VICE PRESIDENT. On the motion to lay on the table the yeas are 33 and the nays are 11——

Mr. CLAPP. Mr. President, before the announcement is made, I understand that where a Senator is paired he may be counted as present. I desire to be counted as present.

The VICE PRESIDENT. The Chair is counting the Senator from Minnesota [Mr. CLAPP], the Senator from Wyoming [Mr.

CLARK], and the Senator from Mississippi [Mr. VARDAMAN] as present and not voting; but that does not make a quorum.

Mr. SWANSON. What was the vote?

The VICE PRESIDENT. Thirty-three yeas and 11 nays and 3 Senators present and not voting.

Mr. CLARK of Wyoming. Mr. President, while I am counted as present and not voting because of the pair, I desire to be recorded, if I can at this point, as transferring my pair to the Senator from Idaho [Mr. BORAH] and voting "yea."

The VICE PRESIDENT. Is there any objection? The Chair hears none, and by unanimous consent that will be done.

Mr. SMITH of Georgia. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia ask unanimous consent to vote?

Mr. SMITH of Georgia. I do. I did not know it was too late.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and the Secretary will call the name of the Senator from Georgia.

The Secretary called the name of Mr. SMITH of Georgia, and he voted "yea."

The VICE PRESIDENT. Now the vote is 35 yeas and 11 nays, which makes 46, and, with Senators CLAPP and VARDAMAN present and not voting, that makes a quorum. The motion to lay on the table is agreed to.

EXECUTIVE SESSION.

Mr. SWANSON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 4 minutes spent in executive session the doors were reopened.

DEATH OF REPRESENTATIVE MOSS, OF WEST VIRGINIA.

The VICE PRESIDENT. The Chair lays before the Senate resolutions of the House of Representatives on the death of the late Representative Moss, of West Virginia, which will be read.

The Secretary read the resolutions, as follows:

Resolved, That the House has heard with profound sorrow of the death of Hon. HUNTER HOLMES MOSS, a Representative from the State of West Virginia.

Resolved, That a committee of 10 Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House is authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect the House do now adjourn.

In accordance with the provisions of the foregoing resolutions, the Speaker appointed as the committee on the part of the House Mr. SUTHERLAND, Mr. LITTLEPAGE, Mr. NEELY, Mr. COOPER of West Virginia, Mr. BOWERS, Mr. WEBB, Mr. RUCKER, Mr. CHIPERFIELD, Mr. PARK, and Mr. MOONEY.

Mr. KERN. Mr. President, I send to the desk the following resolutions and ask that they be read.

The resolutions (S. Res. 234) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of the Hon. HUNTER HOLMES MOSS, jr., late a Representative from the State of West Virginia.

Resolved, That a committee of six members of the Senate be appointed to join with the committee of the House of Representatives to take order for superintending the funeral of the deceased.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives.

The VICE PRESIDENT. The Chair announces as a committee on the part of the Senate to attend the funeral of Hon. HUNTER HOLMES MOSS, jr., late a Representative from the State of West Virginia, Mr. CHILTON, Mr. GOFF, Mr. BRYAN, Mr. OLIVER, Mr. STERLING, and Mr. HUSTING.

Mr. KERN. Mr. President, as a further mark of respect to the memory of the deceased, I move that the Senate take a recess until to-morrow morning at 10 o'clock.

The motion was unanimously agreed to; and (at 6 o'clock and 30 minutes p. m., Monday, July 17, 1916) the Senate took a recess until to-morrow, Tuesday, July 18, 1916, at 10 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate July 17, 1916.

MEMBER OF BOARD OF CHARITIES.

David J. Kaufman, of the District of Columbia, to be a member of the Board of Charities of the District of Columbia for a term of three years.

PROMOTIONS IN THE ARMY.

INFANTRY ARM.

Maj. Harold L. Jackson, Infantry, unassigned, an additional number in his grade, to be lieutenant colonel from July 1, 1916, the date on which he would have been promoted to fill a vacancy in that grade in his arm had he not been retired from active service, and to be an additional number in that grade.

First Lieut. Charles S. Caffery, Fifth Infantry, to be captain from July 1, 1916, vice Capt. William F. Creary, Sixteenth Infantry, promoted.

First Lieut. Fred A. Cook, Nineteenth Infantry, to be captain from July 1, 1916, vice Capt. John H. Hughes, Third Infantry, promoted.

Second Lieut. George D. Murphey, Tenth Infantry, to be first lieutenant from July 1, 1916, to fill an original vacancy.

NOTE.—The above-named officers were nominated to the Senate on July 10, 1916, for said promotions under names Charles F. Caffery, Fred A. Cooke, and George D. Murphy, respectively, which nominations are hereby withdrawn.

CONFIRMATION.

Executive nomination confirmed by the Senate July 17, 1916.

JUDGE OF THE COURT OF CLAIMS.

James Hay to be judge of the Court of Claims.

HOUSE OF REPRESENTATIVES.

MONDAY, *July 17, 1916.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou great and holy One, whom we worship as the Father of all souls, purge us in Thine own way from inordinate desires, encourage every pure thought and earnest aspiration which makes for the betterment of the home, society, Government, and religious attainments, that we may trust and fear not, hope and despair not, pray and doubt not, that we may indeed be citizens of the kingdom of heaven, ever inspired by the forward look. The angel of death has visited this representative body and taken away from us a Member who made for himself an enviable record in all that pertains to the high calling of its membership. We mourn his untimely going and our hearts go out in sympathy to the bereaved wife and fatherless children. May his memory live to the inspiration of all, and may we all trust in the blessed promises of Him who said, "I am the resurrection and the life." Amen.

The Journal of the proceedings of Saturday, July 15, was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, one of its clerks, announced that the Senate had agreed to the amendments of the House to bills of the following titles:

S. 35. An act to authorize the Secretary of the Interior to issue patents for certain lands to the town of Myton, Utah; and

S. 36. An act to authorize the Secretary of the Interior to issue patents to certain lands to the town of Duchesne, Utah.

The message also announced that the Senate had passed the following resolution:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the message showing agreement to conference report on the bill (S. 5425) to standardize lime barrels.

RELIEF FOR ARMENIANS.

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to take up Senate concurrent resolution No. 12, asking the President to designate a day on which citizens of this country may give expression to their sympathy by contributing to the funds now being raised for the relief of the Armenians in the belligerent countries.

Mr. MANN. Mr. Speaker, I ask for the regular order. I understand a conference report is to be presented, and then I wish to make an announcement.

The SPEAKER. The gentleman from Illinois objects.

Mr. FLOOD. Would the gentleman from Illinois [Mr. MANN] withhold his objection for just a minute or two until the gentleman from Massachusetts [Mr. WINSLOW] can make a statement in relation to this matter?

Mr. MANN. Not this morning.

EXTENSION OF REMARKS.

Mr. LANGLEY. Mr. Speaker, I desire to ask unanimous consent to extend my remarks in the RECORD on the subject of pensions.

The SPEAKER. Is there objection?

There was no objection.

THE LATE REPRESENTITIVE MOSS, OF WEST VIRGINIA.

Mr. MANN. Mr. Speaker, it is my sad and painful duty to announce to the House the death of one of its distinguished Members, HUNTER HOLMES MOSS, of the fourth congressional district of West Virginia, who passed to the world beyond on Saturday last. At some subsequent day the House will be asked to set apart a time at which Members can pay their tribute to the life, character, and distinguished services of this faithful representative of the people, and at present I ask for the consideration of the resolutions which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the resolutions.

The Clerk read as follows:

House resolution 308.

Resolved, That the House has heard with profound sorrow of the death of Hon. HUNTER HOLMES MOSS, a Representative from the State of West Virginia.

Resolved, That a committee of 10 Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House is authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolutions were unanimously agreed to, and the Speaker appointed as the committee on the part of the House Mr. SUTHERLAND, Mr. LITTLEPAGE, Mr. NEELY, Mr. COOPER of West Virginia, Mr. BOWERS, Mr. WEBB, Mr. RUCKER, Mr. CHIPERFIELD, Mr. PARK, and Mr. MOONEY.

The SPEAKER. The Clerk will report the other resolution.

The Clerk read as follows:

Resolved, That as a further mark of respect the House do now adjourn.

Mr. HUGHES. Mr. Speaker, before that motion is put, I wish to ask unanimous consent that next Monday may be substituted for to-day for unanimous consent. I sincerely hope——

Mr. MANN. It is not debatable.

The SPEAKER. The gentleman from Georgia asks unanimous consent that next Monday be substituted for to-day for business on the Unanimous Consent Calendar and suspension of the rules, and so forth. Is there objection?

Mr. MANN. I think the matter can be arranged later. For the present, I object.

The SPEAKER. The gentleman objects.

The question is on the adoption of the resolution.

The resolution was agreed to; accordingly (at 12 o'clock and 10 minutes p. m.) the House adjourned until to-morrow, Tuesday, July 18, 1916, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Acting Secretary of the Treasury requesting withdrawal of estimates of deficiencies in appropriations, submitted May 8, 1916, contained in House Document No. 1091 (H. Doc. No. 1290), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. CLARK of Florida, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 17052) to increase the limit of cost of certain public buildings; to authorize enlargement, extension, remodeling, or improvement of certain public buildings; to authorize the erection and completion of certain public buildings; to authorize the purchase of sites for certain public buildings; to abolish the Office of Supervising Architect of the Treasury and to create and organize in the Treasury Department a Bureau of Public Buildings and to define its duties, powers, and jurisdiction; to create and establish the office of commissioner of public buildings; to fix the salary and prescribe the duties and powers of said commissioner of public buildings; to create a board of estimates and prescribe its duties and powers; to provide for the standardization of certain classes of public buildings, and for other purposes, reported the same without amendment, accompanied by a report (No. 983), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. HAY, from the Committee on Military Affairs, to which was referred the joint resolution (H. J. Res. 265) authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point Mr. J. Ricardo de Borja, a citizen of Ecquador, reported the same without amendment, accompanied by a report (No. 982), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills and a resolution were introduced and severally referred as follows:

By Mr. ADAMSON: A bill (H. R. 17040) providing for certain privileges and recognition of employees of the Panama Canal and the Panama Railroad, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CARY: A bill (H. R. 17046) transferring the Bureau of Biological Survey to the Department of Justice; to the Committee on Agriculture.

Also, a bill (H. R. 17047) directing the Secretary of Agriculture to make certain changes in the regulations closing the season of spring shooting; to the Committee on Agriculture.

By Mr. LEWIS: A bill (H. R. 17048) to increase the limit of cost and provide for the reconstruction of the Federal building at Hagerstown, Md.; to the Committee on Public Buildings and Grounds.

By Mr. CLARK of Florida [from the Committee on Public Buildings and Grounds]: A bill (H. R. 17052) to increase the limit of cost of certain public buildings; to authorize the enlargement, extension, remodeling, or improvement of certain public buildings; to authorize the erection and completion of certain public buildings; to authorize the purchase of sites for certain public buildings; to abolish the Office of Supervising Architect of the Treasury and to create and organize in the Treasury Department a bureau of public buildings and define its duties, powers, and jurisdiction; to create and establish the office of commissioner of public buildings; to fix the salary and prescribe the duties and powers of the said commissioner of public buildings; to create a board of estimates and prescribe its duties and powers; to provide for the standardization of certain classes of public buildings, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. BENNET: Resolution (H. Res. 309) to investigate Ellis Island; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 17041) granting an increase of pension to George L. Wells; to the Committee on Invalid Pensions.

By Mr. CARLIN: A bill (H. R. 17042) for the relief of M. F. Snider; to the Committee on Claims.

By Mr. COADY: A bill (H. R. 17043) granting an increase of pension to Louis Irons; to the Committee on Invalid Pensions.

By Mr. HAYDEN: A bill (H. R. 17044) granting a pension to Mike Burns; to the Committee on Pensions.

By Mr. JOHNSON of South Dakota: A bill (H. R. 17045) granting an increase of pension to James Cooper; to the Committee on Invalid Pensions.

By Mr. HOLLINGSWORTH: A bill (H. R. 17049) granting an increase of pension to Josiah Dock; to the Committee on Invalid Pensions.

By Mr. RICKETTS: A bill (H. R. 17050) granting an increase of pension to Lucius Keplar; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17051) granting an increase of pension to James Henry James; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. DALE of New York: Memorial of the fiftieth annual encampment of the Department of New York, Grand Army of the Republic, favoring monthly pension checks; to the Committee on Invalid Pensions.

Also, memorial of Canarsis Yacht Club, relative to conservation of the harbor at Great Kills, Staten Island; to the Committee on Rivers and Harbors.

Also, petitions of Clara Snell Wolfe, of San Diego, Cal., and women voters of Navajo County, Ariz., favoring woman-suffrage amendment; to the Committee on the Judiciary.

By Mr. HAYDEN: Petition of the Home and Foreign Missionary Society of Benson, Ariz., by its secretary pro tempore, Mrs. H. P. Merrill, favoring prohibition in Porto Rico; to the Committee on the Judiciary.

Also, petition of Mrs. M. T. Poston and 13 other residents of Phoenix and Casa Grande, Ariz., opposing the passage of House bills 6468 and 491; to the Committee on the Post Office and Post Roads.

Also, petition of Mrs. C. E. Phillips and 13 other residents of Miami, Ariz., opposing the passage of House bills 6468 and 491; to the Committee on the Post Office and Post Roads.

By Mr. HOLLINGSWORTH: Paper to accompany House bill 17049, for pension of Josiah Dock; to the Committee on Invalid Pensions.

SENATE.

TUESDAY, *July 18, 1916.*

(Legislative day of Monday, July 17, 1916.)

The Senate reassembled at 10 o'clock a. m., on the expiration of the recess.

NAVAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15947) making appropriations for the naval service for the fiscal year ending June 30, 1917, and for other purposes.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hollis	Overman	Sterling
Beckham	Husting	Page	Stone
Brandegee	James	Penrose	Sutherland
Broussard	Johnson, S. Dak.	Pittman	Swanson
Bryan	Jones	Ransdell	Thomas
Catron	La Follette	Reed	Thompson
Chamberlain	Lane	Shafroth	Tillman
Clapp	Lodge	Sheppard	Townsend
Culberson	McCumber	Sherman	Vardaman
Cummins	Martin, Va.	Simmons	Walsh
Dillingham	Martine, N. J.	Smith, Ga.	Williams
Gallinger	Nelson	Smith, S. C.	Works
Hardwick	Norris	Smoot	

The VICE PRESIDENT. Fifty-one Senators have answered to the roll call. A quorum is present.

Mr. LANE. Mr. President, I offer the following amendment——

Mr. SWANSON. I should like first to dispose of the committee amendments. There is a committee amendment not disposed of on page 167.

Mr. LANE. I withhold my amendment for the present.

The VICE PRESIDENT. The amendment of the committee will be stated.

The SECRETARY. On page 167 the committee propose to strike out the item relative to an increase of the Navy as provided by the House and to insert the matter beginning at the top of page 170.

Mr. WORKS. Mr. President, I offer the following amendment to the proposed amendment of the committee.

The VICE PRESIDENT. The amendment to the amendment will be read.

The SECRETARY. In the amendment of the committee on page 170, at the end of line 11, insert a colon and the following proviso:

Provided, That when constructed, not less than three of said battleships, except in case of imperative necessity requiring their presence elsewhere, shall be made a part of the Pacific Coast Fleet and kept and maintained on that coast, and in case there be a lesser number than 10 of said ships at one time, not less than one-third thereof shall be kept on the Pacific coast.

Mr. WORKS. Mr. President, the paragraph of the amendment of the committee to which this amendment is offered provides for 10 first-class battleships. The amendment provides that four of those ships shall be kept and maintained on the Pacific coast as a part of the Pacific Fleet.

The people of the Pacific coast feel that in past years they have been neglected so far as the Navy Department is concerned, and that a reasonable number of the ships we now have in the Navy have not been kept on the western side of the country.

It is my purpose, if this amendment is adopted, to offer a number of amendments following this one and modifying the different paragraphs providing for different kinds and sizes of ships in order to create on the Pacific coast a separate fleet as a part of the Navy.

The Senator from Massachusetts [Mr. LODGE], who is advocating the passage of this bill, has very well said to the Senate that there should be two separate fleets on account of the distance between the two coasts and the difficulty of connecting one with the other. Of course, it is said that since the Panama Canal has been constructed there is less reason for it than there was before, but even now it is a difficult matter. It takes a long time to send a ship of war from the Atlantic to the Pacific, and there is no reason why there should not be maintained a reasonable number on the western coast under existing conditions.

In fact, Mr. President, just at the present moment there is greater reason why a fleet should be maintained on the Pacific coast than there is on the Atlantic. We have some complications with the Japanese Government which, as I have said before, I think we will be able to settle by peaceful means, but we may not be able to do that. There is greater reason for supposing that we may have difficulty with Japan than with any other nation in the world at the present time. There is no reason whatever for believing that we shall have any difficulty or any cause of war as between us and the European nations. It seems to me under those circumstances there is reasonable ground for the passage of the amendment which I now offer.

In order to show what the conditions are respecting the present distribution of the naval forces, I desire to read some extracts from the testimony of Admiral Winslow in the hearing before the House Committee on Naval Affairs in which he undertakes to detail just what ships are maintained on the Pacific coast and what their conditions are. He says:

Mr. STEPHENS. You have one armored cruiser in your active fleet; how many are there in the reserve fleet?

Admiral WINSLOW. They have four in the same class as the *San Diego*, and then there is the *Charleston*, the *Milwaukee*, and the *St. Louis*, which are smaller ships.

Mr. STEPHENS. They are cruisers, though, are they not?

Admiral WINSLOW. They are cruisers; they have some armor; they are large cruisers, but have no turret guns.

Mr. STEPHENS. You have one armored cruiser in commission and five armored cruisers in reserve; is that right?

Admiral WINSLOW. Yes.

Mr. STEPHENS. How many cruisers have you in active commission?

Admiral WINSLOW. Six; that is, including gunboats.

Mr. STEPHENS. But the gunboat is not a cruiser, is it?

Admiral WINSLOW. She is doing the work on the Mexican coast.

Mr. STEPHENS. You are making a gunboat do the work of a cruiser?

Admiral WINSLOW. No; but she is doing the work better than a cruiser could do it. She is in a harbor where there is shoal water, and a larger cruiser could not get in there.

Mr. STEPHENS. Have you one gunboat or two?

Admiral WINSLOW. One is in the navy yard, and one is doing the work down there.

Mr. STEPHENS. One gunboat that is really serviceable?

Admiral WINSLOW. They take turns down there.

Mr. STEPHENS. How many cruisers have you in reserve, Admiral?

Admiral WINSLOW. Armored cruisers?

Mr. STEPHENS. Five, you said, of armored cruisers?

Admiral WINSLOW. Yes; five armored cruisers, and three protected cruisers.

Mr. STEPHENS. How many destroyers have you in your fleet?

Admiral WINSLOW. Five.

Mr. STEPHENS. And how many in the reserve fleet

Admiral WINSLOW. Four.

* * * * * * *

Mr. STEPHENS. Admiral, with the fleet that you have named to this committee, do you think the Pacific coast proper is adequately prepared for defense?

Admiral WINSLOW. No, certainly not; I do not think that there is any pretense that it is, with that fleet.

Mr. STEPHENS. Admiral, is the American Navy prepared to-day to fight an enemy that would be at all likely to attack this country on the Pacific Ocean?

Admiral WINSLOW. You mean, the whole Navy?

Mr. STEPHENS. Yes, sir; in its present condition and position.

Admiral WINSLOW. When you come to talk about the present position and all that, you are going into strategy, and if you want me to talk about that, you had better talk behind closed doors, because I do not think it ought to be given out.

Mr. STEPHENS. If I ask any questions to which you think you should not give an answer, I hope you will withhold your information until later.

Admiral WINSLOW. No. If you want me to say whether we have sufficient fleet out on the Pacific, we have not any fleet on the Pacific; we do not pretend to have; nothing but that one armored cruiser, but if we had more men, I suppose we would commission the other armored cruisers, but so far as we have, our force is all in the Atlantic. That is known as a matter of statistics. Anybody can get the names of the ships we have out there, and what we have here, but what we would do in the event of war in the Pacific, or war in the Atlantic, involves strategy, which should not be given out.

The admiral continues further to disclose the conditions as they exist on the Pacific coast. I am not going to take up the time of the Senate in reading all he says on that subject, but I shall ask to insert as an appendix to my remarks some of the additional testimony given by him on that occasion. However, I desire to read just this small portion of it in conclusion:

Mr. STEPHENS. If you were to approach an enemy with the fleet that you have, how many enemy battleships do you think it would take to conquer the fleet that you have, supposing the personnel of both fleets fighting as best they knew how?

Admiral WINSLOW. Bar luck, one good battleship ought to be stronger than all we have got.

Mr. STEPHENS. One good battleship is more than a match for the fleet that is now on the Pacific coast?

Admiral WINSLOW. Yes; if she had certain conditions. If she had speed, so she could choose her own distance, she could get out of range of our guns and then we could not hurt her at all. But if we had thick weather or reasonably misty weather, so we could close in on her, we could do her considerable damage with our guns.

Mr. President, that shows the conditions that exist in the distribution of the naval forces that we have at the present time. We have every reason to believe that just about such a disposition will be made of this increased navy. In order to insure the reasonable and proper protection of the Pacific coast I have offered this amendment, and, if it is adopted, I shall offer others for the purpose of making it obligatory upon the Navy Department, under ordinary conditions and circumstances, to maintain a reasonable portion of the ships which we have on the Pacific coast.

It has been suggested that the President is the Commander in Chief of the Navy and the Army, and that perhaps Congress would not have the right to determine where these ships should be placed; but, Mr. President, we have not yet reached a point in the history of this country where the military power is superior to the civil or legislative department of the Government. The Congress of the United States provides for the Navy, it provides for the ships and for their maintenance, and it has an undoubted right, in my estimation, to determine under ordinary circumstances where these ships shall be placed.

Of course, the President of the United States is in immediate command of the forces, both military and naval, and Congress would not assume to interfere with the distribution of the ships in specific cases; but, certainly, it is not going beyond the powers of the Congress of the United States to say that in times of peace and in the absence of extraordinary conditions a part of the Navy shall be maintained at one place and a part of it at another place. For that reason and in justice to the conditions that obtain on the Pacific coast I have offered this amendment.

Mr. POMERENE. Mr. President——

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Ohio?

Mr. WORKS. I yield to the Senator.

Mr. POMERENE. Of course, there can be no doubt about the right of Congress to determine where these vessels shall be located; but what reason has the Senator to think that Congress, rather than the administrative branch of the Government, can ascertain the places where these ships should be located?

Mr. WORKS. Mr. President, as I have said, in specific cases, of course, the discretion ought to be left to the Navy Department to determine where the ships shall be sent on occasions; but there is no reason, it seems to me, why there should not be a general provision relating to this subject as to the division of the fleet and for the creation of two fleets instead of one. I think it is only a reasonable thing for Congress to do under the circumstances. We are now proposing to create what I regard as an enormously large Navy, and, as conditions exist in this country, there is no reason why it should not be divided into two fleets. For that reason I hope this amendment will prevail.

APPENDIX.

Mr. STEPHENS. Admiral, you are commander in chief of the Pacific Fleet, I believe?

Admiral WINSLOW. Yes.

Mr. STEPHENS. Will you tell the committee, please, how much of the Pacific Ocean your fleet is supposed to cover?

Admiral WINSLOW. I do not know exactly where we run against the Asiatic Fleet, but in latitude I think we go from the North Pole to the South Pole.

Mr. STEPHENS. Then your fleet is supposed to cover the Pacific coast from and including Alaska to the Panama Canal?

Admiral WINSLOW. Oh, yes; and South America, too.

Mr. STEPHENS. And you go beyond the Hawaiian Islands?

Admiral WINSLOW. Yes.

Mr. STEPHENS. Then, Admiral, the Pacific Fleet covers, or is meant to cover, as much territory, anyway, as the Atlantic Fleet does?

Admiral WINSLOW. As much coast line?

Mr. STEPHENS. As much coast line and as much general surface of the earth.

Admiral WINSLOW. Yes; about the same thing.

Mr. STEPHENS. Will you give us, please, Admiral, the component parts of your fleet?

Admiral WINSLOW. Give you the component parts?

Mr. STEPHENS. Yes.

Admiral WINSLOW. The *San Diego* is the only armored cruiser which is in commission at the present time—in full commission. Then there is a gunboat, the *Annapolis;* a transport, the *Buffalo;* several small cruisers, the *Chattanooga*, the *Cleveland*, the *Denver*, the *New Orleans*, the *Raleigh*, the *Yorktown*, the supply ship *Glacier;* two colliers, the *Nanshen* and the *Nero*. Two mother ships, the *Iris* and *Alert*. Those are all the ships.

Mr. STEPHENS. Just complete the statement as to the destroyers and submarines.

Admiral WINSLOW. The destroyers *Perry, Paul Jones, Preble, Stewart*, and the *Whipple;* that is all.

Mr. STEPHENS. And submarines?

Admiral WINSLOW. That is all of the destroyers in active commission. There are five destroyers in active commission, and submarines—I have three of the H class and four of the K class. Then, the ships in reserve are not under my command.

Mr. STEPHENS. Did you give only ships in active commission?

Admiral WINSLOW. That is all.

Mr. STEPHENS. The reserves are under some one else?

Admiral WINSLOW. They are under the commander in chief of the Pacific Reserve Fleet.

The CHAIRMAN. Have you a list of those?

Admiral WINSLOW. Yes.

The CHAIRMAN. Will you put those down there—the ships that are in reserve?

Mr. STEPHENS. The admiral can insert that.

The CHAIRMAN. Yes; let him insert that.

Admiral WINSLOW. *Colorado, Maryland, Pittsburgh, South Dakota, West Virginia, Charleston, Milwaukee, St. Louis, Oregon*, and *Albany*.

Mr. STEPHENS. Admiral Winslow, your flagship is the *San Diego?*

Admiral WINSLOW. The *San Diego*.

Mr. STEPHENS. Did you say a moment ago that the *San Diego* is a capital ship?

Admiral WINSLOW. Yes; she is a capital ship.

Mr. STEPHENS. Large or small caps?

Admiral WINSLOW. She would be a small-capital ship. I used it in a military sense—the words "capital ship"—that is, she is one of the large ships; she is comparatively large; she is 14,000 tons displacement—something like that.

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Mr. STEPHENS. You have one armored cruiser in your active fleet; how many are there in the reserve fleet?

Admiral WINSLOW. They have four in the same class as the *San Diego*, and then there is the *Charleston*, the *Milwaukee*, and the *St. Louis*, which are smaller ships.

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Mr. STEPHENS. Five, you said, of armored cruisers?

Admiral WINSLOW. Yes; five armored cruisers, and three protected cruisers.

Mr. STEPHENS. How many destroyers have you in your fleet?

Admiral WINSLOW. Five.

Mr. STEPHENS. And how many in the reserve fleet?

Admiral WINSLOW. Four.

Mr. STEPHENS. How many submarines in the active fleet?

Admiral WINSLOW. Seven; three H boats and four K boats.

Mr. STEPHENS. How many in the reserve fleet?

Admiral WINSLOW. I think three F boats.

Mr. STEPHENS. And battleships?

Admiral WINSLOW. I have not any.

Mr. STEPHENS. You have not any at all in active commission?

Admiral WINSLOW. No.

Mr. STEPHENS. Nor are there any in reserve?

Admiral WINSLOW. The *Oregon* is out there, but she does not belong to me.

Mr. STEPHENS. Is she in reserve?

Admiral WINSLOW. She is assigned to the Naval Militia.

Mr. STEPHENS. And located at——

Admiral WINSLOW (interposing). She is up in San Francisco at the present time. I think she left San Diego a short time ago and went to San Francisco, and she is probably there still.

Mr. STEPHENS. Of the seven submarines in active service, where are they located?

Admiral WINSLOW. There are three of them at San Pedro, or were there when I left there, and the K boats are at Honolulu.

Mr. STEPHENS. Honolulu is how far from the Pacific coast proper?

Admiral WINSLOW. I have forgotten the exact distance. I think it is about 2,000 miles, is it not?

Mr. STEPHENS. Between twenty-one and twenty-two hundred miles.

Admiral WINSLOW. Something like that.

Mr. STEPHENS. Admiral, with this fleet which you have named, you are supposed to take general care of the territory you have outlined, are you not?

Admiral WINSLOW. Just now I am taking care of the west coast of Mexico. I do not understand that there is anything else out there that needs taking care of.

Mr. STEPHENS. But if there were anything, or if anything developed anywhere on the Pacific coast, it would be your duty to look out for it, would it not, with your vessels?

Admiral WINSLOW. Yes.

Mr. STEPHENS. Admiral, with the fleet that you have named to this committee, do you think the Pacific coast proper is adequately prepared for defense?

Admiral WINSLOW. No, certainly not; I do not think that there is any pretense that it is, with that fleet.

Mr. STEPHENS. Admiral, is the American Navy prepared to-day to fight an enemy that would be at all likely to attack this country on the Pacific Ocean?

Admiral WINSLOW. You mean the whole Navy?

Mr. STEPHENS. Yes, sir; in its present condition and position.

Admiral WINSLOW. When you come to talk about the present position and all that, you are going into strategy, and if you want me to talk about that you had better talk behind closed doors, because I do not think it ought to be given out.

Mr. STEPHENS. If I ask any questions to which you think you should not give an answer, I hope you will withhold your information until later.

Admiral WINSLOW. No. If you want me to say whether we have sufficient fleet out on the Pacific, we have not any fleet on the Pacific; we do not pretend to have; nothing but that one armored cruiser, but if we had more men, I suppose we would commission the other ar-

mored cruisers, but so far as we have, our force is all in the Atlantic. That is known as a matter of statistics. Anybody can get the names of the ships we have out there, and what we have here, but what we would do in the event of war in the Pacific, or war in the Atlantic, involves strategy, which should not be given out.

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Mr. STEPHENS. Admiral, how long has it been since the *Milwaukee* was in active commission?

Admiral WINSLOW. I do not think she has been in active commission for a long time.

Mr. STEPHENS. Seven, or 8, or 10 years?

Admiral WINSLOW. I should think several years.

Mr. STEPHENS. Has she fired any guns at all in that time, that you know of?

Admiral WINSLOW. I doubt it very much.

Mr. STEPHENS. Are there not a number of the cruisers and armored cruisers now in reserve that have not fired their guns for a good many years?

Admiral WINSLOW. I dare say—the protected cruisers. The *Maryland* was about to have target practice, and she was put out of commission just about a week before the time for firing, so she did not fire. She was put in reserve. I do not know when she had fired before that.

Mr. STEPHENS. Would you like to send such vessels to sea, without having experimented with their guns first? Would you feel it a safe thing to do?

Admiral WINSLOW. Their guns are not different from any other mechanism. You lay a ship up for a long time, and when you start her out you will find about everything wrong; you will find her piping leaking, joints leaking, and unless you work things up to approximately their maximum capacity from time to time, they will not work up to their maximum capacity when you want them.

Mr. STEPHENS. Then ships do deteriorate, and very rapidly when they are in reserve?

Admiral WINSLOW. Oh, they undoubtedly deteriorate when in reserve.

Mr. STEPHENS. And they become inoperative?

Admiral WINSLOW. Undoubtedly, unless they can be taken out frequently and driven at full speed and their turrets and gun mechanism and everything else worked just as it would be in action.

Mr. STEPHENS. Admiral, what would you think the difference would be in the value of a ship as a fighting ship before going into reserve, and five years after, when she would come out?

Admiral WINSLOW. You are going to keep her in reserve five years on a stretch?

Mr. STEPHENS. Yes; that has been done with some of the boats on the Pacific, as I understand—cruisers and armored cruisers now in reserve.

Admiral WINSLOW. She would not be fit to go into action until she had had considerable tuning up, and very likely she would have to go back to a navy yard; and then it would require considerable time to develop her personnel. That has been our experience with the Atlantic Fleet. I have seen ship after ship come out that way and join the fleet, and in a short time they had to go back to the navy yard.

Mr. STEPHENS. What would you consider her percentage of value when she went out, compared with when she went in?

Admiral WINSLOW. As to when she went into reserve?

Mr. STEPHENS. Yes.

Admiral WINSLOW. If she had to go back to the navy yard, she would not have any percentage of value. She would not be any use to the fleet at all; but she might have a value for driving at low speed, but it would be very unlikely that she could go up to her speed, and her men would be untrained.

Mr. STEPHENS. Supposing, Admiral, the armored cruisers now in reserve in Pacific waters had been there for five years, what would you estimate their percentage of value to be as compared with their value when they went into reserve? How much do they deteriorate, ordinarily?

Admiral WINSLOW. I do not know that it could be expressed mathematically. You would find them all different; you would find some that would have more to be done to them than others. You would not be justified in running them at full speed, because you would take too much chance of killing men. You would have to work them up to their efficiency gradually, and train the men.

Mr. STEPHENS. You would not equip a vessel that had been in reserve for some years with men and supplies, and send her out to fight unless you had to, would you?

Admiral WINSLOW. I would, if I had to, of course.

Mr. STEPHENS. I say, unless you had to.

Admiral WINSLOW. But the chances are she would not get very far. She might, if she had been very well cared for, but the chances are that some of her steam piping or water pipes would go to pieces if you put them under pressure; the gaskets and all those things dry out. She might not have seriously deteriorated, understand; but those little things mean as much as anything else when you come to use them. Aboard our ships we always work our turrets and our gun mechanisms at very frequent intervals, and that is the only way that we can know they will work.

The CHAIRMAN. That is what you keep the crew on them for, is it not?

Admiral WINSLOW. Yes; but still they can not take her to sea and run her. There is a great difference between 50 pounds of steam and 250 pounds.

The CHAIRMAN. But ships in reserve are occasionally taken out for trial practice on short trips, are they not?

Admiral WINSLOW. Not very much, and not under very high pressure.

Mr. STEPHENS. What is the condition of the destroyers on the Pacific coast?

Admiral WINSLOW. I think they are all being overhauled now for the time being. They are about to go up for their annual overhauling. They are not in bad condition. They are old boats, and their speed is cut down, but they are in good seaworthy condition; I mean with this temporary overhauling.

Mr. STEPHENS. How long would it take to make them fit to fight?

Admiral WINSLOW. There were five of them fit to fight not very long ago. We were having practice with their torpedoes and guns.

Mr. STEPHENS. They are being repaired now, are they not?

Admiral WINSLOW. They are only being repaired now, because it is better to repair those five just at this time, when they can be spared; but they were running up to their speed and firing their torpedoes not more than about two weeks ago perhaps.

Mr. STEPHENS. Are there any of them that it would take considerable time to repair?

Admiral WINSLOW. I do not think so, as I recall it.

Mr. STEPHENS. Do you know the condition of those in reserve?

Admiral WINSLOW. They have all been down in San Diego and have been firing torpedoes and their guns very recently.

Mr. STEPHENS. Do you consider them all in fairly good condition?

Admiral WINSLOW. Yes; I think they are all in fairly good condition for old boats, mind you; but they do not speed up to the new boats.

Mr. STEPHENS. Admiral, you have no vessels that are new, have you?

Admiral WINSLOW. No; we have nothing new.

Mr. STEPHENS. On the Pacific coast now?

Admiral WINSLOW. No.

Mr. STEPHENS. Everything that you have there is practically obsolete, is it not?

Admiral WINSLOW. You would not call those destroyers entirely obsolete. They have a military value.

Mr. STEPHENS. I did not say "entirely obsolete." I said "practically obsolete."

Admiral WINSLOW. The ships were not good ships originally, but they could still do approximately any fighting that they have ever done before if we put them in order. They have low-powered guns, and are not very fast ships.

Mr. STEPHENS. What are the largest guns you have aboard?

Admiral WINSLOW. Eight-inch guns.

Mr. STEPHENS. Eight-inch guns?

Admiral WINSLOW. The largest on the *Charleston* class is 6-inch.

Mr. STEPHENS. How many 8-inch guns have you in the Pacific Fleet, do you remember?

Admiral WINSLOW. Each one of those ships has two turrets, with two guns in a turret. The *San Diego*, for instance, has four 8-inch guns.

Mr. STEPHENS. If you were to approach an enemy with the fleet that you have, how many enemy battleships do you think it would take to conquer the fleet that you have, supposing the personnel of both fleets fighting as best they knew how?

Admiral WINSLOW. Bar luck, one good battleship ought to be stronger than all we have got.

Mr. STEPHENS. One good battleship is more than a match for the fleet that is now on the Pacific coast?

Admiral WINSLOW. Yes; if she had certain conditions. If she had speed, so she could choose her own distance, she could get out of range of our guns, and then we could not hurt her at all. But if we had thick weather or reasonably misty weather, so we could close in on her, we could do her considerable damage with our guns.

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Mr. STEPHENS. Admiral Winslow, you made a statement yesterday regarding the shortage of personnel in the Pacific Fleet?

Admiral WINSLOW. As regards the reserve fleet.

Mr. STEPHENS. The reserve fleet only?

Admiral WINSLOW. Yes, sir. I made the statement that the active fleet was practically up to its complement.

Mr. STEPHENS. The reserve fleet is short how many?

Admiral WINSLOW. I suppose to put the whole reserve fleet in commission, all the vessels out there, would take something like 5,000 men. In all probability under no condition would you put in all the ships, all kinds of ships.

Mr. BROWNING. Do you keep on the reserve fleet 40 per cent of the complement on the Pacific, the same as on the Atlantic?

Admiral WINSLOW. No; I think it is less than that.

Mr. BROWNING. Less than 40 per cent of the complement?

Admiral WINSLOW. Yes, sir. I have the exact figures, but I did not bring them down. I can insert them in the record.

The CHAIRMAN. Please do so.

Admiral WINSLOW. There are on board the *Colorado*, 229; *Milwaukee*, 220; *Maryland*, 403; *St. Louis*, 200; *Pittsburgh*, 74; *Oregon*, 220; *South Dakota*, 332; *Albany*, 109; *West Virginia*, 20; *Charleston*, 202.

Mr. STEPHENS. Do the men on the reserve fleet get any sea practice or gunnery practice?

Admiral WINSLOW. Yes, sir; they get sea practice sometimes. For instance, the *Milwaukee* is now the flagship of the commander in chief of the Pacific. She was not long ago up to San Francisco and then she went down to San Diego.

Mr. STEPHENS. Then the men on the *Milwaukee* have had some sea practice?

Admiral WINSLOW. Yes; and other ships go to sea once in a while for short distances, and there is an effort to drill them as much as they can, but they do not have gunnery practice, because you can not have gunnery practice with a reduced crew like that.

Mr. STEPHENS. The men in the reserve fleet, while in reserve, really never get any gunnery practice?

Admiral WINSLOW. I do not think they ever do, except on the destroyers. The reserve destroyers have practice. They are not required to have the same gunnery practice that the other ships have, but one of them did have practice this year with their small guns and they have their torpedo practice, but the larger ships do not.

Mr. SWANSON and Mr. BRANDEGEE addressed the Chair.

The VICE PRESIDENT. The Senator from Virginia.

Mr. SWANSON. Mr. President, I hope this amendment will not carry. I think it is certainly contrary to the spirit, if not to the letter, of the Constitution, which makes the President the Commander in Chief of the Army and the Navy. For us to attempt to direct where the Navy shall be placed, it seems to me, would be to deprive the Commander in Chief of his power. Moreover, we must remember that war comes so suddenly now that it is decidedly like a thunderclap out of a clear sky. Should war come in three or four days or in a week, as the last great war came and as war now invariably comes, the existence of a law that a certain part of our fleet shall be on the Pacific coast would create an embarrassment to the Navy Department which Congress should not create.

Mr. WORKS. Mr. President——

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from California?

Mr. SWANSON. Yes.

Mr. WORKS. Does the Senator from Virginia think there would be any greater danger if that provision should be made

by Congress than would be the case if the same disposition of the ships were made by the Navy Department that is now made?

Mr. SWANSON. If the Navy Department is apprised of the situation and the Government through diplomatic sources is aware of troubles, they would be much better informed than Congress could possibly be of the possibilities of danger and the location of any possible antagonist. For Congress to enact legislation directing where the Army shall be and where the fleet shall be, when it is usual to hold a fleet together, unless it be an immense fleet, it seems to me would be a serious mistake, especially now when, as I have said, war comes, not after prolonged negotiations, but comes suddenly like a thunderclap out of a clear sky.

I move to lay the amendment on the table.

Mr. JONES. Mr. President——

Mr. SWANSON. If the Senator from Washington desires to address the Senate, I will withhold my motion for a few moments.

Mr. JONES. I do not think the Senator from Virginia ought to dispose of the matter by laying it on the table. I think the amendment proposed by the Senator from California should be adopted.

Mr. President, for a good many years we on the Pacific coast have felt that we have not been treated exactly right in the distribution of the fleet. We have been told from time to time that when we got a certain number of battleships, they would then be divided into two fleets; that one fleet would be stationed on the Pacific coast and the other on the Atlantic coast. My recollection now is that under the program which was adopted by Congress quite a good many years ago, it was planned to have within a certain period of time 16 battleships, with auxiliary vessels, and that fleet would be divided into two fleets—8 battleships being the battleship unit of one fleet, and 8 battleships being the battleship unit of the other fleet; and that then it would be very proper to place one of them on the Pacific coast and one on the Atlantic coast; and that until we got such a fleet, so that it could be divided in that way, it was not wise to make that division.

Now, as I understand, we shall have many more than that number of battleships when this program is carried out. While the administration—no matter what administration is in power—might feel disposed to do what this amendment requires, it seems to me that, in view of the action in the past, there ought to be a legislative declaration with reference to the matter.

The Senator from Virginia [Mr. SWANSON] says that war comes like a thunderclap out of a clear sky. That may be true in some cases; but I do not believe that any very serious force could attack us within a day or two without our knowing something about its coming.

Mr. WORKS. Even if that be so, would not that be an argument in favor of the amendment which I have offered?

Mr. JONES. Certainly; a thunderclap might come on the Pacific coast.

Mr. WORKS. Suppose war should suddenly come on the Pacific coast, we would have no navy there practically.

Mr. JONES. None at all. While I agree with the Senator from California, and, in my judgment, no country contemplates attacking us, there are those who think that our greatest danger of war is not on the Atlantic coast but on the Pacific coast.

Mr. President, there is another phase of this question which appeals to me. If we are to have trouble anywhere, we may have it on the Pacific coast. We have a great ocean over there, a great coast line, a great territory, and also our island possessions are in that ocean. Even though we may not need the fleet there now for war purposes, we ought to have a fleet there in time of peace, in order to maintain and to train an efficient force of laborers and workmen at the different navy yards and at private yards in the country, so that in case trouble should occur we would be able to take care of our fleet when we got it there.

Suppose that trouble should occur now, and that we should require a great fleet on the Pacific coast, we would be handicapped to take care of that fleet in case of any trouble or injury that might come to it. We should be lacking in skilled workmen, in efficient yards and machinery, and all that sort of thing. So it seems to me it is essential to maintain a part of our fleet on the Pacific Ocean in order that we may have prepared and trained in time of peace an efficient force of workmen and of laboring men who could take care of any damages that might occur to our ships in time of peace or war. That is a very important matter. It seems to me that it is almost as important as it is to have our battleships.

If we are not able to take care of our ships properly when they are injured or damaged, we certainly would be very greatly handicapped in case of trouble. Our ships might suddenly become useless and remain so because of a lack of means to repair them.

We ought to have more dry docks on the Pacific coast, as well, I think, as on the other coast, and I am going to say just a word or two upon that subject. There is only one dock at a navy yard of the United States on the Pacific coast that could take care of the largest battleships which we have already authorized, and that is the dry dock at Bremerton. There is not a dock on the Pacific coast that can accommodate any of the capital ships authorized by this bill. Now, what will be done with those ships when they are built? We would be almost compelled unless something is done toward fitting out our yards on the Pacific coast so that they can take care of them, to keep them on the Atlantic coast in peace or in war; such a condition is not only undesirable but it is actually dangerous. My recollection now is that the dock being constructed at Pearl Harbor in the Hawaiian Islands would be large enough to accommodate these ships, but no other dock there can do that; and it seems to me that is one matter that ought to be taken into very serious account in connection with the passage of this measure. It is just as important to have facilities to repair battleships as it is to have the battleships themselves.

Mr. CLAPP. Mr. President, will the Senator pardon an inquiry or two?

Mr. JONES. Certainly.

Mr. CLAPP. Does not the Senator recognize as genuine the claim of those who advocate this extraordinary increase in the Navy that it is primarily for defensive and not for offensive purposes?

Mr. JONES. Yes; I suppose so.

Mr. CLAPP. Well, admitting that to be the case, would it not be the part of good judgment and reason to so distribute the Navy that it could serve as a defensive weapon of this country?

Mr. JONES. Certainly.

Mr. CLAPP. The amendment proposed by the Senator from California recognizes the ultimate authority of the President as Commander in Chief of the Army and Navy to distribute the ships of the Navy, notwithstanding this amendment, wherever in his judgment it is deemed best. This amendment, then, is simply a suggestion on the part of Congress that, if the claim that the Navy is being built for defensive purposes is genuine, it should be distributed in the judgment of Congress, subject to the ultimate judgment of the President, for defensive purposes. Is not that correct?

Mr. JONES. That is true.

Mr. CLAPP. Now, I will ask the Senator if it is not a fact that the friends and advocates of this extraordinary naval program, when they are driven to admit, in view of our relations with England and the proximity of Canada, that we are not contemplating and do not recognize the possibility of war with England; when they are driven to admit that the graveyards of Europe, which are being more and more filled every day, are not a menace to us, finally fall back upon the possibility of danger on the Pacific coast because of some purpose or possible policy of Japan? Is not that true?

Mr. JONES. That is the only possible suggestion that could be made under the supposition suggested by the Senator.

Mr. CLAPP. And yet those who advocate the proposition of enlarging the Navy for defensive purposes and accept the suggestion that the only possible danger is on the Pacific coast, present opposition to the suggestion that the Congress declare, so far as it can, its purpose to provide that the Pacific coast shall be properly defended.

Mr. JONES. Yes; they apparently want to keep our ships just as far away from danger as possible, and not only make it not an offensive fleet, but a sort of runaway fleet. That is about the logic of it, at any rate.

I was just coming to the suggestion which the Senator makes with reference to this amendment. The amendment does not hamper the President at all; it does not restrict his powers at all; it simply embodies the opinion of Congress as to what it believes the policy should be with reference to the distribution of the ships of the Navy in time of peace under ordinary conditions. In cases of trouble or danger or war it does not suggest even any curtailment of his power or authority.

The Senator from Virginia suggests that the diplomatic officers and the President know about many dangers that Congress would not know about. Well, this amendment would not take away any of their knowledge; they would have the same information; and under this amendment whenever the President should deem it wise, whether as a war move or otherwise, to have all the battleship fleet on one coast or the other, he could so order.

As I understand, it is simply an expression of the judgment of Congress that in ordinary times, in times of peace, when the

fleet is simply being used to perform maneuvers and as a fleet must be used outside of war, it should be distributed on the two oceans along the two coasts. I can see no possible objection to it myself, but I can see many advantages that would come to us by reason of such action in time of danger and of trouble. I hope the Senate will adopt this amendment as an expression of the views of the Senate as to what ought to be done with the fleet in time of peace as a real preparation for the time of danger and to show the people of both coasts that the navy we are creating is a navy for the benefit of all the people in peace and for the protection of all the people in danger or war.

Mr. BRANDEGEE. Mr. President, I am gratified that the Senator from Virginia [Mr. SWANSON] did not press his motion to lay the amendment upon the table, not that I am in favor of the amendment any more than I was in favor of the amendment offered by the Senator from Nebraska [Mr. NORRIS] yesterday—which I thought would entirely destroy the effect of this bill in connection with increasing our naval strength—but I do think when a Senator proposes an amendment and the Senator from Virginia arises and opposes it, it does not follow that all debate ought to end on the amendment. I think sometimes a Senator is entitled to have a vote on an amendment, and I do not think there is any such rush about getting this bill through to-day or to-morrow as to warrant the arbitrary method of laying upon the table every amendment that is offered to the bill which is not approved by the committee. I am willing to take my chances, and I think the country can take its chances, in relying upon the judgment of the Senate not to put on bad amendments or amendments that would cripple the provisions of the bill.

As to this amendment, Mr. President, irrespective of whether Congress has decided to order the fleet about regardless of the department and of the Commander in Chief, I have no doubt Congress could provide that there should be a Pacific Fleet; but, Mr. President, irrespective of that, it seems to me it would be exceedingly unwise for Congress to say, in view of the limited knowledge it now has upon this question, that one-third of all the vessels provided for by the Senate amendment should at all times, except in case of imperative emergency, be stationed and maintained upon the Pacific coast and attached to the Pacific Fleet.

I think questions like that ought to be determined by the judgment of the department and the President of the United States, in view of what is most advantageous for the entire country at the time to have its vessels doing.

This amendment provides for not to exceed 10 first-class battleships, four of which are to be constructed immediately. Suppose four battleships are constructed. I assume that would constitute a cruising squadron, a unit. Now, to say that one and one-third of these battleships, or two of them if the number could not be divided evenly into thirds, should always be stationed upon the Pacific coast, it seems to me might defeat the very purpose of the amendment in strengthening the Navy. They must cruise; they must go through their evolutions; they must have their target practice, and it may not always be convenient for them to have it on the Pacific coast or on the Atlantic coast. That might not be, under the language of the amendment, an imperative emergency. But why should Congress, except on the broadest lines—such as the establishment, if they think it wise, of a Pacific Fleet—take it upon themselves in this informal way to provide just what proportions of certain particular ships authorized should always be maintained in a particular place? The units of the Navy must be exceedingly mobile. They must be sent around the world, perhaps, in practice cruises; and even in ordinary evolutions they should be at the disposal of the Navy Department and the President.

The Senator from California says that the naval officer from whose testimony he read—I have forgotten his name now—stated that there was no Pacific Fleet; and yet this amendment provides that one-third of these vessels shall be attached to the Pacific Fleet. I do not know, technically, whether there is a Pacific Fleet in law or not.

Mr. WORKS. Mr. President——

The VICE PRESIDENT. Does the Senator from Connecticut yield to the Senator from California?

Mr. BRANDEGEE. I yield to the Senator.

Mr. WORKS. Admiral Winslow, who testified upon that subject, when he said they had no fleet on the Pacific coast meant that they had nothing that could be called a fleet. He is really the commander of the Pacific Fleet, or was at that time. I think there has been a change made since. But there is nominally a Pacific Fleet, in command of one of the rear admirals of the Navy.

Mr. BRANDEGEE. I assume, if there be such a thing, that it is merely a name given it by the department. I do not know, however, about that.

Mr. WORKS. It is no more a name given by the department than in the case of the Atlantic Fleet.

Mr. BRANDEGEE. I assume that is true also. I did not suppose Congress had legislated so that the Atlantic Fleet and the Pacific Fleet were statutory fleets; but I do not know.

Mr. WORKS. Congress has not legislated on this subject at all, as I understand. Fleets are constituted by the order of the Navy Department, I presume.

Mr. BRANDEGEE. I hope that is true, and I hope it will remain true for the present. I think if the Pacific coast should be in danger, as the Senator from Virginia has well said, probably the President and the Department of State and the Navy Department would have as quick knowledge of that fact as the Senate or Congress; and I think of all things the fleet ought to be subject to the orders of the department and of the President, absolutely untrammeled by a restriction in an appropriation bill that would forever tie up three of these particular ships, and might make them perfectly ineffective to act with the balance of the Navy and to train with them.

Mr. LODGE. Mr. President, no one can believe more profoundly than I do in the necessity of two fleets, one on the Atlantic and one on the Pacific coast; but two fleets are a very different thing from a divided fleet.

The Republican Party, in its recent declaration at Chicago, said:

> We must have a Navy strong and so well proportioned and equipped, so thoroughly ready and prepared, that no enemy can gain command of the sea and effect a landing in force on either our western or eastern coast.

That means two fleets; and to that we must come, as I pointed out when I first spoke when the bill was taken up. But we must prepare for the two fleets. We ought to prepare on the western coast, as the Senator from Washington said, with additional dry docks. Docks are necessary there, and yards. We ought to have dry docks there and yards capable of taking care of a fleet. But when you command by statute the division of an existing fleet you enter on very perilous ground, as it seems to me.

The President is the Commander in Chief of the Navy, as he is of the Army. That is, by the Constitution he has the power to direct the movements of the Navy in time of war, in time of emergency, and in time of peace; and he does that, of course, with the advice of his naval advisers, the men best able to direct the movements of the fleet. To divide the Atlantic Fleet at this moment would simply give us an inefficient defense on both coasts, and we ought at the present time to have the fleet so that it can be moved to any point of danger.

I wish to see the Navy built up so that a permanent fleet can be very soon established, as it will be established, by the Commander in Chief, on the Pacific coast—a powerful fleet. When England, as she did for many years, had a fleet in the Mediterranean she had also the Channel Fleet, which was the immediate protection of Great Britain; but she never divided the Channel Fleet and sent part of it to the Mediterranean. She maintained two fleets.

That is what we must come to here, and our policy must be directed to that end. But I do think it is running a great risk, and certainly is in contradiction of the purposes of the Constitution, to undertake to tie the hands of the Commander in Chief by statute. It would be a very awkward thing indeed if some sudden emergency arose, and, owing to statutes passed by Congress, the President was unable to move troops or move ships to a threatened point.

It is not that I am not in sympathy with what the Senator from California and the Senator from Oregon urge. I am in profound sympathy with both; but I think we must reach it by another way, and I think we ought to address ourselves to that policy comprehensively. But I should be sorry to see this amendment adopted at the present time, for I think it would tie the hands of the Executive in a way which ought never to be done.

Mr. PITTMAN. Mr. President, I should like to ask the Senator from Massachusetts the distinction between two fleets and one large fleet. I heard the Senator speak of two fleets, and I did not grasp the meaning of two fleets.

Mr. LODGE. I mean by that two independent fleets; that it should not be the policy, having only one fleet sufficient for one coast, to divide it up so that it would be insufficient for both coasts.

Mr. PITTMAN. If there were two fleets the command would be just the same—that is, with regard to the President—as if they had one fleet?

Mr. LODGE. Absolutely; absolutely.

Mr. PITTMAN. Then the necessity might be just as great to combine the two fleets in one ocean as it is now to retain one fleet in one ocean.

Mr. LODGE. It might be necessary to combine the two fleets; but my idea is two independent, sufficient fleets for defense on either coast. Meantime, I think it is a fundamental proposition in naval warfare to keep your great fighting fleet together and not scatter it. We could do more for the defense of the Pacific coast—supposing that we had not established two fleets, as we ought—with a single fleet, which could, by going the other way, menace an enemy in the East, and force him to keep his ships at home, than by having a feeble fleet on the Pacific which would not be sufficient to hold back the enemy's attack.

Mr. WORKS. Mr. President, will the Senator permit me to direct a question to the Senator from Massachusetts?

Mr. PITTMAN. Certainly.

Mr. WORKS. I should like to ask the Senator from Massachusetts whether he regards this bill as providing a sufficient navy to defend both the Pacific and the Atlantic coasts?

Mr. LODGE. I think, if the program of the three years is fully carried out, it will.

Mr. WORKS. I do not quite understand why the Senator from Massachusetts should object to an amendment that proposes to maintain a reasonable portion of that fleet on the Pacific coast, where the defense is supposed to be needed.

Mr. LODGE. I do not, Mr. President. I do not object to it, but I think that is something that ought to be left with the Commander in Chief and his naval advisers. I think it is extremely dangerous for Congress to undertake to say that there shall be certain forces kept at one place and certain other forces kept at another place, so that the President finds himself fettered when the hour of emergency comes.

Suppose we had a statute providing that a certain number of men should be kept in all the defenses of the great ports, at Boston, at New York, at Norfolk, and San Francisco. It might become imperative, as indeed it has become imperative, to move those troops to another point. A statute binds so hard; and in case of danger and emergency one essential thing is that the commanders in charge of either the military or the naval forces should be free to do quickly and at once what the situation demands.

Mr. PITTMAN. Mr. President, as I gather the distinction between two fleets and one fleet, it is that you have a part of the fleet on the Pacific and part of the fleet on the Atlantic coast; it is called two fleets. The supreme command of the two fleets is the same as the supreme command of one fleet. The Senator from Massachusetts is in favor of two fleets. That is, he is in favor of dividing our battleships and battle cruisers between the two oceans whenever it can be divided without reducing below what he thinks is proper the strength of the fleet on the Atlantic Ocean. Now, his view of the matter is that there should be a preference given in the protection of the Atlantic coast over the Pacific coast; in other words, that if our fleet is only sufficiently large to protect the Atlantic, then we should not have any fleet on the Pacific until it is increased so that the surplus can be added to the Pacific. Under the amendment we would be dividing the present fleet, and we would have two fleets, one on the Atlantic and one on the Pacific. It seems to me that we should have an adequate fleet on both oceans; and if this bill does not provide for an adequate fleet on both oceans, then, so far as I am concerned, it has not met with my idea on the subject.

Mr. LODGE. I may not have made the distinction which was very clear in my own mind clear to the Senator. That is that there is a great difference between two independent fleets, each sufficient for its purpose, and one sufficient fleet on one coast which we divide arbitrarily. I think we ought to have the two independent fleets. Until that time comes I think it is sound naval policy to keep the fleet together, whether it is in the Pacific or in the Atlantic. The great defense of the country is the powerful fighting fleet in being. My hope is that we shall have two independent fleets which would operate and be sufficient without any regard one to the other.

Mr. PITTMAN. I think I understand the Senator. When he says two independent fleets, he means independent only as to their disposition; not as to their command.

Mr. LODGE. Oh, no. The ultimate command of all fleets must be in the President's hands, of course.

Mr. PITTMAN. Yes; I understand that.

Mr. LODGE. I did not mean that.

Mr. PITTMAN. The term "two fleets" simply means the disposition or division of the fleet into two parts.

Mr. LODGE. But I do not want to compel the Commander in Chief to divide the fleet until he and his naval advisers feel that it is safe to have two separate fleets.

Mr. PITTMAN. The situation as it develops now is, apparently, that this bill does not provide for two fleets. It is not adequate for two fleets. Not being adequate for two fleets, we will have only one fleet upon the Atlantic and no fleet upon the Pacific. If that is the case, then it certainly occurs to me that Congress has not made adequate provision, because I believe it is admitted that there is just as great, if not greater, need for naval protection on the Pacific as on the Atlantic. And yet, under the discussion of the matter now, where we are not able to have two fleets—which means that we will only have one concentrated fleet, and that concentrated fleet will be on the Atlantic—the Pacific will remain in the condition in which it is now; that is, without any fleet. Admiral Winslow's testimony is clear on that subject; that is, that we have no fleet on the Pacific; that one first-class battleship would be more than a match for all of the vessels we have on the Pacific coast; and yet, under the argument of the Senator from Massachusetts, we are not prepared, even with this increased Navy, to spare any of these ships as a Pacific fleet. They might make trips over there and back, but as a fleet for the Pacific they can not be spared.

I am just simply stating that if that is the position we are in, then I regret that we have not made more adequate provision, or at least have not started a more adequate program, so that the Pacific might be protected.

Now, just a word as to this amendment. I would not support any amendment that would arbitrarily make a disposition of battleships. It is apparent to anyone that an arbitrary disposition of troops or battleships would destroy the very power of strategy; but I do not take it that this amendment does that. If anyone could show that it does, I certainly would not be for it. It simply states that until all of those battleships are necessary on the Atlantic, or somewhere else, one-third of them shall be kept on the Pacific.

The term "imperative necessity" does not mean any more than "necessity." I do not take it that the word "imperative" adds any strength to the word "necessity." It simply means that one-third of these battleships shall constitute the Pacific Fleet, to stay there, not always, but until the President of the United States thinks it is necessary for them to be placed somewhere else. Now, if it amounts to anything on earth more than an expression of this body that we believe that some fleet should be on the Pacific, then I do not understand what it means; and I am not willing to stand here—not because I live in the western part of the country—but I would not be willing to see any part of our coast absolutely ignored, without any battleship protection whatever, and all of it concentrated on another coast.

Mr. PHELAN. Mr. President, as I take it this amendment leaves it entirely discretionary in time of great emergency with the President of the United States to move a Pacific fleet, if it is established, to the Atlantic waters or the Atlantic Fleet to the Pacific waters. I desire to submit that there is, first, a very great necessity for a fleet in the Pacific, and, secondly, that there is an equally great necessity for an expression on the part of Congress as to the desirability of establishing a fleet on the Pacific.

The Panama Canal is supposed to have multiplied the usefulness of the fleet. We know from competent authority that the Panama Canal is subject to interruption either by accident or design. In times of peace it is a useful connection between the Pacific and the Atlantic, so far as naval operations are concerned. In time of necessity it will fail us, because the vigilant enemy will strike at our most vulnerable part—that costly waterway.

We have established possessions in the Pacific. I believe it is the sentiment of the country now, perhaps, to maintain our flag on our island possessions, no matter how remote or whoever may dissent from that view. Hawaii is a strategic point which we can not surrender, and already there is a vast preponderance of foreign population. Ninety thousand Japanese, whose birth rate last year was 15,000, people that island under the American flag. Only by reason of that flag might it be called an American possession at all because of the vast population of a foreign people. But recently Count Okuma, the prime minister of Japan, spoke with the greatest solicitude for the people of Japan living in that island and on the Pacific coast, asserting the right of his country under all circumstances to protect and to guard them.

What is meant by that? Merely the assertion of a right to strike at any time, on a moment's notice, just as this power struck, at Port Arthur without notice, in case, in its judgment, there was sufficient reason or provocation. Without notice! What does that signify? That if we have our great fleet, described by the Senator from Massachusetts, in Atlantic waters and the Panama Canal is the only means by which it can be moved speedily from the Atlantic to the Pacific, and if that nation in the

Pacific should see fit without notice to strike at America, of what avail would be this fleet, this great fleet, which we are building to-day, for which we are appropriating vast sums of money?

No question has been raised of this kind until now, and now only because we have in contemplation the greater fleet, which enables us in a measure to divide it. The Atlantic Fleet would be of little avail in case of trouble on the Pacific. Unless there was adequate force in the Pacific, any movement of the enemy would, in a military and naval view, meet with immediate success.

Now, certainly that is warning enough. But you will say, as many complacent gentlemen say, that there is no danger of that great power, young and vigorous, taking up arms against the older and more populous country. It is the history of the world that young nations come into their being and attain their greatness during that formative period. I have no doubt that Japan will be one of the great powers in the Pacific some day; and if the greatest, it will be when the United States fails to realize the importance of protecting itself. The poet Virgil says "the wolf cares not how many the sheep are." We are here safe and prosperous, enjoying the abundance of nature, and reck little of the dangers of its interruption. But we are growing all the time a more attractive spoil.

The whole purpose of the preparedness campaign was to awaken the people to the necessity of arming themselves; and now that this Congress has wisely done so, or is about to do so, you hang all your arms in the scabbard on the Atlantic coast, when I tell you that the more imminent danger is on the Pacific coast, and you can not get your arms there fast enough to meet the unexpected attack.

It is reported Japan has made a treaty with Russia to control the Far East. Japan has an addiance with England, offensive and defensive. England has vast possessions north of us. Esquimalt is capable of being made a second Gibraltar. A book was written by a competent authority called the "Valor of Ignorance" not long ago, which shows very clearly, at which many people smiled incredulously, that Japan could land upon our coast, which is undefended at many vital points, and invade our country. There are 55,000 able-bodied veterans of Japanese wars living in California. So we would be in the humiliating position of having to meet a frontal attack on the sea and a rear attack from the land. Our troops, few as they are, are on our border. Our Pacific Ocean is to-day undefended. As Admiral Winslow says, one enemy warship could rout this so-called fleet. So there can be no question at all in my mind, familiar with the situation, as I am, living upon the coast, of the danger that confronts us, and, secondly, of the necessity of having our defenses there, not here.

Now, why should Congress express itself? For this reason: I say Japan is a power, a power that is asserting itself, a power that has to be counted with. We all have the greatest respect for the fighting qualities of those men, devoted to their country in a superstitious way, willing to give up their lives without a thought of the sacrifice or the hope of reward, except that they shall enjoy the favor of their ancestors. They are a people fanatical, and yet so clever and skilled that we can not say that they are not in warlike respect equal perhaps to the men sprung from the higher civilization on the American continent; for very often civilization enervates instead of strengthening when we regard men as merely fighting machines.

Here is that power. Congress is asked to express itself in this simple way, that when the fleet is established one third shall, except in cases of extraordinary necessity, be made a Pacific fleet. There is no question at all but that the President could move this fleet from one place to another—it is so provided—but Congress declares, solemnly declares, that a Pacific fleet should be established.

There is the necessity for it in this, that the United States is under an extraordinary, if not unaccountable, subserviency to-day to the power of Japan. We are told it is a very proud and sensitive nation and we must deal with all questions arising between the two countries in a manner quite unlike the manner of diplomacy with which we treat other and even greater nations.

There is, and everyone knows it, a disposition upon the part of the Government at Washington now and at all times to palter and to trade and to negotiate and to enter into extraordinary agreements unknown to international law or to diplomacy in order that these people may be placated.

When the California school question arose, I think in 1908, where the State of California, acting within its undoubted right, having full jurisdiction over the subject, undertook, as the men from the South will better understand, to segregate the Japanese schoolboy from the little white girl, the President of the United States declared that he would use the full power of the Army and Navy of the United States to coerce the sovereign State of California in case she dared to act within her clear and admitted constitutional right, and by the thunders of his denunciation he routed the California Legislature and it adjourned without day.

That was a trifling incident, and yet at the same time behind the roar of the lion there was the strong power of the beast himself. And yet we dared not assert it. But it is an open secret extraordinary preparations were made by the Government at that time to safeguard our interests. It was the calm word and the big stick. "The calm word" was a harsh utterance addressed to California, but meant to be heard by Japan in dulcet tones. The "big stick" was the preparation which was made then to defend our interests; and the entire fleet, so important in Atlantic waters, was sent where? The White Squadron was sent around the Horn to the Pacific, and lest it be thought in any way a menace it was called an excursion, a naval outing, a demonstration by the White Squadron.

Mr. CLAPP. Mr. President, to correct what might go out to the country as a false impression, I desire to remind the Senator from California that our Navy was so great and is so great that when that fleet was in oriental waters—I have the data in my office compiled by the Navy Department—we could have mobilized on the Atlantic coast in a few hours almost the equivalent of that great fleet sent to oriental waters. I do not suggest this as in opposition to the Senator's argument, for I am in hearty accord with his position; but the country, I think, has come to think that our Navy is so insignificant that our entire Navy, practically, was in that great fleet, when the fact is that our Navy was so vast that we could have mobilized almost the equivalent in a few hours on the Atlantic coast.

I took occasion to get the figures from the Navy Department that I might make a statement like this if the occasion ever arose.

Mr. PHELAN. I am very pleased to learn that. It does not affect the fact that a great fleet was sent around in a pacific way really to demonstrate our power and possibility to thwart any attempt on the part of another country to interfere in our domestic affairs; and that country has quite a disposition to interfere in our domestic affairs, witness the alien land law incident of recent years. The Count Okuma, premier of Japan, in a published statement only a few months ago said he looked for his people to this "Pacific outlet." As the people of Europe in the early days looked to this country as an outlet, and were welcomed because they were seeking freedom and establishing a nation dedicating themselves to those great institutions which have since grown under the aegis of the white race, so the brown man of Asia now looks to America as a Pacific outlet, as a land of opportunity. And the only answer we can consistently make to them is the answer made by the senior Senator from California [Mr. WORKS] the other day, that they are not assimilable, that the amalgamation of the white and the brown race is unthinkable, and the necessity of preserving the race is only second to the political necessity of keeping up the standards of the population of a democracy upon whose shoulders this whole structure rests. If you deteriorate our population you destroy our republican form of government.

I will not go into the question of oriental immigration, but I am simply driving home the point that we have shown a remarkable subserviency to the Island Empire; and now in a report before the Senate from the Immigration Committee we have another exception in favor of these proud and sensitive people.

If, let me conclude, the President of the United States without any direction from Congress sends a part of this great fleet that we are constructing to the Pacific it will be regarded as a menace, it will be regarded as an unfriendly act, and in the light of the acts of the Executives in the past, now and heretofore, we know that they would, as diplomatic gentlemen, doubtless serving according to their lights the best interests of the common country, hesitate to send a fleet out there except in a case of imperative necessity. But when the imperative necessity comes we will have no fleet there to meet the imperative necessity. The imperative necessity will be known in Washington when the guns are belching forth their fire upon the Pacific.

I am speaking with the utmost calmness. No one can dispute this in the light of past history. There is the case of Port Arthur and all the other cases. I will not enumerate them. There are so many in Europe where nations, sometimes called civilized, have entered into solemn agreements not to do certain things, not to invade neutral territory, and to respect the rights of neutrals have wantonly without apology set aside their own solemn declarations.

We can not expect anything better from Japan, which is just emerging from the shell of barbarism. We can not expect any more from Japan than from the countries speaking proudly for

an ancient civilization. I think in the matter of international morals the Japanese—because they are more frank—are superior to many of the nations of Europe. They tell us what they want and what they propose to do.

If Congress adopts this amendment and says there shall be a fleet in the Pacific, it relieves the Executive of embarrassment. He need not be subservient any longer under diplomatic pressure to this great power in the Pacific. He can say it is a direction of Congress. Indeed it will be known throughout the world that it is an act of Congress, and therefore the movement of the fleet will not excite either resentment or suspicion.

I know the Senator from Massachusetts fully believes in the necessity of two fleets. He understands our problems. The only thing he fears is that there will be a divided authority. The authority rests only in the Commander in Chief of the Army and Navy of the United States under this amendment. There can be no question of that.

It is much better now to make our declaration on the eve of the construction of this proposed navy than at any other time. I think it will reconcile the people of this country to the policy which we are enunciating, and it will further enable them to realize that this country has its possessions in the Atlantic and in the Pacific, and that there is no reason whatever why at least a third of the fleet should not be permanently located on the Pacific coast. If needed in the Atlantic, it can be so ordered by the Executive; but during these long days of trial, when we do not know between one hour and another, growing out of the assertion of our rights, when we shall be assailed, it is of the highest importance strategically to have a fleet where we are vulnerable and where our rights are being asserted. I submit in all earnestness to the Senator in charge of the bill the importance of allowing the Senate to vote on this amendment, and to withdraw his motion that it be laid on the table.

Mr. POMERENE. Mr. President, perhaps I am not familiar with conditions on the Pacific coast. I confess I have not been in entire sympathy with those who are constantly expecting trouble from the Island Empire; but if I felt about this proposition as do some of those who have spoken upon the subject. I should find fault with the amendment proposed by the senior Senator from California [Mr. WORKS] because it did not require two-thirds or three-fourths of the fleet to be mobilized on the Pacific coast.

Mr. President, I do not believe that there is a Member of this body to whom the eastern coast is more sacred than is the western coast, or to whom the western coast is more sacred than is the eastern coast; and I do not believe we have ever had a man in the presidential chair who did not feel that his duty as an Executive should be directed as well to the protection of the Pacific coast as it should be directed toward the protection of the Atlantic coast. I do not believe that we have had a man in that chair who would not have mobilized the entire fleet on the Pacific coast at the moment he thought there was any danger there; and, on the other hand, I do not believe we have ever had a man in that chair who would not have taken every vessel from the Pacific coast if he had thought it was needed on the Atlantic coast.

It seems to me that the only effect of the amendment which has been proposed by the senior Senator from California would be to tie the hands of the President, so that he could not act with the same freedom that he would if there was nothing in any way to control or to direct his actions. I can only see in this amendment an element of danger to the Pacific slope, assuming that we are in danger from the Island Empire.

Let us see how it would operate in its effect upon the world at large. Bear in mind that the Senators from California are anticipating danger from the Japanese Empire. They think it is a continuing danger—I do not believe it is—but they think so. Assume, for the sake of argument, that that position is correct, that we should adopt this amendment, and that for some reason or other the President, in his wisdom, with the information he might have, would deem it good policy to mobilize the entire fleet in the Atlantic Ocean; would it not be an invitation to the Japanese Empire to make an assault upon the Pacific slope at that particular time? If this amendment is to become a part of the law, would they not at once conclude that in the judgment of the Chief Executive there was an emergency which required the mobilization of the entire fleet in the Atlantic Ocean; and would it not then be regarded as an opportune time for the Japanese Empire to attack the Pacific slope?

Mr. President, it seems to me that wisdom would require that the movement of the fleet be left entirely to the Commander in Chief of the Navy. I can not help but feel that it would be a very great mistake, in the least, to attempt at this particular time to say that any portion of the fleet should be located anywhere in either of the oceans. Let us leave that to the wisdom of the man who is made the Commander in Chief of the Army and the Navy by our Constitution. I am sure Senators do not lack faith in the present Chief Executive, nor will they lack faith in any other Chief Executive we may have. Certainly, the President can act with better judgment when the crucial times comes than we, sitting as a Congress, can anticipate the future and its needs. I hope the amendment will be defeated.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from California [Mr. WORKS].

Mr. WORKS. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. PHELAN. Mr. President, a parliamentary inquiry. What is the question upon which we are about to vote?

The VICE PRESIDENT. The question is on the amendment offered by the Senator from California [Mr. WORKS].

Mr. PHELAN. On the amendment direct?

The VICE PRESIDENT. On the amendment direct.

The Secretary proceeded to call the roll.

Mr. CLARK of Wyoming (when his name was called). I have a general pair with the senior Senator from Missouri [Mr. STONE]. In the absence of that Senator, I withhold my vote.

Mr. TOWNSEND (when the name of Mr. SMITH of Michigan was called). I wish to announce the absence of my colleague [Mr. SMITH of Michigan] and his pair with the junior Senator from Missouri [Mr. REED]. This announcement may stand for the day.

The roll call was concluded.

Mr. REED (after having voted in the negative). I voted without knowing that the Senator from Michigan [Mr. SMITH], with whom I am paired in his absence, had not returned to the Chamber. I therefore transfer my pair with the Senator from Michigan to the Senator from Arkansas [Mr. ROBINSON] and allow my vote to stand.

Mr. JOHNSON of Maine. I inquire if the junior Senator from North Dakota [Mr. GRONNA] has voted?

The VICE PRESIDENT. He has not.

Mr. JOHNSON of Maine. I have a general pair with that Senator, which I transfer to the Senator from Oklahoma [Mr. GORE], and vote "nay."

Mr. OVERMAN. I wish to announce that I have a general pair with the junior Senator from Wyoming [Mr. WARREN]. By arrangement with the Senator from New Hampshire [Mr. GALLINGER] I transfer that pair to the Senator from New York [Mr. O'GORMAN] and vote "nay."

Mr. TILLMAN. I transfer my pair with the Senator from West Virginia [Mr. GOFF] to the Senator from Tennessee [Mr. LEA] and vote "nay."

Mr. BECKHAM. I transfer my pair with the Senator from Delaware [Mr. DU PONT] to the Senator from Tennessee [Mr. SHIELDS] and vote "nay."

Mr. GALLINGER. In view of the transfer suggested by the Senator from North Carolina [Mr. OVERMAN], I am at liberty to vote, and vote "nay."

Mr. DILLINGHAM. I inquire if the senior Senator from Maryland [Mr. SMITH] has voted?

The VICE PRESIDENT. He has not.

Mr. DILLINGHAM. Then I withhold by vote, having a pair with that Senator.

Mr. HARDING (after having votel in the negative). On account of the absence of the junior Senator from Alabama [Mr. UNDERWOOD], with whom I have a general pair, I withdraw my vote.

Mr. CURTIS. I am requested to announce the following pairs:

The Senator from Rhode Island [Mr. COLT] with the Senator from Delaware [Mr. SAULSBURY];

The Senator from New Mexico [Mr. FALL] with the Senator from West Virginia [Mr. CHILTON]; and

The Senator from Connecticut [Mr. MCLEAN] with the Senator from Montana [Mr. MYERS].

The result was announced—yeas 18, nays 48, as follows:

YEAS—18.

Ashurst	Johnson, S. Dak.	Phelan	Sutherland
Chamberlain	Jones	Pittman	Vardaman
Clapp	La Follette	Poindexter	Works
Cummins	Lane	Smith, Ariz.	
James	Oliver	Smoot	

NAYS—48.

Bankhead	Hardwick	Overman	Sterling
Beckham	Hollis	Owen	Stone
Brandegee	Hughes	Page	Swanson
Broussard	Husting	Penrose	Taggart
Bryan	Johnson, Me.	Pomerene	Thomas
Catron	Lippitt	Ransdell	Thompson
Clark, Wyo.	Lodge	Reed	Tillman
Clarke, Ark.	McCumber	Shafroth	Townsend
Culberson	Martin, Va.	Sheppard	Wadsworth
Curtis	Martine, N. J.	Sherman	Walsh
Fletcher	Nelson	Simmons	Weeks
Gallinger	Norris	Smith, S. C.	Williams

NOT VOTING—29.

Borah	Gore	Lewis	Smith, Ga.
Brady	Gronna	McLean	Smith, Md.
Chilton	Harding	Myers	Smith, Mich.
Colt	Hitchcock	Newlands	Underwood
Dillingham	Kenyon	O'Gorman	Warren
du Pont	Kern	Robinson	
Fall	Lea, Tenn.	Saulsbury	
Goff	Lee, Md.	Shields	

So the amendment of Mr. WORKS was rejected.

Mr. TAGGART. Mr. President, I found in my office yesterday morning a booklet from the Bethlehem Steel Co. In looking through it I was reminded of the many advertisements which I have seen in various newspapers of the United States, and particularly since I have been in Washington, in which this company calls attention to the armor-plate factory proposed to be erected by the Government in the naval appropriation bill, also their offer to the Government.

Beginning on page 60 of the booklet, to which I have referred, the following statements are made by Mr. E. G. Grace, president of the Bethlehem Steel Co., to the House Committee on Naval Affairs:

The Senate has passed the bill to construct a Government armor plant at a cost of $11,000,000. If the House should pass this bill, it will mean that as soon as the new plant is constructed the twenty-odd million dollars now invested in privately-owned plants will have been rendered practically valueless, for existing plants have ample capacity to meet all the needs of the Government.

The question, however, should not be determined merely with reference to the interests of private manufacturers. It should be decided with reference to the interests of the people as a whole, and especially with supreme regard for adequate national defense.

* * * * * * *

We will manufacture one-third, or such additional quantity as may be awarded to us of the armor plate required for the contemplated five-year naval program, estimated at approximately 120,000 tons, at a price of $395 for side armor, as compared with the price of $425 now obtained.

The proposed price is lower than has been paid by the Government for more than 10 years.

If the foregoing price is not satisfactory, we will agree to permit any well-known firm of chartered public accountants to inventory our plant and make careful estimates of the cost of manufacture. With that data in hand we will meet with the Secretary of the Navy and agree to manufacture armor at a price which will be entirely satisfactory to him as being quite as low as the price at which the Government could possibly maufacture armor on its own account, after taking into account all proper charges.

* * * * * * *

We are to-day selling armor to the United States Government at a price lower than ony other large naval power in the world is paying, even when the Government has itself embarked in the business. Not only is that true, but the specifications in the United States are much more rigid and the wages paid are very much higher than those prevailing in any foreign country.

* * * * * * *

Steel prices are continually going up, and they are to-day much higher than has been the case for many years. In spite of that, we offer to build armor at a lower price than the United States Government has paid for 29 years, and we agree to accept this lower price for the next five years.

We also call attention to the fact that though since the war began we have been able to get in Europe almost any price we chose to ask for ordnance, we have during that period made no addition whatever to the selling price to the United States Government of any of the ordnance products which we manufacture.

Further in a letter addressed by Mr. Grace to the Senator from South Carolina [Mr. TILLMAN] under date of June 19, 1916, the following statements are made:

As part of the naval appropriation bill as it comes to the Senate from the House of Representatives, is a provision to construct a Government armor plant at a cost of $11,000,000. This provision is in substance identical with the separate bill passed by the Senate for the same purpose, the Senate bill itself not having been acted upon by the House. The proposition thus comes before the Senate as part of a new bill.

I desire to present to your committee a proposition from my company which had not been made when the Senate previously acted on this matter, and which, I venture to hope, may warrant further consideration by the Senate.

The Bethlehem Steel Co. will agree, for such period as the Government may designate as fully protecting the public interest, to manufacture armor plate for the Government of the United States at actual cost of operation plus such charges for overhead expenses, interest, and depreciation as the Federal Trade Commission may determine to be fair.

* * * * * * *

The Bureau of Ordnance, reporting to the Navy Department, June 28, 1913, stated that without allowing anything for interest on investment the probable manufacturing cost of armor produced in a Government plant would be as follows:

Output per annum.	Capacity of plant and cost per ton.		
	20,000 tons.	10,000 tons.	5,000 tons.
20,000 tons	$279	$349	$400
10,000 tons	.....	314	394
5,000 tons	.....	.....	354

The bureau estimated that if interest on investment were to be added, the sum of $49 per ton should be added to the foregoing charges on a plant of 10,000 tons capacity.

Our plant has 12,000 tons capacity, and the average annual amount since 1887 which we have been asked to supply to the Government has been only 3,280 tons, or a little over 25 per cent of capacity. The average cost to the Government for the armor so supplied has been $432.62 per ton.

* * * * * * *

Such are the economies that we can effect in the manufacture of armor in connection with our other products that under present conditions we can manufacture for the Government cheaper than the Government can possibly do so for itself.

Our company has no inclination to make capital out of the military necessities of the United States. In the event of war or threatened war, all the facilities we have for any purpose are at the disposal of the United States Government upon its own terms. That means not only our armor plant; it includes our commercial plant, and our ordnance-making facilities. We have urged no program of preparedness; we desire only to be able to serve the Government as we may be called upon.

Our armor plant was built at the request of the Government of the United States. That request has, by the implicit action of successive Secretaries of the Navy, been frequently renewed.

The Government has acted upon the theory that it was desirable to maintain a reserve armor-making capacity not alone for the ordinary but also for the unexpected requirements of the Government.

* * * * * * *

If your committee desires further information, I shall be very glad to appear before you and give you all details in my power. We only ask that you give us a fair chance before you take steps to cripple our industry.

Mr. President, I know very little about this subject except what I have read, as the armor-plant bill was discussed and passed before I became a Member of this body. I note in the naval bill on page 24 that $11,000,000 have been appropriated for this plant. If any private corporation is willing to furnish the Government its material at a price as cheap or cheaper than the Government can supply itself, and with the declaration that in case of trouble or war its plant would be at the Government's disposal, it seems to me, with the trouble that the Ways and Means Committee and the Appropriations Committee have had in raising money to meet the unexpected and extraordinary expenses, that if these statements are true it is too bad to spend this $11,000,000 for that purpose. I will ask the Senator from Virginia if he can give me some information in regard to the proposition.

Mr. SWANSON. I did not hear the Senator. With reference to what provision of the bill is he asking?

Mr. TAGGART. With regard to the question of building an armor plant for the manufacture of ship armor. Can the Government build such a plant and manufacture the armor as cheaply or cheaper than the proposition made by the Bethlehem Steel Co.?

Mr. SWANSON. The Government have estimated, I think—we had this matter up here for three weeks, and discussed it—that they could build armor cheaper by a great deal than the prices they have been paying. As to what prices the Bethlehem Co. will accept in order to induce us not to construct an armor plant I am unable to say.

Mr. TAGGART. In their proposition, I understand, they offer to put it at the Government's own price, to be determined by accredited experts and Federal Trade Commissioners.

Mr. SWANSON. That amendment will come up later.

Mr. TAGGART. Understand, Mr. President, I am for the preparedness plan fully and heartily; but if we could save $11,000,000 on this proposition, and obtain the same results as though the Government owned a plant, I would be in favor of doing it. When the Army bill was up, and it came to the question of the nitrate plant, I was not in favor of the Government going into the manufacture of those munitions; but when I found that we had to go to South America to get the material, and if trouble should come that we would be deprived of that source of supply, I was then in favor of that plant. I am in favor now of this plant, if the Government can make armor cheaper than the steel corporation; but I should like to know if we have information as to what basis the Government is figuring on, and whether it can make it as cheaply or cheaper than the private plant.

The questions I ask are purely a matter of business, and I am anxious to know the answer. Can the Government make armor as cheap as it can buy it from outside parties?

Mr. SWANSON. The Government has never claimed that it could make it, except to a limited extent, cheaper than the Bethlehem Co. The Bethlehem Co. insists that it can not. The Government insists that it can make it cheaper than it has ever been able to get it from these companies, and that it will be a great saving of money for the Government to have this plant.

Mr. TAGGART. I should think that before that section was agreed to it should be investigated pretty thoroughly to find out whether it is possible that sum of money could be saved.

Mr. OLIVER. Mr. President——

The PRESIDING OFFICER (Mr. ASHURST in the chair). Does the Senator from Indiana yield to the Senator from Pennsylvania?

Mr. TAGGART. I do.

Mr. OLIVER. I will say to the Senator from Indiana that it is my intention, when the committee amendments have been acted on, to offer an amendment striking out this provision for the erection of an armor plant; and I think when the time comes I can convince the Senator from Indiana, and ought to be able to convince all other Senators, of the extreme unwisdom of such a movement at present.

Mr. PENROSE. Mr. President, the document to which the Senator from Indiana has referred, and which was circulated to-day, is, in my opinion, a very valuable one. I take it for granted that the Senate is already recorded upon this question and that the armor-plant provision will remain in the naval appropriation bill. But, for the information of future Congresses, I will ask unanimous consent to have this document printed as a public document. I do not want action taken on it now. I ask that it be referred to the Committee on Printing, so that they may consider whether or not it is wise to have it printed. It is full of very carefully compiled information, and as this constitutes a very radical departure on the part of our Government, I think it well worthy of being embodied in a permanent form.

I therefore make the request, and ask that the document be referred to the Committee on Printing.

Mr. REED. Mr. President, I object.

Mr. PENROSE. I do not know whether the Senator's objection is well taken or not. I conferred with the chairman of the Committee on Naval Affairs regarding this matter, and he said he would be very glad to have it printed. Certainly there can be no objection to the dissemination of information, particularly when the request is made by the defeated party.

Mr. REED. I have not any doubt that it would be very desirable on the part of this concern to have its brief and argument printed at the expense of the Government and distributed under the franking privilege. I am not sure that I understand the Senator's request. Do I understand that he asks unanimous consent that it may be printed as a public document, provided the Committee on Printing should give its O. K.?

Mr. PENROSE. Yes, sir.

Mr. REED. I object. If the Bethlehem Steel Co. wants to print its defense or its argument, let it do it out of some of the profits it has made charging the Government prices for 29 years which it now says it is ready to cut to a very large degree, although it also says that the cost of manufacture to-day is greater than it ever has been in the history of the country—a plain, bald confession that it has been despoiling and robbing this Government for the past 29 years.

Mr. PENROSE. Mr. President, of course I can reserve the right to read this as part of my remarks.

Mr. REED. Unquestionably, Mr. President, the Senator can read it. So can a man read the advertising literature of any company; but I hardly think the Senator from Pennsylvania would impose that upon the Senate; and if so, we may have to have a night session to accommodate the Senator.

Mr. PENROSE. Mr. President, I am the best judge of the propriety of the matters that I choose to bring before this body. This is not an advertisement in any way. It is a discussion of a public question; and I intend to bring up this request at a little later hour, when the armor-plate matter comes properly before the Senate. I will withdraw it for the present.

Mr. SWANSON. I ask for a vote on the amendment.

The PRESIDING OFFICER. The question is on the committee amendment.

Mr. LA FOLLETTE. Mr. President, I have an amendment to offer. I do not know whether it can be offered at this time or not.

Mr. SWANSON. It will be in order after this amendment is adopted. When we get through with this amendment and one more——

Mr. LA FOLLETTE. Let me inquire of the chairman just what amendment is pending. Is it the paragraph with regard to the building of battleships?

Mr. SWANSON. Yes; to substitute the Senate program of building for the House program of building.

Mr. LA FOLLETTE. As my amendment comes at a later place in the bill, I will withhold it for the present.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

Mr. CLAPP. Mr. President, before that amendment is agreed to, I want to say just a word or two.

I am one of those who believe in what is called adequate preparedness; but in preparing to meet a condition I consider what the condition to be prepared against is. The House passed a bill calculated to remedy fatal defects in our naval program, including auxiliaries, submarines, and so forth. Under some influence, which I will not now discuss, we found ourselves with a Navy that was top-heavy, with great, heavily armored battleships, and very deficient in certain lines of auxiliaries. When the great fleet was sent around the world some years ago—a fleet that was the astonishment of the world—figures which I obtained from the Navy Department showed that while that great fleet was in oriental waters, almost the equivalent of that fleet could have been assembled upon the Atlantic coast.

Mr. BRANDEGEE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Connecticut?

Mr. CLAPP. With pleasure.

Mr. BRANDEGEE. The Senator made that statement once before this morning. I did not want to interrupt him at that time, but I want to ask him about that. Does the Senator mean that a fleet of naval vessels could have been assembled here that would have been the equivalent in fighting efficiency, caliber of guns, and range of that which cruised around the world?

Mr. CLAPP. I have carefully avoided using the word "equivalent." I say that we could have almost assembled the equal of that fleet.

Mr. BRANDEGEE. The equal in what respect?

Mr. CLAPP. In fighting efficiency. It would astonish Senators, and it astonished me when I got the information at that time. But the point I was making was that with that vast fighting force we had to hire the carrying of the great bulk of the coal necessary for that voyage. In other words, while we were top-heavy with great battleships, among the things we lacked were freighters, or what are ordinarily called colliers.

For some years the senior Senator from Iowa has championed a proposition to build a number of first-class colliers, so that if ever we did need them as auxiliaries to the Navy they would be ours to command—not to beg, confiscate, or contract for—and that in the interim they might be used in developing trade, especially along those lines where private enterprise had not felt itself warranted in projecting itself. Such a course would strengthen the Navy and go far toward solving the merchant-marine problem.

The House, recognizing the inequality which I have suggested, very wisely prepared a bill seeking to strengthen the Navy at its weak points but not adding any of these great, heavily armored battleships. When we get that bill into the Senate we find that the Senate has repeated the very mistake that has been made during the previous years; and we have before us a plan involving three hundred and fifteen million eight hundred and twenty-six thousand and odd dollars, an increase of 45 per cent over the House bill, and an increase of $166,000,000, or more than one-half, over the naval bill of the Sixty-third Congress, and this unusual increase is due largely to the proposition contained in the Senate bill for 10 additional great battleships. The Sixty-third Congress left our Navy with five battleships authorized, if I remember correctly—four additional ones and one to take the place of two that had become somewhat obsolete, and that we were able to dispose of to the Greek Government.

In asking what preparedness should be, we must, of course, consider what we have to prepare against.

In November of 1914, in the presence of some three or four thousand farmers assembled in the capital of my State, I discussed this question and took the position then that while we should always have a strong and adequate Navy and should gradually develop our Navy to keep pace with our growth, yet there could be no necessity for extraordinary and unusual expenditures, just as the great nations of Europe were wasting themselves, their men, resources, and credit. The experience of the time since then has strengthened, in my judgment, that position; and if there was ever a time in the history of our country when we could well await developments in the extraordinary building up of and additions to our Navy it is to-day.

It is not my province to discuss the cause of the European war, except, perhaps, to say that in the moving cause of that war we may learn one great lesson. That the cupidity of Russia is the force behind that war, it seems to me, can not be successfully challenged. In the diplomacy of Russia a century is nothing, and she has long looked forward to the time when she could have a southern outlet; and, with that instinct born of growth and conquest, she looks longingly upon western Europe. Superior to every other nation in her diplomacy, somehow she has induced other nations, which some day will be menaced by Russian growth, to join in the attempted destruction of the one great barrier between Russian domination of Europe and Europe itself.

When this war in Europe is over, Europe will present a pitiful appeal to the sympathy of the world—her millions of fighting men in their graves, her resources exhausted, her national credit at a low ebb; and yet we are told that that condition, which means almost the ruin of Europe, is the occasion for our doubling this year the naval appropriations, as against those for the fiscal year 1916.

Now, I recognize the delicacy of discussing international questions in the open forum, and yet we can not avoid a certain discussion of this question. Let us look around us and see where this supposed necessity lies. Surely it does not lie in the possibility of war with England, for if it does then the Administration and Congress are guilty of a want of preparation that is almost criminal on our part, with 4,000 miles of unguarded boundary between the possessions of England and our own country, with lakes upon which fleets may float and yet not a battleship on those lakes, bound on the contrary by an agreement with England to refrain from fortifying the boundary or building a navy upon those lakes. Why, indeed, is that? Because every American knows, as every Englishman knows, that there never can be war with England and the United States. If there is even the most remote possibility of ever having a war with England then we are guilty of criminal negligence in not preparing to meet that condition, but we all realize that such possibility does not exist.

War with England would be a deplorable thing. War with any country would be deplorable, but war with England might result in one thing. I believe it would result absolutely in the annexation of New York City to the United States. So we might find some consolation in the misfortunes of that war.

But, Mr. President, I repeat, no man in this country dreams of war with England, and in our military and naval preparations we ignore the possibility of war with England, because we do not reckon her fleet as one of the fleets that we must meet in naval preparation, and we allow those 4,000 miles of boundary to go unfortified and unguarded. Again, I want to say I believe in the wisdom of it because of the utter impossibility of this Nation engaging in war with England.

The same conditions that make war with England impossible make impossible war with any nation to which England sustains a relation where she is under obligation to take part in war as a part of that relation. So in our recognition of the relations of England we not only find the impossibility of war with England, but the impossibility of war with any nation that must depend upon an alliance with England as a part of a war program with it. So we eliminate from the necessity England and any ally which depends upon England to take part in her wars.

We then have continental Europe left. Continental Europe to-day is exhausting herself, as I have shown, and when this war is over, when the people of those foreign nations no longer feel that sense of defense which comes to a nation in actual war, even the credit of those nations will sink lower than it has already sunk. The fact is that a people harassed with war, believing themselves battling for national life, will take the bonds and securities of their country, but when that inspiration ceases those bonds and securities have got to sink lower even than now. Already they have come to this country to negotiate loans to carry on the war.

Mr. President, I do not want to seem facetious, but as boys we were afraid of graveyards; we were afraid to enter a graveyard at nighttime and in the dark. Strange it is that as grown men we will still fear the graveyard of Europe. Into those awful graveyards are pouring the life blood, the fighting blood, of Europe to-day. Already millions of lives are entombed and millions more are doomed to follow. Over those stricken countries there stalks the grim shadow of coming want and trouble. Aye, more than that, when the inspiration which comes from a sense of defense is gone there may stalk something not a phantom, but the uprising of a people demanding that no longer shall the whim of sovereigns consign millions to their graves and cover a land with ruined homes, with widows and orphans.

A few weeks ago I saw a picture in a newspaper. It was about the time when Mr. Bryan, it was said, was going to Europe to talk peace. The picture represented Mr. Bryan embarking upon a steamer with his grip in his hand, and on the other side were 12 men with crowns on their heads holding up their hands in holy horror and exclaiming, "We will quit fighting if you will only stay away." It was intended as a satire upon Mr. Bryan.

Oh, the lesson that was contained in that picture. By what authority did 12 men, because they happened to wear crowns, possess the power of saying peace or war shall be the fate of Europe? When this war is over the chances are that there will be revolutions, not bloody revolutions, but political revolutions, in Europe that will change and take from 12 men the power to command a force that results in plunging millions to their graves and covering the land with desolation and sadness. It will take Europe long years to recover from this war; long before that time the battleship authorized by the Senate bill will become outclassed and to some extent obsolete.

Finally, when those who advocate these extraordinary increases are driven from the possibility of war with England and made to see that the graves of Europe will not give up their dead to cross the Atlantic and battle with us they are driven to the last recourse, and that is the suggestion of danger in the Orient and the possibility of war with Japan is pictured.

Mr. President, it is true that Japan has shown a wonderful alertness, a wonderful bravery, and a wonderful patriotism. Attacking Russia upon her outlying possessions, connected with the harbor and empire only by two streaks of rust, striking that great giant when it was in a stupor and a slumber, she inflicted much injury upon Russia.

But by the token of that power which grows from an empire that discards the liability of over-sea territory and confines her expansion to a common center, the time will come when Russia will be as absolutely intrenched in Korea and Manchuria as she is to-day in the Crimea. Driven twice out of the Crimea, Crimea is now a part of her Empire. With no outlying possession as liability, a nation growing from a common center is like a rubber ball, you may indent such a nation, but when the force is removed the nation springs out to its common circumference again. No man can say whether in the future state we can look down on this world or not, but if we can some day we will see that great power expanding, and some day the nations who to-day are leagued in the attempted destruction of the barrier between Russia and European expansion will if successful regret the part they took in breaking down that barrier.

But, Mr. President, coming back to Japan, what occasion can there be for war with Japan? It is a strange thing that to-day the only country on this earth that is talking about war with the United States is the United States itself. The only nation on earth that is even dreaming or conjuring war with us is ourselves.

Is it any wonder that Japan should grow somewhat proud when day after day in this great land of ours, with our triumphs of the past, with our patriotism of to-day, with our limitless resources, we are depicting the conquest of America by the Island Empire? Is it not enough to make an American's blood boil when he hears on every hand this portrayal of the conquest of this great land, with her historic achievements reaching from Bunker Hill down to this hour, when our resources are so limitless that during the last two years at any time we could have stopped the war in Europe by simply withholding the supplies for war. And still we are told on every hand that we are menaced by the Empire of the East. It is no wonder if the people of that island may some day come to think that they are of more consequence in war and in military affairs than they themselves may have dreamed.

We are the natural allies of Japan. We opened the ports of Japan. We should ever be the friend of Japan. Of all the problems that surround that growing Empire of the Orient, the least probable, the most remote that any Japanese statesman could think of would be the conquest of this great Republic, crossing the sea 4,000 miles to reach our shores.

Notwithstanding the absolute impossibility of that, we are still told that we must go on with this vast program. I do not challenge the sincerity of men, but I do challenge, Mr. President, the wisdom of the men who favor this expansion upon the theory that Japan is our possible menace, and then when they are asked that the preparation we are making here should be placed where it may be a defense against Japan they overwhelmingly vote down the proposition. What shall be said of the judgment that has developed this Senate proposition declaring the necessity for this bill, basing it upon the danger of war with Japan, and then turning around and leaving that great Pacific coast defenseless, so far as the Navy at present or proposed is concerned?

Mr. President, I am going to deal with one phase of this question, and I know I will not only be criticized for it but I will be severely condemned and denounced for it, and that is the force outside of Congress that is back of this war propaganda. Ever since I have been in the Senate, every year when the naval bill loomed up there was talk of war. It is easy, as a rule, I think, to see where the propaganda emanated; but never before was there the organized propaganda that has been organized in favor of unusual and extraordinary preparation

at this time. That propaganda—I know by the positive evidence of a man whom I have known for years—was instigated by the men who profit in this so-called preparedness.

Why the sudden development of these great dreadnaughts when the House in its wisdom had seen that the Navy was already top-heavy with dreadnaughts? Why this sudden expansion and program except to serve the interests of those who will gain by this exploitation of the people? I am not criticizing Members of the Senate in that. Most of those who favor this wonderful expansion live where perhaps they can conjure up danger in the graveyards of Europe.

This propaganda started a year ago last summer. A man visited the capital city of my State to organize the Defense League—a lawyer who had lived there formerly and who had gone to New York. Only a few weeks ago he was in my office, and we were discussing the success of the propaganda he had been working upon at the hands of the interests that lie behind it.

Mr. President, the vital question to my mind is whether the American Government, representing the American people, shall be supreme or whether great forces that have grown up under this Government shall dominate the policy and the purpose of the Government.

It is always easy to adopt some catchword. I was thinking the other day of the experience of Paul when he went to Ephesus. He was preaching there against idols, and the makers of idols gathered a mob around him, and they exclaimed, "Great is Diana of the Ephesians!" That was a wonderful argument; as absolutely wanting in logic as a pumpkin is in spirituality. Yet it caught the crowd. It is always some catchword. So the propaganda for this extraordinary military and naval preparation has taken the word "preparedness." Of course it appeals to every citizen. There is no loyal American who does not want his country to be prepared. And yet it is a term so elastic that it may mean anything from what is represented by the calm, judicial action of the House in framing this bill to the extraordinary and unwarranted claims of some who insist that we shall have a Navy greater than that of any other nation on earth.

Back of this cry of preparedness is that sinister force that fattens and thrives upon this unusual and extraordinary and unwarranted appropriation, and, as in the history of every country, that is the element that will suffer least of all by this expenditure, which would engender the spirit of a bully that finally would get us into war with some country. They never will go to war.

The men who raise the cry here are safe and secure, and yet that cry appeals to the brave, loyal hearts of the boys of the Nation and they are the ones who will pay the penalty, the ones who will make the sacrifice.

So, too, in taxes.

In closing these suggestions I want to make an appeal to my Democratic brethren in the Senate. You to-day boast in your platform and on this floor of the initiative of Democracy as evidenced in the great policies that you have developed in the recent administration. You have grappled as Democrats never before grappled with the great problem of recognizing that the Government is created to advance the moral and material interests of the people, and throwing off the thraldom of strict construction that so long bound the Democratic Party you have advanced upon new and broader grounds and to-day recognize that the Constitution was made for the American people instead of the American people being made for the Constitution. Under that new and enlarged recognition you have developed some great policies.

A few weeks ago we had before us the river and harbor bill, calculated to develop the possibilities of inland navigation as well as to deepen the great harbors upon our seaboard. Yet there was a hue and cry raised that $40,000,000 were being expended for this purpose. However, here to-day it is proposed without a quiver to spend $315,000,000 to develop a Navy in a time of profound peace, and when the great powers of the earth are slowly but surely exhausting themselves of men, resources, and credit. On this must come a bill for taxation, and when the people face that bill, what will they say? Every morning our desks are covered with telegrams, "Do not tax this," "Do not tax that." When the American people come to pay that tax, when they come to realize that back of all this cry of preparedness was the sinister hand of privilege preying upon the spirit of patriotism, somebody will be held responsible by the American people, and it may be, too, that they ought to be held so responsible, because, Mr. President, men occupying the position of Representatives and Senators should not allow themselves to be influenced by considerations or should not allow themselves to be played upon or deceived by this sinister force. This force has haunted this country for generations. When it organized the National Defense League it had grown so bold that the men engaged in making munitions did not shield themselves in secrecy, but came out as leading members of that organization.

Well did the great Dolliver once say upon this floor that that spirit had grown so bold that its hand seemed to have lost its cunning, a spirit that has no regard of patriotism, little thought of patriotism. Yet that spirit is disguising itself behind the holy name of patriotism, and is carrying us off our feet in this extravagant, unwarranted, and unjustifiable expenditure. It is not only a waste of money.

The Senator from Virginia [Mr. SWANSON] in opening the debate on the bill well said that this bill was vital and important, that if we made a mistake we could not retrace it. If we make a mistake in squandering, we never can retrace it. If we make a mistake in economy and it proves a mistake we can retrace it. Every battleship that we have kept out of these naval appropriation bills in the last 10 years experience has shown was a positive gain to the United States, because experience has shown that there was no necessity for additional battleships.

So we are now face to face with this proposition. I can hardly hope that the proposed proposition to reject the Senate committee amendment which makes the increase and restore the House provision can prevail. I can hope, however, that perhaps in conference the men who represent the House will stand firm, and I certainly hope they will stand firm if by any chance this Senate provision is retained in the bill.

Whether I shall vote for the bill or not will depend upon some development in the bill later. The bill up to this time contains a provision for the establishment of a plant to make armor plate. An effort will probably be made to strike that out and if that is successful then the last justification to my mind will have gone for voting for the bill. Yet I regard the putting of that provision in the bill as something of a sop, because accompanying the proposition to build the armor plant, which will take years to accomplish, we will have already committed ourselves to the armor-plate industry of the country in this extraordinary plan that involves this vast addition of great heavily armed battleships.

Mr. McCUMBER. Mr. President, I shall take only a few minutes. I wish to discuss the general proposition and to some little extent the program for 10 battleships.

That we are taking a great step in our naval program no one can deny. That the step is uncertain and in some respects unwise probably is equally true. We are advancing from a past of parsimonious and insufficient legislation to a future of reckless and spasmodic expenditure. In our past programs there has been no proper coordination of the several parts of a great naval fighting machine, and this bill, though liberal to a degree of extravagance, gives no assurance of a Navy best adapted to new conditions of warfare.

We look in vain through the report of the Naval Committees to find the foundation scheme for the structure of our mightier Navy. We listen to the opening arguments in vain for the reasons which justify the expenditure along particular lines of construction. There is no consensus of views of the two Houses of Congress or the two committees of the respective Houses that have had this important piece of legislation under consideration. Both found their action on the premises that our very national life depends upon a huge expenditure of money for the construction of a mighty Navy, but neither agrees in any respect on the important question of how the money shall be expended.

The ordinary reader would naturally expect that if our country is in great and imminent danger these august committees and those having the responsibility of the initiation of needed legislation would have some common understanding as to where the danger is liable to come from, where we would be liable to be assailed, and what means should be taken to meet the imminent danger. The only idea which the reader would gather from the committees having the matter under consideration would seem to be that we need $500,000,000 worth of additional naval power, and it matters little along what lines the expenditure is made. Certainly one can not but be amazed to find that after having continued a program for years which required two battleships annually that the House committee and the House, in this period of great danger, have voted to discontinue the construction of battleships altogether, while the program of the Senate committee is that our national life depends upon a program which shall call for 10 additional battleships.

There certainly is wide difference between the House committee view that we need no more battleships and the Senate committee view that we need 10 more, 4 to be begun as soon as practicable. With this divergence between House and Senate view upon a question involving our national life and safety, I

think the country has a right to know what facts governed the House of Representatives in putting through a naval appropriation bill with no battleships, and an equal right to know what reasons actuated the Senate committee in so ignoring the House view. I sought to secure some enlightenment the other day in a question which I propounded to the Senator from Massachusetts concerning the reasons which governed the House, or were assumed to govern it, in altogether abandoning the construction of battleships. If the information which I received meant anything, it meant that the House had no view whatever, or, if it had, it had failed to express it. The beautifully phrased argument of the Senator from Virginia [Mr. SWANSON], reiterating the claim often made that the control of the seas is essential to victory in any great war, that the god of battle always smiles propitiously on the nation with the greatest navy, fails, however, to assist us in arriving at the principal question—how that supremacy is to be attained. I assume that 10 battleships of the dreadnaught type, when completed, armored, and ready for service, will cost us at least $180,000,000. The House does not think we need to spend one dollar of this; the Senate thinks we need to spend all of it. The House, so far as I know, has failed to give us any reason why we should construct no more battleships, and the Senate, with equal reticence, has failed to show why we should have 10.

In these days of bureaucracy, I suppose the Senate committee was governed by the advice given by the Naval Board or War College. I do not know whether the Naval Board changed its view after the bill had passed the House or whether the House in a paroxysm of independence used its own judgment in the matter. I do know that the Navy War College, through Rear Admiral Knight, now comes forward and says, in substance, that the Senate provision for the immediate construction of four battleships is all wrong. He says:

If the number of capital ships to be appropriated for this year is 4, I recommend that all be battle cruisers. If the number is 6, I recommend 4 battle cruisers and 2 dreadnaughts. If the number is 8, I recommend 4 battle cruisers and 4 dreadnaughts. If the number is 10, I recommend 6 battle cruisers and 4 dreadnaughts.

Anyway, if we are to have only 4, he recommends that those 4 shall be battle cruisers and not dreadnaughts, as is provided by the committee; in other words, Mr. President, the expert testimony says that this money which the Senate proposes to spend for 4 out of 10 battleships provided for had better be spent for cruisers.

Mr. BRANDEGEE. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Connecticut?

Mr. McCUMBER. Certainly.

Mr. BRANDEGEE. In order that I may understand this matter, I desire to ask, Does the Senator from North Dakota understand that this bill provides for no battle cruisers at all?

Mr. McCUMBER. No; I do not. I understand that it provides for battle cruisers, and then, in addition, it provides for 10 battleships, 4 of which are to be constructed immediately; and Admiral Knight recommends, if I understand his suggestion, that those 4 ships had better be 4 additional battle cruisers than 4 battleships.

Mr. BRANDEGEE. Now, just a moment. Does not the bill provide for four first-class battleships of the dreadnaught type and for four battle cruisers, thereby exactly complying with the recommendation of Admiral Knight?

Mr. McCUMBER. No; the bill provides for 6 battle cruisers and 10 battleships.

Mr. BRANDEGEE. The chairman of the committee——

Mr. McCUMBER. Admiral Knight's recommendations were made only one day ago, and that was after the Senate committee had provided for four additional battleships, while the House of Representatives had provided for none.

Mr. BRANDEGEE. Irrespective of when the provision was adopted in the bill or when Admiral Knight spoke, the fact is that they coincide exactly now, is it not?

Mr. McCUMBER. No; the fact is, as I understand, that Admiral Knight proposes that the money which is now provided for the four battleships had better be provided for extra battle cruisers rather than for four extra battleships.

Mr. BRANDEGEE. The Senator from North Dakota had better read the previous part of his speech over again—just the last few lines—for I distinctly understood him to say that Admiral Knight said that, if the proposition was whether we should have dreadnaught battleships or whether we should have battle cruisers, he would prefer cruisers, but if we could have both he would prefer both.

Mr. McCUMBER. No one would question for a single moment that if we could have four first-class battleships we would be that much stronger. Admiral Knight naturally wishes for additional strength in both cruisers and battleships.

Mr. BRANDEGEE. That is not the question.

Mr. McCUMBER. Admiral Knight does not claim that we do not need that many battleships; but he says if we are to expend only a certain amount of money, we should expend that portion which we are now providing for four battleships, as I understand his statement, for battle cruisers.

Mr. BRANDEGEE. The Senator's remarks, if they have any force at all, and if I understood them correctly, were to the effect that he was criticizing this bill because it did not conform to the recommendations of Admiral Knight. In my opinion it exactly conforms to his recommendations.

Mr. McCUMBER. Well, possibly the Senator from Connecticut had better wait to see what my criticism is. I am simply reading the statement made by Admiral Knight as to what his recommendations would be, and they were made some time after the bill had been reported to the Senate. I would hardly have thought, if he had intended to conform his ideas entirely to this bill, that he would have made a recommendation at this time and said that he had changed his mind since the battle off Jutland had demonstrated certain things, because these provisions had all been adopted by the Senate committee, as I am informed, before that battle had been fought.

Mr. SWANSON. Mr. President, if the Senator will permit me, Admiral Knight, who is president of the War College, was asked his opinion in the event a certain building policy were pursued what type of ships should be constructed, to which he replied:

If the number of capital ships to be provided for this year is eight, I recommend four battle cruisers and four dreadnaughts.

The number of capital ships provided for in the pending bill is eight, and it provides for the construction of four battle cruisers and four battleships, as recommended by Admiral Knight and as recommended by the General Board, precisely carrying out the recommendations of Admiral Knight made to the Secretary of the Navy in regard to a building program.

The Admiral further said:

If the number of capital ships to be provided for this year is four, I recommend that they all be battle cruisers.

And I think we would all concur in that, because we have no ships of that class. Here is the statement of Admiral Knight. I will hand it to the Senator if he so desires.

Mr. McCUMBER. I have the report here.

Mr. SWANSON. If the Senator will read the bill, he will see that it conforms to the suggestions of Admiral Knight.

Mr. McCUMBER. The House provided for no battleships, while the Senate provides for 10 battleships, 4 to be begun as soon as practicable.

Mr. SWANSON. And appropriated for this year.

Mr. McCUMBER. Yes. Now, note the very first statement of Admiral Knight:

If the number of capital ships to be appropriated for this year is four, I recommend that all be battle cruisers.

Mr. SWANSON. I think that is right, and I concur in that.

Mr. McCUMBER. Well, the number that the committee recommends for this year is four, is it not?

Mr. SWANSON. Not capital ships. We recommend eight capital ships, consisting of four battle cruisers and four battleships. That is in accordance with the recommendation of Admiral Knight, who said if eight capital ships were authorized, four should be battle cruisers and four should be battleships.

Mr. CUMMINS. Mr. President, does the Senator from Virginia say that we appropriate in this bill for eight capital ships this year?

Mr. SWANSON. This year.

Mr. CUMMINS. How much will eight capital ships cost?

Mr. SWANSON. Each battleship is to cost $11,500,000 and each battle cruiser $16,500,000.

Mr. CUMMINS. As I understand, that does not cover the total cost; it may include machinery, but it does not include armor and armament.

Mr. SWANSON. They may cost four or five or six million dollars more. I have here the estimates, which I can give to the Senator, which state exactly what the cost will be.

Mr. CUMMINS. I think the Senator is in error when he says this bill appropriates for eight battleships this year.

Mr. BRANDEGEE. If the Senator will permit me, the Senator from Virginia does not mean that we appropriate the entire amount for the complete construction and equipment of the ships, but only such part of the money as would be required during the next fiscal year.

Mr. SWANSON. We authorize the Navy Department to contract at once for eight capital ships.

Mr. CUMMINS. Mr. President, the authority is to contract for all at once; but the appropriation, as I gather it, will not

half pay for eight first-class ships, possibly for not more than one-fourth of that number.

Mr. SWANSON. We simply make the appropriation as the money may be needed; we do not appropriate three or four years ahead.

Mr. McCUMBER. The particular point I wished to bring to the attention of the Senate is the greater value which Admiral Knight accords to the cruisers in case we are limited in our expenditure, a value which I think this war has clearly demonstrated.

However, Mr. President, I wish to get at the source of this advice and determine its real value as expert advice. I confess we lose some of our confidence in naval expert advice when we find it admitted that it never occurred to our naval experts before a certain sea battle that a cruiser could be used to engage a battleship until such battleship could be engaged by one of its own class.

Rear Admiral Knight calls attention to the Battle of Jutland and the claim made by Admiral Jellicoe that "they were seeking to hold the enemy fleet until Admiral Jellicoe could come up with the dreadnaughts." I do not know whether that is a correct version of the Battle of Jutland or whether the British fleet, thinking it had only to deal with cruisers of its own class, suddenly found itself trapped and battling at short range against superdreadnaughts. Even the advising admiral does not know whether the cruisers were destroyed by mines, torpedoes, or opposing battleships. This new use for battle cruisers seems to have dawned on our experts only after this Battle of Jutland. The surprise to the average thinking man is that the War College never thought of this use of the cruiser until it was demonstrated in this battle. And this one incident, this new discovery, is of such great weight and importance that it overthrows all past calculations. I am sorry to learn, Mr. President, that this new use of the cruiser has been ascertained, or, rather, I may say that I regret exceedingly that some other and better and less expensive way in life and property could not be found to engage the greater sea monster and notify its enemy of its proximity than to send down to the bottom of the sea an indefinite number of cruisers, with their thousands of brave men, just to bait the battleship until the arrival of its equally powerful enemy.

I shall hope that the War College may be able to conceive of some less costly method of engaging the enemy until it can be met with warcraft of its own class. However, if I understand the view of Admiral Knight fully, it is that these cruisers should not have engaged the battleships at such close range; and as this seems most reasonable, I am more inclined to the view that Admiral Beatty, commanding the British squadron of cruisers, did not purposely bring his lighter vessels into such close contact with the enemy dreadnaughts, but that he was misled by the fog and was not aware that back of the line of cruisers was hidden the dreadnaughts of the enemy.

I think, Mr. President, we are misleading the country in the expression we are continuously using in reference to our naval program. We are always referring to it as a program of defense. We, of course, are not deceiving ourselves. We know it is a program intended for efficient war power. There can be no such thing as a merely defensive naval warfare. Navies battle on the broad seas within a domain common to the world. They strike wherever the blow will be most effective. That blow is generally most effective when aimed at the commerce of the opposing nation. We all know that no nation on the face of the earth would be foolhardy enough to attempt a real invasion of the United States proper. I doubt very much if any of them would be foolhardy enough to attempt even the bombardment of our great cities, defended, as they are, by coast batteries and, as they will be, by mines and submarines.

Any war that we may ever have with any great nation will be fought out on the ocean. It will be a war for the destruction of the commerce of the two nations engaged. Our Navy is not intended merely to defend our own commerce; it is equally intended to destroy the commerce of our enemy. With land batteries equipped with guns of the greatest caliber and power, with mines and submarines, we ought easily to be in a position to defend our coast against the extremely remote chance of assault. But so long as we hold the Philippine Islands, the Hawaiian Islands, or Porto Rico; so long as we must guard the Panama Canal, we shall need a navy equal in fighting power to that of any country with which we would be liable to have war. We shall need sufficient battleships to convoy our troop ships to these localities, these vulnerable points, which we have inherited with our expansion.

I have not seen in this war anything to justify the assertion so constantly made that the dreadnaught must continue to be the backbone of our naval prowess. It may be admitted that the dreadnaught can stand greater punishment from the enemy guns at a given range than can the cruisers. I think, however, that that remains to be demonstrated. Certainly the predreadnaught type have not been conspicuous in their ability to keep afloat in the Dardanelles campaign, nor the superdreadnaught to withstand submarine, mine, or torpedo. The only vessels that really have accomplished anything in this war, outside of submarines, have been the swift cruisers with long-range and powerful guns, and my own judgment is that for a given amount of money we can accomplish more effective work in the construction of a greater number of fast cruisers. Whatever may be the view of Admiral Knight, with reference to the number of battleships, I agree at least with what I believe to be his view, that we are comparatively short of battle cruisers.

The immediate question, it seems to me, in naval warfare is, What character of war vessel can inflict the greatest injury to the enemy? When you strike at the commerce of a nation you strike at the life of that nation. This is at least true of most great nations. There is no country in the world, as I have suggested many times before, that can meet us on equal conditions on the sea, even though their armaments might be equal. We could withdraw all of our commerce from the outside world without any great suffering. We can produce all the clothing, all the food, all the guns, all the ammunition, all the steel, all the copper, and all the other materials necessary to equip, arm, and maintain an army of 15,000,000 men and keep them continuously in the field, and we can, in addition to that, furnish all the material for the necessities and comforts and even luxuries of our people without going outside of the boundaries of the United States. No other great nation can do this. So the destruction of our commerce, while it might be a great injury to us, could not seriously affect our national life.

Other nations must live on their commerce. Great Britain could not continue six months if the channels of trade were impeded and her food and clothing supply cut off. If, therefore, we should wish to strike at the heart of our adversary, we can do it more effectively with our commerce destroyers, the swift cruisers, which, escaping the slower battleships, could deal death and destruction to the merchant marine of our enemy.

I shall support any amendment to cut down the battleships and increase the cruisers. I shall vote for the bill even though it may not conform to my own views. Whether rightfully or wrongly, the press of the country has created a spirit of apprehension of danger to this country, and the people are in that state of mind that they are willing to shoulder the burden for increased naval power. My hope, however, is that, instead of increasing to such a great extent the number of superdreadnaughts, which have not proven very effective in this war, we shall expend the money for the more effective weapon of warfare, namely, the battle cruiser.

There is one provision in this bill, however, which I deem far more valuable than all the others, and if that provision would challenge the earnst endeavor of this country, if it would bring into play a diplomatic effort as strong, as persistent, and unrelenting as that used in the construction of these implements of death provided in this bill, we should not need to ever complete this program. I refer to the provision for inviting the nations of the world to disarm. The time is not far distant when this most horrible exemplification of brute force as a means of settling international difficulties will have demonstrated its inefficiency as a mode of settlement as well as its criminality. When the accounting has been had, the books balanced, and the slaughter and devastation laid bare to the world, the people will be in the proper mental state to comprehend the necessity for national arbitration, and if, at the end of this colossal war, any nation still survive which refuses to accede to a world demand for an international code fixing the rights, duties, and obligations of every great nation of the earth and providing for a great international tribunal to decide every question of difference, then all other nations should unite to force the recalcitrant country into submission, as the people of a community unite to capture and chain a madman with murderous mania.

Mr. President, while I am as certain as I am that the sun will rise to-morrow that the time will come—and, in the life of nations, will come soon—when all of the great nations will unite in a great international compact for the preservation of the peace of the world, I am well aware that that time has not yet arrived, and that just so long as other nations are armed to the teeth, just so long as they settle their differences by the arbitrament of arms, just that long must we be prepared to back our arguments at the cannon's mouth; but, Mr. President, that does not mean that we need to go into any wild extravagance in our expenditures for naval efficiency and for national preparation.

We do not need a Navy greater than that of Great Britain; we do need a Navy that is sufficient in power to enable us to defend all of our outlying possessions against any other naval power; but what we need more than anything else to-day is a merchant marine, and that which will go with a merchant marine, the necessary equipment to support and attend the great Navy which we are providing to-day. I hope the day may soon come when we shall have such a merchant marine. We can never have an efficiently coordinated Naval Establishment without it. I can not but believe, Mr. President, that, measured by its effectiveness, we are building up a Navy with a disproportionate number of dreadnaughts; that we are surrendering grim utility for the more showy appearances.

Mr. JONES. Mr. President, I shall not vote for this bill through fear. No matter what other people may think of us, there is no nation that seeks a quarrel with us. This has been clearly shown by recent events.

If I had my way I would change this bill in some essential features. I would provide for more of the largest dry docks at our navy yards, in order to have ample facilities to care for our ships when built. I would build fewer capital ships and more swift scout cruisers, destroyers, and many more submarines, and offer more liberal inducements for the development of the efficiency of the submarine. I am not a naval expert, and I know that the naval experts are for the large ships. There are reasons for their views, but they will admit their error by and by. If any ship has shown its effectiveness and deadly power in this war it is the submarine. When the war is over its toll of warships and merchant vessels will be greater than that of any other class, and there will be many that it has sunk for which credit will not be given. I can not have my way now, but it will not be long until battleships will go and our bulwark by sea will be the submarine, which never becomes obsolete until actually put upon the scrap heap.

A strong navy and just and reasonable demands are an absolute guaranty for us against attack. We may well diminish the cost of our military force on land by the increase on the sea. We should build our Navy with no nation in view but the United States. If it should have rank as compared with other navies, there is more reason for its being first than second.

On May 15, 1902, the naval appropriation bill was under consideration in the House of Representatives, of which I then had the honor to be a Member. That bill carried a liberal program for the development of the Navy and its navy yards. During the consideration of the measure I said (p. 5499 of the RECORD):

> Mr. Chairman, I am in full accord with the policy of this committee. I believe in building up the Naval Establishment of this country, especially the navy yards and the Navy itself. The country is in favor of this policy, and any advance will be hailed with delight throughout the Nation. We want a strong and powerful Navy. In my judgment, and in this I speak for myself alone, we should have a Navy the equal, if not the superior, of any nation on earth, England not excepted. Our position in the world's affairs to-day demands this. * * * The greatest conservator of peace is to be prepared for war. * * * We must not invite attack by our weakness. We have possessions that are most inviting to other nations. They would be the first and probably the only object of attack in case of war, and however much some may desire to get rid of these possessions, there are none who would not resist to the last any attempt of another nation to take them by force. We may wish to give them up, but we will not have them taken from us. To guarantee our own security, to be sure of solving these problems in our own way and in our own time, we should be in a position on the sea that none will dare attack. It will be money well spent if we do nothing more than place our flag in every port of the world, even though it may be on a warship on a peaceful mission. Every ship flying the Stars and Stripes in a foreign port is an agent for and a promoter of American commerce, civilization, and government. It carries at its masthead the insignia of that virile civilization that has sprung up in the Westland, the product of all that is best and strongest in the Old World; and in the waving folds of its red, white, and blue the poor, oppressed, and liberty loving of every race and clime see a beckoning hand inviting them from poverty to plenty, from distress to happiness, from tyranny to freedom, from despotic to representative government.

Those words were spoken from conviction and not from fear. Those views I have largely held ever since and I now hold them. I want a strong Navy to insure peaceful respect for our just rights and not to enforce unjust demands. I want a strong Navy to win regard, not to arouse fear. I want a strong Navy to elevate our people, not to humiliate others. I want a strong Navy as an integral part of the Nation and symbolical of its power, insuring honor and esteem from peoples and peace with all the world.

Mr. STERLING. Mr. President, I desire to say just a few words, partly in explanation of my vote last evening on the motion to table the amendment of the Senator from Nebraska [Mr. NORRIS]. I do not desire it to be understood that my vote against the motion to table was an expression of my belief in the merits of the amendment of the Senator from Nebraska; but the Senator from Nebraska was the only one who had spoken on that important amendment. The hour was late. It was then within a few minutes of the time of the recess. I did not know but that others might desire to speak on the amendment, and I thought it no more than fair that the matter should go over until this morning, when opportunity would be had, if it was desired by anyone, to speak on the amendment, and that a vote could be then had upon the amendment directly.

But, Mr. President, so far as the vote on the amendment reflected the opinions of Senators, I have no complaint to make. I am of the same opinion as indicated by that vote. The amendment, had it been adopted, would have largely nullified this bill, with the principal features of which I agree. It would indeed be a very happy consummation if, as contemplated by the amendment, this great Government could, at the close of the war in Europe, be a party to the treaty which would settle the terms of peace to the extent at least of providing for a limitation of armament; to the extent of providing for an international court of arbitration and an international navy that should have for its work the enforcement of the decrees of that court; that would be a consummation devoutly to be wished; but in the meanwhile, and under the terms of that amendment, there will be the uncertainties of the war—first, the uncertainty whether it shall last three months, six months, nine months, or whether we shall measure the duration of the war in years; whether the length of time we are precluded from starting on the battleship and cruiser building program until the war is over. There is the further uncertainty that our proposal to be made parties to the treaty of peace for these purposes would be welcomed or accepted. We would have no right to intervene, no cause of protest if not admitted. And so, Mr. President, under present conditions I think we must view propositions like these as quite impracticable.

I am in favor of the main features of this bill. I profess no expert knowledge in naval affairs or as to the comparative merits of a dreadnaught and a battle cruiser as a fighting machine. I must depend for my information and for my guidance in that respect upon the Navy Board and upon the testimony of the experts who have gone into and understand the subject, and who in turn appear to have learned some lessons from the recent great naval battle in the North Sea; lessons which very properly, as it seems to me, have changed expert opinion and brought it to realize the necessity for more battleships. Hence the reason for four battleships of the dreadnaught type, to be built as soon as practicable under the terms of this bill.

Mr. President, when I think of the vast extent of our coast line on the east, on the Pacific, and, too, on the south; when I think of our great national resources, our population, and our foreign commerce as it is and as it is to be, of our island possessions, and last, of the possible exigency of war, I can not help but think that the Navy provided for by this bill is not greater than should be expected of us nor more than commensurate with our needs as a great world power.

I have noted, Mr. President, something of the growth of public opinion in regard to preparedness as it relates to both the Army and Navy. I remember how it was in the far interior and in my own State at the beginning of this session of Congress, and how I received protest after protest against any great program of preparedness, and many protests against any further preparedness whatever by way of additions to either the Army or Navy strength and equipment. But as time has gone on, as the people have been educated and witnessed the object lessons furnished by Mexico and conditions on the border, as they have come to see that an attack on either coast would be an attack upon our whole country, affecting its integrity and in its entirety, they have become more and more in favor of preparedness; and I hear no complaint now as against what might at one time have been termed the extravagance of the pending bill; what a few months ago would have seemed excessive is now deemed reasonable.

One thing has been brought about by the discussion everywhere in regard to the need of preparedness as it pertains to both Army and Navy; I think it is worth a great deal to the Nation, and that is a new spirit, I may say, of patriotism and of national unity. They are saying now, "Let us be prepared, not for adventure, not for aggression, not for exploitation, but prepared in order that America, American rights, and American citizens everywhere may be respected and protected."

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The Secretary will state the next amendment passed over.

The SECRETARY. The next committee amendment passed over is the amendment which proposes to insert, beginning after line 22, on page 4, the following:

For the purpose of expediting the transaction of the necessary departmental business in connection with the construction of new vessels herein and heretofore authorized and the increases in personnel, the Secretary of the Navy is authorized to employ, in accordance with the provisions of the civil service act of January 16, 1883 (22 Stats. at L., p. 403), during the fiscal year ending June 30, 1917, such civilian civil-service employees in addition to those authorized in the legislative, executive, and judicial appropriation act approved May 10, 1916, as may be necessary to carry on the work of the Navy Department and its various bureaus and offices, and the sum of $250,000 is hereby appropriated for the pay of such additional employees, the total of such expenditures not to exceed for: Office of the Secretary, $10,000; Office of Chief of Naval Operations, $5,000; Office of Solicitor, $4,000; Office of Judge Advocate General, $6,000; Bureau of Navigation, including one chief of division, at $2,250, $18,000; Office of Naval Intelligence, $5,000; Bureau of Steam Engineering, $31,000; Bureau of Construction and Repair, $41,000; Bureau of Ordnance, $10,000; Bureau of Supplies and Accounts, $30,000; Bureau of Medicine and Surgery, $10,000; Bureau of Yards and Docks, $75,000; and Office of Naval Militia, $5,000: *Provided*, That a report shall be submitted to Congress at the beginning of its next regular session showing in detail the number of persons so employed, their duties, and the compensation paid to each: *And provided further*, That the sum of $25,000 is hereby appropriated for the purchase of such stationery, drawing materials, and furniture as may be required by the various bureaus and offices of the Navy Department to carry out the duties imposed upon them.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SECRETARY. The next amendment passed over is the amendment on page 184, offered by the junior Senator from Nevada [Mr. PITTMAN], to insert after line 12 the following:

That each and every employee of the navy yards, gun factories, naval stations, and arsenals of the United States Government is hereby granted 30 days' leave of absence each year, without forfeiture of pay during such leave: *Provided*, That it shall be lawful to allow pro rata leave only to those serving 12 consecutive months or more: *And provided further*, That in all cases the heads of divisions shall have discretion as to the time when the leave can best be allowed.

Mr. BRANDEGEE. Mr. President, at whose suggestion did that amendment go over the other day?

The PRESIDING OFFICER. The amendment was offered by the junior Senator from Nevada [Mr. PITTMAN], and it went over on the suggestion of the Senator from Pennsylvania [Mr. OLIVER].

Mr. SWANSON. That amendment was offered by a member of the Naval Affairs Committee, and the committee had consented that it should be offered as a committee amendment.

Mr. LODGE. It is the last committee amendment.

Mr. BRANDEGEE. I understand that.

Mr. LODGE. If we put it over, we hold back individual amendments.

Mr. BRANDEGEE. I understand that; but I understood the Chair to state, in answer to my inquiry, that the Senator from Pennsylvania had asked that it go over the other day when it came up.

Mr. LODGE. Yes; I know he did. I think it ought to go over until he is present.

Mr. BRANDEGEE. That is all I was going to suggest. I can get him here in two or three minutes.

Mr. LODGE. I ask that it be passed over for the moment.

The PRESIDING OFFICER. The amendment will be passed over for the present.

Mr. SUTHERLAND. Mr. Pesident, pending that, I should like to offer an amendment which I do not think will be opposed by the committee. On page 109 of the bill, at the end of line 23, I move to insert the matter which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 109, line 23, after the word "department" and before the comma, it is proposed to insert:

Nor shall he suffer demotion or loss of position during or at the termination of any naval or military service when ordered upon special or active duty of any kind.

Mr. SWANSON. I will accept that amendment. I think it ought to be included.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. LANE. Mr. President, is it in order to offer individual amendments at this time?

The PRESIDING OFFICER. Yes.

Mr. LANE. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 44, after line 10, following an amendment heretofore agreed to, it is proposed to insert:

Provided further, That the Secretary of the Navy is authorized to secure a suitable site on the Columbia River, Oreg., as near to the entrance as may be deemed advisable, for the construction of a submarine and torpedo-boat base; and for this purpose the sum of $500,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated.

Mr. SWANSON. Mr. President, I will consent to have that go into conference for consideration.

The PRESIDING OFFICER. Without objection, the vote whereby the committee amendment was agreed to will be reconsidered. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. STERLING. Mr. President, during the discussion of the bill last evening the Senator from Virginia called attention to the provision in regard to a court of arbitration, found on page 181 of the bill, lines 17 and 18. I send to the desk an amendment which I desire to offer at that point.

The PRESIDING OFFICER. The Senator from South Dakota proposes an amendment, which the Secretary will state.

The SECRETARY. On page 181 it is proposed to strike out all after the word "of," in line 17, down to and including the word "body," in line 18, being the following words: "suggesting an organization, court of arbitration, or other body," and to insert "formulating a plan for a court of arbitration or other tribunal," so that, if amended, it will read:

To a conference which shall be charged with the duty of formulating a plan for a court of arbitration or other tribunal to which disputed questions between nations shall be referred.

Mr. SWANSON. I have no objection to that amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The Chair is informed that this concludes the committee amendments.

Mr. SWANSON. I understand the Senator from Iowa [Mr. CUMMINS] has an amendment which he desires to offer.

Mr. STERLING. Mr. President, I want to call attention to the second paragraph, on page 183 of this bill. It is the paragraph which prohibits the purchase of any ship material "from any persons, firms, or corporations who have combined or conspired to monopolize the interstate or foreign commerce or trade of the United States," and so forth.

It seems to me that this language will bear the construction that if ever at any time in the past any individual, firm, or corporation had entered into a combination to monopolize interstate or foreign commerce that individual, firm, or corporation could not now sell its product to the United States Government, although it might offer to sell it at a greatly reduced price, or even at half price, and therefore save to the Government a vast sum of money.

Mr. SWANSON. Mr. President, if the Senator will permit me, that language has been in the bill for years and years.

Mr. STERLING. I will say to the Senator from Virginia that I have been so informed. The Senator from Massachusetts [Mr. LODGE] so informed me yesterday. But I can see no reason for that language. I would be the last one to suggest the striking out of the language for the benefit of any of these special interests. My motion to strike it out will be in what I deem to be the interest of the Government.

Why, suppose 10 years ago a great corporation engaged in the manufacture of this material had been guilty of a combination or a conspiracy to monopolize, and yet during the last 10 years it had been perfectly free from anything of that kind, and nothing of the sort could be charged against it. Still the Government would be precluded from making a purchase of structural steel, armor plate, or other material used in the construction of ships from that company, although it could be done, as I say, at a greatly reduced price, much less than would have to be paid if bought elsewhere.

Mr. BRANDEGEE. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Dakota yield to the Senator from Connecticut?

Mr. STERLING. I yield to the Senator.

Mr. BRANDEGEE. I assume the Senator is going to make a suggestion as to how it could be changed.

Mr. STERLING. I am going to make a motion. My motion is to amend by striking out, beginning with line 16, on page 183, down to the word "no" in line 23, allowing the word "no," then, to be the beginning of a new sentence.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from South Dakota.

Mr. SWANSON. Mr. President, I hope that amendment will not be agreed to. This language has been in the bill for years and years, and no trouble has arisen. It is useless for us to attempt to put too many limitations on the department. This language, as I say, has been in the bill for years and years, and

no trouble has arisen on account of it, and it has been put in the bill in the interest of the Government.

Mr. STERLING. Will not the Senator from Virginia agree with me that the language will bear the construction I suggested a moment ago? If so, the Government could not purchase of any such corporation.

Mr. SWANSON (reading)—

But this limitation shall in no case apply to any existing contract.

Mr. STERLING. Not to any existing contract, I admit; but the Government will be forbidden to make any new contract with any such corporation.

Mr. BRANDEGEE. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Dakota yield to the Senator from Connecticut?

Mr. STERLING. I yield to the Senator.

Mr. BRANDEGEE. I entirely agree with the Senator from South Dakota that under a literal construction of that language it would prohibit the purchase of any material from any concern which had ever been in a combination for the restraint of trade. I think if it is the intention to forbid purchases from concerns which are now in combination or conspiracy, it could be easily changed; and I think it would be quite as effective, unless it is intended to taboo everybody that ever was in any such combination years ago, if in line 19 the language, instead of being "or corporations who have combined or conspired to monopolize," should be changed to read "or corporations which are in combinations or conspiracies to monopolize."

Mr. SWANSON. I will accept that.

Mr. BRANDEGEE. That would make it apply to the present time.

Mr. STERLING. In the event this motion to strike out should not prevail, I had intended to offer the following as a substitute. It is very much like that suggested by the Senator from Connecticut. After the word "who," in line 19, strike out "have combined or conspired" and substitute the following: "who are parties to any existing combination or conspiracy to monopolize."

Mr. SWANSON. I regard that language as better, and I accept that.

The PRESIDING OFFICER. The question is on the amendment of the Senator from South Dakota.

The amendment was agreed to.

Mr. PITTMAN. Mr. President, I desire to call up an amendment which I offered on Saturday and which went over.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 184, after line 12, it is proposed to insert:

That each and every employee of the navy yards, gun factories, naval stations, and arsenals of the United States Government is hereby granted 30 days' leave of absence each year, without forfeiture of pay during such leave: *Provided*, That it shall be lawful to allow pro rata leave only to those serving 12 consecutive months or more: *And provided further*, That in all cases the heads of divisions shall have discretion as to the time when the leave can best be allowed.

Mr. PITTMAN. Mr. President, I desire to place that amendment at the end of line 21, page 174, instead of at the heretofore-named point. I think the chairman of the committee will see that it is more appropriate at that point. If there is no objection, I will ask that the position of the amendment be changed as I have indicated.

The object of this amendment, Mr. President, is to grant to one of the departments working under the Government the same conditions of labor that have heretofore been granted to nearly all of the rest of them. There may be reasonable ground for argument as to the length of time that shall be allotted for vacations to employees, but there should be no ground for argument that all men engaged in a similar character of strenuous and continuous physical labor should be treated alike. If 30 days' vacation is deemed necessary to the health and to the efficiency of men of a class, then it should extend to all of them. If 15 days is considered sufficient, then it should extend to all in the same character of service.

In other words, there is an apparent discrimination here against some of the laborers under our Government; and I do not believe any of us here desire to permit an actual discrimination against any class of Government employees. If some of them are getting too much, that is a subject of argument; but I take it that at the present moment this body has not the time to go into a general debate as to the exact number of days of vacation in a year that are essential to the health and efficiency of laboring men, and that the only question we will determine now is the question of a discrimination.

I will also state that I believe every Senator here is satisfied that men who do hard, continuous physical labor must have a certain amount of rest during the year; that that rest is essential, not only to their health but to their efficiency. I know that it has been my experience, not only in the employment of labor but in actual physical labor, which I engaged in for two years continuously, that if an employee can not look forward to some time when he will have a vacation or rest he is seeking that rest all the time. He gets into a state of discouragement. He gets into a hopeless condition, and he believes that all he can do is to loaf on the job. That leads to inefficiency, and it is inhuman.

I take it that there are none of us but agree that there should be a certain period allotted wherein these men will have an opportunity to recuperate. Now, let us take the position of our Government. These men are essential to the Government work. We can not afford to lose them, and yet every year there is a time when all of these men are not needed, and they must be laid off. This amendment provides that they may be laid off at such times as the Government decides. It is really not interfering at all with the work. Now, then, you come down to the question of additional cost.

I know it is contended that if you give these men more vacation on pay than the private institutions of a similar character do, the Government can not compete. The Government is not competing, mind you, in the cost of manufacturing material, but in the cost of obtaining it. When the profit to the private manufacturer is added it amounts to more than this may enhance the cost of manufacture by the Government. It has always been customary for us to compare the cost to the Government with the cost to the private manufacturer, when, as far as the Government is concerned, the profit of the private manufacturer is added to the cost to the private manufacturer when the Government purchases from such private manufacturer. There is no question that this will not drive the Government out of business.

There is another phase of this question, and that is this: We are endeavoring to get the very best men we can for our Government work. The private factories of the same kind are making the same effort. In the testimony before the Naval Affairs Committee upon the armor-plate bill, Mr. Grace and other gentlemen constantly testified that in their opinion the Government would find great difficulty in finding men to run the armor-plate factory, because they themselves were reaching out everywhere and getting the very best men that could be obtained and paying them the very highest wages. Not only that, but these private institutions are constantly going into the cooperative system with their employees. They are allowing the men to participate in the profits in addition to their salaries. That is another inducement.

If we want the very best men for the Government, we have to hold out inducements to them. There can be no question about that. We come down to just this simple proposition—that men are more efficient when they are given sufficient time in which to recuperate. Men are more ambitious in their work when the Government gives them a reasonable time to recuperate.

But you say: "Why allow these men to recuperate on pay?" Because they can not recuperate in any other way. That is the only answer. Why, if a man under wages is dragged down by a family under existing conditions, it is impossible for him to quit his position for 30 days and not receive any pay during that time. If we want those men to recuperate, and we do want them to recuperate, we have to pay them during that period of vacation. You come right back to the same proposition.

Look at the men under the Government who are given 30 days' leave of absence with pay. In the executive departments there are 22,965 men getting 30 days' leave with pay. In the Bureau of Engraving and Printing there are 4,000 men getting 30 days' leave of absence with pay; in the Government Printing Office there are 3,625 men who are getting 30 days' leave of absence with full pay; in the Immigration Service there are 1,658 men getting leave of absence of 30 days with full pay; in the Customs Service 6,443 men are getting leave of absence with full pay; in the Isthmian Canal Service there are 6,000 men who are getting 30 days' leave of absence with pay.

Then when you come to these men working in the navy yards, gun factories, naval stations, and arsenals, where we find the very hardest character of physical work, work that requires continuous attention, work which requires a high type of mechanic, we give them only 15 days. I ask you in all fairness is that discrimination right? Should they not have exactly the same number of days of leave of absence as those who are now getting 30 days?

If the whole system is wrong, then open it up for consideration, but if there is any question about it, do not discriminate. Let us take up the other question as to what is the reasonable

time at some other date and consider them, and at this time place these men on an equal basis with all the other employees of the Government.

Mr. OLIVER. Mr. President, no private employer of labor in the country could maintain himself if he gave to every man in his employ 30 days' leave of absence with full pay unless the same policy were adopted by all. The fact that at different times certain classes of employees have succeeded in obtaining this privilege is no argument in its favor. I do not believe in extending it. I think two weeks leave of absence each year with full pay is right; I will vote for it for any class of employees, but beyond that I do not think that either the Government or private employers should be compelled to go.

I understand that this amendment is the same as a bill which has been passed by the House and is now before a committee of the Senate. When it comes before the Senate for action let it be passed in the usual way. I do not think that it ought to be embodied in a general appropriation bill for which we will all be expected to vote when the time comes for final action upon it.

I therefore, Mr. President, feel constrained to make a point of order against the amendment, that it is general legislation on an appropriation bill.

Mr. PITTMAN. Mr. President, before the Chair rules on the point of order I want to discuss the point of order briefly.

Mr. OLIVER. I presume that under the rule the point of order is not debatable unless the President himself requests it. Am I correct?

The PRESIDING OFFICER. The temporary occupant of the Chair would like to hear the Senator and the chairman of the committee for a moment.

Mr. OLIVER. Then I withdraw it.

Mr. PITTMAN. I take it the point of order is based on the ground that it is general legislation. It was held by the President of the Senate a few days ago that if the House incorporated general legislation in an appropriation bill and it came to the Senate, then the Senate, as far as that general legislation was concerned, might amend it and amplify it as they saw fit. In other words, general legislation having come from the other House, a body over which we have no control, it would not necessarily have to stand or be stricken out but it might be amended to conform to the wishes of this body. I think that was established the other day.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Utah?

Mr. PITTMAN. I do.

Mr. SMOOT. I think the Senator broadens the decision of the Chair. As I remember the decision of the Chair, it was that if the House had put into this appropriation bill legislation affecting existing legislation an amendment on that particular subject offered in the Senate would be in order, but I do not think the Chair ruled that if the House placed general legislation in an appropriation bill then general legislation could be put upon it in the Senate.

Mr. PITTMAN. The matter under discussion at that time was the Dental Corps, which the House had not legislated on at all.

Mr. SMOOT. Yes; the House had legislated on that branch of the Navy, and because they had legislated on the Marine Corps, of which the Dental Corps is a part, the Chair held that the House legislating upon that particular subject the Senate had a right to add to or take from it.

Mr. PITTMAN. Yes; the House legislated on medical officers. The Senate construed dental officers to be medical officers, and therefore that the enlargement of the subject by the Senate was permissible, the House having initiated it.

Now, then, the principle was enunciated by the Senator from California [Mr. WORKS] most clearly. He stated that when an appropriation bill came from the House we could not be bound by the terms of that bill because it contained general legislation; that we had no control over the rules of the House, and no power to prevent the introducing into appropriation bills subjects of general legislation, although such procedure would not be permitted in the Senate; and that the subject having been opened up by the House, this body was then at liberty, by proper amendment, not only to strike it out or adopt it, but to change it in any particular that would meet its approval. I take it that that is the reason on which this whole question is based. It is a question of reasoning. It is up to the President of the Senate to determine whether or not this amendment is simply following along the lines of legislation that is already in the bill as it came from the House.

Mr. OLIVER. I should like to ask the Senator if he will read the provision in the House bill that connects up this amendment?

Mr. PITTMAN. I will see if I can find it for the Senator. But we are getting the principle down first, and that is as to whether or not this amendment is simply an enlargement or a modification of legislation that comes from the House. If it is, then it is not subject to a point of order. It is within the discretion, first, of the Chair to determine whether or not this amendment is enlarging or modifying the legislation that comes from the House, and, second, it is within the discretion of this body.

Now, let us see what we find on page 174, where this amendment comes in. Commencing at line 6, this power granted to the Secretary of the Navy over the hours of labor of certain employees is in the following language:

> To provide for the speedy construction of the vessels herein authorized and for the additional cost incident thereto, including the employment of more than one shift of labor per day, overtime work, and the speedy delivery of material, the Secretary of the Navy, in his discretion, is hereby authorized to increase the total cost of each of said vessels, including armor and armament, not to exceed 20 per cent thereof if any of said vessels be constructed in Government navy yards; and if any of said vessels or the armor or armament for same be constructed by private contract, the Secretary of the Navy, in his discretion, is hereby authorized to prescribe in the contracts for same provisions for the payment of premiums over and above the contract price, not to exceed 20 per cent thereof, for the most expeditious delivery of same, and further provisions for penalties for delays and failure to complete within the contract time.

What does that legislation mean? The Secretary is given control over those employees. He is authorized to employ them overtime. He is authorized to employ more than one shift. In other words, he is authorized to do what he considers best for the expedition of this work. We may agree with the House that the Secretary be allowed to work these men overtime, but at the same time we can say to him, "You shall give them at least 30 days' leave of absence once in a year." Why not? We are authorizing him to work them overtime, and we authorize him in the same provision to give them a vacation. It is dealing with the number of hours of work rendered; it is dealing with overtime; it is dealing with extra shifts of work; it is dealing with the handling of these same employees—and I contend, when it is authorized by the House to work them overtime and to work extra shifts, we have a right in the same connection to say that you must also give them 30 days' vacation. The very reason of it must follow. We have no right to say that he may work these men overtime in extra shifts and in the same voice hold that we can not say to him, "You shall give these men a reasonable vacation."

I contend that the amendment is simply an enlargement in one sense and in another a restriction upon the authority given in that paragraph by the House; in other words, that he can work these men overtime in an extra shift, but that they must have 30 days' vacation in a year with pay, just the same as the employees in other departments.

Mr. SMOOT. Mr. President, I am interested in maintaining the rules of the Senate. If the position taken by the Senator from Nevada be a correct one, we might just as well repeal Rule XVI. The bill would be complete without the amendment of the Senator from Nevada. If the amendment is not adopted it will not affect any program of reorganization as outlined in the bill.

In the case of the amendment against which the point of order was raised the other day, if the point of order had been sustained against the amendment and it had gone out of the bill, then the reorganization would not have been complete. But if this amendment is not adopted it will not in any way interfere with the program of reorganization as outlined in the bill.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from North Dakota?

Mr. SMOOT. In just a moment I will be through. The law provides for leave of absence in every department of the Government. If that leave of absence is changed from the present law it is certainly new legislation, and if this amendment is adopted it is placing new legislation upon an appropriation bill without a question of doubt in my mind.

I am not speaking as to the wisdom of the amendment, but I am speaking only as to the rules of the Senate. It is a violation of Rule XVI.

Mr. GRONNA. I wish to ask the Senator from Utah a question. Might not the amendment offered by the Senator from Nevada affect the very men on whom the ruling was made the other day, namely, this Dental Corps—that the men employed in the Dental Corps should be given 30 days' leave of absence?

Mr. SMOOT. No, Mr. President; not in any way. It could have no effect whatever upon the number who would be employed in the Dental Corps; it could have no effect upon their salary; it could have no effect upon the proposed organization within the corps or affect the complete organization as out-

lined in the bill. The only way the corps could be affected would be to offer the amendment to the Dental Corps section to grant them an additional leave of absence.

Mr. GRONNA. May I ask the Senator from Utah another question? To whom would this 30 days' leave of absence be allowed under the amendment offered by the Senator from Nevada?

Mr. SMOOT. To the employees in arsenals, navy yards, and so forth.

Mr. GRONNA. For that reason it would directly affect the amendment we had under consideration the other day.

Mr. SMOOT. No; the amendment which was adopted the other day affected the Dental Corps only and was complete in itself. This amendment would have the effect of changing existing law by increasing the number of days of leave of absence granted to the employees in the arsenals and navy yards. That is all there is to it.

Mr. GRONNA. According to the ruling of the Chair on that particular day, I believe the Senator from Nevada is right. I believe we have as much right to accept the amendment offered by him as we had to accept the amendment that was under discussion the other day. I wish to read the ruling of the Chair on that occasion:

The VICE PRESIDENT. Notwithstanding the rule of the Senate to the effect that general legislation may not be attached to an appropriation bill, still when the House of Representatives opens the door and proceeds to enter upon a field of general legislation which has to do with a subject of this character the Chair is going to rule, but of course, the Senate can reverse the ruling of the Chair, that the House having opened the door the Senate of the United States can walk in through the door and pursue the field.

Mr. SMOOT. That is correct.

Mr. GRONNA. This amendment, then, is simply pursuing that particular field.

Mr. SMOOT. The field that is to be pursued under this amendment is to increase the leave of absence for certain employees of the Government, and the House did not legislate upon that subject directly or indirectly.

Mr. GRONNA. It affects every employee in the Navy Department.

Mr. SMOOT. The House has not inserted in the bill one word about increased leave of absence, and that is the subject before the Senate at this time. What the Chair has to rule upon is whether the amendment offered by the Senator from Nevada is general legislation, and if it is changing existing law it is general legislation upon an appropriation bill.

Mr. OLIVER. I should like to hear the amendment read.

The PRESIDING OFFICER. The amendment will be read.

The SECRETARY. On page 174, after the amendment heretofore agreed to, after line 21, insert the following:

That each and every employee of the navy yards, gun factories, naval stations, and arsenals of the United States Government is hereby granted 30 days leave of absence each year, without forfeiture of pay during such leave: *Provided*, That it shall be lawful to allow pro rata leave only to those serving 12 consecutive months or more: *And provided further*, That in all cases the heads of divisions shall have discretion as to the time when the leave can best be allowed.

Mr. PITTMAN. Mr. President, the other day the question before the Senate when this ruling was made by the Vice President which has just been read was on an amendment first introduced in this body in behalf of the members of the Dental Corps. It changed the law with regard to the Dental Corps. It absolutely changed the law affecting dentists. There was a provision in the bill for doctors as it came from the House, there was a provision in the bill for a Hospital Corps as it came from the House, but not for dentists, and the Senator therefore introduced this amendment.

I will read only a line or two, but it will give the Chair the object of the amendment.

NAVAL DENTAL CORPS.

That the President of the United States is hereby authorized to appoint and commission, by and with the advice and consent of the Senate, dental surgeons in the Navy at the rate of one for each 1,000 of the authorized enlisted strength of the Navy and Marine Corps, who shall constitute the Naval Dental Corps, and shall be a part of the Medical Department of the Navy. Original appointments to the Naval Dental Corps shall be probationary for a period of two years and may be revoked at any time during the probationary period by the President: *Provided*, That the rank of such officers of the same date of appointment among themselves at the end of said probationary period shall be determined by the recommendations of an examining board appointed by the Secretary of the Navy.

Now, it goes on for two pages enacting entirely a new law with regard to these dentists that was never taken up in the House at all.

Now, then, the very skillful Senator from Utah, this wonderful parliamentarian, was the other day maintaining a stand, I believe, if my memory serves me right, just the opposite from what he is now taking. He was contending, as I recollect it, that because the House had permitted general legislation with regard to medical officers, it opened the door for a consideration of the whole subject by this body.

Mr. SMOOT. The Senator is mistaken in that. I could not have made that statement. I did not speak upon the question.

Mr. PITTMAN. General legislation, we are to understand, with regard to dentists, when the House mentions nothing in regard to dentists at all, is permissible. General legislation with regard to labor is not permissible. When you are discussing a new law for the benefit of dentists, then they believe in having the door opened to the whole subject because the House has legislated on doctors. When there is a bill passed by the House which grants to the Secretary of the Navy the authority to work employees in this Government overtime, to work them extra shifts, to get all of the work he can out of them for the purpose of expediting work in these factories, and to pay them more for it if necessary, they say it is not germane; that having given absolute control over these men for the purpose of working them overtime, it is not germane to say in the same voice, "Yes; but you shall also give them rest some time." It is far more germane than was the amendment the other day upon which the ruling was made.

But I do not care what the Senator from Utah gave as his construction of this ruling. The Vice President has given his construction of it, and it has been read by the Senator from North Dakota [Mr. GRONNA].

The construction is plain that when the House opens the door of general legislation this body is not restricted in going on with it to its legitimate end and to its satisfaction. That is the only thing; that is what the Vice President said, and there was no appeal taken, and it became the ruling of this body. The House opened the door for new legislation with regard to doctors and the Hospital Corps. That body having opened the door with regard to doctors and the medical men, we are going on and extending it to all other character of men who may be engaged in any branch that might be called medical, and, therefore, we take in dentists. That is what the Vice President said—the House opened the door—and I say the House has opened the door to this form of general legislation by attempting to legislate upon the hours of labor of these men, by attempting to legislate upon overtime work, by attempting to legislate upon extra shifts. The whole subject is dealing with the work of these employees. That is all it amounts to. The House has seen fit to deal with the labor of these employees, and having seen fit to deal with their labor and with their wages, it is now perfectly germane and right that this body should go further and should say, yes, if you are going to work these men overtime and in extra shifts, then you shall give them the vacation that other men get.

Mr. GALLINGER. Can the Senator tell me whether the existing law provides for the employment of more than one shift and overtime work? Has the Senator examined that?

Mr. PITTMAN. No; I am not interested whether it does or not.

Mr. GALLINGER. Well, I am.

Mr. PITTMAN. The Senator probably knows——

Mr. GALLINGER. I ask the Senator if he can answer my question.

Mr. PITTMAN. The Senator probably knows what he is interested in; I think the eight-hour law prohibits it.

Mr. GALLINGER. Mr. President, I have only a word to say. There have been some most extraordinary departures from the old-time rulings of this body. I am not going to criticize them, believing that in due time they will be corrected, but I want to say that this amendment is most extraordinary, and is clearly general legislation. The text of the bill as it came from the House provides as follows:

To provide for the speedy construction of the vessels herein authorized and for the additional cost incident thereto, including the employment of more than one shift of labor per day, overtime work, and the speedy delivery of material, the Secretary of the Navy in his discretion is hereby authorized to increase the total cost of each of said vessels.

I assume that the proposed increase in the total cost of vessels is to provide for payment for overtime work and has nothing whatever to do with the question of granting leaves of absence. The two subjects are absolutely dissociated and as far apart as it is possible for language to make it.

Whatever the ruling of the Vice President may have been on another occasion—which I did not hear, not having been in the Chamber—I confess that, to my mind, it would be an extremely dangerous precedent for this body to establish if it should hold that because a bill coming from the House of Representatives has a provision in reference to the construction of vessels covering the employment of labor therefore we could extend it to grant privileges that the other House had not taken into

consideration at all. To my mind the question is so clear that I feel quite sure as to what the ruling of the Chair ought to be. In thus insisting that the rules of the Senate shall be carefully guarded I do not commit myself on the general proposition as to whether the leaves of absence of these men should be extended, provided the change shall be made on a bill reported from a committee after due consideration.

Mr. PITTMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Nevada?

Mr. GALLINGER. Yes.

Mr. PITTMAN. Did the amendment adopted on page 49 of the bill the other day in reference to the Naval Dental Corps change the existing law?

Mr. GALLINGER. As I have remarked, I was not present when that matter was discussed.

Mr. PITTMAN. I mean—and the Senator is familiar with the amendment, and knows as to the Dental Corps——

Mr. GALLINGER. Yes; I am very familiar with that.

Mr. PITTMAN. That question being decided in that way, did it change the law existing prior to that time?

Mr. GALLINGER. I presume it did, but I was not present when the point of order was discussed, but even if it did change existing law, I do not see what relationship it has to this question.

Mr. OLIVER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Pennsylvania suggests the absence of a quorum.

Mr. PITTMAN. Mr. President, I object. I had the floor, and the Senator from Pennsylvania did not ask the Chair for the floor. I did not yield.

The PRESIDING OFFICER. The Senator from New Hampshire [Mr. GALLINGER] has the floor.

Mr. OLIVER. I was under the impression that the Senator from Nevada [Mr. PITTMAN] had yielded the floor.

Mr. PITTMAN. I had yielded the floor to the Senator from New Hampshire.

The PRESIDING OFFICER. The Senator from New Hampshire has the floor.

Mr. OLIVER. If the Senator from New Hampshire has the floor, then, with his permission, I suggest the absence of a quorum.

Mr. GALLINGER. I yield to the Senator for that purpose.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Husting	Owen	Smoot
Broussard	James	Page	Sterling
Bryan	Johnson, Me.	Penrose	Stone
Catron	Johnson, S. Dak.	Phelan	Sutherland
Chamberlain	Jones	Pittman	Swanson
Clapp	Kern	Poindexter	Taggart
Clark, Wyo.	La Follette	Ransdell	Thomas
Culberson	Lane	Reed	Thompson
Cummins	Lee, Md.	Shafroth	Tillman
Curtis	Lodge	Sheppard	Townsend
Gallinger	McCumber	Sherman	Underwood
Gronna	Martine, N. J.	Simmons	Vardaman
Harding	Nelson	Smith, Ariz.	Wadsworth
Hitchcock	Norris	Smith, Ga.	Walsh
Hollis	Oliver	Smith, Md.	Williams
Hughes	Overman	Smith, S. C.	

The PRESIDING OFFICER. Sixty-three Senators having responded to their names, a quorum of the Senate is present. The Senator from Nevada.

Mr. PITTMAN. Mr. President, for the benefit of Senators who have just come into the Chamber, I desire to restate the proposition. I have offered an amendment, on page 174, in line 21, proposing to grant the employees of the navy yards and gun shops 30 days' leave of absence, the same as is granted in the other departments of the Government, the names of which I have read.

The Senator from Pennsylvania [Mr. OLIVER] makes the point of order that my amendment is general legislation on an appropriation bill. The Senator from Nevada contends that, under the ruling of the Chair made a few days ago on the Naval Dental Corps matter, the question has been decided adverse to the point of order. On page 49 of the bill will be found an amendment reported to the Senate entitled "Naval Dental Corps." There was no legislation in the bill as received from the House of Representatives with regard to the Dental Corps. The amendment with regard to the Naval Dental Corps changed the existing law; it established a new law with regard to the Dental Corps and a point of order was made against it, which was argued most strenuously in this body on the ground that it was new legislation and on the ground that it changed existing law. Both of those objections were true. It did change existing law; it was new legislation; but those who stood for the amendment said, "Yes; but the other House has legislated with regard to the Medical Corps and with regard to the Hospital Corps, and this is a part of the whole general subject." Then the Vice President, in ruling, said that the House having opened the door by general legislation, this body might continue it on to perfection. For the benefit of those present I now ask the Secretary to read the ruling of the Chair upon the Naval Dental Corps provision.

The PRESIDING OFFICER. The Secretary will read as requested.

The SECRETARY. Reading from the CONGRESSIONAL RECORD of Saturday, July 15, 1916, page 11087:

> The VICE PRESIDENT. Notwithstanding the rule of the Senate to the effect that general legislation may not be attached to an appropriation bill, still when the House of Representatives opens the door and proceeds to enter upon a field of general legislation which has to do with a subject of this character, the Chair is going to rule, but of course the Senate can reverse the ruling of the Chair, that the House having opened the door the Senate of the United States can walk in through the door and pursue the field.

Mr. PITTMAN. Now, following that ruling, the door was opened; and because, forsooth, the House had legislated with regard to doctors, this body legislated with regard to dentists. That is the whole thing.

I have offered an amendment on page 147 with regard to the hours of labor of laborers in the navy yards and other Government works, with regard to the number of days that they shall work in a year. The question now is, Is that germane—whether the subject of labor and the hours of labor of these men have been opened up in the other House, and whether the door is, therefore, open in this body? That is the only question. Now, let me read what the House has provided. They authorize the Secretary of the Navy to do this:

> To provide for the speedy construction of the vessels herein authorized—

And what else?—

> and for the additional cost incident thereto, including—

Now, mark this—

> the employment of more than one shift of labor per day, overtime work, and the speedy delivery of material.

The "overtime work" of these men is certainly dealing with labor in those institutions; and I say that my amendment deals with the number of days that these men can be compelled to work in a year. If this bill deals with overtime and with extra shifts, is it not dealing with the hours of labor in those institutions? Is it not dealing with the condition of labor in those institutions? Therefore is not an amendment which says you can not work these men over 11 months out of 12 in keeping with it? Does not this amendment limit the number of hours that these men may be worked in these shops in 12 months? Does not the provision of the other House grant permission to work them overtime? The House grants permission to work them overtime, and we say: "Yes, you may work them overtime, but there is a limit beyond which you shall not work them; there are 30 days in the year during which you shall not work them."

Mr. SMITH of Georgia. Mr. President, will the Senator allow me to ask him a question?

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Georgia?

Mr. PITTMAN. With pleasure.

Mr. SMITH of Georgia. Can the Senator tell us whether this is a grant of power to work overtime? Did these men not previously work overtime? Did they not work in shifts before? Is not this really simply a provision with regard to what the vessels were to cost? A certain sum being fixed as to the cost of the vessels, the additional provision is made that the cost may be 20 per cent more if they resort to what they already had a right to do—work overtime—or resort to what they already had the right to do—work two shifts; that is, if extra work had to be done to finish the construction of the vessels, then the cost might be increased. It is a question of fact as to existing legislation, as to which I thought possibly the Senator from Nevada could inform us.

Mr. PITTMAN. Senators have all done me too much honor in thinking that I was familiar with all these subjects.

Mr. SMITH of Georgia. My impression is that the men could work overtime before; that they could work two shifts before; and that this is simply a provision allowing an increase of the charge, and not adding anything at all to the way in which the men are to be worked.

Mr. PITTMAN. I imagine that the Senator might advise me with regard to those subjects, if he has any information about them, rather than to have my advice upon the subject.

Mr. SMITH of Georgia. I thought the Senator might know, and I am not certain in regard to the matter.

Mr. PITTMAN. I have taken it for granted, however, that the other body, the House of Representatives, having the able Committee on Naval Affairs which it has, would not have placed in the bill a useless provision. I take it that when they authorized the Secretary of the Navy to work these men overtime, and to work them in extra shifts, it must mean something.

Mr. SMITH of Georgia. If the Senator will permit me, I desire to ask if that is what the bill does? Is it not an authorization to pay more money if the Secretary has to resort to overtime and has to resort to two shifts, rather than an authority to have two shifts and to work overtime?

Mr. PITTMAN. That is not the language.

Mr. CLAPP. Mr. President, will the Senator pardon an interruption?

Mr. PITTMAN. Just a moment. The language authorizes the Secretary of the Navy to employ more than one shift of labor per day, to require overtime work; and, having done that, it furnishes him with the money to pay for it.

Mr. SMITH of Georgia. That is not the language.

Mr. PITTMAN. I have read the language.

Mr. SMITH of Georgia. I will ask the Senator to repeat it.

Mr. PITTMAN. Very well. It reads:

To provide for the speedy construction of the vessels herein authorized—

The "speedy construction"! Now, how is the speedy construction to be obtained? By labor.

Mr. SMITH of Georgia. Read on.

Mr. PITTMAN. That is the object of this provision—to provide for speedy construction. Now, let us see how that speedy construction is going to be accomplished—

To provide for the speedy construction of the vessels herein authorized and for the additional cost incident thereto—

Incident to what? To speedy construction. Very well. Let me read a little further—

including—

What?—

including the employment of more than one shift of labor per day—

That is the way they are going to secure speedy construction—

overtime work, and the speedy delivery of material.

There are two ways in which that provision is going to speed up the work. One of them is through labor and the other is through the delivery of material. The House has proposed in its bill that the employees may be worked overtime to accomplish speedy construction, and it has also provided for extra shifts to accomplish that speedy construction.

The whole object of that section is what? The whole object of the section is to get up speed; that is all. The object of that section is to expedite work on these ships, as it says. It is a good purpose. It provides for an emergency; it provides that these men may be worked overtime; it provides that they may be worked extra shifts; that is all right. In the nature of things I am opposed to working men overtime; I am opposed to working them in extra shifts; but when an emergency exists, men should be worked overtime and in extra shifts the same as in the case of war. That is what this provision is for. The whole country is faced with an emergency, and we are going to meet that emergency by saying that in the building of these battleships these men may be worked overtime.

I tell you that such legislation, under ordinary circumstances, is contrary to the policy of this Government; it is absolutely in conflict with the eight-hour law; and yet it is reasonable under the circumstances. While we have said that men shall not be worked more than eight hours, the House has recognized that an emergency exists in the building of these battleships, and it has said that the eight-hour law shall not bind the Secretary of the Navy when it becomes necessary to expedite this work; that he may work these men more than eight hours; that he may work them overtime; that he may work them in extra shifts. That is what it says; that is exactly what the House meant, and it has done that.

The bill comes to the Senate in that form, and, under the ruling of the Vice President, the House has opened the door for legislation on that subject, and we are not compelled either to turn it entirely down or to adopt it as it exists.

While this body has no control over the legislation in the other body, when that legislation is placed before us we have a right to re-form it according to our own ideas; and I say that this subject is treated of in the House bill. The House proposed in effect to set aside the eight-hour law in certain emergencies, so that these men can work overtime and in extra shifts, and we come back with an amendment and say, "Very well, with one restriction—there shall be 30 days in the year when these men shall not be worked." That is all there is to this whole thing. I contend the amendment is absolutely germane, far more germane than was the amendment the other day in regard to the Dental Corps to the provisions of the bill which the House had incorporated with regard to doctors.

Mr. LA FOLLETTE rose.

Mr. OLIVER. Mr. President——

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. PITTMAN. I yield to the Senator from Wisconsin [Mr. LA FOLLETTE], who, I think, was on his feet first.

The PRESIDING OFFICER. The Senator from Nevada has the floor. The Chair begs pardon of the Senator from Pennsylvania. The Chair thought the Senator from Nevada had surrendered the floor.

Mr. PITTMAN. I regret that my course is misunderstood, Mr. President.

Mr. LA FOLLETTE. Mr. President, I merely want to ask the Senator——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Wisconsin?

Mr. PITTMAN. I do.

Mr. LA FOLLETTE. I merely want to ask the Senator from Nevada a question. If I understand, the argument of the Senator from Nevada is that the House has changed the status of these men who are employed by the Government and has changed existing law with respect to the hours of service they can be required to perform upon a Government contract?

Mr. PITTMAN. I so interpret it.

Mr. LA FOLLETTE. And the amendment of the Senator from Nevada simply puts a limitation upon this modification of existing law which has been made by the House?

Mr. PITTMAN. That is all I construe it to mean.

Mr. LA FOLLETTE. It seems to me that the amendment comes clearly within the ruling made by the Chair the other day. Here is an amendment of existing law. It affects the time of service of these wage earners employed by the Government, and in order that there shall not be unlimited control given to those in authority over them to require overtime work the Senator from Nevada has proposed to put a limitation upon it.

Mr. PITTMAN. Exactly.

Mr. LA FOLLETTE. It seems to me that it is clearly within the rule.

Mr. OLIVER. Mr. President——

Mr. SMITH of Georgia. Mr. President, this matter really turns upon but one question——

The PRESIDING OFFICER. The Chair thinks the Senator from Pennsylvania rose first.

Mr. OLIVER. Mr. President, I was recognized once before; I claim the floor, and think I am entitled to it.

The PRESIDING OFFICER. The Senator from Pennsylvania has the floor.

Mr. OLIVER. Mr. President, as I understand the ruling of the Vice President in connection with the amendment relating to the Naval Dental Corps, it was to the effect that while general legislation upon an appropriation bill is repugnant to the rules of the Senate and an amendment of that kind would be decided out of order, still, if the House once enters upon the domain of general legislation the Senate can then, in a matter that is germane, add to or take from that by way of amendment, even though what is proposed is in the nature of general legislation.

If this amendment offered by the Senator from Nevada, therefore, could be tied to anything that the House has sent over here, notwithstanding the fact that it is conceded to be general legislation, under that ruling it would be admissible; but, unfortunately, the Senator from Nevada is attempting to attach a piece of general legislation to a provision that is not general legislation at all. Let me read the part of the House bill to which he attaches his amendment and contends that it is germane. It immediately follows the part of the bill which provides for the increase in the Navy. This is the language of the House bill, and it has not been added to in any way by the Senate. I should like to call the attention of the Senator from Nevada to this, because I think even he will be impressed by it:

To provide for the speedy construction of the vessels herein authorized—

Only of the vessels herein authorized—

and for the additional cost incident thereto, including the employment of more than one shift of labor per day, overtime work, and the speedy delivery of material, the Secretary of the Navy in his discretion is hereby authorized to increase the total cost of each of said vessels, including armor and armament, not to exceed 20 per cent thereof if

any of said vessels be constructed in Government navy yards; and if any of said vessels or the armor or armament for same be constructed by private contract—

It then goes on and provides that the Secretary of the Navy is authorized to offer bonuses; but the whole paragraph applies only to the vessels authorized in this particular appropriation bill, and consequently it is not general legislation in any sense. This provision would be admissible as a Senate amendment to any appropriation bill, even if the House had not acted upon it at all. The Senator from Nevada therefore is attempting to put a piece of general legislation upon something which is simply a limitation or an enlargement, if you may call it so, of the powers of the Secretary of the Navy, relating only to a certain number of ships which are provided for in this particular bill. The authority given to the Secretary of the Navy, if any is given in this section, dies with the construction of these ships. The legislation provided for in the amendment of the Senator from Nevada will unless repealed last for all time.

Mr. BRANDEGEE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield to the Senator from Connecticut?

Mr. OLIVER. I yield to the Senator from Connecticut.

Mr. BRANDEGEE. Mr. President, in reading the paragraph just read by the Senator from Pennsylvania, it seems to me that the substantive provision of that paragraph, after specifying for what purposes the authority is to be conferred, simply authorizes the Secretary of the Navy to increase the total cost of the vessels.

Mr. OLIVER. That is all. It has nothing whatever to do with anything that is proposed in the amendment of the Senator from Nevada; but the point which I wish to emphasize is, that this paragraph on page 174 is a short-lived authority given to the Secretary of the Navy, while the amendment of the Senator from Nevada proposes a general provision of law to be placed upon the statute books, and to last until repealed. Therefore it does not come within the ruling of Vice President MARSHALL, given the other day.

Mr. President, I should dislike very much to see the door thrown wider open in these cases, and I trust that nothing of the kind will be done in this particular instance.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield to the Senator from North Dakota?

Mr. OLIVER. I yield.

Mr. GRONNA. May I ask the Senator from Pennsylvania if this does not affect the personnel of the Navy?

Mr. OLIVER. Not at all. The words "personnel of the Navy," as I understand, refer to the officers and enlisted men of the Navy through all the different corps, staff, line, and so on. The workingmen in the navy yards, gun factories, and arsenals do not belong to the Navy; they may come to-day and go to-morrow. The provision does not affect the personnel of the Navy at all.

Mr. SMITH of Georgia. Mr. President——

The PRESIDING OFFICER. The Senator from Georgia.

Mr. SMITH of Georgia. Turning to the former acts upon this subject, I find that they do not contain the language contained in this bill. I find that they do not contain provision for overtime work. I find also, turning to the Senate print of this bill as it came from the House, that these provisions are treated as new legislation by the House, and the question that was occupying my mind is thereby settled. I think this legislation was new legislation on the part of the House, and therefore that the amendment of the Senator from Nevada is in order.

Mr. SMOOT. Mr. President, if the amendment offered by the Senator from Nevada is not general legislation upon an appropriation bill then the House can change one salary, and that would open the door for any Senator to offer an amendment changing the salary of every Government employee and every statutory salary.

That can not possibly be, Mr. President, and that was not what was intended by Rule XVI. If a point of order does not lie against the amendment there might just as well be no Rule XVI, and hereafter legislation of every character can be put upon appropriation bills.

The PRESIDING OFFICER (Mr. ASHURST). The Chair is ready to rule.

The Chair has listened to the very able arguments, and is of opinion that in view of the precedent set by the Vice President and the Senate on the 15th of this month, and considering that the House of Representatives has provided as to how many shifts may be worked, also for a working during overtime, and having proposed to change the general law and stated that a "shift" may work "overtime," the Senate is at liberty to amend such provision.

The Chair therefore overrules the point of order.

Mr. OLIVER. Mr. President, rather than have a ruling of this sort made I would have been willing to withdraw my point of order. I had supposed that the Chair would at least leave it to the Senate to decide. But rather than have this ruling stand as a precedent I feel constrained to appeal from the decision of the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania enters an appeal from the decision of the Chair. The question is, Shall the ruling of the Chair stand as the judgment of the Senate?

Mr. CLAPP and Mr. LA FOLLETTE called for the yeas and nays, and they were ordered.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary proceeded to call the roll.

The PRESIDING OFFICER (when Mr. ASHURST'S name was called). The present occupant of the chair asks to be excused from voting.

Mr. SMITH of Georgia (when his name was called). I have a general pair with the senior Senator from Massachusetts [Mr. LODGE], but as I understand he has the same view of this question that I have I will vote. I vote "yea."

Mr. TILLMAN (when his name was called). Announcing the same transfer of my pair as before, I vote "yea."

Mr. WALSH (when his name was called). I inquire if the senior Senator from Rhode Island [Mr. LIPPITT] has voted?

The VICE PRESIDENT. He has not.

Mr. WALSH. I have a pair with that Senator. I transfer that pair to the junior Senator from Oklahoma [Mr. GORE] and will vote. I vote "nay."

The roll call was concluded.

Mr. REED. I transfer my pair with the senior Senator from Michigan [Mr. SMITH] to the junior Senator from Arkansas [Mr. ROBINSON] and will vote. I vote "yea."

Mr. JAMES. I desire to inquire if the junior Senator from Massachusetts [Mr. WEEKS] has voted?

The VICE PRESIDENT. He has not.

Mr. JAMES. I have a pair with that Senator. I transfer that pair to the senior Senator from Nevada [Mr. NEWLANDS] and will vote. I vote "yea."

Mr. BECKHAM. I am paired with the senior Senator from Delaware [Mr. DU PONT], and therefore withhold my vote.

Mr. GALLINGER. I have a general pair with the senior Senator from New York [Mr. O'GORMAN]. He is absent from the Chamber, and for that reason I withhold my vote.

Mr. CURTIS. I am paired with the junior Senator from Georgia [Mr. HARDWICK], and therefore withhold my vote.

Mr. MARTINE of New Jersey. I desire to announce that the senior Senator from West Virginia [Mr. CHILTON] is detained on public business. He is paired with the senior Senator from New Mexico [Mr. FALL].

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Rhode Island [Mr. COLT] with the Senator from Delaware [Mr. SAULSBURY];

The Senator from West Virginia [Mr. GOFF] with the Senator from South Carolina [Mr. TILLMAN];

The Senator from Connecticut [Mr. MCLEAN] with the Senator from Montana [Mr. MYERS]; and

The Senator from Maryland [Mr. SMITH] with the Senator from Missouri [Mr. REED].

The result was announced—yeas 45, nays 17, as follows:

YEAS—45.

Borah	Johnson, Me.	Pittman	Stone
Broussard	Kenyon	Poindexter	Swanson
Chamberlain	La Follette	Ransdell	Taggart
Clapp	Lane	Reed	Thompson
Culberson	Lee, Md.	Shafroth	Tillman
Cummins	Lewis	Sheppard	Underwood
Fletcher	McCumber	Sherman	Vardaman
Gronna	Martin, Va.	Simmons	Williams
Hollis	Martine, N. J.	Smith, Ariz.	Works
Hughes	Norris	Smith, Ga.	
Husting	Owen	Smith, Md.	
James	Phelan	Smith, S. C.	

NAYS—17.

Brandegee	Jones	Penrose	Walsh
Bryan	Nelson	Smoot	Warren
Catron	Oliver	Sterling	
Dillingham	Overman	Thomas	
Harding	Page	Wadsworth	

NOT VOTING—33.

Ashurst	du Pont	Lea, Tenn.	Saulsbury
Bankhead	Fall	Lippitt	Shields
Beckham	Gallinger	Lodge	Smith, Mich.
Brady	Goff	McLean	Sutherland
Chilton	Gore	Myers	Townsend
Clark, Wyo.	Hardwick	Newlands	Weeks
Clarke, Ark.	Hitchcock	O'Gorman	
Colt	Johnson, S. Dak.	Pomerene	
Curtis	Kern	Robinson	

So the ruling of the Chair was sustained.

Mr. PHELAN. Mr. President, I desire to make a parliamentary inquiry.

It has been stated here that this amendment came from the Naval Affairs Committee as a committee amendment. I understand that the subcommittee of the Naval Affairs Committee considered and rejected it, and that the amendment was polled out. When I was solicited for my name I refused to give it. I desire to know if this amendment has the status of a committee amendment, and, failing in that status, what is its position before the Senate?

The VICE PRESIDENT. The only status of a committee amendment in the Senate of the United States, under the order that was made, is that it has precedence over other amendments. It does not make the slightest difference whether the committee presented it or anybody else presented it; it has been held in order by the Senate.

Mr. PHELAN. What is the right of an individual member of a committee in protesting against the polling out of an amendment to which he was not a party?

The VICE PRESIDENT. He has a right to vote against the amendment.

Mr. PHELAN. That is his only right?

The VICE PRESIDENT. That is all the Chair knows of.

Mr. PHELAN. Mr. President, this is an extraordinary condition. I was in receipt the other day of a letter which is very brief, and which traverses the whole ground so far as an objection may be legitimately made to the adoption of this amendment. I ask that the Secretary may read it.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

JULY 3, 1916.

Hon. JAMES O'CONNELL,
President Machinists' Union, American Federation of Labor, Washington, D. C.

DEAR SIR: You will remember me as being secretary of the Vallejo Chamber of Commerce in 1901, when I started the national fight for building ships in the navy yards.

I desire at this time to call your attention to a matter of the most vital importance to organized labor and a matter which brooks no delay in action.

Some time between 1898 and 1900 Congressman Mudd, of Maryland, introduced into Congress and had passed a bill giving 15 days' leave of absence to all employees of the navy yards with full pay.

When I was making the fight as the secretary of the chamber of commerce through the Vallejo Labor Council and the American Federation of Labor for the building of ships in the navy yards one of the strongest arguments the shipbuilding trusts had against us was the overhead charge of 15 days' leave of absence with full pay and the holidays with full pay, making 22 days' absence with full pay.

They claimed we could not build ships as cheaply with that overhead as could be built by private contractors. You fully remember the fight we had and that two ships were ordered constructed as a test, one at the Brooklyn yard and one at the Newport News.

When Congressman Mudd introduced and had passed the bill giving leave of absence with full pay he did not do it for the good of the mechanics of the country; he did it in the interest of the shipbuilding combine, as I have expressed in all the cards and information I sent to Congress. He was a false friend to labor.

Since that time, through the fight we all made, ships have been and are being constructed in the navy yards, and done successfully.

At the present time we have bid at the Mare Island Navy Yard for the building of the dreadnaught *California* $1,100,000 less than the contractor could build the ship for, and we got the contract.

In every instance, on all work for the War Department in the repairs of the Government transports, we have had to bid against private yards to get the work. We have had to bid for the Navy Department against the private shipbuilders, and if our bid was the lowest, then we got the work; if not, then the private yards got it.

Now, I desire to call your attention to a matter of vital importance to us all and to the American Federation of Labor.

In the present Congress they have passed a bill in the House giving the private shipbuilders 20 per cent bonus for completing the ships on contract time.

In 1895 they were given speed premiums, and I had that knocked out through Congressman Holman, of Indiana, known as the "Watchdog of the Treasury."

Now, the shipbuilding combine are back again with a bonus proposition, and if they should get it on such a ship as the *California* it would amount to $1,600,000. What a swell profit to gouge the National Treasury out of.

Now, Congressman TALBOTT, of Maryland, has introduced into the House, and it has been passed, a bill giving the men employed at the navy yards 30 days' leave of absence with full pay. This, with the seven days' holidays with full pay, with the half holidays on Saturdays with full pay for three months in the year, gives them 43 days a year with full pay.

How are we to complete the *California* at Mare Island or the *Pennsylvania* at the Brooklyn yard with that overhead? Can we complete them within our bids. The increased pay we have to give on account of the activity in shipbuilding and the increased cost of material bar us from completing those ships within the contract price.

The greatest activity ever shown by Congress in the building of the Navy is shown in this Congress, and the shipbuilding combine are getting ready, and they are using the 30 days' leave with pay to put the navy yards in a position where they can not bid successfully against them.

They have planned the greatest raid ever made on the National Treasury, and doing it by making Congress believe that they are the friends of organized labor.

With the 43 days' leave with pay figuring against the navy-yard bidding and the 20 per cent bonus, they will have the sweetest pickings they have ever had.

I have been figuring as the present Congress has passed a blanket appropriation of six million to equip the Boston, Norfolk and Bremerton yards for capital-ship building, we had them beat to a finish, for I figured that they could not compete against us, and all the ships in the future would be built by the navy yards.

But TALBOTT's bill passed the House with a big majority, and I can see that we will not have the building of the ships in the future, for any intelligent man can see we can not build a ship as cheaply at the navy yards as by contract if we have a 43 days with full pay overhead against us.

In 1902 the matter was taken up by the Vallejo Council, and they passed resolutions asking for 30 days' leave with pay. I called your attention to the matter, also Mr. Samuel Gompers, and the matter was ditched.

You should get busy immediately in the Senate and beat this bill, for it is not framed, nor is it in the interest of the workmen of the country. It will bar us from building ships at the navy yard.

I sincerely hope you will give this matter immediate attention, for you know my record. I desire to see the navy yards build the ships, for more men will be working eight hours a day and they will get better pay and better conditions than if working for the contractors; but if the present bill passes, good-by to shipbuilding in the navy yards.

Yours, truly,

GEO. J. CAMPBELL,
Ex-Secretary Vallejo Chamber of Commerce.

Mr. PHELAN. Mr. President, I say that I received that letter. It was indorsed and addressed to me, and at the same time the writer said that he had sent copies of it to the chairman of the Committee on Naval Affairs of this body, to Samuel Gompers, the head of the American Federation of Labor, and to the Secretary of the Navy.

I think it raises a very important question.

My sympathies are wholly with the amelioration of the condition of the laborer. I believe that in granting 15 days' leave of absence with full pay no great violence was done to the ability of this Government to construct vessels in the navy yards in competition with private shipyards, although the private yards worked their men 10 hours and subsequently 9 hours a day; and, as I understand, now they are required on their work for the Government to work their men but 8 hours a day. But the private yards grant no leave on full pay to their men at all, and, as is shown by that correspondence, the men employed in the navy yards, if this provision is adopted, will have 43 days a year on full pay as vacation, in addition, of course to the Sundays. In this letter it is claimed by the writer—who seems to be a friend of labor on easy terms with all these gentlemen who represent organized labor—that that overhead expense will seriously interfere with if not prohibit the construction in the navy yards of the ships, for instance, on our naval program and, what is equally important, the ships which shall be provided by the new shipping bill; because I asked one of the officials the other day where our ships are to be built under the authority of the shipping act when it is passed, and he said: "If we can not have them built in the private yards, we will build them in the navy yards, which admit of indefinite expansion."

The employment by the Government with 15 days' leave on full pay, eight hours of labor firmly established—I believe the other yards seek to evade it; certainly I know they do in private contracts—the assurance of pay by a concern which is certainly solvent—the United States Government—and the interest of the public in their welfare, make it exceedingly desirable for these men to retain their positions and make it important for us, with our responsibility, to see that they do not lose the opportunity of employment. But if by creating this overwhelming overhead expense, in competition—which is the practice and usage of the Navy to have bids and estimates submitted before deciding where this work shall go—the navy yards lose the construction of these vessels, it is, of course, a matter of small consequence to the Government employees whether they have 15 days more or less, because that proposition involves their very employment itself.

Mr. PITTMAN. Mr. President——

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Nevada?

Mr. PHELAN. I yield.

Mr. PITTMAN. Does not the Senator know that by enactment we can have all of our ships built at the navy yards if there is capacity for them, irrespective of competition?

Mr. PHELAN. I will assume it is true, if the Senator states it.

Mr. PITTMAN. Does the Senator know that we have by enactment provided that half of the ships shall be built in the navy yards and half of them in private yards, or approximately that?

Mr. PHELAN. Is it provided in this law?

Mr. PITTMAN. It has been provided heretofore.

Mr. PHELAN. I am referring to this law.

Mr. PITTMAN. Under the law has not the Secretary of the Navy the right to have these ships constructed where he sees fit?

Mr. PHELAN. I understand that the Secretary of the Navy has the right to have them constructed where he sees fit; but it is the practice of the department to give them out where there is the lowest charge imposed, to be determined by estimates from the navy yards and by bids from private contractors. I suppose it is exceedingly desirable, if there is anybody to speak for the Public Treasury, that competition be invited, because it is the only way to hold down the cost of things. We know the necessity of it in our private business, and why should we not apply the rules of private business to public business?

Mr. PITTMAN. Mr. President——

The VICE PRESIDENT. Does the Senator from California further yield to the Senator from Nevada?

Mr. PHELAN. I do.

Mr. PITTMAN. As a representative of the United States Government and having control of navy yards in which we can build naval ships, would the Senator from California be in favor of meeting the competition with private yards by conforming to the conditions in private yards if the conditions in the private yards were intolerable?

Mr. PHELAN. I understand the Senator to ask, If the conditions in private yards were intolerable, would the competition with such yards be encouraged by the United States Government?

Mr. PITTMAN. Yes; would the Senator encourage it?

Mr. PHELAN. Or would I, personally? As I understand, the conditions in the private yards are not intolerable. That is a very strong word. Under our own laws the private yards give the men eight hours a day on Government contracts. It is toward that eight hours that all the labor movement of the past tended, and now it has been achieved. The private yards do not give vacations on full pay or on any pay, so far as I am advised.

Mr. PITTMAN. Does the Senator favor that?

Mr. PHELAN. No; I have already stated that I think it is reasonable to grant 15 days, as provided now by law, for vacations.

Mr. PITTMAN. Does not that interfere with our competition to that extent?

Mr. PHELAN. It interferes just to that extent.

Mr. PITTMAN. Then which interest is the Senator going to look after?

Mr. PHELAN. There is no proposition before this body to take away the 15 days; but there is a proposition to add to that handicap, under which the Government now labors in its contractual relations with others, an additional 15 days, which I am told by the department amounts to $1,500,000 a year on the basis of the present employment in the yards. That is the handicap—a million and a half a year—which this bill seeks to impose further upon the United States.

To continue this thought for a moment, I desire to say that the Government is laboring under that disadvantage of 15 days. It is a handicap, and yet I do not believe anybody would recall it. But I state, because I have it on the authority of the Navy Department and of the record, that it costs more to-day to construct ships in the navy yards than it costs to construct them in the private yards; and there can be no other reason, in all probability, than that these 15 days are allowed and enjoyed.

Mr. PITTMAN. Mr. President, I should like to know where the Senator gets his authority for the statement that it costs more to build in the navy yards than it does in the private yards?

Mr. PHELAN. I have on my desk here the statistical tables which were elicited in the House investigation in 1913, and, not satisfied with that, I have sent to the department and received this answer, dated July 13, 1916:

NAVY DEPARTMENT,
BUREAU OF CONSTRUCTION AND REPAIR,
Washington, July 13, 1916.

Subject: Comparison of cost of vessels built in navy yards and in private shipyards.

MY DEAR SENATOR: Complying with telephone request from your office at noon to-day, I inclose herewith a tabular statement showing a comparison between navy yard and private construction for vessels completed to date and subsequent to the date of the statement on page 4132 of the CONGRESSIONAL RECORD for February 26, 1913.

It would seem that the latest comparison for battleship construction affords some justification for the statement that navy-yard costs are greater than contract costs. Last December there was widely circulated a statement from the Boston Herald attacking navy-yard construction and costs. The House Naval Committee requested me to comment on this. (See p. 824 of the testimony this year before the House Committee on Naval Affairs.) You will find my comments on pages 867 to 871, inclusive, of the same document. In this connection I may invite your attention to the statement on page 869, about halfway down, to the table at the bottom of page 871, and to the very good showing made—

Good showing made—

by the Mare Island Navy Yard in connection with the construction of the two shallow-draft gunboats, *Monocacy* and *Palos*, where the costs were not only below the original estimates but very much below the only private bid received for the construction of one of these vessels.

Very respectfully,

D. W. TAYLOR,
Chief Constructor, United States Navy,
Chief of Bureau.

Hon. JAMES D. PHELAN,
United States Senate.

Mr. PITTMAN. Did he state that it was below the price bid by private parties?

Mr. PHELAN. The cost was not only below the original estimate of the navy yard but below the only private bid received for the construction of one of these vessels.

Mr. PITTMAN. That was at the Government navy yard, was it not?

Mr. PHELAN. At the Government navy yard. I read the letter as I received it. The only exception of higher cost in the navy yards apparently is made in favor of the Mare Island Navy Yard as having constructed in the one instance just quoted, the *Monocacy* and the *Palos*, vessels at a cost lower than their own estimate and lower than the only private bid that was received.

But as a general proposition it must be admitted that, as the Senators from Massachusetts [Mr. WEEKS and Mr. LODGE] the other day stated, the Government cost is about 10 per cent more than the cost for construction in private yards. I will assume that it is about that. The department concedes that it costs more, and it is because the conditions of employment are better at the Government yards. I am pleading for the preservation of those conditions. By overburdening the overhead charges in such a way as to destroy our ability as a Government in its own yards to construct its own ships we will find that the employment of the men will be lost to them and the conditions of labor in private yards will become worse.

The Government holds up the standards of labor. Do not drive a willing horse to death—do not kill the goose that lays the golden eggs.

The Government has set an excellent standard, and if there is any way by which by force of example the conditions of labor will be benefited in private yards it certainly should have had some influence by this time. The hours of labor have been greatly improved. What I fear is that those men in whom I am deeply interested—the men in the yards and arsenals, and particularly the men who work in the navy yard of California at Mare Island, whose interests I have always served and whom I have indeed gladly befriended—by the enactment in a thoughtless manner without deliberation of a measure of this kind, will ultimately lose their employment, and that the private contractors ultimately will destroy the principle of public ownership and operation and throw us back on conditions, as in the past, unfavorable to labor. There is another feature of this bill, which gives 20 per cent bonus for speeding up. This may mean $2,000,000 on one ship and give the private contractor the whip hand. Should we not go slow and deliberate? Socrates is my friend, Plato is my friend, but Truth is more my friend. I am willing to serve these men, but I want to know, and I am entitled to know, in a deliberative body if it is true that by giving 15 days more time with full pay it will so burden the Government as a handicap that it can not do its work in its own yards in competition with private plants.

There has been no discussion in the committee, as I explained to the Senate; there has been no discussion upon the floor. It is exceedingly unfortunate that this is a political year, and anything which bears the name of labor is lifted beyond the region of honest and fair discussion. I called the attention of Samuel Gompers to this. I called the attention of the departmental officers and Senators to this, and I have heard nothing but a deep, impenetrable silence. I have not received a word from my own people in the yards at California, because you will find in that letter that that gentleman had convinced them, at another period in the history of this matter, that a long vacation with pay will give all the work ultimately to private yards. The constant danger is the governmental employment itself might be destroyed.

I would be very sorry to think that I am the only man in this Chamber who presents this view. I want the facts; that is why I raise the question. I would be very sorry to think that intelligent and organized labor would resent the voice of one who is pleading not that they be deprived of a holiday—all love a holiday—but that they be not deprived of their work. Is it true that with 30 days on full pay, which, with other holidays, exclusive of Sunday, means 43 days a year on full pay, is

going to impair the ability of the Government to construct its own ships, whether for war or peace? And if it does impair the ability, it necessarily will drive the mechanic to shipyards that are going up throughout the country, one of which was projected the other day at Baltimore, to pick up these valuable contracts; and they will get them just as soon and just as long as the Government fetters its own hands. That is the question.

I am here pleading for the men, and I am pained at the silence with which this matter has been greeted, even in places high and charged with responsibility for the interests of the workingman. What is the truth? What is best in labor's cause? It is a most delicate subject, and I perhaps lack delicacy. I feel that by projecting it at this time in the Senate of the United States I am raising a question which will lead to political turmoil and trouble, but that does not worry me so much, Mr. President, as the fear I entertain, after looking into the facts, that the Government of the United States will be deprived of the ability to construct its own ships for war or for peace. That is the main issue before the body in the consideration of this amendment; and I submit that if this assembly is not ready to hear it, having inadequate information, as I have, it should go over, and for that purpose I move, if it is in order, that the amendment be committed to the Committee on Naval Affairs. I can not say, in view of my previous explanations, that it ever came out of the committee. I am sure it was never discussed by the committee.

Mr. PITTMAN. Mr. President, a parliamentary inquiry. Is that motion in order?

The VICE PRESIDENT. The Chair sees no reason why a motion to commit an amendment to a committee is not in order.

Mr. PITTMAN. Mr. President, just a few words. The Senator from California is extremely anxious to prevent these men from being thrown out of employment. I am astounded that he has not been flooded with letters and telegrams from the laboring people of the country instead of having received two letters, one from a chamber of commerce in some little town in California and the other from Mr. Taylor. Mr. Taylor's letter, in referring to the only contract in the navy yard, says that it was not only less than cost but less than any price bid by private parties.

Mr. PHELAN. May I interrupt the Senator to correct him? The letter was not from a chamber of commerce. These bodies I know are looked upon with disfavor in certain circles. The letter is from the ex-secretary of the Vallejo Chamber of Commerce, and Vallejo practically consists of the navy yard, and he speaks as one interested in labor.

Mr. PITTMAN. He speaks as one interested in labor. I have heard others speak as interested in labor. This man from the little town of Vallejo, an ex-secretary of a chamber of commerce, takes such a deep interest in the welfare of labor that he takes upon his own shoulders the great burden of causing them to work more hours and of denying to them the necessary vacation to upbuild them and keep them in a decent condition for work. Oh, I have heard them speak for labor, speak in the interests of the great labor movement of this country.

Where are the great labor organizations? Have any of them come here saying that they were afraid this was some dastardly measure to throw them out of work? It is an impossible thing and does not require argument. Talk about our Government navy yards being abandoned by reason of this amendment!

The Senate is afraid we will have to abandon the use of the navy yards by reason of this amendment. Think of it, that the Government will abandon the use of the navy yards because the men are given 15 days more vacation! If that is the case, the tenure of our navy yards is exceedingly weak. If treating men decently is going to abolish these navy yards, then let them be abolished at once. But how absurd. The Government owns the navy yards. It owns the ships that it is building. It builds its own ships, and it is an absurd thing to stand here and say that people are going to cease to build ships in their own yards. He is attempting to compare the cost of a private-built ship with the cost to the Government. He does not add the profit of the private builder to the price the Government pays.

Mr. PHELAN. Neither have I added the overhead charge, which the private concern does, as against the Government.

Mr. PITTMAN. Yes; and the distinction as to overhead charges is simply this: That in the private yards they have the high-priced superintendent and the high-priced secretary and vice president, and in our Government navy yards the naval officers are at the head of those institutions, the men who should be at the head of them, the men who are the most deeply interested in them, and they are working for the same salary that they would receive whether they are building those ships or fighting in them out on the ocean. Talk about your overhead charges! There is no comparison whatever in overhead charges.

Mr. HARDING. Mr. President——

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from Ohio?

Mr. PITTMAN. I yield.

Mr. HARDING. The Senator from Nevada made a very interesting statement a little while ago, and I desire to request that he elaborate it somewhat. I should like to know what he meant when he referred to intolerable conditions in privately owned shipyards.

Mr. PITTMAN. I asked the Senator from California if there were intolerable conditions in private shipyards which permitted them to build ships cheaper than the Government would he be in favor of having those same intolerable conditions in the Government navy yards so as to meet that competition.

Mr. HARDING. The Senator does not state it now as he stated it before.

Mr. PITTMAN. I said that was the question I asked the Senator. The Senator did not answer that question, but he went on to another situation and said that he did not think the conditions were intolerable.

Mr. HARDING. Will the Senator answer the question, then?

Mr. PITTMAN. Just let me go on a little further. I say that when they do not give their men any vacation at all those conditions are intolerable, and as one of the Representatives of this Government having power to control our navy yards I would consider it intolerable in Government work and would not stand for it.

Mr. HARDING. Does the Senator from Nevada mean that private employment without vacation on pay is an intolerable condition?

Mr. PITTMAN. I consider it intolerable.

Mr. HARDING. Has the Senator from Nevada ever been an employer in his life?

Mr. PITTMAN. I have.

Mr. HARDING. Did you grant employees leave with pay?

Mr. PITTMAN. We did.

Mr. HARDING. I want to proclaim the Senator from Nevada as a very fine example.

Mr. PITTMAN. I thank the Senator for it. I belong to two institutions that have followed that practice, and I want to state that I believe it was not so much a charitable act as it was an act of benefit not only to the men but to the industry, because I believe that when men have a vacation they accomplish more for their employers. I do not believe that you can work a man down to the lowest possible state of vitality, both mental and physical, and get out of him what you can out of a strong, healthy, wholesome man.

Mr. HARDING. Will the Senator yield?

Mr. PITTMAN. I do.

Mr. HARDING. I wish to make another inquiry. I may state before I make my inquiry, without having said very much about it, that as a newspaper publisher I am the employer of union labor. It is not generally advertised, however; it does not seem necessary. I want to ask the Senator from Nevada what line of labor he has been employing?

Mr. PITTMAN. Miners.

Mr. HARDING. What extent of vacation do you grant without pay?

Mr. PITTMAN. Four days in a month.

Mr. HARDING. Other than Sundays?

Mr. PITTMAN. No; Sundays.

Mr. HARDING. Oh! Mr. President, I think the answer is a sufficient argument for the occasion. I did not know that the granting of a Sunday leave of absence was a vacation with pay.

Mr. PITTMAN. It is considered vacation with pay for the men who are working for day's pay and not for a monthly salary. When men are receiving, as they do in our country, $4 and $4.50 a day for eight hours a day's work, if they do not work on Sunday but receive pay for it, they are receiving some consideration. Let me ask the Senator from Ohio a question.

Mr. HARDING. I will be very glad to answer it.

Mr. PITTMAN. At present under the law the employees in the executive departments are getting 30 days leave of absence. Does the Senator approve that?

Mr. HARDING. I have no objection to it, if the Senator wants an explicit answer.

Mr. PITTMAN. That is what I want. I want to know your view of this matter. There are in the Bureau of Engraving and Printing 4,000 employees getting 30 days leave of absence with full pay. Does the Senator approve of that?

Mr. HARDING. I make this reply to the Senator from Nevada: Confessing in the beginning that I have not yet

acquainted myself with the unlimited opulence of public employment to make this distinction, but we make this distinction in private practices, which are usually of a pretty good character for Government operation, because private practices are founded usually on sane business methods, the clerical force in a great business institution which has no fixed time of labor may be given two weeks or a month's leave with pay, whereas the united laboring force which exact from the employer time and a half for overtime, and is very explicit in their hours, are limited to the literal compliance with their contracts. I think that would be quite fair in the Government dealings with its employees. So far as I know the clerical force working for the Government works according to the needs of the occasion. But I undertake to say no organized labor employee of the United States Government works one moment over the contract time, and that creates a different situation.

If the Senator from Nevada can contrive some successful means of doing so, I should like to have him, as a friend of labor, not only provide for a 30-day leave of absence for Government employees in these shops, but provide, in addition, for a 30-day leave of absence for every toiler of this country in the Government pay. Let us make the thing complete.

Mr. PITTMAN. I will accept such an amendment if the Senator will offer it.

Mr. HARDING. Very well; then we are agreed.

Mr. PITTMAN. Mr. President, I have nothing more to say on this amendment except that the motion to recommit is just another form in which it is attempted to kill it.

Mr. CUMMINS. Mr. President, I desire to ask a question of the Senator from Nevada. I want to understand his amendment better than I do now. Is it the law that these employees shall have a half a day in the week for 26 weeks? Is that a matter of law or is it a matter of regulation?

Mr. PITTMAN. I myself know of no law to that effect.

Mr. CUMMINS. I want to know whether the effect of the amendment, if adopted, would be to give to our employees 43 week days a year with pay and without work?

Mr. PITTMAN. It has been construed by the comptroller that it means 30 days.

Mr. CUMMINS. I am in favor of 30 days leave; that does not seem to be unreasonable; but I do not believe it would be quite fair or right to give employees anywhere 43 week days in a year with pay and without work.

Mr. PITTMAN. The same provision with regard to the other employees that I have read has been construed by the Comptroller of the Treasury to mean 30 days.

Mr. CLAPP. As I understand, Mr. President, the afternoon vacation or recess, whatever you may call it, of employees generally——

Mr. SMOOT. The Saturday afternoon.

Mr. CLAPP. The Saturday afternoon is not counted as a part of the 30-day annual leave. To add it up in the various departments, or any of them where it is allowed, would make, I presume, over 45 days.

Mr. SMOOT. Mr. President, I will ask the Senator from Nevada if the employees referred to in his amendment are allowed sick leave?

Mr. PITTMAN. They are not.

Mr. SMOOT. I will say to the Senator that the employees in the other departments of the Government are allowed sick leave. Thirty days' leave of absence; half a day on every Saturday, during the summer months; a sick leave, I think, of 10 days are allowed.

Mr. SWANSON. Thirty days.

Mr. GALLINGER. Thirty days. They used to get 30 days, I know, for sick leave.

Mr. SMOOT. I may be mistaken in stating the sick leave as being for 10 days; but, at least, I know it is that much, and in some cases it is 30 days, as is suggested.

Mr. PITTMAN. They have not the sick leave.

Mr. SMOOT. Does the Senator from Nevada know that?

Mr. PITTMAN. I do know that. I discovered that after investigation. I have investigated the matter most carefully, and I have read the hearings held by the committee of the other House. I have also talked with heads of departments, and I find no sick-leave provision. As I have stated, I have examined the subject, and I say there is no sick leave.

Mr. SMOOT. The employees under the amendment of the Senator from Nevada, if it be adopted, will be given 30 days' leave of absence, a half holiday on Saturday, 7 legal holidays, and are there not other leaves of absence granted them?

Mr. PITTMAN. I do not know. I will state that, with the exception as to the sick leave, for which there is no provision in this department, they have been treated with regard to the 15 days' leave of absence just the same as have the others with regard to the 30 days' leave.

Mr. CUMMINS. Mr. President, I hope the Senator will make that clear in his amendment, for it will make a great deal of difference in my attitude toward it, at any rate. I do not believe that we ought to give these employees 43 or 45 week days a year with pay and without work; but I do think we ought to give them 30 days. If the Senator has any doubt about that subject, I think he ought to make his amendment so clear upon it that the doubt will be removed.

Mr. PITTMAN. I think that the language is practically identical—that is my recollection, but I will look it up—with the provision for the other executive departments, the Bureau of Engraving and Printing, and the Government Printing Office, with the exception as to the sick leave.

Mr. CUMMINS. But we are not now dealing with the Government Printing Office or any other bureau; and when the Senate deals with a subject, it ought to deal with it upon the right basis. Does the Senator think these employees ought to have 43 or 45 days without work and with pay?

Mr. PITTMAN. I do not think that 45 days' leave would be too much where it is made up by including a half holiday on Saturday. The real object of this amendment is to give a man 30 days' continuous leave of absence, so that he may go out to the mountains or go down to the seashore, or go somewhere else, in order that he may build himself up. As to whether these employees are going to have the Saturday afternoon holiday or vacation is a matter for separate determination.

Mr. CUMMINS. What do the words "pro rata" mean in the amendment that is before the Senate? The amendment provides that these employees shall have pro rata leave.

Mr. PITTMAN. I will explain what that means. The amendment provides, for instance, that no one shall have a leave of absence unless he has rendered 12 months' service.

Mr. CUMMINS. Consecutive service?

Mr. PITTMAN. Yes; it must be consecutive service. If such service continues on into the second year, in the second year there will be an accumulation to those who have been in the service one year.

Mr. CUMMINS. Does it mean, if an employee serves two years without vacation that in the third year he might have 130 days?

Mr. PITTMAN. It means an accumulation of that kind.

Mr. SMOOT. Mr. President, let me say to the Senator that I have just telephoned the Navy Department in relation to leaves of absence to employees at navy yards, and I am informed that an employee in a navy yard for the first year is allowed 15 days leave of absence. If he serves in the navy yard another year or any portion of a year, he is allowed one day and a quarter for each month's service; in other words, if the employee serves the second year, he is allowed the original 15 days and also one and a quarter days a month, which would amount to 15 days more, making 30 days leave of absence in all the second year. Mr. President, every mechanic under the Navy Department to-day, if he serves over one year and serve for a full two years, receives 30 days leave of absence.

I asked the department whether such employees were allowed sick leave, and I was informed that mechanics are not allowed sick leave, but that all of the clerks are allowed sick leave, just as are the clerks in the other departments. So, Mr. President, if the amendment of the Senator be adopted, each mechanic in a navy yard will be allowed 30 days leave of absence, and that does not take into account the half-day holiday on Saturday or regular national holidays. That is the situation, as I have just learned from the Navy Department, as to leaves of absence in navy yards.

Mr. PHELAN. Mr. President, did I understand the Senator to say that the employee would have 45 days' leave of absence on full pay?

Mr. SMOOT. Nearly so; on full pay if this amendment be adopted.

Mr. PHELAN. I made the statement I did on the authority of the letter I had read into the RECORD.

Mr. SMOOT. I make the statement on the authority of the Navy Department on information received direct within five minutes. To-day such employees for the first year only get 15 days regular leave; but if they serve the second year they get 30 days, the same as in the case of the other departments of the Government. If the Senator's amendment shall be agreed to, then they will receive regular leave of absence of 30 days in every year.

Mr. PITTMAN. No; not in the third year, nor the fourth year, nor the fifth year

Mr. SMOOT. I think it would be the same in all the years after the first.

Mr. PITTMAN. No.

Mr. SMOOT. I asked the question of the Navy Department on the telephone within five minutes whether during the second year——

Mr. PITTMAN. The first year they can not have any leave of absence under this provision.

They have no leave, but the 15 days is added to their leave the second year, making 30 days the second year. Under the amendment those men who receive no leave of absence during the first 12 months would have 45 days the second year, but in the third year they would have 30 days, and in the fourth year 40 days, and in the fifth year 30 days.

Mr. SMOOT. That is not in accordance with what the department told me. The department advised me that in the first year all employees were allowed 15 days' leave of absence, but if they continued their work they earned one and a quarter days' leave each month over and above what they received the first year. If they worked 12 months, one and one-quarter days a month would make 15 days, which, added to the 15 days' regular leave of absence to which they would be entitled for the first year, would make 30 days' leave of absence.

Mr. NORRIS. Mr. President, will the Senator yield?

Mr. SMOOT. Certainly.

Mr. NORRIS. Mr. President, if we agree to this amendment, will not the terms of the amendment itself be the law which will govern the matter? I can not see how anyone can put the construction on this amendment that an employee could have 45 days' leave of absence.

Mr. BRANDEGEE. Mr. President, will the Senator yield?

Mr. SMOOT. It does not repeal the original law providing for leave of absence of 15 days.

Mr. NORRIS. Fifteen days is provided by the law, is it?

Mr. SMOOT. Yes; that is provided by law.

Mr. NORRIS. It ought to be repealed in this act; and I should think it was repealed by implication, at any rate.

Mr. SMOOT. It may be. That I am not discussing; I am only stating the facts as the Navy Department told them to me.

Mr. NORRIS. Of course, I do not want the Government to be placed in the position the Senator describes, but on its face this amendment, it seems to me, plainly provides that 30 days shall be the legal leave of absence, and, if the amendment is agreed to, I should think it would govern and overrule any law on this subject which existed prior to its passage.

Mr. SMOOT. The Senator may be right. I have not read the amendment closely.

Mr. BRANDEGEE and Mr. MARTINE of New Jersey addressed the Chair.

The VICE PRESIDENT. The Senator from Connecticut.

Mr. MARTINE of New Jersey. Mr. President, if the Senator will yield a moment, I wish to say that in conversation with a gentleman who is familiar with this subject——

Mr. BRANDEGEE. Mr. President, I believe I have the floor. I do not like to have a duet going on; I prefer to do a solo act at this time, and if I need any help I will call upon some other Senator to come to my aid; but, until I do, I prefer to be the sole occupant of the floor.

Mr. MARTINE of New Jersey. I have no desire to interfere with the Senator.

Mr. BRANDEGEE. I know the Senator has not, and I do not desire him to have. I thank the Senator very much for his courtesy.

Mr. President, I think the point made by the Senator from Nebraska [Mr. NORRIS] is worthy of considerable attention. It does not certainly appear from the face of this amendment whether or not the 30 days' leave is additional to the leave which the employees are now entitled to. All this amendment says is that each and every employee of the arsenals, and so forth, is hereby granted 30 days' leave of absence. If an employee has in some cases received 15 days and in other cases 30 days already, the query would certainly arise whether this is additional or not, and that certainly ought to be made plain in the amendment.

I want to ask the Senator from Nevada, if he is in the Chamber, and if not, any other Senator who may think he understands this amendment, whether the prorating described in the fifth line of the amendment means that the leave can be taken at the option of the employee two or three days at a time until his 30 days is used up? I also want to ask him, inasmuch as he has stated that leave which was not taken in the particular year during which the employee was entitled to it would be cumulative, what is his authority for that statement?

Mr. PITTMAN entered the Chamber.

Mr. BRANDEGEE. Inasmuch as the Senator from Nevada has just reentered the Chamber, I will repeat my question. I understood the Senator to say that if an employee under existing law did not use all of his leave in one year, it would be cumulative; so that after four years, for instance, if he were entitled to 30 days' leave a year, he would have 120 days' leave with pay coming to him. Does the law so provide at present?

Mr. PITTMAN. No; not at present.

Mr. BRANDEGEE. Then, where does the Senator get his idea that it would be cumulative?

Mr. PITTMAN. I might have misunderstood the Senator, or I might have been misunderstood myself.

Mr. SMOOT. I will say that it is cumulative.

Mr. PITTMAN. I think that the prorating referred to in the amendment relates to a part of a year. For instance, an employee can not get any leave until he has served one year. At the end of the year, I understand, an employee would be entitled to 15 days' leave.

Mr. BRANDEGEE. Let me ask the Senator if at present the employee would be entitled to 15 days, or 30 days, as the case may be, can he take that leave in portions as he may elect, for instance, three days at a time?

Mr. PITTMAN. I can not answer that. I do not know. I know that the pending amendment intends that the Secretary of the Navy shall control the leave of absence. I do not know about the past practice.

Mr. BRANDEGEE. Of course, this proposed amendment provides that in all cases the heads of divisions shall have discretion as to the time when the leave can best be allowed.

Mr. PITTMAN. Yes.

Mr. BRANDEGEE. But it does not provide whether or not the whole 30 days must be taken together in one continuous vacation.

Mr. PITTMAN. No; it does not.

Mr. BRANDEGEE. But the Senator said one of the objects of the amendment was to allow a man 30 days, so that he could go on a considerable vacation if he wanted to do so.

Mr. PITTMAN. Yes; I think so.

Mr. BRANDEGEE. I do not know what the existing law is as to these allowances in other departments; but I do think that if this policy is to be adopted the amendment ought to be carefully redrafted to make it uniform with the allowances made in other departments.

Now, I want to ask the Senator another question, if he will permit me. Is this supposed to be entirely confined to the Navy?

Mr. PITTMAN. No; it is not. It expresses right on its face those to whom it is intended to apply.

Mr. BRANDEGEE. I had supposed it was, inasmuch as it goes on the naval appropriation bill; but I call the attention of the Senator to the fact that the amendment reads:

Each and every employee of the navy yards, gun factories—

I assume there may be gun factories in the country which are making guns for the Army, although I do not know—

naval stations, and arsenals of the United States,

Now, I know there are arsenals that make ordnance for the Army; and I did not know whether or not it was the intention under this amendment to grant this further leave of absence to men employed in the arsenals of the Army or War Department. Does the Senator know?

Mr. PITTMAN. It was the intention of the committee to include those in the same category with all of the others whom I have enumerated.

Mr. MARTINE of New Jersey. Mr. President, will the Senator——

Mr. BRANDEGEE. Not having concluded my remarks nor yielded the floor, I will now make the further inquiry of the Senator whether he does not think that in line 6, where it provides "that it shall be lawful to allow pro rata leave only to those serving 12 consecutive months," it should be "to those who have served" that time?

Mr. MARTINE of New Jersey. Mr. President, will the Senator from Nevada permit me? Inasmuch as there has seemed to be a considerable mix up as to the holidays, I will state that it was my opportunity a moment ago to talk with a gentleman who is connected with the department——

Mr. BRANDEGEE. Mr. President, I rise to a question of order. Has the Senator from New Jersey been recognized as having the floor?

The VICE PRESIDENT. He has.

Mr. BRANDEGEE. It is a very unusual proceeding.

Mr. MARTINE of New Jersey. I will say to the Senator from Connecticut that I felt that the dignified nod of the Presiding Officer's head gave me reasonable assurance that I was recognized, so the Senator from Connecticut need have no worry on that score.

As I say, hearing this discussion, I consulted with a gentleman who is identified with the labor organizations and con-

nected with the Government, hearing, as he did, this discussion, and he gave me this bit of information, which I jotted down:

All Government clerks and employees get seven holidays a year, and all get Saturday afternoons for the three summer months in the year. Other classes of employees, in addition, get 30 days leave, and they get 30 days sick leave. The navy yard and the arsenal get 15 days leave of absence.

That was the gentleman's statement, which, I think, elucidates the situation.

The VICE PRESIDENT. The question is on the motion of the Senator from California [Mr. PHELAN] to commit the amendment to the Committee on Naval Affairs.

Mr. CLAPP. On that I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. PITTMAN. Mr. President, a parliamentary inquiry: Is this roll call on the motion to recommit to the committee?

The VICE PRESIDENT. It is not a motion to recommit. It is on the motion to commit the amendment to the Senate Committee on Naval Affairs.

Mr. PITTMAN. I wanted to understand the matter and the Senate wanted to understand it, because some Senators thought we were voting on the amendment itself.

Mr. GALLINGER. Let the roll call proceed, Mr. President.

The Secretary resumed the calling of the roll.

Mr. OVERMAN (when his name was called). I have a general pair with the junior Senator from Wyoming [Mr. WARREN], and therefore withhold my vote.

Mr. REED (when his name was called). I have a pair with the senior Senator from Michigan [Mr. SMITH]. I transfer that pair to the junior Senator from Tennessee [Mr. SHIELDS] and will vote. I vote "nay."

Mr. TILLMAN (when his name was called). Announcing the same transfer of my pair that I announced on the other vote, I vote "nay."

The roll call was concluded.

Mr. JAMES (after having voted in the negative). I transfer the pair I have with the junior Senator from Massachusetts [Mr. WEEKS] to the senior Senator from Nevada [Mr. NEWLANDS] and will allow my vote to stand.

Mr. DILLINGHAM (after having voted in the affirmative). I observe that the senior Senator from Maryland [Mr. SMITH] has not voted. As I have a pair with him, I withdraw my vote.

Mr. GALLINGER. I have a general pair with the senior Senator from New York [Mr. O'GORMAN]. In his absence I withhold my vote.

Mr. LIPPITT. I have a pair with the junior Senator from Montana [Mr. WALSH]. As he is not present, I withhold my vote.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Rhode Island [Mr. COLT] with the Senator from Delaware [Mr. SAULSBURY];

The Senator from New Mexico [Mr. FALL] with the Senator from West Virginia [Mr. CHILTON]; and

The Senator from Connecticut [Mr. MCLEAN] with the Senator from Montana [Mr. MYERS].

The result was announced—yeas 17, nays 50, as follows:

YEAS—17.

Brandegee	Kenyon	Phelan	Wadsworth
Bryan	Lee, Md.	Smith, Ga.	Walsh
Cummins	Nelson	Smoot	
Harding	Oliver	Thomas	
Hardwick	Penrose	Vardaman	

NAYS—50.

Ashurst	Hollis	Martine, N. J.	Smith, S. C.
Bankhead	Hughes	Norris	Sterling
Borah	Husting	Page	Stone
Broussard	James	Pittman	Swanson
Catron	Johnson, Me.	Poindexter	Taggart
Chamberlain	Johnson, S. Dak.	Ransdell	Thompson
Clapp	Jones	Reed	Tillman
Clark, Wyo.	Kern	Robinson	Townsend
Culberson	Lane	Shafroth	Underwood
Curtis	Lewis	Sheppard	Williams
du Pont	Lodge	Sherman	Works
Fletcher	McCumber	Simmons	
Gronna	Martin, Va.	Smith, Ariz.	

NOT VOTING—28.

Beckham	Gallinger	McLean	Saulsbury
Brady	Goff	Myers	Shields
Chilton	Gore	Newlands	Smith, Md.
Clarke, Ark.	Hitchcock	O'Gorman	Smith, Mich.
Colt	La Follette	Overman	Sutherland
Dillingham	Lea, Tenn.	Owen	Warren
Fall	Lippitt	Pomerene	Weeks

So the motion to commit the amendment to the Committee on Naval Affairs was rejected.

Mr. LEE of Maryland. Mr. President, I offer the following amendment to the amendment offered by the Senator from Nevada:

And provided further, That in arriving at the cost of any unit of construction in navy yards only actual time made shall be charged, and leave of absence hereby granted and extended shall not be charged against any unit of construction in yards.

Mr. President, I voted in favor of referring this amendment to the committee because for a long time I have been interested in navy-yard construction. We have listened here to-day to an argument from the Senator from Nevada [Mr. PITTMAN], who comes from a mountain State and has no actual and immediate experience in navy-yard construction, or knowledge of the long struggle that has been necessary to secure that privilege for the Government and for the laboring classes. I say "to secure that privilege" because the privilege has been, in a measure, wrested from the great ship-constructing companies. On the other hand, we have heard here the argument of the Senator from California [Mr. PHELAN]. He represents a great navy yard and the best interest of the citizens employed there. The opinion of the labor expert, which he sent to the desk and which was read, represents the mature experience of a man who seems to have been for many years in this struggle to secure the construction of Government ships in Government navy yards.

Mr. President, I am very fearful that the adding of this additional leave will be a very short-sighted move from the standpoint of the men who are interested as laborers in the navy yards, because of the fact that naval construction, as it stands to-day, as has been shown by the Senator from California, is already more costly in the navy yards than it is in the private concerns; and to add this further burden to the navy-yard construction is a very dangerous experiment, indeed, for the men whose livelihood depends upon the labor in the yards.

Two years ago, in June, 1914, we had the naval bill up for consideration, and the Senator from New York [Mr. O'GORMAN] endeavored to have an amendment put on that bill providing that the cost of ship construction in navy yards should be the actual cost and should not include the overhead cost or yard maintenance. He was ruled out of order by the Chair. Finally, after several efforts, an amendment which I offered was held in order by the Chair and adopted, which for the first time permitted the actual cost of battleship construction to be obtained by the Secretary of the Navy.

The Senator from Nevada is obviously ignorant of the long struggle that has been going on here to permit the construction of vessels in navy yards and of how hard it was to get at the actual cost of such work. The yard construction is desirable from many standpoints for at least a part of all new ships added to the Navy. It educates the naval officers in detail of construction. It raises the quality of the work done, because quality, strength, and durability are the things sought for in yard construction, rather than profit.

It also has improved the condition of laboring men who are engaged in the work. Their interest and the Government's interest went hand in hand, and finally it enabled the Government to ascertain exactly what the cost of this construction is without regard to the hidden element of profit, which may be greater or less in any case. It was particularly important that the Navy Department should be authorized to ascertain the actual cost of construction, without overhead charges or the charge of the maintenance of a navy yard, in advance of this great period of naval development, both as a protection to the Government and a protection to the contracting class as well, and in the cause of reasonable preparedness.

Mr. President, if we are going to have this additional leave offered to these employees, and if it is going to be accorded to them regardless of the effect it may have on their future livelihood, I think we ought to now meet the situation squarely and say this is a bonus, a gift, a holiday from the National Government, and it must not be charged against the cost of a battleship made in a navy yard. Let us have a clear understanding of this expenditure in advance.

Therefore I have offered this amendment, and I hope the Senator from Nevada will accept it, because it goes with his idea. If the Government is going to present this additional leave to the labor employed in the navy yards, it ought to provide that its cost shall not be used as a leverage or an argument against future construction in navy yards.

I believe the Senator from Nevada offered his original amendment in good faith. I do not believe he is aiming to strike down construction in navy yards. I do not believe he is aiming at the employment of the men in the navy yards or that he is desirous of making the cost of the battleships so high in navy yards that they will have to be constructed elsewhere. Therefore I sug-

gest this amendment, and I hope it will prove satisfactory to the Senator and to the Senate.

I will ask that it be read by the Secretary.

Mr. CHAMBERLAIN. Before it is read I should like to ask the Senator a question. What is the rule of apportioning the work now or letting contract for shipbuilding? What proportion goes to the navy yards of the country and what proportion is done by private contract?

Mr. LEE of Maryland. I am not aware that there is any definite rule, but I am under the impression that the Secretary of the Navy has the discretion, and that he exercises that discretion in view of the cheapness of construction, and that he compels the navy yards to estimate and to bid, as it were, against the contracting classes that are in competition with one another and the yards.

The Senator from California, who is very solicitous about continuing work in navy yards, and whose whole argument has been based here this morning on the hope of continuing such work in the navy yards, is doubtful of the effect of this amendment granting this additional leave, and in addition to that he has produced evidence here to show that only in one small class of construction is navy-yard construction cheaper than contractors' construction.

So under the circumstances, Mr. President, I hope the Senator from Nevada will clear up the situation. I hope he will show clearly that he has no ultimate design to overthrow the employment of these men in the yards under the advantageous conditions of Government employment, and that he wants to make it clear that this is a gift, a bonus, or whatever you may call it, and that it must not be charged up against the cost of a battleship built in a Government yard.

Mr. CLAPP. Mr. President, while I am heartily in favor of the amendment offered by the Senator from Nevada, I do not see anything to be gained by the amendment offered by the Senator from Maryland to it. The opponents of the building of battleships in our shipyards will at least insist and claim to the public that the expense incident to this leave of absence should be charged against the construction. Surely it is a charge against somebody. It is a charge against the common taxation and revenue force of the country.

I do not see anything to be gained in a mere matter of bookkeeping. Whether the dollars are on one side or the other, they are just the same. I believe it is infinitely better to just take this matter fairly and candidly and treat these people as we are treating the others who render service to the Government; no more and no less.

Mr. LEE of Maryland. Will the Senator yield for a question?

Mr. CLAPP. Certainly.

Mr. LEE of Maryland. Ought not this bonus or gift to be charged to the liberality of Uncle Sam rather than to the cost of the ship?

Mr. CLAPP. You can charge it to anybody you like, but it comes out of the people who contribute to the revenue of the country. It does not lessen the cost to the Government one iota by charging it to one account or to the other. I never have believed in beating around the bush with these things. I believe these men are just as much entitled to this vacation as the others who are in the service of the Government, and the men who will continue to combat the building of battleships and our marine structures in our Government navy yards will insist, of course, that, call this what we may, it is a part of the cost of running the Government, which they will insist might be lessened if all the battleships and other maritime structures were built by private contract.

Mr. LEE of Maryland. Will the Senator yield for another question?

Mr. CLAPP. Certainly.

Mr. LEE of Maryland. The Senator agrees, then, that this ought to be charged up against the men. Why charge it up against the ship's cost? If we charge it up against the ship, it is going to be used as an argument to take work away from these men, and that argument will be made in favor of contractors doing the work.

Mr. CLAPP. It will be, anyway. You can not get away from the fact that a dollar is a hundred cents, call it what you will. I believe it is better that we should meet this fairly and candidly.

Mr. LEE of Maryland. I want to make it clear that the dollar was given for a leave or holiday to the men, and it was not the cost of the ship.

Mr. CLAPP. It would not be given as a holiday to the men if we had no navy yards. It will be charged as one of the incidents to the maintenance of our navy yards, and I think it ought to be. I am in favor of the amendment, but can not for the life of me see what we will gain by a process of bookkeeping that does not lessen in the final and last analysis the expense to the Government.

Mr. LEE of Maryland. Mr. President, under the old system of accounting, before the amendment that I alluded to was in 1914 put on the naval appropriation bill, the overhead charges of the yards were charged up against the ships constructed in the yards.

There are a great many overhead charges in navy yards. Under the old system of frigate building in the old Navy the whole navy yard was run out of an appropriation to build an old three-decker. When a ship was being constructed in a yard, all the various incidents that kept up the navy yard were charged against that frigate, number so-and-so. That system of accounting came down, and it was a system of charges for the maintenance for the various navy yards against capital ships being constructed in the yards. The system was brought down from the past, and was always relied on by the contracting classes as proof positive that the Government can not build these ships in a navy yard, with eight-hour labor, and so forth—that it costs too much. It was not really material or labor that made the apparent high cost, but it was the system of putting all the charges of yard repairs against a given ship.

Mr. CLARK of Wyoming. Mr. President——

The VICE PRESIDENT. Does the Senator from Maryland yield to the Senator from Wyoming?

Mr. LEE of Maryland. Certainly.

Mr. CLARK of Wyoming. I wish to ask the Senator, because of this proposed amendment, if he thinks it would make a battleship cost less by charging it to some other account?

Mr. LEE of Maryland. No; it will not cost less, but I do not want it to be made to appear to cost more. Just because the Senate votes a holiday to a large number of men I do not want naval construction taken from navy yards and the very livelihood of those men ultimately taken away from them by arguing that such ship construction is too costly.

Mr. CLARK of Wyoming. As to the actual cost of a battleship in a Government yard, will that battleship cost any more or any less simply because you make a difference in your method of bookkeeping as to the charges?

Mr. LEE of Maryland. That is just exactly what I would like to have appear. I want to get at the real facts of the case. The real fact in the case is what does the ship cost in labor and material; but to charge a series of holidays, vacations, or leaves, or anything else against the cost of that battleship is not the actual fact. I think it will be used, and I think this very amendment of the Senator from Nevada will hereafter be used, to take away employment from these men in the navy yards on the argument that their construction is too costly. Let us keep the cost of the ship separate from the cost of the leave or holiday, so that hereafter the men may not be compelled to lose the cost of the ship, which is their living, if you conclude that the yard construction cost must be reduced.

Mr. HARDING. Mr. President——

The VICE PRESIDENT. Does the Senator from Maryland yield to the Senator from Ohio?

Mr. LEE of Maryland. Certainly.

Mr. HARDING. The Senator has been speaking of the amount of labor and gratuity or generosity on the part of the Government. I should like to ask the Senator how many Government employees will this measure affect?

Mr. LEE of Maryland. I can not advise the Senator; I have not looked into that phase of it; but it affects all the Government employees who are engaged in the construction of ships in the Government navy yards, and the number must be very considerable.

Mr. HARDING. Can the Senator from Nevada inform me?

Mr. PITTMAN. Twenty-nine thousand eight hundred and seventeen.

Mr. HARDING. I want to ask the Senator from Nevada if this gift of a million and a half is to be accounted in any way under the contemplated corrupt practices act relating to elections?

Mr. PITTMAN. Well, I would not think so. If the Republican Party had anything to do with it, the paying of the money to laborers instead of the trusts might be considered corrupt. I have never known them to be——

Mr. HARDING. In reply to that I will say that if the Republican Party ever contemplated such a thing as that it would not deserve to be returned to power.

Mr. PITTMAN. The people thought that four years ago.

Mr. HARDING. If the Republican Party for the purpose of influencing the vote would give a million and a half dollars of the public's funds, it does not deserve the confidence of the people of this country.

Mr. PITTMAN. That Republican standpoint depends upon whether it is given to private institutions or whether it is given to labor.

Mr. CLAPP. Mr. President, I want to say to the Senator from Maryland that I would not want, of course, to do anything that would weaken the construction of battleships and other structures in our Government navy yards. My opposition, or rather my suggested criticism of this amendment did not go to that. I am simply taking the position that in the last analysis it does not make any difference what you call a thing, it is not very material.

Mr. LEE of Maryland. Mr. President, I simply urge this amendment in the interest of truth, that, as to the money expended, it should be known where it goes, just as in the interest of truth we differentiated here two years ago between the actual cost of a ship and the maintenance of a navy yard. The United States has to have navy yards whether it builds ships in them or not. It has to have the yards for repair purposes and for the exigencies of war, and for the natural necessities of a naval establishment. It was absolutely wrong to charge the maintenance of these yards with their great establishments of officers, and so forth, to an individual unit of naval construction. For that reason the Senate apparently adopted that amendment two years ago, and in the interest of truth it separated the cost of the ship from the maintenance of the yard.

Now, Mr. President, in the interest of truth I ask that this gift to labor of additional leave or vacation be separated from the cost of the ship, and I ask it not only in the interest of truth but in the interest of the laborers themselves, because I am fearful that unless this is separated it will be brought back hereafter to show that this navy yard work must be taken from these men.

Mr. PITTMAN. Mr. President, I am sorry that I can not agree to the Senator's amendment. I am glad the Senator is in favor of the amendment that I offered, and I think his explanation here on the floor of the Senate is perfectly plain as to the construction of it.

Mr. REED. Mr. President, I wish to say just a word about this amendment. I am not sure that the friends of labor are by this proposed legislation doing labor a friendly service. Whenever it is established that the Government can not do work in Government factories, yards, or institutions save at a price in excess of that charged by private contractors, the work done in Government yards and all governmental enterprises will languish and may be finally abandoned. Whenever it is so circumscribed or abandoned, the example which the Government has been putting before the country—of a liberal policy to those in its employ—will be lost to the country and labor will be relegated for its relief to such benefit as it may be able to exact through strikes or persuasion or organization. In the end I question whether a sincere friend of labor is voting in the interest of labor when he proposes to give a holiday of 47 days with full pay.

I think it is well for every man to stop and consider that question. If, for instance, Congress was to yield to every demand made, and if the demands, for instance, should become exorbitant in the Post Office Department, the time might come when a party in power adverse to the interests of labor and very friendly to capital would turn the post office over to private contractors upon the theory that governmental management had broken down. Whoever contributes to the breaking down of Government management in any department contributes ultimately to turning over that department to private management.

Some of us have been seeking to enlarge governmental activities along certain lines, particularly in the creation of munition and armor factories, the enlargement of our governmental navy yards, and so forth. The worst enemy of that system or the growth of that system might be a gentleman who proposed a wage so great or conditions so liberal that no vessel could be built or no powder manufactured or no armaments created in a governmental yard without the cold figures demonstrating a governmental cost far in excess of private cost. Whenever that is done, the first evil that results is that we put ourselves in the hands of the private contractor or manufacturer. Whenever that has occurred we have always found the private manufacturer willing to exact an enormous price from the Government. Thus, the Government loses the benefit of the competition and the regulatory result coming from a governmental agency.

The second effect is that, as the Government closes its factory and discharges its men, they are relegated for their employment to the private manufacturer, in which event they receive just such holidays as the private manufacturer sees fit to grant.

I believe we can benefit all labor by keeping these governmental agencies open and by enlarging them; but if we are to keep them open, if we are to enlarge them, then we must always, while pursuing a liberal policy and furnishing an example of liberality to all other employers of labor, nevertheless proceed with discretion or we shall injure the very cause to which we are devoted.

Mr. President, I think we did right when we limited the day of labor in governmental factories to eight hours; but even when that was done, I remember reading a report of the then Secretary of the Navy, the practical import of which was to advocate the closing of the governmental navy yards and the doing of all our work by private contract, because, as was argued by that distinguished official of the Government, the cost of a ship made in a governmental yard was so far in excess of the cost of a ship made in a private yard. He charged, in substance and effect, that the reason for that increased cost was the 8-hour day in the public yard as against the 9 or 10 hour day in the private yard. After making that argument he submitted his proof in the form of figures showing the aggregate cost of the ships as shown by his books. However, an examination of the facts upon which he based his figures demonstrated that the extra cost of the Government-built ship could not justly be charged to the 8-hour day in the Government yard, as opposed to the 9 or 10 hour day in the private yard, but that there had been carried into the cost of the ship other large sums which could not be legitimately charged against the particular vessel under construction. The cold truth was—and the wayfaring man, though a fool, could not err therein—that this Government official, being opposed to anything except private shipbuilding, had kept his books so that it would appear that because Congress had yielded to the just demands of labor, we therefore could not build ships at a reasonable price, whereas the truth was that, fairly stated, the labor cost of a Government ship was but slightly in excess of the labor cost of a similar ship in a private yard. Some remedy was made in subsequent legislation so that a modified system of bookkeeping was introduced, as was stated by the Senator from Maryland [Mr. LEE].

Now the Senator from Maryland comes forward and proposes that if the Government shall grant these men 43 days' vacation, those 43 days shall not be charged to the cost of the ships, but shall be put to the generosity of the Government, to the end that we may constantly know how much is the actual labor cost of the ships. I think there is a great deal of wisdom in the demand of the Senator from Maryland. It can do no harm to have it simply understood that if we work our men as many hours we can make ships as cheaply or more cheaply than they will be made in private yards. Then the question will be before the people whether they see fit, in their generosity or in their desire to furnish to other employers of labor an example of fair or even generous treatment—the question will be presented to the country, in dollars and cents, how much the Government has done in the way of generous treatment of its employees; and the question will still be before the country whether, charging up hour for hour, the Government can build ships as cheaply as they can be built in private yards, or whether it can build them cheaper, or whether it can build them at a certain advance in price. Whatever the fact is, it will be before the country. It occurs to me that just that kind of bookkeeping ought to be adopted. Then, if the laborer and the employee come here with further demands, the cold figures will be before Congress and the country as to just how much these demands cost the country.

Mr. BRANDEGEE. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Connecticut?

Mr. REED. I do.

Mr. BRANDEGEE. It occurred to me that, if this is a desirable thing to do, instead of making the accounting officers of the department keep their books in a certain way and practically represent the cost to be something different from what it actually was, would it not be an easier and simpler matter to provide that the department should certify to Congress or should make a report as to how much of the cost of the vessel was due to the provisions of this amendment giving the vacation to the employees?

Mr. REED. Well, Mr. President, that would be the inevitable result of the practical carrying out of the provisions of the amendment. The cost of labor in the aggregate cost of the vessel would necessarily be stated, but only that part would be charged to the vessel itself that was paid for the labor actually rendered. I do not think there would be any real difference.

Mr. BRANDEGEE. Mr. President, the only suggestion I intended to convey was that, as I read the amendment, which I took from the Secretary's desk, it seemed to me to provide that the loss in connection with the time of labor should not

be charged to the cost of the vessel. Now, it seems to me that it would be undesirable in official bookkeeping to say that what was cost should not be charged as cost if the same object could be achieved in some other way. I assume the object sought after is to find what part of the cost of the vessel is due to giving laborers time off, and that could be easily ascertained by having the department simply report to Congress that fact.

Mr. REED. Well, it seems to me that we come out substantially at the same point.

I want to offer one observation which I desire to make because of the remarks of the Senator from Ohio [Mr. HARDING]. The remarks of the Senator from Ohio were very clearly intended to convey the idea that this proposed holiday is being given to the men in order to secure their votes. Mr. President, I think that innuendo hardly does justice to the Senator from Ohio. A total of 29,000 men are to be affected. A very great number of them live in the District of Columbia, and can not vote at all. Those who are scattered at other points, I think an analysis would show, live in States where their vote is so infinitesimal in comparison with the population that it would not change the result in a congressional district in the United States. So there could be nothing in the Senator's innuendo because there are no facts back of it and no results to be accomplished by such a scheme as he intimates exists. No sane man would think of attempting to carry an election in that way.

But, in addition to that, I think it is hardly a worthy innuendo to throw out, that every time a man votes to ameliorate the condition of his fellow man he has a sinister and evil purpose; that it is his intention to buy that man's favor or corrupt that man's vote. I take it that the Senator from Ohio, who has always filled a high and honorable place in the councils of his State and who occupies a similarly dignified position in the councils of his party and his country in this body, always and at all times, according to the lights that God has given him, is casting his vote for the purpose of aiding the people of his country, and when he does so cast his vote I think that all his associates are willing to ascribe to him no other motive than that he has hoped to benefit his country and his fellow man.

No one would be so ungenerous as to say of and concerning him that he did not love his country, but that he wanted to get some votes; that he did not really vote his honest conviction, but that he desired to court the favor of electors; that he was not inspired by an honest desire to do the right thing because it was right, but that he only acted in response to a sordid, a selfish, or a contemptible motive. So, I think the Senator from Ohio ought not to insinuate that those who propose to give a holiday—perhaps even an overgenerous holiday—to men who stand at anvils within the clang of the hammer, who stand at forges within the blaze and the flame and the heat, of men who toil and sweat and labor amidst the grime and dirt, of men whose tired backs ache at night, of men who have some desire for a little recreation and pleasure in life—I think the Senator from Ohio ought not to ascribe to those who want to lighten that condition the vile, the evil, and the senseless purpose of trying to get votes from men a majority of whom do not even have the privilege of casting a vote.

Mr. HARDING. Mr. President, I do not care to make reply to the latter part of the speech of the Senator from Missouri. The Senator from Ohio will answer for his motives in any vote that he casts in the Senate; but I want the Senator from Missouri to answer me a question, which is pertinent to the main issue he has been discussing.

I am just as much interested as he is in the men who bend their backs to toil. I have bended my own back in my time, and I know the methods by which a man can ascend the scale, if you call it an ascending scale, from that of the employee to the employer, and I know something, if you please, about sane methods of business and employment.

If I understood the Senator from Nevada correctly, the chief reason for granting this great and generous gift, costing the Treasury of the United States a million and a half of dollars, is that it will add to the efficiency of the men employed in Government work. I am not prepared to dispute that statement. If it be true, then this money is well expended. If it be not true, then this money is inexcusably wasted.

Now, if it be true that the addition of 30 days' vacation will add to the efficiency of the workmen employed in Government shipyards and arsenals, then the Government, by the outlay of this million and a half of dollars, has added to the efficiency which it commands over and above that of the private employer. Then, if the argument holds, the Government, by this expenditure, has so enhanced its creative ability that it has the advantage over the private employer. Therefore it is very logical, to my mind, that this expenditure must be taken into account in reckoning the cost of production in a Government plant as compared with the cost of production in a private plant.

This is the question, Mr. President, I wish to present to the Senator from Missouri; and if it be not true that this efficiency is created by the vacation, then the expenditure will not have been well made.

Mr. REED. Mr. President, I shall answer the Senator with very great frankness.

If it be assumed that a 30 days' vacation being granted, the employee will do as much work in the 11 remaining months of the year as he would have done if he had been compelled to work the 12 months, then the granting of the vacation would not cost the Government any money in the aggregate, and therefore the laborer's annual wage ought to be added in as part of the cost. If we start with the assumption with which the Senator from Ohio started, which he based upon the statement of some one other than myself, then my answer is, answering for myself and not for that other, that the wages paid the man during the year, including therein his 43 days of vacation, are and ought to be legitimately charged to the cost of the ship, because the Government has lost nothing.

I am not of the opinion that the granting of 43 days' leave of absence does increase the efficiency of the man to the extent that he will fully make up the 43 days of absence. It may, in the aggregate of his life, increase his efficiency. It may, in the aggregate of his life, give a full return. It may lengthen the period of his life. It may give to the people a longer period of his service. In that way there may be a full compensation. But I doubt whether, taking any single year by itself, a man will do as much work in a year with 43 days' vacation as he will in a year where he only had 10 or 15 days' vacation.

The VICE PRESIDENT. The question is on the amendment of the Senator from Maryland [Mr. LEE] to the amendment of the Senator from Nevada [Mr. PITTMAN].

The amendment to the amendment was rejected.

Mr. CUMMINS. Mr. President, I offer the amendment which I send to the desk to the amendment proposed by the Senator from Nevada.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. It is proposed to add to the amendment the following proviso:

Provided, That not more than 30 days' leave with pay shall be allowed any such employee in any one year.

Mr. CUMMINS. Mr. President, just a word with regard to the proposal I have suggested.

I believe that the adoption of the amendment as proposed by the Senator from Nevada will be a very serious obstacle in the way of the enlargement of governmental activity. The Government can not pay greatly more than is paid by private enterprise and continue in the activities it has assumed. The people of the country will not tolerate a gross discrimination between the employees of the Government and the employees of private concerns.

I think no one can question my interest in labor, or my sympathy for the great movement that has accomplished so much for the toilers of the land. I not only think the amendment as it is proposed by the Senator from Nevada is a serious impediment in the way of governmental activity, but I believe that it will finally reflect unfavorably upon labor itself.

I believe in the establishment of a plant for the manufacture of armor plate; and we are about to pass a law authorizing such an enterprise. I believe that the Government should manufacture its own powder, and therefore its own nitric acid; and we are about to authorize, if we have not already authorized, the establishment of a manufacturing plant of that character—more than one, possibly. I believe that the Government ought to manufacture all its munitions of war and all its armament of every character. No one can tell how soon the day may come when the Government must extend its operations to other forms of business which we are now attempting to regulate and control. If the rule suggested in the amendment offered by the Senator from Nevada is to prevail in all governmental work, it will impose upon the people a burden which I do not believe they will be willing to bear.

One does not know, of course, just how much vacation or recreation any given man should have in a single year; but it seems to me that when we allow 30 days' leave of absence with pay we have done all that the laws of health and humanity can possibly require, and we have done a great deal more than is done for the millions and tens of millions of men and women who must labor throughout the year without vacations.

Then, again, while I do not know how those who are connected with labor feel with regard to this amendment, I venture to say that the more intelligent and farsighted among them would much rather have the amount added to their wages than to their leaves of absence. One can not tell how much it will cost, all told; but I think it was said a few moments ago that it would cost a million and a half dollars a year. If so, the extra 15 days will cost $500,000 a year. If it is true that if the amendment is adopted the employees of the navy yards and of the arsenals will have 60 days' leave without pay, it will, under the present extent of activity, involve us in an expenditure of a million dollars a year. Now, I should like to ask the laboring men of this country—and I have been on rather intimate terms with many of them—whether they would not rather have 30 days' leave of absence with pay and the remainder of the generosity, if you please, added to their wages.

How are their wages fixed? The Senator from Nevada knows. The law declares that the wages of men employed in the navy yards and in the arsenals and other plants of that kind shall be the same as the wages in the locality in which the plant is located. These wages are always low, always too low; and I for one would much rather give the laboring man an opportunity to earn enough to sustain himself and his family with 30 days' leave of absence in the year, than to continue him upon the inadequate wages which he now receives, and give 45 or 60 days' leave of absence.

It does a laboring man comparatively little good to give him an opportunity for a vacation unless you also give him an opportunity to enjoy the vacation. He must have a little surplus, accumulated from his wages, in order that the time of recreation can be of any great value to him.

Therefore for the double reason that this provision will be constantly presented to us, as we seek to expand the functions of the Government, as an obstacle or impediment in the way; and, second, because it must finally be reflected in the wages of the laboring men themselves, I hope that the amendment I have proposed will be adopted.

Mr. REED. Mr. President——

Mr. CUMMINS. I yield to the Senator from Missouri.

Mr. REED. I want to ask the Senator from Iowa if more than 30 days' leave of absence are given to any other class of governmental employees?

Mr. CUMMINS. I am sorry to say that more than 30 days are given to some of the Government employees; but the fact that we have done wrong, if we have done it at all, in one instance has not seemed to me to justify a false policy in another.

Mr. REED. Let me ask a further question. Is it the general rule to give more than 30 days in the Government employment?

Mr. CUMMINS. I have heard this afternoon what the rule is. I do not know. It is asserted here that a very large number of the Government employees have 60 days.

Mr. REED. I think there are some of them who do not get over 15 days, but I am not speaking by the record. Perhaps the Senator from Nevada can answer the question.

Mr. CUMMINS. The Senator from Utah, I believe, said a few moments ago that there were certain departments in which the employees had 30 days' leave of absence; then they have 15 days half holiday during the year, and added to that they have 30 days' sick leave, so that the accumulation of these leaves of absence makes 75 days.

Mr. REED. Of course we might extend it and cut off the other 290 days.

Mr. CUMMINS. Now, I do not believe that that is right. I think it is not necessary, to preserve a man or a woman in health and vigor, that he or she shall have 75 days of absence from work. I would much rather add it to the salaries of these people, and I believe they would much rather have it added to their wages than to extend their vacations.

Mr. GALLINGER. Mr. President——

Mr. CUMMINS. I yield to the Senator from New Hampshire.

Mr. GALLINGER. As to the matter of sick leave, I will suggest to the Senator from Iowa that they are allowed not exceeding 30 days. A great many of them take 15 or 20 days, and some of them do not take sick leave at all. I do not know what the average would be if it were estimated, but the law is that they shall have not exceeding 30 days.

Mr. CUMMINS. I was quite unfamiliar with the subject until it was explained by the Senator from Utah a few moments ago.

Mr. REED. Will the Senator permit me to ask the Senator from New Hampshire a question?

Mr. CUMMINS. Just a moment. I did not mean that the employees of the Government generally take 75 days out of the year and use it for their own purposes upon pay. I heard it for the first time this afternoon.

Mr. REED. I wish to ask the Senator from New Hampshire, who seems to be familiar with the question, if there is sick leave with pay not to exceed 15 days?

Mr. GALLINGER. Not to exceed 30 days.

Mr. REED. Suppose a man is not sick at all, is he allowed that time?

Mr. GALLINGER. He is not allowed it unless he feigns sickness and takes a portion of the time.

Mr. REED. Of course, if he feigns sickness, he would be subject to discharge.

Mr. GALLINGER. However, an employee has to have a medical certificate.

Mr. REED. I think we must assume that while there may be some abuses, as there are abuses in everything, speaking broadly, the man must be sick and prove he is sick if he gets his pay when he is absent.

Mr. GALLINGER. That is undoubtedly so.

Mr. REED. The provision, as I understand it, that we are now discussing is not the question of sick leave, it is a question of general leave of absence. I do not know what the figures show. I do not know what the health reports are, but I am curious to know if everybody in Government employment has been sick 15 days in the last year.

Mr. CUMMINS. I have no knowledge whatsoever. I was absolutely unacquainted with the whole subject until I heard it discussed this afternoon. I shall be very sorry to learn that any employees in the District secure false certificates of illness. That is simply a rumor that I know nothing about. But, after all, that has nothing to do with the merits of this particular proposition. It is a matter of good judgment among Senators as to how much time a workingman ought to have during the year in the way of vacation in order to preserve his health.

I do not profess to be an expert upon this matter, but if I know anything about the temper of the workingmen most of them would much rather have an hour off in a day than a month off in a year. They would rather have their hours of labor reduced than to be sent upon an imaginary vacation which they could not possibly enjoy, because, at least, most of them are not rich enough to surround themselves with the incidents of a vacation. I know that you will be conferring upon them a greater advantage, a greater blessing, if you will increase their wages. They want to earn more money, they are entitled to earn more money, and every hour that you permit them to enjoy the employment of the United States with pay and without work will in the end reduce their compensation, because there are forces stronger than any enactent of Congress which will finally determine what the Government of the United States will pay for the work it must do.

I believe the amendment that I have proposed is at once humane and reasonable, and that it will meet the approval of the great majority of those who labor with their hands.

The VICE PRESIDENT. The question is on the amendment of the Senator from Iowa [Mr. CUMMINS] to the amendment of the Senator from Nevada [Mr. PITTMAN].

Mr. CUMMINS. Upon that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. VARDAMAN. May I ask to have the amendment to the amendment read?

Mr. GALLINGER. Let it be read.

The SECRETARY. It is proposed to add, at the end of the amendment proposed by the Senator from Nevada, the following proviso:

Provided, That not more than 30 days' leave with pay shall be allowed any such employee in any one year.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CLARK of Wyoming (when his name was called). In view of my pair with the senior Senator from Missouri [Mr. STONE], who is not present in the Chamber, I withhold my vote.

Mr. GALLINGER (when his name was called). I have a general pair with the senior Senator from New York [Mr. O'GORMAN], who is absent. For that reason I withhold my vote. If privileged to vote, I would vote "yea."

The roll call was concluded.

Mr. TILLMAN. I transfer my pair with the Senator from West Virginia [Mr. GOFF] to the Senator from Tennessee [Mr. LEA] and vote "yea."

Mr. SIMMONS. I wish to inquire whether the Senator from Minnesota [Mr. CLAPP] has voted?

The VICE PRESIDENT. He has not.

Mr. SIMMONS. I transfer my pair with that Senator to the Senator from Nevada [Mr. NEWLANDS] and vote "yea."

Mr. GALLINGER. Since announcing my pair I have learned that I can transfer it to the junior Senator from Idaho [Mr. BRADY]. I do so, and I vote "yea."

Mr. WALSH. I transfer my pair with the Senator from Rhode Island [Mr. LIPPITT] to the Senator from Oklahoma [Mr. GORE] and vote "nay."

Mr. JOHNSON of Maine. I transfer my pair with the Senator from North Dakota [Mr. GRONNA] to the Senator from Ohio [Mr. POMERENE] and vote "yea."

Mr. REED. I transfer my pair with the Senator from Michigan [Mr. SMITH] to the Senator from Tennessee [Mr. SHIELDS] and vote "yea."

Mr. CURTIS. I was requested to announce the following pairs:

The Senator from Rhode Island [Mr. COLT] with the Senator from Delaware [Mr. SAULSBURY];

The Senator from Delaware [Mr. DU PONT] with the Senator from Kentucky [Mr. BECKHAM];

The Senator from New Mexico [Mr. FALL] with the Senator from West Virginia [Mr. CHILTON];

The Senator from Connecticut [Mr. MCLEAN] with the Senator from Montana [Mr. MYERS]; and

The Senator from Utah [Mr. SUTHERLAND] with the Senator from Arkansas [Mr. CLARKE].

The result was announced—yeas 52, nays 15, as follows:

YEAS—52.

Bankhead	Husting	Overman	Smoot
Brandegee	Johnson, Me.	Page	Sterling
Catron	Johnson, S. Dak.	Penrose	Stone
Chamberlain	Jones	Phelan	Taggart
Culberson	Kenyon	Poindexter	Thomas
Cummins	Kern	Reed	Tillman
Curtis	Lee, Md.	Shafroth	Townsend
Dillingham	Lippitt	Sherman	Underwood
Fletcher	Lodge	Simmons	Vardaman
Gallinger	McCumber	Smith, Ariz.	Wadsworth
Harding	Nelson	Smith, Ga.	Warren
Hardwick	Norris	Smith, Md.	Weeks
Hollis	Oliver	Smith, S. C.	Works

NAYS—15.

Ashurst	La Follette	Martine, N. J.	Thompson
Broussard	Lane	Pittman	Walsh
Hughes	Lewis	Sheppard	Williams
James	Martin, Va.	Swanson	

NOT VOTING—28.

Beckham	Clarke, Ark.	Hitchcock	Pomerene
Borah	Colt	Lea, Tenn.	Ransdell
Brady	du Pont	McLean	Robinson
Bryan	Fall	Myers	Saulsbury
Chilton	Goff	Newlands	Shields
Clapp	Gore	O'Gorman	Smith, Mich.
Clark, Wyo.	Gronna	Owen	Sutherland

So Mr. CUMMINS's amendment to Mr. PITTMAN's amendment was agreed to.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Nevada as amended.

Mr. BRANDEGEE. I should like to have the amendment as amended read in full.

The VICE PRESIDENT. It will be read.

The SECRETARY. On page 174, after the amendment heretofore agreed to at that place, after line 21, insert the following, which as amended will read:

That each and every employee of the navy yards, gun factories, naval stations, and arsenals of the United States Government is hereby granted 30 days' leave of absence each year, without forfeiture of pay during such leave: *Provided*, That it shall be lawful to allow pro rata leave only to those serving 12 consecutive months or more: *And provided further*, That in all cases the heads of divisions shall have discretion as to the time when the leave can best be allowed: *And provided further*, That not more than 30 days' leave with pay shall be allowed any such employee in any one year.

Mr. BRANDEGEE. Mr. President, I want to ask any Senator who has the knowledge if the proviso last adopted that no employee shall have more than 30 days' leave without pay would cut off the sick leave in any case, or if the sick leave was cut off whether the man would get any other leave or not?

Mr. SMOOT. I will say to the Senator that the employees who are affected by this amendment are not allowed sick leave under the present law. Therefore it would not have any effect whatever except——

Mr. VARDAMAN. I could not hear the Senator from Utah. I should like to have the Senator repeat his statement.

Mr. SMOOT. I said that the employees affected by the amendment were not allowed sick leave under the law to-day. Therefore the amendment offered by the Senator from Iowa would not interfere with them in any way.

Mr. PITTMAN. I hope that construction is true.

Mr. SMOOT. Does the Senator say they are allowed sick leave to-day?

Mr. PITTMAN. No; I know they are not allowed sick leave. Here is what I am getting at: In the hearings before the House committee it was testified, as I shall read. They were speaking of an employee being sick and they were speaking of the sick leave granted in the other departments, and it was testified that there was no sick leave granted in the departments which are referred to in this bill. Mr. Alifas said:

Yes; that applies to our 15 days now. A man will lose 8 or 10 days a year because he must be off on business or something like that, and when he reports sick those days lost are taken from his leave of absence, and if he has that much time taken off he has little leave left for a vacation.

Mr. SMOOT. That statement is absolutely true, Mr. President.

Mr. PITTMAN. All actual sick leave will be deducted from this leave of absence. They will have no vacation at all if they happen to be in bed for 30 days. They will be worse off than they are now.

Mr. SMOOT. No, Mr. President; to-day they are not allowed sick leave. If they are sick it is taken out of their 15 days' leave of absence; that is not the case with the other departments granting sick leave.

I will say in answer to the question asked by the Senator from Connecticut [Mr. BRANDEGEE] as to whether the amendment offered by the Senator from Iowa, and which was just adopted by the Senate could have any effect upon the employees as provided in the amendment, I said no as far as sick leave is concerned, because to-day they have no sick leave.

Mr. BRANDEGEE. Then is it correct, that if this amendment is adopted it will in no case curtail any leave that any man now has but will operate to give those who do not have any leave 30 days' leave.

Mr. SMOOT. That is the object of the amendment and that will be the result of it. There is no question but that the amendment now as amended will double the leave of absence that those employees have. They will have 30 days' leave of absence, and that is all they can have under the amendment, instead of 15 as at present.

Mr. CUMMINS. My purpose was to just double the leave of absence with pay as compared with the present law.

Mr. SMOOT. That is right.

Mr. CUMMINS. And that, I understood, was the original purpose of the Senator from Nevada.

Mr. PITTMAN. It was my purpose, and I only voted against the Senator's amendment because I doubted the construction which might be placed upon it. I do not think any department of the Government that had the construction of this act could question the position taken by the Senator from Iowa and the Senator from Utah and others, and with their construction that that is intended by the Senate, I am satisfied.

Mr. PHELAN. Mr. President, I voted for the amendment on the theory that the statements freely made here were correct, that under the present law 15 days were allowed, and that under the proposed amendment 30 days would be allowed, adding to which the holidays would make an aggregate of 45 days a year. The Senator from Utah said the department so informed him. So when the Senator from Iowa [Mr. CUMMINS] proposed an amendment making a fixed limit of 30 days, I was under the impression that I was voting to do away with the added 15 days which had been cumulated by reason of legal holidays and from other sources; all of which confirms me in my conviction that the amendment should have been committed, as I moved, to the committee, because we are voting without knowledge. I now move the commitment of the amendment as amended to the Committee on Naval Affairs, in order that the facts may be determined.

Mr. BRANDEGEE. Mr. President, before the amendment had been amended, I voted to commit it to the Committee on Naval Affairs, thinking that the committee could in a short time get it in proper shape and report it back, but I should hesitate to vote for another motion to commit the amendment, inasmuch as it has been now amended. I think sufficient attention has been drawn to it, and sufficient debate has been had upon the facts now before the Senate, so that the conference committee can make any correction in it that may be necessary. Therefore I can not support the second motion to commit the amendment.

The VICE PRESIDENT. The Senator from California [Mr. PHELAN] moves to refer the amendment as amended to the Committee on Naval Affairs.

The motion was rejected.

The VICE PRESIDENT. The question recurs on agreeing to the amendment as amended.

The amendment as amended was agreed to.

POST OFFICE APPROPRIATIONS—CONFERENCE REPORT (S. DOC. NO. 499).

Mr. BANKHEAD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the conference report on the bill (H. R. 10484) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1917, and for other purposes.

Mr. BRANDEGEE. I understand that unanimous consent is asked.

The VICE PRESIDENT. Unanimous consent is asked for the present consideration of the conference report.

Mr. BRANDEGEE. Before giving unanimous consent, would the Senator from Alabama state whether the consideration of this conference report is likely to lead to extended debate?

Mr. BANKHEAD. I can not say as to that. I do not think, however, that it will. My idea was that if the Senate is not going to pass the naval appropriation bill this afternoon, we might dispose of this conference report. It is very important, indeed, that the conference report should be adopted as soon as possible, for I am informed by the Post Office Department that a number of things are occurring which appear to be violations of law, for the reason that the appropriation bill has not passed, those things not being covered perhaps by the joint resolution extending the appropriations.

Mr. SWANSON. Mr. President, I understand the conference report has not been printed.

Mr. BANKHEAD. Oh, yes; it has been printed. It was presented yesterday and was then printed.

Mr. SWANSON. I can not consent that the pending bill shall give way, and I hope the Senator will not insist on his request.

Mr. BANKHEAD. Does the Chair hold that it requires unanimous consent for the consideration of the conference report?

The VICE PRESIDENT. Oh, no. The Senator from Alabama can move to proceed to the consideration of the conference report.

Mr. BANKHEAD. Then, Mr. President, I move that the Senate proceed to the consideration of the conference report on the Post Office appropriation bill.

The VICE PRESIDENT. The question is on the motion of the Senator from Alabama.

The motion was agreed to; and Senate proceeded to consider the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10484) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1917, and for other purposes.

Mr. BANKHEAD. Mr. President, I wish briefly to state that the conferees have agreed upon this report, the House conferees concurring in nearly all of the amendments placed on the bill by the Senate. There are only one or two amendments agreed to in conference which at all affect the bill as it passed the Senate and went to conference.

It may be well enough to say, in this connection, that the provision of the bill which proposes to send to the Interstate Commerce Commission the question of railway mail pay was amended in conference. The bill as the Senate passed it required the Interstate Commerce Commission to investigate under the same rules and regulations under which they are required to investigate other questions submitted to them, notably the question of freight, passenger, and express rates. We had a conference with the Interstate Commerce Commission, and they advised that, in their opinion, it would be very difficult, if not impossible, for their commission to make a just determination of the question unless they were permitted to have the space system put into operation in such localities, or sections as might be determined upon as being necessary in order to get an actual test, an actual comparison, between the two systems. That is the only amendment of any importance at all which the conferees adopted which affects the provisions of the bill.

The conference report has been printed; every amendment and the reasons for the amendment are explained in the report. If Senators care to do so, they may examine the report, or if there are any questions which any Senator desires to ask the conferees in the way of explanation or as to any changes, I think some of us perhaps will be able to satisfy Senators as to the reasons and the necessity for such changes and of the improvements made by those changes.

That is all I care to say about the matter, unless there is some Senator who wishes to make some particular inquiry in reference to the conference report.

Mr. SMOOT. Mr. President, I should like to ask the Senator from Alabama what became of section 7 of the bill, known as the blue-tag provision?

Mr. BANKHEAD. Section 7 of the bill is retained practically with the amendment of the Senator from Wisconsin [Mr. LA FOLLETTE].

Mr. SMOOT. Mr. President, I ask the Secretary to read the amendment which was adopted by the conferees in lieu of section 7. It is amendment numbered 54.

Mr. HARDWICK. It is found on page 5 of the conference report.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: On page 31, line 19, in lieu of the matter inserted by said amendment, insert the following: "but no publication shall be sent by freight if such method of transportation results in unfair discrimination: *Provided*, That whenever the owner of any publication required by an order of the Post Office Department to be transmitted by freight believes that he is unfairly discriminated against, he may apply to the Post Office Department for an opportunity to be heard; that upon such application being duly filed in writing, the owner of such publication shall have opportunity for a full and fair hearing before said department, and pending final determination no change shall be made in the method of transportation of such publication as ordered by the department. The testimony in any such hearing or proceedings shall be reduced to writing and filed in the Post Office Department prior to entering an order upon such hearing. That upon such hearing if the Post Office Department decides adversely to the contention of the publisher, such publisher shall have the right, within the period of 20 days after the date of the order of the Post Office Department made upon such hearing, to appeal to the United States court of appeals of the District of Columbia for a review of such order by said court of appeals, by filing in the court a written petition praying that the order of the Post Office Department be set aside. A copy of such petition shall be forthwith served upon the Post Office Department and thereupon the said department forthwith shall certify and file in the court a transcript of the record and testimony. Upon the filing of such transcript the court shall have jurisdiction to affirm, set aside, or modify the order of the department."

Mr. LA FOLLETTE. Mr. President, will the Senator permit the Secretary now to read section 7 as it was passed by the Senate, so that the Senate may observe the changes which have been made in the section by the conferees?

Mr. BANKHEAD. Certainly.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

SEC. 7. That so much of section 1 of the act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1913, and for other purposes, approved August 24, 1912, which provides that the Post Office Department shall not extend or enlarge its present policy of sending second-class matter by freight trains, is hereby repealed, but no publication shall be sent by freight if such method of transportation results in unfair discrimination or in the undue delay of the delivery of such publication at its destination: *Provided*, That whenever the owner of any publication required by an order of the Post Office Department to be transmitted by freight believes that he is injured or discriminated against, he may apply to the Post Office Department for an opportunity to be heard; that upon such application being duly filed in writing the order of the Post Office Department as to the transportation of such publication by freight shall be suspended, and the owner of such publication shall have opportunity for a full and fair hearing before said department. The testimony in any such hearing or proceedings shall be reduced to writing and filed in the Post Office Department prior to entering an order upon such hearing. That upon such hearing, if the Post Office Department decides adversely to the contention of the publisher, such publisher shall have the right, within the period of 20 days after the date of the order of the Post Office Department made upon such hearing, to appeal to the United States court of appeals of the circuit within which such periodical is published for a review of such order by said court of appeals by filing in the court a written petition praying that the order of the Post Office Department be set aside. A copy of such petition shall be forthwith served upon the Post Office Department, and thereupon the said department forthwith shall certify and file in the court a transcript of the record and testimony. Upon the filing of such transcript the court shall have jurisdiction to affirm, set aside, or modify the order of the department.

The jurisdiction of the circuit court of appeals of the United States to affirm, set, aside, or modify such orders of the Post Office Department shall be exclusive.

Such proceedings in the circuit court of appeals shall be given precedence over other cases pending therein and shall be in every way expedited.

The VICE PRESIDENT. The question is on agreeing to the conference report.

Mr. ASHURST. Mr. President, I shall take but a moment in discussing the report of the conference committee on the disagreeing votes of the two Houses so far as it relates to section 7.

It would be profitless and idle now to review the history of the blue-tag controversy. While I did not vote for the amendments which were proposed to this section, preferring to indicate my entire disapprobation of the whole procedure, I nevertheless think that the amendment proposed by the Senator from Nebraska [Mr. NORRIS] and the amendment proposed by the Senator from Wisconsin [Mr. LA FOLLETTE] improved the situation very much, and I wish to express my deep regret that the conferees could not retain the Senate amendments.

I am not going to make any criticism of the conferees. First, it would not be parliamentary, and, second, I have been on conference committees myself, and I know how difficult it is sometimes to secure concurrence in the amendments of the Senate; but, Mr. President, I feel it to be my duty to point out that very little, if any, relief will come to a blue-tag publication under the law as it is now proposed by this conference report.

First, in the amendment proposed by the Senator from Nebraska [Mr. NORRIS] it was provided that if there were undue delay the publication should be relieved. The conferees have stricken out that provision in regard to undue delay.

Mr. HARDWICK. Mr. President, will the Senator yield to me just for a moment?

Mr. ASHURST. I yield to the Senator.

Mr. HARDWICK. The reason the conferees on the part of the Senate agreed to that change was that the House conferees and the Post Office Department contended with a good deal of force that most of the cases of undue delay brought to the notice of the department were caused by the delay of the publishers themselves, and that there was danger of the language being given that construction and thus operating entirely against the department and the Government. It was believed that the retention of the words "unfair discrimination" was all that was necessary in that connection. I merely suggest that for the consideration of the Senator, so that he will understand why we agreed to that change.

Mr. ASHURST. I thank the Senator for the suggestion. Secondly, a very important phrase has been omitted which I think should have been retained. On line 5, page 40 of the bill as it passed the Senate, it is provided, among other things, that if the owner of a blue-tag publication believed himself to be injured he should have the right of appeal. That language has been stricken out. I think that language should have remained, so that if the party believed he was injured he could then have had an opportunity to appeal.

Mr. HARDWICK. Mr. President, if the Senator will pardon me——

Mr. ASHURST. I yield.

Mr. HARDWICK. I know the Senator wants to know exactly what the conferees have done. We have preserved fully the right of appeal. We did not leave that language in, because it is not necessary. A man can appeal from a decision whether he thinks he is injured or for whatever reason seems to him good. In fact, we broadened the right of appeal, in my opinion, by leaving out that language.

Mr. ASHURST. The Senator is a very good lawyer, and I need not tell him that when this matter gets before the court—and it can only come before one court now—all this language in section 7, the Norris amendment and the La Follette amendment, will be construed in pari materia, and the court will render its decision having in view the mischief sought to be remedied and the end sought to be accomplished. I think it would have made the provision giving the relief much stronger had those words remained.

Mr. HARDWICK. I do not think so.

Mr. ASHURST. Next, I wish to call attention, Mr. President—and I think this is a very serious matter—to the fact that under the amendment proposed by the Senator from Wisconsin, I believe, when a publication was blue tagged and required to go by freight its publisher had 20 days within which to take his appeal, the district court was omitted, and the publisher could appeal to the circuit court of the circuit in which the publication was published. Now, we find that when a magazine or other publication is blue tagged, the blue-tag order stands against it until the court passes upon it, thus throwing the burden on the publisher.

Mr. HARDWICK. Mr. President, if the Senator will pardon me, the conferees do not so understand this language, and they were assured by the Post Office Department that it would not give it that construction. The language in question leaves them this way:

> And pending final determination no change shall be made in the method of transportation of such publication as ordered by the department.

Mr. ASHURST. That is, if the department orders any publication blue tagged, no change shall be made.

Mr. HARDWICK. No change in the order of the department shall be made pending final determination.

Mr. ASHURST. If that be the construction which the department agrees to put upon it, I would withdraw that criticism.

Mr. HARDWICK. I thought the Senator would.

Mr. ASHURST. But I think it would have been more definitely and happily expressed had it remained in the original form.

Mr. HARDWICK. I am inclined to agree with the Senator there; but we agreed to make this change because the department officials stated that was their construction of it.

Mr. ASHURST. Now, Mr. President, one other point. A blue-tagged publication would only have 20 days in which to appeal. Let us assume that it is published in Walla Walla, Wash.; let us assume it is published in Carson City, Nev.; in Phoenix, Ariz.; in San Francisco, in Denver, or in Austin, Tex. That blue-tagged publication has 20 days in which to take its appeal, and, instead of being permitted to take its appeal to the circuit court of the circuit in which the publication is issued, it is relegated to Washington. The Court of Appeals of the District of Columbia is given original and exclusive jurisdiction, and there is no appeal beyond that.

Mr. HARDWICK. Mr. President, will the Senator yield again?

Mr. ASHURST. Certainly.

Mr. HARDWICK. The publisher of the magazine has to come to Washington to argue out the matter before the Post Office Department. The Post Office Department of the Government has a considerable interest in this matter. The Government might have a world of these cases. It could not send lawyers all over the country to every different circuit in the United States. These other people all have to come here anyhow to do it, and it looks like it is just and fair to everybody to have it done here.

Mr. ASHURST. Why, in every State in the Union the United States has a district attorney, and sometimes a State is divided into more than one district. The result will be that this publisher will be obliged to hire a Washington lawyer in every instance.

Mr. HARDWICK. If the Senator will pardon me again——

Mr. ASHURST. I yield.

Mr. HARDWICK. The ordinary district attorney would not know a thing in the world about this sort of a case. The Post Office Department has to have its experts, men who know the postal laws and one thing and another, to represent it in these matters, just as the publishers will; and I imagine the personnel of the lawyers will be pretty much the same, no matter where the cases are tried. There will be a class of lawyers who will know this particular, specific business both for the Government and for the publishers, so there is no hardship in just consolidating it all right here. They have come to Washington anyhow to be heard before the department and to have the decision made here before the department, and we say that in 20 days they may appeal to the court here.

Mr. ASHURST. I rose and premised my remarks by saying I did not intend to make a protracted discussion, and I am not going to be carping in my criticism or anything of that sort. I do not intend to be. In fact, I appreciate the difficulty the conferees had, and I wish to have them know it. Yet I do think, Mr. President, that under ordinary conditions, in the case of a publication issued, we will say, in the far West, in the South, or in any part of our country, where a controversy arises between that publisher and the Government of the United States, it is not fair to the publisher, it is not fair under our polity and scheme of laws and government, to relegate him to the court which sits here, and only here. He should have resort and recourse at least to the circuit court of the district in which his publication is published. Had I my way I would have let him have resort to the district court of his district, because it is a principle of our institutions that a man shall have resort and recourse to the nearest court where business is being transacted.

That is about all I have to say. I am sure I tired the Senate in June in discussing this subject. The situation is somewhat improved, but it would have been infinitely more improved had the two amendments been agreed to—the one proposed by the Senator from Nebraska [Mr. NORRIS] and the one proposed by the Senator from Wisconsin [Mr. LA FOLLETTE].

I hope, after this discussion, if the conference report should be rejected, that the conferees will make an additional effort—they have already made a noble and earnest effort—to try to secure from the House conferees at least the right to let the publisher have recourse and resort to the circuit court of the circuit in which he lives.

Mr. BANKHEAD. Mr. President, in reply to the Senator from Arizona, I desire to say that every Senator on the floor knows something of the difficulties confronting a conference committee. We were opposed, and strongly opposed, by the House conferees in a number of these items, and particularly in this one. Not only were the House conferees there armed with every argument that could be made, but they had the unqualified support of the Post Office Department; so that we were up against two difficulties instead of one.

The conferees on the part of the Senate did the very best they could to stand by the action of the Senate in every particular. We felt that to be our duty, and we labored to that end for days and days; but we can not forget that the business of a conference is to compromise the differences between the two bodies, and when the Senate can not have its way all the time we must necessarily yield on some of the minor questions,

at least, some of the differences that do not go to the very vitals of the bill and the questions in dispute.

All that we could do we have done. We labored for days and days to stand by and write into the statutes what we conceived to be the will of the Senate. Out of 63 amendments placed on the bill by the Senate, we only receded from 3. It is true that some of the other amendments were agreed to with amendments.

I do not say that we have done as well, perhaps, as some others with more experience and greater influence might have done and who are more persuasive in their manner than we were, because that is one of the essentials in a conference committee, to persuade the other fellow to agree with you. I do not betray any secrets of the conference when I say that we were up against what I believed then to be a very contrary set of conferees. [Laughter.] It may be, Mr. President, that they had the same opinion of the Senate conferees. They were continually complaining all along, "We are conceding everything, and you are giving us nothing." That is not true, however, because the concessions were of a minor character, in the main.

We have done our best, and I hope the Senate will adopt the conference report.

Mr. JONES. Mr. President, I should like to ask the Senator a question.

Mr. BANKHEAD. I yield to the Senator from Washington.

Mr. JONES. I understood the Senator from Georgia [Mr. HARDWICK] a few moments ago to say that the department construed the provision with reference to section 7 as not continuing in effect the order of which the publisher would complain until final determination by the court.

Mr. BANKHEAD. That is the way they construe it.

Mr. JONES. I do not understand how in the world they can give any such construction as that to it.

Mr. BANKHEAD. That matter was gone over several times and rewritten more than once, and that was the construction placed upon it.

Mr. JONES. I want to ask the Senator about that a little. The first part of this provision is:

> But no publication shall be sent by freight if such method of transportation results in unfair discrimination.

The Post Office Department, as I understand, make a ruling requiring these publications to go by freight if they want them to go that way. They make the order, and the publisher has to comply with it. If he thinks that that order works unfair discrimination against him, then he makes an appeal. He applies to the Post Office Department for an opportunity to be heard, but the order directing him to ship his publication by freight has been made. It is in effect.

Mr. HARDWICK. It does not go into effect, however. That is where I take issue with the Senator. The department says it does not go into effect. That is the very vital part of the contention.

Mr. JONES. There is nothing here to say it does not go into effect.

Mr. HARDWICK. Well, it does not go into effect.

Mr. JONES. It says:

> Whenever the owner of any publication required by an order of the Post Office Department to be transmitted by freight believes that he is unfairly discriminated against, he may apply to the Post Office Department for an opportunity to be heard.

There is nothing there to say that the order is held up if he makes this application.

> That upon such application being duly filed in writing, the owner of such publication shall have opportunity for a full and fair hearing before said department, and pending final determination no change shall be made in the method of transportation of such publication as ordered by the department.

Mr. HARDWICK. That is it—no change of the character ordered by the department.

Mr. JONES. The department has ordered it to be sent by freight.

Mr. HARDWICK. I understand; but they do not make the change pending final determination.

Mr. JONES. They do not make the change as ordered by the department.

Mr. HARDWICK. That is right.

Mr. JONES. They do not change it from sending it by freight.

Mr. HARDWICK. No. Of course, I think myself the language is not as clear as it might be.

Mr. JONES. I do not see how you can make any other construction of it, so far as that is concerned. The present department officials may construe it in that way, but if you get another department official in office he will very likely construe it as the language reads here. I think it is very clear what the department will do when the time comes to construe it.

Mr. HARDWICK. I will say this to the Senator, because I do not want any misunderstanding about that, either now or in the future: The department contend, and did strenuously contend before the conferees, that exactly what I have said is the construction that they propose to give to this language, and that that is exactly what it means; in other words, that pending the appeal, pending the hearing, first, before the department, and pending the final decision of the court, this matter was not to be blue tagged. That is what they say. They gave us that assurance. Now, I admit that the language is capable of the construction contended for by the Senator from Washington.

Mr. JONES. Who gave the assurance on behalf of the department?

Mr. HARDWICK. Mr. Stewart, the special officer for the department, who was there by instructions of the Postmaster General to represent him in this matter. There can be no possibility of a misunderstanding about that. We were assured, before we ever appealed to them, that the department so construed it. I brought it up, not once but thrice, and asked that question, because I pointed out to Mr. Stewart and to the House conferees that the language was capable of the very construction that is contended for by the Senator from Washington and the Senator from Arizona. The Senate conferees were assured that while that might be true that was not what they meant at all, and there would be no such construction as that given to it.

Let me say one thing further before I take my seat. There has been no substantial change made—accepting the assurances of the department in regard to that language, and it is capable of that construction—in this amendment, except one, according to my view of it, and that was requiring these people to come to the Court of Appeals of the District of Columbia. I think that is fully justified when you consider that the department may be vexed with many of these cases from all over the country, and when you consider that the interests of the Government ought to be promoted and protected about this sort of matter, and that these people have to come here anyhow to contest the orders originally before the department.

That is all I have to say.

Mr. SMOOT. Mr. President, I had hoped that the Senate conferees could retain section 7 in the bill, together with the two amendments that were adopted by the Senate. I believe the language of the amendment that was adopted by the Senate can not be misconstrued, nor do I believe that the language adopted by the conferees can be misconstrued, notwithstanding the statement made by the Senator from Georgia [Mr. HARDWICK].

The amendment adopted by the Senate provides:

> That whenever the owner of any publication required by an order of the Post Office Department to be transmitted by freight believes that he is injured or discriminated against he may apply to the Post Office Department for an opportunity to be heard; that upon such application being duly filed in writing the order of the Post Office Department as to the transportation of such publication by freight shall be suspended and the owner of such publication shall have opportunity for a full and fair hearing before said department.

Now, the crux of this whole change lies in the provision as agreed to by the conferees. The conferees provide the following:

> But no publication shall be sent by freight if such method of transportation results in unfair discrimination: *Provided*, That whenever the owner of any publication required by an order of the Post Office Department to be transmitted by freight believes that he is unfairly discriminated against he may apply to the Post Office Department for an opportunity to be heard; that upon such application being duly filed in writing the owner of such publication shall have opportunity for a full and fair hearing before said department.

Now, mark these words:

> And pending final determination no change shall be made in the method of transportation of such publication as ordered by the department.

Mr. President, I can conceive of only one construction of that language. In other words, the Senate amendment provided that upon the application "being duly filed in writing, the order of the Post Office Department as to the transportation of such publication by freight shall be suspended." The conferees provide that "pending final determination no change shall be made in the method of transportation of such publication as ordered by the department."

Mr. HARDWICK. Mr. President, let me ask the Senator just one question right there.

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Georgia?

Mr. SMOOT. Certainly.

Mr. HARDWICK. Suppose there was a comma after the word "publication"?

Mr. SMOOT. I hardly think it would make any difference.

Mr. HARDWICK. It might make a very great difference; and my recollection is that there was such a comma there.

Mr. SMOOT. Well, it might; but I do not believe that even were the comma there——

Mr. HARDWICK. I just suggest that idea because it conveys the construction that they sought to give to us, if the Senator will keep that in mind.

Mr. SMOOT. I might say that if Gen. Stewart were the party to decide this question finally, perhaps we could rely upon the promise that was made by him to the conferees; but Mr. Stewart is not going to be the final arbiter of this question.

Mr. HARDWICK. If the Senator will pardon me, two mail divisions already have this blue tag without any appeal except the right of appeal if the property is confiscated under the Constitution. These people would not be any worse off in the two divisions than they are in the other two if the Senator were right in his contention.

Mr. SMOOT. The Senator is perfectly right in that statement; I agree with him absolutely. But we are trying to correct what is considered by the publishers to be an unjust discrimination against their publications. I believe that the measure ought to be such that there can be no misunderstanding. I want to say frankly to the Senator that I do not believe there can be any misunderstanding of the language as the conferees have adopted it, and that it means this, supposing there is a monthly magazine published in San Francisco and the Post Office Department orders that that magazine shall go by freight and the publishers of the magazine make a protest to the Post Office Department, if the amendment as adopted by the Senate had been in the conference report and agreed to by the conferees then the order that the magazine should go by freight would be suspended and it would be carried as other magazines are carried until there was a final determination of it. But with the wording that is provided by the conference report the publisher can make a protest and the protest will do him no good whatever until the final determination is made, and it may be one year or it may be two years before the final decision is reached. In the meantime the publisher may be ruined financially, his magazine may be of no use whatever to the subscribers, whom perhaps it had taken him years and years to obtain.

Mr. GALLINGER. If the Senator will permit me, what reason has the Senator for saying that it might take a year or two to decide this matter? As I read this provision, these cases are given precedence in the court.

Mr. SMOOT. But the way it has been finally agreed upon—and I have no doubt the conference report will be adopted—he can not go to the circuit court; he has got to come to Washington to the district court.

Mr. GALLINGER. That is true.

Mr. SMOOT. To do that will place him at an enormous expense of traveling across the country.

Mr. GALLINGER. I agree to the proposition that that would seem to be a hardship.

Mr. SMOOT. I consider that to be one of the greatest hardships. I can not see why he should not have the right to go into the circuit court in the State in which he lives and have the matter decided there. The United States would be at no extra expense; they have United States attorneys in every district, and the publisher could go to the court at home at very little expense, and under that condition I do not believe it would take two years to reach a final decision.

But, Mr. President, when you stop to think that a small publisher would have to make the journey; that he would have to stop at a hotel; that he would be to the expense of railroad transportation both across the country to Washington and return, we must admit there are not many of them who could afford to do it. They would have to either borrow the money or they would have to wait until they got relief in some other way in order to come to Washington to see if relief could be granted them by the court here in the District of Columbia.

Mr. GALLINGER. Is it not true that he has to come here and make his complaint before the Post Office Department before it reaches the court?

Mr. SMOOT. No; not necessarily would he have to do so. He could present his complaint by mail to an attorney here in Washington. The attorney could present his whole case, having all the facts in writing, and the attorney could handle it without the publisher coming here, just as attorneys handle cases affecting the public lands.

Mr. GALLINGER. And pensions.

Mr. SMOOT. Or pensions or any other matter that comes before the different departments of the Government.

But I do believe this is a hardship upon the small publisher, and I was in hopes to see the provision as it was passed by the Senate adopted. I am not finding fault with the Senate conferees. I have been on too many conferences to say that the conferees of either House can have their own way, but it seems to me that after what was said by Gen. Stewart, and the construction that he put upon this language, the provision adopted by the conferees ought to have been made so plain that there could be no question about it.

In my opinion it is plain. I believe whenever it is construed it will mean that if the Postmaster General orders a publication in California to go by freight, and the editor of that publication protests and wants it to go by mail, and presents his case, the change can not be made, under this provision, until it is finally determined either at the Post Office Department by presenting the case there or by taking it into court, and that only in the court of the District of Columbia.

Mr. STERLING. Mr. President——

Mr. SMOOT. I yield to the Senator from South Dakota.

Mr. STERLING. I confess I can not quite, under the reading of this provision, appreciate the objection made by the Senator from Utah. His complaint is that upon the application being made by a party feeling himself aggrieved by an order compelling him to ship second-class mail matter by freight the order will not be suspended pending the hearing.

Mr. SMOOT. That is the Senate amendment, and I have no objection to it. But the conference report provides pending final determination. What is final determination? Final determination is either a decision by the Postmaster General or the decision of the court, as provided in the amendment. It reads:

> And pending final determination no change shall be made in the method of transportation of such publication as ordered by the department.

That is the conference report. The bill, as amended in the Senate, provided—

> That upon such application being duly filed in writing, the order of the Post Office Department as to the transportation of such publication by freight shall be suspended, and the owner of such publication shall have opportunity for a full and fair hearing before said department.

Mr. STERLING. Was not that provision agreed upon by the conferees?

Mr. SMOOT. No; that has been stricken out, and the provision that I read has been inserted.

Mr. GALLINGER. I will ask the Senator from Utah this question: If the provision of the Senate had remained in, would it not necessarily follow that the Postmaster General would have been compelled to send all the publications by fast mail?

Mr. SMOOT. Not necessarily, Mr. President.

Mr. GALLINGER. Every publisher whose publication was being sent by freight would have entered a protest. That would have been held up, and as a consequence the effort of the Postmaster General to minimize the cost of transmitting these publications would have been absolutely nullified, in my judgment, pending the final determination which, as the Senator says, might be a year or two years in each case.

Mr. SMOOT. No; I want to call the Senator's attention to a fact to show that such would not be the case. As to the publications that have their great circulation within a radius, say, of 100 or 200 miles, the publishers never object to their publications going by freight. They never make a protest, but it is the magazines that have to travel 1,500 miles or 2,000 miles.

Mr. GALLINGER. Precisely; and the short carriage is very inconsequential as compared to those that go 1,500 miles, some of which have an immense circulation.

Mr. SMOOT. Mr. President, the bulk of the magazines that have a great circulation in this country circulate in a radius of a few hundred miles. Of course, many of them go farther, and they could be separated. For instance, take the Youth's Companion. That goes all over the United States, but the bulk of the copies of the Youth's Companion are distributed in New York and Massachusetts. Barring, I suppose, Illinois, the great bulk of them would be distributed within a short radius.

Mr. GALLINGER. Would the Senator have them divided, and a portion of them go by freight and a portion by fast mail?

Mr. SMOOT. I think it could be done.

Mr. GALLINGER. I do not see how they could possibly do it.

Mr. SMOOT. This is the way it could be done: For instance, for all subscribers, we will say, in the State of Utah the publication could be shipped in bulk to that State and there distributed. Within a few hundred miles it could be shipped by freight in just the same way and distributed, but Utah is 2,500 miles distant, and that is too long a distance to send it by freight.

Mr. GALLINGER. There might be 50 post offices to which it goes, and they would have to count them all up, and I do not see how it could very well be done.

Mr. SMITH of Georgia. Mr. President, will the Senator yield?

Mr. SMOOT. I yield.

Mr. SMITH of Georgia. Is it not true that the average distance a magazine goes is over 600 miles?

Mr. SMOOT. That is, taking all of the magazines of the country together.

Mr. SMITH of Georgia. Yes; taking the magazine service.

Mr. SMOOT. Taking in farmers' papers and everything else, I apprehend that is correct.

Mr. SMITH of Georgia. So that the average cost to the Government for forwarding magazines is about six times as much as the magazine pays the Post Office Department.

Mr. SMOOT. The Post Office Department report states that it is nearly five times—4.81 times, or something like that, as I remember.

Mr. HARDWICK. It is over five times as much without the cost of handling. When you add the cost of handling it runs to 8.24 cents.

Mr. SMOOT. That cost must be taken into consideration whether the publication goes by freight or by mail.

Mr. HARDWICK. That is true.

Mr. SMOOT. The handling of it, of course, in most cases is about the same.

Mr. SMITH of Georgia. Is the Senator sure that the near-by service is not frequently rendered by mail cars?

Mr. SMOOT. I said it was. That is what I said to the Senator in answer to his charge that all publishers would protest against their publications going by freight. They are not protesting to-day.

Mr. SMITH of Georgia. Is it not true, then, that we must do with these magazines one of two things, when we give them a long haul which costs the Government such an enormous sum—either make them go by freight or charge them something like what they cost the public?

Mr. SMOOT. I will say to the Senator that would be the business way of doing, but neither the amendment adopted by the conferees nor the amendment adopted by the Senate would reach that question at all.

Mr. GALLINGER. Mr. President, if there is one thing that has become tedious in our legislation it is this blue-tag business. There is only one remedy for it, in my judgment, and that requires a degree of courage on the part of Congress that it has failed to display up to the present time. The truth is these publications ought to be charged a fair rate of postage, which ought to be ascertained by some careful investigation, and then they ought to be sent in some manner applying equally to all; but for some inscrutable reason Congress has not been willing to do that.

Mr. SMITH of Georgia. If the Senator will allow me, when we had this subject up two or three years ago the Senate amended the blue-tag provision so as to permit them, if they wanted to go by fast mail, to pay 2 cents per pound, but they were not willing even to do that, and they got the provision stricken out by the House conferees.

Mr. GALLINGER. And even if they had agreed to that, the publications would then have gone through the mails for less than one-half the cost to the Government.

Mr. SMITH of Georgia. But they were not willing even to do that.

Mr. GALLINGER. No; they were not willing to do that.

Now, I hope, Mr. President, that we will get rid of this blue-tag controversy some time by the Congress of the United States having the courage to do exact justice to these publications, charging a fair rate of postage to transmit them through the mails, the rate to apply to one equally with the other. Until Congress does that, we will have this everlasting controversy about the blue-tag system; we will have contests before the Postmaster General and before the courts of the country, and no conclusion will be reached that will be satisfactory to anybody, unless it be to the publishers who are getting their publications sent through the mails at from one-fourth to one-fifth what the Government is paying to transmit them.

I want to go on record, Mr. President—and I am only one Senator—as being ready to vote at any time for a rate of postage on these publications which will be fair to the publishers and fair to the Government, and which will take out of our legislation this everlasting controversy about the blue-tag system and the question of sending these publications by fast mail or freight.

Mr. NORRIS. Mr. President——

Mr. GALLINGER. I yield to the Senator.

Mr. NORRIS. I am very much impressed with what the Senator said about the necessity for some legislation in regard to these publications, and it has just occurred to me—I have not looked it over with that in view, but perhaps the Senator can give me the information—that the reference to the Interstate Commerce Commission of the question of railway mail pay may be broad enough so that the commission will have power to report what would be a fair compensation for the transportation of second-class matter.

Mr. GALLINGER. Without being able to give a legal opinion that would be worth anything, for I am not a lawyer, I would say that I think that that is the tribunal that ought to be required to investigate this matter and determine it.

Mr. NORRIS. Probably the Senator did not quite grasp the question I asked. I meant to ask the Senator whether from his examination of this conference report he considers the language referring the matter of mail pay and so forth, to the Interstate Commerce Commission sufficiently broad so that the commission could ascertain and report to Congress what the rate ought to be for magazines and like publications?

Mr. GALLINGER. In reply to the Senator from Nebraska, I will say frankly that I have not examined it critically enough to be able to answer that question. I hope it is broad enough and that the matter will be determined.

Mr. NORRIS. While we are referring the question of mail pay to the Interstate Commerce Commission it seems to me that it would be wise to include this matter.

Mr. GALLINGER. I think so, too.

Mr. SMITH of Georgia. Mr. President, if the Senator will yield, I served on the Post Office Committee, and took a great deal of interest four years ago in the investigation of the cost to the Government of forwarding these magazines and also I investigated blue-tag transportation. There was a Republican Postmaster General at that time, and everybody was knocking him. I concluded that he was doing his duty about this matter and seeking properly to save expense.

There is no trouble about our ascertaining what these publications cost the Government. There is not a particle of trouble about that, and we do not need the aid of the Interstate Commerce Commission to find out what they cost us. We know what the magazines weigh; we know what the average haul is; and we know what our average payment to the railroad companies is per pound per mile, and the Post Office Department, without the help of anybody, just as easily as the Interstate Commerce Commission, can sit down, when they know what the railroads are paid per mile for hauling, and work out for us in a very short time a statement of what the average cost is of hauling these magazines.

Mr. NORRIS. Mr. President, I should like to ask the Senator from Georgia a question. The average length of a haul, it seems to me, is not the proper criterion to determine the matter, because, as I understand—and if I am wrong the Senator will be able to correct me—under the present rate some of these publications are sent by the publishers short distances by express and freight. Am I not right in that?

Mr. SMITH of Georgia. Yes.

Mr. NORRIS. That being true, does it not follow that any system must necessarily take distance into consideration? In other words, we ought to have a zone system.

Mr. SMITH of Georgia. That is a question for us to determine, and we do not need the Interstate Commerce Commission for that. We know what it costs to handle the publications.

There are two elements of expense to the Government in transporting second-class matter; one is handling, and the other is hauling. Weight and distance fix the cost of the haul. It is perfectly easy for the department to furnish the committee figures showing with substantial accuracy the cost of the handling and the cost per hundred miles of haul; and if we are willing to charge the magazines substantially what it costs the Government to transmit them through the mails, it is for Congress to determine whether it will give them average rates on an average haul, adding the cost of handling, or whether it shall be so much for a haul of a hundred miles, so much for 200 miles, so much for 500 miles, and so on, dividing it into zones. We do not need the Interstate Commerce Commission to help us; we do not need anybody to help us, except to make up our minds that we have the courage to face the magazine owners and make them pay something like the cost the carriage of their publications places upon the Government. The trouble has been the fear of criticism from magazine owners if we placed a charge somewhat in accord with the cost to the Post Office Department.

Mr. GALLINGER. Mr. President, I rose simply to put on record——

Mr. SMITH of Georgia. I am sorry the Senator from Arizona is impatient for a vote. When those of us who have something to say get through, there will be an opportunity.

Mr. SMITH of Arizona. Mr. President, since the Senator has mentioned my name——

Mr. GALLINGER. Mr. President, I appeal to the Chair that I have the floor.

The VICE PRESIDENT. The Senator from New Hampshire has the floor.

Mr. GALLINGER. I rose simply for the purpose of putting on record my views on this subject. I have no concealments about it. I have no fear in my mind or heart of what the magazines may do to me. They have done their worst already on more than one occasion, and I have survived it.

I simply want to say that when the Congress of the United States get to a point where they have the courage to legislate on this subject as they ought to legislate on it, we will get rid of this blue-tag controversy. We will be charging these magazines relatively what they ought to pay, and we will have them all placed upon the same basis of equal and exact justice to them and of some degree of justice to the Government of the United States.

That is all I care to say.

Mr. BANKHEAD. Mr. President, I move the adoption of the conference report.

Mr. NORRIS. Mr. President, I should like to ask the Senator from Alabama about Senate amendment No. 64. It has not been discussed at all. To my mind it is one of the very important amendments that the Senate put on this bill. I notice, from the report, that our conferees have receded from this amendment.

Mr. BANKHEAD. Mr. President, the conferees struck out that provision because we felt that second-class matter had been extended just as far as we could afford to extend it, or as far as it ought to be extended, unless there was some investigation made somewhere to ascertain how much more we were extending it. We had no information on the subject as to the amount, as to the weight, as to the publication, or anything else; and we thought it was proper to wait at least for another Congress in order to take up that question, inasmuch as we were having so much trouble already with the blue-tag business.

Mr. NORRIS. Mr. President, this only emphasizes, perhaps, the necessity of some legislation along the line suggested by the Senator from New Hampshire and the Senator from Georgia. In order, however, that the Senate may have in mind this particular amendment, I want to read it. It is very brief. It seems to me it is one that is important, and, regardless of what effect it has on the Post Office Department, it is one that is for the benefit of all the people, and ought to be put in the law. It reads as follows, after the introductory part:

> All periodical publications issued from a known place of publication at stated intervals as frequently as four times a year by State departments of agriculture and of labor and industry and of State boards or departments charged with the enforcement of laws regulating the distribution and sale of food, poultry, dairy, and drug products, or any of these, shall be admitted to the mails as second-class mail matter: *Provided*, That such matter shall be published only for the purpose of furthering the objects of such departments: *Provided further*, That such publications shall not contain any advertising matter of any kind.

Mr. President, it seems to me that there could be no possible objection to sending this kind of matter through the mails at second-class rates, with the one exception—and I contend that where it is for the benefit of all the people, as this is, that objection has no merit—that it will perhaps increase the deficit of the Post Office Department. Let it be emphasized and increased, if necessary, by the instrumentalities named in that amendment. While we are sending newspapers and magazines through the mails ostensibly for the benefit of the people—and I concede that there is something in that argument; I am in favor of being liberal with them—but while they carry mostly advertisements and other things out of which the people who send them at this reduced rate make large profits, we are compelling our State boards of agriculture and of labor and the departments engaged in sending out literature in regard to food and drugs and the health of the people generally to pay a higher rate of postage than those publications, even though there is not any advertising in it and no profit in it for anybody. They are sent out for the benefit of the people themselves. If there is any class of publications that ought to go free, that is the class, it seems to me, that ought to be included, at least.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

NAVAL APPROPRIATIONS.

Mr. SWANSON. I move that the Senate resume the consideration of House bill 15947, the naval appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15947) making appropriations for the naval service for the fiscal year ending June 30, 1917, and for other purposes.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the concurrent resolution (S. Con. Res. 12) requesting the President of the United States to designate a day on which funds may be raised for the relief of the Armenians.

The message also announced that the House had passed a bill (H. R. 17053) making additional appropriations for the Public Health Service for the fiscal year 1917, in which it requested the concurrence of the Senate.

The message further announced that the House disagrees to the amendments of the Senate to the bill (H. R. 12717) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1917, and for other purposes, requests a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. LEVER, Mr. LEE, Mr. RUBEY, Mr. HAUGEN, and Mr. MCLAUGHLIN managers at the conference on the part of the House.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10484) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1917, and for other purposes.

The message further returned to the Senate in compliance with its request the message announcing the agreement to the conference report on the bill (S. 5425) to standardize lime barrels.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 35. An act to authorize the Secretary of the Interior to issue patents for certain lands to the town of Myton, Utah;

S. 36. An act to authorize the Secretary of the Interior to issue patents for certain lands to the town of Duchesne, Utah.

H. R. 6057. An act to amend section 14 of the reclamation extension act, approved August 13, 1914;

H. R. 11262. An act for the relief of Mrs. C. D. Corbin;

H. R. 11261. An act for the relief of Mary S. Corbin;

S. J. Res. 60. Joint resolution creating a joint subcommittee from the membership of the Senate Committee on Interstate Commerce and the House Committee on Interstate and Foreign Commerce to investigate the conditions relating to interstate and foreign commerce, and the necessity of further legislation relating thereto, and defining the powers and duties of such subcommittee; and

S. J. Res. 150. Joint resolution to authorize the Secretary of the Treasury to accept from the city of Pittsburgh certain lands in exchange for other lands of equal area.

PETITIONS AND MEMORIALS.

Mr. NELSON presented a telegram in the nature of a memorial from F. M. Prince, president of the Clearing House Association of Minneapolis, Minn., remonstrating against a tax on bankers, which was referred to the Committee on Finance.

Mr. TAGGART presented petitions of Rich Mountain Post No. 42, Grand Army of the Republic, of Lebanon, and of sundry citizens of Redkey, in the State of Indiana, praying for the passage of the so-called Ashbrook Civil War widows' pension bill, which were ordered to lie on the table.

Mr. TOWNSEND presented a memorial of sundry citizens of Muskegon, Mich., remonstrating against the enactment of legislation to limit the freedom of the press, which was referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of sundry citizens of Ludington, Mich., remonstrating against any appropriation to defray the expenses of entertaining delegates to the national convention of the Anti-Saloon League, which was referred to the Committee on Appropriations.

Mr. OLIVER presented petitions of sundry citizens of Reading, Pa., praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of St. Clair, Pa., praying for the adoption of an amendment to the Constitution to prohibit polygamy, which was referred to the Committee on the Judiciary.

Mr. PHELAN presented a memorial of the Board of Supervisors of Kings County, Cal., remonstrating against a Federal inheritance tax, which was referred to the Committee on Finance.

Mr. THOMPSON presented petitions of Jewell Post, No. 3, Department of Kansas, Grand Army of the Republic, of Pleasanton, and of sundry citizens of Onaga, in the State of Kansas, praying for the passage of the so-called Ashbrook widows' pension bill, which were ordered to lie on the table.

He also presented a petition of the congregation of the Brethern Church, of McPherson, Kans., praying for the enactment of legislation to prohibit the interstate transmission of race gambling odds and bets, which was referred to the Committee on Post Offices and Post Roads.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MARTINE of New Jersey:

A bill (S. 6666) to carry out the findings of the Court of Claims in the case of John R. McGinness; to the Committee on Claims.

By Mr. SMITH of Maryland:

A bill (S. 6667) to incorporate the American Nurses' Association; to the Committee on the District of Columbia.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. WORKS submitted an amendment authorizing the Commissioners of the District of Columbia to convey by good and sufficient deed of conveyance to the Government of the United States all property of the District of Columbia of every kind and nature, real, personal, and mixed, etc., intended to be proposed by him to the District of Columbia appropriation bill (H. R. 15774), which was ordered to lie on the table and be printed.

He also submitted an amendment providing that the following sums are hereby appropriated out of any money in the Treasury not otherwise appropriated for the support of the Government of the District of Columbia for the fiscal year ending June 30, 1917, and for other purposes, intended to be proposed by him to the District of Columbia appropriation bill (H. R. 15774), which was ordered to lie on the table and be printed.

Mr. CURTIS submitted an amendment proposing to extend the provisions of the act of May 11, 1908, as amended by the act of March 3, 1909, relating to pay to beneficiaries of officers and enlisted men on the active list of the Army, etc., intended to be proposed by him to the Army appropriation bill (H. R. 16460), which was ordered to lie on the table and be printed.

AMENDMENT OF THE RULES.

Mr. LA FOLLETTE. I give notice of the following proposed amendment to the rules of the Senate, which I ask may be read.

The VICE PRESIDENT. The notice will be read.

The Secretary read as follows:

On Wednesday, July 19, or as soon thereafter as possible, I shall move to suspend that provision of paragraph 3 of Senate Rule XVI, prohibiting any amendment proposing general legislation to any general appropriation bill, for the purpose of offering the following amendment to the bill (H. R. 15947) making appropriations for the naval service for the fiscal year ending June 30, 1917, and for other purposes, by inserting, after line 13, page 172, a new paragraph, as follows:

"*Provided*, That the Army and Navy of the United States shall not be used to coerce or compel the collection of any pecuniary claim of any kind, class, or nature, or to enforce any claim of right to any grant or concession for or on behalf of any private citizen, copartnership, or corporation of the United States against any foreign Government with which this Government is at peace until said citizen, copartnership, or corporation shall have exhausted his legal remedies in the courts of the foreign Government or if a denial of justice after the exhaustion of such legal remedies being alleged the foreign Government shall decline an offer on the part of the Government of the United States to submit the case to arbitration."

ROBERT M. LA FOLLETTE.

AGRICULTURAL APPROPRIATIONS.

The VICE PRESIDENT laid before the Senate the action of the House of Representative, disagreeing to the amendments of the Senate to the bill (H. R. 12717) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1917, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. SMITH of South Carolina. I move that the Senate insist upon its amendments and agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to, and the Vice President appointed Mr. SMITH of South Carolina, Mr. SMITH of Georgia, Mr. SHEPPARD, Mr. WARREN, and Mr. GRONNA conferees on the part of the Senate.

HOUSE BILL REFERRED.

H. R. 17053. An act making additional appropriations for the Public Health Service for the fiscal year 1917 was read twice by its title and referred to the Committee on Appropriations.

GOVERNMENT OF THE PHILIPPINES.

Mr. HITCHCOCK. I ask the Chair to lay before the Senate the action of the House of Representatives on the bill (S. 381) to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands and to provide a more autonomous government for those islands.

The VICE PRESIDENT. The Chair lays before the Senate the action of the House of Representatives insisting on the amendments of the House to the bill (S. 381) to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands and to provide a more autonomous government for those islands, requesting a conference with the Senate on the disagreeing votes of the two Houses thereon, and appointing Mr. JONES, Mr. GARRETT, and Mr. TOWNER managers at the conference on the part of the House.

Mr. HITCHCOCK. I move that the Senate disagree to the amendments of the House and agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. HITCHCOCK, Mr. SHAFROTH, and Mr. LIPPITT conferees on the part of the Senate.

Mr. SWANSON. I move that the Senate adjourn until 10 o'clock to-morrow morning.

The motion was agreed to; and (at 6 o'clock and 28 minutes p. m., Tuesday, July 18, 1916) the Senate adjourned until to-morrow, Wednesday, July 19, 1916, at 10 o'clock a. m.

HOUSE OF REPRESENTATIVES.

TUESDAY, *July 18, 1916.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

"O Lord, our Lord, how excellent is Thy name in all the earth! Who hast set Thy glory above the heavens," which day unto day and night unto night in a thousand ways reflect that glory. Help us by the fruition of an honest, brave, and upright life to reflect that glory among men, that we may accomplish Thy purposes in ourselves, and so fulfill the desires of Thy heart. In the spirit of Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS.

Mr. WALSH. Mr. Speaker, I ask that my colleague, Mr. DALLINGER, of Massachusetts, be given leave to extend his remarks in the RECORD by printing a letter from the Cambridge Board of Trade, embodying a report from a special committee of the board of trade of that city upon the post-office situation.

The SPEAKER. The gentleman from Massachusetts [Mr. WALSH] asks unanimous consent that his colleague, Mr. DALLINGER, have permission to extend his remarks in the RECORD on the subject of the post-office situation at Cambridge, Mass. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I would like to inquire how lengthy is the newspaper article that the gentleman desires to have incorporated as a part of his remarks?

Mr. WALSH. The newspaper article, Mr. Speaker, contains several columns, and it relates to the matter which was debated here on the floor of the House relative to the separation of the Cambridge post office from the Boston postal district. Now, as the bill comes back to the House, that separation is not provided for. A very thorough investigation of that matter has been made by the Cambridge Board of Trade, and my colleague from Massachusetts desires that the entire situation may appear in his remarks in the RECORD.

Mr. STAFFORD. Mr. Speaker, I hardly think this is a matter of national concern, and therefore I object.

The SPEAKER. The gentleman from Wisconsin objects.

Mr. CHIPERFIELD. Mr. Speaker, I desire to ask unanimous consent to extend my remarks in the RECORD on the subject of the proposed Illinois waterway.

The SPEAKER. The gentleman from Illinois [Mr. CHIPERFIELD] asks unanimous consent to extend his remarks on the subject of the proposed Illinois waterway. Is there objection?

There was no objection.

LEAVE TO ADDRESS THE HOUSE.

Mr. LIEB. Mr. Speaker, I ask unanimous consent to address the House for 15 minutes immediately after the conclusion of the business reported by the conferees on the Post Office appropriation bill.

The SPEAKER. The gentleman from Indiana [Mr LIEB] asks unanimous consent to address the House for not to exceed 15 minutes immediately after the conclusion of the discussion of

the conference report on the Post Office appropriation bill. Is there objection?

There was no objection.

Mr. FERRIS. Mr. Speaker, I ask unanimous consent that on Friday next—and I understand the House will adjourn to-day to that time—after the business of the morning hour at the desk is cleaned away, I may have one hour in which to address the House.

The SPEAKER. The gentleman from Oklahoma [Mr. FERRIS] asks unanimous consent that on next Friday, after the reading of the Journal and clearing up of the business on the Speaker's table——

Mr. MANN. And the disposition of conference reports——

Mr. FERRIS. Certainly.

The SPEAKER. Yes; the Chair was going to insert that; after the disposition of conference reports, shall have not to exceed one hour in which to address the House. Is there objection?

There was no objection.

Mr. BENNET. Mr. Speaker, I ask unanimous consent that at the conclusion of the remarks of the gentleman from Indiana [Mr. LIEB] I may address the House for 30 minutes.

The SPEAKER. The gentleman from New York [Mr. BENNET] asks unanimous consent that at the conclusion of the remarks of the gentleman from Indiana [Mr. LIEB] he shall be permitted to address the House for not to exceed 30 minutes. Is there objection?

There was no objection.

REPRINT OF THE PUBLIC-ROADS ACT.

Mr. ASWELL. Mr. Speaker, I ask unanimous consent that 50,000 copies of the good-roads act be printed for distribution through the document room.

The SPEAKER. The gentleman from Louisiana [Mr. ASWELL] asks unanimous consent that 50,000 copies of the good-roads act be printed for distribution through the document room. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, I think it is perfectly evident that the gentleman would not want them distributed through the document room, to begin with; not all of them, because I do not suppose he would want them all. Has any estimate been made of the cost of printing 50,000 copies by the Public Printer?

Mr. ASWELL. No.

Mr. MANN. The gentleman ought to obtain an estimate from the Public Printer. I have no objection to printing the act, but the gentleman should get an estimate from the Public Printer and introduce a proper resolution, and provide that a part of them be distributed by the document room, and most of them by the folding room.

Mr. ASWELL. I am willing that it shall be done either way.

Mr. MANN. I hope the gentleman will not press his request now. An estimate should be had on the cost.

Mr. ASWELL. I will withdraw my request for the present.

The SPEAKER. Does the gentleman withdraw his request?

Mr. ASWELL. Yes.

RELIEF OF ARMENIANS.

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to take up Senate concurrent resolution No. 12, asking the President to designate a day on which the citizens of this country may give expression of their sympathy by contributing funds for the relief of the Armenians.

The SPEAKER. The gentleman from Virginia [Mr. FLOOD] asks unanimous consent for the present consideration of Senate concurrent resolution No. 12, of which the Clerk will report the title.

Mr. MANN. Let him report it in full.

The Clerk read as follows:

Concurrent resolution (S. Con. Res. 12) requesting the President of the United States to designate a day on which funds may be raised for the relief of the Armenians.

The SPEAKER. Is there objection?

Mr. MANN. I ask to have it reported in full.

The SPEAKER. The Clerk will report it.

Mr. MOON. Mr. Speaker, I would like to know how long it will take.

Mr. FLOOD. I do not think it will take over two or three minutes.

Mr. STAFFORD. It will take more than that.

The Clerk read as follows:

Senate concurrent resolution 12.

Whereas in countries now engaged in war there are several hundreds of thousands of Armenians in need of food, clothing, and shelter; and

Whereas great numbers of them have been required by conditions growing out of the state of war to leave their homes and their property, deprived of an opportunity to make provision for their most elementary wants, causing starvation, disease, and untold suffering; and

Whereas the people of the United States of America have learned with sorrow of this terrible plight of great numbers of human beings, and have most generously responded to the cry for help whenever such an appeal has reached them: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That, in view of the misery, wretchedness, and hardships which these people are suffering, the President of the United States be respectfully asked to designate a day on which the citizens of this country may give expression to their sympathy by contributing to the funds now being raised for the relief of the Armenians in the belligerent countries.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I wish to inquire of the gentleman offering this resolution whether in the history of the Congress we have ever passed any similar joint resolution calling upon or authorizing the President to designate a national tag day for the relief of suffering humanity abroad or at home?

Mr. FLOOD. Mr. Speaker, early in this year the Senate passed a similiar resolution in reference to the destitute Jews in the war zones, in consequence of which the President issued a proclamation on January 27. It proved to be of great benefit in raising funds for the needy Jews, and that suggested to the American relief committee of New York, which has done such splendid work for the Armenians in Turkey and the Caucasus, and which is trying to raise funds for 700,000 or 800,000 Armenians who have been driven out of Turkey into the deserts and plains of Mesopotamia, and are now in an almost starving condition, and other friends of these unfortunate people, the passage of this resolution.

I will here incorporate a letter which I received from the prelate of the Armenian Church in America:

JUNE 20, 1916.

Hon. HENRY D. FLOOD,
Chairman Committee on Foreign Affairs,
House of Representatives, Washington, D. C.

SIR: The undersigned, the Right Rev. Arsene Vehouni, prelate of the Armenian Apostolic Church of the United States of America, and Miran Sevasly, chairman of the Armenian National Defense Union of America, respectfully represent that on the 10th day of February, 1916, a concurrent resolution was submitted to both Houses, having for its object to designate a day on which the citizens of this country may give expression to their sympathy by contributing to the funds that are being raised for the relief of the Armenians now within the belligerent countries. The said resolution was passed by the Senate, but the House of Representatives has not so far acted upon the same. The object of your petitioners is to respectfully approach you on this urgent matter of Armenians relief before the present session of the House of Representatives is brought to a close, with the hope and the conviction that you will think fit to submit the same to the House for an early or if possible for an immediate consideration and approval.

We beg leave to remind your committee that on the 6th day of January a resolution was considered and agreed to in the Senate of the United States, having a similiar object and affecting the destitute Jews in the war zones, and in consequence of which the President issued a proclamation.

The resolution concerning the Armenians being a concurrent one needs the ratification of the House of Representatives.

We will not go into details of the misery and wretchedness endured by the Armenians throughout Turkey and within that part of the trans-Caucasus where they have sought refuge. The necessities are not only urgent but almost crying, as is shown in the two documents annexed and marked A and B, the first of which is a translation of an appeal by his holiness, Kevork, the primate and catholicos and supreme patriarch of the Armenians, which speaks for itself, and to which we respectfully invite your earnest attention; and the second is the bulletin issued by the American Relief Committee, of New York, which has been working steadily and heartily for the redemption of the surviving Armenians throughout Turkey and the Caucasus. Ambassador Morgenthau, who has so admirably performed his duties as ambassador at Constantinople, lays stress on page 7 of said bulletin upon the conditions prevailing in that part of the world and upon the immediate necessity for relief.

It is our wish and hope that some Sunday in October of this year may be appointed and proclaimed upon which the people of the United States may make such contribution as they feel disposed in aid of the stricken Armenian people.

Respectfully and gratefully submitted.

ARSÈNE E. VEHOURI,
Prelate of the Armenian Church,
65 Laurel Street, Worcester, Mass.
MIRAN SEVACLY,
Chairman of National Defense Union,
751 Old South Building, Boston, Mass.

Mr. FITZGERALD. If the gentleman will permit me, several other resolutions have been passed, and proclamations issued.

Mr. FLOOD. I knew about the Jewish resolution. There are some others pending. I did not know that any others had passed except the Jewish resolution, which was a Senate resolution.

Mr. BENNET. There was a resolution passed in the other body with reference to the Poles.

Mr. FITZGERALD. And also the Syrians.

Mr. BENNET. There were two resolutions passed—one in reference to the Jews and the other in reference to the Poles.

Mr. FITZGERALD. And one in relation to the Syrians.

Mr. BENNET. And one in relation to the Syrians. My colleague is right.

Mr. STAFFORD. There has never heretofore been any concurrent resolution of Congress authorizing the President to designate any certain day for the collection of funds for the relief of stricken people.

Mr. FLOOD. This is a Senate concurrent resolution. I do not know why the Senator who introduced it made it a concurrent resolution instead of a simple Senate resolution as the others have been; but I know the Senate has passed the Jewish resolution, and the gentlemen from New York [Mr. BENNET and Mr. FITZGERALD] have told me about three others, and that the President has issued proclamations in pursuance of those resolutions, just as the President will issue a proclamation with reference to the Armenians when we pass this concurrent resolution.

Mr. STAFFORD. Prior to this Congress, and other than the Senate resolutions referred to by the gentlemen from New York, has Congress, to the gentleman's knowledge, ever been called upon to authorize the President to designate a day for a similar purpose?

Mr. FLOOD. I do not recall any, but we have conditions existing in the world to-day that never existed before.

Mr. STAFFORD. Oh, the gentleman knows that Armenia has been a sore spot for many years, by reason of massacres similar to those now being perpetrated.

Mr. FLOOD. I know that there have been Armenian massacres before, but there never has been a time before when seven or eight hundred thousand Armenians were driven out into the desert and were there starving, or living on grass and roots, as they are to-day.

Mr. STAFFORD. Has the gentleman considered the precedent that would be established if we adopt this resolution, and if every similar condition of affairs——

Mr. GARNER rose.

The SPEAKER. For what purpose does the gentleman from Texas rise?

Mr. GARNER. Mr. Speaker, I ask the regular order. I am not going to object, but I ask for the regular order.

The SPEAKER. The regular order is, Is there objection?

Mr. STAFFORD. I think we have a right to consider this resolution. If the gentleman wants to demand the regular order, he may.

The SPEAKER. The gentleman from Texas demands the regular order, and the regular order is, Is there objection?

Mr. STAFFORD. I object, because of being unable to obtain the information which I desire.

Mr. MANN. If we are going to have the regular order demanded, I will demand it all the time while we are considering these things.

Mr. FITZGERALD. Do not do that.

Mr. MANN. I will. If the Democratic whip demands the regular order, under the circumstances, I shall demand the regular order all the time.

Mr. GARNER. I have no desire to force the consideration of this resolution offered by the gentleman from Virginia, but it did occur to me that the House had some business to attend to to-day, and the question was asked by the gentleman from Wisconsin [Mr. STAFFORD] whether there were any precedents to justify the passage of this resolution. The gentleman from Virginia [Mr. FLOOD] stated that there had been none to his knowledge. Now, it seemed to me that that was about all the information that the gentleman from Wisconsin wanted, and I wanted to see the business of Congress transacted rather than to have this continued conversation.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, I objected.

Mr. GARNER. I withdraw the request for the regular order so far as the concurrent resolution is concerned.

Mr. FLOOD. The gentleman from Texas withdraws his demand for the regular order.

Mr. STAFFORD. If the gentleman withdraws his demand, I withdraw the objection until I obtain the necessary information.

Mr. FLOOD. This resolution is deemed by the American relief committee of New York to be a very important one, and it is also deemed important by others who are interested in relieving the distress of the suffering Armenians.

Mr. STAFFORD. At the time the gentleman from Texas demanded the regular order I was seeking to inquire whether the gentleman or the committee had considered the danger of the precedent we would be establishing by having other peoples or communities who might be suffering likewise, and perhaps not so seriously, abroad or in this country, appealing to Congress every time to authorize the President to designate a tag day when funds might be collected.

Mr. FLOOD. I expect there will be other resolutions of this character. There are some pending in the Foreign Affairs Committee now, but I do not see that any harm can be done by establishing this precedent. In fact, I think it is a good precedent to establish. No one need give unless he desires to do so, and there is no charge on the Government.

Mr. MADDEN. And if the gentleman will yield to me, in the catastrophe which befell the Italian people at the time of the earthquake I think the Congress appropriated $800,000 out of the Public Treasury.

Mr. FLOOD. That was an appropriation by Congress. This asks for no appropriation by Congress. It simply seeks to give dignity to a movement the purpose of which is to raise money from private individuals for suffering humanity.

Mr. STAFFORD. Mr. Speaker, having obtained the information I desired, I will not press the inquiry any further.

The SPEAKER. Is there objection?

Mr. HULBERT. Reserving the right to object—and I do not intend to object, for I should like to see this resolution adopted—my only regret is that Congress has not seen fit at the same time to take similar action on the principle that charity begins at home, and that Congress has not looked after the soldiers of the District of Columbia, who, I understand, have been waiting since the 17th of June, and also looked after the destitute families of the members of the National Guard who are on the border at the present time. [Applause.]

The SPEAKER. Is there objection?

There was no objection.

The concurrent resolution was agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, one of its clerks, announced that the Senate had agreed to the amendments of the House of Representatives to joint resolution (S. J. Res. 60) creating a joint subcommittee for the membership of the Senate Committee on Interstate Commerce and the House Committee on Interstate and Foreign Commerce to investigate the conditions relating to interstate and foreign commerce and the necessity of further legislation relating thereto, and defining the powers and duties of such subcommittee.

The message also announced that the Senate had passed the following resolution:

Senate resolution 234.

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. HUNTER HOLMES MOSS, Jr., late a Representative from the State of West Virginia.

Resolved, That a committee of six Members of the Senate be appointed to join the committee appointed by the House of Representatives to take order for superintending the funeral of the deceased.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives.

Resolved, That, as a further mark of respect to the memory of the deceased, the Senate take a recess until 10 o'clock a. m. to-morrow.

In accordance with the provisions of the foregoing resolution the Vice President had appointed as the committee on the part of the Senate Mr. CHILTON, Mr. GOFF, Mr. BRYAN, Mr. OLIVER, Mr. STERLING, and Mr. HUSTING.

The message also announced that the Senate had passed without amendment joint resolution (H. J. Res. 218) authorizing the acceptance of the gift of Berkshire Trout Hatchery, Berkshire County, Mass.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message, in writing, from the President of the United States was communicated to the House of Representatives by Mr. Sharkey, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bills of the following titles:

On July 14, 1916:

H. R. 16911. An act making an appropriation for the relief and transportation of destitute American citizens in Mexico.

On July 17, 1916:

H. R. 3673. An act to establish a term of the United States circuit court of appeals at Asheville, N. C.;

H. R. 8351. An act to accept a deed of gift or conveyance from the Lincoln Farm Association, a corporation, to the United States of America, of land near the town of Hodgenville, county of Larue, State of Kentucky, embracing the homestead of Abraham Lincoln and the log cabin in which he was born, together with the memorial hall inclosing the same; and further, to accept an assignment or transfer of an endownment fund of $50,000 in relation thereto;

H. R. 11878. An act to amend section 99 of the act to codify, revise, and amend the laws relating to the judiciary;

H. R. 13486. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 16287. An act granting the consent of Congress to the county of Sumter, or to the county of Dooly, both of the State of Georgia, acting jointly or separately, and their successors and assigns, to construct a bridge across the Flint River; and

H. R. 16641. An act granting the consent of Congress to Julian B. McCurry, A. G. McCurry, P. W. Walton, and J. J. Fretwell to construct a bridge across the Savannah River.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committee, as indicated below:

S. 5441. An act for the relief of the heirs of Albert Sidney Johnston; to the Committee on Claims.

S. 1056. An act for the relief of Alfred Sjostrom; to the Committee on Claims.

S. 1429. An act for the relief of Artemus W. Pentz; to the Committee on Claims.

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 36. An act to authorize the Secretary of the Interior to issue patent for certain lands to the town of Duchesne, Utah.

PUBLIC HEALTH SERVICE.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 17053) making additional appropriations for the Public Health Service for the fiscal year 1917.

The SPEAKER. The gentleman from New York asks unanimous consent for the present consideration of a bill which the Clerk will report.

The bill was read, as follows:

Be it enacted, etc., That the following additional sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Public Health Service for the fiscal year 1917, namely:

For additional assistant surgeons, $50,000.

Interstate quarantine service: For cooperation with State and municipal health authorities in the prevention of the spread of contagious and infectious diseases in interstate traffic, $85,000.

The SPEAKER. Is there objection?

There was no objection.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent that this bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from New York asks that the bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

Mr. FITZGERALD. Mr. Speaker, an epidemic of poliomyelitis, otherwise known as infantile paralysis, has been affecting the people of the city of New York. It has become so great that the municipal authorities have called upon the Public Health Service to assist them in the work. Fifteen surgeons of the Public Health Service have already been detailed to duty in New York and 17 others are to be sent there. In addition to more than 2,000 cases, with a mortality of more than 400, cases have been reported from Illinois, Wisconsin, Florida, California, Connecticut, Maryland, New Jersey, and Kentucky. There are not so many cases in those sections, but evidently there is some danger of the disease being carried and spread so as to make it a very serious affliction to the entire country.

One of the unfortunate features of the situation is that very little is known about the disease, either as to what the germ is, how it is carried, or what is the effective treatment. The Public Health Service is doing the most effective work possible under the conditions.

At this time, Mr. Speaker, I desire to say a word in the hope that it will arouse the officials of the city of New York to the performance of their duty in a very important particular in this respect. On the 11th of July the President approved a joint resolution authorizing the use of the hospital buildings at Ellis Island for persons affected by the disease. The city of New York, because of the policy of insisting upon hospital treatment in cases where it is impossible to have either a trained nurse or some intelligent person to devote their time to the case, has had its hospital facilities very greatly overcrowded. The officials of the Public Health Service detailed to New York City in charge of the work have applications from 60 different persons for admission into the hospital at Ellis Island, but because of the failure of the municipal authorities in the city of New York to make provision for trained nurses and for the subsistence of the patients who are applying and ready to be sent to the hospital, it is impossible to utilize the buildings turned over by the Federal Government in this emergency. There are 580 available beds there at the disposition of the Public Health Service. It seems that somebody should raise his voice to awaken the officials of the municipality to the importance of doing their part fully in this very urgent work. This bill carries every dollar requested by the Public Health Service. They ask for additional surgeons, because they have two requests—one from Birmingham, Ala., and one from Norfolk, Va.—because of typhoid fever.

In Kansas City, Mo., the health officer is dead, if I recollect correctly, and his assistant has been ordered to the border with the troops, and Kansas City, Mo., is appealing to the Public Health Service for assistance under existing conditions.

For these reasons the committee believes it to be highly important to give the additional assistance asked for to prevent the interstate communication of this highly infectious and contagious disease.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. HARRISON. Mr. Speaker, I ask that the time be extended one minute in order to ask him a question.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi? [After a pause.] The Chair hears none.

Mr. HARRISON. The gentleman stated a good many States where they have cases of infantile paralysis, but he did not name Mississippi. I want to say to the gentleman that very much to my surprise, and to the surprise of the people of my State, the Saturday papers in that State stated that the health authorities reported 75 cases of infantile paralysis in that State.

Mr. FITZGERALD. I did not intend to make a complete statement; I had a list of States that had been mentioned as among those where cases have been reported.

Mr. HARRISON. They report that the mortality in the cases in Mississippi is very slight.

Mr. MANN. Mr. Speaker, some years ago when there was a threatened outbreak of plague or some other disease in the country we put an emergency appropriation of $500,000 to the credit of the Public Health Service. It was not all expended, and, if I recollect correctly, the unexpended balance was continued from year to year. Subsequently we adopted the policy of appropriating an emergency fund for each year, in the case of an epidemic or the outbreak of certain specified diseases which do not include paralysis. The law just went on the statute book, just became available, and we appropriated $400,000 for that purpose. It was supposed by everybody in Congress, unless somebody on the inside knew better, that here was an emergency fund at the command of the Public Health Service to meet any emergency. Now, it is very easy in this case to simply amend that act by including infantile paralysis or poliomyelitis. But instead of doing that the Public Health Service comes in and wants additional money. Instead of proposing to use the fund now provided for an emergency, whenever the emergency really arises they want an additional appropriation. The Public Health Service ought to be severely spanked in this connection. They have got to the point where it is impossible for Congress to make an appropriation for an emergency that they do not utilize it right away for the ordinary course of diseases.

Mr. FITZGERALD. I was about to suggest that when the emergency fund was first created, after it had existed several years, it was found that a very large force was permanently employed.

They were transferred to the statutory roll, and the appropriation made for the present fiscal year will be utilized in the maintenance of what has practically become a permanent force. It is impossible to set aside an emergency fund in the Public Health Service because it would at once become absorbed in the payment of current services.

Mr. MANN. That is what I was just saying.

Mr. FITZGERALD. I desired to emphasize it.

Mr. MANN. Here we make a special emergency appropriation, and under that special emergency appropriation in all likelihood the Public Health Service will again provide a permanent corps and they will want that covered into the regular service, and they will want this additional appropriation made year after year to cover that. I think the Public Health Service does a great work. I like to vote for appropriations for the Public Health Service, but if they would be honest with Congress, if they would learn to be on the square with Congress in asking for appropriations, they would get more money more easily than they get what they do now, because no one here credits them with absolute good faith in asking for appropriations for emergency purposes. They can get all the money they need for emergency, and they could get a good deal more for the ordinary course of their work if we could be sure they were on the square with us as to emergencies.

Mr. CANNON. Mr. Speaker, a very interesting hearing touching this bill was held this morning by the subcommittee

on deficiencies. It was a pretty searching hearing, and it appeared from that hearing—and I have no reason to question the truth of it—coming from a very intelligent member of the staff, that all appropriations made for the present fiscal year were apportioned to the current ordinary service, and that if this emergency service was cared for the other services would be crippled, and that it could not be cared for without this appropriation. As the population of the country grows, as new diseases afflict the country, as diseases like typhoid and typhus and the Rocky Mountain fever require care, and as real progress has been made and is being made in arresting them, I quite agree, without going into the detail of the hearing, with the propriety of appropriations of this kind. When the hearing began I was skeptical about it, and when it closed I was a very hearty though perhaps not very intelligent convert as to the necessity from the standpoint of the protection of the population for cooperation by the Public Health Service. It seems to me that it is absolutely demanded, and, therefore, I assented to the reporting of this bill.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. FITZGERALD, a motion to reconsider the vote by which the bill was passed was laid on the table.

AGRICULTURAL APPROPRIATION BILL.

Mr. LEVER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 12717) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1917, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from South Carolina asks unanimous consent to take from the Speaker's table the Agricultural appropriation bill, with Senate amendments, disagree to all of the Senate amendments, and ask for a conference. Is there objection?

Mr. FITZGERALD. Mr. Speaker, reserving the right to object, I desire to say that there has been incorporated in this bill by the Senate several amendments which should be eliminated. One is an amendment which was debated in the House and to which the House declined to agree. It was afterwards incorporated upon an appropriation bill and eliminated in conference. It has now been put upon the Agricultural appropriation bill, where it has no proper place. It relates to the Geological Survey. Another amendment proposes an appropriation direct from the Treasury for the Reclamation Service, which amendment does not properly belong upon the Agricultural appropriation bill. I have had a conference with the gentleman from South Carolina [Mr. LEVER], and I have no doubt that the amendments will be eliminated; but I wish to serve notice now that if it continues to be the practice of another body to keep jumping from one appropriation bill to another with various propositions, in the hope that in one place or another they will find some one sufficiently complacent to comply with their requests, that the work of Congress will not be speeded up.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I would like to have the sentiment of the House expressed before final agreement is reached on amendment No. 50, providing for an appropriation this year of $1,000,000 for the Appalachian Mountain Reserve and $2,000,000 next year.

Mr. LEVER. Mr. Speaker, if the gentleman from Wisconsin will permit, I will say that I shall see to it that the gentleman gets a separate vote upon that proposition.

Mr. STAFFORD. Then, as to amendment No. 65, providing for the establishment of the potash industry, while I have no objection to authorizing the Secretary of Agriculture to experiment in the manufacture of potash, nevertheless I question very seriously the advisability, as contained in the second provision of that authorization, of granting him the right to sell the product of these various potash factories which he is authorized to establish and have the funds resulting from the sale continually at his disposal, thereby surrendering the authority of Congress over the control of the appropriation that may be used for that purpose.

Mr. LEVER. I think there is no disagreement between the gentleman and myself upon that proposition. The gentleman would have those funds go into the Treasury as miscellaneous receipts?

Mr. STAFFORD. Yes. And there is one minor amendment which I hope the gentleman will see his way clear to resist, being amendment No. 216, with reference to the use of lump-sum appropriations by the departments in the purchase of automobiles. This amendment seeks to lift that restriction, so far as automobiles in the Agricultural Department are concerned.

Mr. LEVER. I am glad to have the gentleman's view on that matter.

Mr. STAFFORD. I am particularly interested, however, in the Appalachian appropriation and desire a separate vote upon that if it is not disagreed to.

Mr. LEVER. I assure the gentleman he will have that opportunity.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The Speaker announced the following conferees:

Mr. LEVER, Mr. LEE, Mr. RUBEY, Mr. HAUGEN, and Mr. McLAUGHLIN.

LEAVE OF ABSENCE.

Mr. FORDNEY, by unanimous consent, was granted leave of absence indefinitely, on account of death of a business associate.

WITHDRAWAL OF PAPERS.

Mr. BRUCKNER, by unanimous consent, was granted leave to withdraw from the files of the House, without leaving copies, papers in the case of James Dodds (H. R. 12081, 63d Cong.), no adverse report having been made thereon.

PRINT OF GOOD-ROADS ACT.

Mr. ASWELL. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. ASWELL. I rise to renew my request for unanimous consent.

The SPEAKER. For what?

Mr. ASWELL. To print 50,000 copies of the good-roads act. I have ascertained it will cost $62.23. I ask that this number be printed, and 10,000 be assigned to the document room and 40,000 to the folding room.

The SPEAKER. The gentleman from Louisiana asks unanimous consent that 50,000 copies of the good-roads act be printed, to cost $62.23, and that 40,000 copies go through the folding room and 10,000 copies through the document room. Is there objection?

Mr. FERRIS. Mr. Speaker, reserving the right to object, which I do not intend to do, would the gentleman couple with that the rural-credits act, which is not yet printed? That is needed also.

Mr. ASWELL. I will be delighted to do that.

Mr. MANN. We are not able to do that. The gentleman from Virginia spoke about that the other day, but it has not reached the point where it is printed.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

ADJOURNMENT OVER.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet on Friday next.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that when the House adjourns to-day it adjourn to meet on Friday next. Is there objection?

There was no objection.

POST OFFICE APPROPRIATION BILL.

Mr. MOON. Mr. Speaker, I desire to call up for consideration the conference report on the Post Office and post roads appropriation bill (H. R. 10484).

The SPEAKER. The gentleman from Tennessee [Mr. MOON] calls up for consideration the conference report on the Post Office and post roads appropriation bill.

Mr. MOON. Mr. Speaker, there will probably be some debate desired on the bill longer than the hour under the control of the chairman. I suggest to the gentleman from Minnesota [Mr. STEENERSON] that we take two hours, or so much of that time as may be necessary, and at the end of the debate the motion for the previous question on the adoption of the report be considered as ordered.

Mr. STEENERSON. The time to be equally divided?

Mr. MOON. The time to be divided between the gentleman from Minnesota and myself.

Mr. STEENERSON. That is perfectly satisfactory.

Mr. MADDEN. Reserving the right to object——

Mr. COX. Mr. Speaker, reserving the right to object——

The SPEAKER. Does the gentleman from Minnesota desire——

Mr. STEENERSON. The request meets with my approval, Mr. Speaker. I hope it will be granted.

Mr. COX. Reserving the right to object, I would like to know if I can have 10 minutes' time.

Mr. MOON. I suppose the gentleman can. I can not tell. I will be glad to yield time to my colleague on the committee, the gentleman from Indiana.

Mr. COX. I am a little bit afraid, I will say to the chairman of the committee, that the time will be consumed otherwise. He will be called upon to answer a great many questions.

Mr. MOON. Does the gentleman desire to have further time than the two hours?

Mr. COX. I would like to have 10 minutes. I may not require all of that time, but I would like to be heard on some of these items.

Mr. MOON. I will amend the motion, Mr. Speaker, and ask, in addition, that 10 minutes be given to the gentleman from Indiana [Mr. Cox], if it turns out that we are not able to yield him 10 minutes out of the hour allotted to this side.

The SPEAKER. The gentleman from Tennessee [Mr. MOON] asks unanimous consent that debate on this conference report be limited to 2 hours and 10 minutes.

Mr. STEENERSON. Mr. Speaker, I would suggest that the request be modified so as to make it 2 hours and 20 minutes.

The SPEAKER. Two hours and 20 minutes, then; half of it to be controlled by the gentleman from Tennessee [Mr. MOON] and the other half by the gentleman from Minnesota [Mr. STEENERSON], with the understanding, however, that 10 minutes of that time will go to the gentleman from Indiana [Mr. Cox]. Is there objection? [After a pause.] The Chair hears none.

The gentleman from Tennessee [Mr. MOON] is recognized for 1 hour and 10 minutes.

Mr. MOON. It is not necessary, I deem it, that I enter into any very extensive discussion of the conference report. It has been printed in the RECORD in connection with the statement, and gentlemen who desire to be informed as to the details of this report can do so by reading the statement and the report that are presented in connection with the bill. However, it must be conceded that the statement in this case is not quite so full and explicit as it possibly ought to have been, although probably complying with the technical rule of the House to present a statement in connection with the bill.

Mr. STAFFORD. A parliamentary inquiry, Mr. Speaker. Will the gentleman from Tennessee yield?

Mr. MOON. I yield.

The SPEAKER. The gentleman from Wisconsin will state his parliamentary inquiry.

Mr. STAFFORD. I asked the gentleman if he would yield, and he said that he would.

Mr. MOON. I yield to the gentleman from Wisconsin.

Mr. STAFFORD. I would like to ask whether the conference report or statement in lieu of the conference report ought not to be considered before the debate?

The SPEAKER. Of course it ought to be read.

Mr. MOON. The statement may be read in lieu of the report, or if it is desired that they both be read they may be read.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that the statement may be read in lieu of the report. Is there objection? [After a pause.] The Chair hears none.

The Clerk will read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (NO. 981).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10484) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1917, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 43, 55, and 64.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 27, 28, 30, 31, 32, 34, 36, 37, 38, 40, 42, 44, 47, 49, 50, 51, 52, 53, 56, 57, 58, 59, 60, and 61, and agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3 and agree to the same with an amendment as follows: Page 5, after line 4, in lieu of the matter inserted by the said amendment, insert the following: "That the Postmaster General shall not approve or continue any rule or regulation which terminates the employment of any employee by reason of absence on account of illness for a period of less than one year, and that any postal employee who has entered the military service of the United States or who shall hereafter enter it shall, upon being honorably discharged therefrom, be permitted to resume the position in the Postal Department which he left to enter such military service"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: Page 5, after line 4, at the end of the amendment of the Senate, following the amount "$6,000," insert the following: "And the employment of such officer hereafter is authorized"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: Page 12, restore the matter stricken out by said amendment and amend to read as follows: "For compensation to printers, mechanics, and skilled laborers, 22 at $1,200 each, 4 at $1,100 each; 3 at $1,000 each and 28 at $900 each; in all, $59,000"; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: On page 13, line 16, strike out all of the amendment after the amount "$130,000"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment as follows: Page 29, line 19, in line 3 of the amendment, strike out all after the word "annum"; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: Page 16, line 5, in line 4 of said amendment strike out "June 30" and insert in lieu thereof the words "March 4"; and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows: Page 16, after line 16, at the end of said amendment, after the word "sixteen," insert the following: "And that section 10 of the said act be amended by inserting after the first word of said section, 'That,' the words 'section 198 of the'"; and the Senate agree to the same.

Amendment numbered 39: That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment as follows: Page 17, line 24, in lieu of the matter inserted by the said amendment insert the following: "*Provided*, That hereafter every railroad company carrying the mails shall carry on any train it operates and without extra charge therefor the persons in charge of the mails and when on duty and traveling to and from duty, and all duly accredited agents and officers of the Post Office Department and the Railway Mail Service and post-office inspectors, while traveling on official business, upon the exhibition of their credentials: *Provided further*, That no part of this appropriation shall be paid for carrying the mail over the bridge across the Mississippi River at St. Louis, Mo., other than upon a mileage basis: *But provided further*, That the Postmaster General may, in his discretion, pay within the present law a fair and reasonable price for the special transfer and terminal service at the Union Station at East St. Louis, Ill., and at the Union Station at St. Louis, Mo., including the use, lighting, and heating of the mail building, and transfer service at St. Louis, Mo., provided the amount so paid shall not exceed $35,000"; and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: Page 19, line 8, in lieu of the matter inserted by the said amendment insert the following: "*Provided further*, That railway postal clerks shall be credited with full time when deadheading under orders of the department"; and the Senate agree to the same.

Amendment numbered 45: That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment as follows: On page 26, line 16, restore the amount proposed by the House, and on page 26 of the bill, in line 14, after the word "purchase," insert the word "rental"; and the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment as follows: On page 27, line 26, in lieu of the matter stricken out and inserted by said amendment insert the following:

"That rural mail delivery shall be extended so as to serve, as nearly as practicable, the entire rural population of the United States.

"Hereafter all rural mail delivery routes shall be divided into two classes to be known as—

"Standard horse-drawn vehicle routes, which shall be 24 miles in length, and

"Standard motor-vehicle routes, which shall be 50 miles in length, and shall only be established hereafter when a majority of the proposed patrons who are heads of families residing upon such proposed routes shall by written petition ask the Post Office Department to establish the same.

"Nothing herein contained shall be construed to prohibit the establishment of horse-drawn vehicle routes of less length than the standard of 24 miles: *Provided*, That if in the discretion of the Postmaster General, in order to render more complete service, it should be necessary to do so the Postmaster General is hereby authorized to increase the length of routes not to exceed 50 per cent above the standards herein prescribed, and in such cases the compensation of the carrier on such horse-drawn vehicle routes shall be increased above the maximum pay heretofore fixed by law for rural carriers at the rate of $24 per annum for each mile of said routes in excess of 30 miles, and any major fraction of a mile shall be counted as a mile: *Provided further*, That carriers in rural mail-delivery service shall furnish and maintain at their own expense all necessary vehicle equipment for prompt handling of the mail: *And provided further*, That nothing herein shall be construed, and no order shall be issued, to prevent the use of motor vehicles on horse-drawn vehicle routes: *Provided further*, The Postmaster General in his discretion may require all carriers to furnish sufficient equipment to properly handle postal business on their routes: *And provided further*, That the Postmaster General may, in his discretion, allow and pay additional compensation to rural letter carriers who are required to carry pouch mail to intermediate post offices, or for intersecting loop routes, in all cases where it appears that the carriage of such pouches increases the expense of the equipment required by the carrier or materially increases the amount of labor performed by him, such compensation not to exceed the sum of $12 per annum for each mile such carrier is required to carry such pouch or pouches.

"The Postmaster General is hereby authorized and directed to reorganize and readjust existing rural mail delivery service where necessary to conform to the standards herein prescribed: *Provided further*, That in making appointments of rural carriers for service on new routes, which may be created by the reorganization herein ordered, preference shall be given to carriers who were formerly employed in rural-delivery service and who were separated therefrom on or after June 30, 1915, by reason of any previous reorganization of the service and without charges against them: *And provided further*, That the Postmaster General is authorized and directed to pay, out of the appropriations already made and still available and unexpended for rural free-delivery service for the fiscal year ending June 30, 1915, to all letter carriers in the Rural Free Delivery Service during the fiscal year ending June 30, 1915, their executors or administrators, the difference between what they received for their said services and the amount that would have been paid to them in accordance with the proviso contained in joint resolution making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1916, approved March 4, 1915: *Provided*, That no part of the money paid under this provision shall be paid to any agent or attorney, directly or indirectly, for any alleged services in connection with this appropriation."

And the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: Page 28, line 7, strike out all of the amendment after the amount "$250,000"; and the Senate agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: On page 31, line 19, in lieu of the matter inserted by said amendment insert the following: "but no publication shall be sent by freight if such method of transportation results in unfair discrimination: *Provided*, That whenever the owner of any publication required by an order of the Post Office Department to be transmitted by freight believes that he is unfairly discriminated against, he may apply to the Post Office Department for an opportunity to be heard; that upon such application being duly filed in writing, the owner of such publication shall have opportunity for a full and fair hearing before said department, and pending final determination no change shall be made in the method of transportation of such publication as ordered by the department. The testimony in any such hearing or proceedings shall be reduced to writing and filed in the Post Office Department prior to entering an order upon such hearing. That upon such hearing if the Post Office Department decides adversely to the contention of the publisher, such publisher shall have the right, within the period of 20 days after the date of the order of the Post Office Department made upon such hearing, to appeal to the United States court of appeals of the District of Columbia for a review of such order by said court of appeals, by filing in the court a written petition praying that the order of the Post Office Department be set aside. A copy of such petition shall be forthwith served upon the Post Office Department and thereupon the said department forthwith shall certify and file in the court a transcript of the record and testimony. Upon the filing of such transcript the court shall have jurisdiction to affirm, set aside or modify the order of the department. The jurisdiction of the circuit court of appeals of the District of Columbia to affirm, set aside or modify such orders of the Post Office Department shall be exclusive. Such proceedings in the circuit court of appeals of the District of Columbia shall be given precedence over other cases pending therein and shall be in every way expedited"; and the Senate agree to the same.

Amendment numbered 62: That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment as follows: On page 36, line 6, in lieu of the matter stricken out and inserted by said amendment, insert the following:

"SEC. 16. That the Postmaster General is authorized and directed to readjust the compensation to be paid to railroad companies from and after the 30th day of June, 1916, or as soon thereafter as may be practicable, for the transportation and handling of the mails and furnishing facilities and services in connection therewith upon the conditions and at the rates hereinafter provided.

"The Postmaster General may state railroad mail routes and authorize mail service thereon of the following four classes, namely: Full railway post-office car service, apartment railway post-office car service, storage-car service, and closed-pouch service.

"Full railway post-office car mail service shall be service by cars 40 feet or more in length, constructed, fitted up, and maintained for the distribution of mails on trains. The authorizations of full railway post-office cars shall be for standard-sized cars 60 feet in length, inside measurement, except as hereinafter provided.

"Apartment railway post-office car mail service shall be service by apartments less than 40 feet in length in cars constructed, fitted up, and maintained for the distribution of mails on trains. Two standard sizes of apartment railway post-office cars may be authorized and paid for, namely, apartments 15 feet and 30 feet in length, inside measurement, except as hereinafter provided.

"Storage-car mail service shall be service by cars used for the storage and carriage of mails in transit other than by full and apartment railway post-office cars. The authorizations for storage cars shall be for cars 60 feet in length, inside measurement, except as hereinafter provided: *Provided*, That storage space in units of 3 feet, 7 feet, 15 feet, and 30 feet, both sides of car, may be authorized in baggage cars at not exceeding pro rata of the rates hereinafter named for 60-foot storage cars.

"Service by full and apartment railway post-office cars and storage cars shall include the carriage therein of all mail matter, equipment, and supplies for the mail service and the employees of the Postal Service or Post Office Department, as shall be directed by the Postmaster General to be so carried.

"Closed-pouch mail service shall be the transportation and handling by railroad employees of mails on trains on which full or apartment railway post-office cars are not authorized, except as hereinbefore provided. The authorizations for closed-pouch service shall be for units of 7 feet and 3 feet in length, both sides of car.

"The rates of payment for the services authorized in accordance with this section shall be as follows, namely:

"For full railway post-office car mail service at not exceeding 21 cents for each mile of service by a 60-foot car.

"In addition thereto he may allow not exceeding $4.25 as a combined initial and terminal rate for each one-way trip of a 60-foot car.

"For apartment railway post-office car mail service at not exceeding 11 cents for each mile of service by a 30-foot apartment car and 6 cents for each mile of service by a 15-foot apartment car.

"In addition thereto he may allow not exceeding $2.75 as a combined initial and terminal rate for each one-way trip of a 30-foot apartment car and $2 as a combined initial and terminal rate for each one-way trip of a 15-foot apartment car.

"For storage-car mail service at not exceeding 21 cents for each mile of service by a 60-foot car.

"In addition thereto he may allow not exceeding $4.25 as a combined initial and terminal rate for each one-way trip of a 60-foot car.

"Where authorizations are made for cars of the standard lengths of 60, 30, and 15 feet, as provided by this section, and the railroad company is unable to furnish such cars of the length authorized, but furnishes cars of lesser length than those authorized, but which are determined by the department to be sufficient for the service, the Postmaster General may accept the same and pay only for the actual space furnished and used, the compensation to be not exceeding pro rata of that provided by this section for the standard length so authorized: *Provided*, That the Postmaster General may accept cars and apartments of greater length than those of the standard requested, but no compensation shall be allowed for such excess lengths.

"For closed-pouch service, at not exceeding 1½ cents for each mile of service when a 3-foot unit is authorized, and 3 cents for each mile of service when a 7-foot unit is authorized.

"In addition thereto he may allow not exceeding 25 cents as the combined initial and terminal rate for each one-way trip of a 3-foot unit of service and 50 cents as a combined initial and terminal rate for each one-way trip of a 7-foot unit of service.

"Railroad companies whose railroads were constructed in whole or in part by a land grant made by Congress, on the condition that the mails should be transported over their roads at such price as Congress should by law direct, shall receive only 80 per cent of the compensation otherwise authorized by this section.

"The initial and terminal rates provided for herein shall cover expenses of loading and unloading mails, switching, lighting, heating, cleaning mail cars, and all other expenses incidental to station service and required by the Postmaster General in connection with the mails that are not included in the car-mile rate. The allowance for full railway post-office cars, apartment railway post-office cars, and storage cars may be varied in accordance with the approximate difference in their respective cost of construction and maintenance.

"In computing the car miles of the full railway post-office cars and apartment railway post-office cars, the maximum space authorized in either direction of a round-trip car run shall be regarded as the space to be computed in both directions, unless otherwise mutually agreed upon.

"In computing the car miles of storage cars, the maximum space authorized in either direction of a round-trip car run shall be regarded as the space to be computed in both directions, unless the car be used by the company in the return movement, or otherwise mutually agreed upon.

"New service and additional service may be authorized at not exceeding the rates herein provided, and service may be reduced or discontinued with pro rata reductions in pay, as the needs of the Postal Service may require: *Provided*, That no additional pay shall be allowed for additional service unless specifically authorized by the Postmaster General.

"The Postmaster General is authorized to make special contracts with the railroad companies for the transportation of the mails where in his judgment the conditions warrant the application of higher rates than those herein specified, and make report to Congress of all cases where such special contracts are made and the terms and reasons therefor.

"All cars or parts of cars used for the Railway Mail Service shall be of such construction, style, length, and character, and furnished in such manner as shall be required by the Postmaster General, and shall be constructed, fitted up, maintained, heated, lighted, and cleaned by and at the expense of the railroad companies. No pay shall be allowed for service by any railway post-office car which is not sound in material and construction and which is not equipped with sanitary drinking-water containers and toilet facilities, nor unless such car is regularly and thoroughly cleaned. No pay shall be allowed for service by any wooden full railway post-office car unless constructed substantially in accordance with the most approved plans and specifications of the Post Office Department for such type of cars, nor for service by any wooden full railway post-office car run in any train between adjoining steel cars, or between the engine and a steel car adjoining. After the 1st of July, 1917, the Postmaster General shall not approve or allow to be used, or pay for service by, any full railway post-office car not constructed of steel or steel underframe or equally indestructible material; and all full railway post-office cars accepted for this service and contracted for by the railroad companies hereafter shall be constructed of steel. Until July 1, 1917, in cases of emergency and in cases where the necessities of the service require it, the Postmaster General may provide for service by full railway post-office cars of other than steel or steel underframe construction, and fix therefor such rate of compensation within the maximum herein provided as shall give consideration to the inferior character of construction, and the railroad companies shall furnish service by such cars at such rates so fixed.

"Service over property owned or controlled by another company or a terminal company shall be considered service of the railroad company using such property and not that of the other or terminal company: *Provided*, That service over land-grant roads shall be paid for as herein provided.

"Railroad companies carrying the mails shall furnish all necessary facilities for caring for and handling them while in their custody. They shall furnish all cars or parts of cars used in the transportation and distribution of the mails, except as herein otherwise provided, and place them in stations before the departure of trains at such times and when required to do so. They shall provide station space and rooms for handling, storing, and transfer of mails in transit, including the separation thereof, by packages for connecting lines, and such distribution of registered mail in transit as may be necessary, and for offices for the employees of the Railway Mail Service engaged in such station work when required by the Postmaster General, in which mail from station boxes may be distributed if it does not require additional space.

"If any railroad company carrying the mails shall fail or refuse to provide cars or apartments in cars for distribution purposes when required by the Postmaster General, or shall fail or refuse to construct, fit up, maintain, heat, light, and clean such cars and provide such appliances for use in case of accident as may be required by the Postmaster General, it shall be fined such reasonable sum as may, in the discretion of the Postmaster General, be deemed proper.

"The Postmaster General shall in all cases decide upon what trains and in what manner the mails shall be conveyed. Every railroad company carrying the mails shall carry on any train it operates, and with due speed, all mailable matter, equipment, and supplies directed to be carried thereon. If any such railroad company shall fail or refuse to transport the mails, equipment, and supplies when required by the Postmaster General on any train or trains it operates, such company shall be fined such reasonable amount as may, in the discretion of the Post-Postmaster General, be deemed proper.

"The Postmaster General may make deductions from the pay of railroad companies carrying the mails under the provisions of this section for reduction in service or infrequency of service where, in his judgment, the importance of the facilities withdrawn or reduced requires it, and impose fines upon them for delinquencies. He may deduct the price of the value of the service in cases where it is not performed, and not exceeding three times its value if the failure be occasioned by the fault of the railroad company.

"The provisions of this section shall apply to service operated by railroad companies partly by railroad and partly by steamboats.

"The provisions of this section respecting the rates of compensation shall not apply to mails conveyed under special arrangement in freight trains, for which rates not exceeding the usual and just freight rates may be paid, in accordance with the classifications and tariffs approved by the Interstate Commerce Commission.

"Railroad companies carrying the mails shall submit under oath, when and in such form as may be required by the Postmaster General, evidence as to the performance of service.

"The Postmaster General shall, from time to time, request information from the Interstate Commerce Commission as to the revenue received by railroad companies from express companies for services rendered in the transportation of express matter, and may, in his discretion, arrange for the transportation of mail matter other than of the first class at rates not exceeding those so ascertained and reported to him, and it shall be the duty of the railroad companies to carry such mail matter at such rates fixed by the Postmaster General.

"The Postmaster General is authorized, in his discretion, to petition the Interstate Commerce Commission for the determination of a postal carload or less-than-carload rate for transportation of mail matter of the fourth class and periodicals, and may provide for and authorize such transportation, when practicable, at such rates, and it shall be the duty of the railroad companies to provide and perform such service at such rates and on the conditions prescribed by the Postmaster General.

"The Postmaster General may, in his discretion, distinguish between the several classes of mail matter and provide for less frequent dispatches of mail matter of the third and fourth classes and periodicals when lower rates for transportation or

other economies may be secured thereby without material detriment to the service.

"The Postmaster General is authorized to return to the mails, when practicable for the utilization of car space paid for and not needed for the mails, postal cards, stamped envelopes, newspaper wrappers, empty mail bags, furniture, equipment, and other supplies for the Postal Service.

"The Postmaster General, in cases of emergency between October 1 and April 1 of any year, may hereafter return to the mails empty mail bags and other equipment theretofore withdrawn therefrom as required by law, and, where such return requires additional authorization of car space under the provisions of this section, to pay for the transportation thereof as provided for herein out of the appropriation for inland transportation by railroad routes.

"The Postmaster General may have the weights of mail taken on railroad mail routes, and computations of the average loads of the several classes of cars and other computations for statistical and administrative purposes made at such times as he may elect, and pay the expense thereof out of the appropriation for inland transportation by railroad routes.

"Pending the decision of the Interstate Commerce Commission, as hereinafter provided for, the existing method and rates of railway mail pay shall remain in effect, except on such routes or systems as the Postmaster General shall select, and to the extent he may find it practicable and necessary to place upon the space system of pay in the manner and at the rates provided in this section, with the consent and approval of the Interstate Commerce Commission, in order to properly present to the Interstate Commerce Commission the matters hereinafter referred thereto: *Provided*, That if the final decision of the Interstate Commerce Commission shall be adverse to the space system, and if the rates established by it under whatever method or system is adopted shall be greater or less than the rates under this section, the Postmaster General shall readjust the compensation of the carriers on such selected routes and systems in accordance therewith, from the dates on which the rates named in this section became effective. All railway common carriers are hereby required to transport such mail matter as may be offered for transportation by the United States in the manner, under the conditions, and with the service prescribed by the Postmaster General and shall be entitled to receive fair and reasonable compensation for such transportation and for the service connected therewith.

"The Interstate Commerce Commission is hereby empowered and directed as soon as practicable to fix and determine from time to time the fair and reasonable rates and compensation for the transportation of such mail matter by railway common carriers and the service connected therewith, prescribing the method or methods by weight, or space, or both, or otherwise, for ascertaining such rate or compensation, and to publish the same, and orders so made and published shall continue in force until changed by the commission after due notice and hearing.

"In fixing and determining the fair and reasonable rates for such service the commission shall consider the relation existing between the railroads as public-service corporations and the Government, and the nature of such service as distinguished, if there be a distinction, from the ordinary transportation business of the railroads.

"The procedure for the ascertainment of said rates and compensation shall be as follows:

"Within three months from and after the approval of this act, or as soon thereafter as may be practicable, the Postmaster General shall file with the commission a statement showing the transportation required of all railway common carriers, including the number, equipment, size, and construction of the cars necessary for the transaction of the business; the character and speed of the trains which are to carry the various kinds of mail; the service, both terminal and en route, which the carriers are to render; and all other information which may be material to the inquiry, but such other information may be filed at any time in the discretion of the commission.

"The Postmaster General is authorized to employ such clerical and other assistance as shall be necessary to carry out the provisions of this section, and to rent quarters in Washington, D. C., if necessary, for the clerical force engaged thereon, and to pay for the same out of the appropriation for inland transportation by railroad routes. The Postmaster General shall file with the commission a comprehensive plan for the transportation of the mails on said railways, and shall embody therein what he believes to be the reasonable rate or compensation the said railway carriers should receive. Thereupon the commission shall give notice of not less than 30 days to each carrier so required to transport mail and render service, and upon a day to be fixed by the commission, not later than 30 days after the expiration of the notice herein required, each of said carriers shall make answer and the commission shall proceed with the hearing as now provided by law for other hearings between carriers and shippers or associations.

"All the provisions of the law for taking testimony, securing evidence, penalties, and procedure are hereby made applicable.

"For the purpose of determining and fixing rates or compensation hereunder the commission is authorized to make such classification of carriers as may be just and reasonable and, where just and equitable, fix general rates applicable to all carriers in the same classification.

"Pending such hearings, and the final determination of the question, if the Interstate Commerce Commission shall determine that it is necessary or advisable, in order to carry out the provisions of this section, to have additional and more frequent weighing of the mails for statistical purposes, the Postmaster General, upon request of the commission, shall provide therefor in the manner now prescribed by law, but such weighing need not be for more than 30 days.

"At the conclusion of the hearing the commission shall establish by order a fair, reasonable rate or compensation to be received, at such stated times as may be named in the order, for the transportation of mail matter and the service connected therewith, and during the continuance of the order the Postmaster General shall pay the carrier from the appropriation herein made such rate or compensation.

"Either the Postmaster General or any such carrier may at any time after the lapse of six months from the entry of the order assailed apply for a reexamination, and thereupon substantially similar proceedings shall be had, with respect to the rate or rates for service covered by said application, provided said carrier or carriers have an interest therein.

"For the purposes of this section the Interstate Commerce Commission is hereby vested with all the powers which it is now authorized by law to exercise in the investigation and ascertainment of the justness and reasonableness of freight, passenger, and express rates to be paid by private shippers.

"The Interstate Commerce Commission shall allow to railroad companies whose railroads were constructed in whole or in part by a land grant made by Congress on condition that the mails should be transported over their roads at such price as Congress should by law direct only 80 per cent of the compensation paid other railroads for transporting the mails and all service by the railroads in connection therewith.

"The existing law for the determination of mail pay, except as herein modified, shall continue in effect until the Interstate Commerce Commission under the provisions hereof fixes the fair, reasonable rate or compensation for such transportation and service.

"That the appropriations for inland transportation by railroad routes and for railway post-office car service for the fiscal year ending June 30, 1917, are hereby made available for the purposes of this section.

"That it shall be unlawful for any railroad company to refuse to perform mail service at the rates or methods of compensation provided by law when required by the Postmaster General so to do, and for such offense shall be fined $1,000. Each day of refusal shall constitute a separate offense."

And the Senate agree to the same.

Amendment numbered 63: That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment as follows: Page 48, line 15, in line 16 of the amendment strike out all of the balance of the amendment after the word, "Commission," and in lieu thereof insert the following: "after thorough and independent consideration by that body in such manner as it may determine"; and the Senate agree to the same.

JOHN A. MOON,
D. E. FINLEY,
H. STEENERSON,
Managers on the part of the House.
J. H. BANKHEAD,
T. W. HARDWICK,
CHAS. E. TOWNSEND,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference of the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10484) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1917, and for other purposes, submit the following written statement explaining the effect of the action agreed upon.

The Post Office appropriation bill as it passed the House carried a total appropriation of $320,559,879. As amended by the Senate the total appropriation was $322,184,579. As agreed to by the committee of conference the bill now carries a total appropriation of $322,206,579.

The following statement shows the action taken by the conference on each of the Senate amendments:

Amendment No. 1: Authorizes the Postmaster General to have plans prepared for the erection of a building for an equipment shop and appropriates $200,000 out of any money in the Treasury not otherwise appropriated. And the House agrees.

Amendment No. 2: Makes more specific the persons who shall receive compensation for injuries received when on duty. And the House agrees.

Amendment No. 3: Provides for extension of leave of absence for employees on account of illness and for those called into the military service of the United States. And the House agrees with an amendment.

Amendment No. 4: Provides for the compensation at $6,000 per annum of a special Assistant Attorney General to assist in defense of cases against the United States arising out of transportation of mails. And the House agrees.

Amendments Nos. 5 and 6: Relating to the compensation of postmasters. And the House agrees.

Amendment No. 7: Relating to post-office station, Cambridge, Mass. And the House agrees.

Amendments Nos. 8 to 16, inclusive: Relating to the compensation of assistant postmasters, increasing the number in different grades of salaries on account of growth of the service, and provides the necessary increase in appropriation. And the House agrees.

Amendment No. 17: Amends section 5 of the act approved August 24, 1912, so as to include in provisions special clerks. And the House agrees.

Amendment No. 18: Enables the Postmaster General to carry out the provisions of the act of March 2, 1907. And the House agrees.

Amendment No. 19: Relates to compensation to printers, mechanics, and skilled laborers. House provision restored and the amount of appropriation corrected. And the House agrees with an amendment.

Amendment No. 20: For compensation to watchmen, messengers, and laborers. Amount of appropriation corrected to agree with number of persons in salary grades. And the House agrees.

Amendment No. 21: Relates to contract postal stations. Proviso stricken out because now provided for in the postal savings act. And the House agrees.

Amendment No. 22: To make harmonious with other legislation affecting clerks and employees. And the House agrees.

Amendment No. 23: Increase in appropriation for compensatory time allowed for holiday work. And the House agrees.

Amendment No. 24: Making law permanent by adding the word "hereafter." And the House agrees.

Amendment No. 25: Specifies the holidays for which compensatory time will be allowed. And the House agrees.

Amendment No. 26: Increases the appropriation for unusual conditions in the Postal Service. And the House agrees.

Amendment No. 27: Provides for assistant postmasters at third-class post offices. And the House agrees.

Amendment No. 28: Provides for promotion of 5 per cent of carriers in second-class post offices from fifth to sixth grades. And the House agrees.

Amendment No. 29: Makes appropriation for the above and also provides for carriers assigned to Detroit River postal service. And the House agrees with amendment.

Amendment No. 30: Increases the appropriation on account of compensatory time allowed for holiday service. And the House agrees.

Amendment No. 31: Screen-wagon service, etc. Amending the act of May 17, 1878. And the House agrees.

Amendment No. 32: Mail messenger service. Authorizes the Postmaster General to employ postmasters, assistant postmasters, and clerks to carry the mail. And the House agrees.

Amendment No. 33: Pneumatic-tube service. Authorizes the continuance of existing contracts. And the House agrees with an amendment.

Amendment No. 34: Relates to fees for special-delivery messengers. House proviso stricken out. And the House agrees.

Amendment No. 35: Amends act approved July 1, 1916, with an amendment. House agrees with an amendment.

Amendment No. 36: Strikes out provision inserted by the House. Already provided for in existing law. And the House agrees.

Amendment No. 37: Relating to disposition of dead letters. And the House agrees.

Amendment No. 38: Provides for service by aeroplanes. And the House agrees.

Amendment No. 39: Provides for transportation of postal officials while on official business. And the House agrees with an amendment.

Amendment No. 40: Reduces appropriation $900,000 for salaries for railway mail employees. And the House agrees.

Amendment No. 41: Relates to assignment of railway mail clerks and to clerks in terminal railway post offices. And the House agrees with amendment.

Amendment No. 42: Provides for 15 days' vacation for railway postal clerks and increases the appropriation $700,000. And the House agrees.

Amendment No. 43: Provides for the transfer of post-office clerks to railway post offices and railway postal clerks to post offices. Senate recedes.

Amendment No. 44: Increases the amount $370,000 for transportation of foreign mails. And the House agrees.

Amendment No. 45: Reduces the appropriation $25,000 for mechanical mail-handling devices and inserts the word "rental." And the House agrees with amendment restoring the appropriation.

Amendment No. 46: Relates to Rural Delivery Service. And the House agrees with amendments.

Amendment No. 47: Authorizes the Postmaster General to conduct experiments in the Parcel Post Service and provides $10,000 for that purpose. And the House agrees.

Amendment No. 48: Increases the appropriation for the village delivery service, and fixes the salary of the carriers. And the House agrees with an amendment.

Amendments Nos. 40 to 53, inclusive: Stricken out. Provided for in existing law. And the House agrees.

Amendment No. 54: The "blue-tag" service. And the House agrees with an amendment.

Amendment No. 55: Relates to civil-service employees. Senate recedes.

Amendments Nos. 56 to 61, inclusive: Stricken out. Provided for in existing law. And the House agrees.

Amendment No. 62: Relates to railway mail pay for the transportation of the mails. The Senate amendment, known as the Cummins amendment, refers the matter to the Interstate Commerce Commission for investigation, with power to fix the rates of compensation. As agreed upon by the conferees parts of the so-called Moon bill and part of the Cummins amendment adopted, both being modified. The Interstate Commerce Commission is authorized to put in the space system on certain routes or systems for "tests" if it desires to do so, for statistical purposes. And the House agrees with amendments.

Amendment No. 63: Relates to parcel post. Provides for methods of modification in rates and zones by reference to Interstate Commerce Commission. And the House agrees with an amendment.

Amendment No. 64: Extending second-class rates of postage to publications by State boards or departments. And the Senate recedes.

JOHN A. MOON,
D. E. FINLEY,
H. STEENERSON,
Managers on the part of the House.

The SPEAKER. The gentleman from Tennessee [Mr. MOON] is recognized for 1 hour and 10 minutes.

Mr. MOON. Now, Mr. Speaker, the time necessary for the reading of that statement has been taken, and not a man in this House has heard a word of it, I am sure. It becomes necessary that the material part of the report be explained to the House.

There are a number of amendments made by the Senate that simply changed the phraseology and made it better than that of the House, to which we agreed. There were a number of amendments in which the appropriations were reduced or increased slightly. It is not necessary that I call attention to those. But to the four or five vital propositions involved in dispute between the two Houses I desire to call the attention of the House briefly.

On the question of the Rural Mail Service of the United States there was very much disagreement. The Senate, by its amendments, proposed to place restrictions upon the department other than those provided for by the general law creating the rural delivery. The question was debated by the conferees very fully, and we at last agreed that the standard route should be 24 miles in length and that the routes might be increased or decreased, but if increased the extent of the increase should be 50 per cent, or 36 miles, and $24 should be paid for each additional mile over 30.

Mr. STAFFORD. Mr. Speaker, will the gentleman permit me right there——

Mr. MOON. Yes.

Mr. STAFFORD. I have before me the law where the standard route of 24 miles is increased to 30 miles. Is it in excess of the 24 or the 30?

Mr. MOON. It is in excess of the figure placed there as a standard—24 miles. We pay, for all over 30 miles, additional.

It is provided that automobile routes may be 50 miles in length, and they are to be established only on a written petition of the majority of the heads of families who are patrons upon that route. The Postmaster General is given the discretion, by changes made in the Senate amendment, to require proper and efficient equipment upon all of these routes. This section is not satisfactory to the department.

There is a provision in the same section, placed there by the Senate, that requires the payment by the United States of what may be termed back pay to rural carriers. In other words, in a recent act under which we were operating $1,200 was fixed as the maximum pay of rural carriers. The comptroller construed the act of 1914 with the act of 1902 and held that the maximum of $1,200 did not necessarily have to be paid under the rules and regulations of the department to the carrier. The result was that that maximum pay was not given in all cases.

Now, the Senate conferees felt that while the law probably was so drawn that under its technical construction that payment should not be forced or could not be forced, yet a moral obligation rested upon the Congress to carry out what its intent and purpose was in that enactment. I want to say for myself, as one of those conferees, that I do not believe the law, when all the acts of Congress on the subject are considered together, authorized or justified that payment, and it has been so held in a written opinion by the comptroller. I expressed that opinion then. I do not believe that any moral obligation rests upon the Congress for this back pay, because I can not see how a moral debt can arise under a condition where Congress failed to put the words into law which it is said it meant to put in to give the maximum pay.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. MOON. The gentleman will excuse me just a minute.

Mr. COX. All right. It was right in that connection.

Mr. MOON. I do not want to pause right in the midst of this question. The views I entertained did not prevail. The conferees of the House—the other two—and those of the Senate agreed to place in this bill an appropriation for the payment of this back pay amounting to $2,500,000.

I am not dissenting from the judgment of the conferees upon this question to the extent of asking this House to fail to adopt that provision of the bill, because the momentous questions settled by the whole act are of too great interest to the American people to be justly a rejection of the report on that.

I say now, as I said to the gentleman in this House who on all occasions seems more than anxious to do the behests of the rural carrier, that I believe in proper pay of rural carriers, but that a limit has come. I said then that under the law, as I understood it, when the last act was passed, you could not get the maximum. In your anxiety to make law in the interest of the carrier you overreached your legal vision and failed to make known what was your intent upon that question. And now I am going to say to you again you had better look to the construction if you expect them to get this money under this act of Congress in connection with the other act of Congress on this question. But I did not draft this provision, I did not report it, and am not responsible for it, because I think more of the Treasury and of the rights of the American people than I do of the rural carriers or any other employees of this Government, as much as I like them. [Applause.]

But, as I said, I am not dissenting. The importance of this measure is too great to justify a dissent now upon that question.

There is another question with which we had to deal that is of profound importance to the American people. It is the question of the parcel post, and when we come to the explanation of the railway mail proposition of this bill I hope to be able to demonstrate to this House, if I have time, the close connection between that proposition and the question of railway mail pay and the necessity on the part of this Government for the inauguration of a policy that will preserve, foster, encourage, and extend the parcel post for the benefit of the American people within the limit of the cost of the service. I shall, Mr. Speaker, being subject possibly to the charge of immodesty, make an observation on the question of the parcel post origin in the United States. A great many people claim to be the originators of the parcel-post proposition. There is no man now living who originated that proposition. It was the suggestion of hundreds of different people in all sections of the civilized world. It was taken up in the United States only a short while ago.

There were a hundred bills or more that went to various committees upon that question. I want to call attention to a fact that will be remembered by Members of this House and is shown in the RECORD, that the Post Office appropriation bill contained a section on the subject of rural parcel post which was a copy of the bill that I had introduced and which was before the committee, and there was nothing new in it; not a thing.

Mr. SIMS. In what year?

Mr. MOON. When the present law was passed it was incorporated in the Post Office bill, and on the floor of this House I moved a substitute for that proposition, and that substitute was passed by this House, enlarging the extent and scope of the service. That went to the Senate, and in conference on the disagreeing votes of the two Houses the Senate and House conferees directed the Senator from Oregon [Mr. Bourne], chairman of the Senate Committee on Post Offices and Post Roads, and myself as chairman of the Committee on the Post Office and Post Roads in this House, to draw a parcel-post law. We drew the law that is on the books to-day. It was approved by the conferees and passed by the House. I have referred to this before. There was more work done by Mr. Bourne in the drafting of that bill than was done by myself. We combined the features of the House and Senate measures and added others. I do not care for any personal credit, but I have never heard any man say that Jonathan Bourne was entitled to any credit on that subject. I am here to assert that he is entitled to more credit than any other living man for the parcel post. [Applause.]

I mention this to show you the profound interest that I must have had in this question. The Senate proposed so to hamper and hedge about the department on the question of the extension of zones, the weights and rates, that in connection with the present method of compensation for carrying the mail and the deprivation of space pay your parcel post would have been absolutely destroyed. They wanted the Interstate Commerce Commission to have an independent and separate hearing and an investigation of the whole question that would in effect have required that commission to go into the consideration of rates for first, second, third, and fourth class mail matter, and a separation of all rates and compensation on all these classes of matter before they could have determined the result as to the parcel post. Finally we agreed that the Interstate Commerce Commission should give a separate or independent consideration to the question in such manner as they saw fit and reenacted the whole of the old law on the subject. That leaves it exactly as it was, with the 50-pound limit stricken out. The Postmaster General may go to the Interstate Commerce Commission to-day and upon such consideration as they want to give, without going into the whole question of railway mail rates, action may be taken upon any new question as to change of zones or rates or weights, and so forth.

Mr. RANDALL. Will the gentleman yield?

Mr. MOON. Yes.

Mr. RANDALL. Will the gentleman state what is the practical difference between the amendment adopted by the conference committee and the Senate amendment?

Mr. MOON. Yes; it is with reference to the view that the Interstate Commerce Commission would take as to the legislative intent. In view of the fact that heretofore the Interstate Commerce Commission have simply considered the matter on the request of the Post Office Department, and have not given any special hearings on it, under the Senate proposition we thought they would have regarded the intent of Congress to be that they should have separate, independent hearings at which the railroads and express companies might be heard and the whole question of rates and zones be considered. Now the language is substantially that they may consider it in such manner as they may suggest.

Mr. RANDALL. Is it not a fact that the conference report required that the Postmaster General shall not make any different arrangement of zones or rates? Is not the Postmaster General prohibited from recommending any changes to the commission? Is not the commission given the absolute power to hold an independent hearing?

Mr. MOON. If the gentleman will look at the present law he will see that it gives to the Postmaster General full power to change rates, zones, and weights on application, and by consent of the Interstate Commerce Commission. That is the law to-day.

Mr. RANDALL. Yes; but under the conference report he is prohibited from doing that, and from recommending——

Mr. MOON. Oh, no; he is not prohibited from doing that at all in the conference report.

Mr. RANDALL. Under the language——

Mr. MOON. Will the gentleman read to me some language that says he is prohibited from doing that?

Mr. RANDALL. On page 62 of the bill:

That before any change is hereafter made in weight limit, rates of postage, or zone or zones by the Postmaster General, the proposed change shall be approved by the Interstate Commerce Commission after a thorough and independent consideration by that body in such manner as it may determine.

Mr. MOON. Exactly.

Mr. RANDALL. Now, what does an independent consideration mean?

Mr. MOON. It means the consideration of the matter that they desire to make, that is all.

Mr. RANDALL. It means a consideration of evidence taken independently.

Mr. MOON. Of course they can take independent evidence or not. There is no objection to that. The gentleman is making a difference 'twixt tweedledum and tweedledee. There is absolutely nothing in that, because to-day, under the law as it is now written, regardless of this bill, the Postmaster General may go to the Interstate Commerce Commission, and that commission can, if it sees fit, have a separate independent hearing and consideration of any proposition he may make, and they may take his statement and act upon that, as they have done, in the matter about which the complaint was made. Now this language here in legal effect does not make any change in the spirit of the law, in my judgment.

Mr. RANDALL. Will the gentleman yield long enough to have the views of the Postmaster General read from the desk?

Mr. MOON. No. I am not going to yield any further. The views of the Postmaster General have been before us, and I think if the gentleman does not understand the language that is used there as we understand it, one or the other is unfortunate in that.

Mr. SIMS. May I ask my colleague about the subject he has already been discussing?

Mr. MOON. Yes.

Mr. SIMS. If I caught my colleague's words correctly, if the Senate amendment had been agreed to by the conferees, the opinion of my colleague is that it would have very much hampered and throttled the parcel post?

Mr. MOON. I think so. I think the language in which the Senate amendment was put restricted too closely the power of the Postmaster General and imposed too much of an obligation on the commission to make a separate and independent hearing—that it might involve a hearing on all the questions of rates and zones and weights—and therefore it was changed from hearings and independent reports, and so on, to the language contained in the report.

Mr. RANDALL. The language of the conference report is practically the language of the Senate amendment, is it not?

Mr. MOON. Oh, no. The gentleman does not know what he is talking about if he thinks that.

Mr. SIMS. I should like to finish my inquiry. The conferees of the House, having in view the preventing of any such result as was apparent in the Senate amendment, have agreed to the adoption of the language that is now carried in the conference report——

Mr. MOON. Of course.

Mr. SIMS. Upon the theory that the House conferees have negatived the evident purpose of the Senate amendment, the Interstate Commerce Commission will not feel called upon in a mandatory way to do more than is practically being done under existing law.

Mr. MOON. That is true.

Mr. SIMS. I want to ask my colleague further if this Senate amendment which has been eliminated was suggested by the Postmaster General or the department, or has there been any demand for it throughout the country?

Mr. MOON. No; there has been no demand that I am aware of.

Mr. SIMS. I mean through Members of the House so far as the gentleman knows. I am referring to such legislation as was put in the Senate amendment which is now eliminated. Does the gentleman know for what reason the amendment was adopted which in his judgment would have practically throttled the parcel post?

Mr. MOON. I know things that I can hardly establish by proof, and I dislike to draw inferences too close from facts.

Mr. SIMS. May I say that I am very much interested in the parcel post, as the gentleman is; but I do not know half as much. I am interested in the great work of the Interstate Commerce Commission, and this bill increases their duties in addition to those the law now puts upon them. This House passed a bill increasing the Interstate Commerce Commission by three members to enable them to do what the law has imposed upon them. If the Interstate Commerce Commission is going to have it thrust upon them to make investigations, especially with relation to the Post Office Department, it seems to me we are loading it down with a lot of inconsistent and divergent duties which will make it impossible for them to perform them.

Mr. MOON. I have already said about that same thing. The whole amendment that is there now is the present law except the latter clause which seems to restrict the commission in the investigation of questions that would impose upon the rights of the Post Office Department, and they have been modified.

Mr. SIMS. The work will be concurrent and not independent, and in no sense antagonistic.

Mr. MOON. Now, Mr. Speaker, I am going to leave this subject and take up another. There is another question in reference to the pneumatic-tube service which is in vogue in some larger places of the country. These contracts lapsed on the 30th of June, but were extended under the operation of the law by the Postmaster General for six months. The two companies have desired an extension for 12 months. The department is possessed of information by which they believe that in some places the service can be rendered for less than the amount now paid, which is $17,000 a mile. As to whether this may be done or not is not certain, but it was attempted in this bill to extend the contract 12 months. It was thought best to extend them two months beyond what the Postmaster General determined in order that Congress might have an opportunity to pass on the question in the next session. Therefore they directed the extension of the contract to the 4th of March next. That is not satisfactory to the department, but it is to a majority of the conferees.

Mr. MADDEN. Will the gentleman yield?

Mr. MOON. Yes.

Mr. MADDEN. Why did the conferees tie the hands of the Postmaster General in this connection by authorizing and directing him to do the thing that he is required to do here? He has never been directed before.

Mr. MOON. I know that a great many things have never been done before which ought not to be done now, and this is perhaps one of them.

Mr. MADDEN. Here is a case where the Post Office Department has the right under the law to extend a contract six months, which it did. There was a commission investigating the propriety of continuing or abandoning the service, and the facts are, as the record will show, that at least $7,000 a mile can be saved on the rent of these tubes.

Mr. MOON. The gentleman is taking up my time without asking his question.

Mr. MADDEN. I am coming to the question now. I was curious to know whether the conferees felt——

Mr. MOON. The conferees thought just this much about it: The tube companies protested that it was a practical confiscation of their property. They did not want to do that. They did not believe that we would be justified in extending it 12 months at a cost of $17,000 a mile when it might be operated for $10,000 a mile. They did not think it was wise to make it six months, because Congress would not have an opportunity to act upon it in that time. So it was extended, because there could be no harm done. It is an open question, and it was thought fair to leave the situation here so that both sides may be heard.

Mr. MADDEN. Did the conferees take into account the fact that the Postmaster General had the power to advertise for new bids and might save $7,000 a mile without any act of Congress?

Mr. MOON. The pneumatic-tube service is a special system for the transmission of the mails. It is possible that the new pneumatic tubes may be made to give the same service for less, but it is by no means certain. Of course, the superservice—above the tubes; on the ground—might be rendered at a less cost to the Government, but at the same time at a greater disadvantage to the public in many respects. It is a great question that affects the public rights and the rights of the people who have millions of dollars invested in the service, and it ought not to be disposed of until the truth can be ascertained. Personally I have never favored the service and regard it as useless, but others think otherwise.

Now, Mr. Speaker, the mail-bag repair shop at Washington is a very unhealthy and incommodious plant. This bill provides for a new building, sanitary in every respect, at a cost of $200,000. This is an amendment put on by the Senate and agreed to by the conferees of the House. The present building costs $32,000 rent. Six per cent on the new building cost would be only $12,000, and the Government can get money at less than that. It would be a saving of $20,000 a year, and therefore we agreed to that.

Now, there are a vast number of propositions here that might be discussed with some profit. I want to go to the main proposition of this bill and present the features of the railway mail proposition, the proposition of the Government to the roads and the roads to the Government, for a few moments to see if the conferees had reached a conclusion that is just to the people and just to the railroads.

Under the present weight-basis law, with some amendments, the Government has been paying for carrying the mails since 1873. The cost to the Government in round numbers in that year was about $7,000,000. It has increased until this year it will be about $64,000,000, an increase that is apparently abnormal compared with the increase of commercial transactions for railroads in this country. It is continually growing, more and more.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. MOON. I do not care to yield when I have started to discuss a question like this, but I will yield to the gentleman.

Mr. MADDEN. I was just wondering if the chairman of the committee would state to the House how the $7,000,000 compared with the receipts of the Post Office Department at the time it cost $7,000,000, as compared with the condition to-day?

Mr. MOON. I do not know. Those are figures that the gentleman will have to get up himself. I could not offhand tell him that. Mr. Speaker, if I may not be interrupted again, and I hope I shall not be for a few moments, I want to say that the great railroads of the United States have been well treated by this Government on the question of compensation for carrying the mails. The great transcontinental lines that have received 158,000,000 acres of land as a donation by the American people have been well treated. In view of that which has been done for them, in view of the understanding at the time that it was done, this bill will carry only 80 per cent of its maximum pay to that class of land-grant railroads. Under this basis of weight, as I said, we have been operating for years, and it has been so entirely unsatisfactory that the chief officers of the department, the Postmasters General, their assistants and clerks, have never been able to come within $15,000,000 per annum of what the legitimate pay may or should be. This committee has undertaken to remedy that situation, to establish a more satisfactory, more accurate, more adequate, and just rate of compensation for the railroads for carrying the mails, one that will compensate them fully, one that will protect the Treasury of the United States from that progressive advance in pay that comes, as I have said, abnormally every year, as the result of the present system.

I need not enlarge upon the subject of the railway mail proposition, as contained in the House bill. It is sufficient to say that by that plan we can obtain accuracy, we can know just exactly what all mail costs for its transportation and its handling; we can provide the means under the plan proposed in the House bill for the protection of the public upon that question, a question that has been open and fought over now for more than 40 years, a great subject of controversy, and we hoped to settle it by the House bill. That was as fair a bill as could possibly be drafted. There has been one commission appointed to determine this question between the railroads and the people, and the railroads fought off action under that commission. Another commission was appointed, and they fought off action under that commission; and then came this bill, and they proposed that the whole subject should be relegated for consideration to the Interstate Commerce Commission—for the purpose of delay and for the purpose of preventing any action that would affect the present status, and in order to accomplish that purpose they have maligned and traduced the Postmaster General of the United States for 12 months, as well as the chairman of this committee and other Members, for daring to advocate a policy that was in the interest of the people. They are powerful. The railroad association opposing any new law represented 274,000 miles of railway, and was supported by a vast majority of the papers. But I shall not review the features of that bill, which is a complete plan and system within itself, with the rates fixed justly, with the provision for a private contract where roads have felt to be unjustly treated; with a further provision for Interstate Commerce Commission intervention where 51 per cent of them felt they were not properly treated. That was the House bill. It went to the Senate, and the Senate struck out every line of the House bill and provided that the whole question of plan and rates should go to the Interstate Commerce Commission for settlement, and that that commission should fix the rates. It was in that attitude that the conferees of the two Houses met. The result as reported to you here is rather meagerly stated in the statement of the conferees on the part of the House, and possibly may be misleading. I shall read what we have said, and I shall read from the bill to show the possible error, although the statement technically perhaps states the case. But I want to be entirely frank with you. I do not want you to think a thing is going to happen under the peculiar legal language that sometimes looks one way and means another. I want you to know just what has happened. We state (and I will explain in a few minutes what we mean):

> The Senate amendment, known as the Cummins amendment, refers the matter to the Interstate Commerce Commission for investigation, with power to fix the rates of compensation; as agreed upon by the conferees, parts of the so-called "Moon" bill and part of the Cummins amendment adopted, both being modified. The Interstate Commerce Commission is authorized to put in the space system on certain routes or systems for "tests" if it desires to do so, for statistical purposes.

That is true. That statement is not full enough, and you will not get from it, meager as it is, the exact meaning of it. The conferees on the part of the House and the Senate reenacted in the amendment that is now before you almost every word of the House bill. The Senate had struck it all out. The conferees have put it all back except one or two sections, to which I shall refer, and we added other sections germane to the subject matter for the purpose of perfecting the space system. We took out of the House bill the proposition that fined the railroad companies $5,000 for failure to carry the mail. We took it out of the House bill and modified it in that respect, because it came at a better place in an amendment proposed by the Senate, and the Senate amendment on that subject we adopted. We struck that from the House section and adopted the Senate amendment, which provided that railroads that refused to carry the mail according to the contract proposed by the Postmaster General under the law—and, of course, that had to be a contract that would not be confiscatory in its nature—would be obliged to carry it. The Cummins amendment provided a thousand-dollar fine, and each day's refusal would be an offense. We thought that better than the House proposition. The railroads have contended that they ought not to be subjected to this summary process. Under the law to-day you can not make the railroad carry the mail unless it wants to without going into the courts and forcing the railroad companies to accept the mail as any shipper may force a common carrier to accept in proper shape the matters that he has for shipment. It would follow that the courts would issue not, as is the usual practice, a peremptory mandamus, but the alternative writ, and at the conclusion the peremptory writ might be used as the judgment of the court, and the roads forced to carry the mail; but in the meantime there would be no public service, and this might last for years or more. Two railroads have now notified this Government that they are not going to carry this mail any longer—one in Ohio and one in Louisiana. Watch them carry the mail when this bill becomes a law. They can not stand a thousand-dollar-a-day fine. The people will get the service. If they can show under the law that they are not being paid enough, then the fine will not be operative, and they will get compensation. It would seem from the report that I read that this bill of the House is to be used only as a test proposition. I do not want to deceive you in that way.

The full text of the House bill, which contains many and various laws in the postal system and is a practical reenactment of all of them, making them conform to the provisions of the space basis, will go into effect. Now, it does not appear so from the reading possibly, but I will explain to you why. Here is the language, coupling together the House bill and the Senate provision (by which the Interstate Commerce Commission shall at last make the test of the efficacy of these two methods, the railway mail transportation and pay):

> Pending the decision of the Interstate Commerce Commission, as hereinafter provided for, the existing method and rates of railway mail pay shall remain in effect, except on such routes or systems as the Postmaster General shall select, and to the extent he may find it practicable and necessary to place upon the space system of pay in the manner and at the rates provided in this section, with the consent and approval of the Interstate Commerce Commission, in order to properly present to the Interstate Commerce Commission the matters hereinafter referred thereto: *Provided*, That if the final decision of the Interstate Commerce Commission shall be adverse to the space system, and if the rates established by it under whatever method or system is adopted shall be greater or less than the rates under this section, the Postmaster General shall readjust the compensation of the carriers on such selected routes and systems in accordance therewith, from the dates on which the rates named in this section became effective. All railway common carriers are hereby required to transport such mail matter as may be offered for transportation by the United States in the manner, under the conditions, and with the service prescribed by the Postmaster General and shall be entitled to receive fair and reasonable compensation for such transportation and for the service connected therewith.

Now, that means that the new system of space will not be effective, but that the old system will remain as it is. How long? Until the Postmaster General, with the assent of the Interstate Commerce Commission, shall substitute the new plan or system for the old. He may do it on part of some roads, a

certain system, or he may take them all. If you will think a moment about it, it will be evident to you that in the consummation of a great plan for transportation of mails in a country like this, where the conditions in one place are entirely different from those in another, covering a vast area of country like ours, if you were to take one zone, one mailing division, of your country and make a test upon that, while you might reach a conclusion that would give adequate compensation and provide properly for the transportation of your mail in that system, it would not and could not determine what would be the proper and just system in another division of your country. The result inevitably must be that you must have a trial of the space basis practically over the whole of the United States, as well as a reweighing, in order to obtain those statistical facts which, placed in connection and comparison with each other, will enable the Interstate Commerce Commission to determine that system which is best, the rates that are fair, and that are just. You can not do it in any other way.

Theoretically it is well that we propose provisions to the space bill, for, theoretically, they are clear, but who knows what the practical effect of them may be. So as to the weight proposition, you have got to test it out to obtain the practical statistics as to both propositions in order to reach a correct conclusion in behalf of the Government and in behalf of the railroad. These things, of course, will be apparent to the Interstate Commission, and they will give their assent to a trial of this question over the whole country unquestionably. How do I know it? A thoughtful consideration of the question would drive you and me to that conclusion. It is inevitable. But more than that, and that is where I want to be frank with you about it, the Post Office Department officials have reached the conclusion that there can be no adequate system devised by a mere selected route here and there to determine this question. It has reached the conclusion that roads of certain classes must be represented in the consideration of this question, and that practically the whole of the United States must go under the space-basis system in order that we may know what is the ultimate justice and right to the roads and to the people on that question. Fortunately we are not in the dark as to the view of the Interstate Commerce Commission. That commission, when this question was put to them, addressed a letter to the Post Office Department, in which they say in substance that it is of the utmost importance that as many of the roads as may be necessary shall be put under the space system in order that they may determine that fact; that they can not determine so well a question by the presentation of a theory as by the demonstration of the actual facts, which we all understand to be true.

So, in voting upon this measure, vote upon it with the realization of that which must occur, that the law which you passed in this House, with the exception I cited, is going into effect, every line and letter; that the country may be placed nearly altogether, if not altogether, under the space basis; and that it will be done with the assent not only of the Postmaster General, as provided in this law, but that tribunal which must ultimately dispose of this question.

We provide that which I think is very just and proper here, namely, that if in the final solution of this question it be found that the space basis is not the proper basis, the railroad company shall be paid upon a weight basis or by some other means by which they can obtain adequate compensation for the services rendered during the time of the pendency of this investigation.

A fortunate thing about this is, if we agree, that we end a controversy that has lasted almost half a century. We end it upon the broad and sound principles of common sense and common justice. We end it with the protection of the rights of the people and the protection of the rights of the railroad companies. No just man ought to want more; no just man ought to want less.

Now, Mr. Speaker, I have said in a general, offhand way what I desire to say about this matter. I might talk a day or two to you on the provisions of this bill, because they are exceedingly interesting, but I want to make this observation before closing. I have never in my life known such a desperate fight by corporate power against just legislation as the railroads of this country have put against this measure. They have demanded the commission. We give them the commission, satisfied that under the plan we have adopted they can no longer deprive this Government of a proper service at just compensation. I would not speak, perhaps, of the Postmaster General but for the vile and malicious warfare that these people have waged in the newspapers of the country against him and this committee, though we sought at no time to do anything but absolute justice to them, to be liberal with them under all circumstances, because we realized the value and the greatness of the corporations of this country, the necessity for their existence, for the upbuilding of the commerce and maintenance of the social relations of the people throughout the domain of this great Government. We could not afford to be unjust to them. We can not afford to let them longer proceed under the policy that we know is unjust to the people. Let it be settled as it is, as we propose in this measure. The energies of the Postmaster General have been directed to this end all along. And while many of you gentlemen in the House have felt called upon to censure him very severely in the interests of your rural carriers and your routes and for other matters, you seem to have forgotten that he is at the head of the great department of Government, that he must protect through the instrumentalities of that office unfair and unjust raids from every source against the integrity of his department and the Treasury of his country. You take your own routes in your district and you will have a proposition that you would apply as though you were controlling all. Do not you know that he has 46,000 of them to look after and their administration? Do you know that he has had to look closely to the contracts on the pneumatic-tube question? Do not you know that he understands that you do not have a conscious responsibility for the discharge of the duties and the functions of his office as you have for your own?

I want to say to you deliberately I do not believe that this House on the question of rural routes and other matters has been either fair or just to the Postmaster General. The State that complained most had less cause on examination.

Mr. MADDEN. Mr. Speaker, will the gentleman yield for a question right there?

Mr. MOON. Not at this moment. It is an office in which $320,000,000 of money is expended yearly, and in which there are 270,000 operatives. You, as the legislative masters of your country, ought to be more tolerant with his administrative officers when they attempt to do that which is best, in their judgment, for their country, even when it does not meet with your approval or mine. And I am going to say that which I have never said before. Take it from beginning to end and eliminate every partisan consideration; take into consideration the things that he has had to deal with, the trials that have confronted him, the means that have been put at his disposal, and the assaults that have been made against him and I believe there has never been in the history of this Government a Postmaster General so grandly and profoundly loyal to the department, so true to all those ideas that challenge our admiration as Albert Burleson. [Applause.] I know of but one other man to-day, and that because of his more extensive field of duty and responsibility, who has loyally at heart any more than Burleson has the welfare, the honor, the dignity, the peace, the prosperity, and the glory of a great people, and that man is Woodrow Wilson. [Applause on the Democratic side.]

The SPEAKER pro tempore (Mr. RAGSDALE). The gentleman from Minnesota [Mr. STEENERSON] is recognized for 1 hour and 10 minutes.

Mr. STEENERSON. Mr. Speaker, I am in favor of agreeing to this conference report. I want to compliment my friend, the chairman of the Committee on the Post Office and Post Roads, for the diplomacy and the skill with which he conducted the proceedings of the conferees on the part of the House, and I want to say that to him is largely due the fact that we have reached an agreement which I think is satisfactory to everybody on both sides of this Chamber, at least so far as the mooted question of railway mail pay is concerned.

It may perhaps be appropriate to make a few remarks on that subject, although it is a somewhat intricate one. I want to remind you of the fact that the bill as it passed the House contained a complete provision for the ascertainment of railway mail pay by what is known as the space plan, as contradistinguished from the weight plan, which for 40 years has been the law of the land.

We have before us in this conference report that space plan; that is, we have a law providing for the space plan as completely—and, in fact, more completely—than when the bill left the House. The existing law provides for the ascertainment of the pay by weight. The Senate struck out our provision for space, but we reinserted it. We inserted a provision that the whole subject matter of railway mail pay and the question of what method of ascertainment of that pay should be adopted should be referred to the Interstate Commerce Commission. We have agreed to that; but we have also provided that the Postmaster General may designate a system of railroads and put in force the space plan as outlined in this statute.

However, the extent of this experiment must be approved by the Interstate Commerce Commission, the law directing that

a sufficient area should be used in order to have a fair experiment and to determine the merits of the two contending plans.

Mr. FOCHT. Mr. Speaker, will the gentleman yield?

Mr. STEENERSON. I yield to the gentleman.

Mr. FOCHT. I will ask the gentleman what the railroads think about this plan, and what do the railway mail employees, the mail clerks, think about it?

Mr. STEENERSON. The railroads, during the hearings on the space plan before the House committee, were all asking that the whole question be referred to the Interstate Commerce Commission. That was the burden of their argument everywhere. It has been their request ever since the subject has been debated. So far as the railway postal employees are concerned, they are not interested one way or the other as to which plan is to be adopted. It does not concern them, and they have said nothing.

Mr. FOCHT. They are certainly interested in the regulation as to the payment of their salaries and their trips home and their passes and meals.

Mr. STEENERSON. I do not want to go into that.

Mr. FOCHT. But you have inveighed so vociferously on this floor about those things that I was inclined to think you were right about them. Now you have changed your mind, have you?

Mr. STEENERSON. No, sir; I have not. What does the gentleman want to know?

Mr. FOCHT. I want to know whether the small railroads are satisfied with what they are going to get by this method, and whether the postal clerks are satisfied with their salaries?

Mr. STEENERSON. The postal clerks have nothing to do with the railway mail pay, and so far as I know, they are entirely satisfied with the provisions of this bill. The smaller railroads, if the space plan should be adopted and recommended by the Interstate Commerce Commission, will certainly be taken care of. However, there is an additional provision in the space-plan law in this bill that authorizes special agreements with railroads in case the general rule may be too harsh and inapplicable to the small railroads.

There is another provision of this space-plan law which guarantees justice to the small railroads, or the big ones for that matter. It authorizes the Interstate Commerce Commission to classify railroads and to adjust the pay according to the classification. That is, a trunk line with a very heavy tonnage and dense volume of mails would necessarily be able to carry mail more economically and cheaply to the Government than a railroad carrying a smaller volume of mail. And it is contemplated by this act that we shall have the Interstate Commerce Commission classify the railroads in order to be able to adjust more adequately and correctly the compensation due from the Government.

Mr. OAKEY. Will the gentleman yield for a question?

Mr. STEENERSON. Certainly.

Mr. OAKEY. Does the Interstate Commerce Commission have the right of veto before a trial of a certain zone has been made? In other words, if the Postmaster General should designate a certain zone for the trial of the space idea, does the Interstate Commerce Commission have the right to examine and veto that before the trial or after the trial?

Mr. STEENERSON. In order to make it plain I will say that the Interstate Commerce Commission is required to ascertain and adjust the pay under the space plan in a zone adopted for that purpose. However, they need not pay the railroads under the space plan until they decide whether the railroads shall be paid by weight or space, which comes later on. And if they have paid them under the space plan, and that is not sufficient, under the final order of the commission they must pay them the difference. That is provided for. Does that answer the gentleman?

Mr. OAKEY. Then the authority of the Interstate Commerce Commission comes after the Postmaster General's office has designated a certain zone?

Mr. STEENERSON. That is only for experimental purposes, to determine which is the fairer method.

Mr. OAKEY. Excuse me just a moment. The final conclusion rests with the Interstate Commerce Commission?

Mr. STEENERSON. Certainly it does. The idea now is that they will adopt the space plan and put it into effect to see how it works out, and then they can easily compute the pay under the existing law by weight, because the weights are taken quadrennially, and they have the figures, so they can ascertain which is the more favorable to the Government, and so forth.

Mr. OAKEY. I thank the gentleman.

Mr. STEENERSON. It ought to be satisfactory to the railroads, because they have been asking for a reference to the Interstate Commerce Commission. It is satisfactory to the Post Office Department, because they have been asking for the space plan and now we are giving it to them, at least experimentally, in order that it may be determined which is the best method.

Mr. FESS. Will the gentleman yield?

Mr. STEENERSON. Yes.

Mr. FESS. When I vote for this conference report, do I vote to continue the weight plan until otherwise determined by the Interstate Commerce Commission?

Mr. STEENERSON. You do.

Mr. FESS. Except where——

Mr. STEENERSON. No exceptions at all. You vote to continue the pay under existing law, although the Interstate Commerce Commission may designate a certain zone for experimental purposes, and if that does not turn out satisfactorily, they can compute the pay under existing law.

Mr. FESS. That being experimental, could they include in it an entire trunk line?

Mr. STEENERSON. Oh, yes; I think they could include the whole United States if they wanted to.

Mr. FESS. Under the experimental zone?

Mr. STEENERSON. Yes; if the Postmaster General so desired. Of course, the Postmaster General does not desire to have the space plan applied to all railroads. He only wants it applied to the heavier lines; that is, those that carry a considerable amount of mail; because the recommendation is that on the smaller railroads, where they simply carry closed pouches, they shall continue to be paid by weight, and that is provided for. They can pay in that way if the commission so desires.

Mr. FESS. However, if the conference report is adopted, it still continues the present system until changed by the Interstate Commerce Commission?

Mr. STEENERSON. Yes.

Mr. TOWNER. If the gentleman will yield, I was just going to call attention to the language which shows that it may be applied to an entire system. The language is that the present system shall continue—

Except on such routes or systems as the Postmaster General shall select.

Mr. FESS. He might take the whole country?

Mr. TOWNER. Yes.

Mr. STEENERSON. I think this is a very good solution of this vexed problem. You will recall that this question of railway mail pay has been before Congress for a great many years, ever since any of you have been here. It was a live question in 1901, when the Wolcott Commission was appointed, and it has been investigated by half a dozen commissions since that time. A great deal has been said and is being said at the present time about the adequacy or inadequacy of railway mail pay under existing law. The gentleman from Tennessee [Mr. MOON], the chairman of the committee, has indicated that he thinks the Postmaster General has made a very patriotic effort to reduce railway mail pay. He seems to think that we have been paying excessive amounts. Last year in the debate on this question he stated that we were paying very largely in excess of what we ought to pay, and that the Moon bill then pending would save the Government $9,000,000 or $10,000,000 a year. These statements are rather wild. The fact is that in 1901, when the question was investigated by a commission, that commission found that the railways were not overpaid. Then the Bourne Commission was appointed in 1911. This commission consisted of two Democrats in the House, Mr. LLOYD and Mr. Tuttle, and one Republican, Mr. WEEKS. From the Senate there were two Republicans, Mr. Bourne and Mr. Richardson, and one Democrat, Mr. BANKHEAD, So the House being Democratic and the Senate being Republican, it was what you might call a nonpartisan commission, because over there they had one Democrat and two Republicans and over here we had two Democrats and one Republican as members of the commission. This commission investigated the question most thoroughly. Among others, they called in the statistician of the Interstate Commerce Commission, who went into the subject very exhaustively. They called in the department officials, and they printed some 2,000 pages of testimony. They made a unanimous report, and that report says that the railroads at that time, in 1911 and 1912, were not overpaid. Seeing that that was a unanimous report, it is hard to understand why any gentleman should make these sensational statements that we have heard here, that the railroads are being overapid.

Mr. FESS. Will the gentleman yield?

Mr. STEENERSON. In a minute. Now, the railroads have been just as extravagant in their statements as persons on the other side. They have advertised throughout the press and carried on propaganda for the last two or three years to show

that they were grossly abused and underpaid by the Government. In some instances they have been underpaid by reason of the adoption of the parcel post. They had a just grievance in those cases where the parcel post was adopted and put into effect immediately after the quadrennial weighing. The mail is weighed once in four years, and the railroads that had to begin carrying the parcel post in January, 1913, just after they had had their quadrennial weighing, had to carry all the parcel post practically for nothing for four years.

That was their grievance, and we sought to correct that by allowing 1 per cent additional compensation, but they have proven that in some instances that was not sufficient. I only mention this to show that the claims on both sides, the claim on the part of the railroads has been exaggerated, and the claim on the part of the Government that they were losing so much was exaggerated. The truth is that there has been no great injustice done. The difficulty, however, is that the weight of the mail has been increasing so enormously by reason of the parcel post and the growth of second-class matter that there ought to be a more economic way of transporting it. The railroads are opposed to the space plan chiefly because they are opposed to the Government exercising the economy which is possible. You can ship magazines by freight, you can ship many of the articles of merchandise that go in the parcel post by fast freight, more cheaply than you can in a railway-mail car where you carry two or three tons in a car that weighs over 100,000 pounds. That kind of transportation is expensive.

Mr. FESS. Will the gentleman yield?

Mr. STEENERSON. Yes.

Mr. FESS. Have we any standard by which we can determine whether this country pays more for carrying the mail than other countries?

Mr. STEENERSON. I do not know; I am not going into that because conditions are so different that I do not think that comparisons are of any value.

Mr. FESS. I understood that we were paying less for carrying the mails than other countries.

Mr. STEENERSON. They have so many Government-owned roads in other countries that it is difficult to make a comparison.

Mr. LLOYD. Will the gentleman yield?

Mr. STEENERSON. Yes.

Mr. LLOYD. As a member of the Bourne Commission, I want to say that that commission did not find that it would be a saving to the Government of $9,000,000.

Mr. STEENERSON. Did not the Bourne Commission report mention $9,000,000?

Mr. LLOYD. The Bourne Commission found that the railroads were not underpaid.

Mr. STEENERSON. Did not the Bourne report mention $9,000,000?

Mr. LLOYD. That was in the discussion of it.

Mr. STEENERSON. I think in some figures he said that the loss to the railroads would be $14,000,000, and in other figures that it would be $9,000,000.

Mr. LLOYD. I do not want to go into a discussion of this matter because it is a long story.

Mr. STEENERSON. But the commission did find that the railroads were not underpaid?

Mr. LLOYD. In the beginning the railroads companies insisted that they were underpaid $15,000,000 and the Post Office Department said that they were overpaid $9,000,000.

Mr. STEENERSON. Well, that was the way of it then, and the commission found that they were not underpaid.

Mr. FOCHT. That answers my question and I accept the apology.

Mr. STEENERSON. Now, Mr. Speaker, I want to say that the agitation for the space plan originated because of the enormous increase of second-class mail matter, and was accentuated by the adoption of a more liberal parcel post. The Postmaster General, Mr. Hitchcock, was the first one to propose it, and it was being discussed by this so-called Bourne Commission when this administration came in.

Although I agree with my friend, the chairman of the committee, in his encomium on the Postmaster General, at the same time I want to call attention to one point on which I think he has failed to exercise as much diplomacy as might be expected. When the Bourne Commission was about to make its report in favor of the space plan they fixed the exact rates that we have now adopted in this bill. It was known that the Bourne Commission would have a bill prepared within a week, and it was known that they had agreed on the rates. The Post Office Department, under the leadership of the present Postmaster General, instead of waiting for the Bourne Commission to report drafted a bill with the space plan in it, and it was introduced as the Moon bill, and contained lower rates by far than the Bourne Commission had recommended. A disagreement at once arose, naturally, and the members of the Bourne Commission felt slighted because of the action of the administration in pressing the bill containing different rates before they had had an opportunity to present their case. But the Moon bill finally failed of a passage in the Senate, or rather it failed in conference.

Now, I believe if the Postmaster General had a year ago done what he has done this year, agreed to the Bourne Commission rates, he might have had the space plan in operation now. It should be remembered that all of the Bourne Commission rates are now approved by the department and made a part of this bill. I want to compliment the members of the Bourne Commission as highly as did the chairman of the committee compliment ex-Senator Bourne.

More faithful work has never been performed than was done by that commission, consisting of Mr. LLOYD, Mr. Tuttle, and Mr. WEEKS, and the Senators I have named. They have now been vindicated by the House and the Senate and by the Post Office Department, because these rates are the rates that the Bourne Commission recommended and favored.

I think we have rendered a great service to the people by having this whole matter referred to the Interstate Commerce Commission for determination. I believe that under this law they will be able to make a final determination of that vexed question of railway mail pay, and it will have a far-reaching effect on the future prosperity of the country because it affects the Postal Service in every branch, and especially the question of the development of the parcel post.

The chairman of the Post Office Committee referred to the provision for the back pay of rural carriers. He agreed to the report, signed it, and now explains that the claim of the rural carriers for this back pay did not meet with his approval—he did not think it was just, but that he yielded his convictions in order to arrive at an agreement upon the more important part of the bill, which concerned the whole country. The other conferees—five others—did not have any such compunctions. They agreed because they thought it was right, and they never have been convinced to the contrary. They believed that when Congress passed the act giving authority to pay that as the maximum salary, and appropriated the full maximum amount to pay it, that the law would be carried out as it had been theretofore. The practice has always been for the department to pay the maximum. For instance, if you appropriate for salaries that the Postmaster General shall pay not to exceed a certain sum, he will pay that sum, and if you appropriate as we do to the railways—that the Postmaster General is authorized to pay not exceeding certain amounts—he invariably pays the maximum. The rural carriers' pay was fixed in the same way, and we had a right to believe that the maximum would be paid, and when we appropriated the full amount it was in one sense an indication that we desired it to be paid. Of course, technically and legally, the Postmaster General had the authority to withhold part of that $1,200 from each carrier, but it was not the real intention of Congress, and so we have again authorized the payment of this deferred salary because the appropriation was made two years ago. I do not know whether it is more creditable to yield when you think it is wrong for the sake of advantage in another part of the bill or to yield because you think it is right. However, I am glad that the gentleman has agreed to it, and that these faithful servants of the Government, the rural carriers, are at last to get the pay which has been, as we believe, wrongfully withheld from them.

Mr. FESS. Does the back pay refer to two years?

Mr. STEENERSON. No; it is one year's back pay. The salary was raised to $1,200, and the full amount required to pay that for the fiscal year ending June 30, 1915, was appropriated, and that was what we always had done; but instead of paying them $1,200 a certain amount was deducted on certain routes where the number of pieces carried was small and the business was light. They were paid $1,150 and $1,125, and so forth, and it is these claims that are covered by this item.

Mr. FESS. Amounting to about how much?

Mr. MANN. Two million three hundred thousand dollars.

Mr. STEENERSON. They do not seem to know exactly, but between two and three million dollars.

Mr. FESS. The Government owes $2,300,000 that has not been paid?

Mr. STEENERSON. Exactly; and when you take that $2,300,000 out of the 1915 fiscal year, you will find that the deficit is so much greater.

The pneumatic-tube item has been discussed. The gentleman from Tennessee [Mr. MOON] stated correctly that we had extended that to March 4, 1917. The Postmaster General has

by contract extended it for six months to December 30, 1916. I do not know whether the other conferees were of the opinion or not, but it was my opinion at the time that there would be no difficulty in these matters when we got a more practical head of the department, and as I expected that Mr. Hughes would be elected President [applause on Republican side] I felt sure he would select such a man. You see we have extended the contract until a time when we will get rid of the present administration. That seemed to be satisfactory to the Democratic conferees, and it certainly was to your humble servant.

Mr. LLOYD. Mr. Speaker, will the gentleman yield?

Mr. STEENERSON. Yes.

Mr. LLOYD. The gentleman does not wish to leave the impression that the conferees agreed that Mr. Hughes would take his seat on the 4th of March, does he?

Mr. STEENERSON. Did I say that?

Mr. LLOYD. The gentleman did not say it; no.

Mr. STEENERSON. No; but the conferees agreed that this contract should be continued by direction of Congress until this present administration expired. There would be no object in limiting it to March 4 unless we expected a change of administration, it seems to me, and the argument, therefore, is on my side, because if they desired to continue it it was not necessary to specify that day if we are not going to have a change of administration.

A great deal has been said about the rural carriers' service, and I want to call attention to the fact that the complaint about the administration of the rural carriers' service can not be said to be a partisan complaint, because it comes almost entirely from the other side. In fact, the Republicans have been very quiet about it. So far as Minnesota is concerned, I have not heard a single complaint. It may be that the wild theories about reform and economy which are entertained by the Postmaster General and his Fourth Assistant could be put into force, as they thought, with less danger in strong Democratic States. They first wanted to experiment, so to speak, on the dog, and they therefore tried it down in Georgia, and there is where most of the trouble has come from. Having proved a failure to some extent there, it will not be extended to any other region, I hope.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. STEENERSON. Yes.

Mr. COX. In all seriousness let me ask this question, if he is not in complete accord and absolute harmony with any Postmaster General who undertakes to effect economy in the administration of that great department?

Mr. STEENERSON. Yes; if he preserves the efficiency of the service. [Applause on the Republican side.] But if he sacrifices the efficiency of the service for the purpose of accumulating a million or two, or even $10,000,000, he is the most mistaken man that ever occupied an office. I think it is a misfortune to have a postal surplus to brag about when the service is neglected, or where the faithful servants are not sufficiently paid for their work.

Mr. COX. Will the gentleman yield for another question in that connection?

Mr. STEENERSON. Certainly.

Mr. COX. Does the gentleman regard it as a fortunate affair to have a postal deficit?

Mr. STEENERSON. I say sometimes it is a misfortune to have a surplus.

Mr. COX. Answer my question.

Mr. STEENERSON. The gentleman knows that I have preached here in season and out of season that the Postal Service of itself ought to be self-sustaining. That is the purpose and aim of it, but you must always bear in mind that the people must have an efficient service.

Mr. COX. Then I take it the gentleman does not think it is a matter of importance and benefit to this country to have a great postal deficit?

Mr. STEENERSON. I certainly do not. But I say that efficiency is the main purpose and object, and that sometimes you can sacrifice efficiency, as has been attempted, I think, in these cases, and it has been very unfortunate.

Mr. KELLEY. Mr. Speaker——

The SPEAKER. Does the gentleman from Minnesota yield to the gentleman from Michigan?

Mr. STEENERSON. I yield.

Mr. KELLEY. I would like to ask the gentleman from Minnesota something about the lines at the bottom of page 34 in the bill, which seem to direct the Postmaster General to restore the 24-mile horse route. Does it, in fact, require the Postmaster General to do that absolutely?

Mr. STEENERSON. Well, the gentleman is as good a judge of language as I am.

Mr. KELLEY. It is the intention that the Postmaster General shall reorganize the routes?

Mr. STEENERSON. That seems to be the purpose.

Mr. KELLEY. On the basis of 24 miles?

Mr. STEENERSON. On horse-drawn vehicle routes?

Mr. KELLEY. On horse-drawn vehicle routes.

Mr. STEENERSON. It is stated in another part of the bill that the standard route shall be 24 miles, and that it may exceed 24 miles by 50 per cent, which is 36, and, if it is more than 30 miles, they pay $24 a mile extra for those miles.

Mr. KELLEY. For instance, in the State of Michigan, under the reorganization of the postal routes a year or so ago the routes were nearly all made 30 miles in length. What I would like to ask the gentleman is whether the 24-mile routes are going to be restored up there in place of the 30-mile routes under this language?

Mr. STEENERSON. That is a matter of administration.

Mr. KELLEY. That is to say, the Post Office Department will do it if they so please? You have not required them to do so here. On page 34, lines 25, 26, 27, and 28——

Mr. STEENERSON. It reads:

The Postmaster General is hereby authorized and directed to reorganize and readjust existing rural mail-delivery service where necessary to conform to the standards herein prescribed: *Provided*, That nothing contained in this section shall in any way affect automobile routes already established where good and efficient service satisfactory to the postmasters at the points of distribution of the mail to be delivered is being rendered; nor shall the provisions of this section apply to rural carriers who have been heretofore appointed and who have purchased or contracted for automobiles intended and designed for use in such rural-delivery service.

Mr. KELLEY. There is nothing in the language you were just reading there that throws any light upon those three lines.

Mr. STEENERSON. What is the precise question? Whether they were going to reorganize a route that is now more than 24 miles?

Mr. KELLEY. That is what I want to know.

Mr. STEENERSON. I do not think so.

Mr. ANDERSON. May I ask my colleague a question?

The SPEAKER. Does the gentleman yield to his colleague?

Mr. STEENERSON. Yes.

Mr. ANDERSON. What I want to ask is this: Suppose a route remains 30 miles, does the carrier receive more pay than for 24 miles under this?

Mr. STEENERSON. No.

Mr. ANDERSON. Ought he not to do so?

Mr. STEENERSON. I am not concerned now with what ought to be. I am concerned with what it is.

Mr. KELLEY. Are there many horse-drawn vehicle routes in the United States more than 30 miles in length?

Mr. STEENERSON. I think the majority of them in my district are more than 26 miles.

Mr. KELLEY. More than 30 miles?

Mr. STEENERSON. Some of them more than 30 miles, and some of them more than 34 miles. I think we had a book here at the time of the consideration of the appropriation bill giving the length of those routes. There are quite a number of them in the northern part of the State where the country is flat and there are no hills.

There is one item inserted by the Senate, which the conferees agreed to, for carrying the mail by aeroplanes. I was very glad to agree to that, because for two or three years I have been trying to get a clause of that kind inserted in the Post Office appropriation bill but was unable to secure the approval of the House, the opposition of the chairmen being sufficient to veto it. But we have finally got it, and I am very glad that it is in there. I believe it is destined to be a great success.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER. The gentleman reserves 25 minutes.

The gentleman from Tennessee [Mr. MOON] is recognized.

Mr. MOON. Mr. Speaker, I yield 10 minutes to the gentleman from Indiana [Mr. COX].

Mr. COX. Mr. Speaker and gentlemen of the House, I recognize that all legislation, in the very course of events, must be a compromise. I recognize that all conference reports must be compromises. I am not going to criticize the conferees upon this bill. I am going to state my views upon certain propositons contained in the conference report.

There were 62 amendments proposed to this bill in the Senate. The House yielded on 46 of them. I do not believe that the Senate yielded upon a single amendment. The House yielded upon the remaining 16 amendments with amendments or concurred in them with amendments. I am not here to argue which of the conferees got the best of the bargain, but I am here to submit a few remarks upon one or two items contained in it.

I was delighted to hear the chairman of the committee, with whom I have served for the last eight years, say that, so far as he was concerned, he was opposed to yielding to the Senate

amendment whereby it is proposed to pay the rural-route carriers $2,300,000.

I repeat, and I reiterate, that I was delighted to hear the chairman of the committee say he was opposed to that item. It depends, however, again upon the viewpoint of the individual as to how he looks at a given proposition. I have served long enough in this House to recognize that a Member ordinarily gets along best who follows the lines of least resistance, and the lines of least resistance every time lead directly to the Treasury of the United States, and they led to the yielding by the House conferees on this item. Of course they had a right to do it. The chairman of this committee was absolutely helpless. By yielding on this item the conference committee deliberately reaches its arm into the Treasury of the United States to pay to the rural-route carriers of this country $2,300,000—an absolute bonus, an absolute gift.

We may be hard pressed for votes on this side of the Chamber this fall, gentlemen [applause on the Republican side], but, so far as I am concerned, the price is too high for me to pay. To deliberately go into the Treasury and take from the people $2,300,000 and pay it to the rural-route carriers is a thing that Congress never intended to do, and I challenge the authority to show that it did.

Mr. SMITH of Michigan. Mr. Speaker, will the gentleman yield there?

Mr. COX. I will yield for a question solely.

Mr. SMITH of Michigan. Is there no consideration moving on the part of the rural carriers for that extra amount?

Mr. COX. None whatever. That was inserted in the bill absolutely over the protest and over the objection of the Post Office Department. But from the arguments made here this evening, and from arguments made on that side of the Chamber heretofore, they commend it. If you want to take the position on that side of the Chamber that it is a sound, healthy policy to run the Post Office Department upon the deficit theory, you can do it. I refuse to follow you.

Another bill I want to speak of, pending here——

Mr. SMITH of Michigan. Mr. Speaker, will the gentleman yield there?

Mr. COX. I refuse to yield further. It is coming up at the first opportunity; the minimum wage scale. But that is a little item. What is the use of talking about it? It would only be a charge upon the Treasury of $24,500,000 the first year. That is all it would be, and this little item of $2,300,000 is almost too insignificant for any Democrat to stand upon this floor and discuss this evening, in view of the fact that our appropriations this year will amount to the enormous and appalling sum of $1,550,000,000. In view of the fact that we are compelled in our revenue measures to take care of certain conditions by issuing bonds, I am at a loss to understand how any Democrat standing upon the platform of 1908 or 1912 could yield upon this item and deliberately pay to the rural route carriers $2,300,000, especially in view of the Treasury condition at this time.

But that is not all. What else does this report provide? The Postmaster General in the last two or three years has made an honest and a diligent effort to practice economy. And let me say to my Republican friends, if you should, unfortunately, get control of this House next time and I should be, fortunately, placed upon the Committee on the Post Office and Post Roads, you will find me standing side by side with your Postmaster General, to economize upon these things. I give you that promise and pledge now.

The Postmaster General attempted to bring about economy by motorizing various routes in the United States. He did bring about economy. He saved approximately $5,000,000 by that process, and he did not disturb in all those reorganizations to exceed 500 patrons. It was ascertained that he did not do it when the facts were applied to the case. You have taken away from the Postmaster General the power of motorizing the routes in this country in the future by this language:

> Standard motor-vehicle routes, which shall be 50 miles in length, and shall only be established hereafter when a majority of the proposed patrons who are heads of families residing upon such proposed routes shall by written petition ask the Post Office Department to establish the same.

He can only motorize a route when a majority of the patrons upon the route petition the Postmaster General to motorize it. Great God, Mr. Speaker, language could not be used any stronger to destroy the power of the Postmaster General to motorize routes than that language; and yet it is a known fact that all over the United States there are thousands of rural routes which can be covered in six hours' time with an automobile and save millions of dollars every year. But that right, that power, that discretion, is taken away from the Postmaster General by this conference report.

Mr. SMITH of Michigan. I think the gentleman reads the bill wrong.

Mr. COX. Oh, I am not reading the bill wrong; the gentleman does not understand it. I am reading from the conference report.

Mr. SMITH of Michigan. Not the bill.

Mr. COX. And then you provide that the standard horse-drawn route shall be 24 miles. Then you provide:

> *And provided further,* That nothing herein shall be construed and no order shall be issued to prevent the use of motor vehicles on horse-drawn vehicle routes.

The SPEAKER. The time of the gentleman from Indiana has expired.

Mr. COX. Mr. Speaker, will the chairman give me five minutes more?

The SPEAKER. The gentleman from Tennessee [Mr. MOON] has only four minutes more.

Mr. COX. I ask unanimous consent, Mr. Speaker, to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Indiana asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. STEENERSON. Mr. Speaker, I yield to the gentleman from Illinois [Mr. MADDEN].

The SPEAKER. How much?

Mr. STEENERSON. Fifteen minutes.

The SPEAKER. The gentleman from Illinois [Mr. MADDEN] is recognized for 15 minutes.

Mr. MADDEN. Mr. Speaker, I would like to know when I have used 10 minutes. I want to yield to another gentleman.

The SPEAKER. Very well.

Mr. MADDEN. Mr. Speaker, I was interested in the statement of the gentleman from Tennessee [Mr. MOON], who lauded the loyalty and devotion of the Postmaster General in his management of the Rural Delivery Service, and it made me wonder why the members of his party in the House and in the Senate and in the conference had tied his hands so that he will be unable in the future to create motor routes except by the consent of the patrons on each route.

The motor has become the advance guard of progress, and yet the Democrats in Congress, by the provisions of this bill, are forcing the Post Office Department to go back to the ox-cart period.

Oh, you have given another evidence of your unfitness to manage a big business. You have expressed your want of confidence in your own Postmaster General. You have tied his hands; you have bound and gagged him so that he can no longer establish a motor route except by appealing to the millions of patrons who live on the 46,000 rural routes. Instead of one manager for the rural delivery business of the country you have created 46,000, multiplied by the number of patrons who live on that number of routes, and you compel your Postmaster General to go hat in hand to ask the citizens how and when he can deliver their mail. You have demoralized the Post Office Department. You have destroyed its efficiency. You have humiliated the Postmaster General. You have proved by your own acts that you are an ox-cart party.

You tell the Postmaster General he does not understand his business, and before he can arrange a rural route he must get every farmer on the route to give his consent. Oh, what a systematic lot you are and how beautifully you display your confidence in your Postmaster General.

Yes; I see you have tied his hands also on the pneumatic-tube service. You have given him directions to extend the contract. You refuse to allow him to advertise for bids or to reduce the price paid for that service. It is said that $7,000 a mile could be saved on every mile of pneumatic-tube service. Why did you deprive your Postmaster General of an opportunity to save it, and why, in the face of your refusal to allow this and other savings, do you still persist in imposing new burdens of taxation upon the people?

You have expressed your want of confidence in the Postmaster General by taking away his discretion on a purely administrative matter, and thereby you have destroyed the efficiency of the department. You have once more expressed your want of confidence in your Postmaster General by directing him to return $2,300,000 to the rural carriers, which amount is said to have been unjustly deducted from their pay. Was the Postmaster General opposed to the return of this money? Would he have refused to return the money if authorized? Were the conferees afraid to trust him to act if he was given authority? Was this the reason he was bound and gagged, without the right to do more than perform the clerical work in connection with the return of the sum of $2,300,000? Oh, what a humiliating

thing it must be to be a Democratic Postmaster General when the party in power has no more confidence in his integrity than to bind and gag him and tie him to the table and tell him that he must be forced to act. I should not like to be Postmaster General under a Democratic administration that had no more respect for the high office than you have for the Postmaster General, who is my friend, and who I believe has integrity of purpose that is worthy of more confidence than you have expressed in him. [Applause.] And while you have taken away the power from the Postmaster General in all these important matters, you have by amendment No. 18, published on page 14 of the bill, authorized the Postmaster General to employ more clerks in any particular grade in the Post Office Department than is provided for in the appropriation bill.

Mr. SLOAN rose.

Mr. MADDEN. I can not yield. I have not time. I have only 10 minutes.

The SPEAKER. The gentleman declines to yield.

Mr. MADDEN. This will give the Postmaster General the right to use men in the $800 grade who ought perhaps to be entitled to be in the $1,200 grade. Do you want to deprive these men of this money by the direction that you have given him, by forcing him to pay men $800 a year who ought to be getting $1,200 a year? Oh, it is always the man in the line who suffers from the action that you take. I do not know how to characterize such an agreement as this, except to say that I have no confidence in the judgment of the men who made it.

Now as to the railway pay. I made a study of that for three or four years. I convinced myself that the space basis was the right basis on which to fix the compensation. Others did not agree with me. Some thought we ought to send it to the Interstate Commerce Commission and let them decide. Others thought we ought to send it to them to investigate, and others thought, some one thing and some another. I believe that where there is a question of so serious doubt it is just as well and perhaps better to let some disinterested body study the facts in the case. And I am more than glad that some satisfactory compromise has been reached by which the question may be solved, for it has been a troublesome question, and if when it is solved the people of America are satisfied that no compensation is to be granted except that to which the railroads are entitled, and that the Government and the railroads both are awarded that measure of justice which the American people believe in, I shall feel that all the work we have done in this connection has not been done in vain. [Applause.]

I yield five minutes to my colleague [Mr. McKENZIE].

Mr. McKENZIE. Mr. Speaker and gentlemen of the House, I shall support this conference report if for no other reason than that in my judgment it opens the way to a solution of the complex and technical question of railway mail pay. I am glad that we have finally arrived at a decision which in my judgment will settle this very grave question. I am very glad that it is to be left to the Interstate Commerce Commission. I believe that great commission will do entire justice not only to the railroads of this country but to the people. No fair man desires that the railroads of our country shall render services to this great Government of ours without just compensation, and no fair man desires that any advantage shall be taken of the people by the railroad corporations of our country. And I am inclined to feel now that we have at least opened the way whereby this great question can be solved.

One other thing I want to mention, and that is in relation to the $2,300,000 which the gentleman from Indiana said will be taken from the Treasury of the United States and given to the rural carriers of our country. Gentleman of the House, I do not feel that this is a steal. I do not feel that under the circumstances it is taking money and giving it to these men without any just reason at all. I was in this House, as many of you were, when we passed the resolution carrying over the appropriations on March 4, 1915, and I leave it to any man in this House if it was not his understanding, if it was not the understanding of us all, that the rural carriers were to receive this pay. I am sure that every carrier in the United States felt that he was entitled to this and expected to get it. Yet an administrative officer of the Government stepped in and autocratically decided that these men were not entitled to that money, and refused to pay them. This provision simply provides that they shall receive what Congress intended they should receive. And in so doing I can not see where any injustice is going to be done to the Government of the United States. I well remember when I first came here I voted for a pension law, the law of 1911, and I thought then, and I know that my colleagues were of the opinion, that the bill provided that where a man was wounded in battle or contracted disease in the service he should receive the maximum of $30 per month; but after the law was enacted the Commissioner of Pensions held that unless the wound or disease from which he suffered had rendered him wholly incompetent to perform manual labor, and had resulted in total disability, he could not get the maximum pay. Now, I am one of those who believe that when Congress passes an act no executive officer of the Government should have the right or power to construe it his way, and thereby defeat the will of Congress, but I maintain he should construe it according to the intention of the Congress of the United States when the law was enacted. [Applause.] Mr. Speaker, that is all I care to say.

The SPEAKER. The gentleman from Minnesota [Mr. STEENERSON] has 10 minutes and the gentleman from Pennsylvania has 4 minutes.

Mr. STEENERSON. I yield to the gentleman from Iowa [Mr. TOWNER] 5 minutes.

[Mr. TOWNER addressed the House. See Appendix.]

Mr. MOON. Mr. Speaker, I want to say in reply to the gentleman from Iowa, who discussed what the conditions are in that State, that there is a great deal of country where a 30 or a 36 mile route can be maintained by a horse-drawn vehicle. In relation to the strictures upon the Postmaster General, I have not the time to enter into a general statement, and he made no specific charges. I want to enter my dissent to the gentleman's remarks in relation to the Postmaster General by saying that the gentleman from Iowa is totally outside of the facts as I understand them.

[By unanimous consent Mr. MADDEN, Mr. HULL of Iowa, and Mr. VOLSTEAD were given leave to extend their remarks in the RECORD.]

JOURNAL OF THE EXECUTIVE COUNCIL OF PORTO RICO (H. DOC. NO. 1291).

The SPEAKER laid before the House the following message from the President of the United States, which was read and referred to the Committee on Insular Affairs, and, without the accompanying documents, was ordered to be printed:

To the Senate and House of Representatives:

As required by section 19 of the act of Congress approved April 12, 1900, entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," I transmit herewith a copy of the Journal of the Executive Council of Porto Rico for the second session of the eighth legislative assembly, beginning February 14 and ending April 13, 1916.

WOODROW WILSON.

THE WHITE HOUSE, *July 17, 1916.*

POST OFFICE APPROPRIATION BILL.

Mr. STAFFORD. Mr. Speaker, the history of the present railway-mail pay provision is rather interesting. In June, 1914, the House Committee on the Post Office and Post Roads was suddenly directed to consider what was then known as the Moon railway-mail pay bill. We did not follow the provisions of the select committee that had been appointed to examine this question. The total pay as carried in the original bill was five or six million dollars less than that contained in the committee's recommendation. Two weeks after the committee had reported that bill, to which two members of the committee, of which I was one, had entered a dissent, the committee was again called together and considered a revised Moon bill, which increased the rate something like three or four million dollars; but still the rates of pay did not conform to the recommendations of the Joint Committee on Railway Mail Pay. At last when the bill was presented into this Congress as a part of the Post Office appropriation bill, it conformed substantially to the report of the Joint Committee on Railway Mail Pay, except in this particular, that the railroads were obliged to perform the transfer service of carrying the mails from the railroads to the post offices and from the post offices to the railroads, when the post offices were located within 80 rods of the railway stations.

That now has been eliminated, and we now have the complete recommendation of the Joint Committee on Railway Mail Pay. That one provision which has been eliminated in conference from the railway-mail-pay provision as it passed the House will cost the Government something like $3,000,000 or $3,500,000 more. For my part I have always been in favor of imposing that burden upon the railroads rather than having it performed by the Government, because it was no undue hardship on the railroads to have their station agents, mostly in small communities, take the mails from the post offices and return. So you see that this great "holler" that has been made about the saving that is going to result to the Government because of the establishment of this new space basis will result in no saving whatsoever, but will result in an added burden to the Government in the way of increased pay to the railroads.

Mr. MOON. Mr. Speaker, I would suggest to the gentleman from Wisconsin that the section he speaks of was stricken from the bill because it is already a regulation, and an objection was made to making a regulation into law. It is, however, a regulation still, with the force and effect of law, and will be in operation.

Mr. STAFFORD. This new railway-mail provision covers all existing laws, and it is purposed to cover every character of law, and the conferees struck that out, so as to have that burden rest on the Government rather than on the railroads, and I insist it will amount to an extra burden upon the Government to the extent of $3,000,000 more than what we are now paying the railroads.

Mr. MOON. I suggest to the gentleman that his opinion is different from that of the Senate conferees or the House conferees or of the Postmaster General.

Mr. STAFFORD. Why should the Postmaster General, then, when we were considering this four years ago, be so insistent that it should be a part of the then Moon railway proposition? The railroads have succeeded in having it eliminated, and have shifted the burden to the extent of $3,000,000 onto the taxpayers.

Mr. MOON. I will say that that regulation is now in force and will remain in force.

Mr. STAFFORD. But this bill is a comprehensive bill, and it covers every character of service performed, and the gentleman should know that with its elimination the Postmaster General has no right to impose the burden on the railroads, because there is nothing in this phraseology which will compel them to deliver the mail to the respective post offices.

Mr. MOON. It does not affect the regulation. That controls it anyway.

The SPEAKER. The time of the gentleman from Wisconsin has expired.

Mr. MOON. Mr. Speaker, I yield two minutes to the gentleman from California [Mr. RANDALL].

Mr. RANDALL. Mr. Speaker, the distinguished chairman of the committee has well referred to the gigantic fight that the railroad companies have been conducting against this bill during the eight months it has been before Congress, and the ostensible fight has been against railway-mail payment by space; but the real African in the woodpile is the American Parcel Post System. The amendment which the Senate adopted, to my mind, put a strangle hold on the Parcel Post System, and with a view of getting information upon that subject, I addressed an inquiry to the Postmaster General, his reply to which I send to the desk and ask to have read in my time.

The Clerk read as follows:

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., July 12, 1916.

Hon. C. H. RANDALL,
House of Representatives.

MY DEAR MR. RANDALL: With reference to your inquiry as to the effect Senate amendment No. 63, beginning with line 10, page 62, of H. R. 10484, making appropriations for the Postal Service for the fiscal year ending June 30, 1917, will have upon the administration of the parcel post, I wish to state that this proposed amendment, if adopted, will seriously handicap the department in extending and improving the service. At the present time the Postmaster General recommends to the Interstate Commerce Commission such changes as he believes will promote the service to the public. Such recommendations are accompanied by data and statistics in support thereof, and if, after careful consideration of the data presented, the commission consents to the changes proposed, they can then be put into effect without further delay.

Under the proposed amendment the commission could not accept the statement of the department that the proposed changes would promote the parcel post to the public, neither could it accept the data of the department as to the revenue and costs of the service, but would be compelled to hold hearings and make an independent investigation to determine these facts for itself. This would necessarily require many months, and the department would, therefore, not only be unable to meet any emergency that might arise requiring changes, but would be frequently delayed in putting into effect improvements which would be of material benefit to the public.

It can readily be seen from the above that the proposed amendment would not be in the interest of the Postal Service or the patrons of the parcel post, but would greatly interfere with the administration and development of the service, which is yet in its infancy and consequently requires changes from time to time.

Yours, very truly,
A. S. BURLESON,
Postmaster General.

Mr. RANDALL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. WALSH. Mr. Speaker, I ask unanimous consent on behalf of my colleague, Mr. DALLINGER, that he be permitted to extend his remarks in the RECORD upon the Post Office appropriation bill.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

On motion of Mr. MOON, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

Mr. MOON. Mr. Speaker, I ask unanimous consent that the Clerk be directed to resection the bill.

Mr. MANN. The Clerk will do that anyway; and, in any event, it could not be done by unanimous consent in one body. That is the duty of the Clerk.

Mr. MOON. I suppose the Clerks are in the habit of doing that, but I called attention to it so that it might not be overlooked.

LIME BARRELS.

The SPEAKER laid before the House the following Senate resolution:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the message showing agreement to conference report on the bill (S. 5425) to standardize lime barrels.

The SPEAKER. Without objection, the request of the Senate will be granted.

There was no objection.

CORRECTION OF ENROLLED BILL.

Mr. MOON. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman from Tennessee asks unanimous consent for the present consideration of the resolution which the Clerk will report.

The Clerk read as follows:

House concurrent resolution 49.

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H. R. 10484) entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1917, and for other purposes," the Clerk be, and he is hereby, authorized and directed to strike out the word "chairs," on page 26, line 19, of said bill, and to insert in lieu thereof the word "chains"; and further, to strike out, in amendment No. 54, the word "circuit" wherever it precedes "court of appeals" in said amendment.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on agreeing to the resolution.

The concurrent resolution was agreed to.

EXTENSION OF REMARKS.

Mr. PARK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the revenue bill.

The SPEAKER. The gentleman from Georgia asks unanimous consent to extend his remarks in the RECORD on the revenue bill. Is there objection? [After a pause.] The Chair hears none.

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of the coast defenses of the North Pacific.

The SPEAKER. The gentleman from Washington asks unanimous consent to extend his remarks in the RECORD on the coast defenses of the North Pacific. Is there objection? [After a pause.] The Chair hears none.

BALANCE DUE LOYAL CREEK INDIANS.

Mr. TILLMAN. Mr. Speaker, I ask unanimous consent to call up the bill H. R. 9326, No. 103 on the Union Calendar, an act entitled "An act to pay the balance due the loyal Creek Indians on the award made by the Senate on the 16th day of February, 1903."

Mr. ADAIR. Mr. Speaker, was not there an agreement this morning that the gentleman from Indiana [Mr. LIEB] should address the House?

The SPEAKER. There was; and the gentleman from Indiana [Mr. LIEB] is recognized for 15 minutes. [Applause.]

NEUTRALITY OF THE UNITED STATES.

Mr. LIEB. Mr. Speaker, I was born in Germany. At the age of 14 years I came to the United States in response to a youthful conviction that freedom and success could be realized here as in no other land. I stood as in the presence of God and swore allegiance to the land of my adoption. I did so without the least misgivings as to the wisdom of my decision to give up all national ties with the country of my birth, thereby unalterably casting my lot with the greatest Nation in the world, the United States. [Applause.] Never to this day have I wavered in my conception of duty to the country of my adoption. Never have I allowed myself to be influenced by any other motive than that involving loyalty to the United States. [Applause.]

To-day I speak in the presence of Representatives of every section of the Republic. I seek with honest intent and purpose to express my humble convictions of the duties of all those claiming citizenship under the flag of all flags.

I sincerely trust that whatever I might say will not be considered as having connection with any political ambitions, for I am not a candidate for office, and I so informed my constituents soon after I took my oath of office for a second term in Congress.

Not very long ago the Congress of the United States considered the resolution for warning American citizens not to take passage on armed merchant vessels. As a Congressman representing a constituency in an Indiana district of more than a quarter of a million of people I felt it my duty more than ever before to give my country the benefit of my best judgment in a matter involving the honor and future well-being of every one of a hundred millions of people. Furthermore, the question involved the well-being of millions of people of other lands who were so fortunate as not to be drawn into the vortex of the great war of nations on the other side of the sea.

While it is already a matter of record that I voted to sustain President Wilson and his policies in the armed-ship controversy [applause on the Democratic side], I now feel that it is incumbent on me to express my full attitude on this and other questions. I have received scores of letters from people who say they are of German extraction, and who desire to have my views, pointing to the fact that other Members of Congress had made statements, but that none had been printed in the RECORD from me.

Closely following the tabling of the McLemore resolution came the address of President Wilson to Congress outlining the contents of the note of the United States to Germany in regard to submarine warfare. Coincident with this was a deluge of telegrams and letters I received from constituents requesting my offices in helping to keep the United States out of war with Germany.

In addition to this mass of correspondence, there have been numerous complaints in which the neutrality of our own country has been questioned. In fact there has been such a turmoil since the outbreak of the war, in which accusations have been promiscuously and unjustly made against our beloved and patriotic President, Woodrow Wilson, that hardly a mail has failed to contain some kind of protest. [Applause on the Democratic side.]

Therefore I feel obliged and justified in discussing freely every phase of the war situation as it concerns the neutrality of the United States and the wisdom of the policies of Woodrow Wilson.

No man has had greater trials as President of the United States than Woodrow Wilson, with the possible exception of Abraham Lincoln. In the midst of these great problems it must be admitted that our President has maintained a splendid poise. Oh, that the rulers of Europe had displayed one-half the patience and level headedness as that which has characterized the bearing of Woodrow Wilson in steering his country safely through one great crisis after another! And where is there a dignitary in the United States to-day who could have matched with the diplomatic sagacity and courage of our own leader, in dealing in matters of international significance?

Indeed, there has hardly been a day since the late summer of that terrible year of 1914 when something has not been pending, where a single false step by our President would have plunged us into that awful holocaust of human lives. For we must not think only of the lives that have been sacrificed, but of the ones left at home whose dear ones have been put forever beyond their worldly reach.

WILSON'S SINCERITY UNQUESTIONED.

Why should anyone have ever doubted the sincere desire of Mr. Wilson to keep us free from the horrors of warfare? Following the situation as closely as I have I can not see one move of the President which has justified the least suspicion that Woodrow Wilson had any other motive than peace, if peace were at all possible. And yet that very criticism has been made in connection with every step of negotiation it has been necessary for this country to conduct. But let us not forget that the history of our country bears out the contention oft made that the greatest of our national patriots have been subjected to the harshest criticism. Point out to me the men who have the least to do in their dealings with the rest of humanity and I will show you the men who have been subjected to the least of criticism.

But I predict that in years to come, in calm moments of retrospection, these same decriers of the President's handling of our recent foreign complications will be the loudest in their praise of the valiant service rendered the country by Woodrow Wilson. For as history shows us that some of the greatest deeds result in the harshest of unjust criticism, so history unfolds to us a corresponding inclination of national decriers to eventually heap words of praise upon those whose duty to their country is manifested by service that in other ages loom up as towers of hope to those standing for right, justice, and humanity.

SCHURZ ONCE QUESTIONED LINCOLN.

Carl Schurz, in writing of the life of Abraham Lincoln, said:

It may truly be said that few men in power have ever been exposed to more daring attempts to direct their course, to severer censure of their acts, and to more cruel misrepresentation of their motives; and all this he met with that good-natured humor peculiarly his own and with untiring effort to see the right and to impress it upon those who differed from him.

Thus he presented the singular spectacle of a President who, in the midst of a great civil war, with unprecedented duties weighing upon him, was constantly in person debating the great features of his policy with the people.

It might be mentioned that Carl Schurz at one time strongly opposed various policies of Lincoln, but later paid him the highest tribute that could be given any great man.

MAXIMILIAN HARDEN'S VIEWS.

Maximilian Harden, editor of Die Zukunft, and a subject of the German Empire, in a recent article entitled "The Real Wilson," said, among other things:

I have collected excerpts from the campaign speeches of Woodrow Wilson (that under the title, "The New Freedom: A Call for the Emancipation of the Generous Energies of a People," has also been published in the German language) in order to indicate what manner of man it is over whom there has been so much talk during the past weeks and months. So much silly and, unfortunately, also miserably shameless talk. "A dusty professor." "A rabid enemy of Germany, who has sworn to prevent England's defeat with all the means in his power." "A rascal bought by England." This is the parrotlike chatter of lazy ignorance that has nothing in common with holy love of country. Burn up at least ninety-nine hundredths of all the parasitical war "literature" bound in warlike covers and throw all these poems, speeches, romances, treatises, boostings, and tracts in the only place where they are of any use—in the paper mills—and devote your time to books from which you draw the spiritual inspiration of clear speech. Then perhaps pure reason will return to its home and awaken the duty of respecting the dignity of strangers.

GERMANY MIGHT BE PROUD TO OWN WILSON.

As Rodin and Hodler, Maeterlinck and Verhaeren, Kipling and Wells, Forain and Raemaekers, Spitteler and d'Annunzio, by their angry attacks on Germany lose none of their value in an artistic sense, so, too, Woodrow Wilson, the scholar and politician, would not be a wretch, even if he did prefer English ways and statesmanship to Germany. That he has done so has never been shown. The problem, if the President of the United States is an eagle, may be decided when he spreads out his wings for a flight. He certainly is a man of high moral and intellectual rank. A man of whom we might be proud, if he were one of ours (and he could speak, as I let him speak from these pages two weeks ago). He is at the least an American Fichte. In the State of Virginia he was born by the descendant of an Irishman to the grandson of a Scotchman. So this man, who is now nearly 60 years old, has no blood prejudice that promotes blind deification of England.

As a student at Princeton University he writes against "Cabinet Government," boldly attacks the secrecy and avoidance of responsibility that prevail in the business of the Government and that lull into a sounder sleep from year to year the people's desire for active cooperation. The review is followed by a book over "Government by Congress" that earns him the call to a chair in the youngest college for women. He leaves the presidency of Princeton University (that, as the favorite resort of the proud and rich youth, might be called the Bonn of America) after eight years of fruitful administration because an endowment of $12,000,000 had conditions attached to it the acceptance of which the President feared would be of serious injury to his college (through a deepening of the gulf between the classes). In order not to soil his ideals, his image of his power of thought, he goes and, as the wise and valiant fighter of ugly abuses, is chosen as the governor of New Jersey. He frees this State from the bondage in which it was held by the trusts. In defiance of the silly inrooted custom that limits the governor to written communication with the assembly, he defends his plans of reform personally in the legislature and also at the voters' meetings and in the press. He does not hesitate to make known throughout the land the names of the obstinate deputies. And, with the enthusiastic support of the people's will, he puts his plans through.

REBUKE FOR SLANDERERS OF THE PRESIDENT.

He has outlined the life of Washington, the history of the American people, and the nature of the State in good books; and in the collection of essays, Only Literature, on politicians and statesmen, poets and writers, he has said as many wise things as hardly another in the two worlds for many a year. Then, as a new man in the highest place in the Republic, he has made far-reaching mistakes. Is he the only one among all the heads of Governments? This man loves his people and has the desire to lead it upward to the heights of the ideal from which it has slipped into the swamp. Germany must be ashamed of the persons who slander him, because there has been slimy dirt in the newspapers.

Wilson, the teacher of political law, who now speaks in the name of the United States of America, stands upon the conviction that the announcement that from March, 1915, the Imperial Government would treat the waters around Great Britain and Ireland as being in the war zone was a gross denial of international law; that the premeditated method of the German submarine warfare is not compatible with the basic laws of humanity; that this method which, without the flimsiest legal justification, without a twinge of conscience, destroys mighty ocean liners and unarmed passenger ships, and has cost the lives of hundreds of peaceful Americans, wantonly smashes to bits the undeniable rights of neutrals and the sacred privileges of all those not engaged in the war; that the Imperial Government, whose uprightness

and good faith are not put in doubt, neither has succeeded nor ever will succeed in reconciling its methods with the basic principles of humanity.

THE SUBMARINE QUESTION.

This brings us to the submarine question and the United States insistence that the points of international law be strictly adhered to, as affecting noncombatants. I have been in close touch with diplomatic and legislative channels of the Federal Government for many months, and I am firmly convinced that the Wilson administration has at all times demanded of every belligerent government the protection of neutral lives and property. Diplomatic correspondence has been carried on with Great Britain and the allies with the same fervor that has characterized the exchange of notes between the United States and Germany. England has been charged with numerous arbitrary changes by royal order, and, it is alleged, has been untroubled by the requirements of law on the high seas. Germany was in the first place censured for the sinking of the *Lusitania* and for the conduct of her submarine war.

Many in our land were so bold as to charge we showed extreme partiality in demanding things of Germany, while putting off our negotiations with England. But the President insisted that the two cases dealt with separate varieties of American rights. The President did not admit that Germany could give up the submarine war if England kept within the laws of the seas and should be forced to do so by America.

Now, I quote Dr. Bernhard Dernburg, formerly Germany's minister of Colonies, who said of this phase of the question in the Berliner Tageblatt in November, 1915:

The submarine war had first to be settled, because this act was not a question, as in Great Britain's commercial war with Germany, of replaceable wares or financial losses, but of lives of American citizens. The difference with Great Britain, therefore, was postponed until a way had been cleared through Germany's wise giving in in the Arabic case. After Germany had yielded to the American standpoint the President sent a note to England and announced two more to come.

Thus the American note will lead to an era of discussion with England, paving the way at the same time to the fulfillment of the demand for the freedom of the seas—a discussion the outcome of which will beyond shadow of doubt be in favor of those who represent the right.

GERMANY YIELDS TO UNITED STATES.

When President Wilson made up his mind that a long chain of German methods of conducting undersea warfare had worn away and broken to pieces the laws of humanity and the holy custom of nations, it was not only his right but his duty to speak with uncompromising clearness. And he did with unmistakable firmness, when, on April 20, a note was dispatched to the German Government. The German Government yielded in the face of the evidence it had been guilty of violating the laws of the seas, and admitted the contentions of our President had been just and fair.

Germany had embarked upon a policy which violated every principle of international law. Instead of capturing vessels, she proceeded to send them to the bottom of the ocean. Her submarines laid in wait in many instances and without even giving passengers a reasonable opportunity to take to their boats, and trust themselves to the dangers of the deep, sent them to the bottom without reasonable warning and without chance of escape.

To those who have complained because we have been less insistent with England than with Germany I want to call attention to a few features of the entire controversy well worth consideration.

First, why should anybody complain because we push a murder claim with greater vigor than we do a claim involving seizure of property?

Second, in the case of England there was a remedy because upon seizing our ships they took the matter into a court of law to try the question of her right to confiscate the property. But in the case of Germany, when American men and women and children were sent to the bottom of the sea, no possible remedy was open. Life can not be restored by the payment of damages. Blood spilled can not oe compensated in money.

Consequently no fair person can deny that we have dealt with these nations with rigid impartiality.

WARNING RESOLUTION UNCALLED FOR.

The question of warning Americans against traveling on armed merchant vessels was entirely foreign to the vital questions of diplomacy. Every person knew it was dangerous to travel on any kind of merchant vessel. Why warn a man when he is already warned? Besides, had Congress passed the McLEMORE resolution, it would have interfered with the negotiations for abandonment of submarine warfare at the expense of lives of noncombatants. It would have embarrassed the Government at a critical time. Whatever sentiment was created in favor of the proposed resolution was the result of a spell of hysteria which developed about that time. This hysteria was assuredly not based on any foundation of human justice. Had it been founded on human justice and had it been in the interest of the neutrality of America, I am quite sure President Wilson would have been the first one to champion its speedy passage.

I received more than 1,000 telegrams and letters from constituents on April 25 or thereabouts. With one or two exceptions these seemed to originate from a common source. By that I mean to say that the reading of the messages was identical. Therefore I am glad to say that certain statements in these messages which were uncalled for were not the expressions of the persons whose names were signed thereto. For instance this unpatriotic statement was made:

Country awakening to belief that administration may seek to draw United States into present European conflict.

WILSON SHUNNED WAR.

How it originated I do not know, but the impression seemed to take hold in some quarters that we were recklessly headed for war. The same persons who insisted upon this theory, that the President was deliberately trying to get into the conflict in Europe, were only subscribing to the unfortunate impression created abroad that citizens of this country believed the United States was to blame for demanding rights which we, as well as other neutrals, were justified in holding out for. In the crisis he faced the President should have had the hearty support of every man, woman, and child in America. For it developed that Mr. Wilson pursued exactly the right course. Any other attitude of the President would have plunged us either into war or prolonged the submarine controversy. No matter what other construction may be put, I say that Germany's answer was an open admission that Wilson was not only right, but fair. Another President might have gone to war with Germany, without sending any kind of note. And we all ought to thank God that there was a Woodrow Wilson in the White House to withstand the pressure of the war seekers on the one hand and the war partial on the other. Wilson's course was the middle road, and he fearlessly took that road. We have all much to be thankful for for that as true Americans and with allegiance to one flag, and one flag only.

GERMAN REPUBLICAN SPEAKS.

While there was no such well-defined congressional campaign among those who saw the justice of this Government's attitude in this particular situation, it is worth remarking that hundreds of citizens voluntarily communicated with me to urge support of the President. The following letter is a sample:

EVANSVILLE, IND., *April 24, 1916.*

Hon. CHARLES LIEB,
House of Representatives, Washington, D. C.

DEAR SIR: A few ultra partisans are passing postal cards out of the kind inclosed. They are using street cars, street corners, and every public place possible to get them into the hands of everybody in the hope that somebody will send them to you. "Your constituents urge and expect you to stand like a rock" in support of President Wilson. This is true without reference to politics. I am of German descent myself, but I am American first. Ninety-nine out of one hundred of your constituents who have German blood in their veins feel, I am sure, as I do. Of course we all want peace, but loyal Americans have not forgotten the heroism of the patriots at Yorktown, Valley Forge, and Bunker Hill.

The author of this letter is a prominent Republican lawyer in Evansville. I do not divulge his name, because I do not want to violate any man's confidence. But it is a fair sample of many letters I received from persons of German descent, who viewed the situation from an entirely nonpartisan standpoint.

EYES OF WORLD ON UNITED STATES.

In all the dark days that have passed the eyes of the whole world have been on the United States. America's part in the world war has not been of its own making. Great problems have been constantly thrust upon this Nation, and the frequency of this has been such as to place the United States in the universal limelight as it never has been before as a neutral. Every combatant has taken advantage of America's position in an effort to gain our support in one guise or another. How well they have succeeded in breaking down the bars of our neutrality is emphasized in the numerous claims put forth by unofficial sources that this Nation has not sided with them on this question or that. Prejudicial construction has been put to matters summed up by our country from unbiased decisions based on the international laws.

From hundreds of press accounts of complaints of the combating nations I have selected the following dispatch, coming from London under date of January 15:

If Count von Bernstorff succeeds in obtaining a quid pro quo for the outward recantation by Germany of her acts of piracy and succeeds in enlisting the United States as one of Germany's minor, indirect allies in her efforts to rule the world, we may expect fresh attacks

upon our interpretation of international law. If President Wilson should elect to walk the road so obligingly constructed for him by Berlin, it is well he should realize where it is going to lead him—

Says the Pall Mall Gazette—

The British Empire, which is shedding blood and not ink for the vindication of "neutral rights," has reached a stage in the conflict where technicalities will not be allowed to restrain the legitimate use of all its weapons of warfare. Our right to prevent supplies from reaching the enemy is absolute, and if the process assumes fresh disguises, it is the business of international law to strip them off and not to be fettered by the wording of its former rescripts.

No British Government would dare to relax its grip on Germany now in deference to its interests and threats of outsiders who are chiefly interested in what profit they can make out of the world's agony. The blockade in future must be tighter instead of looser, and nothing will impart to it a sterner temper than any external interference.

Accused by pro-English as indirect allies of the Imperial German Government! Accused by pro-Germans as indirect allies of the Government of Great Britain!

Immediately following this article was another dispatch from London with headlines:

Says Germany and United States bully England.

It reads as follows:

Germany is now clothed in a white sheet, the Evening Standard says. She and America are joining hands in the noble task of bullying the nation that has respected every law of humanity and has persistently interpreted the law of nations to her own disadvantage.

UNITED STATES GODFATHER TO FOREIGN SUBJECTS.

No sooner had the various nations cast off peaceful disguise and flown at one another's throats than the United States was called upon to assume the obligation of representing the subjects of the warring powers in enemy countries. It was a tremendous task in itself. At present this country is protecting the Germans, Austrians, and Turks in England, the British and Japanese in Germany and Austria, the Germans and Austrians in France, and the French and British in Turkey.

Aside from handling the immense mass of correspondence caused by the necessarily roundabout channel through which the warring nations communicate with one another, the American diplomats have been forced to keep a fatherly eye on prison camps, provide food and money for men, women, and children of the belligerents, superintend the exchange of letters between the dependents and home countries, and do innumerable other gratuitous tasks.

In London alone the American embassy for months has maintained extra staffs at the German embassy, 9 Carlton House Terrace; at the Austrian embassy, in Belgrave Square; and at the American embassy proper, in Grosvenor Gardens.

Into these establishments American consuls throughout the United Kingdom have wired their daily reports and received instructions regarding the care of enemy aliens in their respective districts. In many cases women and children or old men have been repatriated through American intervention at the British home office.

Apart from the great mass of clerical work and the ordinary work incumbent upon them, American embassies in European warring nations have been obliged to perform countless duties for belligerents.

In London about 16 buildings formerly occupied by German, Austrian, or Turkish diplomats, either as offices or residences, have been under Ambassador Page's care.

In several instances the embassy has been forced to superintend the packing and storing of household goods. Attachés frequently have appeared in London courts to oversee the work of counsel hired in behalf of Germany by the embassy.

HOLD PROTECTING WING.

All the European embassies have constantly held a protecting wing over the American Red Cross. The movements of hospital shipments have been watched. Exchanges of prisoners most always are superintended by American diplomatic agents.

The safety at sea and the entrance into Belgian harbors of relief ships constantly demands the attention of the American embassy in London. Cases of American shippers in prize courts also demand attention.

In hundreds of these matters President Wilson has lent his helping hand, but has never complained. Diplomatic questions involving neutral rights have never been so arduous but that he has had time to do his humble part in carrying out the tremendous obligations imposed upon his Nation in holding the protecting wing over millions of foreign subjects.

UNITED STATES HAS NO CONTROVERSY.

And yet, despite the great burdens resting on the shoulders of this Nation and the large volume of correspondence that has passed across the sea, to-day there exists no highly fundamental differences between the United States and any of the warring powers.

Germany has never by official utterance of any kind protested against the export of munitions from this country. Germany has never said to us that we ought to declare an embargo on arms. Not that she has not had opportunity to do so, for many diplomatic notes have come to the United States from the Imperial German Government. But for the issue raised in this country by those unfavorable to the construction of the matter by this Government, it is likely we would hardly ever hear anything about an agitation for an embargo.

THE MUNITIONS QUESTION.

Herr Harden, the Zukunft editor, was recently quoted on the subject of the vilification of President Wilson for allowing munitions to go to the allies. He states that Germany has supplied munitions to every belligerent in the world in the decades past and that she was prevented from supplying the Boers with ammunition "only by the same sea power which now prevents Germany from getting American munitions." Referring to the lament for the grief of Germans who mourn the bloodshed caused by American munitions, Harden asks if their grief is more poignant than that which followed the carnage wrought by the Krupps' murderous products.

Count von Bernstorff, the German ambassador, has twice placed himself upon record on the subject of the traffic in munitions. His first utterance was in September, 1914, when he said:

I have no complaint on contraband of war being taken out of this port (referring to New York), as the law allows that contraband goods may be taken from this port, and even taken to a belligerent power, at the risk of being captured by the ships of another belligerent power.

Eight months later Count von Bernstorff swung around to a different attitude on the subject and seemingly based a large part of his argument on the ground that "the situation in the present war differs from that of any previous war."

The two memoranda, of course, were unofficial in a sense that they were not sent by the German Government, a fact which Count von Bernstorff was quick to explain to our Government.

But in his first statement the German ambassador said the "law allows" such shipments, and it matters not what else he said on the subject, for if the "law allows" it there is certainly no justification in the United States preventing it at the surrender of its neutrality.

KUNO FRANCKE SPEAKS ON NEUTRALITY.

I quote part of a letter written to Hon. Richard Bartholdt, former Member of Congress, by Kuno Francke, head of Harvard's Germanic Museum, in telling why he would not join the conferees on "American neutrality" in Washington:

CAMBRIDGE, MASS., *January 28, 1915.*

HON. RICHARD BARTHOLDT,
Committee on Foreign Affairs, Washington, D. C.

MY DEAR MR. BARTHOLDT: My sympathies, therefore, in this war are wholly and fervently on the German side. But my German sympathies can not make me forget what seem to me my duties as an American citizen.

I believe it would be against my duties as an American citizen if I were to take part in a propaganda the purpose of which will be thought to be to force our Government into a hostile attitude toward England. Your circular letter speaks of England as "America's archenemy." It calls for a "New declaration of independence" which is to "eliminate all undue English influences from our American life." And it protests "against the continued traffic in arms and munitions of war which practically arrays our country on the side of England." I do not wish to emphasize the fact that the proclamation of an embargo on arms and munitions of war would be an altogether illusory thing. Arms and other implements of war would, if our Government established an embargo on them, be shipped from this country to Habana or to Vigo or to some other neutral port and would reach their destination from there without any hindrance. What I do wish to emphasize is that the establishment of such an embargo would inevitably bring our Government into conflict with England and might drive us into war with England. As a man of German blood I might welcome the help which would accrue to Germany by such a conflict between the United States and England.

But as an American citizen I can not possibly support a policy which would bring the terrors of war to our own country. What I feel bound to support as an American citizen is a policy which holds itself strictly within the now accepted rules of neutrality, although, to my regret, this policy, through circumstances over which the United States has no control, practically turns out to the advantage of England and to the detriment of Germany.

DISCRIMINATION NOT SHOWN.

There is another point in your circular letter in which as an American citizen I feel bound to disagree with you. You say that "an emphatic protest should be entered against every attempted discrimination against the many millions of our citizens who happen to bear non-English names." If by these many millions you mean citizens of German descent, I fail to see what you mean by attempted discrimination against them. That there is a strong anti-German feeling in this country at the present moment can not be denied. I believe this feeling to be rooted in a wrong and shortsighted view of the issues at stake in the European war. The necessity of combating shortsighted views of the majority makes the situation for us German-Americans for the moment far from pleasant. But of discriminations proposed or attempted against German-American citizens I am unaware. Nothing, it seems to me, is more prejudicial to our position as American citizens than the clamor for recognition which is so often heard at German

mass meetings. Nothing would be more fatal to our standing in the community than the insistence on racial contrasts and demands. We have every opportunity in this country to make felt what is best in German character and life. Let us continue to do so; let us continue to have a prominent part in all endeavors for political, civic, and industrial progress; let us stand for the German ideals of honesty, loyalty, truthfulness, devotion to work; let us cultivate our language, our literature, and our art; let us fearlessly defend the cause of our mother country against prejudices and aspersions, but let us refrain from political organizations which would set Germans in this country apart as a class by themselves. Such an attempt would lead not to the raising but to the degredation of the German name in this country. It would foster hatred instead of sympathy; and only by gaining the sympathy of the majority of the American people can we German-Americans help the cause of our mother country.

Very truly, yours, KUNO FRANCKE.

"DEUTSCHLAND" PROVES UNITED STATES RIGHT.

We could look nowhere to find better evidence of the impartiality of this administration than the case of the *Deutschland*, the merchant submarine liner. This craft came from Germany with a cargo of goods which was delivered at an American port. On the return trip American-made goods, as well as nickel and rubber, which are used in the manufacture of war material, were allowed to clear the port, bound for Germany. This vessel could just as well have carried guns and ammunition, for our Government permits our manufacturers to sell to anyone who comes to buy—to do otherwise would be a breach of our neutrality.

The coming of the *Deutschland* was nothing else but an admission that the United States Government has been within its rights in permitting merchant vessels to carry goods to the allies. For if Germany takes goods out of this country to be used in the manufacture of its guns, it certainly does not believe the United States could honorably prevent the allies from doing the same thing. If Germany could turn the tables on the allies in the blockade situation, it of course would have a distinct advantage, but because the advantage has been on the other side all along is no indication that the administration has been unneutral or unfair to Germany.

The reception given the *Deutschland* crew in Washington proved distinctly that neutrality really exists in the seat of our Government. And conversely it disproves the theory that there is any hostile feeling here in official quarters toward the Imperial German Government.

In fact, the whole attitude of the United States Government in giving a clearance status to the *Deutschland;* in allowing it to deliver its merchandise; in allowing it to take away cargo, part of which was a product of the soil of Canada; in giving its crew a cordial reception as it would the subjects of any other foreign nation in a legitimate quest, is all a striking indication that the best of friendly relations exist between this country and Germany.

MISREPRESENTATIONS ARE MADE.

Among other instances where misrepresentations have been made regarding this Government's attitude toward Germany is that of the question of Germany's milk supply. Here are the contents of a dispatch sent from Washington by the correspondent of the Christian Science Monitor, which throws some light on the question:

One of the more recent movements intended to embarrass this Government in its dealings with Great Britain is the plan to enlist the American Red Cross in the movement to get hospital supplies and condensed milk into Germany. Americans have been appealed to and told pitiful stories of hungry babies in Germany who are deprived of milk, and they have been told also of soldiers in hospitals who are suffering neglect because they can not get necessary supplies from the United States.

This bureau is informed that all the milk necessary for the German babies is obtainable in Denmark and Holland, but that the real purpose is to use the milk fat in the manufacture of explosives and the tin can containing it for the manufacture of gas bombs and other containers for explosives.

More recently an official report from the American Embassy in Berlin, as made public by the State Department at Washington and published by authority of the German foreign office, stated that children in Germany are not starving because of lack of milk and other nutritive foods.

Children, as a class, says the report, which was compiled by Dr. A. E. Taylor, of the embassy staff, have presented during the recent months a condition of health and a reduction in death rate not present before the beginning of the war.

NO MILK SHORTAGE IN GERMANY.

Instead of there being any truth in the statement that the infants of Germany are suffering from lack of milk—

The report continues—

the very opposite is true. The question of the adequacy of the supply of milk for needs of the German Empire was realized early in the war and regulations were promulgated by the authorities for the purpose of accurate control.

I conferred with the State Department myself in person merely to confirm what I already was convinced was true in regard to the misrepresentations.

Now, is not all this quite in contradiction with a statement published in the Fatherland recently, quoting A. F. Beach, staff correspondent of the New York American:

I have been told that the State Department at Washington is withholding insurance on a ship donated to carry a cargo of milk to Germany because the State Department does not believe the milk is needed. Whatever the international aspects of the scheme, the milk should not be withheld for this reason.

As I said before, the State Department has never evidenced the least inhumane attitude with reference to the milk situation, and America in this, as in other questions agitated in muckraking periodicals, emerges clean and straightforward in its dealings with all the nations of the world, whether these nations be at war or peace.

And, again, I believe I have answered a criticism against this country, summed up in the Fatherland, thus:

What will America do? Will she make herself the accomplice of the British Government, or will she insist on her right, which in such a case becomes a duty, to ship milk to the babies of the Central Empires?

FOREIGN PREJUDICE MISLEADS.

Fellow countrymen, whether you who hear this spoken are of foreign birth or whether you are one born in this, our country, do you not deplore misstatements like this, calculated as they are to stir up antagonism? Does not it appeal to you that every right-thinking man in America should desist from listening to any kind of tirade against our own Government when it smacks of a foreign prejudice like this?

It is deplorable that a few people in this country seem inclined to listen to every attempt made to villify our President. Why pass hasty judgment on anything? Why give credence to every rumor? Why pay attention to superficial utterances that may do incalculable damage to our Nation in times when all heads should be calm?

CONCLUSIONS SOMETIMES HASTY.

A man came to me shortly before the *Lusitania* catastrophe whose uppermost impression seemed to be that our administration was sneaking around in an effort to give Great Britain every assistance possible. He insisted that the administration was pro-English in its every fiber.

"Why should this be?" I asked.

"Well, you know Bryan has a son-in-law in the English Army, and he wants England to win," replied my constituent.

A few weeks later, when it was announced Bryan had resigned from the Cabinet, this same man came to me and said:

I was wrong, Mr. LIEB. I suppose I was too hasty in my conclusions.

MISSED GUESS ABOUT BRYAN.

In the April 5 edition of the Fatherland this statement was made in connection with an article entitled "What Bryan will do at the Democratic convention":

Bryan will force attention to the submarine issue at the Democratic national convention.

I will leave it to my auditors as to the fate of this prediction. Here are other statements made in the same article:

It is a foregone conclusion that Bryan will, by hook or crook, make the convention at St. Louis in June face squarely and unequivocally the main issue which drove him from the Cabinet. From the floor and in the committee rooms he will plead for a declaration that will run squarely counter to the administration's whole course in the submarine controversy. That will be exactly in line with his attitude from the inception of the issue which so sharply defined the difference between himself and the President while he was Secretary of State. It will give a more practical character to his work in the interest of keeping this country out of war.

He will wage the fight more zealously at St. Louis than ever before, because he was convinced by first-hand evidence on his last visit to Washington that, based upon the House report, the Wilson administration thinks this country's "duty to civilization" is to help England crush the central powers.

BRYAN INDORSES ADMINISTRATION.

Now, what did Bryan do at the St. Louis convention? To show you how far the Fatherland was off the track I quote some of the most expressive extracts of Mr. Bryan's speech to the convention. He said:

After 16 years of waiting our party entered the White House, and, fortunately, we won the Senate and the House at the same time. Our party became responsible for national affairs, and now we come, after three years of labor, to make our plans for the future and to submit to the American people the claims of our party to continued confidence.

To-day those who stand for the Democratic Party are able to go before this Nation and not only give a reason for the faith that is in them but give a defense of the administration's claims to the confidence of the people.

You may take all the administrations from the beginning of our history as a Republic to the beginning of the present one and you will not find as many laws written upon the statute books of great importance to the people as you will find written in the last three years by Woodrow Wilson, a Democratic President.

We have a record upon which we can appeal to the people for their support without fear and without blush. I believe the American people, grateful for what this administration has done, grateful that we have peace in this country while war stalks throughout the world, will not be unmindful of the fact that it was a Democratic President, supported by a Democratic Senate and House, who has thus saved the country the horrors of that war.

My friends, I believe that there is now before this country an opportunity such as no other country has ever had since the beginning of time. I believe that God, in his providence, has reserved for the United States the honor and the task of lifting the moral code that governs individuals up to the level of nations and making it a part of the code of all nations.

BRYAN SAYS WILSON PREVENTED WAR.

Note from this that Bryan failed to utter one word against Wilson. Instead he gave Wilson and the Democratic Congress the credit for saving the country the horrors of war.

Others in the President's Cabinet besides Bryan have not escaped the tirade of abuse which has been waged for so many months. My attention has just been called to a slanderous article against Hon. William B. Wilson, Secretary of Labor. Here is a characteristic sentence I picked out:

Will Congress acquiesce in this traitorous action of a British-born Cabinet officer?

Does anyone believe that the person who made that statement is a loyal American in the true meaning of the word? British born! Why, is not this country of ours made up of to quite a large extent of persons who are British born, German born, Irish born, French born, and of other nations born? I have always been taught that this is the land of the free, where foreign born are given the same opportunities as the native born, regardless of the country he was born in. I hope no one thinks I ought not be a Member of Congress because I was born in Germany, and I am sure William B. Wilson has a right to expect the same conception of his prerogatives as a member of the Cabinet. William B. Wilson was appointed to the Cabinet before the war broke out in Europe, and since the war began. I am sure, knowing him as well as I do, that he has conducted himself in his high office in a manner that merits praise from all foreign as well as native born patriots of this free land of ours.

GEN. WINKLER INDORSES WILSON.

One of the finest examples of citizenship I know of on the part of a foreign born is the recent attitude announced by Gen. Frederick C. Winkler, of Milwaukee, Wis., who has been referred to as the most representative German-American living in Wisconsin. This brave soldier of the Republic, who during the Civil War fought for the Union by the side of Gen. Carl Schurz, and a lifelong Republican, has announced his intention of voting for the reelection of President Wilson next November.

In a telegram sent to Mr. Wilson Gen. Winkler said:

Have read your New York Press Club address with great satisfaction. A Republican voter since 1860, I hold that in the present crisis the party has no place. True Americanism must stand by the man who manfully stands at the helm. I support your reelection.

F. C. WINKLER.

JULY 4, 1916.

RENDERS COUNTRY A SERVICE.

In doing this thing Gen. Winkler has rendered a very great and distinct service both to his country and to the whole body of American citizens who, like him, are of German blood. This service in nowise lies in the fact that he, a Republican, is going to vote to reelect a Democratic President. His motive and purpose, like the question upon which they rest, rise far above any consideration of partyism. His great service lies in the fact that he, an American leader born in Germany, refuses to permit any consideration whatsoever to affect his duty and his devotion to America. It is not Woodrow Wilson the man nor Woodrow Wilson the Democratic candidate with whom he is concerned, but Woodrow Wilson the head of the Republic, the pilot who has guided the ship of state patiently and skillfully and with stout courage through waters more stormy and dangerous than any in which the good ship has found itself in half a century and more. By voting for the President who has served the country so ably and faithfully, Gen. Winkler best serves his country. This is the real meaning and effect of his act: He casts his ballot for America.

Gen. Winkler has set a great example for German-Americans, but he is not alone in his conception of the righteous dealings of Woodrow Wilson in this time of tribulation. There are thousands in this country of German birth who hold views like those of the Milwaukee patriot. It is no uncommon thing for newspapers printed in the German language to pay tribute to the justice of this Nation's attitude in upholding its neutrality.

INDIANA EDITOR SPEAKS.

Editor Pickhardt, of the Huntingburg (Ind.) Signal, is of German blood, and until recently his paper was printed in the German language. As an American, with no apologies for his German descent, he speaks through the Signal to other Americans of German descent. Among other things, he says:

The Germans of the country, and particularly those of the third congressional district of Indiana, should resent the efforts of certain German professional politicians in the employ of the interests to prejudice the honest, loyal, industrious Germans against Woodrow Wilson. Now is a good time to prove your loyalty to your country. There are some professional politicians in this country who are disloyal citizens. They, aided and abetted by their Republican allies, will do all they can to defeat President Wilson. But these professional politicians are neither large in number nor representative of the Americans of German ancestry or birth in the United States.

Editor Pickhardt goes on to say that certain influences have tried to represent that the President has repeatedly insulted German-American citizens by charging them with disloyalty to the American Government because of their sympathies for their fatherland in the present struggle in Europe. He vigorously maintains that Mr. Wilson has done nothing of the kind; that the President's words have been twisted around to suit the purpose of his decriers; that President Wilson has never spoken disrespectfully of our German citizens on account of their sympathies; that as schoolmaster, governor, and President, Woodrow Wilson has often given just praise to the German-American citizens of this country for their loyalty to the flag, their industrious and faithful religious character, and their honesty of purpose.

WISCONSIN PAPER CHARGES CONSPIRACY.

Speaking of the injustice done President Wilson, with reference to a recent discussion, the Waldbote, a German-language weekly of considerable influence at Medford, Wis., recently declared editorially:

Party politics are the sole motive of misinterpreting the reference of President Wilson to disloyal citizens. But there are writers and public speakers who are demagogues enough to do such a monstrous injustice to the President of the United States as a means to their political ends.

President Wilson declared on two different occasions, and said practically the same thing in the Democratic national platform, "that there exists in the United States a small number of such, who conspire for the purpose of advancing the interests of foreign countries and to the prejudice of our own country." The President said explicitly that the number was only small and designated no particular nationality.

But, orally and in writing, it is preached to the German-Americans of the whole country for party political ends that President Wilson means exclusively German-Americans and all German-Americans.

The purpose back of such demagogic substitution of a false interpretation to the words of the President is clear. It is a monstrous injustice.

Let us be just!

SAYS WILSON SAVED COUNTRY.

In another editorial the Waldbote said recently in denouncing attempts to deliver the solid German vote to the Republican Party:

German-Americans are not poll cattle. They will vote independently, and the Waldbote believes that the Democratic Party will lose fewer German-American votes than the Republican Party. Many German Republicans will vote for Wilson, because he kept the country out of war, while they know that under any Republican administration it would have been involved long ago.

"AMERICANISM" PLANK UPHELD.

Of the editorial opinions on the "Americanism" plank of the Democratic platform, none has attracted more attention and interest than the view expressed by the Chicago Abendpost. This paper, which ranks as one of the most influential journals in the German language, declares that the Democratic declaration is "unobjectionable," and that those who feel themselves to be hit by it should ask themselves if they have not put themselves in a false light.

FROM DODGE COUNTY (WIS.) BANNER.

Another German editor in Wisconsin has recently made some interesting comments on the political situation. I refer to the publisher of the Dodge County Banner, a German language paper. He says in his contention that Charles E. Hughes is supported by the violently proally element:

Up to the present Mr. Hughes has always followed the proverb "silence is golden." Only occasionally has he expressed himself and then in a way which allowed all sorts of interpretations. But now he has sent a document to his "dear Col. Roosevelt," which is an encomium and flattery of the first rank, an unconditional acceptance of Roosevelt's doctrines, and a repetition of Roosevelt's manner of speaking. He begs the Colonel for "effective cooperation in the carrying out of common plans and the achievement of common goals—national safety and the peace of law and justice."

A man who has common goals with Mr. Theodore Roosevelt really looks mighty strange as a German-American candidate.

Politicians are just now playing a great game to win the German vote in the coming election. Every sort of trickery is being resorted to. I believe I am right in warning German-Americans to proceed cautiously in considering the conditions.

POLITICIANS TRY TO DELUDE.

On the one hand, we behold the spectacle of the Hughes-Roosevelt sponsors trying to entice Germans from the Democratic to the Republican Party. On the other hand, we look over the Republican platform and fail to find a mention of the

very issues they are trying to raise by mouth and pen. Yes, they come to you, fellow countryman, and say Wilson was wrong on the embargo question, that he was wrong on the submarine issue. But if they believe those things so enthusiastically just ask them if their platform contains one word of criticism in condemnation of President Wilson's stand on the embargo question or on the submarine question or on the question of the right of American citizens to travel on armed belligerent vessels armed for defensive purposes only.

"Oh!" they will say, "Our platform covers that point when we condemn the present administration for its foreign policies."

"But," you can answer, "the platform could just as well be construed that a Republican administration would have declared war on Germany."

As a matter of fact, fellow countrymen, the platform is nothing but a "scrap of fly paper," designed in the hope of catching your vote as well as those inclined to the proally side.

From a study of the Republican platform adopted at Chicago and of the public utterances of Mr. Roosevelt, Mr. Root, Mr. Lodge, and even of Mr. Hughes, since his nomination at Chicago, it would appear that President Wilson's European policy is censured not because he has dealt too strenuously with Germany, or because he has been too lenient with England in the matter of her violations of international law in the interference with our neutral commerce, but because he has dealt too leniently with Germany.

Perhaps Mr. Hughes, who has been silent on all public questions for the past six years, may have the audacity to come out of his hiding at this time and this day and tell the people what he would have done under the trying circumstances that President Wilson went through, now that he has the passing of time to aid him in his hindsight.

GOOD EVIDENCE OF INTEGRITY.

The fact that President Wilson's foreign policy is bitterly denounced not only in London and Paris, but in Berlin and in Vienna, and the fact that their followers have joined hands in this election to defeat him is pretty good evidence of the fact that President Wilson has steered the ship of state pretty near to the center of the stream of trouble and that he has done all that any human being could do under the most trying circumstances to have our country occupy a neutral position in the unfortunate European war.

For the half century I have lived in the United States I have often had occasion to observe the true citizenship that has characterized the German people who have come to make this land their home. I know they are as loyal as the truest. They are proud of the mighty and noble Nation of which they are a part; proud of the glorious Stars and Stripes; proud of the part they have taken in the development of this greatest of all free countries. They joyfully fulfill their duties as citizens. Always when their new country called her sons to war against foreign or domestic foes, the German-born citizen has been among the first to rush to the defense of the flag and, on the battlefield, to offer his blood and his life to the common cause. German names have never been wanting on the roll of heroes and martyrs of the Republic. The German mind and the German hand have toiled with diligence and with abundant results in the workshop and the domain of thought. The political rights which the new fatherland has bestowed upon them have been put into practice with generous liberality. The fondness for the old home has never been so pronounced that the German-American has allowed his sense of duty to the new fatherland to become divorced from the idea of leading this Republic from the paths of its traditional and wise policies.

AMERICA ALWAYS GERMANY'S FRIEND.

In the light of the high place we hold in the esteem of others, we have the right to maintain our fondness for the old ties of our days of young manhood, without endangering our true sense of obligation to the country we now owe unstinted allegiance. It is with a certain amount of satisfaction that history unfolds the fact that America has always been at peace with Germany.

I think I thoroughly understand the sentiments of the naturalized constituency I represent in Indiana.

They are peace-loving people and they want to be neutral. It is true they have a deep and profound sympathy for their respective fatherlands, and it is commendable that they have; but in spite of it they are for their own adopted country first, and the hot-headed partisans who have tried to mislead them into believing that the present administration is not observing absolute neutrality will find that their efforts have been wasted. If there is one virtue greater than any other in our German-American citizen, it is his sense of loyalty to his Government. He feels that he must depend upon this Government for life, liberty, and opportunity. He knows that his Government must be loyally supported in times of stress like these, and he shuns most cordially an agitator.

Words can not express the gratitude I feel for the opportunities which have been afforded me as a foreign-born citizen. When I set foot on American soil 50 years ago, I had no wordly possessions with which to start my life battle. I had only a willing heart, a firm determination, and a full appreciation of the possibilities that lay open in the land where freedom and opportunity stand forth as in no other land. I had left behind me in Germany my only kin. I had left behind the home in which my father and mother had given me my childhood instructions in honesty and fair dealing with mankind.

He that cometh to God must believe, first, that He is; secondly, that He is the rewarder of them that diligently seek Him.

This passage, found in Hebrew xi:6, imparts that religion in any valid sense must start from the belief that God exists and that He is responsible and responsive; that is, includes in his nature those elements of personality which are necessary for the forming of personal relationship.

So it is with the young man who bundles up his few belongings, turns his back to the Old World, and faces the New. His faith must be unbounded in the Nation he seeks; he must believe that the Republic is responsible as well as responsive to he who earnestly strives to the fulfillment of the highest aims of citizenship.

AMERICA LAND OF OPPORTUNITY.

America at once gave me the sense of being grateful and true to the trust of citizenship which I set about to earn, for I knew the land of opportunity held much and gave much to the new citizen who possessed an honesty of purpose and a keen sense of loyalty to the Stars and Stripes.

Even though a few years afterwards, when word came across the ocean that my brother had been crippled fighting for Prussia against France, and that my father had faced danger by the side of my brother in the field of battle, I never wavered in my loyalty to the country I had adopted. For on this side I realized I had a battle of my own to fight—I was fighting for success, for honest recognition, for the glory of a true citizenship under a flag that symbolizes all that is great and just.

And I can not pass on in retrospect without giving due credit to the opportunities that have been afforded me in the State of Indiana, in the first district of that State, which I have the honor to represent, in the county and city in which I live, for they are all a glorious part of this great land.

DUTY TO CONSTITUENTS.

I felt when I first took my seat in Congress that I could not better show my deep sense of appreciation to my constituency than to work for the high ideals that had been intrusted to me for fulfillment. So I have always acted only after saying to myself, "I am trying conscientiously to do what my people want me to do." When matters came up that were not local in character, but concerned the well-being of the Nation in its entirety, I said to myself: "I believe I have the right conception of the duties of true citizenship; if I act on this conception I will be doing as those who elected me would do if they were in my place."

Hence I feel I have no apologies to make. I am only doing my duty in expressing my conception of the foreign policies of our administration and the delicate questions of our foreign relationships.

To you who may not be a constituent of mine, I hope I have in some small way conveyed some inspiration that may accrue to your benefit. To all who may know of my representations, whether native born or foreign born, I extend a wish that Providence may continue to lead you to a wholesome realization of the duties that every citizen owes to this land of the free. [Applause.]

The SPEAKER pro tempore (Mr. BORLAND). Under the special order the gentleman from New York [Mr. BENNET] is recognized for 30 minutes.

IMMIGRATION STATION AT ELLIS ISLAND.

Mr. BENNET. Mr. Speaker, before I commence I ask unanimous consent to extend my remarks in the RECORD by inserting letters from persons to which I shall refer.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. BENNET. Mr. Speaker, on the 24th of June I offered the following amendment to the sundry civil bill:

Page 168, line 26, after the end of the line, insert:

"*Provided further*, That no part of the sum hereby appropriated shall be expended for the maintenance at any United States immigrant station of any of the privileges now disposed of after public competition, as provided by the act of February 20, 1907, entitled 'An act to regulate the immigration of aliens into the United States.'"

In connection with that amendment, the proceedings, which were brief, were as follows:

Mr. FITZGERALD. I reserve a point of order on the amendment. I could not understand it from the reading.

Mr. BENNET. Mr. Chairman, I would be very glad to be heard on the point of order. This is simply a limitation. The amendment provides that no part of the appropriation shall be used for the purpose of maintaining any of the privileges—that is, money changing or anything of that sort—which now by law are let by competitive bidding. It is not subject to a point of order.

The Chairman, the gentleman from Virginia [Mr. HAY], who so recently has been justly honored by the President of the United States by being appointed a judge of the Court of Claims, said:

Does the gentleman from New York make the point of order?

Mr. FITZGERALD. If the statement of my colleague, Mr. BENNET, is correct, I can not make the point of order.

The CHAIRMAN. The Chair does not think it is subject to the point of order.

Mr. FITZGERALD. I do not see that there is any objection to the amendment, and we will accept it.

The question was taken, and the amendment was agreed to.

Every Member of the House will recognize, particularly when I tell him that that amendment was offered at the end of the appropriation for the maintenance of the Immigration Service, that it was offered at the proper place and, relating to immigration, it was offered at the fairest time, in order that those who were interested in the subject of immigration would be presumed to be in the House. As a matter of fact, within five minutes before that there had been a vote upon another amendment to the immigration section. There had been tellers, and tellers had disclosed the presence of a quorum. So the attendance was larger than was usual.

I knew when I offered that amendment I would receive criticism from two sources, one the New York Globe and the other Frederic C. Howe, the commissioner of immigration at Ellis Island. The criticism from the New York Globe can be briefly disposed of. Three years ago, when I was not a Member of Congress, the New York Globe, which makes a specialty of criticism of all kinds of foods and at the same time carries in its columns in some editions—I forget the exact name, but across the top of it is the legend that the advertisers whose names appear in that particular part of the paper advertising food products for sale, the Globe assures its readers, sell food products that are all right. And it has happened, to my knowledge, that a man had been vigorously attacked by the Globe in relation to food products, that the attack had slowed down, and that then the solicitor from the advertising end had come around and asked him for his advertisement for that particular part of the paper. That paper made an attack against Hudgins & Dumas, who were the food contractors at Ellis Island. They had just been awarded a three-year contract, and the Globe asked that their contract be annulled, and made charges that their food was bad and their methods were worse. If what they said was true, both members of the firm ought to have been in the penitentiary. They retained me as their counsel. We had two weeks' hearing before the commission appointed by the Department of Labor.

Not only did the Globe fail to prove its charges but Hudgins & Dumas were able to affirmatively prove the untruth; yes, more than that, the motive behind the charges as they came originally to the Globe, with the result that the department did not cancel their contract, and it continued until it expired on the 30th day of June, this year. Naturally the New York Globe has been looking for a chance to get even with me since, and when I offered this amendment, which gave Hudgins & Dumas no right which Congress had not already given them by law, the Globe raised the cry that I was practicing law upon the floor of the House of Representatives.

They have kept it up ever since at reasonable intervals, the latest being the publication of a letter in last night's edition from a Mr. Paul B. Sweet, whose acquaintance I have not the honor of possessing, and who, I find from the directory, lives in the nineteenth congressional district, the district represented by my colleague, Mr. CHANDLER. Mr. Sweet inquired with some solicitude if it were not possible that I might be compelled to serve a term in the penitentiary [laughter], to which the Globe replied, with apparent regret, that I was not subject to indictment for the amendment which I had offered. [Laughter.]

Gentlemen, it is the old, old story that we are all familiar with, of a man who has been licked, and licked well, in a lawsuit waiting his time to get square. If that were all that had been in it, I would have been content to let time and my district decide the question.

Mr. CAMPBELL. Did they not "cuss the court," too?

Mr. BENNET. Yes. The gentleman from Kansas asks, "Did they not cuss the court, too?" Yes. The things they said about the Department of Labor I could not repeat in the presence of gentlemen.

But the question, so far as it relates to the Commissioner of Immigration, is a very serious question. Mr. Frederic C. Howe removed to New York about 1910 from the city of Cleveland. He is more radical in his views in regard to governmental affairs than any Member of this House, and that gives somewhat of an idea of him as an extremist.

Mr. PLATT. Mr. Speaker, will the gentleman yield?

Mr. BENNET. Yes.

Mr. PLATT. Did he remove to New York?

Mr. BENNET. I think so. He became superintendent of what is known as "The People's Institute," an organization whose function was to incite discussion amongst the people, and I have always thought that Mr. Howe was a good choice for the place. For some reason or other he was chosen as Commissioner of Immigration at Ellis Island in 1914.

Mr. Howe does not believe that anything ought to be done by private contract which by any possibility the Government can do. I believe with the old Jeffersonian democracy and Hamiltonian Federalists that everything that can be done by individuals ought to be done by individuals, and that that country is governed best which is governed least. [Applause.] But I recognize Mr. Howe's right to get his views to prevail if he can do it honestly. He took the matter of changing from the private contract system to the governmental operation system up with the Department of Labor, and on the 15th of April, 1916, the Department of Labor wrote this letter to the Attorney General:

APRIL 15, 1916.

SIR: The contract awarded by this department in pursuance of section 30 of the act of February 20, 1907 (34 Stat., 898), for the exclusive privilege of operating a restaurant and exchanging money at the immigration station at Ellis Island, N. Y., expires June 30, 1916. The department has experienced from time to time considerable difficulty with commissary contractors at Ellis Island, and it has under consideration the proposition of operating the restaurant itself at the expiration of the present contract for that privilege. Before formulating any definite plans in this matter, however, the department desires to have an expression of your views in the premises.

In view of the foregoing, I have the honor to request an expression of your opinion as to the authority of the Secretary of Labor to discontinue the awarding of this privilege to private individuals and the assumption of the operation of the restaurant by the Government.

Incidentally, operating a restaurant and exchanging money are two distinct privileges, held by different people, and why they allude to them as one contract I do not know. It must have been a typographical error.

Then they asked for an expression of opinion as to the authority of the Secretary of Labor to discontinue the awarding of this privilege to private individuals and the assumption of the operation of the restaurant by the Government. I read:

In accordance with your instructions in matters of this kind, there is inclosed herewith an opinion of the solicitor for this department on the subject.

On the 11th of July I wrote to the department asking for a copy of that opinion of the Solicitor, just a week ago, and have not received it.

On the 26th of April the Department of Justice rendered a most extraordinary opinion. They said:

DEPARTMENT OF JUSTICE,
Washington, April 26, 1916.

SIR: I have the honor to acknowledge receipt of your letter of April 15, 1916, wherein you request my opinion as to whether, after the now outstanding exclusive contract privilege therefor shall have expired—as it will have on June 30 next—the Department of Labor may itself operate the restaurant at the immigration station at Ellis Island, N. Y.

I assume that a suitable building is used at Ellis Island for the detention and examination of incoming aliens, and that the proposed restaurant service will be there conducted in connection with such detention and examination. On that assumption I answer your question in the affirmative and for these reasons:

Section 8 of the act of March 3, 1891 (26 Stat., 1085), provides:

"SEC. 8. * * * the inspection officers may order a temporary removal of such aliens for examination at a designated time and place, and then and there detain them until a thorough inspection is made. * * * During such inspection after temporary removal the superintendent shall cause such aliens to be properly housed, fed, and cared for, and also, in his discretion, such as are delayed in proceeding to their destination after inspection."

This provision, if unrepealed, confers ample authority for the action proposed. Claim of repeal can only rest on section 43 of the act of February 20, 1907 (34 Stat., 898, 911). This section repeals certain specific acts not here material and "all acts and parts of acts inconsistent with" the act of which it is a part. That act (of 1907) not only contains no provisions inconsistent with the above-quoted provision of section 8 but in its section 16 indicates generally a like purpose, in the following language:

"SEC. 16. * * * *Provided*, That where a suitable building is used for the detention and examination of aliens the immigration officials shall there take charge of such aliens, and the transportation companies, masters, agents, owners, and consignees of the vessels bringing such aliens shall be relieved of the responsibility for their detention thereafter until the return of such aliens to their care."

So that sections 8 and 16, supra, in connection with section 22 of the act of 1907, reading—

"SEC. 22. That the Commissioner General of Immigration * * * shall, under the direction of the Secretary of * * * Labor, have charge of the administration of all laws relating to the immigration of aliens," * * * etc.—

clearly confide the choice of methods of feeding to the administrative discretion of the Secretary of Labor. And the appropriation provided by the act of March 3, 1915 (38 Stat., 877), is equally available for any method that may be chosen.

Section 30 of the act of 1907, reading—

"SEC. 30. That all exclusive privileges * * * of keeping eating houses * * * in connection with any United States immigrant station shall be disposed of after public competition," * * * etc.—

applies only in the event the particular method referred to, i. e., the bestowal of an exclusive privilege, shall be the method selected. It does not in any manner limit the otherwise unrestricted power of selection.

Respectfully,

T. W. GREGORY,
Attorney General.

To the SECRETARY OF LABOR.

After having obtained that opinion the department obtained an opinion from the Comptroller of the Treasury to the effect that they could use the existing appropriations for the purpose of maintaining the restaurant.

There never were so many statutes overlooked in a decision as in that decision of the Attorney General.

Immigration originally at the port of New York was regulated by the State, which levied a head tax. That commenced in part in 1824 and continued until 1890. For more than 20 years prior to 1890 the State let the various restaurant privileges at Castle Garden by contract. At first there was no legislative authority, but by the act of 1883 it was provided that all privileges, whether exclusive or not, should be let by competitive bidding, recognizing an existing practice. In 1890 there arose a controversy between the State of New York and the United States Government as to who should control immigration; and during three successive Congresses, the Fiftieth, the Fifty-first, and the Fifty-second, the two committees, the committee of the House and the committee of the Senate, were appointed as a joint committee to investigate the subject of immigration at Ellis Island.

On March 3, 1891, in the Fifty-first Congress, was passed the act which allowed the superintendent to feed the immigrants. That act lasted just two years, and only two years. Representative Herman Stump, the chairman of the House committee in the Fifty-second Congress, reported a bill, section 10 of which is as follows:

That after the 30th day of June, 1892, all exclusive privileges of exchanging money, transporting passengers or baggage, or keeping eating houses, and all other like privileges in connection with the Ellis Island Immigrant Station shall be disposed of after public competition, subject to such conditions and limitations as the Secretary of the Treasury may prescribe.

Mr. Stump was an immigration expert. He subsequently became Commissioner General of Immigration under the second administration of Grover Cleveland. Doubtless the gentleman from Illinois [Mr. CANNON] remembers him. That provision which he reported to the Congress became a law in that Congress (27 Stats., p. 571), so that the provision on which the Attorney General bases his opinion that the Department of Labor now has the right to proceed with governmental operation ceased to exist 23 years ago. In citing the statutes the Attorney General never even referred to this particular statute.

Now, was there any reason why that change was made? Yes; there was. Those two years were the worst years of scandal in connection with that privilege that there has ever been on Ellis Island. I can say that with more freedom because it happened under a Republican administration. The old system of the State of New York of competitive bidding was swept away, and the commissioner of immigration picked out two friends, fixed the price that they should pay at $200 a month, and they ran the privilege for two years for all there was in it, with the result that in 1892 the employees on Ellis Island struck in a body against eating at the restaurant. That is the way governmental operation worked out, and the succeeding Congress changed back to the old competitive bidding plan originally instituted by the State of New York. Now, that is not all. Since that date the matter has been before this House five times. The Attorney General said there was no repealing statute. In the revision of 1903 (32 Stats., p. 1213) the provision of the act of 1891 was repealed in section 36, the provision being—

All acts and parts of acts inconsistent with this act are hereby repealed

And the provision as to competitive letting was continued in section 30.

Not only do I make this assertion, but the Department of Labor in its official pamphlet of the immigration law, issued under date of February 12, 1916, page 50, under the heading of "Law not repealed, or reenacted by the immigration act of February 20, 1907, or passed subsequent to its enactment," includes one provision from the act of March 3, 1891, and only one, and that one not the provision on which the Attorney General relies. So the Department of Labor concedes that the portion of the act of March 3, 1891, cited by the Attorney General is repealed.

More than that, in the act of February 20, 1907, the provision in relation to the competitive letting is again inserted and again the repealing clause is inserted. That is three times that this House has passed on the question in one way. Then it passed the immigration bill which President Taft vetoed, and in that was the same provision. Then it passed the immigration bill which President Wilson vetoed, and in that was the same provision. And this spring it passed an immigration bill, which is now pending in the other body, in which the matter was not permitted to go through by inadvertence, but there were improvements in the form of the language. So that is six times since the act of March 3, 1891, that the Congress of the United States has emphatically said that competitive bidding for these privileges is the method to be pursued.

I wrote the Attorney General of the United States a letter on the 12th of July, in which I called his attention to all these statutes, called his attention to the way the privileges were operated, and asked him if he had known those things whether it would have made any difference in his opinion. I am not favored with a reply as yet.

This controversy had one effect. It called my attention to the Commissioner of Immigration at Ellis Island.

I have known Ellis Island for years. I was six years on the Immigration Committee. I secured appropriations of over $2,000,000 to build the hospitals, baggage rooms, and other necessary buildings for the care and comfort of the immigrants, and when I was a member of the immigration commission, in connection with my friend Judge Goldfogle, I conducted an independent investigation of Ellis Island which resulted in rectifying some evils that did exist there.

Now, what did I find? I found first, from my present inquiry, that this commissioner of immigration is the most negligent commissioner of immigration that we have ever had, the most frequently absent, and that he pays the least attention to his duty of any commissioner in my time. Then I found a startling condition. The gentleman from Illinois [Mr. MANN] and myself collaborated in 1910 in the passage of what is known as the white-slave act, his provision applying to interstate commerce and treaties, and the amendment which I had the honor of reporting applying to immigrants. In connection with those bills he and I made somewhat of a study of this subject, revolting but very vital in its connection with the life of our people. Section 3 of the immigration law provides that an alien prostitute may be arrested anywhere in the United States at any time after entry into the United States. And during the year 1914–15 there was commendable activity on the part of the department in connection with that. These women were brought to Ellis Island. Now, investigation through the Wassermann reaction test shows that women of that character who have reached the point where they become subject to arrest are in 60 or 70 per cent of the cases diseased, and it is common knowledge that that disease is transmissible; sometimes it results in blindness in the innocent person to whom communicated. Some years ago we enlarged Ellis Island so that persons of that character, both those brought in on warrants and those detained on suspicion as to their character, might be segregated from the decent women who were detained there, largely waiting for money to be sent by their people. I found to my horror that this commissioner of immigration had abrogated those salutary rules, and that he permitted the prostitutes, the pimps, the procurers, to mingle at will with the other inmates of Ellis Island. The department sent over there as matron of the detention room and the restaurant a Mrs. Harris, a very estimable lady, a fine woman. I do not have the honor of personal acquaintance with her, but everything I hear about her is of the best. She had the old-fashioned idea that you can not touch pitch without being defiled, and by reason of some of her recommendations, conditions there have been to some extent mitigated, and some of the scandalous occurrences that used to typify the twilight hours of the island have ceased to exist.

But to-day, at this very hour, another condition exists which if persisted in will be far more harmful, and perhaps has been far more harmful, to the city of New York than the scourge of infantile paralysis that is pervading the city. This commissioner has opened a recreation ground. In the old days the sexes were kept separate. This commissioner turns them all—men, women, and children—out into a common recreation ground, hardened prostitutes and adolescent youths. Furthermore, in the last two years, on repeated occasions, in a number

of cases he has recommended to the department at Washington that these individual prostitutes be admitted on bond, which simply means a license to proceed wherever they will to practice their vocation.

Mr. COX. Will the gentleman yield?

Mr. BENNET. Yes.

Mr. COX. The gentleman is certainly indicting a man of the worst moral crimes I ever heard. If they are true—and I have no doubt they are, because I have confidence in the gentleman that he would not indict a man unless he had the facts—is not there some way in which you can impeach him?

Mr. BENNET. I am going to suggest it; I have it in my hand. On yesterday I offered a resolution to investigate Ellis Island.

As I was saying, he has recommended the admission of prostitutes on bond. I do not believe hat he is morally wrong in the sense that my remarks might indicate; I simply think that his governmental ideas are wrong. It is natural that a course of conduct like that would culminate in something, and I shall give you a specific instance.

There was within the last two weeks detained at Ellis Island a young Portuguese charged with having brought into this country a woman for immoral purposes. In the middle of the night the watchman in the cabin department where he was saw him leave the room and proceed to a room, the door of which was open and which was occupied by a woman detained as an alleged prostitute, not the woman with whom he was accused. The watchman commanded him to go out, but before he reached the room the door was locked. The man did not come out until some time afterwards, and then, when asked by the watchman for what purpose he had been in the room, he made a specific and direct statement. The next day the woman, in a general gathering of women, told of the visit and its purpose and showed the money she had received.

A written report was made by the night watchman to Frank McKee, the superintendent of deportation at Ellis Island.

I do not see how we could sink any lower in administration than to permit the prostitute to ply her vocation for money on a Government reservation, and, worse than that, to sow the seeds from her own undoing amongst the innocent women with whom she is allowed to mingle freely. That is the condition at Ellis Island. I introduced a resolution asking for an investigation at Ellis Island. I know there is not a quorum in town, and I believe there is no quorum of the Committee on Rules, but there is a way by which we can start the department working on this to-morrow. I told the gentleman from Alabama [Mr. BURNETT] yesterday that I was going to make this speech this afternoon. He is as much opposed to this sort of thing as any man on earth. I served on the Committee on Immigration and on the immigration commission with him, and I know his attributes. I propose to introduce this resolution of inquiry which I hold in my hand, and I suggest to the gentleman from Alabama that he send it to the department to-morrow to investigate whether the statements I make are correct or not. That resolution of inquiry asks for particulars—I will not burden the RECORD with it—as to all matters I have alluded to somewhat hastily.

Mr. Speaker, it is of very little moment to the people at large whether in offering the particular amendment which I read in your hearing I discharged my duty to the best of my capacity. I believe I did, I know I did; but it is of tremendous importance that a half-baked radical who has no proper idea of the effect of the mingling of the bad with the good, should be spoken of plainly, and, while the subject is distasteful in the extreme, I have taken the first opportunity, after the facts were brought to my notice, to bring to the House of Representatives the conditions as they exist at Ellis Island, in the sincere hope and belief that once they are made public the department will see that they are rectified. [Applause.]

Under leave to extend my remarks I annex the letter to the Attorney General, to which he has not yet replied; the correspondence between the Department of Labor and the Comptroller of the Treasury; my letter to the Department of Labor, which remains unacknowledged and unanswered; and a letter which I wrote to the New York Globe, but which I have not yet seen in its columns:

JULY 12, 1916.

DEAR SIR: The Department of Labor at my request has furnished me with a copy of your opinion that that department could maintain a restaurant at the immigration station at Ellis Island.

Your opinion does not indicate that the following facts were called to your attention:

First. That in the revision of 1903 (32 Stats., 1213) the provision of the act of 1891, on which you rely, was dropped out. The provision as to competitive letting was continued (sec. 30) and that all inconsistent acts were repealed (sec. 36).

Second. That the Department of Labor in its edition of the immigration laws and rules of February 12, 1916, reports the provision of the act of 1891, on which you rely, as repealed (p. 50).

Third. That by the act of October 22, 1913 (38 Stats., 226), the entire expense of maintenance of immigrants is put upon the transportation company.

Fourth. That section 8 of the act of 1891, which you quote, merely authorized the superintendent to feed aliens "during such inspection" and "also in his discretion, such as are delayed in proceeding to their destination," while the department proposed to feed, in addition, those who had been ordered deported, to run a public restaurant for the convenience of visitors to Ellis Island and of employees, and to conduct a counter or counters for the sale of food to immigrants in transit.

Fifth. That the provisions in the statutes of 1891, 1903, and 1907 for an "immigrant fund" have been repealed (35 Stat., 982), that the method of competitive letting dates back to January 1, 1893 (27 Stat., 571).

If these statutes and facts had been brought to your attention, would they have changed your opinion?

Very truly, yours, WILLIAM S. BENNET.

ATTORNEY GENERAL,
Washington, D. C.

—

No. 54166.

MAY 31, 1916.

SIR: I have to request your decision as to the following:

It has been suggested that this department should undertake the operation of the restaurant at Ellis Island rather than have the said restaurant conducted under an exclusive privilege. The Attorney General rendered an opinion under date of April 26, 1916, to the effect that there was no legal objection to having the restaurant operated by the Government.

In the event of that being done, however, the expenses for food supplies would be defrayed from the appropriation "Expenses of regulating immigration," and a question arises as to the disposition of the money which would be received from steamship companies and others on account of the operation of the restaurant. It may be stated here that the operation of the restaurant by the Government will involve something more than the mere furnishing of subsistence to detained aliens for which the steamship companies are liable under the immigration act. The restaurant will be compelled, of necessity, to keep for sale to aliens large quantities of food and other articles that have no direct connection with the maintenance of detained aliens for which the steamship companies are liable, and, as a matter of convenience, will furnish meals to employees at Ellis Island.

In the sundry civil act approved March 4, 1911 (34 Stat., 1442), occurs the following provision:

"That from and after July 1, 1911, all moneys paid into the Treasury to reimburse the Immigration Service for expenses of detained aliens paid from the appropriation for expenses of regulating immigration, shall be credited to the appropriation for the expenses of regulating immigration for the fiscal year in which the expenses were incurred."

Pursuant to this provision all amounts collected on account of the detention of aliens in hospitals at immigration stations have been credited in the manner indicated by the statute. The bills of the catering contractor for meals furnished detained aliens have, however, been submitted to and paid by the transportation lines or other persons responsible for such maintenance.

The question therefore arises as to whether, pursuant to the above quoted provision, amounts which might be collected by the Government in the operation of the restaurant, i. e., moneys received from steamship companies and others on account of maintenance expenses of aliens for which they are liable under the immigration act and moneys received from all other sources in connection with the operation of the restaurant, may be credited to the appropriation for the fiscal year in which such expenses were incurred. I would appreciate a decision from you resolving this question, and in view of the fact that the end of the fiscal year is close at hand and the existing contracts are about to expire at several of the immigration stations, an early decision would be highly appreciated.

Respectfully, J. B. DENSMORE,
Acting Secretary.

THE COMPTROLLER OF THE TREASURY,
Treasury Department, Washington, D. C.

—

TREASURY DEPARTMENT,
OFFICE OF COMPTROLLER OF THE TREASURY,
Washington, June 8, 1916.

The Hon. SECRETARY OF LABOR.

SIR: I have your letter of the 31st ultimo requesting decision as to whether receipts from the operation of a restaurant at Ellis Island, in connection with the enforcement of the laws regulating immigration of aliens, may be deposited to the credit of the appropriation from which the expenses of operating the restaurant are to be borne, to wit, "Expenses of regulating immigration."

The appropriation in question provides:

"For enforcement of the laws regulating immigration of aliens into the United States, including the contract-labor laws; * * * enforcement of the provisions of the act of February 20, 1907, entitled 'An act to regulate the immigration of aliens into the United States,' and acts amendatory thereof; necessary supplies, * * * and for all other expenses authorized by said act; * * * all to be expended under the direction of the Secretary of Labor, $2,450,000." (38 Stat., 877.)

The sundry civil act of March 4, 1911 (38 Stat., 1442), provides:

"That from and after July 1, 1911, all moneys paid into the Treasury to reimburse the Immigration Service for expenses of detained aliens paid from the appropriation for expenses of regulating immigration, shall be credited to the appropriation for expenses of regulating immigration for the fiscal year in which the expenses were incurred."

This provision relates specifically to expenses of detained aliens, but I am of opinion that if the operation of this restaurant is authorized in connection with the detention of aliens, the expenses of its operation may be regarded as "expenses of detained aliens" within the meaning of said provision.

The question submitted is answered in the affirmative.

Respectfully, W. W. WARWICK, *Comptroller.*

JULY 11, 1916.

GENTLEMEN: I have yours of recent date, inclosing copies of correspondence between your department and the Department of Justice and the comptroller. I would be obliged if you would obtain for me from the commissioner at Ellis Island copies of all letters of criticism or commendation which he has sent to the food contractors at Ellis Island during the past year. I would also like to have a copy of the opinion of the solicitor inclosed in your letter of the 15th to the Attorney General.

Thanking you for your courtesy and promptness in sending me the correspondence asked for, I am,

Very truly, yours, WILLIAM S. BENNET.

DEPARTMENT OF LABOR,
Washington, D. C.

JULY 14, 1916.

EDITOR GLOBE.

DEAR SIR: My attention has been called to an editorial in your paper of the 12th instant. Upon conclusions that you draw from the passage of the amendment to the immigration statute to the sundry civil bill I have no comment to make. As to the facts, I must ask you to correct some of your statements.

First. You say, "That the joker was slipped into the bill late on a Saturday afternoon, when the attendance in the House was not large, and under a statement which misled the Members present, does not tend to carry conviction of Mr. BENNET'S sincerity." If you had consulted your Washington correspondent, he would have told you that under the rules of the House an amendment to a particular portion of a bill must be offered when that portion of the bill is reached, whether it happens to be Wednesday or Saturday. In addition the sundry civil bill, being an important bill, the attendance was not small. There were no misleading statements made. Mr. FITZGERALD reserved a point of order on the amendment. I described the amendment briefly from a parliamentary standpoint, and then Mr. FITZGERALD having acquainted himself with the contents of the amendment stated that the Committee on Appropriations would accept the amendment, and there was no discussion. There was not and is not anyone opposed to the amendment in the House. Congress has some six times passed legislation providing that these privileges shall be let at competitive bidding.

The Department of Labor attempted to get around this law, relying, as I now find, on section 8 of the act of March 3, 1891 (26 Stat., 1085). This section, so far as it relates to the feeding of immigrants, was superseded by the act of 1893 (27 Stat., p. 571). This fact the Department of Labor seems to have overlooked, although that the statute was repealed, is shown by its own pamphlet (edition of Feb. 12, 1916, p. 50).

I repeat, if Mr. Howe and the department think that the method of operating a restaurant and exchanging money at the immigration station at Ellis Island, N. Y., ought to be that of governmental operation, let them come frankly before Congress and attempt to have the law changed, and not attempt to evade the law as six times passed by Congress. There are arguments, legitimate arguments, that could be made in favor of Mr. Howe's views. I do not regard these arguments as sound or conclusive, but I recognize his right to make them. So long, however, as I remain in Congress I will not knowingly permit any executive officer to override an express statute by evasion, if I can prevent it.

Your statement in relation to Mr. Howe's legal position is answered by the simple fact that the law on which he relies was superseded by another statute 23 years ago. You seem to think that a detained immigrant pays for the meals which he consumes. In this you are in error. The meals for the detained immigrants and all their expenses are and have been since 1891, and, I think, before that date, paid by the transportation companies which bring the immigrants here, and this obligation on the transportation companies was made specific by the act of October 22, 1913. The immigrant does buy what is known as a dollar box and a fifty-cent box of food for use on his journey inland. The price of everything in these boxes is fixed for three-year terms by open competition, and it is within Mr. Howe's power to change the composition of the boxes. Furthermore, no single article of food can be sold over the counters except as permitted by Mr. Howe and at a price satisfactory to him, which can not be more than 20 per cent over the wholesale cost. In addition, the food served to the immigrant is inspected daily by men detailed by Mr. Howe and, as a matter of fact, the inspection of the food sold at Ellis Island is more rigid than that of the most expensive hotel on Manhattan Island.

Mr. Howe knows what I have stated to be the facts, and therefore I am surprised if he said anything indicating that the contractor is "gouging" the immigrant. If that is going on, then Mr. Howe ought to be removed from office, for the whole matter is under his supervision.

I was retained by the present contractor when your paper made charges against that firm three years ago. At that time you asked for the removal of the contractor. The department appointed a commission, before which you were asked to bring testimony. That you did not prove your charges is shown by the fact that the contractors were not removed and carried their contract to completion. Naturally I accepted money for appearing as counsel in an investigation which occupied something over two weeks; but that was two years before I was elected to Congress. I do not deny that that investigation gave me even a better knowledge of immigration conditions than I had and that I do know the immigration law. I prevented Mr. Howe from evading it and, in my judgment, acted in so doing in the interests of the immigrant. I might add that we had Government operation at Ellis Island prior to 1893, and that conditions became so bad that the employees refused to eat in the restaurant, and a congressional investigation was had which resulted in the change to competitive bidding—the present system.

Yours, truly, WILLIAM S. BENNET.

BALANCE DUE LOYAL CREEK INDIANS.

Mr. TILLMAN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 9326.

The SPEAKER. The gentleman from Arkansas asks unanimous consent for the present consideration of the bill H. R. 9326, which the Clerk will report.

The Clerk read the bill at length.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas.

Mr. COX. I object.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, one of its clerks, announced that the Senate had insisted upon its amendments to the bill (H. R. 12717) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1917, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. SMITH of South Carolina, Mr. SMITH of Georgia, Mr. SHEPPARD, Mr. WARREN, and Mr. GRONNA as the conferees on the part of the Senate.

J. H. PATTEN AND JAMES M. BAKER.

Mr. AIKEN. Mr. Speaker, I ask the indulgence of the House for a few minutes.

The SPEAKER. The gentleman from South Carolina asks to address the House for a few minutes. Is there objection?

There was no objection.

Mr. AIKEN. Mr. Speaker, some days ago the Columbia (S. C.) State, one of the leading newspapers of the South, contained a news article from its Washington correspondent, in which occurred this paragraph:

> Mr. [J. H.] Patten has just returned from the St. Louis convention, where he acted as a substitute for one of the South Carolina alternates. He believes that there is no doubt whatever of the reelection of President Wilson. Mr. Patten, who is prominently connected with the work of the national farmers' organization, is well known in South Carolina.

Knowing that this man Patten is known in South Carolina as a Republican carpetbagger and is known here around Washington as a lobbyist and a grafter, I was much surprised at this article. I asked the correspondent of the State, a most estimable gentleman, about it, and he told me that the statements therein were furnished him by Patten himself and that he had accepted them as true without investigation. I thereupon wrote to Hon. John Gary Evans, Democratic State chairman for South Carolina, and who was himself a delegate to the St. Louis convention, and have received a reply, in which he says:

> Patten took no part in the proceedings of the convention as an alternate from South Carolina, but merely was given a ticket and badge to enable him to get into the convention.

It thus appears that Patten was simply given a ticket of admission to the convention, and then upon returning to Washington undertook to get himself paraded before the people of South Carolina as having acted as a substitute for a delegate and as having taken part in the proceedings of the convention. I am told that upon his return to Washington he stated that he went to St. Louis in response to a telegram from Hon. SCOTT FERRIS, of Oklahoma, a Member of this House. I asked Mr. FERRIS about that, and he tells me that while he was in the West he received a telegram from the man, asking him to engage a room for him at a hotel in St. Louis, and that he telegraphed back that he had done so. He states emphatically that Patten did not go to St. Louis at his request or upon his invitation. Mr. FERRIS, as all of us know, is an affable and courteous gentleman, and no doubt he would have done a favor of this kind for anybody who had asked him to do so.

I am personally interested in this, for the reason that Patten has at times, when it suited his purposes to do so, claimed residence in my district, although he has spent but little time there and is known to but few people in the district, and is not held in high esteem by those who do know him. Knowing the man as I do, and knowing his reputation here and elsewhere, I will not let go unchallenged the statement that he has, even in the capacity of substitute for an alternate delegate, represented the Democracy of South Carolina in a national convention.

It is stated in the article above quoted that Patten "is prominently connected with the work of the national farmers' organizations." The truth of the matter is that he was at one time counsel for the National Farmers' Union, but after the executive committee of that organization, composed of C. S. Barrett, of Atlanta, president of the National Union, E. W. Dabbs, of Mayesville, S. C., president of the South Carolina State Union, and others, found out the kind of man that he is, they immediately removed him from that position. Messrs. Barrett and Dabbs came to me, and to other Members of the House, and assured us that Patten was no longer connected with the Farmers' Union in any capacity. They said they had been deceived in the man and begged us not to hold the Farmers' Union responsible for anything he had done or might do. In all my life I never heard any man get such an excoriation as these gentlemen gave Patten in their conversation with me. And yet, after having been bodily fired out of his position, this man wrote letters to farmers in my district, using the printed stationery of the union, and signing himself as counsel

of the union, in which he made false statements concerning me and misrepresented my work here in the grossest manner possible. This will indicate to the Members of the House who may not know him, and to others who may not know him, the kind of creature he is. In this connection I will quote two letters written by President Barrett to a prominent farmer of my district:

ATLANTA, GA., *September 14, 1914.*

Hon. T. T. WAKEFIELD,
Anderson, S. C.

BROTHER WAKEFIELD: J. H. Patten is not the attorney of the Farmers' Union. He has no connection whatever with the organization. He has been condemned by a lot of the conventions.

Yours, fraternally,

C. S. BARRETT.

ATLANTA, GA., *September 14, 1914.*

Hon. T. T. WAKEFIELD,
Anderson, S. C.

BROTHER WAKEFIELD: Referring further to your letter of September 7, I am mighty sorry that this thing occurred, and it will not occur any more. Patten was not the attorney for the Farmers' Union at the time he wrote that letter.

Yours, fraternally,

C. S. BARRETT.

One of the most beloved men who ever sat in this House was the late Judge S. A. Witherspoon, of Mississippi, who died only a few months ago, and who is affectionately remembered by us all. If there ever was an honest man in Congress it was Judge Witherspoon. And yet in the campaign just before Judge Witherspoon's death this man Patten sent letters into his district, misrepresenting him in the most outrageous manner, accusing him of unfaithfulness to his duties here and of voting and working against the interests of his constituents. Those of us who knew Judge Witherspoon know that he was slow to anger, and charitable in his judgments of others, but I well remember, and others in this Hall remember, how very much wrought up he became over these cruel slanders and the unsparing manner in which he denounced Patten and his methods.

Patten has not only lied upon and misrepresented many Democratic Members of this House, as he has lied upon and misrepresented me, but he has been in trouble with members of his own party. A few years ago the gentleman from New York [Mr. BENNET] incurred his displeasure, and Patten circulated many outrageous falsehoods in his district. Mr. BENNET, in righteous indignation, arose to a question of personal privilege on the floor of this House and denounced the man in the most vigorous terms.

Mr. BENNET is on the opposite side from me in politics—we have little if anything in common politically—but he is one of the cleanest and most respected Members of the House, as well as one of the ablest, as all of us know.

Patten was at one time connected in some sort of official capacity with the National Purity League, an organization composed of good people, working for a good cause, but when the members learned his true character they removed him from office with the same promptness with which he was thrown out of the Farmers' Union.

I have it on the best authority that during the last senatorial campaign in Pennsylvania, Patten was in that State working for PENROSE, the Republican candidate, against Palmer, the Democratic candidate, and went from one end of the State to the other denouncing the Democratic Party and the Wilson administration in the bitterest terms, and he will not deny that he would be an unwelcome visitor to at least one of the great committees of the House because of his bitter and unfounded criticisms of the administration in the presence of its chairman and several other prominent men. And yet this slimy, sneaking creature would have it appear that he has this year represented the Democrats of South Carolina in a national convention. I am proud to bear testimony that the democracy of South Carolina has not sunk so low, and I resent any such imputation.

Patten is a relative by marriage and a copartner in iniquity of another man who has engaged in a campaign of falsehood and misrepresentation against me for several years. Together and separately they have circulated all sorts of falsehoods against me in my district, by word of mouth, by personal letters, and by having articles printed in one or two venal newspapers in the district. The man to whom I now refer happens to be secretary of another legislative body which sits in this building and his name is James M. Baker. I have denounced Baker in public speeches and in the public prints as a liar, a thief, and a forger [laughter and applause], and I have told him that if the things I have said about him are not true he has an adequate remedy. I am now, and always have been and always will be, personally responsible for my remarks here or elsewhere.

It is a well-recognized principle of law and equity that when a man is unjustly attacked he may, as part of his defense, show the character of the man making the attack, and I am forced to do so in this instance.

Before coming to Washington Baker was connected with a bank in South Carolina. He was publicly charged with having wrecked the bank and robbed it of practically every dollar of its deposits, and then permitted his brother-in-law to be tried and convicted in order to shield himself. This is a matter of common knowledge in South Carolina and is borne out by the records of the court of general sessions for Abbeville County, S. C., for the year 1896.

After his grandfather, a most estimable and highly respected gentleman, died some years ago Baker went to a prominent lawyer in South Carolina and presented a note for a large sum of money, purporting to be signed by his grandfather, and asked the lawyer to collect it from the estate. The lawyer, after examining the note, pronounced it to be a forgery and refused to have anything to do with it. The executors of the estate afterwards settled the note for a fraction of its face value. By accepting such a settlement Baker practically admitted that the note was a forgery, while the action of the executors was prompted by a natural desire to keep from giving publicity to a dirty family scandal. All these things are matters of record in the courts of South Carolina.

A few years ago Baker was vice president and a member of the executive committee of the United States Savings Bank here in the city of Washington. He was caught in an attempt to wreck the bank and in pilfering from its funds, in collusion with the notorious Daniel Thew Wright, at one time a justice of the Supreme Court of the District of Columbia, and who was forced to resign while impeachment proceedings were pending. The full history of Baker's dirty transactions with the bank was brought out in public testimony before a Senate committee investigating the charges against Judge Wright, and is now a part of the printed record of the Senate. Baker was promptly removed from the vice presidency of the bank and from its executive committee, as the following excerpt from the minutes of the directors' meeting shows:

"*Resolved*, That James M. Baker be, and he is hereby, removed as first vice president of this bank and as a member of the executive committee, for the good of the bank."

Mr. Thomas E. Cooper seconded Mr. Carrick's motion for the adoption of said resolution, and upon the motion being put the resolution was adopted without a dissenting vote, Mr. Baker not voting.

Some years ago, while Baker was an employee of the United States Senate, the cotton gambling house of Sully & Co., of New York, failed. The failure was tainted with more or less scandal, and there was an investigation of it by the United States court for the southern district of New York. An examination of its books showed that the firm had been carrying an account for James M. Baker, with the understanding that the losses, if any, would be borne by the firm, and the profits, if any, should go to Baker. When asked the reason for such an unusual arrangement, a member of the firm testified under oath to the effect that Baker was useful to them, that he kept them posted as to what was liable to happen in Congress and in the departments, and that it was "good business" to have such an arrangement with him. It was just about this time that a scandal developed in the Agricultural Department or the Census Bureau—I have forgotten which—in connection with the leakage of cotton statistics before they were given to the public. All this was brought out in testimony in the investigation of the Sully failure. I will not take the time of the House to read this testimony, but will insert part of it in the RECORD so that Members and others interested may read it in full:

EXCERPTS FROM TESTIMONY ADDUCED IN THE MATTER OF THE BANKRUPTCY OF DANIEL J. SULLY & CO. AND DANIEL J. SULLY, SAMUEL F. B. MORSE, EDWIN HADLEY, AND WILLIAM R. FAGIN, INDIVIDUAL BANKRUPTS, BEFORE REFEREE M'GRANE COXE ON THE DATES MENTIONED.

OCTOBER 19, 1904.

[Sully—Direct.]

By Mr. BALDWIN:

Q. Mr. Sully, who is James M. Baker?—A. Why, I know the name but I don't know the man.

Q. A customer of D. J. Sully & Co.?—A. Why, he was a man for whom we did business.

Q. Well, he was a customer, wasn't he?—A. Yes, sir.

Q. Who was Bob?—A. I don't know.

Q. You don't know?—A. No, sir.

Q. Mr. Sully, you stand right here [indicating]. I show you at page 470 of the general ledger of D. J. Sully & Co., No. 1, what purports to be an account of James M. Baker.—A. Yes.

Mr. BALDWIN. Question withdrawn.

Q. You recognize this book here as the customers' contract ledger, don't you?—A. Yes, sir.

Q. I call your attention to page 160, which has the heading, "Bob's account."—A. Yes, sir.

Q. I ask you also to look, if you will, through it—the page at the top—and it seems to indicate that there has been an erasure there, don't it?—A. [Looking at book.] I should say so; yes.

Q. Do you know anything about how that erasure came?—A. I absolutely do not.
Q. Do you know how this account, the words "Bob's account," happen to be there?—A. I do not.
Q. I call your attention to the transactions of March 7 and 14, 1904, in July cotton.—A. Yes, sir.
Q. You see that there are a number of purchases there, don't you?—A. Yes, sir.
Q. At respective prices?—A. Yes, sir.
Q. Do you recognize the handwriting of those entries?—A. No, sir; I do not.
A. You don't know that at all?—A. No, sir.
Q. (Handing witness book.) I show you book and I would like to have you state just what that book is.—A. It is a copy of sale notices that are sent to each customer.
Q. And the book was used in your office?—A. Yes, sir.
Q From what time?—A. That I couldn't say; I don't know.
Q. Wasn't that book in your office to take the place of——A. Copying books.
Q. Of those copying books?—A. Yes.
Q. When a statement was made up was it made up in this book and they were duplicated and carbon copies made?—A. That is the carbon copy [indicating].
Q. And the original of which this is a duplicate or carbon copy was sent to the customer?—A. Yes, sir.
Q. In due course of business?—A. Yes.
Q. I show you this one which I hold in my hand and at page—March 14, 1904, an account appears to be made out to James M. Baker, doesn't it?—A. Yes, sir.
Q. You will notice there that on the 14th are 900 bales July cotton, 16.63?—A. Yes, sir.
Q. And you will notice that on the account in the contract ledger book; that is, under Bob's account, so-called, you will find an account of 900 bales bought at the same figure on the same date and for July cotton?—A. Yes, sir.
Q. You will also find on the same day there was purchased, as appears by this duplicate copy book, 200 of July cotton at 16.62.—A. Yes, sir.
Q. A like entry appears on the contract ledger book under Bob's account, for exactly the same amount?—A. Yes, sir.

By the REFEREE:

Q. Do you see that yourself?—A. Yes, sir; I see it.

By Mr. BALDWIN:

Q. On the same day there were 2,200 bales purchased?—A. Yes, sir.
Q. Of July cotton at 16.61?—A. Yes, sir.
Q. And the same entry appears, the same transaction appears, on Bob's account, does it not?—A. Yes, sir.
Q. For a like amount, at the same price, and July cotton?—A. Yes.
Q. On the same date there is another purchase of 600 bales July cotton at 16.60?—A. Yes, sir.
Q. And under Bob's account is a like entry for 600 for 16.60?—A. Yes, sir.
Q. Also 100 bales of July cotton at 16.59, which appears on Bob's account, of the same amount, at the same price, and the same month of delivery?—A. Yes, sir.
Q. (Showing witness book.) I also call your attention to what is known as the confirmation copy book, and I show you under the date of March 7, 1904, purchased 6,000 bales of cotton deliverable in July, at 16.15.—A. Yes, sir.
Q. And billed to James M. Baker?—A. Yes, sir.
Q. (Showing witness book.) On the contract ledger book I show you an entry under Bob's account on the same date, 6,000 bales of July cotton at 16.15?—A. Yes, sir.
Q. Now, Mr. Sully, that cotton which was billed to James M. Baker was Baker cotton, was it not?—A. Yes, sir.
Q. Well, then, if that is so, why do we find it entered on Bob's account, upon a page which, even by casual inspection, shows that some name has been erased out? You can even see the sweep of the lower part of the letter "J," and "Bob's A/C" written in.—A. I have absolutely no idea, and I never saw it until you called my attention to it in the presence of the committee.

By the REFEREE:

Q. And since that day have you made any investigation to ascertain what might be the cause?—A. I have not.

By Mr. BALDWIN:

Q. Now, Mr. Sully, it appears that this account——

By the REFEREE:

Q. Do you think that you could make an investigation that may disclose to you the situation, so that you might tell these creditors?—A. Yes, sir.
The REFEREE. Then I suggest that it be done, if it can be done.
Mr. HARDING. It certainly will.

By Mr. BALDWIN:

Q. This account, taking the entries as they appear under Bob's account, show that these 10,000 bales were open—they were open contracts to the extent of 10,000 bales bought?—A. Yes, sir.
Q. And then closed at the average price of either Friday's or Saturday's prices?—A. I think so.
Q. Then, that account owes the firm of Sully & Co. quite a lot of money?—A. Yes, sir.

By the REFEREE:

Q. At either average?—A. Yes, sir.

By Mr. BALDWIN:

Q. Do you know whose handwriting that Bob's account is?—A. No, sir; I do not.
Q. And you don't know when it was made there?—A. No.
Q. And you don't know anything about Baker's account?—A. I do not.
Q. Now, I show you——A. I want to restrict my last answer. You asked me about Baker's account. I simply used to know the orders that came to me.
Q. Well, did you give any orders to have any purchases of cotton for Baker entered upon the books of D. J. Sully & Co. as Bob's account?—A. No, sir; I did not.
Q. You know that this cotton was bought for Baker, don't you?—A. Yes, sir.
Q. And ought to have been entered upon the books against the account of Baker—James M. Baker?—A. Yes.
Q. And as far as you know there is no reason for the change?—A. No, sir.

By the REFEREE:

Q. Did I understand you to say that you don't know who James M. Baker is?—A. I know the name, but I don't know the man.
Q. You receive orders in the name of James M. Baker?—A. Yes, sir.
Q. But you did not inquire as to who it was?—A. Why, I knew, incidentally, who it was.
Q. Who was it?—A. I knew James M. Baker; I knew the man's name.
Q. Do you know where he lived?—A. Washington, D. C.; and this is right on the books.
Q. But you did not know what his business was or what his financial responsibility was?—A. No, sir.
Q. You did not know anything about him except that his name was James M. Baker and that he lived at Washington, D. C.?—A. Washington, D. C.

By Mr. BALDWIN:

Q. Do you know how he happened to become a customer of D. J. Sully & Co.?—A. I believe he is a friend of Mr. Morse.
Q. (Handing witness book.) Do you recognize this index that I show you? I mean to say, do you recognize the book?—A. Yes, sir.
Q. It is an index to the contract ledger book, isn't it?—A. I should judge so; I don't know, Mr. Baldwin.
Q. You will notice that under "B" there appears to be Bob's account, 160?—A. Yes, sir.
Q. Do you see?—A. Yes, sir.
Q. It looks as if it had been erased, doesn't it?—A. Yes.
Q. And what was put there after—the capital letter "B" was erased and B-o-b A/c added?—A. Yes, sir.
Q. In place there? You don't know anything about that?—A. No, sir; I do not.

By the REFEREE:

Q. You see, Mr. Sully, do you not, that apparently the name which was erased was very much longer than "Bob's A/c"?—A. Yes.
Q. You see it seems to have been quite as long as the brown line——A. Yes, sir.
Mr. BALDWIN. I offer that in evidence. Marked by consent "Trustee's Ex. 1, Oct. 19/04. G. H. H."

By Mr. BALDWIN:

Q. You say that the first time you ever knew or heard of this was when I called your attention to it at some meeting of the creditor's?—A. Yes.
Q. A committee of creditors?—A. Yes; some time ago; that was the first time I heard of it.
Q. I think you stated to the referee a moment ago that you had not made any further inquiry about it?—A. I don't think I have, Mr. Baldwin.
Q. When your attention was called to it didn't it impress you as a rather personal transaction?—A. It did.
Q. And that being an account there that, with the contracts open, indicated a debtor balance over $100,000, didn't suggest to you the necessity of inquiring who Baker was?—A. I knew who Baker was, Mr. Baldwin, I thought that as long as it had nothing to do with any instructions I gave that until it was absolutely required of me to find out the best thing for me was not to inquire.
Q. That is to say, that account stands in the name of an individual, or a fictitious individual, as the case may be, for a large sum of money, in which your creditors would have a very strong interest, and you didn't think that under the circumstances it called upon you to inquire any further?—A. Not that way, Mr. Baldwin. Whenever my creditors as a creditors' committee—when I was before them, at all times—asked questions I gave them all the information, absolutely, that it was in my power to give them, and am still willing to do so; but I did think that under the circumstances that as long as it was in the condition is was in that the best thing for me to do was not to make any more inquiries than were necessary.
The REFEREE. Perhaps, lest there should be a misunderstanding, it may be proper for me to state, Mr. Sully, that the law is that you should do everything reasonable and proper in your power to recover and to aid in the recovery of any assets of Daniel J. Sully & Co. or of yourself individually for the benefit of these creditors.
Mr. SULLY. I realize that, Mr. Referee, and I have been trying so hard to get a settlement of some kind for the best interests of the creditors that perhaps my mind was taken on that too much rather than to find out other things that were going on.

OCTOBER 19, 1904.

[Morse—Direct.]

By Mr. BALDWIN:

Q. Mr. Morse, have you heard the testimony of Mr. Sully to-day?—A. Yes, sir.
Q. Now, what do you know about James M. Baker?—A. I know Mr. Baker personally very well, indeed.
Q. He resides in Washington?—A. Yes, sir.
Q. What is his business?—A. He is assistant librarian, I believe, of the United States Senate.
Q. Was it through you that he became a customer of D. J. Sully & Co.?—A. Yes, sir.
Q. What do you know about the change in the entries, upon these various books of Daniel J. Sully & Co., of the accounts standing in his name?—A. On that particular account, when Mr. Sully's suspension occurred, Mr. Hadley, who had charge of the cottons—I explained to Mr. Hadley that there was a loss on it—a house loss—and while I did not know of the change at that time or what account it was in, I presume Mr. Hadley could explain. I can only infer——

By the REFEREE:

Q. One moment. Mr. Hadley is not here. If you are going to give any inference what he was going to do——A. I simply told Mr. Hadley that the loss was a house loss.

By Mr. BALDWIN:

Q. If he was a customer of D. J. Sully & Co., how would the loss be a house loss?—A. Mr. Baker desired to purchase some cotton. He was a friend of mine, and I rather encouraged him in it, and feeling, too, that he might prove useful in Washington to us in a good many different ways. When he made this suggestion he agreed to put up the first margin. If you will go back to the first transaction, you will find the first purchase was in the neighborhood of 3,000 or 4,000 bales. He was to put up the first margin and the house was to be responsible for any loss thereon. That first margin was placed in accordance with that, and, I believe, a profit originated out of the first transaction; and later on he came back into the market, as I believe, applying part of his profits from the first transaction in the purchase of 6,000 bales of cotton, and later on 4,000 bales of cotton. I was handling the transaction as commissary. I ordered the cotton sold. I have forgotten just what period it was. However, there was a profit in it, and the sale was not made. A few days after that the house of Daniel J. Sully & Co. suspended.

Q. Then, this 6,000 and 4,000 bales of cotton are the transactions that took place on the 7th and 14th of March?—A. I really don't know, Mr. Baldwin. I couldn't explain how the cotton was purchased. I merely know that the order was 6,000 and 4,000 bales or 4,000 and 6,000 bales; the total, I recall, was 10,000 bales.

Q. That is right. And they stood open then? —A. Yes, sir; they were open the day of the suspension.

The REFEREE. Lest you may have misunderstood me, it is proper for you to state whatever you know Mr. Hadley did, but you need not state what you infer or might infer what he did. If you know that he did anything, you can state that.

Q. Now, you say that this cotton purchased on the 7th and 14th could have been sold at a profit?—A. Yes, sir.

Q. Now, at what date between the 7th and 14th could it have been sold?—A. I don't recall the situation. It was in the neighborhood of 16 cents, and something like 4,000 or 5,000 bales—16.60 or 16.62. I thought at one time it would yield a profit. That is my recollection, Mr. Baldwin.

Q. Well, wasn't that all before the 14th of March? Has there been any time since the 14th of March and up to or including the failure of Sully & Co. in which a profit could have been realized on the 4,000 bales?—A. Not on the four.

Q. So that when you said a moment ago 4,000 or 5,000 you mean the 6,000 and not the 4,000?—A. Yes, sir. I thought if the transaction would have been closed out it would have yielded a profit, and I ordered the cotton sold.

Q. To whom did you give the order?—A. To Mr. Brophy.

Q. You said nothing to Sully about it?—A. Mr. Brophy said something about it, I believe.

Q. Well, in your presence?—A. No; on the floor; wherever he was; Mr. Brophy came back to me——

Q. I don't care about that. Did Mr. Sully state to you that he received any instructions from Brophy about it?—A. Not that I recall.

Q. What did Brophy say to you about examining the order of sale?—A. Mr. Brophy said that he had presented it to Mr. Sully and Mr. Sully had instructed him not to sell it; that he would take care of it.

Q. Now, when was it that you had this conversation with Hadley?—A. I think it was possibly a day or so within the suspension—when the house was in difficulties.

Q. Had you looked at the contract ledger book up to that time?—A. No, sir.

Q. Did you know that there had been any change in the entry of James M. Baker's account?—A. No, sir.

Q. When did you first learn of it?—A. I think at a meeting of the creditors Mr. Hadley told me that that account was in the name of Bobs, or Roberts.

By the REFEREE.

Q. And that the accounts now in the name of Bobs were the accounts of James M. Baker?—A. Yes.

By Mr. BALDWIN:

Q. Did you give any instructions to any person to change the entry on that contract ledger book from Baker to Bobs?—A. No, sir; nothing except that Mr. Hadley said that account was a house account.

Q. You mean to say by house account——A. If there was a loss the house would assume it.

Q. Had you had a talk with Sully about such a contract between him and Baker?—A. Yes, sir.

Q. When was that?—A. Some time before the failure.

Q. You told him that whatever losses there were upon that account should be the loss of the house?—A. Yes, sir.

Q. Why should the house assume the loss of any customer?—A. Because I thought Baker would prove useful to us.

Q. How?—A. Mr. Sully, for instance, at that time had under consideration the matter of introduction of, or of fostering an introduction in, legislative lines in regard to the inspection of seeds, cotton seeds, and matters of that description. I had known Mr. Baker to be thoroughly familiar with those things——

By the REFEREE:

Q. You mean to say that he knew about seeds and cotton seeds?—A. No; about legislation; the methods of securing legislation.

By Mr. BALDWIN:

Q. In other words, you expected to use him for the lobby?—A. Yes, sir.

Q. What is his position?—A. Assistant librarian.

Q. Had you made any agreement with Mr. Baker that he should so act for D. J. Sully & Co. in matters of this kind, provided he should be exempted from any loss?—A. No; I knew we could command him.

Q. That is to say, if you made any request of him, he would do that request?—A. Any reasonable request; anything that was fair and reasonable.

Q. But you never suggested to him in any way that if there should be any loss that D. J. Sully & Co. should stand it and he should not?—A. Well——

Q. I ask you now did you make any such suggestion to him?—A. Yes, sir.

Q. You stated that to him, did you?—A. Yes.

Q. Then why did you take his margin?—A. Because he was willing to put up the margin, and I didn't expect the market to go below that.

Q. Then he had his margin there and profits on the first deal?—A. Yes, sir.

Q. Then the profits and margin on the first deal were credited to him on the books of D. J. Sully & Co. for the purpose of making the second deal?—A. Part of them, I believe.

Q. Then what did you take with it?—A. He was caught in February's slump; at least, I didn't expect it, and he lost quite a large proportion of his profits in that decline.

Q. Why didn't D. J. Sully & Co. assume that loss if they expected to use him for the consideration of that assumption?—A. For the reason that I explained.

Q. I don't think you explained it at all. It was proposed to have D. J. Sully & Co. assume any losses that were made by James M. Baker after the first transaction. The reason for that firm assuming his loss was that you would use him in some way in Washington. Then why was it that this loss, which occurred in February's slump, was not assumed by Daniel J. Sully & Co.?—A. Because he had a profit on the book at that time.

Q. You appreciate, don't you, Mr. Morse, that as far as the creditors of D. J. Sully & Co. are concerned, they are not bound by any agreement which you made with Baker that you would exempt him from loss, provided he was a customer of D. J. Sully & Co.? You appreciate that?

Mr. KING. That is a question of law. You don't expect the witness to decide that?

The REFEREE. I think that is argumentative and open to objection.

Mr. BALDWIN. Your honor rules that I can't ask that question?

The REFEREE. Yes.

Mr. BALDWIN. Give me an exception.

The REFEREE. The creditors and the trustee have very great latitude in inquiring as to facts, but this, it seems to me, is an inquiry not as to the fact but a question as to the opinion of this witness.

Q. Mr. Morse, was it for any purpose of concealing from the creditors of D. J. Sully & Co. the liability, if such obtains in this account, that any change was made on this account?—A. No, sir.

Q. The account appears to be open to the extent or was open to the extent of 10,000 bales on the day of the failure. That you knew, I suppose?—A. Yes, sir.

Q. So that the account of James M. Baker is a debtor account on Friday's or Saturday's average to quite a large amount?—A. Yes, sir.

Q. Did you report to Mr. Baker that the firm of D. J. Sully & Co. had or would assume any loss on those latter purchases?—A. Prior to that time under the original——

Q. I mean at or subsequent to March 7?—A. No; I think not.

Q. The bills were sent to him, were they not, right along?—A. Presumably so; I do not know anything about that, Mr. Baldwin.

Q. Did you have anything to do with sending out the statements to customers?—A. No, sir.

Q. Did you give any instructions about them?—A. No, sir.

Q. Did you make any inquiry at all about whether they had been sent out or not?—A. No, sir.

Q. Well, up to the time of the failure did you know what the status of the Baker account was?—A. No; I did not until afterwards. I really do not know what it is to-day, excepting that there is a loss according to the book account.

Q. A very slight fluctuation in the market, say even a point or two points, upon 10,000 bales would mean quite a little loss?—A. I should say so.

Q. And this arrangement that you claim you had with Mr. Baker and the very nature of the transaction, we will say the exception, may entail considerable loss on D. J. Scully & Co.?—A. I should think so, although I did not anticipate it.

Q. You knew when you purchased 10,000 bales of cotton for his account there was quite a large liability?—A. There was a possible liability in purchasing it.

NOVEMBER 2, 1904.

[Hadley—direct.]

By Mr. BALDWIN:

Q. Are you familiar with the account that stands under the name in the contract ledger book, the account called "Bob" account?—A. I know of the account; yes, sir.

Q. If you will look at page 160, at the top of the page, you will see that there has been an erasure.—A. I know there has been an erasure.

Q. You know that?—A. Yes, sir.

Q. I would like to have you explain how "Bob" was substituted for the name, evidently, of James M. Baker.—A. Yes.

Q. And it was substituted for Baker, was it not?—A. Yes, sir.

Q. State how that occurred.—A. That was done at my orders, in this way, Mr. Baldwin: There was, as I knew, a customer of Mr. Morse's in Washington, whose name I did not know, and I knew that he was operating for him at 20 points margin. After the failure Mr. Morse—and we all supposing it was a matter of only a short time, the matter under consideration—told me that anything coming in should not go in Baker's name, and asked me if I wouldn't do what I could without having Baker's name mentioned, which I did by ordering the account changed in that manner. At that time, as I say, it was only for a short time that I thought the name would be hidden, and later on your auditor asked me in reference to it. I told him that account of Bob and Baker were one and the same.

Q. Now, when was it that Mr. Morse asked you to make that change?—A. Either Friday night or Saturday morning. The night of the suspension or the day after.

Q. Was it after or before the assignment had been made to Hoadley?—A. Before.

Q. Before the assignment had been made?—A. Yes, sir.

Q. But after the firm of D. J. Sully & Co. had announced their suspension to the cotton exchange?—A. Yes, sir.

Q. Now up to that time you did not know anything about the account of Baker, excepting that it was on the books?—A. That is all.

Q. And did you know who Baker was?—A. I did not.

Q. Had you had any talk with Mr. Morse about it?—A. I did not.

Q. Did Mr. Morse ever inform you at any time that he did not want that account of Baker's to be margined; that is, he did not want Baker to be called upon for margins other than his first one?—A. I understood that was the arrangement with him. I only understood that he was simply a friend of his in Washington.

Q. He did not disclose his name?—A. No; he simply spoke of him as his Washington friend.

Q. He did not disclose his name before the failure?—A. Not before the failure.

Q. I am speaking of the time he made the request.—A. At the time he made the request he said he would like Mr. Baker's name not to become public.

Q. At any time after the account of James M. Baker was opened upon the books of D. J. Sully & Co. did Mr. Morse ever say to you that he did not want the Baker account to be called upon for margins except the first margin?—A. No, sir; he never said anything to me about that. It was in his own hands.

Q. Did he ever tell you that he desired the Bob account to be a house account?—A. He told me it is his Washington friend's account—after the margins were wiped out.

Q. How long?—A. It may have been a week; it may have been three or four weeks.

Q. Who was the party you told, or the employee, to erase the "James M. Baker"?—A. I should say I think it was a boy we called George Wendle.

Q. When Mr. Morse told you about this—that is, making this change—it was before the assignment to Hoadley?—A. Yes, sir.

Q. It must have been, then, sometime on Saturday?—A. Yes.

Q. In the morning or in the afternoon?—A. Early Saturday morning.

Q. You knew at that time, didn't you, Mr. Hadley, that it was being contemplated that an assignment should be made?—A. Only in a general way, by general talk.

Q. Between the partners?—A. Yes; between the partners, in a general way.

Q. And notwithstanding that, you, knowing that that was contemplated, you still made that change?—A. I did. I did not know, though, that the contemplation of that step was an act to put us in bankruptcy.

Q. You mean you did not know the object of the making of the assignment?—A. That is it.

Q. Now, it seems that this account was carried into the ledger.—A. I don't think I ever seen it in the ledger. I think that it was done by my orders; I presume it was done in them all.

Q. Do you know when that entry was made [indicating]?—A. No, sir; I do not.

Q. You didn't follow that up?—A. I did not follow the details through. I gave the order and presume that it was carried out.

NOVEMBER 3, 1904.

[Hadley—Continued.]

By Mr. HARDING:

Q. In the minutes of yesterday—this is in the nature of a correction of the minutes—on page 565 [reading]: "After the failure, Mr. Morse—and we all supposing it was a matter of only a short time, the matter under consideration—told me that anything coming in should not go in Baker's name." Did you say that?—A. No, sir; I said, "Anyone coming in should not see Baker's name."

Q. That is what Mr. Morse told you?—A. Yes, sir.

Q And was that the first time that Mr. Morse mentioned Baker's name to you?—A. He did not mention the name; he said his Washington friend.

Q. When did he tell you that; after Baker's margin was exhausted, or that Washington friend's margin was exhausted, it should be a house account?—A. A few days before March 18.

Q. Some days before?—A. Yes, sir.

Q. And you did not know up to March 18 who Baker was?—A. No, sir.

Q. And you did not know there was such an account on the books, except as his Washington friend's?—A. That is all.

Q. And what was your idea for changing the name Baker, or having changed the name Baker to Bobs?—A. I suppose it was simply to keep that name from any party who might momentarily come in there. As I say, I did not expect this thing to last only a few days.

Q. You had no idea of concealing Mr. Baker?—A. No.

Q. (Reading.) "And later on your auditor asked me in reference to it." Whom did you mean?—A. Mr. Cuthbert.

Q Who was the accountant of Mr. Miller?—A. Yes, sir.

Q. And you told him that Baker and Bobs were one and the same?—A. I did, yes.

By Mr. BALDWIN:

Q. How did you happen to choose the name Bobs?—A. A mere happening of the mind at the moment.

Q. A coincidence?—A. A coincidence; yes, sir.

By Mr. KING:

Q. Did Mr. Morse give you any instructions to make the erasures in the books?—A. In intent, but not in so many words.

Q. Did he say anything about erasing anything in the books and putting in Bobs?—A. Not in so many words.

Q. What did he say?—A. The general impression——

Q. No. What did he say to you?—A. Mr. Morse's remarks to me were that he wished to have Mr. Baker's name kept from the public, and wished me to do all I could to see that that was so done.

Q. Did he mention the fact that you were to make any erasures? Do you recall those words?—A. I don't think those words transpired.

Q. In the division of the labor of the firm of D. J. Sully & Co. what department fell to your lot?—A. Oversight and the matter of details.

Q. In the bookkeeping department?—A. Yes, sir.

Q. And what to Mr. Morse?—A. Looking out for the literary departments.

Q. Now, did he have anything to do with those books directly?—A. To what extent, Mr. King?

Q. In any way did he examine the books in keeping track of things?—A. No.

Q. He looked in the books?—A. He did; yes, sir.

Q. When, do you know?—A. Why, at numerous times I have seen him look at the books.

Q. Do you know of his looking at the books after you made the erasure?—A. I do not.

Q. Did you tell him that you had erased the name of Baker and substituted the name of Bobs?—A. I don't know that I said those words; no, sir.

By the REFEREE:

Q. Did you say anything to the same effect?—A. I think I told him that I changed it so Baker's name was no longer in evidence; words to that effect.

Q. Do you mean to say you told him words to the effect that you had erased Baker and put in some other name?—A. Words to that effect; yes, sir.

Q. Did I understand you to say that Mr. Morse's instructions to you were to change matters on the books and that Baker's name should not appear to the public?—A. To any party that might momentarily come in there.

Q. You said "the public." You did not mean that? The public did not have access to the books of D. J. Sully & Co.?—A. No, sir.

Q. You mean customers?—A. Yes, sir.

By Mr. BALDWIN:

Q. Or a possible assignee?—A. No; we did not consider a possible assignee at the time.

By the REFEREE:

Q. You did not mean the public in the ordinary sense when you mentioned the public?—A. No, sir.

By Mr. BALDWIN:

Q. Did Mr. Morse in any way suggest to you in what manner and by what means Mr. Baker's name was to be kept from any person who might momentarily have access to the books?—A. No, sir. His remarks led me to the conclusion that that was the way to keep it.

Mr. BALDWIN. That is the extent of the examination of Mr. Hadley.

The REFEREE. Do you want to examine anyone else?

Mr. BALDWIN. No

Mr. Speaker, I wish to read in the hearing of the House just a few excerpts from the testimony, the insertion of which in the RECORD has been granted. I do this to acquaint Members with the type of man with whom, on account of his official position, they at times must be brought in contact.

A Mr. Morse, of the firm of Sully & Co., cotton brokers, was under examination. Mr. Baldwin asked him:

Q. If he [Baker] was a customer of D. J. Sully & Co., how would the loss be a house loss?—A. Mr. Baker desired to purchase some cotton; he was a friend of mine and rather encouraged him in it, and feeling, too, that he might prove useful in Washington to us in a good many ways.

Note the language—

He might prove useful in Washington to us in a good many ways.

Baker was an assistant librarian of the Senate. He looked up documents, books, and so forth, for the Senators. He had to keep in close touch with the introduction of bills and reports to committees and the progress of legislation. Necessarily he became the confidant of many Senators and was in position to know in advance what was likely to happen. Therefore it was that Mr. Morse, of the firm of D. J. Sully & Co., had a feeling that "he might prove useful in Washington to us in many ways."

Again I desire to direct your attention to the testimony. Mr. Morse is still under examination:

By Mr. BALDWIN:

Q. Did you give any instructions to any person to change the entry on that contract ledger book from Baker to Bobs?—A. No, sir; nothing except that Mr. Hadley said that account was a house account.

Q. You mean to say by house account——A. If there was a loss the house would assume it.

Q. Had you had a talk with Sully about such a contract between him and Baker?—A. Yes, sir.

Q. When was that?—A. Some time before the failure.

Q. You told him that whatever losses there were upon that account should be the loss of the house?—A. Yes, sir.

Q. Why should the house assume the loss of any customer?—A. Because I thought Baker would prove useful to us.

Q. How?—A. Mr. Sully, for instance, at that time had under consideration the matter of introduction of or of fostering an introduction in legislative lines in regard to the inspection of seeds, cotton seeds, and matters of that description. I had known Mr. Baker to be thoroughly familiar with those things——

Q. You mean to say that he knew about seeds and cotton seeds?—A. No; about legislation—the methods of securing legislation.

By Mr. BALDWIN:

Q. In other words, you expected to use him for the lobby?—A. Yes, sir.

Q. What is his position?—A. Assistant librarian.

Q. Had you made any agreement with Mr. Baker that he should so act for D. J. Sully & Co. in matters of this kind, provided he should be exempted from any loss?—A. No; I knew we could command him.

Q. That is to say, if you made any request of him he would do that request?—A. Any reasonable request; anything that was fair and reasonable.

Q. But you never suggested to him in any way that if there should be any loss that D. J. Sully & Co. should stand it and he should not?—A. Well——

Q. I ask you now, did you make any such suggestion to him?—A. Yes, sir.

Q. You stated that to him, did you?—A. Yes.

I want you to note this question and answer:

Q. In other words, you expected to use him for the lobby?—A. Yes, sir.

Here it is as plain as the English language can make it that this Mr. Baker, upon the confession of part of the lobby, was the mere tool of the lobby.

Again, note the statement of Mr. Morse:

I knew we could command him.

In other words, Mr. Morse, under oath, states that the firm of D. J. Sully & Co., through him, owned the soul and body of James M. Baker. This is the kind of man who is attempting to assassinate my character and standing with the people amongst whom I was born and with whom I have lived all my life.

Another line of this testimony that I have put into the RECORD touching the conduct of James M. Baker, at the time holding a confidential Government position, the keeper, in some respects, of the sacred archives of the Senate of the United States, the confidential and trusted friend of many Senators, is an unqualified exposure of the corrupt conduct of this individual. The mere reading of it brings a blush of shame and humiliation to the cheeks of honest and incorruptible men, and my only reason for bringing this dirty record to the attention of the House is that honorable men here and elsewhere may be advised of the real character of this man, who is permitted to walk the earth in the robes of respectability.

Thus, it is proven that this man, while holding a responsible and confidential Government position, was willing to sell any information that he might get hold of, and that the gambling cotton firm, operating against the interests of both the cotton producers and the cotton consumers, had bought him for an agreed price.

This man Baker and his tool and side partner, Patten, have been lying on me and misrepresenting me in every way possible for the past several years. I have not the time to take up all their false statements, but will mention just one. They have industriously circulated the report that I was denied the chairmanship of a committee of the House, while the truth is that I voluntarily relinquished a chairmanship in favor of another Member, as is shown by the following letter signed by all the Democratic members of the Ways and Means Committee of the Sixty-second Congress, which had the naming of all the other committees in that Congress:

HOUSE OF REPRESENTATIVES,
Washington, April 24, 1913.

Hon. WYATT AIKEN,
House of Representatives.

DEAR SIR: In response to your inquiry, we, the members of the Committee on Ways and Means of the Sixty-second Congress, take pleasure in stating that in the selection of the committee chairmen at the beginning of the Sixty-second Congress you would have been chosen as the chairman of the Committee of the District of Columbia if we had not received your declination. There can be no question about this, as you were the ranking member of that committee and no other name was considered until your declination had been received.

Yours, very truly,

O. W. UNDERWOOD.	ANDREW J. PETERS.
HENRY T. RAINEY.	FRANCIS BURTON HARRISON.
CORDELL HULL.	W. S. HAMMOND.
A. MITCHELL PALMER.	D. W. SHACKLEFORD.
CLAUDE KITCHEN.	OLLIE M. JAMES.
LINCOLN DIXON.	WM. HUGHES.

For some time past Baker seems to have had free access to all the papers in the Post Office Department relating to matters in my district, and he has repeatedly circulated false statements as to my actions in post-office contests, rural-mail routes, and so forth. On more than one occasion I have gone to the department to look over the records in certain cases and have found that some of the papers in a case, part of the official record, were missing, and I have been seriously handicapped in the discharge of my official duties to my constituents. Now, one of two things is true: Baker or his agents have been stealing those papers, or the department has been granting him privileges not granted to a Member of Congress, and which should not be granted to anybody, that of taking important papers, parts of official records in important cases, from the department. And let me say, frankly, that I do not believe the department has been granting him any such privilege.

My record as a Member of Congress is open to the public, and I am more than willing to be judged by it; but I have a right to demand that the record be stated correctly. I am tired of being misrepresented and lied on, especially by men who, if they had their deserts, would to-day be wearing convict garb. It has been very distasteful to make this statement, but I have been forced to do so in justice to myself, and I believe that in making it I have rendered a service to the other Members of the House and to the Members of the other legislative body in this building, in exposing the character of these men who have been waging such a campaign of falsehood and calumny against me. If they will lie about me, they will lie about others who may incur their ill will. A crook always hates an honest man who knows him to be a crook, and this is the real and sole reason for the fight these crooks have been making on me. [Applause.]

EXTENSION OF REMARKS.

Mr. BORLAND. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the live-stock industry.

The SPEAKER. Is there objection?

There was no objection.

Mr. BENNET. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a speech delivered by my colleague, Mr. SIEGEL, on Flag Day in New York City.

The SPEAKER. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 16 minutes p. m.), in accordance with the order heretofore made, the House adjourned until Friday, July 21, 1916, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. SINNOTT, from the Committee on the Public Lands, to which was referred the bill (H. R. 16532) authorizing an adjustment of the boundaries of the Whitman National Forest, in the State of Oregon, and for other purposes, reported the same with amendment, accompanied by a report (No. 984), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HAYDEN, from the Committee on Indian Affairs, to which was referred the bill (S. 2500) authorizing an adjustment of the rights of settlers on a part of the Navajo Indian Reservation in the State of Arizona, reported the same with amendment, accompanied by a report (No. 985), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CLARK of Florida, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 6904) authorizing the donation of the United States jail at Guthrie, Okla., to Logan County, reported the same with amendment, accompanied by a report (No. 986), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill (H. R. 16630) authorizing and directing the Secretary of the Treasury to extend the time of payment of the amount due the Government by the city of Augusta, Ga., reported the same without amendment, accompanied by a report (No. 987), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. JOHNSON of Kentucky, from the Committee on the District of Columbia, to which was referred the bill (H. R. 16700) to amend an act relating to the Public Utilities Commission of the District of Columbia, approved March 4, 1913, reported the same without amendment, accompanied by a report (No. 988), which said bill and report were referred to the House Calendar.

Mr. DEWALT, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 16764) to authorize the commissioners of Northumberland and Union Counties, in Pennsylvania, their successors in office, to construct a bridge across the West Branch of the Susquehanna River from the borough of Watsontown, Northumberland County, Pa., to White Deer Township, Union County, Pa., reported the same without amendment, accompanied by a report (No. 989), which said bill and report were referred to the House Calendar.

Mr. ADAMSON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 16875) granting the consent of Congress to Crisp County, Ga., to construct a bridge across Flint River, Ga., between Crisp and Sumter Counties, reported the same without amendment, accompanied by a report (No. 990), which said bill and report were referred to the House Calendar.

Mr. REAVIS, from the Committee on Coinage, Weights, and Measures, reported the bill (H. R. 17058) to fix standards for Climax baskets for grapes and other fruits and vegetables, and to fix standards for baskets and other containers for small fruits, berries, and vegetables, and for other purposes (H. Rept. 991), which said bill and report were referred to the House Calendar.

Mr. STEPHENS of Texas, from the Committee on Indian Affairs, to which was referred the bill (H. R. 14731) to amend an act entitled "An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1914," approved June 30, 1913, reported the same with amendment, accompanied by a report (No. 993), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. VENABLE, from the Committee on Indian Affairs, to which was referred the bill (H. R. 11161) providing for the taxation of the lands of the Winnebago Indians and the Omaha Indians in the State of Nebraska, reported the same with amendment, accompanied by a report (No. 994), which said bill and report were referred to the Committee of the Whole House of the state of the Union.

Mr. HAYDEN, from the Committee on Indian Affairs, to which was referred the bill (H. R. 13165) authorizing the Flandreau Band of Sioux Indians to submit claims to the Court of Claims, reported the same without amendment, accompanied by a report (No. 995), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. DILL, from the Committee on Indian Affairs, to which was referred the bill (H. R. 15575) to amend the act of March 22, 1906, entitled "An act to authorize the sale and disposition of surplus or unallotted lands of the diminished Colville Indian Reservation, in the State of Washington, and for other purposes," reported the same with amendment, accompanied by a report (No. 996), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. JOHNSON of Kentucky, from the Committee on the District of Columbia, to which was referred the bill (H. R. 11288) for the relief of S. S. Yoder, reported the same with amendment, accompanied by a report (No. 992), which said bill and report were referred to the Private Calendar.

Mr. CARTER of Oklahoma, from the Committee on Indian Affairs, to which was referred the bill (H. R. 10007) for the relief of William H. Woods, reported the same without amendment, accompanied by a report (No. 997), which said bill and report were referred to the the Private Calendar.

Mr. SHALLENBERGER, from the Committee on Military Affairs, to which was referred the bill (S. 1781) for the relief of Nathaniel Monroe, reported the same without amendment, accompanied by a report (No. 998), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 15718) for the relief of Thomas Baker, reported the same without amendment, accompanied by a report (No. 999), which said bill and report were referred to the Private Calendar.

Mr. CARTER of Oklahoma, from the Committee on Indian Affairs, to which was referred the bill (H. R. 14679) for the relief of Jacob B. Moore, reported the same with amendment, accompanied by a report (No. 1000), which said bill and report were referred to the Private Calendar.

Mr. SMITH of Idaho, from the Committee on the Public Lands, to which was referred the bill (H. R. 15725) to confirm the entry of John Dowd, reported the same with amendment, accompanied by a report (No. 1001), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills and resolutions were introduced and severally referred as follows:

By Mr. FITZGERALD [from the Committee on Appropriations]: A bill (H. R. 17053) making additional appropriations for the Public Health Service for the fiscal year 1917; to the Committee of the Whole House on the state of the Union.

By Mr. LEWIS: A bill (H. R. 17054) to provide for the enlargement of the public building at Cumberland, Md.; to the Committee on Appropriations.

By Mr. SINNOTT: A bill (H. R. 17055) providing when patents shall issue to the purchaser or heirs on certain lands in the State of Oregon; to the Committee on the Public Lands.

By Mr. KAHN: A bill (H. R. 17056) to establish an aerial coast-patrol system and for the education and training as aviators of the aviation section of the Naval Militia of the several States; to the Committee on Naval Affairs.

By Mr. BRUMBAUGH: A bill (H. R. 17057) to amend paragraph 1 of section 406 of the Postal Laws and Regulations; to the Committee on the Post Office and Post Roads.

By Mr. REAVIS [from the Committee on Coinage, Weights, and Measures]: A bill (H. R. 17058) to fix standards for Climax baskets for grapes and other fruits and vegetables, and to fix standards for baskets and other containers for small fruits, berries, and vegetables, and for other purposes; to the House Calendar.

By Mr. MANN: Resolution (H. Res. 310) for the appointment of a select committee to inquire into the increased price of print paper, and for other purposes; to the Committee on Rules.

By Mr. JAMES: Resolution (H. Res. 311) directing the Secretary of State to negotiate a treaty with the Austria-Hungary Government defining the status of former Austria-Hungary subjects who have become American citizens; to the Committee on Foreign Affairs.

By Mr. JAMES: Resolution (H. Res. 312) directing the Secretary of State to negotiate a treaty with the Imperial Government of Germany defining the status of former German subjects who have become American citizens; to the Committee on Foreign Affairs.

By Mr. DAVIS of Minnesota: Joint resolution (H. J. Res. 269) directing the Secretary of the Treasury to acquire by purchase the estate known as Monticello, in the State of Virginia, including the former home of Thomas Jefferson and lands surrounding the same, being about 700 acres, said property being located in Albemarle County, Va.; to the Committee on Public Buildings and Grounds.

By Mr. KITCHIN: Joint resolution (H. J. Res. 270) to empower the Treasury Department to import free of duty dry coloring matter for the use of the Bureau of Engraving and Printing; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills were introduced and severally referred as follows:

By Mr. CARTER of Massachusetts: A bill (H. R. 17059) for the relief of Austin Foster Hitchcock; to the Committee on Invalid Pensions.

By Mr. DAVENPORT: A bill (H. R. 17060) granting an increase of pension to Edward Byrd; to the Committee on Invalid Pensions.

By Mr. DRISCOLL: A bill (H. R. 17061) granting a pension to John Tade; to the Committee on Pensions.

By Mr. DUPRÉ: A bill (H. R. 17062) granting an increase of pension to Amanda Foster; to the Committee on Pensions.

By Mr. KIESS of Pennsylvania: A bill (H. R. 17063) granting a pension to John Yoder; to the Committee on Invalid Pensions.

By Mr. LLOYD: A bill (H. R. 17064) granting an increase of pension to Minnie E. Pinkerton; to the Committee on Invalid Pensions.

By Mr. McGILLICUDDY: A bill (H. R. 17065) to remove the charge of desertion from the military record of Franklin S. Trufant, alias Frank Trufant; to the Committee on Military Affairs.

By Mr. MOORES of Indiana: A bill (H. R. 17066) granting a pension to Maggie B. Wagner; to the Committee on Invalid Pensions.

By Mr. POWERS: A bill (H. R. 17067) granting an increase of pension to Dudley R. Sloan; to the Committee on Pensions.

By Mr. RUSSELL of Missouri: A bill (H. R. 17068) granting an increase of pension to William T. Dixon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17069) granting an increase of pension to Robert Carter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17070) granting an increase of pension to John W. Abbott; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 17071) granting a pension to William Estes; to the Committee on Pensions.

By Mr. SHERWOOD: A bill (H. R. 17072) granting an increase of pension to Al. A. Reineck; to the Committee on Pensions.

By Mr. SLOAN: A bill (H. R. 17073) to award Otto F. Steen, late a corporal in Company K, Fifteenth Wisconsin Volunteer Infantry, now a resident of Wahoo, Nebr., a special medal of honor for gallantry exhibited on frequent occasions throughout his military career; to the Committee on Military Affairs.

By Mr. SMITH of Michigan: A bill (H. R. 17074) granting a pension to William I. Fowler; to the Committee on Pensions.

By Mr. TAGGART: A bill (H. R. 17075) granting an increase of pension to Gilbert O. Hoffman; to the Committee on Invalid Pensions.

By Mr. TAVENNER: A bill (H. R. 17076) granting a pension to Arcenith Sample; to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Ohio: A bill (H. R. 17077) granting a pension to George H. Wuchter; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of delegates to the International Stereotypers and Electrotypers' Union, favoring woman-suffrage amendment; to the Committee on the Judiciary.

By Mr. DALE of New York: Petitions of Brookline (Mass.) Equal Suffrage Association and delegates to the International Stereotypers and Electrotypers' Union at Indianapolis, Ind., favoring woman-suffrage amendment; to the Committee on the Judiciary.

By Mr. DAVIS of Texas: Memorial of Cuero (Tex.) Commercial Club relative to the designation, construction, and maintenance of a system of national highways; to the Committee on Roads.

Also, petition of Brotherhood of Railroad Trainmen, relative to wage controversy between employees and railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. GOODWIN of Arkansas: Papers to accompany House bill 16267, granting a pension to A. J. Pope; to the Committee on Pensions.

By Mr. HAMLIN: Papers to accompany House bill 16835, to pension Thomas Stephenson; to the Committee on Invalid Pensions.

By Mr. KAHN: Memorial of Nelson A. Miles Camp, No. 10, United Spanish War Veterans, of San Francisco, Cal., favoring Nolan minimum-wage bill; to the Committee on Labor.

Also, petition of citizens of San Francisco, Cal., protesting against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

Also, memorial of San Francisco (Cal.) Chamber of Commerce, favoring construction of a railroad in Alaska to the Bering coal fields; to the Committee on Interstate and Foreign Commerce.

By Mr. MOORES of Indiana: Papers to accompany House bill 17066, for pension for Maggie B. Wagner; to the Committee on Invalid Pensions.

By Mr. SHALLENBERGER: Petition of citizens of Cambridge, Nebr., asking Congress to pass a bill amending the Constitution so that the people may decide whether or not there shall be war; to the Committee on the Judiciary.

By Mr. SLOAN: Petitions of Dr. F. T. Schowengerdt and 53 others, of Cortland; C. Oscar Olson and F. D. Petteys, of Shelby; and Dr. J. H. Downing and 15 others, of Rising City, Nebr., relative to investigation by Interstate Commerce Commission of wage controversy between employees and railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. TEMPLE: Two petitions of citizen of Beaver County, Pa., favoring a Christian amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. WILLIAMS of Ohio: Petitions of sundry citizens of Elyria, Ohio, against bill for Sunday observance in the District of Columbia; to the Committee on the District of Columbia.

SENATE.

WEDNESDAY, *July 19, 1916.*

The Senate met at 10 o'clock a. m.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we pray for the power of spiritual discernment that we may make the correct estimate of things and know the final supremacy of character over the forces of this world. We thank Thee that Thou hast taught us that the pure in heart shall see God; that the meek, the peace lover, the patient, the burden bearer conquers in the end. We pray that we may enter into league with Thee, that our lives may be a willing submission to Thy will, and that we, through the great plan of God, may win the lasting peace and blessing of the people whom we serve. For Christ's sake. Amen.

THE JOURNAL.

On request of Mr. SMOOT, and by unanimous consent, the reading of the Journal of the proceedings of the legislative day of Monday, July 17, 1916, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed a concurrent resolution (No. 49) providing that in the enrollment of the bill (H. R. 10484) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1917, and for other purposes, the Clerk be authorized and directed to strike out the word "chairs," on page 26, line 19, of said bill, and to insert in lieu thereof the word "chains"; and further to strike out, in amendment No. 54, the word "circuit" wherever it precedes "court of appeals," in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. JONES. I am in receipt of a great many letters protesting against the passage of Senate joint resolution 145, introduced by the Senator from Nevada [Mr. NEWLANDS], with reference to arbitration in connection with disputes between railroad employees and the railroads. I have two letters here, one from Mr. W. W. Wolcott, chairman of the general grievance committee, Brotherhood of Railroad Trainmen, of Seattle, and the other from G. O. Barnhart, general chairman Brotherhood of Locomotive Engineers, of Spokane, setting out in detail their objections to this joint resolution. I ask that these two letters may be printed in the RECORD and that this statement may go with reference to other letters which I receive in regard to the matter.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

GENERAL GRIEVANCE COMMITTEE,
BROTHERHOOD OF RAILROAD TRAINMEN,
Seattle, Wash, July 12, 1916.

Senator WESLEY L. JONES,
Washington, D. C.

DEAR SIR: In answer to the presentation of the proposition of an eight-hour day and time and one-half, for freight and yard employees, the national conference committee of managers are most insistent that the organizations involved leave to the Interstate Commerce Commission or to Federal arbitration, under the Newlands Act, the matters in controversy, including a mythical proposition of their own so far-reaching as to break down almost entirely what we have built up in 25 years.

Most of us believe that it was never intended that the commission should handle anything of this sort, and we also believe that this was suggested for effect only, that the public might be led to believe we had the choice of two propositions. Arbitration has been accepted, tried, and found wanting, not once but several times by all of the four organizations involved. Compromises resulted, unsatisfactory to both sides, and delay in settlement seemed to be the only sure thing to look forward to.

These organizations are creditable, sane, reliable, and among the most conservative among labor unions. The strike and other alarming talk and publicity is coming not from the organizations but from the railroad managers, who, when in trouble, try to appear to be much concerned over the public welfare while at any other time the public is looked at through the wrong end of the spy glass.

The men are represented on each system by men in my position, a chairman for each class of enginemen, one for conductors, and one for other train and yardmen. On the lines west of the Missouri River I represent by membership in the brotherhood and otherwise about 1,000 men, about 450 of whom are in this State. Other chairmen of the various roads represent somewhere near the same number. These men are among the highest type of skilled labor, intelligent, highly trained, and efficient. Most of them are men with families and they are counted among the best citizens in the State. Almost to a man they are American citizens, and together with their wives, mothers, and sisters, legally qualified voters, depending upon you for representation in the way of justice.

Almost unanimously these men feel that the matter in question can and should be handled between their representatives and those of the railroads. They know that a great hue and cry has been raised by the national commercial bodies and they know, too, that behind that body is the General Managers' Association. In reality, the national commercial body has been the mouthpiece for the managers, because in every commercial club of any size there is one or more representatives of the railroads whose business it is to further their ends. These bodies have heard the pitiful tales of the railroads but they have not been fair enough, before passing on the matter, to hear labor's side.

Congressional intervention is the much sought-after aid of the railroads at this time. If they can secure it in the way of a compulsory arbitration law or otherwise, it will be very much to their advantage, and incidentally very much to the disadvantage of about 400,000 men and their dependents. As I have intimated, we believe we can secure what other labor already has, if we are allowed to proceed alone, and without seriously discommoding the public, if at all.

As a direct representative of conductors, brakemen, flagmen, and yardmen employed in this State and as a citizen of it I have put these matters before you as concretely as I believed consistent with the seriousness of the case itself, in the hope that you will, as you have done formerly, actually lend your aid to the people of the State, and by that I mean the majority, the men and women who have made the State and maintain it, not to the few individuals who try to control it.

I trust that you will oppose any measures directed toward compulsory arbitration or intervention, and I will appreciate an expression from you as to your views on this matter.

Very truly, yours,

W. W. WOLCOTT, *Chairman.*

—

SPOKANE, WASH., *July 14, 1916.*

Hon. WESLEY L. JONES,
United States Senate, Washington, D. C.

MY DEAR SIR: I am reliably informed that the railroads have already caused to be introduced in the Senate and House of Representatives Senate joint resolution No. 145, which has for its purpose the referring our requests of the railroads for an eight-hour day and time and one-half for overtime to the Interstate Commerce Commission to investigate and report back to Congress, in the meanwhile deferring all action until the commission makes this report. This seems to us an unusual procedure, especially at this time when there has been no threatened interruption of transportation, nor do we know there will be. True, we are taking the vote of train and enginemen at this time, asking them for the privilege of using the power of these organizations if a satisfactory settlement can not be made. The fact that we are taking this vote should not be alarming, because there is only one case in history where this vote was not required before a settlement could be reached, and yet we have had no serious interruption of transportation. We have the same experience with these railroads that the public does; the public has to force laws to control them, and then afterwards keep an army of public servants to compel them to live up to the law. We have to force every word of our contracts, and do just as the public has to do—spend thousands of dollars to make them live up to the contract. We have adopted the simple method of computing time in train and engine service, "eight hours a day and time and one-half for overtime." This is on a speed basis of 12½ miles per hour. The mileage constitutes the day, or the basis of the day, and as long as the average time of the train is equal with 12 miles per hour, or the mileage is greater than the time on this basis, the penalty of time and one-half will not apply; therefore it is possible for the railroads to work their train crews under our propositions up to the full limit of the law—16 hours without paying any overtime. Thus, if a run is 125 miles, overtime would not accrue until the lapse of 10 hours; on a run of 150 miles overtime would not accrue until the lapse of 12 hours. This method of computing time is simple, and we are in hopes that, if we can get it adopted, will be easily understood and less liable to be technically violated in allowance of claim for time by officials.

There is no question but what resolution 145 is the work of the railroads. They are very anxious to have the Interstate Commerce Commission rule upon this matter, because when they have the rate-making body of the country grant our request upon the railroads, they hope later to have the same body approve an increase of freight and passenger rates, and thereby, like the darky's coon trap, catch them coming and going, and for $1 spent in payment for employees gain $2 in freight rates.

In conclusion I wish to call your attention to the inconsistent position of the railroads in calling upon Congress and the public to assist them, because, in 1914, when the engineers and firemen west of Chicago were at the breaking point the mediators proposed arbitration, which the employees accepted; but we had to vote the men, set the day, and even set the hour to leave the service of the railroads to force them to arbitrate, and not until they were called to Washington, and pressure brought to bear by the President, did they consent.

We shall regret exceedingly if resolution 145 should be adopted so early in the game as now. We think it is premature and unnecessary, and an advantage sought by the railroads. We do not even know yet whether the vote of the membership will sustain any further action of the chief executives until it has been counted, and the interruption of transportation is by no means assured. However, the eight-hour day and time and one-half for overtime is something railroad employees

have long contemplated; they feel that the strenuous life of great responsibilities entitle them to it. We feel that the safety of the public is involved in excessive hours. With a penalty on overtime, it will expedite transportation; thus the public and the employees have a dual interest in this movement. We know the railroads will not concede a farthing until they are forced. If the employees are not weakened by restrictions made by Congress, we will have little trouble in gaining what is due them; to hinder them prolongs the trouble. I am therefore addressing you this very lengthy letter, asking you to consider well our side before you cast your vote for any resolution that has for its purpose tieing our hands.

Yours, very truly,

G. O. BARNHART,
General Chairman B. of L. E. O.-W. R. & N. System.

Mr. JONES. I present a telegram in the nature of a memorial from the Clearing House Association of Seattle, Wash., protesting against the special tax upon the banks and upon its reinsertion in the revenue bill, it having been cut out in the other House. I move that the telegram be referred to the Committee on Finance.

The motion was agreed to.

Mr. GRONNA. I ask to have printed in the RECORD telegrams in the nature of memorials from citizens of my State, protesting against the tax on banks in the so-called revenue bill.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

FARGO, N. DAK., *July 8, 1916.*

Hon. A. J. GRONNA,
United States Senate, Washington, D. C.:

Eight hundred North Dakota banks enter vigorous protest against additional tax burdens on banks. Present bankers' special tax is gross discrimination and wholly unwarranted. We urge you to enter strong protest before committee.

NORTH DAKOTA BANKERS' ASSOCIATION.

—

BOTTINEAU, N. DAK., *July 15, 1916*

A. J. GRONNA,
Washington, D. C.:

Please protest against reinstating bankers' special tax in Kitchin revenue bill.

F. W. CATHRO.

—

GRAND FORKS, N. DAK., *July 15, 1916.*

Hon. A. J. GRONNA,
Washington, D. C.:

We are advised effort is made to reinstate in Kitchin revenue bill (H. R. 16763) bankers' special tax of $1 for each thousand of capital, surplus, and profits after this provision was eliminated in the House. In view of increased income tax and other taxes to which banking business is subjected, we consider special tax unjust and unwarranted discrimination. We ask your best efforts to prevent reinstatement of this tax in Kitchin bill. Believe this request is fair, not only to stockholders but to customers also, as they must eventually bear burden of increased cost of operation through excessive taxation. Interest on deposits and interest rates must necessarily reflect increased cost of operation.

SCANDINAVIAN AMERICAN BANK.
FIRST NATIONAL BANK.
NORTHERN STATE BANK.
FARMERS AND MECHANICS' SAVINGS BANK.
NORTHWESTERN TRUST CO.

—

GRAND FORKS, N. DAK., *July 15, 1916.*

Hon. A. J. GRONNA,
Washington, D. C.:

Letter officially signed by all Grand Forks banks protesting bankers' tax in Kitchin revenue bill goes forward to-night by wire. Your support of this protest requested.

M. C. BATCHELLOW,
Member Executive Committee,
North Dakota Bankers' Association.

—

CANDO, N. DAK., *July 15, 1916.*

Senator A. J. GRONNA,
Washington, D. C.:

I wish that you would use your influence against the reinstatement of the bankers' special tax that is before your body at the present time. I refer to the Kitchin revenue bill.

C. J. LORD.

Mr. WADSWORTH presented a petition of sundry citizens of Bolton, N. Y., praying for Federal censorship of motion pictures, which was referred to the Committee on Education and Labor.

Mr. PHELAN presented a memorial of the Board of Supervisors of Ventura County, Cal., remonstrating against the proposed inheritance tax, which was referred to the Committee on Finance.

Mr. CURTIS presented a petition of sundry inmates of the National Military Home, Kansas, praying for the passage of the so-called Volunteer officers' retired list bill, which was ordered to lie on the table.

He also presented a petition of sundry citizens of Wakefield, Kans., praying for a settlement of the difficulties between the railroads and their employees by the Interstate Commerce Commission, which was referred to the Committee on Interstate Commerce.

Mr. McCUMBER presented a petition of the Commercial Club of Drayton, N. Dak., praying for the settlement of difficulties between the railroads and their employees by the Interstate Commerce Commission, which was referred to the Committee on Interstate Commerce.

He also presented a petition of sundry citizens of Wheelock, N. Dak., praying for the passage of the so-called stock-raising homestead bill without the 20-mile radius limitation clause, which was ordered to lie on the table.

Mr. SHEPPARD presented a petition of sundry citizens of the District of Columbia, praying for prohibition in the District of Columbia, which was ordered to lie on the table.

Mr. PENROSE presented a memorial of the Board of Trade of Philadelphia, Pa., remonstrating against the enactment of legislation providing for the erection of a Government-owned armor-plate plant, which was ordered to lie on the table.

Mr. WILLIAMS presented a petition of sundry citizens of Eden, Miss., praying for national prohibition, which was referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Starkville, Miss., praying for Federal censorship of motion pictures, which was referred to the Committee on Education and Labor.

He also presented a petition of sundry citizens of the District of Columbia, praying for prohibition in the District of Columbia, which was ordered to lie on the table.

Mr. ASHURST. I present a petition of the Arizona State Federation of Labor praying for the passage of the immigration bill at this session of Congress. I ask that the petition may be printed in the RECORD.

There being no objection, the petition was ordered to lie on the table and to be printed in the RECORD, as follows:

ARIZONA STATE FEDERATION OF LABOR,
Phoenix, Ariz., July 14, 1916.

To Hon. HENRY F. ASHURST,
United States Senate, Washington, D. C.

MY DEAR SIR: I am instructed on behalf of the Arizona State Federation of Labor to ask you to use all honorable means to bring about the enactment, at this session of Congress, of the immigration bill, H. R. 10384.

We understand that the above bill has been passed by the lower House, and it is feared that it may not be acted upon by the Senate at the present session.

Anything that you may be able to do toward bringing action on this bill at the present session will be considered a great favor by the labor movement of this State.

Thanking you, and with best wishes, I beg to remain,

Very respectfully, yours,

[SEAL.] THOS. A. FRENCH,
Secretary-Treasurer Arizona State Federation of Labor.

Mr. ASHURST. I have received resolutions adopted by the Navajo County Division of the Arizona Branch of the Congressional Union for Woman Suffrage favoring the passage of the Susan B. Anthony amendment to the Constitution. I ask that the resolutions may be printed in the RECORD.

There being no objection, the resolutions were ordered to lie on the table and to be printed in the RECORD, as follows:

CONGRESSIONAL UNION FOR WOMAN SUFFRAGE,
Winslow, Ariz., June 30, 1916.

Resolved, That we women voters of Winslow, Navajo County, Ariz., meeting this 23d day of June, 1916, conscious of our political power, and determined to use it to obtain political freedom for our eastern sisters, do hereby indorse the Susan B. Anthony amendment, now blocked by the Judiciary Committee of the House of Representatives, and urge Congress to pass the amendment on to the States for ratification. Be it further

Resolved, That we call upon President Wilson, as the head of his party, to use his personal influence to bring about federally the political recognition of all the women of our country. Be it finally

Resolved, That these resolutions be sent to Woodrow Wilson, President of the United States; to the Vice President as presiding officer of the Senate; to the chairman and members of the Judiciary Committee of the House; to the floor leaders of both the Democratic and Republican Parties in Congress; and to the Arizona delegation, with the request that they be read into the CONGRESSIONAL RECORD.

Mrs. GEO. H. KEYES, Jr.,
Winslow Member of the Committee for the Navajo Division of the Arizona Branch of the Congressional Union.

CALLING OF THE ROLL.

Mr. JOHNSON of South Dakota. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Johnson, Me.	Page	Sutherland
Brandegee	Johnson, S. Dak.	Penrose	Swanson
Catron	Jones	Ransdell	Taggart
Clark, Wyo.	Kern	Reed	Tillman
Culberson	La Follette	Robinson	Underwood
Cummins	Lane	Shafroth	Vardaman
Curtis	McCumber	Sheppard	Wadsworth
Dillingham	Martin, Va.	Simmons	Warren
Gallinger	Martine, N. J.	Smith, Ga.	Weeks
Gronna	Nelson	Smith, S. C.	Williams
Husting	Norris	Smoot	Works
James	Overman	Sterling	

Mr. MARTINE of New Jersey. I was requested to announce that the Senator from West Virginia [Mr. CHILTON] is absent on public business. I was also requested to announce the absence of the Senator from Illinois [Mr. SHERMAN] on public business.

The VICE PRESIDENT. Forty-seven Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the name of absent Senators, and Mr. STONE and Mr. TOWNSEND answered to their names when called.

Mr. CHAMBERLAIN, Mr. THOMPSON, Mr. LODGE, and Mr. BECKHAM entered the Chamber and answered to their names.

The VICE PRESIDENT. Fifty-three Senators have answered to the roll call. There is a quorum present.

REPORTS OF COMMITTEES.

Mr. CATRON, from the Committee on Claims, to which was referred the bill (H. R. 8200) for the relief of M. E. Sitters, reported it without amendment and submitted a report (No. 688) thereon.

Mr. SIMMONS. From the Committee on Commerce I report back favorably with amendments the bill (H. R. 15455) to establish a United States shipping board for the purpose of encouraging, developing, and creating a naval auxiliary and naval reserve and a merchant marine to meet the requirements of the commerce of the United States with its Territories and possessions and with foreign countries; to regulate carriers by water engaged in the foreign and interstate commerce of the United States, and for other purposes, and commonly known as the shipping bill. I also desire to file a report (No. 689) to accompany the bill.

The VICE PRESIDENT. The bill will be placed on the calendar.

Mr. ASHURST, from the Committee on Public Buildings and Grounds, to which was referred the bill (S. 20) providing an additional appropriation for the Federal building at Steubenville, Ohio, reported it with an amendment and submitted a report (No. 692) thereon.

Mr. CHAMBERLAIN, from the Committee on Commerce, to which was referred the bill (S. 5395) to repeal sections 2588, 2589, and 2590 of the Revised Statutes of the United States, reported it without amendment and submitted a report (No. 691) thereon.

He also, from the Committee on Military Affairs, to which was referred the bill (H. R. 3690) repealing certain sections contained in the urgent deficiency act approved December 22, 1911, asked to be discharged from its further consideration and that it be referred to the Committee on Claims, which was agreed to.

Mr. KERN, from the Committee on Printing, to which was referred the bill (S. 6626) to fix the rate of pay for compositors and bookbinders in the Government Printing Office, reported it without amendment and submitted a report (No. 690) thereon.

Mr. WEEKS, from the Committee on Commerce, to which was referred the bill (H. R. 11129) for the relief of the owners of the barkentine *Mable I. Meyers* and her master and crew, and for the relief of the owners of cargo of molasses late on board said barkentine, asked to be discharged from its further consideration and that it be referred to the Committee on Claims, which was agreed to.

THE FUTURE OF CULEBRA.

Mr. FLETCHER, from the Committee on Printing, reported the following resolution (S. Res. 235):

Resolved, That the manuscript submitted by the Senator from Wyoming [Mr. WARREN] on June 22, 1916, entitled "Are subterranean gases cause of Panama Canal slides?" by Hon. Thomas Kearns, former United States Senator from Utah, be printed as a Senate document with illustrations.

The VICE PRESIDENT. The resolution will be placed on the calendar.

TRANSCONTINENTAL RAILWAY CELEBRATION.

Mr. MARTINE of New Jersey. From the Committee on Industrial Expositions I report back favorably without amendment the joint resolution (S. J. Res. 152) providing that the Congress of the United States shall participate in the celebration of the "golden wedding" of the first transcontinental lines of railway in the United States. I ask the attention of the Senator from Utah [Mr. SUTHERLAND] to the report.

Mr. SUTHERLAND. Mr. President, the joint resolution just reported carries no appropriation. It simply recognizes the importance of the completion of the first transcontinental line of railroad which united by rail the two great oceans. This event—one of the most important in all our history—the fiftieth anniversary of which occurs May 10, 1919, is to be fittingly celebrated at the city of Ogden in my State, where the junction of the railroads completing the line across the continent was effected. But for the great help afforded by the acts of Congress this event would have been delayed perhaps for a generation or more, and therefore it is peculiarly appropriate that the Congress should be represented at the celebration. I ask for the present consideration of the resolution.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which was read as follows:

Whereas May 10, 1919, marks the fiftieth anniversary of the completion of the Union Pacific and Central Pacific lines of railway by the joining of the rails of each at Ogden, Utah; and

Whereas the great enterprise was consummated only by the direct aid given by the Government of the United States; and

Whereas this national epoch-making event will be commemorated in a manner befitting its international importance by a celebration at Ogden, Utah, in 1919, to be participated in by the people of this Nation: Therefore be it

Resolved, etc., That the Congress of the United States participate in the celebration and that a committee of 12 of its Members be appointed to attend and represent the Congress of the United States at said celebration, 4 to be appointed by the Vice President in behalf of the Senate and 8 by the Speaker of the House of Representatives in behalf of the House of Representatives.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MARTINE of New Jersey:

A bill (S. 6668) for the acquisition of a site for a public building at Washington, N. J.; to the Committee on Public Buildings and Grounds.

By Mr. HITCHCOCK:

A bill (S. 6669) reinstating Benjamin M. Koehler, late major of the Coast Artillery Corps, to his former rank and grade in the United States Army; to the Committee on Military Affairs.

By Mr. MYERS:

A bill (S. 6670) authorizing the State of Montana to select other lands in lieu of lands in section 16, township 2 north, range 30 east, within the limits of the Huntley irrigation project and the ceded portion of Crow Indian Reservation in said State; and

A bill (S. 6671) to validate the homestead entries of Anna W. Thrailkill; to the Committee on Public Lands.

By Mr. PENROSE:

A bill (S. 6672) granting a pension to Clarissa F. Dye (with accompanying papers); and

A bill (S. 6673) granting a pension to Daniel Boran (with accompanying papers); to the Committee on Pensions.

By Mr. CATRON:

A bill (S. 6674) granting a pension to John W. McCown; to the Committee on Pensions.

By Mr. OWEN:

A bill (S. 6675) granting an increase of pension to James W. Bloyd (with accompanying paper); to the Committee on Pensions.

A bill (S. 6676) to provide for the purchase of a site for a public building in the city of Bartlesville, Okla.; to the Committee on Public Buildings and Grounds.

By Mr. BANKHEAD:

A bill (S. 6677) granting an increase of pension to George P. Cross; to the Committee on Pensions.

By Mr. TAGGART:

A bill (S. 6678) granting an increase of pension to Samuel E. Nichols;

A bill (S. 6679) granting an increase of pension to Jasper W. Shoemaker (with accompanying papers); and

A bill (S. 6680) granting an increase of pension to Jacob Coffman (with accompanying papers); to the Committee on Pensions.

By Mr. McCUMBER:

A bill (S. 6681) granting an increase of pension to Sarah Dolan; to the Committee on Pensions.

By Mr. CURTIS:

A bill (S. 6682) granting a pension to William A. Wilburn (with accompanying papers);

A bill (S. 6683) granting an increase of pension to James N. Seip (with accompanying papers); and

A bill (S. 6684) granting an increase of pension to Daniel Newby (with accompanying papers); to the Committee on Pensions.

By Mr. OWEN:

A bill (S. 6685) granting a pension to Lucy Romary, widow of Henry Romary (with accompanying papers); to the Committee on Pensions.

By Mr. THOMAS:

A bill (S. 6686) granting a pension to Schuyler C. Morgan (with accompanying papers); to the Committee on Pensions.

By Mr. WADSWORTH:

A joint resolution (S. J. Res. 154) authorizng the printing of 5,000 copies of the Flags of Maritime Nations; to the Committee on Printing.

AMENDMENTS TO GENERAL DEFICIENCY APPROPRIATION BILL.

Mr. CURTIS submitted an amendment proposing to appropriate $12,000 for the repair, rebuilding, and completion of the macadam road on the Fort Riley Military Reservation, in the State of Kansas, intended to be proposed by him to the general deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. RANSDELL submitted an amendment proposing to appropriate $27,800 to pay Elizabeth White, administratrix of the estate of Samuel N. White, deceased, late of West Feliciana Parish, La., in full satisfaction of her claim as reported by the Court of Claims, intended to be proposed by him to the general deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. JOHNSON of Maine submitted an amendment proposing to appropriate $1,200 to pay Dennis M. Kerr for extra and expert services rendered to the Committee on Pensions during the first session of the Sixty-fourth Congress, etc., intended to be proposed by him to the general deficiency appropriation bill, which was referred to the Committee on Pensions and ordered to be printed.

THE REVENUE.

Mr. POINDEXTER submitted an amendment intended to be proposed by him to the bill (H. R. 16763) to increase the revenue, and for other purposes, which was referred to the Committee on Finance and ordered to be printed.

WITHDRAWAL OF PAPERS—JAMES M'TODD.

On motion of Mr. DU PONT, it was

Ordered, That the papers in the pension case of James McTodd (S. 694, 64th Cong.) be, and the same are hereby, withdrawn, no adverse report having been made thereon.

THE LUTEN PATENTS.

Mr. JAMES. Mr. President, at the last session of Congress the Committee on Patents was directed to make an investigation into the issuance of certain patents to Mr. Luten and to ascertain whether they were fraudulently issued. The committee desires me to present and have printed in the RECORD a letter from the First Assistant Commissioner of Patents, Mr. Newton, in regard to these patents, together with a list of the Luten patents, involved in suits reported prior to January 1, 1916, and also a list and record of actions in these patents as shown by Patent Office files, they having been filed with the Commissioner of Patents.

There being no objection, the matter was ordered to lie on the table and to be printed in the RECORD, as follows:

DEPARTMENT OF THE INTERIOR,
UNITED STATES PATENT OFFICE,
Washington, D. C., June 5, 1916.

Hon. OLLIE M. JAMES,
Chairman Committee on Patents, United States Senate.

MY DEAR MR. JAMES: Replying to your request of June 1, 1916, asking that an official investigation of the issuance of the Luten patents be made, I beg to say that the records of the office have been carefully scrutinized without finding any indication of fraud therein, but that you may have a résumé of the office actions I am sending herewith all that appears of record bearing on this question.

Since, as you state, it has been charged that the patents were fraudulently issued, it was thought best to embody in the report the names of all the officials who were responsible for allowing the patents, the dates on which they were allowed, and the general character of the actions made in each case by officials of the office, and you will find these matters set forth on pages 3 to 7 of this report.

These patents have been involved in numerous suits, and you will find on pages 1 and 2 of this report a general statement of the result of such decisions as have been reported prior to January 1, 1916.

Some time ago an attorney who had been connected with many of the Luten suits sent me a list of these suits, many of which had not been reported in any of the published reports, and I inclose this also for what it may be worth to you.

I also send you herewith copies of the Luten patents referred to in this report.

Should there be any further information that you desire not included in this report I will be glad to furnish the same if possible.

Very sincerely,

J. T. NEWTON,
First Assistant Commissioner.

LIST OF LUTEN PATENTS INVOLVED IN SUITS REPORTED PRIOR TO JANUARY 1, 1916.

818386. Luten *v.* Dover Construction Co. (189 Fed. Rep., 405). Demurrer to bill overruled. Case still pending January 1, 1916. Luten *v.* Rhoads et al. (194 Fed. Rep., 169). Decree does not involve this patent. Luten *v.* MacAfee (206 Fed. Rep., 175). Noninfringement; defendant held to be licensee. Bill dismissed.

830483. Luten *v.* Sharp et al. (200 Fed. Rep., 151). Demurrer to bill overruled. Defendant's answer in Luten *v.* Sharp (217 Fed. Rep., 76). Decree does not involve this patent.

852970. Luten *v.* Sharp et al. (200 Fed. Rep., 151, supra,); Luten *v.* Sharp et al. (217 Fed. Rep., 76). Decision does not involve this patent. Luten *v.* Washburn Engineering News, December 2, 1915, volume 74, page 1094, held invalid.

853183. Luten *v.* Sharp (200 Fed. Rep., 151, supra); Luten *v.* Sharp (217 Fed. Rep., 76). Decree does not involve this patent. Luten *v.* Washburn Engineering News, December 2, 1915, volume 74, page 1094, held invalid.

853202. Luten *v.* Dover Construction Co., supra; Luten *v.* MacAfee, supra; Luten *v.* Washburn Engineering News, December 2, 1915, volume 74, page 1094, held invalid.

853203. Luten *v.* Dover Construction Co., supra; Luten *v.* Sharp et al. (200 Fed. Rep., 151); Luten *v.* Sharp et al. (217 Fed. Rep., 76). Noninfringement of this patent. Validity of the patents not in issue. Their validity was presumed by the court. Luten *v.* MacAfee, supra; Luten *v.* The Town of Lee et al. (206 Fed. Rep., 904). Noninfringement. Bill dismissed. Luten *v.* Washburn Engineering News, December 2, 1915, volume 74, page 1094, held invalid.

853204. Luten *v.* Sharp et al. (200 Fed. Rep., 151, supra); Luten *v.* Sharp et al. (217 Fed. Rep., 76). Decree does not involve this patent.

923058. Luten *v.* Dover Construction Co., supra.

933771. Luten *v.* Sharp et al. (200 Fed. Rep., 151, supra); Luten *v.* Sharp et al. (217 Fed. Rep., 76). Decree does not involve this patent, Luten *v.* Washburn Engineering News, volume 74, page 1094, held invalid.

934411. Luten *v.* Dover Construction Co., supra.

979776. Luten *v.* Sharp et al. (200 Fed. Rep., 151, supra); Luten *v.* Sharp et al. (217 Fed. Rep., 76). Decree does not involve this patent, Luten *v.* Washburn Engineering News, volume 74, page 1094, held invalid.

989272. Luten *v.* Sharp et al. (200 Fed. Rep., 151, supra); Luten *v.* Sharp et al. (217 Fed. Rep., 76). Decree does not involve this patent. Luten *v.* Washburn Engineering News, volume 74, page 1094, held invalid.

852970. Luten *v.* Rhoads et al. (194 Fed. Rep., 169). Claim 46 held valid and infringed. No appeal taken.

List and record of actions in Luten patents as shown by Patent Office files.

Patent No.	Allowed.	Remarks.
649643	Dec. 27, 1899	Examiner, B. W. Pond; assistant examiner, E. C. Reynolds. Rejected Oct. 16, 1899; amended Dec. 16, 1899. No attorney.
785676	Aug. 26, 1904	Examiner, B. W. Pond; attorney, R. L. Ames; associate attorney, S. N. Pond.
802004	Mar. 29, 1905	Examiner, B. W. Pond; attorney, R. L. Ames.
818386	Sept. 25, 1905	Examiner, B. W. Pond; attorney, R. L. Ames; associate, S. N. Pond. 1 rejection.
830483	Aug. 8, 1906	Examiner, B. W. Pond. 2 rejections.
840224	Feb. 11, 1907	Examiner, B. W. Pond; attorney, R. L. Ames. 2 rejections.
852970	Mar. 20, 1907	Examiner, B. W. Pond; attorney, R. L. Ames. 4 rejections.
852971	Feb. 11, 1907	Examiner, B. W. Pond; attorney, R. L. Ames. 2 rejections.
853183	Feb. 19, 1907	Examiner, B. W. Pond; attorney, R. L. Ames. 4 rejections.
853202	Feb. 2, 1907	Examiner, B. W. Pond; attorney, R. L. Ames; associate attorney, S. N. Pond. 5 rejections.
853203	Nov. 28, 1906	Examiner, B. W. Pond; attorney, R. L. Ames; associate attorney, S. N. Pond. 2 rejections.
853204	Feb. 16, 1907	Examiner, B. W. Pond; attorney, R. L. Ames. 4 rejections.
923058	Apr. 30, 1909	Examiner, B. W. Pond; then examiner, W. A. Cowles; assistant examiner, N. J. Jewett; Attorney, R. L. Ames; then Bradford & Hood. 4 rejections. Appeal to board of examiners in chief. Affirmed examiner on claims 1 to 19. Reversed him as to claims 20 to 25. Commissioner affirmed board. Court of Appeals, District of Columbia, reversed the commissioner as to claims 1 to 19. Published in Commissioner's Decisions, 1909, page 402.
933771	July 7, 1909	Examiner, W. A. Cowles; Attorneys, Bradford & Hood. No rejection.
934411	.....do.....	Do.
979776	Sept. 39, 1910	Examiner, B. W. Pond; then examiner, W. A. Cowles; assistant examiner, N. J. Jewett. 7 rejections. Appeal to board as to claims 1 to 8. Examiner affirmed. Invalid. United States District Court, Colorado, Nov. 13, 1915.
989272	Mar. 9, 1911	Examiner, W. A. Cowles; assistant examiner, N. J. Jewett; attorneys, Bradford & Hood. 2 rejections. Appeal to board of examiners in chief on claims 1 to 8. Examiner reversed.
998704	Jan. 31, 1911	Examiner, B. W. Pond; attorneys, Bradford & Hood. No rejections.
999663	June 12, 1911	Examiner, B. W. Pond; then examiner, W. A. Cowles; assistant examiner, N. J. Jewett; attorney, R. L. Ames; then Bradford & Hood. 5 rejections. Appealed to. Board of examiners in chief on claims 1 to 9. Examiner reversed as to claims 4 to 9 and affirmed as to claims 1, 2, and 3.
1004051	Aug. 22, 1911	Examiner, W. A. Cowles; attorney, Hood. 1 action. No rejection.
1005051	.....do.....	Examiner, Chas. C. Stauffer; attorney, Hood. 3 rejections.
1009676	Oct. 9, 1911	Examiner, B. W. Pond; assistant examiner, F. R. Lybrand; then examiner W. A. Cowles and assistant examiner, N. J. Jewett. 13 rejections. Appeal to the board of examiners in chief on claims 1 to 12. Affirmed examiner as to claims 1 and 2 and 5 to 12. Reversed examiner as to claims 3 and 4. Affirmed by commissioner and by Court of Appeals of the District of Columbia. Commissioner's Decisions, 1911, p. 422.

List and record of actions in Luten patents as shown by Patent Office files—Continued.

Patent No.	Allowed.	Remarks.
1027742	Sept. 22, 1912	Examiner, W. A. Cowles: assistant examiner, Geo. C. Wedderburn: attorney, Hood. 3 rejections. Appeal to board of examiners in chief as to claims 1 to 5. Examiner reversed.
1048843	Nov. 7, 1912	Examiner, W. A. Cowles: assistant examiner, N. J. Jewett; attorney, R. L. Ames: then Hood. 5 rejections.
1060917	Jan. 4, 1912	Examiner, B. W. Pond: then examiner, W. A. Cowles; assistant examiner, Geo. C. Wedderburn: attorney, R. L. Ames then Hood. 6 rejections. Appeal to board of examiners in chief. Examiner affirmed as to claims 2 to 5, 8 to 20, 23 to 28. Reversed as to claims 1, 6, 7, 22, 29, and 30.
1070707	July 15, 1913	Examiner, W. A. Cowles; attorney, Hood. 2 rejections. Appeal to board of examiners in chief on claims 1 to 9. Examiner reversed as to claim 2. Affirmed as to claims 1 and 3 to 9. Appeal to Commissioner. Reversed as to claim 1. Affirmed as to claims 3 to 9.
1070903	.....do.....	Examiner, W. A. Cowles; assistant examiner, Geo. C. Wedderburn; attorney, Hood. 2 rejections. Appeal to board of examiners in chief as to claims 1, 2, and 3. Examiner reversed.
1078365	July 22, 1913	Examiner, W. A. Cowles: attorney, Hood. 3 rejections. Appeal to board of examiners in chief as to claims 1 to 5. Examiner reversed as to claims 1 to 3 and affirmed as to claims 4 and 5.
1078510	Oct. 2, 1913	Examiner, W. A. Cowles; assistant examiner, Geo. C. Wedderburn; attorney, Hood. 4 rejections. Appeal to board of examiners in chief. Examiner affirmed as to claims 1, 2, 8, and 11, and reversed as to claims 3, 4, 5, and 7.
1060918	Mar. 27, 1913	Examiner, W. A. Cowles; assistant examiner, N. J. Jewett; attorney, R. L. Ames; then Hood. 7 rejections. Appeal to board of examiners in chief as to claims 1, 2, and 4 to 22. Examiner affirmed. Case subsequently reopened by Commissioner for other claims Oct. 11, 1912.
1060919	Mar. 12, 1913	Examiner, W. A. Cowles; assistant examiner, Geo. C. Wedderburn; attorney, Hood. 9 rejections.
1060920	Mar. 22, 1913	Examiner, W. A. Cowles; assistant examiner, N. J. Jewett; attorney, Hood. 2 rejections. Appeal to board of examiners in chief as to claims 1 to 7. Examiner reversed. Case subsequently reopened by Assistant Commissioner Tennant for admission of certain claims. 4 rejections.
1060921	Mar. 26, 1913	Examiner, W. A. Cowles; assistant examiner, J. W. Milburn: attorney, Hood. 4 rejections. Appeal to board of examiners in chief as to claims 1 to 6. Examiner affirmed as to all claims. Appeal to Assistant Commissioner (Billings). Board reversed as to claim 3 and affirmed as to claims 1, 2, 4, 5, and 6.
1060922	Mar. 29, 1913	Examiner, W. A. Cowles; assistant examiner, N. J. Jewett; attorney, Hood. No rejections.
1089487	Dec. 10, 1913	Examiner, W. A. Cowles; assistant examiner, C. M. Royer; attorney, Hood. No rejections.
1089488	Jan. 24, 1914	Examiner, W. A. Cowles; assistant, Geo. C. Wedderburn; attorney, Hood. 1 rejection.
1090081	Nov. 5, 1913	Examiner, W. A. Cowles; assistant examiner, N. J. Jewett; attorney, Hood. 1 rejection.
1106880	July 3, 1914	Examiner, Geo. P. Tucker; then W. L. Redrow. 3 rejections. Appeal to board of examiners in chief. Appeal premature.
13882	Nov. 24, 1914	Reissue of Patent No. 847136.
40667	Mar. 30, 1910	Design. Examiner, J. H. Carnes. No rejections.
41708	Aug. 22, 1911	Design. Examiner, J. H. Carnes. 1 rejection.

STANDARDIZATION OF LIME BARRELS.

Mr. JONES. Mr. President, the other day I entered a motion to reconsider the vote by which the conference report on the bill (S. 5425) to standardize lime barrels was agreed to, and also requested the return of the message of the Senate and the conference report from the House of Representatives. The Senator from Minnesota [Mr. CLAPP] asked me at the time to take the matter up if he was not here when the report was returned. So I ask that the vote by which the conference report was adopted be reconsidered. I will state that a mistake was made in the preparation of the report.

The motion to reconsider was agreed to.

Mr. JONES. I ask that the conference report be rejected.

The report was disagreed to.

Mr. JONES. I move that the Senate further insist upon its disagreement to the amendments of the House and request a further conference with the House on the disagreeing votes of the two Houses and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. CLAPP, Mr. SHIELDS, and Mr. BANKHEAD conferees on the part of the Senate.

POST-OFFICE APPROPRIATIONS.

The VICE PRESIDENT laid before the Senate the following concurrent resolution (No. 49) of the House of Representatives, which was read:

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H. R. 10484) entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1917, and for other purposes," the Clerk be, and he is hereby, authorized and directed to strike out the word "chairs," on page 26, line 19, of said bill, and to insert in lieu thereof the word "chains"; and further to strike out in amendment No. 54 the word "circuit" wherever it precedes "court of appeals" in said amendment.

Mr. BANKHEAD. I move that the concurrent resolution be agreed to with the following amendments, which I send to the desk.

The VICE PRESIDENT. The amendments will be stated.

The SECRETARY. At the end of Senate amendment No. 29 restore the following:

: *Provided further*—

And that the Clerk be directed and authorized to renumber the sections of the bill in numerical order; and also to insert at the beginning of the last paragraph of said bill the following:

SEC. 6.

The amendments were agreed to.

The concurrent resolution as amended was agreed to.

COTTON STATISTICS CONFERENCE REPORT (S. DOC. NO. 501).

Mr. SHEPPARD. I submit a conference report on the bill (H. R. 4767) authorizing the Director of the Census to collect and publish statistics of cotton seed and cottonseed products, which I ask may be printed and lie on the table for the present.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4767) entitled "An act authorizing the Director of the Census to collect and publish statistics of cotton seed and cottonseed products," after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 6.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, and 5; and agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of said bill, and agree to the same.

WILLIAM E. CHILTON,
MORRIS SHEPPARD,
ROBERT M. LA FOLLETTE,
Managers on the part of the Senate.

H. W. SUMNERS,
J. B. ASWELL,
GEORGE R. SMITH,
Managers on the part of the House.

FRANCHISES OF PORTO RICO (S. DOC. NO. 502).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Pacific Islands and Porto Rico and ordered to be printed:

To the Senate and House of Representatives:

As required by section 32 of the act of Congress approved April 12, 1900, entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," I have the honor to transmit herewith certified copies of the franchises granted by the Executive Council of Porto Rico, which are described in the accompanying letter from the Secretary of War transmitting them to me.

WOODROW WILSON.

THE WHITE HOUSE, *July 19, 1916.*

THE CALENDAR.

Mr. SMOOT. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of unobjected bills on the calendar under Rule VIII.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

FEDERAL JUDGES.

The bill (S. 706) to amend section 260 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, was announced as first in order.

Mr. NELSON. Let that go over, Mr. President.

Mr. SMITH of Georgia. I ask that I be permitted to offer an amendment to the bill before it goes over.

Mr. SMOOT. Will it lead to discussion?

Mr. SMITH of Georgia. No. I only want to present an amendment, so that it may be made a part of the bill.

The VICE PRESIDENT. Is there objection?

Mr. NELSON. I withdraw my objection.

Mr. SMITH of Georgia. On page 2, line 10, of the bill, I move to strike out the words "if, in his opinion, the public good so requires, may" and to substitute therefor the words "if he finds

that efficient administration of the business of the court so requires, shall."

Mr. SMOOT. Let the amendment be printed, Mr. President.

Mr. SMITH of Georgia. It is suggested that the amendment be printed. I do not object to that.

Mr. NELSON. I have objected to the present consideration of the bill.

The VICE PRESIDENT. The bill goes over.

Mr. SMITH of Georgia. I send the amendment to the desk, and ask that it be stated. It will not then be necessary to detain the Senate longer.

The VICE PRESIDENT. The amendment proposed by the Senator from Georgia will be stated.

The SECRETARY. On page 2, in lines 10 and 11, it is proposed to strike out the words "if, in his opinion, the public good so requires, may" and to insert "if he finds that the efficient administration of the business of the court so requires, shall."

Mr. SMOOT. Now, let the bill go over.

The VICE PRESIDENT. The bill will go over, and the amendment will be printed in the bill and be considered pending.

BILLS PASSED OVER.

Mr. SMOOT. I ask that the next three bills on the calendar be passed over.

The VICE PRESIDENT. Being objected to, the next three bills on the calendar, Orders of Business 22, 23, and 27 will be passed over.

The bill (S. 2406) to amend section 162 of the act to codify, revise, and amend the laws relating to the judiciary, approved March 3, 1911, was announced as next in order.

SEVERAL SENATORS. Let it go over.

The VICE PRESIDENT. The bill goes over.

COST OF LIVING IN THE DISTRICT OF COLUMBIA.

The joint resolution (S. J. Res. 43) authorizing and directing the Department of Labor to make an inquiry into the cost of living in the District of Columbia and to report thereon to Congress as early as practicable, was announced as next in order.

Mr. WILLIAMS. Let that go over, Mr. President.

Mr. KENYON. Mr. President, does the Senator from Mississippi insist on his objection? This matter has been on the calendar now for about four months.

Mr. WILLIAMS. I think it is a little too big a question to take up right now.

Mr. KENYON. I do not think it will require any debate.

Mr. WILLIAMS. I know it will not require any debate; but I am talking about what a big question it is when it shall have been inaugurated. It would involve a pretty extensive inquiry. What is the necessity of an inquiry into the cost of living in the District of Columbia? Is not everybody pretty well acquainted with it?

Mr. KENYON. The necessity is the same as the necessity for the inquiry into the cost of living in any other place or a survey into the cost of living or into labor conditions anywhere. A law has been passed in the District of Columbia limiting the hours of labor for women. That will amount to very little, as would any survey of conditions, without knowing what is the cost of living of wage earners in the District of Columbia. This is only as to wage earners. The proposition has been indorsed by the Secretary of Labor and the Department of Labor, and it is to be the basis for a minimum-wage law in the District of Columbia. That is the object of the inquiry.

There have been hearings before the Labor Committee and the bill has twice been reported to the Senate—once at the last session and once at this session. If this inquiry is ever to be made, there is no use of raising an objection now.

Mr. WILLIAMS. Mr. President, my objection is based altogether upon the uselessness of the inquiry. I do not see that it is necessary to set the machinery of the Department of Labor to work in order to acquire knowledge of the cost of living in the District of Columbia. Any committee dealing with any legislation can make the investigation for itself just as well. I think we have had too many of these rather expensive inquiries, taking men in the departments away from their usual work and breaking up the routine of their work. I am not opposed to that when any useful purpose is to be accomplished, but I really do not see any useful purpose to be accomplished in this case.

Mr. KENYON. Does the Senator from Mississippi think it is worth while to investigate the cost of living anywhere or to have any survey of living conditions or labor conditions anywhere in the United States?

Mr. WILLIAMS. Well, frankly, I do not.

Mr. KENYON. Then the Senator differs from a great many others.

Mr. President, I wish to say that this joint resolution is going to receive consideration at this session of Congress. Such a resolution has passed the other House, and if this resolution is not to be considered, while I do not like to object to other resolutions, and I am not going to do so to-day, I shall insist on the next call of the calendar that this joint resolution be considered or that none be considered.

Mr. WILLIAMS. We are now undergoing a good deal of expense in many directions; and while this is a mere drop in the bucket, I do not desire any useless inquiry made.

Mr. KENYON. The Senate joint resolution is slightly different from House joint resolution 91, which I was going to ask unanimous consent to have substituted for it.

Mr. WILLIAMS. I feel compelled to insist on the objection.

Mr. KENYON. I am glad the Senator from Mississippi is getting economical.

The VICE PRESIDENT. Being objected to, the joint resolution goes over.

Mr. SMOOT. I ask that Orders of Business 49, 63, 64, 65, and 66 may be passed over.

The VICE PRESIDENT. Being objected to, the business on the calendar stated by the Senator from Utah will be passed over.

The bill (S. 1082) to prevent the manufacture and sale of alcoholic liquors in the District of Columbia, and for other purposes, was announced as next in order.

Mr. PENROSE. Let that go over, Mr. President.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 2730) to fix the compensation of assistant appraisers of merchandise, and for other purposes, was announced as next in order.

Mr. SMOOT. Let that go over, Mr. President.

The VICE PRESIDENT. The bill goes over.

VOCATIONAL EDUCATION.

The bill (S. 703) to provide for the promotion of vocational education; to provide for cooperation with the States in the promotion of such education in agriculture and the trades and industries; to provide for cooperation with the States in the preparation of teachers of vocational subjects; and to appropriate money and regulate its expenditure, was announced as next in order.

Mr. SMITH of Georgia. Mr. President, I wish to offer several amendments to that bill and then ask to have a reprint of it. We can not dispose of the bill at this time, but I should like to have made the changes which I desire in order that Senators may examine them.

Mr. SMOOT. I suggest to the Senator to offer his amendments and to have them printed.

Mr. SMITH of Georgia. One of the amendments, I am sure, the Senate will accept at once. It will simplify the bill. It is simply a change of date. This bill as drawn would apply to the calendar year ending July 1, 1917. Now, we must make it for a year later, and I should like to have those dates printed in the bill so as to give it an intelligent reading at the present time. With the consent of the Senate I ask that these changes may be made.

Then I have two important amendments which I wish to offer and to have printed, and I should also be glad to have them in the reprint of the bill, so that they may readily be seen by Senators. I ask unanimous consent that that direction be made.

The VICE PRESIDENT. Without objection, it is so ordered.

BUSINESS PASSED OVER.

The resolution (S. Res. 7) providing that any Senator upon his own request may be recorded and counted as present in order to constitute a quorum was announced as next in order.

Mr. NORRIS. Let that go over.

The VICE PRESIDENT. The resolution will go over.

The resolution (S. Res. 20) for appointment of a committee of Senators to examine into questions relating to the acquisition or construction of manufacturing plants to supply the Army and Navy with arms, armament, etc., was announced as next in order.

Mr. GALLINGER. Let that go over.

The VICE PRESIDENT. The resolution will be passed over.

The bill (S. 1428) to reimburse certain fire insurance companies the amounts paid by them for property destroyed by fire in suppressing the bubonic plague in the Territory of Hawaii in the years 1899 and 1900 was announced as next in order.

Mr. GRONNA. Let that bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 3551) relating to the procedure in the United States courts was announced as next in order.

Mr. CATRON. I ask that that bill go over.

The VICE PRESIDENT. The bill will be passed over.

The joint resolution (S. J. Res. 93) authorizing the erection on the public grounds in the city of Washington, D. C., of a statue of James Buchanan, a former President of the United States, was announced as next in order.

Mr. SMOOT and Mr. KENYON. Let that go over.

The VICE PRESIDENT. The joint resolution will be passed over.

The bill (S. 1107) to amend, revise, and codify the laws relating to the public printing and binding and the distribution of Government publications was announced as next in order.

Mr. SMOOT. It is impossible to consider that measure today, and I ask that it go over.

The VICE PRESIDENT. The bill will be passed over.

PENSIONS AND INCREASE OF PENSIONS.

The bill (S. 4654) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors, was considered as in Committee of the Whole. It proposes to pension at the rates stated the following-named persons:

Joseph Wessler, late of Battery B, Battalion Utah Volunteer Light Artillery, War with Spain, $16 per month.

Charles A. Myers, late of Company B, Fifty-first Iowa Volunteer Infantry, War with Spain, $30 per month.

William Peters, late of Hospital Corps, United States Army, War with Spain, $30 per month.

Floyd E. Driskel, late of Troop I, First Regiment United States Cavalry, War with Spain, $12 per month.

George Beals, late of Company I, Fifth Regiment United States Volunteer Infantry, War with Spain, $12 per month.

Omar E. Brown, late of Company K, Eighteenth Regiment United States Infantry, Regular Establishment, $12 per month.

Anson Meyers, late of Company E, Twenty-fourth Regiment United States Infantry, Regular Establishment, $40 per month in lieu of that he is now receiving.

Joseph D. Sovern, late of Company H, Eleventh Regiment United States Infantry, Regular Establishment, $17 per month in lieu of that he is now receiving.

Virginia Watson, widow of Eugene W. Watson, late rear admiral United States Navy, retired, $40 per month in lieu of that she is now receiving.

James Conway, late boiler maker, United States Navy, Regular Establishment, $30 per month.

Henry Dussault, late of Company H, First Regiment New Hampshire Volunteer Infantry, War with Spain, $12 per month.

James C. Larimer, late of Troop K, Eighth Regiment United States Cavalry, War with Spain, $14 per month.

Lizzie Breen, widow of Patrick Breen, late of Troop G, First Regiment United States Cavalry, Regular Establishment, $12 per month.

George Milholland, late of Company H, Twenty-first Regiment United States Infantry, War with Spain, $30 per month in lieu of that he is now receiving.

Cyreneus Rodgers, late of Company C, Third Regiment Kentucky Volunteers, War with Mexico, $40 per month in lieu of that he is now receiving.

James M. Freeman, late of Company E, Eighth Regiment United States Infantry, War with Spain, $20 per month in lieu of that he is now receiving.

John A. Smith, late of Company C, One hundred and sixty-first Regiment Indiana Volunteer Infantry, War with Spain, $12 per month.

Caleb St. Clair, late of Company B, Eleventh Regiment United States Infantry, Regular Establishment, $20 per month.

Carrier Thompson, late of Company L, Sixteenth Regiment Pennsylvania Volunteer Infantry, War with Spain, $20 per month in lieu of that he is now receiving.

James G. Royse, late of Capt. Parker's company, Iowa Dragoon Volunteers, War with Mexico, $20 per month.

Dennie Dixon, late of Company L, Sixth Regiment United States Infantry, War with Spain, $30 per month in lieu of that he is now receiving.

Julia P. Denny, widow of Frank L. Denny, late colonel and quartermaster, United States Marine Corps, $30 per month.

Louisa M. Fletcher, widow of William Fletcher, late of Company G, First Regiment Ohio Volunteers, War with Mexico, and captain, Twentieth Regiment United States Infantry, and major, United States Army, retired, $40 per month in lieu of that she is now receiving.

William Bradley, late of Company L, Second Regiment United States Volunteer Engineers, War with Spain, $30 per month in lieu of that he is now receiving.

Samuel A. Greenlee, late of Company I, First Regiment West Virginia Volunteer Infantry, War with Spain, $12 per month.

Caroline Heywood, widow of Charles Heywood, late major general commandant, United States Marine Corps, Regular Establishment, $50 per month in lieu of that she is now receiving.

John A. Avirett, late of Company I, Fourteenth Regiment United States Infantry, War with Spain, $30 per month.

Andrew Houlihan, late of Company D, Nineteenth Regiment United States Infantry, War with Spain, $36 per month in lieu of that he is now receiving.

Edward J. Gainan, late first lieutenant Company D, First Regiment Montana Volunteer Infantry, War with Spain, $20 per month.

John P. Todd, late of Troop I, Second Regiment United States Cavalry, Texas and New Mexico Indian War, $20 per month.

Sarah Warnack, widow of Frederick C. Warnack, late of Company E, Second Regiment Illinois Volunteers, War with Mexico, $20 per month in lieu of that she is now receiving.

Frank McCabe, late of Company I, First Regiment New Hampshire Volunteer Infantry, War with Spain, $12 per month.

Grant E. Getchell, late of Company M, Thirteenth Regiment Minnesota Volunteer Infantry, War with Spain, $20 per month in lieu of that he is now receiving.

Clifford T. Cheek, late of Company C, Thirtieth Regiment United States Volunteer Infantry, War with Spain, $24 per month in lieu of that he is now receiving.

Edward J. Cuzzort, late of Company E, Eighteenth Regiment United States Infantry, and Signal Corps, United States Army, Regular Establishment, $16 per month in lieu of that he is now receiving.

Louise M. Swift, widow of Franklin Swift, late lieutenant, United States Navy, Regular Establishment, $35 per month in lieu of that she is now receiving.

Joseph C. Chilton, late of the United States Marine Corps, Regular Establishment, $24 per month in lieu of that he is now receiving.

Elizabeh J. Burt, widow of Andrew S. Burt, late brigadier general, United States Army, Regular Establishment, $50 per month in lieu of that she is now receiving.

Edward Lenfesty, late of Company M, One hundred and fifty-seventh Regiment Indiana Volunteer Infantry, War with Spain, $20 per month.

Edward D. Smith, late of Company H, Fourth Regiment United States Infantry, War with Spain, $16 per month in lieu of that he is now receiving.

Williamson S. Wright, late first lieutenant Fourteenth Company United States Volunteer Signal Corps, War with Spain, $20 per month.

Paul F. Busch, late of Company D, Signal Corps, United States Army, Regular Establishment, $12 per month.

Emer A. Robbins, late of Company L, Sixteenth Regiment United States Infantry, War with Spain, $20 per month.

Michael H. Spaulding, late of Company H, Third Regiment United States Volunteer Engineers, War with Spain, $17 per month.

Benjamin Kelsey, late of Troop D, Second Regiment United States Dragoons, Regular Establishment, $30 per month in lieu of that he is now receiving.

Joseph A. Nolan, late of Company B, Forty-fifth Regiment United States Volunteer Infantry, War with Spain, $24 per month in lieu of that he is now receiving.

Fred Lamke, late of Company A, Second Regiment United States Infantry, War with Spain, $12 per month.

Robert F. Seawell, late of Company B, First Regiment Alabama Volunteer Infantry, War with Spain, $12 per month.

Curt Seay, late of Battery C, First Regiment United States Artillery, War with Spain, $16 per month.

John T. Krenek, late of Company A, Third Regiment United States Infantry, Regular Establishment, $30 per month in lieu of that he is now receiving.

Sophronia Neel, widow of Thomas Neel, late of Company C, First Regiment Illinois Volunteers, War with Mexico, $20 per month in lieu of that she is now receiving.

Samuel C. Cochran, late of Company E, First Regiment Idaho Volunteer Infantry, War with Spain, $12 per month.

James A. Saurbaugh, late of the Hospital Corps, United States Army, War with Spain, $40 per month in lieu of that he is now receiving.

Frank L. Simpson, late of Company D, Fifty-first Regiment Iowa Volunteer Infantry, War with Spain, $15 per month in lieu of that he is now receiving.

Viola C. McConville, widow of Edward McConville, late major, First Regiment Idaho Volunteer Infantry, War with Spain, $35 per month in lieu of that she is now receiving.

Bertha Z. Smith, widow of Howard Smith, late surgeon, United States Navy, Regular Establishment, $30 per month.

Elizabeth W. C. Allen, widow of Charles J. Allen, late brigadier general, United States Army, Regular Establishment, $50 per month in lieu of that she is now receiving.

Elie Jones Quinby, widow of Ira Quinby, late major, First Regiment United States Infantry, and lieutenant colonel, United States Army, retired, $40 per month in lieu of that she is now receiving.

Joseph H. Cote, late of Company G, First Regiment Maine Volunteer Infantry, War with Spain, $30 per month in lieu of that he is now receiving.

Maria L. Dougherty, widow of William E. Dougherty, late brigadier general, United States Army, $50 per month in lieu of that she is now receiving.

Eliza J. Salmon, widow of John Salmon, late of Capt. Thomas Graves's company, Virginia Militia, War of 1812, $24 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER.

The bill (S. 645) to provide for the closing of barber shops in the District of Columbia on Sunday was announced as next in order.

Mr. GRONNA. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

RECORDER OF DEEDS OF THE DISTRICT OF COLUMBIA.

The bill (H. R. 7571) to provide for the appointment of the recorder of deeds of the District of Columbia by the Commissioners of the District of Columbia was announced as next in order.

Mr. CLARK of Wyoming. Let that go over.

Mr. SMITH of Georgia. Mr. President, we might just as well get rid of that bill, it having been reported adversely; and if the Senator will withdraw his objection, I will move that the bill be indefinitely postponed.

Mr. CLARK of Wyoming. I withdraw the objection.

The VICE PRESIDENT. The question is on the motion of the Senator from Georgia that the bill be indefinitely postponed.

The motion was agreed to.

PENSIONS AND INCREASE OF PENSIONS.

The bill (H. R. 11240) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, was considered as in Committee of the Whole. The bill had been reported from the Committee on Pensions with amendments.

The first amendment of the Committee on Pensions was, on page 2, after line 2, to strike out:

The name of Jane M. Torrance, widow of Robert Torrance, late of Company D, Third Regiment Indiana Volunteers, War with Mexico, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 2, line 20, before the words "per month," to strike out "$17" and insert "$12," so as to make the clause read:

The name of Edward H. Dalton, late of the Hospital Corps, United States Army, Regular Establishment, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 3, line 14, after the name "Hill," to strike out "deceased," so as to make the clause read:

The name of Sarah Hill, widow of Isaac Hill, late of Company G, First Regiment Illinois Foot Volunteers, War with Mexico, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 4, line 15, after the name "Anna," to strike out "Phillips Shepherd, formerly" and insert "J. Phillips, now Shepherd, former," and in line 19, before the words "per month," to strike out "$20" and insert "$12," so as to make the clause read:

The name of Anna J. Phillips, now Shepherd, former widow of Orange H. Phillips, late of Company I, Second Regiment Illinois Volunteer Infantry, War with Mexico, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 5, after line 21, to strike out:

The name of Peter Black, late of United States Navy, U. S. S. *Ohio*, War with Mexico, and pay him a pension at the rate of $20 per month.

The amendment was agreed to.

The next amendment was, on page 6, line 7, before the name "Harry," to strike out "the late," and in line 12, before the word "reaches," to strike out "it" and insert "she," so as to make the clause read:

The name of Mayme Hall, widow of Harry C. Hall, late of Company G, Nineteenth Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of the minor child of the said Harry C. Hall until she reaches the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 6, line 21, after the word "Regiment," to insert "Indiana Volunteer Infantry, War with Mexico," and in line 23, after the word "Infantry," to strike out "War with Mexico," so as to make the clause read:

The name of John W. Gahan, late of Company K, Second Regiment Indiana Volunteer Infantry, War with Mexico, and Company D, Fifty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 7, after line 12, to strike out:

The name of Julia Tomlin, dependent mother of Archie Tomlin, late of Company A, Fourth Regiment Missouri Volunteer Infantry, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, at the top of page 8, to strike out:

The name of Edward T. Conway, late of Company E, Twelfth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 8, line 19, after the word "Artillery," to insert "and captain, United States Army, retired," so as to make the clause read:

The name of Mary E. Galbraith, widow of William W. Galbraith, late first lieutenant and captain, Fifth Regiment United States Artillery, and captain, United States Army, retired, Regular Establishment, and pay her a pension at the rate of $20 per month, and the sum of $2 per month additional on account of each of the three minor children of the said William W. Galbraith until they reach the age of 16 years.

The amendment was agreed to.

The next amendment was, at the top of page 10, to strike out:

The name of Louis L. Jones, late of Company I, Second Regiment South Carolina Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

HEIRS OF HUNDLEY V. FOWLER.

Mr. VARDAMAN. Mr. President, I find that I shall be compelled to leave the Chamber for an hour or more, and I desire to ask unanimous consent for the immediate consideration of calendar No. 246, being the bill (H. R. 8787) for the relief of the heirs of Hundley V. Fowler, deceased. It will take but a moment. The bill has passed the House.

The VICE PRESIDENT. Is there any objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 8787) for the relief of the heirs of Hundley V. Fowler, deceased. It directs the Secretary of the Treasury to pay to the heirs of Hundley V. Fowler, deceased, $2,202.83 for services rendered in carrying mail on route No. 8697, in the State of Texas, from January 1, 1861, to May 31, 1861; but the Secretary of the Treasury shall require, before making payment, from all attorneys having a contract with the heirs of Hundley V. Fowler for attorney's fees a waiver of all the fees in excess of 20 per cent.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

OSAGE OIL LANDS.

The resolution (S. Res. 107) relative to leasing of Osage oil lands was announced as next in order.

Mr. CURTIS. Mr. President, that resolution might as well be indefinitely postponed. The question involved in it has largely been settled.

The VICE PRESIDENT. The Senator from Kansas moves that the resolution be indefinitely postponed.

Mr. FLETCHER. Mr. President, the Senator from Oklahoma [Mr. OWEN] is not present, and it seems to me that it would be advisable to pass over the resolution without taking final action on it. I do not know what his views may be concerning it.

Mr. GALLINGER. Let it go over.

Mr. CURTIS. Let it go over. There is no use taking up time about it.

Mr. SMITH of Georgia. That resolution has reference to a matter which has been disposed of, namely, the leasing of Osage oil lands, as I understand.

Mr. CURTIS. Yes; it relates to a matter that has been disposed of.

The VICE PRESIDENT. The resolution will be passed over.

BILLS PASSED OVER.

The bill (S. 1100) to pay the balance due the loyal Creek Indians on the award made by the Senate on February 16, 1903, was announced as next in order.

Mr. CURTIS. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1096) to provide for carrying into effect of the agreement between the United States and the Muskogee (Creek) Nation of Indians ratified by act of Congress approved March 1, 1901, and supplemental agreement of June 30, 1902, and other laws and treaties with said tribe of Indians, was announced as next in order.

Mr. CURTIS. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

OTTAWA INDIAN TRIBE.

The bill (S. 4250) for the relief of the Ottawa Indian Tribe of Blanchard Fork and Roche de Bœuf was considered as in Committee of the Whole.

The bill was read, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the Court of Claims, with right of appeal to the Supreme Court of the United States, to consider and determine all legal and equitable claims, if any, of the Indian Tribe of Blanchard Fork and Roche de Bœuf against the United States for the misappropriation of any funds of the tribe or for the failure of the United States to pay the tribe any money due under way of treaty; and also to consider and determine any legal or equitable defenses, set-offs, or counterclaims which the United States may have against the said tribe of Indians, and to enter judgment thereon, all claims and defenses to be considered without regard to lapse of time; and the final judgment and satisfaction thereof shall be a full and final settlement of all claims of said Indians against the United States.

SEC. 2. That suit under this act shall be begun by the filing of a single petition setting forth the claims of said Indians, to be verified by an attorney or attorneys selected by the claimant Indians with the approval of the Secretary of the Interior and the Commissioner of Indian Affairs, as provided by existing law. The Indian tribe of Blanchard Fork and Roche de Bœuf shall be party plaintiff, and the United States party defendant, and such suit shall, on motion of either party, be advanced on the docket of the Court of Claims and of the Supreme Court. Official letters, papers, reports, and public records, or certified copies thereof, may be used as evidence. The compensation to be paid the attorneys for the claimant Indians shall be determined by the Court of Claims, but in any event shall not be greater than that provided in the contract between the claimant Indians and their attorney or attorneys, and shall be paid out of any sum or sums found and adjudged to be due said Indians.

SEC. 3. That the balance of any judgment rendered in favor of claimant Indians may be placed in the Treasury of the United States to the credit of the Indians entitled thereto, and shall draw interest at the rate of 4 per cent per annum, or may, in the discretion of the Secretary of the Interior, be deposited in such bonded bank or banks as the Secretary may select and under such regulations as he may prescribe, and said principal and interest may, in the discretion of the Secretary of the Interior, be paid to the Indians, or expended for their benefit.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER.

The bill (S. 3927) for the relief of the legal representatives of Francis Busch, deceased, was announced as next in order.

Mr. SMOOT. I ask that that bill go over, and that the bills following it on the calendar, down to and including Calendar No. 254, be passed over.

The VICE PRESIDENT. Objection being made, the bills referred to by the Senator from Utah will be passed over.

SUMMER-RESIDENCE HOMESTEADS.

The bill (S. 1065) to provide for summer-residence homesteads, and for other purposes, was announced as next in order.

Mr. NORRIS. Mr. President, I ask that that bill go over.

Mr. SHAFROTH. I hope the objection will not be insisted upon.

Mr. NORRIS. Mr. President, let me say to the Senator that on a former call of the calendar I objected to that bill. The Senator from Montana [Mr. MYERS], who reported the bill from the committee, told me afterwards that, on information he had received since the bill had been reported, he was also opposed to it, and was glad that I had objected. He also said that in the future he would object to the bill if I did not. He is not present. The bill is opposed by the Agricultural Department in a very strong letter; and while personally, if there were time to take it up and debate it, I should not object to debating and voting on it, in view of the absence of the Senator from Montana I feel disposed to object.

The VICE PRESIDENT. Objection is made, and the bill goes over.

BILL PASSED OVER.

The bill (S. 5126) giving the consent of the United States for the bringing of certain suits in the Supreme Court of the United States, and for other purposes, was announced as next in order.

Mr. CLARK of Wyoming. Let that bill go over.

The VICE PRESIDENT. The bill will be passed over.

PENSIONS TO SPANISH WAR WIDOWS.

The bill (H. R. 54) to pension widows and minor children of officers and enlisted men who served in the War with Spain, Philippine insurrection, or in China, was announced as next in order.

Mr. BRYAN. Let that bill go over.

Mr. OLIVER. Mr. President, I move that the Senate proceed to the consideration of that bill, notwithstanding the objection.

Mr. PENROSE. I second the motion.

Mr. SMOOT. That can not be done. We are operating under a unanimous-consent agreement.

Mr. SMITH of Georgia. We are proceeding under a unanimous-consent agreement.

The VICE PRESIDENT. Unanimous consent was given to proceed to the consideration of unobjected bills on the calendar, and the Chair holds the motion of the Senator from Pennsylvania out of order.

Mr. GALLINGER. Mr. President, before that bill is finally disposed of I will ask if my impression is correct that, according to statements in the newspapers, that bill was included in the program of the majority as one of the measures to be acted upon at this session?

Mr. SMITH of Georgia. We decline to discuss that at present. The Senator is out of order. We are proceeding under a unanimous-consent agreement.

Mr. GALLINGER. The Senator is not out of order in asking a civil question.

Mr. SMITH of Georgia. I did not mean to be discourteous to the Senator from New Hampshire.

Mr. GALLINGER. But the Senator was discourteous.

Mr. SMITH of Georgia. And if he feels that I was I withdraw the statement——

Mr. GALLINGER. I am very glad the Senator does.

Mr. SMITH of Georgia. Because I would not under any circumstances be discourteous to him.

Mr. GALLINGER. I have nothing further to say about it at all.

Mr. SMITH of Georgia. I do not think we ought to stop to discuss the measure at this time.

Mr. PENROSE. Mr. President, does the Senator from Georgia expect that this bill will lead to any debate? Is there any opposition to it?

Mr. SMITH of Georgia. Oh, undoubtedly. I have vigorously opposed it on the floor of the Senate, and others will.

Mr. PENROSE. I was not informed of that fact.

Mr. SMITH of Georgia. Oh, unquestionably; yes. It will take up considerable time, and that is why it is impossible for us to consider it now.

Mr. PENROSE. I earnestly hope that an opportunity will be afforded at an early date for the debate and consideration of the measure.

Mr. SMITH of Georgia. I earnestly hope that we will be able to defeat the bill when it comes to be voted on.

Mr. ROBINSON. Mr. President, I realize that discussion of this bill is not in order under the objection which has been made, but I merely desire to express the hope that the bill may be considered at a very early date and passed.

The VICE PRESIDENT. The bill will be passed over.

BUFFALO RIVER ZINC MINING CO.

The bill (S. 2530) for the relief of the Buffalo River Zinc Mining Co. was considered as in Committee of the Whole.

The bill has been reported from the Committee on Claims with an amendment, on page 2, after line 1, to insert:

Provided, That the Secretary of the Interior shall first make an investigation of all the facts concerning said claim, and shall be satisfied of its justness and of the good faith of the said company and its officers, and that the acts of the agent of the company by reason of which the said patents were canceled were done wholly without the knowledge or consent of said company or of any of its officers, and shall certify these facts to the Secretary of the Treasury. The expense, however, of said investigation, if any, shall be deducted from the amount found to be due said company.

So as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any moneys in the Treasury not otherwise appropriated, to the Buffalo River Zinc Mining Co., a corporation of St Louis, Mo., the sum of $4,200, being the amount of money paid by the said company to the United States of America, on or about the 21st day of July, 1904, as the purchase price of certain public lands in Searcy County, Ark., the patents to which have since been canceled at the suit of the United States of America, and the said lands having been restored to the public domain: *Provided*, That

the Secretary of the Interior shall first make an investigation of all the facts concerning said claim, and shall be satisfied of its justness and of the good faith of the said company and its officers, and that the acts of the agent of the company by reason of which the said patents were canceled were done wholly without the knowledge or consent of said company or of any of its officers, and shall certify these facts to the Secretary of the Treasury. The expense, however, of said investigation, if any, shall be deducted from the amount found to be due said company.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER.

The bill (S. 4086) to provide for the care and treatment of persons afflicted with leprosy and to prevent the spread of leprosy in the United States was announced as next in order.

Mr. SMOOT. That bill will lead to discussion. I ask that it may go over.

Mr. FLETCHER. The Senator from Louisiana [Mr. RANSDELL] had to be absent at this time, but requested me to ask to have the bill considered. The same bill has passed the House.

Mr. SMOOT. It can not be considered this morning by unanimous consent.

The VICE PRESIDENT. The bill will be passed over.

BARKENTINE "MABEL I. MEYERS."

The bill (S. 3270) for the relief of the owners of the barkentine *Mabel I. Meyers* and her master and crew, and for the relief of the owners of cargo of molasses late on board said barkentine, was announced as next in order.

Mr. WEEKS. I ask unanimous consent that House bill 11125 be substituted for that bill. They are for the same purpose, but differ in that the House bill has, on line 9 of the Senate bill, omitted the words "including interest" and the whole of section 2. Otherwise, with the exception of the amendment in the Senate bill, they are the same.

Mr. CLARK of Wyoming. Is the House bill on the calendar?

Mr. WEEKS. I understand it is.

Mr. SMOOT. Does the House bill provide that interest shall be paid?

Mr. WEEKS. The House bill eliminates the provision for the payment of interest.

The VICE PRESIDENT. The Chair will ask the Senator from Massachusetts whether the House bill is on the calendar?

Mr. WEEKS. I have not found it, but I think it is. It has passed the House.

Mr. GRONNA. Mr. President——

Mr. WEEKS. I ask that it be passed over temporarily, Mr. President.

The VICE PRESIDENT. The bill will be passed over temporarily.

BILLS PASSED OVER.

The bill (S. 392) to create in the War Department and the Navy Department, respectively, a roll designated as the "Civil War volunteer officers' retired list," to authorize placing thereon with retired pay certain surviving officers who served in the Army, Navy, or Marine Corps of the United States in the Civil War, and for other purposes, was announced as next in order.

Mr. OVERMAN. Let that go over.

Mr. GALLINGER. I am very sorry that that goes over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 3526) to amend an act entitled "An act to provide for the registration of, with collectors of internal revenue, and to impose a special tax upon all persons who produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away opium or cocoa leaves, their salts, derivatives, or preparations, and for other purposes," was announced as next in order.

Mr. ROBINSON. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 4971) to authorize the designation and withdrawal of water-power sites and the construction of water-power and other plants by the United States for the manufacture of nitrates, and for other purposes, was announced as next in order.

Mr. GALLINGER. Let that go over.

Mr. SMITH of South Carolina. Mr. President, that is a bill which I introduced. As it has been incorporated in another bill, passed and signed, I move the indefinite postponement of this bill.

The VICE PRESIDENT. Is there any objection to the indefinite postponement of the bill? The Chair hears none, and it is indefinitely postponed.

The bill (H. R. 406) to authorize exploration for and disposition of coal, phosphate, oil, gas, potassium, or sodium was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 10384) to regulate the immigration of aliens to, and the residence of aliens in, the United States was announced as next in order.

Mr. WALSH. Let that go over.

Mr. GALLINGER. Mr. President, was objection made to the consideration of this bill—the immigration bill?

The VICE PRESIDENT. The Senator from Montana [Mr. WALSH] objected to its consideration. The bill will be passed over.

STOCK-RAISING HOMESTEADS.

The bill (H. R. 407) to provide for stock-raising homesteads, and for other purposes, was announced as next in order.

Mr. WILLIAMS. Let that go over.

Mr. STERLING. Mr. President, do I understand that there is objection to the consideration of House bill 407?

The VICE PRESIDENT. There is.

Mr. STERLING. I hope the Senator who interposed the objection to the present consideration of that bill will not insist upon the objection. This is a House bill. It passed the House on January 18 last, more than six months ago. It is a very important bill, and it seems to me——

Mr. SMOOT. I ask if objection was made?

The VICE PRESIDENT. Objection was made.

Mr. SMOOT. Then I ask for the regular order.

The VICE PRESIDENT. The Senator from Utah calls for the regular order.

Mr. WILLIAMS. What is meant by "stock-raising homesteads"?

The VICE PRESIDENT. The regular order has been called for. The bill will be passed over.

RELIEF OF MAIL CONTRACTORS.

The bill (S. 5206) for the relief of mail contractor was announced as next in order.

Mr. SMOOT. Let that go over.

Mr. ROBINSON. Mr. President, just one moment. Will the Senator withhold his objection until I can make just a brief statement?

Mr. SMOOT. Does the Senator mean as to the object of the bill?

Mr. ROBINSON. No. It will take only a moment.

It was my intention, if no objection had been made to the consideration of this bill, to ask for the substitution of a similar or identical bill, which has already passed the House. I merely want to say that these bills embrace a great many claims for carrying the mails during a certain period, which have all been audited and found correct, and which ought to be paid all at once. The bill ought to be considered and passed. It merely heaps consideration of a multiplicity of details upon the committees having jurisdiction of these bills. Since they have been audited and embraced in an omnibus bill, I think the Senator, if he can find it consistent to do so, ought to withdraw his objection and let it pass.

Mr. SMOOT. I ask that it go over for to-day, and I will look it up.

The VICE PRESIDENT. The bill will be passed over.

PENSIONS AND INCREASE OF PENSIONS.

The bill (H. R. 12194) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, was considered as in Committee of the Whole.

The VICE PRESIDENT. This bill has been heretofore considered and the first amendment agreed to. The Secretary will state the next amendment.

The next amendment was, on page 2, to strike out lines 15, 16, and 17, in the following words:

The name of Martin W. Ryan, late of Company D, Seventeenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

Mr. POMERENE. Mr. President, this matter was up for consideration once before, and I moved at that time to disagree to this amendment. I now renew that motion, and if I may I will make a very brief statement in regard to it.

The facts are these: This man served during the Spanish War from June 20 to October 26, 1898. Later he reenlisted and served in the Philippines from December 12, 1898, to September 17, 1901, having nearly three and a half years of service to his credit. While in the service he became sick, a portion of the time while he was in the Philippines, and later he made

application for a pension. It was denied him because the medical examiner reported that the history of the case showed that he had some stomach difficulty prior to his first enlistment. He had passed two medical examinations, and was received into the service, and rendered nearly three and a half years of valuable service to his country, and now he is denied relief because the trouble antedated the day of his enlistment.

I may say further that I think the medical examiner misunderstood this testimony. In answer to some questions which were asked him the claimant stated that occasionally when he had been drinking as a very young man he would vomit, and from that slender testimony they concluded that he had this serious trouble before his enlistment.

Mr. GALLINGER. Mr. President, is that the only ground upon which this item has been stricken out?

Mr. POMERENE. I am very glad the Senator has asked that question, because of what appears in the record. There was some other trouble stated in the record. Later there was another examination, and that record was corrected, the medical authorities of the Government saying that there was no foundation for the first report that was made. I had in my possession a letter from The Adjutant General on that subject, which I turned over to the committee, and do not have it with me now.

Mr. GALLINGER. The fact that this man was accepted by the medical officers of the Government, and served three years and a half, ought to be sufficient reason for his being pensioned, it seems to me.

Mr. POMERENE. I think so; and I may add just a word further—that he is in such physical condition now that he is not able to work, and half of the time he can not retain food upon his stomach.

The VICE PRESIDENT. The question is on agreeing to the committee amendment.

Mr. JOHNSON of Maine. Mr. President, I wish to say just one word about the motion of the Senator from Ohio. In this case action was taken by the Senate Committee on Pensions as reported because of the fact that the claimant himself admitted, upon examination, that when he entered the service of the United States he had the disease for which he now claims pension. That is the report that came to the Committee on Pensions, and for that reason we recommended that the item be stricken out.

Mr. GALLINGER. Mr. President, if the Senator from Maine will permit me, is it not to this man's credit, even if he had some previous ailment, that he enlisted and served three years, admitting that he had some kind of illness?

Mr. JOHNSON of Maine. Yes; but, Mr. President, I call the attention of the Senator from New Hampshire to the difference between the law relating to Spanish War cases and the law with regard to Civil War cases. It is necessary to show, in the case of Spanish War claims, that the soldier suffers from an injury received or disease contracted in the service, while under the Civil War pension act he is entitled to a pension simply for service.

In this case the claim was made that the claimant is entitled to a pension because of disease of the stomach, and it was stated by him that he had this disease when he entered the service. That is the reason for the action taken by the committee.

Mr. POMERENE. Mr. President, may I ask the Senator whether he has the exact statement which this soldier made at that time?

Mr. JOHNSON of Maine. Yes.

Mr. POMERENE. I have a statement from the soldier himself.

Mr. CLARK of Wyoming. What difference does it make?

Mr. GALLINGER. Mr. President, inasmuch as we are pensioning soldiers who did not serve 90 days, and this man served three years and a half, I think we ought to throw aside technicalities.

Mr. POMERENE. The Senator from New Hampshire exactly expresses my idea on this subject.

Mr. CLARK of Wyoming. I suppose that if this man's medical record were perfect he could secure a pension through the Pension Office without coming here, could he not?

Mr. POMERENE. That is true.

Mr. CLARK of Wyoming. The very fact that he is unable to secure a pension, notwithstanding his meritorious service, is the reason why he appears before Congress for a special act.

Mr. JOHNSON of Maine. The Senator from Wyoming is quite correct in his statement, of course.

Mr. POMERENE. I may say that the House reported this matter favorably and passed the bill, and the Senate committee objected simply because of this technicality. I wish to add that I have not seen a case which appealed to me more than this. If this soldier, after nearly three and a half years' service, is to be turned down because of a technicality, a great injustice will be done. After the medical advisers of the Government twice examined him and he was twice received into the service and then to turn him down because of, perhaps, an incipient trouble, which the doctors did not discover, it would be violative of every principle of equity for the Government to deny him relief. The medical officer who recently made an adverse report is at fault in misconstruing a statement made by this soldier.

Mr. BRYAN. Mr. President, I should like to ask the Senator from Ohio where is the amendment to which he objects?

Mr. POMERENE. It is on the second page, lines 15, 16, and 17.

Mr. BRYAN. In what war was it that this soldier served three and a half years?

Mr. POMERENE. He served during the Spanish-American War from June 20 to October 26, 1898. He then reenlisted and served in the Philippines in Company D, Seventeenth United States Infantry, from December 12, 1898, to September 17, 1901, when he was transferred to Company F, Twenty-third United States Infantry, from which he was honorably discharged on December 11, 1901.

Mr. BRYAN. The war was over when he reenlisted.

Mr. POMERENE. Which war?

Mr. BRYAN. The Spanish-American War, when he enlisted the second time.

Mr. POMERENE. When he enlisted the second time; yes. But not when he enlisted the first time.

Mr. BRYAN. He could not have served three and a half years while the war was going on.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was rejected.

Mr. SMITH of Georgia. Mr. President, was this the amendment of the committee that was rejected?

The VICE PRESIDENT. Yes; it was.

Mr. SMITH of Georgia. I thought it was the amendment of the Senator from Ohio that I voted against.

The next amendment was, on page 3, after line 5, to strike out:

The name of Samuel P. Kahler, late of Company E, First Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 3, line 17, before the name "Goddard," to strike out "Marcellus" and insert "Marcellous," so as to make the clause read:

The name of Ella M. Goddard, widow of Marcellous Goddard, late of Troop I, Eighth Regiment United States Cavalry, Regular Establishment, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 5, after line 15, to strike out:

The name of John P. Bloodworth, late of Company D, Third Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 6, line 20, after the word "company," to strike out "in the," so as to make the clause read:

The name of Martha J. Hovey, widow of Horace W. Hovey, late of Capt. Jones's company, Twelfth Regiment United States Infantry, War with Mexico, and pay her a pension at the rate of $20 per month.

The amendment was agreed to.

The next amendment was, on page 6, line 24, after the word "Regiment," to insert "United States," so as to make the clause read:

The name of Aurora Griffith, widow of Frederick D. Griffith, late of Troop A, Fifth Regiment United States Cavalry, War with Spain, and pay her a pension at the rate of $12 per month and $2 per month additional on account of each of the five minor children of the said Frederick D. Griffith until they reach the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 8, line 17, before the word "Infantry," to insert "Volunteer," so as to make the clause read:

The name of Benjamin F. Barden, late of Company G, First Regiment Georgia Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 8, after line 18, to strike out:

The name of Otto H. Staron, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 9, after line 11, to strike out:

The name of Robert H. Beckham, late captain and commissary of subsistence United States Volunteers, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 10, line 3, after the words "widow of," to strike out "Laurence" and insert "Lawrence," so as to make the clause read:

The name of Grace P. McCarty, widow of Lawrence F. McCarty, late of Company I, Thirty-eighth Regiment United States Volunteer Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 10, line 11, after the words "account of," to insert "each of," so as to make the clause read:

The name of Martha E. Brabson, widow of Charles H. Brabson, late of Company B, Fourth Regiment United States Artillery, War with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the three minor children of the said Charles H. Brabson, until they reach the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 11, line 7, after the name "Cooke," to strike out "who served in" and insert "late of," so as to make the clause read:

The name of William H. Cooke, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 12, after line 5, to strike out:

The name of Abraham H. Martin, late of Company A, Thirty-fifth Regiment Michigan Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

STOCK-RAISING HOMESTEADS.

Mr. WILLIAMS. A moment ago I objected to the consideration of the bill (H. R. 407) to provide for stock-raising homesteads, and for other purposes. Since that time I have read the bill and I find that I was resting under a misapprehension as to its character. I withdraw the objection and request unanimous consent to recur to it.

The VICE PRESIDENT. Is there objection? The Chair hears none.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Public Lands with amendments.

The first amendment was, on page 3, in lines 8 and 9, to strike out the words "subject to the requirements of law as to residence and improvements."

The amendment was agreed to.

The next amendment was, at the end of line 10, page 3, after the word "acres," to insert the following proviso:

Provided further, That the entryman shall be required to enter all contiguous areas open to entry prior to the entry of any noncontiguous land.

The amendment was agreed to.

The next amendment was, after the word "of," on page 3, line 14, to insert "residence and," and in line 16 after the word "the," to insert "additional," so as to read:

Provided further, That instead of residence and cultivation as required by the homestead laws the entryman shall be required to make permanent improvements upon the additional land entered before final proof is submitted tending to increase the value of the same for stock-raising purposes, of the value of not less than $1.25 per acre, and at least one-half of such improvements shall be placed upon the land within three years after the date of entry thereof.

The amendment was agreed to.

The next amendment was, in section 4, page 3, line 22, after the word "entryman," to strike out the words "of lands of the character herein described," so as to read:

SEC. 4. That any homestead entryman who has not submitted final proof upon his existing entry, shall have the right to enter, subject to the provisions of this act, such amount of contiguous lands designated for entry under the provisions of this act as shall.

Mr. STERLING. As to the amendment last read, striking out the words "of lands of the character herein described," I ask that it be not agreed to.

Mr. SMOOT. If there is going to be any change in the bill as it was reported from the committee it is going to lead to discussion, and I must object to its consideration.

Mr. STERLING. Very well, I will withdraw the request.

The VICE PRESIDENT. The question is on agreeing to the amendment.

Mr. BORAH. Are we proceeding with the consideration of unobjected bills?

The VICE PRESIDENT. We are.

Mr. BORAH. I shall have to object to this bill.

Mr. SHAFROTH. I hope the Senator will not do that.

Mr. GALLINGER. Regular order!

Mr. SHAFROTH. This bill has been on the calendar for a long time, and a great many people in the West are interested in it.

The VICE PRESIDENT. The regular order has been called for.

Mr. BORAH. Mr. President, may I say just a word? We have no time to discuss the bill under this order, and that is the reason why I objected. If you will take it up and give us an opportunity to make some amendments and deal with the bill, I have no disposition to prevent its passage.

Mr. SHAFROTH. Mr. President——

Mr. OVERMAN. Regular order!

The VICE PRESIDENT. The regular order is called for, and the bill goes over.

CHILD LABOR.

The bill (H. R. 8234) to prevent interstate commerce in the products of child labor, and for other purposes, was announced as next in order.

Mr. OVERMAN. Let that go over.

The VICE PRESIDENT. The bill will go over.

The SECRETARY. Order of Business 353——

Mr. SUTHERLAND. What became of House bill 8234?

The VICE PRESIDENT. It went over.

Mr. SUTHERLAND. Was that objected to?

The VICE PRESIDENT. The Senator from North Carolina [Mr. OVERMAN] objected to it.

Mr. SUTHERLAND. I am sorry that objection should be made to that bill.

Mr. OVERMAN. I objected.

Mr. SUTHERLAND. I understand that both the great political parties have declared in favor of it.

Mr. OVERMAN. Mr. President, the regular order.

Mr. NORRIS. May I ask the Senator if it is the intention of the majority to pass this bill at the present session?

Mr. SUTHERLAND. I do not know whether it is the intention or not.

Mr. WILLIAMS. The regular order!

Mr. ROBINSON. I desire to express the hope that this bill may receive consideration.

Mr. OVERMAN. Regular order!

The VICE PRESIDENT. The Chair desires to express the hope that either the unanimous-consent agreement shall be lived up to or be set aside. Otherwise it is a waste of time. The next bill on the calendar will be announced.

CONVICT-MADE GOODS.

The bill (S. 4060) to limit the effect of the regulation of interstate commerce between the States in goods, wares, and merchandise wholly or in part manufactured, mined, or produced by convict labor or in any prison or reformatory was announced as next in order.

Mr. WILLIAMS. Let that go over.

The VICE PRESIDENT. The bill will go over.

PENSIONS AND INCREASE OF PENSIONS.

The bill (H. R. 13620) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors was considered as in Committee of the Whole. The bill had been reported from the Committee on Pensions with amendments.

The first amendment of the Committee on Pensions was, on page 1, after line 9, to strike out:

The name of Florence B. Eckert, widow of David Eckert, late of Company I, Sixteenth Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 2, line 14, before the words "late of," to strike out the name "Minnich" and insert "Minnick," so as to make the clause read:

The name of William F. Minnick, late of Company K, Eighteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 4, after line 5, to strike out:

The name of Thomas W. Oastler, dependent father of Paul R. Oastler, late of United States Navy, Regular Establishment, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 5, line 6, before the word "assistant," to insert "late," and in line 8, before the words "per month," to strike out "$24" and insert "$30," so as to make the clause read:

The name of Elizabeth O. Sawyer, widow of General James E. Sawyer, late assistant quartermaster general with rank of colonel, United States Army, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 5, after line 17, to strike out:

The name of George Zederbaum, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was on page 6, after line 3, to strike out:

The name of Nellie L. Wilson, widow of George M. Wilson, late of Company F, Ninth Regiment Illinois Volunteer Infantry, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving, and $2 per month additional on account of the minor child of the said George M. Wilson until he reaches the age of 16 years.

Mr. SMOOT. Mr. President, I wish to call the attention of the Senator having the bill in charge to a letter I have received from Representative DENISON in relation to Nellie L. Wilson, an individual whom this Congressman personally knows. He says since the report was made of her condition Mrs. Wilson has become wholly disabled by a stroke of paralysis which has permanently paralyzed one side of her body, and she is otherwise permanently disabled by chronic rheumatism to such an extent that she is unable to perform any work, and most of the time can not even comb her hair and dress herself.

I will say that I agreed that this item should be stricken out upon the testimony which was before the committee, but in this letter the Congressman tells me that he is personally acquainted with Mrs. Wilson and knows this statement to be true. If it is true we ought not to agree to the amendment of the committee.

Mr. JOHNSON of Maine. I have not just in mind the particular case. Will the Senator call my attention to the action of the Senate committee?

Mr. SMOOT. It is the amendment striking out the name of Nellie L. Wilson on page 6, widow of George M. Wilson, late of Company F, Ninth Regiment Illinois Volunteers, War with Spain. The House gave her a pension at the rate of $20 per month. We struck that out.

Mr. JOHNSON of Maine. She was restored to $12.

Mr. SMOOT. She was restored to $12 on the testimony that was before the committee, and I agreed that it should be stricken out. As I said, I have a letter from Congressman DENISON giving the facts I have just stated, and if those facts be true, then she is entitled to a pension of $20 a month, and we ought to disagree to the amendment.

Mr. JAMES. Let her have the increased pension.

Mr. JOHNSON of Maine. I have no objection to rejecting the amendment.

The amendment was rejected.

The next amendment was, at the top of page 7, to strike out:

The name of Martin V. Stanton, late of Company I, Twenty-first Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 7, after line 8, to strike out:

The name of Samuel Armistead, late of Company G, Ninth Regiment New York Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 9, after line 14, to strike out:

The name of Louis S. Harris, late of Battery A, Third United States Artillery, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 10, after line 6, to strike out:

The name of Anna J. Meilstrup, dependent mother of Elmer M. Meilstrup, late of the United States steamship *Maine*, United States Navy, Regular Establishment, and pay her a pension at the rate of $12 per month.

Mr. SMOOT. Representative LOUD wrote me, July 14, 1916, in relation to the pension for Anna J. Meilstrup, the dependent mother of Elmer M. Meilstrup. The Senate committee struck out the item upon the ground that the mother at the time of the death of her son was certainly not a dependent upon the son, and which I thought was perfectly right. Congressman LOUD sends me the following affidavit from Anna J. Meilstrup, sworn before a notary public May 25, 1916. She says:

Anna Meilstrup, of Grayling, Mich., being duly sworn, deposes and says that she has three sons, Spencer, age 26, married, now living at Lansing, Mich.; Ambrose, age 24, married, Bay City, Mich.; and Carleton, age 17, living with her at home. Deponent further says that her said sons, Spencer and Ambrose, earn barely enough to support themselves and family, and that she receives no support from them whatever, and that Carleton is a junior, in high school, and is dependent upon deponent for his support, as is also her daughter, Cornelia, who is living at home with her.

That the land at Turner was sold five years ago, and the proceeds from the sale thereof has been her only means of support since that time, and that this money is now practically gone; that she still owns her house and lot in the village of Grayling, but that the same is in need of repairs, and the tax rate and the cost of living in said village is high. That she has had a great deal of sickness in her family, and has expended for medical attendance during the past year approximately $567. That dependent has been in delicate health for some time, and still is, and during the past year she has been under the doctor's care for a period of seven months, and was in the hospital for five weeks in a serious condition. And further deponent saith not.

ANNA J. MEILSTRUP.

Subscribed and sworn to before me this 17th day of March, 1916.

[SEAL.] GLEN SMITH,
Notary Public, Crawford County, Mich.

My commission expires May 25, 1918.

I simply present it to the Senate now, as I promised Congressman LOUD I would do, and it is for the Senate to say whether it wants to disagree to the amendment or not.

Mr. JOHNSON of Maine. Will the Senator from Utah state the amount of property which the dependent mother owns?

Mr. SMOOT. In the affidavit?

Mr. JOHNSON of Maine. In the report which came to us, if the Senator has it before him.

Mr. SMOOT. I have not the report in my file; but it was the sale of a farm, as I remember, for about $2,500. She refers to that in this affidavit, saying there was but little of that money left, and she is now dependent upon what little is left. I suppose it must be only a few hundred dollars from the testimony. I told Congressman LOUD I would present the case to the Senate, and if the Senate felt like disagreeing to the amendment and allowing the mother to receive the pension, well and good.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was rejected.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

UNSURVEYED ISLANDS IN MINNESOTA.

The bill (S. 4287) to grant unsurveyed islands to the State of Minnesota for forestry purposes was considered as in Committee of the Whole.

The bill had been reported from the Committee on Public Lands with amendment, on page 1, line 3, after the first word "That," to insert "the Secretary of the Interior is hereby authorized to cause to be surveyed"; in line 7, before the word "Indian," strike out the word "or," and, after the word "Indian," in the same line, to insert "or any other"; in the same line, after the word "reservation," to insert "or lands to be sold for the benefit of Indians"; in line 11, after the word "granted," to insert the words "to the State," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to cause to be surveyed the unsurveyed islands in lakes and streams north of the forty-sixth degree of latitude, in the State of Minnesota which are not included in any national forest, Indian, or any other reservation, or lands to be sold for the benefit of Indians and the title to which is in the United States, be, and the same are hereby, granted to the State of Minnesota as additions to the State forests of said State. The islands hereby granted to the State shall be used as additions to State forests only; and should the State of Minnesota abandon the use of said islands for such purpose, the same shall revert to the United States.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BLACKFEET INDIAN RESERVATION LANDS.

The bill (S. 793) modifying and amending the act providing for the disposal of the surplus unallotted lands within the Blackfeet Indian Reservation was announced as next in order.

Mr. SMOOT. I wish to ask the Senator from Montana a question in relation to the bill before deciding as to whether I shall object to its consideration. There was a delegation of Blackfeet Indians here in Washington for a month. They called at my home several times in relation to this matter. I understood from them that they were trying to get both factions together, and they objected strenuously to the bill as it was originally presented. I ask the Senator if the amendment that is offered by the committee has been agreed to by both factions.

Mr. WALSH. By all parties.

Mr. SMOOT. Then I have no objection.

There being no objection, the bill was considered as in Committee of the Whole, which had been reported from the Committee on Indian Affairs with an amendment, to strike out all after the enacting clause and insert:

That so much of the Indian appropriation act of March 1, 1907 (34 Stat. L., pp. 1015 and 1035), as relates to the disposal of the surplus unallotted lands within the Blackfeet Indian Reservation in Montana is hereby modified and amended so as to authorize the disposal, in the manner provided for in that act, of the surplus unallotted lands only within the reservation which lie east of the range line between ranges 7 and 8 west: *Provided*, That the Secretary of the Interior may make allotments under existing laws within the diminished reservation to any living children of said Blackfeet Tribe who have not heretofore been allotted, so long as any unallotted tribal or reservation lands shall remain undisposed of: *Provided further*, That nothing herein shall be construed to repeal the grants of land made by the act of March 1, 1907, to religious institutions and to the State of Montana for school purposes nor repeal the authority of the Secretary of the Interior to dispose of any lands within said reservation suitable for town-site purposes as provided by that act: *And provided further*, That the State of Montana, in making indemnity school selections, shall be confined to the surplus nonirrigable lands within the territory subject to disposition under this act.

SEC. 2. That the provision of the act of March 1, 1907, which requires a division of the funds received from the sale of the surplus lands immediately upon the date of the approval of the allotments of land, is hereby repealed, and there is hereby appropriated, out of any money in th Treasury not otherwise appropriated, the sum of $750,000, to be immediately available and remain available until expended, which sum may be expended by the Secretary of the Interior for the purchase of stock cattle, to be administered for the benefit of the Blackfeet Indians as a tribal herd or distributed to them per capita, in the discretion of the Secretary of the Interior, for agricultural equipment, building, rebuilding, repairing, and furnishing Indian homes, digging wells in connection therewith, and for other purposes conducive to the advancement of the Indians toward civilization and self-support: *Provided*, That the pro rata shares of old and indigent Indians, of the sum of $750,000, herein appropriated, may be paid to them in cash or expended for their benefit if deemed for their best interests by the Secretary of the Interior: *Provided further*, That the sum hereby appropriated shall be reimbursed to the United States from the proceeds, when received, from the sale of surplus lands within the Blackfeet Indian Reservation: *And provided further*, That the balance of the proceeds, when received, from the sale of surplus lands over and above the amount required to reimburse the United States for the sum herein appropriated may be expended in the same manner and for like purposes in the discretion of the Secretary of the Interior.

SEC ?. That the lands within said reservation, whether allotted, unallotted, reserved, set aside for town-site purposes, granted to the State of Montana for school purposes, or otherwise disposed of, shall be subject to all the laws of the United States prohibiting the introduction of intoxicants into the Indian country until otherwise provided by Congress.

SEC. 4. That any and all minerals, including coal, oil, and gas, in the lands hereby opened are reserved for the benefit of the Indians of said reservation: *Provided*, That the allotments heretofore or which may hereafter be made of lands classified as coal or valuable for coal or other minerals shall proceed to patent, which patent shall contain a reservation of the coal, oil, or gas, or other mineral deposits for the benefit of the said tribe.

SEC. 5. That the Secretary of the Interior be, and he is hereby, authorized and directed to announce, at such time as in his opinion seems proper, the charge for construction of the irrigation system on the Blackfeet Indian Reservation in Montana, which shall be made against each acre of land irrigable by the system on said reservation. Such charges shall be assessed against the land irrigable by the system on said reservation in the proportion of the total construction cost which each acre of such land bears to the whole area of irrigable land thereunder.

On the 1st day of December after the announcement by the Secretary of the Interior of the construction charge the allottee, entryman, purchaser, or owner of such irrigable land which might have been furnished water for irrigation during the whole of the preceding irrigation season, from ditches actually constructed, shall pay to the superintendent of the reservation where the land is located, for deposit to the credit of the United States as a reimbursement of the appropriations made or to be made for construction of said irrigation system, 5 per cent of the construction charge fixed for his land as an initial installment, and shall pay the balance of the charge in 15 annual installments, the first 5 of which shall each be 5 per cent of the construction charge, and the remainder shall each be 7 per cent of the construction charge. The first of the annual installments shall become due and payable on December 1 of the fifth calendar year after the initial installment: *Provided*, That any allottee, entryman, purchaser, or owner may, if he so elects, pay the whole or any part of the construction charges within any shorter period: *Provided further*, That the Secretary of the Interior may, in his discretion, grant such extension of the time for payments herein required from Indian allottees or their heirs as he may determine proper and necessary, so long as such land remains in Indian title.

That the tribal funds heretofore covered into the Treasury of the United States in partial reimbursement of appropriations made for constructing the irrigation system on said reservation shall be placed to the credit of the tribe and be available for such expenditure for the benefit of the tribe as may be made under existing law.

The cost of constructing the irrigation system to irrigate allotted lands of the Indians on said reservation shall be reimbursed to the United States as hereinbefore provided, and no further reimbursements from the tribal funds shall be made on account of said irrigation works, except that all charges against Indian allottees or their heirs herein authorized unless otherwise paid, may be paid from the individual shares in the tribal funds, when the same is available for distribution, in the discretion of the Secretary of the Interior.

That in addition to the construction charges every allottee, entryman, purchaser, or owner shall pay to the superintendent of the reservation a maintenance and operation charge, based upon the total cost of maintenance and operation of the system on the said reservation, and the Secretary of the Interior is hereby authorized to fix such maintenance and operation charge upon such basis as shall be equitable to the owners of the irrigable land. Such charges, when collected, shall be available for expenditure in the maintenance and operation of the system on the said reservation: *Provided*, That the delivery of water to any tract of land may be refused on account of nonpayment of any charges herein authorized, and the same may, in the discretion of the Secretary of the Interior, be collected by a suit for money owed: *Provided further*, That the rights of the United States heretofore acquired to water for Indian lands referred to in the foregoing provision, namely, the Blackfeet Reservation land, shall be continued in full force and effect until the Indian title to such land is extinguished.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RETIRED NAVAL PETTY OFFICERS AND ENLISTED MEN.

The bill (S. 833) to provide that petty officers, noncommissioned officers, and enlisted men of the United States Navy and Marine Corps on the retired list who had creditable Civil War service shall receive the rank or rating and the pay of the next higher enlisted grade was announced as next in order.

Mr. BRYAN. Let that go over.

The VICE PRESIDENT. The bill will go over.

ELWIN CARLTON TAYLOR.

The bill (S. 1807) to reinstate Elwin Carlton Taylor as a passed assistant surgeon in the United States Navy was considered as in Committee of the Whole. It authorizes the President of the United States, in his discretion, to appoint Acting Asst. Surg. Elwin Carlton Taylor, United States Navy, to the grade of passed assistant surgeon, United States Navy, as an additional number, to rank next after the fifty-ninth officer in lineal standing on the list of passed assistant surgeons, and that no back pay or allowances shall accrue as a result of the passage of this act; but the said Elwin Carlton Taylor shall be required to satisfactorily pass the usual examinations required by law to determine his physical, mental, moral, and professional fitness to perform the duties of the grade to which he is to be appointed.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS POSTPONED INDEFINITELY.

The bill (S. 4054) to reorganize and increase the efficiency of the personnel of the Hospital Corps of the United States Navy, and for other purposes, was announced as next in order.

Mr. TILLMAN. This and the next bill, the bill (S. 3521) to establish a United States Naval Reserve, have already been provided for in the naval appropriation bill. I move that the bills be indefinitely postponed.

The motion was agreed to.

FORT PECK INDIAN RESERVATION.

The bill (S. 4761) providing for the classification, appraisal, and disposal of certain lands within the former Fort Peck Indian Reservation, Mont., was considered as in Committee of the Whole.

Mr. TOWNSEND. Is there coal on this land?

Mr. WALSH. There is coal on the reservation. Under the act opening it, passed in 1908, that land can not be appropriated by homesteaders. In 1910 Congress passed a general law allowing homestead entries to be made on coal land, the coal to be reserved to the Government; but that act can not be made applicable to the Fort Peck Reservation, it being applicable only to public lands.

This bill is intended to make the general act of 1910 applicable to lands on the Fort Peck Reservation, and it provides that the lands shall be open to homestead entry and that the coal in the lands shall be reserved and the coal disposed of for the benefit of the Indians.

Mr. CLARK of Wyoming. Mr. President, I wish to ask the Senator from Montana one question. I ask the Senator whether it has been definitely determined by proper legal authority as to whether or not lands in a condition such as is described in the bill are public lands or Indian lands.

Mr. WALSH. I am of the impression that it is held that these are not public lands, that they are open to disposition only under the special act of 1908, and thus would not fall under the operation of the general statute applicable to public lands.

Mr. CLARK of Wyoming. I was very anxious to get the Senator's opinion, because I take it it is a legal opinion. There have been a variety of holdings in the Department of the Interior as to the exact status of land upon ceded portions of Indian reservations. They have found sometimes when they have been applied for as public lands that they were held to be Indian lands and when they have been thought to be leased from the Indians they have been held to be public lands.

I am glad to get the statement of the Senator that in his opinion these are undoubtedly public lands.

Mr. SHAFROTH. I should like to ask the Senator from Montana a question. Do I understand that the act applies solely to Indian lands in the State of Montana?

Mr. WALSH. To lands in the Fort Peck Reservation only.

Mr. SHAFROTH. Very well.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

COMMITTEE ON FISHERIES.

The next business on the calendar was Senate resolution 119, authorizing the Committee on Fisheries to employ a stenographer to report its hearings held before the committee.

Mr. OVERMAN. Let that go over.

The VICE PRESIDENT. The resolution will go over.

PUBLIC HEALTH SERVICE.

The bill (S. 2215) to provide divisions of mental hygiene and rural sanitation in the United States Public Health Service was announced as next in order.

Mr. WORKS. Let that go over.

The VICE PRESIDENT. The bill will go over.

PENSIONS AND INCREASE OF PENSIONS.

The bill (S. 5914) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors was considered as in Committee of the Whole.

It proposes to pension the following persons at the rates stated:

William Bell, late of Company A, Twenty-fourth Regiment United States Infantry, War with Spain, $24 per month.

Michael Lacey, late of Company L, Third Battalion Engineers, United States Army, War with Spain, $12 per month.

Margaret Rowsell, widow of George Rowsell, late of Company D, Fourth Regiment United States Infantry, Regular Establishment, $20 per month in lieu of that she is now receiving.

Odelon Valcour, late of Seventy-eighth Company, United States Coast Artillery Corps, Regular Establishment, $20 per month.

John E. Halaas, late of Company I, Thirty-sixth Regiment United States Volunteer Infantry, War with Spain, $12 per month.

Michael Urell, alias Charles Welsh, late of Company K, Seventeenth Regiment United States Infantry, Regular Establishment, $20 per month.

Thomas F. Lancaster, late of Troop E, Eleventh Regiment United States Volunteer Cavalry, War with Spain, $12 per month.

Adesta L. Kendall, widow of Lucius H. Kendall, late colonel First Regiment Maine Volunteer Infantry, War with Spain, $30 per month.

Wilber Feaster, late of Company C, One hundred and sixty-first Regiment Indiana Volunteer Infantry, War with Spain, $12 per month.

Joseph T. Kling, late of Company G, Second Regiment Kentucky Volunteer Infantry, War with Spain, $20 per month.

Minnie A. Curtis, widow of Lee A. Curtis, late of Battery B, Utah Volunteer Light Artillery, War with Spain, $12 per month.

Thomas E. Sims, late of Company K, Twenty-first Regiment Kansas Volunteer Infantry, War with Spain, $12 per month.

Jennie G. George, widow of Charles P. George, late captain, Sixteenth Regiment United States Infantry, and major, United States Army, retired, Regular Establishment, $35 per month in lieu of that she is now receiving, and $2 per month additional on account of the minor child of said Charles P. George until she reached the age of 16 years.

George A. Wilson, late of Battery C, Utah Volunteer Light Artillery, War with Spain, $24 per month.

Henry Lee, late of Company K, Second Regiment Oregon Volunteer Infantry, War with Spain, $12 per month.

Mary S. Colborn, widow of Robert G. Colborn, late of Company G, Fifteenth Regiment United States Infantry, War with Spain, $12 per month, and $2 per month additional on account of the minor child of said Robert G. Colborn until he reaches the age of 16 years.

Edward Smith, late of Company E, Sixteenth Regiment United States Infantry, War with Spain, $8 per month.

Martha L. Sternberg, widow of George M. Sternberg, late brigadier general and Surgeon General United States Army, Regular Establishment, $50 per month in lieu of that she is now receiving.

Henry Koehler, late of Troop D, Seventh Regiment United States Cavalry, War with Spain, $18 per month.

William R. Claxton, late of Company B, Second Regiment New Jersey Volunteer Infantry, War with Spain, $20 per month.

Dale C. Cook, late of Company C, Fortieth Regiment United States Volunteer Infantry, War with Spain, $20 per month.

Raymond Christian, late of Company B, Nineteenth Regiment United States Infantry, Regular Establishment, $8 per month.

George P. Thompson, late of Company B, First Regiment West Virginia Volunteer Infantry, War with Spain, $8 per month.

Henry Sparman, late of Company G, Second Regiment Louisiana Volunteer Infantry, War with Spain, $12 per month.

Milford W. Oxley, late of U. S. S. *Franklin*, United States Navy, Regular Establishment, $24 per month in lieu of that he is now receiving.

John B. Lucas, late of Battery A, Missouri Volunteer Light Artillery, War with Spain, $12 per month.

Minnie Jeffers, widow of Le Roy Jeffers, late of Company I, First Regiment Tennessee Volunteer Infantry, War with Spain $12 per month and $2 per month additional on account of each of the minor children of said Le Roy Jeffers until they reach the age of 16 years.

Fonetta W. D. Scott, widow of Bernard O. Scott, late commander, United States Navy, Regular Establishment, $30 per month.

John McClintic, late of Company G, One hundred and fifty-ninth Regiment Indiana Volunteer Infantry, War with Spain, $12 per month.

Minnie Kinder, widow of Everett Kinder, late of Company D, Thirty-fifth Regiment United States Volunteer Infantry, and One hundred and third Company, United States Coast Artillery, War with Spain, $12 per month and $2 per month additional on account of each of the minor children of the said Everett Kinder until they reach the age of 16 years.

William Meyers, late of Company M, Twentieth Regiment United States Infantry, War with Spain, $16 per month.

Joseph England, late of Company B, Ninth Regiment Illinois Volunteer Infantry, War with Spain, $12 per month.

George W. Mosier, late of Company C, Second Battalion, Nineteenth Regiment United States Infantry, Regular Establishment, $30 per month in lieu of that he is now receiving.

Reuben Allred, late of Company A, Mormon Battalion, Iowa Volunteers, War with Mexico, $50 per month in lieu of that he is now receiving.

Harry B. Helm, late of Company A, One hundred and fifty-eighth Regiment Indiana Volunteer Infantry, War with Spain, $12 per month.

George Rhode, late of Troop I, Second United States Cavalry, Regular Establishment, $17 per month.

Margaret S. Gemberling, widow of John W. Gemberling, late second lieutenant Company F, One hundred and seventy-second Regiment Pennsylvania Drafted Militia Infantry, and dependent mother of George B. Siegles, late of Company A, Fourth Regiment United States Infantry, War with Spain, $20 per month in lieu of that she is now receiving.

Jennie S. Gilman, widow of Forrest J. Gilman, late of Company M, First Regiment Maine Volunteer Infantry, War with Spain, $12 per month and $2 per month additional on account of each of the minor children of the said Forrest J. Gilman until they reach the age of 16 years.

William A. Bowen, late of Company E, Third Regiment Georgia Volunteer Infantry, War with Spain, $12 per month.

Mary A. C. Kaigler, widow of William Kaigler, late of Company D, First Regiment Georgia Volunteers, War with Mexico, $20 per month in lieu of that she is now receiving.

Willie Hall, late of Company E, Third Regiment Wisconsin Volunteer Infantry, War with Spain, $8 per month.

Thomas Campbell, late of Battery L, First Regiment United States Artillery, Regular Establishment, $12 per month in lieu of that he is now receiving.

Caroline Carr, dependent mother of William H. Carr, Company A, Thirty-third Regiment Michigan Volunteer Infantry; Alvin Carr, Company K, Thirtieth Regiment United States Infantry; and Philo V. Carr, Company K, Thirtieth Regiment United States Volunteer Infantry, War with Spain, $20 per month.

Charles Groves, late of Company D, Seventh Regiment United States Infantry, War with Spain, $24 per month.

Newton H. Reed, late of Company M, Fourth Regiment Wisconsin Volunteer Infantry, War with Spain, $12 per month.

Oliver Bryant, late of Company F, Fifteenth Regiment Minnesota Volunteer Infantry, War with Spain, $12 per month.

Horace A. Gerald, late of Company K, First Regiment Maine Volunteer Infantry, War with Spain, $12 per month.

Sarah J. Lewis, widow of Samuel Lewis, late of Company C, Mormon Battalion, War with Mexico, $20 per month in lieu of that she is now receiving.

Jen Rody Chauncey, late of Company H, Seventeenth Regiment United States Infantry, Regular Establishment, $24 per month in lieu of that he is now receiving.

Charles M. Bradbury, late of Company G, First Regiment Maine Volunteer Infantry, War with Spain, $24 per month in lieu of that he is now receiving.

Robert H. Cowan, late second lieutenant Company K, Second Regiment North Carolina Volunteer Infantry, War with Spain, $40 per month in lieu of that he is now receiving.

Irene Blalock, widow of Vernon D. Blalock, late of Sixth Battery, United States Field Artillery, Regular Establishment, $12 per month and $2 per month additional on account of the minor child of said Vernon D. Blalock until she reaches the age of 16 years.

Joseph W. Carrier, late of Company A, Third Regiment Tennessee Volunteer Infantry, War with Spain, $20 per month in lieu of that he is now receiving.

William B. Hanley, late of Company F, Third Regiment Wisconsin Volunteer Infantry, War with Spain, $12 per month.

Peter F. Weasel, late of Company I, Sixteenth Regiment United States Infantry, Regular Establishment, $10 per month.

Karl S. Newstrom, late of Company H, Second Regiment Tennessee Volunteer Infantry, War with Spain, $12 per month.

Margaret A. Ede, widow of Alfred L. Ede, late lieutenant (junior grade), United States Navy, Regular Establishment, $50 per month in lieu of that she is now receiving, and $2 per month additional on account of each of the minor children of said Alfred L. Ede until they reach the age of 16 years.

Flora C. Plumb, widow of Charles F. Plumb, late of Company A, Fourth Regiment United States Volunteer Infantry, War with Spain, $12 per month.

Margaret R. Thompson, widow of Richard E. Thompson, late colonel, Signal Corps, United States Army, Regular Establishment, $30 per month.

Mary O'Hara Carnes, widow of John Carnes, late of Battery M, Seventh Regiment United States Artillery, War with Spain, $12 per month, and $2 per month additional on account of each of the minor children of said John Carnes until they reach the age of 16 years.

Grace W. Post, widow of Henry B. Post, late second lieutenant, Twenty-fifth Regiment United States Infantry, Regular Establishment, $25 per month in lieu of that she is now receiving.

Edward Louden, late of Company F, Fifth Regiment United States Infantry, Regular Establishment, $12 per month.

Mary A. Loveland, widow of Leslie R. Loveland, late of Company H, Third Regiment United States Infantry, War with Spain, $12 per month, and $2 per month additional on account of each of the minor children of said Leslie R. Loveland until they reach the age of 16 years.

Maria A. Hastings, widow of Daniel M. Hastings, late of Capt. Walker's company, First Regiment Texas Volunteer Cavalry, War with Mexico, $20 per month in lieu of that she is now receiving.

Lilias E. Knapp, widow of John J. Knapp, late captain, United States Navy, Regular Establishment, $50 per month in lieu of that she is now receiving.

Isaiah S. Watkins, late hospital steward, Forty-ninth Regiment United States Volunteer Infantry, War with Spain, $12 per month.

Sarah A. Herndon, widow of Dabney Herndon, late assistant surgeon, United States Army, Florida Indian War, $20 per month in lieu of that she is now receiving.

Susan L. F. Rand, widow of Stephen Rand, late rear admiral, United States Navy, retired, Regular Establishment, $50 per month in lieu of that she is now receiving.

Louise D. Finley, widow of Walter L. Finley, late colonel, First Regiment United States Cavalry, Regular Establishment, $40 per month in lieu of that she is now receiving.

Susan S. Stran, widow of Thomas V. Stran, late of Company A, Second Regiment Indiana Volunteer Infantry, War with Mexico, $20 per month in lieu of that she is now receiving.

Frank D. Haskell, late of Ordnance Detachment, United States Army, Regular Establishment, $12 per month.

Helen A. Gibbs, dependent mother of Randolph H. Gibbs, late of U. S. S. *Annapolis*, United States Navy, Regular Establishment, $20 per month in lieu of that she is now receiving.

Thomas J. McBride, late of Battery K, Fourth Regiment United States Artillery, War with Spain, $30 per month in lieu of that he is now receiving.

Mr. GALLINGER. Mr. President, I am well aware of the fact that the Committee on Pensions and the Congress itself is not as liberal in the matter of the payment of pensions to the widows of general officers as it was at the time when I had the privilege of acting as chairman of the Committee on Pensions. However, I wish to call the attention of the Senate to the case of Mrs. Sternberg, widow of the late Gen. Sternberg, which is so unusual, so clearly out of the ordinary, that I want to make an appeal to the Senate to increase the amount that is allowed in the bill.

Gen. Sternberg had a most remarkable career, Mr. President. It was Gen. Sternberg who organized the yellow-fever commission in 1900, which commission, under the late Maj. Reed, made that famous investigation resulting in the discovery that yellow fever was due to inoculation by mosquitoes, which discovery revolutionized the views that were held concerning that disease and practically obliterated it from the United States.

Gen. Sternberg, Mr. President, as a scientific man probably held more important positions than any other man in the history of this Government. I have here a list of the positions he held, with which I hope every Senator will acquaint himself if he has any objection to the motion which I am about to make. I would, if time permitted, discuss this matter at considerable length, but I have only five minutes in which to do it and shall content myself with reading one or two letters in reference to the matter which I find in the report of the Committee on Pensions.

Mr. TILLMAN. I suggest to the Senator to insert them in the RECORD without reading.

Mr. GALLINGER. I want to read what Dr. Gorgas—Gen. Gorgas, as we ordinarily know him—says. I find this letter from him.

WAR DEPARTMENT,
OFFICE OF THE SURGEON GENERAL,
Washington, March 9, 1916.

Mrs. GEORGE M. STERNBERG,
2005 Massachusetts Avenue, Washington, D. C.

DEAR MRS. STERNBERG: My long service in the Army Medical Corps under Gen. Sternberg has given me a very intimate knowledge of the character of his work during the long period he served his country. He began his service during the Civil War at the Battle of Manassas, on which occasion his services were most gallant and conspicuous. For many years after the Civil War he served on our western frontier.

His scientific investigations with regard to yellow fever were extensive and useful. He had a severe attack of yellow fever at Fort Barrancas, Fla., contracted while he was post surgeon at that post in connection with his duties. When he was made Surgeon General of the Army in 1902 he was in the forefront of bacteriologists and would have at that time ranked among the first two or three bacteriologists of the world. I think his memory deserves well of our country.

Very sincerely, yours,

WM. C. GORGAS,
Surgeon General, United States Army.

Mr. President, there is a very interesting letter here from Dr. George M. Kober, a well-known scientist of this city; a remarkable letter from ex-Senator Root, in which he pays tribute to the remarkable achievements of Gen. Sternberg; a letter from Gen. Wood, and other testimony that is of very great importance in connection with this matter.

I feel personally, Mr. President, in view of the most unusual services of Gen. Sternberg, and the fact that he has left a widow in feeble health and moderate circumstances, that $100 a month would not be an excessive pension for Mrs. Sternberg. I therefore move that "$50" be stricken out and that "$100" be inserted in the hope that the House will agree to that amount if we insert it, and thus adequately provide for the widow of this illustrious scientist and patriotic American.

The VICE PRESIDENT. The question is on the amendment of the Senator from New Hampshire [Mr. GALLINGER].

Mr. JOHNSON of Maine. Mr. President, the case of Mrs. Sternberg appeals very strongly to the committee because of the eminent services of her late husband, which the Senator from New Hampshire [Mr. GALLINGER] has detailed here; but in only very few cases has Congress given a pension above $50 a month. Fifty dollars a month is the limit which the Committees on Pensions in the House and in the Senate have established where a soldier requires the help of another person to care for him; and we have felt that in the case of Mrs. Sternberg in allowing $50 a month we had been very liberal. There are on the list very few, but there are a few who have pensions at $75 a month and a few who have pensions of $100, and only a very few, as the Senator from New Hampshire knows.

Mr. GALLINGER. And there are one or two who have a pension as high as $200 a month.

Mr. JOHNSON of Maine. I have not known of any pensions of that amount.

Mr. GALLINGER. I beg pardon, I know of them.

Mr. JOHNSON of Maine. In view of the fact that we allow a pension of but $50 a month to a soldier of the Civil War who is now paralyzed and in such condition that he requires the help of another person—a blind man, or a paralytic, for instance—

the committee felt that they had gone to the extreme limit and had been as liberal as they ought to be when they fixed this pension at $50 a month.

Mr. SHAFROTH. Mr. President, it seems to me that this case is upon a different basis from the one which is suggested by the Senator from Maine. Dr. Sternberg was a man who contributed to science a wonderful discovery that has revolutionized the treatment of one of the most terrible diseases that has ever scourged mankind. It seems to me as a tribute to that discovery, if nothing else, the amendment offered by the Senator from New Hampshire ought to be adopted.

Mr. GALLINGER. Mr. President, if the Senator from Colorado will permit me, I desire to suggest that during the last years of Dr. Sternberg's life he did remarkable service in the matter of tuberculosis, giving his time freely and contributing very largely to the knowledge of that dread disease, as well as to the knowledge of yellow fever.

The VICE PRESIDENT. The question is on the amendment of the Senator from New Hampshire.

The amendment was agreed to.

Mr. GALLINGER. I ask that the record of Dr. Sternberg, as it appears in the report of the Committee on Pensions, be published in the RECORD for the benefit of the other House of Congress, and also possibly for the conference committee.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

S. 1716. Martha L. Sternberg is the widow of George M. Sternberg, late brigadier general and Surgeon General, United States Army.

George Miller Sternberg was born in New York June 8, 1838. He entered the Army May 28, 1861, by appointment on that date as first lieutenant and assistant surgeon, and was in the service continuously until June 8, 1902, when placed on the retired list by operation of law. He was promoted to captain May 28, 1866; major and surgeon, December 1, 1875; to lieutenant colonel, January 2, 1891; and to brigadier general and Surgeon General, May 30, 1893. A biographical sketch of Dr. Sternberg is as follows:

"George Miller Sternberg, Washington, D. C., son of Rev. Levi (D. D.) and Margaret Levering (Miller) Sternberg, was born June 8, 1838, at Hartwick Seminary, Otsego County, N. Y., and educated at the same place; commenced the study of medicine in 1857 at Cooperstown, N. Y., under Dr. Horace Lathrop, of that place; attended two courses of lectures at the College of Physicians and Surgeons in the city of New York, and was graduated in 1860.

ARMY SERVICE.

"Actual rank: Assistant surgeon, May 28, 1861, accepted May 31, 1861; captain and assistant surgeon, May 28, 1866; major and surgeon, December 1, 1875; lieutenant colonel and deputy surgeon general, January 12, 1891; brigadier general and Surgeon General, May 30, 1893; retiring year, 1902; appointed from New York.

"Service: With Gen. Sykes's command, Army of the Potomac, to August, 1862; hospital duty, Portsmouth Grove, R. I., to November, 1862; with Gen. Banks's expedition and assistant to the medical director, Department of the Gulf, to January, 1864; in office of medical director, Columbus, Ohio, and in charge of United States general hospital at Cleveland, Ohio, to July, 1865; with the Thirteenth United States Infantry, Jefferson Barracks, Mo., to April, 1866; post surgeon at Fort Harker, Kans., to October, 1867 (cholera epidemic); at Fort Riley, Kans., and in the field from April, 1868 to 1870 (Indian campaign); Fort Columbus, New York Harbor, to May, 1871 (yellow-fever epidemic); Fort Hamilton, New York Harbor, to June, 1871; Fort Warren, Boston Harbor, Mass., to August, 1872; ordered to Department of the Gulf, July 22, 1872, acting medical director, New Orleans, La., to October, 1872; post surgeon, Fort Barrancas, Fla., to August, 1875 (epidemics of yellow fever in 1873 and 1875); on sick leave to May, 1876; ordered to Department of the Columbia, May 11, 1876; attending surgeon department headquarters to September, 1876; post surgeon, Fort Walla Walla, Wash., to May, 1879; in the field, Nez Perces expedition, 1877; on special duty with National Board of Health from July, 1879, to August, 1881 (member of Habana yellow-fever commission, 1879); ordered to Department of California, August 10, 1881; post surgeon, Fort Mason, Cal., to May, 1884; attending surgeon and examiner of recruits at Baltimore, Md., to October, 1890; in charge medical purveying depot, San Francisco, Cal., to February, 1892; attending surgeon, New York City to May, 1893.

"Brevet commissions and 'honorable mention' in official communications: Captain and major, United States Army, 'for faithful and meritorious services during the war.' Lieutenant colonel, 'for gallant service in performance of his professional duty under fire in action against Indians at Clearwater, Idaho, July 12, 1877.'

WAR OF THE REBELLION—OFFICIAL RECORDS.

[Series I, Vol. XI, Part II, Report of Brig. Gen. George Sykes, United States Army, commanding second division of the Battle of Gaines Mill, engagement at Turkey Bridge, and Battle of Malvern Hill.]

Dr. Sternberg added largely to the reputation already acquired on the disastrous field of Bull Run. (Op. cit., p. 352.)

[Extract from letter of the Surgeon General, United States Army, to the honorable the Secretary of War.]

WAR DEPARTMENT, SURGEON GENERAL'S OFFICE,
Washington, D. C., November 13, 1879.

* * * Asst. Surg. Sternberg has since his appointment (May 28, 1861) served in the field during the war; * * * from May 31, 1868, to December 9, 1868, chief medical officer of the expedition serving south of the Arkansas River; * * * from September 2, 1872, to the present date, as post surgeon, Fort Barrancas, Fla., and has rendered there valuable and efficient services during two epidemics of yellow fever.

Very respectfully, your obedient servant,

JOS. K. BARNES,
Surgeon General United States Army.

Special details: Member and secretary of the Habana yellow-fever commission of the National Board of Health (1879). Delegate from the United States, under special instructions from the honorable the Secretary of State, to the International Sanitary Conference of Rome (1885). Detailed, by direction of the President, in pursuance of the authority contained in the provisions of the act of Congress, approved March 3, 1887, to make investigations in Brazil, Mexico, and Cuba, relating to the etiology and prevention of yellow fever (1887–1889). Consulting bacteriologist to the health officer of the port of New York (1892) by authority of the War Department, and in compliance with special request of the health officer of the port of New York and the advisory committee of the New York Chamber of Commerce.

Membership in medical and scientific societies: Member and ex-president of the American Public Health Association; member of the American Association of Physicians; of the American Medical Association; of the American Physiological Society; of the American Microscopical Society (vice president); fellow of the American Association for Advancement of Science; fellow of the New York Academy of Medicine; president of section on military medicine and surgery of the Pan American Medical Congress; president of the Association of Military Surgeons United States (1894); fellow of the Royal Microscopical Society of London; late fellow by courtesy in Johns Hopkins University (1885–1890); honorary member of the Epidemiological Society of London; honorary member of the Royal Academy of Medicine of Rome; honorary member of the Academy of Medicine of Rio de Janeiro; honorary member of the American Academy of Medicine; honorary member of the French Society of Hygiene, etc.

Elected president American Medical Association in 1897.

President Biological Society of Washington in 1895–96.

President Philosophical Society of Washington in 1900.

Principal published works and scientific researches: "Bacteria," 498 pp., 8vo., including 152 pp. from the work of Dr. Antoine Maguin, translated from the French in 1880, illustrated by photomicrographs and cuts. Wm. Wood & Co., New York, 1884.

"Malaria and Malarial Diseases," 329 pp., 8vo. Wm. Wood & Co., New York, 1884.

"Photomicrographs and How to Make Them," 204 pp., 8vo., illustrated by numerous photomicrographs. Jas. R. Osgood & Co., 1884.

"Report Upon the Prevention of Yellow Fever by Inoculation," 100 pp., 8vo., submitted in March, 1888. Government Printing Office, Washington, D. C.

"Report on the Etiology and Prevention of Yellow Fever," 271 pp., 8vo., illustrated by the photomicrographs and cuts. Government Printing Office, Washington, 1890.

"A Manual of Bacteriology," 898 pp., royal 8vo., illustrated by numerous photomicrographs and cuts. Wm. Wood & Co., New York, 1892.

"Examination of the Blood in Yellow Fever"; experiments upon animals, etc. In "Preliminary Report of Habana Yellow Fever Commission," Washington, 1879.

"Experiments to Test the Value of Certain Gaseous and Volatile Disinfectants." National Board of Health Bulletin, Washington, 1879.

"Experiments with Disinfectants." Johns Hopkins Univ. stud. biol. lab., Baltimore, 1882.

"A Fatal Form of Septicæmia in the Rabbit," etc. Johns Hopkins University, stud. biol. lab., Baltimore, 1882.

"Experimental Investigations Relating to the Etiology of the Malarial Fevers," special report to National Board of Health, in National Board of Health Bulletin, Washington, 1881–82.

"Germicide Value of Therapeutic Agents." American Journal of Medical Science, 1883.

"The Etiology of Croupous Pneumonia." The Medical Record, New York, 1889.

"The Bacillus of Typhoid Fever." The Medical News, Philadelphia, 1887.

"The Thermal Death-Point of Pathogenic Organisms." American Journal of Medical Science, Philadelphia, 1887.

"Explanation of Acquired Immunity in Infectious Diseases." American Journal of Medical Science, Philadelphia, 1881.

Address on "Medicine," delivered at Yale University, June 23, 1892.

"Disinfection and Disinfectants," "Report of Chairman of the Committee on Disinfectants" of the American Public Health Association, 1888.

Article on "Disinfection" in Hare's "System of Practical Therapeutics," Vol. I, Philadelphia, 1892.

Articles on "Yellow Fever," "Relapsing Fever," "Typho-Malarial Fever," "Germicides," "Antiseptics," in Wood's Handbook of Medicine, New York, 1885–89.

"Practical Results of Bacteriological Researches." American Journal of Medical Science, Philadelphia, 1892.

"The Biological Characters of the Cholera Spirillum," etc. The Medical Record, New York, 1893.

"Disinfection of Quarantine Stations, Especially in Cholera." The New York Medical Journal, 1893.

Report of chairman of committee on "Protective Inoculations in Infectious Diseases." Boston Medical and Surgical Journal, 1893.

Titles of papers published since 1893 are not included in above list.

Dr. Sternberg has made original researches in the etiology of infectious diseases, the comparative value of disinfectants, etc. The degree of LL. D. was conferred on him by the University of Michigan in 1894 and by Brown University in 1897.

Dr. Sternberg married first, in 1866, Mill Maria Louisa Russell, of Cooperstown, N. Y., who died of cholera in 1867; married second, in 1869, Miss Martha L. Pattison, of Indianapolis, Ind. They have no children.

Dr. Sternberg was one of the leading bacteriologists of his day. He suffered an attack of yellow fever in Florida in 1875, and in after years he devoted much time and study to scientific investigations of that dread plague and to him is generally credited much of the success achieved in its elimination from our southern cities and from Habana and Panama. He organized the Yellow Fever Commission of 1900, with Maj. Walter Reed as chairman, and Drs. Lazear, Carroll, and Agramonte as members, which proved so fruitful in results; and he was equally distinguished in other lines of useful work of incalculable benefit to humanity. The following letters filed with the committee are of interest in the case:

WASHINGTON, SANITARY HOUSING CO.,
Washington, D. C., December 10, 1915.

Hon. J. H. GALLINGER,
United States Senate, City.

DEAR SENATOR: I beg to inform you that Gen. George M. Sternberg, United States Army (Surgeon General, retired), died in this city November 3, 1915.

His wife, Martha L. Sternberg, is left without adequate support, and it is hoped that Congress may provide a special pension for her.

Gen. Sternberg's distinguished services to his country, to science, and humanity were recognized upon the occasion of his seventieth birthday in 1908 and are set forth in the accompanying publication.

It is generally held that much of the success achieved by the Yellow Fever Commission organized by him in 1900 was rendered possible by the preliminary work of Dr. Sternberg. His work in yellow fever began during an epidemic at Governors Island, New York Harbor, in 1871; was continued in the yellow-fever zone in New Orleans in 1872. At Fort Barrancas, Fla., he witnessed two epidemics, in 1873 and 1875, and during the latter epidemic he suffered, himself, a severe attack.

From 1879 to 1888 he visited Habana several times, also Rio de Janiero, Vera Cruz, and the town of Decatur, Ala., in the investigation of the cause of yellow fever.

Having exhausted the resources at his command in his search for the germ of yellow fever by microscopical examination of the blood and tissues, by culture methods, and by experiments on the lower animals, he felt that the only method left which offered any promise of success was that of direct experiment on man.

If the blood of a yellow-fever patient contained the specific infectious agent, this should be shown by inoculating a nonimmune individual with such blood.

With this object in view, he organized in 1900 the Yellow Fever Commission, with Maj. Reed as chairman. The investigation of this commission resulted in the demonstration that in yellow fever the specific infectious agent is present in the blood of those suffering from the disease and that the usual, and probably the only, method of transmission is through the bites of mosquitoes of the genus Stegomyia. This brilliant demonstration by Reed and his colleagues has furnished the necessary basis for preventive measures which have been applied with entire success in the yellow-fever zone, and the practical results are of incalculable value to mankind.

It certainly speaks well for the painstaking work of Dr. Sternberg that even now, when we know that the infectious agent is transmitted through the sting of a mosquito and the search has been narrowed down to the body of this insect, it has not been isolated, and neither Sternberg nor Reed have found it, probably because it is ultramicroscopic.

In giving due credit to all the participants of this splendid piece of research, it is generally conceded that Dr. Sternberg's work was of the highest scientific value, and his daily contact with the sick, his autopsies, and bacteriological investigations in different countries and climes in search of the yellow-fever germ involved at least the same risks and heroism displayed by members of the Yellow Fever Commission.

Very sincerely, yours,

GEO. M. KOBER.

WAR DEPARTMENT,
OFFICE OF THE SURGEON GENERAL,
Washington, March 9, 1916.

Mrs. GEORGE M. STERNBERG,
2005 Massachusetts Avenue, Washington, D. C.

DEAR MRS. STERNBERG: My long service in the Army Medical Corps under Gen. Sternberg has given me a very intimate knowledge of the character of his work during the long period he served his country. He began his service during the Civil War at the Battle of Manassas, on which occasion his services were most gallant and conspicuous. For many years after the Civil War he served on our western frontier.

His scientific investigations with regard to yellow fever were extensive and useful. He had a severe attack of yellow fever at Fort Barrancas, Fla., contracted while he was post surgeon at that post in connection with his duties. When he was made Surgeon General of the Army in 1902 he was in the forefront of bacteriologists and would have at that time ranked among the first two or three bacteriologists of the world. I think his memory deserves well of our country.

Very sincerely, yours,

WM. C. GORGAS,
Surgeon General, United States Army.

NEW YORK, *March 8, 1916.*

DEAR MRS. STERNBERG: I have received your letter of March 6, and I respond heartily to the very moderate statements which you make regarding Gen. Sternberg's merits and the claims of his memory to recognition by Congress. Senator GALLINGER'S bill does not rest alone upon long and faithful service, including both the Civil War and the War with Spain, but chiefly and distinctively upon the great part which Gen. Sternberg played in the service rendered by the Medical Corps of the Army in the nine years during which he was Surgeon General. The practical extirpation of yellow fever in Cuba and on the Isthmus of Panama and the development of methods of preventive medicine which have secured the phenomenal freedom from typhoid in recent years are achievements in which the Medical Corps of the Army bore a great part and won the highest distinction. Congress has paid great honor to the medical officers who in the field and in camp became distinguished for their part in this extraordinary work. Let no one think, however, that the man who was at the head of the corps can be left out of account in this creditable record. Such things do not happen by accident. No body of men accomplishes what our medical officers accomplished for the 10 years succeeding 1902 except in response to leadership, incitement, encouragement, opportunity, motive power, coming from the head of the corps.

The Medical Corps accomplished what it did largely because the man at the top was a pioneer in bacteriology, an advance worker in protective medicine, and had the enthusiasm and devotion through which science wins victories. That spirit communicated itself to the corps, directed its energies, made it the field of opportunity for scientific effort, kept good men in it, brought good men into it, and furnished the indispensable element of leadership without which the work could not have been done. Gen. Sternberg was the general commanding in that campaign. Congress has been honoring his subordinates gratefully and properly. It is all wrong that there should be no appreciation for the commander. I have not received yet the copies of resolutions, etc., which you have sent, but I do not need them, for I know about this subject myself upon the experience of four years and a half during which it was my business to observe and estimate the influences working for and against efficiency in the War Department.

With kind regards, dear Mrs. Sternberg, I am always,

Faithfully, yours,

ELIHU ROOT.

Mrs. GEORGE M. STERNBERG,
2005 Massachusetts Avenue NW., Washington, D. C.

HEADQUARTERS EASTERN DEPARTMENT,
Governors Island, N. Y., March 6, 1916.

MY DEAR MRS. STERNBERG: It gives me great pleasure to state that I am well acquainted with the late Gen. George M. Sternberg's long, honorable, and highly efficient services in the Army. He was one of the leading authorities on bacteriology and did most valuable work. His studies in connection with yellow fever and his general research work in connection with tropical diseases all had a far-reaching effect on the successful conduct of these experiments. His life was devoted to the best interests of the service and humanity at large. I sincerely trust you will be able to secure some definite recognition in the way of a pension.

Sincerely, yours,

LEONARD WOOD.

Mrs. GEORGE M. STERNBERG,
2005 Massachusetts Avenue NW., Washington, D. C.

Mrs. Sternberg is now receiving the small pension of $12 per month (certificate No. 803582) provided by the act of April 19, 1908, for the widow of an officer or enlisted man who served 90 days in the Civil War. She is unable to obtain pension under the general law more commensurate with the rank and services of her distinguished husband, for the reason that she can not show that his death from heart disease was due to his active military service, although it is highly probable that such was the case. She married the deceased officer September 1, 1869, and is now 72 years of age.

Evidence filed with the committee shows that Mrs. Sternberg is broken in health and in comparatively necessitous circumstances, having only a little property and with but a small income for her support. It is believed the long and faithful and exceedingly valuable services of Gen. Sternberg and the widow's necessitous circumstances justify your committee in reporting the bill favorably with recommendation for increase of pension to $50 per month.

Mr. JONES. Mr. President, on page 5, line 7, I move to strike out "$8" and to insert "$12," making the pension in that case $12 a month.

The VICE PRESIDENT. The amendment proposed by the Senator from Washington will be stated.

The SECRETARY. On page 5, line 7, it is proposed to strike out "$8" and in lieu thereof to insert "$12," so as to read:

The name of Raymond Christian, late of Company B, Nineteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

Mr. JONES. Mr. President, just a word. I very seldom find any fault with the action of the Pensions Committee with reference to these matters, because I know they do what they think to be right on the records placed before them; but this case, on the testimony as shown in the record, especially appeals to me. It seems to me that we ought to allow this man a little bit more than $8 a month. He enlisted in the Regular Establishment of the Army on March 25, 1902, and was discharged October 24, 1903. In his application for pension to the Pension Office he alleged very many different kinds of disability. The claim was rejected at the department on the ground that there was not any disability traceable to service. The report of the committee states:

The medical records on file in the War Department show that soldier was treated during service from June 26 to July 3, 1902, for chronic catarrhal dysentery; November 12 to 15, 1902, acute indigestion; January 17 to March 2, 1903, croupous pneumonia, right lower lobe; pleurisy, acute, lower left lobe.

That is the hospital record of the man during his service. Two of his neighbors testified, on May 20, 1909, that in the month of November, which was just a month after he was discharged on October 24, 1903—

they helped claimant build a shed and that at that time claimant was unable to work much on account of dizziness and numbness of his limbs, being unable to hold a hammer in his hand or lift any lumber, and came near falling off of a scaffold on account of dizziness; that claimant has been so afflicted since 1903, and is now become worse; that his right arm is now useless and helpless and he has to carry it in a sling, and that he is totally incapacitated for doing any manual labor.

Then a physician testified in 1910 that in an examination of the man he found one whole side practically paralyzed. I shall not take the time of the Senate to read his statement. Then there is an affidavit of John Abtz, who says:

That claimant was an able-bodied man prior to service; that he now shows serious defect in his speech, hesitation, and stuttering, a shortening of the right wrist, and inability to grasp objects firmly, and indications of partial paralysis of right side and right forearm; that claimant's disabilities are such as to prevent him from earning a living by manual labor.

Then the committee refer to an affidavit of the claimant and state:

He is 46 years of age, and, as the evidence shows, without means for his support, and your committee recommends a pension for this claimant at $8 per month.

Mr. President, I think that we ought at least to grant this man, on the showing here, $12 a month. He is practically paralyzed on one side now; is practically helpless; and I think the hospital records show that his condition is without doubt due to disability incurred in the service. The record shows that when he enlisted—and I think we have a right to assume the fact—he was an able-bodied man. I hope the committee will increase the sum from $8 to $12 a month.

Mr. SMOOT. Mr. President, in all such cases as this the other House has a fixed rate of $8 a month. The Senate committee did not change that in this case, nor have they ever

changed it in the past. This soldier purchased his way out of the Army on October 24, 1903. He enlisted—and, mind you, this was in the Regular Army—on March 25, 1902.

I think if the pension of this soldier is increased from $8 a month, the limit allowed under the rules of the House committee, that we ought to go through all of the pension bills and increase other pensions in similar cases. The very next item is for George P. Thompson, who is also given a rate of $8 per month.

Mr. JONES. Mr. President, I want to ask the Senator what is the rule fixing a limit of $8 a month?

Mr. SMOOT. That has always been the rule governing the committee in the other House.

Mr. JONES. This is not a House bill.

Mr. SMOOT. In the Senate the rule has been the same. The rates generally are fixed, first, upon length of service, and, second, upon whether, after investigation by the department, it is found that the soldier suffers from any disease contracted while in the service. In this instance the department holds that not to be the case. This soldier purchased his way out of the Army; he was not discharged for any reason; he was not so sick that they thought he ought to be discharged on account of sickness.

The Senate committee has adopted a rule limiting the amount in such cases to $8 a month, if any pension is granted at all, and the House has followed the same rule. Of course, if the Senate feel that they want to increase the rate here provided, I will simply say that very many others ought to be increased also.

Mr. JONES. Mr. President, just a word. I supposed that each one of these cases was passed upon according to the special facts of the case. These are special bills, and pensions are allowed for special reasons. Here is a case where the record shows that this man is practically paralyzed on one side and helpless.

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. Just a moment. The Senate is proceeding under the rule which allows a Senator to speak only once, and then not to exceed five minutes.

Mr. JONES. Very well; I have no desire to transgress the rule.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Washington. [Putting the question.] The "ayes" seem to have it; the "ayes" have it, and the amendment is agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BARKENTINE "MABEL I. MEYERS."

Mr. WEEKS. Mr. President, I now ask that the Senate return to Calendar No. 283, being Senate bill 3270.

The VICE PRESIDENT. The Senator from Massachusetts asks unanimous consent to return to Calendar No. 283, Senate bill 3270.

Mr. WEEKS. Mr. President, that is a bill to give relief in the case of a ship that was run down by a man-of-war. The House passed a similar bill, but when it came to the Senate, instead of being referred to the Committee on Claims, it was referred to the Committee on Commerce. As it is simply a relief bill, it seems that it ought not to be delayed; and I move to take up House bill 11125 and to strike out all after the enacting clause and substitute the Senate bill therefor, and then I will ask that the Senate bill be indefinitely postponed.

Mr. GALLINGER. Is the House bill on the calendar?

Mr. WEEKS. The House bill is not on the calendar.

The VICE PRESIDENT. If the House bill is not on the calendar, the Chair does not see very well how the House bill can be substituted for the Senate bill.

Mr. TILLMAN. Under the circumstances, I think the bill can not be considered, and I ask for the regular order.

Mr. WEEKS. Mr. President, would it be in order to move at this time to discharge the Committee on Commerce from the further consideration of the House bill and that it be referred to the Committee on Claims?

Mr. GRONNA. I call attention to the fact that we are operating under a unanimous-consent agreement.

Mr. WEEKS. I will not take any more time, if I can get the Senate Committee on Commerce discharged from the further consideration of the bill and have it referred to the Committee on Claims.

The VICE PRESIDENT. Is there objection?

Mr. GRONNA. I object.

The VICE PRESIDENT. Objection is made.

STOCK-RAISING HOMESTEADS.

Mr. STERLING. Mr. President, I wish to recur for a moment to Calendar No. 324, House bill 407. The Senator from Idaho [Mr. BORAH], it will be remembered, objected to the present consideration of this bill. The Senator, I think, has had an opportunity to read the bill since he made the objection, and I should be pleased to know whether or not he will not withdraw the objection he made to the consideration of the bill?

Mr. BORAH. Mr. President, I have no desire to stand in the way of a final vote upon this bill, but I want to say a few words about it when it is taken up for consideration.

Mr. SMOOT. Mr. President, I know that the Senator from Arizona is going to offer an amendment to the bill which will lead to discussion. There is no need of taking the 20 minutes of time which we have left under the present order for the consideration of this bill.

Mr. GALLINGER. Regular order!

The VICE PRESIDENT. The regular order is demanded. The Secretary will state the next bill on the calendar.

BILLS PASSED OVER.

The bill (S. 5854) to provide for the erection, furnishing, and equipping of a building in the city of Washington, D. C., for the Department of Justice was announced as next in order.

Mr. GALLINGER. Let that bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 308) to amend the act to regulate commerce, as amended, and for other purposes, was announced as next in order.

Mr. LODGE. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 5716) to establish the Mount McKinley National Park, in the Territory of Alaska, was announced as next in order.

Mr. NELSON. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 681) providing for the election of a Delegate to the House of Representatives from the District of Columbia, and for other purposes, was announced as next in order.

Mr. SMITH of Georgia. Let that bill go over.

The VICE PRESIDENT. The bill will be passed over.

CAPT. JOHN H. GIBBONS, UNITED STATES NAVY.

The bill (S. 5675) for the relief of John Henry Gibbons, captain on the retired list of the United States Navy, was announced as next in order.

Mr. LODGE. Mr. President, that bill may be indefinitely postponed. It is covered by name in the naval appropriation bill by a provision inserted by the House, which has been agreed to by the Senate. I therefore move that the bill be indefinitely postponed.

The VICE PRESIDENT. The question is on the motion of the Senator from Massachusetts.

The motion was agreed to.

RESOLUTION PASSED OVER.

The resolution (S. Res. 195) to amend the standing rules of the Senate relative to closing debate in the Senate was announced as next in order.

Mr. SUTHERLAND. Let that go over.

The VICE PRESIDENT. The resolution will be passed over.

RADIO STATION, UNGA ISLAND, ALASKA.

The bill (S. 3776) providing for the establishment of a radio station at Unga Island, Alaska, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Naval Affairs with amendments, in line 6, after the article "a," to strike out "high power"; and in line 8, after the word "Alaska," to insert:

There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $45,000, or so much thereof as may be necessary, for the purpose of carrying out the provisions of this act.

So as to make the bill read:

Be it enacted, etc., That the Secretary of the Navy is hereby authorized to acquire, by purchase or otherwise, and to prepare a suitable site, purchase and erect towers and buildings, and purchase and install machinery and apparatus for a radio station, to be located on Unga Island, Alaska. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $45,000, or so much thereof as may be necessary, for the purpose of carrying out the provisions of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PROTECTION OF THE WATERSHEDS OF NAVIGABLE STREAMS.

The bill (S. 6047) to carry out the purposes mentioned in section 3 of the act of March 1, 1911, entitled "An act to enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers," was announced as next in order.

Mr. GALLINGER. I move that that bill be indefinitely postponed. It is included in the Agricultural appropriation bill.

The VICE PRESIDENT. The question is on the motion of the Senator from New Hampshire that the bill be indefinitely postponed.

The motion was agreed to.

GLACIER NATIONAL PARK.

The bill (S. 778) to amend an act entitled "An act to establish the Glacier National Park in the Rocky Mountains south of the international boundary line, in the State of Montana, and for other purposes," approved May 11, 1910, was announced as next in order.

Mr. GRONNA. I ask that that bill go over.

The VICE PRESIDENT. The bill will be passed over.

LANDS IN MONTANA.

The bill (S. 790) to repeal an act entitled "An act to amend section 3 of the act of Congress of May 1, 1888, and extend the provisions of section 2301 of the Revised Statutes of the United States to certain lands in the State of Montana embraced within the provisions of said act, and for other purposes," was considered as in Committee of the Whole.

The bill had been reported from the Committee on Public Lands with an amendment, to strike out all after the enacting clause and insert:

That nothing contained in the act approved March 3, 1911, entitled "An act to amend section 3 of the act of Congress of May 1, 1888, and extend the provisions of section 2301 of the Revised Statutes of the United States to certain lands in the State of Montana embraced within the provisions of said act, and for other purposes," shall be construed to validate any selections or attempted selections of any of the lands to which the said act relates under the indemnity provisions of the act approved July 2, 1864, entitled "An act granting lands to aid in the construction of a railroad and telegraph line from Lake Superior to Puget Sound on the Pacific coast by the northern route," or any act amendatory or supplemental thereto, nor to authorize any such selections to be made, and the said act approved March 3, 1911, so far as the same may authorize or validate any such selections, is hereby repealed.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to amend an act entitled 'An act to amend section 3 of the act of Congress of May 1, 1888, and extend the provisions of section 2301 of the Revised Statutes of the United States to certain lands in the State of Montana embraced within the provisions of said act, and for other purposes.'"

GLACIER NATIONAL PARK.

Mr. WALSH. Mr. President, my attention was diverted when the Senate reached Order of Business 421, Senate bill 778, to amend an act entitled "An act to establish the Glacier National Park in the Rocky Mountains south of the international boundary line, in the State of Montana, and for other purposes," approved May 11, 1910. That is a measure that is exceedingly urgent in its character, and the interests of the Government are largely involved. I should like to take the time to state what the bill means, in order that we may have action on it. It has already passed the Senate once.

There are certain private holdings in the Glacier National Park which were acquired before the park was created. Many of those have long rows of beautiful trees on them.

Mr. CATRON. I call for the regular order.

Mr. SMOOT. I will say to the Senator from Montana that I did not object to the bill, but that the Senator from North Dakota [Mr. GRONNA] objected. He is not in the Chamber at present.

The VICE PRESIDENT. There is a call for the regular order.

Mr. WALSH. I will ask, then, to recur to this matter later.

BILL PASSED OVER.

The bill (S. 5772) to provide for the sinking of artesian wells, and for other purposes, was announced as next in order.

Mr. TILLMAN and Mr. SMITH of Georgia. Let that bill go over.

The VICE PRESIDENT. The bill will be passed over.

JULIA R. GOODLOE.

The bill (H. R. 4866) for the relief of Julia R. Goodloe was considered as in Committee of the Whole. It proposes that the title of Julia R. Goodloe in and to fractional section 31, township 2, range 13, Colbert County, Ala., be quieted and confirmed, and that patent therefor issue to Julia R. Goodloe.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RECLAMATION PROJECTS.

The bill (S. 782) granting additional rights to settlers on reclamation projects was considered as in Committee of the Whole.

The bill had been reported from the Committee on Public Lands with amendments.

The first amendment was, on page 2, after line 4, to insert as a new section the following:

SEC. 2. That any person otherwise qualified to enter a homestead under the laws of the United States who shall have made entry of a tract of less than 160 acres outside of a reclamation project may make an additional entry of a farm unit subject to entry within a reclamation project of such area as added to his original entry will not exceed 160 acres.

The amendment was agreed to.

The next amendment was, on page 2, line 13, after the word "entries," to strike out "save that the entryman shall not be required to reside on the tract entered under the provisions of this act," so as to make the bill read:

Be it enacted, etc., That any person otherwise qualified to enter a homestead under the laws of the United States who shall have made entry of a tract less than 160 acres within or under any reclamation project, or who, having made an entry of any area under such project, has been required to release or surrender a part thereof that the same may conform in extent to the farm unit prescribed for such project or the part thereof embracing the land so entered by him, may make an additional homestead entry of so much land open to such entry, and not within or under any reclamation project or withdrawn in anticipation of the initiation of such, as, with the land which he theretofore entered or was permitted to retain, shall amount to 160 acres.

SEC. 2. That any person otherwise qualified to enter a homestead under the laws of the United States who shall have made entry of a tract of less than 160 acres outside of a reclamation project may make an additional entry of a farm unit subject to entry within a reclamation project of such area as added to his original entry will not exceed 160 acres.

SEC. 3. That all laws in relation to homesteads shall be applicable to such additional entries.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BALTIMORE & WASHINGTON TRANSIT CO.

The bill (S. 5976) to amend an act approved May 29, 1908, entitled "An act to amend an act to authorize the Baltimore & Washington Transit Co., of Maryland, to enter the District of Columbia," approved June 8, 1896, was considered as in Committee of the Whole. It proposes to amend section 2 of an act approved May 29, 1908, entitled "An act to amend an act to authorize the Baltimore & Washington Transit Co., of Maryland, to enter the District of Columbia, approved June 8, 1896," so as to read as follows:

SEC. 2. That the said transit company shall be empowered to construct, maintain, equip, and operate a single or double track street railway over said line, with all necessary buildings, switches, machinery, appliances, appurtenances, and other devices necessary to operate the same by electricity, compressed air, storage battery, or other motive power, to be approved by the Public Utilities Commission of said District.

Also that section 4 of the act entitled "An act to authorize the Baltimore & Washington Transit Co., of Maryland, to enter the District of Columbia," approved June 8, 1896, be repealed, provided that said railway shall be constructed of good material, with rails of approved pattern, and in a neat and substantial manner, subject to the supervision and approval of the Public Utilities Commission of the District of Columbia; the standard gauge to be used, and the surfaces of the tracks to conform to the grades of the streets established by the Commissioners of the District of Columbia, and where the tracks lie within the streets of the District of Columbia the same to be paved between the rails and 2 feet outside thereof with such material and in such manner as shall be approved by the said commissioners, and kept in repair by the said railway company.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PINEY BRANCH ROAD, DISTRICT OF COLUMBIA.

The bill (S. 5525) to provide for the abandonment of Piney Branch Road between Allison Street and Buchanan Street NW.,

in the District of Columbia, was considered as in Committee of the Whole. It authorizes the Commissioners of the District of Columbia, upon the opening of Buchanan Street for traffic between Piney Branch Road and Sixteenth Street NW., in the District of Columbia, to abandon as a public highway that part of Piney Branch Road lying between the north line of Allison Street and the south line of Buchanan Street, and the title to the land contained in said abandoned part of road shall revert to the owners of the land abutting thereon.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was rejected.

NATIONAL FOREST LANDS.

The bill (S. 5539) to consolidate national forest lands, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Public Lands, with an amendment, on page 1, after line 10, to insert "*Provided further*, That the lands so selected shall be approximately equal in area and value to the lands surrendered, and in the same State, and shall be surveyed, nonmineral, nonsaline, unoccupied, vacant public land," so as make the bill read:

Be it enacted, etc., That for the purpose of consolidating the Government lands within the national forests the Secretary of the Interior be, and he hereby is, authorized and empowered, upon recommendation of the Secretary of Agriculture, to exchange Government lands for privately owned lands within the exterior boundaries of national forests: *Provided*, That such lands, upon examination, are found to be of approximately equal value, and that public interests are benefited thereby: *Provided further*, That the lands so selected shall be approximately equal in area and value to the land surrendered, and in the same State, and shall be surveyed, nonmineral, nonsaline, unoccupied, vacant public land: *Provided further*, That upon the consummation of such exchanges the lands deeded to the United States thereunder shall become parts of the national forests in which they are situated.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM WALTERS, ALIAS JOSHUA BROWN.

The bill (S. 2701) for the relief of William Walters, alias Joshua Brown, was announced as next in order.

Mr. SMITH of Georgia. Let that bill go over, Mr. President, unless there is some special reason for its consideration at this time.

Mr. THOMPSON. There is very urgent reason why the bill should be passed now. The beneficiary is 91 years old.

Mr. SMITH of Georgia. Then I will not delay the business of the Senate for a further explanation of it.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes that in the administration of the pension laws William Walters, alias Joshua Brown, who was a private of Battery M, First Regiment United States Artillery, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a member of said battery and regiment on the 13th day of September, 1865: *Provided*, That no pension shall accrue prior to the passage of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ANTOINE BAYARD.

The bill (S. 2222) for the relief of the heirs of Antoine Bayard was considered as in Committee of the Whole.

The bill had been reported from the Committee on Military Affairs with an amendment, on page 1, line 10, after the word "fifty-five," to insert "which has heretofore been lost and has never been used," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to issue to the heirs of Antoine Bayard, late member of the Mississippi Militia during the War of 1812, a duplicate bounty land warrant for 120 acres, in lieu of warrant No. 34205, heretofore issued under the act of March 3, 1855, which has heretofore been lost and has never been used.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GLACIER NATIONAL PARK.

Mr. WALSH. I ask unanimous consent now to recur to Order of Business 421, Senate bill 778, to amend an act entitled "An act to establish the Glacier National Park in the Rocky Mountains south of the international boundary line, in the State of Montana, and for other purposes," approved May 11, 1910. The Senator from North Dakota [Mr. GRONNA] has withdrawn his objection.

The VICE PRESIDENT. Is there any objection to recurring to the bill? The Chair hears none.

The Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Public Lands with an amendment to strike out "that the Secretary of the Interior, for the purpose of eliminating private holdings within the Glacier National Park and the preservation intact of the natural timber along the roads in the scenic portions of the park, both on patented and park lands, is hereby empowered, in his discretion, to obtain for the United States the complete title to any or all of the lands held in private or State ownership within the boundaries of said park, by the exchange of dead, decadent, or matured timber that can be removed from any part of the park without affecting the scenic beauty thereof or from the Government lands within the metes and bounds of the national forests within the State of Montana, and also, in his discretion, to exchange for patented lands in the Glacier National Park Government lands of equal value within the metes and bounds of the national forests within said State: *Provided, however*, That the lands in the national forests to be offered in exchange shall be determined by the Secretary of Agriculture," and insert:

That the Secretary of the Interior, for the purpose of eliminating private holdings within the Glacier National Park and the preservation intact of the natural forest along the roads in the scenic portions of the park, both on patented and park lands, is hereby empowered, in his discretion, to obtain for the United States the complete title to any or all of the lands held in private or State ownership within the boundaries of said park, by the exchanges of dead, decadent, or matured timber of approximately equal values that can be removed from any part of the park without injuriously affecting the scenic beauty thereof; or, upon the approval of the Secretary of Agriculture, the timber to be selected or exchanged may be taken from the Government lands within the metes and bounds of the national forests within the State of Montana; and also, in his discretion, to exchange for patented lands in the Glacier National Park along such roads Government lands of approximately equal value within the metes and bounds of the national forests within said State.

The amendment was agreed to.

Mr. GRONNA. Mr. President, I wish to have the bill read in full. I was under the impression that it contained provisions condemning private lands. I have been assured by the Senator from Montana that that part of the bill has been changed, and I should like to have the bill read in full.

The Secretary read the bill.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to authorize an exchange of lands with owners of private holdings within the Glacier National Park."

LIEUT. COL. JUNIUS L. POWELL.

The bill (S. 453) to place Lieut. Col. Junius L. Powell on the retired list of the Army with the rank of brigadier general was considered as in Committee of the Whole.

The bill had been reported from the Committee on Military Affairs with an amendment to strike out all after the enacting clause and insert:

That the President be, and he is hereby, authorized to appoint to the grade of brigadier general, and place him on the retired list with the pay of said grade, one lieutenant colonel, now on the retired list of the Army, who has served continuously for 30 years with credit and distinction as a commissioned officer in the Regular Army, and who also served four years in the Confederate Army with credit and distinction and is now the only officer on the rolls of the United States Army who had such Confederate service; said lieutenant colonel being recommended by the Secretary of War for said advancement and commended in the highest terms by distinguished general officers under whom he served at various times, in Indian campaigns, in the War with Spain, and at numerous garrison stations, during his years of active duty.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARTIN V. PARMER.

The bill (S. 2880) for the relief of Martin V. Parmer was considered as in Committee of the Whole. It provides that in the administration of any laws conferring rights, privileges, or benefits upon honorably discharged soldiers, Martin V. Parmer, late of One hundred and thirty-eighth Company, Second Battalion, Veteran Reserve Corps, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a member of said company on the 4th day of August, 1864: *Provided*, That no pension shall accrue prior to the passage of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES G. GRIFFA.

The bill (S. 4473) for the relief of Charles G. Griffa was considered as in Committee of the Whole. It provides that in the administration of the pension laws and the laws governing the National Home for Disabled Volunteer Soldiers, or any branch thereof, Charles G. Griffa, now a resident of Oregon, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of Company B, Ninety-third Regiment Ohio Volunteer Infantry: *Provided*, That no pension shall accrue prior to the passage of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CLYDE R. ALTMAN.

The bill (S. 3973) for the relief of Clyde R. Altman was considered as in Committee of the Whole. It authorizes the President of the United States to appoint Clyde R. Altman, late a cadet at the Military Academy at West Point, to the position of second lieutenant of Infantry of the Army, and to place him upon the retired list with the pay of a retired second lieutenant of Infantry.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PETER KENNEY.

The bill (S. 1553) for the relief of Peter Kenney was considered as in Committee of the Whole. It provides that in the administration of any laws conferring rights, privileges or benefits upon honorably discharged soldiers, Peter Kenney, late of Company G, Fifth Regiment Michigan Volunteer Infantry, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a member of said company and regiment on the 5th day of February, 1864: *Provided*, That no pension shall accrue prior to the passage of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOHN DUGGAN.

The bill (S. 3268) for the relief of John Duggan was considered as in Committee of the Whole. It provides that in the administration of the pension laws John Duggan, alias John McCarty (or McCarthy), shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of Troop K, Sixth Regiment United States Cavalry, on the 27th day of July, 1865: *Provided*, That no pension shall accrue prior to the passage of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PENSIONS AND INCREASE OF PENSIONS.

The bill (H. R. 15048) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War, and certain widows and dependent children of soldiers and sailors of said war was considered as in Committee of the Whole. The bill had been reported from the Committee on Pensions with amendments.

The first amendment of the Committee on Pensions was, on page 1, line 9, before the words "per month," to strike out "$30" and insert "$25," so as to make the clause read:

The name of Laura E. Headington, widow of John W. Headington, late of Company H, and major, One hundredth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 4, after line 12, to strike out:

The name of Anna L. Yachmann, former widow of Robert W. Scott, late of Company F, One hundred and fifty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 5, after line 21, to strike out:

The name of Jennie Raley, former widow of Thomas Raley, late of Companies C and B, First Regiment District of Columbia Volunteer Cavalry, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, at the top of page 7, to strike out:

The name of Julia A. Sheck, former widow of Christian Sheck, late of Company G, One hundred and seventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 7, line 18, after the name "Aaron D.," to strike out "Egleston" and insert "Egelston," so as to make the clause read:

The name of Aaron D. Egelston, late of Company C, Seventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 8, line 6, before the words "per month," to strike out "$40" and insert "$30," so as to make the clause read:

The name of Warren S. Read, late of Company B, One hundred and thirty-seventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 11, after line 15, to strike out:

The name of Edward M. Willis, late of Company C, Sixtieth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 12, after line 14, to strike out:

The name of Alice A. Wing, widow of Charles E. Wing, late of Company I, Fifty-third Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 13, after line 22, to strike out:

The name of Wallace W. Jackson, late of Company E, Eighteenth Regiment, and Company A, Ninth Regiment, Michigan Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 15, line 22, before the words "per month," to strike out "$24" and insert "$21," so as to make the clause read:

The name of Thomas Tirrell, late of Company K, Seventh Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $21 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 16, line 3, after the name "John," to insert the initial "H.," so as to make the clause read:

The name of John H. Sanders, late of Company G, Fourth Regiment New York Volunteer Heavy Artillery, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 17, after line 4, to strike out:

The name of Abbie M. Holyoke, former widow of Eugene J. Holyoke, late of Company K, Fifty-seventh Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 22, after line 14, to strike out:

The name of Mary Larkin, widow of James Larkin, late of Company C, One hundred and second Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 23, after line 14, to strike out:

The name of Ellen J. McIntire, helpless and dependent child of John McIntire, late of Company H, Seventh Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 24, line 13, before the words "per month," to strike out "$60" and insert "$50," so as to make the clause read:

The name of William B. Gere, late major and lieutenant colonel, Fifth Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 25, after line 11, to strike out:

The name of Kate M. Miller, widow of Stephen C. Miller, late captain and commissary of subsistence, United States Volunteers, and pay her a pension at the rate of $24 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 27, line 11, after the word "Infantry," to insert "and former widow of William S. Koch, late of Company K, One hundred and fifty-eighth Regiment Pennsylvania Volunteer Infantry," so as to make the clause read:

The name of Mary Jane Glaser, widow of William M. Glaser, late of Company H, Seventy-ninth Regiment Pennsylvania Volunteer Infantry, and former widow of William S. Koch, late of Company K,

One hundred and fifty-eighth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 27, after line 15, to strike out:

The name of Silas J. Pickerill, late of Company I, Sixth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $24 *per month* in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 29, line 3, before the words "per month," to strike out "$24" and insert "$25," so as to make the clause read:

The name of Fannie M. Lorain, widow of Lorenzo Lorain, late captain, Third Regiment United States Artillery, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 29, after line 21, to strike out:

The name of Annie M. Sweeney, widow of Dennis Sweeney, late of Company I, Twenty-ninth Regiment New Jersey Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 30, after line 12, to strike out:

The name of Sarah A. Lofton, widow of John G. Lofton, late of Company I, Thirty-second Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 31, line 4, before the words "per month," to strike out "$30" and insert "$25," so as to make the clause read:

The name of Lucy A. Butts, widow of Frank A. Butts, late of Company H, and major, Forty-seventh Regiment New York Volunteer Infantry, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 31, after line 13, to strike out:

The name of Rosa T. Wallace, widow of William J. Wallace, late of Company A, Eighty-seventh Regiment New York Volunteer Infantry, and Company A, Thirteenth Regiment New York State Militia Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 33, after line 23, to strike out:

The name of Susan A. Cross, former widow of Jacob F. Jackson, late of Company F, Sixteenth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 34, after line 6, to strike out:

The name of Otilla H. Smith, widow of Amos T. Smith, late of Company D, Ninth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 35, after line 6, to strike out:

The name of Adelaide V. Disbrow, former widow of David W. Ostrander, alias William Arnold, late of Company A, Eleventh Regiment New York Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 35, after line 22, to strike out:

The name of Precilla A. Chilton, former widow of James P. Chilton, late of Company K, Thirty-first Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, at the top of page 36, to strike out:

The name of Jane C. Smith, widow of William W. Smith, late of Company C, Eightieth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The amendment was agreed to.

The next amendment was, on page 38, after line 14, to strike out:

The name of Adella I. Cummings, former widow of John A. Cummings, late of Company E, Sixth Regiment New Hampshire Volunteer Infantry, and major, First Regiment New Hampshire Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The amendment was agreed to.

The next amendment was, on page 38, after line 19, to strike out:

The name of Benjamin F. Longenecker, late of Company B, Seventh Regiment, Company D, Fourth Regiment, and Company L, Twelfth Regiment, Illinois Volunteer Cavalry, and pay him a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 40, line 16, after the words "United States Navy," to insert "and lieutenant colonel, United States Marine Corps," and in line 18, before the words "per month," to strike out "$30" and insert "$20," so as to make the clause read:

The name of Carrie Porter, widow of Carlile P. Porter, late admiral's secretary, United States Navy, and lieutenant colonel, United States Marine Corps, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 41, line 3, after the name "Dunham," to insert "widow of Simeon H. Dunham, late of Company B, First Battalion, Sixteenth Regiment United States Infantry, and," so as to make the clause read:

The name of Alvena A. Dunham, widow of Simeon H. Dunham, late of Company B, First Battalion, Sixteenth Regiment United States Infantry, and former widow of Peter Plant, late of Company H, One hundred and tenth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 44, after line 20, to strike out:

The name of Thomas Lynch, late of Company D, Thirty-fifth Regiment, and Company H, Twentieth Regiment, Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 45, line 11, before the words "per month," to strike out "$50" and insert "$30," so as to make the clause read:

The name of William Turner, late of Company A, Twenty-fourth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The bill (H. R. 14576) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and widows of such soldiers and sailors, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Pensions with amendments.

The first amendment of the Committee on Pensions was, on page 1, after line 5, to strike out:

The name of Mary E. Bacon, widow of Harvey S. Bacon, late of Company K, Fifty-first Regiment Iowa Volunteer Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was at the top of page 2, to strike out:

The name of Alexander M. Rainey, late of Companies E, Second, and D, First, Recruiting Battalion, Second Regiment Oregon Mounted Volunteers, in Indian war, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 3, line 19, before the words "per month," to strike out "$17" and insert "$12," so as to make the clause read:

The name of Sankey Gray, late of Company L, Eighth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 6, after line 6, to strike out:

The name of Thomas F. Muldoon, late of Company G, Sixth Regiment Massachusetts Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 6, after line 10, to strike out:

The name of Alice T. McClaughry, widow of John G. McClaughry, late adjutant and first lieutenant, Third Regiment Illinois Volunteer Infantry, War with Spain, and pay her a pension at the rate of $12 per month and $2 per month additional on account of each of the two minor children of the said John G. McClaughry until they reach the age of 16 years.

Mr. STERLING. Mr. President, in the case of Alice T. McClaughry, which is the second amendment on page 6, lines 11 to 17, inclusive, I hope the committee amendment will be rejected. I have gone over the evidence as found in the House report in regard to this item, and I think the finding of the committee in striking it out is against the evidence in the case, fairly considered, and that this claimant ought to be allowed a pension of $12 per month. It may be of interest to state——

Mr. JOHNSON of Maine. I have no objection to the amendment being rejected on the statement of the Senator from South Dakota.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was rejected.

The next amendment was, on page 7, line 25, before the word "Infantry," to strike out "Volunteer," so as to make the clause read:

The name of Henry Dana, late of Companies M, G, and A, Fifth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 8, after line 15, to strike out:

The name of Fred Reidy, late of Company A, Tenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 9, after line 12, to strike out:

The name of John McMahon, late of Company E, Twenty-fourth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 13, after line 6, to strike out:

The name of Mary Buckley, widow of John Buckley, late of Company B, Fourth Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 13, after line 17, to strike out:

The name of Francis M. Lamb, late of Capt. Tracy's company B, Battalion California Volunteers, Indian wars, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 14, line 4, before the words "per month," to strike out "$17" and insert "$24," so as to make the clause read:

The name of Joseph D. Donellen, late of Company D, Twenty-seventh Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 14, after line 11, to strike out:

The name of Howard W. Bingham (insane), late of Company G, Signal Corps, United States Army, Regular Establishment, and pay him a pension at the rate of $12 per month. Pay to duly appointed guardian.

The amendment was agreed to.

The next amendment was, on page 15, after line 20, to strike out:

The name of Louis F. Moebus, late chief musician, Second Regiment Ohio Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 16, after line 9, to strike out:

The name of Matilda Delisle, widow of Joseph Delisle, late of Company G, Fifth Regiment United States Artillery, Regular Establishment, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 17, line 1, after the word "receiving," to insert "and $2 per month additional on account of Edith G. Henderson, minor child of said John B. Henderson, until she reaches the age of 16 years," and in line 11, after the name "Henderson," to strike out: "and also $2 per month additional on account of the minor child, Edith G. Henderson, of said John B. Henderson shall be paid to the widow until she reaches the age of 16 years," so as to make the clause read:

The name of Barbara Henderson, widow of John B. Henderson, late of Troop F, Third Regiment United States Cavalry, Regular Establishment, and pay her a pension at the rate of $24 per month in lieu of that she is now receiving and $2 per month additional on account of Edith G. Henderson, minor child of said John B. Henderson, until she reaches the age of 16 years: *Provided*, That in the event of the death of Susie Elgretta Henderson, helpless and dependent child of said John B. Henderson, the $12 additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Barbara Henderson the name of said Susie Elgretta Henderson shall be placed on the pension roll, subject to the limitations and provisions of the pension laws, at the rate of $12 per month from and after the death of said Barbara Henderson.

The amendment was agreed to.

The next amendment was, on page 17, after line 14, to strike out:

The name of Henry Juvenile, late of Troop M, Third Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 18, after line 11, to strike out:

The name of Roy Tow, late third-class electrician, United States Navy, Regular Establishment, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

DONATIONS OF CONDEMNED CANNON.

Mr. TILLMAN. Mr. President, I ask unanimous consent for the immediate consideration of Senate bill 6625, calendar No. 605. It is a bill in which many Senators are interested, as it donates condemned cannon and cannon balls for monuments, mainly to Grand Army posts. There are two or three items in the bill, however, for the South, and in one of these I am very much interested. In that item only the element of time enters, because the bill must pass the House after it passes the Senate to become a law, and that will take some time.

The Daughters of the American Revolution chapter of Gaffney, S. C., have recently removed the bones of Col. James Williams, who was killed at the battle of Kings Mountain, October 7, 1780, to the public square in the town of Gaffney, where these good women desire to erect a monument to his memory. The battle field of Kings Mountain is only a few miles distant from Gaffney, and the desire is to have the monument erected and its dedication occur on the anniversary of the battle.

Therefore it is easy to understand why I am urging the passage of this bill. The cannon and cannon balls can be obtained at the arsenal in Augusta, Ga., and their installation, the erection of the monument, and everything else connected with it will have to be pressed with energy.

I urge action on this bill in order that the ladies of Gaffney may know that they can get the cannon and cannon balls without paying for them. I am sure no one will object under these circumstances.

Mr. GALLINGER. The next two bills on the calendar provide for payment of six months' salary to widows of men who have died in the service of the Senate. I hope they will be acted on. They will take but a moment, after which I trust the bill in which the Senator from South Carolina is interested will be passed without objection.

Mr. TILLMAN. It will take only a moment to pass this bill. It is entirely unobjected to.

Mr. GALLINGER. Let these two poor widows be provided for, and then act on the Senator's bill.

The VICE PRESIDENT. Does the Senator call for the regular order?

Mr. GALLINGER. I ask that we take the next two resolutions in order on the calendar.

CAROLINE L. RIFENBERG.

The resolution (S. Res. 121) authorizing the Secretary of the Senate to pay to Caroline L. Rifenberg, widow of Sherman Rifenberg, late a laborer in heating department of the United States Senate, a sum equal to six months' salary at the rate he was receiving at the date of his death was considered and agreed to, as follows:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay, from the miscellaneous items of the contingent fund of the Senate, to Caroline L. Rifenberg, widow of Sherman Rifenberg, late a laborer in heating department, United States Senate, a sum equal to six months' salary at the rate he was receiving by law at the time of his death, said sum to be considered as including funeral expenses and all other allowances.

CLARA M. CURRAN.

The resolution (S. Res. 136) to authorize the Secretary of the Senate to pay Clara M. Curran, widow of John W. Curran, late a laborer of the United States Senate, a sum equal to six months' salary, etc., was considered and agreed to, as follows:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay from the miscellaneous items of the contingent fund of the Senate to Clara M. Curran, widow of John W. Curran, late a laborer of the United States Senate, a sum equal to six months' salary at the rate he was receiving by law at the time of his death, said sum to be considered as including funeral expenses and all other allowances.

DONATIONS OF CONDEMNED CANNON.

Mr. TILLMAN. I ask the Senate now to consider the bill (S. 6625) authorizing the Secretary of War to make certain donations of condemned cannon and cannon balls.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized, in his discretion, to deliver—

To the city of Evanston, in the State of Wyoming, two condemned bronze or brass cannon or fieldpieces and a suitable outfit of cannon balls.

To Crocker Post, Grand Army of the Republic, Des Moines, Iowa, one bronze or brass condemned cannon, with a suitable outfit of cannon balls.

To Bluff City, Sullivan County, Tenn., two brass or bronze cannon and a suitable outfit of cannon balls.

To the town of Roxbury, Conn., one condemned bronze or brass cannon or fieldpiece and a suitable outfit of cannon balls.

To the Odessa, Wash., public schools, two condemned bronze or brass cannon or fieldpieces and a suitable outfit of cannon balls.

To Bradley Post, No. 134, Grand Army of the Republic, at Wood River, Nebr., one bronze or brass condemned cannon or fieldpiece and a suitable outfit of cannon balls.

To Pawnee Rock State Park, Pawnee Rock, Kans., two cannon or fieldpieces and a proper outfit of cannon balls for a pyramid.

To Harlan Post, No. 197, Grand Army of the Republic, at Harlan, Iowa, two brass or bronze cannon or fieldpieces and a suitable outfit of cannon balls.

To the commanding officer, National Guard armory, in the city of Anoka, Minn., two condemned bronze or brass cannon or fieldpieces and a suitable outfit of cannon balls.

To the city of Detroit, in the State of Minnesota, one condemned bronze or brass cannon or fieldpiece and a suitable outfit of cannon balls.

To the city of Blue Earth, in the State of Minnesota, one condemned bronze or brass cannon or fieldpiece and a suitable outfit of cannon balls.

To the city of Roseville, in the State of Ohio, one condemned bronze or brass cannon or fieldpiece and a suitable outfit of cannon balls.

To the order of McDowell Post, No. 22, Department of Washington and Alaska, Grand Army of the Republic, two condemned cannon and a suitable outfit of cannon balls for each.

To the town of Northville, in the county of Wayne, State of Michigan, two condemned bronze or brass cannon or fieldpieces and a suitable outfit of cannon balls.

To the Grand Army of the Republic at Pomeroy, Wash., two condemned bronze or brass cannon or fieldpieces and a suitable outfit of cannon balls.

To Henry W. Lawton Camp, No. 10, United Spanish War Veterans, Walla Walla, Wash., two condemned bronze or brass cannon or fieldpieces and a suitable outfit of cannon balls.

To the Daniel Morgan Chapter of the Daughters of the American Revolution, Gaffney, S. C., two condemned bronze or brass cannon and a suitable outfit of cannon balls.

To the board of supervisors of Halifax County, Va., two condemned bronze or brass cannon and a suitable outfit of cannon balls.

To James B. Sample Post, No. 170, Grand Army of the Republic, at Fort Madison, Iowa, two brass or bronze cannon or fieldpieces and a suitable outfit of cannon balls.

To Alexander Hamilton Chapter, No. 7, Sons of the American Revolution, at Sheldon, Iowa, two brass or bronze cannon or fieldpieces and a suitable outfit of cannon balls.

Provided, That no expense shall be incurred by the United States through the delivery of any of the foregoing condemned military equipment: *Provided further*, That each and every article of condemned military equipment covered by this act shall be subject at all times to the order of the Secretary of War.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RELIEF OF STORM SUFFERERS.

Mr. BANKHEAD. I desire to introduce a joint resolution and ask the unanimous consent of the Senate for its present consideration. There can be no objection to it.

The joint resolution (S. J. Res. 155) for the relief of storm sufferers in Alabama and Mississippi, was read the first time by its title.

Mr. SMOOT. There was so much confusion in the Chamber I could not hear what the joint resolution is.

The VICE PRESIDENT. It will be read at length.

The joint resolution was read the second time at length, as follows:

Resolved, etc., That there is hereby appropriated and made immediately available, out of any money in the Treasury not otherwise appropriated, the sum of $20,000 for the purchase and distribution of seeds by the Secretary of Agriculture to the people in the storm and overflowed localities in Alabama and Mississippi who are made destitute by the recent storms and floods in those States.

Mr. SMOOT. Does the Senator from Alabama desire to have the joint resolution referred to the Committee on Appropriations?

Mr. BANKHEAD. Mr. President, an item covering this matter has been included in the Agricultural appropriation bill by the unanimous consent of the Senate. That bill is in conference and the indications are that it will be quite a while perhaps before the conferees reach an agreement. The situation is such that if this relief is to be given at all it ought to be given immediately because it will be too late in a few days to plant any crop of any kind. That is the purpose of the joint resolution. These suffering people are almost exclusively negroes and they are absolutely destitute and helpless.

Mr. SMITH of Georgia. The provision in the Agricultural appropriation bill is for $10,000, not $20,000. The joint resolution proposes to appropriate $20,000. All down the eastern side of the Chattahoochee in the State of Georgia the same condition exists.

The VICE PRESIDENT. The hour of 12 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 15947) making appropriations for the naval service for the fiscal year ending June 30, 1917, and for other purposes.

Mr. SMOOT. I ask the Senator having the bill in charge if he will not agree to lay it aside temporarily for one hour and let us get through with the calendar.

Mr. SWANSON. I can not. I must insist on proceeding with this bill.

Mr. SMOOT. It would not take more than an hour to get through with the balance of the cases on the calendar.

The VICE PRESIDENT. Is there objection to the consideration of the joint resolution introduced by the Senator from Alabama.

Mr. OVERMAN. Mr. President, I do not like to object to it. I have not offered anything for the sufferers in North Carolina. The papers have been full of accounts of great loss of life and destruction of property and the starving condition of people there. Of course if anything is done for Alabama I will have to ask it for North Carolina. I think the Senator from Alabama had better let the joint resolution go to the committee.

Mr. BANKHEAD. I can not help myself if the Senator objects to it.

Mr. OVERMAN. I do not want to object, but——

Mr. SWANSON. Regular order!

The VICE PRESIDENT. The joint resolution will go to the Committee on Appropriations.

PROSPERITY AND THE FEDERAL RESERVE ACT.

Mr. SHAFROTH. Mr. President, in compliance with a notice which I gave on Monday I desire to submit some remarks on prosperity and the Federal reserve act.

Mr. President, the Wilson administration has been in power for more than three years. Upon assuming control of the Government it found the business life of the Nation in a deplorably enfeebled condition. The disastrous effects of the panic of 1907 were still distressingly evident, and were sharply reflected in the prevailing low prices of railway, industrial, commercial, and other stocks and securities. It has been estimated that the losses occasioned by that panic were equivalent to the destruction that would be wrought if a mighty conflagration had devastated a strip of our land, including towns and the smaller cities thereon, 100 miles wide and extending from the Atlantic to the Pacific Ocean.

There was no occasion or excuse for that panic, as the banks were solvent. It had its beginning and ran its wild, unchecked course because there were no laws by which banks might discount their commercial paper and thus obtain currency to meet the demands of their depositors, although the Republican Party had been in power almost uninterruptedly for more than a generation. At that time each bank had to stand on its own bottom; it had to weather the storms alone and unaided or go down. When the money stringency began banks felt impelled to call in loans and thus build up reserves, so as the better to meet the demands of depositors. They could not discount their commercial paper because other banks, being in like circumstance, also needed to increase their reserves. The fear of depositors that they could not get their funds when needed caused withdrawals and the hoarding of large quantities of money.

That very action of the banks in the calling of loans aggravated the stringency of the money market and eventually precipitated the panic. Panics produce insistent demands for the payment of debts. The immediate effect is the foreclosure of securities hypothecated as collateral, causing the sacrifice at ruinous prices of stocks, bonds, and other evidences of wealth. Then mortgages are foreclosed and the property is bought in at half price, and the value of all property follows the low prices established by the mortgage sales. Thus even the unencumbered property of a country is by the action of a panic greatly reduced in value.

The depressing effects of the 1907 panic extended through the balance of the Roosevelt administration, through all of the Taft administration, and into the first part of the Wilson administration. So sluggish were the channels of commerce, so stagnant the currents of trade, that hundreds of thousands of empty railway cars remained on sidetracks for years. Many factories were closed, and thousands were running only on half time. Industrial and railway stocks had been falling for a long period.

THE FEDERAL RESERVE ACT.

Mr. President, one of the first laws to be enacted during the Wilson administration was the Federal reserve act, a piece of legislation which may well be styled a charter of freedom to the business interests of the Nation.

THE ALDRICH-VREELAND ACT.

A sharp controversy has arisen recently as to whether it was by virtue of the Aldrich-Vreeland Act or the Federal reserve

act that the panic of 1914 was averted. It is universally conceded that at the outbreak of the European war on July 30, 1914, all the conditions of a most disastrous panic existed in the United States. Suddenly, and without warning, selling values of our principal products sank so low that it can be said there was in reality no market for them. Cotton which just previously had been selling for 11 and 12 cents suddenly dropped to 5 and 6 cents a pound. Credits that had been extended on normal values suddenly collapsed, and forced sales at sacrifice prices were threatened. Everything indicated that the most gigantic panic this country had ever experienced was imminent.

The original Aldrich-Vreeland Act was in existence, having been passed on May 30, 1908; but it was not workable. It provided for the issuance of emergency currency by the Government to the banks through their associations to the extent of not exceeding $500,000,000 upon the hypothecation of securities, the banks paying a tax at the rate of 5 to 10 per cent per annum dependent upon the length of time of the accommodation. It was not intended to be a permanent statute, as its existence was limited in the act itself to June 30, 1914. The Federal reserve act of December 23, 1913, extended its life to June 30, 1915, and the Republicans themselves by voting against that act voted against the extension. The Federal reserve act provided for a reduction of the tax for the issuance of the currency to the rate of from 3 to 6 per cent per annum, the former higher rates having rendered it unworkable. No currency under the act had been issued.

The Federal reserve banks had not been organized at this time, but the Secretary of the Treasury courageously undertook to avert the panic, and with singular foresight and energy took steps to remove further obstacles in the way of rendering the Aldrich-Vreeland Act workable. At his instance Congress on August 4, 1914, amended the act by giving him authority as Secretary of the Treasury to suspend the limitations which prescribed that the circulation should be issued only to national banks having notes outstanding to an amount not less than 40 per cent of their capital stock, and also to suspend the limitations of section 5 of that act. The amendment made the act more liberal and permitted a bank temporarily through its association to issue circulating notes to the amount of 125 per cent of its unimpaired capital and surplus.

Mr. OWEN. Mr. President——

Mr. SHAFROTH. I yield to the Senator from Oklahoma.

Mr. OWEN. I wish to emphasize the point the Senator is now making and to state that the act of August 4, 1914, really had the effect of suspending the operations of the obstructions imposed in the Vreeland-Aldrich Act in section 1, section 3, section 5, section 7, and section 9.

Mr. SHAFROTH. I fully appreciate the fact that if it had not been for that amendatory act there never would have been any currency issued under the Aldrich-Vreeland Act. It is absurd to say that an act which required from 5 to 10 per cent interest as a penalty or tax and which imposed the other harsh restrictions of the original act affecting the issuing of currency would ever have been utilized by the banks of the United States. The act of August 4, 1914, permitted the banks to issue money under certain regulations and restrictions to the extent of 125 per cent of their paid-up capital and surplus. It was in view of those two amendments, both of which were absolutely necessary to make the Aldrich-Vreeland Act available and workable that the currency was issued in 1914.

NO CURRENCY ISSUED UNDER ORIGINAL ACT.

No currency under the Aldrich-Vreeland Act was issued until after the approval of that amendment on August 4, 1914.

The bankers had refused to take out circulation under the provisions of the original act, although stringency in the money market had appeared for years at crop-moving periods and stringency had been felt for more than a year caused by some of the European nations drawing gold from us to prepare for the great conflict.

It was not until both of these amendments were passed in the Wilson administration that the act became workable and thereafter currency to the amount of $382,502,645 was issued.

It required not only the amendments to the law, but the most active and persistent efforts upon the part of Secretary McAdoo to induce the bankers to take out the emergency circulation.

But the greatest force of all in preventing the panic was the confidence implanted in the minds of the bankers and in the people by the passage of the Federal reserve act. The bankers realized immediately upon its passage that with the protecting power of the Federal reserve banks they need never fear a run upon their deposits as long as they had commercial paper in their vaults and that they need not make further calls of their loans. The depositors knowing of that protecting power, relied with confidence upon its effectiveness. No matter under what law the panic was averted, no one can deny great credit to the Wilson administration for having prevented the greatest catastrophe that ever threatened the business activities of the Nation.

Mr. President, three great beneficial results followed from the passage of the Federal reserve act:

First. The concentration and mobilization of reserves in the 12 nonprofit, public-serving Federal reserve banks, which theretofore had been scattered among the 367 national banks of the 47 reserve cities and 3 central reserve cities of the Union, each looking out first for its own interest. These reserves can now be utilized when there is a stringency in the money market, thereby making secure to the people their deposits and preventing panics with their resultant destructive effects upon business and property values.

Second. The establishment of an unlimited public discount market for gilt-edged commercial paper instead of the old system of relying upon the ability or desire of large privately owned institutions to discount the same. These institutions discounted adequately in times of tranquillity, but they often withheld the service in times of stress and panic, when the very existence of the banks depended upon the cashing of their paper. It is this discount market which in times of panic protects the solvent banks from failure and the depositors thereof from loss of their savings.

Third. The issuance of an elastic currency by the Government to meet the demands of commerce as long as prime commercial paper bearing the indorsement of the maker, the acceptor, the national bank, and the Federal reserve bank, can be presented to the National Government as security for the same. The issuance of this currency automatically responds to the demands of commerce.

Not one dollar of loss has ever been sustained on account of the issuance of currency under the Federal Reserve System.

ADEQUATE MONEY SUPPLY A PRIME NECESSITY.

No one factor has such a far-reaching influence upon commerce as an adequate supply of money. The scarcity of money caused by the locking up of reserves not only produces stagnation and depression but often suspension and destruction of industries, while an adequate supply produces increased commerce and prosperity.

The beneficial effects of the Federal reserve act were realized almost immediately after its passage. In fact, confidence in the ability of the banks to meet all demands followed even before the system was put in operation. Instead of banks further accumulating large reserves in their vaults in anticipation of a crisis, they began to loan money to their customers, and thereby the wheels of commerce began to move with increasing activity. Instead of limited deposits being the rule as for so many years, millions of currency that had been hoarded and concealed were deposited in banks and thereby entered into the channels of commerce, all of which accelerated an activity in business the equal of which has never been known in the history of the world.

Mr. OWEN. Mr. President——

Mr. SHAFROTH. I yield to the Senator.

Mr. OWEN. Would it interrupt the Senator now to have presented the evil prophecy which was made by the leader of the Republicans as to the results which would occur?

Mr. SHAFROTH. I should be pleased to have it.

Mr. OWEN. Hon. Elihu Root, speaking to the Democratic side, denounced the bill, and declared that in the event of war it would bring complete catastrophe upon the United States. He said:

> There is another thing you must remember. Europe is an armed camp. For many, many years peace has been kept by the most delicate adjustments and by the most strenuous exertions of many men in many countries, who have been alert and solicitous to stop controversy as near its origin as possible and to prevent the frightful effect of general war; but war is always possible. The fear of it is always present. If a war comes, immediately our securities come back to us. Immediately, in every country where they are held, the desire to strengthen up, to increase the amount of gold, will operate to lead to a general conversion of the American securities they hold into immediately available gold.
>
> It is not necessary that we should wait for a war actually to take place. The fear of it leads to the result. The fear of the Balkan war, far off on the edge of civilized Europe, as it was, because of the apprehensions of possible implication of the great commercial nations in a war consequent upon the Balkan war, sent hundreds of millions of securities back to this country, which had to be bought.
>
> So, sir, if we enter upon this career of inflation we shall do it in the face of clearly discernible danger—danger which, if realized—

That is, war—

will result in dreadful catastrophe.

He said also:

> Ah, Mr. President, we are turning our faces away from the fundamental principle upon which we have come to our high estate. We are turning them weakly toward practices which history shows have invari-

ably led to decadence, to degradation, and the downfall of nations. We are setting our steps now in the pathway which through the protection of a paternal government brought the mighty power of Rome to its fall.

He said also in the same connection:

I say that this bill presents the financial heresy twice repudiated by the people of the United States. I say that the central reserve board appointed under this bill will have to represent that very heresy. If this bill passes as it stands, America stands to lose all we saved when Grant vetoed the inflation bill, all we saved when Grover Cleveland abolished the silver purchase, all we saved when we elected McKinley, all the Republicans, all the gold Democrats saved when they helped in the repudiation of the vital principle which has been put into this bill.

DEPOSITS INCREASE $2,741,949,228.

Mr. SHAFROTH. Mr. President, I thank the Senator from Oklahoma very much for the quotation he has made from the speech of the former Senator from New York. I wish now to show that instead of that prophecy materializing there has come the most wonderful development and the most marvelous prosperity that has ever existed in the history of this country.

Instead of gold leaving our country as was predicted by the able former Senator from New York, we have now a stock of gold, including all redemption funds, of $2,400,000,000, an increase of more than $1,000,000,000 over the amounts which were held at the time he made his prediction.

The gross bank deposits of the 7,578 national banks have grown from $8,393,372,772.65 on January 13, 1914—about the time of the passage of the Federal reserve act—to $11,135,322,000 on May 1, 1916, an increase in two years and four months of the enormous sum of $2,741,949,228.

The quantity of money in circulation in the United States on July 1, 1915, was $3,585,140,626 or $35.59 per capita, while that on July 1, 1916, was $4,018,043,555 or $39.23 per capita, an increase of $432,902,929 in one year.

Mr. CURTIS. Mr. President——

Mr. SHAFROTH. I yield to the Senator.

Mr. CURTIS. I wish the Senator would tell us, in view of the statement he has just made, if there has been so much money and it has been so easy to get why there were more failures in 1914 than in 1913, and why there were more in 1915 than in 1914, and why so far in 1916 there have been more than for the same month in 1915 or 1914 or 1913?

Mr. SHAFROTH. I will state to the Senator I am not familiar with the figures he has quoted, but I have taken the reports from Bradstreets's and Dun's agencies which indicate that the failures are less now and have been less at least for the last year than the year preceding.

Mr. CURTIS. Mr. President, if the Senator will allow me, I should like to state that the failures show from 1914 a record breaker. In that year there were 15,759 failures. In 1915 there were 19,322 failures. The failures in 1916 will amount to 19,984 if the ratio is kept up.

Mr. SHAFROTH. I presume that what the Senator is trying to prove is that there is no prosperity in the land.

Mr. CURTIS. No, Mr. President; what I am trying to show is that there is prosperity in certain lines but the prosperity is not general, as the Senator tries to make believe.

Mr. SHAFROTH. Mr. President, I want to meet that issue fairly. I will do it by a reference to the reports of agencies that are nonpartisan and which are the most complete organizations for commerce in the world and by quotations from even independent and Republican newspapers.

Other causes to some extent no doubt aided this upward tendency, but the predominant accelerating force was the passage and operation of the Federal reserve act. It was freely predicted at the time of the passage of this act that New York City would soon become the financial center of the world. The fact that the banks of that city since that time have financed loans extending into the billions, including one to Great Britain and France of $500,000,000, demonstrates the fulfillment of the prophecy.

I have heard of administrations going down in defeat because of stagnation and depression in the business of the country, but I have never heard of a political party which, through the passage and administration of laws producing or accelerating prosperity, was repudiated by the people.

Opinions may differ as to the cause of our prosperity, but in view of the evidences that are daily published it seems to me no one can deny that the long-looked-for period of abundance is now here in the administration of President Wilson. Disaster and depression, predicted by our opponents upon the accession of the Democratic Party to power, have faded before the sun of smiling plenty and prosperity.

EVIDENCE OF THE MARVELOUS PROSPERITY.

We do not prove our claims of prosperity by our own declarations. They come from the facts detailed not only in Democratic but also in independent and Republican newspapers. These declarations are printed not occasionally but nearly every day in the columns of the press.

I have been a constant reader for years of the Washington Post, an independent, able, and conservative newspaper. It has no bias in favor of President Wilson; on the contrary, it has been opposed to most of his policies during the past three years, but in recording conditions which it finds exist it is eminently fair. In an editorial printed in that newspaper on May 22, 1916, entitled "This wonderful year of gigantic business," the following language is used—I want to direct the attention of the Senator from Kansas to the language showing the general character of this prosperity. It says:

Woolen, cotton, silk, steel, iron, glass, pottery, coke, machinery, tools, and chemical industries are to-day running at their utmost capacity, and yet they are now facing for the autumn and winter trade a demand that is unparalleled in volume and in value, and there are months of the greatest activities ahead of the majority of our industries.

The recent advances in the wages of a majority of the largest numbers of skilled and unskilled workers has added scores of millions of dollars to the purchasing power of the masses of our population, and this purchasing power is having a telling effect upon the stocks of the merchants and the shopkeepers, and is resulting in heavy orders for new stocks from the manufacturers.

It is a year of enormous business in this Republic, and every month between now and January 1, 1917, will find the general business exhibiting larger totals in volumes and values.

In an editorial in the same newspaper on June 5, 1916, entitled "General business steadily improves," the following statement appears:

Labor in this country never before was so fully employed, never before received such a high average per capita of pay.

This is a positive proof of prosperity.

This is an evidence of a purchasing power now possessed by the masses of the people of the United States beyond that of any prior period in the history of the Republic.

That purchasing power of the masses insures large and profitable trade to the merchants, busy times for the industrial establishments, large home demand for the products of our lands.

General business, in volumes and values, will pass beyond all records during the autumn and winter months of 1916.

Mr. President, is there a clearer or more convincing answer to the statement or contention of the Senator from Kansas than is contained in these two editorials?

The Washington Post published a very able editorial in its issue of July 1, 1916. It is as follows:

BUILDING UP THE UNITED STATES.

Exchanges from all over the United States carry reports of contracts let in their immediate vicinities for railway construction, highway construction, municipal construction, and for private building work, and totaling these contracts is most convincing as to the fact that there is now beginning in the United States an exceedingly widespread and comprehensive building and construction movement.

If we begin at the coast cities and harbors of the country, we find a great demand for terminals, docks, and warehouses, and we also find conditions of commerce which fully justify the investment of funds in the construction of such terminals, docks, and warehouses.

In every commercial district of every town and city in the United States the stimulant of good times has produced an optimism as to the future that is compelling expansion and extension of stores and shops and the building of larger, finer, and more commodious new structures.

New hotels and apartment houses are the favorites of the day as investments of capitalists fond of realty operations, while moving-picture theaters and garages are a close second as paying propositions for those having funds to invest and who desire handsome returns from the very beginning of the business.

In the manufacturing districts of the country—

I want to call the attention of the Senator from Kansas to this statement to show that the prosperity is great and general—

it is new mills, new factories, new shops, new potteries, new glass houses, new homes, new offices, new storehouses, new buildings of every class needed where business is breaking all records and profits are coming in every day.

* * * * * * *

There are new depots, new car shops, new roundhouses, new machine shops, new repair shops, new storage houses to be erected, and the beauty of the railway situation is that the money necessary to pay for these buildings is being earned by the operations of the roads, and the American public is ready to buy railway securities now to the extent of thousands of millions of dollars and the railway managers do not have to beg foreign syndicates to place them.

There is a new navy to build and a new mercantile marine to construct, and every shipbuilding yard in our country has already work for years ahead.

Is there any other form of business prosperity which our bankers, our merchants, our manufacturers, our farmers, our workingmen would like to have? Everything seems coming their way.

No better index of the business conditions in a country exists than the reports of Bradstreet's and Dun's Commercial Agencies. They are nonpartisan, keep in close touch with commerce in all lines, and each week give a general review of conditions in the United States. For the last year they have been noting the marked increase of activity in industry and commerce, and they have recorded the fact that there has been a greater increase of production in all lines of industry in the United States than has

occurred in the entire history of the Republic. Bradstreet's Weekly Review of October 9, 1915, was as follows, and I invite the attention of the Senator from Kansas to this statement:

EVERY INDUSTRY GOING AT TOP SPEED.

In the economic situation performance follows promise at a rapid pace, and as unfavorable factors are eliminated even lagging lines are brought in touch with the circle of growing activity. Industry shows notable activity. Shipyards are working at top speed, steel mills are producing at a rapid rate, blast furnaces are working at an unparalleled gait, eight of the country's crops are of record proportions, this week's bank clearings reached peak point, textile mills are on full time, woolen mills are busy, plants making munitions of war are overtaxed, flour millers are pushing production on a night-and-day basis to take care of home and foreign demands, machine tool shops are turning down orders because of inability to make deliveries, building values for September show a sharp gain over last year, our relations to international political affairs are seemingly more reassuring than at any time since the European war started, and almost everywhere in the country optimism is rife. Weekly bank clearings, $4,861,657,000.

Following that, I desire to call attention to Bradstreet's Weekly Review of November 6, 1915, which I ask to insert in the RECORD without reading. It is a very optimistic statement.

The PRESIDING OFFICER (Mr. THOMPSON in the chair). Without objection, it is so ordered.

The matter referred to is as follows:

Two features loom large in this week's reports, the ever-widening activity of trade and the increased momentum attained in many industries. Out of these grow overtime in factory, mill, and shop; progressive improvement in industries almost wholly dependent on domestic wants; larger pay rolls; sustained, if not increased, demand upon jobbers and wholesale dealers; more confident futures buying, accompanied, however, by urgent calls for goods already ordered, and although mild weather has prevented retail trade in the cities from running its full course, much of the slack in this respect has been taken by increased buying in various country districts. Apparently pessimism has been altogether unseated, activity in the stock market continues, money is plethoric, legitimate demand is being supplied at easy rates, collections are freer, railway traffic east and northwest is of record proportions, the grain movement from the leading producing States has reached a new high-water mark, production of pig iron is the largest in the history of the country, prices for iron and steel continue on an ascending scale, and railway buying indicates pressure to get orders booked. Weekly bank clearings, $4,482,962,000.

Mr. SHAFROTH. Dun's Review of July 1, 1916, in its report of the entire year, says:

Further remarkable progress in finance, commerce, and industry has been achieved during the fiscal year just ended. Domestic production and distribution have surpassed all reports, with profits unprecedented and the enormous growth in over-sea trade has placed this country in the foremost position in the money markets of the world.

Mr. President, when the Senator from Kansas admits that there is prosperity in some lines, meaning evidently munitions of war, I do not see how he can blind himself to the nonpartisan reports made by Dun's agency, by Bradstreet's agency, and reaffirmed by nonpartisan newspapers in the United States.

Mr. CURTIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Kansas?

Mr. SHAFROTH. I yield.

Mr. CURTIS. I should like to ask the Senator again—and I wish he would answer the question—whether or not the fact that there were 16,759 failures in 1914, which broke the record for any year prior to that time, and that there were in 1915, 19,032 failures is not evidence that there is not general prosperity, as intimated by the Senator from Colorado?

Mr. SHAFROTH. Well, Mr. President, I may have to read some more of these quotations in order to demonstrate my contention to the Senator.

Mr. MARTINE of New Jersey. Mr. President——

Mr. SHAFROTH. I yield to the Senator.

Mr. MARTINE of New Jersey. I ask whether it would disconcert the Senator if I should present a matter for the consideration of the Senator from Kansas?

Mr. SHAFROTH. Not at all.

Mr. MARTINE of New Jersey. It is uncomfortable, I know, but the truth must be told. What I am about to read is not from Dun's, but is from the Philadelphia North American, in an issue of May last. The headlines are:

Five hundred thousand dollars will be put into new factories and mills in Philadelphia—Flood of building orders will give army of workers jobs—Another rubber plant—Prudential Woolen Co. to build structure on new site.

I will not read it all; but it goes on to say that a new plant is being constructed by the American Radiator Co., that a new dyeing plant of large capacity is being erected in Philadelphia, that an autocar company is increasing its plant, and that all the alterations and additions contemplated will make possible the employment of many hundreds of persons, with the result that labor will be scarce in Philadelphia for months to come. Happiness and prosperity seem to prevail, notwithstanding the fact that the Democratic Party is in power. It is a sad and sorry thing for our friend from Kansas, but he will have to take the pill, however bitter it is. I ask, Mr. President, that the article to which I have referred, from the Philadelphia North American, be inserted in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The article referred to is as follows:

FIVE HUNDRED THOUSAND DOLLARS WILL BE PUT INTO NEW FACTORIES AND MILLS IN PHILADELPHIA—FLOOD OF BUILDING ORDERS WILL GIVE ARMY OF WORKERS JOBS—ANOTHER RUBBER PLANT—PRUDENTIAL WOOLEN CO. TO BUILD STRUCTURE ON NEW SITE.

Although all the mills and factories of the city are working under pressure, they find themselves completely overwhelmed by the flood of orders being received. As a result new factories and mills, to cost $500,000 or more, are springing up in the manufacturing districts, and contracts are daily being signed for more.

A two-story-and-basement mill is to be built for the Belmont Packing & Rubber Co. at Janney and Butler Streets, size 80 by 130 feet. A two-story boiler house is to be built for the Atlantic Refining Co. at Twenty-eighth Street and Passyunk Avenue, this building to measure 99 by 100 feet.

At a cost of $25,000 the American Radiator Co. will build a one-story warehouse addition at the northwest corner of Wharton and Taylor Streets, size 120 by 134 feet. The Prudential Woolen Mills will erect a one-story factory, to measure 92 by 170 feet, at the northeast corner of Large and Orthodox Streets, at a cost of $23,000. A warehouse is to be erected at Front and York Streets for Derbyshire Bros. and a factory building for Leeds & Northrup at Wayne Junction.

NEW DYEING PLANT.

There will be built a factory building at Holmesburg for the Summerdale Dyeing, Printing & Finishing Works. F. W. Tunnell & Co. are having extensive alterations made to their factory at Gaul Street and Wheatsheaf Lane, and alterations are to be made to the factory of the Pringle Electric Co., 1906–1912 North Sixth Street.

Additions and alterations will be made to the buildings of the New York Pie Baking Co. at 2505 Lombard Street, and the Counties Gas & Electric Co. will build a new transformer building at Ardmore. A warehouse will be erected at Second and York Streets for the Stelwagon Manufacturing Co.

In addition to this, work is about to begin upon alterations to the factory of the Hardwick & Magee Co., at Seventh Street and Lehigh Avenue, and a weave shed is to be built for A. Holmes & Son, Allegheny Avenue and A Street. The John Illingsworth Co. will erect a foundry building at Lewis Street, east of Tacony, and extensive alterations will be made to the boiler house of the Westmoreland Dye Works, Westmoreland and Jasper Streets.

AUTOCAR CO. TO BUILD.

A large new storage building will be built at Ardmore for the Autocar Co.; a factory building for the New Jersey Leather Co., at Camden; alterations to the warehouse of the Magnesia Covering Co., at 1927–1929 Market Street; and extensive machine-shop alterations for the General Manufacturing Co., Snyder Avenue and Swanson Street.

Benjamin Alexander will erect a loft building at Nineteenth and Wood Streets, and extensive alterations will be made to the factory building of the Orinoka Mills Co., Somerset and Jasper Streets.

All these alterations and additions will make possible the employment of many hundreds of persons, with the result that labor will be made more scarce in Philadelphia in the months to come.

Mr. CURTIS. Mr. President, the Senator from Kansas is perfectly willing to take the "pill," but he calls attention to the fact that those matters largely grow out of war conditions, out of contracts for war materials or materials that are used by the nations engaged in war.

Mr. MARTINE of New Jersey. Frankly, I say that some portion of it is due to the war, and I would sacrifice it all if I could. God knows I want none of the war profits; but you have got to realize the fact that the world is moving.

I have here a copy of the Washington Times of to-day, which contains a dispatch from Philadelphia in relation to the tremendous growth of the shipbuilding industry in that city. I ask that the dispatch referred to may be published in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The dispatch referred to is as follows:

SHIPBUILDING BOOM ON IN PHILADELPHIA—WITH NEW YARDS AND CONTRACTS CITY BECOMES CENTER OF INDUSTRY.

PHILADELPHIA, *July 19, 1916.*

An investigation by the United Press to-day disclosed that with present facilities and those being added under millions of dollars' worth of new contracts just closed this city in less than 12 months will be the greatest and biggest shipbuilding center in the world.

There are now under construction or contracted for 76 ships with a total gross tonnage of 420,253. Millions of dollars are being poured into the shipbuilding industry along the Delaware River. Thousands of men are working long hours getting new shipyards together.

This tremendous boost is due primarily to the fact that the seas have been practically stripped of foreign shipping by the European war, and there is an enormous demand for bottoms which will carry foreign and domestic sea trade.

All the big yards here are jammed with all the work they can do for the next three years. They are refusing orders every day. Among the largest of these yards is the Cramp Co., New York Shipbuilding Co., Philadelphia Navy Yard, Pusey & Jones, Harlan & Hollingsworth, Chester Shipbuilding Co., and Quigley & Dorp.

The Pennsylvania Shipbuilding Co. is completing a big new $6,000,000 yard.

The Sun Shipbuilding Co., organized by New York, Philadelphia, and Pittsburgh men, is completing a new yard, costing several million. A report to-day shows that Cramp is building 13 ships, with a total gross tonnage of 81,300; the Chester Co., 10 ships, with 48,500 tonnage; the New York Co., 24 ships, with 126,305 tonnage; Harlan & Hollingsworth, 14 ships, with 85,000 tonnage; Pusey & Jones, 9 ships, with 37,048 tonnage; and the Pennsylvania Co., 6 ships, with 42,000 tonnage.

Mr. SHAFROTH. Now, Mr. President, in answer to the declaration of the Senator from Kansas [Mr. CURTIS] I desire to call attention to a few sentences from Dun's Review of November 13, 1915, in which it is said:

In spite of the rapidity of the movement, there is no slackening of the advance that foreshadows the greatest commercial development in the history of the country. * * *

Some of these, such as the figures of merchandise exports, pig-iron output, bank clearings, and railroad earnings, bring to light achievements without precedent, and to the list of remarkable attainments have been added those of unfilled steel tonnage and commodity prices.

I also call his attention to Bradstreet's Report of July 1, 1916, which contains the following statement:

While finishing the most active six months ever experienced, trade as well as industry keeps on moving at an active pace, such seasonal slack as generally intervenes at this time of year being less conspicuous than usual and in effect quite fully, if not wholly, offset by rush orders placed by the United States Government for Army supplies.

Mr. President, the Senator says there is prosperity among the munitions factories. There is no doubt of that; but to say that that constitutes the bulk of prosperity that exists is absurd. Our whole foreign trade does not exceed 5 per cent of our total trade; the munitions part of the shipments is a fraction only of the foreign trade; and, consequently, to say that the present prosperity is only among a few people who manufacture and deal in munitions of war, it seems to me, is absolutely absurd.

FORMER REPUBLICAN COMPTROLLER'S TRIBUTE.

Mr. William B. Ridgely, a former Republican Comptroller of the Currency, in an interview made public in New York a short time ago, declared that the present prosperity of the United States rests upon safe and sure foundations. He admits that the Federal reserve act is largely responsible for this prosperous condition. In part, he said:

The balance of trade in favor of the United States for the first nine months of the current fiscal year down to the end of March reached the enormous sum of $1,491,000,000, more than double that of last year and something over three times that of the same period of 1913 and 1914. This is at the rate of about $2,000,000,000 a year, in round figures. During the whole history of the Government, from Washington to McKinley, a period of over 110 years, the total balance of trade in our favor was less than $500,000,000, so that in one year the balance in our favor is more than four times the amount it was for this long period.

It is difficult to contemplate figures of such gigantic proportions with anything like calmness and to estimate their effect on the present and future business of the country without being too much carried away and impressed by them. * * *

And I call the attention of the Senator from Kansas to this remark of the former Republican Comptroller of the Currency:

Of almost equal importance is the improvement in our financial system, due to the establishment of the Federal reserve bank, which gives us the machinery and organization for utilizing credits and such a mobilization of our reserve money as to make impossible any such sudden derangement of our financial matters as we have frequently seen in the past. It was extremely fortunate that this reform in our financial machinery was in operation soon enough to be of assistance during the crisis brought on by the war.

Mr. President, credit has been given to the President and various Senators and Representatives for the work which they performed in the framing of the Federal reserve act. To each of them great praise should be accorded, but in my opinion the services of none were greater than those of the Hon. William G. McAdoo, the Secretary of the Treasury. He was consulted almost daily by members of the Banking and Currency Committee for advice and assistance in the framing of the measure, and it was he who threw his whole soul into the administration of the act, which guaranteed its successful operation. While his notification that no money of the Government would ever be deposited in national banks without the payment of interest somewhat startled and estranged the bankers, yet his assurance that he would use all the powers of his office to issue money upon proper security to prevent runs upon banks and thereby to avert threatened panic showed even to them his great executive ability and sound judgment.

Mr. WEEKS. Mr. President, do I understand that former Comptroller Ridgely made that statement?

Mr. SHAFROTH. No; the last statement is my own. The quotation from Mr. Ridgely was to this effect:

Of almost equal importance is the improvement in our financial system due to the establishment of the Federal reserve bank, which gives us the machinery and organization for utilizing credits and such a mobilization of our reserve money as to make impossible any such sudden derangement of our financial matters as we have frequently seen in the past. It was extremely fortunate that this reform in our financial machinery was in operation soon enough to be of assistance during the crisis brought on by the war.

That is the end of the quotation from Mr. Ridgely.

Our exports for one month—May, 1916—amounted to $472,000,000, breaking all previous monthly records. They exceeded by $61,000,000 the previous high record for May, 1915, and were $300,000,000 more than the average exports for the month of May, 1911 to 1914.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from New Hampshire?

Mr. SHAFROTH. I yield to the Senator.

Mr. GALLINGER. Has the Senator the aggregate exports of war materials?

Mr. SHAFROTH. No; I have not. I have seen statements to the effect that they are quite large; but they do not constitute anything like a preponderance of our exports.

Mr. GALLINGER. I have seen it stated somewhere that they have amounted to practically 50 per cent of our exports in some months.

Mr. SHAFROTH. Of course, in the last six months they have been larger than they were in the period shortly following the outbreak of the war. There is no doubt they constitute a considerable proportion of our exports; but not a dominant proportion.

Mr. GALLINGER. And if the war should close to-morrow or next month, what does the Senator think the condition would be, so far as the interests of our well-paid laboring men are concerned? I observe that 3,000 of them were dismissed from one establishment a little while ago, because orders for war material had ceased.

Mr. SHAFROTH. Well, Mr. President, I want to say with relation to that statement that the increase in the domestic trade of the United States is perfectly wonderful. It has been recently estimated that our factories are turning out an annual output now for the domestic and foreign trade of $30,000,000,000 a year. The whole export foreign trade, including everything, amounts only to about $4,000,000,000. The estimate was made two years ago that our foreign and domestic trade at that time amounted to $24,000,000,000; so that it can readily be seen that we have the greatest market in the world in which to dispose of the products of the industries of our own land.

Mr. GALLINGER. We have always believed, if the Senator will permit me, that we have the greatest market in the world, and that is undoubtedly true to-day, as it always has been. I think statistics show that in normal times we consume over 90 per cent of the products made in the United States.

Mr. SHAFROTH. I think it is 95 per cent.

Mr. GALLINGER. Well, 95 per cent. There is no doubt that we have the greatest market in the world, and we ought to protect it in every possible way.

Mr. SHAFROTH. After the Spanish-American War no disturbance occurred by reason of the fact that the purchase by the Government of supplies, armament, and related material ceased, and I do not apprehend that there is going to be any great disturbance in the United States following the conclusion of peace in Europe; but no matter what the conditions may be then, there can be no denying the fact that now, in the year 1916, according to the reports of the independent and even the Republican press, and also the reports of Bradstreet's and Dun's agencies, prosperity exists in the land unequaled in the history of the United States; and that, too, during the administration of Woodrow Wilson.

Mr. GALLINGER. Mr. President, if I am not misinformed, that prosperity does not to a very great degree extend to the small producers. They are having a very hard time, I am told. Has the Senator looked into that?

Mr. SHAFROTH. I have taken these reports, which indicate—I do not know whether the Senator has heard me read them all—a perfectly wonderful development. They show that the increase in trade has been so great that orders can not be filled and that there is with us now a state of prosperity that has had no parallel in the history of the Government.

Mr. GALLINGER. Beyond question, the enormous amount of money which has come into the country because of the exportation of war munitions has given a certain degree of prosperity all along the line. There has been more money than ever before because of that condition; but the fact that there have been more failures year by year, even during this administration, than previously indicates that the small manufacturers are having a rather hard time of it. That is my information.

Mr. SHAFROTH. Mr. President, it is difficult to tell when the disintegration of a business begins. It is very difficult to tell when the causes of the failures really arise; many of the debts may have been incurred years before, and people in failing circumstances generally continue business for a year or two after a condition of insolvency first threatens them. But, it seems to me, when Dun's agency and Bradstreet's agency report that, notwithstanding the failures referred to by the Senator from Kansas [Mr. CURTIS], there is universal prosperity in the land and orders are greater than ever before, the facts can not be denied. Besides, at all times there are some failures for profit.

Mr. THOMAS. Mr. President, if my colleague will permit me——

The PRESIDING OFFICER. Does the Senator from Colorado yield to his colleague?

Mr. SHAFROTH. Yes, sir.

Mr. THOMAS. I have been laboring under the impression that the munition makers were prosperous until the revenue bill passed the House and was referred to the Senate Committee on Finance. In interviews which I have had with a number of them since then and from letters and telegrams which I have received I am convinced that not only have most of them not made any money but, if the tax which is imposed by the bill as it came from the House is retained, it is going to drive many of them into bankruptcy.

INCREASE IN EXPORTS, $1,576,000,000 IN ONE YEAR.

Mr. SHAFROTH. Mr. President, the total exports for the year ending June 30, 1916, amounted to $4,345,000,000, an increase of $1,576,000,000 over those of the preceding 12 months.

The imports for the year ending June 30, 1916, also broke all previous records, the total being $2,180,000,000.

Our balance of trade for the 12 months was $2,165,000,000, which exceeds that of the preceding year by $1,070,580,400. To offset this balance the United States has repurchased over a billion dollars of its own securities and has loaned as much more abroad.

It is contended by some, and evidently by the Senator from New Hampshire [Mr. GALLINGER], that the great demand for war materials produced this wonderful tide of prosperity. While that factor no doubt was a contributing cause, yet no one can deny that the activity has extended into all branches and lines of domestic trade, and this satisfactory condition would not have resulted were it built upon and sustained by the manufacture and sale of war materials alone. It must be remembered that all of our foreign exports are less than 5 per cent of our domestic trade, and that the munition orders are only a fraction of our total exports. The Republicans refuse to give us any credit for prosperity because some of the demands for export come for war materials, yet if there had been light or no demands they would have vociferously blamed the administration for incompetency. But notwithstanding this, it is asserted by some that the large increase in the exports of our country has benefited only those engaged in the manufacture of war supplies. A review of the increase of our exports to the nonbelligerent countries demonstrates that the exports are drawn from all of the industries of our country. The following are the respective totals of our exports and imports for the first 10 months of the fiscal year 1916 to nonbelligerent countries, as compared with those for the corresponding period of the year 1915:

	Exports.		Imports.	
	1916	1915	1916	1915
Spain	$49,930,259	$30,137,401	$21,296,998	$15,226,172
Mexico	40,063,824	27,249,659	79,023,437	61,038,709
Cuba	102,381,773	61,480,743	165,121,402	138,534,461
Argentina	53,189,863	21,875,408	90,638,024	61,088,455
Brazil	31,292,440	20,029,871	108,590,045	84,396,342
Chile	18,537,421	8,562,457	46,496,765	21,462,968
China	18,659,270	12,375,531	56,446,685	30,727,247
Japan	56,166,665	33,298,865	116,986,207	83,414,255
Australia and New Zealand	62,198,054	39,957,299	54,162,344	17,659,998
Philippines	18,578,378	19,991,944	21,421,077	20,266,228

Mr. GALLINGER. Mr. President, if the Senator will permit me——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from New Hampshire?

Mr. SHAFROTH. I yield.

Mr. GALLINGER. Is it not reasonable to suppose that the fact that Germany is unable to export her goods to those nonbelligerent countries, and the dislocation of business in the combatant countries—England, France, Italy, Russia, and the others—gives us a greater market than we otherwise would have?

Mr. SHAFROTH. Oh, there is not any doubt that there is a demand for these things; but why it should be said that we are not entitled to any credit because there happens to be a demand for our products I can not understand. The very fact that the demand exists, the very fact that it is producing activity, not only in munition factories but in all other factories, demonstrates that prosperity is here now in abundance.

Mr. GALLINGER. And the further fact remains, and it can not be winked aside, that because those countries are now incapable of getting goods from Germany and to a large extent from the other countries which are engaged in war a market was opened for our products such as we would not have if normal conditions prevailed.

Mr. SHAFROTH. To a certain extent that is true; but we ought to keep that market, and we will be able to keep it.

Mr. GALLINGER. We probably will have difficulty in keeping it when in the days to come Germany gets on her feet and normal conditions return to England, France, Russia, and other European countries.

Mr. SHAFROTH. I have some remarks to submit with relation to that matter, but it seems to me that we will be able to retain that market.

HIGH RECORD FOR SOUTH AMERICAN TRADE.

From a statement of the Department of Commerce issued July 3, 1916, the exports from the United States to South American countries alone during the past fiscal year reached approximately $175,000,000, which establishes the high record for inter-American trade. The exports to the Latin American countries for the preceding year were $99,000,000. Our total exports for the 1916 fiscal year to the West Indies, Central and South American countries has been estimated to be $450,000,000, an enormous increase over the year preceding.

Mr. GALLINGER. Mr. President, the Senator is very kind, and I will not interrupt him if he objects.

Mr. SHAFROTH. I have no objection to being interrupted.

Mr. GALLINGER. Is it not likewise a fact—we want to be fair about this matter; I know the Senator wants to be fair——

Mr. SHAFROTH. Certainly.

Mr. GALLINGER. Is it not a fact that our increased trade with South America results largely from the circumstance that Germany for the time being is shut out from the South American market and that the other countries which are engaged in destroying each other likewise to a certain extent are shut out of that market.

Mr. SHAFROTH. Yes; to a certain extent; but that is no reason why we should refuse their commerce.

Mr. GALLINGER. Of course not.

Mr. SHAFROTH. There is never any increase in commerce anywhere unless there is a demand for it from some source.

Mr. GALLINGER. I agree to that.

Mr. SHAFROTH. And for that reason it seems to me that there can be no objection to such commerce.

Mr. GALLINGER. No; it is quite to our advantage, and we are wise in taking advantage of the opportunity; but the opportunity will not always continue.

Mr. SHAFROTH. That depends upon what we do; upon our own efforts.

GREAT INCREASE IN RAILROAD TRAFFIC.

In an editorial dated June 24, 1916, of the Christian Science Monitor, of Boston, Mass., an able, fair, and independent paper, the following statement is made under the title "The Business Situation Reviewed":

One of the most satisfactory features of business in the United States is the record-breaking traffic of the railroads. Gross business not only has reached an unprecedented volume, but net earnings are the largest in history. It is gratifying to know that these earnings are being devoted largely to liquidating debts and making necessary repairs and improvements.

Returns from 134 railroads of the United States to the Interstate Commerce Commission show gross earnings for May, 1916, to be $212,840,101 and a net revenue of $74,632,518, which net revenue was $23,874,052 increase over the same month of 1915.

I should like to call the attention of the Senator from New Hampshire to the fact that there is no better barometer of business than the record of shipments made by the railroads. Those shipments do not extend only to goods for foreign commerce, which is a mere twentieth part of our total commerce, but extend also to our domestic trade.

RAILROADS PLACE TREMENDOUS ORDERS.

Along every operated railway line in the United States construction work and improvements are being undertaken in an unprecedented degree. Orders for millions and millions of tons of steel rail and for thousands of cars and locomotives have been placed during the past year.

In an Associated Press dispatch from New York, dated April 22, 1916, the following statement is made, and I should like to call the attention of the Senator from Kansas and of the Senator from New Hampshire to this statement:

STEEL MILLS ARE CROWDED WITH ORDERS FROM RAILROADS.

The railroad companies, large and small, are still ordering rails for 1917 shipment as heavily as the mills can be induced to make sales. The manufacturers find much difficulty in declining orders from importunate buyers. Trolley lines, industrial roads, and manufacturers

of frogs and switches, as well as contractors of railroad construction, also are anxiously making efforts to secure places on rail-mill schedules before May 1.

In the past week contracts for light and heavy sections, reported specifically, amounted to nearly 150,000 tons, including 30,000 tons for the Great Northern, 28,000 tons for the Southern Railroad, 12,000 tons for the Chesapeake & Ohio, 6,000 tons for the Clover Leaf, 15,000 tons for the Pere Marquette, and 3,700 tons for the Lake Superior & Ishpeming. Four southern roads bought an aggregate of 35,000 tons standard sections. There were also orders of girder rails and light sections, agregating 16,000 tons. Since the 1st of April rail contracts have amounted to nearly 800,000 tons.

Mr. Elbert H. Gary, chairman of the United States Steel Corporation, which does not manufacture any munitions of war, in a statement on July 3, 1916, said that—

the steel business of the United States for domestic use and for export is better than ever in its history. Production is larger, profits are greater, and workmen are receiving higher wages. Unfilled orders of subsidiary companies of the corporation amount to nearly 10,000,000 tons. The corporation is producing at the rate of 51,000 tons a day.

I submit that in the building and improvement operations of railroads extending all over the country there is presented one of the best indications of general prosperity. Railroads do not plan construction and betterments unless business conditions justify expectation of profit from the outlay.

Mr. President, there was an Associated Press dispatch sent out from New York on March 25, 1916, and I want to call the attention of the Senator from Kansas to it to demonstrate to him that this railroad building indicates that there is a tide of prosperity here in all lines that is unequaled in the history of the world.

Mr. CURTIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Kansas?

Mr. SHAFROTH. I yield.

Mr. CURTIS. Does not the Senator know that prior to the breaking out of the war there were more idle cars in this country than there had been in any one year prior to that time in the history of the country?

Mr. SHAFROTH. I know that there had been a large number of idle cars ever since the panic of 1907, and it is true that the conditions did not improve until after the Federal reserve act got into active operation, after which business began to improve immensely.

Mr. GALLINGER. Mr. President, will the Senator permit me?

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from New Hampshire?

Mr. SHAFROTH. I yield.

Mr. GALLINGER. The Senator has just spoken of the great prosperity indicated by railroad building. Has the Senator acquainted himself with the fact that during the year 1915 there was less railroad mileage added to our existing mileage than there had been in any one year for the last 25 years?

Mr. SHAFROTH. Oh, Mr. President, of course it takes a good while for railroad companies to get rails; there is no doubt about that; and it takes a good, long while to finance railroad building. The Federal Reserve System had to get into operation and establish credits through confidence that there would be no more panics, so as to get a great amount of money in circulation, but when the money was forthcoming so that the railroads could get it, they availed themselves of it, and that is what they are doing now.

This dispatch reads as follows:

The railroads entered upon a most vigorous buying campaign for equipment during the week, placing contracts for nearly 500,000 tons of rails for delivery during first quarter and first half of 1917. Included in the orders were 140,000 tons for the New York Central System; 75,000 tons for the Baltimore & Ohio; 40,000 for the Erie; 35,000 tons for the Illinois Central; 40,000 tons for the Chicago & Northwestern; 20,000 tons additional for the Burlington; 15,000 tons more for the Southern Pacific; 15,000 tons each for the Union Pacific, the Missouri, Kansas & Texas, the Atlantic Coast Line, and the Chesapeake & Ohio; 10,000 tons additional for the Santa Fe; 8,000 tons for the Chicago & Alton; 5,000 tons for the Minneapolis & St. Louis; 6,000 tons for the Stone Construction Co. for roads in Kansas; 5,000 tons of light sections and 20,000 tons of miscellaneous orders for late 1916 and early 1917 deliveries.

Mr. President, I want to call the attention of the Senators to the fact that that is only one week's orders in the steel industry for railroad building.

The Pennsylvania Railroad Co. probably will close for 150,000 to 200,000 tons before the end of the month. Other contracts for about 100,000 tons also are pending.

* * * * * * *

The Philadelphia & Reading divided equally an order for 1,000 cars between the Standard and Pressed Steel Car Cos.; and the Atlantic Coast Line is reported to have bought 1,000 cards from the Mount Vernon Car Co.

The locomotive builders took orders for 90 engines and received new inquiries for 81 engines.

SHIPBUILDING GREATEST IN HISTORY.

Mr. President, the Department of Commerce on May 13, 1916, issued a statement that steel merchant vessels building or under contract in the United States now number 368 of more than 1,000,000 tonnage. The statement says that these figures denote the greatest shipbuilding activity the country ever has known and that every shipbuilding plant is working to capacity.

I should like to know, from these Senators who assert that the prosperity is confined to munitions factories and to those supplying arms to the European nations what they think of a statement of that kind.

The great prosperity that exists in the United States extends not only to merchandise and factory products, but also to every other branch of industry.

According to a report of the Geological Survey of June 30, 1916, the output of American mines for the first six months of this year establishes a breaking record in the annals of production. This increased production no doubt has been induced by good prices and active demand. The production of manganese is increasing as never before. Copper, lead, and zinc are also being mined in unprecedented quantities.

The year 1915 witnessed the greatest production of gold in the United States ever recorded. The total output of gold was $101,035,700. The total production of gold and silver in 1915 was $138,432,000, the highest joint production ever recorded. All indications are that the production of 1916 will be still greater.

The estimate by the Geological Survey of the first six months' output of bituminous coal in the United States is 261,000,000 tons, an increase of 35 per cent over the production of the first half of 1915. This production, according to the Geological Survey, is the greatest ever recorded in any half year period in the history of the United States. The report says:

Every coal-mining State is sharing in this prosperity, and of course, this demand for coal is traced back to increased business of the railroads and of the steel and other large industries.

How can anyone say that this prosperity is confined to a few industries, when he reads one after another of the articles showing great increases of production and the great activity of other industries? It seems to me that the Senator from Kansas must concede at last that there is general prosperity in the land.

Ore shipments from the Lake Superior district in June, 1916, amounted in the aggregate to 9,507,576 tons, a new high record of any month in the development of that district, and the shipments during the first five months of 1916 were 83 per cent greater than those of the corresponding period of 1915. The production of coke and anthracite pig iron in the first five months of 1916 showed an increase of 66 per cent over that of the corresponding period of 1915.

There have been filed articles of incorporation for new companies of $100,000 capital and over, during the month of June, 1916, in the principal States which aggregated $327,871,000, an increase over the month of June, 1915, of $97,012,000.

The total resources of the 19,460 trust companies, State, savings, and private banks on June 23, 1915, were $16,010,061,690.58, a gain of $520,854,439 over the statement for 1914.

MANUFACTURES WILL TOTAL $30,000,000,000.

According to an analysis of the 1915 census returns recently made by the National City Bank, of New York, it is shown that the total output of the manufactories of the United States for the preceding year was $24,000,000,000, as compared with less than $12,000,000,000 indicated by the census of 1900. When we consider that in the year preceding the European war the output of Germany was $12,000,000,000 and that of Great Britain in 1907—the only available returns—was about $8,000,000,000, and that of France was about the same as Great Britain, we can readily understand that now the manufacturing output of the United States must be equal to that of Germany, Great Britain, and France combined in normal times.

In the Manufacturers' Record of June 22, 1916, the following is said as to the steel trade:

The value of the output of the steel works and rolling mills of the United States, which was $919,527,244 in 1914, will this year, by virtue of an increase of nearly 100 per cent in output in iron and steel products, and a very large increase in value, probably run to $2,500,000,000.

It is estimated that the total output of the manufactories of the United States for the year 1916 will equal $30,000,000,000.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from New Hampshire?

Mr. SHAFROTH. I yield to the Senator.

Mr. GALLINGER. The Senator has dwelt, among other things, upon the great output of gold and the fact that we are

the possessors of so much gold. I find in a newspaper printed an hour ago the following headline:

Golden stream to pour into the United States—Four hundred millions—

That is, in gold—

to be sent here by Great Britain for war supplies.

Mr. President, after the Senator has made his interesting speech, if he will investigate the matter, I think he will find that the phenomenal prosperity which he says we are enjoying in this country is largely due to the fact that these enormous sums of money are coming here from Great Britain, France, and Russia for war materials. This article indicates that $400,000,000 in gold is to come here, at the rate of $3,000,000 a day, for some time, for the liquidation of the obligations that Great Britain owes to this country for what we have sent her to prepare her for the great struggle in which she is engaged.

Mr. SHAFROTH. Mr. President, I am glad the Senator read the article, because it was handed to me by my colleague [Mr. THOMAS] to read myself, and I intended to do so, but had not reached a point when it could well fit in with the balance of my remarks. There is not any doubt but that great orders made by European nations have poured money into this country, but that money permeates every part of the country, and obviously makes for increased prosperity in every line; but when you consider that munitions are only a part of our exports, you can readily see that while that business is a factor it can not be given the credit which the Senator from New Hampshire is trying to give it by making it appear as the basis of our general prosperity.

Mr. GALLINGER. Mr. President, the Senator will admit—because the Senator is fair—that when this enormous exportation of war material ceases and the great corporations that are producing this material find their orders canceled the great prosperity that the Senator pictures as having come to the laboring men of this country will be very materially changed. One great corporation, if I have read correctly, recently filled its last order, and 3,000 highly paid men were discharged in a bunch. Now, when these orders cease—as they will cease, perhaps not during the period of this administration but probably during the next administration, whether it be Democratic or Republican—what will happen to the men who are now working in these factories at enormous pay?

Mr. SHAFROTH. Mr. President, it is easy to predict. At the time of the passage of the Federal reserve act there were predictions made of the most dire disaster, such as were read by the Senator from Oklahoma a short time ago. Dire disaster was predicted to follow the change in the tariff laws, and it was said that we should have a terrible condition of affairs. It is easy to predict now that when this war is over we are going to have very distressing times; but, Mr. President, those who make that assertion can not get over the fact that the prosperity which exists now in such abundance is here, and there can be no doubt but that we are entitled to the credit of it as far as good government can go in making it.

Mr. GALLINGER. If the Senator will permit me, we did have pretty bad times for eight months preceding the war under the operation of the present tariff law. The Senator knows that.

Mr. SHAFROTH. Mr. President, we have had an upward tendency in the last two years; and it seems to me that inasmuch as we have it now, contrary to all the predictions that were made by Mr. Root and others, it is not exactly a thing to tie faith to when one makes a prediction as to something that might occur. All of the prosperity of the land everywhere in every year depends upon demand from somewhere; and inasmuch as we are getting these demands now, it seems to me that that is the thing that concerns us more than a prediction which, as I will show later, is likely not to be verified.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado further yield to the Senator from New Hampshire?

Mr. SHAFROTH. I yield.

Mr. GALLINGER. The Senator has pictured the great amount in the matter of balance of trade under existing conditions that is to our credit. I do not dispute the Senator's figures; but the Senator must know that for four months immediately preceding the war the balance of trade against the United States was $240,000,000, or $60,000,000 a month for those four months. That was before this great prosperity came, which in another place has been aptly termed "battle-field prosperity."

Mr. SHAFROTH. Mr. President, there is not any doubt but that the balance of trade goes from one nation to another. As indicated in the statement by Mr. Ridgely, the entire balance of trade in favor of the United States, from the time of Washington to the time of McKinley, was only $500,000,000. That statement showed that the balance of trade was one way in one administration, or in a part of an administration, and the other way in another one. It did not show want of prosperity. It does not indicate anything except that the conditions are such that we are buying more or we are selling more at a given time. But, Mr. President, there can be no doubt but that we have an enormous balance of trade now, contrary to the predictions that were made by these gentlemen; and now they say that this prosperity does not exist in general business, and does not exist except in munitions plants and establishments that are furnishing supplies for the use of foreign soldiers.

Now, I want to read another little indication of prosperity from the Indicator, of New York, of June 5, 1916:

There were 12 life insurance companies which wrote upward of $50,000,000 each last year, the Metropolitan leading with $592,800,860, the Prudential coming next with $581,090,889, industrial being included in each, while the New York ranked third with $228,894,119.

People do not take out life insurance in any such gigantic figures unless they are able to pay for it.

BIG INCREASE IN BUILDING PERMITS.

Mr. President, I want to call the attention of the Senator from Kansas and the Senator from New Hampshire to the following to show where this prosperity has permeated and to what extent it exists. In the Washington Evening Star, an independent Republican newspaper, there appeared on July 1, 1916, a comparative statement of building operations in the 108 principal cities of the United States. The statement shows that the building permits issued during May, 1916, were $113,904,515, as compared with $86,469,129 for May, 1915, or an increase of 32 per cent. It also shows that for the first five months of 1916 the building permits issued in these cities totaled $393,018,536, as compared with $317,373,988 for the corresponding period last year, an increase of 24 per cent.

Is it possible we can have these gigantic building operations increasing in such great proportions, reported from the 108 principal cities of the Union, without recognizing that there is a great degree of prosperity existing in each of those cities and contiguous territory.

The increase for December, 1915, over the same month of the preceding year was 65 per cent; and the increase for November, 1915, over the same month of 1914 was 75 per cent. Compared with the building of 1912 and 1913, the percentage is very much higher.

These figures demonstrate that prosperity exists, not only in trade, commerce, and manufacturing industries, but also in the building trades throughout the country.

According to a statement of the officials of the American Federation of Labor—and I invite the attention of the Senators to this statement—organized labor received more in the year ended May 1, 1916, in increased wages, shortening of hours, and legislation than ever before in its history. It is claimed that wage advances were general and in practically every line of industry.

That is the report made by the officials of the American Federation of Labor. Often they protest against low wages when their is stagnation in their line of work.

STOCK SALES AND PRICES EVIDENCE OF PROSPERITY.

Another evidence of prosperity is furnished by the prices and sales of 50 leading railroad and industrial stocks on the New York Stock Exchange.

Total number of shares sold from Jan. 1 to July 1—

1916	85,158,448
1915	63,039,246
1914	38,468,283

There is no better index to be found than the 50 leading industrial and railroad stocks which are quoted upon the Stock Exchange in New York; and when you find that they increase almost in geometrical ratio in sales, it shows that great activity prevails and great prosperity exists.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from New Hampshire?

Mr. SHAFROTH. I yield to the Senator.

Mr. GALLINGER. Does the Senator contend that the fact that men holding stocks sell them is an evidence of prosperity?

Mr. SHAFROTH. When they are offered the price they want; yes.

Mr. GALLINGER. I have not many stocks, but when I sell a share of stock it is because I need some ready money.

Mr. SHAFROTH. I will take up that matter now and show you why they sold the stocks.

The advance in the prices of nearly all of the railroad and industrial stocks on the New York Exchange indicates clearly

the wide extent of the prosperity which is upon us. The yearly range of the prices of the stocks from January 1 to July 1 was:

In 1916.

High	91.87
Low	80.91

In 1915.

High	73.36
Low	58.99

That shows there was enormous increase in the price of the stock, and that was what made the activity on the New York market. That is the reason why they sold. It was because, on a rising market, men will dispose of their holdings; and that rising market indicates that there is prosperity in each one of the stocks presented upon the exchange.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado further yield to the Senator from New Hampshire?

Mr. SHAFROTH. I yield.

Mr. GALLINGER. Does the Senator contend that there has been any great increase in the price of the leading railroad stocks lately?

Mr. SHAFROTH. Why, there has been since the 1st day of January, as compared with the amount in the same five months of 1915. They have advanced from 73 per cent to 91 per cent. I should like to know what kind of a percentage the Senator would be satisfied with if he would not be willing to take 18 per cent in one year. That is the increase in value, besides the dividends that were paid; and the dividends that are paid now are larger than those that were paid before.

Mr. GALLINGER. The increase was largely in speculative stocks. Again, a good many of our railroads are not paying dividends now, but are in the hands of receivers. Is not that true?

Mr. SHAFROTH. Well, I have something on that point, too. I have shown that the net earnings of the railroads for May, 1916, was $23,874,052 more than for the same month of 1915.

The total sales of bonds on the New York Stock Exchange.

Sales from Jan. 1 to July 1—	
1916	$542,885,950
1915	401,935,700
1914	378,772,000

Tell me that you can have those increases without their influence extending to every part of the United States and every business of the United States! It is one of the best indexes of general prosperity that can be found.

BANK CLEARINGS REACH NEW HIGH RECORD.

The clearings of the national banks of the United States indicate the quantity of business transactions being conducted. The total for the six months ending July 1, 1916, was $118,832,198,407, while for the six months ended July 1, 1915, it was $82,465,296,421.

The clearings for 131 leading cities of the Union, according to Dun's Review, amounted for the month of June, 1916, to $20,515,438,480, the largest ever reported for that month, being an increase of 46 per cent over the same month of last year.

The total resources of the 19,460 trust companies, State, savings, and private banks on June 23, 1915, were $16,010,061,699.58, a gain of $520,854,439 over the statement for 1914.

Mr. President, on July 1, 1916, Hon. William G. McAdoo, Secretary of the Treasury, reported that there was a balance of $174,965,231.97 in the Treasury, and that there was a surplus for the fiscal year 1916 of $78,737,810.11, and that the cost of collecting the internal-revenue taxes was only 1.40 per cent, the lowest cost in the history of the Internal-Revenue Service.

The balances in the general fund for the fiscal years 1909 to 1916, exclusive of amounts credited to disbursing officers and outstanding Treasury warrants, are indicated in the following table, which I ask to have inserted in my remarks without reading.

The PRESIDING OFFICER. Without objection, it will be so ordered.

The table referred to is as follows:

1909	$126,375,428.10
1910	106,894,675.67
1911	140,176,926.13
1912	167,152,478.99
1913	165,960,984.79
1914	161,612,615.53
1915	104,170,105.78
1916	174,965,231.97

Mr. SHAFROTH. The table shows a greater amount now than at any time within the period of eight years past.

STOCK OF GOLD $2,439,921,932.

The Treasury statement for the last day of the fiscal year 1916 shows that the stock of gold in the United States, including the gold reserve, the trust fund, and the available gold in the general fund amount to $2,439,921,932, the greatest in the history of the Government, and compared to which the gold stocks of other countries are small.

In a report of the Comptroller of the Currency, May 1, 1916, there is shown the unprecedented record of resources in the national banks in the central reserve and reserve cities of the country to the amount of $7,976,000,000, an increase of $259,000,000 over the report in answer to the call of March 7, 1916. The deposits during that period of two months increased $249,000,000.

These abundant stores of money, generously distributed through the length and breadth of our country, are the promise of the future for ever-increasing development of our resources, for continued and steady demands upon our industrial capacity, and for ever-expanding growth of our commerce. Capital in plenty now waits on enterprise and quickening activity in all lines assures fair returns.

The wealth of the United States in 1912 was estimated to be $187,739,071,090. Considering the great increase of values in the last two years, it must now amount to the enormous total of $225,000,000,000. Before the outbreak of the European war it was estimated that the wealth of Great Britain and Ireland was $85,000,000,000; of Germany, $80,000,000,000; of France, $50,000,000,000; and of Austria, $25,000,000,000. Thus the wealth of the United States is now, considering the great destruction of property in and war expenditures of those countries, far in excess of the wealth of Great Britain, Germany, France, and Austria combined. Nothing in the history of the world can compare with the enormous development of wealth and power of the great Republic of the Western Hemisphere.

Mr. President, some apprehension has been expressed that after the close of the great conflict the products of European factories will be dumped on the markets of this country. This assumption, in my judgment, is based upon fallacious reasoning. The outstanding fact is that the manufacturers of Europe have not any surplus to dump. On account of enlistments in the armies, the factories, to a large extent, have been depleted of their employees, whilst many of those remaining have been drafted into industries for the manufacture of all those things made necessary by war, including arms, explosives, munitions, clothing, blankets, and other material necessary for the soldiers; hence no accumulation of manufactured goods can be on hand.

WAR'S TOLL, 10,000,000 WORKERS.

No fears need be entertained that for many years to come manufactured articles, to any considerable extent, will be imported into the United States. The European manufacturers can not for decades compete with our industries. The death and disabling of 10,000,000 workers will cause a shortage of labor in Europe. Shortage of labor means increased wages for labor. That increased cost must be reflected in the increased price of the articles manufactured. The debts of the nations of Europe, after peace comes, will be almost unbearable. To pay even the interest on Europe's $100,000,000,000 of debt, which is a conservative estimate of the staggering total, will require enormous taxation to be imposed upon the factories, which increased expense is sure to be reflected in the higher cost of the product of the factory.

Mr. GALLINGER. Mr. President——

Mr. SHAFROTH. I will yield in just a moment. Where the raw material is produced in the country the enormous tax upon the lands from which the raw material is taken is certain to manifest itself in the increased price of the product, which increase will be reflected in the price of the article to be sold. The average tariff under the Payne-Aldrich bill was 49 per cent. Under the Underwood-Simmons bill it is 27 per cent. Our industries will have less competition from the manufacturers of Europe, with their high taxation and increased cost of labor and of raw material under the Underwood-Simmons Tariff Act than there was under the Payne-Aldrich tariff law. For that reason our factories need not fear the competition of Europe for many, many years.

I yield to the Senator from New Hampshire.

Mr. GALLINGER. The Senator directed his remarks to me personally regarding what would be likely to occur after the horrible war ceases in Europe. He contends that there will not be any surplus of foreign goods to be exported to this country. I will state that I have little knowledge except what I received from a man who has been living in Germany for several years and who recently came to this country. He told me that there was a great accumulation of goods in Germany, and it was being largely added to; that as soon as the soldiers wounded at the front were able to work they were put into factories; that the women were working in the factories; and that they were piling up goods with the expectation that as soon as the war closed they would invade our markets. That struck me as being very probable. This country is going to be about the only country

that will have any money after the war closes, and I apprehend that if Germany or England or France or Russia have any surplus goods, they are going to invade our markets for the purpose of getting the money which they will sorely need. That is all I know about it. It is my impression that we shall have a very serious invasion of our markets at the close of this European war. In common with the Senator, I hope it will not happen.

Mr. SHAFROTH. I do not think it will.

Mr. GALLINGER. I hope our industries will continue to prosper and that our manufacturers will not be harmed, but I can not bring myself to that view of the case, and I know a great many wiser men than I take my view of it.

Mr. SHAFROTH. But does not the Senator recognize that when Germany withdraws from industrial pursuits probably six or eight or nine millions of its workers it is bound to reduce the amount which they produce, and not only that, but they have pretty nearly stopped their factories except those things which are absolutely necessary for the carrying on of the war.

Mr. GALLINGER. If Germany were going to withdraw six or eight or nine million men—the Senator stated the other day ten million—there is going to be no such slaughter of Germans as that as a consequence of the war——

Mr. SHAFROTH. Oh, no; I was referring the other day to 10,000,000 as the number of killed and wounded on both sides in the war; but Germany has had in her army from eight to nine million men altogether from the start of the war to the present time.

Mr. GALLINGER. A very large number. If the Senator's figures were correct it would be a serious matter, but a large proportion of the wounded will be at work later on.

Mr. SHAFROTH. You can not withdraw from the manufacturing industries of that country and from the other industries of that country such an enormous force without pretty nearly stopping the wheels of industry. Those men not in the army have gone into the factories where they manufacture war material and clothing which their own soldiers use.

Mr. GALLINGER. But a large proportion of them were in the army at the start.

Mr. SHAFROTH. No; Germany had an army of about 600,000 men.

Mr. GALLINGER. More than that, I think, and these men were not in the factories when the war started.

Mr. THOMAS. If the Senator will permit me, I was reading the other day the testimony taken at the hearing on the bill which is known as the dyestuffs bill in the House. A number of gentlemen appeared before that committee in behalf of the establishment of the dyestuff industry and made the statement, perhaps by way of opinion rather than with absolute knowledge, that the close of the war would find Germany with a limited quantity of dyestuffs, which probably she would need for her own recuperative industries, and we could only get dyestuffs, therefore, by paying after the war enormous prices for a limited quantity.

I think it is self-evident that there can be no such thing as the manufacture of cotton fabrics in Germany and Austria during the continuance of the blockade. All cotton which can by any manner reach the ports of those countries will be needed for explosives. We know that they have been compelled to exercise their ingenuity, which is very great, in the preparation and discovery of substitutes for cotton in the manufacture of celluloid.

Mr. SHAFROTH. I thank the Senator for his statement, and I fully agree with him.

Mr. FLETCHER. I ask the Senator also in connection with the observation of the Senator from New Hampshire, suppose there will be an accumulation of manufactured products in Germany which will seek our markets, it does not necessarily indicate that we shall be flooded with those importations, nor does it indicate that we will suffer by reason of them, because there will be many products of our manufacturers which Germany would like to have. One country can not expect to extend its own trade unless it buys something from the people with whom it does business. Consequently, if Germany should send products here which we desire she will want products which we are able to manufacture and which she will require, and it would undoubtedly develop in a trade situation which would not only be not harmful, but would be beneficial to those countries.

Mr. SHAFROTH. Mr. President, in the discussion the other day by the Senator from Kansas [Mr. CURTIS], he made the assertion that—

> There has been no threatened panic, no chance to test the efficiency of the new system, but we do know that it has cost the Government a large sum to establish, operate, and maintain the 12 reserve banks to date. The organization expenses amounted to $493,960; the cost of the note issue was $804,705; the furniture and equipment cost $284,600; salaries of officers and employees of the Federal Reserve Board to December 31, 1915, amounted to $108,650; the salaries paid to the bank examiners amounted to $396,000; and the current expenses of the 12 Federal reserve banks amounted to $1,677,639. So you have a total expenditure from the date the banks opened for business to December 31, 1915, of $3,765,554, and the earnings of the banks were $2,130,610, or a cost to the Government to that date of $1,634,944.

Mr. President, no doubt the Senator believed that statement when he made it, but he forgot to look into the Federal reserve act, which has a clause in it in section 10 which I wish to read:

> The Federal Reserve Board shall have power to levy semiannually upon the Federal reserve banks, in proportion to their capital stock and surplus, an assessment sufficient to pay its estimated expenses and the salaries of its members and employees for the half year succeeding the levying of such assessment, together with any deficit carried forward from the preceding half year.

Not one dollar of the expense of the Federal Reserve System is paid by the Government. Not one officer is paid by the United States Government.

Mr. SMOOT. The bankers have to pay it.

Mr. SHAFROTH. The bankers pay it, and it is proper that they should pay it.

PROSPERITY BENEFITS EXTEND TO ALL.

Mr. President, the chief end of government is the happiness of its people. That state of being is most closely approached under a condition of general prosperity the benignant influences of which extend to all opportunity for fuller and more abundant life. On the other hand, blighting want sends a withering breath upon the spiritual aspirations of the Nation.

Thus it is that all the policies of good government have for their consummation the establishment of prosperity in the land. Its blessings extend to all classes. The productive capitalist and the industrious worker, the director of huge enterprise and his myriad helpers, see their dreams take form and in greater measure realize the fruits of their endeavors; the merchant in his counting room and the farmer toiling in his fields alike rejoice in the sun of prosperity; the men who sail the seas and those who delve beneath the earth's surface for nature's treasures participate in the bounty. The Nation is enriched, not alone materially but in a higher sense as the currents of life are putrified and a lofty idealism takes form in the national character.

PROSPERITY DEPENDENT UPON PEACE.

But this all-embracing prosperity is absolutely dependent upon a condition of peace. The strain upon our amicable relations with the other powers during the past two years has been so intense that the bonds of friendship might have been severed by a single unwarranted demand of the President. War, with its horrid train of evils, its annihilation of men and destruction of property, and its resultant deleterious effects upon our morals, would have superseded this marvelous prosperity and destroyed the peace and quiet of the happy homes of our land. Debt and depression, poverty and crime would have followed, for it has been demonstrated again and again that war is disastrous whether in defeat or victory.

When, therefore, during an administration of our Government amazing and general prosperity is enjoyed, produced, or at least accelerated, by the laws enacted by that administration and by the policies of its leader, I can not believe the American people are going to turn from those who have served them so well, to invite the risks and hazards of a change in leadership and in policy. I can not believe they will forsake the man who has guided the ship of state through these turbulent seas with such splendid success. But I believe it will be remembered by the American people with gratitude and thanksgiving for his great achievement in administration that "Peace hath her victories no less renowned than war."

Mr. CURTIS obtained the floor.

Mr. MARTINE of New Jersey. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from New Jersey?

Mr. CURTIS. I must decline to yield. I know the chairman of the Committee on Naval Affairs is anxious to get up the naval appropriation bill; I know we are all anxious to vote on it; and I promise to take only a few minutes of the time of the Senate.

Mr. MARTINE of New Jersey. Mr. President——

The PRESIDING OFFICER. Will the Senator from Kansas yield to the Senator from New Jersey?

Mr. CURTIS. I must decline to yield.

The PRESIDING OFFICER. The Senator from Kansas declines to yield.

Mr. CURTIS. Mr. President, I understood the Senator from Colorado to state in his opening remarks that no currency associations had been organized under the emergency act of June 30, 1908, until after the law was amended, August 4, 1914.

Mr. SHAFROTH. No; I said no currency was issued until after the amendment, which was made five days after the declaration of war.

Mr. CURTIS. While it is true there was no currency issued, yet the Secretary of the Treasury did announce that he had $500,000,000 ready to issue, and he stated further that a panic was prevented by that offer.

Now, I wish to read this extract from the report of the Comptroller of the Currency for 1913, because it was stated in the Senate a day or two ago that no association had been formed prior to the passage of the act of August 4, 1914. I read from the report of the Secretary of the Treasury for 1913:

Notwithstanding the fact that the act of May 30, 1908, relating in part to the establishment of national currency associations, will expire by limitation on June 30, 1914, two associations were formed in the past year, viz, the National Currency Association of Louisville, with 15 bank members, the capital and surplus being $6,795,000 and $3,178,000, respectively, and the National Currency Association of San Francisco, with 10 members, capital of $28,500,000 and surplus of $16,670,000. Up to the close of the report year there had been formed 20 associations, representing 339 banks, $365,084,710 capital, and $311,300,510 surplus.

Before I pass along I want to suggest a title to the Senator's speech. I want him to entitle his remarks "A tribute to the European war," because that is what it has been, and nothing else.

I wish now just for a moment to let the Senate know what the increase has been in our exports since the war. The Senators point to the prosperity of the farmer, and we are all glad the farmers are prosperous, and especially those of us from agricultural States, but the truth is that our sale of wheat to Europe during the first year of the war compared with the first year of the present tariff law in time of peace increased from $103,595,000 worth to $316,262,000 worth, a gain of 205 per cent. Our wheat is used to feed the armies of Europe. But what was wheat worth in this country at the beginning of the war? To show the effect that the war has had upon our prosperity let us take for comparison the year from September, 1913, to September, 1914, the year of peace and the first year of the Underwood law, and compare it with September, 1914, to September, 1915, the year of war and the second year of the Underwood law.

During the year of peace we sold in breadstuffs to Europe $181,484,000 worth. In the year of war we sold $567,607,000, a gain of 213 per cent.

In the year of peace we sold to Europe horses to the value of $3,177,000. In the year of war we sold them horses to the value of $82,276,000, a gain of 2,490 per cent.

In the year of peace we sold to Europe mules to the value of $622,000. In the year of war we sold them mules to the value of $18,041,000, a gain of 2,795 per cent.

During the year of peace we sold to Europe hay to the value of $790,000. During the year of war we sold to Europe hay to the value of $2,263,000, a gain of 233 per cent.

During the year of peace we sold to Europe meats and dairy products to the value of $138,736,000. During the year of war we sold them meats and dairy products to the value of $243,098,000, a gain of 75 per cent.

During the year of peace we sold to Europe sugar to the value of $4,341,000. During the year of war we sold to Europe sugar to the value of $36,816,000, a gain of 748 per cent.

Why should not the farmer of this country be prosperous when he is feeding the greatest armies that this world has ever seen?

Mr. JONES. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Washington?

Mr. CURTIS. I yield.

Mr. JONES. I simply wish to call the attention of the Senator to the fact that during the month of peace under the Underwood tariff law the exportations actually decreased, as compared with the preceding months during the Payne-Aldrich law, and the importations increased.

Mr. CURTIS. I had intended to call attention to that fact, and as the Senator has kindly done so I will pass that part over.

Does the Democratic Party think that there is a farmer in all America that can be deceived as to the reason of their present prosperity or that has forgotten the conditions that prevailed in this country the year before the war and the first year of the Underwood law upon our statute books?

MINES.

But we are told that the mines of this country are enjoying great prosperity also. It is true that we are selling vast quantities of the products of our mines to Europe. They are needed for war purposes.

Taking the same dates heretofore used—that is, from September, 1913, to September, 1914, the year of peace, and September, 1914, to September, 1915, the year of war—official statistics tell a convincing story.

During the year of peace we sold to Europe $12,870,000 worth of goods manufactured from aluminum, brass, lead, and zinc. In the year of war we sold of the same products to Europe the value of $66,730,000, a gain of 419 per cent. Zinc is necessary in the manufacture of shells. In this one item alone our sales increased from $785,000 in the year of peace to $26,323,000 in the year of war, a gain of 3,253 per cent. Is it necessary to stop to explain the reason for the prosperity of our mines?

MANUFACTURES.

They tell us, too, that our woolen mills are running, while many of them were closed down the first year of this Democratic tariff law. Is there an explanation?

In the year of peace we sold to Europe woolen goods to the value of $4,753,000. In the year of war we sold to Europe woolen goods to the value of $32,057,000, a gain of 574 per cent. Is any further demonstration needed as to the cause of the present condition of the woolen mills?

The leather industry, they inform us, is no longer depressed as it was before the war. Let statistics give the answer.

In the year of peace we sold to Europe men's shoes to the value of $9,603,000. In the year of war we sold to Europe men's shoes to the value of $22,669,000, a gain of 267 per cent.

In the year of peace we sold to Europe goods manufactured from leather to the value of $43,390,000. In the year of war we sold to Europe goods manufactured from leather to the value of $90,804,000, a gain of 109 per cent.

In the year of peace we sold to Europe harness and saddlery to the value of $793,000. In the year of war we sold to Europe harness and saddlery to the value of $18,434,000, a gain of 2,223 per cent.

Is there anything mysterious about the increased activity in the leather industry?

In the steel industry there has been great activity also. Steel is the one thing that enters more directly into the manufacture of munitions of war than perhaps any other. Look at the figures in regard to this industry.

In the year of peace we sold to Europe steel bars and billets to the value of $7,590,000. In the year of war we sold to Europe of the same products to the value of $21,743,000, a gain of 186 per cent.

In the year of peace we sold to Europe barbed and other wire to the value of $7,472,000. In the year of war we sold to Europe barbed and other wire to the value of $18,882,000, a gain of 153 per cent.

In the year of peace we sold to Europe firearms to the value of $3,171,000. In the year of war we sold to Europe firearms to the value of $11,591,000, a gain of 265 per cent.

In the year of peace we sold to Europe explosives to the value of $6,244,000. In the year of war we sold to Europe explosives to the value of $71,806,000, a gain of 1,050 per cent.

In the year of peace we sold to Europe medical appliances to the value of $1,571,000. In the year of war we sold to Europe medical appliances to the value of $5,218,000, a gain of 231 per cent.

In the year of peace we sold to Europe machine tools to the value of $12,536,000. In the year of war we sold to Europe machine tools to the value of $34,550,000, a gain of 175 per cent.

During the year of peace we sold to Europe automobiles and automobile tires to the value of $34,000,000. During the year of war we sold to Europe automobiles and automobile tires to the value of $92,000,000, a gain of 170 per cent.

Mr. SHAFROTH. Mr. President——

The PRESIDING OFFICER (Mr. VARDAMAN in the chair). Does the Senator from Kansas yield to the Senator from Colorado?

Mr. CURTIS. I do.

Mr. SHAFROTH. Is it the position of the Senator that we ought not to have sold the automobiles and that we ought not to have sold the barbed wire?

Mr. CURTIS. It is not, but what I contend is that the Senator from Colorado and others boast of a prosperity brought about by the war in Europe. For one I am sorry that there has been and is now a war in Europe. I hope it may soon end. We stand for peace and we are not proud of a prosperity brought about by war.

Mr. SHAFROTH. Does not the Senator——

The PRESIDING OFFICER. Does the Senator from Kansas yield further?

Mr. CURTIS. I do.

Mr. SHAFROTH. Does not the Senator recognize that this prosperity has extended to every other branch of industry in the entire United States?

Mr. CURTIS. I answered that question a few minutes ago and I deny that it has extended to every other branch of industry. I told the Senator, and the Senator has not answered it, that there were more business failures in 1913 than in 1912, that there were more business failures in 1914 than in 1913, that there were more business failures in 1915 than in 1914, that there were more business failures in the first five months of the year 1916 than there were in the first five months of any other year in the history of the Government; and that to me is evidence that there is not general prosperity all over the country, and that the prosperity enjoyed to-day is due to the war in Europe.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Utah?

Mr. CURTIS. I intended to take only a few moments if the Senator will just wait. I will yield, however, for a question.

Mr. SMOOT. I will take just a moment. I simply wanted to call the Senator's attention to the fact that the exportations for the fiscal year ending June 30, 1916, were the greatest in the history of the country. They were over $4,000,000,000.

Mr. President, more than one-half of those exportations were for munitions of war and to meet demands made by the war. As soon as the war closes that market will close. The actual truth is that there have been less exportations of products of the country that are generally sent to foreign countries in the past year than there had been for years and years before. Just as soon as the war ceases all the trade or all the industries manufacturing that $2,000,000,000 worth and more will have to find a market somewhere else or else the employees making them will be turned out of employment.

Mr. CURTIS. Mr. President, our trade with Europe during the year from September, 1914, to September, 1915—the year of war—as compared with the year immediately preceding—the year of peace—increased in "war orders" alone over $1,010,000,000.

Now, Mr. President, I want to call the attention of the Senate to another fact. In April, 1913, there was a gain of imports as compared with April, 1912, of $14,000,000. There was a loss of revenue of $7,000,000. In June there was a gain of $26,000,000 and a loss of revenue of $5,000,000. In December there was a gain of $17,000,000 in imports and a loss of $7,000,000 in revenue. So taking the total of those nine months there was a gain of $29,000,000 in imports and a loss of $86,000,000 in revenues.

It is true I made a statement the other day as to the expense of the Federal reserve act, and I took those figures from the report of the Federal Reserve Board. No Senator will deny the correctness of those figures. Eventually it all may come from the banks, but if it does it comes from the people who use this money. I asked the Senator if he did not recall that there were a large number of idle cars in the country prior to the European war. I want to read from the report of the Secretary of the Treasury, June 30, 1915, in which he says:

> The railroad situation shows extraordinary improvement and strength. Increases in gross and net earnings have been marked, in some cases being above the highest point ever before recorded. As recently as June 1, 1915, there were 300,000 idle cars, with a corresponding surplus of idle locomotives.

So the Senator may talk as much as he pleases, yet he must come back to the conclusion and must admit that the prosperity which he spends so much time talking about this morning is the result of the European war. While it is true that in many sections the prosperity has been very great indeed, yet it is also true, as I stated a few minutes ago, that it has not been general, and the great demand for our goods by the nations at war has caused an increase in the price of products to the American consumer and is largely responsible for the high cost of living in this country to-day. That the prosperity is not general is evidenced by the fact that there were more business failures in the years mentioned than there were before.

The business failures in the United States for 1914 were 16,794, the largest of any year prior to that time in the history of the country. In the year 1915 the business failures were 19,032. So the business failures have increased year by year since this administration came into power. More than that, this administration has been forced to resort to a war tax in a time of peace in order to raise the money to pay the ordinary expenses of the Government.

I suggest, in conclusion, again to the Senator that he should entitle his speech "A tribute to the European war."

SIR ROGER CASEMENT.

Mr. MARTINE of New Jersey. Mr. President, day before yesterday I gave notice to the Senate that I would ask for the relief of the Committee on Foreign Relations from the further consideration of Senate resolution No. 223. I realize at this time, after a conversation with the Senator from Virginia, that there is a parliamentary situation which makes it desirable to act upon the naval appropriation bill, but, Mr. President, I feel that this is a sad crisis. It is a situation, it seems to me, that should appeal to the humanitarian sentiments of the Senate. I ask that the Committee on Foreign Relations be relieved from the further consideration of Senate resolution 223.

Mr. SWANSON. Mr. President, the naval bill would have passed several days ago but for the extraneous matters and discussions that have been precipitated on the bill. I have been powerless to protect the bill, though I have interposed every objection I could, and shall do so for the future, in order that we may get the bill to an early passage. I can not consent to lay the bill aside for the motion of the Senator from New Jersey.

Mr. MARTINE of New Jersey. Mr. President, let me merely say that the appeal of Sir Roger Casement—and I shall occupy the time of the Senate for but a moment——

Mr. PENROSE. Let us have the regular order, Mr. President.

Mr. MARTINE of New Jersey. The appeal of Sir Roger Casement—this is the regular order, and the Senator from Pennsylvania——

The PRESIDING OFFICER. The Senator from New Jersey is in order to make a motion to take up this matter for consideration.

Mr. MARTINE of New Jersey. Mr. President, I realize and I am conscious of my rights. At the same time I desire to pay due deference to the distinguished Senator from Virginia [Mr. SWANSON]. I am as much interested in the passage of the naval bill as is the Senator from Virginia or the Senator from Pennsylvania [Mr. PENROSE], but, bigger and better than that, I am interested in the case of Sir Roger Casement.

I simply want to say that the appeal of Sir Roger Casement was denied before the English court of appeals on yesterday. This movement may accomplish nothing, but it can do no harm; at least it may accomplish some good. I fear that the patriotic Irishman may be hanged before the United States Senate shall have acted. Hence I plead in his behalf. I do not mean that his blood shall be on my hands. Let it not be said that the Senate of the United States, by a process of parliamentary and factious delay, has denied him the opportunity of having the few kindly words spoken in his behalf which I express in my resolution, wherein I ask that the President be requested to advise our ambassador at the Court of St. James to use his kindly efforts in an unofficial way to stay, or at least to secure a commutation, of the sentence of death against Sir Roger Casement.

I appreciate the situation in which I am placed, and I hope the Senate may appreciate the sad plight in which this patriotic Irishman is placed. I bow, as I must, to the parliamentary methods and the situation in which we find ourselves; but this question is not dead; I shall bring it up again; and I trust that the Senate may be willing to lend a listening ear to this, the cause of right, justice, and humanity.

The PRESIDING OFFICER. The Senator from New Jersey does not make the motion to take up this matter now?

Mr. MARTINE of New Jersey. I hesitate to make the motion, for the reason that I realize that a great measure is now here, and that, through parliamentary methods by the distinguished Senator from Virginia, it may be pressed forward to my detriment. Hence, reluctantly and hesitatingly, I acquiesce at this time.

NAVAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15947) making appropriations for the naval service for the fiscal year ending June 30, 1917, and for other purposes.

Mr. SWANSON. Mr. President, the Senator from Pennsylvania [Mr. OLIVER] has an amendment which he desires to offer.

Mr. OLIVER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Pennsylvania suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	du Pont	Kern	Oliver
Bankhead	Fletcher	Lane	Overman
Borah	Gallinger	Lewis	Page
Bryan	Gronna	Lippitt	Penrose
Chamberlain	Harding	Lodge	Poindexter
Clapp	Hitchcock	McCumber	Pomerene
Clark, Wyo.	Hughes	Martin, Va.	Reed
Clarke, Ark.	James	Martine, N. J.	Robinson
Culberson	Johnson, Me.	Myers	Shafroth
Cummins	Johnson, S. Dak.	Nelson	Sheppard
Curtis	Jones	Norris	Shields

Simmons	Sutherland	Underwood	Weeks
Smith, Ariz.	Swanson	Vardaman	Williams
Smith, Ga.	Taggart	Wadsworth	
Smoot	Thomas	Walsh	
Stone	Tillman	Warren	

The PRESIDING OFFICER. Sixty-one Senators having answered to their names, there is a quorum present.

Mr. OLIVER. Mr. President, I offer the amendment to the pending bill which I send to the desk.

The PRESIDING OFFICER. The amendment proposed by the Senator from Pennsylvania will be stated.

The SECRETARY. On page 24 it is proposed to strike out, from line 10 to and including line 4 on page 25, the following:

Armor plant: The Secretary of the Navy is hereby authorized and directed to provide, either by the erection of a factory or by the purchase of a factory, or both, for the manufacture of armor for the vessels of the Navy; said factory or factories to have an annual capacity of not less than 20,000 tons of armor; to be located at a place or places approved by the General Board of the Navy, with especial reference to considerations of safety in time of war; and the sum of $11,000,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be immediately available, for the purposes of this paragraph. And if the United States owns no suitable site or sites, authority is hereby given to acquire by purchase, condemnation, or gift such site or sites as may be necessary. The expenditures for drafting, technical, expert, and clerical assistance necessary shall be paid from the appropriation herein made.

The Secretary of the Navy shall keep accurate and itemized account of the cost per ton of the product of such factory or factories and report the same to Congress in his annual report.

Mr. OLIVER. Mr. President, the amendment which I offer is designed to stay the erection of the proposed Government plant for the manufacture of armor plate. The provision which I move to strike out is identical with the bill which passed the Senate some months ago and is now pending in the other House. When that bill was before the Senate I expressed myself in opposition to it at some length, and I will now speak but briefly upon the motion to strike it out of this bill. Since that bill passed the Senate offers have come from at least one of the manufacturers of armor plate which, I think, deserve the careful consideration of the Congress; and I firmly believe that if these offers are carefully considered no Senator ought to feel at liberty to vote in favor of the provision contained in the House bill.

I have here an offer, printed in a Washington newspaper on the 14th of this month and signed by the Bethlehem Steel Co., which I will read at length. It is headed, "Why Armor Manufacturers Have Not Shown Their Books," and reads as follows:

SERIES 2.

WHY ARMOR MANUFACTURERS HAVE NOT SHOWN THEIR BOOKS.

To the Members of Congress:

Congressman GOOD, addressing the House of Representatives May 31, said he would have supported the Butler amendment giving the Federal Trade Commission power to establish a price for armor plate (rather than build a Government plant)—

"Had these concerns permitted an answer to be made as to what it was costing them to make armor."

Congressman GOOD is under a misapprehension, and as the votes of other Members may have been influenced by the same misapprehension, we give the facts:

"(a) Secretary Daniels testified that one of the manufacturers some time ago sent him their actual cost records, with the proviso that he should keep this information confidential, and that he returned the record unread, because he felt he had no right to receive confidential information that he could not divulge to the American people.

"(b) One of the manufacturers handed to the Senate investigating committee a record of their costs, certified by public accountants, but they were not willing that this should be spread on the public record, and it was therefore returned to them.

"(c) We have offered to permit an examination of our plant and records by certified public accountants or the Federal Trade Commission.

"Is it conceivable that we would make such an offer if we had any fear that the actual figures would show extortion?"

OUR POSITION.

We have no objection to giving these details of costs to properly constituted authorities for their information and guidance. We do object to having them spread in public documents, where they shall be available to other manufacturers here, and particularly to the foreign manufacturers. We have never been able to get any data as to the cost at the German, English, French, and other plants.

All we know is that the United States Senate Naval Yearbook shows that all the great foreign Governments pay more for their armor than does the United States.

We would be very much interested in any detailed records of the foreign manufacturers' costs and methods of production, and they would, no doubt, be equally interested in ours, but we have no desire to voluntarily give them this information.

Nor do we believe it would be good policy for the United States Government to force out such information for the use of the foreigners. There isn't the slightest difficulty in obtaining such data for the use of the United States Government itself.

We repeat our offer:

We will open all our books to the Federal Trade Commission and accept any price for armor which the commission shall fix.

We believe our prices in the past have been fair. We make our offer in perfect confidence that complete examination by the Government's own agency will make that clear.

If we are right, isn't it worth while finding out? Has the Government anything to lose; has it not much to gain by putting our offer to the test?

BETHLEHEM STEEL CO.,
CHAS. M. SCHWAB, *Chairman.*
EUGENE G. GRACE, *President.*

Mr. President, this company offers to open all of its books to the Federal Trade Commission, a regularly established governmental agency, and to furnish armor plate to the Government at any price which that commission shall fix as being fair and right. Is it right to ignore a proposition like this, and enter upon a career of manufacture little understood by Government officials, involving an expenditure confessedly of $11,000,000, and in reality of at least double that sum? Is it right, I ask, to embark upon this project in the face of an offer from a responsible concern to allow the Government's own commission to fix what is a fair price? I understand that they will furnish armor for the next five years or longer at that figure. I tell you, Senators, that in persisting in this project to build an armor-plate plant in the face of such a proposition, you are voting to use from $11,000,000 to $20,000,000 of the people's money when you would not take a dollar out of your own pockets under the same circumstances.

This legislation places on Congress the responsibility for spending the people's money in a manner in which no sane man would spend his own. You have got to face this responsibility in adopting this legislation; and my reason for putting this offer in the RECORD is to make it plain that you are doing so.

I have a copy of a like offer which I send to the desk, and ask the Secretary to read as part of my remarks.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

"JULY 17, 1916.

"*To the Senate:*

"May we ask that Senators, before acting finally on the naval bill, consider certain aspects of the Government armor-plant proposition?

"In considering these aspects, we respectfully request that Senators keep in mind at all times our offer to make armor for the United States Government at its own price.

"Senator OLIVER has introduced an amendment providing that the money for the Government plant shall not be available until the Federal Trade Commission has investigated the facts, determined what ought to be a fair price for armor plate, and the manufacturers have been afforded an opportunity to make armor at or below that price.

"We maintain no lobby at Washington to urge our views on any subject; we have advocated no plan of preparedness; our desire is to serve the United States Government to the extent and in the manner which the Government itself wishes to be served.

"We have been seeking earnestly for several months past to bring to the attention of Congress and the public the reasons why we believe it would be wasteful to construct a Government armor plant. We have sought to answer candidly and frankly every criticism which has been made, and every reason urged for a Government plant.

"1. It has been said that we have charged extortionate prices for armor plate.

"Our reply is that, according to official records of the Navy, this Government has for 20 years paid less for armor than any other great naval power.

"2. It has been said that it costs only $269 a ton to manufacture armor, whereas we have been paid $425—an 'exorbitant price.'

"Our reply is that $269 is the estimated shop cost in a 20,000-ton plant running full. The Naval Bureau of Ordnance reported June 28, 1913, that in a 10,000-ton plant running at one-half capacity the cost would be $394 per ton—with no allowance for interest. If interest were charged, the cost would be $49 per ton more.

"Our plant in over 29 years has been operated at an average of about one-third capacity. We could at any time have manufactured armor much more cheaply if orders had been more nearly equal to our capacity. If we had put into a commercial steel plant the same amount of money we have invested in an armor factory our profits from the steel-plant investment would be as great as have been our annual gross receipts from the armor plant. Armor manufacture, in fact, is the most difficult and the least profitable feature of the steel business.

"3. It has been said that our offer is a 'death-bed repentance;' that if the Government plant is not built, we will soon be trying to 'hold up' the Nation again.

"Our reply is that our offer is made in complete confidence that a thorough examination will show that our past prices have been reasonable, and that the lowest price at which the Government can possibly manufacture armor, accounting for all proper charges, but entirely without profit, would be higher than the prices at which we could manufacture and earn a small profit.

"We say this not in a spirit of boasting, but because our plant was built under economical conditions, and because our operation in connection with other steel undertakings, together with our long experience, make it possible for us to effect economies which the Government itself could not realize.

"We also agree to make our offer good just as long as the Government so desires.

"4. It has been said that we have threatened in case the Government armor plant was authorized, to raise the price of armor while the Government plant was being built.

"Our reply is that we have made no such threat and we have authorized no one to make on our behalf any threat of any kind. We do not do business that way.

"5. It has been said that we have sold armor plate abroad cheaper than in this country.

"Our reply is that most of the total amount sold abroad cheaper than in this country was for sample purposes—later followed by orders at higher prices than those paid in the United States—and that aside from three small testing plates sold to Japan, not in 21 years has the Bethlehem Steel Co. sold a pound of armor to a foreign country at as low a price as that prevailing in the United States at the same time.

"6. It has been said that we refused to open our books to the Government to enable a determination to be made of the profits of armor manufacture.

"Our reply is that we have been perfectly willing to submit our records to our own Government for its own information and guidance, but unwilling to have our records published for the information of other Governments or private manufacturers, especially in Europe.

"7. It has been said that we have been in collusion with other manufacturers with whom we were supposed to compete, and that the Government has been at the mercy of a combination.

"Our reply is that the Government has pursued a policy making any real competition in armor plate ineffective. The Government has asked for bids from the three manufacturers, but, no matter what the prices quoted, each year's business was divided among them. If the Government had desired real competition, it would each year have given the entire order to the lowest bidder. It has been the Government itself and not the manufacturers who have prevented competition.

"We must say in all candor that we feel the Government policy has been correct. The Government is practically the only customer in the armor business. The question is somewhat similar to that of railroad transportation—the solution of the problem is Government investigation and regulation.

"*When the people felt that the railroad rates should be controlled they gave necessary power to the Interstate Commerce Commission; they did not build Government railroads to supplant those already existing.*

"8. It has been said the existence of private armor plants creates an insidious temptation on the part of the manufacturers to encourage preparations for war; indeed, to promote war itself.

"Our reply is our offer to manufacture armor at any price the Government may fix, leaving it in the power of the Government, if it so wishes, to fix a rate of profit on armor so low as to counteract any unwholesome or undesirable ambitions to make 'profits out of war.'

"We undertook armor making at the behest of the United States Government. We have invested $7,000,000 in our armor plant, which is useful only for that purpose. If a Government factory supplants our own, our plant is rendered valueless, and the Government is deprived of a valuable reserve factor of safety in national defense.

"We can not believe that when the congressional program to authorize a Government armor plant was decided upon all of the foregoing considerations were in the minds of Congress; we are very sure that many Members of Congress did not realize how earnestly desirous we were of doing the fair and square thing by the Government, a purpose which we have sought to express in our offer to make armor at the Government's own price.

"Our company is not in politics. We can not see that there is any Democratic or Republican aspect to the quality of armor plate or the price paid for it. It is a business question, which, we respectfully submit, ought to be determined solely upon engineering and business grounds.

"Is it too much, therefore, to appeal to Congress to give heed to the foregoing suggestions and to stipulate that before $11,000,000 of the public money shall be expended in a Government armor plant the Government's own agent, the Federal Trade Commission, shall make a thorough inquiry, and name a price at which it will be advantageous to the public to have armor plate manufactured in the private plants already existing and adequate for all purposes?

"BETHLEHEM STEEL CO.,
"CHAS. M. SCHWAB, *Chairman.*
"EUGENE G. GRACE, *President.*"

Mr. OLIVER. Mr. President, I ask unanimous consent that these articles be published in the RECORD in the regular RECORD type, and not in the small type in which such matter usually appears.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. OLIVER. Mr. President, I have said about all I want to say on this subject. I do not want to tire the Senate with repeating the arguments that were presented to it months ago. I think by adopting my motion the Senate would be relieved from committing an act of folly. The Government needs all the money that it can raise at this time.

At a time when there is such urgent need of all the money that can be gathered up, when the administration is going out into the highways and byways and inflicting unheard-of methods of taxation upon the people, it is little less than criminal to spend this great amount of money needlessly and uselessly.

Mr. PENROSE. Mr. President, I do not know that I have anything to add to what my colleague has said upon this subject. I take it for granted that the Senate has made up its mind upon this question, and that nothing I might say at this time would alter the decision.

I have been arguing the question of the armor-plate industry in this body for nearly 20 years. I have had peculiar opportunities to be familiar with it. It happens that the three concerns which manufacture this product are located in the State which I in part represent—one in Philadelphia, one in Bethlehem, and one in Pittsburgh. Many years before I came to the Senate I knew the great men, the pioneers in metallurgy and in the steel business in Pennsylvania and elsewhere in the United States, and had opportunities for greater familiarity with the industry than occur to most people, and certainly to no one to an equal extent outside of Pennsylvania; and I know what they have done to develop in the United States the great iron and steel industry. I was entirely familiar with the early efforts made to establish the armor-plate industry here in the United States. It was done on the direct request of the American Government. It was done as an act of enterprise and of patriotism, in a spirit as old as the time of Alexander Hamilton, that we ought to make at home all the munitions of war, and not be dependent upon foreign nations for their manufacture.

I remember the early beginnings of the industry, the thousands of dollars that were spent without any immediate hope of reward or return in sending men to Europe to look into the processes of manufacture at Krupp's and in England and in other centers of the art, so that our mechanics and artisans and metallurgists here might be equipped with a knowledge of the processes entering into the manufacture of armor plate. At first only made by one concern, the Government continued to advertise every year for bids on armor plate, and gradually one and then another concern entered into the business at the special and definite request of the Government, through personal solicitation and through advertisements in the public prints. Never was it looked on as a competitive business. Even when the bids were different, the Government always divided the award of the armor among the three concerns. For what reason? From the recognized military policy that it was to the interest of the Government to have them all operating, fully equipped and at the service of the Government in time of war; and the only standard which the Secretary of the Navy had in his mind was a standard of reasonable price. The bids were put in. There were frequent negotiations between the Secretary of the Navy and the manufacturers, and the contracts

were awarded. The best evidence of that reasonable price is the fact that for many years—a score of years, if I am correct—the American Government has been getting armor plate very much cheaper than any other nation in the world; and no other nation in the world, except Japan, has attempted to manufacture armor plate, but has been entirely willing to pay liberal prices in order to keep the industry alive, and has encouraged private concerns in every way. Had England or Germany, during the war now going on in Europe, depended upon Government plants for armor plate and Government works for munitions, the nation which had depended upon such agencies would have been defeated many months ago.

In considering the proposition that these three concerns should be all kept alive, the same policy has been adopted which has always been found in this naval bill, which is found to-day in the provision that a certain number of these battleships herein authorized shall be built upon the Pacific coast. If the views of the Senator from Virginia and the chairman of the Naval Affairs Committee were to be followed out, that all these articles should be matters of strict competition, why should we go to greater expense to enable battleships to be built upon the Pacific coast when they all might be built upon the Atlantic coast at a reduction of several million dollars in cost? For the same reason that the armor-plate plants were kept alive, in order to maintain the industry there as a military asset in case of war.

I say without fear of contradiction that there is not an officer of the American Navy who approves of this project. I say without fear of contradiction that there is not a military authority in any civilized nation in the world who would not stand agast at this proposition of the American Senate, made here this afternoon, to establish this Government armor plant, which must inevitably result in putting out of business every one of these three concerns.

I say I have been arguing this question for 20 years in this body. I have fully recognized that it is surrounded with prejudice, with a dense ignorance, and with an abounding misrepresentation which I feel it is hopeless to try to clear away at the present time; and yet I never stood in my place in this Chamber and endeavored to explain a question to my colleagues with a more fearless conviction of the logical character of my argument and the rectitude of my stand, and the fact that I am defending the best interests of the American Government, than in the present instance.

It is supposed that the concerns which are manufacturing this product are in some way making extraordinary profits, and that this is their only occupation. As a matter of fact, Mr. President, the investment for armor plate averages some six or seven million dollars only in each of the concerns represented. In the case of the Pittsburgh concern it is such a negligible part of their business that they were not even represented here in the hearings before the Naval Committee, and I have no doubt that they would be glad to abandon the whole business altogether. In the case of the two concerns in the eastern part of Pennsylvania, in Philadelphia, and in Bethlehem, it is a slightly larger percentage of the total investment; and yet it is every day and every year becoming less and less a matter of moment to the owners of these vast concerns which are making commercial products, and I have no doubt that they would be glad to abandon the whole business were it not for the natural desire of any one with an investment to see it not altogether obliterated.

Could there be a fairer offer? Has there ever been an offer made to the American Government in its history of 140 years similar to the proposition now made by the armor plate manufacturers? First, after furnishing the armor for many years at a lower rate than that of any other country in the world, they agreed to reduce the price $30 a ton; and that not having been favorably considered either by the Secretary of the Navy or by the Naval Affairs Committee, they now appear and offer to submit their books to any inspection of accountants and to accept a price for a term of years, for the amount of this whole preparedness proposition, that may be fixed by the Federal Trade Commission. I know of no other concern in the long history of the Government, furnishing munitions or anything else, which has made an offer so candid and open and fair as this is.

I have one consolation, Mr. President. I hope to be able to show, when the revenue bill comes up, that the Treasury of the United States is practically bankrupt; that an enormous deficit will exist notwithstanding the passage of the pending revenue bill, with all its provisions, subject to possible litigation and oppressive on the people; so that I entertain an abiding conviction that this plant never will be built, and that perhaps in another Congress, when conditions have been corrected by the American people, this legislation can likewise be taken from the statute books, or modified so as to meet the practical requirements of the situation. But in the meanwhile, if there is a monstrous provision tending toward Government ownership of the most impracticable character, it is clear that this proposition of Government manufacture of armor plate is the worst. The highest form of the art of metallurgy is concerned, an art with many secret processes, the result of long experience on the part of a few men, requiring the highest priced operatives, perhaps, of any employees in any form of manufacture; at a time when materials are so high that even a private concern would hesitate to go into the construction of an armor-plate plant; when it is admitted that it will take three years, and probably will require five or eight to finish, and even then with no assurance of the expert talent, either of superintendents or of employees, that will be required to furnish the article—an article which has to be subjected to the severest tests of any commodity furnished to the American Government, and now the subject of rigid inspection by what you might say is an independent and even hostile board, the Government inspection. In the future under this bill the product will be inspected by the men, or the associates of the men, who manufacture it.

I can not find an argument, from a careful examination of the hearings and an attendance upon every meeting of the Naval Affairs Committee when this matter came up, that I can conceive would appeal to a military man, a naval man, a business man, or any sincere, patriotic citizen interested in getting through this program of preparedness, when we consider the offer made by the manufacturers of armor plate.

But, as I say, I will not detain the Senate longer. The hearings before the Senate committee were full. I doubt whether a very large percentage of the Senators have even taken the trouble to read them; but I ask to have inserted as part of my remarks, in the usual type of the CONGRESSIONAL RECORD, as my colleague suggested for his, a letter from Mr. Grace, the president of the Bethlehem Steel Co., to the chairman of the Senate Committee on Naval Affairs; and with that I will close my remarks.

The PRESIDING OFFICER. If there is no objection, it will be so ordered. The Chair hears none.

The matter referred to is as follows:

"THE BETHLEHEM STEEL CO.'S OFFER TO THE UNITED STATES GOVERNMENT.

"BETHLEHEM STEEL CO.,
"South Bethlehem, Pa., June 19, 1916.

"Hon. BENJAMIN R. TILLMAN,
"Chairman Senate Committee on Naval Affairs,
"United States Senate, Washington, D. C.

"MY DEAR SIR: As part of the naval appropriation bill as it comes to the Senate from the House of Representatives is a provision to construct a Government armor plant at a cost of $11,000,000. This provision is in substance identical with the separate bill passed by the Senate for the same purpose, the Senate bill itself not having been acted upon by the House. The proposition thus comes before the Senate as part of a new bill.

"I desire to present to your committee a proposition from my company which had not been made when the Senate previously acted on this matter, and which, I venture to hope, may warrant further consideration by the Senate.

"The Bethlehem Steel Co. will agree, for such period as the Government may designate as fully protecting the public interest, to manufacture armor plate for the Government of the United States at actual cost of operation plus such charges for overhead expenses, interest, and depreciation as the Federal Trade Commission may determine to be fair.

"OUR PREVIOUS PROPOSITION.

"When I appeared before your committee some months ago I proposed that certified public accountants satisfactory to the Navy Department should inventory our plants and determine the actual cost of making armor, and that with these figures in hand we should confer with the Secretary of the Navy and agree upon a price mutually satisfactory.

"That proposition was objected to by the Secretary of the Navy on the ground that he did not believe the determination of so important a matter should be left to the personal judgment of any individual happening at the moment to be the Secretary of the Navy.

"After the Senate had failed to act upon the foregoing suggestion, I appeared before the House Committee on Naval Affairs, and, in order to make our position still clearer, offered to place the absolute determination of the question of price in the hands of the Government itself as represented by the Federal Trade Commission.

"It has been suggested that our act was a 'death-bed repentance,' as it was not taken until it became apparent that the Government would authorize the building of an armor plant, which through Government manufacture would destroy the need and therefore the value of our own plant in which we had invested $7,000,000.

"The fact is that we do not for one moment concede that the prices charged for armor in the past have been unreasonable.

"Is it conceivable that we would make the proposition we have done if we were conscious of having been party to any extortion of the Government in the past?

"LOWER PRICE OFFERED REPEATEDLY.

"We have repeatedly offered to manufacture armor at a lower cost if a larger tonnage should be contracted for. The Government has asked for bids from the three manufacturers, but its practice has not been to give the contract to the lowest bidder; each year's order has been divided among the three plants, thus making abortive any efforts at competition.

"The Bureau of Ordnance, reporting to the Navy Department June 28, 1913, stated that without allowing anything for interest on investment the probable manufacturing cost of armor produced in a Government plant would be as follows:

[From hearing before the House Committee on Naval Affairs, 64th Cong., 1st sess., vol. 3, p. 3707, report of the Bureau of Ordnance on cost of Government armor factory.]

Output per annum.	Capacity of plant and cost per ton.		
	20,000 tons.	10,000 tons.	5,000 tons.
20,000 tons	$279	$349	$400
10,000 tons	.....	314	394
5,000 tons	.....	.....	354

"The bureau estimated that if interest on investment were to be added the sum of $49 per ton should be added to the foregoing charges on a plant of 10,000 tons capacity.

"Our plant has 12,000 tons capacity, and the average annual amount since 1887 which we have been asked to supply to the Government has been only 3,280 tons, or a little over 25 per cent of capacity. The average cost to the Government for the armor so supplied has been $432.62 per ton.

"It is obvious that the cost to be borne by each ton for overhead, interest, etc., increases as the annual output is reduced. Therefore, accepting the Government's own figures, with a capacity such as we have, operating at less than one-third its capacity, the production cost in a Government plant, without allowance for interest, would have been much greater than the $432.62 which we were paid.

"Our new proposition is not a 'death-bed repentance,' it is a renewed effort to make clear to the Government and to the public that we seek only what is absolutely fair. Our proposition is made in complete confidence that thorough consideration by a competent and impartial tribunal will establish two facts:

"1. That our policy and prices in the past have been reasonable; and

"2. Such are the economies that we can effect in the manufacture of armor in connection with our other products that under present conditions we can manufacture for the Government cheaper than the Government can possibly do so for itself.

"TAKING THE PROFIT OUT OF WAR.

"It is said that a Government plant should be built 'to take the profit out of war.'

"Our company has no inclination to make capital out of the military necessities of the United States. In the event of war or threatened war all the facilities we have for any purpose are at the disposal of the United States Government upon its own terms. That means not only our armor plant; it includes our commercial plant and our ordnance-making facilities. We have urged no program of preparedness; we desire only to be able to serve the Government as we may be called upon.

"Our armor plant was built at the request of the Government of the United States. That request has, by the implicit action of successive Secretaries of the Navy, been frequently renewed.

"The Government has acted upon the theory that it was desirable to maintain a reserve armor-making capacity, not alone for the ordinary but also for the unexpected requirements of the Government.

"WHY WE HAVE NOT PUBLISHED ANY DETAILED COST FIGURES.

"It has been stated that we have declined to place our cost figures at the disposal of the Government, and that construction of an armor plant would enable the Government to determine costs from actual experience.

"The fact is that we have repeatedly agreed to place all the figures relating to our costs and details thereof privately at the disposal of committees of Congress or the Navy Department of the United States. We have frankly demurred at having these figures published for the information of the naval departments and armor manufacturers in foreign countries. Armor manufacturers in foreign countries, while declining to give us information, have made efforts to obtain our detail costs. We do not feel that it would be fair to publish our figures for their information, when they are so scrupulously careful to prevent our benefiting through examination of their figures.

"The situation in brief, as we see it, is as follows:

"1. Figures compiled for your committee have shown you that the United States has for the past 20 years obtained armor plate at a price materially less than that paid by any of the great naval powers, while our labor costs were and are higher than those prevailing in any other country.

"2. The Navy Department has repeatedly testified that the quality of armor supplied for these reduced prices was better than the armor made for the navy of any other nation in the world.

"3. The existing prices of material and labor are very much higher than was the case when the estimate was made that the proposed Government plant of 20,000 tons capacity could be built for $11,000,000.

"Our experience indicates that the cost now will be fully $15,000,000, and probably more.

"4. The naval lessons of the present war remain to be learned.

"What they shall teach with reference to armor and the relative value of projectiles and armor is still to be seen. Under no conditions can an armor plant be built in less than three years. Thus the problem to be faced in the manufacture of armor may be absolutely different by the time the plant could possibly be ready for use.

"5. The private armor-making capacity in this country was brought into existence at the behest of the Government.

"In these three plants some $20,000,000 has been invested. The capacity of these plants is and for many years will continue to be in excess of the requirements of the American Government.

"These facilities are of value for no other purposes than the making of armor, and the construction and development of a Government plant would mean the practical confiscation of these plants and the elimination of reserve capacity, which might become vitally important in any emergency in national defense.

"THE INEVITABLE EFFECT OF A GOVERNMENT PLANT.

"It has been urged that it is no part of the purpose of the Government to destroy existing armor plants; that the plan is wholly to provide Government competition, and the purpose of a Government plant will have been fulfilled if the plant is built and the key thrown away.

"We respectfully submit that there is no occasion for such a waste of Government funds. We do, however, call attention to the fact that in contracting for articles which the Government itself makes orders are not placed with private concerns until the capacity of the Government plant is exhausted.

"WHAT WE URGE.

"Under the foregoing circumstances we respectfully ask your committee to reconsider its former recommendation on this subject and to bring to the attention of the Senate these considerations:

"1. That all purposes of the United States Government will be served if the Federal Trade Commission is empowered to determine the price and the Navy Department the quality of the armor which shall be manufactured for the use of the United States Government.

"2. That until under the foregoing conditions the existing capacity of armor plants built for and at the request of the Government is utilized it will be unfair to private manufacturers for the Government to take action which will in effect confiscate their property.

"3. That until the naval lessons of the present war in Europe have been disclosed, and until a practical effort has been made to obtain armor from private manufacturers under the conditions named, the Government should not proceed with the expenditure of the public money necessary to construct an armor-making plant.

"This question should not be determined with reference to the interests of the Bethlehem Steel Co., but with supreme regard for adequate national defense and sound public policy.

"Our company asks no favors; we only ask that the Government thoroughly ascertain what the facts are and then look those facts frankly in the face. If the facts are found to be as we have stated them, and are seen to be as advantageous to the Government as we believe them to be, we respectfully ask the Government to do what it finds to be fair to us.

"As you are aware, we maintain no 'lobby' in Washington to urge our views on this or any other matter. We have sought and are seeking to present our views of this measure in the frankest and most public way we can devise. In keeping with our policy we shall, therefore, take the liberty of giving this letter to the press, as well as make such other distribution of it as will bring it adequately to public attention.

"If your committee desires further information, I shall be very glad to appear before you and give you all details in my power. We only ask that you give us a fair chance before you take steps to cripple our industry.

"Very respectfully,

"E. G. GRACE, *President*."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Pennsylvania [Mr. OLIVER].

Mr. GRONNA. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from North Dakota suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Harding	Nelson	Smith, S. C.
Bankhead	Hitchcock	Newlands	Smoot
Brandegee	Hughes	Norris	Sutherland
Bryan	James	Oliver	Swanson
Catron	Johnson, S. Dak.	Overman	Taggart
Chamberlain	Jones	Page	Thomas
Clapp	Kern	Penrose	Thompson
Clark, Wyo.	Lane	Poindexter	Townsend
Clarke, Ark.	Lee, Md.	Pomerene	Vardaman
Culberson	Lewis	Ransdell	Wadsworth
Cummins	Lippitt	Reed	Warren
Fletcher	Lodge	Robinson	Weeks
Gallinger	Martin, Va.	Sheppard	Williams
Gronna	Martine, N. J.	Smith, Ariz.	Works

Mr. MARTINE of New Jersey. I have been requested to announce that the senior Senator from Illinois [Mr. SHERMAN] is absent on official business.

Mr. TOWNSEND. The senior Senator from Michigan [Mr. SMITH] is absent and is paired with the junior Senator from Missouri [Mr. REED]. This announcement may stand for the day.

The PRESIDING OFFICER. Fifty-seven Senators have answered to their names. There is a quorum present. The question is on agreeing to the amendment offered by the Senator from Pennsylvania [Mr. OLIVER].

Mr. CLAPP. On that I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. GALLINGER (when his name was called). I have a general pair with the senior Senator from New York [Mr. O'GORMAN]. I transfer that pair to the junior Senator from Idaho [Mr. BRADY] and will vote. I vote "yea."

Mr. MARTINE of New Jersey (when his name was called). I have a general pair with the senior Senator from Illinois [Mr. SHERMAN]. I transfer that pair to the junior Senator from New Hampshire [Mr. HOLLIS] and will vote. I vote "nay."

Mr. THOMAS (when his name was called). In the absence of the senior Senator from North Dakota [Mr. MCCUMBER], with whom I have a pair, I withhold my vote.

Mr. TILLMAN (when his name was called). I transfer my pair with the Senator from West Virginia [Mr. GOFF] to the Senator from Tennessee [Mr. LEA] and vote "nay."

The roll call was concluded.

Mr. DILLINGHAM. I have a general pair with the senior Senator from Maryland [Mr. SMITH] and for that reason I withhold my vote. If he were present and I were permitted to vote, I would vote "yea."

Mr. CLARK of Wyoming. In the absence of the senior Senator from Missouri [Mr. STONE], with whom I have a pair, I withhold my vote. If at liberty to vote, I should vote "yea."

Mr. CURTIS. I ask if the junior Senator from Georgia [Mr. HARDWICK] has voted.

The VICE PRESIDENT. He has not.

Mr. CURTIS. I am paired with that Senator and withhold my vote. If I were at liberty to vote, I should vote "yea."

Mr. THOMAS. I transfer my pair with the senior Senator from North Dakota [Mr. MCCUMBER] to the junior Senator from California [Mr. PHELAN] and vote "nay."

Mr. MYERS. I have a pair with the Senator from Connecticut [Mr. MCLEAN], who is absent. In his absence, I transfer that pair to the Senator from Wisconsin [Mr. HUSTING] and vote "nay."

Mr. REED (after having voted in the negative). I voted without having announced the transfer of my pair with the Senator from Michigan [Mr. SMITH] to the Senator from Oklahoma [Mr. GORE]. I make that announcement, and allow my vote to stand.

Mr. CATRON. I am paired with the Senator from Oklahoma [Mr. OWEN]. In his absence I withhold my vote.

Mr. GRONNA (after having voted in the negative). I voted, but I have a general pair with the senior Senator from Maine [Mr. JOHNSON]. He is not in the Chamber, and as I can not transfer my pair, I will withdraw my vote.

Mr. CURTIS. I was requested to announce the following pairs:

The Senator from Rhode Island [Mr. COLT] with the Senator from Delaware [Mr. SAULSBURY]; and

The Senator from New Mexico [Mr. FALL] with the Senator from West Virginia [Mr. CHILTON].

The result was announced—yeas 17, nays 51, as follows:

YEAS—17.

Brandegee	Lodge	Smoot	Warren
du Pont	Nelson	Sutherland	Weeks
Gallinger	Oliver	Taggart	
Harding	Page	Townsend	
Lippitt	Penrose	Wadsworth	

NAYS—51.

Ashurst	James	Norris	Smith, Ga.
Bankhead	Johnson, S. Dak.	Overman	Smith, S. C.
Beckham	Jones	Pittman	Sterling
Borah	Kenyon	Poindexter	Swanson
Bryan	Kern	Pomerene	Thomas
Chamberlain	La Follette	Ransdell	Thompson
Clapp	Lane	Reed	Tillman
Clarke, Ark.	Lee, Md.	Robinson	Underwood
Culberson	Lewis	Shafroth	Vardaman
Cummins	Martin, Va.	Sheppard	Walsh
Fletcher	Martine, N. J.	Shields	Williams
Hitchcock	Myers	Simmons	Works
Hughes	Newlands	Smith, Ariz.	

NOT VOTING—27.

Brady	Dillingham	Husting	Phelan
Broussard	Fall	Johnson, Me.	Saulsbury
Catron	Goff	Lea, Tenn.	Sherman
Chilton	Gore	McCumber	Smith, Md.
Clark, Wyo.	Gronna	McLean	Smith, Mich.
Colt	Hardwick	O'Gorman	Stone
Curtis	Hollis	Owen	

So Mr. OLIVER'S amendment was rejected.

Mr. OLIVER. I offer the following amendment.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 25, after line 4, insert:

The Federal Trade Commission is hereby directed, immediately after the passage of this act, and annually thereafter, upon the request of the Secretary of the Navy, to investigate and inventory the armor-plate plants of the United States, and to estimate and determine the average full cost of producing armor plate at said plants under the four following conditions, to wit:

(a) Plants running at full capacity.
(b) Plants running at two-thirds capacity.
(c) Plants running at half capacity.
(d) Plants running at one-third capacity.

After so determining the full cost of producing armor plate at said plants the said Federal Trade Commission shall at once report to the Secretary of the Navy a fair and reasonable price the Government should pay for its armor plate. Upon receipt of such report the Secretary of the Navy is hereby authorized to enter into a contract or contracts for armor plate to meet the needs of the Government, now or hereafter, at or below the price per ton so reported as the fair price for the proportion which the tonnage awarded bears to the aggregate capacity of the plants, and the appropriation hereby made for the erection or purchase of an armor-plate plant shall not be used for that purpose until the said report has been made to the Secretary of the Navy and the manufacturers of armor plate have failed, within 30 days after notice of such report, to accept the same and to enter into a contract for the manufacture of said armor plate at or below the price per ton so reported by said commission.

Mr. OLIVER. Mr. President, I will not take the time of the Senate to enlarge upon this amendment. In one of the communications included within my remarks the Bethlehem Steel Co. offered to allow the Federal Trade Commission to examine its books and to ascertain what would be a fair price for armor plate and to manufacture armor plate at that price. It is only one of the three companies which are now fitted to make armor plate. This amendment is intended to give the other two companies a chance to abide by the same conditions and to manufacture armor plate under that offer and at the fair price which may be ascertained by the Federal Trade Commission. If it is found that they will do it and will enter into contracts to that effect, then the money appropriated in this bill shall not be used for the construction of a plant.

I simply want to give Senators a chance to vote upon this proposition, and I call for the yeas and nays upon it.

Mr. SWANSON. Before the vote is taken I wish to state that the subject of this amendment has had full discussion here for almost three weeks. The Bethlehem Co. makes no obligation to do this except what may be in an advertisement. The Bethlehem Co. makes 11,000 tons, and we need 28,000 tons for this program. Hence for the residue we would have no assurance for reasonable prices. It will be three or four years before we can build an armor-plate plant; hence the greater the necessity of starting one or purchasing one at an early date.

We have discussed this matter here fully, and I ask for a vote on the amendment. I discussed the matter fully when it was before the Senate about six months ago.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Pennsylvania [Mr. OLIVER], on which the yeas and nays are demanded.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CLARK of Wyoming (when his name was called). By reason of my pair with the senior Senator from Missouri [Mr. STONE], heretofore announced, I withhold my vote.

Mr. GALLINGER (when his name was called). Again announcing my pair with the Senator from New York [Mr. O'GORMAN], and not knowing how he would vote on this question, I withhold my vote.

Mr. MYERS (when his name was called). I announce the same transfer of my pair that I made on the last vote and vote "nay."

Mr. THOMAS (when his name was called). I again announce my pair and withhold my vote.

Mr. TILLMAN (when his name was called). Repeating the announcement about the transfer of my pair, I vote "nay."

The roll call was concluded.

Mr. CURTIS. I am paired with the junior Senator from Georgia [Mr. HARDWICK] and withhold my vote.

Mr. DILLINGHAM (after having voted in the affirmative). I am compelled to withdraw my vote, as I have a pair with the senior Senator from Maryland [Mr. SMITH], who is absent.

Mr. MARTINE of New Jersey. I have a general pair with the Senator from Illinois [Mr. SHERMAN]. I transfer that pair to the Senator from New Hampshire [Mr. HOLLIS] and vote "nay."

Mr. LODGE (after having voted in the affirmative). I have a general pair with the Senator from Georgia [Mr. SMITH]. I do not see him in the Chamber, and therefore I withdraw my vote.

Mr. MARTINE of New Jersey. I was requested to announce that the Senator from West Virginia [Mr. CHILTON] is absent on public business. As has been stated, he is paired with the Senator from New Mexico [Mr. FALL].

Mr. REED. I transfer my pair with the Senator from Michigan [Mr. SMITH] to the Senator from Oklahoma [Mr. GORE] and vote "nay."

Mr. PITTMAN. I wish to announce the absence of the Senator from Delaware [Mr. SAULSBURY] on account of illness. He is paired with the Senator from Rhode Island [Mr. COLT].

The result was announced—yeas 16, nays 49, as follows:

YEAS—16.

Brandegee	Lippitt	Page	Townsend
Catron	Nelson	Penrose	Wadsworth
du Pont	Newlands	Smoot	Warren
Harding	Oliver	Sutherland	Weeks

NAYS—49.

Bankhead	Johnson, Me.	Overman	Sterling
Beckham	Johnson, S. Dak.	Owen	Swanson
Borah	Jones	Pittman	Taggart
Bryan	Kenyon	Poindexter	Thompson
Chamberlain	Kern	Pomerene	Tillman
Clapp	La Follette	Ransdell	Underwood
Culberson	Lane	Reed	Vardaman
Cummins	Lee, Md.	Robinson	Walsh
Fletcher	Lewis	Shafroth	Williams
Gronna	Martin, Va.	Sheppard	Works
Hitchcock	Martine, N. J.	Shields	
Hughes	Myers	Simmons	
James	Norris	Smith, S. C.	

NOT VOTING—30.

Ashurst	Dillingham	Lea, Tenn.	Smith, Ariz.
Brady	Fall	Lodge	Smith, Ga.
Broussard	Gallinger	McCumber	Smith, Md.
Chilton	Goff	McLean	Smith, Mich.
Clark, Wyo.	Gore	O'Gorman	Stone
Clarke, Ark.	Hardwick	Phelan	Thomas
Colt	Hollis	Saulsbury	
Curtis	Husting	Sherman	

So Mr. OLIVER's amendment was rejected.

Mr. OLIVER. I move to amend the bill by striking out the proviso beginning on line 2, page 183. I will state that I will simply ask for a vote on this amendment; I will not ask for the yeas and nays.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 183, beginning in line 2, it is proposed to strike out the proviso in the following words:

Provided, That no part of the appropriations made in this act shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person having charge of the work of any employee of the United States Government while making or causing to be made with a stop watch or other time-measuring device a time study of any job of any such employee between the starting and completion thereof, or of the movements of any such employee while engaged upon such work; nor shall any part of the appropriations made in this act be available to pay any premium or bonus or cash reward to any employee in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant.

Mr. GALLINGER. Mr. President, assuming from the statement made by the Senator from Pennsylvania that he is not going to call for the yeas and nays on this amendment, I want to go on record as saying that I shall vote for striking it out, no matter how the vote is taken.

The VICE PRESIDENT. The question is on the amendment of the Senator from Pennsylvania.

The amendment was rejected.

Mr. CUMMINS. Mr. President, before I yield the floor I shall offer an amendment to the bill under consideration, but first I desire to submit some observations upon the measure generally. I will be as brief as it is possible to be under the circumstances.

It not infrequently happens to me, and I assume my experience is that of other Senators, that I find it utterly impossible to express accurately and fully my view upon a subject through a vote for or against a comprehensive bill. It is for this reason, Mr. President, I beg the indulgence of the Senate for a few minutes while I consider the general aspects of the subject of preparedness.

The defense of our homes and of our country and our institutions is, I assume, the most sacred and imperative obligation that falls upon a member of organized society. Without entering into the probabilities of the future, it is sufficient to say that every sane man must be conscious that there may come a time which will require the defense of these homes, institutions, and Government. It has always seemed to me, therefore, a conclusion from which no man could reasonably dissent, that we ought to be adequately prepared to defend these institutions of ours; to defend them successfully, efficiently, and with the least possible expenditure of blood and treasure. Notwithstanding this conclusion, however, I have a word to say with regard to the campaign for preparedness, which has stimulated this country in the last few months.

There have been two classes of men who have been most vociferous in the campaign for preparedness with whom I have no sympathy whatever. The first class is composed of the men who make money out of war; the men who are engaged for profit in the manufacture of munitions of war and the various forms of armament. I do not assert that these men are consciously inciting this country to war; that they consciously desire war; that they intentionally would bring upon this country the horrors of war; but I do say that they are incompetent judges of any national situation. It is utterly impossible for them to reach a righteous conclusion upon a subject in which they are so directly and so vitally interested.

The other class is composed of men who apparently believe that we ought to bluff and bluster our way through the world and with all the other nations of the earth; that we ought to assume in every international controversy that we are right beyond argument, and that, if our demands are not entirely met by those with whom we are engaged, we must interpose our military power in order to enforce those demands. I have no sympathy whatever with this class of men. I think we ought to maintain our rights with vigor and earnestness; but I for one am not willing to concede that in the great majority of instances in which we may differ from other nations of the earth we ought to enforce what we believe to be justice through the force of arms.

Most of these men are, happily for themselves, beyond the military age; they are not deterred by the consequences which war imposes upon the large body of our citizenship. I think their campaign for preparedness has been simply intolerable to the justice-loving and peace-loving people of the country. They have violated every principle of decency and fair-mindedness in the manner in which they have urged upon the United States the preparedness which we are now about to establish. The fact, however, that these men, who, for reasons I have stated, are incompetent to determine the true policy of a nation like ours are for preparedness does not in the least deter me from doing whatsoever I can to prepare this country for any contingency which, according to human foresight, it is likely to confront.

I think, however, all of us have been misled by attempting to rest upon the lessons of history. I for one do not believe that preparedness has made for peace; I do not believe that weakness has made for peace. I believe that both preparedness and weakness have made for war in the unhappy experience of mankind. There can be no war because of weakness, unless some power prepared to take advantage of the weakness precipitates the conflict. War results from neither preparedness nor from weakness. It has come in the past simply because man is a fighting animal; it has come because the human race has been filled with a lust for power, inflamed by ambition, moved by avarice and by all the other temptations which beset the human family.

The Bible is mainly a history of war. If you would eliminate from that holy volume the story of war, you would strike out the major part of the holy record. History, sacred or profane, is nothing but a history of war. The first eighteen hundred years of the Christian era present a perpetual scene of war. Rome was prepared—no nation was ever better prepared—and yet she spent 500 years and more in war creating the Republic and the Empire. She then spent 500 years in war, attempting to defend what she had acquired through the force of arms; and all Europe is a repetition of the story of Rome.

My distinguished friend from Idaho [Mr. BORAH] mentioned very eloquently a day or two ago the instance of Greece in her unpreparedness against Philip. Greece would have fallen, no matter how well she had been prepared; but Philip was prepared and the war ensued. The Republic of Venice, no matter how thoroughly it might have prepared itself, could not have withstood in the end the inroads of the barbarians. So it is found in every page of history. Preparedness leads one nation to war; weakness commits another nation to war. The difference between preparedness and weakness or unpreparedness is in the consequence of war and not in the probability of the war.

Mr. CLAPP. Mr. President, will the Senator pardon an interruption?

Mr. CUMMINS. Yes.

Mr. CLAPP. Is not the consequence always and ultimately the same? While Greece was not prepared to meet Philip, Philip was prepared, but the empire which was founded through his activities in turn perished. So it has been the history of all nations that were prepared in their warfare against the unprepared that eventually the prepared nation fell.

Mr. CUMMINS. It is inevitable. If one nation takes advantage of the weakness of another, war ensues just the same, but the consequences of the war may be vastly different.

Mr. BORAH. Mr. President——

Mr. CUMMINS. I yield to the Senator from Idaho.

Mr. BORAH. I merely wish to say that it seems to me that we might find an illustration to cover the entire situation from both standpoints in the history of China. It has had an experience which may be instructive either way.

Mr. CUMMINS. It simply verifies what I have already said. War is inevitable with China, if you please, because she is weak and Japan is strong; but if Japan is prepared, you may as well impute her conflict with China to the preparedness of Japan as to the unpreparedness of China. The truth is that the whole world has been fighting during its entire recorded history, and if we can not present some better solution than preparedness we may better protect ourselves, but we will not prevent war; and that is the object I have in mind in presenting that phase of the subject.

Preparedness is no solution for the world's trouble; preparedness is just as sure to be followed by conflict, bloody, dire, and devastating, as unpreparedness. To show that preparedness is not the solution for the great evil of mankind it is only necessary to instance the difference between the strong and the weak nation. What could prepare Mexico to withstand an attack of the United States, assuming that both nations are prepared to their full capacity? What opportunity would the 15,000,000 people of Mexico, bowed down with poverty, have to meet successfully the hundred millions or more of the United States, with all her wealth, greater than is found within the domain of any other nation in the world? Assuming that they both have taken on all the preparedness of which modern science is capable of bestowing upon a nation, what opportunity would Nicaragua have to defend her institutions and her homes against an assault by the United States, no matter how thoroughly she might be prepared, or Honduras, or San Salvador, or Panama, or Colombia, or any other nation, if you please, in the Western Hemisphere?

It is idle, Mr. President, for us to declare that preparedness is the path to peace and is the solution of the mighty problem with which humanity has been grappling now these many years. Suppose we take the beginning of the present war. What chance would Servia have had against Austria if both nations had been completely prepared? What chance would Spain have in the highest state of preparedness against the inroads of Great Britain or of France or of Germany?

If the weaker nations of the world are to be preserved, if we are not to yield to the passion for conquest until the earth is divided among a few great nations, preparedness is not the answer to the question which is thundering in our ears.

In all this remember that I am not suggesting, even remotely, that the United States ought not to be prepared; but I am not deluded by the argument that if we are prepared we will avoid the horrors of war.

It has been said over and over again by all those who have discussed the matter that human nature is the same now that it was a thousand years ago. I do not quite agree to that broad declaration; but assume that human nature is the same, assume that there is in the American heart the same desire for conquest and for subjugation that filled the minds of the kings and the princes of the olden times, we will use our preparedness in the same way that they used theirs, and if no nation seeks to attack us we will employ our preparedness in overcoming other countries.

Why not? If we are no better than they were in Philip's time, if we are no better than they were in the days of the Republic of Venice, if we are no better than they were during all the wars that afflicted Europe and Asia for eighteen hundred years, who dares to assure the world that we will not use these instruments of warfare just as they have been employed during all the past?

I, however, am not willing to concede that human nature is as it was. I am not willing to concede that the hearts of the twentieth century are as brutal and ferocious as the hearts of the tenth century. I know that I am at once confronted with the instance of the most disastrous and destructive war that ever ravaged humanity, now in progress across the sea; but, notwithstanding that war, I am still of the opinion that men and women are better now than they were in the ancient days. I am still of the opinion that there is a tendency, marked, emphatic, which I hope will have its fruition soon, to settle international controversies in some other way than upon the battle field. I am still of the opinion that the vast ambitions of men to occupy the earth have been curbed, and that we are not as willing to wreak our vengeance or to use our power against weaker nations, looking to their extinction, as a thousand years ago.

Again, of course, it will be said to me that Belgium is a bleeding, butchered witness against my suggestion. The evidence, however, is but superficial. We have a right to examine the whole history of the last hundred years and of the movement for international peace, of the place it has in the hearts of the men and women of this country, before we yield to the assertion that civilization has not advanced, that it is not intrenched better than it was in the barbarous ages, and that we must assume that in the future war is to be the normal condition of mankind, and that each nation, according to its strength, is to take what it can and keep what it takes.

I have not lost my confidence, at least, in the advance of civilization. I have not lost my hope that in the future the great majority of international disputes, those which formerly would have led to war, will be adjusted through international tribunals established in the cause of peace. I have not lost my faith, at least, in the justice and the honor of nations—a justice and honor that preclude these invasions of the rights of weaker countries in order to advantage and benefit the strong.

This brings me to the suggestion I have to make concerning this bill, and it will at once be seen why my vote can not accurately express my view of the entire subject embraced by the measure. I believe we ought to go steadily forward in the prosecution of a policy which has been adopted by the people of this country, a policy accepted now for years by the people of this country, in the way of providing an Army and a Navy. I believe that we ought to build first-class battleships, some of them; we ought to build first-class battle cruisers, some of them. We entered upon the policy years ago. We had a definite object in view. We had a definite standing to reach—a relative standing among the nations. My objection to this bill is the announcement to the world that we have abandoned the policy of the olden time, that we have abandoned any hope of peace among nations, that we have lost our faith in the movement for peace, and that we intend in the future to assume that our international controversies are to be settled by the arbitrament of war instead of through the peaceful tribunal of justice.

Every Senator knows that the paragraph in the bill which authorizes the President to undertake the construction of 10

first-class battleships and 6 battle cruisers is a plain announcement to the world of our purpose. It will be construed in the way I have suggested. It will destroy, in a large measure, our influence for peace when the opportunity comes to exert that influence. It will not advance the construction of a battleship or a cruiser by a single day. We already have four battleships, and possibly more, authorized, two of which are under construction, and two of which have not yet been submitted either to our navy yards or to contractors for construction. We all know that within the next two years we can not build the battleships and the cruisers that are provided for in the bill. We all know that we can not even undertake, and will not undertake, the construction of the four battleships and four cruisers that are given especial prominence in one paragraph of the bill. I appeal to the candor of every Senator here and to the country that in providing for 10 battleships and 6 battle cruisers and the remaining 141 fighting and nonfighting craft we are simply saying to the world that we intend to accomplish our purposes through military strength, and that for the time being at least we have abandoned a great propaganda for the peaceful settlement and adjustment of international disputes.

I had hoped that when this war came to an end we would be in a position to say to the other nations of the world that if we must get ready for instant warfare with the greatest of the powers, we are able to do so, but that we do not desire to do so. I had hoped that we would have the influence, unimpaired in position, to say to all the nations of the earth: "We favor an enlargement of the settlement of international conflicts in a peaceful way."

I had hoped that we would be able to say, by our example, that "we favor a general disarmament among nations," and thus end the ruinous competition for naval strength which we have witnessed in Great Britain and Germany, and possibly in other countries, which, if pursued, must inevitably lead every country indulging in it to bankruptcy, hopelessness, poverty, and disgrace.

I am hoping still that we may exercise this righteous influence upon the minds of those who will determine the terms of peace. I am conscious that this measure will destroy a part of that influence. I am unwilling to cast a vote against the reasonable preparedness of the Nation. I am unwilling, through my vote, to arrest the fair, natural growth of the Navy. I shall therefore vote for the bill; but I could not do it without laying before the Senate in this fashion my views concerning preparedness, concerning the duty of the United States in the circumstances in which the Nation is placed. It is because I hope that the effect of the announcement which I believe to be contained in the bill may be somewhat mitigated, and in the hope that what I am about to propose will to some degree prepare the powers now at war, and other nations which hitherto have not been drawn into the conflict, for the part which the United States ought to play in the mighty drama that will succeed the war, that I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to amend by striking out lines 13 and 14 and the first five words of line 15, on page 181, and inserting——

Mr. CUMMINS. I ask the Secretary, before reading the amendment, to read the first part of the section as it now is and then to read the amendment.

The SECRETARY. On page 181 it is proposed to amend by striking out lines 13 and 14 and the first five words of line 15. The paragraph now reads as follows——

Mr. KENYON. Mr. President, is the Secretary now reading the part that is to be stricken out?

Mr. CUMMINS. He is reading the part proposed to be stricken out. It is part of the House bill.

The SECRETARY. The paragraph in the House bill reads as follows, beginning on page 181, line 13:

Upon the conclusion of the war in Europe, or as soon thereafter as it may be done, the President of the United States is authorized to invite all the great Governments of the world to send representatives to a conference which shall be charged with the duty of formulating a plan for a court of arbitration or other tribunal to which disputed questions between nations shall be referred for adjudication and peaceful settlement, and to consider the question of disarmament, and submit their recommendation to their respective Governments for approval.

It is proposed to strike out from that paragraph the following words:

Upon the conclusion of the war in Europe, or as soon thereafter as it may be done, the President of the United States is authorized to invite—

And to insert—

It is hereby declared to be the policy of the United States to adjust and settle its international disputes through mediation or arbitration, to the end that war may be honorably avoided. It looks with apprehension and disfavor upon a general increase of armament throughout the world, but it realizes that no single nation can disarm, and that without a common agreement upon the subject every considerable power must maintain a relative standing in military strength.

In view of the premises, the President is authorized and requested to invite, at an appropriate time, not later than the close of the war in Europe—

And so forth.

Mr. SWANSON. Mr. President, I think that is an improvement upon the text of the bill, and I gladly accept it.

The VICE PRESIDENT. The question is on the amendment of the Senator from Iowa.

The amendment was agreed to.

Mr. CUMMINS. I offer the following amendment. On page 182, line 6, I move to strike out the word "appropriations" and insert the word "construction." As the bill now reads it provides:

If at any time before the appropriations authorized by this act shall have been contracted for there shall have been established, with the cooperation of the United States of America, an international tribunal—

And so on.

The appropriation that is made in this act is for a single year. The authorization for construction runs over a much longer period. It seems to me that the authority to the President to invite this conference should relate to the construction authorized by the act.

Mr. SWANSON. I fully concur with the Senator that the word "construction" should be used rather than "appropriations." I gladly accept the amendment.

The VICE PRESIDENT. The amendment will be agreed to, without objection. The bill is in the Senate as in Committee of the Whole and open to further amendment.

Mr. SWANSON. The Senator from Wisconsin [Mr. LA FOLLETTE] has an amendment to offer, and he ought to be sent for.

Mr. CLAPP. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gronna	Nelson	Sutherland
Bankhead	Harding	Norris	Swanson
Beckham	Hitchcock	Overman	Taggart
Borah	James	Owen	Thomas
Brandegee	Johnson, Me.	Page	Thompson
Broussard	Johnson, S. Dak.	Poindexter	Townsend
Chamberlain	Jones	Ransdell	Underwood
Clapp	Kenyon	Reed	Vardaman
Clark, Wyo.	La Follette	Robinson	Wadsworth
Culberson	Lane	Shafroth	Weeks
Cummins	Lewis	Sheppard	Williams
Curtis	Lodge	Shields	Works
Fletcher	Martin, Va.	Smith, Ariz.	
Gallinger	Martine, N. J.	Smoot	

The VICE PRESIDENT. Fifty-five Senators have answered to the roll call. There is a quorum present.

Mr. LA FOLLETTE. Mr. President, I offer the amendment which I send to the desk to come in on page 172, line 13, after the word "paid."

The VICE PRESIDENT. The amendment will be read.

The SECRETARY. On page 172, line 13, after the word "paid," insert a colon and the following proviso:

Provided, That no battleship, battle cruiser, scout cruiser, torpedo-boat destroyer, or submarine herein appropriated for shall be employed in any manner to coerce or compel the collection of any pecuniary claim of any kind, class, or nature, or to enforce any claim of right to any grant or concession for or on behalf of any private citizen, copartnership, or corporation of the United States against the Government of Mexico or of any Central or South American Government.

Mr. LA FOLLETTE. Mr. President, I offer that amendment at this time.

Mr. BRANDEGEE. I make a point of order against the amendment that it is in violation of the rule which prohibits legislation upon an appropriation bill.

The VICE PRESIDENT. The Chair is inclined to believe that if there can be a limitation upon an appropriation for the purposes for which the appropriation may be made there may be also a limitation upon the use of the article provided for in the appropriation. The Chair believes it is simply a limitation upon the bill and is not general legislation.

Mr. BRANDEGEE. Will the Chair listen to argument upon that question a moment?

The VICE PRESIDENT. The Chair will hear the Senator from Connecticut.

Mr. BRANDEGEE. I do not care to take more than 30 seconds in a discussion of the question.

Mr. President, a limitation as to the way in which the money appropriated shall be spent is one thing, but it seems to me that to say in a bill where you are appropriating money for the construction of ships that the Navy of the United States for all time shall never be used for the purposes stated in the legislation that we put on the bill in this amendment is in no

sense a limitation upon the expenditure of the money but it is a limitation upon the use of the armed forces of the United States by the Commander in Chief. I hope the Chair will take that view of the point.

The VICE PRESIDENT. The Chair has listened to a good deal of discussion that has gone on during the progress of the bill with reference to the President of the United States being the Commander in Chief of the Army and Navy of the United States as though the Congress of the United States had no power or authority whatever over the creation of an Army or the creation of a Navy or any power with regard to determining anything that the Army or Navy should or should not do. There have been views expressed here that the President of the United States can do anything he pleases with the Army and the Navy of the United States. The Chair does not know whether he has that power or not, but the Chair is clearly of the opinion that the Congress of the United States could provide if it chose for a Navy the sole purpose of which should be to guard the Panama Canal or to create a Navy to guard the harbor of New York; it could create a Navy for the Atlantic or for the Pacific.

Clearly in the mind of the Chair it is not general legislation at all. It is simply a declaration, if the Senate wants to make it, that these battleships and battle cruisers shall not be employed for certain purposes. If the President of the United States has no power or authority to use any of the vessels of the United States to coerce or compel the collection of any pecuniary claim of any kind, class, or nature, or to enforce any claim of right to any grant or concession for or on behalf of any private citizen, copartnership, or corporation of the United States against the Government of Mexico or against any Central or South American Government, this does not change it. If he has the power he can use whatever of the Navy there is now for that purpose. But the Chair is clearly of opinion that if the Congress of the United States wants to prevent the use of these vessels for this purpose it has the right to do so, and it is not general legislation but a limitation upon the bill.

Mr. REED. Mr. President, I desire to call the Chair's attention to this fact. I want to say by way of preliminary I am not at all enamored of the process that it has been charged has been going on of employing armed forces of the United States to collect private debts. The question that is now before the Senate I think is one of very considerable importance. I think this amendment does change the substantive law of the country.

Clearly under the Constitution the President is the Commander in Chief of the Army and Navy of the United States. If these vessels are created they become a part of the Navy of the United States. If now we pass a law which declares that these vessels shall be built as a part of the Navy but shall not be used by the Commander in Chief of the Navy of the United States in the same manner that the other forces of the country are employed, we place a limitation as to these vessels upon that power and authority which is now conferred upon the President by the substantive law of the country.

The VICE PRESIDENT. Just a moment, that the Chair may apprehend the Senator from Missouri. Does the Senator from Missouri say that under the Constitution or any law of the United States of America the President has any such right as is forbidden to these vessels?

Mr. REED. I say that under the laws and Constitution of the United States the President is the Commander in Chief of both the Army and Navy of the United States; that the question as to how and when he shall employ these vessels is one which is settled by the substantive law of this country. Under the Constitution the President has no authority to declare war. Congress might empower the President, if it saw fit so to do, to employ the armed forces of the United States to seize the customhouses of a certain country. There is a very grave question whether the President can not proceed to that length and still greater length without the authority of Congress.

Now, that being the case, it follows that when we undertake to pass an appropriation bill to construct certain vessels which are to become a part of the Navy of the United States, the minute they are created they come under the command of the President.

Now, we propose to say this part of the Navy of the United States shall not be employed by the President in the same manner and to the same effect as he might employ the other vessels of the Navy. To that extent we create a navy and limit the right of the President to use it, and just to that extent we change the substantive law of this country. That is the proposition I want to state to the Chair. I do not know that it will alter his views.

The VICE PRESIDENT. The Senator from Missouri has not answered the Chair.

Mr. BRANDEGEE. Mr. President, I rise to a question of order, if the Chair please. The Chair has ruled, and I had intended to take an appeal from the ruling of the Chair, so that the judgment of the Senate might be had upon the question. Of course, debate, I assume, is not in order until the appeal is taken, and I do appeal most respectfully from the decision of the Chair.

The VICE PRESIDENT. The question is, Shall the decision of the Chair stand as the ruling of the Senate?

Mr. BRANDEGEE. Upon that appeal I want to be heard for a minute, but I will not take the floor if the Senator from Missouri desires to continue his remarks.

Mr. REED. I have finished. I simply wanted to state my position.

Mr. BRANDEGEE. Mr. President, with all due respect, and I have a great deal of respect for the Chair and his opinions, I can not see the relevancy of some of the remarks which the Chair made as a reason for his ruling. I do not care to be drawn into a discussion of all the circumstances upon which the right of the President to exercise his authority as Commander in Chief of the Army may be based and may be exercised. There may be some difference of opinion as to how absolute he is.

I certainly agree with the Chair that, of course, it is within the power of Congress to create navies on all the coasts of the country and to provide that they shall stay in certain places, if it wants to do so, but I do not wish to be drawn into that. Whatever may be the powers of Congress in relation to the Navy, it is not competent under the rules of the Senate for the Senate to exercise whatever power it may have of legislation upon this appropriation bill.

In view of the rule of the Senate, I think the Chair fails to distinguish between the legislative power of Congress to say for what purposes the Navy shall be used and the power of Congress to put that legislation upon an appropriation bill. The Senate rule means, if it means anything, in my opinion, as to a limitation, that the Senate can put a limitation upon the expenditure of money appropriated in an appropriation bill. There is no attempt made in this proposed amendment to limit or to control or in any way to direct the expenditure of the money which we appropriate. That portion of this amendment attempts to govern the purposes for which the United States Navy may be used, and to that extent it is legislation upon an appropriation bill, in my opinion.

The Senator from Wisconsin [Mr. LA FOLLETTE], in the notice that he gave yesterday, stated that he would move to suspend a clause of a rule which otherwise would have prohibited this amendment, in his opinion, so that he might introduce another amendment, which is here printed in the RECORD. I do not attach any significance, so far as it relates to the parliamentary situation on the question of order, to the change that he has made in the amendment.

Mr. NORRIS. Mr. President, will the Senator from Connecticut yield to me on that point?

Mr. BRANDEGEE. I will.

Mr. NORRIS. The amendment which the Senator from Wisconsin proposed yesterday, and which is printed in the RECORD, applies generally to the existing Navy and also to the existing Army. As I understand, it is general. There would not be any doubt about that changing existing law. This amendment only applies to those vessels provided for in this bill.

Mr. LODGE. Mr. President——

Mr. BRANDEGEE. I yield to the Senator from Massachusetts.

Mr. LODGE. I think the Senator from Nebraska is mistaken on one point, if the Senator from Connecticut will pardon me a moment. On page 13012 of the RECORD the Senator from Wisconsin said:

> I give notice of the following proposed amendment to the rules of the Senate, which I ask may be read.

And the Senator gave notice of his intention to move to suspend paragraph 3 of Rule XVI, and submitted a broader amendment; but prior to that I thought he had submitted another amendment with a similar proposition to suspend the rules. I may be mistaken about that, but I thought he had submitted another amendment.

Mr. LA FOLLETTE. Mr. President——

The VICE PRESIDENT. Does the Senator from Connecticut yield to the Senator from Wisconsin?

Mr. BRANDEGEE. I yield to the Senator from Wisconsin.

Mr. LA FOLLETTE. I am in a way called into this colloquy by the question of the Senator from Massachusetts and his reading of the notice which I gave on yesterday.

On the preceding day I gave a similar notice, in which I incorporated the amendment offered to-day, which is now pending. I did it, Mr. President, out of abundance of caution, in order that I might have a vote of the Senate upon this amendment if it should be held, as I did not believe it could be held, that the amendment was obnoxious to the rule. I simply took that precaution. I was simply forehanded to that extent.

Mr. BRANDEGEE. I compliment the Senator from Wisconsin on his foresightedness and his good judgment, because I thought at the time he gave the notice that he was of the same opinion that I now am.

Mr. LA FOLLETTE. I was not at all of that opinion, I will say to the Senator.

Mr. BRANDEGEE. If the Senator did it out of ample precaution, in view of the ruling of the Chair, he had certainly a superabundance of caution, because he did not need to change the rules or to suspend them in view of the ruling of the Chair; but that is neither here nor there, Mr. President. The situation is that the Chair has sustained the admissibility of the amendment on the ground that it is a limitation upon the appropriation of money. It seems to me that the attempt to limit the operation of the vessels appropriated for, to define and restrict the purposes for which they may be used, is not in any way a limitation upon the expenditure of the money appropriated. That is all I care to say upon the subject.

Mr. WORKS. Mr. President, I have no doubt of the correctness of the ruling of the Chair. Congress has a right to determine what sort of a Navy we shall have and the number and the kind of ships that are to be provided. The amount of the appropriations to be made may depend very largely upon the use to which the ships are to be applied. Here is a proposition in this amendment to limit the use that can be made of the ships that are to be provided under this appropriation. If the use of the ships is to be limited in that way, then the appropriation may be less, or it might be more under certain conditions. Congress has a perfect right, if for no other reason than in determining the amount of the appropraition, to take into account the uses to which these ships shall be applied.

I have no doubt, Mr. President, that it is within the power of the Congress of the United States to limit and to determine the use to be made of the ships. I have no doubt that it is within our power to determine where these ships shall be located; in other words, I believe that the power of the Congress of the United States is superior to that of the President of the United States as the Commander in Chief of the Army and the Navy of the country. The President is simply the servant of the people of this country. The appropriations that are to be made are determined by Congress. Whether or not there shall be an army or a navy at all may be determined by Congress. Certainly, if Congress can determine whether or not there shall be a navy or an army, and the size of it, if there is to be one, then clearly Congress has the power to determine what uses shall be made of the ships that are provided by Congress. I think this is simply a provision within the power and jurisdiction of Congress; I think it is also entirely within the rules of the Senate. I do not very well see how that can be questioned.

Mr. SUTHERLAND. Mr. President, in my own mind I feel very clear as to the merits of this proposed amendment. If we come to a vote upon the amendment itself, I intend to vote against it. I think it is unwise to make any such limitation upon the use of any of the armament of the United States. We can not foresee the future or what contingencies may arise to make it necessary to use these or any other ships. Therefore, as I say, if the matter comes before the Senate for a vote upon the proposed amendment, I intend to vote against it; but I am interested in a proper enforcement of the rules of the Senate. Therefore I am bound to say that, in my judgment, the ruling of the Chair is correct that the proposed amendment is in order.

The objection which is made to the amendment is that it is general legislation. I think one test of whether or not it be general legislation must be whether or not it can stand alone; whether or not it is independent of the proposed legislation to which it is attached. It is born out of this piece of legislation; it is a qualification of it; it is a limitation upon it; and it does not attempt to go beyond the legislation which is proposed. Suppose that we had a bill here proposing to erect a post-office building in some town, could it be said that a proposed amendment to that piece of legislation which provided that the building to be erected should be used for certain purposes or should not be used for a particular purpose was general legislation?

I am aware of the fact that to a bill of that kind the objection that it was general legislation would not lie; but I am using the illustration as a test of what may be considered general legislation. Obviously, it seems to me, that would not be general legislation. It would be a specific limitation upon that specific piece of legislation and would not extend beyond it.

If, for example, we were in the future, before this law shall be put into operation, to repeal its substantive provisions, leaving this proviso to stand, there would be nothing to which it could apply; and it would fall because the legislation to which it was attached had fallen. It is a mere limitation upon that piece of legislation, and it seems to me it can not in any sense be said to be general legislation.

I think also that it is entirely within the competence of Congress to impose limitations of this character if it desires to do so. The Senator from Missouri [Mr. REED] has said that it infringed the power of the President of the United States. The President of the United States, by the Constitution, is made the Commander in Chief of the Army and the Navy—that is all—but the specific provision of the Constitution is that Congress shall have power to make rules and regulations for the Army and the Navy.

Mr. REED. Exactly. Now, does the Senator—if he will permit me to ask him a question——

Mr. SUTHERLAND. Just a moment. To quote the provision of the Constitution exactly, it is:

> To make rules for the government and regulation of the land and naval forces.

Mr. REED. Now, does the Senator say this amendment is the making of a rule for the land or naval forces?

Mr. SUTHERLAND. It constitutes a regulation of a particular part of the naval forces of the United States.

Mr. REED. Then it does regulate the use of a part of the naval forces?

Mr. SUTHERLAND. Undoubtedly.

Mr. REED. Therefore, it does change the substantive law of the country, the law which would apply to these vessels if we did not attach the condition?

Mr. SUTHERLAND. Oh, I imagine that any piece of legislation which limits the operation of an appropriation alters the rule from what it would be if the limitation were not imposed. Of course, that is true.

Mr. REED. Not necessarily. There are thousands of cases where there is no substantive law, as, for instance, when we propose to erect a public building. There is no law for that public building except the law we make when we enact the measure. Therefore, whatever pertains to the regulation of the form, manner, and method of building is only a part of the appropriation act itself. Let me put this to the Senator.

Mr. SUTHERLAND. Let me answer the Senator with reference to what he has already said.

Mr. REED. Very well.

Mr. SUTHERLAND. Of course, what the Senator says is true; but, after all, it does not meet the question here as to whether or not this is general legislation or special legislation. Special legislation, the same as general legislation, may alter the rule which otherwise would be in effect. Now, this piece of special legislation, this limitation upon the operation of a part of this proposed law, of course, alters the conditions which would exist if we did not incorporate it in the bill; but, after all, it is a mere limitation upon that; it is not a general rule.

Mr. REED. Let me ask the Senator, then—and the point was raised by the Senator from Connecticut [Mr. BRANDEGEE]—is this a limitation upon the expenditure of money, or is it a limitation upon the use of the ships?

Mr. SUTHERLAND. It is a limitation upon the use of the ships which are provided for by this piece of legislation, and upon those ships only.

Mr. REED. Yes. Now, when those ships are built, they become a part of the Navy of the United States, do they not?

Mr. SUTHERLAND. Undoubtedly.

Mr. REED. Therefore, you have placed a limitation upon the use of a part of the Navy of the United States. Does any such limitation exist now upon the President as would exist if this amendment were adopted?

Mr. SUTHERLAND. I have already answered the Senator; no.

Mr. REED. Plainly not.

Mr. SUTHERLAND. It would not.

Mr. REED. Now, is it not the general law that the President of the United States can move the ships of the Navy wherever he sees fit to order them to go, and that he can put them to any use that he sees fit to put them to, always provided he shall not have violated the Constitution of the United States or the laws of Congress?

Mr. SUTHERLAND. In the absence of legislation of Congress, the President, being Commander in Chief, would have at

least some power in that direction. I would not like to say that he would have unlimited power.

Mr. REED. Well——

Mr. SUTHERLAND. If the Senator will permit me further—but the Constitution expressly provides that Congress shall have power "to make rules for the government and regulation of the land and naval forces."

Mr. REED. And the Senator holds——

Mr. SUTHERLAND. Now, may Congress in——

Mr. REED. And the Senator holds that is just what we are doing now. If that is not an admission that it is substantive legislation, I do not know how we could get it.

Mr. SUTHERLAND. Mr. President, the Senator, I think, is confusing two things. I have not said that this is not substantive legislation in a sense. It substantially affects these particular ships, but my argument is that it is not general legislation; it is special legislation.

Mr. REED. Well, it depends upon what the Senator calls "general legislation." Let us see. If the Senator will permit a question—and as a sort of prelude I will make a brief statement—suppose we passed this bill without this amendment, that the ships provided for are built, and an occasion arises for the employment of them to do the very thing prohibited in the amendment, the President would proceed to employ the vessels to do that thing; but if the amendment carries and the President undertakes to do that identical thing, which he could have legally done but for the amendment, he is confronted by what? He is confronted by something that stays his hand. That something must be an act of Congress; that act of Congress is legislation; that legislation affects the use for all time of all the vessels we are proposing to build. Now, can the Senator say that is not substantive legislation? Can the Senator say that a thing so far-reaching does not place a limitation upon the powers which the President would otherwise have and which he has under general law?

Mr. SUTHERLAND. I have already answered the Senator that my opinion is that it is not general legislation.

Mr. REED. Let me call the Senator's attention to how far-reaching this amendment is. There are two parts of it. I call the Senator's attention to it, because I have the highest respect for his opinion:

Provided, That no battleship, battle cruiser, scout cruiser, torpedo-boat destroyer, or submarine herein appropriated for shall be employed in any manner to coerce or compel the collection of any pecuniary claim of any kind, class, or nature, or to enforce any claim of right to any grant or concession for or on behalf of any private citizen, copartnership, or corporation of the United States against the Government of Mexico or of any Central or South American Government.

There are three different provisions. The first one is that these vessels shall not be used to "compel the collection of any pecuniary claim of any kind, class, or nature; the second is that they shall not be used "to enforce any claim of right to any grant or concession"; and then follows the third, "or on behalf of any private citizen, copartnership, or corporation of the United States against the Government of Mexico or of any Central or South American Government."

Now, under the second provision to which I have called attention—and I am numbering them myself—these vessels can not be employed to enforce "any pecuniary claim of any kind, class, or nature, or to enforce any claim of right to any grant or concession." Under that, if the Government of the United States were solemnly to enter into a treaty with the Government of Mexico by which the Government of Mexico would cede and grant to the United States Magdalena Bay, and the United States should pay for it, and Mexico were to say to us: "You can not take this property," the President of the United States could not send a vessel into the waters of that bay even though the officers of the United States were there and were menaced. The right exists in the President to do that thing to-day, as Commander in Chief of the Army and Navy of the United States. He can do that identical thing without authority of Congress, and it has been done many times. Now, we propose to say to him: "You shall not do that thing which you have the right as Commander in Chief of the Army and Navy of the United States to do."

Mr. VARDAMAN. Mr. President, will the Senator permit me to make a suggestion there? He is arguing as to the unwisdom of this amendment rather than addressing himself to the point of order.

Mr. REED. I have not made myself plain to the Senator. I am arguing that it changes the substantive law of this country, and therefore is legislation; and, being legislation, it can not be added to the appropriation bill.

Mr. SUTHERLAND. Mr. President, in so far as the Senator from Missouri criticizes this amendment as being unwise, I quite agree with him, and I think the illustration the Senator has given shows its unwisdom. I intend to vote with the Senator from Missouri against this piece of legislation. But the Senator has not succeeded in convincing me—although he is now, as he always is, exceedingly persuasive—that that is a piece of general legislation.

Let me give just one other illustration, and then I will take my seat, because I have said all I care to say. Suppose we were appropriating $25,000 to create a park here in the city of Washington, and somebody offered an amendment on the floor providing that this park should not be used for automobiles. Would that be general legislation, or would it be special legislation, limited to that particular park, limited to that particular bill?

Certainly that would, it seems to me, be in order—to say that the specific park we were creating and appropriating money for should not be utilized for a special purpose; and I think the rule is not altered because we happen to be dealing with the exceedingly important subject of the armament of the United States instead of with a park or with a public building.

That is the way the matter occurs to me. I think the amendment is in order; but, as I have already said, I intend to vote against it when it is presented upon its merits.

Mr. BRANDEGEE. Mr. President, there is so much discussion about this that I am satisfied we will arrive at a conclusion quicker if we vote on the merits of the amendment, as the Senator from Wisconsin requested. I therefore withdraw the appeal, and will let the amendment be voted on.

The VICE PRESIDENT. The question is on the amendment of the Senator from Wisconsin.

Mr. ASHURST. On that I ask for the yeas and nays.

Mr. NORRIS. Mr. President, I desire to offer an amendment to the amendment. It seems to me that instead of having this amendment apply only to Mexico, Central America, and South America, it ought to be general and apply to the whole world. I therefore move—I have not the amendment before me, but I have copied the words that I want to strike out—to strike out the following words:

Against the Government of Mexico or of any Central or South American Government.

If that is agreed to—and it seems to me the Senator from Wisconsin ought to be willing to accept that amendment—it will not change the effect of the amendment so far as Mexico, Central or South America is concerned, but it will give application to the amendment, if it becomes law, to the entire world. It seems to me that if we are going to prevent the use of these ships for the collection of a private debt in one place there is no reason why we ought not to prevent it at every place.

Personally, I can not see any possible objection to this amendment. Even though a Senator is opposed to the amendment of the Senator from Wisconsin itself, it seems to me he would not be opposed to the modification I have suggested.

Mr. REED. Mr. President, I do not know whether the Senator from Wisconsin desires to accept the amendment or not. If he does, I do not want to deprive him of that opportunity.

No man in the Senate can view with greater abhorrence than myself certain events that it is asserted have transpired in the history of our country. It is at least generally believed that certain capitalists have been in the habit of going into certain small and weak countries, purchasing the bonds of those countries at a ridiculously low figure, getting them at that figure because the Government of the country was understood to be unstable and the quality of the bonds therefore very doubtful, and then working out an arrangement by which this Government in effect guaranteed the payment of those bonds, thus practically having the Government of the United States guarantee the bonds the individuals or corporations had purchased. That is an abominable situation—one which I believe the present administration has done all it can not only not to indulge in, but to escape the effect of other administrations' acts.

But, Mr. President, the amendment offered by the distinguished Senator from Wisconsin does not apply to the cases I have referred to alone; and I want Senators to understand that this amendment does not apply to those cases alone, but that it is so broad and sweeping in its terms that if it is adopted it will or it may deprive our Government of the use of these vessels in matters which affect the rights of the Government itself, matters that may be vital to the Government. I do not want this amendment voted for—I hope it will not be voted for—in its entirety merely because it contains a clause relating to the collection of private debts. I read it a moment ago, but there are some more Senators here now, and I want to read it again. Now, notice its language—for it is worth noticing:

Provided, That no battleship, battle cruiser, scout cruiser, torpedo-boat destroyer, or submarine herein appropriated for shall be employed in any manner to coerce or compel the collection of any pecuniary claim of any kind, class, or nature.

That means—I shall in a moment read it all—that if this Government had a pecuniary claim against another Government it could not use these vessels to enforce that pecuniary claim.

Mr. LA FOLLETTE. Mr. President, if the Senator will yield to me for just a moment, I will say to him that he is mistaken about the import of the amendment. It is the claim of a private citizen, copartnership, or corporation.

Mr. REED. That is probably the intention of the Senator, but I am insisting that it is not the language. (Reading:)

Of any pecuniary claim of any kind, class, or nature—

Now, listen. That is one thing—

or to enforce any claim of right to any grant or concession for or on behalf of any private citizen, copartnership, or corporation of the United States.

There are two provisions. One relates to the enforcement of any pecuniary claim of any kind, class, or nature; the other relates to a claim of right to any grant or concession on behalf of private parties. I can not read this language in any other way. Its punctuation, the context of the different phrases, all lead me to the conclusion that, fairly construed, it bars the Government of the United States from enforcing its own claims as well as it bars the Government from using these ships to enforce the claim of a private citizen.

Mr. LODGE. Mr. President, if I may ask the Senator a question, is it not true that under that language, no matter whether justice is denied in the courts of the country, or arbitration is refused, we would still be helpless?

Mr. REED. Undoubtedly.

Mr. SMITH of Georgia. Under that amendment, if a citizen of the United States should go to Mexico City with a satchel full of money or bonds to make an investment, and the Government of Mexico should take it away from him and say it intended to keep it, would he have any redress whatever?

Mr. REED. Undoubtedly not.

Mr. LODGE. None whatever.

Mr. REED. Clearly if an American citizen was passing through Mexico, as is suggested by the Senator from Georgia, with his grip full of bonds and stocks and money, merely en route, and the Government of Mexico itself—not a private bandit, not an individual robber, not an individual thief, but the Government itself—should seize and confiscate that American citizen's property and refuse any redress, the Government of the United States could not employ a single one of these vessels to redress the wrongs of that American citizen.

I go further than that. If a paymaster of the Government, having in his possession Government money, found occasion to go through Mexico or any other country that is covered by the terms of this amendment, and the Government of that country were with its armed soldiers, serving under its flag and by authority of the heads of the Government, to seize that money of the United States, we could not use one of these vessels to redress that wrong.

Moreover, we could not enforce any pecuniary claim of any kind. Suppose that a vessel belonging to the United States should go into the harbor of one of these countries—a vessel belonging to our own Government—and they were to take that vessel, or were to destroy it, and we were to hold a solemn convention with the offending Government, and it were to agree to pay us for the vessel. Having agreed to pay us, suppose they then refused to turn over a penny. We could not send one of these vessels into the harbor of the country and take a customhouse and hold it until we had collected our money.

Mr. GALLINGER. If the Senator will permit me, or if they refused even to promise to pay, but held the vessel, we would have no redress.

Mr. REED. Yes. As has been suggested by the Senator from Tennessee [Mr. SHIELDS], if the United States were to require an indemnity for a wrong to one of its citizens, and that indemnity had been agreed upon as just, and yet it should not be paid, the result would be the same as in the other instances. Let me give an illustration: Assume American citizens traveling through Mexico in the last few years—as many of them have—were despoiled of their property, robbed sometimes by men in one uniform and sometimes by men in other uniforms. Assume that through the beneficent influence of this Government the Mexican people are enabled to set up a stable Government. Of course, it goes without the saying that our Government will insist that properties that have been stolen shall be paid for. Suppose that in the Mexican courts, or in such tribunals as may be created to try that class of claims, judgment is awarded, and an agreement is made to pay the money, and then Mexico repudiates it. We could not in such case use a single one of these ships.

Mr. President, I am not going to take the further time of the Senate, but I remark this amendment reminds me in some respects of the ancient joke regarding an army bill that was being discussed in the House of Parliament in England, when somebody proposed to provide in the bill that the soldiers who were to compose this army would never be compelled to go outside of England, and some Irishman suggested an amendment, "unless the enemy come in." In other words, the proposed amendment contemplates the emasculation if not destruction of the bill.

If the Senator from Wisconsin will introduce a general bill here in Congress to provide that no agent of our Government shall ever be a party to or commit this Government to the kind of thing that he has in mind—to wit, the backing by this Government of private speculators—I will be glad to stand by his side and vote and work for such a measure.

Mr. WEEKS. Mr. President——

Mr. REED. I yield to the Senator from Massachusetts.

Mr. WEEKS. There is a general propaganda going on in this country having in view the development of trade especially with the Central and South American countries. I ask the Senator what his opinion would be of the effect of an amendment of this kind on the naval bill upon the peoples of those countries if we advertise to them that we will do nothing to collect indebtedness incurred to our citizens.

Mr. REED. Clearly we ought not at this time to undertake to tie the hands of the Government with reference to the future use of these vessels. Clearly it would tend to discourage our people from going abroad, and clearly it would tend to encourage the peoples abroad who might happen to be dishonest to repudiate their obligations.

We are asked to do something of a very radical and far-reaching nature in order to remedy an evil practice when it is not necessary to take any such radical action; the evil can be remedied without crippling the Navy.

Mr. President, I appreciate the fact that when a man goes into a foreign country to do business he takes the chances of that Government being a turbulent Government; he takes the chances of living amongst a people who do not have our laws and our customs. But I hope the day has not yet come when the Congress of the United States is ready to say to every American citizen, "Whenever you go into another country you can be robbed, you can be despoiled, you can be plundered, and not a vessel of the United States shall ever fire a gun in the vindication of your rights." I hope we have not come to that point yet.

The VICE PRESIDENT. The question is on the amendment of the Senator from Nebraska [Mr. NORRIS] to the amendment. The Chair hears no objection and it is agreed to. The question is on the amendment as amended.

Mr. LA FOLLETTE. Do I understand that the amendment offered by the Senator from Nebraska was adopted?

The VICE PRESIDENT. The Chair announced that it was carried.

Mr. LA FOLLETTE. I have no complaint.

The VICE PRESIDENT. Now, the question is on the amendment as amended.

Mr. GALLINGER. I ask for the yeas and nays on that.

Mr. LA FOLLETTE. I wish to make an observation.

Mr. GALLINGER. That will not cut off the Senator.

Mr. LA FOLLETTE. I do not object to the yeas and nays being ordered.

The VICE PRESIDENT. The present occupant of the Chair never orders the yeas and nays until he is satisfied that all debate is ended.

Mr. GALLINGER. The present occupant of the Chair is wrong.

Mr. LA FOLLETTE. I think that is a very good practice, because I recall that snap judgments have been taken here and debate closed sometimes when the debate had not been entirely finished.

Mr. GALLINGER. If the Senator from Wisconsin will allow me——

Mr. LA FOLLETTE. I yield.

Mr. GALLINGER. I have no disposition to prolong the debate, but surely the occupant of the Chair does not say that after the yeas and nays were ordered debate may not continue.

The VICE PRESIDENT. The Senator from New Hampshire will remember that the Chair was overruled by the Senate when the Chair ruled that after the yeas and nays were ordered upon a given proposition it was not subject to amendment and not subject to debate. The Chair was overruled, but like a woman the Chair is not convinced. The Chair carries out the rule of the Senate but reserves the right not to formally announce that the yeas and nays have been ordered until debate has been

concluded. There is no doubt about the yeas and nays having been ordered, and it will be so announced.

Mr. GALLINGER. It is sometimes a difficult matter to know when debate does close in this body.

Mr. LA FOLLETTE. I recall very distinctly just to give a word on that point——

Mr. GALLINGER. That is ancient history.

Mr. LA FOLLETTE. It was quite a little while ago. I started out to say that sometime, I think in 1908, the ordering of the yeas and nays was resorted to as a means of foreclosing debate, and once or twice since that time that method has been resorted to. I do not mean to suggest that it was in the mind of any Senator at this time, but upon the Aldrich-Vreeland currency bill and upon the Lorimer contest in the Senate I do mean to say that that method was resorted to as a means of preventing a continuation of debate. I think the ruling and attitude of the Vice President upon this question are most excellent and conform entirely to the letter and the spirit of the rules of this body.

[Mr. LA FOLLETTE addressed the Senate in support of his amendment. His entire speech is printed in the Senate proceedings of Thursday, July 20, 1916.]

RECESS.

Mr. SWANSON. I move that the Senate take a recess until 10 o'clock to-morrow morning.

The motion was agreed to; and (at 6 o'clock and 28 minutes p. m.) the Senate took a recess until to-morrow, Thursday, July 20, 1916, at 10 o'clock a. m.

SENATE.

THURSDAY, *July 20, 1916.*

(Legislative day of Wednesday, July 19, 1916.)

The Senate reassembled at 10 o'clock a. m., on the expiration of the recess.

Mr. CLAPP. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hardwick	Overman	Sutherland
Beckham	Hollis	Page	Swanson
Bryan	Husting	Pittman	Taggart
Chamberlain	Johnson, Me.	Reed	Thompson
Clapp	Johnson, S. Dak.	Robinson	Tillman
Clark, Wyo.	Jones	Shafroth	Underwood
Culberson	Lane	Sheppard	Warren
Dillingham	Martin, Va.	Sherman	Williams
Fletcher	Martine, N. J.	Simmons	Works
Gallinger	Myers	Smith, Ga.	
Gronna	Nelson	Smith, S. C.	

The VICE PRESIDENT. Forty-two Senators have answered to the roll call. There is no quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of absent Senators, and Mr. MCCUMBER, Mr. NORRIS, Mr. RANSDELL, and Mr. VARDAMAN answered to their names when called.

Mr. PITTMAN. I wish to state that the Senator from Colorado [Mr. THOMAS] is absent on public business connected with the Senate.

Mr. LODGE, Mr. POMERENE, Mr. JAMES, and Mr. TOWNSEND entered the Chamber and answered to their names.

The VICE PRESIDENT. Fifty Senators have answered to the roll call. There is a quorum present.

WOMAN SUFFRAGE—CONSTITUTIONAL AMENDMENT.

Mr. SUTHERLAND. Mr. President, before the discussion of the naval appropriation bill is resumed I ask the indulgence of the Senate to say a word about Senate joint resolution No. 1, which proposes an amendment to the Constitution of the United States prohibiting any State from denying or abridging the right of citizens of the United States to vote on account of sex. I shall not enter upon a discussion of the general subject of woman suffrage—it is not an appropriate time for that. The premises by which we establish the justice and wisdom of a democracy, and consequently the justice and wisdom of universal manhood suffrage, likewise establish the justice and wisdom of universal womanhood suffrage. Any argument which I may use to justify my own right to vote justifies, as it seems to me, the right of my wife, sister, mother, and daughter to exercise the same right. If there had been drawn an east and west line through the center of the State of Pennsylvania, and the law had always been that those living south of the line should vote and those living north of the line should not, it would never be a sufficient answer to the unenfranchised men of the North demanding equal suffrage, that by granting the demand we should simply double the vote. Very likely by such a division we should obtain a fair average of the ability, civic righteousness, and intelligence of the State, but the division, nevertheless, would be so arbitrary and unjust that it could never persist against enlightened public opinion. But, after all, such a division along a geographical line is not greatly more arbitrary than the existing separation of voters from nonvoters by the line of sex. Such a division is purely artificial, and is certain to disappear, just as the other superstitions which in the past have denied women equal opportunities for education, equality of legal status—including the right of contract and to hold property—and all the other unjust and intolerant denials of equality have disappeared, or are disappearing, from our laws and customs. The sentiment in favor of the enfranchisement of women is growing rapidly and definitely. Its ultimate triumph, I think, is sure. The sooner it becomes an accomplished fact, the sooner the splendid, patriotic, intelligent women of the country will be enabled to devote their energies to helping us solve the perplexing social and governmental problems with which we are confronted, instead of expending these energies in the passionate struggle to secure the right to give us this help. It is said, however, that the question is purely a matter for the several States to determine, and that is quite true under the present provisions of the Federal Constitution. The Chicago platform definitely commits the Republican Party to the extension of the right of suffrage to women. This constitutes a tremendous step forward, and must result in giving to the movement an impetus which will carry it, if not to immediate success, at least very far toward immediate success. The platform recognizes the right of each State to settle the question for itself, which is, of course, merely to recognize the obvious. The national party, however, has not committed itself upon the subject of a constitutional amendment which, if adopted, would take from the States the power, which the platform declaration recognizes now exists, to impose a sex qualification upon voters. Upon this matter the platform is silent, and therefore leaves every member of the party free to determine the question for himself.

The real question which, therefore, remains is whether the proposed amendment would constitute such a fundamental invasion of the rights of the State as to take from it all reasonable justification. The Constitution provides very definitely for its own amendment. The power of Congress to propose and of three-fourths of the States to adopt includes amendments of every conceivable character. The power is plenary and without qualification except in one particular, which is "that no State without its consent shall be deprived of its equal suffrage in the Senate." This single exception serves to emphasize the fact, if emphasis were necessary, that the framers deliberately intended that the Constitution should be open to amendment in every other conceivable respect.

It is perfectly idle to complain that three-fourths of the States, containing less than half of the population, may impose unwelcome provisions upon the remaining one-fourth of the States, containing more than half the population of the country. That is the compact under which the Union exists and by which each State bound itself when it entered the Union. It must be said, however, that although the power of amendment is unlimited except in the single respect mentioned Congress is, nevertheless, bound to exercise a wise discretion as to the amendments which it proposes. If it be true that the amendment proposed by the present resolution is manifestly without wisdom, or if it undertakes to deal with a matter clearly and fundamentally the subject of exclusive State control, then it ought not to be adopted by Congress. It may be said, however, in the first place, that the demand for the submission of the proposed amendment is not only insistent but widespread. It is safe to say that many millions of voters in the United States as well as an additional many millions of unenfranchised citizens desire its submission. In the face of a demand of such proportions the objections to the amendment should be of the most cogent and compelling force to justify Congress in refusing affirmative action. I submit with the utmost earnestness not only that no such objections exist but, to the contrary, that the reasons are persuasive in favor of affirmative action. In the first place, there is precedent in the fifteenth amendment, which prohibits the States from denying the right of suffrage on account of race. If the fifteenth amendment was justified, the proposed amendment is certainly justified with far greater force. Both of the great political parties having indorsed the principle of woman suffrage, the sole remaining question is, How shall the principle be realized in practice? It is true that the present Constitution leaves to the States the power to fix the qualifications of voters, but it will not do to say that

the Federal Government is not concerned in the character of the qualifications to be prescribed. The concern of that Government is great; conceivably it might become vital. The President of the United States indirectly and the Members of both Houses of Congress directly are selected by the voters whom the States qualify. Surely a government the character of whose activities may be profoundly affected by those officials who are selected from time to time to discharge them is interested in the kind of people who are to have the sole power of selecting the officials. It is not true that the qualification of the electorate is entirely a matter of State concern. It is a matter which concerns both the State and the General Government. The Federal Government has already the power to regulate the time, place, and manner of holding elections. That power has been wisely exercised to bring about uniformity as to time and in many respects as to the manner of holding the elections. The result has been to curtail State action in some degree, to be sure, but it has been also to bring about uniform methods of much usefulness. I see no reason why the proposed amendment, if adopted, would not be likewise beneficial in bringing about a uniformity of suffrage qualification in the one important respect where uniformity is now so strikingly and, I think, unfortunately lacking.

Mr. SHAFROTH. I wish to suggest to the Senator from Utah, in whose remarks I fully concur, that it is as much an exercise of the rights of the States, after they adopt the constitutional amendment, to enforce it as it is the right of a State to reject the franchise before the adoption of the amendment. There has been strong objection urged to the adoption of a constitutional amendment granting the franchise to women, on the ground that the elective franchise is a subject inherently in the province of the State, and might force onto a State a policy which might be detrimental to its interest. If that objection were valid, we could never adopt any constitutional amendment without the consent of every State. Therefore there is no such thing as an inherent right in a State to prescribe the qualification of electors as against such a constitutional amendment. It may be inherent until the constitutional amendment is adopted, but the adoption of the amendment is the very delegation of the authority, and to contend otherwise is to deny to three-fourths of the States their rights. The question, then, for the Nation is purely as to the justice of the cause of equal suffrage, and as to that the arguments are overwhelmingly favorable.

NAVAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15947) making appropriations for the naval service for the fiscal year ending June 30, 1917, and for other purposes.

Mr. LANE. Mr. President, I have received a great many protests against the expenditures which will be made under this bill. Many of them, I presume, have been instigated by people and associations who have ultra peace theories for the purpose of bringing to bear their influences upon Senators. As to that I do not know, but I do know that hundreds of such protests have come from good people who believe that the enormous expenditures proposed to be made at this time for purposes of preparedness are not justified. I do not entirely agree with that view; and in reply to them, and by way of ascertaining what their real feelings might be, I have put the suggestion to them that this country ought to be able to defend itself against all comers; that it is the duty of the Government and of the people to place itself in such a position that no foreign nation would dare attack us for any cause or for any reason whatever.

On the other hand, I have urged that I myself did not believe in building up a navy for purposes of aggression; that if I had my way about it I should have carefully examined the condition of the country, and then should make an appropriation to make every harbor on both coasts invulnerable, and build a type of battleship which would be prepared to protect this country from invasion; that it would not make any difference to me how much it might cost to do so; that that was our duty, but for defensive purposes only; that I would build those vessels at Government plants; and that it was my opinion that the Government should manufacture its own armor plate, its own guns, its own ammunition; build its own battleships and colliers and equip and put them to sea, without the intrusion of any question as to profits being made or a propaganda being urged upon the people for such preparation for private gain.

I have found that all of my correspondents have agreed with me to that general proposition. I do not think there is a man in the United States, a taxpayer, however poor he may be, who would question the expenditure of any amount of money which this Government would expend for defensive purposes, if he believed that the money would be honestly expended, that the people would receive a dollar's worth of material for every dollar expended and a dollar's worth of value for every dollar expended. If that were the problem, there would be no question at all in the mind of anyone. The people of the country do not find fault with expenditures if the money is properly expended. There is, however, a doubt, and there has been a doubt—just how created I do not know, and yet I do, too, in a way, for I have had the doubt myself in some respects—in regard to these enormous expenditures not only in the Navy Department but in other departments as well.

For instance, yesterday the Senator from Wisconsin [Mr. LA FOLLETTE]—and I say it with all due respect to him—quoted the statement made by some general, and seemed to rely upon it, that our coast defenses were invulnerable; that no foreign vessel of war would dare approach our shores in an attempt to invade this country. I wish to premise my remarks by saying that I think the Senator from Wisconsin and the Army or Navy official, whoever he was, who made that distinct statement was mistaken, for the reason that last year I took it upon myself to visit a couple of the fortifications on the Pacific coast. I visted the fort at San Diego, for instance, and I should now like to call the attention of the Senate to this, if I may.

These appropriation bills come in here, and the majority of us are ignorant of the reasons which have called for the appropriations which they contain. The hearings on the appropriation bills are held before committees of the House, and we have so many committee meetings of our own and so many other things to attend to that it is impossible for us to inform ourselves as to the reasons which underlie each specific appropriation. I think that is true as to the average Member of this body, and it is necessarily so.

At any rate, I noticed that at San Diego there was a portion of a circle against which the fort had no defense whatever. There were behind it a range of hills, and on the other side of the hills was the old harbor of San Diego, if you please—the port of the old, original settlement of San Diego, where the priests had founded their mission over a hundred years ago. From behind the hills, out of sight of the guns of the present fort at San Diego, the ships of a foe could shell the city of San Diego out of existence, without much, if any, molestation at all from the fort which we now have located there. The guns of the fort at San Diego carry 7 miles, just a trifle farther than you can shoot a bullet from a modern Mauser rifle, while the guns of foreign war vessels carry from 12 to 14 or 16 miles. So a fleet of foreign vessels could lie off the port of San Diego to-day—for the condition, I suppose, has not been changed since last year—and shell it out of existence; and the gunners assigned to man that fort would be helpless; they could defend neither the fort nor themselves. Therefore, practically the fortification is of no value whatever. As a matter of fact, it is a useless expenditure to maintain it in its present condition. There is no sense in paying out thousands of dollars a year for the upkeep of a fortification which has no value.

It is worse than useless for the reason that uninformed citizens rely upon it for protection. They had ammunition enough on hand at the time I was there last year for three-quarters of an hour's constant fighting.

It was the knowledge of that condition—and that was the actual condition existing at that fort at that time—which makes me dubious about this large appropriation for even the defenses of this country. It throws a doubt and casts a shadow over them which has also gone out into the minds of the people. There are thousands and hundreds of thousands of people in this country who do not believe in this naval bill at all. The fact is the majority of the people of this country, if it were put to a vote, would not vote for a dollar, unless they were assured that the money was to be expended for self-defense only, for the construction of vessels and munitions in Government plants, and then only upon the assurance that they would get full value for the money expended.

At the mouth of the Columbia River there are a few guns which have a range of 10 miles, while the guns of an enemy battleship will carry 14 or 16 or 18 miles, and perhaps 20 miles. The expenditures for the fortifications at the mouth of the Columbia River are not utterly useless, for the reason that there are headlands on each side there from which artillery could secure a better play upon a ship coming into the harbor than is the case at San Diego. The conditions, however, at the mouth of the Columbia are not at all what they should be; so that any man who says that this country is properly defended does not get my indorsement for the statement, for I do not believe it to be a fact. Just how far the same condition extends to the fortifications on the Atlantic coast and elsewhere, where I have not visited, I do not know; but I do know the conditions

which exist at those two important points of defense of the Pacific coast.

I notice an item in this appropriation bill which also gives rise to further doubt in my mind. I question the wisdom of the expenditure, although I do not question the motives of the gentlemen who have recommended the appropriation, for I do not think they understood it, and I want to call your attention to its importance, for, if the Members of the legislative body do not understand the conditions as they exist, how can they wisely make expenditures looking to preparedness for the defense of this country? Take Puget Sound, one of the finest bodies of water in the world, and one of its largest harbors, capable of floating all the navies in the world. There is untold depth of water there. The largest vessel that exists or ever will exist can safely go through the Straits of Fuca, which is the entrance to Puget Sound.

Puget Sound extends inland, say, 165 miles, and well up in the sound, over a hundred miles from the entrance, lies the navy yard at Bremerton. There is an appropriation here of a million dollars or $2,000,000 to outfit that navy yard so that there can be constructed the largest sized battleships. I do not doubt their ability to do the work, and probably it can be done at a cost that is reasonable; but I will ask Senators to look at the situation. The Straits of Fuca are not more than 20 to 21 miles wide. On Vancouver Island, at the mouth of the straits, fronting upon and controlling the straits, is a great British fortress, known as Esquimault, with shops and docks up to the very best standard. Every vessel, every dreadnaught, built by this country inside of the sound at the Bremerton yard must go out through the straits to reach the sea or else confine its operations to the inland waters of Puget Sound, and to get to sea it must go under the guns of a foreign nation, by their consent and with their good will, and with that only. A canoe can not be propelled out of that sound, much less a man-of-war, unless it has the consent of the British Government. It seems to me that an expenditure of a large sum of money for the construction of dreadnaughts and for their repairs, at a point which to reach you must pass under the guns of a foreign nation, and those the best guns made in the world, is not a wise expenditure of money.

Just how far that condition prevails throughout the bill I do not know. I am not familiar with the conditions on the Atlantic coast, but I do know that the condition which I have described exists on Puget Sound, and nobody will successfully dispute the fact. That, of course, has given me reason to wonder about other items in this bill with which I am less familiar.

It has seemed to me, too, that we could prepare this country for defense up to a point which, as I have said already, would have rendered it impregnable, at less cost if we should invest our money in mines, in torpedo boats, in coast-defense vessels, and not in the construction of so many battle cruisers and dreadnaughts. Just what this nation wants with a large fleet of battle cruisers at this time I do not entirely understand; and that for the reason that, while the battle cruiser is a swift-going man-of-war, adapted to protect shipping and to run down and destroy the ships, if necessary, of a foreign nation, this country has no ships to protect; therefore they are not for defensive purposes, surely. The great bulk of the freight which comes to this country and which leaves it is carried in foreign vessels. Such battle cruisers would be valuable, no doubt, to run down the merchant vessels of foreign nations, but we have no shipping as yet which calls for any protection of that sort; and it has seemed to me—and this is my own notion, my own idea; you can take it for what it is worth, and it may strike some of you as not being worth very much—that the better type of vessel—and the best investment this country could make would be the construction of some high-powered, heavily armored vessel, with a heavily armored sloping gun deck, which lies low in the water for coast defense purposes, and not swift, light-armored cruisers.

The Germans have given a hint—it now lies anchored at Baltimore—which is valuable to the people of this world as to what the future type of war vessel will be, and will have to be, in fact. That type will not be encumbered with top hamper; it will not lie high in the water, but lie low, with decks almost awash, with a "low visibility" and a protected deck built at such an angle that the shell of an enemy will hit it a glancing blow. That type of vessel will come, and will come out of this war between England and Germany before another year has elapsed, if the war continues that long, and the very wise hint is taken by the German Nation. A vessel which is invisible at a distance of 2 miles, which presents no target to its enemy, which carries guns equally as powerful as the greatest battleships, and, in addition, carries torpedoes, would be almost an invincible one and one which would be worth half a dozen of the type of vessels which present a large surface as a target.

Any person who has ever practiced with a rifle or had occasion to use one in hunting in the mountains, or used it upon different kinds of targets, knows that with a .30-30 you can bore a hole through a piece of sheet iron just as easily as you can through a piece of pasteboard, if it is so set as to present a fair surface. He also knows that the heavy edge of a tin can, if it is presented at an angle to that .30-30 rifle, will cause the rifle ball to glance off and ricochet and do no damage at all. It will leave a container that you could again fill with water and carry it in safety without spilling a drop of it.

Some day that little old fact, which has been known since Archimedes made his lever, will get in under the skulls of some of the gentlemen who design battleships, and they will build a ship which will be a battleship in truth and in deed—a vessel with great speed, with guns as powerful as those of any other vessel of war—disappearing guns, if you please—and one that makes a poor target for an enemy to shoot at.

I had hoped that in this large expenditure of over $300,000,000 a few millions—or at least, a few dollars—might be laid by for an investigation for an experiment with a type of ship which would be an improvement over any which we now have, or any other nation has, afloat. You will have noticed during the war between Germany and England, you can not help but have noticed, that the great superdreadnaughts of both of those nations lie close inshore, with a fleet—a swarm, if you please—of torpedo boats, fast and slow, light and heavy draft cruisers, and all kinds of other vessels on guard around them to keep somebody from coming in there and blowing them out of the water.

They are not just what this Government ought to be purchasing at this time to the tune of any two or three hundred millions of dollars. There should be money in this appropriation for building something better and a different type, in my opinion.

Of course I wish to quote my opinion to you rather modestly. I do not claim to be an expert, but I have used the rifle a great deal—more than most of you. I have handled it for over 40 years, and I know what a rifle bullet does when it hits the target, and what kind of target it is easy to hit, and what kind of a target it is hard to hit and penetrate. I know that no man hemmed in with a wounded bear coming head-on to him, with its sloping skull, need rely upon his .30-30 or his Mauser or any other gun unless he shoots low and gets the bear in the eye, and if he is in close quarters, he wants to be sure he lands his bullet there when it charges front-on to him if he loves his life. One inch either up or down or aside may mean death.

I know enough about shooting to know that a vessel which lies low in the water and has sloping decks is a hard one to hit or to penetrate; and I had hoped for something of that sort. I do not know just what I am going to say to the people who have wanted an appropriation for defensive purposes only, who have wanted fortifications that were well-nigh invulnerable for defense only, if I vote for the appropriation of hundreds of millions of dollars seemingly for offensive purposes principally, when half the amount would have protected this country to an extent which would have rendered it invulnerable. Expenditures go on; they are made without the full knowledge and careful weighing in the balance of their merits by the men in the Senate and the men in the House who vote those appropriations which their importance requires. It looks to me as if some time in the near future we must establish a board of efficiency and test out and boil down our method of making these appropriations and expending the people's money, and getting the business of the country into a condition where the people will get value received for the taxes which we impose upon them.

I have called attention to this matter, not with any desire to criticize any of the members of the committee. I believe them to be good men. I believe that they are doing what they think is their full duty by the country. I think they believe that the country is in danger of invasion; and with them I believe that if the attempt were made to invade the country by a first-class power, at least on the Pacific coast, the invasion would be successful. I do not believe that we are in a condition on that coast to protect ourselves. For over a thousand miles the coast of Alaska is open to any man that wants to take it. He could enter it with a scow, if you please, with an old-fashioned 6-pound cannon, and take any port on that coast, barring, perhaps, the head of Prince William Sound.

Every other port is open. Our great coal mines are there, our Government-owned railway, a coal supply ready to drop into the laps and hands of any nation which cares to take it, and in a position, after they once made a landing, where it would be almost impossible for us to expel them. All up and down the Pacific coast from the Straits of Fuca clear through to San Diego there is not a fort upon it but that a landing force could land at another point in behind it and take it from the rear, and

do it without any successful resistance on the part of the people of that country. And then what? Then, with the natives backed up against the Cascade Range, hunting an outlet inland, if you please, trying to cross the desert to the Rocky Mountains, every tunnel through the mountains blown up and railroad communication cut off at the hands of any skillful enemy—and it would be done promptly—what would happen and how long would it take for relief to reach them from this country?

No; I am not of the opinion that the country should not appropriate money for its defense. I am of the opinion that it should expend millions, and you can appropriate as many millions as are necessary and I will vote cheerfully for that, if it is to be expended for that purpose. But to build battle cruisers and battleships, which are usually obsolete in 10 years and become useless and worthless junk in that time, when we are on the eve of devising a new type of vessel, one of which is already in our ports, within an hour's journey of the place upon which I stand, the living evidence of what will and must come in the near future, it seems to me is not a wise expenditure.

I have not an abiding faith in the assertion that we have made preparation in the past which will safeguard the interests of this country in the future. We have, it seems, expended more money—or, at least, the statement is made, and I have not seen it successfully disputed—upon our Navy in the last 10 years than Germany did upon hers or than Japan has upon hers, and, I have even heard it stated, more money than England had expended upon hers, or about as much, and have but little left to show for the expenditure. If the money of the future is to be expended in the manner in which the money of the past has been expended, we will continue to remain unprepared.

Conditions among the people are such, the cost of living is so high, the workingman has to figure so carefully as to his expenditures, that it would be criminal to place so great a tax upon him as this bill will call for, unless there is absolute and pressing need for the expenditure. We do not need the largest navy in the world. We do need a sufficient navy for our own defense. Also we must defend Hawaii and the Philippine Islands, and the last will take as large a fleet as it will to defend the whole Pacific coast. If we would free the Philippine Islands, what a blessing it would be to both countries.

I have put in an amendment asking for the establishment of a torpedo-boat and submarine base at the mouth of the Columbia River, for the reason that the Columbia River has two great headlands almost within gunshot of one another, which control the entire entrance to that harbor. If a reasonable and just expenditure were made for the protection of such harbors as that, for the protection of Grays Harbor, which controls Puget Sound, for the protection of suitable harbors in Alaska which would protect our interests there, such expenditures would be wise ones, and I would be glad to vote for them, and could do so with a clear conscience. But when it comes to expending money for the building of large plants which will be at the mercy of foreign nations I question such expenditures, and it gives me doubts as to many of the other items in the bill with which I am not so familiar.

TORRENS SYSTEM OF TITLE REGISTRATION.

Mr. SHEPPARD. Mr. President, out of order I ask permission to introduce a bill. I want to say, briefly, that it is a bill establishing the Torrens system of title registration in the District of Columbia. It is a system that puts the validity of registered titles beyond the possibility of question. All questions relating to the soundness of the title are settled at the time of admission to registration. The owners of land, whether in the city or in the country, may obtain credit at far less expense and with far more expedition under this system than under the system now generally prevailing. I trust that this measure will be adopted for the District and that it will serve as a model for States that do not now have the Torrens or some similar system. No land-credit system can realize its highest possibilities unless registered titles are made certain and indefeasible.

The bill (S. 6687) to provide for the settlement, registration, transfer, and assurance of titles to land, and to designate a court of land registration, with jurisdiction for said purposes, in the District of Columbia was read twice by its title and referred to the Committee on the District of Columbia.

CHILD LABOR.

Mr. GALLINGER. Mr. President, I am quite solicitous that the bill that is now under consideration shall be considered as speedily as possible, as there are so many other matters of important legislation that of necessity will come before this body. One of those matters is the child-labor law, which most of the Senators, if not all, of the Senators on this side of the Chamber warmly favor. We desire very much, indeed, that before adjournment shall be taken that important measure shall receive the careful consideration of this body.

In that connection I have in my hand a considerable number of telegrams that have come to me this morning, urging consideration for that bill; and in view of its importance I ask that the briefest telegram of the number may be read by the Secretary.

The VICE PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read the telegram, as follows:

[Telegram.]

NEW YORK, N. Y., *July 19, 1916.*

Hon. JACOB H. GALLINGER,
Senate Chamber, Washington, D. C.:

I earnestly urge upon you the passage of present child-labor bill by the Senate. This is a measure of justice for the children, who are unable to help themselves and who look to the Federal Government for relief.

JOSEPH M. PRICE, *309 Broadway.*

Mr. GALLINGER. I will only add that these good people who are telegraphing me can well save the expense of sending telegrams, because I think they ought to know my attitude on this question, which I have several times expressed.

Mr. KENYON and Mr. NORRIS addressed the chair.

Mr. GALLINGER. I yield to the Senator from Iowa.

Mr. KENYON. I should like to ask the Senator—as he is the leader of the Republicans in this body and I suppose has some communication with the steering committee on the other side—if the program of the steering committee contemplates the passage of the child-labor bill at this session? Can the Senator enlighten us on that point?

Mr. GALLINGER. Mr. President, I can not give a definite reply to that question. Certain Senators representing the minority have had one very pleasant conference with the Democratic steering committee; and at that time it was not definitely decided by the majority that this bill should become a part of the legislative program which they had in part outlined and which they were further to consider.

Mr. CHAMBERLAIN. Mr. President, I want to say, as a member of the steering committee, that they have had this legislative program under consideration a number of times; and it is hoped that that bill, as well as the immigration bill, may be disposed of and a number of other pressing matters of legislation. The only question with the committee was as to what bills could be disposed of, in view of the lateness of the session and the probability of an adjournment some time about the 1st of September; but that bill is on the list that they hope they may be able to dispose of.

Mr. KENYON. Mr. President, I should like to ask the Senator from Oregon when it will be determined by the steering committee whether or not the child-labor bill will receive consideration at this session of Congress? I understand from the Senator that it has not been determined as yet.

Mr. CHAMBERLAIN. They have not determined upon the taking up of any bill absolutely. They have only expressed preference for certain measures that are pending before the Senate and the hope that they may be acted upon. Of course, the appropriation bills have the right of way. They come up first.

Mr. KENYON. The child-labor bill is not one of those for which preference has been expressed, but merely one of those which it was hoped could be passed?

Mr. CHAMBERLAIN. It is one of those for which preference has been expressed.

Mr. KENYON. By the steering committee?

Mr. CHAMBERLAIN. But no promise was made to take it up absolutely, and no promise was made to take up any of them, because the appropriation bills have the right of way and it is impossible to tell.

Mr. NORRIS. May I ask the Senator from Oregon a question? I read in the papers that there is to be a caucus of the majority Members, which is to be assembled next Tuesday night. I should like to ask the Senator from Oregon if that is correct?

Mr. CHAMBERLAIN. I have not been advised of it, Mr. President, as yet.

Mr. JONES. I should like to ask the Senator from Oregon a question. Of course I am not a member of the Democratic caucus and I do not know what took place, but I judge from the newspaper reports that the Democratic caucus decided that the so-called corrupt-practices act is of more importance than the child-labor bill, and therefore put it ahead of it. Is that correct?

Mr. CHAMBERLAIN. I do not know what the newspapers say about these things. I have seen some reports in the newspapers which were pretty accurate reports of what took place in executive sessions of the Senate as well as what took place in a conference of the Democratic Party. I do not know what the Senator may have seen. I do not think that preference has been declared in favor of that bill or any bill as against the child-labor bill.

Mr. JONES. The newspaper report stated that the caucus decided to take up the appropriation bills, the revenue bill, and the shipping bill, and the corrupt-practices act, and so on, in the order named as their preference. The child-labor bill was not given as one of the bills in the preferred list. That was the newspaper report. Of course, I know how correctly they get the proceedings of executive sessions, and I was wondering whether they got the proceedings of the Democratic caucus as correctly as they do the proceedings of the executive sessions. I assume that they got it correctly and that the caucus did decide, for instance, that the corrupt practices is of far more importance to the people of this country than the child-labor bill.

Mr. CHAMBERLAIN. No such action was taken by the Democratic conference. I may say that so far as I am concerned, I am willing to stay here until December to get rid of all this proposed legislation. I am in no hurry to go home now, and if I could carry out my own wishes in the premises, I would insist on staying here. But Senators know as well as I that the appropriation bills are taking up more time than anybody thought it would be possible for them to take. Take the naval appropriation bill; it ought to have been disposed of last Saturday, and here we have passed the middle of the week and it is not finished yet. The Army appropriation bill is to follow, and if it will take the same length of time it will be about the 1st of August before it is disposed of. So in the very nature of things, the legislative program must be curtailed if we are to adjourn by the middle of August.

Mr. FLETCHER. Mr. President, I call for the regular order.

NAVAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15947) making appropriations for the naval service for the fiscal year ending June 30, 1917, and for other purposes.

Mr. NORRIS. Mr. President, in the pending amendment offered by the Senator from Wisconsin [Mr. LA FOLLETTE] I think there ought to be a few words added, and I was going to offer an amendment. I do this because I was impressed with what the junior Senator from Missouri [Mr. REED] said yesterday in objecting to this amendment. He made one objection that it seemed to me was well founded, and also that could be remedied by a slight addition in the amendment.

The Senate will remember that the Senator from Missouri called attention to the fact that there were two parts to this amendment. One would be as follows:

That no battleship, battle cruiser, scout cruiser, torpedo-boat destroyer, or submarine herein appropriated for shall be employed in any manner to coerce or compel the collection of any pecuniary claim of any kind, class, or nature.

The Senator from Missouri called attention to the fact that with this law enacted it would prohibit the Government of the United States from using these ships for the collection of a claim or indemnity due to the United States Government, and I think very well pointed out that such a condition would not be desirable. The other part of the amendment reading from there on is as follows:

Or to enforce any claim of right to any grant or concession for or on behalf of any private citizen, copartnership, or corporation of the United States.

The balance having been stricken out by an amendment I offered yesterday. That part, when it comes to coercion for asserting the claim of right to a grant or concession is one that must exist in order to have the inhibition to apply in favor of a private citizen, copartnership, or corporation, but that limitation would not apply if the construction placed upon the entire amendment by the Senator from Missouri is right, and it would not apply to the first part of the amendment that I read.

I believe that is a good objection, and that part of the amendment ought to be limited the same as the latter part of the amendment is limited to any claim in behalf of a corporation or individual.

Therefore, Mr. President, I move to insert after the word "nature," in line 4, the words "of any individual, firm, or corporation."

I believe if that amendment is agreed to, and I can see no possible objection to it, it would make the same limitation to the first part of the amendment that exists as to the latter part of the amendment, and would meet one of the objections pointed out by the Senator from Missouri, and that, I believe, is well founded.

The VICE PRESIDENT. The question is on the amendment of the Senator from Nebraska [Mr. NORRIS] to the amendment of the Senator from Wisconsin [Mr. LA FOLLETTE].

Mr. BRANDEGEE. I should like to have the amendment read complete, as it would be if the amendment of the Senator from Nebraska were adopted.

The SECRETARY. After the words "class or nature," at the end of line 4, insert "of any individual, firm, or corporation," so that as amended the amendment would read:

Provided, That no battleship, battle cruiser, scout cruiser, torpedo-boat destroyer, or submarine herein appropriated for shall be employed in any manner to coerce or compel the collection of any pecuniary claim of any kind, class, or nature of any individual, firm, or corporation, or to enforce any claim of right to any grant or concession for or on behalf of any private citizen, copartnership, or corporation of the United States.

Mr. REED. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Missouri?

Mr. NORRIS. I yield the floor if the Senator wishes to take it.

Mr. REED. No; I just wish to ask the Senator a question.

Mr. NORRIS. All right.

Mr. REED. I ask the Senator why it would not be well in carrying out this idea to enlarge the amendment a little and make it read:

And no part of the military forces of the United States shall ever be employed to protect the right of any American citizen.

I think that would cover the case in broad language.

Mr. NORRIS. That may be the Senator's idea, but it is not mine. He may be right and I may be wrong.

Mr. SWANSON. Mr. President, I wish to suggest that this is an amendment offered by the Senator from Wisconsin [Mr. LA FOLLETTE] and it would be well before it is amended that he should be sent for.

Mr. NORRIS. I have no objection, if he does not happen to be here, but he will no doubt be here before we vote on it. There is no hurry about it.

Mr. President, I wish to say just a word in regard to the question of the Senator from Missouri. Personally I believe in the amendment the Senator from Wisconsin said he was going to offer the day before. Of course, he realizes, as I think we all do, that the amendment suggested the day before and gave notice of would require a suspension of the rules, but it would apply both to the Army and to the Navy and to the ships that we already have in the Navy and to any that we might build in the future. The amendment he then said he would offer and the one which to my mind would bring the relief and the one which we ought to adopt reads as follows:

Provided, That the Army and Navy of the United States shall not be used to coerce or compel the collection of any pecuniary claim of any kind, class, or nature, or to enforce any claim of right to any grant or concession for or on behalf of any private citizen, copartnership, or corporation of the United States against any foreign Government with which this Government is at peace until said citizen, copartnership, or corporation shall have exhausted his legal remedies in the courts of the foreign Government or if a denial of justice after the exhaustion of such legal remedies being alleged the foreign Government shall decline an offer on the part of the Government of the United States to submit the case to arbitration.

Mr. President, that would be an amendment to my mind that would be effective and one that ought to be incorporated in the law of the United States. I do not believe, Mr. President, that any man who goes into a foreign country and invests his money ought to be entitled to come to the Government of the United States and demand that our Army and our Navy be sent out to protect his financial interest or his claim or his concession, at least until he has exhausted his right in the courts of that country and then that country has declined to arbitrate the matter. It does seem to me that if we are going to build up a navy and an army for the purpose of enforcing the payment of private claims and the collection of private debts, we ought to announce in the beginning that instead of building it up for peace and protection at home we are building it up for aggression and to be used for the sake of making money on the part of men who risk their money in investments in foreign countries.

I am not saying anything against the man who invests his money in a foreign country—I want to protect him in it—but he must first rely upon the courts of that country. If they are in such a condition that they can not operate or do justice, then there ought to be an arbitration; and if the Government in which the claim exists is willing to arbitrate, then that arbitration ought to settle it, and in no case ought we to take the Army or the Navy to enforce the claim or collect the debt until that process has been gone through with and they have declined to arbitrate.

The Senator from Missouri the other day made an objection to the amendment of the Senator from Wisconsin, and one of the points, as I said, that he made was that it would prohibit the use of these particular ships in the collection of debts due to the United States Government. I have offered an amendment that will eliminate that objection. It seems to me that ought to make it less objectionable to those who are opposed to the amendment.

I will say I am sorry the Senator from Wisconsin has not offered the amendment I have read and that he gave notice day before yesterday he would offer. If it could be done, I would be glad to offer it as a substitute for the amendment that is pending, although I presume that would be subject to a point of order, because it is much broader than the amendment that is pending. I do not like, in the absence of the Senator from Wisconsin, to press it.

Mr. KENYON. I was going to suggest the absence of a quorum.

Mr. BRANDEGEE. Will the Senator allow me? I was going to take the floor.

Mr. KENYON. I will not suggest the absence of a quorum then, although I suppose Senators would like to hear the Senator.

Mr. BRANDEGEE. I do not care to yield for that purpose.

Mr. KENYON. I withdraw the suggestion.

Mr. TILLMAN. I wish to ask the Senator from Connecticut to yield to me to have some printing done.

Mr. BRANDEGEE. I will yield to the Senator.

Mr. TILLMAN. I am very much obliged.

Mr. BRANDEGEE. I yield to the Senator.

Mr. TILLMAN. I ask unanimous consent for publication in the RECORD in large type, without reading, of an article in the issue of July 20 of the Manufacturers' Record, of Baltimore, entitled "Mr. Schwab on armor-plate matters and a reply." It will be very instructive. I want a history of this armor fight and the struggle we have had to get Government armor at a reasonable price to be found in as small a compass in the RECORD as is possible. I have marked the pages which I ask to have republished in the CONGRESSIONAL RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. TILLMAN. I am very much obliged to the Senator from Connecticut.

Mr. BRANDEGEE. Mr. President, I make no objection to the Senator's request, although a request on the part of the senior Senator from Pennsylvania [Mr. PENROSE], that the statement issued by the Bethlehem Steel Co. stating their position should be printed as a public document was denied the other day.

Mr. TILLMAN. I did not object to it. If I had been here I would have insisted that it should go in. But the Senator from Pennsylvania yesterday put in the RECORD a full page of the Washington Post, an advertisement, by the way——

Mr. BRANDEGEE. I am not saying that the Senator objected.

Mr. TILLMAN. I am glad to have all the light we can possibly have on this armor matter, because it influences the sentiment of the country more and more.

Mr. NORRIS. If the Senator from Connecticut will yield, I will state that the statement of the Bethlehem Steel Co. was printed in the RECORD of yesterday's proceedings.

Mr. BRANDEGEE. It is a work of supererogation to ask me to yield, because Senators get up anyway and say just what they have a mind to whether I yield or not. They say "if I yield," and then they take the floor and suppress me without waiting to find out whether I yield or not.

As to the Senator from South Carolina, what I said was not that he objected to the statement of the Bethlehem Steel Co. being printed as a public document or a Senate document, but that some Senator did object yesterday to such a request, but not the Senator from South Carolina. I make no objection, however, to the request of the Senator from South Carolina.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

"MR. SCHWAB ON ARMOR-PLATE MATTERS AND A REPLY.

"'The average armor-plate requirements of the United States for the past 20 years have been about 10,000 tons.' This statement, made in an advertisement of the Bethlehem Steel Co., is correct. With an average demand on the part of the Government for 10,000 tons a year, it has not been necessary to dismantle any one of the three existing armor-plate plants. The Iron and Steel Directory, issued by the American Iron and Steel Institute, gives the annual capacity of the Carnegie armor plant as 15,000 tons and of the Bethlehem Co. as 10,000 tons; and the Midvale Steel Co. wires the Manufacturers' Record that its capacity is about 10,000 tons of armor plate per year. This makes a total, if these plants were run to their full capacity, of 35,000 tons a year. They are operating, with no suggestion of being dismantled, on an average consumption by the Government for 20 years of 10,000 tons annually. The Midvale plant was established much later than the others.

"If they were now run to their fullest capacity—and theoretical capacity in a case of this kind is rarely ever reached by any industry—these concerns could turn out 35,000 tons of armor plate per year. The naval program, however, in the bill which, without material change, will be passed by Congress will require 50,000 tons, according to the estimate of the Bureau of Ordnance of the Navy Department. Under this bill an average annual consumption by the Government of 10,000 tons a year for the last 20 years, as so strongly emphasized by the Bethlehem Co., could be more than trebled for the armor-plate people and still leave an excess demand fully equal to the proposed armor-plate plant of the Government. Moreover, as this Government plant could not be built and put in operation within two years, probably—and some anticipate a longer time—existing armor-plate plants would be taxed beyond their capacity to meet the needs of the Government under the bill for an enlarged Navy. Bearing on this whole question, we present the following correspondence, made necessary by the tremendous campaign of advertising which the Bethlehem Co. is carrying to keep the Government from building an armor-plate plant."

[From Mr. Schwab to Manufacturers' Record.]

"BETHLEHEM STEEL CORPORATION,
"111 BROADWAY, TRINITY BUILDING,
"New York, N. Y., July 10, 1916.

"Mr. RICHARD H. EDMONDS,
"Editor Manufacturers' Record, Baltimore, Md.

"DEAR MR. EDMONDS: Absence from the city has prevented an earlier reply to your letter of June 21.

"I regret that you have found it so necessary to urge the abandonment of private manufacture of armor plate and the substitution therefor of a Government plant. In view of the fact that the present private industry was established at the behest of the United States Government, we are unable to see the fairness or the justice of supplanting that enterprise with a Government plant, especially when no needs can thereby be served in the direction of national defense or of economy.

"Your suggestion that the present armor plants are dependent entirely on Lake Superior ores is wholly without foundation. In the first place, it takes very little ore to make all the armor plate which is necessary for the United States Navy in a year. There are ample deposits of ore for such purpose in central Pennsylvania. Besides that, there is always a large amount of pig iron at the various iron and steel plants throughout the country, and the available supply of pig would at any time be sufficient to manufacture all the armor which might be required. Further than that, we are not dependent upon the Soo Canal to obtain ores even from the Lake Superior region. Such ores can very easily be brought by railroad to Duluth and from there direct, via Chicago, to either Pittsburgh, Philadelphia, or Bethlehem. Such ores can be brought quite as easily to any of these three points as to Alabama, where you suggest that a Government plant be located.

"There is the further fact to consider that if, as you suggest, access of the United States to Lake Superior regions, via the Soo Canal, should be cut off and the armor-plate plants near the seacoast, such as at South Bethlehem and at Philadelphia, should be in possession of an enemy, it would be safe to assume that our entire seacoast would then have been captured and our Navy rendered powerless. It would then be impossible to construct a naval ship on the seacoast, and armor, whether manufactured at Pittsburgh or Alabama, would be useless.

"I hope you will appreciate from the foregoing that the argument on the ground of ore supply for a Government plant at some point 'away from the coast and not depending on Lake Superior or foreign ores' falls to the ground.

"Though every man ought to express his views exactly as he has them, I can not but feel that the opposition of the Manufacturers' Record to private armor manufacture is based upon misinformation and faulty analysis of the facts as they are. If we can set you right, it would give us pleasure to do so. With that end in view, we shall be very glad to supply you with any information in our power.

"Very truly, yours,

"C. M. SCHWAB."

[From Manufacturers' Record to Mr. Schwab.]

"JULY 14, 1916.

"Mr. CHARLES M. SCHWAB,
"Chairman Bethlehem Steel Co.,
"111 Broadway, New York, N. Y.

"DEAR MR. SCHWAB: Acknowledging the receipt of yours of July 10. You quite misinterpret the position of the Manufacturers' Record. We have not urged the abandonment of the private manufacture of armor plate. On the contrary, we would regret to see any armor-plate plant dismantled, and we believe that there is no reason for the dismantling of any plant now in existence; nor would there be, in my opinion, any reason for doing this even if the Government built a plant, for the requirements of the Navy for armor plate will in the future for some years to come be so much greater than in the past that the output of the Government plant, even when it has been built, will probably not more than take up the excess in the increased demand over the average of the last 8 or 10 years. As your plant and others have not been dismantled during the last 8 or 10 years, I can not see that there would be any possible ground for dismantling them solely because the Government built a plant.

"The country has very wisely come to a realization of the necessity of a large increase in our Navy, an increase so great as to require a very large increase in the production of armor plate over even the largest output of any one year in the history of armor-plate making. With the assurance, therefore, that existing plants would have at least as much armor-plate business as you have ever had in any one year, and with the assurance of its being continuous for years to come by reason of the growth of the Navy, can you find justification for claiming that the building of a Government plant would necessitate the dismantling of yours? It seems to me there would be room enough for all.

"I wish to emphasize, therefore, that I have not in any way whatsoever urged the abandonment of the private manufacturing of armor plate. I have not made a single suggestion looking to any step which would necessitate the dismantling of existing plants nor to the lessening of the amount made by existing plants for the United States Government.

"We have strongly urged the building of an armor-plate plant somewhere in the Central South or West, free from dependence upon the sources of ore upon which all existing armor-plate plants depend, and beyond the danger line of invasion. We have repeatedly asked through the Manufacturers' Record if you individually, or all armor-plate makers collectively, would be willing to build a plant in the Central South or West, provided the Government agreed not to build an armor plant.

"We have asked if you would do this as a means of insuring the Nation against the possibility of the danger which it confronts by reason of the location of existing plants. Neither you nor any of the other armor-plate people have replied in any way whatsoever to that question.

"I have persistently taken the ground that if the iron and steel leaders, the armor-plate and munition manufacturers of the country, refuse to recognize the danger of existing conditions in iron and steel, it is absolutely incumbent upon the Government, unless it desires to be guilty of criminal folly to the Nation, to build such plants far away from the coast and from the Lakes.

"I have persistently urged that the best point should be selected regardless of any sectional interests, whether that point be in the South or in the West.

"Conditions have greatly changed in the last two years. Things that seemed correct then are now seen to be wholly incorrect. The duty of the Government to the Nation demands that it shall not permit existing conditions to continue. Broadly speaking, the entire munition-making business of the United States and the armor-plate industry are located in a limited area, which, as any naval or Army officer will tell you, could easily be captured under existing conditions. If that were done, there would be no opportunity for years to come to develop munition making or armor-plate production in other sections, and we can not for years to come so enlarge our Navy as to overcome this danger.

"You suggest that if the conditions which have been outlined in regard to the possibility of the capture of the East or the shutting off of Lake Superior ores had been brought about our Navy would have been rendered powerless, and armor, whether manufactured at Pittsburgh or in Alabama, would be useless.

"Suppose for a moment that the Navy had been defeated and the North Atlantic coast had been captured by the enemy. That would not necessarily mean the capture of the Pacific coast, and there are some shipbuilding facilities, including your own large Union Iron Works, of San Francisco, where armor plate would be very necessary in an effort to strengthen the Navy on the Pacific coast, so that that region, at least, might be saved from the destruction which had come upon the Atlantic coast.

"The time is necessarily coming, too, when the South, with more than one-half of the coast line of the United States, will have to be recognized as the greatest undeveloped asset of the Nation, and its defense by the development of naval shipbuilding on the South Atlantic and Gulf coast will have become recognized as a necessity to national safety.

"The building of an armor-plate plant in the Central South or West would enable the Nation to supply armor plate to the shipbuilding interests of the Pacific coast and to those on the South Atlantic or Gulf coast that might not have been captured by the capture of the northeastern coast of the United States.

"You can readily understand, of course, that the first blow at this country would be to capture our iron-ore supplies or shut off the shipment of iron ore via the Soo Canal and the capture of the munition-making sections. Upon sections so open to invasion as are these the full force of an enemy would be concentrated, and we have nothing in the way of a navy or army which could by any possibility for years to come defend us against a strong, well-equipped nation. In the meantime we are continuing to carry all of our preparedness eggs in one basket, and that easily reached by the stone of an enemy.

"You are, of course, familiar with the fact that it was the capture of the large iron and steel producing interests of Belgium and France which so seriously handicapped those countries. The iron and steel interests of France, as you know, were located in the northern and eastern part of that country. Within a few weeks after war had been declared they were in possession of the Germans. You have doubtless read a report of the United States Department of Commerce recently issued, in which, referring to this situation, it is said:

"'As shortly after the outbreak of hostilities the great metallurgical centers of the northern and eastern districts of France were occupied by the enemy and possession taken of the rich ore mines and the important furnaces and rolling mills that are located in that region, a large proportion of the steel and iron supply of France was eliminated.'

"I suppose you have also read the statement by Mr. William L. Saunders, one of the vice presidents of the Naval Consulting Board of the United States, and, as you know, one of the foremost engineers of the country, in which he said:

"'It has been said that the German Army went through Belgium because it was the shortest way to Paris. This may be true, but a reason of more importance presents itself in that Belgium is rich in coal, iron, and factories. They are not used for the benefit of Germany and might have been used to supply munitions to her enemies. Most of the mineral wealth of France is laid in her northern boundaries, and these are now held by Germany. The same is true of French industries. Galicia is rich in oil, Poland in coal, and the largest iron deposits of Russia are in the Donets Basin, which borders on Poland. German conquests have therefore been directed to places where mines and factories are located, the plain intent of this being to utilize these resources during the war and to be in a position on the declaration of peace to retain some hold upon them.'

"Familiar as you are with all of the conditions of our own unpreparedness, you, of course, know full well that if we were at war with Great Britain the entire Lake Superior district could be captured overnight, and not a ton of ore could we get through the Soo Canal or from the mines of that district.

"Our importation if iron ore would, in the event of war, unless we had attained a position to be able to command the seas, and that is not possible for many years to come, if ever, necessarily instantaneously cease upon the declaration of war against us by any strong power. The iron ore that you and others bring from abroad would not then be available.

"If it be said that there is no possible danger of this condition coming about, then we would immediately have to say that there is no necessity for building a navy nor creating an army, since if war can never come upon us there is no reason to prepare against it.

"You and other iron and steel men are staking every dollar that is invested in the iron and steel and munition interests dependent upon Lake Superior or foreign ores upon our never getting into a war with Great Britain. I trust that in this you may be justified and that the awful curse of war between the two great Anglo-Saxon nations of the world may never come about; but is the Nation justified in taking a risk which you and your associates in iron and steel making feel disposed to take as to your individual investments? Indeed, are you justified yourselves in doing it in view of the uncertainties of the future?

"You are, of course, also thoroughly familiar with the fact that if Germany should win in the present war and should desire to recoup its losses by levying tribute on this country we would be defenseless. You are also, I take it for granted, familiar with the report, fairly well established as authoritative, I think, that if we were engaged in foreign war and our Navy had been defeated no effort would be made by the Army under existing conditions to prevent the landing of a foreign foe on our shores. It is understood, so I am reliably informed, that our Army officers recognize that to undertake to prevent the capture of New York, Philadelphia, Baltimore, and Boston would under such conditions be merely committing murder of the existing Army and making it impossible to build up an Army in the interior with which eventually to repel invasions.

"If these suggestions are chimerical, will you not bear in mind that they are not near so chimerical as would have been suggestions about all of Europe being engulfed in war if they had been made just two years ago?

"I am, of course, aware of the fact that it takes a very small amount of iron ore or pig iron to make the comparatively few thousand tons of armor plate annually produced in this country. I know that Pennsylvania produces a few hundred thousand tons of iron ore a year out of the 25,000,000 to 30,000,000 tons that it consumes. But can you conceive that if such chaos had been produced as would prevail in the iron and steel and railroad industries of the country if the Lake Superior supply had been cut off that there would be any possibility of armor-plate making or munition production under such conditions in the sections dependent upon these ores? Chaos would reign in all the region which now depends upon the Lake Superior district for about 90 per cent of its iron ore. How trifilingly small would be the few hundred thousand tons mined in Pennsylvania or the limited production of New York under such conditions! The orderly running of business could not then be continued, and the making of munitions of war and of armor plate in existing centers would be impossible.

"The suggestion of railroad transportation of Lake Superior ores seems to overlook the fact that there would be no ores coming out of Lake Superior if that region were in possession of an enemy. If we still retained the Lake Superior district, but the Soo Canal had been blocked, it would not be possible for the railroads, confronted with war conditions, added to such congestion as they have had recently, to shift from water to rail transportation a sufficient supply of ores to be of material value in the maintenance of the iron and steel interests. This point, I think, you will find fully covered in the Manufacturers' Record of last week by Mr. James Bowron, president of the Gulf States Steel Co., as well as editorially.

"My suggestion has not been, as you seem to indicate, that an armor plant should be located in Alabama.

"It is possible that Alabama would be a good point, but I have not specifically mentioned that State, nor, indeed, any other State. I have broadly contended for the building of an armor-plate plant and munition-making plants beyond the Alleghenies, somewhere in the South, Southwest, or Central West, wherever experts may decide the best point or points to be found. As the South and Southwest have nearly one-third of the Nation's population and more than one-half of the Nation's coast line, as they have great stores of iron ore and coal available for iron and steel development and the manufacture of munitions of all kinds, I have appealed to the broad patriotism and to the purely selfish interests of the iron and steel men and financiers of the country to turn their attention to the development of these industries away from the limited area in which their interests are now concentrated.

"Personally I would prefer to see such work done by private capital; but if private capital absolutely refuses to change existing conditions, which are dangerous to the welfare of the country, then in my opinion it behooves the National Government to build such plants in order to safeguard the life of the Nation, and in doing so the Government would safeguard the investments of the very iron and steel men and financiers who up to the present time refuse 'to throw out this anchor to windward' and help to save themselves in the storm that may some day come upon them.

"I rejoice in the magnificent work that you and your associates have done at Bethlehem, and which you are now preparing to do at Sparrows Point (Baltimore). I am especially interested in your plan for the extension of the shipyard at Sparrows Point commensurate with the increasing shipbuilding needs of this country for merchant ships as well as for ships of war. In all of this I bid you Godspeed, for the work that you are doing is of national importance.

"Nevertheless, I would ask you to bear in mind that back of the coast lies the great heart of the Nation. If you and other leaders in iron and steel fail to recognize this fact and continue to keep all of the iron-and-steel and armor-plate and munition-building business along the coast (Atlantic and Lake), there may some day come a storm which will be to such interests and to this Nation what the storm of German invasion has been to France and Belgium. I am trying to save the country—and that means the saving of you and your associates in iron and steel and kindred interests—from that situation.

"You have been a great leader, Mr. Schwab, in the creation of the vast iron and steel interests of this country, but has not the time come when, looking at this situation from the broad viewpoint of a patriot as well as that of an iron and steel maker, you can afford to take the lead in bringing about a great iron-and-steel and munition-making industry somewhere in the heart of the country as an insurance against the dangers which confront the Nation so long as these interests are centered on the coast? Your leadership in such a movement would be heralded throughout the country as that of a far-seeing business man doing a splendid patriotic service of national importance. I shall be glad to see you hold this position before the Nation.

"Very truly, yours,

"RICHARD H. EDMONDS, *Editor.*"

"VOLUME OF TRAFFIC THROUGH SOO CANALS.

"The total traffic passing through the Soo canals, American and Canadian, for the three months, April, May, and June, amounted to 21,775,262 tons through the United States canal and 5,694,045 tons through the parallel Canadian canal, or a total of 27,469,307.

"Of this amount there were 14,430,739 tons of iron ore eastbound through the United States canal and 4,043,789 tons eastbound through the Canadian canal, a total of 18,474,528 tons in three months.

"The eastbound grain traffic amounted to 113,837,643 bushels, of which 70,354,250 bushels passed through the United States canal and 43,483,393 bushels through the Canadian canal.

"There were also 1,953,556 barrels of flour, the bulk of which went through the United States canal.

"The heaviest item in westbound traffic was coal, which amounted to 4,372,197 tons, the bulk of which went through the Canadian canal.

"The total tonnage passing eastbound and westbound through the canals for these three months was 27,469,307 tons.

"The total wheat crop of the United States of last year, amounting to about 1,000,000,000 bushels, by far the largest crop ever produced, would make an aggregate of 30,000,000 tons, or only a little more than the amount of traffic that passed through the Soo Canal in three months. And yet some of our iron and steel people have taken the ground that if the Soo canals were blocked this traffic could suddenly be thrown upon the railroads, and that they could bring down from the Lake Superior region the iron ore which now comes out of that district via the Soo Canal.

"The total tonnage of ore alone through the Soo Canal will this year amount to about 55,000,000 tons, the amount depending upon the productive capacity of the mines and the shipping facilities, for the demand is in excess of even these figures if ore should prove available. In other words, the iron ore which passes through the Soo Canal is equal in tonnage to twice the wheat crop of last year, with its billion-bushel yield.

"It looks as though our iron and steel people have scarcely given serious thought to the subject. The railroad people certainly know better.

"Moreover, much more than half of the tonnage of the three months passed through the Canadian Soo Canal, a fact not to be overlooked."

[To Baltimore Sun from Manufacturers' Record.]

"JULY 17, 1916.

"EDITOR THE SUN, *Baltimore, Md.*

"DEAR SIR: Chairman Schwab and President Grace, of the Bethlehem Steel Co., in the Sun of to-day undertook to deny the correctness of statements made by the Manufacturers' Record in regard to the dependence of armor-plate making upon Lake Superior ores. They stated that there are ample ore deposits in Pennsylvania from which to secure all the ore needed for armor-plate making if the Lake Superior ore supply had been cut off by an enemy.

"Chairman Schwab and President Grace are men of such broad business caliber and so accustomed to deal with business questions from a broad standpoint that I marvel that they have permitted an advertisement such as that appearing in the Sun to be published over their names. The statements in it would indicate that either they have very little basis on which to found their arguments against the Government's armor-

plate plant, or else the writer of their advertisements did not understand his business.

"It is true that there are some large deposits of iron ore in Pennsylvania; no one denies that fact. Pennsylvania annually produces from about 350,000 tons to 500,000 tons of iron ore, there having been a steady decline in the output of Pennsylvania iron ore from 739,000 tons in 1910 to 400,000 tons in 1914 and to 363,000 tons in 1915. Pennsylvania is consuming about 20,000,000 to 25,000,000 tons of iron ore a year, and rapidly increasing the amount, while its own iron-ore production is steadily decreasing.

"The total ore production of Pennsylvania is considerably less than 2 per cent of the amount of ore consumed in the furnaces of that State, the other 98 per cent coming from the Lake Superior district, with the exception of the limited amount of foreign ore, the total imports of which for the entire country in 1914 were 1,350,000 tons, and for 1913, 2,590,000 tons. In 1914 the imports of foreign ore through Philadelphia were 762,000 tons, or 400,000 tons more than the total production of iron ore in Pennsylvania in that year.

"The amount of iron ore and pig iron annually used in the making of armor plate is, of course, small, since armor-plate tonnage is not in itself a big item, and no one for a moment questions that there is more iron ore in Pennsylvania than would be needed to take care of armor-plate production, provided nothing should be considered except armor-plate production in time of war. It would, however, be the height of absurdity to suppose that if 90 to 95 per cent of the entire iron-ore consumption of the United States, and certainly 98 per cent of the amount consumed in Pennsylvania, were cut off by the capture of the Lake Superior district by an enemy, or the destruction of the Soo Canal, that the other 2 per cent produced in Pennsylvania could be spread out to take care of the iron and steel interests of the State, of which armor-plate making is only one small item.

"Under such conditions there would be chaos in the iron and steel and munition trade of the United States, and the vast structure of iron and steel plants in Pennsylvania and on the Lakes dependent upon Lake Superior ores would crumble like a house of cards. Armor-plate making, like the other iron and steel interests of Pennsylvania, would go by the board in this chaos.

"Of the total production of iron ore in the United States, between 85 and 90 per cent comes out of the Lake Superior district, and practically all of it passes through the Soo Canal. About 1,300,000 to 2,500,000 tons of foreign ore come into this country from Cuba and other foreign countries, the amount varying according to the activity in the steel trade. The total amount of steel produced from the Lake Superior and foreign ores is about 95 per cent of the total steel output of the United States, the other 5 per cent being produced by the South, the Southwest, and the Pacific coast section. Thus in the event of a capture by an enemy of the Lake Superior district between 85 and 90 per cent of the ore production of the United States would instantaneously cease, so far as this country is concerned. The entire output of its ores would then go into the enemy's country, to be used to produce weapons of destruction against us.

"Of course, under such war conditions the importation of foreign ore would be cut off, because it would not be possible for us for years to come to be strong enough to command the seas.

"The more this subject is studied the more important will it seem to be. Every argument advanced by the Bethlehem Steel Co. and others in the effort to prevent the building of an armor-plate plant by the Government, or the development of munition making away from the coast, only illuminates the whole situation and shows the overwhelming danger of existing conditions.

"I trust that this country and Great Britain will never be at war, but no one can say that such a dire disaster to the world will never come about. If it should happen, Great Britain with its Canadian soldiers could overnight take possession of the entire Lake Superior district and prevent a single ton of ore from coming out of that region to feed the furnaces of this country. It would not then be possible to develop iron mines with an output sufficient to enable us to make any contest whatever against our enemy, as we would practically have been captured body and soul and would be compelled to yield to any terms the conqueror dictated.

"Are we willing to continue in that position?

"In other sections of the country, the South and Southwest and the Far West, there are vast stores of iron ore which could be profitably developed in order to bring about a well-rounded industrial growth to insure us in time of war against the danger which I have outlined.

"If the iron and steel leaders of the country persistently refuse to recognize this situation, it becomes the duty of the Government to safeguard the Nation's life and build not only armor plate but munition plants in sections far away from the Atlantic coast, from the Lakes, and from all sections dependent upon Lake ores. As a Nation we would be guilty of criminal folly to sit still and make no move to meet this condition.

"In their advertisement Messrs. Schwab and Grace state that as the capacity of the proposed Government armor-plate plant would be greater than the average consumption of armor plate during the last 20 years, it would supplant private plants and leave no business for them. I confess to great surprise at a statement so weak as this being used as an argument.

"It seems to indicate a lamentable lack of arguments. The average consumption of armor plate during the last 20 years has been small as compared with the amount that will now be needed under the plans for vastly increasing our Navy. To undertake to base an argument against a Government armor-plate plant on the average annual output of armor plate for the last 20 years is so absurd as to suggest that neither Mr. Schwab nor Mr. Grace ever saw the statement before it was inserted over their names in the advertisement of the Bethlehem Steel Co. I give them credit for never having been individually responsible for so silly an effort at argument. They are men of noted ability, and have too broad a knowledge of conditions to undertake to measure the consumption of armor plate in the future by the average consumption of the last 20 years. The world has changed in the last two years, and this Nation is changing with it. The Navy of the future will make the little Navy of the last 20 years seem triflingly small, and, of course, Mr. Schwab and Mr. Grace are fully aware of this.

"In another advertisement the Bethlehem Steel Co. takes the ground that if the section in which the three armor-plate plants are located should be captured, our Navy would have been by that time destroyed and armor plate would not be needed. In this the company overlooks the fact that we might still have a navy existing on the Pacific coast, and that there are large shipbuilding plants on that coast to which armor plate could be sent from an interior plant which had not been captured.

"It is not to be supposed that if our Atlantic coast navy had been destroyed and Pennsylvania and New York captured by an invader that the rest of the country would sit down supinely and do nothing unless we had failed to build munition plants and an armor-plate plant back of the mountain ranges, which would form a line of defense.

"If we permitted existing conditions in armor-plate and munition making and the iron and steel business generally to continue, we would have no basis on which to make a fight if Pennsylvania and New York had been captured; and the rest of the country, with 90,000,000 people or more, would be utterly helpless, because the Government of to-day had been recreant to its responsibility in its failure to develop munition making and armor-plate making in the central part of the country, in order to lessen our dependence upon conditions as they now exist.

"For the magnificent development work of Mr. Schwab and Mr. Grace, for whom I have the highest personal regard and whose genius I greatly admire, I would give to the Bethlehem people the highest praise; but when a matter so vital to the Nation's life is at stake, those who fail to study the situation and try to drive it home upon public attention would be recreant to their responsibility to their country's welfare.

"Very truly, yours,

"RICHARD H. EDMONDS, *Editor*."

"THE ARMOR-PLATE QUESTION AND THE INABILITY OF EXISTING PLANTS TO SUPPLY THE GOVERNMENT'S NEEDS.

"[Special Correspondence Manufacturers' Record.]

"WASHINGTON, D. C., *July 17*.

"Officials of the Bureau of Ordnance of the Navy Department estimated to-day that if the naval program, as finally adopted, includes three dreadnaughts and four battle cruisers, there will be need for approximately 55,000 tons of armor plate, or 35,000 tons over and above the capacity of the proposed Government armor-plate plant.

"The Bethlehem Steel Co. says that the average requirements of the United States Government for the past 10 years have been about 10,000 tons annually. If the private plants have been able to exist upon contracts amounting to 10,000 tons annually, they will be able to get along much better handling the sulplus over the 20,000-tons capacity of the proposed Government plant. The surplus under the new program is bound to be much greater than the amount of business given to the private

plants during the period when they had a monopoly of the business.

"Even though there should be but four battle cruisers in the program as finally adopted, it is estimated that each would require about 8,000 tons of armor plate, or a total of 32,000 tons. With the proposed Government plant handling about 20,000 tons, there still would be a surplus of 12,000 tons for the private plants, which is more than they formerly had.

"Members of Congress are beginning to charge that the reason the armor-plate companies are making such a desperate fight is because they have in sight now a business several times as large as they formerly had.

"Owing to the changes in the qualities of armor which have occurred in the years that the art has been developing, it is not possible to make an exact comparison in the cost of armor year by year, and, as changes have occurred year by year, the designations used to distinguish different types of armor have remained practically the same. Armor which this year might be designated as class B armor could be totally different in its composition from so-called class B armor of five years ago. While there are four different grades of armor—class A, class A–1, class B, and class C—now in use, by far a larger proportion of armor purchased is known as class A armor. This armor represents probably 80 or 85 per cent of the total purchased of any one order. Armor now designated as class A armor is that which is used for the side armor of a ship, and armor for this purpose has, of course, constituted the bulk of every purchase in preceding years. While it may have been known as simple steel, harveyized armor, or krupped armor, and did vary from year to year in its composition, it was designed for side armor. Only on this basis can the closest approximate comparison of the bids submitted on armor be obtained. The following table gives this information:

Bidder.	Date of bid.	Price bid per ton.
Bethlehem	June 1, 1887	$556.79
Carnegie	Nov. 20, 1890	538.35
Do	Feb. 28, 1893	560.43
Bethlehem	Mar. 1, 1893	564.46
Do	June 1, 1896	558.93
Carnegie	....do	554.35
Do	June 3, 1896	400.00
Bethlehem	June 9, 1898	400.00
Carnegie	Aug. 30, 1899	400.00
Bethlehem	Oct. 4, 1899	400.00
Carnegie	Nov. 26, 1900	420.00
Bethlehem	Nov. 28, 1900	420.00
Do	Feb. 28, 1903	420.00
Carnegie	....do	420.00
Midvale	Dec. 15, 1903	398.00
Bethlehem	Dec. 31, 1903	420.00
Carnegie	Jan. 9, 1904	420.00

"It will be observed that from 1898 to 1899 four contracts were awarded, two to Bethlehem and two to Carnegie, each at the same figure, $400 a ton.

"Between November 26, 1900, and April 3, 1905, four contracts were awarded to Bethlehem and four to Carnegie, each at the same figure, $420 a ton; but it will be noted that in 1903 the Midvale Co. submitted its first bid of $398 a ton, $22 lower than the prevailing rates paid to the two concerns which then divided the business.

"The next four orders, placed in 1905 and 1906, were at a lower figure, due to the entry of Midvale into the field of genuine competition, but in 1907 and thereafter until March 1, 1913, we find each of the three companies submitting identical bids. Midvale has stated that when they underbid their competitors in 1906 the department declined to award them the entire contract, and divided it among the three concerns, and that thereafter there was no incentive to underbid their competitors. How equally the department shared its orders among these three concerns and how equally they profited from them is shown by the awards made from 1907 until February, 1913:

	Total tons.	Value of orders.
Bethlehem	23,588	$10,110,464
Carnegie	23,541	8,640,783
Midvale	21,571	9,261,117

"The first bids submitted to Secretary Daniels were for the battleship *Arizona*. The bids of each bidder were identical to a penny with one another, and with the bids just previously submitted to the outgoing administration. The magic spell which had for 15 years directed with unerring foresight the harmonious agreement which distinguished this competition had not yet been dissipated.

"Secretary Daniels promptly rejected all bids, and has secured as a result of his vigorous protest better prices on armor for the *Arizona* and subsequent vessels than those prevailing when he entered office. Had he continued to pay the prices last charged his predecessors, the armor he has ordered would have cost the Government $1,110,084 more, but his vigorous protest has saved this sum to the Nation.

"The Government as a manufacturer is not hindered by the necessity for profits." Its sole concern is to make an article as perfect as it can be made with the money available; not to produce an article which, while less perfect, would meet specifications and insure a larger profit. Experience has shown to be justified the expectation that Government products are the equal, frequently the superior, of private products as regards quality; and that the Government can manufacture economically has been demonstrated by the Navy Powder Factory, the Navy Torpedo Works, and its plant for the production of mines. Smokeless powder of the general character at present in use was first purchased in 1897 at $1 a pound. The price of 53 cents a pound which appears in 1912 was fixed as the limit to be paid for powder by Congress, after the cost of powder manufacture had been carefully investigated by a congressional committee, of which Hon. SWAGER SHERLEY was chairman.

"The annual capacity of the private armor-plate plants, for their combined output would not, under normal circumstances, probably exceed 30,000 tons. Should four battle cruisers and three dreadnaughts be constructed, therefore, the supply of armor plate would not keep pace with the demand by half. Whether the Government finally decides to erect its own plant or not, it is obvious that unless the other private armor plants are established to supply the Navy there will be a serious crimp put in the plans for a larger Navy. Such a sudden large increase in naval power as is planned by the present bill would overtax the output of all existing plants.

"THE BETHLEHEM CO.'S SPECIOUS MISLEADING PLEA.

"In advertisements spread broadcast throughout the country the Bethlehem Steel Co. makes the following statements:

"'The Manufacturers' Record of Baltimore has urged the adoption of a Government armor plant on the ground that existing plants would be dependent in case of war upon Lake Superior iron ore which is shipped through the Soo Canal.

"'These are the reasons why there is no validity in this contention:

"'1. It takes relatively very little ore to make all the armor plate required by the United States.

"'2. There are ample deposits of ore in central Pennsylvania to take care of all necessities should the Lake Superior supplies be cut off.

"'3. If the Soo Canal is closed, Lake Superior ores can easily be brought by rail from Duluth to Pittsburgh, Philadelphia, or Bethlehem, where armor factories are located.

"'4. If these three cities were in the hands of an enemy in war time, it is safe to say that we could not build battleships on our seacoast, so that armor factories would then be of no avail.'

"Recently Senator TILLMAN wrote the Manufacturers' Record that he was glad that the Bethlehem Co. was spending some of the profits of the past in this liberal advertising campaign. It has, indeed, been the most remarkable advertising campaign that has ever been carried on in this country, so far as we know, but it has been, we believe, the most unwise campaign and at the same time the most badly directed and badly worded advertising campaign which we have ever seen.

"In the statements made it was said:

"'It takes relatively very little ore to make all the armor plate required in the United States.'

"That, of course, no one denies. But since Pennsylvania produced last year only 360,000 tons of ore out of the 25,000,000 tons or thereabouts it consumed, the local production would be wholly unequal to the needs of the iron and steel industry of that State. Less than 2 per cent of Pennsylvania's iron-ore consumption is produced in Pennsylvania.

"This statement also says:

"'There are ample deposits of ore in central Pennsylvania to take care of all necessities should the Lake Superior supplies be cut off.'

"Does this mean that these supplies would be sufficient for 'all necessities' of armor-plate making, or for the iron and steel interests of Pennsylvania generally? The wording is unfortunate, and calculated to be misleading.

"The third statement says:

"'If the Soo Canal is closed, Lake Superior ores can be easily brought by rail from Duluth to Pittsburgh, Philadelphia, or Bethlehem, where the armor factories are located.'

"If the Bethlehem Co. can find a means of suddenly shifting to the railroads of the country the 50,000,000 tons of iron ore that now are handled by water transportation through the Soo Canal, it will have wrought a miracle which all the railroad people of the country have never been able to accomplish. To suggest the thought is in itself all the proof that is needed of the impossibility of doing it. It is too absurd for a moment's consideration. Moreover, how about the possible capture of the whole district by an enemy?

"In the fourth statement it is said:

"'If these three cities were in the hands of an enemy in war time it is safe to say that we could not build battleships on our seacoast, so that armor factories would then be of no avail.'

"In this statement the Bethlehem Co. overlooks the fact that there is a seacoast on the Pacific coast of the United States, and that there are several great shipyards capable of building battleships on that coast, and the fact that if Pittsburgh, Philadelphia, and Bethlehem had been captured this might not necessarily mean the capture of the Pacific coast cities, nor of the Gulf coast cities. Pittsburgh, Philadelphia, and Bethlehem do not comprise the United States, nor does even the State of Pennsylvania."

Mr. BRANDEGEE. Mr. President, the Senator from Nebraska states that he wants the prohibition against the use of any of these vessels in enforcing a right to a claim limited to claims and property interests of individuals and firms and corporations; he does not want the prohibition to exist against any claim or concession that the United States Government may have.

Mr. President, I do not think that that is a valid line of distinction. The claims of the United States Government are simply the claims of the people of the United States in the aggregate, and if the United States Government has a concession for oil fields in Mexico for the purpose of supplying its vessels with oil fuel and the claim is put in jeopardy or the franchise is about to be confiscated in violation of law I do not see why the vessels of the United States should be allowed to protect that claim of our Government, but should not be allowed to protect exactly similar claims of some smaller number of our citizens who have invested their money. In other words, I do not see why the property of all the people of the United States should be protected by the Government of the United States but the properties of all the parts of the people should be neglected and prohibited by law from being protected by the United States vessels which the people are taxed to maintain.

Mr. President, I may be old-fashioned and out of date but I have flattered myself, and I confess I have taken some pride in the supposition, that the Government to-day as a whole stands, and even in its weakness and infancy stood, ready to protect the rights of American citizens in their persons and property wherever they might be in the world. If there is now some new philosophy which has grown up by which that belief of mine is no longer tenable, if the Government is to legislate that the nations of the world may freely, and in safety, repudiate their obligations to our citizens, and may then hold up to the United States of America, which is trying to enforce and protect the property rights of its citizens, a statute of the United States prohibiting the use of the vessels of the United States from enforcing our legal rights, I am very sorry.

Mr. NORRIS. Mr. President——

Mr. BRANDEGEE. Just a moment—until after the individual citizen has been compelled to go into a foreign court and conduct a lawsuit; and then to come to his Government and say, "I have been denied justice in that land," and then that Government, which has denied him the justice, must also refuse to submit the question to arbitration. That amounts to a practical repudiation of the doctrine that the rights of an American citizen must be respected everywhere in the world. Now, I yield to the Senator from Nebraska.

Mr. NORRIS. Would the Senator from Connecticut say that an American citizen, let us say, in England, who claimed some right there and who was denied that right by somebody in England, ought not, in the first instance, be compelled to go into the courts of England for the protection of his right?

Mr. BRANDEGEE. Mr. President, the Senator from Nebraska is talking about something that does not exist in this amendment. The amendment of the Senator from Wisconsin provides that none of these vessels shall be allowed to protect the right of any American citizen in Mexico or in any South American country, and it carefully avoids any reference to any European power or Asiatic or other power.

Mr. NORRIS. Mr. President——

Mr. BRANDEGEE. I yield to the Senator.

Mr. NORRIS. The question I asked the Senator from Connecticut was based upon his argument. The Senator was talking about the very thing as to which I asked him the question. As I understood the Senator, he said that to compel an American in a foreign country to go to a court to get his rights and then ask for arbitration was not right, but that we ought in the first instance to enforce his rights with the Army or with the Navy.

Mr. BRANDEGEE. Mr. President, my opposition to this amendment is based upon this existing situation: This amendment selects certain countries in the world, and says that the United States Navy, or such portion of it as is provided in this bill, shall not be used—whatever it may mean, and I think its language is very unfortunately arranged—to compel the collection of any pecuniary claim or to enforce the right to any concession or grant. I really do not know exactly what is meant by enforcing the collection of a pecuniary claim; but, perhaps, the idea is plain enough. However, the fact is that there is now an existing situation in Mexico which we all regret. Mr. Carranza may at any time issue an arbitrary edict confiscating every mining, agricultural, and every other kind of concession owned by an American citizen or by an American corporation in Mexico; and if this amendment is adopted the people who own such concessions, who have invested hundreds of millions of dollars in them, who have never done anything but improve the country where their investment is made, and who are trying to operate their properties peacefully—under this amendment those American citizens will be compelled to go down and to submit their rights to Mexican courts, which are absolutely controlled by the dictator Carranza. Then the United States Government—which, under the amendment offered by the Senator from Nebraska [Mr. NORRIS] could send down a squadron of its vessels, if it was its claim, to reenforce the diplomatic arm of the Government when our State Department had demanded that that confiscation should cease and that the rights of the American Government should be respected—could not send one of its ships to Vera Cruz or to any other port merely to make a demonstration to convince that dictator that the American Government meant what it said through its State Department and that he must stop his confiscation, but that American citizens must be relegated to the Mexican courts.

We all know how much judicial authority there is now in Mexico; I do not mean that the situation in the other South American Republics is similar to that in Mexico, but I do mean that this amendment, if adopted, would put us as to them upon the same basis on which it puts us as to Mexico.

Mr. President, we all know the difficulty that American business men have in collecting the debts due to them from many of the South American Republics. I myself have had some experience in attempting to get the just dues of my constituents, which were finally paid after arbitration; but for 20 years you could not get a response out of the South American Republic to which I allude. There was nothing but shifting and evasion and mañana until an imperative demand was made upon them by the President, through the Secretary of State, and an ultimatum was issued, and finally very reluctantly, after 20 years, they were compelled to submit that matter to arbitration when an award was given.

Mr. President, this amendment will accomplish no good purpose. We have already incorporated in this bill a provision which was offered by the Senator from Iowa [Mr. CUMMINS] yesterday afternoon stating that it was not the policy of this Government to enter upon an imperialistic career, and that we wanted to settle disputes honorably by arbitration, so far as possible. No intelligent person believes that the United States is going to run amuck among the nations of the world or that we are going to attempt to enforce any unjust policy. The fact is that the views of this Nation upon such questions are so far in advance of the views of other nations that it is almost unsafe for us, unless we are prepared to sacrifice our own interests, to put our humanitarian views into exercise.

I think very likely to-day it is the policy of the State Department not to go to war to collect a private claim; but this amendment would prevent us sending a squadron of battleships to accompany a representation of our State Department to any South American Republic. Worse than that, it would also be considered by debtors in South American Republics as a notice by the United States Government that they may freely repudiate their obligations to American citizens, and that no demonstration, no evolution of a naval vessel, can be allowed under this statute. That is the effect which this amendment will have. What other nation of the world has seen fit to attach to its military bills proclamations of this kind? Why should we encourage the men who are our debtors in South American Republics to repu-

diate their obligations? This amendment will have no salutary effect whatever.

Now, I desire to read the amendment—I do not know whether it is the right amendment, but I read it from the RECORD—offered by the Senator from Wisconsin [Mr. LA FOLLETTE] yesterday afternoon:

Provided, That no battleship, battle cruiser, scout cruiser, torpedo-boat destroyer, or submarine herein appropriated for, shall be employed in any manner to coerce or compel the collection of any pecuniary claim of any kind, class, or nature, or to enforce any claim of right to any grant or concession for or on behalf of any private citizen, copartnership, or corporation of the United States against the Government of Mexico or of any Central or South American Government.

I do not know exactly what "to coerce or compel the collection of any pecuniary claim" means, or what is meant by the expression "to enforce any claim of right to any grant." I do not know how a vessel could be used to enforce a claim of right.

Mr. CLAPP. Mr. President, if the Senator will permit me, my recollection is that the reference to specific countries was stricken out by an amendment to the amendment, and that in the amendment as now pending the reference to specific countries has been eliminated.

Mr. BRANDEGEE. I assume, of course, that the Senator is correct, but I did not know that those words had been stricken out yesterday afternoon.

The VICE PRESIDENT. Those words were stricken out.

Mr. BRANDEGEE. So that now it is a prohibition against the use of the vessels of the Navy authorized by the pending bill in such matters as to any country; it applies to all nations.

The VICE PRESIDENT. The Chair will state, for the information of the Senator from Connecticut, that——

Mr. CLAPP. I simply made the suggestion because it occurred to me that the Senator from Connecticut had not been advised of the amendment to the amendment.

Mr. BRANDEGEE. I had not been advised of that, and I was reading from page 11313 of the RECORD, where the Senator from Wisconsin offered the amendment.

The VICE PRESIDENT. The Chair will state, for the information of the Senator from Connecticut, that by an amendment on yesterday, beginning with the word "against," these words were stricken out: "against the Government of Mexico or of any Central or South American Government."

Mr. BRANDEGEE. But it still applies, of course, to South America and Mexico?

The VICE PRESIDENT. It applies everywhere.

Mr. BRANDEGEE. And what I have said applies equally well—only it applies to all the world besides.

Mr. President, under that amendment it will be impossible for the United States to protect any of its citizens or corporations in their rights in Turkey, for instance, in time of peace. The Sultan of Turkey could do as he pleased about American property, and so forth, unless an American citizen should go to Turkey and begin a lawsuit, and then Turkey could refuse to arbitrate the matter.

Mr. LEWIS. Mr. President——

The VICE PRESIDENT. Does the Senator from Connecticut yield to the Senator from Illinois?

Mr. BRANDEGEE. I yield to the Senator from Illinois.

Mr. LEWIS. Might I be pardoned if I interrupt the Senator with respect to the parliamentary status of this amendment? I had understood—and I am sure the Chair must be right, and has the RECORD before him—that the Senator from Nebraska [Mr. NORRIS] tendered an amendment to the amendment of the Senator from Wisconsin [Mr. LA FOLLETTE], merely comprehending all of South America and Central America, in addition to the country named in the amendment of the Senator from Wisconsin. Might I ask in what amendment was Europe and every other part of the world included, Mr. President?

Mr. BRANDEGEE. I will answer the Senator, Mr. President, by saying that he has entirely reversed the proposition. The amendment of the Senator from Wisconsin, as offered, was limited in its operation to Mexico, Central America, and South America. The amendment of the Senator from Nebraska has stricken out the words limiting it to those countries, so that it now applies to all the world.

Mr. LEWIS. Such is the status of the amendment now that it has no limitation, but applies to the world generally?

Mr. BRANDEGEE. It does. Without mentioning any country, it simply provides that these vessels shall not be used to collect any claim or enforce any property right.

Mr. LEWIS. Which is equivalent to prohibiting America from using its vessels anywhere under the circumstances set forth in the amendment?

Mr. BRANDEGEE. Yes; for the collection of any claim or enforcement of any right concerning any franchise or concession held by any American citizen or corporation abroad anywhere. I see no call for such an amendment, Mr. President. I can see no reason why, if it is to be adopted at all, it should not apply to the whole world, for I think we ought not to withhold any demonstration against certain nations by our naval vessels by law, leaving it open to make such demonstrations against other nations. I can use no reason why we should to this bill add this kind of an amendment, which is sure to be thrown in our faces in the first diplomatic controversy that may arise concerning any property right; and I hope that the amendment will not prevail.

Mr. WORKS. Mr. President, as a matter of principle the amendment of the Senator from Wisconsin appeals to me very strongly. My mind revolts at the idea of attempting to collect a debt, either public or private, by force or by putting in fear.

On the other hand, it is the duty of the Government to protect its citizens in their rights, and one of those rights may be the collection of a debt from another Government or the citizen of another Government, where the citizen has no remedy whatever unless his rights are enforced by his own Government. While I should be sorry to see the Government of the United States using the ships of its Navy to collect the debts of its citizens, I think circumstances may arise—in fact, I think they have arisen on occasions—when it will be absolutely necessary for this Government to take that course, in order to protect the rights of its own citizens.

I should not like to see that right on the part of the Government, or the duty that is imposed upon it, taken away; and for that reason, Mr. President, I shall feel myself compelled to vote against this amendment, however much I may agree with the sentiment that is contained in its provisions. I think it would be an unfortunate thing for the Government to allow it to go out to the world that the debts of its citizens in foreign countries may be absolutely repudiated and that the Government will take no such step as will be efficient in order to enforce the collection of such debts.

Mr. KENYON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Gallinger	Lewis	Sherman
Beckham	Harding	Lippitt	Shields
Brandegee	Hardwick	McCumber	Simmons
Broussard	Hughes	Martin	Smith, Ariz.
Bryan	Husting	Norris	Stone
Catron	James	Oliver	Sutherland
Chamberlain	Johnson, Me.	Overman	Swanson
Chilton	Johnson, S. Dak.	Page	Taggart
Clapp	Jones	Penrose	Thomas
Clarke, Ark.	Kenyon	Pittman	Tillman
Culberson	Kern	Poindexter	Townsend
Cummins	La Follette	Pomerene	Underwood
Dillingham	Lane	Ransdell	Vardaman
Fletcher	Lee, Md.	Sheppard	Walsh

Mr. SHEPPARD. I desire to state that the Senator from Georgia [Mr. SMITH], the Senator from South Carolina [Mr. SMITH], the Senator from Wyoming [Mr. WARREN], and the Senator from North Dakota [Mr. GRONNA] are absent on official business, being conferees on the Agricultural appropriation bill.

The VICE PRESIDENT. Fifty-six Senators have answered to the roll call. There is a quorum present. The question is on the amendment of the Senator from Nebraska [Mr. NORRIS] to the amendment of the Senator from Wisconsin [Mr. LA FOLLETTE].

Mr. LA FOLLETTE. Mr. President, the Chair advises me that the pending question is upon the amendment of the Senator from Nebraska. I understood that the amendment of the Senator from Nebraska to the amendment which I offered on yesterday had been accepted by the Senate.

Mr. NORRIS. The amendment that I offered yesterday was accepted.

Mr. LA FOLLETTE. If I am in error about it, I should like to be advised.

Mr. NORRIS. But I have made another motion, to add, after the word "nature," in the Senator's amendment, where it says, "any kind, class, or nature," the words "of any individual, firm, or corporation," so as to limit the claim in that way. If the Senator has the amendment before him, it makes the same limitation in regard to the first part of the amendment which the Senator already has as to the latter part.

Mr. LA FOLLETTE. I have it in my mind; and, if I may be permitted to do so, I will accept the amendment of the Senator from Nebraska as perfecting my amendment.

The VICE PRESIDENT. The Senator has permission to accept it. The question now is on the amendment of the Senator from Wisconsin as modified.

Mr. LA FOLLETTE. Mr. President——

Mr. LEWIS. Before the Senator proceeds, we could not hear the modification over here, and would like to know what it is. What modification is it?

The VICE PRESIDENT. The Secretary will please read the amendment as modified.

The SECRETARY. On page 172, after the word "paid," in line 13, it is proposed to insert:

Provided, That no battleship, battle cruiser, scout cruiser, torpedo-boat destroyer, or submarine herein appropriated for shall be employed in any manner to coerce or compel the collection of any pecuniary claim of any kind, class, or nature of any individual, firm, or corporation, or to enforce any claim of right to any grant or concession for or on behalf of any private citizen, copartnership, or corporation of the United States.

Mr. LA FOLLETTE resumed the speech begun by him on yesterday. The entire speech is as follows:

Wednesday, July 19, 1916.

Mr. LA FOLLETTE. Mr. President, we are about to pass in the Congress of the United States a military program that will impose upon the people of this Nation the greatest tax burden for an alleged preparedness against an alleged danger that has ever been known in any country at peace with all the world.

Sir, one year ago Congress appropriated for all military purposes—that is to say, for the Army, the Navy, the coast defenses (fortifications), the Military Academy, the Naval Academy, and pensions—the total sum of $429,234,515.

And now, within the short space of 12 months, for precisely the same military purposes, it is proposed that we shall appropriate $844,319,152.

Mr. President, there is not a man in the United States Senate who would have had the hardihood one year ago to propose such an increase or to suggest an appropriation of such magnitude for military purposes. And there is not a Senator on this floor who would have dared to vote for such an appropriation—not one.

And yet one year ago the European war was at high tide. Then, as now, we contemplated with horror the spectacle of one-half the people of the world at the throats of their fellow men; and everything that could strike terror to the hearts of human beings was taking place on the battle fields across the Atlantic. Everything that could appeal to the Congress of the United States to make an extravagant and unprecedented expenditure of the people's money for military purposes existed 12 months ago just as much as it exists now. But at that time $429,000,000 was appropriated. It is proposed practically to double that appropriation now. What has occurred to change the perspective?

I will tell you, Mr. President, what has occurred since. The stage has been set, the scenery has been put in place, the music has been attuned, the curtain has been run up, everything that could possibly play upon the emotions of the American people has been set to work and paid for in order that this result might be produced: Picture shows; works of fiction, running serially in the magazines; advertisements; editorials, alleging that our country is in danger from a foreign foe; the columns of the newspapers given over to a spurious propaganda, and all with the definite object of terrorizing the public and forcing the enactment of legislation for the great military and naval program now before the Congress.

I see about me many Senators who represent the States where there are great munition plants. The larger the appropriations for military purposes the better satisfied are these Senators. But how about the taxpayers who make no profits out of the manufacture of munitions of war? Eight hundred and forty-four million dollars is the measure of the load which goes upon the bended backs of the American people this year, and why? If it is necessary now, why was it not necessary one year ago? You had all the military power of Germany, all the military power of England, of France, of Russia, of Italy, of Austria-Hungary full in your eye at that time. You knew their battleships; you knew their naval strength. Why did you not then propose this great increase in appropriations for the Army and Navy?

Why, because the national imagination had not then been fired; had not then been worked up to the pitch of patriotic fervor that would countenance committing the country to this extraordinary and unjustifiable expenditure. The efforts of the vendors of the instruments of death to enhance their profits, to make new and continuing markets for their products, had not then borne fruit. Their campaign for the past year has been prosecuted with all the power organized wealth can command. What is the result? Congress is in a panic. Their program is accepted. One year ago it would have been pitched out of the window as a piece of impudent graft.

REASON FOR PREPAREDNESS PROGRAM.

Mr. President, the interests that are behind this preparedness program in the United States do not fear Germany, do not fear England, do not fear any nation on this earth; but they do want a large Army, they do want a large Navy. It fits into the commercial, industrial, and imperialistic schemes of the great financial masters of this country.

Senators may think it expedient to vote for this increased appropriation at this time. The people may be under a certain vague fear and in doubt now, but when they see that their fears have been played upon, when the tax burden comes, when the weight begins to press down, when you double on every member of the family the cost of sustaining this military program, then you will be called to account, then you will have to answer their stern, deliberate, second judgment.

The danger of an attack upon our country has been made to appear very real and very imminent. It has been painted in lurid colors—moving pictures showing New York's splendid edifices toppling to destruction, under the shots of enemy guns, the enemy garbed to convey the idea that they are Germans; volumes written to show New York and New Orleans and San Francisco already captured; that the foreign hordes are sweeping across the country—have these volumes been sent to you, Senators? I have received them. Who do you suppose pays for all this? Why, the Du Pont Powder Co. had a hand in it; the Bethlehem Steel Co. doubtless made its contribution of millions of money. It was paid for out of the bloody profits made from shipping arms and ammunition abroad within the last year.

True, the American people may be influenced by the advertisements of the Bethlehem Steel Co., may be swayed by the headlines and editorials of the great metropolitan press. They may be deeply moved, the blood may tingle and the pulse quicken to the strains of hundreds of bands playing as hundreds of thousands of men and women march in parade; but when it is known that many American citizens felt impelled to march in fear of a penalty—the loss of wages or of being discharged—it alters folks' attitude as to the impressiveness of such demonstrations.

I came to the Senate one morning, prompted to introduce a resolution of investigation regarding the preparedness parade here in Washington, because I was in receipt of complaints from many of the Government employees, who were made to feel that they were being coerced to march. The Senator from Oregon [Mr. LANE] told me only a few days afterwards that when riding up on the street car in the morning he heard two plainly dressed men discussing the fact that against their will they had been compelled to march in the parade. Many other instances have doubtless come to the attention of other Senators. The same situation prevailed elsewhere. I have been informed that in Chicago and other cities workmen were coerced to march in the parades by their employers. While the masses of marchers and the spectators were doubtless sincere in expressions of enthusiasm, nevertheless these parades are a part of the deliberate scheme to move the American people to sustain these enormous appropriations for an increased Army and an increased Navy.

What do we want of an increased Navy and an increased Army such as this great military program provides? What changed conditions warrant doubling the appropriations of a year ago?

Mr. President, there is absolutely nothing in the situation, nothing in the conditions that can be made to justify placing this extortionate tax burden upon the people of the United States. There is not one substantial reason why this Congress should double the appropriation for military purposes at this time.

OUR COAST DEFENSES.

It is claimed that we are preparing for defense, not for aggression. Logically, we should inquire first of all as to our coast defenses, should we not? What about our coast defenses?

The highest authority on this subject is Gen. Erasmus Weaver. He is a member of the General Staff, a member of the Board of Ordnance and Fortifications, and a member of the Joint Army and Navy Board. In his testimony given a few months ago before the House Committee on Military Affairs he said:

We have the best coast defenses in the world. The guns now mounted and those contemplated will give us an entirely satisfactory defense.

Again Gen. Weaver, testifying before the same committee, recommended that 11,000 men, including officers, should be added to the Coast Artillery. Representative MCKELLAR, a member of the House Committee on Military Affairs, questioned him further:

Mr. MCKELLAR. If we conclude to carry out your recommendations and give you the 11,000 men, then, as I understand you, you would have a perfect system of coast defense that you think would be adequate for any purpose?

Gen. WEAVER. Yes.

Mr. MCKELLAR. Your idea is that your guns are sufficient now?

Gen. WEAVER. The guns now mounted and those contemplated will give us an entirely satisfactory defense.

Mr. MCKELLAR. You do not take any stock in this idea that the ships of foreign nations carrying guns of longer range can silence your guns?

Gen. WEAVER. No.

Gen. Weaver's statement has been given little, if any, publicity in the press of the country; and yet he is the highest authority, and his integrity and ability entitle him to supreme confidence. If some subordinate officer of the Army or Navy urges an unlimited increase, his testimony is blazoned on the front pages of the great dailies of the country, which, responding to the advertising power back of immense preparedness, also surrender their editorial good will to their advertising space. A business man who may know nothing of military equipment, if he boosts for big preparedness appropriations, gets the front page. But Gen. Weaver's testimony, of such profound interest to the people of the country, would have been buried in oblivion of the Government report, except as it has been cited by two or three Congressmen in the debates and printed by the few surviving public-spirited newspapers and magazines.

I call another high authority as to our coast defenses. Gen. Nelson A. Miles, late head of the Army, testified before the Committee on Military Affairs of the House of Representatives that—

During the last 30 years the Government has spent approximately $200,000,000 for our coast defense.

Think of it! We have already expended $200,000,000 upon our coast defenses. We are this year adding $40,000,000 more to that amount.

I do not speak in disparagement of expenditures of this class. I give them my cordial support. Coast fortifications, coast artillery, and a sufficient mobile force of soldiers for coast and border defense I will as strongly support as any other Senator here. They are for defense. They can not be used for overseas conquest; they can not be used to coerce weaker nations in the interest of speculative investors in foreign countries. They offer little or no inducement for powerful war traders to lobby Congress for extravagant appropriations. They constitute one class of expenditures for preparedness which makes for peace instead of war.

OUR GUNS SUPERIOR TO THOSE AT THE DARDANELLES.

You Democrats can save your party a bad score in your record if you will go back to the position that the President took one year ago, when, with the assembled Congress before him, he said that he would not consent that our country should be made a military camp.

Gen. Miles retired—but retired with an experience that strengthens and seasons the judgment testified on this subject. He had seen war, the real thing, covering a period of nearly 50 years of the history of the United States. Listen to what he says:

I am prepared to say that our coasts are as well defended as the coasts of any country and with the same class of high-power guns and heavy projectiles. They are better in some respects than the guns that are mounted at the Dardanelles, which have resisted the most powerful ships of war of the British and French Navies.

The results at Alexandria, Port Arthur, and at the Dardanelles furnish sufficient evidence that guns on board ships are no match for coast fortifications and submarine guns.

I cite the testimony of another authority of the highest rank as to our coast defenses being able to withstand the attack of any navy in the world. Admiral Frank F. Fletcher, chief of the Atlantic Fleet, the ranking officer of our Navy, says:

It has been recently forcibly demonstrated that ship attacks on forts are futile. This war has conclusively demonstrated what every military strategist knew before, that it is impossible for sea craft to successfully attack land fortifications.

Against the opinions of the doughty warriors of the Senate, great though their military wisdom may be, I put the judgment of Gen. Weaver, who says that "we have the best coast defenses of the world"; the judgment of Gen. Miles, who says that "our coasts are as well defended as the coasts of any country, with the same high-power guns and heavy projectiles, better in some respects than the guns mounted at the Dardanelles, which have resisted the most powerful ships of war of the British and French Navies"; and the judgment of Admiral Fletcher, who says that "this war has conclusively demonstrated that it is impossible for sea craft to successfully attack land fortifications."

Ah! But the military geniuses of the Senate suggest that the enemy may land an army at some point on our open and unfortified coasts.

THE TWO OCEANS—NATURE'S DEFENSES.

But hold fast to your fears, Senators, and be of good cheer. There is still hope for our country. Gen. Miles offers some relief from utter despair. I quote from his testimony as to the ability of a foreign enemy to "land an army upon our open and unfortified coasts." He says:

I will suppose an unsupposable case. Suppose they could put an army on a fleet of 500 ships and move it across the Atlantic without being disturbed by any naval power, and they could land. They certainly could not go into any port. They could not go into our ports any more than they could go through the Dardanelles. That has been demonstrated. Our forts are equipped and fortified as well as the Dardanelles. Suppose they got that far—as to landing at some remote point—if we could not gather enough men in the Army and militia and by other means to destroy that army before they could send their ships back and get another load, I would want to move to some other country.

Mr. President, I am curious to know how many Senators have studied the testimony of experts on the question of attacking an enemy country three or four thousand miles distant. We have been warned and badgered and frightened that invasion from some unknown source might happen to us in this country, and I think perhaps it has temporarily produced in the public mind a state of apprehension and dread.

Telfer-Smolett, of the English Army, is recognized as an authority on over-seas military expeditions. He made a special study of this subject, and was accorded a gold medal on his thesis. I wonder if Senators have any conception of what a job it is. It would take, according to this English military authority, 270 troop-transport vessels to move an army of from 72,000 to 96,000 men—that is, two corps—including two divisions of cavalry, across the sea to make an attack. Now, just think of it a moment! These 270 transports and other necessary ships would constitute the greatest collection of vessels in one body that has been seen together in the history of the naval operations of the world. If Germany wanted to send an army of a hundred thousand men—and Germany is the scare country for the munition makers and preparedness propagandists—if she wanted to send over to this country a hundred thousand men from her shores, a distance of 4,000 miles, she would necessarily have to have 270 transports, and then she would have to add to that fleet the necessary vessels for heavy artillery and all of the military equipment that would go with an army of a hundred thousand men. She would have a fleet moving across the Atlantic, when distributed so that they could sail without peril to each other, of some 5 or 6 miles in extent for the front line and from 10 to 12 miles in depth. These unarmed vessels, carrying an army of only 100,000 across from the other side to assail us, would have to be literally surrounded by a navy, and then there would be every possible peril of their destruction by mines and submarines—leaving the master ships and other sea craft of our Navy wholly out of consideration.

Never in the history of the world, according to my reading, has an army been moved over-seas and landed in any enemy country under hostile guns. The only time when it was ever undertaken was when the English attempted to land their army at the Dardanelles—as a military undertaking the most melancholy failure of the whole war.

Rear Admiral Knight, member of the General Board and president of the Naval War College, gave some testimony before the House Committee on Naval Affairs, which is very important on this point. True, he was not testifying as to the difficulties of a European power or of Japan attempting an over-seas expedition to land an army upon our coast. He was testifying as to sending an army, convoyed by our Navy, over to defend the Philippines. But while the distance would be greater for such an expedition to the Philippines than for an over-seas expedition from Europe or Japan against our country, nevertheless the admiral's reasoning as to the difficulties attending an over-seas expedition applied to an attack on us by a foreign power is distinctly in point.

IMPOSSIBLE TO MOVE GREAT ARMY OVER-SEAS.

He said that it was practically an impossibility to convey an army across 7,000 miles of water to prosecute a campaign. I do not want to misquote him. Let me get his exact language.

Admiral Knight, being questioned on this subject by Representative CALLAWAY, a member of the Committee on Naval Affairs of the House, answered:

It would take me a very long time to go into that subject at all satisfactorily, Mr. CALLAWAY, and show you the difficulties under which a fleet 7,000 miles from its home ports would labor. Ships break down. Out of a large number of ships a certain number are bound to be crippled in one way or another. The supplies needed to maintain the fleet would be very extensive. Five or six hundred thousand tons of coal would be needed as a minimum for a very short campaign there. That coal must be delivered and transferred from colliers to ships. It can not be done at sea, except under the most favorable possible conditions. It must be done in sheltered waters. The bottoms of the ships would gradually get foul. They ought to have docks where the bottoms can be cleaned. They are subject in their progress over that 7,000 miles, throughout a large part of the time, to the possibilities of attack from the enemy's torpedo craft and other craft of that kind. Their lines of communication, after they get to the point 7,000 miles away, are constantly liable to interruption and would inevitably be interrupted; and yet they depend on those long lines, stretching away back

to the home ports, for the very vital things necessary to their life—for coal and supplies and reinforcements, if reinforcements become necessary, and all sorts of things. A fleet going out there would be accompanied, necessarily, by a tremendous attendant fleet, a train, as we call it, of auxiliary ammunition ships, hospital ships, and so forth.

The problem of conducting such a train as that in going thousands of miles through hostile waters is probably the most serious problem that could possibly be put up to a commander in chief.

The personnel, the officers and men, of a fleet moving under those conditions would be subject to conditions which are so trying that it is very difficult to picture them without some little experience. Constantly on the watch, constantly threatened, constantly on the alert to guard against some danger which may come out of the darkness or out of the fog at any moment upon them, after moving that distance they would be broken down, they would be tired, they would need rest. They would have no secure place to rest. Your fleet would get out there with its material in very bad condition, its personnel in perhaps worse condition, and when it got there it would have no place to go for refitting or for any purpose whatever. It would be not unlike the proposition which confronted Admiral Rojestvensky when he went out to the east and met the Japanese fleet, and you know what happened to him. He had a larger fleet than the enemy had, distinctly.

I would not like to be considered as attempting anything like a complete answer to your question, nor could I give such an answer without talking here all day.

He has presented only a few of the many reasons why an enemy can not transport a large army thousands of miles over-sea to attack another country; and when it is proposed to put upon the American people the expense of maintaining a great navy, under the pretense that it is to protect our coast from invasion, the evidence is against the proposition. There is no rational reason for it. No evidence, from history or from military authority can be called to support it.

AN INSUPERABLE UNDERTAKING.

Now listen to a further questioning of the admiral by the Representative:

Mr. CALLAWAY. I want to get a concise statement. You consider the enormous dangers of transporting a fleet across a great expanse of hostile water——

Admiral KNIGHT. And maintaining it.

Mr. CALLAWAY. And maintaining it.

Admiral KNIGHT. Yes; I think those dangers are almost insuperable.

Mr. CALLAWAY. Almost insuperable?

Admiral KNIGHT. Yes.

Mr. CALLAWAY. And the maintaining of it is necessary to the conduct of war?

Admiral KNIGHT. Yes.

Mr. CALLAWAY. And you say those difficulties are almost insuperable?

Admiral KNIGHT. The difficulties are almost insuperable.

There you have it.

Our coast defenses are the best in the world; our guns many of them superior to those at the Dardanelles, and those at the Dardanelles defied the combined power of Great Britain and France, and made that first attempt in the history of the world to land an over-sea military force under hostile guns a disastrous and humiliating failure to Great Britain, costing a tremendous, needless loss of life, and the expenditure of vast sums of money and shaking confidence of the world in all naval calculations.

But, Mr. President, more than this, the transportation of an army of only 100,000 men, with horses, field guns mammoth siege guns, equipment, and ammunition, including a base of supply thousands of miles over-seas to be landed in this country, is a monster undertaking without a precedent or a parallel. According to all military authorities which I have been able to consult, it is agreed that such an expedition must be kept together; that it must be subject to the delays incident to the development of latent difficulties in the motive power of each vessel, to storms at sea, to attacks in transit, and that the convoy of one such expedition alone, to say nothing of the return trips necessary to reinforce such an army, is involved in such an infinite number of hazards as to render the undertaking practically insuperable.

COUNTRY IS VICTIM OF A CONSPIRACY.

Gen. Miles says "it is an unsupposable thing." Admiral Knight says "the dangers of transporting a fleet across a great expanse of water and maintaining it are almost insuperable." I say, then, that plain common sense and military authority confirm the stubborn fact, which history teaches and our experience fortifies, namely, that the two oceans are a great natural barrier against an over-seas expedition to land an army of invasion upon our coasts.

And when it is remembered that our coast defenses, protecting all our great harbors, inlets, and cities, are impregnable, that submarines can patrol all our coasts, that mines can be laid wherever needed, that transportable field guns of the greatest range and power can be expeditiously transported to any part of our open coasts—leaving out of consideration our Navy as a weapon of defense, on which we have expended $1,655,928,647 in the last 15 years, which is more than any other nation in the world except England has appropriated for like purposes—remembering all this, it seems to me that a just consideration for the taxpayers of the country ought to halt us in this mad race to become the greatest military Government in the world.

Mr. President, I think I would fight—I never have been accused up to the present time in any kind of a contest of letting the other fellow see my back—and I am as ready as any man to go into the ranks to fight, when there is something to fight for; but I object, Mr. President, to a game, a plan, a conspiracy, to force upon this country a big army and a big navy, to use the treasure of the country, and if need be the lives of its people, to make good the foreign speculation of a few unscrupulous masters of finance.

OUR NAVY.

The proof is overwhelming that our coast defenses are sufficient to withstand any over-seas attack. The proof is overwhelming that a three or four thousand mile over-seas military expedition against us is practically an insuperable undertaking. The proof is likewise overwhelming that with modern submarines and modern anchored marine mines and portable long-range guns, we have in fact no such thing as an open and undefended coast line. Let us see about the strength of our Navy.

The supreme thing in the Navy, we are told, is the battleship. That is the reason why we have 10 of them loaded onto us here in this bill that were not in the bill as it passed the House. The battleship is the standard of the strength and power of the Navy. We are told—a little bit vaguely, I venture to say (maybe another naval engagement will revise that telling)—but we are told now, by the exponents of a big navy and a big army and an unlimited expenditure of the people's money to pay for it, that the recent naval battle at Jutland demonstrated that the battleship is to be taken as the test of naval strength. Now, accepting that, let us see where our Navy stands, and what it is our duty to do.

Mr. President, at the present time we have in our Navy 42 battleships, and Admiral Blue says:

We have more auxiliary craft than any other nation maintains in time of peace.

Eighteen months ago—now, that is not very long in navy building—Admiral Frank F. Fletcher, commander in chief of the Atlantic Fleet, was examined before the House Committee on Naval Affairs of this Congress. Mr. President, that committee made a very thorough investigation. Three massive volumes of testimony were taken to ascertain the conditions upon which to predicate legislation.

ADMIRAL FLETCHER MAKES IMPORTANT ADMISSIONS.

Mr. BUTLER is a member of the Naval Affairs Committee of the House of Representatives. Remember that he had the head of the Atlantic Fleet of the United States on the witness stand:

Mr. BUTLER. We have been put down as second, third, or fourth in the number of ships. Is not that true?

Admiral FLETCHER. That is about our relative position—second or third.

He did not put us down to fourth place. He got as close to it as he could. He strained a bit to put us down to third place, as will appear afterwards.

Mr. BUTLER. Where do we stand, Admiral?

Admiral FLETCHER. I have not personally gone into that, but I have estimates that place us about third at the present time.

That is better than fourth. Now, I want you to watch the testimony of the admiral for a little while.

Mr. BUTLER. Are we strong enough to offer a decided resistance at this time against any nation?

Admiral FLETCHER. Not against all nations.

What do these men of the Navy want? It is their business. They are prejudiced witnesses and their testimony in this important event is to be considered in that light. They want a big Navy. Aside from the selfish considerations of promotion and all that, it is their training; it is their life. We would be the same in their position, I have no doubt, but I beg of you to take that into account in considering their evidence.

Mr. BUTLER had asked:

Are we strong enough to offer a decided resistance at this time against any nation?

The admiral replied:

Not against all nations.

Is not that a curious answer? Mr. BUTLER followed it up:

Mr. BUTLER. I do not mean in a combination.

Admiral FLETCHER. Not against the most powerful nation.

Mark his answer: "NOT AGAINST THE MOST POWERFUL NATION."

Did any of you see this statement of the admiral that we need fear but one nation, played up in the newspapers? For over two years Germany has been held up as a threat to this country. Admiral Fletcher admits here plainly, and he says

more plainly further on, that there is but one navy in the world superior to ours—the navy of England.

You have been terrorized about Germany's navy. Have you forgotten that the German Navy is but little more than one-half the size of the British Navy; that it was held in limbo under the guns of Helgoland during 18 months or more of this war? It took the greater part of the British Navy to tie it up. Is there not a lesson in that for us? Germany, with a navy only a little more than half as big as that of Great Britain, by adding to it the modern accessories of defense, prevented Great Britain from landing on German soil.

Thursday, July 20, 1916.

Mr. LA FOLLETTE. Mr. President, yesterday I had just begun to present the facts with respect to our Navy by quoting from the testimony taken by the committees of Congress. Now, Mr. President, I want to offer a little more evidence, expert in its character, as bearing upon the strength of our Navy as compared with the leading navies of the world.

Congressman Witherspoon, lately deceased, a former member of the committee of the House, possessed, I believe, more accurate and technical information with regard to our Navy and the navies of the world than any man in public life. I find his questioning of expert witnesses of special value and importance in getting at the truth. I read from his examination of Admiral Fletcher. This was a little more than 18 months ago. At that time we had 40 battleships in our Navy. We now have 42.

Mr. Witherspoon took up, one after another, the navies of the world and subjected Admiral Fletcher to a cross-examination as to our comparative strength when tested as against the navy of each one of these nations; and I want to go over that. First he takes England, and he says:

ENGLAND.

Mr. WITHERSPOON. Admiral, I understand you to state, in answer to Mr. BUTLER'S questions, that we are not able to defend ourselves against the most powerful nation. Did I understand you correctly?

Admiral FLETCHER. Yes.

Mr. WITHERSPOON. How many battleships has England got?

Admiral FLETCHER. According to this table here [indicating] England has 20 dreadnaughts built.

Mr. WITHERSPOON. The total number? How many has she in all?

Admiral FLETCHER. This table puts it at 60.

Mr. WITHERSPOON. I did not ask about that statement. I have seen that old statement before. I do not care anything about that statement. The Navy Yearbook puts the number of English battleships—completed, building, and authorized—at 72. Now, your idea is that if those 72 ships were pitted against ours, we could not be able to resist them; is that it?

Admiral FLETCHER. We could resist them; but we would probably be defeated.

Mr. WITHERSPOON. That is what I mean; we could not resist them successfully.

Admiral FLETCHER. No; all else being equal.

Mr. WITHERSPOON. It has been told this committee by high authorities in the Navy Department—among others, Admiral Vreeland—that if we had a war with England, on account of its relations with other nations in Europe, it could not afford to send more than 50 per cent of its ships against us. Do you believe that is so?

Admiral FLETCHER. That is a question of policy and of political conditions in Europe, upon which I would not pretend to pass judgment.

Mr. WITHERSPOON. Then your statement that we could not resist England would be on the assumption that she could send her entire fleet, or more than one-half of it, against us?

Admiral FLETCHER. Yes, sir; she would control the sea if she could keep there a more powerful fleet than ours.

Mr. WITHERSPOON. Or not afraid with war with the rest of the world; not afraid to take all the ships away from her own coast and to send all of them, or a large majority of them, against us? Your statement is based on that?

Admiral FLETCHER. Yes, sir. It is based on actual superiority.

Mr. WITHERSPOON. Well, on the assumption which certain naval experts have told us is correct—that she could not send more than 50 per cent of her 72 against us—you would not say then that we would not be able to resist them successfully, would you?

Mark you, Mr. President, at the time this testimony was given we had 40 battleships and England had 72. The question submitted to the admiral by Judge Witherspoon is:

On the assumption * * * that she could not send more than 50 per cent of her 72 against us, you would not say then that we would not be able to resist them successfully, would you?

Admiral FLETCHER. I would not like to pass judgment upon a suppositious case of that kind.

Mr. WITHERSPOON. What I am asking you about—without going into it more carefully—is this: You do not mean to say that we could not successfully resist them?

Admiral FLETCHER. Could not successfully resist a power like England if she utilized only half of her force against us?

Mr. WITHERSPOON. Yes, sir.

Admiral FLETCHER. That question I would not like to pass judgment upon.

Senators, that may impress you as being a frank answer. It does not quite seem that way to me.

Let us go a little further with this witness:

Mr. WITHERSPOON. It would be a pretty close question, and you would not want your statement which you made to Mr. BUTLER to apply to that condition?

Admiral FLETCHER. I am unable to say.

GERMANY.

Well, Judge Witherspoon gave him up on England and took up Germany next. I want you just to follow his answers on Germany:

Mr. WITHERSPOON. Now, according to the Navy Yearbook, Germany has battleships, built, building, and authorized, 39. That is, according to the last Navy Yearbook. Would you say that if she could send all those ships against us we would not be able to resist them?

Admiral FLETCHER. I would say that we ought to, if we have the greater force.

Mr. WITHERSPOON. Yes; we ought—certainly we ought, and we could.

Admiral FLETCHER. Yes, sir. The greater force should win.

Mr. WITHERSPOON. Yes; we could.

Admiral FLETCHER. I think so.

Mr. WITHERSPOON. Now, it has been stated to us that if Germany was at war with us she could not afford, either, to send more than one-half of her ships against us.

Admiral FLETCHER. That I do not know.

Mr. WITHERSPOON. I am not asking whether you do or do not. Assuming that she could only send half her 39, would you not say that we could successfully resist that number?

He came up to the scratch that time:

Admiral FLETCHER. Yes, sir; I would say that, if all our force is available to meet her.

Think of it! The Admiral wanted "all our force" of 40 battleships in order to successfully resist one-half of the German battleship force—or 19 German battleships.

FRANCE.

Let us go along with Admiral Fletcher. Now he takes up France.

Mr. WITHERSPOON. Now, take France. This Navy Yearbook says that France has a grand total of battleships, built, building, and authorized, of 29—11 less than we have.

Admiral FLETCHER. Yes.

Mr. WITHERSPOON. Would you not say, if she sent all of hers against us, we would be able to successfully resist them?

Admiral FLETCHER. Yes; our forces available being the greater.

Mr. WITHERSPOON. And if she only sent one-half of them, we would not have much of a fight, would we?

Admiral FLETCHER. No; we ought not to.

Mr. WITHERSPOON. That is the way I look at it.

JAPAN.

Mr. WITHERSPOON. Here is Japan, which according to the Navy Yearbook, has only 19 battleships, or 21 less than we have got. If Japan should send all of her 19 against us, do you not think we would be able successfully to resist them?

Admiral FLETCHER. Yes. I should say so, if our forces were free to meet them at the time.

Mr. TILLMAN. The Panama Canal was closed at that time. That is why he put in that "if."

Mr. LA FOLLETTE. Yes.

Mr. WITHERSPOON. And if she did not send but half of them, there would not be much of a scrap, would there?

Admiral FLETCHER. Probably not.

RUSSIA.

Mr. WITHERSPOON. Now, here is Russia, that the Navy Yearbook says has a grand total of 15 battleships, completed and building. If she should send all of them against us, would you not say that we could successfully resist them?

Admiral FLETCHER. Yes, sir.

And he did not qualify it at all. He just stiffened up, you know, to meet that, and said, without any equivocation or qualification whatever, that we could meet those Russian battleships; and I am gratified that he admitted that much, anyhow.

Mr. WITHERSPOON. And if she sent half of them, there would not be any fight at all, would there?

Admiral FLETCHER. Not much.

ITALY.

Mr. WITHERSPOON. Here is Italy that has a grand total, according to the Navy Yearbook, of 17 battleships. We could successfully resist them whether she sent all of them or a part of them, could we not?

Admiral FLETCHER. Yes; I think so.

Mr. WITHERSPOON. Yes; I do, too.

AUSTRIA-HUNGARY.

Mr. WITHERSPOON. Now, Austria-Hungary, according to the Navy Yearbook, has a grand total of battleships, built and building, of 10. We could successfully resist them, could we not?

Admiral FLETCHER. I think so.

ENGLAND ALONE TO FEAR.

Mr. WITHERSPOON. Then what nation is there that we are not prepared to successfully resist? There is not one on earth, is there, Admiral—not a single one?

Admiral FLETCHER. Well, Judge, I think there is.

Mr. WITHERSPOON. Well, which one? I have gone through the big ones. Tell me which one.

Admiral FLETCHER. I should say England has a navy so much more powerful than that of any other nation in the world that she could easily keep control of the seas.

Mr. WITHERSPOON. England. Well, what other one, then?

Now, note his answer, and let it stand out plainly in this record.

Admiral FLETCHER. I do not think that we need greatly fear any other single nation.

So this German bugaboo goes down before the testimony of the commander in chief of the Atlantic Fleet.

Mr. WITHERSPOON. There is no other nation, except England, that in your judgment we could not successfully defend ourselves against; I mean, except England.

Admiral FLETCHER. I think that is correct. Yes.

We have the truth at last. Let the whole country know it. Without any additions to our Navy whatever, it is to-day superior to that of any nation on earth excepting England.

Mr. THOMAS. Does the Senator believe there are half a dozen newspapers in the United States that would have published that testimony?

Mr. LA FOLLETTE. No; I believe not. I think it has never been published to the people of the country.

Mr. THOMAS. I will state that I saw it in but one periodical, and that was Pearson's Magazine.

Mr. LA FOLLETTE. That is a fearless magazine. Its policy is to keep free from advertising influence. It has done good work on this preparedness issue.

SHIP FOR SHIP WE EQUAL ENGLAND.

Now, Mr. Witherspoon starts in to show that, ship for ship, gun for gun, our Navy is superior to that of England's—not in numbers, but ship for ship.

Mr. WITHERSPOON. Has England got any such powerful ships in her navy as we have, or have you ever studied that?

Admiral FLETCHER. Yes.

Mr. WITHERSPOON. Have you ever taken up the English ships and compared them with American ships, so as to form your own judgment as to whether she had any such ships as we have? Do you think she has?

Admiral FLETCHER. She has many ships which are very nearly of the same power as our own ships of the same time of building.

Mr. WITHERSPOON. Let us see about that, now. I do not believe she has, although you know more about it than I do.

He was pretty liberal with the admiral.

In this Navy Yearbook, which gives us a list of the English battleships, I find that the last five dreadnaughts that England has built or is building are named the *Royal Sovereign, Royal Oak, Ramillies, Revolution,* and *Revenge,* each of which has a tonnage of 26,000.

Admiral FLETCHER. Yes, sir.

Mr. WITHERSPOON. And we have two ships, the *Pennsylvania* and *No. 39*, which have a tonnage of 31,400, and then we have authorized three more which are to have a tonnage, as I understand, of 31,800.

The CHAIRMAN. Thirty-two thousand.

Mr. WITHERSPOON. Thirty-two thousand tons. In other words, the tonnage of the *Pennsylvania* and *No. 39* is 5,400 more than that of the last five English dreadnaughts that are building, and the last three dreadnaughts that we are building have a tonnage of 6,000 tons greater than the last five English ships. Do you mean that those ships are equal to ours?

Admiral FLETCHER. No; I do not say that.

Mr. WITHERSPOON. Do you regard them as inferior to ours?

Admiral FLETCHER. Yes; as near as we can estimate it.

Mr. WITHERSPOON. I do, too; and the armament of those five ships is eight 15-inch guns, while the armaments of the five American ships is twelve 14-inch guns. Which is more powerful armament, eight 15-inch guns or twelve 14-inch guns?

Admiral FLETCHER. I think the twelve 14-inch guns more powerful, but I am not sure that opinion is concurred in by all authorities.

AMERICAN SHIPS SUPERIOR.

Mr. WITHERSPOON. Then, according to your judgment, the last five ships in both navies show a superiority of the American ships to the English ships?

Admiral FLETCHER. Yes.

Mr. WITHERSPOON. Have you compared the English ships, ship by ship, with ours, to form the same kind of judgment as to which is superior as you have just formed in reference to the last five?

Admiral FLETCHER. Not in detail; no.

I think Judge Witherspoon would have been quite warranted in saying to him—he ought to have that information—that as the head of the active Navy of this country he ought to know what the Yearbook could tell him regarding the navies of the world.

Mr. WITHERSPOON. Have you compared the English ships, ship by ship, with ours, to form the same kind of judgment as to which is superior as you have just formed in reference to the last five?

Admiral FLETCHER. Not in detail; no.

I will undertake to say that Judge Witherspoon knew exactly.

Mr. WITHERSPOON. Then you can not give a judgment as to which has got the more powerful, ship for ship, England or America?

Admiral FLETCHER. No; not in detail. In a general way it has been our policy, and the committee has appropriated money to build ships heavier than the ships of foreign countries.

Mr. WITHERSPOON. Then, understanding your testimony, after reviewing it, do you want us to understand that England is the only nation on earth that has a navy that we could not successfully resist?

Admiral FLETCHER. I think that is the fair conclusion. Yes, sir; at the present time.

So at last our first admiral admits that England has the ONLY NAVY ON THIS EARTH WE CAN NOT SUCCESSFULLY RESIST.

I am sure Senators who have been following me thus far will be very glad to know the views of Admiral Badger upon this question of the enlargement of our Navy, and what its rank and standing is.

ADMIRAL BADGER'S TESTIMONY.

On the same day that Admiral Fletcher gave the foregoing testimony Rear Admiral Charles J. Badger, a member of the General Board and lately commander in chief of the Atlantic Fleet, testifying before the House Committee on Naval Affairs, was interrogated by Representative Witherspoon, as follows:

Mr. WITHERSPOON. Now, Admiral, in your first statement I understood you to say that our Navy, ship for ship, was as good as the navies of other countries.

Admiral BADGER. Yes.

Mr. WITHERSPOON. I want to ask you if it is not a fact that, ship for ship, they are better?

Admiral BADGER. I can not answer that absolutely. I believe they are as good or better. They are not inferior.

Mr. Witherspoon then examined the witness and elicited from him the information that, comparing the last five German and American ships under construction, ours, ship for ship, were larger and heavier vessels.

After which the following question was asked:

Mr. WITHERSPOON. Then the fact of ours being so much larger than Germany's shows that they are better or we are wasting money in building them larger, are we not?

Admiral BADGER. Yes. We are building them to be better than the German's. That is the idea in building them larger, that they shall be better than corresponding ships of other nations, if possible.

Representative Witherspoon further conducted the examination of Admiral Badger, comparing the American Navy with the German Navy ship by ship as to tonnage, thickness of armor, and destructive force of armament, eliciting from the witness in an examination extending over many pages the statement that ship by ship and gun by gun our Navy was superior to that of Germany. He concluded this interesting examination with the following:

Mr. WITHERSPOON. Then there would not be any question about the superiority of our Navy; is not that so?

Admiral BADGER. There are a few other points, but I do not think it is necessary to go into them.

Mr. WITHERSPOON. Well, I wanted to get your view about that, because I do not like to hear Americans running around and talking about the German Navy being superior to ours. I know it is not so.

Admiral BADGER. You have not heard me say that.

Mr. WITHERSPOON. No; and I am glad that it is so. I hope you never will say it, because there is not any truth in it.

I do not believe any Senator would find himself justified by his constituents if he went back to them in the coming November and proclaimed that he had voted for a policy that contemplated the building of the largest navy in the world. I do not believe he would be sustained in his course of action. That, however, is the plan upon which we have set out. That is the scheme of the gentlemen who are back of this legislation. The president of the War College, a member of the General Board, Rear Admiral Knight, made it perfectly clear in testimony given only a few months ago before the Committee on Naval Affairs of the House of Representatives that the plan upon which we have started is the building of a navy equal or superior to that of England.

Now, I propose to put that testimony into the RECORD. I shall not make any impression upon the Senate with it, but it shall be of record that the plan upon which we have started, the scheme of appropriations for which the Senate proposes to stand in this bill, is the building of a navy equal to or greater than that of England.

PLAN A NAVY EQUAL TO ENGLAND'S.

In February, 1916, Rear Admiral Knight was questioned by Representative OLIVER, of the Committee on Naval Affairs of the House of Representatives, and he answered as follows.

Mr. OLIVER. Just as briefly as you can, will you tell me just how many capital ships you calculate we should build by 1925?

Dreadnaughts and the armored cruisers constitute the so-called capital ships of any navy, as I understand it.

Admiral KNIGHT. In my mind, it has been impossible to arrive at a definite figure, because the results of this war may very seriously modify the standard toward which we are working.

Mr. OLIVER. I understand that general statement.

Admiral KNIGHT. I mean, for instance, now, the largest navy in the world is that of Great Britain.

Mr. OLIVER. Yes.

Admiral KNIGHT. It is quite possible that a good many of her ships may be destroyed before the war is over. If she should be victorious in the war, in spite of losing a good many of her ships she would still remain with the largest navy in the world—the largest, although it would be much smaller than it is now.

Mr. OLIVER. What I would like to have you do is to state what is the standard you have in mind that we have to build to. Perhaps that might be modified later, lessened by what you have stated; but what have you in mind, conceding perhaps there will not be any great amount of vessels destroyed whose places will not be taken by others; what had you in mind as the standard to which you would be aiming?

Admiral KNIGHT. A navy equal to that which Great Britain had at the beginning of the war.

Mr. President, that is the plan back of this legislation. We are to build a Navy equal to that of England at the beginning of the war, and that with the prospect that England's Navy will be reduced in strength as a result of the war.

Continuing this testimony:

Mr. OLIVER. How many capital ships do you calculate you will have to build in order to have a Navy of that strength? I will ask you how many additional capital ships you will have to build?

Admiral KNIGHT. Approximately 20 dreadnaughts.

Mr. OLIVER. Twenty more dreadnaughts?

Admiral KNIGHT. Twenty more dreadnaughts.

Mr. OLIVER. How many battle cruisers?

Admiral KNIGHT. In addition to the 9 I am recommending for this year's program, I would say 6, making 15 in all.

Mr. OLIVER. Thirty-five capital ships.

Admiral KNIGHT. When I said what Great Britain had at the beginning of the war, I meant built and building.

Mr. OLIVER. How many scouts would you say?

Admiral KNIGHT. We have none now. I would say 24.

Mr. OLIVER. How many submarines additional to the 75 that we now have?

Admiral KNIGHT. Seventy-five more.

Mr. OLIVER. Seventy-five more. How many torpedo boats?

Admiral KNIGHT. We have now 75 boats. I would say 75 more.

In answer to Representative CALLAWAY Admiral Knight testified:

Mr. CALLAWAY. Admiral, you stated a while ago that we would have to have 20 battleships, 15 battle cruisers, and accompanying craft in the way of scouts, torpedo boats, and submarines to make our fleet equal to what England's is now; that we would have to have those in addition to what we now have. Did you take into consideration in that what England might add in the meantime, or would we have to carry on a separate building program equal to England's building program?

Admiral KNIGHT. I expressed the opinion that in order to be on a par with England in 1925 it would be necessary for us to build between now and that time the number of ships which you have named, and I do not believe that it will be necessary for us to build more than that by 1925, in order to find ourselves on a level with England at the expiration of that time.

WOULD MEET ENGLAND'S PROGRAM.

It is perfectly evident, Mr. President, from the testimony of Admirals Fletcher, Badger, and Knight and from the recommendations of the Senate committee that we are inaugurating a naval program which is to impose upon the people of this country tax burdens equal to those the people of Great Britain have to carry in order to maintain their navy.

Mr. CALLAWAY, questioning further, says:

Mr. CALLAWAY. I am talking now about actual facts. I understood you to say that we would have to add that many to what we now have to make our fleet equal England's fleet as it now is.

Admiral KNIGHT. In other words, I believe that the fleet of England in 1925 will probably not be stronger than it is to-day.

Mr. CALLAWAY. The number of ships that you suggested we would have to add to ours to make our fleet as great as England's is based on what England now has?

Admiral KNIGHT. Yes, sir.

Mr. CALLAWAY. If she went on building in addition to that, we would have to meet her building program, would we not?

Admiral KNIGHT. We would.

Mr. CALLAWAY. Now, Admiral, do I understand you to say that you believe we would not have to keep up the rate of building, after we had caught up with England, that has been the rate during late years going on, because the other countries will not be able to continue their building?

Admiral KNIGHT. I think that after this war two things will happen to England. I think England will find herself with a much smaller number of ships than she has now, and I think she will be so poor that unless some threat is directed against her she will hesitate to spend large sums of money in enlarging her navy in what will seem to her an unnecessary way.

HALF OF BIG PROGRAM IN THE BILL.

Mr. President, that seems to me to be rather an important consideration that might have prevailed with the Senate committee. They are putting into this bill one-half of this program. They are committing the country to an expenditure of a sum of money that will provide 10 battleships within the next five years. This is 1916. Admiral Knight says that in order to make a navy equal to England's by 1925 we should build 20 of these great battleships or dreadnaughts. One-half that number is provided for in this bill as amended by the Senate committee.

COMMITTEE ADOPTS ADMIRAL KNIGHT'S PROGRAM.

I think that proves conclusively that the Senate committee is following the plan of these admirals—the plan of the General Board, committing us to a policy that means a navy equal to England's.

Mr. TILLMAN. I will say to the Senator that the Committee on Naval Affairs had no such idea as that.

Mr. LA FOLLETTE. Mr. President, the chairman of the Naval Committee may not have any such idea, but the Committee on Naval Affairs has put into the bill one-half of the dreadnaughts that the president of the War College said would be necessary to make our Navy by 1925 equal to England's in dreadnaughts in 10 years from the time he gave his testimony, and, as proposed by the Senate committee, we have here a proposition to vote for one-half of these dreadnaughts at this time, these to be built within five years.

The committee bill requires that we build in the next 5 years one-half of the dreadnaughts that Admiral Knight says we should build in 10 years, if we are to equal the navy of Great Britain.

I tell you, Mr. President, here is indubitable evidence, whether the Committee on Naval Affairs of the Senate may understand it or not, that they are committed to the policy which Admiral Knight lays down of imposing upon the American people the enormous burden of a navy equal to that of England.

I propose to show to the Senate that there is not a reason on earth why we should have such a navy. Admiral Knight himself says here that by the end of this war conditions will be so changed that England will be reduced in power. Listen to his testimony a little further:

Mr. CALLAWAY. I am talking now about actual facts. I understood you to say that we would have to add that many—

That is, 20 dreadnaughts and 15 battle cruisers, or 35 master ships.

I understood you to say that we would have to add that many to what we now have to make our fleet equal to England's fleet as it now is

Admiral KNIGHT. In other words, I believe that the fleet of England in 1925 will probably not be stronger than it is to-day.

And I want to say that Mr. CALLAWAY, a member of the Committee on Naval Affairs of the House of Representatives, has impressed me as a man of superior ability and great industry. No one can read the testimony taken by the committee of the House of Representatives and come to any other conclusion.

Mr. CALLAWAY. The number of ships that you suggested we would have to add to ours to make our fleet as great as England's is based on what England now has?

Admiral KNIGHT. Yes, sir.

Mr. TILLMAN. England has lost a good many ships since then.

Mr. LA FOLLETTE. Yes; England has lost many ships since then, and Admiral Knight says in his testimony that he anticipates such losses.

Mr. TILLMAN. And she has built a good many.

Mr. LA FOLLETTE. About that, I will say to the Senator from South Carolina, we do not know very much.

Mr. TILLMAN. We get it from the newspapers.

Mr. LA FOLLETTE. The newspapers do not know very much as to what is going on over there. It is behind the screen of censorship. England would not permit any more than Germany will permit the world to know its losses and its construction during this war period.

Bu, Mr. President, you may be sure that the warring nations are taxed severely to keep their navies up to the condition that existed when the war started. Admiral Knight says that they will not be able to do it. He says that England's Navy will be weaker at the end of this war than in the beginning, and that if England is victorious it will be victory obtained by a very much reduced navy.

Mr. VARDAMAN. Mr. President——

The PRESIDING OFFICER (Mr. JONES in the chair). Does the Senator from Wisconsin yield to the Senator from Mississippi?

Mr. LA FOLLETTE. Certainly.

Mr. VARDAMAN. If the Senator will permit a suggestion, I would remind him that England realizes that she does not need a larger navy now. She is so pressed for money and men to meet her enemy on the ground that it is not reasonable to suppose that she is now investing money in building ships.

Mr. LA FOLLETTE. Mr. President, that is a most rational suggestion and I think it is borne out by the expert testimony.

ENGLAND'S NAVY TO BE SMALLER.

Admiral Knight says that to make our Navy equal to the navy of England by 1925 it is only necessary to have 20 battleships in 10 years from the time of giving that testimony. We here are committing ourselves to half of that program. Yet he follows it in two minutes with the statement that England will come out of this war, in his opinion, with a greatly reduced naval strength. He says:

I think England will find herself with a much smaller number of ships than she has now.

When this war is over will she go on building, will she go on increasing? No; he says not. He says that she will be so poor that "unless some threat is directed against her she will hesitate to spend large sums of money in enlarging her navy in what will seem to be to her an unnecessary way." Then later on he says he does not think that the other nations of Europe will be in a position to impose that threat upon her.

Mr. CALLAWAY. What would you think England would consider such a threat against her as would justify her in increasing her navy though it be burdensome?

Admiral KNIGHT. That threat which has been directed against her by the other powers of Europe during the last 10 years, in which at least one of the great powers has been avowedly trying to overtake her, the feeling being in England that this was a direct threat against her.

Now, listen to what follows:

I do not think that this is likely to be duplicated after this war, because the war is going to wipe out in one way or another the conditions which led to that rivalry.

OURS TO BE LARGEST NAVY.

Now, what does this mean, Senators? If this testimony has any significance at all, and it comes from high authority, it means that the Committee on Naval Affairs has committed us to a program of building a navy as large as England's navy was before the war. Yet the testimony of the very man who recommended that policy is that England, at the end of this war, will not have as big a navy as she has now or any reason for maintaining as big a navy as she had at the beginning of the war. So the logic of the whole business is that we shall come out of this affair at the end of 10 years with the biggest navy in the world, bigger than that of England. Is not that it? Is not that fair reasoning?

I know how measures pass the Senate. I suppose it is preordained that this burden is to be imposed upon the American people. Twelve months ago the Secretary of the Navy denounced it. Twelve months ago the President of the United States was against it. He was plainly against any program of this sort. With the financial power of the great nations of the earth weakened, if not broken, there is every reason why we should not have this program forced through Congress. It is unjust, it is a great wrong. It is the beginning of a greater wrong. When we once start upon a plan of this sort, I do not know how we are ever to get back to a basis that is rational.

I perhaps might speak in this connection of the lessons which we have obtained from this war—the new uses which have been found for the submarine, the power as a weapon of defense of the marine mine.

I remind Senators that with a navy less than half the size of the British Navy, through mines, submarines, and coast fortifications, Germany has defied the power of England, with all its naval strength, to land a soldier on German soil.

Mr. President, until this body has some other testimony before it the overwhelming proof on the record is that our Navy is superior to any other navy on the face of the earth, excepting that of England. That was so even when this war had not depleted the financial strength and the naval power of any one of the belligerents in this great world war. It has gone on with such destructive forces at play unrestrained as was never before witnessed in the history of the human race. After two years is it not fair to assume that, even as to England, there may be some question as to whether or not we may not be superior to her in strength if we wait until this contest is over?

What do we want a Navy equal or superior to England's for, anyway? Are we to make war on England? Is England to make war on us? If so, we ought to begin at once to fortify along the 3,000 miles of border between this country and Canada. No preparedness advocate has had the gall to suggest such a thing. The mere suggestion is enough to show the hollowness of the pretext that lies back of the scheme to saddle upon the people of this country a Navy equal to England's.

Forts can not serve the purposes of the financial interests that want a Navy to back up foreign loans. If they could, we would have had a proposition before us to build forts and dig trenches and mount guns along the Canadian border.

EUROPEAN NAVIES REDUCED BY WAR.

Mr. President, nobody, so far as I know, has suggested that England is preparing to make war upon us or has intimated a suspicion that any nation other than Germany or Japan is preparing to do so. I do not know why Germany was singled out as the one belligerent in this great struggle going on over there that might come upon us to destroy us, but, anyhow, we have a Navy greater in strength than that of any other Government on the face of the earth except England, and England has a debt burden upon her at this very moment amounting to one-third of the total value of her property. England has her navy where it is in jeopardy of destruction so long as this terrific conflict goes on. Almost every day the dispatches bring word that some naval vessel has gone down.

I have a list before me of a number of the battleships, dreadnaughts, battle cruisers, and other vessels of the English and German Navies which have been sacrificed in this struggle. It is a newspaper list and I can not answer for its accuracy.

It is a list of large first and second line ships lost since the war began, and is as follows:

British.

DREADNAUGHTS.

Audacious, 24,800 tons, sunk by mine, coast of Ireland.

BATTLE CRUISERS.

Invincible, 17,250 tons, sunk by Germans.
Queen Mary, 27,000 tons, sunk by Germans.
Indefatigable, 18,750 tons, sunk by Germans.

BATTLESHIPS.

Bulwark, 15,000 tons, sunk by German submarine.
Formidable, 15,000 tons, sunk by German submarine.
Irresistible, 15,000 tons, sunk by Turkish mine.
Ocean, 12,950 tons, sunk by Turkish mine.
Goliath, 12,950 tons, sunk by Turkish mine.
Triumph, 11,800 tons, sunk by German submarine.
Majestic, 14,900 tons, sunk by German submarine.
Lord Nelson, 16,500 tons, sunk by Turkish forts.

ARMORED CRUISERS.

Good Hope, 14,100 tons, sunk by Germans.
Warrior, 13,550 tons, sunk by Germans.
Aboukir, 12,000 tons, sunk by German submarine.
Hogue, 12,000 tons, sunk by German submarine.
Cressy, 12,000 tons, sunk by German submarine.
Monmouth, 9,800 tons, sunk by Germans.

German.

DREADNAUGHTS.

Westfallen, 18,600 tons, sunk by British.

BATTLESHIPS.

Pommern, 13,200 tons, sunk by British.

ARMORED CRUISERS.

Blücher, 15,000 tons, sunk by British.
Scharnhorst, 11,600 tons, sunk by British.
Gneisenau, 11,600 tons, sunk by British.
Friedrich Karl, 9,050 tons, mined in Baltic.
York, 9,050 tons, mined.

This list was published two days after the battle of Jutland, but it is not complete and omits a number of vessels afterward officially reported as lost.

None of us can know how much England has added to her naval strength. Admiral Knight says that England will have a much smaller navy at the end of the war. The strain that came upon her was not to build up that side of her military power in this contest. She needed soldiers for the land service; she needed men to put into the trenches. She already had command of the seas. With her resources taxed and with her men drained by voluntary enlistment, so that she finally had to impose conscription upon her country, I undertake to say that it is fair to assume that she has not put any of her resources at this time into increasing her naval armament. She has more navy than she has been able to use.

Mr. TILLMAN. Mr. President, will the Senator from Wisconsin allow an interruption?

The PRESIDING OFFICER (Mr. HUSTING in the chair). Does the Senator from Wisconsin yield to the Senator from South Carolina?

Mr. LA FOLLETTE. Yes.

Mr. TILLMAN. While the information which we can get from Europe is very imperfect, as everybody knows, because of the censorship, the best information that our Navy Department has is that England has been building battleships right along, and so has Germany. We have attachés over there whose business it was to find out.

Mr. LA FOLLETTE. Well, I know that there have been some loose statements of that kind made. I know that some member of the House committee, ambitious for a large Navy, sought to elicit from one of the witnesses whose testimony I have been reviewing the statement that England was building a battleship every month; but the witness answered that it was preposterous; that she had never built a battleship every month of the year when she was free from all other military obligations. We have been retaining our relative position with England, I think, when we have been building only one or two battleships a year. We have not been falling behind. We have been appropriating more money for our Navy than has any other Government on earth, except England, year by year ever since 1900. A comparison of the amounts expended by the United States and Great Britain for naval purposes year by year for the last 15 years show that we have not only held our own but that we have gained slightly in relative strength.

CHANGES POLICY OF THE UNITED STATES.

Mr. President, we are at the forks of the road. We have to decide now what we are going to do. If we are going on record for a Navy as big as or bigger than that of England, vote for the Senate amendment to the House bill. It is the first of two steps to complete that program. It is a little more than one-half of the amount necessary to be expended in 10 years, as testified to by Admiral Knight.

But let us consider this—when we have done that, what then? Supposing we build until we equal England, supposing that, with our geographic isolation, which has always been a better protection to us than a navy, we enter upon this policy which has been the policy of England, what then? Where will we stop? When you have built to match England, England will build more; Germany will build more; you will drive them into that position. Do you want a little expert testimony on that? The committee in the other House took some. Before the Committee on Naval Affairs of the House of Representatives

Admiral Vreeland, testifying, in response to questions asked by Representative GRAY, a member of the committee, made it quite clear that naval building in rivalry with foreign Governments, once entered upon, is an unending contest, limited only by the amount of taxpaying which the people of each of the rival nations can sustain without collapse. I quote from the testimony:

Mr. GRAY. I wish to inquire of the Admiral if it is not the policy of other Governments to increase their navies with all the other leading powers?
Admiral VREELAND. It is, sir.
Mr. GRAY. What would be the advantage to us or any other powers if the navies were increased equally by all the nations of the world? Would there be any advantage to us or to any other power?
Admiral VREELAND. Not if you mean in the same ratio.
Mr. GRAY. Would not the same grounds exist after an increase for a further increase?
Admiral VREELAND. It would seem so.
Mr. GRAY. There would be no advantage gained by any nation, then.

INCREASES MEAN MORE INCREASES.

Jump this appropriation from two hundred and forty-odd million dollars as it came from the House to $315,000,000, and what have you? You are merely forcing all rival nations to larger expenditures, which in turn will compel us to still further increase our appropriations and thus again goad them on in the mad contest. Oh, what stupidity, what folly! What defense is there for it? I repeat:

Mr. GRAY. Would not the same grounds exist after an increase for a further increase?
Admiral VREELAND. It would seem so.
Mr. GRAY. There would be no advantage gained by any nation, then. How long could that be maintained, that even increase, and what advantage would it be to any nation?
Admiral VREELAND. If it continues to increase, the poorer nation will eventually exhaust itself, and the other nations, the United States included, will have a free hand—I mean be free to build in accordance with the changed condition.
Mr. GRAY. Then it is only a question of the limit of taxation.
Admiral VREELAND. Yes, sir.

You are starting in upon a plan to build a Navy that violates all the precedents, all the principles, that this Government has followed heretofore.

The Senate can shut its eyes and vote to put through this program if it is willing to do so, but it will do it in the face of evidence that it is the beginning of a plan to build the biggest navy in the world.

NAVAL EXPENDITURES OF PRINCIPAL COUNTRIES SINCE 1900.

Why, Mr. President, a statement of our expenditures for the upbuilding of a navy placed side by side with that of the great powers of Europe tells the whole story.

From and including 1900 to and including 1915 the following enormous sums have been expended upon their navies, respectively, by the countries named:

Great Britain	$2,740,368,467
United States	1,655,928,647
Germany	1,136,697,923
France	1,077,918,864
Russia	960,304,469
Italy	488,932,840
Japan	461,105,953
Total	8,137,448,146

We have invested in our Navy $519,130,724 more in the last 15 years than Germany has invested in her navy during that time.

And, sir, in the last 15 years we have invested $1,194,822,694 more than Japan has invested in her navy for the same years.

Shame on those who for their own selfish purposes disloyally cry down the American Navy!

FINANCIAL CONDITION OF COUNTRIES AT WAR.

There is not an economic reason; there is not a military reason; there is not, viewed in the broadest way, a question of world politics that constitutes a reason that anybody can possibly assign for practically doubling these appropriations in 12 months. The reasons are all the other way. The logic of the whole world situation is against the necessity for this increase.

Senators, the preparedness expenditures which are being forced through Congress are not for the purpose of defending against any of the powers of Europe. The facts and logic are all against it. The belligerents are weakening themselves financially. They are exhausting themselves in men, in military strength. Many of their battleships are at the bottom of the sea. There is not one of them that is keeping up with the destructive forces.

Just in proportion as they destroy the soldiery of Europe, just in proportion as they feed the men between 18 and 45 years of age to the cannon, wiping out ten to twelve millions of the virile manhood of the world, just by so much the reasons diminish why we should begin an extravagant extortionate program of taxation upon the people of this country for what we call preparedness.

GREAT INCREASE IN EUROPEAN DEBTS.

What is the condition of the people upon the other side against whom we are supposed to be building the great Navy provided for in this bill? Listen! I read from an article which appears in the Review of Reviews for May. The writer is comparing the financial conditions of these warring nations with what their financial condition was before the war began. I will ask to print a table showing the war loans on the 15th of March, 1916.

The PRESIDING OFFICER (Mr. KENYON in the chair). It will be so ordered, without objection.

The table referred to is as follows:

War loans of nations at war March 15, 1916.

Country.	Amount.	Unit.	Dollars.
Germany	34,681,000,000	Mark	$8,254,078,000
Great Britain	1,662,600,000	Pound	8,077,320,000
France	40,576,827,566	Franc	7,425,559,444
Austria-Hungary	524,200,000	Pound	2,547,500,000
Russia	8,073,000,000	Ruble	4,117,533,110
Italy	8,212,000,000	Lira	1,478,160,000
Total			31,900,150,554

Thus in the short space of less than two years the powers now at war have contracted obligations one-third greater than the total of their indebtedness before the war began. Yet the latter group of obligations had been accumulating for more than a century. Considering the earlier debts and recent war debts merely as parts of the total liability, the aggregate national debts of the nations at war at the present time appear as follows:

Country.	Debt.	Per capita.
Germany	$13,114,078,000	192
France	12,358,459,444	310
Great Britain	11,269,768,463	242
Russia	8,710,233,110	[1]61
Austria-Hungary	6,338,300,000	124
Italy	4,015,080,000	113
Belgium	825,518,000	105
Total	56,631,437,017	[2]145

[1] Based on population of Russia in Europe. [2] Average.

The per capita obligation of Great Britain already exceeds that of 1816. Should expenditures continue at the present rate, a third year of the war would add approximately $40,000,000,000 to the eighty billion already accumulated, making one hundred and twenty billion in all. This is equivalent to one-third of all computed national wealth in those nations, and in Mr. Rossiter's opinion probably represents fully half of all wealth capable of "mobilization."

The conclusion of Mr. Rossiter's article is suggestive:

"Finally, as the indebtedness of the warring powers becomes greater, the more helpless may become the possibility of payment. The mere burden of interest, indeed, under easily developed conditions, might prove a source of actual revolution. There are, in fact, grave possibilities, for it is clear that an indebtedness of over $50,000,000,000 can not be materially increased without becoming a menace."

Mr. GALLINGER. Mr. President, will the Senator permit me?

Mr. LA FOLLETTE. Certainly.

Mr. GALLINGER. I will ask the Senator if the per capita burden which rested upon the English people at that time included the colonies or only the mother country?

Mr. LA FOLLETTE. I take it, Mr. President, it included the colonies, from the article which is before me.

Mr. GALLINGER. Great Britain, of course, has added very largely to that. I notice she is now calling for $1,250,000,000, I think.

Mr. LA FOLLETTE. Oh, yes, Mr. President. This article was published four months ago.

Mr. WALSH. I should like to ask the Senator from Wisconsin if he has the per capita national debt of Great Britain at the commencement of the war?

Mr. LA FOLLETTE. I think this article does not show it.

Mr. WALSH. I was desirous of knowing how much of that enormous debt was contracted for the purpose of actually carrying on the war, because, as I understand it, it is the argument of those supporting the policy represented by the legislation before us that these expenditures are made so that we shall not be obliged to incur the indebtedness that the Senator now tells us about.

Mr. LA FOLLETTE. Mr. President, I find that this article answers the question of the Senator. Mr. Rossiter, who is cited by the Review of Reviews as an authority, says:

Should expenditures continue at the present rate, a third year of the war would add approximately $40,000,000,000 to the $80,000,000,000 already accumulated, making $120,000,000,000 in all. This is equivalent to one-third of all the computed national wealth of those nations.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Colorado?

Mr. LA FOLLETTE. I do.

Mr. THOMAS. The Senator, of course, is aware that the indebtedness of the neutral nations has also been very considerably augmented because of their mobilization in order to protect themselves from the possible outrages of the warring nations.

Mr. LA FOLLETTE. That is very true and very pertinent, Mr. President, to a statement of the general financial burdens that are placed upon the people of the whole world as a result of this war which is now in progress.

I have just read you the views of one financial writer on the enormous debt that Great Britain is incurring. I want to emphasize that by calling your attention to something which has been written by Mr. Ellis Barker, a recognized authority and writer upon economic subjects, in an article in the Nineteenth Century and After, for December, 1915—that is eight months ago. This writer is the author of The Rise and Decline of the Netherlands, Modern Germany, Great and Greater Britain, and of many other works that have given him a rank and standing as a writer of authority on financial economic subjects.

VISUALIZES SOME WAR EXPENDITURES.

Mr. President, I am dwelling somewhat upon Great Britain because the testimony which I read I think conclusively established on the highest naval authority which we have in this country that the Navy of the United States is next to that of Great Britain; that so far as the Navy of the United States is concerned it is superior to that of any other country. So I am offering for the consideration of the Senate this morning some facts upon the financial situation growing out of this war in Europe as it affects Great Britain—England. Says this author:

The vastness of Great Britain's war expenditures staggers the imagination, not only of people in general but even that of financiers and statisticians. It can be visualized only by comparison. The Franco-German war of 1870 to 1871, which lasted nine months, cost Germany £60,000,000; the Panama Canal, the greatest and most expensive engineering undertaking the world has seen, cost the United States £80,000,000; the Boer War, which lasted three years, cost this country £250,000,000.

It follows that Great Britain spends on the war every two weeks as much as the total cost of the Panama Canal, and that she spends every two months considerably more than she did during the whole of the protracted campaign against the Boers. The war has so far cost about £1,300,000,000. The national capital of Great Britain is usually estimated to amount to about £12,000,000,000. As the struggle seems likely to continue for many months, it may eventually swallow a sum equal to one-third of the British national capital, if not more. Interest will have to be paid on the gigantic war debt. Its principal must gradually be reduced to manageable proportions by purchase; and, in addition, untold millions will be required every year for the support of the crippled and incapacitated veterans, and for the widows and orphans. Before the war, budgets of £200,000,000 per year seemed monstrous. After the war budgets of £400,000,000 may seem modest.

If we now remember that years of hard times followed the relatively cheap Boer War, we can well understand that statesmen and business men look with gravity and anxiety and alarm into the future, and at the mountainous debt which Great Britain is rapidly piling up, and that they are asking themselves: "Can this overtaxed country stand the additional financial burdens? Will the war destroy the British industries and trade, and drive the country into bankruptcy and ruin, or permanently impoverish Great Britain?"

In an article in the Outlook of the 28th of April, 1915, Mr. Theodore H. Price, another author, says:

Bluntly stated, the question is, Will the people of Europe repudiate the debts now being incurred either from choice or necessity?

For answer we must refer to the pages of history; but in them we can find no exact precedent for the present situation, as never before have any group of nations, or all the nations together for that matter, been in debt to the amazingly unthinkable total that the present belligerents will shortly owe. * * *

In Europe the per capita indebtedness, if the war last only a year, will be nearly double that of the United States in 1869, and the average intelligence and wealth of the people is much lower.

Can they support the burden of the debt now being created?

If they can not, what will be the effect upon the world and upon America in particular?

It is to be borne in mind that if repudiation or default should take place there would be no destruction of accumulated wealth. The stock of productive or unproductive things that a nation owns is not diminished if it fails to meet its obligations. No one can sue a sovereign State without its voluntary acquiescence. Nonpayment of a national debt simply means that a certain portion of the world's population is freed from the compulsion of being made to turn over part of its earnings to another portion who are thereby enabled to live with less effort. In this view of the matter default would not be an unmixed evil. The result would probably be higher wages for the working classes and increased cost of production in Europe, so that America would have less to fear from the competition of trans-Atlantic industry.

SHOULD BE MOVING FOR WORLD CONFERENCE.

So I say, Mr. President, that all of the conditions existing at this time argue against instead of in favor of excessive appropriations for military purposes. And, sir, it would not have been possible to have secured the votes of any considerable number of the Members of the Senate or House of Representatives for increased appropriations for this year over the appropriations of last year except for the fact that there has been conducted in this country an artificial, cold-blooded, selfish propaganda, made by interested organizations, to increase these appropriations at this time.

And, Mr. President, while Congress and the administration have yielded all too readily, I believe, to the influences set in motion by these hidden forces, there has been by far too great a lack of disposition to consider constructive measures which look to the removal of the causes of future wars.

Last session I introduced a bill and spoke for a conference of neutral nations. There has been a general consensus of opinion, a tremendously urgent demand for such a conference on the part of great masses of men and women who believe every effort should be made to awaken humanity, Christianity, and civilization to the evil of war and to the necessity of establishing other means of settling international difficulties.

Other neutral nations have intimated their desire for us to initiate such a conference, but the Foreign Relations Committee and the State Department have not given any public encouragement to what seems a most rational and natural first step to have taken in this world crisis.

PEOPLE SHOULD HAVE VOICE UPON QUESTION OF WAR.

Experience and reason alike demonstrate that since the people must pay the cost, must sacrifice their lives and their possessions in war, they should have a deciding voice in the declaration of war. I recently introduced a bill which offers opportunity for an advisory vote as to war against any nation with whom the President has severed diplomatic relations. I hoped to get a vote on it in the Senate, but have not been able to do so up to the present time.

OTHER PLANS TO AVERT MISUNDERSTANDING.

Hardly a day passes that there is not some scare headlines as to the Japanese menace. The fear of Japan has been one of the most effective means of working up sentiment for a great army and navy. Believing as I do that war should be the last resort in the settlement of international difficulties and that all other means of adjustment should be exhausted, I introduced a bill for an oriental commission. It may not be in the best form. I have a letter from a Japanese friend, formerly a student in the University of Wisconsin. I have great respect for his views on oriental relations. He was one of the originators of an international club at the university. He approves of the spirit of the bill, but objects to the provision for a joint commission including Japan and China. He thinks we should deal with each nation separately. The resolution could be modified to meet that objection. I have no pride of opinion about it. But the point is that no measure for solution of these obvious problems can secure consideration.

I would not have you think I am unmindful of the great responsibilities of the administration. I have taken occasion to express my appreciation and what I believe to be the widespread approval of the people of the country for the fact that the President has kept us out of war.

But I believe that because of our supreme position we might have exercised a more affirmative and effective influence in shaping the world policy and if we had not had such enormous selfish financial interests at stake I believe that much of this great energy and power now being expended in preparing for war would have been directed toward its prevention in the future. Who can tell with what result?

FIXING STANDARD FOR MILITARY EXPENDITURES.

Mr. President, I have voted and shall vote for appropriations for adequate defense. But the rank and standing of our Navy, the strength of our coast defenses, the impossibility of any effective over-seas expedition, the purposes back of this program, challenges every Senator to study this bill as he never heretofore studied any naval appropriation bill.

Remember, when once you fix a standard of excessive naval appropriations, it is almost impossible to lower it.

I should like to urge upon the attention of Members of this body and of the people of this country that we are now fixing a certain measure of taxation for military purposes, below which we are almost absolutely certain not to go but on top of which from now on we are almost absolutely certain to pile millions and hundreds of millions in excess of the amount now named in this appropriation bill. If you watch the trend of the appropriations, if you make out a table of naval and military

appropriations, you will find that you can not very well get away from an increase after it is once adopted—no matter how large and unnecessary the increase—you add to it the next year and the next year and the next.

HOW OUR APPROPRIATIONS GROW.

In this connection, Senators, I invite your attention to our naval appropriations for the past 15 years. A reading of the tabular statement of these appropriations will demonstrate the tendency to steadily increase these expenditures. There is no turning back. They mount higher, higher, constantly higher. Year by year we have increased the tax burden for naval expansion. Here are the amounts we have expended on the Navy:

Fiscal year.	Amount.	Fiscal year.	Amount.
1900–1901	$61,721,695	1909–10	$122,247,365
1901–2	68,438,301	1910–11	111,791,980
1902–3	82,977,641	1911–12	133,559,071
1903–4	104,126,192	1912–13	129,787,233
1904–5	115,655,825	1913–14	136,853,301
1905–6	109,725,059	1914–15	141,872,786
1906–7	98,392,144		
1907–8	117,353,474	Total	1,655,928,047
1908–9	120,421,579		

The naval appropriation of last year was practically two and one-third times as great as the same appropriation for the fiscal year 1900–1901. The appropriation carried in this bill multiplies the appropriation of 1900–1901 by 4.1. It is $315,000,000. It is an increase over the amount of 15 years ago of 410 per cent. It is $55,000,000 greater than the largest appropriation made by England in any one year during that entire period.

This bill ought to be sent back to the committee that reported it. When the Senate votes, it should certainly go no further than to vote to substitute the House bill for it.

The great majority of the people of the United States are people in moderate circumstances. The great burdens imposed by this bill make a difference to these people. You add $25 or $30 a year to the amount of their taxes, and I want to tell you that all the little home economies that are now strained to the very limit under the enormously high cost of living will break down.

CONGRESS MUST CONSIDER THE PEOPLE WHO MUST PAY THE TAXES.

We must think of these men who have to shoulder the greater part of this enormous cost of building battleships and all the necessary supporting auxiliary craft provided for in the bill as amended by the Senate committee. The taxpayers will want to know of the men who put these burdens on them, sooner or later, what justification they had for doing so. And they will know. This is a representative government. You have no business to have any pride in supporting a committee. You have no business to have any pride in supporting a "slate" program. We should vote here for that measure of increase in the defense of this country which the conditions impose upon us.

Let me say, Mr. President, that it is these men, who are grunting and sweating under the burden of the doubled cost of living and who are sustaining a family on just a few hundred dollars a year, who are going to know what this is all about—the banners of preparedness parades; the gushing editorials, paid for by advertising in a controlled press; the billboards covered with lurid preparedness posters; the moving pictures created from the disordered imaginations of men hired to instill fear in the mind of the public—all of the costly propaganda work will not be accepted as a justification of your action. It must stand the acid test of world conditions and of the actual facts with respect to the status of our Army, our coast defenses, our Navy. Facts, not emotion, in the last analysis determine the action of the American people.

Mr. President, a hundred million people have nobody to look out for their interests here but the Senators and Representatives in Congress. The munitions makers, the great interests, and the world-wide power which they exert, are here and in every capital of the world. Their representatives play upon the fears of Members of Congress. They labor in every conceivable way to discredit the military strength of the Nation and appeal to the patriotism of the representatives of the people to increase these expenditures.

Mr. President, I have sometimes thought that they were not only in the lobby and before committees, in their true character as lobbyists, but I have sometimes been constrained to think, Mr. President, that they were on the floor of the Senate and of the House of Representatives drawing salaries as Members of the two branches of Congress. Of course I understand—I can conceive—that they may square their support of these extraordinary expenditures with a proper regard for the people whom they represent.

If the great body of the people whom they represent are engaged in this line of business and of furnishing the means of equipping the armies and the navies of this country, I suppose they have a right to be represented here just as well as anybody else, as well as the great body of taxpayers who pay the bills. The only trouble is that they do not stand here quite in the capacity of lobbyists for that particular interest. They stand here as representatives of all the people, not only of their particular States but of all the States.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from New Hampshire?

Mr. LA FOLLETTE. Surely.

Mr. GALLINGER. I have no disposition to get into a controversy with the Senator from Wisconsin, but I am listening to him with interest. If I understood the Senator from Wisconsin correctly, I think the Senator from Wisconsin would wish to change some words that he uttered. If I understood him correctly, he went to the point of saying that he sometimes suspected that not only did Members of this body represent the great business interests of their States but he sometimes thought they received compensation.

Mr. LA FOLLETTE. Oh, no, no. Mr. President, I would not make a statement of that kind.

Mr. GALLINGER. I hope the Senator will revise his remarks, because I am very certain——

Mr. LA FOLLETTE. I do not think it will be necessary to revise the remarks, I will say to the Senator from New Hampshire. I am quite sure I did not say anything like that.

You see, the Senator from New Hampshire, Mr. President, has been a sort of disciplinarian of mine for a good many years. I have been in the Senate now about 10 years, and for a considerable time after I entered the body the Senator from New Hampshire, when I arose, used to take his book of rules out of his desk. He would open his book of rules and put his finger in the book at Rule XIX and have it ready to pull on me during the debate. That rule provides that you can not say what you think about Members of the Senate. That rule of the Senate provides that no Member shall question the motives of any other Member of the Senate. I presume that is a necessary rule of debate, because otherwise we might get to telling what we think about our associates here, and that would disturb the amities and the courtesies of the ordinary procedure of the Senate if we really told what we thought. So you know we have this wholesome restraint upon us; and no Senator is permitted to question the motives of any other Senator. Having been pulled up because I had, though not intentionally, violated the rule, but from want of discrimination in the exact form of my speech—having been pulled up a good many times by the Senator from New Hampshire, I have had a curb over myself. I do not believe I have in this instance violated any rule of the Senate, but if I have, I shall be sure to correct it when I come to look over what I have said.

Mr. GALLINGER. Mr. President, if the Senator from Wisconsin will permit me, he exaggerates the attitude the Senator from New Hampshire has taken toward him. At one time I was very solicitous to have the rules of the Senate observed. That was all.

Mr. LA FOLLETTE. That may be.

Mr. GALLINGER. I think the Senator does exaggerate the matter. I have never meant to be discourteous to the Senator from Wisconsin, and have tried not to be so; but, however that may be, I think honors are easy in that regard, and we will let it go at that. I may have misunderstood the Senator from Wisconsin.

Mr. LA FOLLETTE. I think the Senator did.

Mr. GALLINGER. But I think that inadvertently the Senator did say something that he may want to correct before it appears in the RECORD—something that reflects upon Members of both Houses of Congress. The Senator's words are going out to the country——

Mr. LA FOLLETTE. I shall be careful about it.

Mr. GALLINGER. And the country will be more or less influenced by what the Senator is saying on the question. Whatever my relations with the Senator may be now or may have been in the past, I would not want the Senator, any more than I would want any other Senator, to intimate that Members of this body do not act conscientiously and honorably.

The Senator from Wisconsin speaks of New England very frequently in connection with munition factories. There are no munition factories in my State. Possibly I should regret

that, because I like my people to be busy and prosperous, and surely their interests ought to be protected so long as they are engaged in legitimate business operations.

Mr. LA FOLLETTE. Oh, no, Mr. President, I want to be very careful. I do not want to say anything that the rules of the Senate do not permit me to say, because this is not the only forum, you know; there are places where I can go out and free my mind, and I do it not infrequently. I read the roll call from time to time over the country. So I do not intentionally transgress the rules here. I will look over what I have said with very great care, and with the rules in my mind, and I will try to keep within the limit.

WHY "THEY" WANT "PREPAREDNESS."

I think I have cleared up and destroyed, if it required to be destroyed, any possibility of belief that this Government of ours has a Navy inferior to that of any other Government than Great Britain. If we are to build in competition with Great Britain, then we are to change our policy, which has not been a policy of aggression, which has not been a policy of acquisition of territory, which has not been a policy of imperialism. Great Britain *may* justify having a navy such as she maintains, but she can only justify it to protect her foreign possessions. So that, if in this change of plan under this administration we are to have a Navy commensurate with England, we are to have a Navy commensurate with England because we are going to adopt the policy that England has—of possessions abroad, of aggression upon other Governments. Mr. President, that fits exactly into the whole scheme of the interests back of the propaganda to create a public sentiment for a big Army and a big Navy.

The great financial interests in Europe have planned for big navies and big armies—navies to enforce the rights of the financial organizations in foreign countries. Combined with the banks and others seeking foreign investments were and are the great manufacturers of munitions who make profits out of war.

Mr. President, I propose to show that beginning 66 years ago a new policy was inaugurated in England with regard to enlisting the powers of government back of the financial operations of individual citizens who had made speculative investments for profit in foreign countries. Lord Palmerston, then the British secretary of foreign affairs, invented the new doctrine which has been adopted by practically all of the Governments of Europe, and is manifestly taking root in this country. The case in which the new departure was made is a very interesting one. Never before that time had any Government employed the power of its state department to prosecute a private claim against a foreign Government.

I have here a number of high authorities which call attention to the fact that it was at this time that the Government was first summoned to the support of private claims against foreign Governments. I shall read from only one or two.

ARMED PEACE FOR PRIVATE PROFITS.

I read from a work recently published by the MacMillans in this country. It is a republication of an English book published about a year ago. The author is Henry Noel Brailsford. The title of the book is "The War of Steel and Gold: A Study of the Armed Peace."

The modern extension of the principle—

That is, the principle that the Government will protect the private investments of citizens in foreign countries—

The modern extension of the principle was first enunciated by Palmerston in an historic speech in 1850. * * *

The case which Palmerston had chosen for the establishment of this principle was painfully, even absurdly, remote from any national British interest. Don Pacifico, a Portuguese Jew resident in Athens, who in some obscure way had acquired British citizenship, had a fantastic claim for financial compensation against the Greek Government. He refused to sue in the Greek courts, called in British diplomatic aid, and so far succeeded that a British fleet was sent to the Piraeus with a peremptory demand for a settlement. Palmerston's doctrine, looked at askance in his own day, has become the unchallenged dogma not only of our own but of every other great power. In the heroic age Helen's was the face that launched a thousand ships. In our golden age the face wears more often the shrewd features of some Hebrew financier. To defend the interests of Lord Rothschild and his fellow bondholders, Egypt was first occupied, and then practically annexed by Great Britain. To avenge the murder of a missionary by a Chinese mob, the Germans annexed the town of Kiaochau and a district stretching 100 miles inland; the town, it may be remarked, was noted not merely for its dislike of German missionaries, but also for the fact that it is a very valuable port. To protect investors who had speculated in its debt, a foreign financial control was imposed upon Greece. The claims of various financial adventurers who had grievances against President Castro's government induced Britain and Germany to conduct a naval expedition against Venezuela. When in Persia a civil war broke out between the Shah and his revolted subjects, Russia, with Sir Edward Grey's assent, claimed and exercised the right to send her troops into Persian territory to protect her subjects from the possible accidents that might befall them in these internal commotions. The comparatively recent history of Turkey tells of a naval expedition undertaken by France to the island of Mytilene to collect a usurious debt due by the Sultan to a pair of Levantine financiers with Italian names—MM. Lorando and Tubini.

The extremest case of all is, perhaps, our own South African war. The quarrel between our subjects and Mr. Kruger's government was extensive, but it turned mainly on two points, the objection of the mining industry to the dynamite monopoly and the claim of the Outlander community that it should be allowed, on easier terms, to divest itself of its British citizenship in order to acquire a vote in the Burgher republic. An odder application of Palmerston's doctrine could hardly be imagined. The Civis Romanus conceived it to be his interest to become a barbarian, to weaken the empire by leaving it, and the empire actually backed his claim. The law forbids a man to weaken the State by committing suicide, for it is supposed that the subtraction of one broken life from the sum of its forces is somehow a loss. Here the State actually insisted that British subjects should be encouraged to withdraw their support from the empire, and it backed its insistence by arms. What the mine owners really at bottom desired was cheaper labor, and their effort to acquire political power through the franchise had no other object. "Good government," as one of them reckoned, would mean two and a half millions a year in dividends.

In one way or another capital which expatriates itself will desire to control the territory where it is employed. It is often content with the informal offices of diplomacy. In graver cases it demands some form of foreign control to foreign employees or a foreign commission. In the Transvaal it thought for a moment of securing its interests by means of the votes of a foreign population composed mainly of its own employees. The same proposal has been put forward (see p. 123) by Lord Cromer as a method of reconciling the claims of foreign finance with Egyptian self-government.

Palmerston's doctrine has, in short, become a pretext which may excuse any and every act of aggression and interference. The extent to which it is carried in any given instance depends not so much on the character of the interest involved and the nature of the injury which it has suffered as on the mood of the imperial power, the weakness of the State assailed, the tolerance of the other great powers, and the amount of influence which the interest affected can exert upon the diplomacy of the power which protects it. The application of this doctrine is apt to attract attention only when it happens to lead to some catastrophe involving the visible use of force. But for one overt and public application of force, most modern empires use their strength a hundred times in less violent but equally effectual ways. If a power coerces once, it may dictate for some years afterwards without requiring to repeat the lesson. It is the first duty of diplomacy abroad to protect the interests of its subjects, and these interests are now usually concentrated in the hands of great banks. The banks in their turn work in concert with the groups of capitalists who are seeking concessions to construct railways and ports, to install electric plants, to open factories to work mines, to supply armaments, or to subscribe to loans. Palmerston's claim that a State should protect its subject from "injustice and wrong" sounds plausible. But better than cure is prevention, and the real business of diplomacy is now rather to support these interests, so that no "wrong" shall be done then than to rescue them by an angry intervention after the wrong has been done. The method by which support is given varies indefinitely, and each power has its own characteristic technique.

Sometimes the financiers merely introduce and recommend it to the notice of the foreign Government, and this process is clearly simplified when the venture has at its head some noted social or political figure. A British bank operating in Egypt chooses Lord Milner as its chairman. A bank which aims at serving Turkey has at its head Sir Ernest Cassel, who was often King Edward's host. Lord Cowdry, battling in Latin America against the Standard Oil Trust for concessions, sends out as his ambassador the late Capt. Whit, of the Liberal Party. "Protection" in such cases means often much more than support against the government of the weak and possibly unscrupulous States in which our financiers are operating. It means also support against European rivals, who, in their turn, have diplomatic backing. In Turkey rival embassies compete like business houses for concessions, loans, and orders, and mix inextricably their politics with their finance. The French and German ambassadors in Constantinople engage in an incessant conflict over the rights to supply Turkey with armament on the forges of Creussot or Essen. The banks take their share in the competition, and the usual procedure now is that Turkey is offered a loan by a French or German bank on condition that the proceeds are expended in buying cannon as the case may be from Schneider or Krupp. Austria has been known to make a condition of concluding a tariff treaty with Serbia that she should buy her cannon from the Austria works in Skoda.

WARS MADE TO ENFORCE PRIVATE CLAIMS.

Mr. President, there is abundant proof for the statement that practically all the wars of modern times have grown out of Governments using their military and naval power to enforce the claims of private interests—powerful interests, powerful with the home Government, powerful enough to control cabinet ministers, powerful enough to command the support of court circles. What caused the war between Russia and Japan? The Russian people did not want the war, the Russian bureaucracy did not want the war, the Russian ministry was opposed to the war. Gen. Kuropatkin, minister of war, published his memoirs, the first edition of which ran in McClure's Magazine. The first edition published in the magazine contains most interesting and noteworthy material that is not found in the expurgated edition afterwards permitted to be published:

The inner history of the Russo-Japanese War is an even more instructive revelation of the working of the personal factor in foreign affairs. The facts are fully stated in the translation from the first unexpurgated draft of Gen. Kuropatkin's memoirs which Mr. George Kennan contributed to McClure's Magazine for September, 1908.

The causes of the war between Russia and Japan were the refusal of Russia to observe her pledge to evacuate southern Manchuria, and her stealthy encroachment on the Japanese sphere of influences in northern Korea. These memoirs show that all the ministers of the Tsar, Count Lamsdern, foreign secretary; M. Witte, minister of finance; and Gen. Kuropatkin, minister of war, was sincerely disposed to evacuate Manchuria, and no less opposed to any advance toward the Yalu River and Korea. They failed because the timber enterprise, which was the attraction of the Yalu district, was a court adventure.

The authority for this statement is a cabinet minister of the Russian Government, the Russian minister of war, Gen. Kuropatkin. Listen further:

They failed, because the timber enterprise, which was the attraction of the Yalu district, was a court adventure. These wealthy forests, made over to a Russian promoter in 1896, when the Emperor of Korea was a fugitive in the Russian legation at Seoul, had passed into the hands of a courtier named Bezobrozoff, an intimate of the Grand Duke, the Dowager Empress, and the Tzar. The company which be formed to work this concession had several of these people among its shareholders, and there is little doubt that the Tsar himself was interested to the extent of £200,000. Admiral Alexieff, a creature of Bezobrozoff's, went to the Far East a viceroy, overruled the ministers at home, and conducted the timber enterprise as an imperial undertaking. It was neither the Russian people nor the Russian bureaucracy which had determined to keep the Yalu district and to fight Japan for its possession. The resolution to possess it came from a little group of interested courtiers, who were using the national resources to further a private financial end.

Mr. President, the Russo-Japanese War is one instance. If I chose to take the time I might cite many other examples that prove what is really back of these great military preparations which have been under way for many years in foreign countries and are now under way in this country.

For the sake of brevity, Mr. President, I shall read, first—and perhaps it will be all that I shall find it necessary to read—a summary of the cases of the exploitation of weak governments by the strong.

I read from a work by Frederick C. Howe entitled "Why War?" published very recently by Scribner & Sons. I purpose to put into the RECORD his excellent summary of the operations of the financial interests in the weaker Governments of Europe particularly. I hope all who have not read this valuable and convincing work will take occasion to study it. You will find all the facts given and the record verified beyond dispute. In the summary to which I referred the author says:

Certain forces have been set in motion by the European war whose coincident appearance seems hardly a matter of accident. These forces are:

1. The billion-dollar war orders that have filled every available shop and factory with the most profitable orders that have been received in years.

He might have said the $3,000,000,000 war orders. These orders now total this enormous amount.

2. The agitation of preparedness, involving the expenditure of millions of dollars for an increased army and a navy equal to that of the strongest European power.

3. The promotion of powerful financial organizations for foreign exploitation and over-seas financing. These, as we have seen, are the forces of imperialism.

COLOSSAL PROFITS IN MUNITIONS.

The agitation for a greater navy and the organization of over-seas trading corporations were so simultaneous in their appearance as to suggest cause and effect, especially as the classes most active in promoting preparedness include the leading stockholders in the new promotion corporations of munition factories and banking institutions which are reaping such colossal profits from the present European war.

Here is the same merger of interests; here is the same invisible government which for the past 20 years has been waging war on democracy. It is the merger responsible for insurance scandals, the railway bankruptcies, the Alaskan land frauds, and the monopolization of industry that menaces our life and our institutions. It is an old enemy in new clothes; it is the same merger that for 30 years has involved the great powers of Europe in war and in preparation for war.

I am tempted, Mr. President, every moment to turn aside from each one of these pungent paragraphs to review what has been taking place in this country, resulting in unlimited fortunes for the few, through a control of all of the prices of the products that the people have to sell—the products of their land and of their labor and the control of all the prices of the things they have to buy. These colossal fortunes in the hands of combinations and trusts have caused a surplus of wealth in this country like the surplus wealth created in Great Britain and in other European countries.

BIG FINANCIAL INTERESTS BACK MUNITIONS TRADE.

The tying together of the manufacturing, transportation, traction, banking, and other interests of the country has been demonstrated over and over again. Yet it was made the subject of scorn and ridicule when eight years ago upon this floor I undertook to prove the menace of the interlocking directorates of the financial, the transportation, the traction, the industrial, and the commercial organizations of this country. I named directors and the different corporations upon which they were members of the board of directors, and pointed out that there were 23 members of the board of directors of the National City Bank, of New York; that that bank was the head of a group of banks in New York and a group of financial trust companies, about two dozen in number, that was known in every broker's and banker's office as the Standard Oil group; that the National Bank of Commerce, with, as I now remember, 40 directors, was the head of what was known and is known to-day as the Morgan group; that associated with that group, and owned and controlled by it, were a dozen of the leading banks and a dozen of the leading trust companies. The roll of the men on the boards of directors of these various groups and the various manufacturing, industrial, and commercial enterprises resolved itself into a little handful of men who appeared on all these different directorates, as I now remember, to the number of 98, who, operating together, controlled the business of the country. I prosecuted my investigation into the various cities of the country to get the financial measure of these 98 gentlemen who controlled the board of directors of all the big business of this country, and it turned out that 14 men were the big power after all—only 14. And then, Mr. President, a little further investigation disclosed that those 14 men lived in terror of two big forces in this country that had grown powerful and gigantic within a few years—Standard Oil and Morgan. Those two great groups had been built up, Mr. President, when there was some rivalry between Standard Oil and Morgan.

There is none now. These interests, consolidated, rule to-day in this country. Their power is at work behind the scenes for a great big Army and a great big Navy. They, sir, make the profits out of the building up of the Navy and the Army. They are back of great investments in Mexico.

I will continue my reading from this author.

Mr. TILLMAN. Mr. President, will the Senator tell us from what he is reading?

Mr. LA FOLLETTE. Yes, sir; I am reading, as I said before, from Dr. Frederick C. Howe's book, entitled "Why War?" recently published by Scribner's. And let me say, Dr. Howe is one of the Nation's ablest writers, thinkers, and publicists. He is a practical statesman. He was a member of the Ohio State Senate, a devoted friend of Tom Johnson's, a coworker in and supporter of his reforms—

Since the outbreak of the war European war orders have been placed with American firms in excess of $1,000,000,000. The profits on these orders are colossal. War securities have advanced in price on the stock exchange by nearly $1,000,000,000. That much has been added to the wealth of a small number of persons who hold the controlling interest in the greater companies which have the important war contracts. The banking firms of Wall Street have been the financial agents of the allied powers in the handling of these contracts. They have floated the $500,000,000 allied loan and carried through all of the transactions for the allied Governments since the outbreak of the war. The largest war orders have been placed with the Bethlehem Steel, Midvale Steel, General Electric, Du Pont Powder, Westinghouse Electric, and American Locomotive Cos., all closely identified with Wall Street interests. Hundreds of millions of orders have gone to lesser companies.

Before the war Bethlehem Steel fluctuated around $40 a share. It has since sold as high as $600 a share. Under the stimulus of war orders, Savage Arms rose to $340 a share, Du Pont Powder to $422, Colts Arms to $840, and Winchester Repeating Arms to $2,400 a share.

Mr. STONE. What was the value before the war of these other shares?

BIG BUSINESS BACKS CAMPAIGN FOR BIG NAVY, BIG ARMY, AND UNIVERSAL MILITARY SERVICE.

Mr. LA FOLLETTE. The writer does not say what the market prices of any of them were before the war, except Bethlehem Steel, but the statement shows them to be enormously above par. I suppose it will be an easy matter to look up in the files of papers the quotations made two years ago on these securities. The author continues:

One of the results of the war has been to identify the financial powers with the munition makers, as in the warring nations of Europe.

Coincident with the advance in the value of war stocks, the cry of unpreparedness was raised against an unnamed power that threatened us. The cry sprang as if from the earth. It was born with the formation of various leagues for its promotion whose officers and promoters are closely identified with the great banking houses and munition makers of the East. The press echoed the hue and cry. The Navy, which prior to the war was said to be second only to that of Great Britain, is now said to be that of a third or fourth rate power. The Army is a paper Army. Our coast defenses will not withstand an attack. Any one of the great powers could land an army on our shores and bring us to our knees in a few weeks' time, and 100,000,000 people separated from these powers by 3,000 miles of sea would be powerless to prevent it.

We must have a Navy equal to that of the greatest power on earth, is the demand. Even that seems far from adequate to some. Hundreds of millions must be immediately spent. There must be a large standing Army, some say, of 400,000, others say of 1,000,000 men. Universal conscription is insisted on by some.

I noticed in this morning's papers, Mr. President, in the dispatches, that the Military Committee—I do not know whether it is of the Senate or of the House—is considering now some plan of conscription.

Enlistments are not very rapid these days. Recruiting does not go forward on the run. Contrast the people who are willing to enlist in a preparedness parade—or who do march, whether willing or not—with those who are appealed to to come to the colors and enlist for service in the Army. It is rather discouraging, is it not? The reason is, Mr. President, that everybody knows that there is not any real occasion for enlistment.

PEOPLE NOT DECEIVED.

If all these evidences of apprehension of danger put up in the artificial parades that have been staged over this country had any foundation in fact, you would not have any trouble to enlist men. Should some real trouble come upon this country men would stand out in line at every recruiting station in every State, from ocean to ocean, for the privilege to enroll themselves to go to their country's defense. Do not be misled, fellow Senators, by this noise about danger to our country.

The mass of the people of this country have not been convinced by the false alarm. Congress has been moved by it. The administration has been moved by it. The real sentiment of the people as a whole has not been rightly estimated. In the agricultural districts where the day is spent by the farmer following his plow or his harvester, mixing his thinking with his work, in the quiet and hush of country life, where the blast of the bugle and the roll of the drum has not disturbed the serenity there is a wiser judgment, a truer test. In the shops and factories and mines men who understand the part they play in war, ever ready to respond to the call of genuine patriotism, are much too wise and intelligent to be deceived by a counterfeit call to serve selfish interests.

I confess that I do not think any man can quite be indifferent to the sight and sound of a vast concourse of people following the Stars and Stripes, keeping step to the rhythm of music. He is thrilled by it; he should be, but he should not forget to think.

It was not so long ago, Mr. President, that the great political parties of this country uniformed their voters and they marched by the hundreds of thousands in torchlight parades. Why? They sought to get the emotional effect of a moving display upon the voter.

Mr. President, that came out of the war; but when the new economic issues—grappling with the trusts, dealing with transportation, those problems that followed the settlement of the differences that had arisen in that unhappy strife known as the Civil War—began to take the stage there was no longer any place, sir, for the torchlight parade. Men were thinking.

A false military situation has been seized upon to produce the same effect upon the voters of the country that the old torchlight campaign procession produced upon the voters of that time.

HOW MICHIGAN ANSWERED.

The Senator from Michigan [Mr. TOWNSEND], coming in a moment ago to his seat, reminded me of the fact that when that State, bordering on the Great Lakes, midway between the two oceans—a pretty fair barometer of the northern section of this country, I should say—had a chance to express itself upon this condition of things, what did it do? Overwhelmingly and almost on the instant it rose up and repudiated this war business by giving its vote to Henry Ford, who in these times has the courage to stand against the jeers of the unthinking and the denunciation of his own class, who want war at any cost.

Mr. VARDAMAN. And never in politics.

Mr. LA FOLLETTE. And never in politics—a man who said he was not a candidate. It was an expression of the pent-up feelings of the people of a State, a measure of its average sentiment. Michigan is largely agricultural, but it has some manufacturing; it has some munition plants not engaged in making arms and ammunition. It is getting some profits out of this war, and yet a wave of protest against this thing you are about to do in this bill swept that State and carried it against a favorite son—a respected Member of this body.

It is very significant, Mr. President, and it was noticeable in the presidential primary; wherever there was opportunity for clean-cut expression on this issue it broke loose and asserted itself in condemnation of all this great war preparation.

KANSAS WAS UNMOVED.

When the President of the United States was swinging around the circle, as they called it, his itinerary took him to the city of Topeka, Kans. I think it was one of the last dates that he filled on that trip, perhaps the last. His meeting was, we will say, at 4 o'clock in the afternoon, in what is known as the Auditorium. There was a farmers' convention assembled there that day. Two thousand five hundred prominent farmers from every section of that State sat in that convention transacting the business of the hour. Four o'clock came. The presiding officer rose in his place and said:

Members of this organization, I have been notified that at this hour the President of the United States is to speak from this platform. We must conclude our session.

An adjournment was taken. They had pretty good seats, and they held them. The doors were opened and the Auditorium filled up. The President and his party came in and he spoke from that platform, and I suppose he made much the same kind of a speech that he had been making at other places. He was out for that purpose, and it was an appeal for support for this kind of a program. The man who presided at that meeting before the presidential party arrived sat on the platform. He is a supporter of the President. Shortly after that meeting he told me in the Marble Room that he watched that farmer audience in the body of that Auditorium, and that there were just three hands given in applause to the President, and that was when he uttered some general patriotic sentiment. He told me that otherwise those men gave no approval to anything that the President said in support of a great military program.

Now, that is a fact, Senators. It is reported to me in a way I know to be true. The very next day that organization went on record unanimously with a resolution condemning the program the President had put forth.

NORTHWESTERN FARMERS EXPRESS REAL ATTITUDE OF THE PEOPLE.

I think I mentioned it once before here, but it will bear repetition at this time. On the 9th day of last December I spoke to seven or eight thousand farmers in an auditorium in the great city of St. Paul. Those farmers came from North Dakota, South Dakota, Montana, northern Iowa, northern Wisconsin, and Minnesota. They were there for the purpose of breaking, in so far as they could break, the power—a part of this same power I have been talking about—that controls the prices of their grain, that controls the grading of their grain, that robs them upon weight, that robs them upon inspection, and cheats them upon the selling price of the day. Those farmers were there to lay the corner stone of an elevator to be built by themselves, costing some $500,000. They had been organized largely through the efforts of one of the most remarkable men I have ever met.

I know the Senate will pardon me if I pause for just a moment to say that that man who day before yesterday passed out of this life in the very middle of a career of wonderful usefulness was George S. Loftus. He had traversed those States back and forth, up and down, appealing to those men to rear that structure and through cooperative organization to market directly the products of their farms. He had felt the power of combination in his business. He was buying the grain of the farmers in competition. He had orders to pay dictated prices. He fought. The banks took his credit away from him. Then that man went out and gave his life to the building up of an organization to break that power. He was one of the bravest spirits I have ever known.

I spoke to that audience on the 9th of December. The President had just delivered his message here to Congress in joint session, and he had changed from the position he had taken in the other message, when he said he would not see this country made an armed camp. A resolution was passed through that farmers' body unanimously disapproving of the message so far as it related to a great military program.

CHANGING THE DESTINY OF OUR COUNTRY.

Mr. President, this debate, the action of this body, is a turning point in the life of this Republic. Enlist, enroll yourselves under the banners of the munition makers and financial organizations that want great armies, commit yourselves to putting into the waters of our seaboards a Navy to match England, and forever and forever, unless there be revolt, you have changed the destiny of this country.

Mr. President, may I remind you that when I was diverted I was reading from Dr. Howe's book of the transactions and the financial operations of the organized money power? I have given you his statement of the enhanced value of the stocks and his views on this question of our Nation devoting itself to preparation for an invasion of which there is no possibility. Continuing, he says:

The fact that Europe is prostrate, with an indebtedness fast approaching $75,000,000,000, that from 8,000,000 to 10,000,000 people have been killed or incapacitated, that the end of the war seems as far off as ever, and that all Europe is so sick of war that a revolution would probably be the result of further aggression, is only another reason for still further preparedness.

No device of the munition makers of Europe for awakening fear, in the promotion of war scares, in the agitation to "scrap" existing armaments, in the lobbies and press control is wanting in the campaign that has been systematically carried on for the last few months. Every attack on the alleged weakness of the Army and Navy can be duplicated in the disclosures of the tactics of the war traders of England and Germany. Line by line and paragraph by paragraph, the stories of the Krupps and Maxims, the shipbuilders and the munition makers of Germany, England, and France, have been copied by our scare makers. The bankers and the munition makers augment the hue and cry. Only a handful of Congressmen have exposed the activities of the munition makers and their practices in this and other countries; they have shown the international monopoly which exists, the colossal profits enjoyed, and the gains to be expected from the thousands of millions to be spent on the Army and Navy program of the next few years.

Is the preparedness urged by the merger of high finance and the munition makers only another device of the privileged interests to secure an indorsement by the Government on the back of one billion of paper securities by providing war orders for the munition plants after the war?

THE BIRTH OF FINANCIAL IMPERIALISM.

I can remember, Senators, when I was in public life before I came to the Senate, that whenever there was a proposed subsidy for promoting our shipping interests we were told it would develop our commerce. The slogan then was that trade follows the flag. That has been reversed. Now the flag follows investments; the flag of the country takes with it the man-of-war.

To proceed:

The second element in the program is the organization of forces for the promotion of over-seas finance under the guise of promotion of trade. The first expression of the movement is the organization of a gigantic $50,000,000 international corporation—

You have noticed it, have you not?—

organized and financed by interests closely identified with the munition firms and the financing of the present war. This organization, as its promoters announced, is for the purpose of enabling the United States to take a larger part than heretofore in the industrial development of other countries where capital is needed.

Do you know why you have this scheme for a big Army and a big Navy here?

Such countries are certainly not Great Britain, France, and Germany.

We do not need a big Army to take care of our investments in those countries or in any of the great investing nations of Europe.

The countries where "capital is needed" are the weak and helpless peoples of Mexico, Central and South America, of Morocco, Tunis, Persia, Africa, China, and the insular possessions of the United States, and elsewhere.

Now, quoting from this announcement that foretells the organization of this big $50,000,000 scheme to push investments and trade and business in all the countries where capital is needed, occurs this:

Wealth is accumulating so rapidly that a portion of it can be spared for investment abroad. The experience which our people have had in large-scale production and in expensive construction work has especially fitted us to carry on development work in other countries.

Now, the author sums up the operations of some of these wealthy organizations of Europe. He says:

Surplus wealth lured Great Britain into Egypt. The English financiers—

Now, this is just a short condensed statement of it, but the facts are given in a chapter of this book—

The English financiers made a loan to the Khedive in 1873 of $410,000,000.

Now, put those figures down somewhere.

They gave the Khedive $105,000,000 "and kept $305,000,000 as security."

Surplus wealth bankrupted that country; it destroyed the Egyptian independence; it was followed by intervention and the bombardment of Alexandria to protect the loan.

That is history. There is no questioning it.

This was the beginning of financial imperialism 34 years ago.

STORY OF MOROCCO.

I wonder if Senators would like the details of that affair. I can give it to them from any one of these authorities.

Surplus wealth led France into Morocco. In six years' time the indebtedness of the Sultan to the European financiers was increased from $4,000,000 to $32,500,000. The Sultan received but a small part of the loan. He went bankrupt. He could only pay the interest by wringing it from the wretched natives, who finally revolted. France intervened at the demand of the bankers. Thousands of Moors were slain. Germany sent a gunboat to protest. Europe was on the verge of war in 1911 as the result of this conflict. The Morocco incident is one of the hidden causes of the present European war.

In 1904, it will be remembered by Senators who followed that affair, France and England consummated a treaty, certain sections of which were kept secret. Those sections deprived the Moroccan Government of its sovereignty. That was not known until 1911. It concerned Germany. German citizens had invested heavily in iron properties in Morocco. Germany needed the raw material. She was not concerned about any treaty made by France and Great Britain with Morocco so long as it did not contain provisions which might subject her to exacting conditions that would impair the value of her investments. When these secret provisions, with which all the literature upon this subject teems, became known it was the occasion of that famous declaration that a policy had been entered into of "hemming Germany in," of shutting her out from the possible development of her industries by preventing her from getting the ore with which to keep them running. The Atlantic Monthly, the World's Work, and the leading serious journals of the country have carried articles written by able publicists of England, loyal to their country, but denouncing that secret treaty and pointing to it as the great underlying thing that has brought on the present war. Little things sometimes are productive of tremendous consequences; but that was not such a little thing.

I understand Germany, if confined to her own territory, so far as the known deposits of iron ore in Germany are concerned, can only account for the operation of her iron industries for a very limited period of time. Therefore, unless she secures raw material she must shrivel up industrially, her people must be driven to the wall, all of the great industrial establishments which she has built up must crumble to nothingness. So some years ago she began casting about for some place to supply herself with iron ore, and among others a number of her leading iron masters made extensive investments in the Moroccan iron fields. All they needed was just an equal chance with other investors, untrammeled by her industrial and commercial rivals.

I have no doubt, Mr. President, that a profound study of this subject will make the issues growing out of the affair loom large as an underlying cause of the break when it came.

GERMANY LURED TO TURKEY.

The author continues:

Surplus capital lured Germany into Turkey. There were railroads, mines, docks, harbors, and trading concessions awaiting to be exploited. Banks earned $25,000,000 in commissions in building the Bagdad Railway, and, besides, saved $45,000,000 more in the cost of construction—

An entire chapter is devoted here to a detailed history of Germany and the Bagdad Railway, and one or two volumes have been written upon that subject alone—

all of which was charged to the Turkish Government. The banker was followed by the Kaiser and his armies. Turkey has lost her independence; the Balkan States have been embroiled, and Europe is now warring over the conflicting interests of England, Germany, and Russia in Turkey.

SIX-POWER LOAN TO CHINA.

Surplus capital negotiated the six-power loan to China. The loan was accompanied by demands by the bankers for control of the internal administration and revenue system of China. It struck at her very life, and China declined the terms. President Wilson lifted American diplomacy into its proper place when he refused to give his sanction to the participation of American bankers in the loan. He ended dollar diplomacy so far as we are concerned; but the same bankers are now loudly clamoring for a return to the dollar diplomacy of a former administration.

And I regret to say, Mr. President, that I saw only a week or 10 days ago the statement that the President's attitude had changed with regard to this Chinese matter and that there was to be a change of policy in the State Department. There was a paragraph or so of ridicule of Bryan's policy against the exploiting of the weak Governments of the world through the agency of the diplomatic arm of the Government. I do not know that there is any warrant for that article, and I trust there is not; but for a day or two it was quite prominent in the papers.

Says Dr. Howe—

"Surplus wealth" aided in strangling Persia. It ended the independence of Tunis. The Italian war against Tripoli had its motive, in part at least, in the speculations of the Bank of Rome.

"Surplus wealth" for foreign investment drained France of capital needed for internal development. It weakened her in her war with Germany.

It was "surplus wealth" invested in South Africa that brought on the Boer War. "Surplus wealth" led to the spoliation of Mexico, the taking of her lands, mines, oil wells, and the richest portions of the country.

Dollar diplomacy, navalism, and the exploitation of weaker peoples, ending finally in the European cataclysm, have gone hand in hand during the last 20 years. The darkest pages of this story will never be written, for the records lie buried in the graves of weak and defenseless people in every part of Africa, in Asia, in Turkey, Persia, Asia Minor, and the Balkans; it is a story that would have been written in the subjugation of Mexico, in Central and South America, had not the Monroe doctrine intervened.

We should be slow to accept the statement that this is a movement for the promotion of foreign trade, as the organizers of these corporations declare, and as patriotic business men have been led to believe. As has been seen, none of the countries of Europe have materially advanced their trade and commerce by the organization of banking institutions for that alleged purpose.

Rather the foreign banking agencies of the great powers are engaged, almost to the exclusion of everything else, in obtaining concessions, building railroads, securing mining land and oil grants, in the making of loans to weaker powers, and in cooperating in the sale of munitions. And an examination of the interests of the banking institutions that are promoting the new corporations shows that their relations are not in the field of manufacturing, trade, and commerce at all. They are in the fields of monopoly, finance, and speculation.

WE FOLLOW EUROPEAN METHODS.

I shall read another page or two, including this paragraph, on this subject:

As happened in Europe, it is necessary to give a patriotic sanction to financial imperialism to identify the Nation with its program. Wall Street can easily finance a dozen $50,000,000 corporations. But that would leave them Wall Street corporations. The flag would not willingly follow the investments: the Nation would not be a complacent collection agency for such questionable claimants, so the new international corporation is to include as many other interests as possible. Such strength is needed, the announcement says, as can only be found by arousing the interest and securing the cooperation of the entire country. It is necessary to make it a national undertaking and appeal to the confidence, enterprise, and patriotism of the American people.

No element is lacking in this new imperialism of finance, which, under the glamour of patriotism, aims to exalt America to the dignity of Great Britain, Germany, Russia, and France as a "world power." Line by line the history of the exploitation of defenseless people is foreshadowed in the program that privilege would have us enter upon. High finance, the making of munitions and colossal profits, over-seas exploitation, dollar diplomacy, and the great Navy ready and willing to demand the open or the closed door as the immediate advantage may dictate, these are the elements of financial imperialism that have brought Europe to its present end. The logic is inexorable, the results are inevitable. Every nation of Europe that armed for defense has used its preparation for offense. The record of "Preparedness for defense" is written all over the map of Africa, it is written in Turkey, Asia Minor, Persia, Manchuria, and China. It is written in the blood of millions of men in the present European war.

Only the chance election of a President might determine the uses as to which this preparedness would be put, with the power of high finance, the control of the press, and the invisible powers of privilege ready at a moment's notice to urge the unleashing of guns in the name of "dignity" and "national honor." This is the program of preparedness offered by those who have monoplized the railroads and public-service corporations, who have seized the iron ore, coal and copper deposits of the Nation, who have inclosed the public domain and laid their hands upon the banks and credit resources of the Nation, and who, having exploited prostrate America, are now turning wistful eyes to the virgin opportunities of weak and defenseless peoples in other parts of the world.

It is these that are most active in urging a colossal naval program and a large standing Army. They assail the President and Congress for the inadequacy of their defense program, and attack any one as unpatriotic who questions their demands. Yet these same classes are unwilling to bear their share of the cost of preparedness; they cry confiscation when taxes are suggested on the things they own no heavier than England and Germany were carrying in times of peace. They suggest that the cost should be borne by a higher tariff and by indirect taxes on the things the people consume. They even meet proposals for the manufacture of armor plate by the Government by the threat that they will increase the cost of that commodity by $200 a ton. This is the answer of privilege to the demand that preparations for war should involve equal sacrifice

Democracy has a right to insist that preparedness is not merely a demand for private profit; that an increased Navy is not designed as an agency for the promotion of over-seas finance, and that militarism shall not be the grave of the things we hold most dear.

Mr. LEWIS. Mr. President, may I ask the Senator whose book that is? I did not hear the author's name.

Mr. LA FOLLETTE. Dr. Frederick C. Howe, the author of "Socialized Germany," "European Cities at Work," "The Modern City and Its Problems," "Privilege and Democracy in America," and so forth.

OUR NAVY SHOULD NOT BE USED TO INTIMIDATE WEAKER COUNTRIES.

Mr. President, my amendment proposes to restrict the Navy of the United States, in so far as the new ships to be constructed under this bill are concerned, from being used to collect the debts of speculative investors in Mexico and in Central and South American countries. The great influence in this country which has sought for four years to bring on war between this country and Mexico has been the financial interests in the United States which have made investments in Mexico. All of the nagging on this floor, all of the nagging of the administration in the press of the country, all of the derision and ridicule of a "sickly, attenuated, anemic Mexican policy" has been instigated by the interests that have their investments in Mexico but who live in this country. That is the fact about it. They want war with Mexico for financial reasons—for profit—and the amendment which I have pending before the Senate is to put a stop to that thing. It is to write on the records of this Congress that the battleships for which we make appropriations, taxing the American people, shall not be used for financial adventurers who go into the weaker countries of this hemisphere to exploit them.

Back of all modern war is practically the one policy, financial imperialism—the scheme of using the surplus wealth wrung unlawfully from the people of the country by the financial interests that dominate that country, the use of that surplus wealth through investments in the weaker undeveloped Governments of the world—lies back of this great military program, not only in this country but in the other countries of the world. It is behind the present war in Europe; it is the underlying cause of that which has converted almost all of Europe into a human slaughter pen. And I stop just a moment to remind Senators on this floor who are eager for intervention and war with Mexico that England entered upon the conquering of the Transvaal with the assurance of the military party of Great Britain that it would not take six months, that it would cost but $50,000,000, that the armies of Great Britain would eat their Christmas turkey in Pretoria if they were only given orders to march.

WHAT WAR WITH MEXICO WOULD MEAN.

Let the people of the United States who want war with Mexico consider the striking parallel as made by Norman Angel: The people of Mexico inhabit a mountainous country; the Boers live in much such a country as that. The people of Mexico are the best horsemen on this hemisphere. They may not be the best shots, but they are the best horsemen. There are 15,000,000 of them; I think there were about 400,000 of the Boers. England undertook to subjugate the Boers and to conquer the Transvaal. The military party in England stated that it would cost $50,000,000 and take a few months; it cost $1,250,000,000; it took four years; it took 400,000 soldiers; and then, Mr. President, they discovered that they had "conquered"—that they had conquered the Transvaal, but had not conquered the Boers. They found that the only way to keep the Transvaal "conquered" was to maintain a standing army of 500,000 English soldiers there all the while; and Great Britain gave it up.

What did they do? They established a sort of colonial government that enabled the Boers to govern themselves, nominally under the foreign office of the British Empire, but the man who had led the forces of the Boers in the field against Great Britain was put at the head of that government. There were some English officials retained there, but they did not last very long. The Boer head of the government arrested every Englishman connected with the government, loaded them onto a train one midnight, and shipped them to England, with orders that they should be deposited on the sidewalk in London. That was done. Parliament ordered an investigation, and the foreign secretary was called before Parliament and questioned. He was asked as to what had become of all the expenditure of money, all the sacrifice of life to conquer the Transvaal. The foreign secretary replied it was found that they could not keep the Transvaal conquered without maintaining perpetually a standing army there, and that therefore it had been considered wise to give them a form of self-government and to put the general who had been commander of all the Boer forces against Great Britain at the head of that government. He advised that they had better accept the situation just as it was, unless they wanted to start another affair with the Transvaal. And Great Britain accepted it.

COST AND RETURNS OF THE BOER WAR.

The Boer War, which lasted three years, cost Great Britain £250,000,000.

And it did not accomplish anything. I should like the Senate to keep that in mind when some of the gentlemen who are speaking for American investments in Mexico want to prevail upon you to vote for war with Mexico. There is a momentous lesson in the events of the past few days—the efforts of the representatives of two nations to arrive at an understanding and avert the consequences of war. But if there should come some flaming up of passions, if there should come some opportunity for the representatives of those who have bought Mexico with American money and want to rule it—want intervention, then I should like to have in the minds of the Senate this little hasty sketch of what happened to England in an effort to subjugate the Boers.

If you ever enter upon the conquest of Mexico—and the office of prophecy is a somewhat hazardous one—but let me say that in a hundred years you will not conquer Mexico; that you will maintain for a hundred years a standing army of a million men in Mexico; that you will place the burden of that on the American people. If the time ever comes when you shall attempt to invade Mexico, it will be because American capital has gone down there and invested. No other fair reason can be given.

MEXICANS HAVE RIGHT TO THE KIND OF GOVERNMENT THEY WANT.

So far as preserving order is concerned, you can patrol the border, you can keep an army there, with soldiers to cover every foot of it better and at a cost far less than you can carry on a war with Mexico. Such a war would last beyond the life of everybody now living. The Mexican people will fight to the last man for their rights, as they see them. They may not be their rights just as we see them; they may not have the kind of government which we think they ought to have; but it is their country and it is their government, and the intrusion of American capitalists in it for the purpose of making money does not give us any right to go in there and change the form of their government. It may be the kind of government best suited to people of that type.

Mr. LEWIS. I only have one question, and it is very brief. I understand from the Senator's observations that he approves of the policy of President Wilson in not entering upon a course of military intervention in Mexico under the circumstances?

Mr. LA FOLLETTE. I do, Mr. President; I do, most emphatically. I sincerely hope that the standard bearer of the Republican Party in this campaign will not feel himself constrained and will not under any circumstances take the position that it is the duty of this Government to put the flag of the United States behind the investment of speculators in Mexico or elsewhere.

Mr. Wilson declared in his speech at Detroit that he would not stand for that policy, that he would not become the collecting agent of investors in Mexico. The American people, if that issue is made between the Republican candidate for the Presidency and President Wilson will, in my opinion, overwhelmingly stand with President Wilson on that issue.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Nebraska?

Mr. LA FOLLETTE. Yes.

Mr. NORRIS. I should like to ask the Senator, in connection with his idea that the Army should not be used in Mexico for the benefit of speculators, whether he believes that the Army or the Navy of the United States should be used in Mexico for the purpose of having some discredited bandit salute the American flag?

Mr. LA FOLLETTE. No; most emphatically not; and, Mr. President, I was one of a very limited number of Senators who voted against indorsing President Wilson when he ordered the troops to Vera Cruz. I could not bring myself to do it. I did not believe it was warranted. I am satisfied in my own mind that the matter of the salute to the American flag had nothing to do with the ordering of the troops to Vera Cruz. Why, Mr. President, Mexico at that time offered to fire a salute to the American flag. I recall the speech of former Senator Root upon that subject on the night we were considering that resolution, when he said that the difference between firing a salute of 5 guns, which Huerta offered, and 17 guns, which we demanded, would not warrant the shedding of a drop of blood or the invasion of the territory of another country.

Mr. President, I do not believe that was the issue at all. I believe that the real issue at that time was a desire to keep out a German vessel loaded with munitions of war for the Huerta government. I believe that was behind the putting of the troops of this country into Vera Cruz; and I believe that there was a misconception of what could be accomplished by it, and of the responsibilities that went with the action. I believe that there was a sort of feeling that this Government could take charge of the customhouse, and stop the landing of those munitions of war, and not violate the sovereignty of Mexico.

THE FLAG MUST NOT FOLLOW THE DOLLAR.

Mr. GALLINGER. Mr. President, will the Senator permit a question?

Mr. LA FOLLETTE. Oh, yes.

Mr. GALLINGER. I note the attitude that the Senator takes in reference to the obligations that Mexico may be called upon to meet at some time on the part of Americans who have invested their money in Mexico. I shall not controvert that; but I will ask the Senator if he does not think that at some time, in some way, Mexico may well be called upon to make reparation for the 300 or more American citizens that have been murdered in that country?

Mr. LA FOLLETTE. Mr. President, I expect to come to that a little bit later, but I might as well say right now that I think the people who have gone into Mexico have gone there to make money, to make big money. They have gone there to speculate.

Mr. GALLINGER. Some of them have gone there to work.

Mr. LA FOLLETTE. I think they have gone there to speculate. Of course some laboring men may have been lured there by the capitalists, who have gone there to speculate. I do not know about that phase of it; but the primary incentive behind every dollar of American money invested in Mexico is big profits.

Now, Mr. President, it may be a new doctrine to the Senate of the United States, but I think it is pretty nearly time to have the issue made. It may not win in the first struggle here. It will win ultimately, because it is everlastingly right. That is the reason for the amendment I have offered.

I BELIEVE EVERY DOLLAR THAT GOES INTO A FOREIGN COUNTRY AND EVERY MAN WHO GOES INTO A FOREIGN COUNTRY WITH HIS MONEY LOOKING FOR PROFITS SHOULD ACCEPT THE LAWS OF THE COUNTRY AS THE ARBITER TO WHICH HE WILL APPEAL FOR JUSTICE IF HE FEELS AT ANY TIME THAT HE IS REQUIRED TO PROTECT HIS RIGHTS IN THAT COUNTRY.

The thing that attracts capital to Mexico is its rich natural resources. They have an unstable government there. That unstable government lowers the value of property. American money there can buy for $100,000, because of the government conditions, property that is worth a million dollars. Now, if this new doctrine that the flag shall follow the investment of the citizen is to prevail, then our Government is to be called upon to guarantee the speculative investments of its citizens in the countries where the governments are weak, and so to make those speculative investments worth face value.

INTERESTS FOMENT FRICTION BETWEEN MEXICO AND THE UNITED STATES.

The people of the United States do not want war with Mexico. The Mexican people do not want war with us. And both President Wilson and Carranza have manifestly done everything in their power to avert war.

What is it, then, that menaces the peace of these neighboring countries?

It dates far back of the Columbus raid. That outrage upon the residents of one of our border towns was the logical outcome of conditions for which the Mexican people were in nowise responsible. Worse than that! Both Governments were the victims of traitors in our midst. For it is charged upon the highest authority that the raid was inspired and arranged for in our own country.

Do you get the full meaning of that statement? Benedict Arnold was not more guilty of treason.

The secret service of this Government has a long arm and a strong arm. The net may yet be drawn on the "higher ups." It is fair to assume that President Wilson did not disclose all of the facts in his possession when he declared officially a few days after the raid that—

There were persons along the border actively engaged in creating friction between the Government of the United States and the de facto government of Mexico for the purpose of bringing about intervention in the interest of certain owners of Mexican properties.

There you have it! The gentlemen who want war with Mexico are the gentlemen who "have Mexican properties." They are a very powerful lot. They own most of the United States and a good big slice of Mexico. They are our captains of industry; our masters of finance. They own or control our great newspapers. They are for a "strong Mexican policy," a "strong foreign policy," a big army, a big navy.

They prate about "patriotism." They clamor for "preparedness." They have tried to plunge the country into a hysteria of fear that we are going to be thrown into war with Germany or England or Japan. They have Congress "on the run."

These privileged interests are not taxing the people of the United States for their great Army and Navy scheme to fight Germany, England, or Japan. They have other plans for the present. They have the irons on the American people. They control the prices of labor and the products of labor. They control the cost of every necessary of life. They own the coal, the oil, the timber, the water powers. Their profits are so enormous that they must lower interest rates or else invest in foreign countries. The timber, oil, coal, and mineral wealth of Mexico and of the Central and South American countries are most inviting in every way. The Governments are poor; the labor is cheap as slave labor.

There is just one risk, and that is a large risk. The Governments are most of them weak. Revolutions in many of them are frequent; property rights are insecure.

But a scheme has been worked out by the masters of finance to make foreign investments as good as a Government bond. Just put the Stars and Stripes back of them!

We will protect our citizens abroad. Assuredly! That is our bounden duty if we are to uphold the standing and dignity of our Government among the other nations of the world, strong or weak. But if the protection of "citizens" were our only concern there would be no "border raids," no "mobilization," no "war talk." There would be no occasion for the clouds that darken so many American homes to-day. "Investments," in these plutocratic times, are vastly more important than "citizens." And it is not to protect "citizens" but to protect "investments" that our boys in khaki have been forced into action. That is the truth of it.

AMERICAN INVESTORS WORK FOR INTERVENTION.

These American "investors" in Mexico—millionaires—are using every instrument they can control—their money, their newspapers, their magazines, their political influence, all their "dark and devious ways"—to bring about "intervention." Intervention means war. War means blood and killing and bereaved families and unmentionable horrors. And all for what? Profits! Privilege profits!

Privilege exploits us folks here in our own United States. And privilege makes so much money out of us that it creates a huge surplus. Privilege, never satiated, wants this surplus to be at work bringing in still more profits. Weak and undeveloped (and unexploited!) countries offer the biggest returns. So privilege buys a foreign "concession." Cheap! The system looks to that bargain! But to maintain the great profits it is ordinarily necessary to resort to "strong-arm" methods. Sometimes people (like the workers in the mining districts of Colorado, Michigan, and West Virginia) resist oppression and ex-

ploitation. Machine guns become the order of the day. And, after all, our present "Mexican situation" is only a "Ludlow" on a bigger scale. Privilege is to-day trying to shape public sentiment so that "our boys" shall be made to march down into Mexico and offer up their lives for the purpose of placing the guaranty of the United States Government behind the smelters, gold mines, rubber plantations, railways, and other concessions and to make the profits of privilege certain.

CARRANZA'S FAR-SIGHTED PROPOSAL.

Mr. President, we hear a lot of talk about Carranza. Here is what Carranza did within a short time: He sent to South America his former secretary of foreign affairs, Señor Isador Favola, to propose an agreement among the Latin American countries to the effect, generally speaking, that when a citizen or a company or a block of capital of one of these countries shall go to another of them, the citizen, corporation, or property shall not be followed by a man-of-war or an army, but shall pass under the laws and under the conditions of the country he visits, risking his own life, perhaps, and his own property, but not the lives and the property and the peace of his fellow citizens at home. And I understand that when this Latin American agreement is consummated Mr. Carranza, the obstinate, proposes that the United States of North America shall be invited also to join in it.

Sir, as a Senator, I pledge the authenticity of that statement. I received it last night from one who knows, a citizen of this country, who received it from Carranza. There is broad statesmanship for you; there is statesmanship which looks to the preservation of those governments for their own people. Shall the power which has acquired the natural resources of this country—our timber, our oil, our coal, and which is now reaching out for the water powers; shall this power which is connected by a system of cross investments with the power that controls transportation of every nature and kind—traction, shipping, and steam transportation; which is connected and tied up in investment with the power that owns and controls and makes the prices of all the products of the factories and the mines and the smelters; the power that dictates, through its control of the grain markets, the prices which the farmer shall receive for the products of the soil; the power that by its combination can say to labor, "Work at such a price or eat grass," as did the aristocracy just before the French Revolution—shall this power, now that it has exacted its tribute from our people, that can create its wealth without limit, take that which it has wrung from the American people, depleting the capital of this country by that amount, advance interest charges, tighten up credits—shall it take that money, that excess of capital ground out of the helpless, struggling citizenship of this country, down into Mexico and Central and South America, and buy with it the national wealth and resources of those countries?

"Buy," did I say, sir? Volumes of testimony could be spread upon the records of the Senate showing the spurious concessions made to these great interests in Mexico. Under the Diaz government concessions were secured by bribery, concessions were secured by fraud, people with good titles were dispossessed. Ah, sir, unlimited wealth in a weak government is UNLIMITED POWER.

We know what the power of concentrated wealth is in this country, where we boast of our democracy and of the power of the citizen with his ballot to make his Government represent him and his interest. How is it with Mexico and with the Central and South American countries? Oh, sir, it gratified me beyond expression that President Wilson, speaking at Detroit, used these words as reported by the press:

> What makes Mexico suspicious is that she thinks we do not want to serve, but possess her—

President Wilson understands this new doctrine manifestly—

> and she has justification for these suspicions in the way some gentlemen have sought to exploit her possessions. I will not serve these gentlemen, but I will serve all Americans by trying to serve Mexico herself. The way to establish our sovereignty is to respect hers.

Judged from those sentences which fell from the lips of the Chief Magistrate of this country at Detroit only a few days ago, the restraining influence of the amendment which I have offered here will not be necessary; but, Mr. President, times change; conditions change. There is a chance now for this great, free democracy of ours to write into the law a denunciation of the practice that has enabled the rich nations of the Old World to pillage the weak, and which has been back of most of the plans and schemes for big armies, big navies, and big military equipment.

WHO OWNS MEXICO?

Mr. President, I have always been very much interested to know who owns Mexico—really owns it. I have hunted about a good deal to get data on the subject, and have found it exceedingly difficult. Almost always, as it happens, one finds that right at hand he has overlooked something. On the 18th of July, 1912, a consular report was issued upon this subject by Consul Marion Letcher at Chihuahua. He transmitted to the Department of Commerce a table showing the wealth of Mexico according to the nationality of the ownership. This table was prepared, he states, by William H. Seamon, late of Chihuahua, who, according to the statement of the consular report, "has had long experience in Mexico as a mining engineer."

Mr. Letcher is now foreign trade adviser in the Department of State here in Washington. I have not been able to see him myself; but through a friend I had him interrogated about this report, as to whether he had other information that might qualify the data which he had transmitted to the department in this document. He said that while some three or four years had gone by, his increased knowledge upon the subject simply confirmed him as to the accuracy of the report.

Mr. VARDAMAN. Mr. President, will the Senator yield to me for just a moment?

Mr. LA FOLLETTE. Certainly.

Mr. VARDAMAN. In reference to the character of Mr. Letcher, I will state that I have the pleasure of knowing him and have for the last 12 years. He served during the Spanish-American War as the first lieutenant in my company. He is, and was then, a young man of extraordinary accomplishments, and gave promise of great usefulness; and since his connection with the Government in the Consular Service in Mexico he has fulfilled the promises that he made then. I want to bear testimony here to his very splendid work.

Mr. LA FOLLETTE. I am very glad to have that statement from the Senator. The party who saw him at my request returned with an exceedingly favorable impression of him, both as to his intelligence and as to his accuracy of statement.

He says in this report that the several investments which are set forth in detail are given in the following amounts as owned by the people of each of the following countries:

MEXICAN INVESTMENTS IN 1912.

United States	$1,057,770,000
England	321,302,800
France	143,446,000
Other nations	118,535,380
Mexico	793,187,242

In other words, foreign countries have invested in various lines of business—railroads, banks, mines, smelters, national bonds, timberlands, ranches, farms, live stock, houses and personal property, cotton mills, soap factories, tobacco factories, breweries, miscellaneous factories, tramways, power and electric-light plants, stores, wholesale and retail, the oil business, the rubber industry, professional outfits, insurance, theaters, hotels, and institutions—public and semipublic—these various sums.

American financiers have more money invested in Mexico than the Mexicans themselves have—$264,582,758 more.

American investments are biggest of all in that unhappy, system-ridden country.

This American money is found in railroad stocks and bonds, mines, national bonds, ranches, smelters, timberlands, factories, oil, rubber, insurance, and other enterprises.

Let us glance at a few more figures from the same authority:

Railway stocks: Mexican money invested, $125,440,000; American money invested, $235,464,000.

Railway bonds: Mexican money invested, $12,275,000; American money invested, $408,926,000.

Mines: Mexican money invested, $7,500,000; American money invested, $223,000,000.

National bonds: Mexican money invested, $21,000,000; American money invested, $52,000,000.

Smelters: Mexican money invested, $7,200,000; American money invested, $26,500,000.

Timberlands: Mexican money invested, $5,600,000; American money invested, $8,100,000.

Factories (miscellaneous): Mexican money invested, $3,270,200; American money invested, $9,600,000.

Oil: Mexican money invested, $650,000; American money invested, $15,000,000.

Rubber: Mexican money invested, $4,500,000; American money invested, $15,000,000.

Insurance: Mexican money invested, $2,000,000; American money invested, $4,000,000.

In the ownership of Mexico we find the real menace to the peace between Mexico and the United States. American capitalists are desperately attempting to have the flag follow their investments.

They who own Mexico are the ones who want war.

Mr. OVERMAN. Mr. President, it might be interesting to know who are the parties that made these great investments in Mexico, if the Senator has that information.

Mr. LA FOLLETTE. They are not given in this document. But, as therein stated, foreigners, outsiders, aliens, have owned, so far as property and business interests are concerned, about three-fourths of Mexico.

Mr. President, there is something of that sort going on in this country. I understand that foreign concerns are investing in oil lands in this country. I understand that very wealthy foreign organizations are buying up extensively unimproved and improved farm lands throughout the West.

Mr. TILLMAN. The Senator said outsiders "have owned" these interests in Mexico. That is in the past tense. Do they own them now?

ALIEN INVESTMENTS SHOULD BE MADE UNDER THE LAWS OF THE COUNTRY.

Mr. LA FOLLETTE. Yes; they profess to "own" them now. But I believe that every country should enforce this rule against any alien who comes into that country to invest in business, that such investment must be under the laws of the country, subject to the same conditions that apply to the natives of the country in the protection of their property and the enforcement of their rights.

The interests of this country are confronted with the alternative of loaning their surplus wealth to the farmer, to the merchant, to the small enterprise at a constantly lowering interest rate or of withdrawing the surplus capital from this country, keeping interest rates high here and going down into the weak Governments of Mexico, Central and South America, which are rich in natural resources, minerals, oil, timber, coal, and iron, surpassing all imagination, we are told, and acquiring control there.

As a protest against the use of our Navy to enforce the claims of these interests, I have offered the following amendment:

Provided, That no battleship, cruiser, scout cruiser, torpedo-boat destroyer, or submarine herein appropriated for shall be employed in any manner to coerce or compel the collection of any pecuniary claim of any kind, class, or nature, or to enforce any claim or right to any grant or concession for or on behalf of any private citizen, copartnership, or corporation of the United States against the Government of Mexico or of any Central or South American Government.

I concede the right of the owner to invest his capital where he pleases. But I say now that either at this time or in the near future this Government will be called upon to declare a policy against using the State Department and the military arm of the Government to collect private claims for gentlemen seeking large profits in foreign countries. I say that the present policy is an everlasting wrong. When the people once understand its significance, they will thunder at the doors of the Capitol of this country to reverse the policy of Congress upon that subject.

When our capitalists withdraw their money from this country to stake it on the turn of fortune's wheel in some foreign land, let them take the gambler's chance.

If money is to be spent to make their foreign risks secure, let it be their own money.

If lives are to be risked to protect their Mexican mines—their Central and South American concessions—let it be their own lives that take the hazard.

Believing in democracy, in the right of self-government—ready to defend the precious heritage of our own sovereignty—let us here and now resolve and declare that we will never permit the armed forces of the United States to be used to despoil our sister republics of their property, interfere with their right to govern themselves according to their own standards, or violate their sovereignty—as sacred to them as American sovereignty is to us.

During the delivery of Mr. LA FOLLETTE'S speech,

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Minnesota?

Mr. LA FOLLETTE. Yes.

Mr. CLAPP. Before the Senator takes up that phase of the question, I desire to suggest the want of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Dillingham	La Follette	Oliver
Bankhead	du Pont	Lane	Overman
Beckham	Gallinger	Lee, Md.	Page
Brandegee	Gronna	Lewis	Penrose
Chamberlain	Hardwick	Lippitt	Phelan
Chilton	Husting	Lodge	Pittman
Clapp	James	Martin, Va.	Poindexter
Clark, Wyo.	Johnson, S. Dak.	Martine, N. J.	Pomerene
Culberson	Jones	Newlands	Ransdell
Cummins	Kenyon	Norris	Robinson
Shafroth	Smith, Ga.	Taggart	Warren
Sheppard	Smith, Md.	Thomas	Williams
Sherman	Smith, S. C.	Tillman	
Shields	Stone	Townsend	
Smith, Ariz.	Swanson	Vardaman	

The PRESIDING OFFICER. Fifty-seven Senators having answered to their names, there is a quorum present.

Mr. NORRIS. Mr. President, I think the Senator from Wisconsin has not yet concluded his remarks. I expect to offer a substitute for this amendment before it is voted on, and I would just as lief state it now, to take up the time in the absence of the Senator from Wisconsin.

I feel in entire sympathy with the object which the Senator from Wisconsin has in mind in offering this amendment; and I think, as it has been modified by the two amendments that have been agreed to, that it has been improved. At the same time, it seems to me that if we adopt any procedure by which the Navy and the Army are limited in the collection of debts or claims, there ought to be some provision similar to the one that was included in the amendment that the Senator from Wisconsin gave notice that he would offer.

I can see that there might be conditions and circumstances under which the present amendment, if applied to all the Navy and the Army—and it ought to be applied to all the Navy and the Army, really, if it is a good thing—might work a hardship; and I wish to state to the Senate that before the vote is taken I am going to offer, as a substitute for the pending amendment, the amendment that the Senator from Wisconsin gave notice he would offer.

As the Senator from Wisconsin is here now, I will not take it up at the present time.

After the conclusion of Mr. LA FOLLETTE'S speech,

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Wisconsin.

Mr. SWANSON. I ask for the yeas and nays.

Mr. LEWIS rose.

Mr. NORRIS. Does the Senator from Illinois desire to address the Senate?

Mr. LEWIS. Had the Senator from Nebraska intended to offer an amendment?

Mr. NORRIS. I intend to offer a substitute and I would just as lief offer it now unless the Senator prefers that I should withhold it.

Mr. LEWIS. If the Senator will offer his substitute, I will then see if it meets the views I expect to express.

Mr. NORRIS. I offer as a substitute the proviso which I send to the desk.

The VICE PRESIDENT. It will be read.

The SECRETARY. As a substitute for the amendment offered by the Senator from Wisconsin insert the following:

Provided, That the Army and Navy of the United States shall not be used to coerce or compel the collection of any pecuniary claim of any kind, class, or nature, or to enforce any claim of right to any grant or concession for or on behalf of any private citizen, copartnership, or corporation of the United States against any foreign Government with which this Government is at peace until said citizen, copartnership, or corporation shall have exhausted his legal remedies in the courts of the foreign Government or if a denial of justice after the exhaustion of such legal remedies being alleged the foreign Government shall decline an offer on the part of the Government of the United States to submit the case to arbitration.

Mr. SWANSON. I raise a point of order against that amendment, that it is general legislation.

The VICE PRESIDENT. The Chair sustains the point of order.

Mr. NORRIS. Mr. President, since the Senator from Virginia has made a point of order I will be compelled to modify the amendment somewhat. I will offer it in a form in which it is not subject to a point of order, but, of course, it can not apply, as I think it ought to apply, to all the Navy. One of the objections to the amendment offered by the Senator from Wisconsin is that he has been compelled to have it apply only to the vessels appropriated for in this bill. That, of course, puts a part of the Navy under a different rule from that which applies to the balance of it, and it is to that extent inconsistent. But I concede that the point of order under the rule ought to be sustained, and that the Chair was correct in his ruling. I now offer the following amendment, which is not subject to the point of order.

The VICE PRESIDENT. It will be read.

The SECRETARY. As a substitute for the amendment offered by the Senator from Wisconsin insert the following:

Provided, That none of the naval vessels herein appropriated for shall be used to coerce or compel the collection of any pecuniary claim of any kind, class, or nature, or to enforce any claim of right to any grant or concession for or on behalf of any private citizen, copartnership, or corporation of the United States against any foreign Government with which this Government is at peace until said citizen, copartnership, or corporation shall have exhausted his legal remedies

in the courts of the foreign Government or if a denial of justice after the exhaustion of such legal remedies being alleged the foreign Government shall decline an offer on the part of the Government of the United States to submit the case to arbitration.

Mr. LEWIS. Mr. President, I have a few words to submit, and they are to be submitted in the short space of time before the hour of 6.30 arrives. Unless some other Senator entertains the Senate, there will be sufficient time at the end of what I shall say for the opportunity of a roll call.

Mr. President, I should like to call the attention of the Democrats on this side of the Chamber, first, that if this amendment of the able Senator from Wisconsin prevails you will write yourself down as having impeached the conduct of your own administration in the affairs of Nicaragua, Santo Domingo, and Haiti, and you, Senators on the Republican side, will have written a judgment against that of the preceding administration.

There was no craftier scheme of politics I ever saw devised than this artful amendment of my distinguished friend the Senator from Wisconsin. There is no impeachment of any acts of administration that has been so cleverly concealed as that which lies in this amendment.

On its face it indicts the administration for the use of any ships which have heretofore been used where marines have been landed for the purpose of preserving peace in any of the Central American countries, and wherever the power has been used to enforce the honest collection of indebtedness in the full fulfillment of the faith we owed other Governments who themselves or their subjects were the creditors.

I listened to the very able speech of one for whom I have had admiration for years, and, so far as the speech of the able Senator from Wisconsin relates to the Navy, there is much to be said in justification of his views if the premises laid down by him are conceded; that is, that there is no justification or reason in any existing facts for the increase of the Navy. On that subject I do not intend to enter.

The very long speech and very able speech of my able friend brought to my mind the observation that when Lord Bailey in Geneva had observed the third volume of Gibbon's Rome he sent a message back to England which said, "Gibbon has written another damned fat book." My very eminent friend from Wisconsin has made another very fat speech. It is not dammed; it flows with ease, bearing with it much volume.

But if it was addressed, if I am not in error, to that which I now charge and say to the able Senator that if this amendment should prevail the Monroe doctrine must die; if this amendment prevails, war is inevitable to the United States; if this amendment prevails, the United States must either surrender all pretenses to executing the Monroe doctrine on the one hand or observing the concentrated and combined creditors of the world seeking to collect their own debts where we would not aid in enforcing honest obligations. They will be present in Central and South America in their combined forces in order to enforce their claims. We would have to declare war then to vindicate the Monroe doctrine and prevent foreign Governments from having a foothold by seizure of land for the collection of debts in America.

Mr. LA FOLLETTE. Mr. President——

The VICE PRESIDENT. Does the Senator from Illinois yield?

Mr. LEWIS. I yield to the Senator from Wisconsin.

Mr. LA FOLLETTE. The Senator, I am certain, has not read the amendment. I neglected to read it to the Senate myself, and it has not been printed and laid on the desks, I believe, although it appears in the CONGRESSIONAL RECORD. But when I bring to the Senator's attention the fact that this amendment relates to no investment made by any foreign citizen, syndicate, corporation, or copartnership he will see that the criticism that he is making can not have application. It is limited only to a prohibition against using the vessels provided for by the appropriation in this bill to collect the claims of our own citizens, so that the question of the Monroe doctrine can under no circumstances be raised by my amendment. I think the Senator will agree with me in that when he sees the language of the amendment.

Mr. LEWIS. Mr. President, I should like to see the amendment as changed to ascertain if it is different from the provisions we have discussed. Does the Senator from Wisconsin assume that the amendment is intended to be limited to only the claims of those who are citizens of the United States?

Mr. LA FOLLETTE. I do.

Mr. LEWIS. Then, Mr. President, if the able Senator's contention be that it is limited to that, the provision, as I at first understood it, applying to all parts of the world, has evidently been superseded.

Now, Mr. President, I invite the attention of the able Senator to the fact that if this amendment is the successor of the one tendered, he is now limiting to American citizens. We could not protect our own citizens in their interest in the Panama Railroad or bondholders in the Panama Canal.

Mr. LA FOLLETTE. I do not wish the Senator to misapprehend the matter. This is the amendment which I had printed in the CONGRESSIONAL RECORD and which I gave notice that I would offer, and it is the only amendment which I have offered. I gave notice that I might offer another amendment, broader in its terms than this as to the restrictions made upon the use of the Army and Navy, because this limits the use of only the vessels provided for in this appropriation bill, while the other was broader and applied to the use of the Army and Navy as a whole. It was limited, however, as this is, so that it would only have application to the claims of American citizens and American corporations. I carefully excluded from both amendments the investments of foreign citizens or subjects, because I did not want this issue clouded by any consideration of its interfering with the Monroe doctrine.

Mr. LEWIS. Mr. President, may I ask the Senator from Connecticut if he can recall that this morning, while he was discussing some of the parliamentary phases of the matter, I asked that the amendment be read, and upon being read, I understood that it imposed a prohibition against using the Navy for the enforcement of any claim from any part of the world. Am I wrong as to that?

Mr. BRANDEGEE. Mr. President, I do not think the Senator from Illinois is wrong in understanding that the amendment of the Senator from Wisconsin has been modified by striking out all reference to Mexico and Central and South America. That, I was informed by the Chair, was the fact.

Mr. LA FOLLETTE. But that is not the point.

Mr. BRANDEGEE. No; that is not the point. Of course, I am simply answering the question asked by the Senator from Illinois [Mr. LEWIS], that my present understanding is—and the Chair so stated this morning—that the amendment of the Senator from Wisconsin has been modified by striking out any reference to specific countries. I understood the Senator from Nebraska [Mr. NORRIS] agreed this morning that that was the case. What the fact is, of course, I do not know. The Senator from Wisconsin is the best authority as to his own amendment.

Mr. LA FOLLETTE. I beg pardon. Will the Senator from Connecticut permit me to make a suggestion?

Mr. BRANDEGEE. I yield.

Mr. LA FOLLETTE. If my amendment was modified in that respect, it was by an amendment to the amendment offered by some other Senator. About that I do not know.

Mr. BRANDEGEE. I certainly did not mean that the Senator from Wisconsin modified his own amendment. I was informed by the Chair that it had been modified, and I supposed it had been done by a motion to strike out the reference to Mexico and to Central and South America. I do not know the facts. I am telling the Senator from Illinois what the Chair told me this morning.

Mr. LA FOLLETTE. But even if modified in that respect, in either form, it does not raise the question of the Monroe doctrine, and can not do so.

Mr. BRANDEGEE. I do not see how it relates to what the Senator from Illinois started to say; but I will say, in passing, if I may, that if the effect of this amendment is, as I understand the Senator from Wisconsin now admits it to be, that American naval vessels will be prevented from collecting the claims of American citizens, but will be subject to be called upon to aid in collecting the claims of foreign citizens if it should become America's duty to use them for that purpose——

Mr. LA FOLLETTE. Not in the form in which I offered it, and I do not believe in the form in which it has been modified, if it had been modified at all, because all that has been done with regard to it has been to make it applicable to other countries than those on this hemisphere.

Mr. BRANDEGEE. Mr. President, not having cogitated very deeply upon the amendment, I withdraw from any office that may have been thrust upon me to act as its interpreter. I will let the Secretary read the amendment at the proper time, when we can see how it stands at present, and each Senator can draw his own inference.

Mr. NORRIS. Mr. President, if the Senator from Illinois will allow me——

The VICE PRESIDENT. Does the Senator from Illinois yield to the Senator from Nebraska?

Mr. LEWIS. I yield to the Senator, but I should like to know the parliamentary status of the amendment.

Mr. NORRIS. I offered the amendment to the amendment, which was agreed to. If the Senator will look at the Con-

GRESSIONAL RECORD of July 19, page 11316, near the center of the left-hand column, he will find the amendment printed as the Senator from Wisconsin offered it. I moved to strike out the words "against the Government of Mexico or of any Central or South American Government." That amendment was agreed to.

Another amendment was agreed to this morning, which does not in any sense change the amendment in the respect in which the Senator from Illinois is discussing it; so that as it stands now the amendment reads as follows:

Provided, That no battleship, battle cruiser, scout cruiser, torpedo-boat destroyer, or submarine herein appropriated for shall be employed in any manner to coerce or compel the collection of any pecuniary claim of any kind, class, or nature, of any individual, firm, or corporation, or to enforce any claim of right to any grant or concession for or on behalf of any private citizen, copartnership, or corporation of the United States.

Mr. SWANSON. Mr. President, if the Senator from Illinois will yield, it seems to me that it is evident——

Mr. LEWIS. Of course I yield to the Senator.

Mr. SWANSON. That the amendment is subject to different interpretations and concerning it varying views are held. It materially affects our Navy and is a matter that ought to be disposed of in a different manner than is now proposed. If there is going to be much more debate on it, in view of the fact that it has already been discussed for a considerable length of time, I shall be compelled to move to lay it on the table.

Mr. LA FOLLETTE. I will say to the Senator, Mr. President, that of course he can make that motion, and he can dispose of this amendment in that way, but I have not taken any time upon this bill except upon this amendment; I have discussed it in good faith; I want a vote upon it, and I hope the Senator will give it to me.

Mr. SWANSON. I prefer a vote on it, and I ask for the yeas and nays on the amendment when the question is put.

Mr. NORRIS. Mr. President, I assume the question first comes under the substitute offered by me.

Mr. SWANSON. I presume the Senator from Wisconsin accepts the substitute of the Senator from Nebraska.

Mr. LA FOLLETTE. No; I can not accept the substitute.

Mr. NORRIS. Mr. President——

The VICE PRESIDENT. The Senator from Illinois has the floor. Does he yield to the Senator from Nebraska?

Mr. NORRIS. If the Senator from Illinois has the floor, I do not care to take him off the floor, but I merely desire to take a few moments on the subject.

Mr. LEWIS. I do not wish to interfere with a vote, and, since there seems to be a general misapprehension of the amendment, in view of the changes which have been made, I do not wish to urge observations that may be inapplicable. I do not wish to postpone a vote on the matter, and there seems to be such difference as to the meaning of the amendment that I do not wish to characterize the amendment of the Senator from Wisconsin without further absolute knowledge of its contents—as twice amended. So I yield the floor to the Senator from Nebraska.

Mr. NORRIS. Mr. President, the only modification made by the substitute that I have offered is this: It follows the language of the amendment, and then adds a provision that the person, firm, or corporation must first exhaust his legal rights in the foreign country, and then, if he claims he has not had a fair chance in the courts of that country, he can appeal to the State Department, and the State Department can, if they desire, ask this foreign Government to arbitrate; and if they refuse to arbitrate, then it would be proper for the naval vessels to be used in the enforcement of the debt.

In other words, the amendment offered by the Senator from Wisconsin will limit the use of these vessels in any case. The substitute does not go quite so far. Therefore it seems to me that even though you are opposed to the original amendment offered by the Senator from Wisconsin, believing it to be too stringent, you ought to favor the substitute, because it provides for other methods before the vessels can be used to enforce a debt.

Mr. CLAPP. Mr. President, I can not support the substitute of the Senator from Nebraska, because it recognizes that in the last analysis the Navy may be used to collect private debts. To my mind, I would not exchange the life of one American boy for all the debts, real or fictitious, that can be created through the connivance of officials in other countries. For one, I am opposed to the Government continuing in the collecting business.

The VICE PRESIDENT. The question is on the substitute of the Senator from Nebraska for the amendment of the Senator from Wisconsin.

Mr. NORRIS. On that I ask for the yeas and nays.

The yeas and nays were not ordered.

The substitute was rejected.

The VICE PRESIDENT. The question now recurs on the amendment of the Senator from Wisconsin.

Mr. GRONNA. I suggest the absence of a quorum.

Mr. LA FOLLETTE. I should like the yeas and nays upon the amendment, if I may have them. We have a quorum here. I hope the Senator from North Dakota will withdraw his suggestion. We can tell on the roll call whether we have a quorum or not.

Mr. GRONNA. I withdraw it.

The VICE PRESIDENT. Is the demand for the yeas and nays seconded?

The yeas and nays were ordered.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. JAMES (when his name was called). I have a general pair with the junior Senator from Massachusetts [Mr. WEEKS]. I have been informed that if present he would vote as I shall vote on this question. I therefore feel at liberty to vote. I vote "nay."

Mr. STONE (when his name was called). I transfer the pair I have with the senior Senator from Wyoming [Mr. CLARK] to the senior Senator from Nebraska [Mr. HITCHCOCK] and will vote. I vote "nay."

Mr. THOMAS (when his name was called). In the absence of my pair, the senior Senator from North Dakota [Mr. MCCUMBER], I withhold my vote. I ask to be counted for the purpose of making a quorum.

Mr. TILLMAN (when his name was called). I transfer my pair with the junior Senator from West Virginia [Mr. GOFF] to the senior Senator from Tennessee [Mr. LEA] and will vote. I vote "nay."

Mr. WALSH (when his name was called). I have a general pair with the senior Senator from Rhode Island [Mr. LIPPITT]. Being advised as to how he would vote were he present, I vote notwithstanding his absence. I vote "nay."

The roll call was concluded.

Mr. MYERS. I transfer my pair with the junior Senator from Connecticut [Mr. MCLEAN] to the senior Senator from Texas [Mr. CULBERSON] and will vote. I vote "nay."

Mr. GALLINGER. I have a general pair with the senior Senator from New York [Mr. O'GORMAN]. I transfer that pair to the senior Senator from Utah [Mr. SMOOT] and will vote. I vote "nay."

Mr. DU PONT. I inquire if the junior Senator from Kentucky [Mr. BECKHAM] has voted?

The VICE PRESIDENT. He has not.

Mr. DU PONT. I have a general pair with that Senator, but I am at liberty to vote on this question. I vote "nay."

Mr. PENROSE (after having voted in the negative). I note that the senior Senator from Mississippi [Mr. WILLIAMS] has not voted. I am paired with that Senator. I transfer the pair to the junior Senator from Massachusetts [Mr. WEEKS], who is absent, and will allow my vote to stand.

Mr. REED. I have a pair with the senior Senator from Michigan [Mr. SMITH]; but under the circumstances and after consultation with his colleague I feel that I am relieved from the pair. I therefore vote "nay."

Mr. CHILTON. I transfer my pair with the senior Senator from New Mexico [Mr. FALL] to the junior Senator from New Jersey [Mr. HUGHES] and will vote. I vote "nay."

Mr. WALSH. I announce that the junior Senator from Delaware [Mr. SAULSBURY] is unavoidably absent from the Senate.

Mr. CLAPP (after having voted in the affirmative). Observing the absence of the senior Senator from North Carolina [Mr. SIMMONS], with whom I have a general pair, I feel constrained to withdraw my vote.

Mr. LODGE. My colleague [Mr. WEEKS] is unavoidably absent from the city. If present, he would vote "nay."

Mr. GALLINGER. I have been requested to announce the following pairs:

The Senator from Ohio [Mr. HARDING] with the Senator from Alabama [Mr. UNDERWOOD];

The Senator from Rhode Island [Mr. COLT] with the Senator from Delaware [Mr. SAULSBURY];

The Senator from New Mexico [Mr. CATRON] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from New York [Mr. WADSWORTH] with the Senator from Oklahoma [Mr. GORE];

The Senator from Kansas [Mr. CURTIS] with the Senator from Georgia [Mr. HARDWICK]; and

The Senator from Utah [Mr. SUTHERLAND] with the Senator from Arkansas [Mr. CLARKE].

The result was announced—yeas 8, nays 44, as follows:

YEAS—8.

Chamberlain	Kenyon	Lane	Norris
Gronna	La Follette	Martine, N. J.	Vardaman

NAYS—44.

Ashurst	James	Overman	Shields
Bankhead	Johnson, Me.	Penrose	Smith, Ariz.
Brandegee	Kern	Phelan	Smith, Ga.
Broussard	Lee, Md.	Poindexter	Smith, S. C.
Chilton	Lewis	Pomerene	Stone
Cummins	Lippitt	Ransdell	Swanson
du Pont	Lodge	Reed	Taggart
Fletcher	Martin, Va.	Robinson	Tillman
Gallinger	Myers	Shafroth	Townsend
Hollis	Nelson	Sheppard	Walsh
Husting	Oliver	Sherman	Warren

NOT VOTING—43.

Beckham	Dillingham	McCumber	Smoot
Borah	Fall	McLean	Sterling
Brady	Goff	Newlands	Sutherland
Bryan	Gore	O'Gorman	Thomas
Catron	Harding	Owen	Thompson
Clapp	Hardwick	Page	Underwood
Clark, Wyo.	Hitchcock	Pittman	Wadsworth
Clarke, Ark.	Hughes	Saulsbury	Weeks
Colt	Johnson, S. Dak.	Simmons	Williams
Culberson	Jones	Smith, Md.	Works
Curtis	Lea, Tenn.	Smith, Mich.	

So Mr. LA FOLLETTE'S amendment was rejected.

RECESS.

Mr. SWANSON. I move that the Senate take a recess until 10 o'clock to-morrow morning.

The motion was agreed to; and (at 6 o'clock and 29 minutes p. m., Thursday, July 20, 1916) the Senate took a recess until to-morrow, Friday, July 21, 1916, at 10 o'clock a. m.

SENATE.

FRIDAY, *July 21, 1916.*

(Legislative day of Wednesday, July 19, 1916.)

The Senate reassembled at 10 o'clock a. m., on the expiration of the recess.

NAVAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15947) making appropriations for the naval service for the fiscal year ending June 30, 1917, and for other purposes.

Mr. LIPPITT. Mr. President, I offer the following amendment——

Mr. UNDERWOOD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hollis	Page	Swanson
Brady	Husting	Penrose	Taggart
Brandegee	James	Ransdell	Thomas
Chamberlain	Johnson, Me.	Reed	Thompson
Clapp	Jones	Robinson	Tillman
Colt	Kenyon	Shafroth	Townsend
Culberson	La Follette	Sheppard	Underwood
Cummins	Lane	Sherman	Vardaman
Dillingham	Lippitt	Simmons	Wadsworth
Fletcher	Lodge	Smith, Ga.	Warren
Gallinger	Martin, Va.	Smith, S. C.	Williams
Gronna	Martine, N. J.	Smoot	Works
Harding	Norris	Sterling	
Hardwick	Overman	Stone	

Mr. MARTINE of New Jersey. I wish to announce the absence of the Senator from South Dakota [Mr. JOHNSON] on official business.

The VICE PRESIDENT. Fifty-four Senators have answered to the roll call. There is a quorum present. The Senator from Rhode Island [Mr. LIPPITT] offers an amendment, which will be read.

The SECRETARY. On page 125, at the end of line 16, insert the following:

That the Secretary of the Navy is hereby authorized to sell at cost and issue lubricating oils and gasoline to vessels of the volunteer patrol squadrons duly enrolled in several naval districts; and that during maneuvers or practice drills, when any of the vessels of said patrol-boat squadrons shall be acting singly or as squadrons under the direct command or control of an officer or officers of the United States Navy, gasoline fuel shall be supplied to them free of charge.

Mr. SWANSON. I will accept that amendment for consideration in conference.

Mr. LIPPITT. I should like to have several communications I have received in regard to the amendment printed in the RECORD as a part of my remarks on the subject.

The matter referred to is as follows:

THE PATROL SQUADRON.

OFFICE OF THE SECRETARY,
New York City, July 19, 1916.

Hon. H. F. LIPPITT,
United States Senate, Washington, D. C.

DEAR SIR: At the request of the governors of the Patrol Squadron, I beg to advise you that at a meeting of the organization held July 19, 1916, Mr. Guy Norman, of Newport, R. I., one of our members, suggested that a communication be directed to you for the purpose of enlisting your aid in rendering more effective the relationship now existing between the Patrol Squadron and the Navy Department. For your information I would say that the Patrol Squadron is a complete and operative organization formerly enrolled as a part of the United States naval forces for the second naval district. I am inclosing a copy of the report of Lieut. Puleston to the Navy Department, which will indicate to you the nature of the work of the squadron and its effectiveness; in addition, I am inclosing a letter from Rear Admiral A. M. Knight, formally accepting the Patrol Squadron for enrollment, as well as a copy of the by-laws of the association. I would ask you to return these documents for our files when they have had your consideration.

The purpose of this communication is respectfully to request that, if possible, a rider be added to the pending Navy bill, enabling the Patrol Squadron to receive certain material assistance from the Government in the form of fuel supplies when the squadron is in service or maneuvers. You will doubtless appreciate that this request is not unreasonable in view of the fact that the owners of these boats have gone to considerable personal expense in building the same and equipping them.

Knowing that you are naturally interested in all matters pertaining to the second naval district, which extends from Chatham, Mass., to New London, Conn., we believe that this appeal on our part for cooperation will receive your serious consideration, and to place the same in concrete form I beg to submit the following proposed amendment to the Navy bill, subject, of course, to your revision:

"That the Secretary of the Navy is hereby authorized to sell at cost and issue lubricating oil and gasoline to vessels of the Volunteer Patrol Squadrons duly enrolled in the several naval districts; and that during maneuvers or practice drills when any of the vessels of said patrol-boat squadrons shall be acting singly or as squadrons under the direct command or control of an officer or officers of the United States Navy, gasoline fuel shall be supplied to them free of charge."

I would also suggest, provided, of course, that it meets with your approval, that you interest Senators TILLMAN and SWANSON in this matter; doubtless these gentlemen will approve of our organization and its purpose, and will lend whatever assistance they can to further its objects. Should you desire additional information we would suggest that you get in communication with Assistant Secretary of the Navy Franklin D. Roosevelt, who has cooperated with us in effecting our organization.

Assuring you that any courtesy or assistance which you may give us will be deeply appreciated, I am,

Yours, faithfully,

ORSON D. MUNN,
Secretary of Patrol Squadron.

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HEADQUARTERS SECOND NAVAL DISTRICT,
COMMANDANT'S OFFICE.
Newport, R. I., July 6, 1916.

From: Commandant second naval district.
To: The Secretary Patrol Squadron, 233 Broadway, New York City.
Subject: Enrollment of the Patrol Squadron in the second naval district.
Reference: (a) Your letter of June 29, 1916.

1. In accordance with your request of June 29, 1916, I have enrolled the Patrol Squadron in the second naval district.
2. To give effect to this enrollment please report in full the number of boats, officers, and men in the squadron.
3. Suitable exercises will be arranged by my aid, who has been directed to communicate with you concerning this matter.
4. I inclose herewith a copy of Lieut. Puleston's report of the exercises, which was forwarded by me to the Navy Department.
5. I believe the Patrol Squadron will be of great assistance to this district, and I assure you that I will cooperate in every way to increase its efficiency.

AUSTIN M. KNIGHT.

—

UNITED STATES NAVAL STATION, NARRAGANSETT BAY,
COMMANDANT'S OFFICE,
Newport, R. I., June 24, 1916.

From: Lieut. W. D. Puleston, United States Navy, aid to commandant.
To: Commandant Naval Station, Narragansett, Bay, R. I.
Subject: Cruise of Volunteer Squadron No. 1.

In May Lieut. Commander V. A. Kimberly requested the War College to suggest a series of exercises for Volunteer Patrol Squadron No. 1.

On May 29 a tentative list of exercises based upon the probable war-time activities of such a squadron was furnished to Lieut. Commander Kimberly.

On June 6 Lieut. R. A. Koch, the commander of the second division of the Submarine Flotilla, in reply to a request for the services of one submarine for these exercises, volunteered to cooperate with the second division the *D–1*, *D–2*, and *D–3*, the *Tonopah*, the *Worden*, and *Macdonough*, as this force was planning to operate in Block Island Sound during the same period of time and as he wished the submarines to operate against patrol boats and in conjunction with such boats as scouts.

A second set of problems was then drawn up, which were designed (a) to use the Patrol Squadron in a drive against submarines; (b) to use the Patrol Squadron as scouts to lead the submarines to their prey; (c) to use the Patrol Squadron to patrol the line Block Island–Gay Head for surface craft. In arranging these problems Lieut. (junior grade) R. T. Merril, commanding U. S. S. *Tonopah*, cooperated, and his practical knowledge of the capabilities of the submarines plus a knowledge of problem solving gained through the correspondence course of the War College made his assistance of great value.

On June 10 Lieut. Commander Kimberly reported that the Patrol Squadron would arrive June 13, ready for work on June 14.

THE MOBILIZATION.

During the afternoon of June 13 the *Tonopah*, second division of Submarine Flotilla, the *Worden*, patrol boats *Nos. 1, 2, 3, 4, and 5*, *Caddy II*, and house boat *Daraga* arrived at Newport.

THE FIRST DAY (WEDNESDAY, JUNE 14).

At 8.30 a. m. a conference of all commanding officers was held on board the *Tonopah*, during which the whole work was briefly described, and the day's work described in detail.

In pursuance of the plan, the submarines got under way at 9 and took stations for problem.

At 10 patrol squadron No. 1, under way for problem "A," a submarine drive in the waters between Block Island and Gay Head. In this problem the patrol boats were ordered to prevent a submarine coming from the southward entering Block Island Sound or Narragansett Bay. The boats deployed on line, distance about 4 miles, and steamed about 18 knots.

Patrol boat *No. 2* sighted submarine and gave signal to assemble. Three other boats quickly joined, forcing the submarine to submerge and then deployed on submarine's emergence circle. In about 15 minutes submarine emerged a second time, so near to patrol boat that she could easily have been put out of commission.

PROBLEM "A"—REPEATED.

This problem was repeated, being staged the second time in Block Island Sound. The patrol squadron was ordered to search for a submarine coming from the westward toward Newport.

Geographical conditions in this problem permitted a smaller distance between patrol boats, and they were spaced about 1½ miles apart. The submarine was discovered by *No. 4*, and the boats assembled very promptly, on account of the shorter distance, prepared to take up the pursuit. Problem ended.

TACTICAL EXERCISES.

The patrol squadron was then exercised in tactical maneuvers, using an improvised signal code to simplify and expedite the maneuvers.

The speed, and the perfect similarity of these boats, combined with the eagerness to learn and intelligence of the captains of the boats, made these maneuvers successful beyond any expectations.

From the start it was impressed upon the squadron that speed, speed, and more speed should be their watchword.

About 4 the squadron entered Great Salt Pond and tied up alongside *Tonopah*.

CONFERENCE.

All commanding officers assembled on the *Tonopah*, the day's work was gone over and the night work explained. Unfortunately a fog came on, preventing night work, so the evening was devoted to discussing the program for the next day.

THE SECOND DAY—THURSDAY.

At 8.30 a modification of problem "A" was begun, as follows: All patrol boats and one submarine took part. The submarine submerged and was given 10 minutes' start, at the end of which time the patrol boats took up the search.

The plan of the search was based upon the following assumptions:

(1) A submarine periscope will be sighted 1½ to 2 miles.

(2) A submarine can make 8 knots submerged.

Upon these assumptions the following plan for the search of one submarine was made. Equal search sectors were assigned to each of the five boats. The boats were to take care of their own sectors, searching in between the second and sixth mile zone, changing course to cover as much ground as their high speed would enable them, moving clockwise and at all time keeping on or near the emergence circle of the submarine.

The squadron quickly got the idea of the search and covered the ground in systematic style with the following results:

At the end of 45 minutes the submarine exposed his periscope and sighted a patrol boat near by, but heading away from submarine. Although not sighted by patrol, it was so close that submarine decided to submerge at once to avoid discovery. Exposed periscope about 15 minutes later, was again sighted by a patrol boat. Other boats assembled on submarine. Problem ended.

TACTICAL EXERCISES.

At conclusion of this exercise, held tactical exercises, and then returned to Great Salt Pond to explain problem "B."

PROBLEM "B."

Problem B explained, and at 1.30 p. m. *MacDonough* stood out to take position. At 2.30 patrol squadron under way for problem.

At 2.45 became foggy. At 3.30 fog partly cleared and again attempted to carry out problem. At 4, while east of Old Harbor Block Island, fog again settled and was forced to return to harbor.

This was a great disappointment, as elaborate arrangements had been made for obtaining and relaying information, using the Weather Bureau station, Coast Guard stations, and Government telephone lines, and much valuable experience was expected from the proposed cooperation of these governmental agencies.

The attempt to carry out the problem gave the boats a good test of their seaworthiness, as the sea was moderate to rough, and the boats had to run dead to windward. They behaved admirably, only taking a little spray aboard.

The fog continued during the night, preventing a night patrol. All officers assembled on the *Tonopah* and talked over the next day's work.

THE THIRD DAY—FRIDAY.

CONVOY DUTY.

Problem A, modification II. The patrol squadron to protect *Tonopah* from submarines.

At 8.30 *D–1* and *D–3* under way for station.

At 9 *Tonopah* and patrol squadron under way. Patrol squadron ahead of *Tonopah* about 2 miles. Shortly after *Tonopah* sighted submarines and gave signal to patrol boat *No. 5;* forced submarine to submerge; about 15 minutes later a submarine again exposed a periscope near *No. 4*, and was theoretically run down.

It was impossible to tell whether one or both submarines had been accounted for, but it was apparent that neither had been able to attack *Tonopah* undisturbed.

About 11 a. m. patrol boats headed toward Block Island, the *Tonopah*, *D–2*, and *D–3* continuing toward New London.

PROBLEM A, MODIFICATION III.

All patrol boats and *D–2* assembled west of Great Salt Pond after submarine search. The submarine was given 10 minutes' start, and the first hour's search was conducted as follows:

(1) All boats deployed equally on submarines 15 minutes' circle (2 miles), then commenced retiring search at 12 knots' speed, forming a gradually widening spiral as indicated. It was planned at the end of the hour to steam around circumference of circle if submarine had not been sighted.

At the end of 45 minutes, submarine exposed periscope and was promptly sighted by patrol boat *No. 2;* submarine was forced to dive. Came up again in 15 minutes and was again sighted by a boat close to.

This concluded the work with submarines, and the patrol squadron headed for Newport.

THE WEATHER.

The wind and sea had been gradually increasing, and about 1 p. m. the sea was moderate to rough and wind about 4, from east to southeast. This brought the wind and sea on beam and quarter and made the boats very uncomfortable but perfectly seaworthy. No seas were shipped, only a little spray.

The carburetor on one of the boats needed adjusting, so en route to Newport a stop was made at harbor of refuge, Point Judith.

Arrived at Newport about 4 p. m. Friday.

It was the plan to hold tactical exercises in Narragansett Bay, culminating in a review by the commandant of the second naval district on Saturday morning. On account of stormy weather this was given up.

W. D. PULESTON.

The VICE PRESIDENT. Without objection, the amendment submitted by the Senator from Rhode Island is agreed to.

Mr. WADSWORTH. I offer the following amendment.

The VICE PRESIDENT. It will be stated.

The SECRETARY. On page 175, line 10, after the word "Norfolk," insert the words "New York."

Mr. SWANSON. I will accept that amendment for consideration in conference.

The VICE PRESIDENT. To make the amendment in order the vote by which the amendment of the committee at that point was agreed to will have to be reconsidered. Without objection, it is reconsidered; and without objection, the amendment of the Senator from New York to the amendment of the committee is agreed to.

The amendment as amended was agreed to.

Mr. THOMAS. I wish to reserve the right when the bill is reported to the Senate from the Committee of the Whole to move to substitute the House for the Senate naval program.

Mr. SWANSON. That will come up on the vote upon concurring in the substitute reported from the Senate committee.

Mr. THOMAS. I wish to vote in the affirmative on the House program.

Mr. TOWNSEND. Mr. President, before voting upon the pending bill I wish to say a few words in explanation of my vote. I have not become as excited over the propositions for naval and military preparedness as have many people in our country. I have recognized the fact that the great European war and our two military expeditions into Mexico have placed the subject of war uppermost in the public mind. Not since the War of 1812 have the people of the United States considered so intently the worth of our Republic and the necessity for its preservation. World history has never been more carefully read. The awful cost and destruction of war were never before so shockingly realized. Monarchy has been compared with democracy, and every thoughtful, patriotic person has come to believe more firmly than ever that the latter is the hope of humanity. Believing this, I have felt that in the midst of a world of armies and armament it would be criminal for a Congressman, charged with the responsibility of preserving and advancing democracy and its institutions, to refuse or neglect those ordinary precautions against possible destruction which the citizen exercises for the security of his private property.

I am neither a naval nor a military expert. I would be unable to determine wisely the exact necessary size of an army and navy to meet the requirements of national protection and defense which I believe should be demanded. But I think I know what ought to be accomplished, and I am clear in my own mind what should be our first, what our second, and what our third lines of defense, and their importance is in the order I have mentioned. The Navy should be strong enough to prevent the landing of a transoceanic army upon our shores; it should contain every submarine and aerial device necessary to hold a foreign fleet a sufficient distance at sea to prevent any reasonably possible explosive from blowing up our seacoast cities. For this purpose I am willing to vote every dollar needed; I wish I could know that I was voting no more. The Navy is composed of expensive machines, requiring comparatively few men, and if our country is to fight for its defense, which I hope it will never be obliged to do, I want that fighting done with machines rather than by men. I prefer to sacrifice dollars rather than human life in war.

It is my judgment that this Senate bill is top-heavy. I should have provided for fewer dreadnaughts and more colliers and reserved more for diving and flying machines. But if we are to err on the side of extravagance, I am willing that error shall be committed in the naval program, for with a reasonably strong, well-balanced Navy we would have little use for any other defense.

Our second line should be our seacoast defense. This should fortify our large and vulnerable cities and should contain guns of the longest range and the most destructive power known to modern genius. Fighting in forts and from behind fortifications is most effective against an approaching enemy, and at the same time the risk to soldiers' lives from behind these fortifications is less than it is in the open field.

Our third line of defense is the Army, and I would be content with a reasonably small, well-equipped, well-trained, and well-paid standing army, and especially would I be satisfied with such an army if all of our men, rich and poor, of military age were trained in the art and science of personal and national defense. We need an Army, not so much to protect against invasion from across the sea, but to protect our border against Mexican invasion while we continue our blundering bluffing with that country, to whose destruction we have contributed not a little. With a sufficient Navy and proper coast defenses we will never have need for a great Army.

And so, Mr. President, while I believe that the Executive and Congress are unduly excited and are seeing things which do not exist, yet do I believe that this country, whose glorious destiny means so much to humanity, should be at all times prepared against any reasonably possible attack from a foreign foe, and I would rather at this time err on the side of financial extravagance than on the side of dangerous parsimony.

I have not been impressed with the argument—or statement, rather—that our preparedness program has been largely induced by munition and war ordnance makers. I can not believe that these men want war any more than I can believe that publishers, farmers, laborers, and manufacturers generally, all of whom have profited on account of the present European conflict, want war because of individual or corporate profit to them. I have more faith in the patriotism of our people.

I voted to strike from the bill the provision for an $11,000,000 Government armor plant. I have no doubt that the Government in the past has paid more for armor plate than it ought to have paid, but that was the fault of the Government and not that of the manufacturers. They obtained what they could get, which, however, was less than any other nation in the world was paying. I am wondering, however, if any of the gentlemen who are complaining at the large prices received by the plate makers would have sold to the Government anything which they might have had, which the Government in time of peace wanted, at less than the same product was sold elsewhere? Why, the Government asked for bids from the three armor-plate factories, and for several years the bids were different, but in awarding the contracts the company bidding the least got no greater part of the award than did the company making the highest bid. Is there any wonder that soon all bids were the same? Of course I understand that the Government wanted all three plants to continue in business, hence the division of the award between them. But whatever happened in the past that was wrong has been corrected, and at a time when the Government is spending millions on preparedness I feel that we should not impose an additional tax upon the people with no idea of getting armor plate cheaper, indeed with the admitted fact that the Government will pay more. But, sir, I have faith in the arbitration clause in this bill. After the present war is over I hope that an international peace tribunal will be established and that an armor plant and extensive armament will not thereafter be needed; and it is admitted that the proposed Government plant can not be constructed in three years. We had an opportunity to save at least $11,000,000 and to obtain armor plate at less than it can possibly be made by the Government. I would cut from this bill six of the battleships and the armor-plate provision and thus save $120,000,000 to the people—a tidy sum, which should not be ignored. I believe our naval strength would be sufficient, and in a few years—perhaps in a year—we will know more what is best to do. To drop the six battleships this year would not necessarily weaken or retard efficient naval preparation.

Neither the Army nor Navy bill is just what I would like, but so sure am I that our great country is not properly prepared to defend the priceless institutions of democracy that I shall vote for the pending bill as the best and perhaps the least that can be obtained at this time.

Mr. President, when the battleship proposition was adopted I was at a conference committee meeting, and not having an opportunity then I propose, when the bill reaches the Senate, to move to strike out the provision for 10 battleships and substitute 4 for 10. Four are more than can be completed or even begun within a year, and in 12 months we may be wiser from experience and may know better what the Navy needs. I will not, however, delay the committee longer at this time.

Mr. GRONNA. Mr. President, I fully realize how unpopular it is to oppose the pending measure. I also realize how unavailing it is to oppose the bill.

I can not agree with the Senator from Michigan [Mr. TOWNSEND], who has just taken his seat, that this great appropriation of the people's money, the large amount which we are now about to appropriate for preparedness on such a huge scale, is a guarantee of peace. It may not bring war, but certainly no student of history will claim that any government, no matter how well it may be prepared, can give a guarantee of peace. I am not against reasonable appropriations for preparedness. This Government has ever since it was established appropriated large sums of money for the Navy and has appropriated reasonable sums for the Army.

Mr. President, I have believed that we were a democracy, but we are about to enter upon a policy which, in my judgment, will be a policy for a military establishment; and a military government means an aristocracy, an autocracy, and not a democracy. I believe that no patriotic American citizen will favor any policy that ultimately will lead to a military form of government.

Apparently this bill appropriates $315,000,000 or $316,000,000, but it authorizes more than twice that amount, and before the scheme is completed it will mean the expenditure of more than a billion dollars. I receive every day from some of my constituents protests against the so-called revenue bill. I introduced day before yesterday a number of telegrams from some of the bankers in my State protesting against the tax on banks. Mr. President, who is to pay this enormous tax, which must necessarily be raised in order to pay for this preparedness scheme? We are all in favor of preparedness, but not to the extent that it shall be burdensome to our people. We have heard about the patriotic men who marched in the streets at Chicago and other places in the great preparedness parades, but I have also heard it suggested that some of those very men shied at a recruiting station. Those who march in a preparedness parade are not always the first who are willing to sacrifice their lives in defense of the Nation.

When you say to me that it is the men of means who shall pay for this preparedness scheme, I say to you you are mistaken. It is the rank and file of the American people who will pay this tax. Wages must be diminished and the cost of living will be increased. Those who are engaged in business are entitled to a reasonable return on their investment; they will get that return, but it will be saddled upon the bended backs of the toiling millions of the Nation.

Mr. President, let us dismiss the thought that there are any sinister influences or any unworthy motives back of this great preparedness scheme; and yet it is evident to me that it is a mistaken idea at this time, when the people of the European nations will in a short time lie prostrate, when they will have exhausted their money and their men, for us to enter on this scheme, involving such enormous appropriations. Why should we at such a time go into this extravagance and saddle upon the American people an expense which is wholly unnecessary and which is dangerous to a republican form of government?

Mr. President, I shall not take the time of the Senate to go further into this subject. The Senator from Wisconsin [Mr. LA FOLLETTE] has shown to the Senate that it is unnecessary, that it is unwise, that it is dangerous for this Nation to embark upon a policy of this kind. I agree with what the Senator from Wisconsin has said, that it is wholly unnecessary to go into this extravagance.

There are items in this bill which, standing alone, I could support. The item for a Government armor plant I voted for, and I voted against striking it from the bill. I do not say that I believe in Government ownership as a rule, but I do believe in a business like this, whose only object is the manufacture of armor plate and the building of battleships for the purpose of destroying the human race, that it is a function of government not only to build ships and manufacture armor plate, but also to manufacture munitions of war.

You say to me that it would be cheaper to let private capital continue in this business. So far as that is concerned, Mr. President, I care not for the expense in supplying armor plate for the ships actually needed. It is the motive back of this whole scheme that I am opposed to. It is a mistaken policy, and the result will be that at the beginning of every Congress

we shall have in the lobbies here and elsewhere men demanding special legislation for fear that there is going to be a war. If the United States were to manufacture its own armor plate and its own munitions of war, there would be no incentive for these men to demand legislation that would give them the increased business.

Mr. CLAPP. Will the Senator from North Dakota pardon an inquiry?

Mr. GRONNA. Certainly.

Mr. CLAPP. I think the Senator will agree that if the Government had its own armor-plate plant and private greed had been eliminated from the propaganda behind this bill we should have provided for fewer battleships.

Mr. GRONNA. I think that is true, Mr. President.

Mr. CLAPP. Then, regardless of what a ton of armor plate might cost, if economy were the key word, we could save the price of this proposed plant by simply eliminating even one of the proposed battleships, the presence of which is undoubtedly due—and that without any reflection upon anyone—to the propaganda inspired in this case.

Mr. GRONNA. Mr. President, I intended to say that; and I thank the distinguished Senator from Minnesota for the suggestion.

Mr. President, I do not wish to be understood as opposing every item contained in this bill, for that is not the case; but I believe that it is wholly unnecessary at this time to enter upon this elaborate program, involving the appropriation of the large sums of money carried by this bill and involving also the expenditure of thousands of millions before we are through. As I have already said, not only is the bill objectionable because of the large amount of money appropriated, but it is objectionable because it embarks the Government upon a policy which, in my judgment, is dangerous to the institutions of our country. The people who have settled on American soil have come here for the purpose of living under a Government which shall be a pure democracy. We can not maintain a pure democracy and at the same time enter upon a policy of militarism—and that is what this scheme means.

I attribute no dishonorable motive to any man who has been back of the preparedness campaign; but, sir, it has made my blood boil when I have seen some of the exhibitions which have been made, for instance, the picture shows in which have been depicted some of the great cities upon our coast toppling under the attacks of foreign enemies. Some of these exhibitions have been an insult to every American citizen of foreign descent.

I challenge contradiction now of the statement that the foreign-born citizen has been as loyal to the flag as any of those who were born on American soil. Sir, you need only to go to Lafayette Square in this city and look at the statue of Von Steuben in the northwest corner of that park; the statue in the northeast corner of Kosciuszko, born in Poland; and the other two statues decorating that park—the statues of Lafayette and Rochambeau, both born in France—to realize what foreigners have done for America. Can you show me generals and soldiers of more valor or more worth to the American Union than were those men in whose memory statues have been erected by a grateful people? Go over to Franklin Square, and there you will find the statue of Commodore Barry, an Irishman. Mr. President, this preparedness propaganda, carried on by certain people for certain purposes, is in many of its aspects discrediting to citizens of this country whose ancestors came from foreign shores.

Mr. President, if I may be pardoned for speaking of myself, my parents were not born in this land; but, sir, I have to-day two sons, young though they be, who stand ready at any moment to sacrifice their lives for the perpetuation of this Government and the defense of the flag. One of them has answered to the call of the Government, and is now a private in the ranks of the Army. Sir, I am not so old myself but that I can go to the front, and I am willing at any moment to join the ranks as a private in defense of the flag of the United States. So we will find hundreds of thousands of young men of foreign birth who have enlisted in the Army at their country's call. When I was home in North Dakota in the month of May there was dedicated a statue, erected over the grave of a soldier, a poor boy who came here from Norway, who had only taken out his first papers, but during the Spanish-American War he said, "I want to go to the front and defend the American flag, because America is going to be my home." He sacrificed his life in defense of this country. Would it be possible for an American-born citizen to do more?

Go to the cemetery at Gettysburg and see the hundreds of graves with little monuments or headstones over them bearing Norwegian or Scandinavian names. The soldiers who lie there fought in the Civil War, as some of their brothers fought, even, in the Revolutionary War. I do not believe there is a single citizen of the United States of foreign extraction who would not fight to-day in any war against any nation on earth in order to defend the American flag.

Mr. President, I can not vote for this bill. I should like to vote for a bill providing for the authorization of, say, four battleships and an equal number of battle cruisers, and providing for a certain number of submarines, and the construction or appropriation for two battleships now; but I believe I can foresee that in a decade or two the war vessels constructed under the immense sum of money we are appropriating to-day, and under the authorizations we are making to-day, will simply be thrown upon the scrap heap.

I do not believe that anyone fears that any nation on earth will invade this country; but some one will make huge profits from this enterprise. That we all know. I have no objection to anyone in legitimate business making profits. I believe that legitimate business should be profitable; but I do object to a policy to which the American people, I believe, are opposed; and I believe, sir, that in the near future—in the course of a few years—this bill and this scheme will not be as popular as it is to-day.

I do not claim to be any more patriotic than anyone else, but I want to be allowed the same opportunity of voting against this bill as those who favor it have in voting for it. If I oppose it, it is not because I lack in patriotism or in loyalty to my country, but it is because my vision is not that of other men and my judgment differs from theirs. I believe, sir, that it is little less than criminal unnecessarily to saddle a burden like this upon the bended backs of the American people. The people have not asked for it. They will not indorse it when they understand what it means.

Mr. President, I perhaps should have remained silent and not have said a single word had it not been that it is manifestly apparent that this measure is so popular that it will be passed without even a record vote, and I wanted to take the opportunity of recording my opposition to the bill.

Mr. CLAPP. Mr. President, before finally voting upon this matter I want to submit just a word or two. I shall be very brief.

I would very gladly support the House bill, and, realizing that in legislation we can not always secure that which we desire, I would even vote to add a reasonable number of battleships to the House bill. But when it comes to adding 10 great, heavily armored battleships, in the light of the experience of this war, which has shown very conclusively that there is at least a grave doubt as to the final efficiency of such ships, and when it comes to adding this burden of over three hundred million to the already overtaxed American people's burden in a time of profound peace with our Republic—unless we can call the attempt to bring to justice some bandits in Mexico war—I can not bring myself to support the Senate bill.

I want to point out one strange inconsistency in this bill. It has always been a theory of mine that whatever we do we ought to do it openly and aboveboard and with candor. In this bill, in a time of profound peace, when the great nations of the earth are daily weakening and crippling themselves in the awful war that is prevailing, we suddenly propose practically to double the appropriations of last year, and to embark upon the most extraordinary program ever seriously considered by an American Congress; and coincidently with that we insert in the closing part of the bill a provision that when the war is over the President shall use his good offices in the effort at an arbitration that shall be designed, not to result in disarming—because no nation will ever disarm—but in lessening this mad increase, in staying this made race of militarism that is destined to stop only when bankruptcy on the part of some nations prevents their keeping pace with our pace; and incorporated in that proposition is the solemn declaration of the Senate that we view with apprehension and disfavor the general increase of armament among the nations of the earth.

I have heard Senators stand upon the floor of this Chamber and proclaim that this Republic was losing the respect of other nations. Sir, I know of nothing more calculated to bring distrust than for this Republic suddenly, and without any excuse being given for it, to embark upon this extraordinary program, and at the same time to say to the world that we view with apprehension and disfavor the general enlargement of armament.

Mr. NORRIS. Mr. President——

Mr. CLAPP. I yield to the Senator with pleasure.

Mr. NORRIS. Is not the Senator aware that the statement that we are building this great Navy as a matter of securing

peace is something that has always been common? Does not the Senator know that every battleship that England owns, and every battleship that Germany owns and that France owns and that Italy owns and that Russia owns, has been built to preserve peace; and that every cannon that has been made for the purpose of engaging in this war, and all the ammunition that has been made, and all the preparation that has ever been made by any of those nations, was made for the purpose of retaining the peace of the world? And why should not we continue to retain the peace of the world?

Mr. CLAPP. No, Mr. President; the Senator is not aware of that. The Senator is aware, however, that every battleship that has been added by every nation on earth has been proclaimed a method of securing peace, but I had not supposed such declarations were taken seriously.

Mr. NORRIS. Does not the Senator see how successful they have been?

Mr. CLAPP. But the Senator knows, and every Senator in this Chamber knows, and every man, woman, and child knows, that no man ever shot another unless he had a weapon with which to shoot.

Of course it has been a travesty for nations to prepare to go to war and at the same time to proclaim that they were doing it to maintain peace. If that required any proof, the present war furnishes sufficient proof. And now we reach the final climax of that travesty by taking a position that will force every nation on earth, if they can sell enough bonds to accomplish the purpose, to build more ships to meet our ships, and at the same time proclaim that we view with apprehension and disfavor the general increase of the armaments of the earth.

Mr. President, this finds a parallel only, as I recall now, in an incident that once occurred in the Legislature of Wisconsin. In justice to the senior Senator from Wisconsin [Mr. LA FOLLETTE], I want to say that the burlesque was enacted before he became a factor in the forces of that great State. The Legislature of Wisconsin at one session practically repealed the law against houses of ill fame and practically repealed the law against selling liquor to minors. It practically opened the door to houses of prostitution, and at the same time opened the door to the sale of liquor to minors. But, Senators, that legislature was not without a moral conscience; it was not without a capacity to recognize the duty it owed to humanity; and it concluded that travesty of practically taking away the penalty for keeping houses of ill fame and for selling liquor to minors by making an appeal to Congress to abolish polygamy in far-off Utah.

I think that absurdity finds a parallel when we take a step that we know will force every nation on earth to build more battleships, because surely when the nations of the earth see us reaching out, as we have in the past, for oversea territory, the thought, the suggestion, the claim that we are building these ships for peace and defense will not receive even a respectful hearing. When we take a step that we absolutely know will force every nation on earth that can sell enough bonds to accomplish it to build more battleships, for us solemnly to make this declaration that we view with apprehension and disfavor the general increase of armaments on the heels of this enactment providing for 10 new battleships in addition to the 2 that have already been authorized, and the construction of which has not been begun, is something that will be received with a sneer and a smile of derision throughout the world and will force the other nations to retaliate in additional preparation.

Now, let us be honest. If we are going to force the nations of the earth to build additional fleets, why should we put in this bill a declaration at absolute variance with the recognized purpose and logical effect of the act itself?

Mr. PENROSE. Mr. President, in view of the data submitted by the chairman of the Naval Affairs Committee [Mr. TILLMAN] in yesterday's CONGRESSIONAL RECORD—and to which, of course, I have no objection—I feel it my duty to make the request to have this statement of the Bethlehem Steel Co., largely bearing on what the chairman has inserted in the RECORD, printed as a public document. I hope the chairman will have no objection to that request.

Mr. TILLMAN. I have no objection whatever, sir.

Mr. PENROSE. I make the request.

The VICE PRESIDENT. In the absence of objection, it is so ordered.

Mr. CUMMINS. Mr. President, I desire to make a parliamentary inquiry. Is this the proper time to make a reservation or give notice of a desire to have a separate vote upon a committee amendment?

The VICE PRESIDENT. Any time is the proper time to make that reservation.

Mr. CUMMINS. This is the proper time, then?

The VICE PRESIDENT. Yes.

Mr. CUMMINS. I am not sure whether the notice given by the Senator from Michigan [Mr. TOWNSEND] is definite enough; and in order to make that certain I desire to reserve for a separate vote in the Senate the committee amendment beginning at line 1, on page 170, and ending with line 5, on page 174, and, further, the committee amendment beginning at line 9, on page 175, and closing with line 12, on page 176.

The VICE PRESIDENT. The Chair desires to say to the Senator from Iowa that the Chair thinks what the Senator from Iowa desires to move to reserve a separate vote on is the motion to strike out and insert. It takes in page 167 as well.

Mr. CUMMINS. It is the Senate committee amendment relating to the construction of the Navy.

Mr. NORRIS. Mr. President, I want to reserve—I think the Senator from Iowa has done it, if I understand his reservation—I want to give notice that I will ask for a separate vote upon the Senate amendment that provides for the increase of the Navy.

Mr. CUMMINS. A further parliamentary inquiry, because I do not know much about such things. When the motion to substitute or to strike out and insert is before the Senate, will a motion to amend either the part that is sought to be stricken out or the part that is sought to be inserted be in order?

The VICE PRESIDENT. There have been so many private inquiries and so many statements made on the floor of the Senate with reference to what would be proposed to be done that the Chair thinks it is the proper time now to express an opinion as to what can be done.

For instance, the Senator from Colorado [Mr. THOMAS] served notice that he would move to substitute the House bill. The Chair does not believe that any such motion as that would be in order. The House bill is preserved by disagreeing to the Senate amendments, which leaves the House bill in force, and there is not any necessity for any such motion. If the Senate refuses to concur in the amendments made as in Committee of the Whole, the House bill is then before the Senate.

Second, the Chair believes that the Senator from Iowa [Mr. CUMMINS] has done what he has a right to do. He has reserved the question which consists of a motion to strike out and to insert.

Third, that amendment having been reserved for a separate vote, the Chair has no doubt that in the Senate the part to be stricken out and the part to be inserted are each subject to amendment.

Mr. BRANDEGEE. Mr. President, may I inquire, if the Senate should concur in certain of the Senate amendments to the House bill and refuse to concur in others, whether under those circumstances it would not be in order to move to substitute the House bill for such bill as the Senate might have agreed to?

The VICE PRESIDENT. The Chair is of the present opinion that if certain amendments are concurred in and other amendments are not concurred in by the Senate, then the House bill might be offered as a substitute for the amended bill.

Mr. BRANDEGEE. Mr. President, one further inquiry. I do not know that the Chair will care to express an opinion upon this question, but it so frequently occurs that I should like, if possible, to settle it in my own mind, at least.

With relation to the inquiry of the Senator from Iowa and the suggestion of the Senator from Nebraska as to the necessity for giving notice, when a bill is in Committee of the Whole, that they will demand a separate vote in the Senate when the question comes up as to concurring in the Senate amendments I had not thought it was necessary to give any notice whatever; that when the bill got to the Senate the question was on concurring in the amendments made as in Committee of the Whole, and if there was no objection they were usually concurred in en bloc, but any Senator could demand a separate vote before the question was put, without having given any previous notice. I know of no rule that requires a Senator to give notice in Committee of the Whole about what he is going to do when the bill gets to the Senate.

The VICE PRESIDENT. There is no such rule, and there is but one precedent. That precedent, however, is against the Senator from Connecticut.

Mr. SWANSON. Mr. President, I understand that the Senator from Colorado [Mr. THOMAS] simply desires a vote on the building program of the House and Senate. That is what he reserves, and that has been reserved by four or five Senators. As I understand, there is no other question of contention now except as to the building or construction program in the two bills.

Mr. THOMAS. Mr. President, the Senator from Virginia has stated my position precisely. I want to vote for the House program. I am unable to vote for the Senate program. But I

accept the ruling of the Chair as just announced, and I expect to abide by it. Some of the rules of the Senate, according to my experience, Mr. President, are like the human anatomy, fearfully and wonderfully made. I have long since given up all hope of being able to acquire an adequate comprehension of them either in detail or in their entirety. I can not keep abreast of their construction. The vote I cast will be due to the fact that the House program is the result of very careful and mature preparation based on long and exhaustive hearings, representing, therefore, the thought of the committee which devoted itself to that subject for a long period of time.

I do not believe, as was most eloquently asserted yesterday by the Senator from Wisconsin [Mr. LA FOLLETTE], that there is now or is liable to be at any time the need for such a huge addition to our Navy. There is a need for some addition; a need which is emphasized by the recent blacklisting of many of the merchants and mercantile corporations of this country by the British Government; a course of action which in view of the widespread sympathy in this country for the allies, coming at this time, is most unwise and wholly inexplicable.

I can not conceive of a more unjust and outrageous action than that involved in the recent official announcement that certain citizens of the United States shall not be permitted to traffic with the subjects of Great Britain and per consequence with the people of any other nation. Great Britain controls the sea. Our citizens have the same right to trade with the enemies of Great Britain that they have to trade with the subjects of Great Britain or between themselves. While I do not believe that there is at present any prospect of hostilities or conflict between this country and any other, I feel that this administration will resent this preposterous embargo upon our merchants and resort to every expedient within its power, even to reprisals if necessary. It should do it, and meet this assault upon the rights and prerogatives of our own citizens with firmness, with courage, and with success.

I think, therefore, a well-balanced fleet, thoroughly equipped and capable of enforcing such rights as these, is one of the essentials of modern commerce and of modern civilization, and the House program furnishes an adequate expansion in addition to the present force of the Navy for that and all other emergencies which may confront this and succeeding administrations.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Idaho?

Mr. THOMAS. I am through. I did not intend to occupy the time of the Senate as long as I have done.

Mr. BORAH. I wish to ask the Senator a question. Suppose we should not be able to adjust the matter to which the Senator has referred amicably, does he think that the bill as passed by the House would be sufficient to meet the situation that may present itself?

Mr. THOMAS. We can meet it with our present Navy. I think with the addition provided by the bill as passed by the House we are in a position to meet any situation. If the Senator heard the speech of the Senator from Wisconsin yesterday, he could not escape the conclusion that we have to-day the second navy in the world and have had for years, but the fact, instead of being made public, has been suppressed by the journals of the country.

Mr. BORAH. I have formed my own opinion upon that from other sources.

Mr. THOMAS. This is from official sources.

Mr. BORAH. I disagree with the Senator.

Mr. THOMAS. Of course, the Senator has a right to do that.

Mr. BORAH. Does the Senator think now that we have a sufficient Navy to meet the kind of situation which would be presented if we could not arrange it through diplomatic channels?

Mr. THOMAS. Yes, sir; I do most emphatically.

Mr. BORAH. Then, there is no need of going further.

Mr. THOMAS. Not for present emergencies or any that can arise during the European war.

Mr. MARTINE of New Jersey. Mr. President, inasmuch as the Senator from Pennsylvania [Mr. PENROSE] has secured the privilege of placing in the RECORD what I think we all agree as the baldest advertisement in the way of a public document, the pamphlet of the Bethlehem Steel Co., it seems to me that it is but fitting and proper that the antidote should go with the poison. This Bethlehem Steel Co. is making money beyond the dreams of man. I want to read this, to show how this corporation is fattening and how unnecessary it is to advertise. I cut this from the Baltimore Sun:

IN FIELD OF FINANCE—BETHLEHEM STEEL EARNINGS FOR THIS YEAR MAY EXCEED $60,000,000, IT IS ESTIMATED.

The directors of the Bethlehem Steel Corporation met yesterday in New York. Based upon the showing of the Bethlehem Steel Corporation in first half of the current year, the estimate of $60,000,000 earnings for the full year 1916 will no doubt be realized. While no official periodical statements of earnings are issued by the Bethlehem Steel Corporation, it is believed they were around $30,000,000 in the first half. The Bethlehem Co. has sufficient war business on its books to keep its ordnance plants in operation to the end of the year, and as earnings in June are understood to have established a new high record, profits of $60,000,000 or over for 1916 seem to be assured. Bethlehem is now shipping 1,000,000 shells a month, or at the rate of more than 30,000 a day.

It is necessary that they should be advertised in a public document at the expense of the people.

The Pennsylvania Steel Co. had been absorbed by the Bethlehem, and there will be no financing in connection with the transaction. The railroads which owned practically all the stock of the Pennsylvania Steel Co. have taken bonds in payment for their shares. The transaction will necessitate no capital readjustment.

The question of increasing the capital stock of the Bethlehem Steel Co. is not a leading one with the Bethlehem Co. at present. No change is now being considered. Neither is any change in the rate of dividend on Bethlehem Steel contemplated in the near future. The Bethlehem Steel Corporation will spend between $12,000,000 and $15,000,000 this year for new construction.

They must expect the war to go on:

As the surplus available for the common stock or new construction is expected to run far above $300 a share this year, there will be plenty of cash left for extra distributions to shareholders if the directors deem such action advisable.

Mr. President, it seems to me with the knowledge before the country of the profits of this corporation to foist into the RECORD a document published as a public document at public expense, but which is nothing but a bald advertisement, is a wrong almost to a crime.

I wish what I have read to be published as an antidote to the poison, and I hope it will follow right along.

Mr. PENROSE. Mr. President, I do not intend to detain the Senate. I only want to suggest an antidote to the poison of the Senator from New Jersey.

The Bethlehem Steel Co. in my recollection has never paid a dividend. I do not know what it may have done in the early days. It is indeed very fortunate that these war profits have come to it. It has for many years been one of the two or three strictly ordnance manufacturing concerns in the United States and it was following its legitimate business and its special aptitudes in taking these contracts.

Had it not been for the war in my opinion the Bethlehem Steel Co. would be absolutely closed to-day under the operation of the present Democratic tariff laws. When I visited the Bethlehem Steel Co. in 1914 when I was a candidate for reelection the plant was pretty nearly shut up. Instead of having twenty or thirty thousand men employed at good wages there were two or three thousand employed in the works and they did not know how long they would remain there. Meanwhile the fixed charges were going on and the general expenses, with no profits in sight. Probably bankruptcy would have been the fate of the Bethlehem Steel Co. had it not been for the war in Europe. In this instance as in a number of other instances the chief asset of the Democratic Party is in the war in Europe.

Mr. MARTINE of New Jersey. Mr. President, I want to say that during the time the Senator said they were not paying interest they were paying interest on the bonds. Of course they had such an eternal quantity of water that it was almost an impossibility to pay interest on the water. But the Senator says that when he ran for office up there they were idle. That was the ill effect of the Republican administration. But now under the Democratic administration he admits with his own lips that they are all busy and making money. But they are making money out of the process of killing humanity, and I would to God that no profit would come to the country through this uncanny and iniquitous system.

But you can not get away from the fact that the Bethlehem Steel Co. has robbed and wronged the American people in the manufacture of its armor plate, charging the Government prices far beyond those at which they sold it in foreign countries, and of a poorer character as well. History is full of the wrongs of the Bethlehem Steel Co., and to resuscitate, revive, and try to hold it up here by foisting a bald advertisement in the public record, paid for at public expense, is, I should think, too small a thing for the splendid Senator from Pennsylvania.

Mr. REED. Mr. President, I was obliged to be out of the Chamber a portion of the morning. I rise to inquire if during my absence the Senator from Pennsylvania obtained unanimous

consent to print as a public document the Bethlehem Steel Co. book?

The VICE PRESIDENT. He has.

Mr. REED. That I objected to yesterday morning?

Mr. PENROSE. If the Senator will permit me, I made a request for unanimous consent and obtained it with the particular assent of the chairman of the Naval Committee. In view of the fact that the chairman of the Naval Committee had had inserted in the RECORD a large correspondence and a great deal of data bearing on this question of a hostile nature to the proposition which I have argued here in the Senate, I only thought it would contribute further to the enlightenment of the Senate to present the other side of the case. The chairman of the committee very generously and properly agreed to my suggestion. I had not intended to press the matter again had it not been that my attention was called this morning to the very large amount of data which had been inserted in the RECORD by the chairman of the Naval Committee, to which, of course, I had no objection.

Mr. REED. Mr. President, the document in question is not asked to be printed as a public document for the purpose of informing the Senate. The Senator from Pennsylvania well knows that to be the fact.

Mr. PENROSE. Will the Senator permit me? As I understand it, a public document is not confined to the purpose of informing the Senate; it is meant for the purpose of informing the public.

Mr. REED. I was about to say, and did succeed in saying, that this document is not printed as a public document for the purpose of informing the Senate, because it has already been circulated among the Members of the Senate and is now in their possession. I now add what I was about to say when interrupted, that it is not being printed as a public document for the purpose of informing the public in the sense that ordinary documents are printed, because it is already privately printed in a large edition, so that it can be circulated amongst all those persons who are at present specially studying the question of a Government armor plant versus a private armor plant. It is in fact being printed as a public document in order that it may be sent out with the implied sanction of the Senate of the United States, that the bill for the printing of this propaganda issued by a private corporation shall be paid out of the Public Treasury, and to the further end that it may have the franking privilege and be scattered broadcast over the land as a Senate document printed at the public expense and sent out by the Senate for the public information. It is a shameless proposition.

Mr. KENYON. I should like to ask the Senator a question. I understood him to say that he objected to its publication yesterday.

Mr. REED. I did.

Mr. KENYON. Then was unanimous consent obtained today in the absence of the Senator?

Mr. REED. It was. I was in the cloakroom engaged in some conferences with Senators about the business of the Senate when I learned the fact that a unanimous-consent agreement to print the document had been made.

Mr. NORRIS. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Nebraska?

Mr. REED. I do.

Mr. NORRIS. When was the order issued? Has that been done to-day?

Mr. REED. Apparently it has been done in the last few minutes.

Mr. NORRIS. I inquired of a Senator sitting next to me if he knew about it, and he did not; and I do not remember hearing it.

Mr. GALLINGER. Surely the Senator will not question the fact that the matter was ordered printed?

Mr. NORRIS. No; I do not question it. I inquired for information.

Mr. GALLINGER. The matter was presented in the usual form, and it was heard.

Mr. PENROSE. The stenographer heard it, and it will appear in the RECORD.

The VICE PRESIDENT. There is no doubt about that being the fact. The present occupant of the chair was not aware of what occurred yesterday, for he was not here in the afternoon. The Senator from Pennsylvania rose and asked to make it a public document, and the Senator from South Carolina, as chairman of the Naval Committee, said it was all right. Everybody heard it or should have heard it, and it was agreed to.

Mr. GALLINGER. Certainly.

Mr. REED. Mr. President, any document which is printed at public expense and sent out as a public document ought to be one furnishing reliable and sound information. It ought not to be an ex-parte statement made by a party in interest. It ought not to partake of the nature of an advertisement of a private concern at the public expense. It is about time the Senate begins to exercise a little discretion in regard to the use of the public money in this manner.

Mr. STONE. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to his colleague?

Mr. REED. I do.

Mr. STONE. I should like to ask my colleague who made the request yesterday to have this book printed as a public document.

Mr. REED. The Senator from Pennsylvania [Mr. PENROSE]; and I objected.

A few days ago, or a little while back, a document was offered here and ordered printed; nobody examined it, and it has been used extensively by the mail-order houses of this country as an advertisement of the mail-order business, the mail-order houses thus getting the benefit of the franking privilege. These highly patriotic institutions that now undertake to avoid the payment of their just share of the public revenue by shipping their pamphlets and their catalogues by freight until they get within the bounds of a particular zone, so that by mailing them within that zone they can save a few cents which otherwise they would have to pay to the Government, have now improved upon that method and are able to employ the franking privilege on at least this one document. There was much matter in that document which did pertain to the public business, and so there was some excuse for printing it, though I think a very poor excuse; but this thing that we are asked to mulct the Government to the extent of I know not how many thousands of dollars to print and to circulate is a mere false and misleading ex parte statement made by a concern that has been coldly and deliberately robbing the Government of the United States for years. The evidence that it has been robbing the Government of the United States is found within the four corners of the document, although the casual reader might not discover the fact. On yesterday, however, one of the Senators read some excerpts from this book. I shall find them and, with the consent of the Senate, insert them at this point in my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

The Senator from Indiana [Mr. TAGGART] read the following excerpts from the document now under discussion:

"We will manufacture one-third, or such additional quantity as may be awarded to us of the armor plate required for the contemplated five-year naval program, estimated at approximately 120,000 tons, at a price of $395 for side armor, as compared with the price of $425 now obtained.

"The proposed price is lower than has been paid by the Government for more than 10 years.

* * * * * * *

"Steel prices are continually going up, and they are to-day much higher than has been the case for many years. In spite of that, we offer to build armor at a lower price than the United States Government has paid for 29 years, and we agree to accept this lower price for the next five years."

Mr. REED. The Senator from Pennsylvania [Mr. PENROSE] asked unanimous consent that the document read from, being the same document now under consideration, be printed as a public document. Whereupon the following proceedings were held:

Mr. REED. Mr. President, I object.

Mr. PENROSE. I do not know whether the Senator's objection is well taken or not. I conferred with the chairman of the Committee on Naval Affairs regarding this matter, and he said he would be very glad to have it printed. Certainly there can be no objection to the dissemination of information, particularly when the request is made by the defeated party.

Mr. REED. I have not any doubt that it would be very desirable on the part of this concern to have its brief and argument printed at the expense of the Government and distributed under the franking privilege. I am not sure that I understand the Senator's request. Do I understand that he asks unanimous consent that it may be printed as a public document, provided the Committee on Printing should give its O. K.?

Mr. PENROSE. Yes, sir.

Mr. REED. I object. If the Bethlehem Steel Co. wants to print its defense or its argument, let it do it out of some of the profits it has made charging the Government prices for 29 years which it now says it is ready to cut to a very large degree, although it also says that the cost of manufacture to-day is greater than it ever has been in the history of the country—a plain, bald confession that it has been despoiling and robbing this Government for the past 29 years.

Mr. PENROSE. Mr. President, of course I can reserve the right to read this as part of my remarks.

Mr. REED. Unquestionably, Mr. President, the Senator can read it. So can a man read the advertising literature of any company; but I hardly think the Senator from Pennsylvania would impose that upon the Senate; and if so, we may have to have a night session to accommodate the Senator.

Mr. PENROSE. Mr. President, I am the best judge of the propriety of the matters that I choose to bring before this body. This is not an advertisement in any way. It is a discussion of a public question; and

I intend to bring up this request at a little later hour, when the armor-plate matter comes properly before the Senate. I will withdraw it for the present.

Of course, in view of my objection the request could not be granted, and the document could not be printed as a public document unless the Senate should thereafter take a different course which, it appears, has been done.

I specifically call the attention of the Senate to the quotations from the book which were read by the Senator from Indiana [Mr. TAGGART].

One of those declarations was that the Bethlehem Steel Co. was now prepared to make a binding contract with the Government for the next five years to sell and deliver to it, if I remember the figures aright, the armor plate which it might want for some $30 a ton less than it had been charging. In connection with that statement is another that the price named is less than has ever been charged to the Government in 29 years. In connection with the two statements is a third statement, that the price of labor and the price of all material entering into armor plate are higher now than they have been for 29 years. The effect, therefore, of the statement is that although armor-plate material is higher than it has been in 29 years, that labor is higher than it has been in 29 years, and that the cost of production is greater than it has been in 29 years, this concern can afford to deliver, and will deliver, to the Government armor plate for $30 a ton less than it has at any time during the past 29 years exacted from us. That is an absolute admission that for 29 years it has robbed the Government, whose flag floats over it and whose armies and navies protect it. Now that concern comes here, and the Senate grants unanimous consent to print its propaganda and advertisement and to send it through the mails without charge.

Nor is that all of the loathsome and sickening story. It is an evidence that this company has been selling its armor plate to foreign governments to put upon the sides of their ships and to protect their guns for less than it has been charging this Government, that gives it protection. It has been willing for less of dollars to furnish to a government or to governments that may at any time become our enemies armor for ships of war for less money than it charges us, thus enabling those governments to build their navies at less cost, and consequently, for the same amount of dollars, to build greater navies than ours, navies that may in the mutations of national life at any moment thunder with their guns against the coast cities of the United States. And it is proposed that such a concern can have the franking privilege, so that it can flood this country—probably through the Republican national committee—with a document that looks like a Senate document; that looks like it had come with the sanction of the Senate; so that it can flood this country with its ex parte, its false, its misleading statements without the payment of a penny of postage!

Mr. OLIVER. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Pennsylvania?

Mr. REED. I do.

Mr. OLIVER. I challenge the Senator from Missouri to find a single false statement in that document. He can not do it.

Mr. REED. Well, I say to the gentleman who is a stockholder, and who has admitted he is a stockholder, in institutions that are engaged in making armor plate, who stands here on the floor of the Senate advocating the cause of those things in which he is financially interested, and who, if, he were the judge of a court would be barred from sitting in a case involving the question of dollars and cents to the concern in which he is interested, but who, nevertheless, has the cold effrontery to stand here advocating and voting for that which will put money in his pocket—I say that the entire document is false and misleading—that is, it is undertaken in this document to demonstrate that the Bethlehem Steel Co. has dealt fairly with the United States—the facts are otherwise——

Mr. OLIVER. Mr. President——

Mr. REED. That it is a patriotic institution——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Pennsylvania?

Mr. REED. The facts are otherwise.

Mr. OLIVER. Mr. President——

Mr. REED. That it has been inclined to treat the Government decently, the facts are otherwise; that it has been willing all the time to treat the Government decently and give a decent price, the facts are otherwise. Now I have completed my sentence, I gladly yield to the distinguished Senator.

Mr. OLIVER. Mr. President, I decline to notice——

Mr. REED. You rose to ask me a question. I do not care whether you decline to notice anything or not.

Mr. OLIVER. The Senator has yielded to me the floor.

Mr. REED. I did not yield the floor. I decline to yield.

Mr. OLIVER. The Senator has yielded to me, and I demand the right to finish the sentence which I began.

Mr. REED. I yielded for a question, and I will debate any question with the distinguished Senator he wants to debate at any time, but I do not intend to lose the floor until I have occupied it for a few moments longer.

Mr. OLIVER. I do not want to deprive the Senator of the floor, but I want to say this, that the Senator is saying what is utterly without foundation. He accuses me of voting money into my own pocket. I will say no more about his personal attack upon me, the second time he has made it in a manner unworthy of any member of this body, but I do want to say that he evades from the question I put to him in order to divert and becloud the issues by making a personal attack on me. I challenge him to produce a single false statement. He says it is full of falsehoods. He does not name one. Give us some particulars, if you please.

Mr. REED. Now, the Senator says that my statement is untrue in regard to him voting money into his own pocket.

The VICE PRESIDENT. The Chair thinks that we are getting pretty close to infringing a rule of the Senate.

Mr. REED. I thought possibly so; but the Chair permitted the Senator to make that statement, and I am going to insist, with all respect to the Chair, on my right to reply to it. The Senator made that statement.

The VICE PRESIDENT. Let us at least keep as near within the parliamentary rule as we possibly can. Not to do so leads to bad feeling.

Mr. REED. I shall keep within the rule. I say that the Senator on the floor of this body admitted that he owned a large amount of steel stock, and that it was in a concern that was the parent company of a concern engaged in the manufacture of armor plate; and I shall put the Senator's admission as it appears in the RECORD in my remarks at this point.

Mr. OLIVER. I insist, Mr. President, on everything that the Senator puts in the RECORD being read or stated at length.

Mr. REED. Well, I imagine the Senator naturally objects to having his own admission put into the RECORD——

Mr. OLIVER. It is already there.

Mr. REED. But I think I can find the Senator's admission even while on my feet, and if I do I will read it again into the RECORD. The Senator knows that whatever will defeat the building of a Government armor plant will enable the private plant to increase its price and its profits; that if it makes profits those profits will be distributed to the stockholders; and that, finally, in the end some of those profits will be found emitting a musical jingle from the pockets of the distinguished Senator.

Mr. GALLINGER. Now, Mr. President——

Mr. LODGE. I rise to a question of order.

Mr. GALLINGER. I call attention to clause 2 of Rule XIX, and insist that it shall be observed.

The VICE PRESIDENT. The Chair thinks that the Senator from Missouri and the Senator from Pennsylvania have each transgressed the rule, in that the rule of the Senate clearly provides that the motives of a Senator shall not be impugned on the floor of the Senate.

Mr. GALLINGER. I ask that the rule shall be observed. I care not to what Senator it applies.

The VICE PRESIDENT. The Chair thinks this has gone far enough, and gone too far.

Mr. REED. Very well. I simply want to remark, in passing, that I have not been talking about motives; I have been talking about facts and results.

Mr. MARTINE of New Jersey. Mr. President, will the Senator from Missouri yield to me for a second?

Mr. REED. I will.

Mr. MARTINE of New Jersey. I feel, in justice to the people of America, that this document should be expunged from the RECORD, and I move you, sir, if it is possible, that the document be expunged from the RECORD.

The VICE PRESIDENT. It is not in the RECORD.

Mr. MARTINE of New Jersey. Well, it is ordered printed in the RECORD, as I understand.

The VICE PRESIDENT. Oh, no.

Mr. MARTINE of New Jersey. Well, it is ordered printed as a public document; and I move, then, to rescind the action by which this document was ordered to be printed as a public document.

Mr. PENROSE. The motion is not in order, Mr. President.

Mr. GALLINGER. It was done by unanimous consent.

The VICE PRESIDENT. That action was taken by unanimous consent.

Mr. MARTINE of New Jersey. Well, I ask unanimous consent, most respectfully, Mr. President——

The VICE PRESIDENT. Is there any objection?

Mr. GALLINGER. Yes.

The VICE PRESIDENT. There seems to be an objection.

Mr. MARTINE of New Jersey. Very well. Mr. President, I have, as I recall, received one of these books on which the postage——

The VICE PRESIDENT. Is the Senator from Missouri yielding?

Mr. REED. I am not yielding the floor.

Mr. MARTINE of New Jersey. I am not asking the floor.

The VICE PRESIDENT. The Chair is afraid the Senator is.

Mr. MARTINE of New Jersey. No; I only want to say, with the consent of the Senator from Missouri, that the book I received, as I recall, had some 50 or 56 cents in postage stamps on it. That, of course, will be saved to the unfortunate, poverty-stricken company, which has not made a dividend for many years, according to those gentlemen, for they can send it now as a public document.

Mr. REED. Now, Mr. President, I call attention to this remarkable occurrence of this morning. It is stated that a Senator is out of order who quotes a Senator's own words upon the floor of the Senate. If I can secure the information which I want, I shall read those words. If I do not get it now I will put it in later in the day.

I call attention of the Senate to this fact, that my colleague [Senator STONE] has suggested to me that when once a document has been made a public document any part of it is frankable; so that the authors of this document can, if they see fit, select garbled excerpts or such partisan excerpts as they may desire and send them over the United States without paying any postage.

Mr. SWANSON. Mr. President, a parliamentary inquiry. What amendment is pending before the Senate now?

The VICE PRESIDENT. There is no amendment pending before the Senate now.

Mr. REED. The bill is pending, however, is it not?

The VICE PRESIDENT. The bill is pending and open to amendment.

Mr. REED. Mr. President, I have found the admission of the Senator from Pennsylvania, and will at this point digress to read it into my remarks. On March 21, 1916, I was endeavoring to address the Senate when I was interrupted by the Senator from Pennsylvania [Mr. OLIVER]. I quote:

Mr. OLIVER. Mr. President, the Senator well knows that the argument ad hominem is about as weak an argument as can be presented on behalf of any case, and the fact that he has presented it shows how weak his case is now.

Mr. REED. Oh, Mr. President, there is an old line which may be paraphrased so that it will run—

"How sweet the watch dog's honest bark,
Loud baying when we draw near home."

[Laughter in the galleries.]

The VICE PRESIDENT. The galleries are again admonished that they must not show approval or disapproval of the action on the floor of the Senate.

Mr. REED. I say, since the Senator wants to make it pointed, that if I owned $500,000 worth of the stock of any company engaged in Government contracts I would not plead for a continuance of those contracts.

Mr. OLIVER. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Pennsylvania?

Mr. REED. Not until I finish reading.

Mr. OLIVER. I want to call the attention of the Senator to the fact that he himself withdrew that statement.

Mr. REED. Oh, I am going to read all of it, including the Senator's correction in which he admitted the child, but insisted that "it was a very small one."

Mr. OLIVER. My correction of the Senator's misstatement.

Mr. REED. As to the amount?

Mr. OLIVER. Yes.

Mr. REED. But not as to the principle. [Reading:]

Mr. OLIVER. Mr. President, I think, as a matter of personal privilege, I have a right to say something here.

Mr. REED. Not in my time.

Mr. OLIVER. If the Senator wants to crowd me out on a question of personal privilege——

Mr. REED. I do not object, if I can have the time deducted from the three minutes that elapse between now and 4 o'clock, when, as all know, the gavel will fall, and we must proceed to vote.

The VICE PRESIDENT. The Chair is not deducting time. It is not the Chair's business.

Mr. REED. There will be plenty of time for the Senator to make reply before the debate closes.

That will be found on page 4539 of the CONGRESSIONAL RECORD under date of March 21, 1916.

On March 22, 1916, the Senator from Pennsylvania rose to make his correction. I quote from page 4590.

Mr. OLIVER. Mr. President, I rise to ask for a correction in the RECORD of yesterday's proceedings.

In the discussion upon the armor-plate bill yesterday evening the Senator from Missouri [Mr. REED] was kind enough to refer to the fact that during the investigation conducted by a Senate committee a few years ago I had stated that I was the owner of a thousand shares of preferred stock of the United States Steel Corporation. In that connection the Senator used this language:

"Mr. REED. I say, since the Senator wants to make it pointed, that if I owned $500,000 worth of the stock of any company engaged in Government contracts I would not plead for a continuance of those contracts."

Mr. President, the par value of the preferred stock of the United States Steel Corporation is $100 per share. The par value of 1,000 shares, therefore, as can easily be seen, is $100,000. The market price yesterday, as I see from this morning's paper, was $117 a share, which would make the ultimate value of that stock $117,000. So the Senator from Missouri in placing its value at $500,000 evidently made an enormous mistake in calculation.

The attention of the Senator from Missouri was called to this statement this morning, and he informed my secretary that he would be here this morning and ask that the correction be made. He has not so appeared, and I now ask that "$500,000" in this place in the RECORD, on page 4539 be changed to read "$117,000."

In this connection I wish to say, as I stated to the committee when I stated that I was the owner of that stock, that I have never considered this security to be in any way affected by any measure that came before Congress since I have been a Senator. It is a preferred stock. It pays 7 per cent. It can not under any circumstances pay more, and in the improbable circumstances of the profits of the corporation being insufficient to pay 7 per cent in one year the dividend will be paid out of the profits of succeeding years.

Even if it were subject to this legislation, the amount is so small compared with the enormous capital of the corporation that of any money that might be made out of the armor-plate business my share would be so small as to be infinitesimal.

Those who know me, Mr. President, know well that any vote of mine in the Senate will never be controlled by my personal interests. I have on more than one occasion voted in direct opposition to my personal and financial interests on measures coming before the Senate. I shall never vote in accordance with my personal interest unless the interest of the public and of my constituents demands it.

If my interest in this corporation had been far larger or if I had been interested in the securities of any of the other companies engaged in this business, as I am not, I would have acted and voted just as I acted and voted yesterday, for the reason that I believe the measure to be inimical to the public interests and injurious to the constituency which I aim to represent.

And, of course, that is the trouble. A man always believes that the public interests can be best served by taking care of himself.

The Senator from Pennsylvania continued:

I ask that this correction be made, Mr. President.

The VICE PRESIDENT. The Chair hardly sees how the Senator from Pennsylvania can change the language used by the Senator from Missouri. The Senator has made his statement, and when the Senator from Missouri comes in, in accordance with his promise to the Senator from Pennsylvania, the Chair assumes that the Senator from Missouri will make the change; but the Chair can not change the language of a Senator.

Mr. OLIVER. I think the ruling of the Chair is correct, and I made the request to call attention not only to the misstatement made by the Senator from Missouri but to his failure to respond to an invitation to correct that mistake.

While the Senator was speaking, or immediately afterwards, I came into the Senate to make the correction. Now, the fact was, the Senator from Pennsylvania got the floor the moment the Senate had convened. I have read you all he said, which took probably about five minutes. Before he had concluded his remarks I was in the Senate, and shortly thereafter went over to the Senator's seat and asked him if he wanted me to make the correction. I then said:

Mr. President, I desire to make a statement to the Senate that has nothing to do with this debate, but which relates to a correction of a statement which I made on yesterday.

On yesterday I read the evidence to the effect that the Senator from Pennsylvania [Mr. OLIVER] owned 1,000 shares of stock in the United States Steel Corporation. A moment afterwards, in a colloquy with the Senator from Pennsylvania, I made this statement:

"I say, since the Senator wants to make it pointed, that if I owned $500,000 worth of the stock of any company engaged in Government contracts I would not plead for a continuance of those contracts."

This statement was made as to the value of the stock during the course of debate and without any time to look up values. When I used the figures "$500,000" I had in mind the figures quoted in the press as to the value of certain stocks. My attention was called this morning by the secretary of the Senator from Pennsylvania to the fact that this particular stock was not worth $500 a share, which it would have to be in order to make the aggregate $500,000, but that it was worth only $117 a share, which would make the aggregate amount $117,000. I stated to the Senator's secretary very readily that I would make the correction, but I left my office to come to the Senate just before 12 o'clock, and I was detained by a gentleman who called on me. Therefore, during my absence, the Senator from Pennsylvania asked to have the RECORD corrected on his own motion, so that the figures "$117,000" will be substituted for "$500,000." Had I been here, I would have asked that that be done myself. I arrived just a few moments after the Senator from Pennsylvania had made his statement.

I am entirely willing, and I ask that the statement be corrected, so that the figures "$117,000" shall be substituted for "$500,000." I am very glad to make this correction in the interest of accuracy.

All I have to say by way of condonation of my own mistake is to remark that it was quite a natural mistake for me to make, because I am not at all familiar with stock quotations and do not follow them. I am glad to make the correction.

Mr. President, there is the statement in all its beautiful accuracy; but we get down to the point that the fact is here, and the Senate and the country will draw their own conclusions from the fact.

At the proper time—I can not do it now unless I can get unanimous consent—but I shall ask unanimous consent for consideration of a motion, which I understand is the only one that can be made under the rules of the Senate, that there shall not be printed at the Government expense more than 100 copies of this document, and that the franking privilege shall be denied any of these documents in addition to the 100 copies.

Mr. PENROSE. Mr. President, I shall feel prompted to object to the motion, because I consider it unnecessary. The standing orders of the Senate restrict the number of these documents to 1,600, and I do not think any great amount of damage can be done by having 1,600 copies printed.

Mr. REED. One thousand six hundred will be printed at the public expense. But additional copies can be ordered from the Government Printing Office and obtained at substantially the cost to the Government. There is no limit to the amount; it may be 16,000 or 160,000 or 16,000,000 copies, and the entire 16,000,000, if that many are ordered, can be sent out under the franking privilege.

Mr. PENROSE. Only by a Senator or a Representative.

Mr. REED. Why, certainly; and it is not hard to tell who the two Senators will be whose franks will be abundantly offered.

Mr. SMITH of Georgia. Mr. President, if the Senator will allow me, I desire to make the point that a Senator has not the right to send them unless he prints them and pays for them with his own funds. He has not a right to do it when they are printed and paid for by a corporation, for example.

Mr. OVERMAN. I want to say that that is being done by individuals now. Certain documents printed by this Congress are being paid for by outside corporations and sent under Senators' franks.

Mr. SMOOT. A million of them.

Mr. REED. There is no question about the fact that that is the habitual practice; and suppose it were not. Let me call the Senator's attention——

Mr. SMITH of Georgia. I was not seeking to raise a question as to what was the practice. I wanted to call attention to the fact that such a practice violated the law and, in my judgment, subjected the man who did it to serious trouble.

Mr. REED. I call the Senator's attention to the fact that if a private corporation were to contribute money to a Senator to pay for these documents there probably would be no way to reach it, except that the Senate might treat it as a breach of the privileges of the Senate.

Mr. SMITH of Georgia. Mr. President, it was not my purpose to interfere with the line of argument of the Senator from Missouri; it was to challenge the propriety of such a distribution.

Mr. VARDAMAN. Mr. President, will the Senator yield to me?

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Mississippi?

Mr. REED. I do.

Mr. VARDAMAN. It occurs to me, Mr. President, that consent having been given in the way that it was, a motion to reconsider the vote by which consent was given is in order. If a bill should pass by unanimous consent, I do not think anybody would contend that a motion to reconsider the vote by which the bill was passed would not be in order. This consent was given without anybody seeming to take notice of it except the senior Senator from South Carolina [Mr. TILLMAN], who consented to the request made by the senior Senator from Pennsylvania [Mr. PENROSE]. I was present in the Chamber, but, being engaged in another matter, did not realize what was being done; and it seems to me that where consent was given in this way, a motion to reconsider ought to be in order.

The VICE PRESIDENT. The Chair has ruled on that question. Bills are not passed by unanimous consent. They are passed by a yea-and-nay vote. That is, the yeas are called for, and the nays are called for. The reason why anybody who voted against a matter can move for a reconsideration of the vote where the yeas and nays are not taken is because they are not recorded, and nobody knows.

Mr. VARDAMAN. Could not a bill be passed by unanimous consent?

The VICE PRESIDENT. Never that the Chair knows of.

Mr. VARDAMAN. Does not the Chair agree that if there is no objection a resolution can be passed by unanimous consent?

The VICE PRESIDENT. Certainly; but there is not any question of doubt in the Chair's mind, this proposition having been taken up this morning, and unanimous consent having been given for the publication of this matter as a public document, that the only way to get rid of it is by unanimous consent.

Mr. KENYON. May I ask the Senator from Missouri a question?

Mr. REED. Certainly.

Mr. KENYON. Has the Senator estimated this matter in any way as to what it would cost to have this document printed?

Mr. REED. I do not know.

Mr. PENROSE. I suppose it will cost a couple of hundred dollars.

Mr. KENYON. I think we on this side have perhaps gotten into the habit of relying upon the Senator from Utah [Mr. SMOOT] to object to these requests for unanimous consent. I think he has announced a number of times that he was going to object to such requests, and I am surprised that he sat quiet.

Mr. SMOOT. Mr. President, I was present when the request was made by the Senator from Pennsylvania [Mr. PENROSE], but it was made in this way: The Senator from Pennsylvania stated that on account of certain statements that were ordered to be printed in the RECORD yesterday, requested by the Senator from South Carolina [Mr. TILLMAN], it was thought that the matter presented by him ought to be printed as a public document, and the Senator from South Carolina said that he thought so, too, and had no objection.

Mr. TILLMAN. I said I had no objection. I did not say that I thought it ought to be printed as a public document.

Mr. SMOOT. I so understood the Senator, but I must be mistaken. At least, the Senator said he had no objection, and I also thought he said that, on account of the information which was printed on his request yesterday, this also ought to be printed.

Mr. TILLMAN. I said I had no objection.

Mr. SMOOT. Therefore I did not make an objection to it, Mr. President. I hope to see the day when the Senate will take up the printing bill now on the calendar and pass it, and then all questions of this character will never again occur in the Senate. All such requests will take their regular course, as they should do. Every request for the printing of a public document ought to go to the Committee on Printing and be passed on by that committee.

In the past I have tried hard to stop this growing and costly practice, but I became discouraged. Senators would give me to understand that my objection appeared to them as an unfriendly act.

I had some figures in my desk that I wanted to call the attention of Senators to to show the Senate how wild we are going in printing the hundreds of thousands of dollars' worth of next to useless matter at Government expense. It is getting so now, Mr. President, that any crank in the United States can prepare an article upon most any subject, send it to some Senator, and ask him to request to have it printed as a public document, and in most cases it is done. It is of no earthly good for the use of the Senate or for anyone else, but we print them.

Mr. GALLINGER. Rarely ever.

Mr. OVERMAN. Mr. President, I think it is evident that the franking privilege is very much abused. I want to give an instance in my own experience. We all know that immense documents have been sent out by corporations under frank at the expense of the Government, costing hundreds of thousands of dollars. I myself had a public document printed. I sent out the usual number that was allowed to me. A gentleman who had them printed sent some money to me and asked me to have additional copies printed so that he could send them out. I told him I did not think I had the power to do it. I have been criticizing this method of using the mails, of printing documents for distribution by other than Senators, and I declined to do it. He sent the request to another Senator. I will not mention that Senator, and I will not criticize him for doing it. When I refused, he sent it to another Senator and had it done, and then to another Senator and had it done. So you see the evil effects of this practice. In one case it cost the Government, I know, $50,000; and I know now of a document—I am informed by the document room—of which a million copies were sent out at Government expense, and how much it cost the Government God only knows.

Mr. ROBINSON. Will the Senator from Missouri yield to me just a moment?

Mr. REED. I yield.

Mr. ROBINSON. I will ask the Senator from North Carolina if he does not know of another case in which a certain pamphlet designated the "Truth About Sugar" was printed and published and circulated under a Senator's frank? In that case I am informed that a suit is now pending, brought by the Post Office Department, for approximately $71,000 to recover postage that should have been paid for the circulation of that document.

Mr. SMOOT. I will state that the reason for the suit referred to by the Senator was because the matter was changed, the department claimed, from the original document submitted

by the Senator who asked that it be printed as a public document.

I will also say to the Senator that there was another document printed in answer to the document "Facts About Sugar" at the request of the Senator from Kentucky [Mr. JAMES]. I do not think, however, that is the proper title.

Mr. ROBINSON. I am not certain about the title of the pamphlet. It was the "Truth About Sugar," or "Sugar at a Glance."

Mr. SMOOT. "Sugar at a Glance" is correct.

Mr. ROBINSON. But it was a document in the interest of the Sugar Trust, and it was circulated at the expense of the Government.

Mr. SMOOT. The other one was in favor of the Refiners' Trust.

Mr. OVERMAN. They had a right to do it, but not when it was changed, as the Post Office Department claims. The fact is, the printing bill ought to be passed.

Mr. SWANSON. Will the Senator from Missouri yield to me for a moment?

Mr. REED. I will be through in a moment. I was about to conclude.

Mr. SWANSON. I wish to suggest that Rule XIII provides that—

When a question has been decided by the Senate any Senator voting with the prevailing side may, on the same day or on either of the next two days of actual session thereafter, move a reconsideration.

Mr. PENROSE. That is a vote.

Mr. SWANSON. The second clause of the rule provides that—

When a bill, resolution, report, amendment, order or message upon which a vote has been taken shall have gone out of the possession of the Senate and been communicated to the House of Representatives the motion to reconsider shall be accompanied by a motion to request the House to return the same.

I do not see why this should not be reconsidered like anything else. The order was made by unanimous consent; it does not follow that it is finally disposed of, and the only remedy is by a motion to reconsider. It seems to me the Senator from Missouri can bring this matter up later by entering a motion to reconsider.

Mr. REED. There was no vote. There having been no vote, of course no one voted.

Mr. SWANSON. That is the only way it can possibly be remedied. The motion may be entered to reconsider, and to-morrow we can consider it.

Mr. GALLINGER. Does the Senator think that a unanimous consent can be rescinded by a vote of the Senate?

Mr. SWANSON. A unanimous consent can pass a bill.

Mr. GALLINGER. This is not a bill.

Mr. SWANSON. It is an order of the Senate, and a vote to reconsider can be passed by unanimous consent.

Mr. GALLINGER. The Senate can set aside a unanimous-consent agreement only by another unanimous-consent agreement, according to our rule.

Mr. SWANSON. Does the Senator hold that if a bill is passed by unanimous consent it can not be reconsidered by unanimous consent?

Mr. GALLINGER. I do not see how any Senator would have the right under our rules to move a reconsideration.

Mr. SWANSON. I suggest to the Senator from Missouri to enter a motion to reconsider and let it come up to-morrow.

Mr. SMOOT. I wish to call the attention of the Senate to Rule XXIX, in relation to the printing of documents. It specifically provides that—

Every motion to print documents, reports, and other matter transmitted by either of the executive departments, or to print memorials, petitions, accompanying documents—

And so forth. I will not read the whole rule—

shall, unless the Senate otherwise order, be referred to the Committee on Printing.

Now, unless unanimous consent had been given, it would of necessity have gone to the Committee on Printing.

Mr. REED. Let me ask the Senator this question.

Mr. SMOOT. But unanimous consent was given.

Mr. REED. Was there any order made that this document should not go to the Committee on Printing?

Mr. SMOOT. No; unanimous consent was asked that it be printed as a public document when it was presented to the Senate, and that unanimous consent was given. If there had been objection, necessarily it would have gone to the Committee on Printing.

Mr. FLETCHER. Mr. President, may I interrupt the Senator from Missouri on this subject? Perhaps, as the chairman of the Committee on Printing, I am expected to say something, inasmuch as it involves the law and the rule governing the printing of documents.

The law is that when a document is presented and a motion is made to print it, unless it is accompanied by an estimate as to the cost it must go to the Committee on Printing. By unanimous consent, of course, that can all be waived and the document can be ordered printed. When this document was presented I was absent from the Chamber attending a meeting of the Committee on Military Affairs, and I know nothing about what has taken place except what I have heard in the discussion since just coming into the Chamber.

The number of copies printed of a public document would be about 1,245 under the present rule of distribution. Additional copies can be ordered by any Senator who pays for those additional copies at an advance of about 10 per cent above the cost. So the Government does not lose anything by the printing of additional copies, but, rather, makes when additional copies are ordered. Any Senator can order those copies printed and pay for them. He must take the responsibility of ordering them. It is utterly immaterial whether he permits some person interested in the subject to furnish the funds with which to print them or not. He has a perfect right to do that. If it is a matter which is of great public importance to the whole country, it may be worth while for those who feel it a public duty and a public obligation to raise the funds necessary to print it as a public document. There is no violation of law in doing so; there is no impropriety in doing so. The responsibility is with the Senator to determine whether the document is one worthy of distribution and is of public interest or otherwise.

Mr. NORRIS. Mr. President——

Mr. FLETCHER. I yield to the Senator——

Mr. NORRIS. I want to call the Senator's attention to the fact——

Mr. REED. Mr. President, I call attention to the fact that I have the floor. I do this simply that I may hold it, not to interfere with the Senator.

Mr. JONES. I wish to advise the Senator from Missouri that if he yields further with reference to this matter I shall make the point of order under the rule. I do not want to do it, but——

Mr. FLETCHER. Then I will not, of course, ask the Senator to yield further.

Mr. NORRIS. I ask the Senator from Missouri to yield to me.

Mr. FLETCHER. Except to say that, as has been indicated by others, the printing bill is on the calendar. The calendar has been called over and over again, and objection to its consideration has been raised because it could not be disposed of under the five-minute rule. I have urged the passage of the printing bill. It would correct many of the objectionable features in the present printing law and abuses which occur under that law, and it would save the Government from $700,000 to $800,000 a year in expenditures. I want to get the printing bill before the Senate, but under the conditions here it has been impossible to do so.

Mr. NORRIS. Mr. President——

Mr. SWANSON. I dislike——

Mr. REED. Since notice has been served on me by the Senator from Washington that I must not yield without yielding the floor, and as I have only a few words to say, while I desire to allow the Senator from Nebraska——

Mr. NORRIS. I think I could ask the Senator a question without any danger of taking the floor from him.

Mr. REED. Very well.

Mr. NORRIS. I will put my suggestion in the form of a question. I will ask the Senator from Missouri if it is not true that while, as the Senator from Florida says, the number is limited, and after that somebody will have to pay for the printing if a larger number is called for, after they are printed they are sent through the mail without limit? There is no law limiting the number that can be sent through the mail under a frank without the payment of postage?

Mr. REED. That brings me to the single observation that I desire to make in order to conclude what I have to say, and but for the colloquies that have gone on I would have been through long ago.

The Senator from Pennsylvania [Mr. PENROSE] estimates that it will cost but $200 to print this public document. He gave that answer in response to an interrogatory by the Senator from Iowa [Mr. KENYON].

Mr. President, that is not the point at all. When this document has been made a public document it can be printed to the number, I believe, of 3,500 copies at Government expense. If that were all that is involved in this question, I would not take the time of the Senate to discuss it.

Mr. PENROSE. One thousand five hundred.

Mr. REED. Well, 1,500. I care nothing about that. But when it is made a public document, two things result.

First, it goes out to the general public as a document of such dignity and importance and truth that the Senate of the United States has solemnly concluded that it ought to be furnished to the public under the sanction and authority of the Government itself. Hence, instead of going to the people as a mere pronunciamento by an interested party it goes out with the brand of approval by the Government upon it.

The second proposition is that there is no limit upon the number of copies that can be printed in the Government Printing Office, provided somebody pays for it, and there is no limit upon the number any Senator may send out or permit to be sent out under his frank. So "the bug under the chip" is the franking privilege which this private corporation has this morning gained the right to use by the unanimous consent of the Senate. And we are told that a unanimous consent is like the laws of the Medes and the Persians, it can not be altered.

Mr. President, "Sugar at a Glance" went out as a public document. I doubt whether the Senator who introduced that document had the slightest idea it would be used in the manner it was, but the country was literally flooded with it. Other documents that I need not refer to have been sent out; I think in one instance over a million copies of a document were franked. This has already been said by other Senators this morning.

The document now in question is made a public document, first that it may have the franking privilege, so that this enormously rich private corporation shall enjoy the right to send its literature and its message and its appeal to the country without paying a penny of postage, while every farmer and every mechanic and every merchant and every private citizen must pay the full postage for everything he sends.

Second, that it may appear that the Government's sanction has been put upon this ex parte statement, and that some people will be led to believe it to be an official statement issued by the Government itself. I say so for the reason that the document has already been printed, printed as you will observe in all sorts of fancy type upon elegant paper and in sufficient numbers, so that Members of Congress to whom it professes to be an appeal have already been furnished with it.

There was, therefore, no necessity for making it a public document in order to bring it to the attention of Congress. There was no necessity for making it a public document in order to bring it to the attention of the country, because it is already printed. All that this beneficent and kindly institution, that by its own confession has plundered it for 29 years, can gain by the franking privilege is to escape the postage, for if it wanted to pay the postage, the document already being printed, all it has to do is to put a Government stamp upon it and put it in the mail.

I understand—I do not know that I am accurate—that the postage upon this particular document costs 56 cents, although that may be a mistake. The Senator from New Jersey [Mr. MARTINE], however, gives me that information.

Mr. MARTINE of New Jersey. That is my knowledge of it. I think the stamps on the envelope I received indicated 50 or 56 cents.

Mr. LANE. I footed it up. It amounted to 56 cents on the copy I received.

Mr. MARTINE of New Jersey. Then I am verified.

Mr. PENROSE. Mr. President, I ask for the regular order. I intend to address the Senate when the Senator from Missouri is through, and I raise the point of order that this informal colloquy is not in order.

Mr. REED. I am not responsible for it.

Mr. PENROSE. I know the Senator is not. I ask for order in the Chamber, and that the Senator from Missouri may be allowed to conclude his remarks.

Mr. REED. Now, Mr. President, it was said in the old days corporations had too much influence in the halls of legislation. It was charged that this was true in the general assemblies of States. It was charged that this was true in the Congress of the United States. It was believed by many people that great institutions came to Congress to obtain special privileges. It was believed that too often their attorneys, their representatives, their hirelings, their stockholders sat in the Halls of Congress and voted the money of the people into the coffers of their respective corporations.

The people of the country had some reason to believe that these influences were at work, that they were too potential, that their arms were too long and their fingers too active, that the Public Treasury and the public right suffered by reason of the services of such men.

Against that a protest nation wide was heard. It took many forms. It produced many varieties of organization and of party. The insurgent element of the Republican Party came into being in protest against such conditions. It rose to such power as to temporarily overwhelm within the Republican Party the emissaries of the old régime.

There met down at Chicago only four short years ago a seething and almost turbulent crowd of representatives of the revolt against the authority of the big interests. They were excited, earnest, determined that they would overthrow the sinister and evil influences within the old party of which they had once been a part. Ah, what a gallant sight it was as these knights of reform assembled upon the field of Armageddon. They came in glittering armor, with burnished swords, their gallant banners waving in the breeze, and the song Onward Christian Soldiers rolling in a volume of noisy harmony from their enthusiastic lips. They denounced by name certain men as betrayers of the Republican Party and likewise as betrayers of the public interest. They denounced specifically the measure their distinguished men had fastened upon the country. They condemned in voices of thunder the iniquities that have grown up. And so for four years the country turned to that element as at least a force so great, so potential, and so earnest that it would prevent a recurrence for many years to come of the old methods of the old régime.

But, sir, they had another convention in Chicago. The insurgents met in one hall and the old régime assembled in another hall. The insurgent with his eyes turned ever toward the conspicuous if not beautiful figure that had led them in the fight four years before waited now upon him, staked the very salvation of their party and their cause upon his word.

The old régime, "wiser in its day and generation than the children of light," proceeded to go on and transact business "in the good old way." It was the wise old crowd. It knew what was going to happen to the soldiers of Armageddon. It understood what was to be the fate of the crusaders. The old bosses had already arranged the program, set the trap, fixed the bait, and were simply waiting for an opportune time when its jaws would close down upon the unsuspecting hands and feet of the insurgents. The Bull Moose had been blinded. His sense of smell even was gone. He was staggering around in the political wilderness without knowledge as to the points of the compass, without hope, and without habitat, but always his plaintive mooings were a sort of inarticulate appeal for a word from his leader and master. The leader waited, waited until both conventions had adjourned, waited until the hour had past when the Bull Moose might recover from the blow of the big stick he intended to wield sufficiently to name some other candidate, waited until the members of the tribe had all returned to their respective homes, and then the big Bull Moose procedded to use his club with brutal and savage force upon those who had followed and almost worshiped him.

I heard it well expressed by a remark. In introduction I remark that I wonder how many Members of the Senate ever lived out in the country. For their information I will state that every boy who has lived in the country knows that the favorite trick of the country boy upon the city lad who comes to visit him is to "take him out sniping." That game, I say for the benefit of the uninitiated from cities, consists in telling the city boy that there are many snipes in a certain ravine, that all you have to do is to hold a sack after dark down at the end of the ravine, with a lighted candle inside the sack, and that the rest of the boys will walk along the ravine and drive toward the sack, that as soon as the snipe see the light they will walk into it. And all the city boy will have to do will be to close its mouth, shoulder his bag of game, and march home in triumph.

That city boy is always impressed with the idea that because he is a guest he is especially favored by being permitted to hold the sack. So they take the poor fellow out some place where it is very lonesome, where he has no company but the silent stars and there are no voices but the whispering winds, and they plant him there and go away and leave him. He has been cautioned that he must not say a word; that he must not utter a sound. So in absolute silence for hours and hours he waits, while the other lads have gone home and gone to bed. That is called "sniping."

I heard of the remark of an old farmer in my State the other day. He had been an insurgent; he had carried the Roosevelt banner; he had sung hallelujahs to the great cause; his voice had been as loud as that of the bull of Bashan and his heart had been as stout as that of any gallant crusader who marched to the Holy Land in the tenth or eleventh century. He was a real soldier of Armageddon. Somebody said to him, "What are your politics?" "Well," he said, "dinged if I know.

I am one of them suckers that Roosevelt took out snipe huntin', but I'll be cussed if I will ever be idiot enough to carry the sack home to him." [Laughter.]

I heard it expressed in another way, and for the delectation of my insurgent friends I will relate that. An old fellow in my State who has reached the point where he is a mere onlooker at events, and with a sort of quizzical and philosophical smile surveys the field, remarked the morning after Roosevelt had declined the nomination, "Well, Roosevelt got all the cats in one bag and just toted them out onto the desert and dropped them, didn't he?" [Laughter.]

I think those two anecdotes absolutely cover the case; but this is the thing I call attention to: The old régime has been mighty modest in the Senate for the last four years. They have feared two forces; they feared the Democracy, which stood here militant, as it to-day stands here, militant yet; but they also feared that element in their own party which has been so well typified and led by the gallant Senator from Wisconsin [Mr. LA FOLLETTE], with whom I often disagree, but whose motives I never challenge. They feared that element. But the field of Armageddon, that four years ago was trampled into dust by the hosts there marshalled, is now covered over with the grass and flowers of forgetfulness. The insurgent has been routed or tricked and betrayed. If you hunt for an insurgent to-day, you are likely to find him with both boots sticking from under a standpatter's bed. [Laughter.] The insurgent party is no longer a potential force. The old crowd is in the saddle.

The first fruit of the supremacy of the old régime is now on display. The Bethlehem Steel Co. has the impudence to come into the Congress of the United States and ask the franking privilege for its advertising matter, and it gets it at the request of a gentleman whom every insurgent in this country from the Atlantic to the Pacific denounced, and the other sponsor is financially interested in the result.

Mr. President, this document may have been so put before the Senate that there is no way to prevent its being printed, but I shall try to find a means to limit the number that shall be printed at the public expense. I presume that it will now be in order for every munition factory whose coffers are bulging with the profits of blood to come here and have its propaganda published. If we grant the privilege to the Bethlehem Steel Co., why not to the Midvale Steel Co.? Why not to the parent of all of them—the Steel Trust? Why not grant it to all of these great concerns? If to them, why not to all corporations having a sufficiently large capital so that they are entitled to direct representation in the United States Senate?

Let me say this word in conclusion: I would not have thus thrust myself upon the time of the Senate while this great bill is before it but that out of the exposure of what is being done for this armor-plate company we may gain this one lesson: The sooner the United States Government takes the last penny of profits out of war the better it will be for our people and for our country; the sooner we make it so that there will be no man in this country financially interested in producing a condition that will make a market for powder, or shot, or shell, or cannon, or saber, the better it will be for our country.

I can not forget that, running along a parallel line with patriotism, also is to be found the hideous form and figure and face of selfishness. I can not forget that running upon the other side of patriotism is the still more hideous and diabolic form of cupidity. I can not forget my history, which tells me that in the great War of the Rebellion, when sons were leaving the arms of their mothers to go forth upon the stricken field, when husbands were saying good-by to wives and children, when *gallant* men were marching forth to bare their bosoms to the storms of war, and when they knew that in the providence of God and the chance of battle, in all human probability, their final bed would be beneath the stars and their winding sheet the snows of winter—that while those men were doing that thing there were plenty of capitalists in this country of the Bethlehem Steel Co. type who were quite willing to sell rotten meat and maggoty bacon and vile flour to be used by the men who were in camp and upon the battle lines. I do not forget that selfishness and cupidity still live in our country. When I see a concern that has been making armor plate and selling it to our Government for more than it had charged foreign Governments I know that it is not as patriotic as it is avaricious. When I see that concern come into this Senate with a document which boldly states that, now it is threatened with Government competition, it will sell steel for less than it has sold it for 29 years past, although, according to its own statement, the price of all labor and material is higher than it has been in 29 years; when I find it coming here with that sort of confession, boldly printed out, I know that it has been robbing my Government. Then, when I see it stoop to the form of petty larceny, through which it seeks to gain the privilege to send out its literature without the payment of a penny of postage to the Government, my gorge rises as will rise the gorge of the country.

Mr. UNDERWOOD and Mr. PENROSE addressed the Chair.

The VICE PRESIDENT. The Senator from Alabama.

Mr. UNDERWOOD. Mr. President, I understand a question has been raised in this debate that it was not in order to move to reconsider a resolution that had been passed by unanimous consent.

Mr. PENROSE. This was not a resolution, Mr. President,

Mr. UNDERWOOD. It was an order, which is the same thing.

Mr. PENROSE. I asked unanimous consent to have the document printed.

Mr. UNDERWOOD. Certainly, but it takes an order of the Senate to print the document; and when it appears in the RECORD to-morrow morning, the RECORD will show that the Senator from Pennsylvania asked unanimous consent to have a certain document printed, and that it was agreed to.

Mr. THOMPSON. Mr. President——

Mr. UNDERWOOD. Let me finish my sentence, please. But when it appears in the Journal it will appear as an order of the Senate adopted by the Senate, authorizing the printing of this document. Now, I yield to the Senator from Kansas.

Mr. THOMPSON. Mr. President, I desire to call the attention of the Senator from Alabama to the fact that the question was never submitted to the Senate as to whether or not it would give unanimous consent. Had it been so submitted, I certainly should have objected. I sat here, and it never occurred to me that the question was put to the Senate. The Senator from Pennsylvania [Mr. PENROSE] simply addressed the senior Senator from South Carolina [Mr. TILLMAN], and being unable to hear what he said I assumed it pertained to some amendment to the naval bill.

I have here a complete record of what was said by various Senators, and if it will not interfere with the remarks which the Senator from Alabama is about to make, I shall be glad to read it.

Mr. UNDERWOOD. I will say to the Senator from Kansas that I, of course, accept the statement of the Chair with reference to the matter as to what occurred, and it is not that point to which I desire to address my remarks.

Mr. THOMPSON. I repeat, that unanimous consent of the Senate was not asked; and no request for unanimous consent was submitted by the Chair to be acted upon by the Senate.

Mr. UNDERWOOD. If the Senator from Kansas desires to read the record of what occurred, he may do so in my time, if there is no objection.

Mr. THOMPSON. I shall be very glad to do so. I read from the reporter's transcript, which has been furnished me, of what occurred, as follows:

> Mr. PENROSE. Mr. President, in view of the data submitted by the chairman of the Naval Affairs Committee [Mr. TILLMAN] in yesterday's CONGRESSIONAL RECORD—and to which, of course, I have no objection—I feel it my duty to make the request to have this statement of the Bethlehem Steel Co., largely bearing on what the chairman has inserted in the RECORD, printed as a public document. I hope the chairman will have no objection to that request.
>
> Mr. TILLMAN. I have no objection whatever, sir.
>
> Mr. PENROSE. I make the request.
>
> The VICE PRESIDENT. In the absence of objection, it is so ordered.

There was, as I have stated, no request for unanimous consent submitted to the Senate. The most that can be said is that a motion of the Senator from Pennsylvania in the form of a request was unanimously agreed to, in which situation any Senator may move for a reconsideration under Rule XIII of the Senate. But in any event it is absurd to say that it is impossible to set aside any order or action of the Senate, whether made by unanimous consent or otherwise.

Mr. UNDERWOOD. Well, I take it—and if I am wrong, I presume the Chair will notify the Senate at once, and close this debate without further discussion—that when that discussion took place in an informal way and the Chair stated there was unanimous consent granted, the clerks at the desk wrote an order for the printing of that document in the parliamentary Journal of the Senate, and that the order stands. Of course, if it does not, the Chair will immediately correct me, and I will sit down. The point that I make, Mr. President, is that if that order is granted by the Senate it is of no more weight, no more influence, no more binding power than if the Senator from Pennsylvania had risen in his seat and asked unanimous consent that he might be allowed to make a motion, and then had made the motion asking that the document be printed. Of course, if he had made the motion in that way, nobody would contest the question that a motion to reconsider would be in order.

Mr. PENROSE. Mr. President, will the Senator permit me to interrupt him?

Mr. UNDERWOOD. Certainly.

Mr. PENROSE. If it had not been done by unanimous consent, the request would have gone to the Committee on Printing under the rules.

Mr. UNDERWOOD. Certainly; but the Senator from Pennsylvania failed to hear the premise of my statement. I said "if the Senator from Pennsylvania had risen in his seat and asked unanimous consent to make a motion," which, of course, would have avoided the necessity of its going to the committee.

Mr. President, we do not amend or reconsider what the RECORD shows; we amend and reconsider what the Journal shows, and in the Journal of the Senate there is written an order in the same binding form if it is made by unanimous consent as if it is made by a vote of the Senate; and certainly that should be the case, for it is on the same basis. When it is done by unanimous consent the order is issued as the order of every man in the body who is in the Chamber, but that is all.

Now, I take it that the Chair can not have in mind any place or any set of rules where a motion to reconsider a motion made by unanimous consent can not be made except in the Senate of the United States. It is certainly not true in the House of Representatives or in any rules that I have read. As to certain orders it is not true in the Senate of the United States, because, in reference to certain orders the rules of the Senate prohibit a motion to reconsider, and specify how the original order shall be reconsidered. Paragraph 3 of Rule No. XII of the Senate Rules reads as follows:

No request by a Senator for unanimous consent for the taking of a final vote on a specified date upon the passage of a bill or joint resolution shall be submitted to the Senate for agreement thereto until, upon a roll call ordered for the purpose by the presiding officer, it shall be disclosed that a quorum of the Senate is present; and when a unanimous consent is thus given the same shall operate as the order of the Senate, but any unanimous consent may be revoked by another unanimous consent granted in the manner prescribed above upon one day's notice.

Now, Mr. President, this rule relates to what? To the passage of bills and joint resolutions? No; this rule relates to a motion—

For the taking of a final vote on a specified date upon the passage of a bill or joint resolution.

In other words, it is in a way a modified cloture rule. It is a cloture rule that we can agree to by unanimous consent, and in the adoption of this cloture rule the rules of the Senate say how it shall be carried out. It does not relate to the passage of a bill or a resolution or an order, but it relates entirely to the question of the fixing of a specific date to vote. Then it says:

And when a unanimous consent is thus given—

"Thus given"; not given generally, but "thus given"; given for the purpose of fixing a specific date for a vote—

the same shall operate—

How?

as the order of the Senate—

Just as if it had been passed by a vote of the Senate—

but any unanimous consent may be revoked by another unanimous consent granted.

What does that relate to? There is not a period between the word "Senate" and the words "but any unanimous consent"; there is a comma separating them. Unquestionably, then, the latter sentence relates to the sentence preceding, and that sentence relates to the first paragraph, where it says "thus given." So that the whole language of the rule is based on the first lines of the rule, which provide that this unanimous consent shall relate to "the taking of a final vote."

I am addressing my remarks to the Chair, and I desire to have the attention of the Chair, because I intend to make a motion to reconsider this order, and the Chair will have a chance specifically to rule upon it.

Mr. President, if that is so, I know of no other rule of the Senate—there may be older Members here who know of some such rule, and if they do I should be glad if they would call my attention to the fact—which prescribes how a unanimous-consent order shall be set aside; and this paragraph in Rule XII unquestionably relates to an order for the closure of debate, and there is a reason for it. The Senate has but one method of closing debate, unless it exhausts itself, and that is a rule providing that it may be closed by unanimous consent; and after the Senate has given unanimous consent for the closure of debate, the most difficult thing to accomplish in any legislative body in the world under the rules of the United States Senate, it was natural and proper that the Senate should impose the restriction that debate could be opened again only in the same way in which it was closed; but that does not mean that it would be impossible for the Senate to reconsider any other vote; in other words, if we debate a bill for days here, carefully consider it, call the roll, and Senators go on record before their constituents as to how they stand upon it, is it to be held that a unanimous-consent agreement to vote on such a measure has not got as much strength and binding power in the United States Senate as a conversation between a Senator on this floor and the Presiding Officer, a conversation that possibly perhaps nine-tenths of the Senate did not hear, but on account of which a unanimous-consent order might be entered, which some day might relate to vital things, and that one Senator alone can put his body between the revocation of that order and justice to the American people? Why, Mr. President, if that is the law of the Senate, then it is a travesty on legislation; it is a disgrace to the representatives of the American people to maintain a rule that in an idle moment, when half of the Senators are absent, would allow the Senate to agree to an order or a bill by unanimous consent, and with reference to which one Senator could prevent any further action in the Senate, no matter if the other 95 Senators were unanimous in favor of revoking the order.

Mr. President, I am not wedded to the rules of the United States Senate. I believe it is the spirit of the American people that the majority is entitled to rule, and, after the minority have had a reasonable opportunity for debate to present their cause to the country, and a reasonable opportunity for amendment to present their program to the country, the majority, under our Constitution and under the sentiment and the ideals of our people, have a right to govern. When you destroy the right of a majority to govern you destroy the genius of the American Constitution and the liberties of the American people.

Mr. ROBINSON. Mr. President——

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Arkansas?

Mr. ROBINSON. Will the Senator from Alabama yield to me to call his attention to the latest precedent on this subject, one made on March 1, 1915, and a case exactly in point? While there may be earlier precedents which seem contradictory as to the right of the Senate to entertain a motion to reconsider when unanimous consent has been given, the most recent decision which I have been able to find, under date of March 1, 1915, is to the effect that a motion to reconsider is permissible, and should be entertained; and in that case it was submitted to the Senate, and the Senate voted upon the motion to reconsider.

Mr. UNDERWOOD. I thank the Senator.

Mr. SMOOT. From what page is the Senator reading?

Mr. ROBINSON. That is on page 4946 of the CONGRESSIONAL RECORD of the Sixty-third Congress, third session. That case, upon a casual reading, appears to be exactly in point, and there are no cases which I have been able to find that conclusively contradict the position taken by the Senator from Alabama. There are two other cases—if the Senator will permit me to conclude——

Mr. UNDERWOOD. I am glad to yield.

Mr. ROBINSON. There are only two other cases I find, upon examination, one in the Sixty-second Congress, third session, when a question as to whether or not a unanimous consent had actually been given was presented to the Senate. In that case the question was raised as to whether or not the reconsideration of an agreement entered into by unanimous consent could be made. The then Presiding Officer, the Senator from Minnesota [Mr. CLAPP], indicated that in his opinion it could not. But that case would not govern, for the reason that it subsequently appeared that unanimous consent had not been given, or at least there was a question as to whether unanimous consent had been given; and the Chair resubmitted the question, and objection was made.

Mr. UNDERWOOD. If the Senator will allow me to ask him, was not the precedent that he is referring to right now a question raised in regard to the reversal of an order for a vote?

Mr. ROBINSON. Yes.

Mr. UNDERWOOD. That is a very different matter. The question of an order for a vote is prescribed by the rules.

Mr. ROBINSON. Yes; but the case that I cite as a precedent for the motion is the latest case, the ruling by the Senator from Florida [Mr. BRYAN], who was then in the Chair, which was not even questioned by the Senate, and was acquiesced in. That was a case where a document had been ordered printed by unanimous consent. The Senator from Oklahoma made a motion, or offered to make a motion, to reconsider the order by which this document had been directed to be printed. Objection was made that the motion was not in order, on the ground that the order had been made by unanimous consent, and could not be rescinded by a motion to reconsider. The

then occupant of the chair made a ruling which appears on page 4946 of the CONGRESSIONAL RECORD of the Sixty-third Congress, and if I am permitted to do so I will read a little of the language.

Mr. UNDERWOOD. I shall be glad to have the Senator do so.

Mr. ROBINSON. The Senator from Oklahoma [Mr. OWEN] used this language:

I had assumed that these documents which were desired to be printed would be printed without objection; but if an objection is made to Order of Business 333, I do not intend that any of these shall be printed on the other side.

Mr. GALLINGER. Mr. President, I desire to submit an observation in the nature of a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. GALLINGER. By unanimous consent it was ordered that we should consider the calendar under Rule VIII. Under that rule we are entitled to speak once and for five minutes only. A motion to reconsider is a debatable question, and we may talk an hour on that motion, or 10 hours; but, I think, under the unanimous-consent agreement it ought not to be entertained.

The PRESIDING OFFICER. The Chair is of opinion that the Senate can not be precluded from a motion to reconsider.

Mr. OWEN. I serve notice on the Senators on the other side that if the document provided for in Senate resolution 320, Order of Business 333, is not printed there will not be many of these bills agreed to.

Mr. PENROSE. We can stand it.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Oklahoma.

The motion to reconsider was rejected.

If I may be permitted—I shall not insist upon doing so—I want to call attention to the fact that there is a very grave question as to whether or not this unanimous consent was ever given in good faith and in the proper manner. The Senator from Missouri has stated that he made objection to the printing of this document upon yesterday. The request was repeated this morning in his absence, and the record which has been read by the Senator from Kansas [Mr. THOMPSON] was made.

Mr. PENROSE. Mr. President——

Mr. ROBINSON. The printing of a document does not depend entirely upon unanimous consent. The Senate can always determine its attitude upon the subject by a motion to print. It has now come to the knowledge of the Senate and of the Senator from Pennsylvania that many Senators, if they had known he was submitting the request for unanimous consent to print that document at public expense, would have made an objection.

Mr. PENROSE. Mr. President——

Mr. ROBINSON. It does seem to me, now, that the Senator from Pennsylvania, under the circumstances, knowing that the Senator from Missouri had objected to it, and knowing that the Senator from Missouri would have objected to it to-day, if he had not been engaged upon other business of the Senate, would consent to a resubmission of this question, and end this debate, and let us go on with the business of the Senate; in other words, let the Senate say now whether or not it wants to print this document, in view of the record that has been made upon the matter. But if he refuses to do that, if he refuses to make the request or consent that the question shall be resubmitted by unanimous consent—which unquestionably the Chair could do—then, in my opinion, under the precedent, which is the latest one, the Chair can submit the question on a motion to reconsider.

Mr. PENROSE. Mr. President——

Mr. UNDERWOOD. I think I have the floor.

Mr. PENROSE. I have been trying to get the floor for an hour, and perhaps could offer a solution of this problem had I the floor. I indicated my desire to take the floor quite a long while ago, and the Chair failed to recognize me.

Mr. UNDERWOOD. I will say to the Senator that I do not want to lose the floor, as I desire, before taking my seat, to make a motion to reconsider the order; but if the Senator desires, if I can do so without losing the floor, I shall gladly yield to the Senator for an interruption.

Mr. PENROSE. The Senator will get it again.

Mr. FLETCHER. I think I can solve the problem in one minute by reading the rule.

The VICE PRESIDENT. The Chair understands that the Senator from Alabama yields to the Senator from Pennsylvania.

Mr. PENROSE. The Senator from Alabama can get the floor again easily enough. I am not going to make any 24-hour speech.

The VICE PRESIDENT. The Senator from Alabama will not be taken off the floor. He may hold the floor, subject to the interruption for which he has yielded.

Mr. PENROSE. Have I the floor?

The VICE PRESIDENT. Yes; now the Senator has.

Mr. PENROSE. Mr. President, much more commotion has been made over this request of mine than was justified or necessary. I made the request in good faith, desiring to preserve permanent form among the printed documents of the Senate what I considered an important contribution to the armor-plate controversy. I made it entirely of my own volition, without any request from anyone, desiring to preserve important data on a subject which it will be generally admitted has been involved in prejudice, misrepresentation, misunderstanding, and ignorance. Particularly, in view of the fact that I had been defeated in my contention, any liberal-minded participant in the controversy certainly would have desired to deal with me generously, and to have permitted me at least to have shed the light of such information as I had through the preservation of this matter among other data of the discussion.

I have here, Mr. President, an alleged speech, printed by leave in the House of Representatives, by a Member of that body, entitled "The world-wide War Trust," never delivered by him, and therefore equivalent in its character to a public document, the difference being only technical. Three million copies of this document have been distributed broadcast over the United States.

Here is another document, an alleged speech delivered by a Member of the House of Representatives, printed by leave, entitled "The Navy League unmasked," of which several million copies, I am informed, have been franked at the expense of the Government in the matter of postage, and at the expense of somebody else in the matter of printing and publishing, all over the United States.

I have sat here patiently, Mr. President, year after year, and have had my feelings shocked repeatedly by the character of the material presented to the Senate with the request that it be printed as a public document. It has seemed to me that there was no one so lowly in the scale of life or intelligence but that he could have his ideas permanently embodied in a Senate document. Nor has the absence of a Senator ever been an impediment in the way of another Senator who earnestly desired to have some effusion printed as a public document or as a Senate document.

Thus, the printing as a Senate document of "Dr. Friedmann's new treatment for tuberculosis" was proposed here on the floor of the Senate by the junior Senator from New Jersey [Mr. HUGHES]. I objected to it. Later on the senior Senator from New Hampshire [Mr. GALLINGER] made a speech against it; and yet this was subsequently printed as a Senate document during his absence and during my absence—absolutely an advertising proposition, meant to advertise an alleged cure, which was subsequently condemned by every physician in the United States. When I made objection to Dr. Friedmann's "cure" being printed as a Senate document, with the presumption of the Senate indorsement, I received thousands of letters from all over the United States, from reputable physicians, commending me for my course. Yet Dr. Friedmann's alleged cure was subsequently, in my absence, printed as a Senate document and doubtless spread broadcast over the country by persons interested for their own pecuniary profit in foisting an alleged tuberculosis cure upon the American people. The Senate document was used for purposes of private gain of the meanest character, because the "cure" was subsequently pronounced a fraud; and doubtless the act of printing that Senate document has resulted in the death of hundreds, perhaps thousands, of people. It was printed against my protest and in my absence.

Let us hastily glance over the character of some of the Senate documents, Mr. President. We have had such a classic in literature as "Possibilities of a Democratic administration" printed as a Senate document, and doubtless franked to the many million persons who were misguided as to the possibilities of a Democratic administration for their instruction and betterment, at the expense, doubtless, of the Democratic national committee.

Then, looking a little further down, we see "Silk industry in the United States"—a specialty, a private concern, which has had its affairs printed as a Senate document.

Even, Mr. President, when that distinguished citizen, Mr. David Lubin, visited the tomb of Frederick William Raiffeisen the poetical effusions which he uttered on that memorable occasion were printed as a Senate document. I never heard of Raiffeisen. I have no doubt, however, that I will shed tears when I read the poetical efforts of David Lubin on the memorable occasion of his visit to the tomb of that great man.

Then we have another specialty, "International Federation of Master Cotton Spinners and Manufacturers' Associations." There is a private interest, engaged, incidentally, in making the munitions of war, because cotton is one of the important staples of munitions. Yet that is printed and circulated at the expense of the Government for the benefit of the cotton growers of the South without any criticism from any Senator on this floor.

Then, Mr. President, we have a work worthy, I suppose, to rank with the classics of Greece and Rome, with the philosophical and political essays of Aristotle. It is entitled "Democracy and efficiency." That document was doubtless circu-

lated at the expense of the Democratic national committee. I can not imagine anybody else wanting to circulate it.

I need not refer, except in passing, to the frequent publication of the speeches of the Secretary of the Treasury. I do not intend to read the titles. They are too numerous. It would seem that he can hardly deliver himself upon any public question but that some Democratic Senator comes forward and has his remarks printed as a Senate document.

And so I might go on, Mr. President, with a list of Senate documents; but I do not intend to detain the Senate longer upon that subject. Thirteen addresses of President Wilson have been printed as Senate documents, not in connection with his official duties but before public Democratic gatherings—purely campaign matters.

Mr. President, I could have had these data read by myself and inserted in the RECORD, or perhaps I could have had them submitted and made part of the hearings before the Naval Affairs Committee of the Senate; but I did not desire to take the time of this body. My purpose, as I have said, was in good faith to preserve important data for future information. Had the Senator from Missouri conducted himself as befits the dignity of this body, and in a parliamentary manner, and had less of the deportment and the phraseology of the cheap attendant in the court of quarter sessions, I might long ago have ended this discussion.

Mr. REED. Mr. President——

Mr. PENROSE. I do not yield, Mr. President.

Mr. REED. Mr. President——

Mr. PENROSE. I want to finish my remarks.

Mr. REED. Mr. President——

The VICE PRESIDENT. Does the Senator yield?

Mr. PENROSE. I decline to yield.

Mr. REED. I am not asking the Senator to yield. I am rising to call the Chair's attention to the Senator's remarks, to which I am not objecting; but when I do reply in kind—as I certainly shall—I hope the Chair will not call me to order.

The VICE PRESIDENT. The Chair was consulting with the Senator from Arkansas and did not hear the remarks of the Senator from Pennsylvania.

Mr. REED. I know the Chair was.

Mr. PENROSE. Mr. President, I did not say anything reflecting upon the Senator's personal character or his motives. I simply referred to the impression which I got concerning his deportment, which impression I know has been shared by a number of Senators, at least on this side of the Chamber.

Now, Mr. President, I am willing to proceed in this matter according to the rules and in the regular course of procedure; and while it may be irregular for me to make the request, I am willing, if no Senator has any objection, to withdraw the request to have the document printed, and ask to have it referred to the Committee on Printing, following the usual rules of the Senate.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and it is so ordered.

Mr. FLETCHER. Mr. President, in that connection I want to take advantage of this occasion to call attention to the law. It is not a question for the Senate by unanimous consent or by motion to waive. It is a statute of Congress that no document can be ordered printed by either House unless it is accompanied by an estimate of cost from the Public Printer, and I think that law ought hereafter to be lived up to. If the document is not accompanied by such an estimate, it can not be ordered printed, even upon motion.

Mr. GALLINGER. Mr. President, addressing myself to the question before the Senate, whatever it may be, I want to say, in reply to the Senator from Florida, that he is quite as guilty as any other Member of this body, and, I think, more so, of asking that documents shall be printed without estimates being submitted in connection with them. I want to take occasion now, Mr. President, to say that hereafter, in view of what occurred to-day, there will be less unanimous-consent agreements for the printing of documents than have been granted in the past. I have not been an offender in that regard. I do not think I have asked to have five documents printed during my membership in this body. I may have asked, possibly, for that number; but I have allowed all kinds of documents to be printed out of courtesy to the Senator making the request.

Mr. FLETCHER. I have not undertaken to deny that the practice has been to disregard the statute. I am calling attention to the statute. We have not given attention to it heretofore in the Senate as we should have done. Generally when I have asked permission to print a public document I have accompanied it with an estimate of cost.

Mr. GALLINGER. I think the Senator is mistaken about that. Certainly no estimates of cost have ever been given in the case of the documents that have come here from the Secretary of the Treasury and the President of the United States.

Mr. FLETCHER. No; I think not.

Mr. GALLINGER. I said the other day, Mr. President, that I thought the Secretary of the Treasury had about concluded his privilege in that regard; and I now give notice that when the Secretary of the Treasury makes a political speech again and some Senator asks, either without an estimate or with it, that it shall be printed as a document, it will have to be printed by a vote of the Senate.

If we are to draw the line as it has been drawn to-day, and Senators are to be attacked because they have made a respectful request under the rules of the Senate in good faith, and it has been granted—if that is to be the rule—of course we will have to protect ourselves as best we can against incursions into the Treasury by Senators who have been so conspicuously particular about the revenues of the Government on the occasion that has just been concluded.

I am glad the Senator withdrew the request. I apprehend that he was not consulted about this matter at all by any parties in interest. I apprehend that he simply felt that he was doing his duty as a Senator; and I feel that he ought not to have been attacked or his colleague attacked as they have been because of the fact that under the rules of the Senate he made a respectful request.

Mr. SMOOT. Mr. President, I want to say just one word on this matter.

I have before me and over in my office clippings from most of the leading newspapers of the United States commending the objection that I raised to the printing of the temporary chairman's speech in each of the political conventions. I thought it was right to object then. I think so now. The only safe way to do in the future, in my opinion, is to object to every unanimous request to print in the RECORD and insist that every request for the printing of a public document be referred to the Committee on Printing. We fill the RECORD with newspaper clippings nearly every day. I tried for months to stop it, but it created such a feeling that I gave it up. I should like some time to have an expression of the Senate on the subject. I think I shall make a poll of the Senate at some time in the near future, and if a majority of this Senate will agree with me that nothing shall be printed in the RECORD unless it is read into it it will not go in by unanimous consent, and I will guarantee to the Senate that there will not be many newspaper articles read into the RECORD.

I do not know how to get the matter before the Senate, or I would make the motion now that it is the sense of the Senate that the present practice shall cease. But I know that Senators think it is a personal matter when objection is made to such a request. I say the only safe way to do is to object to them all, to see that no more articles shall go into the RECORD unless they are read in there, and that no more public documents shall be printed by unanimous consent, but all requests be referred to the Committee on Printing.

Mr. SMITH of Arizona. Mr. President, I thoroughly and heartily agree with the statement of the Senator from Utah. I want to ask him if he does not think the members of the Committee on Printing should share with each other the responsibility of these objections, and that whoever happens to be present from the committee should object to filling the RECORD with newspaper articles and speeches and matters of that kind?

Mr. PENROSE. Mr. President, just one word more, and I am through. I entirely agree with the statement made by the Senator from Utah, and I concur in the suggestion of the Senator from Arizona that it should be the duty of the Senator from Utah, as the former chairman of the committee and as senior minority member, to object to this improper material being printed as Senate documents or being put in the RECORD, and I pledge myself to help him after to-day.

Mr. SMOOT. I promise the Senate that I shall begin to-day.

Mr. PENROSE. I have sat in this body for nearly 20 years, and I think this request to-day is the second one that I have made during that long period to have a Senate document printed. It was made in good faith and with a desire to preserve important information, and the answer to it was offensive language and epithets.

There are two or three Senators here who are persistent and frequent offenders in connection with having frivolous and often ridiculous matter printed as Senate documents. I have sat here patiently for this long period and have perhaps been wrong in permitting this abuse of Senate privilege; but I will stand by the side of the Senator from Utah from this day on and prevent such ridiculous performances as the account of a visit to the tomb of some one over in Scandinavia, and documents

merely full of epithets and abuse, and other improper material being inserted in the RECORD or in Senate documents.

Mr. SWANSON. Mr. President, if there are no further amendments to be proposed, I ask that the bill be reported to the Senate.

The PRESIDING OFFICER (Mr. ROBINSON in the chair). The bill is in Committee of the Whole and open to amendment. If there be no further amendments to be proposed, the bill will be reported to the Senate.

The bill was reported to the Senate as amended.

The PRESIDING OFFICER. The question is on concurring in gross in all the amendments excepting those reserved by the Senator from Iowa [Mr. CUMMINS] and other Senators.

Mr. NORRIS. I do not think the Chair has included in the statement the reservation that I have made.

The PRESIDING OFFICER. The Chair included all reservations by saying "other Senators." The question is on concurring in the amendments to the bill made in Committee of the Whole with the exceptions stated.

The amendments not reserved were concurred in.

The PRESIDING OFFICER. The question now is upon the amendment offered by the Senator from Iowa.

Mr. SWANSON. I understand all the amendments have been concurred in except those reserved.

The PRESIDING OFFICER. That is correct.

Mr. CUMMINS. I offer the following amendment.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. Strike out, from line 6, page 170, the word "ten," the first word in the line, and insert the word "two"; strike out, from line 9, the words "four of these"; strike out, from line 12, the word "six," the first word in the line, and instrt "four," so that that part of the amendment will read:

> Two first-class battleships, carrying as heavy armor and as powerful armament as any vessels of their class, to have the highest practicable speed and greatest desirable radius of action; at a cost, exclusive of armor and armament, not to exceed $11,500,000 each, to be begun as soon as practicable.
>
> Four battle cruisers, carrying suitable armor and as powerful armament as any vessels of their class, to have the highest practicable speed and greatest desirable radius of action; four of these to cost, exclusive of armor and armament, not to exceed $16,500,000 each, to be begun as soon as practicable.

Mr. CUMMINS. Mr. President, I do not intende to take more than a moment of time in speaking of the amendment which I have offered.

Mr. CLAPP. Mr. President——

The PRESIDING OFFICER. Will the Senator from Iowa yield to the Senator from Minnesota?

Mr. CUMMINS. I yield to the Senator from Minnesota.

Mr. CLAPP. I wish to call the Senator's attention to his amendment. Would it not be a mistake to reduce the number of battle cruisers to four, in line 9, and then leave the limit $16.500,000 as applying to them all? It strikes me under the information the committee has it would be a mistake to provide for any number of battleships and leave the limitation as to all of them at $11,500,000.

Mr. CUMMINS. I am not able to hear the Senator from Minnesota.

Mr. CLAPP. I say, as the amendment of the Senator from Iowa now reads, it would reduce the number of battleships to two, and then the Senator strikes out, in line 9, the word "four." So the section would provide for the building of two first-class battleships, leaving the limitation of $11,500,000 as applicable to all that were authorized under this section.

Mr. CUMMINS. No; Mr. President, the Senator from Minnesota, I think, is wrong. My first amendment changes the paragraph in which it occurs so that it provides for two first-class battleships, at a cost not to exceed $11,500,000 each. My second amendment, which is offered at the same time, is to reduce the number of battle cruisers to four, the cost not to exceed $16,500,000.

Mr. CLAPP. I understand that, but my view was that when the Senate committee authorized it they felt it safe to place a limitation of cost on four at $11,500,000 apiece. It strikes me it might be unwise, if we authorize only two, to leave that limit of cost upon them.

Mr. LODGE. The two remain in the program. I understand the Senator from Iowa allows no battleship for this year; he cuts the program in two, and the two battleships are to be built in three years.

Mr. CUMMINS. Mr. President, my purpose is to reduce the program from 10 battleships to 2.

Mr. LODGE. That is obvious.

Mr. CUMMINS. I assume that the sum fixed by the committee, namely, $11,500,000, is a fair appropriation, or a fair limit, for battleships of this character, so that no change should be made in that regard. It is my purpose to reduce the program with regard to the battle cruisers to four rather than to six, but I have no information that would lead me to believe that a greater amount should be allowed for the construction of each of these cruisers than is contained in the proposed amendment by the committee.

I realize perfectly well that if this amendment is adopted there must be subsequent amendments considered and adopted in order to produce entire harmony, but the chief feature of the new arrangement relates to battleships and battle cruisers. If it is the view of the Senate that we ought not to authorize more than two in addition to those already authorized of the dreadnaughts, nor to authorize more than four of the battle cruisers, the subsequent parts of the amendment can be modified accordingly.

In my view, Mr. President, so far as battleships are concerned, my amendment proposes merely the continuation of a policy that has been recognized in the Congress and in the country for years past. It is intended to continue that policy, for, as I said the other day, I think it is an offense against good government for the United States at this time, before the close of the war in Europe, before we know in what condition the world will be at that time, before we know whether the end of the war will promise peace or will indicate war, to change our policy or materially increase our armament so far as battleships are concerned.

It may be—although I hope, Mr. President, it will not be—that when peace again dawns upon a distracted world it will come in such form as to make war the normal condition of mankind, and will advise us that we must stand ready at a moment's notice to engage the powerful nations of the earth. If the conditions at that time bear no other construction than immediate or approaching war for the United States, then I, for one, believe in such preparation as will enable us to meet that contingency successfully. But if the outcome of the war is such that we can reasonably believe that another long period of peace will intervene between the great nations of the world, then I am unwilling to enter upon a competitive program of armament suggested by this bill.

Mr. President, it seems to me that our highest duty at this moment is to preserve our place in the affairs of the earth unimpaired. It seems to me that we ought to be able to approach the powers of the earth untouched, uncontaminated by the infection that apparently has spread all over the world. We ought to approach this climax in civilization ready to lead the world toward peace instead of inviting it toward war.

This is but a repetition of the sentiments I expressed a day or two ago. We will do civilization a mighty injury if we, the most powerful neutral Nation of the world, shall before the event I have described assume the attitude of a warlike and belligerent power.

My amendment reduces the battle cruisers to four. I have always favored a well-balanced Navy. I have long believed, with the little study I have been able to give the subject, that the two points of weakness in our Navy were, first, the lack of swift battle cruisers, and, second, the want of auxiliary or supply ships, and I have always been willing to strengthen our Navy in these regards. But my object in the amendment I have offered is to tell the world that we have not in this juncture—we have not been in this great sweep of disaster that has covered the world—changed our policy, and that we are proceeding as we proceeded before, moved by the same hope and disturbed by no other fear than assailed us then.

I did not feel just this way with regard to the Army. I was willing to see a marked increase in the Army, because I felt that the conditions in Mexico were so unsatisfactory and unsafe that we needed, purely for the defense of the Nation and the maintenance of peace about our southern border, an Army of the magnitude that we authorized in the late bill, although there were some parts of the measure which did not command my approval.

Mr. President, I will keep my promise and no longer consume the time of the Senate, but simply as a notice, I say, in concluding, that I will ask for the yeas and nays upon my amendment.

Mr. SWANSON. Mr. President, I have been very considerate of all the views of the various Senators in connection with the naval program in Committee of the Whole. I have sought to limit debate as much as possible, but I have not availed myself of an opportunity to lay any amendment on the table except one motion to reconsider, which had been discussed previously. I feel, now that the bill has come into the Senate after debate has been had in Committee of the Whole, that I should avail myself of such parliamentary proceedings as the rules of the Senate entitle me to move to lay amendments on the table.

Mr. CUMMINS. Will the Senator from Virginia withhold that motion just a moment? I recognize his right to make the

motion and I do not intend to resent it. While I think it would be very much better for him to allow a vote upon the merits of the amendment itself, yet the Senator must know that in the Committee of the Whole the Senate committee amendment, toward which my proposal is directed, was adopted with scarcely a dozen Senators in the Chamber. It was adopted contrary not to an understanding but in consequence of a misunderstanding. When I left the Senate Chamber to take my midday lunch I intended to offer the amendment, which I afterwards did offer, to the text of the bill before the Senate committee amendment was adopted. I asked a Senator to suggest the absence of a quorum if the question of adopting the Senate committee amendment should arise.

Mr. SWANSON. I will say to the Senator that I have no objection to having a vote on his amendment, unless the debate is prolonged; but, being in charge of the bill, a number of Senators have told me that I have been too forbearing heretofore. They have said I allowed the bill to drift too much. Under those circumstances, I think I ought to urge a vote as quickly as I can. This question has been discussed in Committee of the Whole. I have no objection to a yea-and-nay vote on the amendment. All I have to say is that, if it is adopted, it destroys the entire program as arranged. Upon this question, Mr. President, I demand the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. ASHURST (when Mr. BECKHAM's name was called). I was requested to announce that the junior Senator from Kentucky [Mr. BECKHAM] has been called from the Chamber on important business, and is paired with the Senator from Delaware [Mr. DU PONT].

Mr. MYERS (when his name was called). I transfer my pair with the Senator from Connecticut [Mr. MCLEAN] to the Senator from Nebraska [Mr. HITCHCOCK] and vote "nay."

Mr. TOWNSEND (when the name of Mr. SMITH of Michigan was called). I announce the absence of the senior Senator from Michigan [Mr. SMITH] and his pair with the junior Senator from Missouri [Mr. REED]. This announcement may stand for the day.

Mr. STONE (when his name was called). I have a general pair with the senior Senator from Wyoming [Mr. CLARK], but I know from his statement to me that he would vote as I desire to vote. So I vote "nay."

Mr. THOMAS (when his name was called). I transfer my pair with the senior Senator from North Dakota [Mr. MCCUMBER] to the Senator from Oklahoma [Mr. GORE] and vote "yea."

Mr. TILLMAN (when his name was called). I transfer my pair with the Senator from West Virginia [Mr. GOFF] to the Senator from Tennessee [Mr. LEA] and vote "yea."

Mr. WARREN (when his name was called). I am paired with the Senator from North Carolina [Mr. OVERMAN]. I do not see him in the Chamber and therefore I withhold my vote.

The roll call was concluded.

Mr. CHILTON. I transfer my pair with the Senator from New Mexico [Mr. FALL] to the Senator from New Jersey [Mr. HUGHES] and vote "nay."

Mr. REED. I transfer my pair with the Senator from Michigan [Mr. SMITH] to the Senator from Delaware [Mr. SAULSBURY] and vote "nay."

Mr. SMOOT. I desire to announce the unavoidable absence of my colleague [Mr. SUTHERLAND]. He is paired with the Senator from Arkansas [Mr. CLARKE].

Mr. GALLINGER. I have a general pair with the senior Senator from New York [Mr. O'GORMAN], but on questions of this kind I am privileged to vote, and I vote "nay."

I desire to announce that the Senator from Connecticut [Mr. MCLEAN] is unavoidably absent and that he is paired with the Senator from Montana [Mr. MYERS].

Mr. DU PONT. I transfer my pair with the junior Senator from Kentucky [Mr. BECKHAM] to the senior Senator from New Mexico [Mr. CATRON] and vote "nay."

Mr. COLT. I have a general pair with the junior Senator from Delaware [Mr. SAULSBURY]. He would vote as I shall vote on this question, and I vote "nay."

Mr. CURTIS (after having voted in the affirmative). I transfer my pair with the junior Senator from Georgia [Mr. HARDWICK] to the senior Senator from Wyoming [Mr. CLARK] and let my vote stand.

The result was announced—yeas 14, nays 60, as follows:

YEAS—14.

Clapp	Jones	Norris	Vardaman
Cummins	Kenyon	Robinson	Works
Curtis	La Follette	Thomas	
Gronna	Lane	Townsend	

NAYS—60.

Ashurst	Harding	Oliver	Smith, Ariz.
Bankhead	Hollis	Owen	Smith, Md.
Borah	Husting	Page	Smith, S. C.
Brady	James	Penrose	Smoot
Brandegee	Johnson, Me.	Phelan	Sterling
Broussard	Johnson, S. Dak.	Pittman	Stone
Bryan	Kern	Poindexter	Swanson
Chamberlain	Lee, Md.	Pomerene	Taggart
Chilton	Lewis	Ransdell	Thompson
Colt	Lippitt	Reed	Tillman
Culberson	Lodge	Shafroth	Underwood
Dillingham	Martin, Va.	Sheppard	Wadsworth
du Pont	Martine, N. J.	Sherman	Walsh
Fletcher	Myers	Shields	Weeks
Gallinger	Nelson	Simmons	Williams

NOT VOTING—21.

Beckham	Gore	McLean	Smith, Mich.
Catron	Hardwick	Newlands	Sutherland
Clark, Wyo.	Hitchcock	O'Gorman	Warren
Clarke, Ark.	Hughes	Overman	
Fall	Lea, Tenn.	Saulsbury	
Goff	McCumber	Smith, Ga.	

So Mr. CUMMINS's amendment was rejected.

Mr. THOMAS. I move to substitute the House provision, beginning on line 10, page 167, and ending with line 25, on page 169, for the proposed amendment of the Senate committee.

Mr. TOWNSEND. If the Senator will permit me, I wish to submit a proposition to amend the Senate committee amendment. Will the Senator withdraw his amendment for that purpose?

Mr. THOMAS. I am perfectly willing to do so.

Mr. LODGE. A point of order, Mr. President.

Mr. SWANSON. The amendment is a substitute of the Senate committee's provision for the House provision. The Vice President has well ruled that the question must come on the affirmative proposition as agreed to in Committee of the Whole, which is to substitute the Senate committee provision for the House provision.

Mr. LODGE. Precisely. The Senate committee provision is the pending amendment.

The PRESIDING OFFICER. The Chair so declares.

Mr. LODGE. It is an amendment to the House text.

The PRESIDING OFFICER. The Senator from Colorado withdraws his amendment. He has not offered it.

Mr. THOMAS. I have withdrawn it. I have no wish other than that in some way to record an affirmative vote for the House program. If I can do that in any way, I shall be satisfied.

Mr. TOWNSEND. I offer an amendment.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 170, line 6, strike out the word "ten" and insert "four," so as to read "four first-class battleships," and, in line 9, page 170, strike out the words "four of these."

The VICE PRESIDENT. The question is on the amendment of the Senator from Michigan.

Mr. TOWNSEND. Mr. President, this is an amendment similar to the amendment offered by the senior Senator from Iowa [Mr. CUMMINS] as applied to battleships or dreadnaughts, only it reduces the number from 10 to 4 instead of from 10 to 2.

I have offered this amendment, as I gave notice that I would do while the bill was in the Committee of the Whole, believing, as I then said, that four battleships were all that could possibly be constructed within the year or the construction of which could be undertaken within that time. It is not proposed that the construction of any more shall be undertaken within the year. Believing, as I thoroughly do, that a revolution in naval architecture may be suggested within a year, or perhaps sooner, that might disarrange all our plans, believing also that the number of battleships I have named will be quite sufficient for any program which we ought to adopt at this time, I have been moved to offer this amendment.

I do not care to delay the Senate with a discussion of the matter, because should I do so I would but repeat what the Senator from Iowa has so well said on this particular subject. I therefore ask, without further discussion, for a vote, unless some Senator wishes to discuss the amendment.

Mr. SWANSON. This amendment proposes to construct no battleships whatever this year, but only to construct four during three years; it reduces the House program; and I hope the amendment will not be agreed to.

Mr. TOWNSEND. The Senator will understand that under the Senate committee amendment the construction of four battleships is to be begun as soon as practicable; and this amendment will not interfere with the beginning of the construction of all the battleships that could possibly be begun if it is not adopted.

Mr. VARDAMAN. I ask for the yeas and nays on the amendment.

Mr. JONES. Mr. President, I shall take just a moment with reference to this amendment and also as to the question relative to my vote on the amendment offered by the Senator from Iowa [Mr. CUMMINS].

I am in favor of a strong navy, but I do not think that battleships are essential at this time to a strong navy. I believe when the *Deutchland* sailed into Baltimore Harbor the other day it sounded the death knell of battleship construction, as we will recognize by and by when we come to look at these matters more calmly. This we will do in the near future.

I would rather trust to a fleet of 10 submarines having a radius of three or four thousand miles than to a fleet of 10 battleships. If the one fleet were sent against the other, in my judgment far more submarines would come home than would battleships.

Many of the increases made in the Senate amendment I am in favor of. I want to call attention to exactly what the increases are over the House program. The House program is the largest naval program which has ever been presented. The Senate proposes to give 10 battleships, the House none. The amendment proposed by the Senator from Iowa was as large a battleship provision as in any of our naval bills of the past. The House provided for five battle cruisers; the Senate makes it six. I voted to reduce that number because, even with the amendment of the Senator from Iowa, we should still increase the naval ship program over the House program by one capital ship. The Senator no doubt made that statement; but I did not have the advantage of hearing him.

Mr. SWANSON. That is, for three years.

Mr. JONES. Oh, well, that may be, but I say that is provided for in the bill. These ships can all be contracted for by the President as soon as possible after the passage of this bill.

Mr. SWANSON. That is, for three years' construction.

Mr. JONES. Taking the amendment of the Senator from Michigan [Mr. TOWNSEND], as he stated it, it would require the commencement or the construction of these four battleships within the year just the same as does the Senate provision.

Then the House provision carried four scout cruisers, while the Senate provision carries 10 scout cruisers. I am heartily in favor of that increase. We need more scout cruisers; and this increased number of scout cruisers would round out the Navy which we have and make it far more efficient. So I am in favor of that part of the Senate amendment.

Then, the House provided for 10 torpedo-boat destroyers, while the Senate amendment provides for 50. I think that is a very desirable increase in connection with our Navy, and so I am in favor of that. The House provided for 50 submarines, while the Senate amendment increases the number to 67 or 68, including the Neff submarine, provided for in another paragraph.

Mr. SWANSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Virginia?

Mr. JONES. Yes.

Mr. SWANSON. In order that the Senate may understand the statement which the Senator from Washington is making, I desire to state that the program of construction is for three years, and not for one year.

Mr. JONES. Oh, well, we shall have another naval bill at the next session of Congress, and, if it is necessary to go on for three years, we can take care of that in the next bill, that will be here along in February. I would not interfere, I do not interfere, and I do not ask to interfere with the items in this paragraph for the beginning of the construction of these submarines at an early date; in fact, I should prefer to have a provision inserted that every one of them should be commenced as soon as possible. That is what I should like to see done. I am not an expert, but we can use a little commen sense with reference to what is an efficient instrument of war. For reasons that are perfectly plain most naval experts will not concede the superiority of the submarine until they have to do so. A layman is just about as able to determine the efficiency of the submarine as an instrument of war as the expert, and their judgment is more apt to be correct in the first instance than that of the naval expert.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Colorado?

Mr. JONES. I do.

Mr. THOMAS. I am in accord with the Senator's views, but I should like to inquire whether, in his judgment, it would not also be well to substitute for one of these $20,000,000 battleships, a number of airships, in addition to those which are provided for?

Mr. JONES. I should be delighted to vote for a proposition of that kind. It seems to me that there is where we are falling down, if we are falling down at all—in not making more than ample, in fact, abundant provision for these new instruments of warfare which have demonstrated their efficiency, namely, the submarine and the flying machine.

Then the House provided for one fuel ship; the Senate provides for three fuel ships. I am in favor of that increase. We need them, and we ought to have them as soon as possible.

I am not in favor of a three or a five years' program. If we need increases in our Navy, let us get them as soon as we can, and not pass them over to a program of one or two or three or five years, which can be changed at any session of Congress, as the Democratic House did in 1912. Congress meets every year and can take care of any situation that may present itself. If we need these things, we need them; if we need them, we ought to have them, and as promptly as possible. Certainly, as the Senator from Minnesota [Mr. CLAPP] says, if we do not need them now there will be abundant time hereafter to authorize them. Congress will meet again in a couple of months, when we shall have another naval appropriation bill which can make whatever provision may then be deemed wise and necessary. So it seems to me that in this bill we ought to provide for whatever we need, and require it to be commenced and to be finished as soon as possible.

Mr. President, what is the situation? The construction of two of our largest battleships was authorized, I think, about 18 months ago. They have not yet been commenced, and we do not know when they will be begun. This Congress has passed a separate bill providing for the fitting up of two navy yards to complete those battleships. How long it will take to have those yards fitted up I do not know. Those battleships will not be begun until those yards are fitted up.

Mr. President, if that is the way we are going to proceed as to the beginning of the construction of these battleships, we had better quit trying to build up our Navy.

Then we provide for one transport, while none is provided by the House. I think we would have been wise if we had provided for more than one transport.

One hospital ship was provided for by the other House; two destroyer tenders were provided by the Senate and none was provided by the House. I think it is wise to make that provision.

One fleet submarine tender is provided by the Senate, while none is provided by the House. I think it is wise to insert that provision.

One ammunition ship is provided for by the House, and I think the Senate committee has acted wisely in providing for two in the bill.

Two gunboats have been provided for by the Senate, but none has been provided for by the House. If we need gunboats, I think the action of the Senate committee is wise in that respect. I have no opinion as to the need of gunboats, and must take the advice of experts with reference to gunboats and their efficiency, and so forth.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Nebraska?

Mr. JONES. Certainly.

Mr. NORRIS. I wish to make a suggestion to the Senator in reference to the gunboats. We used to have a good many of them, but they are out of date now. I remember, however, a few years ago we used the older ships for targets, and I presume these gunboats are provided for in the bill so as to get active practice for the Navy and to be used as targets for the battleships.

Mr. SWANSON. Mr. President, the Senator from Nebraska is entirely mistaken. They are used in China and elsewhere, where it is necessary, and they are used on our own rivers. They are absolutely necessary. They are light-draft vessels and can go where larger vessels can not.

Mr. JONES. Here is another provision in the Senate amendment which I heartily favor. It ought to have gone further:

Provided, That the 66 vessels directed herein to be begun as soon as practicable shall be contracted for or shall be begun in navy yards within six months from the date of the approval of this act.

If we need these ships, I believe in putting something into the bill which will hurry up the work upon them, and not have us come here in a year or a year and a half to find that the ships that we have authorized not only have not been constructed, but that their keels have not even been laid. I think that what I have read is a wise provision.

These are, in brief, my views with reference to the Senate amendment and with reference to the House provision. I want a strong Navy, and I want whatever needs we have now

taken care of. I believe in a much larger number of submarines, fast cruisers, and torpedo-boat destroyers. I think the Senate committee has been very liberal in that respect. As suggested a moment ago by the Senator from Colorado [Mr. THOMAS], I should be glad to take the money provided for the building of one or two of these battleships and to put it into flying machines, submarines, and torpedo boats. I think we not only ought to provide for submarines, but that we ought, if we can do it, to offer some inducement that will lead to the highest possible development of the submarine—not that we should merely copy the submarines that have already been built, but that we should offer some encouragement under which their efficiency will be developed and increased. Certainly we have not yet reached the acme of submarine perfection. Our people ought to be stimulated to develop the highest efficiency along those lines.

Mr. President, briefly, these are my reasons for supporting the amendment of the Senator from Iowa and that of the Senator from Michigan. If those amendments are voted down, I shall vote for the Senate amendment. I know it will go to conference, and I know that there are a good many Senators who are in favor of the Senate committee amendment with the idea that the bill will go to conference and be brought out much different from what is passed by the Senate. I am confident that when the bill does come back the result will be more in line with my ideas and my views now than it will be with the views of some of those who are advocating the larger program.

Mr. BRANDEGEE and Mr. OWEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BRANDEGEE. Mr. President, I shall take but a moment, I will say to the Senator from Oklahoma, so that he can follow directly after me.

I do not desire to debate this question. I simply want to call the attention of the Senator from Washington [Mr. JONES] to the article inserted in the CONGRESSIONAL RECORD of March 20, 1916, at page 5074, written by a leading British naval expert, Mr. Arthur H. Pollen. The Senator from Washington pins great faith on the achievements of submarines and thinks the day of the battleship is over because of the success of the German submersible *Deutschland* in arriving at Baltimore Harbor. I ask to print in the RECORD at this point the part of Mr. Pollen's article which deals with the submarine and which I have marked.

The PRESIDING OFFICER. If there is no objection, that order will be made. The Chair hears none.

The matter referred to is as follows:

"The most questionable element in the American program is the very large provision of submarines. Fifty fleet submarines and 85 coast submarines, which are to cost in all nearly $80,000,000, make a vast hole in the half billion that it is proposed to spend. As it is in many respects the most striking, so in another it is the most difficult item to criticize. The special circumstances of this war and the very extraordinary circumstances which preceded it, have given the submarine an entirely false importance in the public eye. Essentially, the submarine is a variant of the destroyer. Once within attacking range of an enemy it has what the destroyer has not, the power of delivering a daylight attack, remaining itself almost unseen. But invisibility is not a new attribute. The torpedo boat and the destroyer possessed it at night. Their speed enabled them to deliver the equivalent of unseen attack in the dusk. Except that the submarine's invisibility is more complete, it is the destroyer's inferior. It has less speed; it is less strongly armed.

"But its invisibility does give it a function new to naval war. It has the capacity to pass through waters which are absolutely commanded by surface ships, because it can pass them submerged and unseen. Fleets otherwise powerless to enter commanded waters can now enter them with this form of craft. Thus the German submarines have been at large to a limited extent in the English Channel, and with extraordinary freedom in the North Sea, in the western Atlantic, and in the Mediterranean. They have gone, in point of fact, where no German surface ship could have gone at all. British submarines similarly have penetrated the Sea of Marmora and the Baltic. The first and most striking fact about the submarine, then, is its capacity to enter into and operate in waters that are adversely commanded.

"But once in those waters the power of the submarine is extraordinarily limited. Indeed, its capacity to enter those waters can also be limited. The use of nets, of mines, and of patrols—especially when assisted by aircraft—these at any focal point which submarines coming or going must pass, can do much to obstruct their free passage. The narrower the waters, the easier their control by these means. And even in comparatively open waters great destruction can be and has been done by surface craft upon them.

"But, apart altogether from the dangers to which the submarine is exposed, what is its value when it is at work in hostile waters? It has two weapons, the torpedo and the gun. It can carry but few torpedoes—few, that is, compared with the number of rounds of gun ammunition that it can stow away. The torpedo, too, is an uncertain weapon at the best of times, particularly uncertain when aimed while the submarine is sub-merged. Wherever it is possible, then, the captain of the submarine has done his work with his guns. But as a gunned ship the submarine is the weakest thing afloat. Hence its guns can be used only against unarmed craft. It dare not approach any armed ship on the surface at all. If it has to approach an armed ship submerged, its speed of approach is greatly limited. The highest submerged speed does not exceed the half-power speed of the slowest warship. Hence high speed and a high standard of vigilance in ships which are armed makes them altogether immune from submarine attack except in the rare cases when, by pure chance, their course takes them within the submarine's striking radius. It was thus, it is supposed, that the *Formidable* was destroyed on New Year's Day, 1915. It was thus that the *Lusitania* fell—if the fact that she was within a yard or two of the course she had taken every time she had ever crossed the Atlantic can be described as chance and not as folly. The point, however, is that if the ship is armed the submarine must keep submerged, and if it keeps submerged its maneuvering speed is low, its capacity to get within striking distance very limited, and its weapon very uncertain. If the ship it intends to strike is both at speed and accompanied by destroyers or fast craft, the area of danger to the submarine and the intensity of the vigilance are increased, and the danger from submarines becomes altogether negligible.

"The success of the submarine against the merchantman is to be explained by the fact that merchantmen being unarmed, the submarine has been able to deal with them as any other armed surface ships would do. The speed of the modern big submarine is higher than that of any but a score or so of the fastest liners, and a single 12-pounder is quite sufficient armament to subdue a merchantman if the merchantman is unarmed itself. If submarine attacks on trading ships become recognized as legitimate by civilized nations, then all merchantmen will be armed, and their case will approximate that of the warship.

"But the most remarkable failure of the submarine in this war is its incapacity to do the one thing which even those who thought least of its capacity took for granted. It has entirely failed in its function of coast defense. The German submarines have been unable to defend either the ports of France, the coast of Gallipoli, Salonika, Valona, or the coast of Egypt from the allied battleships and transports. The explanation is simple. It has not been able to interfere with the transport and disembarkation of troops, because these operations have been carried out in waters superficially controlled by the fleet to which the transports belonged. What the submarine could do in defending a coast in waters superficially controlled by its own side will probably never be proved. These are not the conditions in which intending invaders send their armies across the sea. Had the Germans been mad enough to try to land a force in England, I have no doubt that British submarines, acting without any fear whatever of destroyers or other fast craft, could have accounted easily for every transport that got past our battleships, our cruisers, and our destroyers. But I have, if it is permissible to say so, still less doubt that any transports would ever have got past!

"The root of the matter seems to be this: If you command the seas with surface craft, the rôle of the enemy submarine is limited to being a somewhat inefficient guerilla. It can waylay peaceful merchantmen, just as the highwaymen of old in England held up travelers and "bad" men in America have occasionally held up trains. But it has not taken any such toll of British shipping as the privateers took in olden days, and, like the privateers, it has been absolutely incapable of interfering with military communications where the surface is efficiently commanded. In this matter the British submarines have entirely eclipsed the German. Both in the Sea of Marmora and in the Baltic our successes against transports have often been greater in a single week than the German submarines' against our transports in the whole campaign.

"A foolish and most unfortunate statement of the British Admiralty in January, 1915, had attributed to submarines an importance that they never possessed. It was said that the British fleet desisted from the attack on the Germans at the

Dogger Bank because of the presence of underwater craft. I am persuaded that no British admiral could ever have made this excuse—and survived. If enemy submarines are observed at sea, it will no doubt be necessary to avoid passing within range of them. But a suddenly discovered mine field or a well-planned torpedo attack from destroyers each would have exactly the same effect. It would impose upon the commander of a battleship squadron a sudden and, perhaps, a large and violent change of course, but it would be no excuse for flight. If such an excuse were admitted, it would be tantamount to saying that submarines could sweep the sea.

"What is the application of these considerations to the American program? I suggest that the principles to bear in mind are these: The more certain you are of commanding the sea against your adversaries, the more useless submarines will be to you. If you command the seas, you will not want them for coast defense. If you do not command the seas, they will not defend your coasts. They will not help to win command of the sea. You will hardly want them for attacking the enemy's trade, for you are too far from the focal points of any enemy's trade to be able to maintain submarines upon them.

"Take it for all in all, I suggest—while Mr. Daniels's program shows no sign of the idiotic absurdities about submarines that have been put forward on this side—nevertheless, it has been influenced by the great effect the submarine has had on the public and professional imagination. And this leads me to my concluding point.

"It is impossible to get any large change of policy carried in this country unless public opinion is instructed and educated in the issues and principles involved. The same conditions no doubt prevail in America, and may prevail to a still greater extent. But it must be remembered that the details of naval programs are not fit matter to be settled by public acclamation. The scale of the program is certainly so. The objects for which the navy is to be built are so, but the details manifestly are not. If the American statesmen and the American public can agree together as to the standard of strength that their Navy ought to attain, there is only one sound way of insuring that that strength is attained and at the smallest sacrifice. It is to leave the details to be decided by the best expert opinion that your Navy can produce. Remember that you want experts on a great many subjects. Remember also that to put yourselves into the hands of an individual expert is not the only way, and seldom the best way, to secure the best results. The general knowledge of a great service like the American Navy is more extensive, and its judgment is saner, than that of any single man, however gifted he may be. Remember, too, that the criticisms of those who use the things that are provided is far more valuable than the suggestions of those that make them. The program is quite silent as to expenditure on methods, and yet the methods of using weapons are of far vaster moment than the size or power or cost of the weapons themselves. The provisions of a navy is certain to be bungled if it is not guided by the best strategical and tactical brains you have. And the strategical brains will be misled unless they have mastered tactics, and the study of tactics can not begin until the art of using weapons has been brought to perfection.

"If the occasion of a great naval program were made the occasion for organizing a well-proportioned naval staff—not a staff for executive administration, but one for dealing with all naval problems from the point of view of right theory and scientific practice—then a result would be produced far greater and more valuable than can be got by any mere provision of inert and costly things. It is, after all, on the men, and not on the ships, that you rely. See that they have the ships, guns, methods, plans, preparations, training that they ask for.

"ARTHUR H. POLLEN."

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Michigan [Mr. TOWNSEND].

Mr. HARDWICK. Mr. President, on February 24, of this year, the distinguished Senator from New Hampshire [Mr. GALLINGER] made these observations on the subject of child labor, which I read from the CONGRESSIONAL RECORD of that day, page 3054:

Mr. GALLINGER. Mr. President, there is simply one question I am going to ask. I am interested in the Senator's discussion of the matter.

Which was a discussion of the child-labor bill by the Senator from Iowa [Mr. KENYON]:

Yesterday I received a letter from a very prominent citizen of my State, a man who has the esteem of our entire citizenship, in which he very calmly discussed this matter. He asked me, it is true, to vote against the bill.

Mr. KENYON. Is he a manufacturer?

Mr. GALLINGER. He is a manufacturer without guile.

Mr. KENYON. There are those, I know.

Mr. GALLINGER. Yes; he has a large establishment that never has had a strike, and where he has the most contented class of men that could be conceived in his employ. He made this point, that if this legislation is constitutional on the ground that it is detrimental to children to work under certain conditions, may the next step not be that it is detrimental to the health of men to work 10 hours in some establishment where they are only working 8 hours in another establishment, and whether we may not go to the point to say that we have a right, based upon the theory of this legislation, to exclude from interstate commerce goods produced by men who are working 10 hours, or probably 12 hours a day, and in that way doing detriment to their health and very likely to their offspring?

That was the point raised, and I should like to ask the Senator, in all seriousness, if that is not a possibility?

Mr. KENYON. I am very glad to answer the Senator as best I may, though I doubt very much whether the man who suggests a question like that to the Senator could be absolutely without guile.

Mr. GALLINGER. If the Senator knew the man he would agree with me that he is a man who holds to the highest ideals of proper life in every regard.

Mr. KENYON. I want to answer the Senator's question fairly. Of course he could have gone further and asked if Congress could go to the extent of saying no article shall be shipped as interstate commerce unless it is produced by a colored man in the light of the moon, and so forth.

Mr. GALLINGER. I do not think that is a fair comparison. He puts it on the point that it was a detriment to health. They very seriously argue in certain quarters that men ought not to work more than eight hours. Indeed, I observed that a gentleman haranguing an audience in Boston Commons said a little while ago that no human being ought to work more than six hours a day. It was upon that basis my correspondent submitted the matter to me.

Mr. KENYON. Now, let me answer the Senator, since he propounded the question. First, the power to regulate commerce is limited by the fifth amendment. If a bill could be passed here providing, as the Senator's friend suggests, that no goods shall be transported in interstate commerce from a factory where men work over eight hours, when they get to the Supreme Court they must take up the general situation of the country as bearing upon reasonableness what the States have done about it, what the sentiment is in the country, and what effect that has upon the country as bearing on the question, whether it is reasonable or unreasonable, whether it is arbitrary or not, and if unreasonable and arbitrary, it is unconstitutional.

That is the best answer I can give. So the Senator can group all that he might ask under that rule.

Mr. GALLINGER. I will say to the Senator that I propounded the interrogatory more particularly for the reason that I propose to send my friend the very able speech which the Senator has made, and I will go further and say that, as a layman, I had very seriously wondered whether this proposed law is constitutional or not. I remember that when Senator Beveridge was so eloquently discussing it, the leading lawyers of this body at that time said to me it was unconstitutional clearly. But I go further and say that, as at present advised, I propose to vote for the bill, leaving the question of its constitutionality to be determined by the courts. I asked my question in entire good faith.

Now, Mr. President, I find according to the CONGRESSIONAL RECORD of yesterday——

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from New Hampshire?

Mr. HARDWICK. I yield to the Senator from New Hampshire.

Mr. GALLINGER. May I ask the Senator the date of that colloquy?

Mr. HARDWICK. February 24 of this year. I find, according to the CONGRESSIONAL RECORD of yesterday, that during the morning hour yesterday the distinguished Senator from New Hampshire made these observations:

Mr. President, I am quite solicitous that the bill that is now under consideration—

That is, the naval bill—

shall be considered as speedily as possible, as there are so many other matters of important legislation that of necessity will come before this body. One of those matters is the child-labor law, which most of the Senators, if not all of the Senators, on this side of the Chamber warmly favor. We desire very much, indeed, that before adjournment shall be taken that important measure shall receive the careful consideration of this body.

Mr. President, personally, of course, I make no criticism of the distinguished Senator from New Hampshire for his change of position. It seems that on February 24 the best opinion he had was that this measure was probably unconstitutional, although he was inclined, being a layman, to be willing to vote for it and to submit the question of its constitutionality to the courts.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Idaho?

Mr. HARDWICK. I yield to the Senator from Idaho.

Mr. BORAH. I do not think the Senator puts that exactly as the RECORD shows it. My remembrance is that the Senator from New Hampshire stated that he was, as a layman, going to vote for the bill.

Mr. HARDWICK. I said that, precisely.

Mr. BORAH. I understood the Senator to say that the Senator from New Hampshire was inclined to vote for it.

Mr. HARDWICK. Well, I read it exactly from the RECORD. I do not want to characterize the Senator's remarks, because I have read them in connection with mine, and they will speak for themselves. The Senator did say then that as at present ad-

vised, indicating that he had no certain position on that question, being a layman, he intended to vote for the bill, although the best information he could get from lawyers was that it was clearly unconstitutional. He recalled that when Senator Beveridge so eloquently presented that measure in this Chamber some years ago all the lawyers of any standing or importance in this body thought it was unconstitutional.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Idaho?

Mr. HARDWICK. I do.

Mr. BORAH. If the Senator will examine the RECORD, he will notice that the observation of the Senator from New Hampshire was made long before the Senator from Iowa had concluded his argument. I think we may well suppose some effects from his able argument.

Mr. HARDWICK. No. I should like to make that concession for the benefit of both Senators or of all Senators; but the argument of the Senator from Iowa, which, by the way, was a very eloquent, persuasive, and able one, had gone far enough to let the Senator pretty clearly catch its drift.

Now, of course, the mere fact that lawyers like the Senator from Idaho and the Senator from Iowa are inclined to believe this measure is constitutional gives it some little standing in court indeed; but for that it would have absolutely none, as both Senators know.

Mr. GALLINGER. Mr. President——

Mr. HARDWICK. I yield to the Senator.

Mr. GALLINGER. When I was told a few minutes ago that the Senator from Georgia was discussing a question which interested me I assumed that it was this very question, and my reply to the messenger was that the Senator from Georgia is so good a friend of mine and so fair-minded a man that I knew he would say nothing that the RECORD did not bear out. Now, if the Senator from Georgia will permit me, I will make a very brief statement; it will take but a few moments.

Mr. HARDWICK. I yield to the Senator, of course.

Mr. GALLINGER. When this matter was before the Senate, and advocated and urged with great ability by ex-Senator Beveridge, of Indiana, the lawyers in this body at that time, on whose opinion I depended to a very great extent, as a rule, stated to me that they believed it to be an unconstitutional measure. That had great weight with me. Most of those lawyers have left the Senate.

Mr. HARDWICK. If the Senator will let me interject a remark there, I believe they were absolutely right, and the Senator had better stick to what they said.

Mr. GALLINGER. I wish merely to add a few additional words. Since that time I have found a change of opinion on the part of some men who at that time held that this was an unconstitutional measure, and one notable instance is a Member of this body, who a little time ago said to me that he would vote for the bill, notwithstanding that he had held heretofore that it was unconstitutional. That has had considerable weight with me; but I think, Mr. President, the Senator from Georgia will agree with me that as a layman, knowing absolutely nothing about law except what I have absorbed as a Member of this body—and sometimes I think I know nearly as much as some other Senators who claim to be lawyers—I think that as a layman I took precisely the right ground when I said that whatever doubt there might be in my mind I should vote for the bill and leave its constitutionality to be tested by the courts—and I take it for granted that it will reach the courts in due time if we pass the bill—and upon that statement I stand to-day. I do really entertain the opinion that it is a very grave quesion whether this act will be constitutional or not, but my opinion would be worth so little that I, of course, would not urge it here or elsewhere. That is all.

Mr. HARDWICK. Mr. President, the Senator is quite right in assuming that the Senator from Georgia would not do the slightest injustice to the Senator from New Hampshire, his position, or his motives about this or any other matter. There is no doubt about that. I do not want to make any mistake in the Senator's position, especially to his disadvantage.

Mr. BORAH. Mr. President——

Mr. HARDWICK. I yield to the Senator from Idaho.

Mr. BORAH. Mr. President, there have been a great many changes of opinion with reference to the constitutionality of the child-labor bill.

Mr. HARDWICK. Is the Senator one of the changes?

Mr. BORAH. No; I can not say I have changed for I am not entirely free from doubt now, but the distinguished leader of the Senator's party has undoubtedly changed his mind.

Mr. HARDWICK. Who?

Mr. BORAH. The President of the United States.

Mr. HARDWICK. Oh, the President of the United States. Has he changed his mind about this?

Mr. BORAH. The President in one of his lectures on constitutional law in 1911 stated his opinion as follows:

> Its power (the Federal Government) is "to regulate commerce between the States," and the attempts now made during every session of Congress to carry the implications of that power beyond the utmost boundaries of reasonable and honest inference show that the only limits likely to be observed by politicians are those set by the good sense and conservative temper of the country.
>
> The proposed Federal legislation with regard to the regulation of child labor affords a striking example. If the power to regulate commerce between the States can be stretched to include the regulation of labor in mills and factories, it can be made to embrace every particular of the industrial organization and action of the country. The only limitations Congress would observe should the Supreme Court assent to such obviously absurd extravagancies of interpretation would be the limitations of opinion and of circumstance.

Mr. HARDWICK. Well, the book he wrote on that subject is right.

Mr. BORAH. I do not call attention to this by way of criticism, for it is a subject which has been very near the border line with a great many constitutional lawyers, and some lawyers, instancing the President and others, who have entertained the view that it was unconstitutional have come to the conclusion now that it is constitutional. I do not think that much can be gained by assailing the Senator from New Hampshire, a layman, even if he has changed his mind in view of the distinguished precedent which he has for his action. It is very probable that these changes by lawyers have been by reason of certain opinions which the Supreme Court of the United States has lately rendered.

Mr. HARDWICK. Well, I have given careful consideration to all of those opinions, and personally I have not been able to come to any such conclusion as that; but did the Senator from Idaho start with the idea that this legislation was constitutional or unconstitutional? At the time the then Senator from Indiana, Mr. Beveridge, for instance, discussed it, did the Senator from Idaho then believe it was constitutional?

Mr. BORAH. I did not have the good fortune to hear the Senator from Indiana, and I do not now recall that I have ever examined his argument, but I will say that prior to the rendition of the opinion by the Supreme Court in some late cases I would have been of the opinion that this bill now on the calendar was unconstitutional. I am not wholly without doubt now, but in view of those opinions I am frank to say I have modified my views. I would not vote for any bill, however meritorious I believed it to be, if I believed it to be unconstitutional, but if there is a reasonable doubt as to its being unconstitutional, or if the court seems to have laid down principles upon which it can be sustained, and I believe it meritorious, I feel free to vote for it. That is the way I view this bill at the present time.

Mr. HARDWICK. I will not take time now, Mr. President, because I do not want to delay the pending bill, to go into the discussion raised by the last suggestion of the Senator from Idaho, although later I expect to discuss that very question with the Senator and before the Senate.

Personally, of course, I make no assault upon the distinguished Senator from New Hampshire for his evident change of heart about this measure, so far as he has changed his heart about it. Assuming, however, that he spoke on yesterday for his party and as its leader upon this floor, it is evident, plainly and indisputably evident, that the purpose of the Senator and his party is to play party politics or to attempt to do so on this great question.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from New Hampshire?

Mr. HARDWICK. I yield to the Senator.

Mr. GALLINGER. Mr. President, the Senator is not quite fair in making that statement. I have no such purpose, and have had no such purpose, I will say to the Senator.

Mr. HARDWICK. Then why did the Senator put that in the RECORD yesterday?

Mr. GALLINGER. Simply because I had a bundle of telegrams coming to me from all over the country in favor of this bill, and a dozen or more letters——

Mr. HARDWICK. On the 26th day of February the Senator was very doubtful about this bill.

Mr. GALLINGER. Yes.

Mr. HARDWICK. And the best he could say about it then was that it was of doubtful constitutionality. Now, how does the Senator explain that? What has happened since then to make the Senator so anxious to have the bill passed at this session?

Mr. GALLINGER. Because I think the people of the country want action on it. That is the only reason.

Mr. HARDWICK. All right.

Mr. GALLINGER. The people I try to represent certainly are anxious about it; and I want to say to my good friend, the Senator from Georgia, that I am quite willing to take a vote on this bill without a word of debate, and I hope we will have an opportunity to do so.

Mr. HARDWICK. All right. I am just expressing my opinion as to what this action means on the Senator's part, with the apparent approval of all his colleagues on the other side.

Mr. KENYON. Mr. President, I simply wish to suggest to the Senator that both great political parties have indorsed a child-labor bill in their platforms.

Mr. HARDWICK. I will come to that presently. I would rather not yield further right now.

I deeply regret and deplore the adoption of such a course by the Senator and his party, yielding to influences that need not be specified here, although they were plainly named in the current press dispatches, the conventions of both political parties have in their recent platforms declared in favor of the principles embodied in this bill, though not in favor of the pending bill specifically. That such a course should have been adopted by either convention in reference to a policy the constitutionality of which is seriously questioned and strongly challenged is, I think, most regrettable.

Of course such action can have no influence upon the vote or conduct of a Senator who entertains the views that I do and who has no doubt whatever that the proposed bill is in express violation of the Constitution of our country. As a Member of this body, I have sworn to support the Constitution of the United States, and not the party platform.

That the Congress has the power, under the flimsy pretext of regulating interstate commerce in an article of trade that is admitted of a perfectly legitimate character and inherently sound, to actually and really control such purely local and domestic questions as the hours and conditions under which labor may be employed in the several States, is so monstrous a proposition that I can not for a moment entertain it. If such a doctrine be established here and upheld by our courts, then our dual system of government is destroyed, and our people will have lost the inestimable blessings of local self-government, so dear to the Anglo-Saxon heart and so essential to the preservation of individual liberty.

That the proposed bill is flagrantly and patently unconstitutional I hope to be able, at a later date, to show, both to the Senate and the country. While I favor just as strong and just as humane legislation on this subject as any Member of this body on either side can possibly favor, yet I do insist that such legislation can only and should only be enacted by the several States of the Republic.

This legislation is not only of grave importance in its economic aspects, but it is also of momentous import to the country and to the people in the preservation of their constitutional system of government, for it is the boldest attempt in the entire history of the Republic to destroy and break down the rights of the States, to demolish the symmetry of the American system, and to utterly disjoint the balance between State and Federal power.

It has been my opinion, therefore, that the measure could not possibly be given that consideration that its great importance not only justifies but demands during the present session, if the Senate is to conclude its labors and Congress is to adjourn within a reasonable time. I still entertain that opinion, and believe it would be far wiser to give this measure careful consideration when we reassemble here in December next. Whether it is to be considered during the present session or later, I can not abate in any particular or to any degree my own fixed and unalterable opposition to it; but, Mr. President, I am unwilling to see my party assailed in any such way or for any such purpose as is indicated by the latest remarks of the Senator from New Hampshire; and it is therefore perfectly satisfactory to me, so far as I have a voice in the matter, for the Senate to take this bill up before the end of the present session, provided only reasonable opportunity is afforded under the rules of the Senate for a discussion of this matter consonant with its great importance.

Let me say, Mr. President, in this connection, that I earnestly believe and urge that we ought also to have an early opportunity to consider, before this session shall end, the bill to restrict immigration, a measure that is not only favored by more than two-thirds of the Members of both Houses of Congress but also by a vast majority of the people of this country.

Mr. BORAH subsequently said: Mr. President, I referred to some extracts in my remarks to-day. I ask leave to insert them in the RECORD in connection with what I said.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BORAH. Mr. President, in view of the remarks of the Senator from Georgia I desire to ask if I would be in order in preferring a unanimous-consent request at this time?

The PRESIDING OFFICER. The Chair can not pass upon that question until the request is made. The Chair thinks it is in order.

Mr. HARDWICK. The Senator would have to have the roll called first.

The PRESIDING OFFICER. The Chair will ask the Senator to state his request.

Mr. BORAH. Mr. President, I want to submit this request for a unanimous-consent argreement——

Mr. TILLMAN. Mr. President, I will ask the Senator from Idaho not to do anything of that sort. We want to get rid of the naval appropriation bill. If we take up something else, we will be here all day.

Mr. BORAH. It will not take five minutes.

The PRESIDING OFFICER. The Senator from Idaho will please state his request.

Mr. BORAH. I want to request unanimous consent that upon the final disposition of the naval appropriation bill we take up what is known as the child-labor bill and proceed to dispose finally of the original bill and any amendments that may be offered, and that the debate shall be limited to 12 hours on each side.

Mr. SWANSON. Mr. President, I can not consent to any extraneous matter being injected into the consideration of this bill.

The PRESIDING OFFICER. Objection is made. The question is on agreeing to the amendment of the Senator from Michigan [Mr. TOWNSEND].

Mr. JONES. On that I ask for the yeas and nays, on behalf of the Senator from Michigan.

The yeas and nays were ordered.

Mr. GALLINGER. Let the amendment be stated.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. On page 170, line 6, it is proposed to strike out "10" and insert "4," and on the same page, line 9, it is proposed to strike out the words "four of these," so that it will read "four first-class battleships."

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. COLT (when his name was called). Making the same announcement that I made before, I vote "nay."

Mr. REED (when his name was called). I transfer my pair with the senior Senator from Michigan [Mr. SMITH] to the junior Senator from Delaware [Mr. SAULSBURY] and will vote. I vote "nay."

Mr. THOMAS (when his name was called). Announcing the same pair and its transfer as heretofore, I vote "yea."

Mr. TILLMAN (when his name was called). I transfer my pair with the junior Senator from West Virginia [Mr. GOFF] to the senior Senator from New York [Mr. O'GORMAN], and will vote. I vote "nay."

Mr. UNDERWOOD. I desire to inquire whether the junior Senator from Ohio [Mr. HARDING] has voted?

The PRESIDING OFFICER. He has not.

Mr. UNDERWOOD. I have a general pair with that Senator. I understand, however, that if present he would vote as I will. Therefore I cast my vote. I vote "nay."

Mr. WALSH (when his name was called). I have a general pair with the senior Senator from Rhode Island [Mr. LIPPITT], who is absent; but I feel released from that pair on the present vote. I accordingly vote "nay."

Mr. WILLIAMS (when his name was called). I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the senior Senator from Tennessee [Mr. LEA] and will vote. I vote "nay."

The roll call was concluded.

Mr. CHILTON. I make the same announcement of my pair and its transfer as before, and vote "nay."

Mr. GRONNA (after having voted in the affirmative). I have a general pair with the senior Senator from Maine [Mr. JOHNSON], whom I do not see in the Chamber. I transfer that pair to the junior Senator from New Mexico [Mr. CATRON] and will allow my vote to stand.

The result was announced—yeas 15, nays 58, as follows:

YEAS—15.

Clapp	Jones	Norris	Townsend
Cummins	Kenyon	Overman	Vardaman
Curtis	La Follette	Robinson	Works
Gronna	Lane	Thomas	

NAYS—58.

Ashurst	Fletcher	Oliver	Smith, Md.
Bankhead	Gallinger	Owen	Smith, S. C.
Beckham	Hardwick	Page	Smoot
Borah	Hollis	Phelan	Stone
Brady	Husting	Pittman	Swanson
Brandegee	James	Poindexter	Taggart
Broussard	Johnson, Me.	Pomerene	Thompson
Bryan	Johnson, S. Dak.	Ransdell	Tillman
Chamberlain	Kern	Reed	Underwood
Chilton	Lee, Md.	Sheppard	Wadsworth
Clark, Wyo.	Lewis	Sherman	Walsh
Colt	Lodge	Shields	Warren
Culberson	Martin, Va.	Simmons	Williams
Dillingham	Martine, N. J.	Smith, Ariz.	
du Pont	Nelson	Smith, Ga.	

NOT VOTING—22.

Catron	Hitchcock	Myers	Smith, Mich.
Clarke, Ark.	Hughes	Newlands	Sterling
Fall	Lea, Tenn.	O'Gorman	Sutherland
Goff	Lippitt	Penrose	Weeks
Gore	McCumber	Saulsbury	
Harding	McLean	Shafroth	

So Mr. TOWNSEND's amendment was rejected.

Mr. KENYON. Mr. President, I move on line 6, page 170, to strike out the word "ten" and insert the word "six"; and on line 9 of the same page I move to strike out the word "four" and insert the word "two."

I am not going to discuss the amendment, any more than to say that it would reduce the number of first-class battleships to six, and provide for the commencement of two of them as soon as practicable, instead of four.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Iowa.

Mr. KENYON. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CHILTON (when his name was called). I make the same announcement of my pair and its transfer as before, and vote "nay."

Mr. COLT (when his name was called). Making the same announcement as before, I vote "nay."

Mr. REED (when his name was called). Making the same announcement as on the last vote, I vote "nay."

Mr. THOMAS (when his name was called). Making the same announcement of my pair and its transfer as before, I vote "yea."

Mr. TILLMAN (when his name was called). Repeating the transfer I made a little while ago, I vote "nay."

Mr. WALSH (when his name was called). Repeating the announcement made on the preceding vote, I vote "nay."

Mr. WILLIAMS (when his name was called). Repeating the announcement made on the last roll call with regard to my pair and its transfer, I vote "nay."

The roll call was concluded.

Mr. POMERENE. I desire to announce the unavoidable absence of the junior Senator from Delaware [Mr. SAULSBURY], and to announce his pair with the junior Senator from Rhode Island [Mr. COLT].

Mr. CURTIS. I have been requested to announce that the junior Senator from Utah [Mr. SUTHERLAND] is paired with the senior Senator from Arkansas [Mr. CLARKE].

The result was announced—yeas 17, nays 58, as follows:

YEAS—17.

Clapp	Kenyon	Robinson	Vardaman
Cummins	La Follette	Shafroth	Works
Curtis	Lane	Thomas	
Gronna	Norris	Townsend	
Jones	Overman	Underwood	

NAYS—58.

Ashurst	Fletcher	Nelson	Smith, Md.
Bankhead	Gallinger	Oliver	Smith, S. C.
Beckham	Harding	Owen	Smoot
Borah	Hardwick	Page	Sterling
Brady	Hollis	Pittman	Stone
Brandegee	Husting	Poindexter	Swanson
Broussard	James	Pomerene	Taggart
Bryan	Johnson, Me.	Ransdell	Thompson
Chamberlain	Johnson, S. Dak.	Reed	Tillman
Chilton	Kern	Sheppard	Wadsworth
Clark, Wyo.	Lee, Md.	Sherman	Walsh
Colt	Lewis	Shields	Warren
Culberson	Lodge	Simmons	Williams
Dillingham	Martin, Va.	Smith, Ariz.	
du Pont	Martine, N. J.	Smith, Ga.	

NOT VOTING—20.

Catron	Hitchcock	McLean	Phelan
Clarke, Ark.	Hughes	Myers	Saulsbury
Fall	Lea, Tenn.	Newlands	Smith, Mich.
Goff	Lippitt	O'Gorman	Sutherland
Gore	McCumber	Penrose	Weeks

So Mr. KENYON's amendment was rejected.

The PRESIDING OFFICER. The question is on concurring in the amendment made as in Committee of the Whole.

Mr. NORRIS. On that I ask for the yeas and nays.

Mr. THOMAS. Mr. President, on page 170, I move to strike out lines 6 to 11, inclusive, and to insert instead of the word "six," on line 12, the word "five," that being the House program with regard to capital ships.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 170 it is proposed to strike out the provision as to battleships, lines 6 to 11 and in line 12, before the words "battle cruisers," to strike out "six" and insert "five."

Mr. THOMAS. Upon that I ask for the yeas and nays.

Mr. NORRIS. May I ask the Senator from Colorado if he will not reach the same result if he asks for the yeas and nays on the pending amendment of the committee?

Mr. THOMAS. No. I will have to vote "nay" then, and I want to vote "yea" for the program of the House.

Mr. NORRIS. But that does not include all of the program of the House.

Mr. THOMAS. It does as to capital ships.

Mr. NORRIS. Yes; that is all, though.

Mr. THOMAS. That is what I want.

Mr. NORRIS. The balance of the program——

Mr. THOMAS. I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. COLT (after his name was called). Making the same announcement as before, I vote "nay."

Mr. THOMAS (when his name was called). Announcing the same pair and its transfer as heretofore, I vote "yea."

Mr. TILLMAN (when his name was called). Making the same announcement of my pair and transfer as before, I vote "nay."

Mr. WALSH (when his name was called). Repeating the announcement made by me on the last roll call, I vote "nay."

Mr. WILLIAMS (when his name was called). Making the same announcement regarding my pair and transfer, I vote "nay."

The roll call was concluded.

Mr. REED. Making the same announcement as on the last vote as to my pair and its transfer, I vote "nay."

Mr. BRYAN (after having voted in the negative). I transfer my pair with the junior Senator from Michigan [Mr. TOWNSEND] to the senior Senator from Nebraska [Mr. HITCHCOCK] and will allow my vote to stand.

Mr. MYERS. I transfer my pair with the junior Senator from Connecticut [Mr. McLEAN] to the senior Senator from Nevada [Mr. NEWLANDS] and will vote. I vote "nay."

Mr. CHILTON. Making the same announcement of my pair and its transfer as before, I vote "nay."

The result was announced—yeas 12, nays 65, as follows:

YEAS—12.

Bankhead	Curtis	La Follette	Underwood
Clapp	Gronna	Norris	Vardaman
Cummins	Kenyon	Thomas	Works

NAYS—65.

Ashurst	Hardwick	Overman	Smith, Md.
Beckham	Hollis	Owen	Smith, S. C.
Borah	Husting	Page	Smoot
Brady	James	Phelan	Sterling
Brandegee	Johnson, Me.	Pittman	Stone
Broussard	Johnson, S. Dak.	Poindexter	Swanson
Bryan	Jones	Pomerene	Taggart
Chamberlain	Kern	Ransdell	Thompson
Chilton	Lane	Reed	Tillman
Clark, Wyo.	Lee, Md.	Robinson	Wadsworth
Colt	Lewis	Shafroth	Walsh
Culberson	Lodge	Sheppard	Warren
Dillingham	Martin, Va.	Sherman	Weeks
du Pont	Martine, N. J.	Shields	Williams
Fletcher	Myers	Simmons	
Gallinger	Nelson	Smith, Ariz.	
Harding	Oliver	Smith, Ga.	

NOT VOTING—18.

Catron	Hitchcock	McLean	Smith, Mich.
Clarke, Ark.	Hughes	Newlands	Sutherland
Fall	Lea, Tenn.	O'Gorman	Townsend
Goff	Lippitt	Penrose	
Gore	McCumber	Saulsbury	

So Mr. THOMAS's amendment was rejected.

Mr. CUMMINS. I offer the following amendment.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 167, line 12, after the word "constructed," insert "two first-class battleships, carrying as heavy armor and as powerful armament as any vessels of their class, to have the highest practicable speed and greatest desirable radius of action, at a cost, exclusive of armor and armament, not to exceed $11,500,000 each, to be begun as soon as practicable."

And, before the words "battle cruisers," in line 12, strike out "five" and insert "four," so as to read:

For the purpose of further increasing the Naval Establishment of the United States, the President of the United States is hereby authorized to have constructed two first-class battleships, carrying as heavy armor and as powerful armament as any vessels of their class, to have the highest practicable speed and greatest desirable radius of action, at a cost, exclusive of armor and armament, not to exceed $11,500,000 each, to be begun as soon as practicable, and four battle cruisers, carrying suitable armor and as powerful armament as any other vessel of their class, to have the highest practicable speed and the greatest desirable radius of action, to cost, exclusive of armor and armament, not to exceed $15,000,000 each.

Mr. CUMMINS. Mr. President, this is a proposed amendment to the House text. I shall be but a moment in presenting my views in regard to it. It is my present purpose to vote against the amendment proposed by the committee, but I am not fully satisfied with the House provision. I should like, if possible, to be permitted to choose between the House provision authorizing 2 battleships and 4 cruisers, than to choose between the House provision of 5 cruisers and the Senate provision of 10 battleships and 6 cruisers. I have therefore sought to change the House bill in the part which is sought to be stricken out by the committee amendment so that it would authorize two battleships and four battle cruisers.

I have nothing further to say about it, because I am fully persuaded that the temper of the Senate is in favor of unlimited armament and unrestricted expenditure of the public money for this purpose. I ask for the yeas and nays upon my amendment.

The yeas and nays were ordered.

Mr. UNDERWOOD obtained the floor.

Mr. STONE. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Missouri?

Mr. UNDERWOOD. I will; and then I want to say something.

Mr. STONE. I desire to direct the parliamentary inquiry for information. We adopted a little while ago, did we not, an amendment reducing the number of battleships from 10 to 8?

Mr. LODGE. If the Senator from Missouri will allow me, this is an amendment to the House provision and not to the Senate amendment. That will come on the substitution of the Senate amendment for the House text. By doing this we simply hamper the conferees and prevent making any arrangement between our program and that of the House.

Mr. STONE. But if this should be agreed to by the Senate, would it increase the number of battleships to 12 or reduce the number proposed by the Senate committee?

Mr. CUMMINS. No; if this amendment is adopted the House provision will then authorize two battleships and four cruisers, and if then the Senate votes against the Senate committee amendment that will be the action of the Senate. If, of course, the Senate afterwards adopts the Senate committee amendment we will then have 10 battleships authorized and 6 battle cruisers.

Mr. SWANSON. It is in an indirect way to accomplish what we have already voted upon.

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Virginia?

Mr. UNDERWOOD. I do.

Mr. SWANSON. We have already voted as to whether we would adopt the Senate committee program for this year providing 10 battleships and 4 battle cruisers. The House provision is for five battle cruisers and no battleships. We have already voted to reduce the battle-cruiser program of the House and to build 10 battleships. This is simply a repetition of what we voted upon half an hour ago.

Mr. CUMMINS. Is a point of order raised against it?

Mr. SWANSON. No; I do not raise the point of order.

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Iowa?

Mr. UNDERWOOD. I do.

Mr. CUMMINS. Just a moment. I want to repeat to the Senator from Virginia we have not voted upon this proposition. We voted against reducing the program of the Senate committee from 10 to 2 and from 6 battle cruisers to 4.

Mr. SWANSON. If the Senator will permit me, the difference was as to the authorization that is recommended by the President and indorsed by both parties. There is now provision made for three years' construction.

Mr. CUMMINS. We have not voted, as I look upon it, on any such question. There is no difference beween the four authorized for this year and the six which are not authorized, because the six may be contracted for to-morrow if this bill should pass.

Mr. SWANSON. I want the Senate to understand that the Senator made a motion to eliminate entirely the authorization for two years. Then he made a motion to reduce the construction to two years. All this does is to reduce the House authorization from five battle cruisers to four.

Mr. CUMMINS. It seems to me the Senator from Virginia ought to favor the amendment I have now proposed. It increases the program of the House by two battleships and only diminishes the program of the House by one battle cruiser. If it should happen that the Senate sees fit to approve the House program, rejecting the committee amendment proposed by the Senator from Virginia, we would have, from his standpoint at any rate, a better program than we will have if the Senate rejects the committee amendment and leaves the House provision to stand as it is. Logically he ought to vote, and I suppose he will vote, for my amendment.

Mr. UNDERWOOD. Mr. President, as I understand the proposition before the Senate, the amendment of the Senator from Iowa seeks to amend the language of the House provision and not the Senate provision; that the House provision now carrying five battle cruisers the amendment of the Senator from Iowa will make the House provision carry four battle cruisers and two battleships.

Mr. President, I have not taken any part in this debate because I am not on the Naval Committee, and I do not consider myself an authority on the question. I am in favor of reasonable preparedness. I am not one of those who believe that we can trust the country to love and faith; but I do not think we ought to put on the American people an undue burden, a burden that it is unnecessary for them to carry.

I feel that in the construction of the first line of battleships we are taking many chances. These battleships may be in commission a decade before they go to the scrap heap. Within ten or a dozen years they undoubtedly will be out of commission if the precedents of the past govern the future.

But, aside from that, in the changing conditions of naval warfare these first-class battleships and cruisers may all go to the scrap heap by new naval construction putting them out of business within the next year or two. But I do not say that that is an argument why we should cease building ships entirely. We must build some ships. We must keep a Navy up to a standard that will reasonably protect us in case we are involved in a foreign war, and I am willing to vote for an amendment of that kind.

Now, as between the Senate program of 10 battleships and 6 battle cruisers, 16 ships of the first order, and the House provision of 5 battle cruisers, 5 ships of the first order, I intend, if I have an opportunity to do so, to support the House provision. But I intend now to be more liberal than the House provision. I am willing from my own standpoint to decide the question in a liberal way and accept the amendment of the Senator from Iowa by voting for it, which will cut off one battle cruiser and in place of it put in two battleships.

If we come to that proposition, we will be constructing that this year and authorize the construction, and as the Senator from Iowa has just stated, it does not make any difference whether we make the appropriation this year or not, if the contract is made. The Senate committee bill authorizes the contract to be made for 16 first-class ships. When the contract is made Congress can not revoke the order; we will have to build them and pay for them whether they are out of date or not. I think in the temper of the times we can safely rely on the fact that if we authorize the contract to be made it will be made before the ides of next March. I think it would be impossible to fill the contract at this time. The boats will not be built, the money will not be appropriated for them at this time, but if the contract is made and in the course of the next two or three years we find out we are not building these ships in the right way, that they are not available in modern warfare, and that contingency may happen any day, the contract is made, the indebtedness is created, and the American people must pay for it.

Now, is not the House provision more businesslike? The House provides for building five first-class battle cruisers this year—a very large increase over the program we have had in the past. Last year or the year before we limited our first-class ships to one ship a year. For a few years preceding that we built two. But most of the time they were ships that only cost one-half of the amount that a first-class ship costs to-day.

The House provision is not drifting out into the indefinite and unknown future. It is not authorizing a contract for the building of ships the utility of which may be in great doubt before the contract is delivered. But the House is providing for five first-class ships to be begun now, and letting the Congress of next year and the Congress of the year following determine

what kind of ships it will build in those years, instead of binding the Government to a contract to-day that we may be sorry for to-morrow. I think that is the wise provision. It may not limit this program. it does not necessarily limit the program. The Senator in charge of the bill has just stated that it is not the intention to build all these 16 first-class ships this year; but under the stress and the whip of an existing sentiment we are asked to tie the Government's hands for the future so that this contract can not be changed.

I take it if we build five or six battleships now we will take that step toward preparedness that will be equal in every respect to the Senate provision so far as this year is concerned, and then we leave to the next Congress to determine, when they have the facts behind them and not before them, as to whether the next step is advisable.

Therefore, I intend, if I have the opportunity to do so, to support the House provision for the building of these first-class battle cruisers rather than the Senate provision, but I desire to be liberal about it. The Senator from Iowa seeks to amend the House provision. He seeks to take away from the House provision one battle cruiser and to add two battleships, and although I do not believe in reckless and extravagant appropriations for war expenditures, I am going to try to be reasonable about it. I am going to err on the side of safety in what my judgment tells me. Therefore, I am going to vote for the amendment of the Senator from Iowa because I think it is a better-balanced amendment than the House provision. If the Senator does not succeed in passing it and the issue comes with the House bill as against the Senate committee bill, I shall then support the House provision, which has been carefully considered by a great committee, with experts before it, with the administration aiding it, who reached the conclusion that these five ships are enough for this year, and that next year and the year after it will be left to be decided by the men who are in Congress at that time.

I think that is the wise point from which to look at this question, and I think in a spirit of liberality we can well afford to adopt the amendment offered by the Senator from Iowa.

Mr. SWANSON. Mr. President, I shall not detain the Senate very long. The program as presented in the bill as reported to the Senate was prepared after consultation with the President of the United States, the Secretary of the Navy, the General Board of Experts of the Navy, and the heads of the various departments. The President had recommended a building program in accordance with what most nations had adopted. Japan has a building program extending to 1922, I think.

This program has the approval of those who have considered the matter. The General Board of the Navy have examined it, and they have recommended 4 battleships and 4 cruisers. Japan, as I understand, and as her minister has stated, has a building program for this year of 4 battleships and 4 cruisers of the latest type, and if her finances would permit, she would build this year 4 additional, which would make 12. Those who have had the responsibility of the control of affairs are satisfied that we could not have a shipbuilding program smaller than this. If this building program is accomplished, we still should not have the second navy in the world, but would only have the third navy.

I have the name of every battleship from Naval Intelligence, its size, shape, and so forth, and we are satisfied that this program, recommended and indorsed by the administration, by the General Board, and sustained by the Navy Department, will furnish us a navy which will give us safety and security. It would be useless to build a bridge which does not extend across a river. You had better build no bridge.

We believe that when this program is completed it will mean peace; it will mean no war. We believe, considering the losses that Germany and other nations have already sustained and will sustain, that we shall soon have the second navy in the world, and we believe that it will afford an absolute guaranty for peace. With that view this program has been recommended for the indorsement and support of those who favor an efficient and adequate Navy.

Mr. CUMMINS. Mr. President, I desire to ask the Senator from Virginia a question if he will permit me.

Mr. SWANSON. I have no objection to the Senator doing so.

Mr. CUMMINS. If my amendment were adopted, the House provision would be better than this one, would it not?

Mr. SWANSON. It would.

Mr. CUMMINS. Will the Senator vote for my amendment?

Mr. SWANSON. I do not favor the House provision. It does not provide for enough destroyers. I am not in favor of a provision in preference to that of the committee, and I will not aid it.

Mr. CUMMINS. Then the reason why the Senator from Virginia will not vote for my amendment, I take it, is that he is afraid that if the committee amendment were so amended it would be accepted in preference to the Senate committee amendment.

Mr. SWANSON. I ask for the yeas and nays.

The VICE PRESIDENT. The yeas and nays have been ordered. The Secretary will call the roll.

Mr. COLT (when his name was called). Making the same announcement as before as to my pair and its transfer, I vote "nay."

Mr. REED (when his name was called). Making the same transfer as on the previous vote, I vote "nay."

Mr. THOMAS (when his name was called). Making the same announcement as heretofore as to my pair and its transfer, I vote "yea."

Mr. TILLMAN (when his name was called). Making the same announcement I made a little while ago in reference to the transfer of my pair with the Senator from West Virginia [Mr. GOFF] to the Senator from New York [Mr. O'GORMAN], I vote "nay."

Mr. WALSH (when his name was called). Making the same announcement as on the former roll call, I vote "nay."

The roll call was concluded.

Mr. CHILTON. I make the same announcement as to my pair and its transfer as on the former vote and vote "nay."

Mr. MYERS. I transfer my pair with the Senator from Connecticut [Mr. MCLEAN] to the Senator from Nebraska [Mr. HITCHCOCK] and vote "nay."

The result was announced—yeas 19, nays 60, as follows:

YEAS—19.

Bankhead	Curtis	Lane	Thomas
Brady	Gronna	Newlands	Townsend
Bryan	Hardwick	Norris	Underwood
Clapp	Kenyon	Oliver	Works
Cummins	La Follette	Overman	

NAYS—61.

Ashurst	Husting	Phelan	Smoot
Beckham	James	Pittman	Sterling
Borah	Johnson, Me.	Poindexter	Stone
Brandegee	Johnson, S. Dak.	Pomerene	Swanson
Broussard	Jones	Ransdell	Taggart
Chamberlain	Kern	Reed	Thompson
Chilton	Lee, Md.	Robinson	Tillman
Clark, Wyo.	Lewis	Shafroth	Vardaman
Colt	Lodge	Sheppard	Wadsworth
Culberson	Martin, Va.	Sherman	Walsh
Dillingham	Martine, N. J.	Shields	Warren
du Pont	Myers	Simmons	Weeks
Fletcher	Nelson	Smith, Ariz.	Williams
Gallinger	Owen	Smith, Ga.	
Harding	Page	Smith, Md.	
Hollis	Penrose	Smith, S. C.	

NOT VOTING—15.

Catron	Gore	Lippitt	Saulsbury
Clarke, Ark.	Hitchcock	McCumber	Smith, Mich.
Fall	Hughes	McLean	Sutherland
Goff	Lea, Tenn.	O'Gorman	

So the amendment of Mr. CUMMINS to the amendment of the committee was rejected.

The VICE PRESIDENT. The question is on concurring in the committee amendment.

Mr. SHAFROTH. Mr. President, I desire to move an amendment. On page 170, line 4, I move to strike out the date "1919" and insert in lieu thereof "1921," so as to read:

For the purpose of further increasing the Naval Establishment of the United States the President of the United States is hereby authorized to undertake prior to July 1, 1921, the construction of the vessels enumerated below:

Mr. President, we have heard a great deal of talk about a naval program and the fact that Japan has a naval program extending to 1922. I believe in a reasonable naval program, and, therefore, I do not believe in concentrating all this construction in three years.

In the first place if all these ships are constructed in three years they will not have the modern improvements that come from experience acquired when one ship is built after another. It takes three years to construct a battleship, and hence all of the 16 capital ships will have to be commenced immediately. While too long an extension of the time might be detrimental to the best interests of the Navy, the extension of the program to five years, it seems to me, would be advantageous. To construct all these battleships and battle cruisers within three years would mean practically that they would be of the same type of each class, and on that account we ought to have a five-year program instead of a three-year program.

Furthermore, Mr. President, if this program is to cost $500,000,000, the tax upon the people, if spread over five years, will be $100,000,000 annually instead of $166,000,000 a year if all the construction is completed within three years. That, it seems to me, is something which we ought to take into considera-

tion in determining whether we shall spread out this program or concentrate it within the period of three years.

It is said that the Congress of the United States in the past has been sporadic in its naval appropriations, providing for a large number of ships one year and the next year omitting to provide for any additions to the Naval Establishment. That, of course, is not wise. But, Mr. President, I am afraid that is what will happen under this large bill. If we adhere to this program of three years, there may be another similar large program for the ensuing three years, while if we extend it to five years another extension for the following five years would not be so burdensome on the people, and that would be much better than an extension and duplication every three years.

Mr. THOMAS. Mr. President——

Mr. SHAFROTH. I yield to my colleague.

Mr. THOMAS. I think it would be safe to say, in view of past experiences, that within the next two years it will be claimed that the Navy constructed by these enormous appropriations is not a navy at all; that it is inefficient; that it is weak; that we will still be in a position to deserve and receive the contempt of all the great armed nations of the world, and a still larger program will be insisted upon in the interest of preparedness.

Mr. SWANSON. Mr. President, if the Senator will permit me, he is entirely mistaken. No one claims that these battleships will be useless. I do not see how the Senator got any such misconception as that. The battleship of 11,000 tons and carrying 11-inch guns is still effective against a battleship of the same class, carrying guns of the same size.

Mr. THOMAS. I think that is true, Mr. President.

Mr. SWANSON. But when other nations increase the size of the guns carried by their battleships to 14 inches we have to meet them. Our battleships, carrying 12-inch guns, are not useless, however. They are effective against battleships of the same class in the other navies of the world. The Senator is mistaken in saying that they would be useless. Of course against guns that shoot twice as far and carry twice as much weight of metal that would be true, and that is what makes necessary to a large extent the increase in our Navy.

Mr. THOMAS. Mr. President, I believe the Senator misapprehends the object of my remarks. All I am calling attention to is the propaganda that is constantly being carried on for the purpose of securing these large appropriations. If the Senator has kept up with preparedness literature in any degree, as I have tried to do, he has long since discovered the fact that it is the claim that our present Navy is useless; that it is nothing but a collection of vessels that should go to the scrap heap. I know that is not true, just as the Senator does, but I am satisfied that before this program shall have reached its consummation the same charge will be made against the mighty battleships and battle cruisers provided for in this bill; and the Congress will be told that preparedness is still like the mirage of the desert, something that we can see but never reach.

Mr. SHAFROTH. Mr. President, whether they go to the scrap heap or not, battleships are considered, after a period of 10 or 12 years, to be obsolete, or, at least, to be largely obsolete. I do not want 16 great naval vessels to become obsolete practically at the same time. That is the objection which I have to the plan proposed. If this program is made to extend over five years, there will be more care and deliberation in the planning of the ships. If they are all to be built within three years, it will require quick, hasty action in order to get them ready, and they will practically be all of the same type.

Mr. President, I do not want to detain the Senate. I believe it is wiser to spread this program over five years. I believe it will be better for the Navy, better for each ship, and better for the people who have to pay for these great battleships; and I ask for a vote on the amendment.

Mr. SWANSON. Mr. President, I hope the amendment will not prevail. This program has been fixed at three years upon the advice of the most scientific and best-informed men in the Navy. It seems to me, if we need the ships, we need them as soon as they can be constructed, and those who are most familiar with naval matters concur in that opinion. I hope that the amendment will not prevail, as it will disarrange completely the program.

Mr. LODGE. Mr. President, just a word. The program, of course, could not bind another Congress, but it is well to define the policy. If Senators will examine it, they will see that it is by no means an excessive one. Spread over three years, it means three battleships a year. Generally we have built about two a year. It provides for two battle cruisers a year, and we all recognize the great defect of our Navy is that it has no battle cruisers. If this program is changed to five years, it will then be wholly inadequate and will not meet our situation or our necessities.

Mr. BRANDEGEE. Mr. President, the effect of the motion of the Senator from Colorado [Mr. SHAFROTH] is practically to reduce the proposal for increasing the effective strength of the Navy. It proposes to string out over five years what otherwise would be done in three years and for which other appropriations would be made in the future if it were not for the amendment of the Senator from Colorado.

Mr. President, I am extremely gratified that the Committee on Naval Affairs has decided upon a program. There have been indiscriminate and contradictory appropriations in the past. I introduced a resolution on August 15, 1913, known as Senate concurrent resolution No. 7, asking that the Committees on Naval Affairs of the Senate and of the House of Representatives, or any subcommittees thereof, acting jointly or separately, should inquire:

First. What increase is desirable in the Naval Establishment.

Second. Whether it is desirable and feasible to provide a definite naval program, to extend over a series of years, with respect to the construction of new ships.

Third. In what order the United States Navy ranks among the first eight naval powers in naval efficiency, in view of the number, type, age, armor, and armament of its ships and the quality, skill, and discipline of its personnel.

Fourth. What proportion of our naval fighting efficiency is constantly available for instant active sea service in case of emergency.

The Committee on Naval Affairs made no report upon the resolution, and on the 9th of October of that year I called it up in the Senate and asked for some information from the committee. The committee had not considered it and did not consider it. If the committee had considered that resolution at that time and had conducted that investigation, we would have been just about three years ahead in the preparedness of the Navy.

Mr. President, I have always favored a strong Navy, and I think the stronger we maintain our Navy the smaller Army we will be compelled to support.

Mr. OVERMAN. Mr. President, does not the Army appropriation bill call for as much money as the naval bill—$330,000,000?

Mr. BRANDEGEE. I have not yet seen the Army appropriation bill. Whatever it does require would not be inconsistent with my statement. I say that by as much as the Navy is stronger, by so much can we reduce the Army.

Mr. OVERMAN. I agree with the Senator thoroughly. I have always supported a strong Navy ever since I have been in the Senate; but I agree with him that we do not need as large an Army program as a naval program.

Mr. BRANDEGEE. Mr. President, the situation was that we had determined upon a regular building program of two battleships each year, and in 1912 the House of Representatives, having become Democratic, departed from that policy and passed a bill providing for one battleship and sent it over here. The Senate committee proposed an amendment increasing the number to two, and the department sent a letter over here, which I am going to read to the Senate in just a minute, as it will take only a few minutes. I moved to raise the number to three battleships; and upon that motion, on a yea-and-nay vote, on February 28, 1913—as will appear on page 4312 of the RECORD of that year—21 Senators voted in favor of three battleships. Of this number only two were Democrats. If we had authorized those three battleships then, three years ago, the Navy would have been that number ahead at the present time.

What did the department do? Here I find a very short statement from the Navy Department, which was put into the RECORD by Senator Perkins, who was chairman of the Naval Committee at that time. I will read it:

FEBRUARY 27, 1913.

The President has declared that "Until peaceful means for settling all international controversies are assured to the world, prudence and patriotism demand that the United States maintain a Navy commensurate with its wealth and dignity."

This additional battleship is essential to our peace and prosperity. It is required if we would maintain our national prestige and is a part of the assurance of our national integrity. Its building, rather than being an expense to our people, should be regarded as a source of income in that its fabrication will furnish employment for thousands of workmen in practically all the allied trades throughout the entire country.

The command of the sea can only be attained through are adequate navy.

A battleship requires approximately three years for its construction. In time of actual or impending war the entire wealth of the United States would not permit of the purchase of such a vessel in the markets of the world.

The United States, with its wealth, its extensive coast line, the Panama Canal, the Monroe doctrine, can not be the first of the great world powers to deliberately reduce its naval strength; to do so is but to invite disaster.

The 13-inch guns of the *Oregon*, *Massachusetts*, and *Indiana*, and the 12-inch guns of the *Iowa*, *Kearsarge*, and *Kentucky* are of low velocity and short range when compared with batteries of the modern dreadnaught. In a fleet action these vessels of ours would be annihilated by the modern high-powered vessel fighting from a range that would render them practically immune to any of our 12-inch or 13-inch shells.

By January 1, 1917, Germany will have 26 dreadnaughts in commission and the United States only 15, even if two are now appropriated for.

In spite of the recommendation of the department, only one dreadnaught was authorized by Congress that year.

Mr. President, a navy becomes efficient in two ways: First, if it is strong enough, it scares people from attacking you; second, if you have to fight, by having your Navy strong enough you can whip your enemy. On that point, which seems to me to contain some common sense, I desire to read to the Senate a brief paragraph which appears on page 4428 of the RECORD of this session, under date of March 20, 1916, which is by Arthur H. Pollen, the British expert. He says:

The strength, then, of the Navy that America requires must be dictated by the combined strength of the nations whose hostility to American policy and American ideals there is reason to fear. It is a question not for naval experts but for statesmen to settle. When it is settled, the equivalent of the Navy required may, to a great extent, be determined by arithmetic. Relative battleship strength is the first point, though it is not the only one. When a list has been made of the powers that may become enemy, add their battle fleets together, estimate what their strength is likely to be at any future date, and provide the battleship strength necessary for meeting it. With two final observations I shall leave this part of the subject. The General Board and Mr. GARDNER want a navy equal to the strongest maintained by any single power. If this is an intelligible, it is also a large and costly policy. But remember that it is not so costly as failure to have adequate naval strength when the time of trial comes. Secondly, if you want a successful naval war, provide a force at least 40 per cent greater than that you are likely to meet. If you want an exciting naval war, provide one which is approximately equal. But a navy which is smaller in numbers and less in power than that of the probable opponent is demonstrably worse than useless. It is useless because there seems no rôle at all for an inferior fleet. It neither protects nor enables you to attack. And it is worse than useless, because to possess a great fleet which is not great enough to fight successfully is a waste of treasure and effort and men in time of peace and a source of bitter humiliation in time of war.

Mr. LA FOLLETTE. Will the Senator give the page from which he is reading?

Mr. BRANDEGEE. It is page 5075 of the RECORD of this session—March 20, 1916.

Mr. President, there has been a great deal of philosophy talked upon this subject. The Senator from Iowa yesterday afternoon indulged in a disquisition which embraced the contests which have taken place among civilized nations since the days of Greece and Rome. I do not mean that he did it tediously at all. He did it very entertainingly. But, Mr. President, to draw inferences from previous contests and attempt to apply them to the future, and to regulate your conduct according to them, and stake your all and your future on the theory, the mere guess, that your judgment may be right, is not a safe thing for this Nation to do.

Of course, nobody wants war if he can keep out of it. I do not believe, and I do not believe that anybody else in this country, at least, believes, that we are building a large fleet or increasing our military strength in order to take advantage of any other nation. In my view, we are building it to protect our own rights, to protect our own citizens and their property, and to guarantee that this great democracy—the only great and free one in the world, apparently, so ideally situated to perpetuate itself if it be left alone—shall be perpetuated, and no chance shall be taken about it.

Why, Mr. President, if people believe that there is no possibility of our having to have a war with another nation, I can not understand how they vote for any navy at all. It is a pure waste of money to have any.

When I vote money for building these fighting ships, I am voting that money to build those ships with the idea that some day they may—although I hope they will not—have to fight. That is what they are—fighting machines! I am under no illusion that I am building them to promote good will and peace on earth, except as peace can be promoted by the fear of attacking us. I am building them to protect this country in its rights and to perpetuate this Nation, and if it is necessary to fight to do it, I am willing to do it with the last ounce of vigor and the last gun and the last man in this Nation—and I glory in that attitude.

Some people seem to feel ashamed, if some bandit comes along and threatens their life or their property, to protect themselves. Well, I am not; and I do not think he is a true American who wants to stake the future of his country upon the proposition that he will not fight. I do not believe that the pacifists when they were attacked would stand on their theories. I think they would fight for their homes and their firesides and their native land as courageously as anybody else. They may think they would not, but they would, because they are human.

Therefore, whether you will have an effective Navy, whether you vote "yes" or "no" on this bill, depends upon your guess as to whether you are ever going to need one or not. I hope the people who say we are in no danger and never will be are right. If so, we will have lost the interest on some money; but if they are not right, and we make this provision, we will have saved our country. If they are right, we would have paid so much for insurance. If they are wrong, and we do not have the insurance, the democracy of the world has lost its highest exemplification, and the future would perhaps never be able to restore liberty as we have known it and enjoyed it.

Now, take your choice. Either have no Navy at all or let us have an effective one. I want it strong enough so that there will be a large margin of safety. What is a hundred million dollars for a few more battleships if it decides the fate of the world at the critical minute?

Mr. President, we have been very lucky as a Nation. We have had no serious contests with the more powerful nations of the world. Whenever we have had a war with Great Britain their attention has been diverted and distracted. They have been attacked on the flank and had to confine their attention to European affairs, so that we have won more by the fact of practically having Europe as our ally than through our own unaided efforts.

The Senator from Wisconsin [Mr. LA FOLLETTE] yesterday afternoon, in his very able speech, from his own point of view and those authorities from which he read, seemed to think, if I gathered his idea correctly, that because our coast defenses at certain fixed points were up to date, therefore there was no possibility of an invasion of this country. Why, Mr. President, those coast defenses may be perfectly effective where they are located, but they do not prevent an army from landing in this country. There are many points where they could land which are not protected at all. Only the large cities and strategic points are protected. Canada is entirely unfortified on both coasts, and so is Mexico; and any foreign power could land an army on either coast of either of those countries and march right across an unprotected border. Then of what avail would our coast defenses be, stationary as they are, at New York and San Francisco and other fortified points, with their guns on fixed emplacements?

Of course, the more effective the coast defenses are at any particular point, the more that point is avoided by the invader, if there be one. Now, will there be one? I do not know. I hope not. I think very likely it would take great courage and a great inducement for a foreign power to attempt to invade this country. But, my friends, we have seen remarkable things in Europe in the last two years, which we never would have believed before. Some people think that when this war is over it will mark the end of all danger from Europe and Asia for all time. They say the present belligerents will be exhausted and their treasuries depleted. Why, Mr. President, after we had fought in this country for four years, the greatest war up to that time, we were not so depleted but that when Maximilian was on the throne in Mexico in 1865, and he was warned out, the proudest empire in Europe had to withdraw their army. Nations can be pretty well depleted in their treasuries, but if they have an organized and trained army of veterans, and a naval escort for them, as somebody is going to have when this war is over, they have all the more inducement to come and collect where they can collect and to fill their depleted treasury.

"Oh," somebody says, "that would be the act of a buccaneer." What is going on in Europe to-day? What is going to go on, when terms of peace are made, in the way of demand for indemnities, and things of that kind? We have seen Japan and Russia make war upon each other almost to the point of extermination, and within a few years we see Russia more powerful than she ever was, with armies in the field now which she did not dream she could raise when she fought Japan, and with Japan more powerful on the sea and on the land than she ever was. Both of them are in debt, yes; but are they powerless because they are debtors?

The pacificists and that school which is trying to leave this Nation unprotected, or not sufficiently protected, seem to think that we are never going to assert anything that will get us into trouble.

Mr. President, the Senator from Wisconsin [Mr. LA FOLLETTE], who spoke yesterday, alluded to the way in which Germany had been confined and thwarted in her efforts to successfully expand and acquire the necessities for her industrial development, and he intimated, if I understood him correctly, that restriction by the enemies of Germany was largely the cause of the great war that is going on now.

Mr. TAGGART. May I ask the Senator a question?

Mr. BRANDEGEE. Certainly.

Mr. TAGGART. In the amendment, just before the point where the amendment of the Senator from Colorado applies, it reads:

For the purpose of further increasing the Naval Establishment of the United States the President of the United States is hereby authorized to undertake prior to July 1, 1919, the construction of the vessels enumerated below.

Does the Senator understand by that language that they are to be completed within five years after authorization?

Mr. BRANDEGEE. By or before that period. It undertakes their construction. It takes three years to build them.

Mr. TAGGART. But the point I am trying to find is if we authorize the President to undertake the construction prior to July 1 or after the passage of the bill. The money is appropriated to begin the construction of those ships and they are to be completed within a period of three years.

Mr. BRANDEGEE. What is the Senator's question?

Mr. TAGGART. The question is at what period of time after the passage of this bill and the appropriation could they commence the construction of these battleships?

Mr. BRANDEGEE. I think under the language of the bill they could begin at any time. If the Senator will look down at line 10, it provides that four of these are to be begun as soon as practicable. I suppose it is not possible for Congress to fix the exact date upon which work may be begun. They have first to advertise and get bids, and then there has to be an acceptance of the bids if they come within the authorized price.

Mr. TAGGART. I was wondering if the suggestion made by the Senator from Colorado, if his amendment was adopted, it would still give them an opportunity to build them just as fast as they could, to be completed in that time, namely, five years, and in the meantime, if it was found necessary, as they progress they could be built faster.

The reason why I asked the question is that I am figuring that there are not enough shipyards in the country to build them all at once or in three years, and within a period of five years it would make it a little easier on the taxpayer.

Mr. BRANDEGEE. I get the Senator's idea, but if the Senator is at all correct in his assumption, and I have heard other Senators say it also—to wit, that these ships could not be begun, owing to the limitations of the shipyards—the danger which the Senator apprehends would not occur.

But, Mr. President, if I can help to influence it, even to the small extent of my own vote, I want to see the Government committed to a building program which will amount to something. There is no means of knowing exactly down to the fineness of one ship whether your fleet is going to equal or exceed that of the enemy's fleet. I want to make assurance doubly sure. The expert naval critic from whom I read a few moments ago states that there ought to be 40 per cent margin of superiority to have anything like assurance. We all know the dangers to these great vessels by internal explosion, and when it takes three years to construct a vessel of this kind what would happen if you chance to get the worst of the first fight and lose half a dozen of the large units of your fleet. It might decide the fate of the whole war unless you have some surplus strength.

I want to see these first-class ships constructed as rapidly as possible and put in commission. I have no fear that the program is too large, Mr. President; and I hope that the Senate conferees, if it is passed, will stand by the action of the Senate and will not yield to the House in the attempt to reduce this program. There is too much at stake, Mr. President.

As I was about to say when the Senator from Indiana [Mr. TAGGART] asked me the question and temporarily diverted me from what I had in mind to say, when this war is over and these nations are hungry, bankrupt, those former enemies, or certain sections of them, are sure to become friends again.

The alliances of the European and Asiatic powers are shifting sand. Japan is to-day helping to finance Russia and sell her war material, when a few years ago she was like a tiger at her throat. Great Britain and Russia, which were hereditary enemies, are now allies, fighting their former friend, Germany. At the close of this war, with all the restraints torn down, with international law made a "scrap of paper," with the wreck of Europe lying at their feet, there is nothing at all to prevent Germany and Japan, if you please, or any other European nation, making an alliance with an Asiatic nation, and we may be driven to fight on both coasts of this country.

Do you want to take the chance? Suppose they decide not to touch us, but to go and take Mexico or South America, to get their mineral fields there and to develop their industries, and instead of preying upon each other over there, to take South America and exploit it and develop it. Where do we come in with our Monroe doctrine? Mr. President, we must either defend it or drop it. What should we do without a navy? How could we hold the Philippine Islands without a navy. We must either defend them or abandon them.

There is nothing more probable than that if the Teutonic allies win this war they will pay no more attention to the Monroe doctrine than they would to a Massachusetts blue law. If the Teutonic allies are powerful enough to vanquish the entente allies, they are powerful enough to take South America under the present preparedness condition of the United States. With the United States having its historic policies and having its views about foreign relations, and being pretty free to assert them, having its commerce upon the seas and its export and import trade to maintain and protect, and its "open-door" policy in the Orient to maintain, who is to say that when we make demands upon foreign nations they are always to be complied with, because they want our respect or our brotherly love?

I want to see this Government powerful enough to maintain its own life and its own honor, and, Mr. President, I am willing to disarm whenever the other nations disarm. But we have proposed over and over again to other nations to disarm or to restrict their armament. None of them would think of doing it. It is an idle dream, therefore, for us to think about doing it until they will do it also.

So, Mr. President, once for all I want to say that I shall vote against every amendment which proposes either to lengthen the number of years through which this construction shall be extended or to reduce the ships authorized. I am sorry that this bill does not contain proper provision for a general staff of the Navy, for I think that is greatly needed, and I do not think the restricted authority given to what is known as the "Chief of Naval Operations," with 15 assistants, at all meets the necessity for an expert comprehensive "general staff" for the Navy.

Mr. SHAFROTH. I ask that the amendment may be read.

The PRESIDING OFFICER (Mr. OWEN in the chair). The amendment will be read.

The SECRETARY. On page 170, line 4, strike out the date "1919," and insert "1921."

Mr. GALLINGER. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. MYERS (when his name was called). I transfer my pair with the Senator from Connecticut [Mr. MCLEAN] to the Senator from Nebraska [Mr. HITCHCOCK] and vote "yea."

Mr. THOMAS (when his name was called). Making the same announcement of the transfer of my pair that I did before, I vote "yea."

Mr. TILLMAN (when his name was called). Repeating the announcement made a little while ago, I vote "nay."

The roll call was concluded.

Mr. REED. I transfer my pair with the Senator from Michigan [Mr. SMITH] to the Senator from Delaware [Mr. SAULSBURY] and vote "nay."

Mr. CHILTON. Making the same announcement of my pair and its transfer that I did on the former vote, I vote "nay."

Mr. WALSH. I transfer my pair as before stated and vote "nay."

The result was announced—yeas 21, nays 56, as follows:

YEAS—21.

Bankhead	Kenyon	Norris	Underwood
Clapp	Kern	Robinson	Vardaman
Cummins	La Follette	Shafroth	Works
Gronna	Lane	Sterling	
Hardwick	Martine, N. J.	Taggart	
Johnson, S. Dak.	Myers	Thomas	

NAYS—57.

Ashurst	Fletcher	Owen	Smith, S. C.
Beckham	Gallinger	Page	Smoot
Borah	Harding	Penrose	Stone
Brady	Hollis	Phelan	Swanson
Brandegee	Husting	Pittman	Thompson
Broussard	James	Poindexter	Tillman
Bryan	Johnson, Me.	Pomerene	Townsend
Chamberlain	Jones	Ransdell	Wadsworth
Chilton	Lee, Md.	Reed	Walsh
Clark, Wyo.	Lewis	Sheppard	Warren
Colt	Lodge	Sherman	Weeks
Culberson	Martin, Va.	Simmons	Williams
Curtis	Nelson	Smith, Ariz.	
Dillingham	Oliver	Smith, Ga.	
du Pont	Overman	Smith, Md.	

NOT VOTING—17.

Catron	Hitchcock	McLean	Smith, Mich.
Clarke, Ark.	Hughes	Newlands	Sutherland
Fall	Lea, Tenn.	O'Gorman	
Goff	Lippitt	Saulsbury	
Gore	McCumber	Shields	

So Mr. SHAFROTH's amendment to the amendment was rejected.

The VICE PRESIDENT. The question recurs on concurring in the amendment made as in Committee of the Whole.

Mr. SWANSON. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. COLT (when his name was called). Making the same announcement that I did before in regard to my pair and its transfer, I vote "yea."

Mr. MYERS (when his name was called). I transfer my pair with the Senator from Connecticut [Mr. McLEAN] to the Senator from Nebraska [Mr. HITCHCOCK] and vote "nay."

Mr. THOMAS (when his name was called). Making the same announcement as heretofore, I vote "nay."

Mr. WALSH (when his name was called). Repeating the announcement made on a prior roll call, I vote "yea."

The roll call was concluded.

Mr. CHILTON. Making the same announcement as on a former vote, I vote "yea."

Mr. REED. Making the same transfer as on the previous vote, I vote "yea."

Mr. CURTIS. I am requested to announce that the Senator from Utah [Mr. SUTHERLAND] is paired with the Senator from Arkansas [Mr. CLARKE].

The result was announced—yeas 61, nays 15, as follows:

YEAS—61.

Ashurst	Hardwick	Page	Smoot
Beckham	Hollis	Penrose	Sterling
Borah	Husting	Phelan	Stone
Brady	James	Pittman	Swanson
Brandegee	Johnson, Me.	Poindexter	Taggart
Broussard	Johnson, S. Dak.	Pomerene	Thompson
Bryan	Jones	Ransdell	Tillman
Chamberlain	Kern	Reed	Townsend
Chilton	Lee, Md.	Shafroth	Wadsworth
Clark, Wyo.	Lewis	Sheppard	Walsh
Colt	Lodge	Sherman	Warren
Dillingham	Martin, Va.	Simmons	Weeks
du Pont	Martine, N. J.	Smith, Ariz.	Williams
Fletcher	Nelson	Smith, Ga.	
Gallinger	Oliver	Smith, Md.	
Harding	Owen	Smith, S. C.	

NAYS—15.

Bankhead	Gronna	Myers	Underwood
Clapp	Kenyon	Norris	Vardaman
Cummins	La Follette	Robinson	Works
Curtis	Lane	Thomas	

NOT VOTING—19.

Catron	Gore	McCumber	Saulsbury
Clarke, Ark.	Hitchcock	McLean	Shields
Culberson	Hughes	Newlands	Smith, Mich.
Fall	Lea, Tenn.	O'Gorman	Sutherland
Goff	Lippitt	Overman	

So the amendment was concurred in.

The VICE PRESIDENT. The question now is on concurring in the amendment of the Senate made on page 175.

Mr. CUMMINS. Mr. President, I reserved this amendment for a separate vote, hoping that the previous amendment might be modified in some way. We have not been able to modify it or to change it in any respect, and therefore I shall not offer the amendments to the committee amendment on page 175 which I had in mind at the time the reservation was made.

The VICE PRESIDENT. The question is on concurring in the amendment made as in Committee of the Whole.

Mr. LA FOLLETTE. Mr. President, I do not propose to prolong this debate. Nothing will change the result here in the Senate at this time. I rise now, however, to ask leave to incorporate in connection with the observations which I submitted on this bill yesterday certain printed matter, extracts from books, and certain tables, which I did not then take the time of the Senate to read and which I do not care to take the time of the Senate to now read if I may have permission to print them in connection with my remarks.

The VICE PRESIDENT. Is there objection?

Mr. PENROSE. Mr. President, I think the Senator from Utah gave notice to-day in relation to printing——

Mr. SMOOT. Not when the request is to print certain matter as a part of a Senator's speech. There is no objection to that.

Mr. PENROSE. I have no objection.

Mr. LA FOLLETTE. It would not take very much to induce me, you know, to proceed now to read the matter into the RECORD.

Mr. PENROSE. If the Senator from Wisconsin desires to do so, I shall insist on my objection; otherwise I shall withdraw it.

The VICE PRESIDENT. Without objection, the request of the Senator from Wisconsin is agreed to.

Mr. SWANSON. The Senator from Iowa [Mr. CUMMINS] has withdrawn his request for a separate vote on the amendment made as in Committee of the Whole on page 175.

The VICE PRESIDENT. The question is on concurring in the amendment.

The amendment was concurred in.

The VICE PRESIDENT. The bill is still in the Senate and open to further amendment.

Mr. LEWIS. Mr. President, I merely tender an amendment to remedy an omission. I move, on page 20, line 7, to strike out the sum "$80,000" and in lieu thereof to insert "$140,000" in the appropriation for the naval training station on the Great Lakes.

The VICE PRESIDENT. The amendment proposed by the Senator from Illinois will be stated.

The SECRETARY. On page 20, line 7, it is proposed to strike out the sum "$80,000" and in lieu thereof to insert "$140,000," so as to read:

In all, naval training station, Great Lakes, $140,000.

Mr. LEWIS. The failure to recommend that sum was purely an error. It is merely with the object to remedy that that the amendment is offered, so that the station there may be continued.

Mr. SWANSON. I understand there was some mistake in regard to that matter, and I will accept the amendment for the consideration of the committee of conference.

The VICE PRESIDENT. The amendment is agreed to, without objection.

Mr. SWANSON. Mr. President, the amendments on page 4, as I understand, were adopted?

The VICE PRESIDENT. Those amendments have been agreed to.

Mr. SWANSON. That disposes of all the amendments.

The VICE PRESIDENT. The bill is in the Senate and open to further amendment. If there be no further amendment, the question is, Shall the amendments be engrossed and the bill be read the third time?

The bill was read the third time.

The VICE PRESIDENT. The question is, Shall the bill pass?

Mr. LA FOLLETTE, Mr. TILLMAN, Mr. VARDAMAN, and others called for the yeas and nays.

The yeas and nays were ordered.

Mr. TILLMAN. Mr. President, I wish to make a few observations before the bill is passed. First, I wish to say that on yesterday, in some way or another, I mislaid a document which I received from the Navy Department to be inserted in the RECORD with the other matter which I desired inserted in reference to armor plate from the Manufacturers' Record. I now ask that the paper which I send to the desk be inserted in the RECORD.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The document referred to is as follows:

SECRETARY OF THE NAVY,
Washington, July 20, 1916.

Hon. B. R. TILLMAN,
Chairman Committee on Naval Affairs,
United States Senate.

MY DEAR SENATOR TILLMAN: In compliance with your request for certain information in regard to the armor-plate question, I am inclosing herewith a letter from the Bureau of Ordnance with appendices A, B, C, D, and E.

Sincerely, yours,

JOSEPHUS DANIELS.

[Inclosures.]

NAVY DEPARTMENT,
BUREAU OF ORDNANCE,
Washington, D. C.

From: Bureau of Ordnance.
To: Navy Department.
Subject: History of Midvale Steel Co.'s entry into armor manufacture and of the Midvale Steel Co.'s manufacture to date.

1. On August 10, 1901, the Midvale Steel Co. made its initial bid on armor. This was the lowest bid submitted, but was not accepted. The Midvale Steel Co. had no plant at that time, but proposed to commence deliveries 26 months from date of contract. The Midvale Steel Co. protested on nonacceptance of its bid (copy of protest attached, marked "A"; copy of department's action attached, marked "B").

2. In October, 1903, the Midvale Steel Co. bid on armor, was the lowest bidder, and was awarded its first contract. The contract called for a little more than one-third of the total armor called for by the Government. On this contract it was found that the Midvale Steel Co. could not deliver certain armor by the time that the shipbuilder desired it. The Midvale Steel Co. relinquished 614 tons of the armor, which was subsequently manufactured by the Bethlehem Steel Co. There was nothing to show that this armor would not have been delivered on contract time, but the bureau gave it to the Bethlehem Steel Co. in order to avoid claim for damages for delay from the shipbuilder. (See H. Doc. No. 351, 58th Cong.; copy attached, marked "C." Midvale average price bid, $397; Carnegie and Bethlehem, $450.60.)

3. In January, 1905, the Midvale Steel Co. was the lowest, the prices being the same as in 1903. The Navy Department appointed a board of naval officers to examine into the facilities

of the Midvale Steel Co. for making armor, and as a result of the report of this board the department awarded but 1,000 tons to the Midvale Co. (Correspondence shown in H. Doc. No. 351, 58th Cong., copy attached, marked "C.")

4. In July, 1906, the Midvale Steel Co. was the lowest bidder and received a contract for one-half the armor; the remainder of the armor was divided between the other two manufacturers at the Midvale price. Midvale average price, $344.50; Carnegie and Bethlehem, $365.50.

5. In 1907 the Midvale Steel Co. was the lowest bidder on a specified tonnage. The department considered the other bids more advantageous, but awarded one-third of the armor to each manufacturer at the price of the lowest bidder. (See Appendix D.)

6. In November, 1908, the Midvale Steel Co. was the lowest bidder by a slight margin and received a contract for one-third of the armor. Midvale average price, $449.75; Carnegie, $472.50; Bethlehem, $451.

7. In August, 1909, the Midvale Steel Co. was the lowest bidder by a slight margin and received contract for one-third of the armor. Average price, same to all, $478.

8. In December, 1910, bids were identical from all companies, except that Carnegie bid $10 lower per ton on class C armor. There was a slight difference in the bids on class E armor. Each manufacturer received contract for one-third of the armor. Average price, same to all, $504.60.

9. In January, 1912, bids were identical, except for class B armor; each manufacturer received the contract for one-third of the armor.

10. In February, 1913, bids differed by a few cents per ton; armor was divided equally among the three manufacturers, at the price of the lowest bidder, the Midvale Steel Co.

11. In August, 1913, bids were opened for battleship *No. 39*. All companies submitted identical bids, which were the same as the price paid for armor under the contracts of the previous year. Revised bids were requested by the Navy Department and were submitted. The Midvale Steel Co. was the low bidder and was awarded contract for all the armor. They subsequently sublet one-third of this armor to each of the other manufacturers.

12. In October, 1914, bids were opened for armor for battleships *Nos. 40, 41*, and *42*. At the request of the Navy Department, the manufacturers submitted new bids on October 26. On that date the Midvale Steel Co. bid $427 per ton for class A armor for one ship. The department (Appendix E) offered the Midvale Steel Co. $425 per ton, which was accepted.

13. In September, 1915, armor bids were opened, and the Carnegie Steel Co. was the lowest bidder by $10 a ton. Contract was awarded the Carnegie Steel Co. at $425 a ton, the same price as paid under the preceding contract. The Carnegie Steel Co. sublet one-third of the armor to each of the other manufacturers.

CHAS. B. MCVAY, Jr.,
Acting Secretary.

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EXTRACT FROM REPORT OF SECRETARY OF THE NAVY FOR YEAR 1900.

On June 18 last the department gave notice throughout the country, by public advertisement, for bids for armor, naming August 10, 1900, for opening them. On that date they were publicly opened at the department. There were three bidders for armor and two for armor bolts and nuts.

The bids for armor were the Carnegie Steel Co. (Ltd.), of Pittsburgh, Pa.; the Bethlehem Steel Co., of South Bethlehem, Pa.; and the Midvale Steel Co., of Philadelphia, Pa.

The first two companies each bid the same, with the stipulation that their bids were for one-half the total quantity called for, and were not to be considered for any less quantity, deliveries to commence in six months.

The Midvale Steel Co. made a sliding scale of bids for varying quantities, qualifying their bids with a statement that none were to be considered unless the company received an order for 20,000 tons, deliveries to commence in 26 months.

The armor first required—namely, 7,250 tons for the *Maine* class of battleships now under construction—manifestly could not be procured from the Midvale Steel Co., as it has no armor plant, and the department could not wait 26 months for first deliveries, which was probably sooner than they could have been made. While, therefore, the Midvale Steel Co. was the lowest bidder, its bid could not be availed of with respect to the armor required for the *Maine* class. Its bid was, however, practicable for armor other than that thus required; but if an award to that company were made the bids of the Carnegie and Bethlehem Cos. would necessarily, under the conditions accompanying them, be lost to the department.

Hence, the only way to obtain armor for the *Maine* class, under the bids as submitted, was to make an award of all the armor to the Carnegie and Bethlehem Cos., which were the highest bidders, or to give it all to the Midvale Co. and wait until the latter company could produce it. Neither of these alternatives was expedient, and consequently all the bids were rejected.

Notwithstanding these facts, the department, in view of the good standing of the Midvale Steel Co. and the fact that it was the lowest bidder, was disposed to award to it some of the armor not required for a considerable time, if satisfactory arrangements could be made with it as to quantity and price, and with the other bidders as to supplying the remainder. To this end a call was issued for a conference of the three companies with the department, to take place October 2. They all announced their intention to be present. On the day appointed, however, no representatives of the Midvale Steel Co. appeared, but a communication was received from its attorneys stating that the company, which had, after the rejection of its bid, filed an appeal insisting on an award, withdrew its appeal and did not desire to be further considered in connection with the matter. Representatives of the Carnegie and Bethlehem Cos. appeared, and, they being the only bidders remaining in the field, negotiations were opened with them.

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NAVY DEPARTMENT,
BUREAU OF ORDNANCE,
Washington, D. C., October 9, 1914.

The MIDVALE STEEL CO.,
Philadelphia, Pa.
(Via Naval Inspector of Ordnance.)

Reference: (a) Proposals for armor for battleships *California, Mississippi*, and *Idaho*, opened on the 7th instant.

Inclosure (herewith): (a) Copy of this letter for naval inspector of ordnance.

SIRS: 1. The department and the bureau had expected a material reduction in the price of armor, in consideration of the fact that the department's requirements at this time were so large as to keep all of the armor plants at full capacity for over a year. This has not been the case heretofore, and if the prices paid were fair ones under the scant orders formerly given, those bid on the 7th must be in excess of a fair price, since the circumstances under which the new armor must be made are more favorable as to cost than has been the case heretofore.

2. The Secretary would be pleased to consult a representative or representatives of your firm on Monday next, October 12, at 1.30 p. m. in regard to the armor bids.

Respectfully,

J. STRAUSS,
Chief of Bureau.

—

NAVY DEPARTMENT,
Washington, October 19, 1914.

The MIDVALE STEEL CO.,
Philadelphia, Pa.

SIRS: The department has determined to hold the award of contract for classes "B" and "C" armor in abeyance for the present.

It is requested that your company consider carefully the question of Classes "A1" and "A2" armor and submit, by letter, your lowest supplementary bid for these two classes by the 26th instant, in order that the matter may be finally determined.

Respectfully,

JOSEPHUS DANIELS,
Secretary of the Navy.

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THE CARNEGIE STEEL CO. (LTD.),
GENERAL OFFICES, CARNEGIE BUILDING,
Pittsburgh, Pa., November 11, 1896.

JOHN G. A. LEISHMAN, *President.*

DEAR SIR: In our respects of June 23, 1896, we stated that as soon as a meeting of our principal partners could be held that we should advise you further in reply to your favor of June 13. This meeting has just been held, and as the result thereof we beg to state that we regret to be compelled to decline any request you make, but believe that upon due reflection you will see that it is impossible for us to open the details of our private business to the eyes of our competitors and to the world.

The cost of making armor is not to be found in the details at the shops, upon which your officers have estimated. Permit us to show you three, among the many elements of cost, which they did not take into account:

First. The capital we have invested in our armor plant is, as stated by our Mr. Carnegie in his evidence before the Senate

Naval Committee, fully $3,000,000. We charged to this account in our books only $2,500,000, the amount paid out; but we ourselves contributed fully $500,000. No charge was made for the ground, railway connections, etc. The water supply is taken from our other works; so also are the electric light and power currents; no charge was made for the proportion of these plants necessary for the armor-plate plant. We charged nothing for superintendence, nor for interest during construction. All of these are legitimate charges and bring the total cost up to something over $3,000,000.

We began making armor plate in October, 1891, and have made to August 1, 1896, 11,039 tons of armor. The interest upon our investment, $180,000 per year, in five years amounts to $900,000, or $81.53 per ton of armor.

Second. The estimate made by your officers took no account of maintenance of plant. This can not be estimated at less than 5 per cent per annum, which makes $150,000 per year, or for five years $750,000, amounting to $67.94 per ton of armor.

Third. The armor plant is practically useless except for the making of armor, therefore when the Navy is finished, say, 10 years hence, we have to face a probable loss of the cost of the plant, $3,000,000. Even if the salvage amounts to $500,000 we have a loss of $2,500,000, equaling in 15 years $166,666 per annum, or $75.49 per ton of armor.

This will make items of cost which were not taken into account in the estimate of your officers as follows:

Interest on plant per ton of armor	$81.53	
Maintenance of plant per ton of armor	67.94	
Loss by abandonment of plant when Navy shall have been completed per ton of armor	75.49	
		$224.96
To the above should be added the cost of working capital, which varies greatly, as works may be run fully, partially, or not at all; but estimated at $1,000,000 average the cost is per ton, say		25.00
Making a total of		249.96

It is because of these and other facts that we do not hesitate to say that the manufacture of armor is not, and can not be made, a permanently satisfactory investment of capital even at the prices charged per ton.

We did not seek the Government order for armor; the Government sought us; and after declining when invited we finally agreed reluctantly to undertake the task, simply because the Government could not get armor for the ships which were upon the stocks waiting for it.

If the Government now desires to undertake the manufacture of armor for itself, we shall only be too happy to sell our plant to it at cost. It is in splendid order, and we refer you to your experts as to whether it is not far more efficient now than when new, as we have continually made improvements upon it.

The plant can remain where it is, and we will undertake to furnish the steel in the ingot at a price to be fixed by three arbitrators, or we will remove the plant and erect it at any point designated by the Government; also erect the additional plant for the making of the steel. We will superintend this and start the works, and continue to operate them until they produce armor successfully, and for all this we will only ask the Government to pay the actual cost.

We undertake also to teach the Government officials how to make such armor as we are now supplying you, which, as you know, holds the world's record.

Having gone into this business primarily to help the Government when it could not obtain armor, we submit to you and to Congress that we have some claim upon the Government to take our plant at cost, and we hope this proposition will meet with favor.

We make about 150,000 tons of finished steel per month and the two or three hundred tons of armor we make per month demand greater attention and give more trouble than all the 150,000 tons. We shall be delighted if the Government will let us out of the armor business. We can use the capital in several lines of our business to better and permanent advantage.

Yours, truly,

THE CARNEGIE STEEL CO. (LTD.),
JOHN G. A. LEISHMAN, *President*,
By L. S. PHIPPS.

To Hon. HILARY A. HERBERT,
Secretary of the Navy, Washington, D. C.

Mr. TILLMAN. Mr President, as chairman of the Naval Committee and as a Senator from South Carolina, I have naturally felt deep interest in whatever concerns the Charleston Navy Yard, and have done all I reasonably could for its development since its establishment. Naturally, too, all items relating to the Charleston yard in this appropriation bill are looked on with suspicion and keen interest by all Senators, both those who are interested in the Navy and others. I hope the Senate will listen to me patiently while I explain and justify what is being done for the Charleston Navy Yard in the appropriation bill we have under consideration. The impression has been tried to be created—and the statement has often enough been circulated to gain credence in some quarters—that the Charleston Navy Yard is on shallow water, unapproachable, and badly located originally, and has only been kept alive by Senator TILLMAN'S influence in the Senate. Its enemies outside of Congress—and some inside—have been numerous and very vicious and unscrupulous in their attacks on it. The ignorance about this yard is lamentable, although the facts are in public documents and easily accessible to anybody not too lazy to look for them. Some people prefer to repeat the lies they have read rather than seek the truth and learn for themselves what are the facts and real conditions.

The Charleston Navy Yard is located on the Cooper River, 5 miles above the city of Charleston, which is itself 7 miles from the entrance to the harbor, making the yard 12 miles from the sea. It is entirely landlocked and the entrance to the harbor is defended by forts which would make it impossible for any battleship to approach near enough to shell either the city or the yard. It was located by a board of naval officers, and the history of its location and the causes for its being transferred from Port Royal can be found in Senate Document No. 86, Fifty-sixth Congress, second session. So much for that.

The Coast Survey charts will show that there is deep water all the way from the bar, 12 miles away, to and above the navy yard, but there are two mud banks opposite Drum Island and a sharp bend in the channel above it which render dredging necessary in order for battleships to reach the yard without running the risk of getting aground. This was contemplated when the yard was established. The House of Representatives incorporated $175,000 in this bill, before sending it to the Senate, for dredging Cooper River, and the Army Engineer's Report (H. Doc. 947, 61st Cong., 2d sess.) shows that for this money the two mud banks can be removed and a channel provided through which the largest battleships we now have or are ever likely to build can steam to the navy yard from the open sea without a tug at any stage of the tide. The facts in regard to this item were presented by Mr. WHALEY, the Representative from the Charleston district, and the arguments were so strong in their character and the proof so indisputable that the item was included in spite of the solid opposition of the Rivers and Harbors Committee, under Mr. SPARKMAN.

That committee refused to listen to any pleas as to the necessity from a naval point of view and refused positively to insert the item in their bill. This dredging will have twofold benefit: It will be for the benefit of commerce and for the benefit of the Navy, too. There are mercantile establishments above the Navy Yard on the Cooper River, mostly engaged in the lumber and timber industry, and vessels drawing 26 feet of water can go to them now.

There can be no reasonable objection to having this dredging provided for in the naval appropriation bill, although it benefits commerce, too. I remember in 1902 and 1903 the naval appropriation bill carried appropriations amounting to about $750,000 for the blowing off of Hendersons Point at the entrance to the Portsmouth Navy Yard. The harbor at Portsmouth has a deep and narrow entrance and the tide rushes in and rushes out with a very swift current. The bay is like a bottle, the entrance being the neck. Before this rock was removed it was decidedly dangerous for large ships to enter. It was thought by the Navy Department that in the interest of the Navy Hendersons Point should be removed; therefore we appropriated money for it. We removed rock at Portsmouth and we now propose to remove mud at Charleston.

It has been charged by unscrupulous slanderers in newspapers that Senator Hale and Senator TILLMAN had a mutual understanding to take care of the Portsmouth and Charleston Navy Yards. A bigger falsehood was never uttered. Senator Hale was not that sort of a statesman, and I can swear that I never said a word to him about the Portsmouth Navy Yard, or the Charleston Navy Yard either, along the lines of mutual understanding. There never have been the least symptom of "you tickle me and I'll tickle you." Both navy yards can stand on their merits, and need no such support. While Portsmouth is in New Hampshire, the site of the navy yard is in Maine, and to that extent the navy yard has been cared for, as far as senatorial influence ever cares for any navy yard, by four Senators rather than two.

Mr. GALLINGER. Mr. President, will the Senator permit just a word?

Mr. TILLMAN. Yes.

Mr. GALLINGER. The appropriation for the removal of Hendersons Point was offered by me first, and without consultation with former Senator Hale. It was offered by me as an amendment to the river and harbor bill. It was not received favorably by the committee having that bill in charge, but they suggested that it more properly belonged to the naval appropriation bill. I then offered it to the naval appropriation bill, and it was accepted and became a part of that law; so that the Senator is absolutely right when he says that there was no collusion or suggestion of a trade between Portsmouth and Charleston in regard to this matter.

Mr. TILLMAN. Now, why the appropriation of a million and eighty-five thousand dollars for the lengthening of the dry dock? The reasons are cogent and easy to give. There is nowhere in the United States a dock where a battle cruiser of such type as we propose to build can be taken care of. We have provided for four battle cruisers—the House wanted five—and it is vitally important that we should prepare docks to take care of them after they are constructed. It will take three years to build the cruisers and three or four years to construct the docks. The Charleston dock is deep enough, and wide enough, too, to accommodate battle cruisers or any other ships we have, and that dock can be lengthened sufficiently in 18 months to accommodate any battle cruiser we now contemplate building. Therefore, it seems to me a very wise and necessary step to take to have this dock so lengthened that it can accommodate battle cruisers, those we now have and those we expect to build. That is what this item is for.

It will take $3,500,000 to build a new dry dock long enough to take a battle cruiser, while the lengthening of this old dock only requires $1,085,000, and the $175,000 to dredge the channel, making a total of $1,260,000, giving us a dry dock as long as any we need have in only 18 months, accessible at all stages of the tide and capable of docking the largest ship we now have or are likely to build any time soon.

The accompanying memorandum prepared by Admiral Harris, Chief of the Bureau of Yards and Docks, and one of the most accomplished engineers in the United States or anywhere else, tells all about the battle cruisers, and the docking facilities on both the Atlantic and Pacific coasts. I ask to have it inserted in the RECORD at the end of my remarks without reading, unless Senators want to have it read, so that access to it can be had. I ask to have it inserted in large type, so that it will be easier to read. The fine print in which such papers usually appear is very trying to my eyes, and I presume the eyes of many others are not much better than mine.

I trust that when my critics have read what I have said to-day they will have the decency and sense of fairness to acknowledge the error of their ways and the lack of information about the Charleston Navy Yard. And I hope those newspapers that have industriously circulated the stories about the mud at Charleston and the inability of our ships to reach the yard will print the actual facts, as I have stated them, and cease their slanderous stories about Charleston and me.

In conclusion, Mr. President, I can not allow this bill to go to passage without expressing my thanks and appreciation to the members of the Senate Naval Committee for the hearty cooperation and assistance they have given me in its preparation and passage, especially to Senators SWANSON and LODGE. We have all worked together harmoniously; and if the bill is a good one, as I believe it is, credit is due to them more, perhaps, than to myself.

The VICE PRESIDENT. Without objection the matter referred to by the Senator from South Carolina will be printed in the RECORD in large type.

The matter referred to is as follows:

MEMORANDUM FOR SENATOR TILLMAN BY ADMIRAL HARRIS, CHIEF OF THE BUREAU OF YARDS AND DOCKS.

"MAY 15, 1916.

"It is evidently the intention to provide for the construction of several battle cruisers in the present naval act. The consensus of naval expert opinion is that the provision of such a type of vessel in our Navy is essential for naval preparedness. Battle cruisers have played an important part in such naval actions as have taken place in the present European war, notably off the South American coast in the sinking of the *Scharnhorst* and *Gneisenau* of the German squadron by the squadron under Admiral Sturdee; the action in the North Sea between the two squadrons of German and British battle cruisers, and various raids on the coast of England by German battle cruisers.

"The essential elements of this type of ship are great speed and large gun power. To secure these requirements large displacement, and especially length, are involved. The battle cruisers that will be provided for in the present naval act will be at least 850 feet in length, more than 200 feet longer than the largest dreadnaught battleships that we have ever planned. It is apparently mandatory that we should embark at once on this type of naval construction, involving an unprecedented jump in the length of naval vessels.

"The naval dry docks that we have at the present have been designed and built for docking battleships, and when they were authorized and laid down no one even thought of the possibility of having to provide for docking vessels as long as these battle cruisers will be. As a consequence of this new development in naval architecture, there is not now a dry dock in the United States that is long enough to dock these ships when they are completed and in commission.

"We are building a dry dock at Pearl Harbor in the Hawaiian Islands which is to be 1,000 feet long, but they have had a great deal of trouble with this dock in the past, and the chances are that its construction will be a difficult and slow process, and it may not be completed and ready for use in time to receive these battle cruisers upon their completion.

"The State of Massachusetts, for its own commercial ends and also as a patriotic act, for which the State is entitled to great credit, is building a dry dock over 1,000 feet long in Boston. They expect to have it completed in 1919, but there is no assurance that it will be completed then; in fact, there is no assurance that they may not change their mind and discontinue its construction. In other words, it is a matter under the control of the Commonwealth of Massachusetts and not under the Federal Government or the Navy's control.

"The Union Iron Works, of San Francisco, Cal., has, under authority of an act of Congress, entered into a contract with the Navy Department for the use of a dry dock 1,000 feet long that they are to build in San Francisco. Under the terms of this contract the dry dock is to be completed within two years from now. However, while having the usual assurances of a contract of this character, we have no direct control of many other things which I foresee and still many more things which I do not foresee, that may happen and prevent the completion of this dry dock in that time, or even at all.

"A dry dock 1,000 feet long is being constructed and is well advanced at Balboa, Panama, Canal Zone, and will probably be ready for use in a few months from now.

"We are going to authorize the construction of at least four battle cruisers involving a cost between seventy-five and eighty million dollars, and they will probably be completed and in commission in about three years from now. In the ordinary course of events—that is, in peaceable times just for practice and cruising, a ship like that must be docked regularly—that is, once or twice a year—for scraping and painting; otherwise her bottom becomes foul and is covered with barnacles and marine growth and she becomes heavy and difficult to propel through the water and loses her speed, the most essential requirement of a battle cruiser. Or even worse, if the ship runs aground or gets into a collision she must be taken into a dry dock to be repaired. But principally we are going to build these battle cruisers to have them ready for use in case we should get into difficulties with some other nation, and to use them in that way means to use them in battle, and we must expect to have some of them injured under water by gunfire or by torpedoes, just as has happened with the British battle cruiser *Tiger* in the North Sea action, and when so injured they are, of course, useless until they can be taken into some dry dock and be repaired, so that if you do not make provision for the dry docks for these ships it is useless to build them. In fact, if you build them without providing dry docks for them you might lose one or more of them through collision or battle damage, where otherwise you could have saved them and made them ready again for service if you had had foresight enough to provide dry docks convenient and close to where the accident or damage occurred.

"Now, a new dry dock of the large size required would cost about $4,000,000, and this is a great deal of money; but, even so, it is only a fractional part of the cost of a single battle cruiser. It takes as long, or longer, under the most favorable conditions to build a dry dock than it will take to build one of these battle cruisers.

"We are going to build these battle cruisers; we have not a naval dry dock completed that will dock them. By the time they are completed we will undoubtedly have the Panama dry dock ready for them. We may have the dry dock at Pearl Harbor ready for them, but that is not certain. If things go well and the State of Massachusetts and the Union Iron Works do not change their minds about it, we may have the Boston State dry dock and the Union Iron Works dock at San Francisco ready for them. If the present naval act provides for a new dry dock at Norfolk and at Philadelphia, we will surely have those docks ready some day; but, considering our past expe-

rience on dry-dock construction, I am not far off in predicting that they will not be ready in time to dock these battle cruisers.

"Just picture the situation that we may be in with four of these magnificent, costly vessels, and the only place that we can take them for docking and repair will be the dry dock at Panama, or, even if things go well at Pearl Harbor, they will only then have the choice of being docked in Panama or in the middle of the Pacific—the Hawaiian Islands. That means that whether we like it or not and even if it does not fit in with our plans of strategy our squadron of battle cruisers will have to be kept in the Pacific Ocean or on the Caribbean Sea, or at least will have to go there twice a year to be looked after for repairs. In case we should need them for the ultimate purpose for which they are built—to use against an enemy—with the possibility of being damaged and requiring immediate repairs to save them from sinking, we would have to select an obliging enemy, who would be willing to fix the scene of naval combat in the vicinity of either the Panama Canal or the Pearl Harbor dry dock; and, of course, our friendly enemy would be as familiar with our predicament as we are, and would undoubtedly be disobliging enough to insist on fighting at some place other than would suit our convenience.

"If the dry dock that is to be built by the Union Iron Works, of San Francisco, Cal., were completed we would be somewhat better off in the Pacific zone, and if the dry dock being built by the State of Massachusetts in Boston is completed, this would help us a lot in the North Atlantic, so that we would probably have the choice of taking these battle cruisers for docking either to Boston or to Panama, and these two places are over 2,500 miles apart, so that if you had a badly damaged battle cruiser between these points it would be quite a trip for her, in her injured condition, to reach either dock, with a good chance that she would sink before you could get her into one of these ports.

"The Secretary of the Navy recognized this condition, as shown by his statement before the House Naval Committee, on pages 3592, 3593, and 3594 of the published statement of his hearings, in which he urges the construction of a 1,000-foot dry dock at Norfolk, and also suggests that it is desirable to lengthen the Puget Sound dock, and construct 1,000-foot docks at New York and Philadelphia. He shows in his statement that we are hardly warranted in embarking on the construction of battle cruisers unless the dry docks for their docking and repair are also immediately provided for. But he also states, as I have just told you, that it takes longer to build a dry dock than it does to build a battle cruiser, so that any belated action that we might take in making appropriations for the construction of the dry docks that he recommends, namely, at Norfolk and Philadelphia, will not insure that these docks will be completed when the battle cruisers are completed. They probably will not be ready for these battle cruisers until they have been in commission and sailing at sea for a year or so.

"But even with the completion of the Norfolk dock, I want to invite your attention to the fact that the distance from Norfolk to Panama is nearly 2,100 miles, so that if we should have a fleet action take place between Norfolk and Panama the injured ships would have to take quite a long trip to get to either dock, and everyone familiar with the sea knows of the risks of taking an injured ship around Cape Hatteras, and that if we had a dry dock on the Atlantic coast south of Cape Hatteras they would not take the chance of trying to take her around the cape, and such a dry dock under these conditions would very likely mean the saving of one or two of such ships from sinking.

"Of course one dry dock will afford all the necessary docking facilities for a great many ships for ordinary painting and repairing, although in the case of an injury, such, for instance, as happened to the *Arkansas* when she ran aground, that ship may be in the dry dock and prevent its use for other ships for several months. But even so, two, or at the most three, of the big dry docks at one place would supply all of the docking facilities that we would need if we could keep our ships in the general vicinity of this place; but we can not do that. We have a long coast line. The theater of our future naval actions may be in the Pacific, any place in the Atlantic, in the Caribbean Sea, or in the Gulf, and we must provide docks and dockyards with that end in view.

"We have a dry dock in the Charleston Harbor at the navy yard, and it is wide and deep enough to receive battle cruisers or battleships of the larger size; but it is not long enough; its length is such that it can not take ships over 545 feet long. It is possible to extend this dry dock to such a length that it will take ships 900 feet long, and the natural conditions down there are such that this could be done very economically and expeditiously. The Bureau of Yards and Docks estimates the cost of this lengthening at $1,085,000, and states that the construction involves no momentous problems, as the entire site is underlain by a stratum of marl of great thickness. This dock could be lengthened so that it could dock battle cruisers and the whole project carried out and completed within a year and one-half; at least that is what the chief of that bureau tells me, and the work could be so performed that the dock would not be out of use for docking during the entire lengthening period except for about three months, when connection would be made between the extension and the old dock. This process of lengthening was followed out at Norfolk a few years ago, and that dock was in use during the entire period of lengthening except for three months.

"It is desirable now to build dry docks of the same length and width as the locks of the Panama Canal; that is, 110 feet wide by 1,000 feet long. It is not practical to extend the dry dock at Charleston to a length of 1,000 feet, because there is a large and handsome power house in the way, and it would be necessary to destroy this building in order to make the dock 1,000 feet long, and that, of course, is not advisable. However, it could be built 925 feet long, so that it would take a 900-foot ship, which is a greater length than, I am informed, will be required for these battle cruisers. The cost of a new dry dock 1,000 feet long at Charleston, or any other place, would be nearly $4,000,000, and it would undoubtedly require at least four years to build it. But we have an opportunity at Charleston now to lengthen the present dock so that it will answer the purpose of docking battle cruisers at a cost of about a quarter of the cost of a new dock and be ready in a year and one-half, or long before the battle cruisers will be launched and in commission. This is the only yard that we can do this at, as the naval dry docks on the Atlantic coast at Boston and Philadelphia are too narrow and shallow. The large dry dock at New York can not be lengthened; they have not the space; and the dry dock at Norfolk has already been lengthened as much as it is practicable to lengthen it.

"If we are going to build these battle cruisers—and I take it we are, and I, for one, am in favor of building them—we should have a dry dock on the Atlantic coast south of Hatteras capable of docking them; and above all things, we should have a dry dock on the Atlantic coast ready to receive them when they are launched, and the only way of surely securing such a dry dock for them is to lengthen the dry dock at Charleston, because the conditions down there are such that this can be done before these ships are afloat; and besides, it will only involve an expenditure considerably less than one-third of the cost of a new dry dock."

The VICE PRESIDENT. The question is on the final passage of the bill, on which the yeas and nays have been ordered. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CHILTON (when his name was called). Making the same announcement of my pair and its transfer, I vote "yea."

Mr. COLT (when his name was called). Making the same announcement as heretofore, I vote "yea."

Mr. MYERS (when his name was called). I make the same announcement about the transfer of my pair that I made on the last vote, and vote "yea."

Mr. THOMAS (when his name was called). Making the same announcement as heretofore, I vote "nay."

Mr. TILLMAN (when his name was called). I make the same announcement as heretofore in regard to my pair and its transfer, and vote "yea." I take this occasion to announce that the senior Senator from New York [Mr. O'GORMAN] has requested me to say that if he had been present he would have voted in accordance with the recommendations of the committee, and that he is in favor of the passage of this bill.

Mr. UNDERWOOD (when his name was called). I voted for the House program as against the Senate program, and think that should have prevailed. But recognizing the fact that this is one of the great supply bills, and that the majority must control, and that the bill must be passed——

Mr. GALLINGER. Debate is not in order.

Mr. PENROSE. Mr. President, I raise the point of order that debate is out of order. Nothing is in order but the calling of the roll.

The VICE PRESIDENT. That is one of the unfortunate rules of the Senate.

Mr. UNDERWOOD (continuing). I vote "yea." If the Senator had waited a moment he would have heard my vote.

Mr. PENROSE. It would not have made any difference.

Mr. WALSH (when his name was called). Repeating the announcement heretofore made, I vote "yea."

The roll call was concluded.

Mr. REED. Making the same announcement that I made on the last roll call as to my pair and its transfer, I vote "yea."

Mr. CURTIS. I have been requested to announce that the junior Senator from Utah [Mr. SUTHERLAND] is paired with the senior Senator from Arkansas [Mr. CLARKE].

Mr. POMERENE. I desire to announce the unavoidable absence of the junior Senator from Delaware [Mr. SAULSBURY]. He is paired with the junior Senator from Rhode Island [Mr. COLT].

The result was announced—yeas 71, nays 8, as follows:

YEAS—71.

Ashurst	Harding	Newlands	Smith, Ga.
Bankhead	Hardwick	Oliver	Smith, Md.
Beckham	Hollis	Overman	Smith, S. C.
Borah	Husting	Owen	Smoot
Brady	James	Page	Sterling
Brandegee	Johnson, Me.	Penrose	Stone
Broussard	Johnson, S. Dak.	Phelan	Swanson
Bryan	Jones	Pittman	Taggart
Chamberlain	Kenyon	Poindexter	Thompson
Chilton	Kern	Pomerene	Tillman
Clark, Wyo.	Lane	Ransdell	Townsend
Colt	Lee, Md.	Reed	Underwood
Culberson	Lewis	Robinson	Wadsworth
Cummins	Lodge	Shafroth	Walsh
Dillingham	Martin, Va.	Sheppard	Warren
du Pont	Martine, N. J.	Shields	Weeks
Fletcher	Myers	Simmons	Williams
Gallinger	Nelson	Smith, Ariz.	

NAYS—8.

Clapp	Gronna	Norris	Vardaman
Curtis	La Follette	Thomas	Works

NOT VOTING—16.

Catron	Gore	Lippitt	Saulsbury
Clarke, Ark.	Hitchcock	McCumber	Sherman
Fall	Hughes	McLean	Smith, Mich.
Goff	Lea, Tenn.	O'Gorman	Sutherland

So the bill was passed.

Mr. SWANSON. I move that the Senate request a conference with the House of Representatives on the bill and amendments, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the Vice President appointed Mr. TILLMAN, Mr. SWANSON, and Mr. LODGE conferees on the part of the Senate.

THE PUBLIC HEALTH SERVICE.

Mr. MARTIN of Virginia. I ask leave to report back favorably from the Committee on Appropriations the bill (H. R. 17053) making additional appropriations for the Public Health Service for the fiscal year 1917, and I ask unanimous consent for the present consideration of the bill. I will explain to the Senate that it is an emergency appropriation for the relief of the infantile paralysis epidemic and some epidemics of typhoid fever. The bill has passed the House and it is estimated for as an emergency appropriation, and I ask that it be considered by unanimous consent.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the following additional sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Public Health Service for the fiscal year 1917, namely:

For additional assistant surgeons, $50,000.

Interstate Quarantine Service: For cooperation with State and municipal health authorities in the prevention of the spread of contagious and infectious diseases in interstate traffic, $85,000.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ARMY APPROPRIATIONS.

Mr. CHAMBERLAIN. I move that the Senate proceed to the consideration of House bill 16460, the Army appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 16460) making appropriations for the support of the Army for the fiscal year ending June 30, 1917, which had been reported from the Committee on Military Affairs with amendments.

Mr. PENROSE. Mr. President——

The VICE PRESIDENT. Does the Senator from Oregon yield to the Senator from Pennsylvania?

Mr. CHAMBERLAIN. I yield.

Mr. PENROSE. I should like to address myself to the junior Senator from South Carolina [Mr. SMITH] and call his attention to a notice given by him on July 14, 1916, and appearing on the calendar of business, that following the passage of the naval appropriation bill he would move the consideration of the immigration bill. Perhaps the Senator has forgotten that notice, and I wanted to call his attention to it.

Mr. SMITH of South Carolina. No, Mr. President. The fact had been brought to my attention that the Army appropriation bill was to be taken up; but the real facts in the case are that there seemed to be some understanding—certainly on this side—to the effect that these bills should first be passed.

Mr. PENROSE. Which bills?

Mr. SMITH of South Carolina. The appropriation bills.

Mr. CHAMBERLAIN. Mr. President, I did not yield for the purpose——

Mr. SMITH of South Carolina. For that reason I have not called it up. I do not want the Senator to understand that I am derelict in my duty about the immigration bill. This Senate will have a chance to vote on it.

Mr. CHAMBERLAIN. Mr. President, I did not yield to the Senator to raise a discussion with reference to the immigration bill. The Army bill is before the Senate, and I shall insist upon its consideration.

Mr. MYERS. Mr. President, I ask leave to make three reports from the Committee on Military Affairs.

The VICE PRESIDENT. Is there any objection?

Mr. SMOOT. Mr. President, I desire to ask the Senator having the bill in charge whether there is going to be an adjournment this evening and we are to have a morning hour to-morrow, or whether the Senate is to take a recess?

Mr. CHAMBERLAIN. At the request of quite a number of Senators—and I think there is a sort of an understanding to that effect—I am going to ask, at the proper time, that the Senate adjourn until to-morrow morning.

Mr. SMOOT. Then it seems to me that the Senators having morning business ought to leave it until the morning hour, and let us proceed now with the Army bill.

The VICE PRESIDENT. Is there objection to the request of the Senator from Montana?

Mr. SMOOT. I object.

Mr. CHAMBERLAIN. I ask that the formal reading of the bill be dispensed with, and that it be taken up for the purpose of considering the Senate committee amendments.

The VICE PRESIDENT. The Senator from Oregon asks unanimous consent that the formal reading of the bill be dispensed with, and that the bill be read for committee amendments, the amendments of the committee to be first considered. Without objection, it will be so ordered.

Mr. CLAPP. Mr. President, just a moment. If that is to be taken as unanimous consent, I want to object to it. If it is simply a motion, I am willing that it should pass pro forma, as the motions pass.

The VICE PRESIDENT. That is the only way it can be done.

Mr. CHAMBERLAIN. I was putting it in the usual form.

The VICE PRESIDENT. It can not be done by a motion. It requires unanimous consent to dispense with the formal reading of the bill.

Mr. CHAMBERLAIN. I have no purpose in it except to save time. I assumed that Senators had read the House bill.

Mr. CLAPP. I will be very frank with the Senator. It is desired to make a motion and give a notice before this bill is adopted. If the reading of the amendments is likely to take 10 or 15 minutes, I will make no objection to the Senator's request for unanimous consent.

Mr. CHAMBERLAIN. It will take that long.

Mr. CLAPP. Very well. I withdraw the objection.

The VICE PRESIDENT. In the absence of objection, the request of the Senator from Oregon is granted. The Secretary will read the bill for committee amendments.

Mr. CHAMBERLAIN. Mr. President, before the reading of the bill is proceeded with, I desire to make a very brief statement in reference to the subject matter thereof.

The bill as it was reported to the House of Representatives appropriated $157,223,246.10. There was added during its consideration by the House of Representatives $30,365,800, and there was deducted $5,285,690, leaving a net increase of $25,080,110. As it finally passed the House it carried an appropriation of $182,303,356.10. The increases recommended by the Senate—and I call the attention of Senators to the report that came from the committee with the bill—amounted to $154,053,794, and the decreases recommended by the committee amounted to $5,758,140, leaving a net increase recommended by the Senate committee of $148,295,654. So that the total of the bill as reported to the Senate is $330,599,010.10.

Mr. President, that seems like a very large increase, and, as a matter of fact, it is; but the conditions under which the bill was reported to the House not only changed materially from time to time in the course of the consideration of it by the House committee and in the course of its consideration by the House and its passage, but they had changed very materially at the time it was taken up for consideration by the Senate committee. When the House began consideration of the bill on the 20th day of March there had been no law enacted for the reorganization of the Army. There had been no consideration given to the federalization of the National Guard.

When the bill finally passed the House of Representatives on June 26, 1916, the Army reorganization bill had just passed Congress, but the House of Representatives did not have reliable

and full estimates based upon that reorganization, nor upon the expenses of the National Guard, nor practically any of the matters that had been included and required by the terms of the reorganization act of June 3, 1916. So while the Senate increases to this bill seem exorbitant, and without explanation serious, Senators can very readily see that the increases are due to the fact that the Army had been reorganized just before the House bill passed, the National Guard had been federalized, and immediately thereafter the Regulars and the National Guard were mobilized for use on the border. So the necessities of the situation compelled the Senate committee to meet the conditions as they actually existed and without any regard to the mere possibilities of the future.

Mr. President, I desire to say here that there seems to be a very serious misapprehension upon the part of some of our friends, in and out of Congress, in claiming that the committees of Congress and Members of Congress have been chasing a sort of a shadow, that they have been frightened into taking steps looking to preparedness without any foundation for it, and really apprehending a danger which did not exist. Let me say to you, Mr. President, that that has not been the fact with reference to the Military Affairs Committee of the Senate. I do not think I have the reputation of being easily frightened, unless it be that I am timid about making a speech to the Senate.

I can assure the Senate in all that I have done, both with respect to the reorganization of the Army and with respect to this appropriation, has been done cooly and deliberately and with a view single to the best interests of the country, and I am satisfied that the Military Affairs Committee who are men of sound and discriminating judgment have acted in the same way and upon the same theory. As an evidence of that, we have three gentlemen on that committee who went through the Civil War on the side of the Union forces and one who served as a soldier of the Confederacy. I have never at any time seen either or any of these gentlemen, or in fact, any of the members of the committee frightened into hasty action with reference to a proper reorganization of the Army or of making appropriations necessary to support that Army when reorganized.

I deny the charge, Mr. President, which has been suggested here from time to time, and sometimes in other places that Members of Congress who favor preparation for national defense have acted in ignorance of the situation in this country, or that Members thereof have been acting as the subservient tools of munition factories in order to impose taxation upon the people.

Mr. President, it would seem that the only wise and honest people in America are the men who have opposed any program of preparation for national defense. I do not question the motives of the gentlemen who pretend to this claim. I credit them with having acted in perfect good faith in opposing anything that looked either to the reorganization of the Army or the increase of the Navy or in providing increased appropriations for the Army itself.

I have never at any time made any charges against these gentlemen, and I deny the suggestion that we have been befogged or "jobbed," as one Senator has expressed it, by those interested in the sale of munitions of war and other implements of destruction.

Mr. President, there have been eminent gentlemen in all the history of our country who have been opposed to the maintenance of an Army or Navy or anything looking toward better preparation for national defense. In Revolutionary days there were distinguished gentlemen who opposed anything like preparation for defense against the British. There have been men during the whole life of this Republic who before every war have opposed anything looking to placing our country in a position where it could defend itself. These gentlemen in Revolutionary days were called Tories, and if their wishes had been acceded to, America would to-day be a colony of the British Crown.

These same gentlemen in the Continental Congress opposed the appropriation of money to properly raise, equip, and outfit an army for the purposes of defence. Washington realized it, but it took the Continental Congress three or four years to understand that unless something were done to assist the Colonial troops and the militia of the country in the fight they were making against Great Britain, defeat must inevitably be the result of our war with the mother country. Finally, with all this opposition by distinguished pacificists of that day, Mr. President, Congress finally concluded that unless the control of the forces and the handling of the armies in this country were placed in the hands of one man there was no question as to what would be the result of that controversy. As has been said here to-day by the distinguished Senator from Connecticut [Mr. BRANDEGEE] and in substance the other day by another distinguished Senator, but for the fact that Great Britain had other things to look after about the time she had that war and the war of 1812 with us, we would have been defeated anyhow.

Every one knows, Mr. President, that but for the sudden and auspicious appearance of the French off Chesapeake Bay in the last days of the Revolution Washington's army, exhausted as it was, would have been overcome by the enemy.

Mr. President, the same condition of things existed in 1812. There were distinguished gentlemen then as now who opposed anything like a preparation for the national defense. The same arguments were made then as now. The ghost of militarism frightened them then as now. I am not criticising the attitude of the gentlemen who are opposed to placing our country in a proper position of defending itself against any foe, whether within or without. They have a right to their opinion. I am simply calling attention to the facts of history.

Similar conditions existed in 1845. If Senators will take the trouble to look over the records preceding the Congresses when these wars came upon us they will find the same arguments against preparedness were made then as now. The speeches of John Randolph and others in 1800 and 1811 were along the same line, opposing anything like the maintenance of an army in this country because it endangered the country and its institutions and was likely to cultivate a spirit of militarism.

So in 1861. The same conditions existed then and the same kind of speeches were made in opposition to taking steps to maintain an army that would enable the United States to preserve the Union and to protect itself. The distinguished gentlemen at that time who opposed the maintenance of an army were called copperheads, and their opposition to the prosecution of the war was pretty effective. There are copperheads to-day, Mr. President, who are placing every obstacle in the way of our distinguished President, whether his policies be for peace or for preparation for emergencies of war.

If the men who advocated preparedness prior to 1861 had been listened to, there would have been no defeat like that at the first Battle of Bull Run, when the Union Army fled in disgrace and in utter rout. The Civil War, which was prolonged for four or five long years, with the sacrifice of millions of treasure and thousands of lives, would have been ended in six months. I think that is the consensus of opinion amongst men who understood the situation in those days.

Now, I have no criticism to make of my friends who differ from me about this matter, Mr. President. There is not a man in the Senate for whom I have a higher regard than the distinguished Senator from Wisconsin [Mr. LA FOLLETTE], but I want to resent just as strongly as I can his suggestion that those who favor preparedness are either knaves or fools. And yet I had rather be placed in the category of a knave and be prepared when an emergency comes and our country is assailed than to be placed in the category of a fool and have our country overpowered by the first strong military power that sees fit to attack us because we are not prepared to defend ourselves.

I had rather, Mr. President, have imposed upon the people of this country a tax that they can not pay in a generation and preserve our institutions and our liberty than to remain in a condition where we must be the prey of any first-class military power that sees fit to attack us.

Mr. BRANDEGEE. Mr. President——

The VICE PRESIDENT. Does the Senator from Oregon yield to the Senator from Connecticut?

Mr. CHAMBERLAIN. I yield.

Mr. BRANDEGEE. Does not the Senator from Oregon think that the expense entailed by adequate naval and army preparation would be a mere drop in the bucket as compared with the thousands of millions that would be lost in the panic that would ensue in this country in case we should get into a difficulty and be attacked when we were unprepared for it?

Mr. CHAMBERLAIN. I do not think there is any question about that. If we can believe the newspapers, it is now costing Great Britain $30,000,000 a day and thousands of lives of the flower of its youth.

I do not believe in a large standing army any more than do my friends who are against any preparation. I have always opposed a large standing army. I do believe, however, in a strong Navy, and I have to-day voted for increasing our Navy, because it is the first line of defense. But we have no large standing army. We have about 130,000 National Guardsmen mustered into the service now, and a little over 100,000 Regulars. That is about all we have, and that is a small army for a population of 100,000,000 people, with, as the President says,

the countries of Europe in a state of conflagration and our southern border threatened with invasion by a hostile people.

Now, I do not think there is going to be any war, but, Mr. President, we do not know whether there will be or not, and preparation for an event that might come is simply taking out an insurance policy, that is all, for protection against the future.

It costs something, but this Government is worth spending a good deal of money for, and its institutions are worth more to the democracies of the world than it is possible to spend. I do not know whether we are going to have any war or not, but I do hope we may be prepared for one if one does come.

I disagree from some of the Senators who claim that because Europe will be exhausted when the war is over, and that therefore we are safe from attack in that quarter.

Mr. President, there is an active, virile nation across the Pacific from us that at some time or another—it may not be in my day and generation, I hope it may never be—we may have to meet; and we will have to meet it some time unless America does what Count Okuma said she must do, and that is to get off her pedestal of superiority as a race and place herself on an equality with the oriental races. He is not the only great Japanese statesman who has said that must be done. It is a proud race, it is a strong race, it is a virile race, and if I may be permitted to say so, it is a predatory race, and predatory nations in this day and generation, Mr. President, do not travel singly; they travel in flocks, and there are other predatory nations on the Continent of Europe that seem to be joining hands with her. Japan has a treaty now with Russia. I do not know what the terms of it are, nor do I care. I do not care what sort of a treaty they or any nations enter into, but it behooves the United States to be ready to meet any single nation or any combination of nations.

It was very truly said by a distinguished German statesman a short while ago that a treaty is simply a piece of parchment or paper to be destroyed whenever the interests of nations require that such treaty should be not observed.

Mr. President, treaties between the United States and Great Britain are being violated to-day by Great Britain, and the British, it is claimed, are the best friends that America has. The treaties between other nations have been and are now being violated and disregarded whenever it suits the interests of the powers to disregard them.

Japan and England have had a treaty, offensive and defensive. I believe the United States was exempted from its provisions in part; but that exemption will not protect the United States whenever it suits the interests of Great Britain and Japan to join hands against our country. I am not insinuating that any such conjunction will ever take place or any joint attack ever be made by these nations or any nations against the United States, but I am calling attention to conditions that actually exist; and I insist, and have insisted for two years or more, living on the western coast as I do, that the United States ought to be prepared to defend herself, if need be, against those or any powers, acting in concert or otherwise.

Japan is not satisfied with that treaty. Why? Because, amongst other things, Great Britain treats the Japanese worse than it is alleged the people of the United States do, not only on the Pacific coast but in Australia as well. The Japanese people in Victoria and Vancouver and in other places are discriminated against, notwithstanding the treaty of alliance between them. Japan is just as angry at the treatment of her subjects there as she is at the treatment of her subjects in the United States, and justly so.

The distinguished Senator from California [Mr. WORKS] touched the keynote of the situation the other day when he rather insisted that the United States has the undoubted right to do as she pleases with reference to these great racial questions and her internal policies. The United States is never going to be satisfied to treat any oriental nation so as to bring them within the usual favored-nation clause of treaties. They will not do it; they will never consent to do it.

I have no prejudice against the Japanese. I am just stating the conditions as they actually exist. Japan says that the United States must treat her subjects exactly as they treat the subjects of any other country. Right here on the floor of the Senate I protested against the treaty between the United States and Japan because we pretended to put them in the category of other nations, and then had a gentleman's agreement on the side that they were not to be so treated. In other words, we transferred to them the right to visé the passports of her emigrants who came within the prohibited class instead of exercising our undoubted right to exercise that high prerogative ourselves. Only two or three of us voted against that treaty. I was taking the position then that my distinguished friend from California took the other day, that we have a right to do as we please with our country and assert our rights against the world.

Let me refer a moment again to Japan. Japan it is reported is going to abrogate her treaty with England. It is said she made a treaty with Russia. I do not know what that means, but they are two of the most powerful military nations on the face of the earth. The Japanese are the powder bearers, the dynamite carriers, and the railroad builders of the Pacific coast; and, according to the distinguished Senator from California [Mr. WORKS], who made a speech here some months ago, they have more trained veterans on the Pacific coast than we have in the Regular Army of continental United States. We look complacently on these things, Mr. President, and say that the same Providence that has looked over our country in the past is likely to continue to do so in the future.

I hope he may; I believe he will; but while this terrible condition of war exists on the face of the earth we at least ought to be ready to defend ourselves against any power that may threaten us.

Mr. President, we have only a few trained aviators in this country; Japan has, I am informed, 400. Her volunteer soldiers go out and march 15 or 20 miles every day, practically without pay; they dig trenches and cut barbed-wire entanglements merely for the sake of learning how such things are done. Yet I still hope that we shall not have any trouble with Japan. I am simply suggesting that these appropriations ought to be made for the purpose of preparing in part in case we have trouble with any other power of the earth.

We have now something like 135,000 National Guardsmen mustered into the Federal service and we have something over 100,000 Regulars. This appropriation bill is increased largely because provision was not made for the National Guard in the other House either for their pay, for their transportation, or their subsistence. We have increased the bill to meet those emergencies and conditions on the frontier. As these items come up I shall be very glad to explain them to the Senate.

I am frank to say that when the bill was made up we inserted some items, in view of the then existing situation in Mexico, which might now justly be cut out, and I shall at the proper time ask the Senate to reduce them. I think they will amount to twenty-five or thirty million dollars. I have not estimated exactly the amount, but the bill will be reduced quite largely to meet conditions as they are, and not contemplated conditions which were likely to have occurred if we had intervened in Mexico. The bill, as reported by the Senate committee, undertook to make provision for those things. That is one reason why the bill seems so large.

Mr. President, with this brief statement of the conditions and of some of the ideas which animated our committee in the preparation of the bill, I desire to say that I hope we may speed the bill along as fast as we can and get it through at as early a day as possible.

The VICE PRESIDENT. The Secretary will proceed with the reading of the bill.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Military Affairs was, on page 1, after line 6, to strike out:

Contingencies of the Army: For all contingent expenses of the Army not otherwise provided for and embracing all branches of the military service, including the office of the Chief of Staff; for all emergencies and extraordinary expenses, exclusive of personal services in the War Department or any of its subordinate bureaus or offices at Washington, D. C., arising at home or abroad, but impossible to be anticipated or classified; to be expended on the approval and authority of the Secretary of War, and for such purposes as he may deem proper, including the payment of a per diem allowance not to exceed $4 in lieu of subsistence to employees of the War Department traveling on official business outside of the District of Columbia and away from their designated posts, $25,000.

And insert:

Contingencies of the Army: For all contingent expenses of the Army not otherwise provided for and embracing all branches of the military service, including the office of the Chief of Staff; for all emergencies and extraordinary expenses, including personal services in the War Department or any of its subordinate bureaus or offices at Washington, D. C., or in the Army at large, but impossible to be anticipated or classified; to be expended on the approval and authority of the Secretary of War, and for such purposes as he may deem proper, including the payment of a per diem allowance not to exceed $4 in lieu of subsistence to employees of the War Department traveling on official business outside of the District of Columbia and away from their designated posts, $100,000.

The amendment was agreed to.

The next amendment was, under the subhead "Office of the Chief of Staff," on page 5, line 2, after "$35,350," to insert:

Provided, That officers in the grade of second lieutenant in the Field Artillery may be assigned, for the period of one year, to batteries stationed at the School of Fire for Field Artillery at Fort Sill, Okla., for the purpose of pursuing courses of practical instruction in field artillery.

The amendment was agreed to.

The next amendment was, under the subhead "Office of the Chief Signal Officer," on page 7, line 16, after the word "ranges" to insert "motorcycles and motor-driven vehicles used for technical and official purposes; professional and scientific books of reference, pamphlets, periodicals, newspapers, and maps, for use in the office of the Chief Signal Officer," so as to read:

Signal Service of the Army: For expenses of the Signal Service of the Army, as follows: Purchase, equipment, and repair of field electric telegraphs, radio installations, signal equipments and stores, binocular glasses, telescopes, heliostats, and other necessary instruments, including necessary meteorological instruments for use on target ranges; motorcycles and motor-driven vehicles used for technical and official purposes; professional and scientific books of reference, pamphlets, periodicals, newspapers, and maps, for use in the office of the Chief Signal Officer.

The amendment was agreed to.

The next amendment was, on page 8, line 4, after the word "otherwise," to strike out "$3,755,000" and insert "$14,827,156," so as to make the clause read:

Signal Service of the Army: For expenses of the Signal Service of the Army, as follows: Purchase, equipment, and repair of field electric telegraphs, radio installations, signal equipment and stores, binocular glasses, telescopes, heliostats, and other necessary instruments, including necessary mereorological instruments for use on target ranges; motorcycles and motor-driven vehicles used for technical and official purposes; professional and scientific books of reference, pamphlets, periodicals, newspapers, and maps, for use in the office of the Chief Signal Officer; war balloons and airships and accessories, including their maintenance and repair; telephone apparatus (exclusive of exchange service) and maintenance of the same; electrical installations and maintenance at military posts; fire-control and direction apparatus and material for field artillery; maintenance and repair of military lines and cables, including salaries of civilian employees, supplies, general repairs, reserved supplies, and other expenses connected with the duty of collecting and transmitting information for the Army by telegraph or otherwise, $14,827,156.

Mr. OVERMAN. That is a great increase, amounting to $10,000,000, and I think the amendment had better be passed over in order that we may have some explanation of it. I also ask that the next amendment be passed over. I am not opposed to them, but I think an increase of from $3,000,000 to $14,000,000 ought to have some discussion.

Mr. CHAMBERLAIN. If the Senator——

Mr. LA FOLLETTE. I also ask that it be passed over.

Mr. CHAMBERLAIN. Very well.

The VICE PRESIDENT. The amendment will be passed over.

The reading of the bill was resumed. The next amendment of the Committee on Military Affairs was, on page 8, line 6, after the word "than," to strike out "$3,222,100" and insert "$13,281,666," so as to read:

Provided, however, That not more than $13,281,666 of the foregoing appropriation shall be used for the purchase, manufacture, maintenance, operation, and repair of airships and other aerial machines and accessories necessary in the aviation section: and for the purchase, maintenance, repair, and operation of motor-propelled, passenger-carrying vehicles which may be necessary for the aviation section: *Provided further,* That not to exceed $50,000 of the above sum will be available for the payment of all expenses in connection with the development of a suitable type of aviation motor, under such regulations as the Secretary of War may prescribe.

Mr. OVERMAN. Let that go over.

The VICE PRESIDENT. That depends on the other amendment, and will go over.

The reading of the bill was resumed.

The next amendment of the Committee on Military Affairs was, on page 9, after line 10, to strike out:

Purchase of land in the State of California for aviation school purposes: For the acquisition, by purchase or by condemnation, of a site or sites in the State of California for an aviation school and training grounds of the Signal Corps of the United States Army, not to exceed $300,000.

And insert:

The Secretary of War is hereby authorized to accept for the United States from any citizen of the United States a donation of a tract or tracts of land suitable and desirable in his judgment for the purposes of an aviation field and remount station, the terms of the donation also to authorize the use of the property donated for any other service of the United States which may hereafter appear desirable.

The amendment was agreed to.

The next amendment was, under the subhead "Pay of officers of the line," on page 10, line 14, after the word "line," to strike out "$10,000,000" and insert:

$11,400,000: *Provided,* That in applying section 25 of the national defense act approved June 3, 1916, the President shall assign to officers of the Army such constructive dates of original commission, from which lengths of commissioned service shall be computed, as will preserve their rights to promotion in accordance with their relative order on the lineal lists of their arms and continue in effect losses of files occasioned by sentences of courts-martial or failures to pass required examinations for promotion, said constructive dates of original commission to be subject to change whenever a change thereof may be necessary in order to carry into effect losses of files hereafter incurred by any officer through a sentence of court-martial or a failure to pass a required examination for promotion: *Provided further,* That in determining the arm from which a detail is to be made to a vacancy in the detached officers' list, as provided in the third proviso of section 25 of the national defense act approved June 3, 1916, the officer of any grade who is the senior in that grade according to the constructive dates of original commission provided for in the preceding proviso shall be considered the senior in length of commissioned service of all officers of that grade: *And provided further,* That when by reason of increase in the arm, corps, or branch of the service in which an officer is commissioned his loss of files in lineal rank due to suspension from promotion on account of failure to pass the required examination therefor exceeds the loss he would have sustained if no such increase had occurred, he shall, if promoted upon reexamination, be advanced to the position he would have occupied in the grade to which promoted had no increase occurred.

Mr. LA FOLLETTE. I will ask the Senator from Oregon, the chairman of the committee, what is the purpose of that amendment and the necessity for the increase in the expenditure?

Mr. WARREN. It is to correct an error in section 25 of the military reorganization law.

Mr. CHAMBERLAIN. I presume the Senator refers to the affirmative legislation. The affirmative legislation is designed to equalize promotions so as to preserve the relative rank of the officers under their commissions. That is all it does. It is introduced in this bill at the request of the War Department to preserve intact the relative rank of the officers under their commissions. As to the appropriation, if the Senator would like to have the estimate for the increase I will give it to him. It is for the first increment provided for under the military reorganization or national defense act. The House provision was made without regard to that.

Mr. LA FOLLETTE. Very well.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Military Affairs was, on page 11, line 21, after the word "service," to strike out "$2,000,000" and insert "$2,500,000," so as to make the clause read:

Additional pay to officers for length of service, $2,500,000.

The amendment was agreed to.

The next amendment was, on page 11, after line 22, to insert:

For pay of members of the Officers' Reserve Corps when ordered to temporary duty, $10,000.

The amendment was agreed to.

The next amendment was, at the top of page 12, to insert:

For pay of members of the Officers' Reserve Corps when ordered to duty with troops or at field exercises, or for instruction, $25,000.

The amendment was agreed to.

The next amendment was, on page 12, after line 3, to insert:

For pay of members of the Officers' Reserve Corps appointed temporary second lieutenants at $100 per month, $5,000.

The amendment was agreed to.

The next amendment was, on page 12, line 7, after the words "National Guard," to strike out "$2,225,000" and insert "$11,400,000," so as to make the clause read:

Pay of officers, National Guard, $11,400,000.

Mr. OVERMAN. Mr. President, is that amount necessary because of the increase in the National Guard, or is it because of an anticipated increase?

Mr. CHAMBERLAIN. I will insert in the RECORD the estimate furnished by the department.

Mr. OVERMAN. All I want to know is whether the amount is made necessary to pay the National Guard who have been called into the service?

Mr. CHAMBERLAIN. It is for the National Guard already under arms. It is to pay them. The House bill did not provide for them except on a peace basis.

Mr. OVERMAN. They were called out after the House bill was passed?

Mr. CHAMBERLAIN. They were called out after the House bill was practically completed. The Senator will observe that many of these increases are due to the fact that the National Guard was not provided for in the House bill. They had not been called out, as a matter of fact, and now there are one hundred and thirty odd thousand of them under arms.

Mr. WARREN. And they receive the same pay as the Regular soldiers?

Mr. CHAMBERLAIN. They receive the same pay as the Regulars, and if they had gone over the line they would have had 20 per cent more.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Military Affairs was, under the subhead "Pay of enlisted men," on page 12, line 10, after "$23,000,000," to insert:

Provided, That hereafter one of the enlisted men detached from the Army at large for duty at each of the recruit depots under the provisions of the act of June 12, 1906, shall, while so detached, have the rank, pay, and allowances of a regimental sergeant major.

Mr. LEE of Maryland. Mr. President, I should like to reserve the right to offer an amendment to that item a little later on.

The VICE PRESIDENT. Does the Senator refer to the one just read?

Mr. LEE of Maryland. To the amendment just read.

The VICE PRESIDENT. If the Senator desires to offer an amendment to the amendment it had better go over.

Mr. LEE of Maryland. Very well. I make that request.

The VICE PRESIDENT. The amendment will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Military Affairs was, on page 12, after line 16, to insert:

For pay of enlisted men of the Regular Army Reserves, at $24 per year, $10,000.

The amendment was agreed to.

The next amendment was, on page 12, after line 18, to insert:

For pay of enlisted men of the Regular Army Reserves while engaged in field training for a period not exceeding 15 days each year, $7,500.

The amendment was agreed to.

The next amendment was, on page 12, after line 21, to insert:

For bounty at the rate of $3 per month to enlisted men of the Regular Army Reserves mobilized by order of the President, $1,000.

The amendment was agreed to.

The next amendment was, on page 12, after line 24, to insert:

For bounty for reenlistments in time of war, $10,000.

The amendment was agreed to.

The next amendment was, at the top of page 13, to insert:

For pay of members of the Enlisted Reserve Corps when called into actual service, $25,000.

The amendment was agreed to.

The next amendment was, on page 13, after line 2, to insert:

For pay of members of the Enlisted Reserve Corps when called out for instruction or training for periods not exceeding 15 days in any one calendar year, $5,000.

The amendment was agreed to.

The next amendment was, on page 13, line 6, after the words "National Guard," to strike out "$7,750,000" and insert "$23,000,000," so as to make the clause read:

Pay of enlisted men of all grades, National Guard, $23,000,000: *Provided*, That all officers and enlisted men of the National Guard who are Government employees and who respond to the call of the President for service shall, at the expiration of the military service to which they are called, be restored to the positions occupied by them at the time of the call.

Mr. LEE of Maryland. I ask that that amendment go over. That is an amendment affecting the pay of the National Guard.

The VICE PRESIDENT. The amendment will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Military Affairs was, under the subhead "Corps of Engineers," on page 13, line 14, after the word "men," to strike out "$600,000" and insert "$787,500," so as to make the clause read:

Pay of enlisted men, $787,500.

The amendment was agreed to.

The next amendment was, under the subhead "Ordnance Department," on page 13, line 17, after the word "men," to strike out "$275,000" and insert "$351,000," so as to make the clause read:

Pay of enlisted men, $351,000.

The amendment was agreed to.

The next amendment was, on page 13, line 18, after the word "service," to strike out "$125,000" and insert "$150,000," so as to make the clause read:

Additional pay for length of service, $150,000.

The amendment was agreed to.

The next amendment was, under the subhead "Quartermaster Corps," on page 13, line 20, after the word "men," to strike out "$1,800,000" and insert "$2,150,000," so as to make the clause read:

Pay of enlisted men, $2,150,000.

The amendment was agreed to.

The next amendment was, under the subhead "Signal Corps," on page 13, line 23, after the word "men," to strike out "$551,664" and insert "$890,000," so as to make the clause read:

Pay of enlisted men, $890,000.

The amendment was agreed to.

The next amendment was, under the subhead "Medical Department," on page 14, line 2, after the word "men," to strike out "$1,300,000" and insert "$1,743,300," so as to make the clause read:

Pay of enlisted men, $1,743,300.

The amendment was agreed to.

The next amendment was, on page 14, after line 3, to insert:

For pay of privates, first class, when rated as dispensary assistants, nurses, or surgical assistants, $5,000.

The amendment was agreed to.

The next amendment was, on page 14, after line 5, to strike out:

Pay to clerks, messengers, and laborers at headquarters of the several Territorial departments, Territorial districts, tactical divisions and brigades, service schools, and office of the Chief of Staff.
One chief clerk, at the office of the Chief of Staff, $2,250 per annum.
Three clerks, at $2,000 each per annum.
Twelve clerks, at $1,800 each per annum.
Fifteen clerks, at $1,600 each per annum.
Thirty-eight clerks, at $1,400 each per annum.
Seventy clerks, at $1,200 each per annum.
Sixty-five clerks, at $1,000 each per annum.
Six clerks (Filipinos), at $500 each per annum.
One captain of the watch, at $900 per annum.
Three watchmen, at $720 each per annum.
One gardener, at $720 per annum.
One packer, at $840 per annum.
Two messengers, at $840 each per annum.
Fifty-nine messengers, at $720 each per annum.
Six messengers (Filipinos), at $300 each per annum.
One laborer, at $660 per annum.
Two laborers, at $600 each per annum.
Five charwomen, at $240 each per annum.
In all, $312,690.
Additional pay while on foreign service, $9,000.

And insert:

CLERKS, MESSENGERS, AND LABORERS, OFFICE OF THE CHIEF OF STAFF.

One chief clerk, at $2,250 per annum, $2,250;
Four clerks, at $2,000 each per annum, $8,000;
Six clerks, at $1,800 each per annum, $10,800;
Eleven clerks, at $1,600 each per annum, $17,600;
Fifteen clerks, at $1,400 each per annum, $21,000;
Twenty-one clerks, at $1,200 each per annum, $25,200;
Thirteen clerks, at $1,000 each per annum, $13,000;
One captain of the watch, at $900 per annum, $900;
Three watchmen, at $720 each per annum, $2,160;
One gardener, at $720 per annum, $720;
One packer, at $840 per annum, $840;
One chief messenger, at $1,000 per annum, $1,000;
One messenger, at $840 per annum, $840;
Twenty messengers, at $720 each per annum, $14,400;
One laborer, at $660 per annum, $660;
Two laborers, at $600 each per annum, $1,200;
Five charwomen, at $240 each per annum, $1,200;
In all, $121,770.

CLERKS AND MESSENGERS FOR HEADQUARTERS OF THE SEVERAL TERRITORIAL DEPARTMENTS, DISTRICTS, DIVISIONS AND BRIGADES, AND SERVICE SCHOOLS.

Seven clerks, at $2,000 each per annum, $14,000;
Eleven clerks, at $1,800 each per annum, $19,800;
Fourteen clerks, at $1,600 each per annum, $22,400;
Thirty-two clerks, at $1,400 each per annum, $44,800;
Fifty-seven clerks, at $1,200 each per annum, $68,400;
Forty-nine clerks, at $1,000 each per annum, $49,000;
Thirty-nine messengers, at $720 each per annum, $28,080;
In all, $246,480.
Additional pay while on foreign service, $9,000.
For commutation of quarters and of heat and light, $19,650.
Hereafter headquarters clerks shall be known as Army field clerks and shall receive pay at the rates herein provided, and after 12 years of service, at least 3 years of which shall have been on detached duty away from permanent station, or on duty beyond the continental limits of the United States, or both, shall receive the same allowances, except retirement, as heretofore allowed by law to pay clerks, Quartermaster Corps, and shall be subject to the rules and articles of war.
Hereafter not to exceed 200 clerks, Quartermaster Corps, who shall have had 12 years of service, at least 3 years of which shall have been on detached duty away from permanent station, or on duty beyond the continental limits of the United States, or both, shall be known as field clerks, Quartermaster Corps, and shall receive the same allowances, except retirement, as heretofore allowed by law to pay clerks, Quartermaster Corps, and shall be subject to the rules and articles of war.
For commutation of quarters and of heat and light, $151,000.

Mr. OVERMAN. Mr. President, I should like to inquire why it is necessary to provide for so many messengers? Thirty-nine messengers are provided for in one item. It is stated that they are "for headquarters of the several territorial departments." How many territorial departments are there?

Mr. WARREN. Wherever there are troops, clerical assistance and messengers are required and have to be sent. This item represents the help that is required all over the country at various points where there are troops, whether it is a continental division, including a third of the United States, or whether it is a point where there is but a regiment of troops.

Mr. OVERMAN. How many messengers do they have in a camp?

Mr. WARREN. I do not know that I can tell the Senator how many they put in a camp. I think there would be only one in an ordinary camp, but in a large headquarters there will,

of course, be more. I will say to the Senator that we put in less than was estimated for.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, under the subhead "The Adjutant General's Department," on page 17, line 20, after the words "The Adjutant General's Department," to strike out "$80,500" and insert "$100,000," so as to make the clause read:

For pay of officers of The Adjutant General's Department, $100,000.

Mr. LEE of Maryland. Mr. President, I should like to ask the Senator from Oregon if the Senate committee made proper and sufficient allowance, in connection with The Adjutant General's office, for an expansion of the work there?

Mr. WARREN. I will say to the Senator that as to clerks, this bill does not touch The Adjutant General's office at all as far as Washington is concerned, but provides for the clerks in the territory outside of Washington. The legislative, executive, and judicial appropriation bill carries the clerks for The Adjutant General's office here, and I may say to the Senator that there are estimates already made for the deficiency bill for an increase of clerical force here in Washington on account of the increase in troops.

Mr. LEE of Maryland. It is perfectly obvious that some increase should be granted there.

Mr. CHAMBERLAIN. If the Senator will look on page 29 of the bill he will find a provision for additional clerks in the field on account of the muster into the service of the United States of the National Guard.

Mr. OVERMAN. I should like to ask whether all the clerks provided for here on page 15 are for field service? Are they all clerks outside of Washington?

Mr. WARREN. The clerks for the General Staff are in Washington. That is, when I say they are in Washington, the large proportion of them are here, but some are sent out whenever officers of the General Staff are sent away on duty.

Mr. OVERMAN. The Senator is on the Committee on Appropriations, and he knows that we provided for all the clerks here in Washington in the legislative bill.

Mr. WARREN. Yes; you provided for all of them, except that we have heretofore provided for the clerks for the General Staff and the field clerks together. It has been necessary to separate them; so now we provide for clerks for the staff as we did before, with an increase in numbers, and then we provide for general field clerks that cover those from the staff for the field, and those from the Quartermaster's Department for the field, and so forth.

Mr. OVERMAN. If these are outside of Washington, I have nothing more to say.

Mr. WARREN. They are to go outside of Washington.

Mr. OVERMAN. I know that in the legislative bill we provided for the clerks here in Washington.

Mr. WARREN. These are entirely in addition to those. The Senator has very properly raised the question about the legislative bill, but they are very distinct. These are the only clerks we have provided for in the Army appropriation bill.

Mr. WADSWORTH. Mr. President, may I ask the chairman of the committee, or any member of the committee, for a little light on one question in connection with the legislation affecting the headquarters clerks, at the bottom of page 16? I notice that these clerks under this legislation, which is new, "shall be subject to the Rules and Articles of War." Do I infer from that that they are enlisted men?

Mr. WARREN. I will say to the Senator that a good many of these are men who were formerly employees, but have enlisted under the reorganization of the Quartermaster's Department under a law which was passed some three or four or more years ago. I understand they will all be under arrangements which allow the enforcement of the Articles of War if they obtain the benefits bestowed by this section, which gives them allowance for quarters, and so forth.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, on page 17, line 22, after the word "service," to strike out "$22,000" and insert "$26,000," so as to make the clause read:

Additional pay for length of service, $26,000.

The amendment was agreed to.

The next amendment was, under the subhead "Inspector General's Department," on page 17, line 24, after the words "Inspector General's Department," to strike out "$59,000" and insert "$69,500," so as to make the clause read:

For pay of officers of the Inspector General's Department, $69,500.

The amendment was agreed to.

The next amendment was, on page 17, line 26, after the word "service," to strike out "$16,000" and insert "$17,500," so as to make the clause read:

Additional pay for length of service, $17,500.

The amendment was agreed to.

The next amendment was, under the subhead "Corps of Engineers," on page 18, line 2, after the words "Corps of Engineers," to strike out "$592,700" and insert "$725,000," so as to make the clause read:

Pay of officers of the Corps of Engineers, $725,000.

The amendment was agreed to.

The next amendment was, on page 18, line 4, after the word "service," to strike out "$120,000" and insert "$150,000," so as to make the clause read:

Additional pay for length of service, $150,000.

The amendment was agreed to.

The next amendment was, under the subhead "Ordnance Department," on page 18, line 6, after the words "Ordnance Department," to strike out "$253,600" and insert "$280,000," so as to make the clause read:

For pay of officers of the Ordnance Department, $280,000.

The amendment was agreed to.

The next amendment was, on page 18, line 8, after the word "service," to strike out "$55,000" and insert "$60,000," so as to make the clause read:

Additional pay for length of service, $60,000.

The amendment was agreed to.

The next amendment was, under the subhead "Quartermaster Corps," on page 18, line 10, after the words "Quartermaster Corps," to strike out "$655,400" and insert "$746,900: *Provided*, That details to the Quartermaster Corps of the Army under the provisions of the act approved February 2, 1901, may be made from the Army at large from the grades in which vacancies to be filled by detail exist in said corps, or from the next lower grades, and officers detailed to fill such vacancies in grades above that of captain in said corps may be detailed or redetailed therein without a compulsory period of service outside thereof. Officers so detailed to fill vacancies below the grade of major in said corps shall again be eligible for detail therein after having served for at least one year in the branches of the service in which such officers shall, respectively, hold commissions: *Provided further*, That officers serving by detail in said corps shall take rank in their respective grades from the dates of their rank under their original detail in said grades: *Provided further*, That the two preceding provisos shall expire by limitation on June 30, 1917: *Provided further*, That the President of the United States, in his discretion, be, and he is hereby, authorized to appoint Charles P. Daly, chief clerk, office of the Quartermaster Corps, United States Army, a military storekeeper in the Quartermaster Corps, United States Army, with the rank, pay, and allowances of a captain, mounted; and the grade of military storekeeper is hereby revived in the Army of the United States for this purpose only: *Provided further*, That hereafter the provisions of section 1191 of the Revised Statutes of the United States may, in the discretion of the Secretary of War, be waived in the cases of officers of the Quartermaster Corps who are not accountable for public funds or public property," so as to make the clause read:

For pay of officers of the Quartermaster Corps, $746,900: *Provided*, That details to the Quartermaster Corps of the Army under the provisions of the act approved February 2, 1901, may be made from the Army at large from the grades in which vacancies to be filled by detail exist in said corps, or from the next lower grades, and officers detailed to fill such vacancies in grades above that of captain in said corps may be detailed or redetailed therein without a compulsory period of service outside thereof. Officers so detailed to fill vacancies below the grade of major in said corps shall again be eligible for detail therein after having served for at least one year in the branches of the service in which such officers shall, respectively, hold commissions: *Provided, further*, That officers serving by detail in said corps shall take rank in their respective grades from the dates of their rank under their original detail in said grades: *Provided further*, That the two preceding provisos shall expire by limitation on June 30, 1917: *Provided further*, That the President of the United States, in his discretion, be, and he is hereby, authorized to appoint Charles P. Daly, chief clerk, office of the Quartermaster Corps, United States Army, a military storekeeper in the Quartermaster Corps, United States Army, with the rank, pay, and allowances of a captain, mounted; and the grade of military storekeeper is hereby revived in the Army of the United States for this purpose only: *Provided further*, That hereafter the provisions of section 1191 of the Revised Statutes of the United States may, in the discretion of the Secretary of War, be waived in the cases of officers of the Quartermaster Corps who are not accountable for public funds or public property.

Mr. OVERMAN. Mr. President, why is this one man provided for in general legislation?

Mr. WARREN. Mr. President, this one man, Mr. Daly, was for many years chief clerk of the Quartermaster's Department. He, in a way, has filled two positions. He is a very valuable man. This legislation gives him a less pay than he had before, but gives him the position, and, of course, in the long run will

give him the retirement privilege. He has served something like 25 or 30 years already. I will say that very numerous recommendations came to the committee, and in fact came to the House, and the matter was offered on the floor of the House by Mr. HAY, but it went out on a point of order. The communications on the subject are very voluminous, and show that the appreciation of the man and his acquirements is general, I might say universal, not only with the employees that work under him, but with all of the officers over him with whom he has served.

Mr. OVERMAN. In other words, this legislation is for the purpose of putting a clerk in the Army, and allowing him to retire at a certain age.

Mr. WARREN. It follows what has been done in some other very exceptional cases—the case of Tweedale, as the Senator will remember, and some others.

Mr. OVERMAN. I know it has been done.

Mr. WARREN. It is entirely a personal matter, but it is one that appeals very strongly to everyone who knows the circumstances, because of the excellence of this man, who has given his life to this work.

Mr. OVERMAN. Are there not many other excellent people up there who ought to be put into the Army and given the right to retire? I do not know the man. I know nothing about him, except that I know this provision is for the purpose of putting him in the Army by law.

Mr. WARREN. I will say to the Senator that this man is nothing to me, and was nothing to anyone on the committee. We only considered the case strictly on its merits.

Mr. OVERMAN. Oh, I know the Senator is not personally interested in the matter.

Mr. WARREN. But he has been of very great service to the Army at large. There is no doubt that he has saved millions of dollars, in his time, by his efficiency and faithfulness.

Mr. OVERMAN. I have no doubt he is a faithful man.

Mr. CHAMBERLAIN. It is personal legislation; there is not any question about that. Gen. Aleshire came down personally and expressed a desire to have it done on account of this man's efficiency.

Mr. OVERMAN. I am not going to object to it; but I think, being personal legislation, that it is bad legislation. It is taking one man out of the clerks in the office and putting him in the Army, and by legislation allowing him to retire at a certain age and get full pay, or three-quarters pay.

I do not know why we should not do that as to every good man up there. I do not know why we should select one man and put him in this position.

Mr. WARREN. I will say to the Senator that the parallel would hardly be accurate with anyone who has served heretofore, because of this man's peculiarly valuable service. Not only the Quartermaster General, but all others who have knowledge of his work, are in favor of this.

Mr. OVERMAN. It is bad legislation, as the Senator knows.

Mr. WARREN. I admit, as the Senator says, that it is personal legislation, and in that respect it leads in the wrong direction; but it is one of those cases that are exceptional, and the committee thought it best to put it in.

Mr. OVERMAN. And it is bad legislation in addition because it is a precedent for some other man to say: "You did this for Mr. Daly; now do it for me." These poor clerks in the other departments, who are just as good and just as faithful and just as honest as he is, are not given this privilege. I am not going to make a point of order against it, but I do protest against such legislation.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment was, on page 19, line 16, after the word "service," to strike out "$160,000" and insert "$222,375," so as to make the clause read:

Additional pay for length of service, $222,375.

The amendment was agreed to.

The next amendment was, under the subhead "Medical Department," on page 19, line 18, after the words "Medical Department," to strike out "$1,800,000" and insert "$1,930,000," so as to make the clause read:

For pay of officers of the Medical Department, $1,930,000.

The amendment was agreed to.

The next amendment was, under the subhead "Judge Advocate General's Department," on page 20, line 6, after the word "Department," to strike out "$47,500" and insert "$60,000," so as to make the clause read:

For pay of officers in the Judge Advocate General's Department, $60,000.

The amendment was agreed to.

The next amendment was, on page 20, after line 22, to strike out:

For paying the expenses of clerical hire and printing and other expenses incident to the making of the revision and codification herein directed, such sum as may be necessary, not to exceed $5,000, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be expended upon certificates of the Secretary of War that the expenditures were necessary therefor.

And insert:

For paying the expenses of clerical hire and printing and other expenses incident to the making of the revision and codification herein directed, not to exceed $5,000, to be expended upon certificates of the Secretary of War that the expenditures were necessary therefor.

The amendment was agreed to.

The next amendment was under the subhead "Signal Corps," on page 21, line 10, after the words "Signal Corps," to strike out "$319,650" and insert "$415,200," so as to make the clause read:

For pay of officers of the Signal Corps, $415,200.

The amendment was agreed to.

The next amendment was, on page 21, after line 12, to insert:

For pay of 30 aviators, Signal Corps, at $1,800 each per annum, $54,000.

Mr. STONE. Mr. President, if I may have the attention of the chairman of the committee, in the case of the item just passed, pay of officers of the Signal Corps, $319,650, is the provision as it passed the House. The Senate raised it nearly $100,000.

Mr. CHAMBERLAIN. I will say to the Senator that I explained a while ago, when the Senator was not in the Chamber, that many of the increases are accounted for in this way: When the House passed this bill the Army reorganization act had not passed, making changes in all these corps.

Mr. WARREN. The Senator will understand, of course, that this covers increase in the Aviation Corps. That is included.

Mr. CHAMBERLAIN. That corps has been increased. Many of them have been increased. The House did not have the increase, and had no estimates on them.

Mr. STONE. There is an amendment just below——

Mr. WARREN. The Senator alludes to the 30 citizen assistant aviators that are provided, in addition to the officers of the Army, to give some encouragement to the young men who apply for places. This authorizes the employment of not to exceed the number of 30, at the rate of $1,800 a year, and their discharge when they are no longer needed.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, under the subhead "Retired officers," on page 21, line 21, after "$2,700,000," to insert: "*Provided*, That when by reason of the movement of troops a post is temporarily left without its regular garrison and with no commissioned officers except of the Medical Reserve Corps on duty thereat, the Secretary of War may assign a retired officer of the Army, with his consent, to active duty in charge of such post. The officer so assigned shall perform the duties of commanding officer and also any necessary staff duties at such post, and shall, while in the performance of such duties, receive the full pay and allowances of his grade, subject to the limitations imposed by the act of March 2, 1905, and the act of June 12, 1906," so as to make the clause read:

For pay of officers on the retired list and for officers who may be placed thereon during the current year, $2,700,000: *Provided*, That when by reason of the movement of troops a post is temporarily left without its regular garrison and with no commissioned officer except of the Medical Reserve Corps on duty thereat, the Secretary of War may assign a retired officer of the Army, with his consent, to active duty in charge of such post. The officer so assigned shall perform the duties of commanding officer and also any necessary staff duties at such post, and shall, while in the performance of such duties, receive the full pay and allowances of his grade, subject to the limitations imposed by the act of March 2, 1905, and the act of June 12, 1906.

The amendment was agreed to.

The next amendment was, on page 22, after line 12, to insert:

That the President be, and he is hereby, authorized to appoint Col. James Jackson, United States Army (retired), to the position and rank of brigadier general on the retired list.

Mr. OVERMAN. Mr. President, I expect that that amendment ought to go over. There is a Senator who wishes to be here when it is considered. It will be remembered that this was in a bill which was on the calendar, and it was called on the calendar three times, and failed to pass.

Mr. CHAMBERLAIN. I will say to the Senator that that bill did pass the Senate.

Mr. OVERMAN. Did it finally pass?

Mr. CHAMBERLAIN. Oh, yes. It passed the Senate, and is in the House. This one passed the Senate. A Senator objected to it, but withdrew his objection.

Mr. OVERMAN. I know it was called three times; but if it passed the Senate, I have no objection.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, on page 22, after line 16, to insert:

That the President be, and he is hereby, authorized to appoint, by and with the advice and consent of the Senate, any colonel of the Army on the retired list who before retirement served more than 45 years and 6 months, including 16 years in the line of the Army, who held command in the line or staff over 9½ years, who received campaign badges for service in four Indian campaigns and in the War with Spain and the Philippine insurrection, and who was recommended by a commanding general in time of war or insurrection for appointment to the grade of general officer in the Volunteer Army, to the grade of brigadier general on the retired list: *Provided*, That such officer did not receive advanced grade upon retirement nor has since received any advance over the grade held at the date of retirement.

Mr. STONE. Whom is that for?

Mr. THOMAS. I will say to the Senator from Missouri that the amendment just read is one which refers to the case of a single retired officer—Col. James W. Pope—now on the retired list. He is a man of advanced years and in very poor health. He has served more than 45 years and 6 months, including 16 years in the line of the Army. He held command in the line or staff over nine and a half years. He received campaign badges for service in four Indian campaigns and in the War with Spain and the Philippine insurrection. He was recommended by a commanding general in time of war or insurrection for appointment to the grade of general officer in the Volunteer Army—to the grade of brigadier general on the retired list. He is at present a resident of the city of Denver. If he had not been retired on account of age at the time he was retired—that is to say, if he had been a younger man, so that he could have served three months longer—he would have been appointed brigadier general and retired.

Since his retirement Col. Pope has been afflicted with a very serious disease of the eyes, having submitted to, I think, two separate operations, the result being that his private means are practically exhausted. It is a matter of justice to one of the most competent and meritorious officers I ever knew, one who has given his life to the service of the Army, and who, if he should die to-morrow, would leave his widow comparatively dependent upon her people for support. This amendment is merely designed, and I think it is properly designed, to cover him, as a retired officer, into the list of brigadier generals, in consequence of which he can enjoy the advantages which come from that position. Because of the facts I have just narrated it has been necessary to bring the matter to the attention of Congress in this way.

Mr. CLAPP. Mr. President, I know something of this case. I think it is a very meritorious case. While it is a practice that perhaps is likely to lead to other similar requests, would the Senator object to amending the provision by naming the officer, so that it would read:

That the President be, and he is hereby, authorized to appoint Col. James W. Pope—

And then reciting the service?

Mr. THOMAS. I have no objection to complying with the suggestion of the Senator from Minnesota.

Mr. STONE. Can that be done?

Mr. THOMAS. I introduced a bill for that purpose, but it has not yet been reported upon the calendar. In the committee it was thought best to do it in this way.

Mr. CLAPP. I know; but there is criticism, and it seems to me it is warranted, as to taking action of this kind. There has been one such case recently which has been the subject of a good deal of criticism. There are cases where, I think, we are perfectly justified in dealing with them in the way of legislative action.

I believe this is one of them; but I do think it would be better if the man were named, and then if the language were so changed that the balance of it would be a recital of his services.

Mr. THOMAS. Of course, the Senator is aware that criticisms are made when the name of the individual is given. We have just had an example of that.

Mr. CLAPP. I know; but it can not be said then that something was put through and people did not know what it was. I will not press the matter, but it does seem to me it would be better in all these cases, as in the case just a few moments ago, if the man were named. Then there could be no criticism to the effect that anything was left out.

Mr. THOMAS. I am conscious of the soundness of the criticism that is urged by the Senator to this species of legislation. It does not commend itself to me. Of course, I am aware of the fact that one precedent begets imitation until it ripens perhaps into a rule. I think, however, in view of the considerations which prompted the preparation of this amendment in the form it now stands, unless the Senator insists upon it——

Mr. CLAPP. I will not insist upon it.

Mr. THOMAS. It should be allowed to remain as it is.

Mr. CLAPP. It might possibly lead to depriving a very meritorious man of what is sought to be conferred by the bill.

Mr. WARREN. May I say to the Senator from Minnesota where we put exact conditions into the act every officer who seeks similar legislation first looks to the language employed and conditions improved. If it applies to a class and he does not come under it, of course he does not approach the committee or Congress for relief; while, on the other hand, nearly every one of the same rank is liable to ask for the same relief, although not of right entitled to it when all the prescribed circumstances are considered.

Mr. CLAPP. I know in one or two instances we have authorized the promotion and recited the circumstances, and no one else could come and ask for the same promotion unless he could bring his case within those circumstances. However, I will not press the matter. I do not care to interfere with the bill in this particular.

The amendment was agreed to.

The next amendment was, on page 23, after line 5, to insert:

That the President be, and he is hereby, authorized to appoint, by and with the advice and consent of the Senate, to the grade of major general on the retired list of the Army, with the pay of brigadier general on the retired list any brigadier general now borne on said list who served with credit in the Army throughout both the Civil War and the War with Spain, as well as during the interval between said wars, and who, being a general officer, exercised with efficiency and gallantry the command of a brigade or of a higher unit in action or in actual operations against an enemy, and who in consideration of services so rendered was recommended to be a major general, United States Volunteers, by the commanding general of the Army, as shown by the records of the War Department: *Provided*, That any brigadier general on the retired list who commanded with credit a brigade or higher unit in the Civil War, though not so recommended, may be advanced in grade as authorized by this act if he fulfills the other requirements thereof.

Mr. OVERMAN. I ask that the amendment be passed over. Those are old familiar faces. I used to be on the Military Committee myself, and we had a pretty good chairman then, the Senator from Wyoming [Mr. WARREN]. We had these cases before us time after time, and the committee would never agree to report them favorably.

Mr. WARREN. The Senator has not had these particular cases before him. I do not recall that the case of these men was ever before the committee. They receive by this legislation nothing except the title of major general. It does not bring them any compensation whatever. They are men who were general officers in command of troops, brigades, divisions, and so forth, and who did not receive one grade in retirement as did so many of the officers.

Mr. OVERMAN. I understand it is just a promotion.

Mr. WARREN. It is the name and nothing more. Every officer below the rank of colonel who served in the Civil War received a promotion of one extra grade upon retirement, and every colonel who was in the Civil War was by the same act many years ago, when retired, made a brigadier general. These men were brigadiers at the time and in command of troops, and hence got no promotion whatever by that law. These brigadiers having had command, perhaps as major general, acting in command of a division, and having been recommended for appointment as major generals of Volunteers, would like this rank; and we state here, if I am not mistaken, in the act itself that there shall be no additional compensation.

Mr. OVERMAN. How old are these men?

Mr. WARREN. They are from 70 to 80-odd years.

Mr. OVERMAN. They are Civil War veterans?

Mr. WARREN. Oh, yes; they were retired at 64 years old some years ago. They were all exceptionally good officers with brilliant records.

Mr. OVERMAN. I do not know how many men it covers.

Mr. WARREN. It covers four.

Mr. OVERMAN. What is the objection to putting the names in the bill?

Mr. WARREN. The same objection that was made a moment ago. Of course the Senator from Minnesota proposes both the names and the reasons.

Mr. OVERMAN. We can not state the reasons.

Mr. WARREN. The Senator from North Carolina, who served upon the Committee on Military Affairs, and with great credit to it for a long time and we were most sorry to lose him, knows that to pick up an officer by name and promote him in that way, unless the reason is given in the act, brings us a great many applications from others and brings about a great deal of hard feeling from those who may believe that they are entitled to the same promotion that he receives.

Mr. OVERMAN. I have opposed such legislation for about 10 years; but if the Senator will assure us that it covers only three cases——

Mr. CHAMBERLAIN. Four.

Mr. DU PONT. I can assure the Senator that it covers no more.

Mr. OVERMAN. And there will be no extra allowance or bounty and that these are Civil War veterans I will withdraw my objection.

The VICE PRESIDENT. The amendment will be agreed to without objection.

EXECUTIVE SESSION.

Mr. CHAMBERLAIN. As many Senators desire an executive session, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After seven minutes spent in executive session the doors were reopened.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House agrees to the amendments of the Senate to the concurrent resolution (H. Con. Res. 49) authorizing and directing the Clerk, in the enrollment of the bill H. R. 10484, entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1917, and for other purposes," to make certain corrections.

The message also announced that the House further insists upon its amendments to the bill S. 5425, to standardize lime barrels, disagreed to by the Senate, agrees to the further conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. ASHBROOK, Mr. ABERCROMBIE, and Mr. REAVIS managers at the further conference on the part of the House.

The message further announced that the House insists upon its amendments to the bill (S. 3331) to amend an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906, as amended by the act approved June 23, 1910, and to provide for the improvement and development of waterways for the uses of interstate and foreign commerce, disagreed to by the Senate, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. ADAMSON, Mr. SIMS, and Mr. ESCH managers at the conference on the part of the House.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H. R. 11240) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. KEATING, Mr. VINSON, and Mr. SELLS managers at the conference on the part of the House.

The message further announced that the House disagrees to the amendments of the Senate to the bill (H. R. 12194) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. KEATING, Mr. VINSON, and Mr. SELLS managers at the conference on the part of the House.

The message further announced that the House disagrees to the amendments of the Senate to the bill (H. R. 13620) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. KEATING, Mr. VINSON, and Mr. SELLS managers at the conference on the part of the House.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H. R. 14576) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. KEATING, Mr. VINSON, and Mr. SELLS managers at the conference on the part of the House.

PETITIONS AND MEMORIALS.

Mr. GALLINGER presented petitions of Cascade Local No. 138, International Brotherhood Paper Makers, of Berlin, N. H.; of Local Branch, International Brotherhood of Bookbinders, of Indianapolis, Ind.; and of Local Branch, International Brotherhood of Painters, Decorators, and Paperhangers of America, of La Fayette, Ind., praying for the enactment of legislation to further restrict immigration, which were ordered to lie on the table.

He also presented a petition of Josephine Walter, of New York City, N. Y., praying for the enactment of legislation to prohibit interstate commerce in the products of child labor, which was ordered to lie on the table.

He also presented petitions of Local Branch, United Mine Workers of America, of Indianapolis, Ind.; of Local Branch, Granite Cutters' International Association of America, of Quincy, Mass.; of the Public Ownership League of Cook County, Ill.; of Local Union, Cigar Makers' International Union of America, of Chicago, Ill.; of Local Union, International Brotherhood of Stationary Firemen, of Omaha, Nebr.; and of the Alabama State Federation of Labor, praying for the enactment of legislation to further restrict immigration, which were ordered to lie on the table.

He also presented telegrams, in the nature of petitions, from sundry citizens of New York City, Niagara Falls, New Brighton, and Port Washington, Long Island, in the State of New York; of Wilmington, Del.; Madison, Wis.; Newport, R. I.; White Sulphur Springs, W. Va.; Baltimore, Md.; Grand Rapids, Mich.; Wilkes-Barre, Pa.; of Roselle, Long Branch, Elizabeth, Summit, Glenridge Depot, and Plainfield, N. J.; and Chicago, Ill., praying for the enactment of legislation to prohibit interstate commerce in the products of child labor, which were ordered to lie on the table.

Mr. JONES presented a telegram, in the nature of a memorial, from the Clearing House Association of North Yakima, Wash., remonstrating against a tax on banks, which was referred to the Committee on Finance.

He also presented a telegram, in the nature of a memorial, from the Commercial Club and Chamber of Commerce of Tacoma, Wash., remonstrating against a tax on copper, which was referred to the Committee on Finance.

He also presented a telegram, in the nature of a memorial, from D. D. Calkins, of Tacoma, Wash., remonstrating against a tax on copper, which was referred to the Committee on Finance.

Mr. PHELAN presented a petition of Local Union No. 220, International Brotherhood of Stationary Firemen, of Los Angeles, Cal., praying for the enactment of legislation to provide an increase in the wages of stationary firemen in Federal buildings, which was referred to the Committee on Appropriations.

He also presented a memorial of sundry citizens of Los Angeles, Cal., remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which was ordered to lie on the table.

Mr. WADSWORTH presented a petition of sundry citizens of Onondaga County, N. Y., praying for the enactment of legislation to found the Government on Christianity, which was referred to the Committee on the Judiciary.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JAMES:

A bill (S. 6688) granting a pension to Henry Ford (with accompanying papers); to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A bill (S. 6689) granting an increase of pension to Jerome Dornsife (with accompanying papers); to the Committee on Pensions.

By Mr. KERN:

A bill (S. 6690) for the relief of Americus A. Gordon; to the Committee on Military Affairs.

By Mr. CHILTON:

A bill (S. 6691) granting an increase of pension to John C. Gore (with accompanying papers); to the Committee on Pensions.

REPORTS OF COMMITTEES.

Mr. MARTINE of New Jersey, from the Committee on Post Offices and Post Roads, to which was referred the bill (H. R. 1528) for the relief of Martin Huhn, reported it with an amendment and submitted a report (No. 693) thereon.

Mr. TOWNSEND, from the Committee on Post Offices and Post Roads, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

H. R. 2180. An act for the relief of Albert Greenlaw (Rept. No. 695);

H. R. 4559. An act for the relief of C. Horatio Scott (Rept. No. 696); and

H. R. 7883. An act for the relief of Charlotte M. Johnston (Rept. No. 694).

Mr. WARREN, from the Committee on Military Affairs, to which was referred the bill (S. 10) to correct the military record of Clayton H. Adams, reported it with amendments and submitted a report (No. 697) thereon.

Mr. DU PONT, from the Committee on Military Affairs, to which was referred the bill (S. 736) to correct the military record of John P. Webber, alias John J. Webber, reported it with amendments and submitted a report (No. 700) thereon.

He also, from the same committee, to which was referred the bill (S. 6154) for the relief of Dr. Charles Lee Baker, reported it without amendment and submitted a report (No. 698) thereon.

He also, from the same committee, to which was referred the bill (S. 6287) for the relief of Joseph Eubor, reported it with an amendment and submitted a report (No. 699) thereon.

Mr. VARDAMAN, from the Committee on Post Offices and Post Roads, to which was referred the bill (H. R. 11150) for the relief of mail contractors, reported it without amendment and submitted a report (No. 701) thereon.

Mr. PHELAN, from the Committee on Public Lands, to which was referred the bill (S. 6204) to amend the act entitled "An act to amend sections 2275 and 2276 of the Revised Statutes of the United States providing for the selection of lands for educational purposes in lieu of those appropriated," and to authorize an exchange of lands between the United States and the several States, reported it without amendment and submitted a report (No. 702) thereon.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. POMERENE submitted an amendment providing that in computing the length of service of dental surgeons in the Army for promotion, and for other purposes, all such dental surgeons as are eligible who have had service as contract or acting dental surgeons prior to June 3, 1916, shall be given credit under this act for the length of their services as such contract or acting dental surgeons, intended to be proposed by him to the Army appropriation bill (H. R. 16460), which was ordered to lie on the table and be printed.

Mr. FLETCHER submitted an amendment proposing to appropriate $50,000 for repairs to boats, wharves, roads, and replacement at Forts Barrancas, McRee, and Pickens, Fla., and Fort Morgan, Ala., damaged by the hurricane of July 5, 1916, intended to be proposed by him to the Army appropriation bill (H. R. 16460), which was ordered to lie on the table and be printed.

THE REVENUE.

Mr. WORKS submitted an amendment intended to be proposed by him to the bill (H. R. 16763) to increase the revenue, and for other purposes, which was referred to the Committee on Finance and ordered to be printed.

Mr. CHAMBERLAIN submitted an amendment intended to be proposed by him to the bill (H. R. 16763) to increase the revenue, and for other purposes, which was referred to the Committee on Finance and ordered to be printed.

GOVERNMENT FOR PORTO RICO.

Mr. BROUSSARD submitted four amendments intended to be proposed by him to the bill (H. R. 9533) to provide a civil government for Porto Rico, and for other purposes, which were ordered to lie on the table and to be printed.

INSPECTION OF VESSELS.

Mr. FLETCHER submitted two amendments intended to be proposed by him to the bill (H. R. 13831) to amend section 4464 of the Revised Statutes of the United States, relating to number of passengers to be stated in certificates of inspection of passenger vessels, and section 4465 of the Revised Statutes of the United States, prescribing penalty for carrying excessive number of passengers on passenger vessels, and section 4466 of the Revised Statutes of the United States, relating to special permits for excursions on passenger steamers, which were referred to the Committee on Commerce and ordered to be printed.

PAY FOR COMPOSITORS.

Mr. REED submitted an amendment intended to be proposed by him to the bill (S. 6626) to fix the rate of pay for compositors and bookbinders in the Government Printing Office, which was ordered to lie on the table and to be printed.

WITHDRAWAL OF PAPERS—LAURA L. NOYES.

On motion of Mr. BRANDEGEE, it was

Ordered, That the papers in the case of the bill (S. 6183) granting a pension to Laura L. Noyes (62d Cong., 2d sess.) be withdrawn from the files of the Senate, no adverse report having been made thereon.

PENSIONS AND INCREASE OF PENSIONS.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 11240) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. JOHNSON of Maine. I move that the Senate insist upon its amendments and agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. BRYAN, Mr. HUGHES, and Mr. POINDEXTER conferees on the part of the Senate.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 12194) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War and to widows of such soldiers and sailors, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. JOHNSON of Maine. I move that the Senate insist upon its amendments and agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. BRYAN, Mr. HUGHES, and Mr. POINDEXTER conferees on the part of the Senate.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 14576) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War and to widows of such soldiers and sailors, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. JOHNSON of Maine. I move that the Senate insist upon its amendments and agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. BRYAN, Mr. HUGHES, and Mr. POINDEXTER conferees on the part of the Senate.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 13620) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War and to widows of such soldiers and sailors, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. JOHNSON of Maine. I move that the Senate insist upon its amendments and agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. BRYAN, Mr. HUGHES, and Mr. POINDEXTER conferees on the part of the Senate.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. Latta, one of his secretaries, announced that the President had, on July 20, 1916, approved and signed the following joint resolution:

S. J. Res. 60. Joint resolution creating a joint subcommittee from the membership of the Senate Committee on Interstate Commerce and the House Committee on Interstate and Foreign Commerce to investigate the conditions relating to interstate and foreign commerce, and the necessity of further legislation relating thereto, and defining the powers and duties of such subcommittee.

AMENDMENT OF FEDERAL RESERVE ACT.

Mr. OWEN. Mr. President, I wish to give notice that immediately after the conclusion of the morning business to-morrow I shall ask the Senate to dispose of the amendments to the Federal reserve act.

AMENDMENT OF THE RULES.

Mr. LA FOLLETTE. Mr. President, I ask unanimous consent to give a notice, which I send to the desk.

The VICE PRESIDENT. Does the Senator from Wisconsin desire the notice read?

Mr. LA FOLLETTE. I do not ask to have it read; I desire to have it printed, and I can state in just a moment, if it is important that the Senate shall be advised of it, the purpose of the proposed amendment.

Mr. CHAMBERLAIN. Let it be printed.

The VICE PRESIDENT. That is as it pleases the Senator from Wisconsin.

Mr. OVERMAN. Let us have it read, Mr. President.

Mr. LA FOLLETTE. I can state it in one minute, I think.

Mr. OVERMAN. That is all right.

Mr. LA FOLLETTE. When the Army reorganization bill passed the Senate it changed the law with respect to enlistments not only in the Regular Army but in the National Guard. The law theretofore, as affecting the age limit, had provided that no person under 21 years of age should be enlisted in the Regular Army or in the National Guard without the consent of the parent or guardian of such person. The law was changed by the military reorganization bill so that now boys a little over 18 years of age may be enlisted without and against the consent of their parents in the Regular Army or in the National Guard. I propose to reenact two sections in the Army reorganization bill to make them conform to the law as it was previously. That is the only respect, however, in which they are changed. It would require too much time to read the whole notice, and I thought I could merely make this brief statement and the Senate would understand the purpose of the amendment.

Mr. DU PONT. Mr. President, I should like to ask the Senator from Wisconsin if he does not know that the changes to which he refers are in strict conformity with the existing law in respect to enlistments in the Navy? That was all that was done in the Army reorganization bill. It made enlistments in the service, so far as age is concerned, in the Army exactly the same as the conditions which obtain in the Navy.

Mr. LA FOLLETTE. Yes. I am aware of that, Mr. President, and it was a matter of oversight with me that I did not offer such a notice and secure the opportunity at least on the naval appropriation bill to change the age limit with respect to the Navy as I think it ought to be changed with regard to the Army.

The notice given by Mr. LA FOLLETTE is as follows:

On Saturday, July 22, or as soon thereafter as possible, I shall move to suspend that provision of paragraph 3 of Senate Rule XVI prohibiting any amendment proposing general legislation to any general appropriation bill for the purpose of offering the following amendment to the bill (H. R. 16460) making appropriations for the Army for the fiscal year ending June 30, 1917, and for other purposes, by adding at the end of the bill after line 3, page 154, the following:

"SEC. —. That section 27 of the act entitled 'An act for making further and more effectual provision for the national defense, and for other purposes,' approved June 2, 1916, be amended so as to read:

"'SEC. 27. Enlistments in the Regular Army: On and after the 1st day of November, 1916, all enlistments in the Regular Army shall be for a term of seven years, the first three years to be in the active service with the organizations of which those enlisted form a part and, except as otherwise provided herein, the last four years in the Regular Army Reserve hereinafter provided for: *Provided*, That at the expiration of three years' continuous service with such organizations, either under a first or any subsequent enlistment, any soldier may be reenlisted for another period of seven years, as above provided for, in which event he shall receive his final discharge from his prior enlistment: *Provided further*, That after the expiration of one year's honorable service any enlisted man serving within the continental limits of the United States whose company, troop, battery, or detachment commander shall report him as proficient and sufficiently trained may, in the discretion of the Secretary of War, be furloughed to the Regular Army Reserve under such regulations as the Secretary of War may prescribe, but no man furloughed to the reserve shall be eligible to reenlist in the service until the expiration of his term of seven years: *Provided further*, That in all enlistments hereafter accomplished under the provisions of this act three years shall be counted as an enlistment period in computing continuous-service pay: *Provided further*, That any noncommissioned officer discharged with an excellent character shall be permitted, at the expiration of three years in the active service, to reenlist in the organization from which discharged with the rank and grade held by him at the time of his discharge if he reenlists within 20 days after the date of such discharge: *Provided further*, That no person under the age of 21 years shall be enlisted or mustered into the military service of the United States without the written consent of his parents or guardians: *Provided, however*, That such minor has such parents or guardians entitled to his custody and control, and this proviso shall be applicable to all minors enlisted or mustered into the military service of the United States on and after June 3, 1916: *And provided further*, That the President is authorized in his discretion to utilize the services of postmasters of the second, third, and fourth classes in procuring the enlistment of recruits for the Army, and for each recruit accepted for enlistment in the Army the postmaster procuring his enlistment shall receive the sum of $5.

"'In addition to military training, soldiers while in the active service shall hereafter be given the opportunity to study and receive instruction upon educational lines of such character as to increase their military efficiency and enable them to return to civil life better equipped for industrial, commercial, and general business occupations. Civilian teachers may be employed to aid the Army officers in giving such instruction, and part of this instruction may consist of vocational education, either in agriculture or the mechanic arts. The Secretary of War, with the approval of the President, shall prescribe rules and regulations for conducting the instruction herein provided for, and the Secretary of War shall have the power at all times to suspend, increase, or decrease the amount of such instruction offered as may in his judgment be consistent with the requirements of military instruction and service of the soldiers.'

"SEC. 2. That section 58 of an act entitled 'An act for making further and more effectual provision for the national defense, and for other purposes,' approved June 3, 1916, be, and the same is, amended to read as follows:

"'SEC. 58. Composition of the National Guard: The National Guard shall consist of the regularly enlisted militia between the ages of 18 and 45 years, organized, armed, and equipped as hereinafter provided, and of commissioned officers between the ages of 21 and 64 years: *Provided*, That no person under the age of 21 years shall be enlisted or mustered into the military service of the United States without the written consent of his parents or guardians: *Provided*, That such minor has such parents or guardians entitled to his custody and control; and this provision shall be applicable to all minors mustered into the military service of the United States on and after June 3, 1916.'"

ROBERT M. LA FOLLETTE.

Mr. STONE. I move that the Senate adjourn.

The motion was agreed to; and (at 6 o'clock and 12 minutes p. m.) the Senate adjourned until to-morrow, Saturday, July 22, 1916, at 10 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate July 21 (legislative day of July 19), 1916.

AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY.

Abram I. Elkus, of New York, to be ambassador extraordinary and plenipotentiary of the United States of America to Turkey, vice Henry Morgenthau, resigned.

APPOINTMENTS IN THE ARMY.

GENERAL OFFICER.

Col. John W. Ruckman, Coast Artillery Corps, to be brigadier general with rank from July 20, 1916, vice Brig. Gen. John P. Wisser, retired from active service July 19, 1916.

MEDICAL RESERVE CORPS.

To be first lieutenants with rank from July 14, 1916.

Tunis Cline Quick, of Virginia.
James Coleman Motley, of Virginia.
Lewis Jay Rosenthal, of Maryland.
Thomas Butler Anderson, of California.
Caleb William Sommerville, of Pennsylvania.
Charles Franklin Mitchell, of Pennsylvania.
Joseph Howard Cloud, of Pennsylvania.
Johnston MacLeod, of New York.
Norman Edwin Titus, of New York.
John Baker Carson, of Pennsylvania.

PROMOTIONS IN THE ARMY.

JUDGE ADVOCATE GENERAL'S DEPARTMENT.

Maj. Walter A. Bethel, judge advocate, to be judge advocate with the rank of lieutenant colonel from July 1, 1916, to fill an original vacancy.

CAVALRY ARM.

To be captains with rank from July 1, 1916, to fill original vacancies.

First Lieut. Jerome G. Pillow, Fourth Cavalry.
First Lieut. Ralph N. Hayden, Third Cavalry.
First Lieut. Leonard W. Prunty, Fourth Cavalry.
First Lieut. E. Kearsley Sterling, Third Cavalry.
First Lieut. Charles J. Naylor, Fourth Cavalry.
First Lieut. Kerr T. Riggs, Fourth Cavalry.
First Lieut. Carl H. Müller, Eleventh Cavalry.
First Lieut. John A. Pearson, Eleventh Cavalry.
First Lieut. Charles Burnett, First Cavalry.
First Lieut. Daniel D. Gregory, Fifth Cavalry.
First Lieut. Walter H. Smith, Seventh Caalry.
First Lieut. George H. Baird, Thirteenth Cavalry.
First Lieut. William M. Cooley, Sixth Cavalry.
First Lieut. William G. Meade, Second Cavalry.
First Lieut. William N. Haskell, Cavalry, unassigned.
First Lieut. Henry A. Meyer, jr., Tenth Cavalry.
First Lieut. Frank Keller, Sixth Cavalry.
First Lieut. Guy Kent, Ninth Cavalry.
First Lieut. Copley Enos, First Cavalry.
First Lieut. Emory J. Pike, Eighth Cavalry.
First Lieut. Williams S. Martin, Fourth Cavalry.
First Lieut. Frederick Mears, Cavalry, unassigned.
First Lieut. Alden M. Graham, Eleventh Cavalry.
First Lieut. Robert L. Collins, Eighth Cavalry.
First Lieut. Irvin L. Hunsaker, Eleventh Cavalry.
First Lieut. Clifton R. Norton, Fourteenth Cavalry.
First Lieut. Eugene J. Ely, Fifth Cavalry.
First Lieut. Charles R. Mayo, detailed in the Signal Corps.
First Lieut. Arthur J. Lynch, Fourteenth Cavalry.

First Lieut. Rawson Warren, Fourteenth Cavalry.
First Lieut. John H. Read, jr., Third Cavalry.
First Lieut. Joseph H. Barnard, Fifth Cavalry.
First Lieut. Rodman Butler, Eighth Cavalry.
First Lieut. Clarence Lininger, Thirteenth Cavalry.
First Lieut. Edward M. Offley, Twelfth Cavalry.
First Lieut. John Cocke, Eighth Cavalry.
First Lieut. John T. Donnelly, Thirteenth Cavalry.
First Lieut. Edwin L. Cox, Eleventh Cavalry.
First Lieut. Ronald E. Fisher, Ninth Cavalry.
First Lieut. C. Emery Hathaway, Seventh Cavalry.
First Lieut. Joseph V. Kuznick, Twelfth Cavalry.
First Lieut. Edward R. Coppock, Cavalry, unassigned.
First Lieut. Peter J. Hennessey, Seventh Cavalry.
First Lieut. Kenyon A. Joyce, Cavalry, unassigned.
First Lieut. Howard C. Tatum, detailed in the Signal Corps.
First Lieut. Arthur G. Fisher, Fourteenth Cavalry.
First Lieut. George Grunert, Third Cavalry.
First Lieut. William R. Pope, Fourteenth Cavalry.
First Lieut. Olney Place, detailed in the Signal Corps.
First Lieut. Thomas H. Cunningham, Fifth Cavalry.
First Lieut. Sidney D. Maize, Twelfth Cavalry.
First Lieut. Ralph M. Parker, Cavalry, unassigned.
First Lieut. John H. Howard, Cavalry, unassigned.
First Lieut. Matt C. Bristol, Third Cavalry.
First Lieut. Horace N. Munro, First Cavalry.
First Lieut. Thomas P. Bernard, First Cavalry.
First Lieut. Daniel D. Tompkins, Eighth Cavalry.
First Lieut. Clarence A. Dougherty, First Cavalry.
First Lieut. Isaac S. Martin, Cavalry, unassigned.
First Lieut. George R. Somerville, Third Cavalry.
First Lieut. Seth W. Cook, Eleventh Cavalry.
First Lieut. Thomas B. Esty, First Cavalry.
First Lieut. Milton G. Holliday, Cavalry, unassigned.
First Lieut. Robert R. Love, Cavalry, unassigned.
First Lieut. William H. Bell, Twelfth Cavalry.
First Lieut. Walter H. Neill, Thirteenth Cavalry.
First Lieut. Edmund A. Buchanan, Second Cavalry.
First Lieut. David L. Roscoe, First Cavalry.
First Lieut. Edward A. Keyes, Sixth Cavalry.
First Lieut. John G. Winter, Fifth Cavalry.
First Lieut. Herbert E. Mann, Fifth Cavalry.
First Lieut. Orlando G. Palmer, Sixth Cavalry.
First Lieut. Francis A. Ruggles, Cavalry, unassigned.
First Lieut. Henry T. Bull, Fifth Cavalry.
First Lieut. Howard R. Smalley, Cavalry, unassigned.
First Lieut. Talbot Smith, Twelfth Cavalry.
First Lieut. Frank E. Davis, Fifth Cavalry.
First Lieut. William W. Overton, Eighth Cavalry.
First Lieut. Thomas A. Rothwell, Fourth Cavalry.
First Lieut. E. R. Warner McCabe, Fifth Cavalry.
First Lieut. James B. Henry, jr., Fifteenth Cavalry.
First Lieut. Emmet R. Harris, Cavalry, unassigned.
First Lieut. John C. Pegram, Tenth Cavalry.
First Lieut. Harry L. Hodges, First Cavalry.
First Lieut. Victor S. Foster, Eighth Cavalry.
First Lieut. Oscar Foley, Third Cavalry.
First Lieut. Frederick D. Griffith, jr., Sixth Cavalry.
First Lieut. Albert B. Dockery, Tenth Cavalry.
First Lieut. Henry E. Mitchell, Seventh Cavalry.
First Lieut. Edmund L. Zane, Fourteenth Cavalry.
First Lieut. Charles McH. Eby, Eleventh Cavalry.
First Lieut. William H. Cowles, Eighth Cavalry.
First Lieut. Leon R. Partridge, Third Cavalry.
First Lieut. William A. McCain, Thirteenth Cavalry.
First Lieut. John K. Herr, Fourth Cavalry.
First Lieut. Philip H. Sheridan, Fifth Cavalry.
First Lieut. Joseph F. Taulbee, Second Cavalry.
First Lieut. Andrew W. Smith, Seventh Cavalry.
First Lieut. Troup Miller, Cavalry, unassigned.
First Lieut. William W. Edwards, Twelfth Cavalry.
First Lieut. John A. Barry, Second Cavalry.
First Lieut. William W. Gordon, First Cavalry.
First Lieut. Harold B. Johnson, Third Cavalry.
First Lieut. James P. Castleman, Thirteenth Cavalry, subject to examination required by law.
First Lieut. Albert H. Mueller, Cavalry, unassigned.
First Lieut. Allan F. McLean, Second Cavalry, subject to examination required by law.
First Lieut. Herman S. Dilworth, Fifteenth Cavalry.
First Lieut. John V. Spring, jr., Third Cavalry.
First Lieut. Norman H. Davis, Fourteenth Cavalry.
First Lieut. Charles Telford, Eighth Cavalry.
First Lieut. Levi G. Brown, Thirteenth Cavalry.
First Lieut. Olan C. Aleshire, Twelfth Cavalry.
First Lieut. Emil P. Laurson, Eleventh Cavalry.
First Lieut. Frederick E. Shnyder, detailed in the Ordnance Department.

To be captains with rank from July 1, 1916, to fill casual vacancies.

First Lieut. Thomas F. Van Natta, jr., Sixth Cavalry, vice Capt. Kirby Walker, Fourteenth Cavalry, promoted.
First Lieut. James A. Mars, Sixth Cavalry, vice Capt. Claude B. Sweezey, First Cavalry, promoted.
First Lieut. James A. Shannon, Eleventh Cavalry, vice Capt. Julian R. Lindsey, Eleventh Cavalry, promoted.
First Lieut. Allan M. Pope, Cavalry, unassigned, vice Capt. Edmund M. Leary, Seventh Cavalry, promoted.
First Lieut. John C. Montgomery, Fourteenth Cavalry, vice Capt. Julius T. Conrad, Fifteenth Cavalry, promoted.
First Lieut. Dorsey R. Rodney, Seventh Cavalry, vice Capt. Howard R. Hickok, Fifteenth Cavalry, promoted.
First Lieut. Alexander M. Milton, Fifth Cavalry, vice Capt. Samuel B. Arnold, First Cavalry, promoted.
First Lieut. Hugh S. Johnson, First Cavalry, vice Capt. Samuel McP. Rutherford, Tenth Cavalry, promoted.
First Lieut. Carl Boyd, Third Cavalry, vice Capt. George W. Kirkpatrick, Eighth Cavalry, promoted, subject to examination required by law.
First Lieut. Stephen W. Winfree, Fifteenth Cavalry, vice Capt. Cornelius C. Smith, unassigned, promoted.
First Lieut. Ephraim F. Graham, Cavalry, unassigned, vice Capt. Joseph E. Cusack, Eleventh Cavalry, promoted.
First Lieut. George E. Nelson, Ninth Cavalry, vice Capt. Lincoln C. Andrews, Ninth Cavalry, promoted.
First Lieut. Thomas L. Sherburne, Fifth Cavalry, vice Capt. William R. Smedberg, jr., Second Cavalry, promoted.
First Lieut. Emil Engel, Seventh Cavalry, vice Capt. John M. Morgan, Twelfth Cavalry, promoted.
First Lieut. Emmett Addis, Tenth Cavalry, vice Capt. Andrew E. Williams, Sixth Cavalry, promoted.
First Lieut. Harry L. King, Twelfth Cavalry, vice Capt. Walter C. Babcock, Thirteenth Cavalry, promoted.
First Lieut. Arthur G. Hixson, Fourteenth Cavalry, vice Capt. Herbert B. Crosby, First Cavalry, promoted.
First Lieut. Vaughn W. Cooper, Eighth Cavalry, vice Capt. Benjamin B. Hyer, Fourth Cavalry, promoted.
First Lieut. David H. Scott, Fifth Cavalry, vice Capt. Mathew C. Smith, Ninth Cavalry, promoted.
First Lieut. Robert M. Campbell, Seventh Cavalry, vice Capt. Harry H. Pattison, First Cavalry, promoted.
First Lieut. George V. Strong, Sixth Cavalry, vice Capt. George F. Hamilton, Second Cavalry, promoted.
First Lieut. George B. Hunter, Thirteenth Cavalry, vice Capt. William H. Paine, Fifteenth Cavalry, promoted.
First Lieut. Stanley Koch, Sixth Cavalry, vice Capt. John W. Craig, Twelfth Cavalry, promoted.
First Lieut. Stephen C. Reynolds, Third Cavalry, vice Capt. Hugh D. Berkeley, Eighth Cavalry, promoted.
First Lieut. William V. Carter, Cavalry, unassigned, vice Capt. Hamilton S. Hawkins, Fourth Cavalry, promoted.
First Lieut. Henry C. Pratt, First Cavalry, vice Capt. Frank Parker, Eleventh Cavalry, promoted.
First Lieut. Charles B. Amory, jr., Cavalry, unassigned, vice Capt. George Vidmer, Eighth Cavalry, promoted.
First Lieut. Kinzie B. Edmunds, detailed in the Signal Corps, vice Capt. Casper H. Conrad, jr., Eighth Cavalry, promoted.
First Lieut. Charles S. Hoyt, Eleventh Cavalry, vice Capt. Nathan K. Averill, unassigned, promoted.
First Lieut. James J. O'Hara, Fifteenth Cavalry, vice Capt. Harry La T. Cavenaugh, Tenth Cavalry, promoted.
First Lieut. Albert C. Wimberly, Seventh Cavalry, vice Capt. Mortimer O. Bigelow, First Cavalry, promoted.
First Lieut. Roy W. Holderness, Sixth Cavalry, vice Capt. William G. Sills, Fifteenth Cavalry, promoted.
First Lieut. James S. Greene, Tenth Cavalry, vice Capt. August C. Nissen, Seventh Cavalry, promoted.
First Lieut. Gerald C. Brant, Ninth Cavalry, vice Capt. James S. Parker, Fourth Cavalry, promoted.
First Lieut. Innis P. Swift, Second Cavalry, vice Capt. Joseph S. Herron, Second Cavalry, promoted.
First Lieut. Arthur H. Wilson, Ninth Cavalry, vice Capt. George B. Pritchard, jr., Fifteenth Cavalry, promoted.
First Lieut. William C. F. Nicholson, Seventh Cavalry, vice Capt. Alvord Van P. Anderson, Sixth Cavalry, promoted.
First Lieut. George Dillman, Sixth Cavalry, vice Capt. Le Roy Eltinge, Eighth Cavalry, promoted.
First Lieut. Philip J. R. Kiehl, Fourth Cavalry, vice Capt. George W. Moses, Eighth Cavalry, promoted.

First Lieut. Charles L. Scott, Fifteenth Cavalry, vice Capt. Frank P. Lahm, detailed in the Signal Corps.

First Lieut. James H. Dickey, Eighth Cavalry, vice Capt. Charles R. Mayo, detailed in the Signal Corps.

First Lieut. Ralph Talbot, jr., Fifteenth Cavalry, vice Capt. Frederick E. Shnyder, detailed in the Ordnance Department.

To be first lieutenants from July 1, 1916, to fill original vacancies.

Second Lieut. Chester P. Mills, Ninth Cavalry.
Second Lieut. Edwin R. Van Deusen, Fifteenth Cavalry.
Second Lieut. Francis R. Hunter, Second Cavalry.
Second Lieut. Guy W. McClelland, Fifteenth Cavalry.
Second Lieut. John C. F. Tillson, jr., Tenth Cavalry.
Second Lieut. Paul C. Raborg, Seventh Cavalry.
Second Lieut. Edgar W. Taulbee, Twelfth Cavalry.
Second Lieut. Dwight K. Shurtleff, Thirteenth Cavalry.
Second Lieut. Harry D. Chamberlin, Fifth Cavalry.
Second Lieut. John J. Waterman, Second Cavalry.
Second Lieut. John Millikin, Fifth Cavalry.
Second Lieut. Jack W. Heard, Fourteenth Cavalry.
Second Lieut. Charles M. Haverkamp, Fourth Cavalry.
Second Lieut. Guy W. Chipman, Fifteenth Cavalry.
Second Lieut. Edgar W. Burr, Ninth Cavalry.
Second Lieut. John A. Robenson, Thirteenth Cavalry, subject to examination required by law.
Second Lieut. Joseph P. Aleshire, Sixth Cavalry.
Second Lieut. Harding Polk, Eleventh Cavalry.
Second Lieut. Claud K. Rhinehardt, First Cavalry.
Second Lieut. Everett Collins, Fourteenth Cavalry.
Second Lieut. Cushman Hartwell, Eighth Cavalry.
Second Lieut. Horace T. Aplington, Fifteenth Cavalry.
Second Lieut. Alexander D. Surles, Fifteenth Cavalry.
Second Lieut. Philip J. Kieffer, Thirteenth Cavalry.
Second Lieut. Karl S. Bradford, Cavalry, unassigned.
Second Lieut. Frederick Gilbreath, Fourteenth Cavalry.
Second Lieut. Harrison H. C. Richards, Fourth Cavalry.
Second Lieut. Arthur B. Conard, Tenth Cavalry.
Second Lieut. John P. Lucas, Thirteenth Cavalry.
Second Lieut. Wilfrid M. Blunt, Eleventh Cavalry.
Second Lieut. James C. R. Schwenck, Fifteenth Cavalry.
Second Lieut. William P. J. O'Neill, Fifteenth Cavalry.
Second Lieut. Thomas J. J. Christian, First Cavalry.
Second Lieut. Frank L. Van Horn, Third Cavalry.
Second Lieut. Howell M. Estes, Fourth Cavalry.
Second Lieut. William B. McLaurin, First Cavalry.
Second Lieut. John F. Wall, Fifteenth Cavalry.
Second Lieut. Leo G. Heffernan, Fifth Cavalry.
Second Lieut. Edwin N. Hardy, Eighth Cavalry.
Second Lieut. George H. Brett, Second Cavalry, subject to examination required by law.
Second Lieut. Robert C. Brady, Ninth Cavalry.
Second Lieut. Herbert E. Taylor, Sixth Cavalry.
Second Lieut. William M. Grimes, Ninth Cavalry.
Second Lieut. Henry J. M. Smith, Ninth Cavalry.
Second Lieut. Malcolm Wheeler-Nicholson, Ninth Cavalry.
Second Lieut. Alexander R. Cocke, Ninth Cavalry.
Second Lieut. Alexander L. P. Johnson, Second Cavalry.
Second Lieut. Dexter C. Rumsey, Fourth Cavalry.
Second Lieut. Henry L. C. Jones, Fifteenth Cavalry.
Second Lieut. Edwin O'Connor, Sixth Cavalry.
Second Lieut. Eugene A. Lohman, Fourth Cavalry.
Second Lieut. Kenneth P. Lord, Eleventh Cavalry.
Second Lieut. Edward A. Millar, jr., Fifth Cavalry.
Second Lieut. Clyde J. McConkey, Ninth Cavalry.
Second Lieut. Harold C. Lutz, Ninth Cavalry.
Second Lieut. John M. Thompson, Ninth Cavalry.
Second Lieut. Daniel E. Murphy, Fourth Cavalry.
Second Lieut. Kenna G. Eastham, Fifteenth Cavalry.
Second Lieut. James P. Yancey, Fifteenth Cavalry.
Second Lieut. Leopold J. H. Herwig, Fourth Cavalry.
Second Lieut. Raymond E. McQuillin, Fourth Cavalry.
Second Lieut. De Forest W. Morton, Eighth Cavalry.
Second Lieut. Francis C. V. Crowley, Fifth Cavalry.
Second Lieut. George E. A. Reinburg, Seventh Cavalry.
Second Lieut. Clarence D. Lang, Twelfth Cavalry.
Second Lieut. Philip Coldwell, Ninth Cavalry.
Second Lieut. William H. W. Youngs, Fifth Cavalry.
Second Lieut. Byron Q. Jones, detailed in the Aviation Section, Signal Corps.
Second Lieut. Robert McG. Littlejohn, Eighth Cavalry.
Second Lieut. Harry A. Flint, Thirteenth Cavalry.
Second Lieut. Pearl L. Thomas, Twelfth Cavalry.
Second Lieut. Sidney V. Bingham, Seventh Cavalry.
Second Lieut. Isaac Spalding, Eighth Cavalry.
Second Lieut. Henry L. Flynn, Twelfth Cavalry.
Second Lieut. Robert F. Hyatt, First Cavalry.
Second Lieut. Harold M. Rayner, Third Cavalry.
Second Lieut. Stephen M. Walmsley, Sixth Cavalry.
Second Lieut. John T. McLane, Twelfth Cavalry.
Second Lieut. James S. Mooney, Twelfth Cavalry, subject to examination required by law.
Second Lieut. Henry W. Harms, detailed in the Aviation Section, Signal Corps.
Second Lieut. John E. Lewis, Ninth Cavalry.
Second Lieut. John D. Kelly, Twelfth Cavalry.
Second Lieut. Thorne Deuel, jr., Fourth Cavalry.
Second Lieut. William Nalle, Fourth Cavalry.
Second Lieut. Roy O. Henry, Twelfth Cavalry.
Second Lieut. William E. Dorman, Fourth Cavalry.
Second Lieut. John C. Prince, Thirteenth Cavalry.
Second Lieut. Lindsley D. Beach, Thirteenth Cavalry.
Second Lieut. Carl P. Dick, Fourteenth Cavalry.
Second Lieut. John K. Boles, Ninth Cavalry.
Second Lieut. Terry de la M. Allen, Fourteenth Cavalry.
Second Lieut. John C. McDonnell, Eleventh Cavalry.
Second Lieut. Jerome W. Howe, Fifteenth Cavalry.
Second Lieut. Otto Wagner, Tenth Cavalry.
Second Lieut. Burton Y. Read, Eleventh Cavalry.
Second Lieut. Russell B. Patterson, Twelfth Cavalry.
Second Lieut. Clyde V. Simpson, Twelfth Cavalry.
Second Lieut. Joseph F. Richmond, Tenth Cavalry.
Second Lieut. Roy S. Brown, detailed in Aviation Section, Signal Corps.
Second Lieut. Louis A. Falligant, Fifteenth Cavalry.
Second Lieut. Herbert M. Ostroski, First Cavalry.
Second Lieut. Paul R. Davison, Third Cavalry.
Second Lieut. John B. Brooks, detailed in Aviation Section, Signal Corps.
Second Lieut. John B. Coulter, Fourteenth Cavalry.
Second Lieut. William A. Raborg, Eighth Cavalry.
Second Lieut. Welton M. Modisette, Eighth Cavalry.
Second Lieut. John P. Wheeler, Fifth Cavalry.
Second Lieut. Harold M. Clark, First Cavalry.
Second Lieut. Clarence F. Ellefson, Third Cavalry.
Second Lieut. Harold Thompson, Fifth Cavalry.
Second Lieut. Richard B. Barnitz, Fourteenth Cavalry.
Second Lieut. Allen G. Thurman, Eleventh Cavalry.
Second Lieut. George W. Sliney, First Cavalry.
Second Lieut. Eugene T. Spencer, First Cavalry.
Second Lieut. Willis D. Crittenberger, Third Cavalry.
Second Lieut. Alfred B. Johnson, Third Cavalry.
Second Lieut. Falkner Heard, Fourteenth Cavalry.
Second Lieut. Roland L. Gaugler, Fourth Cavalry.
Second Lieut. Stuart W. Cramer, jr., Eighth Cavalry.
Second Lieut. Thoburn K. Brown, Seventh Cavalry.

To be first lieutenants with rank from July 1, 1916, to fill casual vacancies.

Second Lieut. Geoffrey Keyes, Sixth Cavalry, vice First Lieut. Jerome G. Pillow, Fourth Cavalry, promoted.

Second Lieut. Joseph W. Viner, Eleventh Cavalry, vice First Lieut. Ralph N. Hayden, Third Cavalry, promoted.

Second Lieut. John A. Considine, Sixth Cavalry, vice First Lieut. Leonard W. Prunty, Fourth Cavalry, promoted.

Second Lieut. Earl L. Canady, detailed in the Aviation Section, Signal Corps, vice First Lieut. E. Kearsley Sterling, Third Cavalry, promoted.

Second Lieut. George E. Lovell, jr., Seventh Cavalry, vice First Lieut. Charles J. Naylor, Fourth Cavalry, promoted.

Second Lieut. Desmore O. Nelson, Second Cavalry, vice First Lieut. Kerr T. Riggs, Fourth Cavalry, promoted.

Second Lieut. Carlyle H. Wash, Sixth Cavalry, vice First Lieut. Carl H. Müller, Eleventh Cavalry, promoted.

Second Lieut. Paul D. Carlisle, Fifth Cavalry, vice First Lieut. John A. Pearson, Eleventh Cavalry, promoted.

Second Lieut. John F. Crutcher, Eleventh Cavalry, vice First Lieut. Charles Burnett, First Cavalry, promoted.

Second Lieut. Ray W. Barker, Tenth Cavalry, vice First Lieut. Daniel D. Gregory, Fifth Cavalry, promoted.

Second Lieut. Henry Abbey, jr., Tenth Cavalry, vice First Lieut. Walter H. Smith, Seventh Cavalry, promoted.

Second Lieut. Earl H. Coyle, Thirteenth Cavalry, vice First Lieut. George H. Baird, Thirteenth Cavalry, promoted.

Second Lieut. Mack Garr, Sixth Cavalry, vice First Lieut. William M. Cooley, Sixth Cavalry, promoted.

Second Lieut. Stanley C. Drake, Seventh Cavalry, vice First Lieut. William G. Meade, Second Cavalry, promoted.

Second Lieut. Maxwell Kirby, Third Cavalry, vice First Lieut. William N. Haskell, unassigned, promoted.

Second Lieut. Edmund P. Duval, Second Cavalry, vice First Lieut. Henry A. Meyer, jr., Tenth Cavalry, promoted.

Second Lieut. Robert E. Carmody, Seventh Cavalry, vice First Lieut. Frank Keller, Sixth Cavalry, promoted.

Second Lieut. Albert J. Myer, jr., Seventh Cavalry, vice First Lieut. Guy Kent, Ninth Cavalry, promoted.

Second Lieut. Robert O. Annin, Eighth Cavalry, vice First Lieut. Copley Enos, First Cavalry, promoted.

Second Lieut. Daniel G. Morrissett, Twelfth Cavalry, vice First Lieut. Emory J. Pike, Eighth Cavalry, promoted.

Second Lieut. Ralph Hospital, Thirteenth Cavalry, vice First Lieut. Williams S. Martin, Fourth Cavalry, promoted.

Second Lieut. Theodore Barnes, jr., Eighth Cavalry, vice First Lieut. Frederick Mears, unassigned, promoted.

Second Lieut. Casey H. Hayes, Twelfth Cavalry, vice First Lieut. Alden M. Graham, Eleventh Cavalry, promoted.

Second Lieut. Harvey B. S. Burwell, Thirteenth Cavalry, vice First Lieut. Robert L. Collins, Eighth Cavalry, promoted.

Second Lieut. Roger S. B. Hartz, Eighth Cavalry, vice First Lieut. Irvin L. Hunsaker, Eleventh Cavalry, promoted.

Second Lieut. Charles B. Hazeltine, Fourteenth Cavalry, vice First Lieut. Clifton R. Norton, Fourteenth Cavalry, promoted.

Second Lieut. Eugene M. Owen, Fourth Cavalry, vice First Lieut. Eugene J. Ely, Fifth Cavalry, promoted.

Second Lieut. Arthur D. Newman, Third Cavalry, vice First Lieut. Arthur J. Lynch, Fourteenth Cavalry, promoted.

Second Lieut. John W. Butts, Third Cavalry, vice First Lieut. Rawson Warren, Fourteenth Cavalry, promoted.

Second Lieut. Edward L. N. Glass, Third Cavalry, vice First Lieut. John H. Read, jr., Third Cavalry, promoted.

Second Lieut. Charles W. Foster, Second Cavalry, vice First Lieut. Joseph H. Barnard, Fifth Cavalry, promoted.

Second Lieut. Cuyler L. Clark, Eleventh Cavalry, vice First Lieut. Rodman Butler, Eighth Cavalry, promoted.

Second Lieut. Clarence C. Benson, Thirteenth Cavalry, vice First Lieut. Clarence Lininger, Thirteenth Cavalry, promoted.

Second Lieut. Thomas H. Rees, jr., Eighth Cavalry, vice First Lieut. Edward M. Offley, Twelfth Cavalry, promoted.

Second Lieut. John H. Woodberry, Fifteenth Cavalry, vice First Lieut. John Cocke, Eighth Cavalry, promoted.

Second Lieut. Walter W. Wynne, Twelfth Cavalry, vice First Lieut. John T. Donnelly, Thirteenth Cavalry, promoted.

Second Lieut. William A. Robertson, Eleventh Cavalry, vice First Lieut. Edwin L. Cox, Eleventh Cavalry, promoted.

Second Lieut. Joseph B. Treat, Fifth Cavalry, vice First Lieut. Ronald E. Fisher, Ninth Cavalry, promoted.

Second Lieut. Joseph W. Byron, Fifth Cavalry, vice First Lieut. C. Emery Hathaway, Seventh Cavalry, promoted.

Second Lieut. Warren P. Jernigan, Eleventh Cavalry, vice First Lieut. Joseph V. Kuznik, Twelfth Cavalry, promoted.

Second Lieut. Sylvester D. Downs, jr., Seventh Cavalry, vice First Lieut. Edward R. Coppock, unassigned, promoted.

Second Lieut. Robert D. McDonald, Eighth Cavalry, vice First Lieut. Peter J. Hennessey, Seventh Cavalry, promoted.

Second Lieut. Orlando Ward, Seventh Cavalry, vice First Lieut. Kenyon A. Joyce, unassigned, promoted.

Second Lieut. William O. Ryan, Seventh Cavalry, vice First Lieut. Howard C. Tatum, unassigned, promoted.

Second Lieut. Benjamin F. Hoge, Tenth Cavalry, vice First Lieut. Arthur G. Fisher, Fourteenth Cavalry, promoted.

Second Lieut. Frederick Herr, Fourteenth Cavalry, vice First Lieut. George Grunert, Third Cavalry, promoted.

Second Lieut. John B. Thompson, First Cavalry, vice First Lieut. William R. Pope, Fourteenth Cavalry, promoted.

Second Lieut. John Kennard, Seventh Cavalry, vice First Lieut. Olney Place, unassigned, promoted.

Second Lieut. Stafford LeR. Irwin, Eleventh Cavalry, vice First Lieut. Thomas H. Cunningham, Fifth Cavalry, promoted.

Second Lieut. Pearson Menoher, Seventh Cavalry, vice First Lieut. Sidney D. Maize, Twelfth Cavalry, promoted.

Second Lieut. Edwin B. Lyon, Seventh Cavalry, vice First Lieut. Ralph M. Parker, unassigned, promoted.

Second Lieut. Carl C. Bank, First Cavalry, vice First Lieut. John H. Howard, unassigned, promoted.

Second Lieut. George H. Peabody, Third Cavalry, vice First Lieut. Matt C. Bristol, Third Cavalry, promoted.

Second Lieut. Earl L. Naiden, First Cavalry, vice First Lieut. Horace N. Munro, First Cavalry, promoted.

Second Lieut. Henry McE. Pendleton, Second Cavalry, vice First Lieut. Thomas P. Bernard, First Cavalry, promoted.

Second Lieut. Edmund de T. Ellis, Second Cavalry, vice First Lieut. Daniel D. Tompkins, Eighth Cavalry, promoted.

Second Lieut. Robert W. Strong, Second Cavalry, vice First Lieut. Clarence A. Dougherty, First Cavalry, promoted.

Second Lieut. Clifford B. King, Fifth Cavalry, vice First Lieut. Isaac S. Martin, unassigned, promoted.

Second Lieut. Paul R. Frank, Second Cavalry, vice First Lieut. George R. Somerville, Third Cavalry, promoted.

Second Lieut. William S. T. Halcomb, Sixth Cavalry, vice First Lieut. Seth W. Cook, Eleventh Cavalry, promoted.

Second Lieut. Edward C. McGuire, Third Cavalry, vice First Lieut. Thomas B. Esty, First Cavalry, promoted.

Second Lieut. John McD. Thompson, Fifth Cavalry, subject to examination required by law, vice First Lieut. Milton G. Holliday, unassigned, promoted.

Second Lieut. John F. Davis, Third Cavalry, vice First Lieut. Robert R. Love, unassigned, promoted.

Second Lieut. Reese M. Howell, First Cavalry, vice First Lieut. William H. Bell, Twelfth Cavalry, promoted.

Second Lieut. Henry J. F. Miller, Eleventh Cavalry, vice First Lieut. Walter H. Neill, Thirteenth Cavalry, promoted.

Second Lieut. Harry A. Harvey, First Cavalry, vice First Lieut. Edmund A. Buchanan, Second Cavalry, promoted.

Second Lieut. Frank D. McGee, Sixth Cavalry, vice First Lieut. David L. Roscoe, First Cavalry, promoted.

Second Lieut. Harry B. Anderson, Fourteenth Cavalry, vice First Lieut. Edward A. Keyes, Sixth Cavalry, promoted.

Second Lieut. Norman J. Boots, Tenth Cavalry, vice First Lieut. John G. Winter, Fifth Cavalry, promoted.

Second Lieut. Hugh P. Avent, Sixth Cavalry, vice First Lieut. Herbert E. Mann, Fifth Cavalry, promoted.

Second Lieut. Victor V. Taylor, Eleventh Cavalry, vice First Lieut. Orlando G. Palmer, Sixth Cavalry, promoted.

Second Lieut. Horace Stringfellow, jr., Thirteenth Cavalry, vice First Lieut. Francis A. Ruggles, unassigned, promoted.

Second Lieut. Leo A. Walton, Tenth Cavalry, vice First Lieut. Henry T. Bull, Fifth Cavalry, promoted.

Second Lieut. Ralph P. Cousins, Sixth Cavalry, vice First Lieut. Howard R. Smalley, unassigned, promoted.

Second Lieut. John F. Stevens, Sixth Cavalry, vice First Lieut. Talbot Smith, Twelfth Cavalry, promoted.

Second Lieut. Blackburn Hall, Fourteenth Cavalry, vice First Lieut. Frank E. Davis, Fifth Cavalry, promoted.

Second Lieut. Edward J. Dwan, Fourteenth Cavalry, vice First Lieut. William W. Overton, Eighth Cavalry, promoted.

Second Lieut. Eustis L. Hubbard, Tenth Cavalry, vice First Lieut. Thomas A. Rothwell, Fourth Cavalry, promoted.

Second Lieut. William B. Peebles, Tenth Cavalry, vice First Lieut. E. R. Warner McCabe, Fifth Cavalry, promoted.

Second Lieut. Frederic W. Boye, Fifth Cavalry, vice First Lieut. James B. Henry, jr., Fifteenth Cavalry, promoted.

Second Lieut. Karl H. Gorman, Sixth Cavalry, vice First Lieut. Emmet R. Harris, unassigned, promoted.

SIGNAL CORPS.

Lieut. Col. Samuel Reber, Signal Corps, to be colonel from July 1, 1916, to fill an original vacancy, subject to examination required by law.

Maj. Charles McK. Saltzman, Signal Corps, to be lieutenant colonel from July 1, 1916, vice Lieut. Col. Samuel Reber, promoted.

Capt. Charles S. Wallace, Signal Corps, to be major from July 1, 1916, vice Maj. Charles McK. Saltzman, promoted.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Lieut. (Junior Grade) Claudius R. Hyatt to be a lieutenant in the Navy from the 17th day of January, 1916.

Lieut. (Junior Grade) John S. Barleon to be a lieutenant in the Navy from the 27th day of May, 1916.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 7th day of June, 1916:

Elmer L. Woodside,
Roy J. Wilson,
Carl E. Hoard,
Thomas M. Shock,
Kenneth R. R. Wallace,
William I. Causey, jr.,
Norman C. Gillette,
Lloyd R. Gray,
Walter O. Henry,
William L. Wright,
John Le V. Hill,
John L. Hall,
Laurence T. Du Bose,
Harry R. Gellerstedt,
Charles J. Parrish,
Samuel N. Moore,
Leman L. Babbitt,
Edmund S. McCawley,
Langdon D. Pickering, and
Leonard R. Agrell.

Asst. Surg. Cline H. Dragoo to be a passed assistant surgeon in the Navy from the 4th day of November, 1915.

Robert F. Barber, a citizen of New York, to be an assistant surgeon in the Medical Reserve Corps of the Navy from the 11th day of July, 1916.

The following-named citizens to be assistant surgeons in the Medical Reserve Corps of the Navy from the dates set opposite their names:

James A. Halpin, District of Columbia, July 17, 1916.
William D. Heaton, Nebraska, July 17, 1916.
Aubrey M. Larsen, Utah, July 17, 1916.
Lincoln Humphreys, Arkansas, July 17, 1916.
Theo E. Cox, Ohio, July 17, 1916.
Arthur W. Hoaglund, Minnesota, July 17, 1916.
Carroll H. Francis, New Jersey, July 17, 1916.
Harold L. Jensen, California, July 17, 1916.

Asst. Paymaster Frederick C. Bowerfind to be a passed assistant paymaster in the Navy from the 8th day of December, 1914.

Asst. Paymaster Ernest H. Barber to be a passed assistant paymaster in the Navy from the 22d day of August, 1915.

Pay Clerk Frederick Scherberger, jr., to be a chief pay clerk in the Navy from the 26th day of January, 1916.

REGISTER OF LAND OFFICE.

Hubbard H. Abbott, of Monte Vista, Colo., to be register of the land office at Del Norte, Colo., vice James A. Kelly, resigned.

RECEIVER OF PUBLIC MONEYS.

William O'Leary, of Minot, N. Dak., to be receiver of public moneys at Minot, N. Dak., vice Victor A. Corbett, term expired.

POSTMASTERS.

CALIFORNIA.

Elizabeth Clar to be postmaster at Guerneville, Cal., in place of Elizabeth Clar. Office became presidential July 1, 1916.

CONNECTICUT.

Willis Hodge to be postmaster at South Glastonbury, Conn., in place of Adelbert W. Crane, resigned.

GEORGIA.

George F. Flanders to be postmaster at Swainsboro, Ga., in place of George F. Flanders. Incumbent's commission expires August 23, 1916.

D. W. Folsom to be postmaster at Mount Vernon, Ga., in place of Daniel E. McRae. Incumbent's commission expires August 9, 1916.

HAWAII.

Beatrice E. Ely to be postmaster at Fort Shafter, Hawaii, in place of Beatrice E. Ely. Office became presidential October 1, 1915.

IDAHO.

Hugh H. Hamilton to be postmaster at New Plymouth, Idaho, in place of H. H. Hamilton. Incumbent's commission expired May 17, 1916.

ILLINOIS.

Merr L. Abbott to be postmaster at Sheridan, Ill., in place of John Morahn, deceased.

Leslie C. Hamilton to be postmaster at Manito, Ill., in place of R. H. Hilling. Incumbent's commission expired July 18, 1916.

IOWA.

George W. Blair to be postmaster at Lamoni, Iowa, in place of Daniel Anderson. Incumbent's commission expired January 24, 1916.

Albert Neal to be postmaster at Clarksville, Iowa, in place of Edward Madigan. Incumbent's commission expired February 26, 1916.

E. T. Wall to be postmaster at Osceola, Iowa, in place of Wallace G. Agnew. Incumbent's commission expired December 19, 1914.

MASSACHUSETTS.

William B. Kelly to be postmaster at Ware, Mass., in place of P. R. Bridgman. Incumbent's commission expired December 20, 1915.

James R. Mansfield to be postmaster at Haydenville, Mass., in place of Alfred G. Cone. Incumbent's commission expired December 18, 1915.

James H. Walsh to be postmaster at Leominster, Mass., in place of Frank I. Pierson, removed.

MICHIGAN.

John S. Mills to be postmaster at Holly, Mich., in place of William P. Hicks, deceased.

MINNESOTA.

R. S. Cowie to be postmaster at Rothsay, Minn., in place of T. O. Juvrud. Office became presidential January 1, 1916.

MISSOURI.

James F. Ball, to be postmaster at Montgomery City, Mo., in place of J. J. Sleight. Incumbent's commission expired July 13, 1916.

George T. Bell to be postmaster at Bucklin, Mo., in place of W. G. Hughes. Incumbent's commission expires August 20, 1916.

NEBRASKA.

H. T. Wilson to be postmaster at Stella, Nebr., in place of J. H. Overman. Incumbent's commission expired April 5, 1916.

NEW HAMPSHIRE.

Oscar Duncan to be postmaster at Alton, N. H., in place of W. C. Varney. Incumbent's commission expired July 16, 1916.

NEW JERSEY.

George F. Stabel to be postmaster at Palisade, N. J., in place of George F. Stabel. Office became presidential July 1, 1916.

NEW YORK.

Edwin G. Brown to be postmaster at Minetto, N. Y., in place of Lena J. Chase. Office became presidential July 1, 1916.

Edward Grunert to be postmaster at Croghan, N. Y., in place of Edward J. Monroe. Incumbent's commission expires August 9, 1916.

William H. Hickey to be postmaster at Mechanicsville, N. Y., in place of William G. Davry. Incumbent's commission expires August 24, 1916.

John J. Mattison to be postmaster at Canandaigua, N. Y., in place of John Raines, jr. Incumbent's commission expired December 13, 1914.

OKLAHOMA.

H. H. Brooks to be postmaster at Luther, Okla., in place of Ira F. Baird. Incumbent's commission expired June 12, 1916.

Joseph Garland to be postmaster at Frederick, Okla., in place of Donald B. Munro. Incumbent's commission expires August 16, 1916.

H. A. Garrett to be postmaster at Wakita, Okla., in place of W. H. Staggers. Incumbent's commission expires August 12, 1916.

Bessie Hall to be postmaster at Tyrone, Okla., in place of Bessie Hall. Office became presidential October 1, 1915.

PENNSYLVANIA.

Alexander S. Guffey to be postmaster at Pittsburgh, Pa., in place of George W. McNeil, removed.

John B. Oehrl to be postmaster at Monongahela, Pa., in place of D. C. Parkinson. Incumbent's commission expired June 12, 1916.

John C. Miller to be postmaster at Halifax, Pa., in place of H. S. Noblet. Incumbent's commission expired May 24, 1916.

S. S. Staples to be postmaster at White Haven, Pa., in place of Pearl T. Feist. Incumbent's commission expired December 14, 1915.

SOUTH DAKOTA.

Nora O'Donnell to be postmaster at Ramona, S. Dak., in place of Nora O'Donnell. Office became presidential January 1, 1916.

VIRGINIA.

John T. Cochran to be postmaster at The Plains, Va., in place of Gabriella R. Cochran, resigned.

J. E. Everette to be postmaster at North Emporia, Va., in place of Roger G. Dyson. Incumbent's commission expired June 12, 1916.

Samuel J. Horne to be postmaster at Coeburn, Va., in place of John H. Steele. Incumbent's commission expired April 17, 1916.

J. Harry Leebrick to be postmaster at Elkton, Va., in place of H. B. C. Gentry. Incumbent's commission expires August 10, 1916.

WISCONSIN.

H. E. Austin to be postmaster at Boscobel, Wis., in place of G. C. Seemann. Incumbent's commission expires July 23, 1916.

CONFIRMATIONS.

Executive nominations confirmed by the Senate July 21 (legislative day of July 19), 1916.

AMBASSADOR EXTRAORDINARY.

Abram I. Elkus to be ambassador extraordinary and plenipotentiary to Turkey.

UNITED STATES MARSHAL.

Frank O'Connor to be United States marshal for the western district of Wisconsin.

POSTMASTERS.

ARKANSAS.

W. L. Hoover, England.

CALIFORNIA.

Frank A. Chapman, McFarland.

FLORIDA.

W. L. Straub, St. Petersburg.

IOWA.

R. C. Morse, Belmond.

KANSAS.

Nancy M. McKechnie, Pawnee Rock.

KENTUCKY.

Thomas Mimms, Guthrie.

MARYLAND.

Arthur H. Uhler, Reisterstown.

MINNESOTA.

C. F. Callahan, Foley.
E. J. McGuiggan, Winnebago.
Peter H. McNally, Chokio.
Byron J. Mosier, Stillwater.
N. P. Seivert, Mazeppa.
John Svedberg, Aitken.

MISSISSIPPI.

Iona G. Chapman, Utica.

MISSOURI.

George B. Anderson, Garden City.
James Coday, Mansfield.
Walter N. Watkins, Appleton City.

NEBRASKA.

Charles S. Anderson, Fullerton.
C. B. Nichols, Valley.
Patrick F. Leonard, Anselmo.
Gilbert E. Swanson, Oshkosh.
William L. Ulrich, Stuart.

NEW JERSEY.

Thomas E. Ludlam, Sea Isle City.

OHIO.

Thomas A. Duckworth, Johnstown.

OKLAHOMA.

James D. Kivlehen, Edmond.
Roy M. Mobley, New Wilson.

PENNSYLVANIA.

William Alexander, Chambersburg.
Hugh A. Brown, Leetsdale.

SOUTH DAKOTA.

J. A. Zink, Wessington Springs.

VERMONT.

Fred H. Pierce, Orleans.

VIRGINIA.

J. H. Cecil, Dublin.

WASHINGTON.

Lula M. Craft, McCleary.
Lydia M. Rouls, Everson.

WISCONSIN.

Henry Fleishbein, Glidden.

HOUSE OF REPRESENTATIVES.

FRIDAY, *July 21, 1916.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou Eternal Spirit, God our heavenly Father, who hast made us a little less than divine, look down, we beseech Thee, upon us from the heights of purity, truth, justice, mercy, love, and good will and awaken those attributes in our souls that we may indeed become God like in thought and deed, and thus fulfill the longings, hopes, and aspirations of our better nature. And Thine be the glory forever. Amen.

The Journal of the proceedings of Tuesday, July 18, 1916, was read and approved.

Mr. WEBB, Mr. STEPHENS of Mississippi, Mr. ADAMSON, Mr. MADDEN, Mr. GARDNER, Mr. CLARK of Florida, and Mr. VINSON rose.

The SPEAKER. The Chair recognizes the gentleman from North Carolina [Mr. WEBB].

H. SNOWDEN MARSHALL.

Mr. WEBB. Mr. Speaker, I ask unanimous consent to insert in the RECORD the able and exhaustive opinion of Judge Leonard H. Hand, of the United States district court for the southern district of New York, in the habeas corpus case of H. Snowden Marshall, in which Judge Hand remands Mr. Marshall to the custody of the Sergeant at Arms and directs him to be brought before the House.

The SPEAKER. The gentleman from North Carolina [Mr. WEBB] asks unanimous consent to print in the CONGRESSIONAL RECORD the opinion of Judge Hand, of the district court for the southern district of New York, remanding H. Snowden Marshall to the Sergeant at Arms. Is there objection? [After a pause.] The Chair hears none.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10484) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1917, and for other purposes.

The message also announced that the Senate had disagreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 5425) to standarize lime barrels asked a further conference with the House on the disagreeing votes of the two Houses on the said amendments, and had appointed Mr. CLAPP, Mr. SHIELDS, and Mr. BANKHEAD as the conferees on the part of the Senate.

The message also announced that the Senate had passed bills and joint resolution of the following titles, in which the concurrence of the House of Representatives was requested:

S. J. Res. 152. Joint resolution providing that the Congress of the United States shall participate in the celebration of the "golden wedding" of the first transcontinental lines of railway in the United States;

S. 4654. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War and to certain widows and dependent relatives of such soldiers and sailors;

S. 2530. An act for the relief of the Buffalo River Zinc Mining Co.;

S. 4287. An act to grant unsurveyed islands to the State of Minnesota for forestry purposes;

S. 793. An act modifying and amending the act providing for the disposal of the surplus unallotted lands within the Blackfeet Indian Reservation;

S. 1807. An act to reinstate Elwin Carlton Taylor as a passed assistant surgeon in the United States Navy;

S. 4761. An act providing for the classification, appraised, and disposal of certain lands within the former Fort Peck Indian Reservation, Mont.;

S. 5914. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

S. 3776. An act providing for the establishment of a radio station at Unga Island, Alaska;

S. 790. An act to repeal an act entitled "An act to amend section 3 of the act of Congress of May 1, 1888, and extend the provisions of section 2301 of the Revised Statutes of the United States to certain lands in the State of Montana embraced within the provisions of said act, and for other purposes";

S. 782. An act granting additional rights to settlers on reclamation projects;

S. 5976. An act to amend an act approved May 29, 1908, entitled "An act to amend an act to authorize the Baltimore & Washington Transit Co., of Maryland, to enter the District of Columbia," approved June 8, 1896;

S. 5525. An act to provide for the abandonment of Piney Branch Road between Allison Street and Buchanan Street NW., in the District of Columbia;

S. 5539. An act to consolidate national forest lands;

S. 2701. An act for the relief of William Walters;

S. 2222. An act for the relief of the heirs of Antoine Bayard;

S. 778. An act to amend an act entitled "An act to establish the Glacier National Park in the Rocky Mountains south of the international boundary line in the State of Montana, and for other purposes," approved May 11, 1910;

S. 453. An act to place Lieut. Col. Junius L. Powell on the retired list of the Army with the rank of brigadier general;

S. 2880. An act for the relief of Martin V. Parmer;

S. 4473. An act for the relief of Charles G. Griffa;

S. 3973. An act for the relief of Clyde R. Altman;
S. 1553. An act for the relief of Peter Kenney;
S. 3268. An act for the relief of John Duggan;
S. 6625. An act authorizing the Secretary of War to make certain donations of condemned cannon and cannon balls;
S. 4250. An act for the relief of the Ottawa Indian Tribe of Blanchard Fork and Roche de Bouef;

The message also announced that the Senate had passed with amendment the following concurrent resolution (No. 49), in which the concurrence of the House of Representatives was requested:

Resolved by the House of Representatives (the Senate concurring). That in the enrollment of the bill (H. R. 10484) entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1917, and for other purposes," the Clerk be, and he is hereby, authorized and directed to strike out the word "chairs," on page 26, line 19, of said bill, and to insert in lieu thereof the word "chains"; and, further, to strike out in amendment No. 54 the word "circuit" wherever it precedes "court of appeals" in said amendment.

The message also announced that the Senate had passed with amendments bills of the following titles, in which the concurrence of the House of Representatives was requested:

H. R. 11240. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War and to widows of such soldiers and sailors;
H. R. 12194. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War and to widows of such soldiers and sailors;
H. R. 13620. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War and to widows of such soldiers and sailors;
H. R. 15048. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and
H. R. 14576. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War and to widows of such soldiers and sailors.

The message also announced that the Senate had disagreed to the amendments of the House of Representatives to the bill (S. 381) to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands, and to provide a more autonomous government for those islands, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. HITCHCOCK, Mr. SHAFROTH, and Mr. LIPPITT as the conferees on the part of the Senate.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 8787. An act for the relief of the heirs of Hundley V. Fowler, deceased; and
H. R. 4866. An act for the relief of Julia R. Goodloe.

The message also announced that the President had, on July 17, 1916, approved and signed bill of the following title:

S. 2086. An act to provide capital for agricultural development, to create standard forms of investment based upon farm mortgage, to equalize rates of interest upon farm loans, to furnish a market for United States bonds, to create Government depositaries and financial agents for the United States, and for other purposes.

SENATE BILLS AND JOINT RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, Senate bills and joint resolution of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. J. Res. 152. Joint resolution providing that the Congress of the United States shall participate in the celebration of the "golden wedding" of the first transcontinental lines of railway in the United States; to the Committee on Industrial Arts and Expositions.

S. 4654. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors; to the Committee on Pensions.

S. 2530. An act for the relief of the Buffalo River Zinc Mining Co.; to the Committee on Claims.

S. 4287. An act to grant unsurveyed islands to the State of Minnesota for forestry purposes; to the Committee on the Public Lands.

S. 793. An act modifying and amending the act providing for the disposal of the surplus unallotted lands within the Blackfeet Indian Reservation; to the Committee on Indian Affairs.

S. 778. To authorize an exchange of lands with owners of private holdings within the Glacier National Park; to the Committee on the Public Lands.

S. 1807. An act to reinstate Elwin Carlton Taylor as a passed assistant surgeon in the United States Navy; to the Committee on Naval Affairs.

S. 4761. An act providing for the classification, appraisal, and disposal of certain lands within the former Fort Peck Indian Reservation, Mont.; to the Committee on the Public Lands.

S. 5914. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War and to widows of such soldiers and sailors; to the Committee on Pensions.

S. 790. An act to repeal an act entitled "An act to amend section 3 of the act of Congress of May 1, 1888, and extend the provisions of section 2301 of the Revised Statutes of the United States to certain lands in the State of Montana embraced within the provisions of said act, and for other purposes"; and

S. 782. An act granting additional rights to settlers on reclamation projects; to the Committee on the Public Lands.

S. 5976. An act to amend an act approved May 29, 1908, entitled "An act to amend an act to authorize the Baltimore & Washington Transit Co. of Maryland to enter the District of Columbia, approved June 8, 1896"; to the Committee on the District of Columbia.

S. 5539. An act to consolidate national forest lands; to the Committee on the Public Lands.

S. 2701. An act for the relief of William Walters; to the Committee on Military Affairs.

S. 2222. An act for the relief of the heirs of Antoine Bayard; to the Committee on the Public Lands.

S. 453. An act to place Lieut. Col. Junius L. Powell on the retired list of the Army with the rank of brigadier general;
S. 2880. An act for the relief of Martin V. Parmer;
S. 4473. An act for the relief of Charles G. Griffa;
S. 3973. An act for the relief of Clyde R. Altman;
S. 1553. An act for the relief of Peter Kenney;
S. 3268. An act for the relief of John Duggan; and
S. 6625. An act authorizing the Secretary of War to make certain donations of condemned cannon and cannon balls; to the Committee on Military Affairs.

S. 4250. An act for the relief of the Ottawa Indian Tribe of Blanchard Fork and Roche de Boeuf; to the Committee on Claims.

ENROLLED BILL AND JOINT RESOLUTIONS SIGNED.

The SPEAKER announced his signature to an enrolled bill and joint resolutions of the following titles:

S. 35. An act to authorize the Secretary of the Interior to issue patents for certain lands to the town of Myton, Utah;
S. J. Res. 60. Joint resolution creating a joint subcommittee from the membership of the Senate Committee on Interstate Commerce and the House Committee on Interstate and Foreign Commerce to investigate the conditions relating to interstate and foreign commerce, and the necessity of further legislation relating thereto, and defining the powers and duties of such subcommittee; and
S. J. Res. 150. Joint resolution to authorize the Secretary of the Treasury to accept from the city of Pittsburg certain lands in exchange for other lands of equal area.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message, in writing, from the President of the United States was communicated to the House of Representatives by Mr. Latta, one of his secretaries.

CONTESTED-ELECTION CASE—AARON P. PRIOLEAU AGAINST RICHARD S. WHALEY.

Mr. STEPHENS of Mississippi. Mr. Speaker, I desire to submit a privileged report from the Committee on Elections No. 1.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 313 (H. Rept. 1034).

Resolved, That Aaron P. Prioleau was not elected a Member of the Sixty-fourth Congress from the first congressional district of South Carolina and is not entitled to a seat therein.

Resolved, That Richard S. Whaley was elected a Member of the Sixty-fourth Congress from the first congressional district of South Carolina and is entitled to a seat therein.

Mr. STEPHENS of Mississippi. Mr. Speaker, as this is the unanimous report of the committee, I would like to have the matter disposed of this morning.

The SPEAKER. The question is on agreeing to the resolution.
The resolution was agreed to.

CONTESTED-ELECTION CASE—J. M'CAN DAVIS AGAINST WM. ELZA WILLIAMS.

Mr. STEPHENS of Mississippi. Mr. Speaker, I would like to present another privileged resolution from the Committee on Elections No. 1.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 314.

Resolved, That WM. ELZA WILLIAMS was elected a Member of the Sixty-fourth Congress from the State of Illinois at large, and is entitled to a seat therein.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. STEPHENS of Mississippi. Mr. Speaker, I would like to have that report printed in the RECORD in the last case.

The SPEAKER. Without objection, the report will be printed.

There was no objection.

The following is the report referred to:

[H. Rept. No. 1003, 64th Cong., 1st sess.]

CONTESTED-ELECTION CASE OF DAVIS AGAINST WILLIAMS.

Mr. STEPHENS of Mississippi, from the Committee on Elections No. 1, submitted the following report, to accompany House resolution 314:

The Committee on Elections No. 1, to whom was referred the contested-election case of J. McCan Davis, contestant, *v.* Wm. Elza Williams, contestee, from the State of Illinois at large, beg to report as follows:

At the general election held the 3d day of November, 1914, in the State of Illinois, J. McCan Davis, contestant, received 373,682 votes and Wm. Elza Williams, contestee, received 375,465 votes. On the face of the returns, the contestee received 1,783 more votes than did contestant, and a certificate of election was issued to him. Mr. Williams took the oath of office at the bar of the House and is now serving as a Member of the House.

Contestant's notice of contest was received by contestee on January 4, 1915, and his answer was received by the contestant on January 27, 1915.

On February 4, 1915, the contestant applied to Thomas F. Scully, judge of the county court of Cook County, for subpœnas for witnesses to appear before him on February 9. Notice was given contestee that depositions would be taken on that day. The parties appeared before Judge Scully, who refused to act as commissioner to take depositions.

On February 11 the contestant had the attorney of contestee served with notice to take depositions on February 16 before one Donahue, a notary public. By agreement the taking of depositions was deferred until February 18.

At that time the election commissioners, who had been subpœnaed as witnesses, refused to produce the ballots for inspection, stating that they doubted their authority to produce them without an order of court.

On February 25 the contestant filed a petition in the district court of the United States, of which K. M. Landis was judge, against the election commissioners of Cook County, asking that an order be entered directing them to produce the ballots, etc., before the Notary Public Donahue. This petition was not resisted, and an order directing the commissioners to produce the ballots was entered on the day the petition was filed.

By agreement of the parties the taking of the depositions began February 27, which was continued until March 8, when the 40 days allowed the contestant for taking testimony expired.

The record in the case was filed with the Clerk of the House on December 6. A copy of the printed record was mailed both parties to this contest on January 10, 1916.

On March 10, 1916, the contestant filed with the committee a petition, the prayer of which is as follows:

"Wherefore contestant prays that the House of Representatives authorize and direct a complete recount of ballots and a complete recanvass of precinct returns in the city of Chicago of the election of November 3, 1914, for the office of Representative in Congress at large, said recount and recanvass to be conducted as expeditiously as possible under the direction of Elections Committee No. 1."

The contestant appeared before this committee and argued very vigorously for an extension of time for the purpose of recounting the ballots in the city of Chicago. He stated that it was impossible for him to recount the ballots in Chicago in the 40 days allowed by law. It developed that he took a recount of but 61 out of 1,566 precincts of that city.

In some instances the House has granted extension of time for taking testimony, but only in those cases where there is good reasons to show necessity of further proof.

"A case should not be reopened unless it appears to the House that on a new hearing the contestant would be able to produce evidence which would entitle him to his seat." (Thobe *v.* Carlyle, 50th Cong.)

Contestant does not accompany his petition with affidavits showing what he expects to prove if this extension was granted, or the name of any person that he expects to call as a witness. His petition is not sworn to. Neither is there anything in the original record to show that he has proven anything on which to base his contest.

In fact, the record brings nothing before the committee except notice of contest and answer thereto. The record contains many pages of what purports to be testimony in the case. It is stated that certain witnesses testified, and what purports to be their testimony is set out, but no witness attested his statement, although attestation by the witnesses is required by statute. The witnesses were examined, as the record shows, before two notaries public, but the record is only certified by one notary.

Therefore, there is nothing legally before the committee to show anything in regard to the matter in controversy.

The notice of contest and what was attempted to be proven show that the contestant had no actual knowledge of any evidence that will prove his right to the seat in the House, nor had he knowledge of any witness or witnesses by whom he could make such proof. No effort was made to prove fraud in the election, the basis of the contest being the hope tnat a recount of 400,000 ballots cast in the city of Chicago would show that errors were made in the original count and tabulation of the votes, and that a correction of these errors would seat him.

Under a provision of the Illinois statute all ballots cast in an election shall be preserved for six months. After that time they are to be destroyed unless an order is obtained to have them preserved for use in a contest. The parties to this contest were candidates at an election held November 3, 1914, and on May 3, 1915, the contestant applied to the court for an order requiring the preservation of the ballots in the city of Chicago. This was a proceeding against the election commissioners. On May 11, 1915, the following order was entered by the court:

"On motion of attorney for plaintiff it is ordered that the ballots now in the custody of the election commissioners of the city of Chicago, cast at the election on November 3, A. D. 1914, be impounded, to be used as evidence in a contest now pending between J. McCann Davis and Wm. Elza Williams for the office of Representative at large for the State of Illinois.

"It is further ordered that the election commissioners for the city of Chicago be the custodians of the same, and they are ordered to keep the same in a safe place and guard the same in order to preserve the inviolability of the same until the further order of this court."

It will be observed that the order of the court shows that only the ballots of the city of Chicago were to be preserved. It was stated to the committee at a hearing that there were about 1,100,000 votes cast in Illinois, of which number about 400,000 votes were cast in Chicago, and that all ballots except those in Chicago were destroyed. Therefore there are about 700,000 ballots that can not be recounted. The committee does not think that it would be justified in recommending a recount of part of the ballots at the instance of one party when it would be absolutely impossible for a recount of the remainder of the ballots to be had by the other party. Especially is this true in this case, where there is no charge or proof of fraud, and the committee is asked simply to set out on a "fishing expedition," the only reason for which being the mere hope that errors in the count may be found.

As has been stated, the statements that purport to be the testimony of certain witnesses are unattested, and the record is not certified properly; but brief reference will be made to the recount of ballots. The ballots in 61 precincts were recounted. Contestant gained in 25 precincts and contestee gained in 21. In several precincts the count was found to be correct. In several precincts each would gain and in others each would lose. Generally the gain or loss was very small. It does not appear that any fraud was committed, but that any mistakes were the result of error in the count. In this state of case it would be unfair to have one-third of the ballots recounted and let that count determine the result of this contest.

Contestant used only 8 of the 40 days allowed by law in taking testimony and recounting ballots. He did not file the record with the Clerk of the House until eight months after time for taking testimony had closed; and his petition for a recount of ballots was not filed for more than three months after Congress had convened.

Such a lack of diligence was shown on the part of contestant that the committee did not feel that an extension of time for the purpose of taking proof should be granted.

Contestant stated to the committee that he did not ask to be seated on the record that he had presented.

Since the committee had considered the case and had reached the conclusions set out above the contestant, J. McCan Davis, has died.

Your committee, therefore, respectfully recommends the adoption of the following resolution:

"*Resolved*, That Wm. Elza Williams was elected a Member of the Sixty-fourth Congress from the State of Illinois at large, and is entitled to a seat therein."

Respectfully submitted.

H. D. STEPHENS, *Chairman*.
RILEY WILSON.
C. U. STONE.
M. E. BURKE.
CYRUS CLINE.
JOSEPH B. THOMPSON.
MERRILL MOORES.
FREDERICK W. DALLINGER.
OSCAR WM. SWIFT.

CONFEREES ON PHILIPPINE BILL.

The SPEAKER. The Chair will state to the House that it turns out that there is a vacancy on the conferees on the Philippine bill (S. 381), the gentleman from Tennessee [Mr. GARRETT] being down in Tennessee, and the next two gentlemen on the committee are not here. The Chair therefore appoints Mr. RUSSELL of Missouri in lieu of Mr. GARRETT.

GENERAL DAM BILL.

Mr. ADAMSON. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. ADAMSON. Mr. Speaker, I would like the Speaker to lay before the House the bill S. 3331, with the disagreements of the Senate to the House amendments.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill S. 3331, an act to amend an act entitled "An act to regulate the control of dams acress navigable waters," approved June 21 1906, as amended by the act approved June 23, 1910, and to provide for the improvement and development of waterways for the use of interstate commerce and foreign commerce.

Mr. ADAMSON. Mr. Speaker, I ask unanimous consent that the House insist on its amendments and agree to the conference asked.

The SPEAKER. The gentleman from Georgia asks unanimous consent that the House insist on its amendments and agree to the conference asked. Is there objection? [After a pause.] The Chair hears none.

The SPEAKER announced the following conferees: Mr. ADAMSON, Mr. SIMS, and Mr. ESCH.

INTERSTATE AND FOREIGN COMMERCE.

The SPEAKER, in pursuance of Senate joint resolution No. 60, to investigate interstate and foreign commerce, appointed as a committee on the part of the House Mr. ADAMSON, Mr. SIMS, Mr. CULLOP, Mr. ESCH, and Mr. HAMILTON of Michigan.

EXTENSION OF REMARKS.

Mr. MADDEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the Mexican situation.

The SPEAKER. The gentleman from Illinois [Mr. MADDEN] asks unanimous consent to extend his remarks in the RECORD on the Mexican situation. Is there objection? [After a pause.] The Chair hears none.

Mr. VINSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing an official report of the case of the United States against Thomas E. Watson, who was indicted for violation of section 211 of the penal code, in the district court of the United States for the northern district of Georgia.

The SPEAKER. The gentleman from Georgia asks unanimous consent to incorporate in the RECORD as a part of his remarks the proceedings in the case of the United States against Thomas E. Watson. Is there objection?

Mr. IGOE. I object, Mr. Speaker.

Mr. HARRISON. Mr. Speaker, I desire to ask unanimous consent to extend my remarks in the RECORD in order to insert an interview given by Franklin K. Lane, the Secretary of the Interior, on the President's policy in the Mexican matter.

The SPEAKER. The gentleman from Mississippi asks unanimous consent to extend his remarks in the RECORD by printing an interview by the Secretary of the Interior, the Hon. Franklin K. Lane, on the Mexican situation. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I do not know just how far we ought to go. Nearly every time we meet the President or some Cabinet officer has made a political speech, which we insert in the RECORD without objection. I wonder whether it is going to become the custom to have them engaged in interviews all the time and insert all the interviews in the RECORD. None of them seem to be very busy except doing politics. It makes the RECORD quite extensive.

Mr. HARRISON. Mr. Speaker, this is a historical report on the whole Mexican controversy, and I am sure it will be very edifying to the gentleman as well as my friend from Illinois [Mr. MADDEN], who desires to speak on the subject.

Mr. MANN. I doubt very much whether it would be edifying, if the gentleman means, by that, instructive.

Mr. HARRISON. It might be both instructive and edifying.

Mr. MANN. Who got it up?

Mr. HARRISON. Franklin K. Lane, Secretary of the Interior.

Mr. MANN Oh, he only gave it out. [Laughter.]

Mr. HARRISON. He got it up, and he gave it out.

Mr. MANN. Would the gentleman object if I should ask unanimous consent to print in the RECORD Mrs. O'Shaughnessy's book, Mrs. O'Shaughnessy being the wife of the American representative in Mexico most of the time during the Wilson administration?

Mr. HARRISON. Well, Mrs. O'Shaughnessy is not a member of the Cabinet.

Mr. MANN. Oh, no. I suppose the gentleman thinks we ought not to insert anything in the RECORD unless it comes from Democratic sources.

Mr. HARRISON. This is from a good Democratic source.

Mr. MANN. Yes; he is a good Democrat; a good man.

The SPEAKER. Is there objection?

There was no objection.

QUESTION OF PERSONAL PRIVILEGE.

Mr. GARDNER. Mr. Speaker, I rise to a question of personal privilege, which I rose to on the 21st of June and postponed at the request of the minority leader and the gentleman from Texas [Mr. GARNER].

It refers to an insertion by the gentleman from Texas [Mr. CALLAWAY] in the CONGRESSIONAL RECORD of June 1. The gentleman from Texas [Mr. CALLAWAY] inserted in the RECORD certain reflections on my integrity as a Congressman.

I am asking to have his words investigated by a committee of this House. The gentleman from Wisconsin [Mr. LENROOT] drew a resolution, but he is away, and my colleague the gentleman from Massachusetts [Mr. ROGERS] will offer it in his place.

If what the gentleman from Texas [Mr. CALLAWAY] printed is true, in spite of the fact that it was inserted in the RECORD and not spoken on the floor of the House, it can stay in the RECORD if any committee of this House thinks it is true.

Mr. GARNER. Mr. Speaker, will the gentleman yield?

Mr. GARDNER. Yes.

Mr. GARNER. I think, in the interest of the correctness of the RECORD, it ought to be stated that I investigated it, so far as I could, and I think the gentleman from Massachusetts is probably in error about the language referred to not having been spoken on the floor of the House. I think if the gentleman would make a personal investigation he will find that the words complained of were spoken on the floor of the House.

That does not make any difference, however. If they were not true, and they were spoken to the detriment of the gentleman from Massachusetts, I see no reason why he should not have the matter investigated. I just wanted that to go into the RECORD.

Mr. GARDNER. The official reporters of debates tell me that those words were not spoken on the floor of the House. I have asked several Members of the House who heard the statement made, and they also tell me that they did not hear them. I heard the gentleman make a part of those remarks, and I did not hear him mention my name.

But be that as it may, whether or not the House thinks it true, whether it is in order or not in order, I do not care whether they stay in the RECORD or not; but if those words are untrue, they should be stricken from the RECORD, and I am ready to have a Democratic committee to decide whether they are true or untrue in any form of investigation they are willing to make. I am ready to submit my whole case, and all I want is that those things shall be looked into and put in with this talk that is going about—we had a lot of it in the Senate yesterday—implying dishonesty on the part of those of us who believe that this country should arm itself.

ADJOURNMENT UNTIL TUESDAY NEXT.

Mr. KITCHIN. Mr. Speaker, before the gentleman proceeds further, I want to submit a unanimous-consent request. I ask unanimous consent that when the House adjourns to-day it be to meet on Tuesday next.

The SPEAKER. The gentleman from North Carolina [Mr. KITCHIN] asks unanimous consent that when the House adjourns to-day it adjourn to meet on Tuesday next. Is there objection?

There was no objection.

QUESTION OF PERSONAL PRIVILEGE.

Mr. ROGERS. Mr. Speaker, I offer a privileged resolution, which I send to the Clerk's desk and ask to have read.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution 315.

Whereas in the CONGRESSIONAL RECORD of June 1, 1916, page 10410, the following language appears in a speech made by Hon. OSCAR CALLAWAY, of Texas, to wit:

"The Maxims, Gardners, and Thompsons have attempted to frighten the people into the belief that we were in danger of invasion. This is not the fear that disturbs the peace of mind of the gentlemen on the Naval Affairs Committee who heard the evidence. The fear that disturbs the peace of mind of the gentlemen from Pennsylvania, New York, and Massachusetts is not that our homes will be invaded, our cities bombarded, or our coasts laid waste; it is that the stocks of the Bethlehem, Midvale, Carnegie, Pennsylvania, Maryland, and New Jersey steel, ordnance, and ship manufacturing concerns will shrink when the foreign war closes unless a new market is developed. Bethlehem Steel stock increased, due to the war, from $30 a share to $530 a share. Certain powder stocks increased from $8 a share to $1,100 a share": Be it

Resolved, That a special committee of five be appointed by the Chair to investigate and report to the House whether or not said language ought to be expunged from the RECORD.

Mr. ROGERS. Mr. Speaker, I ask for a vote on the resolution.

Mr. GARNER. Mr. Speaker, if the gentleman will yield——

Mr. ROGERS. Certainly.

Mr. GARNER. I want to make a statement with reference to Mr. CALLAWAY. Mr. CALLAWAY is not present. The gentleman from Massachusetts [Mr. GARDNER] has been good enough to postpone this matter until the 25th of this month, but on account of adjourning over until Tuesday next we would probably have to get another postponement, and I thought the object of the postponement had been attained, inasmuch as Mr. CALLAWAY'S nomination as a candidate for election to the House comes off to-morrow, and whatever proceedings are had here would not be likely to do him any injury, whereas I thought that in the progress of the campaign in Texas an investigation going on here as to words spoken or printed in the RECORD might injure him. For Mr. CALLAWAY, I want to say that I am under obligations to the gentleman from Massachusetts for his courtesy in the premises, and Mr. CALLAWAY has no objection to the passage of this resolution.

The SPEAKER. The question is on the passage of this resolution.

The resolution was agreed to.

The SPEAKER. The Chair announces the following committee under the resolution.

The Clerk read as follows:

Mr. PAGE of North Carolina, Mr. RAKER, Mr. TAYLOR of Colorado, Mr. MONDELL, and Mr. TOWNER.

PUBLIC BUILDINGS.

Mr. CLARK of Florida. Mr. Speaker, I rise to a question of high privilege, and upon that statement I ask that the article printed in the Washington Post of yesterday, which I send to the Clerk's desk, may be read.

The SPEAKER. The Clerk will read the article, to enable the Chair to see if there is any question of privilege in it.

The Clerk read as follows:

ROW OVER BUILDING BILL—TROUBLE LOOMS ON ATTEMPT TO DROP TREASURY ARCHITECT'S OFFICE—DEPARTMENT OFFICIALS CHARACTERIZE HOUSE COMMITTEE'S ACTION AS A GIGANTIC "PORK GRAB."

The provisions in the public-buildings bill reported to the House Monday, abolishing the office of Supervising Architect of the Treasury, gives promise of a big row between the legislative branch and the Treasury Department.

Department officials yesterday characterized the action of the committee as a gigantic "pork grab." It was claimed on behalf of the Supervising Architect's Office that it is sought to be abolished because Members of Congress can not play politics with it.

Opposition to the office began about a year ago, it was said, when the Treasury Department adopted regulations that required the construction of public buildings authorized at a cost commensurate with the postal receipts and population of the town, instead of basing the expenditure upon the amount appropriated by Congress.

"Under this new and businesslike policy," said Assistant Secretary of the Treasury Byron R. Newton yesterday, "in the last year and a half the Supervising Architect's Office has doubled the output of new buildings. In addition to this desirable result, it was possible at the beginning of the fiscal year to turn back into the Treasury $750,000 which had been saved out of extravagant appropriations."

Treasury Department officials said yesterday that appropriations have been made in the pending bill for buildings to cost $100,000 in towns where the entire postal receipts will not pay for their maintenance.

Mr. CLARK of Florida. Mr. Speaker, I shall detain the House only a few moments, but I could not be content to allow a statement like that to go unchallenged.

In the first place, I desire to state that the Treasury Department has not cut down the appropriations for public buildings, for the simple reason that the Treasury Department has no power to cut down appropriations made by Congress. The Committee on Public Buildings and Grounds does not appropriate money. It simply authorizes that buildings may be constructed within a certain limit of cost. It has always been the law, it has always been the rule and the practice in reporting public-building bills to fix a maximum amount in each case. Congress says to the Treasury officials, "Beyond this you shall not go." But the fact is that for years past the Treasury Department has not only exhausted the original authorization, but in a great majority of the cases has appealed to subsequent Congresses for an increase of the limit of cost. As I say, it has always been the law in these public-building bills simply to fix the maximum amount, and it has been the duty of the officials of the Treasury Department to inspect the particular place where the building was proposed to be constructed, and if it was in their power to construct a building at such place for less money, which would answer the purposes intended, it was their sworn duty to do that, and if to-day they are doing it, then they are simply performing their duty in complying with the law as it has always been.

Mr. Speaker, so prone has been the department to expend the limit of cost and ask for more that the committee saw fit in the pending bill to place a statutory enactment declaring it to be the intention of Congress to fix only a maximum, and that it rested in the discretion of the department to build a structure suitable for the purposes, and nothing more.

I want to state, Mr. Speaker, that in the present bill we have fixed in almost every case an amount below the estimate of the Treasury Department. I want to call the attention of the House and the country to a few of those items, which are illustrative of the whole bill.

At Forest City, Ark., the estimate of the Treasury Department for a building only was $55,000, and the committee placed in the bill as a limit of cost $25,000, which was $30,000 less than the Treasury estimate.

At Salem, Mass., the estimate was $180,000, and the committee placed in the bill a limit of cost of $130,000.

At Flint, Mich., the estimate was $138,500, and the committee placed in the bill a limit of cost of $100,000.

At Duluth, Minn., they already have a magnificent building. The only trouble is that it is crowded. They have not space enough for all the Federal activities centered at that city to enable them to perform their work efficiently. So in the last bill a limit of cost was provided for the purchase of a site at Duluth upon which to put a post-office building near the Union Station, for post-office purposes only, leaving the old building to be occupied by the courts and other Federal activities.

The Treasury Department estimated that it would require $1,000,000 to put up a post-office building at Duluth, but the committee decided that $300,000 was ample for that purpose if they would build a workshop building sufficient for the purposes of the Postal Service. The present building is a magnificent one, well suited to take care of the courts, internal revenue, and other Federal activities at Duluth, and $300,000 will construct a building for postal purposes only on a lot already owned by the Government, which will answer for many years to come. It will thus be seen that in this one instance alone we have cut the departmental estimate $700,000.

At Butte, Mont., the estimate of the Treasury Department was $225,000, and the committee put the limit of cost at $150,000.

At Passaic, N. J., the estimate of the Treasury Department was $175,000, and we allowed $125,000.

At Lumberton, N. C., where the receipts were only $12,433.98, the Treasury estimate for a building upon a lot already owned by the Government was $45,000, and the committee allowed $30,000, or $15,000 less than the Treasury estimate.

At Fargo, N. Dak., the estimate of the Treasury Department was $350,000, and the committee fixed the limit of cost at $250,000, or $100,000 less, which we believed to be the proper amount, and which we are satisfied will abundantly answer the purpose.

At Norwalk, Ohio, the estimate of the Treasury Department was $90,000, and the committee allowed $65,000, or $25,000 less.

At Vinita, Okla., the estimate of the Treasury Department was $155,000, and the committee allowed $100,000, or $55,000 less.

At Norfolk, Va., the estimate of the Treasury Department for the purchase of additional land and an addition to the present building was $800,000, and the committee allowed $650,000 as being ample for all purposes, thus reducing their estimate $150,000.

I want to call the attention of this House to the manner in which business is done by these gentlemen in the Supervising Architect's office. They simply guess at these estimates. There is no system about it. It is guesswork, pure and simple, and the record shows it. Take Oelwein, Iowa, for instance, where the receipts were over $16,000 and the population over 6,000 people, the estimate for a building alone was $40,000, while at Harlan, Iowa, where the receipts are about $5,000 less and the population is nearly 4,000 of people less than at Oelwein, the estimate for a building alone is $45,000, or $5,000 more than at Oelwein.

At Elkton, Md., we get an estimate from the department of $55,000 for a building, whereas at Mansfield, La., where the receipts are about $1,000 more per annum than at Elkton, we get an estimate of $35,000 for a building, or a difference of $20,000 in favor of Elkton, the smaller place.

At Great Barrington, Mass., having about twice the postal receipts of Lexington, Nebr., we get an estimate of $45,000, the same as the amount estimated for Lexington, the same estimate for both places, although the postal receipts of one are about twice as large as those of the other.

At Monticello, N. Y., with postal receipts of something over $15,000, and at Dansville, N. Y., with postal receipts of over $46,000, the Treasury Department sends in exactly the same estimate, although the postal receipts in one place are more than three times as large as in the other.

At Louisburg, N. C., the Treasury Department estimates for a building $50,000, although Eaton, Ohio, with receipts more than $3,000 larger per annum than those of Louisburg, gets an estimate of $30,000, or $20,000 less than Louisburg.

Lebanon, Ohio, and Marysville, Ohio, are in the same congressional district. Lebanon has postal receipts about $1,000 per annum more than Marysville, yet Lebanon gets an estimate of $40,000 and Marysville gets an estimate of $55,000, or $15,000 more.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. CLARK of Florida. Yes.

Mr. MANN. Did the Assistant Secretary of the Treasury, Mr. Newton, call attention to these matters in his wonderful and fanciful interview?

Mr. CLARK of Florida. He did not. I want to say right here, Mr. Speaker, that this is one bill that has come from a committee in this House since I have been a Member of it absolutely free from any departmental dictation. [Applause.] We have asked them for the facts and for estimates, but we have not asked one of them for an opinion, because we believed that we were here to legislate and that their business is simply to carry out the legislative command. [Applause.]

Why, Mr. Speaker, in conversation with a Supervising Architect of the Treasury, not the present acting one, but with one who filled the place in the past, relative to an authorization which had been made for a $20,000 building at Smyrna, Del., and which had hung fire for years, I asked him why he did

not prepare the plans and specifications, and he said to me that he could not draw plans for a $20,000 building. "Why," I said, "you do not mean to say that; you mean you can not draw plans for a monumental structure to cost $20,000." He said, "No; I just mean that I can not draw plans for any $20,000 building." That is the idea that has been inculcated into the thought of that bureau; it has grown up and it has hung there for all these years, and it is there to-day, and yet these little bureaucrats prate about the money they have returned to the Treasury and how they have cut down the appropriations of a wasteful Congress.

Mr. Speaker, there is another thing which demonstrates the beautiful business methods obtaining in the office of the Supervising Architect of the Treasury. A building was recently finished in the State of Washington. I forget the name of the town, but in the specifications of that building it was prescribed that it should be constructed of Indiana limestone and southern pine. That specification in a State that has more timber in it than any other State in the Union! The fact is that they hauled the stone from Indiana, nearly across the continent, and the pine timber they hauled from Florida, the southeast corner of the continent to the northwest corner of the continent, thus giving the railroads a delightful haul. And yet these people talk of extravagance and waste!

Mr. MADDEN. And the transportation charges doubled nearly the cost of the building when it was finished.

Mr. CLARK of Florida. Undoubtedly, and yet these gentlemen continue to talk of the extravagance of Congress. I am getting tired of it. I am getting tired of hearing these little bureaucratic officials, not elected by the people (and could not be), but holding office by the will of some one person, criticizing the representatives of the sovereign people of this country who represent them upon this floor. [Applause.]

I want to say, Mr. Speaker, in conclusion, that it is not the purpose of the committee to attempt to bring the bill to passage during the present session of Congress. We do intend to call it up at the short session and endeavor to pass it, and then we stand ready to defend every item in it. We have put legislation into this bill in the effort to correct these troubles that have grown up in that department. We have put legislation in there which we believe, although it will not remedy everything, is a step in the right direction and will put the public-building operations of the Government upon a sound common-sense basis.

Mr. Speaker, I trust that when these gentlemen undertake to give out information to the public again they will go to the RECORD and get it, and not simply draw upon their wild imaginations. [Applause.]

EXTENSION OF REMARKS.

Mr. PARK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the present relationship of this country with Mexico, and to print certain extracts from an article by Henry N. Hall, of the New York World, on the same subject.

The SPEAKER. The gentleman from Georgia asks unanimous consent to extend his remarks in the RECORD on the Mexican situation, and to incorporate in his remarks an article by Henry N. Hall, of the New York World. Is there objection?

Mr. MANN. Reserving the right to object, I do not see the majority leader here. He has been objecting to these requests on the ground that it was a very improper use of the RECORD. I think during his absence I will object.

AID FOR LITHUANIANS.

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to take up House resolution 258, reported by the Committee on Foreign Affairs, to designate a day on which the people of this country may express their sympathy by contributing toward the relief of the Lithuanians in the war zone.

The SPEAKER. The gentleman from Virginia asks unanimous consent to take up House resolution 258 to designate a day for taking up collections for the Lithuanians in the war zone. Is there objection?

Mr. MANN. Let us have the resolution reported.

The Clerk read as follows:

House resolution 258 (H. Rept. 1030).

Whereas in the various countries now engaged in war there are four millions of Lithuanians, the great majority of whom are destitute of food, shelter, and clothing; and

Whereas millions of them have been driven from their homes without warning, deprived of an opportunity to make provision for their most elementary wants, causing starvation, disease, and untold suffering; and

Whereas the people of the United States of America have learned with sorrow of this plight of millions of human beings and have most generously responded to the cry for help whenever such an opportunity has reached them: Therefore be it

Resolved, That in view of the misery, wretchedness, and hardships which these four millions of Lithuanians are suffering the President of the United States be respectfully asked to designate a day on which the citizens of this country may give expression to their sympathy by contributing to the funds now being raised for the relief of the Lithuanians in the war zone.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, I would like to inquire whether the Committee on Foreign Affairs proposes also to report a resolution into the House in reference to the American citizens whose property has been destroyed and many of whose families have lost a member, all having been driven out of Mexico—whether we are going to do anything for our own citizens driven out of Mexico while we are doing something for foreign citizens.

Mr. FLOOD. When the time arrives the Committee on Foreign Affairs will report a resolution to take care of American citizens who have been in Mexico and whose rights of property and person have been invaded.

Mr. MANN. American citizens who have been driven out of Mexico and starving to death.

Mr. FLOOD. None of them are starving.

Mr. MANN. Oh, yes; many of them have nothing to live on except charity.

Mr. FLOOD. The Government has provided money to bring them out, all who are in there, and my information is that those who are staying there are getting along comfortably.

Mr. MANN. We have appropriated money to bring them out, brought them up to the border and dumped them down, and there they are. Their property has been lost and they have nothing to live on; while we very properly are donating money for the Lithuanians abroad, we are doing nothing for our own people.

Mr. FLOOD. Our people are being taken care of. If the gentleman desires to introduce a resolution and have it referred to the Committee on Foreign Affairs, I assure him that the committee will promptly consider it.

Mr. CANNON. What does the gentleman mean by saying that they are being taken care of?

Mr. FLOOD. I do not think any of them are suffering.

Mr. CANNON. Oh, in the hearing before the Committee on Appropriations to consider a bill to pay the expenses of bringing American citizens out, it appeared that nothing is added by way of subsistence. They are released, substantially, when they get into American territory, and dumped upon the charity of the communities where they are brought.

Mr. FLOOD. Does the gentleman know of any American citizens brought out of Mexico who are now suffering for something to eat?

Mr. CANNON. Oh, the evidence showed that they came out without property and that all the Government is doing is to get them out. I do not know their names.

Mr. FLOOD No; and they are not suffering. They are taken care of just as indigent people in this country are taken care of, and this resolution does not propose that the Government shall take care of the Lithuanians. It simply proposes to allow charitable Americans who feel so disposed to make contributions to a fund and to relieve their suffering.

Mr. CANNON. I am in no sense opposing the gentleman's resolution. I have no doubt that the gentleman has Lithuanians in his district.

Mr. FLOOD. Not a single one.

Mr. CANNON. Well, there are a great many in my district, and a great many throughout the North. But there are many French people, there are many Irish, there are many Belgians, there are many English, though not so many, and there are many Austrians and Hungarians, and why does not the gentleman bring in a resolution suggesting to the good people of America that wherever there is suffering in the war zone on the other side of the water they have the liberty to, and it is suggested that they do, contribute to relieve that suffering, because evidently from the standpoint of humanity and Christianity and charity there is as much need for the relief of suffering among those people where they are fighting in concord, or where they are fighting each other. I shall not object to the gentleman's resolution, but I suggest there are a hundred million people in this country, and it might be well to appeal to their charity, that all of the suffering in the war zone may be relieved.

Mr. FLOOD. The committee that reported this resolution will be glad to consider any such resolution that the gentleman suggests.

Mr. BRITTEN. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. Yes.

Mr. BRITTEN. Did I understand the gentleman to say in reply to my colleague from Illinois [Mr. MANN] that the Americans still living in Mexico are living there comfortably?

Mr. FLOOD. Yes.

Mr. BRITTEN. What information has the gentleman or his committeee that Americans living in Mexico are living there comfortably to-day?

Mr. FLOOD. I have information that comes from the State Department that there are no Americans who are suffering.

Mr. BRITTEN. Then, why did we appropriate $300,000 to bring them out, if they are living there comfortably?

Mr. FLOOD. Mr. Speaker, we appropriated the money so that in case there was any trouble there which would endanger their lives, they might escape it.

Mr. BRITTEN. The gentleman says that they are living in a comfortable condition in Mexico, and yet we appropriate $300,000 to improve those conditions by taking them away from there.

Mr. FLOOD. And some of them are living in comfortable conditions here in this country.

Mr. BRITTEN. Are we making their condition more comfortable in this country than in Mexico?

Mr. FLOOD. I do not know about that. At the present time those in Mexico may be more comfortable than those here, but at the time the appropriation was made it was necessary to bring them out of Mexico.

Mr. BRITTEN. Why?

Mr. FLOOD. I stated why to the gentleman, and if he desires to object to the resolution, let him object to it; but I am not going to reply to any more silly questions.

Mr. BRITTEN. The silliness all comes from that side of the House.

Mr. FERRIS. Mr. Speaker, I demand the regular order.

The SPEAKER. The regular order is demanded.

Mr. STAFFORD. Mr. Chairman, I would like to inquire of the gentleman about the character of the resolution. The resolution we passed the other day providing for a national tag day for the benefit of the Armenians was a concurrent resolution?

Mr. FLOOD. It was.

Mr. STAFFORD. Why did not the gentleman in this instance adopt the policy that these resolutions calling upon the President to name a tag day should be concurrent rather than a mere House resolution, as this is?

Mr. FLOOD. Mr. Speaker, the gentleman will recall that there was a Senate resolution—not a concurrent resolution—in reference to the Syrians and the Jews and the Poles and a concurrent resolution in reference to the Armenians. The gentleman from Pennsylvania [Mr. CASEY], who introduced this resolution, simply introduced the House resolution; and the President having issued proclamations on Senate resolutions, therefore the committee thought he could just as readily issue his proclamation on a House resolution, and reported the House resolution instead of a concurrent resolution.

Mr. STAFFORD. Does not the gentleman think that in these matters both bodies should approve the calling upon the President to name a day for a tag for such a purpose?

Mr. FLOOD. I think not. A concurrent resolution may give more dignity, though I do not think it makes any difference.

The SPEAKER. Is there objection?

Mr. BUCHANAN of Illinois. Mr. Speaker, reserving the right to object——

Mr. FERRIS. Mr. Speaker, I demand the regular order.

The SPEAKER. The regular order is demanded.

Mr. BUCHANAN of Illinois. I do not desire to object, but I am seeking information, the same as others.

The SPEAKER. But the Chair is bound to pursue the rules of the House.

Mr. BUCHANAN of Illinois. I would like to ask who controls the territory in which these people are?

The SPEAKER. Is there objection. [After a pause.] The Chair hears none. The question is on agreeing to the resolution.

The resolution was agreed to.

EMPLOYMENT OF FEDERAL PRISONERS.

Mr. HOWARD. Mr. Speaker, I ask unanimous consent for the present consideration of H. J. Res. 267, authorizing the appointment of a special joint commission of the Senate and House of Representatives to investigate the employment of Federal prisoners in industrial occupations for the benefit of the Government of the United States; and in connection with that I ask unanimous consent to make a statement of about one minute.

Mr. MANN. Mr. Speaker, I shall object to taking up anything more until the order of business for this morning is disposed of. I think we will soon arrange some day when matters can be called up by unanimous consent or otherwise.

The SPEAKER. The gentleman from Illinois objects.

Mr. HOWARD. Mr. Speaker, I want to ask the gentleman if he will not reserve his objection for a minute. I leave for Georgia to-night——

Mr. MANN. Oh, the gentleman ought not to expect, because he wants to go away and neglect his business, that we should therefore take up and consider his resolution.

Mr. HOWARD. It is a question that does not concern me one way or the other. As far as I am personally concerned, I do not care whether the resolution passes or not, because we will have twenty-five hundred prisoners in the Atlanta prison doing nothing, eating Atlanta food, if you do not pass this resolution.

The SPEAKER. Is there objection?

Mr. MANN. I object.

STANDARDIZING LIME BARRELS.

Mr. ASHBROOK. Mr. Speaker, the Senate has rejected the report of the conferees on the bill (S. 5425) to standardize lime barrels, and asks for a further conference, and I therefore move that the House insist upon its amendments and agree to a conference.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. ASHBROOK. Yes.

Mr. STAFFORD. I notice that an amendment agreed to by the last conference was rejected in the House and rather abandoned by the House upon the statement that if that amendment was at that time pressed a point of order would be made that there was no quorum present.

The bill was passed through this House by unanimous consent, with the understanding that it should be acceptable to the Members of the House. Upon the statement of the chairman of the committee he abandoned the amendment that he now approves of in conference. I wish now to give notice to the gentleman that if that amendment, seeking to prohibit shipments of lime in interstate commerce in less quantities than the standard and small standard barrels by requiring the name of the manufacturer on the barrels, is pressed, I will object to the conference report and try every means to prevent its adoption.

Mr. ASHBROOK. I will say to the gentleman——

The SPEAKER. The gentleman from Ohio [Mr. ASHBROOK] asks unanimous consent that the House further insist on its amendment to the Senate bill and agree to the conference asked for. Is there objection?

Mr. MANN. Mr. Speaker, I do not wish to object, but I would like to ask a question in reference to it. This conference report was agreed to in the Senate at one time, and came over to the House. The Senate recalled it, and then entered a motion to reconsider and disagree to the conference report. I could not understand from the RECORD the reason for disagreeing to the conference report. What is the truth about it?

Mr. ASHBROOK. I will say to the gentleman that I do not know why the Senate rejected the conference report, but the reason the conference report was recalled was because the Senator from Washington [Mr. JONES], and possibly some others, was of the opinion that the bill did not prohibit the shipment of lime from some foreign country into this country without having the barrels stamped as is required by manufacturers of the United States.

Mr. MANN. I want to say this: This matter was brought to my attention a long time ago by one of the gentleman from Washington, who stated that they were in a very serious situation out there, or would be after the 1st of July, on account of the barrel law going into effect and on account of the fact that their lime was packed differently. And they were exceedingly anxious to get a bill which would authorize them to pack lime in a barrel, not complying with the general law in reference to barrels, which went into effect the 1st of July. Having succeeded in doing that, they are now wanting to do something else, without any consideration by any committee of Congress. I think the gentlemen from Washington do not know just where they are getting off on this proposition. Having gotten what they wanted without any difficulty, they are trying to get something into the law which I do not think ought to go in at all, and certainly not without full consideration. I think if I had the power I would have stopped the thing entirely, as long as one of the distinguished gentlemen from Washington had himself recalled it.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The SPEAKER announced the following conferees: Mr. ASHBROOK, Mr. ABERCROMBIE, and Mr. REAVIS.

POST OFFICE APPROPRIATION BILL.

Mr. MOON. Mr. Speaker, I ask that House concurrent resolution No. 49 be taken from the Speaker's table and reported and the Senate amendments agreed to.

The SPEAKER. The Chair will lay before the House House concurrent resolution No. 49. The Clerk will report the Senate amendment.

The Clerk read as follows:

IN THE SENATE OF THE UNITED STATES, *July 19, 1916.*

Resolved, That the Senate agrees to the foregoing concurrent resolution of the House of Representatives, with amendments as follows:

At the end of Senate amendment No. 29 restore the following:

"Provided further, That the Clerk be directed and authorized to renumber the sections of the bill in numerical order; also to insert at the beginning of the last paragraph of said bill the following:

"'SEC. 6.'"

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

LEAVE TO ADDRESS THE HOUSE.

Mr. HUMPHREY of Washington. Mr. Speaker, I ask unanimous consent that when the House meets on Tuesday, after the business on the Speaker's table is disposed of, I may be permitted to address the House for 10 minutes.

The SPEAKER. The gentleman from Washington asks unanimous consent that next Tuesday, after the Journal is read and the business on the Speaker's table is disposed of, he be permitted to address the House for not exceeding 10 minutes. Is there objection? [After a pause.] The Chair hears none.

PENSIONS.

Mr. KEATING. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the omnibus pension bills H. R. 11240, 12194, 13620, and 14576, disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The Clerk will report the first bill.

The Clerk read as follows:

A bill (H. R. 11240) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

The SPEAKER. The gentleman from Colorado asks unanimous consent to take the bill from the Speaker's table, disagree to the Senate amendments, and ask for a conference. Is there objection?

There was no objection.

The SPEAKER appointed the following conferees: Mr. KEATING, Mr. VINSON, and Mr. SELLS.

The SPEAKER. The Clerk will report the next bill.

The Clerk read as follows:

A bill (H. R. 12194) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

The SPEAKER. The gentleman asks unanimous consent to disagree to the Senate amendments and ask for a conference. Is there objection? [After a pause.] The Chair hears none. The Chair will name the same conferees as on the previous bill.

The Clerk will report the next bill.

The Clerk read as follows:

A bill (H. R. 13620) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and the widows of such soldiers and sailors.

The SPEAKER. Without objection, the same action will be taken as in the previous case, and the same conferees will be appointed.

There was no objection.

The Clerk read as follows:

A bill (H. R. 14576) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

The SPEAKER. Is there objection to the gentleman's request?

There was no objection; and the Speaker announced as the conferees on the part of the House Mr. KEATING, Mr. VINSON, and Mr. SELLS.

LEAVE TO ADDRESS THE HOUSE.

Mr. MANN. Mr. Speaker, I ask unanimous consent that when the House meets on Tuesday the gentleman from Nevada [Mr. ROBERTS] may have permission to address the House for one hour at the conclusion of the speech of the gentleman from Washington [Mr. HUMPHREY].

The SPEAKER. The gentleman from Illinois [Mr. MANN] asks unanimous consent that on next Tuesday, immediately following the conclusion of the speech of the gentleman from Washington [Mr. HUMPHREY], the gentleman from Nevada [Mr. ROBERTS] be permitted to address the House for not exceeding one hour. Is there objection?

There was no objection.

Mr. FOSTER. Mr. Speaker, I ask unanimous consent that, following the address of the gentleman from Nevada [Mr. ROBERTS], I be permitted to address the House for 30 minutes.

The SPEAKER. The gentleman from Illinois [Mr. FOSTER] asks unanimous consent that, at the conclusion of the speech of the gentleman from Nevada [Mr. ROBERTS] next Tuesday, he be permitted to address the House for not exceeding 30 minutes. Is there objection?

There was no objection.

LEAVE OF ABSENCE.

Mr. HOWARD rose.

The SPEAKER. For what purpose does the gentleman from Georgia rise?

Mr. HOWARD. To make a request for unanimous consent. Mr. Speaker, in view of the unanimous consents just granted, I ask the unanimous consent of the House that I be granted a leave of absence for 10 days in my district to look after my campaign. [Laughter.]

The SPEAKER. The gentleman from Georgia, in view of the situation next Tuesday, asks unanimous consent that he may have leave of the House for 10 days to look after his campaign. [Laughter.] Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, I would like to say that if the House were actively in business it would be rather difficult to miss the attendance of our distinguished friend from Georgia; and if his district knows what is what and the people there have the interest of the country at heart, they will return him to Congress. [Applause.]

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Oklahoma [Mr. FERRIS] is recognized for one hour.

EXTENSION OF REMARKS.

Mr. MONDELL rose.

The SPEAKER. Does the gentleman from Wyoming desire to make a request?

Mr. MONDELL. Yes. I desire to ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

Mr. HELGESEN. Mr. Speaker, I make the same request.

The SPEAKER. The gentleman from North Dakota [Mr. HELGESEN] makes the same request. Is there objection?

There was no objection.

Mr. SMITH of Idaho. Mr. Speaker, I make the same request.

The SPEAKER. Is there objection?

There was no objection.

Mr. SMITH of New York. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

Mr. SHOUSE. I make the same request, Mr. Speaker.

The SPEAKER. Is there objection?

There was no objection.

Mr. TAYLOR of Colorado. Mr. Speaker, I make the same request.

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

The SPEAKER. The gentleman from Oklahoma [Mr. FERRIS] is recognized for one hour.

ACHIEVEMENTS OF THE DEMOCRATIC ADMINISTRATION.

Mr. FERRIS. Mr. Speaker, at this time of the year, just preceding the national election, it is customary for members of the Republican Party to make their usual assaults upon the bills introduced by the majority, upon the votes cast by the majority, upon the legislation enacted by the majority, and upon the good faith and sincerity of the President of the Republic.

These assaults are not without purpose, but are intended, if they can, to arouse doubt and fear in the minds of the 15,000,000 voters who will at the November election settle and decide the question of who shall manage the affairs of this Republic for the ensuing four years.

I shall not indulge in high-sounding platitudes; I shall not indulge in euphonious phrases; neither shall I do any silhouetting of the sky in behalf of the Democratic Party; but I will in a plain, unvarnished way present to this House a record of the bills introduced, the votes cast, the legislation enacted, and the result it has had upon the country, and I shall in the few moments accorded to me, if I can, demonstrate that, first, our bills are good bills; second, our votes are proper votes; third, our legisla-

tion enacted is wholesome; that it has had a beneficial effect on the country, and that the country now enjoys a greater era of prosperity than it has ever enjoyed in its history. [Applause on the Democratic side.]

INCOME-TAX LAW.

H. R. 21214, Sixty-second Congress, second session, first passed House March, 1912, by a majority of 213 (see p. 3637, temporary RECORD); 178 Democrats voted yes; no Democrat voted no; 75 Republicans voted yes; 40 Republicans voted no. H. R. 3231, Sixty-third Congress, first session, conference report adopted in House as part of Underwood tariff law September 30, 1913. (See p. 5274, permanent RECORD.) Passed Senate September 9, 1913; ayes 44, nays 37. (See p. 4617, permanent RECORD.) On January 5, 1910, Gov. Charles E. Hughes issued proclamation admonishing New York Legislature to refuse to ratify the income-tax amendment. This induced legislature to reject it. In 32 months preceding July 1, 1916, yielded $137,257,185.44.

One of the first bills introduced after our return to power in the Sixty-second Congress, while the House was Democratic, was the income-tax bill. It was introduced as a separate measure. It was voted on as a separate measure, and I shall quote you the record of how the two respective parties stand upon it:

One hundred and seventy-eight Democrats voted for that bill, and no Democrat voted no. Seventy-five Republicans voted for that bill and forty failed to vote for it. That bill went to the Senate, where, by the aid of Progressive votes, added to the Democratic strength, it was passed, but died in conference. In the last Congress we again inserted it as an amendment to the Underwood tariff law. It is now the law, and from it during the 32 months it has been in operation it has yielded $137,257,185.44, or about $4,000,000 a month.

Does any Democrat here feel ashamed of his party for enacting that bill? Will any Republican rise in his place and say he will sweep it from the statute books if returned to power? Does any Democrat need to be ashamed of legislation like that? Is there anything partisan about legislation like that? Seventy-five Republicans voted for the bill. Only forty of the strongest standpatters voted against it. Our party has a clear record. No member of it failed to keep the faith. [Applause on the Democratic side.]

STATEHOOD FOR NEW MEXICO AND ARIZONA.

H. J. Res. 14, Sixty-second Congress, first session. Passed House May 23, 1911, without roll call or division. (See p. 1528 permanent RECORD.) Passed Senate August 8, 1911. Yeas, 53; nays, 18. (See p. 3742 permanent RECORD.) Signed by President and became law August 21, 1911.

We admitted the States of Arizona and New Mexico into the Union. The Republicans failed to admit Arizona and New Mexico, although both parties had promised to admit them. You on that side failed to keep your promise. We kept our promise. Who served the country best? [Applause on the Democratic side.]

Mr. HELGESEN. Mr. Speaker, will the gentleman yield?

Mr. FERRIS. Yes.

Mr. HELGESEN. I voted for that bill. I am not ashamed of it. I suggest to the gentleman that, sometime before that, the Supreme Court had decided that an income tax was unconstitutional, and the Constitution had to be changed in order to make it possible. Who was responsible for submitting that question to the States?

Mr. FERRIS. It was not the Republicans. For 16 long years your party had been in full control of the country in both branches of Congress and in the presidential chair and you utterly failed to enact any income-tax law. We, of course, welcome you in to vote for our good bills. The gentleman from North Dakota is a good Member of this House, and I am proud to mention him as one of those who voted for it. I am only pained to observe 40 of them failed to keep the faith and recognize a good thing when they saw it.

Mr. HELGESEN. But that is hardly fair. The Republicans passed an income tax and it was declared unconstitutional.

Mr. GOODWIN of Arkansas. Mr. Speaker, will the gentleman yield?

Mr. FERRIS. Yes.

Mr. GOODWIN of Arkansas. That was in the Wilson bill in 1894, and that bill was passed by a Democratic Congress.

Mr. DIXON. Mr. Speaker, will the gentleman yield?

Mr. FERRIS. Yes.

Mr. DIXON. The Wilson bill contained the income tax, did it not?

Mr. FERRIS. Yes. It was not the Republicans at all. All but 39 of them even voted against an income tax on war munitions within the last few days.

Mr. CULLOP. Will the gentleman yield again?

Mr. FERRIS. Yes.

Mr. CULLOP. And both branches of Congress passed the income tax?

Mr. FERRIS. Yes.

ELECTION OF SENATORS BY DIRECT VOTE.

H. J. Res. 39, Sixty-second Congress, first session, bill passed House April 13, 1912. Yeas, 296; nays, 16; 185 Democrats voted yes, 1 Democrat voted no; 110 Republicans voted yes, 15 Republicans voted no. (See p. 242 permanent RECORD.) Passed Senate June 12, 1911. Yeas, 64; nays, 24. (See p. 1924 permanent RECORD.) Ratified by three-fourths of the States and proclaimed as seventeenth amendment to Constitution by Secretary Bryan May 31, 1913.

From my earliest childhood on, it was the earnest promise of both political parties that if given power they would give us the election of Senators by popular vote. You promised it, and upon assuming office, refused it. We promised it, and gave it. [Applause on the Democratic side.] Which party kept the faith?

Mr. SMITH of Idaho. Mr. Speaker, will the gentleman yield?

Mr. FERRIS. Yes.

Mr. SMITH of Idaho. Is it not true that the resolution to change the Constitution was introduced by Republican Senators?

Mr. FERRIS. It may have been introduced by Republican Senators, but it was a House resolution that finally passed, and it was made a part of the Constitution of the United States in December, 1913, and at that time the Government was Democratic from page boy up to President. It was ratified by three-fourths of the States and proclaimed the seventeenth amendment to the Constitution by a Democratic Secretary of State, William J. Bryan.

Mr. McARTHUR. Mr. Speaker, will the gentleman yield?

Mr. FERRIS. Yes.

Mr. McARTHUR. Was it not ratified by a majority of Republican States?

Mr. CARTER of Oklahoma. Was it not a fact that the present candidate for President on the Republican ticket went over his State opposing the adoption of the income tax in the State of New York?

Mr. FERRIS. That is true. On January 5, 1910, by special message to the legislature, he admonished the State of New York not to ratify it, and they did not ratify it. It is true the influence of the present Republican nominee for President was exerted against the ratifying of the income-tax amendment.

Mr. McARTHUR and Mr. SLOAN rose.

The SPEAKER. Does the gentleman yield, and to whom does the gentleman yield?

Mr. FERRIS. I will yield to either of the gentlemen.

Mr. SLOAN. I desire to say that, according to my recollection of the resolution for the election of United States Senators by direct vote of the people, it was introduced in the Senate of the United States by a Republican Senator from the State of Nebraska, Senator Brown.

Mr. FERRIS. Oh, not at all; my good friend is totally in error. He usually gets it straight. But it was House resolution 39, and the gentleman from Missouri [Mr. RUCKER] not only introduced it but finally had it passed in the House. There can be no confusion or controversy about that.

Mr. McARTHUR. Mr. Speaker, will the gentleman yield?

Mr. FERRIS. Yes.

Mr. McARTHUR. I think the gentleman misunderstood my question.

Mr. FERRIS. I hope I did not.

Mr. McARTHUR. I asked him if it was not true that the amendment to the Constitution providing for the election of Senators by direct vote of the people was ratified by a majority of the States having Republican legislatures.

Mr. FERRIS. The gentleman may be correct. I do not have the list of States before me. I am not advised about that. If the gentleman says it is so and has looked it up, I will take his word for it.

A MEMBER. No.

Mr. CLINE. Will the gentleman yield?

Mr. FERRIS. I yield to the gentleman from Indiana.

Mr. CLINE. I want to suggest to the gentleman from Oklahoma that in the Republican national convention at Chicago in 1908 Mr. Cooper, who brought in a minority report, tried to get a resolution passed favoring the election of United States Senators by popular vote, and it was beaten in that convention by 900 to 100.

Mr. FERRIS. I thank the gentleman. The Republican Party has been held back by false leaders and it is no longer the party of accomplishment.

ABROGATION OF BOSSISM IN HOUSE.

Rule adopted in House April 5, 1911—yeas 200, nays 135; 196 Democrats voted yes; no Democrat voted no; 4 Republicans voted yes; 135 Republicans voted no. (See p. 57, permanent RECORD.)

One-man power in this House grew up. It became a condition and not a theory. The American people became enraged from one end of the country to the other, and the feeling

against it was not confined to our side of the House. The Republican Party was on the rocks, from the fact that Members had to crawl on hands and knees into the Speaker's office, and almost ask permission to draw their breath. I say this with no disrespect to anyone. It was a condition and a practice that had gradually grown up in the procedure. It was all wrong. The American people asked that it be changed. On the first day of our convening after our return to power we swept one-man rule from this House, I believe for all time, and provided that the committees of the House should be elected by the House. [Applause on the Democratic side.] The Republicans told us that if we abolished the so-called Cannon rules we would be on the rocks, that we would fall out, that we would have insurgency, that we would have animosities which we could neither bridle nor control. With pleasure and with pride I call attention to the fact that after six years of power in this House there is no insurgency, there is no factionalism, and if there is a single Democrat on this side of the aisle who would not willingly get up in the dead hours of night to help any other Democrat in the House, I would like to know who he is. [Applause on the Democratic side.] Under the present procedure, I am happy to say, that everybody, from the page boys on the benches to the majority and minority leaders, love, revere, admire, and respect the Speaker, and there are no charges of favoritism in this House or elsewhere to be found. [Prolonged applause.]

PUBLICITY OF CAMPAIGN EXPENSES.

H. R. 2952, Sixty-second Congress, first session, passed House April 14, 1911—307 yeas, no nays. (See p. 268, permanent RECORD.) Passed Senate July 17, 1911, without roll call. (See p. 3020, permanent RECORD.) Conference report adopted in House by vote of 282 to 27; 114 Democrats voted yes; 25 Democrats voted no; 138 Republicans voted yes; 2 Republicans voted no. (See p. 4102, permanent RECORD.) Signed by President, August 19, 1911.

It had gone abroad in the land that unless a man had a fat purse, no matter how much brains he had in his head, no matter how much honesty and integrity he had in his heart, it was difficult, if not impossible, for him to sit in a high place in this Republic. I am proud that in the Sixty-second Congress we passed H. R. 2952, which said that the humblest constituent in all the Republic may know, first, how much his Member spends to get here; second, how much anybody else gave him to help him get here; and, third, who it was that gave it to him.

Mr. RAKER. And the defects and imperfections in that bill have been remedied by the bill which has passed the House within the last 10 days.

Mr. FERRIS. I was just coming to that, the Rucker Corrupt Practices Act.

RUCKER CORRUPT PRACTICES BILL.

H. R. 15842, Sixty-fourth Congress, first session. Passed House July 15, 1916, without roll call or division. (See p. 12881, temporary RECORD.) Now pending in the Senate.

Mr. MORGAN of Oklahoma. Will the gentleman yield?

Mr. FERRIS. I yield with pleasure to my colleague.

Mr. MORGAN of Oklahoma. I am very much interested in the gentleman's address——

Mr. FERRIS. I know the gentleman is. He always is interested in good addresses. [Laughter.]

Mr. MORGAN of Oklahoma. And I am proud that the gentleman comes from my State. But I should like to have the gentleman in all sincerity explain, as he says he is coming to this publicity matter, why it was that the other day the Democratic Party in this House did not redeem their platform pledge of 1908 and 1912, that they would limit to a reasonable maximum the amount of money that any one man should contribute to the nomination or election of the President. You know the House passed a bill the other day, but they did not include that part of it, and they did not carry out that platform pledge.

Mr. FERRIS. We have a presidential publicity bill, and I have it here. That is not contained in the Rucker bill, which is meant to deal solely with the election of Senators and Representatives. It is impossible to bundle together bills unlike in character. I think the other bill is sufficient. If not, I will vote with the gentleman to amend it. I think we have been far from derelict in this respect. We have blazed the way on this legislation. Your party never made a move. That is all I care to say about that.

FEDERAL TRADE COMMISSION LAW.

H. R. 15613, Sixty-third Congress, first session. Conference report adopted in House without roll call or division. (See p. 14943, permanent RECORD.) Passed Senate August 5, 1914. Yeas, 53; nays, 16. (See p. 13318, permanent RECORD.) Signed by President Wilson September 26, 1914.

During Roosevelt's seven years and during Taft's four years we had one continual powwow in the Attorney General's office, arresting business men and playing politics with American business. It was a good football to kick hither and thither. It was a good thing on which to run for office, to be arresting somebody, and dragging business men here and there. The Federal Trade Commission in a fair, square, open way, with full visitorial and regulatory powers, capable of weeding out corrupt business and encouraging and helping and strengthening good business was provided for in a bill which passed through the Democratic Senate and House without even enough opposition to get a roll call in either body. This is legislation that gets results without any brass-band accompaniment. Is that one of the bills that my friends on the Republican side of the House say are bad bills? There was not even enough opposition in either body to get a roll call. Is this one of the bills they say are bad bills? Is this in any way partisan? What excuse have you to offer for your dereliction of duty?

WAR-RISK INSURANCE LAW.

S. 6357, Sixty-third Congress, second session. Passed House August 29, 1914, by a vote of 230 to 58. One hundred and ninety-one Democrats voted yes; no Democrat voted no; 39 Republicans voted yes; 56 Republicans voted no. (See p. 14449, permanent RECORD.) Passed Senate August 21, 1914, without roll call. (See p. 14086, permanent RECORD.) Signed by President Wilson September 2, 1914.

This bill was passed to meet an emergency occasioned by the world's greatest war. I will not deal with it further than to say that it shows that the Democratic Party is alert to the situation, is alert to the emergency, is alert to do the thing that needs to be done when it should be done. [Applause on the Democratic side.] Our commerce was disrupted and almost broken down because of the world's greatest war breaking out without precedent or notice to anyone. The great Federal Government, administered by the Democratic Party, stepped in and arose to the call of duty the day that duty called, and enacted this law so that commerce might be resumed, so that 25,000,000 laborers might have jobs, so that 6,500,000 farmers might have a place to sell their products, so that 20,000,000 school children might be kept in school and in shoes. That is what the Democratic Party administering the affairs of the Federal Government stepped in and did.

SHIP-PURCHASE BILL.

H. R. 15455, Sixty-fourth Congress, first session. Passed House May 20, 1916, by a vote of 211 to 161; 194 Democrats voted yes; no Democrat voted no; 16 Republicans voted yes; 161 Republicans voted no. (See p. 9488, temporary RECORD.) Now pending in Senate.

The ship-purchase bill. It passed the House and has not passed the Senate. Some good men are opposed to it on our side. All on the other side are opposed to it. Let us see what about it. I live way out on the broad prairies of the West. But I am going to say that this Republic is entitled to a merchant marine, and we have got to have one from somewhere. [Applause on the Democratic side.]

There are three ways to get a merchant marine. The first one is for private capital to come in and build it, construct it, establish it, and run it. We have waited 50 years for that and it has not arrived. The second way is by a ship subsidy, and neither party is in favor of a ship subsidy and neither party could pass it or would vote for it to-day.

What is the other remedy? The other remedy is a bill something like ours—have the Federal Government go in and establish a merchant marine and break down the outrageous rates that prevail in this country. [Applause on the Democratic side.]

CLAYTON ANTITRUST LAW.

H. R. 15657, Sixty-third Congress, second session. Conference report adopted in House October 8, 1914, by a vote of 245 to 52; 210 Democrats voted yes; no Democrat voted no; 35 Republicans voted yes; 52 Republicans voted no. (See p. 16344, permanent RECORD.) Passed Senate September 2, 1914; yeas, 46; nays, 16. (See p. 14610, permanent RECORD.) Signed by President Wilson October 15, 1914.

That is one of the most wholesome and useful pieces of legislation that has passed, and it carries enough balm and good in it for labor to recommend it if it did not carry anything else, and it carries lots more. It carries a provision for beating down, checking, bridling, and controlling monopoly so that the door of opportunity may be left ajar for the little business men and the little business concerns to have a chance in the race for a successful business life.

PHILIPPINE BILL.

S. 381, Sixty-fourth Congress, first session. Passed House May 11, 1916, without roll call or division. (See p. 8184, temporary RECORD.) Passed Senate February 4, 1916; yeas, 52; nays, 24. (See p. 2295, temporary RECORD.) Now in conference.

It has passed both Houses and is now in conference. It tells the Filipino people that sometime, somewhere, and somehow they will have independence.

Mr. MCARTHUR. But not in two years.

Mr. FERRIS. No, not in two years, but I wish to the Lord it did. Several good men from my own party did not agree with me, and none of you on the Republican side agreed with us, and so we got licked on providing immediate independence. But we did the best we could. We did establish a good principle. We said we are not going to hold the Filipinos as peons or slaves;

we are going to let them loose after a while. [Applause on the Democratic side.]

UNDERWOOD TARIFF LAW.

H. R. 3321. Sixty-third Congress, first session. Conference report adopted in House September 30, 1913; 250 Democrats voted yes; 1 Democrat voted no; 5 Republicans voted yes; 103 Republicans voted no. (See p. 5818, temporary RECORD.) Passed Senate September 9, 1913, and signed by President Wilson October 3, 1913.

Both parties promised to reduce the tariff. Your party promised it; my party promised it. You were given power with Taft's election. You broke your promise. You revised it up instead of down, and your candidate for the Presidency carried two little States, one in the Rocky Mountains, Utah, and the other, Vermont, neither one of them bigger than a postage stamp, and with not enough people in them to raise a fuss. [Laughter and applause on the Democratic side.] You carried those States and no more. Why? Because he refused and his party refused to do what they agreed to do, and that was to revise the tariff downward. [Applause on the Democratic side.]

What happened after you failed to keep faith? Theodore Roosevelt, a man without a party, almost without a country, went out in the campaign and in two or three months organized the so-called party of Armageddon and beat you fellows all over the United States. He received four million plus, and you got three million plus because you failed to keep the faith.

The selfsame crowd that then rode to a fall is now in control of the Republican party. How well the Progressive party will cherish this remains to be seen. What happened? The American people elected Wilson. We kept our promise; we did what we agreed to do; we revised downward; we kept the faith, the country is prospering as it never prospered before.

REVENUE BILL.

H. R. 16763, Sixty-fourth Congress, first session. Passed House July 10, 1916; 200 Democrats voted yes; no Democrat voted no; 39 Republicans voted yes; 139 Republicans voted no. (See p. 12362, temporary RECORD.) Now pending in the Senate.

Then we passed the addenda to the Underwood bill the other day, so good, so wholesome, so square, and so fair that 39 of the brainiest and truest fellows on your side came over and voted with us, and the rest grabbed their hats and ran. [Laughter and applause on the Democratic side.]

Mr. HELVERING. Will the gentleman yield?

Mr. FERRIS. Yes.

Mr. HELVERING. That was after three days of coaxing and bullying by the gentleman from Michigan for votes.

Mr. FERRIS. I was going to add that if there ever was a beggar for votes on a tariff committee the gentleman from Michigan [Mr. FORDNEY] on this occasion was one. I never heard him before with bated breath, soft voice, bowing meek and lowly, begging for votes, as he was the other day. He is generally vociferous, boisterous, strong, and daring, but on this occasion honey would scarcely melt in his mouth.

Mr. SMITH of Idaho. Will the gentleman yield?

Mr. FERRIS. Yes.

Mr. SMITH of Idaho. The gentleman from Oklahoma is very accurate in stating the result of the election two years ago and four years ago. I am wondering whether he will prophesy what will happen in November next.

Mr. FERRIS. I will; and unless the 15,000,000 voters of this Republic are following a shadow instead of substance Woodrow Wilson will be elected triumphantly next November. [Applause on the Democratic side.]

FEDERAL RESERVE LAW.

H. R. 7837, Sixty-third Congress, first session. Conference report adopted in House December 22, 1913, by vote of 298 to 60; 245 Democrats voted yes, 2 Democrats voted no; 53 Republicans voted yes, 58 Republicans voted no. (See p. 1477, permanent RECORD.) Passed Senate December 19, 1913. Yeas 54, nays 34. (See p. 1230, permanent RECORD.) Signed by President Wilson December 23, 1913.

For 50 years students of banking and students of political economy everywhere have well understood and admitted that our currency system was weak, wavering, worthless, and a miserable makeshift. What did you do about it? You did not have the courage; you did not dare to tackle the job. You ducked it. You grabbed your hats and ran. You were afraid you would stir up conditions and did not dare to give us a new currency system. What happened? With the courage of our convictions, with the energy and alertness and ability to control a great Government like this, we gave you a new currency system so good, so wholesome, that you dared not condemn it in your national platform. [Applause on the Democratic side.]

Mr. BARKLEY. Will the gentleman yield?

Mr. FERRIS. Yes.

Mr. BARKLEY. I would like to call the gentleman's attention to the fact that the Republicans appointed a monetary commission that traveled all over the world, spent $250,000, wrote a report of 36 volumes which it would take a lifetime to read and more to understand.

Mr. FERRIS. That is true, they like to ride better than to legislate, but I will not detain you about that. Their omissions are so numerous that it will be impossible to deal with them.

CONSERVATION OF NATURAL RESOURCES.

This country is rich in natural resources—700,000,000 acres of public land, 35,000,000 potential horsepower of hydroelectric energy, 165,000,000 acres of forest reserve, 53,000,000 acres of coal land, 5,000,000 acres of oil land, 3,000,000 acres of phosphate land, 41,000 acres of potash land, 14 national parks aggregating 4,600,000 acres, 31 national monuments aggregating 86,000 acres. The great bulk of the 100,000,000 people believe that the party ought to administer this estate who will administer it justly and in the public interest. I assert that the 700,000,000 acres of unappropriated public lands are being wisely and carefully administered by this administration. I assert land frauds and land grabbing are reduced to the minimum and that the public interest is being recognized. I assert that the 35,000,000 horsepower of hydroelectric energy are being conserved and the legislation is well on its way to bring about a careful conservation in the public interest of this great resource. [Applause on the Democratic side.] One hundred and sixty-five million acres of forest reserves are being carefully administered so that the country may not be denuded of its timber, and this is in the public interest. I undertake to say that the 53,000,000 acres of coal lands still the property of the Government are being conserved and taken care of by Secretary Franklin K. Lane and this administration as they have never been taken care of before. [Applause on the Democratic side.]

Five million acres of oil land, which are to supply oil for the Navy, are being conserved, protected, and cared for by this administration as never before. [Applause on the Democratic side.] Three million acres of phosphate lands, still in Government ownership, are being cared for, protected, and conserved for the benefit of the depleted soils of the East, that must have fertilizer in order that they may survive. The 41,000 acres of potash yet belonging to the Government are being conserved. The 14 national parks comprising 4,600,000 acres, the Nation's playgrounds, are being conserved and cared for by the Wilson administration. [Applause on the Democratic side.] The 31 national monuments comprising 86,000 acres of land, like the Grand Canyon and others of nature's wonders, are being cared for, conserved, and protected by the Wilson administration.

Mr. MORGAN of Oklahoma. Mr. Speaker, will the gentleman yield?

Mr. FERRIS. Yes.

Mr. MORGAN of Oklahoma. I would like to make this remark, that I think a good deal of the credit for the conservation of these great natural resources is unquestionably due to the gentleman from Oklahoma, [Mr. FERRIS], who is chairman of the Committee on Public Lands, and who has this legislation in charge. [Applause on the Democratic side.]

Mr. FERRIS. Mr. Speaker, I am very much indebted to my good friend from Oklahoma. He generally puts such knotty problems to me that I can not answer them, but on this occasion I can agree with him with such amazing grace. [Laughter.]

Mr. RAKER. Mr. Speaker, I simply want to say that I agree with the gentleman from Oklahoma [Mr. MORGAN] in what he said about the conservation work which has been the work of the present speaker, our beloved chairman of the Committee on Public Lands, Mr. FERRIS.

Mr. FERRIS. Again I thank my friend; again I admit the wisdom and the accuracy of the statement. There are more men of mature judgment here than I had expected to find in one body. [Laughter.]

Mr. BARKELEY. Mr. Speaker, I suggest that the books be opened, and that the gentleman from Oklahoma, Mr. MORGAN, be allowed to join the Democratic Party at this time.

Mr. FERRIS. Oh, Mr. MORGAN is a good fellow. I wish that all Republicans behaved as well as he does.

LABOR LEGISLATION FOR AMERICA'S TOILERS.

Mr. Speaker, during my short service, covering a period of 10 years, I used to look at the Speaker's desk almost every morning, and I would see it loaded down with petitions asking the party then in power, the great Republican Party, once the party of Lincoln, once the party of the sainted McKinley, to enact legislation in the interest of the 25,000,000 toilers of this country. But I saw those petitions one after another ignored, refused, given little or no attention, even swept into the waste-basket. The Republican Party first heard them, and then turned them away, and what happened? The Democratic Party came into power. Labor appeared before our committees. They asked us, oh so earnestly, for laws that would help them. We responded; and we have passed for them the bills they wanted passed; we passed them in the form they asked. Let us see what they are. The eight-hour law [applause on the Demo-

cratic side]; the bill establishing a children's bureau; the child-labor bill, which has passed the House and is now pending in the Senate [applause on the Democratic side]; the bill providing for safety of railway employees, a law signed by President Wilson on May 4, 1916; and the bill providing for the establishment of a bureau of labor safety. I will quote the RECORD on these bills. It is as follows:

EIGHT-HOUR DAY.

H. R. 9061, Sixty-second Congress, first session. Passed House December 14, 1911, without roll call or division. (See p. 396, permanent RECORD.) Passed Senate May 31, 1912. Yeas, 45; nays, 11. (See p. 7455, permanent RECORD.) Signed by President June 19, 1912.

CHILDREN'S BUREAU.

S. 52, Sixty-second Congress, second session. Passed House April 2, 1912, by a vote of 177 to 17 on a division. (See p. 4226, CONGRESSIONAL RECORD.) Passed Senate January 31, 1912. Yeas, 54; nays, 20. (See p. 1579, temporary RECORD.) Signed by President April 9, 1912.

CHILD-LABOR BILL.

H. R. 8234, Sixty-fourth Congress, first session. Passed House by a vote of 337 to 46, February 2, 1916; 169 Democrats voted yes; 44 Democrats voted no; 168 Republicans voted yes; 2 Republicans voted no. (See p. 2174, temporary RECORD.) Reported to Senate April 19, 1916.

SAFETY OF RAILWAY EMPLOYEES.

S. 3769, Sixty-fourth Congress, first session. Passed House April 28, 1916, without roll call or division. (See p. 7947, temporary RECORD.) Passed Senate April 20, 1916, without roll call. (See p. 7427, temporary RECORD.) Signed by President Wilson May 4, 1916.

BUREAU OF LABOR SAFETY.

H. R. 155, Sixty-fourth Congress, first session. Passed House January 19, 1916, without roll call or division. (See p. 1424, temporary RECORD.)

Mr. McCRACKEN. Mr. Speaker, will the gentleman yield?

Mr. FERRIS. Yes.

Mr. McCRACKEN. Was not the bill for the establishment of a bureau of welfare to care for the children of the United States introduced by a Republican Senator, the distinguished Senator from Idaho, Mr. BORAH?

Mr. FERRIS. It was Senate bill No. 52, in the Sixty-second Congress, second session, and that bill passed the Senate and passed the House by the aid of Democratic votes and a few Progressives over there and a few Progressives over here.

Mr. McCRACKEN. But the gentleman will admit that that came from Senator BORAH of Idaho, who is a Republican?

Mr. FERRIS. It was Senate bill 52. Senator BORAH may have introduced it, but Democratic votes passed it. We have the majority, so we could pass it or let it alone as we chose. We chose to pass it. We did pass it. It is the law.

Mr. RUSSELL of Missouri. Mr. Speaker, will the gentleman yield?

Mr. FERRIS. Yes.

Mr. RUSSELL of Missouri. Is he the same Senator who severely criticized Judge Hughes while he was governor of New York for asking the legislature of that State to defeat the income-tax resolution? [Applause on the Democratic side.]

Mr. FERRIS. I am willing to accept the statement of the witness without modification, comment, or amendment. [Laughter.]

Mr. CLINE. Of course it is a matter of common knowledge that Senator BORAH is not exerting himself to any great extent now to get legislation of that kind through the Senate.

Mr. FERRIS. If he is, the water is fine. The bill is over there waiting for him.

Mr. McCRACKEN. Have the Democrats, in majority in that body, given Senator BORAH or anyone else an opportunity to pass that bill?

Mr. FERRIS. Oh, some of them belonging to my party are against it. A large number of my good friends on this side of the House are against the bill, and they think they are right about it. Personally I do not agree with them, and personally I hope that we can borrow some Progressive votes in the other body to take their place, so that we may again in this instance give labor what it deserves to have, as the Republican Party always refused to give them anything. [Applause on the Democratic side.]

WORKMEN'S COMPENSATION LAW.

H. R. 15316, Sixty-fourth Congress, first session. Passed House, July 12, 1916, by a vote of 285 to 2—145 Democrats voted yes; 1 Democrat voted no; 140 Republicans voted yes; 1 Republican voted no. (See p. 12577, temporary RECORD.) Now pending in Senate.

There was the workmen's compensation law. [Applause on the Democratic side.] It passed the House with just 2 votes against it, 1 on our side and 1 on your side—both lovable fellows; but, although nice fellows, they were unwilling to give labor what she is entitled to and what she asks for and what we promised to give her. That is all.

SEAMEN'S LAW.

S. 136, Sixty-third Congress, first session. Passed House August 27, 1914, without roll call or division. (See p. 14362, permanent RECORD). Passed Senate October 23, 1913, without roll call or division. (See p. 5792, permanent RECORD.) Signed by President Wilson March 4, 1915.

The seamen's law was asked for by labor; petitioned for everywhere by labor. We gave it and you refused it. [Applause on Democratic side.]

The Tavenner stop-watch amendment was added to four appropriation bills this year, the Army bill, the Navy bill, the sundry civil bill, and the fortifications bills, asked for by labor, but they asked in vain. You heard them and turned them away.

ANTI-INJUNCTION LAW.

S. 8439, Sixty-second Congress, second session. Passed House May 14, 1912, by a vote of 243 to 31—163 Democrats voted yes; no Democrat voted no; 80 Republicans voted yes; 31 Republicans voted no. (See p. 6470, permanent RECORD.) Passed Senate February 25, 1913, without roll call. (See p. 3870, permanent RECORD.) Signed by President March 4, 1913.

Since my earliest boyhood the appeals of union labor have asked that that law be enacted. They asked you to accomplish it for them. They piled petitions on your tables when you were in control, pleading, begging, asking you to enact it and thereby do your duty to labor. You put those petitions in the wastebasket and you turned them away. We delivered the goods. [Applause on the Democratic side.] Let us see what the vote was on this bill when the roll was called. Let us observe which party served labor best. The vote was, yeas 243, noes 31. One hundred and sixty-three Democrats kept the faith and no Democrat failed. Eighty Republicans voted yea when they were forced to a record vote, and 80 of them came across and did their duty. There were 31 skulking around the back rows of seats who voted against the anti-injunction bill. Some of this selfsame 31 tell us they will beat us in November. Maybe they will and maybe they will not. Will 25,000,000 wage earners of this country turn and strike the hand that caressed them? Will 25,000,000 patriotic men ask and receive, and then turn their backs on the party that enacted the laws desired? I can not believe that 25,000,000 patriotic toilers of this country will turn and strike down the party that accomplished for them what they desired. If they do, it will belie their every tradition. My hope and my belief in humanity will be shattered, blasted, and gone. I do not believe it is true. Labor has never in the past exacted any such toll as that, and I do not believe they will do it in November.

Let us see what else. I have been a Democrat always, of course. Everybody ought to be. [Applause on the Democratic side.]

The three idols of my early youth were the beloved Speaker, CHAMP CLARK, Senators Vest and Cockrell. The two Senators have gone to their reward, but the Speaker, in the zenith of his powers, is still at the head of this House of Representatives, one of the most honored places in all the world.

I used to sit as a barefoot boy and see the Republican orators wave the bloody shirt and say, "You Democrats are flag shooters, and a rebellious sort of fellows. If you were intrusted with power you would abuse the defenders of the country and cut off their pensions." And they used to wave the flag, recall prejudices, and say, "If you let the Democrats get into office they will cut your pensions off. They will maltreat you." Doubtless some of the soldiers thought it might be true. How changed to-day.

PENSION LEGISLATION.

SHERWOOD PENSION BILL.

H. R. 1, Sixty-second Congress, second session. Conference report adopted in House by a vote of 167 to 57. (See p. 6432, permanent RECORD.) Passed Senate May 29, 1912. Yeas, 51; nays, 16. (See p. 4015, permanent RECORD.) Signed by President May 11, 1912.

INDIAN WAR PENSION BILL.

H. R. 655, Sixty-fourth Congress, first session. Passed House February 16, 1916, by a vote of 221 to 108. (See p. 3079, temporary RECORD.) Passed Senate May 9, 1916, without roll call. (See p. 8677, temporary RECORD.) Now in conference.

SPANISH WAR WIDOWS' PENSION BILL.

H. R. 54, Sixty-fourth Congress, first session. Passed House February 16, 1916, without roll call or division. (See p. 3061, temporary RECORD.) Pending on Senate calendar.

Let us see. Under seven years of Theodore Roosevelt the average pension paid to the Union soldier was $183.73. The average pension under the four years of Taft was $177.78. And under Wilson the average pension is $223.53. [Applause on the Democratic side.] That is not all. What happened at St. Louis? What happened at Chicago? The Republican platform on pensions is as silent as the grave. Is it true that the 748,147 pensioners have grown so old and so decrepit and so nearly standing on the brink of an open grave that you

Republicans have lost interest in them? I am proud that my party—I am proud that in defeat and in disaster they are more generous to these old soldiers, bent and gray, than you have ever been in the history of the Republic. [Applause on the Democratic side.] Most Democrats in Indiana and Ohio will no longer have to bear the whips and scourges of the Republican Party that we have no faith, affection, or regard for the old soldiers. I assume not. You were quiet in the platform. I assume you will be quiet this year. I believe you will be quiet everywhere and you ought to be. Let us see what we have got here.

Mr. RAKER. Will the gentleman yield?

Mr. FERRIS. Certainly.

Mr. RAKER. I would like to call the gentleman's attention to the fact that he overlooked the phossy-jaw bill. The American people for years, at least for five years, have been demanding legislation, and there have been scandals of all kinds in regard to the Alaska coal fields, but Congress did relieve this situation and passed a bill satisfactory to the American people.

Mr. FERRIS. In reply to the gentleman from California, I am glad he called my attention to the phossy-jaw bill. That is entitled to a place in the curriculum of important legislation enacted for labor. I had omitted it. I thank him for the suggestion. Regarding the suggestion about Alaska, I gladly say that I believe my party is beginning to open up and develop that great Territory as it was never done before and is entitled to some credit for it. It was long a seething pot of land frauds and Guggenheim scandal. We are straightening it out and developing it. It should have been done years ago.

Mr. LONGWORTH. Will the gentleman yield?

Mr. FERRIS. Yes.

Mr. LONGWORTH. Mr. Speaker, I merely want to remind the gentleman, in line with the inquiry of the gentleman from California, that the phossy-jaw bill was introduced by the gentleman from Wisconsin [Mr. ESCH] and was violently attacked and fought on the floor of this House by the Democratic leader of the House [Mr. UNDERWOOD].

Mr. FERRIS. Every day that that bill was in progress, every day during its consideration, it was in the power of the Democratic majority to sweep it away or pass it, as we elected to do, and we passed it. It is the law. We were generous in passing it for Mr. ESCH. He is entitled to credit for introducing it. It is refreshing to find an occasional Republican willing to come in and help us secure good legislation.

LEGISLATION IN BEHALF OF THE AMERICAN FARMER.

Most of us sprung from the farm. If we did not, we ought to have done so. Six and one-half million farmers in the Republic have since my earliest childhood asked for laws to help better their condition. You Republicans, 16 years in power, heard them and turned them away. We promised, we heard them, we delivered the goods. [Applause on the Democratic side.]

RURAL CREDITS BILL.

S. 2986, Sixty-fourth Congress, first session, passed House May 15, 1916, by a vote of 295 to 10; 186 Democrats voted yes, no Democrat voted no; 108 Republicans voted yes, 10 Republicans voted no. (See p. 9037, temporary RECORD.) Passed Senate May 4, 1916—yeas 57, nays 5. (See p. 8387, temporary RECORD.) Signed by President Wilson July 17, 1916.

The rural credits bill. What does it mean? It means cheaper interest, a longer time for the farmer to pay it back. That is what it means. My people need it; the American farmers everywhere need it. They have asked for it from you and you failed. They asked for it from us and we delivered it. It is the law. [Applause on the Democratic side.]

Mr. COX. Mr. Speaker, will the gentleman yield in that connection?

Mr. FERRIS. Certainly.

Mr. COX. I take it that the gentleman has read the Republican platform this year, has he not?

Mr. FERRIS. Yes, I have; but I do not pretend to understand it. [Laughter on the Democratic side.]

Mr. COX. And no one else.

Mr. FERRIS. The gentleman does not want me to say that, does he?

Mr. COX. No. Does the Republican platform denounce the rural credits bill, which Congress passed, although the solid Republican Party voted for it, except 12?

Mr. FERRIS. Except 10. Yes; that is so. But they have been promising in platform and on the stump so long and voting against the propositions in Congress, that in this instance they merely reversed the procedure and voted first and denounced last. [Applause on the Democratic side.] The vote on roll call was as follows: 186 Democrats voted for the rural credits bill; no Democrat voted no; 108 Republicans walked up to the halter, put their heads into the manger and voted for it, and only 10 voted against it.

Mr. COX. Now in reference to the platform promises, the gentleman has read the Republican platform in 1912 and in 1916, I am sure. I want to ask him if it is not a fact that the Republican Party in both of those platforms solemnly and sincerely declared for a tariff commission.

A MEMBER. Not sincerely. [Laughter.]

Mr. COX. Did they not declare for a tariff commission?

Mr. FERRIS. They did, but they failed you and did not deliver the goods. They promised to pass it while securing votes, but voted against it in Congress. We passed it without any promises or any noise.

Mr. COX. Now on the 10th day of July, is it not a fact that we put up to the Republican Party a tariff commission bill, and did not 139 Republicans vote against it?

Mr. FERRIS. Yes; but 39 voted with us, and I want to thank them and pause and admire those 39 gentlemen for doing what every good Member of Congress ought to do, and that is to vote for a good bill, wherever he may find it. The American people are not interested in authorship or in kind words; they want kind deeds fully delivered, and we delivered.

Mr. COX. Does the gentleman think of any reason why a Republican should vote against it after declaring for it in two platforms?

Mr. FERRIS. Well, the gentleman from Michigan [Mr. FORDNEY] gave the reason with more frankness than I have ever heard exhibited in this House before, when he declared that he would not vote for a Democratic bill even if it were coated with sugar a foot deep. If that is the case with respect to the rest of them, the Republican Party is about as near on the rocks this year as it was four years ago. They have been on the toboggan for some time, anyway.

Mr. LONGWORTH. Mr. Speaker, will the gentleman yield?

Mr. FERRIS. Yes.

Mr. LONGWORTH. I would like to ask the gentleman a question with general relation to platform promises. The gentleman has stated that the Republican Party four years ago met its defeat and only carried two States because it promised to reduce the tariff——

Mr. FERRIS. Yes—promise and did not deliver! [Applause on the Democratic side.]

Mr. LONGWORTH. Now let me ask the gentleman this question: In the line of prophecy what two States does the gentleman predict the Democratic Party will carry on its promise to reduce the cost of living? [Laughter on the Republican side.]

Mr. FERRIS. I have an answer for the gentleman.

Mr. GOODWIN of Arkansas. Mr. Speaker, will the gentleman yield right there?

Mr. FERRIS. In a moment. The gentleman from Ohio is noted for his cleverness and ability, and I will pause long enough to say that the gentleman made a speech here during the progress of the tariff board debate that will do credit to him after he has gone, on account of its fairness and squareness, and the gentleman is entitled to an answer to his present question.

Mr. GOODWIN of Arkansas. Mr. Speaker, will the gentleman yield?

Mr. FERRIS. Yes, in a moment, if the gentleman will pardon me. The gentleman from Ohio [Mr. LONGWORTH] as he is always capable of doing, selects our weakest spot; but let me call the gentleman's attention to the fact that the cost of living has not increased as much in this country as it has in every other country in the world. [Applause on the Democratic side.] If that is not a satisfactory answer to the gentleman, I will say the cost of living has not been materially reduced, and no other party could have reduced it with a world war raging on the other side. My father and mother used to ride in a one-horse shay that cost $35. Now, if we of the younger generation, do not have an automobile that costs $2,500 every third year, something is going wrong. The whole scene has changed. The whole style and methods of life have changed. The butcher and the banker all ride in automobiles nowadays. It is a different scale of living that we are having, and the party does not live now that is able to say that it will be able to reduce us to the plane of a one-horse shay. I predict neither the gentleman from Ohio or myself will be here when this country returns to the one-horse shay days of old.

Mr. LONGWORTH. Then the gentleman practically guarantees that the Democratic Party never again will promise to reduce the cost of living by a reduction of the tariff or otherwise?

Mr. FERRIS. I do not promise that, but say that the party is not now organized under present conditions that can return this Nation from extravagance to simplicity.

Mr. GOODWIN of Arkansas. Is not the high cost of living, 90 per cent of which the Republicans are responsible for, offset by

the low mental depression of the Republican Party when it thinks of its slim chance of carrying the country in the Presidential campaign next November? [Applause on the Democratic side.]

Mr. FERRIS. Again I agree with my friend from Arkansas. There was added to the agricultural appropriation bill, reported from the committee presided over by the able and genial gentleman from South Carolina [Mr. LEVER] and my able friend from Alabama [Mr. HEFLIN], three important amendments, namely, the bill to drive out gambling in farm products, the warehouse bill, and the grain-grading bill, all bills that the farmer asked for and which you refused to give; bills that they asked for and which we delivered. [Applause on the Democratic side.]

It is with much pride that I quote the record on these measures. It is as follows:

BILL TO PREVENT GAMBLING IN FARM PRODUCTS.

Amendment to H. R. 12717, Sixty-fourth Congress, first session. Passed House May 2, 1916, as amendment to agricultural appropriation bill. Vote on amendment was 107 to 21 on division. (See p. 8246, temporary RECORD.) Passed Senate July 12, 1916. Now in conference.

WAREHOUSE BILL.

Amendment to H. R. 12717, Sixty-fourth Congress, first session. Passed House May 2, 1916, as amendment to agricultural appropriation bill. The vote was 286 to 42; 163 Democrats voted yes; 11 Democrats voted no; 125 Republicans voted yes; 31 Republicans voted no. (See p. 8247, temporary RECORD.) Passed Senate July 12, 1916. Now in conference.

GRAIN-GRADES BILL.

H. R. 12717, Sixty-fourth Congress, first session. Passed House May 2, 1916, as an amendment to Agricultural appropriation bill without roll call or division. (See p 8246, temporary RECORD.) Passed Senate July 12, 1916. Now in conference.

LEVER AGRICULTURAL EXTENSION BILL.

H. R. 7951, Sixty-third Congress, second session. Conference report adopted in House May 2, 1914, without roll call or division. (See p. 7646, permanent RECORD.) Passed Senate February 7, 1914, without roll call. (See p. 3130, permanent RECORD.) Signed by President Wilson May 8, 1914.

The Lever agricultural extension bill appropriates about $5,000,000 a year to teach agriculture. What for? To encourage the boy to go back on the farm, instead of running away to the city as soon as he is 20 years old. And that of late has been going on to a marked degree. The gentleman from South Carolina [Mr. LEVER] and the party behind him, and the President who signed that bill, are entitled to great credit for its enactment.

GOOD ROADS BILL.

H. R. 7617, Sixty-fourth Congress, first session. Bill passed House January 25, 1916, by a vote of 282 to 81; 163 Democrats voted yes, 13 Democrats voted no, 128 Republicans voted yes, 68 Republicans voted no. (See p. 1688, temporary RECORD.) Passed Senate May 8, 1916, without roll call. (See p. 8562, temporary RECORD.) Signed by President Wilson July 11, 1916.

Good roads. Every nation in the world except our own has done something toward aiding in the building of good roads. On one pretext and another this great Republic, the richest in all the world, has failed, until this Congress, to do a solitary thing. Seven years of Roosevelt gave nothing. Four years of Taft gave nothing. You promised and failed. We promised on the stump and in platform. We also performed in office. We delivered the goods. [Applause on the Democratic side.]

Mr. KINCHELOE. Will the gentleman yield right there?

Mr. FERRIS. I yield to the gentleman from Kentucky.

Mr. KINCHELOE. Is it not a fact that the Republican platforms of 1912 and 1916 did not, either one of them, promise anything in the way of Government aid to good roads?

Mr. FERRIS. I think my friend from Kentucky is right about that, although I have neither of those late lamented documents before me. I thank him for calling my attention to it. I want to talk a little bit about present prosperity.

Mr. BRITTEN. Has the gentleman finished calling attention to the various good bills that the House has passed during the present administration?

Mr. FERRIS. No, I have some more if the gentleman will just content himself in peace.

Mr. BRITTEN. Has the gentleman in mind House joint resolution 251?

Mr. FERRIS. I do not know what it is. What is it?

Mr. BRITTEN. That is the resolution that was passed by the House justifying the President in the use of the armed forces of the United States against Mexico, to send them down to Vera Cruz, where more sailors were lost than during the entire Spanish War, and where millions of dollars were spent and unaccounted for.

Mr. FERRIS. The gentleman made a speech on Mexico a while ago. I will ask him not to make a speech in my time.

The SPEAKER. The gentleman declines to yield.

Mr. BRITTEN. Will the gentleman yield for a question?

Mr. FERRIS. I have yielded already for a speech. I do not yield for two speeches. Let the gentleman content himself——

Mr. BRITTEN. I merely want——

The SPEAKER. The gentleman from Oklahoma declines to yield.

Mr. FERRIS. The gentleman from Chicago [Mr. BRITTEN] becomes cantankerous, becomes vociferous, becomes exultant about Mexico. He and the lone Socialist of this House are the only two that failed to vote for the very first one of the preparedness bills. [Applause on the Democratic side.]

Mr. BRITTEN. Yes; and I am proud of it.

Mr. FERRIS. I assume that the Socialist Member does not believe in any preparedness at all. I assume that the gentleman from Chicago wanted to carry around with him a bloody head and crossbones, and just eat up things as he came to them.

Mr. BRITTEN. Will the gentleman yield for a question?

Mr. FERRIS. The gentleman wants to make a speech. I will not yield for a speech.

Mr. BRITTEN. No; I do not.

Mr. FERRIS. All right, go ahead and ask your question.

Mr. BRITTEN. Did the bill which I did not vote for finally pass and become a law?

Mr. FERRIS. It did; the Hay bill became the law. Why, the only two men in this House from the whole country, East, North, South, and West, who refused to vote for the first preparedness bill that came along were the gentleman from Chicago [Mr. BRITTEN] and the lone Socialist Member [Mr. LONDON].

Mr. BRITTEN. Was that bill finally passed?

Mr. FERRIS. The only gentleman of all the membership to vote as the gentleman voted was the gentleman from New York, Mr. LONDON. Does the gentleman deny that? I will give the number.

Mr. BRITTEN. I voted against that bill, and that bill was never enacted——

Mr. FERRIS. I can not yield to the gentleman for a speech. He does not understand the procedure and how bills are actually passed.

Mr. BRITTEN. I am not making a speech; I am making a correction. I assume that the gentleman desires to be correct.

Mr. FERRIS. I will give it to the gentleman correctly.

Mr. BRITTEN. Tell us when that bill was passed.

Mr. FERRIS. I will, with great delight. The first preparedness bill was passed on March 23, 1916. There were 402 Members who voted yea and 2 who voted nay, and the gentleman from Chicago [Mr. BRITTEN] was one of the two to vote nay.

Mr. BRITTEN. When did it become a law?

Mr. FERRIS. I will give you that. It was signed by President Wilson June 15.

Mr. BRITTEN. Not that bill. The gentleman is entirely mistaken.

Mr. FERRIS. I am not mistaken at all.

Mr. BRITTEN. There is no question about it.

Mr. FERRIS. Oh, well, now I have the number. It is H. R. 12776, the preparedness bill. The gentleman is out on a limb, and if he wants to keep on sawing himself off and advertising his own frailties, he may go ahead.

Mr. BRITTEN. It was the Chamberlain bill which became a law, not the bill that passed the House.

Mr. FERRIS. How long has it been since a bill introduced by a Senator has carried a House number—H. R. 12776?

Mr. CARTER of Oklahoma. The gentleman from Illinois is not familiar with the procedure of the House or he would not make that statement.

Mr. DAVIS of Texas. Mr. Speaker——

The SPEAKER. The gentleman from Oklahoma (Mr. FERRIS) has the floor.

Mr. DAVIS of Texas. I just want to suggest to the gentleman a scriptural reply to the gentleman from Illinois. "Answer not a fool according to his folly, lest thou also be like unto him." [Laughter.]

Mr. BRITTEN. Amen!

Mr. FERRIS. I really hope the gentleman will not say that about my friend from Chicago. I am very fond of him. The only trouble about my friend is that he wants to inject a speech on a foreign matter into the speech that I am making.

Mr. BRITTEN. We have no laughingstock on our side of the House.

A MEMBER ON THE DEMOCRATIC SIDE. Oh, yes, you have.

PROSPERITY.

Mr. FERRIS. Prosperity! Mr. Speaker, since my earliest childhood, as a Democrat, usually in the minority, usually laying bare my back to Republican whips and scorns, the oldest din that I can think of that continually sounded in my ears was the assertion by Republicans that "Republicans and prosperity walk hand in hand, and Democrats and disaster walk hand in hand." That is the old platform. We hear none of that now. The once proud party of Lincoln and McKinley has

shriveled up to a party of apology, a party of standpatism and reaction. They are rent with standpatism on one hand, insurgency on the other. Let us see what the facts are:

Wages of railroad employees (all classes).

Average for the seven years under Roosevelt	per day	$2.98
Average for the four years under Taft	do	3.27
Latest available figures (1914) under Wilson	do	3.68

Wages of farm laborers.

Average for four years under Taft:		
With board	per month	$20.05
Without board	do	$28.32
Average for three years under Wilson:		
With board	do	$21.23
Without board	do	$30.11
Total wage earners in manufacturing industries in 1912		6,900,000
Total wages paid in manufacturing industries in 1912		$3,427,000,000
Total wage earners in manufacturing industries in 1916		8,500,000
Total wages paid in manufacturing industries in 1916		$5,280,000,000
Total increase in wage earners in manufacturing industries during Wilson administration		1,600,000
Total increase in wages paid in manufacturing industries during Wilson administration		$1,853,000,000

Under the Roosevelt administration the average wage per day, Mr. Speaker, for railroad employees—from the section hand to the president—was $2.98 per day. For the four years under Taft it was $3.27, and under Wilson it is $3.68 a day. [Applause on the Democratic side.] There never was a time in the history of the Republic when the 25,000,000 laborers and wage earners received more per day and in the aggregate than they do under the Wilson administration and four years of Democratic rule.

Under the four years of Taft the farm laborers got $20.05 a month with board and $28.32 without board. Under Wilson they get $21.23 with board and $30.11 without board. [Applause on the Democratic side.] What has become of this Republican taunt that we always bring calamity under a Democratic administration? What has become of your doughty prophecies? Who of your party longer has courage to make them?

In round numbers the American laborers are receiving $2,000,000,000 more annually than they received under Taft. [Applause on the Democratic side.] Each and every one of them are receiving more per day and in the aggregate than they received under Taft or Roosevelt. This shows they are all employed and receive more wages than ever before.

Mr. FESS. Will the gentleman yield?

Mr. FERRIS. I do not want to yield for a speech, but I will yield for a question.

Mr. FESS. Has the gentleman the figures in relation to laborers in the year 1913 from March 4 to March 4, 1914?

Mr. FERRIS. I have not compiled them for that exact period. I do, however, have them for the seven years under Roosevelt, the four years under Taft, and the three years under Wilson, and it shows up very badly for the gentleman from Ohio and his party. [Applause on the Democratic side.]

Farm products.

	Average price under—		Present price.
	Roosevelt.	Taft.	
Wheat	$0.78	$0.87½	$0.99¾
Corn	.45	.54	.71¼
Oats	.35	.37	.39½

Live stock (Chicago market, high).

	Price under—		Present price.
	Roosevelt.	Taft.	
Cattle	$8.82	$9.73	$11.30
Horses	184.00	202.00	205.00
Hogs	7.23	9.38	9.85

I have here, Mr. Speaker, the average price paid for wheat during the seven years under Roosevelt, the four years under Taft, and almost the four years under Wilson. As above shown, wheat was 78 cents a bushel under Roosevelt, under Taft it was 87½ cents, and the present price in Chicago under Wilson is 99¾ cents, higher than ever before. [Applause on the Democratic side.] The same is true of corn, the same is true of oats, the same is true of wool, the same is true of cattle, the same is true of horses, the same is true of hogs, sheep, and every hoof that trods the farm. [Laughter and applause on the Democratic side.]

Mr. DOWELL. Will the gentleman yield?

Mr. FERRIS. Yes.

Mr. DOWELL. Will the gentleman give the price just prior to the European war?

Mr. FERRIS. I have no figures for that particular period.

GENERAL PROSPERITY.

Railway earnings in 1912	$2,933,000,000
Railway earnings in 1916	3,700,000,000
Total increase in railway earnings in 4 years (26.1%)	767,000,000
Total wealth in 1912	187,000,000,000
Total wealth in 1916	228,000,000,000
Total increase in wealth in 4 years (21.8%)	41,000,000,000
Total manufactured products in 1912	20,672,000,000
Total manufactured products in 1916	30,900,000,000
Total increase in 4 years (49.4%)	10,228,000,000

The railway earnings for 1912, which was the last year of the Republican rule, was $2,933,000,000. The total earnings during the Wilson administration is $3,700,000,000, or an increase of $767,000,000, or 26.1 per cent. The railroads are a pretty good barometer, and they show what is going on, and whether or not the country is in truth and in fact prosperous.

Mr. FESS. Will the gentleman yield?

Mr. FERRIS. I hope the gentleman will let me proceed for a moment. I have not much time and the House has been very generous to give me this.

The total wealth of the country in 1912, the last year of the Republican administration, was one hundred and eighty-seven billions. Under the Wilson administration and Democratic rule it is two hundred and twenty-eight billions. [Applause on the Democratic side.] And that is an increase of $41,000,000,000, or 21.8 per cent. Democrats on my side of the aisle, I pause and ask you is there anyone here that has to go with bowed-down head to apologize for the four years of Wilson and Democratic rule? [Cries of "No!" "No!"] Can the Republican Party, the party of McKinley and Lincoln, longer say that success of Democracy means disaster, disruption, and panic? No! In truth and in fact, the country is prosperous as it has never been before. A healthy condition of affairs is everywhere present. No one can doubt it or deny it. It is a fact.

Now take the total manufactured products. They say that we tear up business; they say Democrats are hostile to business. Let us see if we are. I want to be no part of a party that tears up business; I want to be no part of a party that tears up labor. I desire for myself and my party to stand shoulder to shoulder with honest business, with honest commerce, honest labor, that all combined go to make up a party that moves forward, not backward, and that is precisely what we are doing. [Applause on the Democratic side.]

The total manufactured products of 1912 was twenty billion six hundred and seventy-two million. The total manufactured products during the last year under Wilson is thirty billion nine hundred millions, an increase of 49.4 per cent.

Mr. COOPER of Wisconsin. How much of it is munitions?

Mr. FERRIS. I have got that too.

The SPEAKER. The Chair will state that it is against the rule for any Member to speak without rising in his seat.

Mr. COOPER of Wisconsin. Will the gentleman from Oklahoma please give what portion of that aggregate is munitions of war?

Mr. FERRIS. Not much of it. Only a very small per cent of it.

Mr. DIXON. I can give it to the gentleman. A little less than 3 per cent.

Mr. COOPER of Wisconsin. The gentleman from Indiana could with equal solemnity have said that it was one-half of 1 per cent, but it would not establish anything. I want it from the record.

Mr. FERRIS. Mr. Speaker, I hope the gentleman will let me proceed.

Mr. DIXON. Mr. Speaker, the Department of Commerce gave the totals, and the total was less than 3 per cent of the total manufactures in the United States, as shown by Mr. McGILLICUDDY, in his speech, in RECORD of July 14, 1916, for the 10 months ending April, 1916.

The SPEAKER. The time of the gentleman from Oklahoma has expired.

Mr. MANN. How much more time does the gentleman want?

Mr. FERRIS. The gentleman might make his request for 30 minutes. I do not think that I shall use all of it.

Mr. MANN. I ask unanimous consent that the gentleman may proceed for 30 minutes more.

The SPEAKER. The gentleman from Illinois [Mr. MANN] asks unanimous consent that the gentleman from Oklahoma

[Mr. FERRIS] may continue not to exceed 30 minutes. Is there objection?

There was no objection.

Mr. MANN. Mr. Speaker, if I may be permitted, I wish now to ask unanimous consent that at the conclusion of the remarks of the gentleman from Oklahoma the gentleman from Ohio, Mr. Fess, may proceed for 25 minutes.

The SPEAKER. The gentleman from Illinois [Mr. MANN] asks unanimous consent that at the conclusion of the remarks of the gentleman from Oklahoma, the gentleman from Ohio, Mr. FESS, may be permitted to proceed for 30 minutes.

Mr. RAKER. Twenty-five?

The SPEAKER. Well, we will give him 30. [Laughter.] Is there objection?

There was no objection.

Mr. FERRIS. Mr. Speaker, let us look at the financial condition of the country, under Wilson, the Underwood law, and the new Federal reserve act. Let us see if we Democrats tear up everything. The Comptroller of the Currency, in his report of March 1, 1916, reports the total resources of the national banks of the country $13,830,000,000. This exceeds by $370,000,000 the greatest resources ever recorded in the history of the Republic. [Applause on the Democratic side.]

BANKING CONDITIONS.

Our resources increased in a single year, from March 1, 1915, to March 1, 1916, $2,271,000,000, and the single year's increase is greater than the combined assets of the Reichsbank of Germany as reported in 1916. The aggregate resources as shown by the Comptroller of the Currency of banks of the United States exceed by $3,000,000,000 the combined resources of the central banks of England, France, Russia, Germany, the Netherlands, Switzerland, and Japan. [Applause on the Democratic side.] What has become of the old slogan, Democratic success and panic? Who is bold enough to make it in the face of these conditions?

PROSPERITY NOT LOCAL BUT GENERAL.

The bank deposits of the New England States have increased during the four years of the Wilson administration 31 per cent.

The bank deposits of the Dakotas, Nebraska, Kansas, Montana, Wyoming, Colorado, New Mexico, and Oklahoma have increased during the same period 42 per cent.

Our opponents on the other side of the aisle are persistently asserting that the prosperity we now enjoy is due to the war. If the prosperity were local among the New England States and the States engaged in munitions manufacturing this might be true, but the facts are that the New England bank deposits only increased 39 per cent during the Wilson administration, while the bank deposits in the Middle Western States, of the Dakotas, Nebraska, Kansas, Montana, Wyoming, Colorado, New Mexico, and Oklahoma have increased 42 per cent during that period. The new State of Oklahoma, standing alone, has increased her bank deposits 100 per cent during that time. I pause and ask the American House of Representatives to-day, What effect has the war on the group of Middle Western States just mentioned? In all probability, a greater era of prosperity will follow the war for this country than has existed during the war. The present prosperity in the country is not local, is not due to the manufacture of munitions, but is a healthy, normal growth under a prudent, energetic, faithful, capable administration of governmental affairs, and in common justice and in common decency every thoughtful man will accord to the Wilson administration credit for bringing about such results.

PREPAREDNESS FOR NATIONAL DEFENSE—ARMY APPROPRIATIONS.

The bill for the national defense (H. R. 12776, Sixty-fourth Congress, first session) passed the House March 23, 1916, 402 to 2. One hundred and ninety-four Democrats voted yes, no Democrat voted no; 198 Republicans voted yes, 1 Republican and 1 Socialist voted no. (See p. 5432, temporary RECORD.) Passed Senate April 18, 1916, without roll call. (See p. 7291, temporary RECORD.) Signed by President Wilson June 5, 1916.

The Army appropriation bill (H. R. 16460, Sixty-fourth Congress, first session) passed House June 26, 1916, without roll call or division. (See p. 11537, temporary RECORD.) Reported by Senate committee.

Army bill as passed the House	$182,303,356.10
Army bill as reported by Senate committee	330,599,010.10
Estimated final amount	256,451,183.10
Fortifications bill	25,747,550.00
Military Academy bill	2,238,328.57
Nitrate plant	20,000,000.00
Militia encampments	200,000.00
Sundry civil bill	12,876,495.00
Deficiency bills	37,456,818.56
	354,970,375.23
Contracts	13,800,000.00
	368,770,375.23

Let us now take up the question of preparedness and see about that. Over in Chicago the Republicans had just two prominent planks in their platform. One was, "Resolved, That we must get Theodore Roosevelt back into the tent," and the other was that the Democrats had not done enough toward preparedness for national defense. They may accomplish the first plank, although I am not sure about that. The gentleman who has been hidden away in the cyclone cellar of the Supreme Court for the last six years has not told us much as yet about Theodore. We do not know whether he is going to satisfy Theodore or not; but surely they can not when the facts are known make much headway in assailing us upon the question of preparedness. Let us see what the Wilson administration has actually accomplished on preparedness for the national defense. The first bill that we passed on preparedness was the bill H. R. 12776, and 402 members voted for it and 2 against it.

That bill authorized the President to recruit 210,000 Regulars and 450,000 militiamen, or a total of 660,000 for an Army. You can not get them to enlist. In peace times it is impossible to recruit that many men. Republicans, you can not get them. No living man or party can recruit them. We provided for a larger Army than any party or set of men can recruit. What more do you want? Let us see what else we did. We appropriated for the Army and in contracts for which the Government is bound, carried in the different appropriation bills, counting the amount that we appropriated in the Army appropriation bill, which has not yet passed the Senate, and taking the difference between that and the amount reported to the Senate, $368,770,375.23. The largest appropriation made in peace times by a Republican Congress was for the fiscal year of 1910, which was $111,802,515.67. This is $256,967,859.56 more than you ever appropriated. Still, in your platform and on this floor you assail us and charge that we are weak on our preparedness program. As a result of the 16 years of your incumbency in power you had an Army of about 80,000 men. We now have an Army of 216,600 men in the paid service of the United States. We have appropriated nearly three times as much, twice as much as the largest amount we ever appropriated in time of peace. Still you say that we have not appropriated enough for preparedness. [Applause on the Democratic side.]

NAVY APPROPRIATIONS.

The naval appropriation bill (H. R. 15947, 64th Cong., 1st sess.) passed House June 2, 1916. One hundred and ninety-one Democrats voted yes; no Democrat voted no; 169 Republicans voted yes; 2 Republicans, 1 Socialist, and 1 Prohibitionist voted no. (See p. 10447, temporary RECORD.) On Senate Calendar.

Navy bill as passed House	$269,996,254.00
Navy bill as reported by Senate committee	315,720,516.54
Estimated final amount	292,857,485.27
Deficiency bills	4,525,117.00
Total	297,382,602.27
Contracts	225,243,000.00
	522,625,602.27

Comparative appropriations for defense.

Great Britain makes largest navy appropriation in peace times (1913)	$237,530,495.00
Ditto for war times (1915)	260,714,275.00
Largest naval appropriation by United States in peace times (1916)	149,818,563.00
Ditto for war times (1899)	119,921,780.00

Let us see about the Navy. The naval bill passed the House, but has not yet passed the Senate, but it has been reported. It passed the House providing for $269,000,000 plus. It is reported to the Senate with $315,000,000 plus. Estimating that it will become a law halfway between the two, it will carry $292,000,000 plus $4,000,000 in the deficiency bill, and plus $225,000,000 in contracts, and that will make us appropriate this year $522,000,000 for naval preparedness. The largest appropriation ever made by a Republican Congress for the Navy was for the fiscal year 1910, which carried $136,935,199.05. Still you say that we have not done anything for preparedness. Still you assail us. Still you publish in your partisan press that the country is lacking in proper defense. Still you allege we are unpatriotic in not doing more. Adding to the Army appropriations the naval appropriations, we have appropriated almost a billion dollars in a single session of Congress for preparedness alone, and still the Republicans assail and abuse us, asserting we should do more. Still they move to recommit our bills and seek to add to it.

My answer to all these unfounded charges is, that we have appropriated more money than we can obtain men to enlist and spend. My answer is, we are not in favor of enforced service in times of peace. My answer is, we have appropriated enough if not too much to suit the taxpayers, and that your charges are unfounded and political in their scope. Our program will not please the ultrapreparedness advocate who believes in compulsory service and a continental army, nor will it please the bland-faced pacifist who does not believe in any Army or Navy

tration, appropriating almost a billion dollars for the Army and the Navy in a single session for preparedness, will please the great bulk of the thinking people of this Republic, and that they will approve our course at the next election. [Applause on the Democratic side.]

Total naval expenditures by principal naval powers.

Fiscal year—	Great Britain (Apr. 1 to Mar. 31).	United States (July 1 to June 30).	Germany (April to March).	France (January to December).
1900-1901	$145,792,850	$61,721,695	$37,173,074	$72,683,180
1901-2	150,599,190	68,438,301	46,315,800	67,079,011
1902-3	150,679,328	82,977,641	48,818,700	59,217,558
1903-4	173,548,058	104,126,192	50,544,000	59,740,222
1904-5	179,138,049	116,655,826	49,110,300	60,178,623
1905-6	161,117,947	109,725,059	54,918,000	61,565,779
1906-7	152,954,342	98,392,144	58,344,300	59,514,296
1907-8	151,880,617	117,353,474	69,133,500	60,685,813
1908-9	156,401,161	120,421,579	80,737,626	62,194,916
1909-10	181,936,341	122,247,355	95,047,820	64,899,589
1910-11	202,056,258	111,791,980	103,302,773	74,102,439
1911-12	211,596,296	133,559,071	107,178,480	80,371,109
1912-13	224,443,296	129,787,233	109,989,096	81,692,832
1913-14	237,530,459	136,858,301	112,091,125	90,164,625
1914-15	260,714,275	141,872,786	113,993,329	123,828,872

Fiscal year—	Russia (January to December).	Italy (July 1 to June 30).	Japan (April to March).	Total.
1900-1901	$42,101,212	$23,829,206		
1901-2	45,488,462	23,875,532	$21,373,954	$423,140,250
1902-3	50,769,465	23,522,400	17,654,528	433,639,620
1903-4	60,018,895	23,522,400	17,553,279	489,053,046
1904-5	58,076,543	24,300,000	10,018,024	497,477,365
1905-6	60,228,444	24,494,400	11,378,202	483,427,831
1906-7	60,703,557	25,865,668	30,072,061	485,846,368
1907-8	43,012,166	27,516,454	35,124,346	504,706,370
1908-9	49,682,482	30,453,697	39,347,332	539,238,793
1909-10	58,059,040	31,812,885	35,005,719	589,008,759
1910-11	46,520,465	40,505,204	36,889,158	615,258,277
1911-12	56,680,915	40,780,987	42,944,329	673,111,187
1912-13	82,019,633	41,893,420	46,510,216	716,335,726
1913-14	117,508,657	49,550,147	48,105,152	791,808,466
1914-15	128,954,733	56,920,440	69,111,653	895,396,083

Let us by way of comparison for just a moment see what Great Britain has done along the line of preparedness. The largest amount Great Britain ever appropriated for the navy in time of peace in one year was for the years 1913–14 $237,000,000. We will appropriate fully $300,000,000 this year. The greatest amount that Great Britain ever appropriated in time of war was in 1914–15, $260,000,000, and still we have passed a bill in the House carrying $269,000,000, and it has been raised in the Senate to $315,000,000.

Mr. Speaker, is it possible that the party of Jefferson and the party of Wilson want compulsory service in order to use up this money? I do not believe it. Are you on the Republican side going to advocate compulsory service? I do not believe there is anyone over there brave enough to do it, unless it is the gentleman from Massachusetts [Mr. GARDNER]. Fortunately Mr. GARDNER is not to have his way on preparedness at this time. If the militarists, the war-mad rabble, could have their way, the Nation would be bankrupt, the Treasury would be bare; we would have universal compulsory service; we would have militarism stalking abroad amongst us, a thing that God forbid may ever come to pass at any time in a Republic like our own. [Applause on the Democratic side.]

Estimated casualties of the European war, including killed, wounded, and missing up to July 1, 1916.

France	2,000,000
Germany	2,500,000
Austria	2,000,000
Russia	5,000,000
Great Britain	620,000
Italy	175,000
Servia	228,000
Belgium	160,000
Turkey	350,000
Total	13,033,000

I want now to speak a moment about the foreign policy. I have here some figures on the casualties of the European war.

Did you know, my friends, that France has lost over 2,000,000 men, the flower of the country? Did you know that Germany has lost over 2,500,000 men, the flower of the country? Did you know that Austria has lost over 2,000,000 men, the flower of their country? That Russia has lost 5,000,000 men, Great Britain 620,000, the flower of their country? Italy 175,000 men, the flower of their country? Servia 228,000 men, the flower of their country? Belgium 160,000 men, the flower of their country? And Turkey 350,000 men? A total of 13,033,000 men, more than six times the population of my entire State.

Warships sunk or lost in European war.

Country.	Number.	Tonnage.
Japan	5	7,581
France	20	38,407
Italy	10	32,405
Russia	7	22,641
Turkey	12	17,903
Austria	11	9,392
Germany	102	263,011
England	90	498,638
Total	257	889,978

Do you know that this war has not been alone on land and sea, but under the sea and in the air? Did you know that Japan had lost 5 ships, with a tonnage of 7,581? Did you know that France had lost 20 ships, with a tonnage of 38,407? Italy 10, with a tonnage of 32,405? Russia 7, with a tonnage of 22,641? Turkey 12, with a tonnage of 17,903? Austria 11, with a tonnage of 9,392? Germany 102, with a tonnage of 263,011? England 90, with a tonnage of 498,638; or a total tonnage of 889,978?

FOREIGN POLICY.

Friends, I pause and digress long enough to say that I want no war either for myself, my party, or my country, with any country in the world. [Applause on the Democratic side.] It is easy for the minority on the eve of an election to go out and scold and charge the President with infidelity, or lack of faith, or lack of judgment, or lack of courage, or whatever they may charge him with. But I want to tell you that the American people are not listening to what you say, or your nominee for the Presidency may say, but they are listening to-day to Woodrow Wilson, and you know it. [Applause on the Democratic side.] The Republicans say Wilson has been weak and vacillating in Mexico. I deny it; he has been strong at every turn of the road. It requires little strength to join the rabble and do wrong, but it takes strength and character to do right when it is more popular to do wrong. There have been, I confess, times when I wondered myself if the President ought not to go in there, but there have been ten thousand times against those few times in my own mind when I thanked God he did not go in there. [Applause on the Democratic side.]

What credit would it be for us to whip Mexico? With what credit can a giant Republic, with 100,000,000 population, jump at the throat of a weakling Republic of 15,000,000—half starved, half naked, 90 per cent of them ignoramuses, illiterate, who can neither read nor write; treasury bare; people homeless; hopes wrecked and blasted? What glory could we attain by taking Mexico? Who feels proud when a giant whips a cripple? Who applauds when a man strikes a child? Here stands the American Republic as a giant oak of all the world in health, wealth, peace, prosperity, and good sense. What glory may we attain, what history can we make that is worth while, by sending our boys down into the sagebrush and alkali flats of Mexico to chase about a little handful of starved, inferior, ignorant, illiterate people? We would not get any credit from any person or nation on earth if we went down there and whipped them, and personally I only favor going in when it is sure that Mexico will really be benefited by our going.

And, friends, there are some other people that enter into this war equation. There are in the United States 20,000,000 school children that kiss their father and mother good-by each morning during the scholastic year. War of any sort is bad for those 20,000,000 children, and it could not be good for them. War is bad for every mother and father of those 20,000,000 children, and you know it. I tell you that as we go back down the pages of history and find the names of men who are worthy to have a place there, they have not been men who have been trying to push the Republic into war, but they have been men who tried to keep the Republic out of war, and there can be no question about that.

They say Wilson has been patient. He has. But Washington was patient; Lincoln was patient; Jefferson was patient; McKinley was patient; and I thank God, Mr. Speaker, we have a President who is patient, who is careful, who is thoughtful. The very hope of those who love peace, prosperity, progress, and the welfare of this great Nation clings to him and stands behind him. [Loud applause on the Democratic side.]

The SPEAKER pro tempore. The gentleman from Ohio [Mr. FESS] is recognized for 30 minutes.

Mr. LONDON. Mr. Speaker, I ask unanimous consent that I may address the House for 30 minutes after the gentleman from Ohio is through with his address.

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent that at the conclusion of the remarks of the gentleman from Ohio he be permitted to address the House for 30 minutes. Is there objection? [After a pause.] The Chair hears none.

THE TARIFF AND THE INCOME TAX.

Mr. FESS. Mr. Speaker and Members of the House, I think we have all been more or less edified by the address of the gentleman from Oklahoma [Mr. FERRIS]. It has been a detailed statement of what he regards as the achievements of the present administration. I will not say that it was an attempt, just preceding the opening of a campaign, to set forth the views of the Democratic side on the issues that are before the people. I rather think that that is the purpose of it, but I do not so assert now. I should not have asked the minority leader to request time to speak now if it had not been for the latter part of the speech of my friend, in which he did not decline to answer my question, but the answer was not satisfactory. And when I asked the second question, or was about to ask it, he did not care to be interrupted and did not yield, which was his right, and, of course, meant no disrespect to me.

But when a Member of this House will arise in his place and state, upon his own responsibility, that the present industrial condition is due to Democratic legislation, it is time for somebody to indicate some of the facts pertaining to the situation. [Applause on the Republican side.] I want to say to my friend from Oklahoma that he can not get anywhere on that kind of statement. The American people are not going to be deluded or deceived. When the Underwood bill was under discussion there was a clear, concise debate between the proponents of two theories of taxation, the one the theory of "revenue only," and the other the theory of protection of American industries, which under Republican rule always gets the revenue necessary with which to run the Government. The most recent concrete example is the Payne law, that not only raised the necessary revenue, but enabled us to construct the Panama Canal in addition. [Applause on the Republican side.] And we predicted from this place here when the Underwood bill was under discussion that if the bill as written would go upon the statute books this country would see a season of depression like unto what we saw 20 years ago under the Wilson bill of 1894. That prediction was made, and it was not made by politicians. It was made by students of the economic movements of the country. What happened? The Underwood bill went into effect October 4, 1913. The author of it said it would do four things, specifying them, and I am here to state it failed to do any one of the four things. It failed in every one of them. It did not reduce the cost of living; it did not produce the necessary revenue; it did disturb business; and it decreased our export trade. And now my friend arises and says that to-day the country, under the Underwood bill and Democratic administration, is seeing prosperity the like of which we have never known before. He has cited figures to prove that the present prosperity is due to legislation and is therefore permanent.

That statement must have an explanation, because it is not a prosperity the like of which the country has never seen before. It is a prosperity that is enjoyed only in spots, and other places are not prosperous, and that means that the prosperity is spasmodic, dependent upon a temporary condition that will not continue when the temporary causes are removed. [Applause on the Republican side.]

Mr. GARNER. Mr. Speaker, will the gentleman yield?

Mr. FESS. I will.

Mr. GARNER. Does the gentleman from Ohio contend seriously that this country is not in a prosperous condition?

Mr. FESS. I contend that this prosperity is not universal. It depends upon a condition that will end sooner or later, and the prosperity must end with it.

Mr. GARNER. But that does not answer me.

Mr. FESS. There is no place in the country where to-day everybody is prosperous, and there are other places where nobody is prosperous to-day.

Mr. GARNER. Will the gentleman from Ohio mind stating some period in the history of our country when we had more universal prosperity than we have to-day?

Mr. FESS. There is no prosperity in the lumbering districts of the coasts. There is more suffering in certain sections of the lumbering regions, and there is not altogether prosperity in the cotton districts that you yourself represent. There is a falling off of $216,000,000 of exports in cotton in seven months during this year. That is because the product of cotton does not respond to the demands of war as to peace in Europe and necessarily is not so universally sold, not only in one section but in other sections, simply because the consumptive demand is spasmodic. Much of the cotton is used for guncotton, making explosives, and so on, but not enough to take the place of the demand in times of peace. The bulk of it is here to stimulate home manufactures. If it were not so, you would suffer the more.

Now, fellow Members of this House, there is prosperity of a certain type; but I want my friend from Texas [Mr. GARNER], who interrupted me, to remember that that prosperity was distress up to August 1, 1914. There never was a time in our history when in our country there were so many idle cars as there were in the summer of 1914. The railroad business was in distress, and, unable to deny it, you blamed the Interstate Commerce Commission. [Applause on the Republican side.] There was never a time in the country when there were such long trains of soup houses as there were in the days of the Underwood bill, preceding the war in Europe. The bread lines were appalling, and the President suggested a Federal employment bureau as a relief.

Mr. GARNER. I do not think that is so.

Mr. FESS. I say it is so.

Mr. GARNER. If the gentleman will permit me, I was called at the telephone, and I am going to answer that call, and must leave the Chamber now. I am not prepared to dispute the statements that the gentleman has made. They probably are true, but they were not made at the time. I think the explanation of the gentleman's statement can be made just as one was made of the remarks of the gentleman from Oklahoma [Mr. FERRIS].

Mr. FESS. The trend of the Industrial Commission report was that 325,000 idle men were walking the streets of New York alone in search of employment. That was but one city. Democratic Congressmen stated from this floor that many businesses were running at a loss to keep their organizations together.

Mr. SLOAN. The fact is that the year 1915 registered more business failures in this country than any other year in the history of the Republic.

Mr. FESS. Yes; and the number of business failures in the year 1916 will register a higher number than last year, if the present proportion keeps up.

Mr. HARRISON. Mr. Speaker, will the gentleman yield?

Mr. FESS. Yes.

Mr. HARRISON. Has the gentleman compared that depression with the depression that existed during the Roosevelt administration?

Mr. FESS. We had no depression like that under the Roosevelt administration. The only other similar season was that which followed the Wilson law 20 years ago.

Mr. SLOAN. I would like to say that I have made such an inquiry, and the number of failures in business last year vastly exceeds those in the year the gentleman refers to.

Mr. FESS. I call on gentlemen who hear me to note these facts: The gentleman from Indiana [Mr. DIXON] interjected a statement a moment ago to the effect that the war orders amounted to only 3 per cent——

Mr. DIXON. Mr. Speaker, will the gentleman allow me to interrupt him?

Mr. FESS. Yes.

Mr. DIXON. My statement was that the exportation of munitions of war amounted to less than 3 per cent of the total manufactured products in the United States. I did not add—but I have investigated the statement made by the gentleman from Maine [Mr. MCGILLICUDDY]—that it was in the last 10 months.

Mr. FESS. Now, here is the deception and the wicked misinformation of such statements as that—statements that are true to the letter and viciously untrue to the spirit. Munitions of war; what are they? Firearms, gunpowder, explosives (outside of dynamite), cartridges; those are articles properly denominated munitions of war, and, of course, there is not a great proportion of munitions of war compared with all the other manufactures of the country. I have no doubt that it will be below 3 per cent. But we are talking about the prosperity of the country due to the war orders, due to the circumstances of war, as expressed in the channels of trade specifically in exports, and you answer us by saying that the export of munitions is less than 3 per cent, and pretend to deny that the present spasm of prosperity is due to war. You do not take into consideration the materials out of which the munitions are made. Of course, these are not munitions—are not so classified. You do not take into consideration the supplies that go to the 30,000,000 soldiers yonder in the field and trench. They are not munitions, but they are war orders. You do not take into consideration the textile manufactures, blankets, uniforms, cotton and woolen fabrics that must go to the soldiers. You do not take into consideration the foodstuffs to feed, and feed well, the greatest armies ever arrayed in battle line. You do not take into consideration the forage—hay, oats, cotton meal and cake.

Mr. LONGWORTH. And horses——

Mr. BRITTEN. And cattle and automobiles.

Mr. FESS. Listen to these details excluded from munitions but included in war orders: The materials for making munitions of war are lead, zinc, brass, brass manufactures, wire rods, steel billets, metal-working machinery—none of them in themselves munitions of war, and yet, at the opening of the war in Europe, we sold in nine months ending May 31, 1914, about $16,300,000 worth. In the second year of the war we sold in the same period $62,000,000 worth, or 387 per cent of an increase, and between August, 1915, and February of this year we have sold $128,000,000 worth, or 790 per cent of an increase in seven months of this year over nine months of the year when the war began; and that is only material out of which munitions are made. I have not been able to secure the figures since February; it would simply be fabulous.

Then you take war supplies. These are horses, mules, harness, saddles, aeroplanes, commercial automobiles, tires, wagons gas oil, fuel oil, barbed wire, horseshoes, surgical instruments, and drugs. Those are not munitions, and will not be classed in the 3 per cent; but those are war supplies that, were it not for the war, we would not be selling to them. It would take a bold man to deny that these items of export are due to legislation. Before the war, in the before-mentioned period, we sold only $25,800,000. The first year of the war, during the nine-month period, we sold $147,000,000, an increase of 587 per cent, and the seven months from August, 1915, to February, 1916, we sold $272,000,000, an increase of 900 per cent. [Applause on the Republican side.]

And then when you come to textile manufactures, which you do not call munitions—of course they are not munitions—there are blankets, woolens, knit goods, cotton goods, uniforms, rags, and so forth. The sale in the nine-month period before the war was $5,300,000. The nine months of the first year of the war the sales were $35,000,000, a gain of 700 per cent, and $49,000,000 for the seven-month period of this year, a gain of 990 per cent over what we sold before the war. If it were not for the war these increases could not be demanded and would not be realized. [Applause on the Republican side.]

Hides, leathers, footwear, the nine-month period the year before the war we sold but $20,600,000. The same period the first year of the war we sold $60,000,000, an increase of about 300 per cent, and the seven months of this year $130,000,000, an increase of 650 per cent. [Applause on the Republican side.]

Mr. LONGWORTH. Will my colleague yield there?

Mr. FESS. I will yield to my colleague, with pleasure.

Mr. LONGWORTH. In illustration of what the gentleman is saying, he refers to machine tools. The fact is that on the 1st of August, 1914, the machine-tool industry of this country was working at less than 20 per cent capacity. From then on until now it has been working 100 per cent capacity on foreign orders alone.

Mr. FESS. And I will say to my friend from Cincinnati that what is true there is true in every line of activity where the demand has come from the blood-soaked fields of Europe. It would not be true if it were not for that. It employs labor at good wages, for war makes abnormal profits. But it is a sort of prosperity that no Republican would boast about. [Applause on the Republican side.]

Foodstuffs: The nine-month period of the year before the war, $218,000,000; the similar period of the first year of the war, $627,000,000, foodstuffs sold by the farmers. Here is an increase of 290 per cent. How long will it continue after the war closes? I have not the figures for this year. Why, my friend would say, in fact the Democrats boldly declare, that the increase of sales yonder in Europe is due to Democratic legislation, is because of the Democratic administration; that the increase of sales to Asiatic Russia is due to Democratic administration. Gentlemen of the House, I appeal to Members on both sides of the aisle. The sales this year to Asiatic Russia are more than 10,000 per cent greater than they were the year before the war. Is it possible that any man here would ascribe this to Democracy as now led? [Applause on the Republican side.]

When my friend from Indiana [Mr. DIXON] rises to reply, with the suggestion that this great exportation is not due to the war, but is due to activity in business, and will say in his argument that the exports of war munitions are but 3 per cent of our total export he misleads this House. [Applause on the Republican side.] I do not say he would do it intentionally, because I think more of him than that, but it is a statement that is true to the letter. In other words, he means to say to the country that prosperity is not due to the war. Munitions of war are under the terminology of firearms, gunpowder, cartridges, explosives, and these are but a very small proportion of the great demand caused by the war in Europe, and neither he nor any other man must confine his munitions of war, when we talk of war prosperity, to such items as those. That is cheap and beneath the position of any man on this floor, and much more is it below the head of any Cabinet department, although he may be the mere publicity agent of the administration. [Applause on the Republican side.]

Gentlemen of the House, I should not have entered this debate had it not been for this studied attempt upon the part of our Democratic friends to cloud the mind of the public upon the issue of prosperity. It was done by the distinguished Member from Oklahoma; it even was done by the keynoters of Democracy, when such men as the distinguished Senator from Kentucky, Senator JAMES, declared on the political platform that Woodrow Wilson had brought prosperity to all of the 100,000,000 people of our country. The President himself has given utterance to such conclusions, and his Secretary of Commerce is elaborating upon the issue.

These utterances are in sharp contrast with those preceding the war, when the situation was more psychological.

Mr. GREEN of Iowa. Will the gentleman yield there?

Mr. FESS. I will gladly yield to my friend from Iowa.

Mr. GREEN of Iowa. I presume my friend from Ohio has also noticed that wherever the articles exported could not be used in connection with the war, the amount of the exports has fallen off greatly.

Mr. FESS. Always. I am just entering upon that phase of the question.

Mr. GREEN of Iowa. For instance, the exports of agricultural implements for the fiscal year ending June 30, 1916, are only half what they were before the war.

Mr. FESS. That is exactly what I am coming to next. Exports not included under the head of war supplies or the classification I gave a moment ago amounted in the nine-month period of 1914 to $1,529,255,000. These are the exports not used by the soldiers and were before the war. In 1915, during same period, they amounted to but $1,146,742,000, a decrease of $382,000,000; these are outside of war supplies. And if you ask me what are the items of the decrease I will enumerate them for you. In the seven months that I have given exportations of cotton decreased $216,000,000; iron and steel, $17,000,000; agricultural implements, $20,000,000; lumber and manufactures of wood, $41,000,000; copper, $36,000,000. These are some of the items of the $382,000,000 loss.

And yet the increase in the price of copper has made up for the loss, because the manufacturers of munitions in our own country took the raw copper to make into the war orders that they sold in Europe. Consequently there is not as much loss there. But it is a loss of exportation of copper. War orders increased as much as 1,000 per cent, while goods not used for war decreased 30 per cent. Why is this? When the debate on the Underwood bill opened it was clearly stated what would follow. Depreciation followed its passage, capital was sensitive, business distressed, labor on the street, soup houses installed, exports decreasing, imports increasing, balance of trade against us, gold going out of the country to pay the balance against us; your party suggested a pool of gold to take care of the gold to prevent its going out of the country. I said then from this floor:

> You can not keep the gold from going out of the country until you turn the balance of trade in our favor, and that can not come by the Underwood bill.

Mr. HARRISON. Will the gentleman yield?

Mr. FESS. I will yield to my friend from Mississippi.

Mr. HARRISON. Is it not a fact that during the first four months after the passage of the Underwood bill our balance of trade showed an increase over the corresponding period under the Payne-Aldrich bill of $38,000,000.

Mr. FESS. I will give the gentleman the figures exactly.

Mr. HARRISON. Was it not $38,000,000?

Mr. FESS. I will give the gentleman the figures precisely. I have them here, and will find them in a moment. Had I known I would enter the debate, I would have had my data here in order.

Mr. BRITTEN. Will the gentleman yield just at that point?

Mr. FESS. I will to my friend from Illinois.

Mr. BRITTEN. Does not the gentleman recall very distinctly that during the first seven months after the passage of the Underwood bill a deficit was shown between our exports and imports ranging each month from $500,000 up to $9,000,000 in June or July—a deficit between our exports and imports? There is no question about that.

Mr. FESS. I will give my friend the figures. I have them here. In October, 1913, when the law went into effect, the excess of exports over imports was $138,976,000; in November

the excess of exports—that is, the balance of trade in our favor—was $97,333,000, a falling off of $40,000,000. In December the excess was $48,900,000, a falling off of $50,000,000. In January, 1914, the excess was $49,715,000, a slight increase; in February, $25,948,000, a falling off of $23,000,000; in March, $4,736,000, a falling off of $20,000,000; in April we had an excess of imports over exports, the first time in 21 years that the balance of trade was against us, to the amount of $11,345,000, and in May $2,500,000, in June $457,000, in July $5,553,000, and in August $19,398,000. And then the war was on. Immediately a new explanation was supplied for Democratic conditions. It was all due to the war, notwithstanding the perfect duplication of the days of 1894, when the Wilson law, the predecessor of the Underwood bill, was on the statute books.

Now, what happened? After the war my friend's party said that the imports were cut off and we were therefore embarrassed in the lack of receipts of the Treasury, and that we ought to pay a direct stamp tax in the form of a war tax, and you came in and levied that rather than to issue bonds to meet the deficit, as you met the inevitable Democratic results in 1895.

Then what happened? Imports fell off for a time, but not long. The losses of trade were soon all open on the sea, and imports this year increased until to-day the imports are way beyond what the average monthly imports had been before the war. This is the purpose of Democratic legislation—buy in Europe instead of America. Whenever you increase under Democratic administration the imports you fail to increase the revenue accordingly, because of the manner in which you pay the duties. We are at this very day increasing imports, but we are not increasing revenue, and you propose to make it up by a direct tax. [Applause on the Republican side.] That is the reason I would not vote for your direct-tax law.

Mr. HARRISON. Will the gentleman yield?

Mr. FESS. Certainly.

Mr. HARRISON. Why did not the gentleman read the corresponding period under the Taft administration of the Payne law?

Mr. FESS. We had no balance of trade against us during any time under the Payne-Aldrich bill. [Applause on the Republican side.]

Mr. HARRISON. Does the gentleman deny that the facts show that during the first four months after the passage of the Underwood tariff law we had a balance of trade of $38,000,000 more than under the Payne-Aldrich law?

Mr. FESS. I read the gentleman the figures, which show a balance against us under the Underwood bill—not so under Republican legislation.

Mr. HARRISON. The gentleman read something that did not show that at all.

Mr. FESS. Oh, my friend, you can not get away from the fact that the Underwood bill is a failure as a revenue producer, and we will rewrite it. You are increasing imports now, and, my soul, what will happen when the war is over and 30,000,000 of soldiers to-day that are consumers, and as such are the world's greatest market for export trade, and not producers, as we are in this country, these 30,000,000 representing 150,000,000 other people in the families, when these cease to buy our products and our exports are cut off, and they become producers instead of consumers and flood this country under your Underwood bill, what will happen then? [Applause on the Republican side.]

I know that you are trying to get out from under a load. You are offering a tariff commission. For what purpose? To delay the inevitable that comes when you have got to revise your revenue law. You are offering an antidumping clause that you ridiculed, you are offering a protective item of the dyestuffs which is not sufficient, I fear, to be real protection, and you are undertaking to excuse before the public the weakness of that law. That law will condemn you, and it will have to be rewritten just as sure as you sit in those seats. [Applause on the Republican side.]

In the last account there was in warring Europe a bonded indebtedness of $28,000,000,000, an increase since August 1, 1914, and in that bonded indebtedness Great Britain had about ten and one-half billions. Yesterday's paper announced another floating of a loan, and when that loan is floated Great Britain's bonded indebtedness since the 1st of August will be thirteen billions four hundred and ten millions. Where does that money come from? The Government floated it, it is a bonded indebtedness; that is, it is Government or public debt. That money expended by the Government of Great Britain was to pay for American goods—for what purpose? To supply the soldiers. When those soldiers cease to be consumers, and then come to produce. Great Britain will be careful not to buy from us, but to produce herself and sell to us to recoup herself. [Applause on the Republican side.]

But that is only one country, Great Britain. That does not take in France, with over ten billion dollars of bonded indebtedness since the war began, nor does it take in Italy or Russia. England is spending thirty millions of dollars a day, and much of it is used to buy American goods. What will be the current of trade when this war ends? How much will she buy? She will then make and sell.

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. GREENE of Massachusetts. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio may proceed for 10 minutes.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent that the gentleman from Ohio may proceed for 10 minutes. Is there objection?

There was no objection.

Mr. LONGWORTH. Will the gentleman yield?

Mr. FESS. Certainly.

Mr. LONGWORTH. The gentleman from Mississippi asked the gentleman from Ohio a question with regard to the four months under the Underwood tariff law. Of course, the fair comparison to make is the period of the Underwood law until the war started and compare that with a like period under the Payne-Aldrich bill. The fact is that under the Underwood law, from its beginning until the 1st of August, 1914, the imports had increased 10 per cent and the exports had fallen off more than 30 per cent.

Mr. FESS. I thank my colleague for the statement. To be specific, the first seven months preceding the breaking out of the war the imports increased $122,000,000 and the exports decreased $126,000,000, making a difference of a loss to American labor of $248,000,000, a sum sufficient to employ three-quarters of a million men for seven months at $2.50 a day. Then they ask why the depression at that time. It was Democratic legislation. [Applause on the Republican side.]

Mr. HELGESEN. Will the gentleman yield?

Mr. FESS. Yes. I yield to my friend from North Dakota.

Mr. HELGESEN. The gentleman from Mississippi said that the first four months under the Underwood law there was a larger balance of trade in our favor than under the corresponding period of the Payne-Aldrich law. Is it not equally true that whenever the importers anticipate a reduction of the tariff they always hold up imports, and then there is a flood come in which will create these conditions temporarily, but they never last?

Mr. FESS. That is true. Mr. Speaker, Edmund Burke was the greatest English statesman of his time, and he once made a striking comment; he said, "No man can ever be a great lawyer that confines himself to technicalities." The insistence of my friend from Mississippi [Mr. HARRISON] that one item can be employed to announce a principle is technical.

And I want to declare to my friend—and there is no better legislator on this floor than the gentleman from Mississippi [Mr. HARRISON]—you can not establish a general principle by picking out one particular incident. What I am driving home is that your law is wrong, and the history of the administration already has proved it to be wrong—you admitted it when you suspended its operations on sugar—and that law never can be the instrument through which the readjustment can come after the war. [Applause on the Republican side.]

Mr. HARRISON. Mr. Speaker, will the gentleman yield?

Mr. FESS. Yes; gladly.

Mr. HARRISON. The gentleman would not repeal the Underwood law and put in its place the old Payne law, would he?

Mr. FESS. Just as quickly as I could do it, yes, if that were necessary in order to repeal the present law. [Applause on the Republican side.]

Mr. HARRISON. I notice that there is loud applause on the Republican side of the House.

Mr. FESS. My friends over on the Democratic side have constantly indicated that our side of the House is afraid of a protective tariff. I do not care whether you call it a McKinley bill or a Dingley bill or a Payne bill. I do not want you to call it a Wilson bill or an Underwood bill. [Applause on the Republican side.] The Wilson and the Underwood bills are written from the English free-trade system viewpoint. These other bills are written from the American protective system viewpoint. [Applause on the Republican side.] You can not find incidental fault with this or that schedule, as you say in your platform, and I am wondering that my friends will talk about the Democratic platform in this Congress. I said to one of the best Democrats in this House, "Do not you think it is out of order to talk about a Democratic platform in this Congress?" and he said, "Of course it is"; but he would not say that out loud, though he said it to me. But I have no intention to discuss the general Democratic situation, save as it touches upon the issue now in dispute.

Mr. ADAIR. Mr. Speaker, will the gentleman yield?

Mr. FESS. Yes; I will gladly yield to my friend from Indiana.

Mr. ADAIR. Does not the gentleman believe that the basis of the division and the defeat of the Republican Party was the passage of the Payne bill?

Mr. FESS. The defeat of the Republican Party in 1912 was because of a division in our ranks and went even beyond tariff legislation. Tariff legislation had something to do with it, but if we made a mistake then, by fighting among ourselves instead of the common enemy, we will not be so unwise as to make another mistake like that. Present indications are sufficient evidence.

Mr. ADAIR. The election in 1910, when this House was changed from a Republican House with 100 majority to a Democratic House with 140 majority, was due to the passage of the Payne bill, was it not?

Mr. FESS. When you say it changed from a Republican majority of 100 to a Democratic majority of 142 I desire to remind you that in 1914 we changed from a Democratic majority of 145 to a Democratic majority of a mere 24, and that in an off year, with all the prestige of the administration. [Applause on the Republican side.]

Mr. BRITTEN. Was that change due to the Underwood bill?

Mr. FESS. It certainly was, and that is only an earnest of what will be done to our Democratic friends on the 7th of November next.

Mr. BARKLEY. Give it to us straight, Doctor.

The SPEAKER. It is improper for a gentleman to interrupt another without getting his permission.

Mr. FESS. Oh, that was a sotto voce remark, Mr. Speaker; a mere pleasantry.

The SPEAKER. That is true, but it is bad practice.

Mr. FESS. Here is another feature to which I desire to call attention. It is fundamental in this discussion. For the 10 months ending April, 1913, under a Republican law, our total imports amounted to $1,548,000,000, or $174,361,000 less than for the period just passed, which showed imports of $1,722,400,000, but the revenues put in the Treasury were $274,000,000 during the period under the Payne law, or nearly $100,000,000 more under the Republican tariff than under the Democratic law of to-day. If the old law were still in force you would have collected $294,000,000 in the present 10 months, and you would not have need to saddle upon the country a special tax—an English system toward which the Democratic Party is rapidly taking itself. Whenever anyone talks about the heinousness and iniquity of placing taxation at one place rather than at all places, making it equitable instead of sectional, you gentlemen on the Democratic side jump to your feet and shout, "Are you not in favor of an income tax?" Why, certainly I am. I was vice president of the Ohio constitutional convention, and as a member of it I forced the reconsideration and saved the income tax and inheritance tax clause in the Ohio constitution; but I do not want the Federal Government to invade the rights of the States, not because of the principle of State rights so much as the necessity of State taxation, to take from the States their source of revenue, until we see whether the States can get along without it. These forms of taxation are properly State—it is direct—but national taxation should be general. Then, if I were in favor of the Federal Government doing it, I would not play the demagogue by refusing to put the tax on an equitable basis. If taxation is justifiable, and we all hold it is, it should be general, not sectional. Why should you put the exception at $3,000 or at $4,000? Why are you not brave enough to put it so that it will be a tax on most of the people? You could take the rate of one-quarter of 1 per cent from $1,500 to $2,000, one-half of 1 per cent from $2,000 to $3,000, and a rate of 1 per cent from $3,000 to $4,000, and then go on up in the scale, making the rate higher as the incomes become higher; but why do you start at a high figure? I am afraid it looks as though you have the election in mind—that you want votes—and I do not think it is dignified on the part of men in this body. [Applause on the Republican side.] I am in favor of an income tax. I voted for it in Ohio, but I do not want the American Congress, dominated by States that pay little incomes, to saddle the income tax upon the few States for the benefit of the many States without income under the guise of the needs of the Federal Government.

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. FESS. I would like to have five minutes more.

Mr. GREENE of Massachusetts. Mr. Speaker, I ask unanimous consent that the gentleman may proceed for 10 minutes.

Mr. FESS. Five minutes would be enough.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent that the gentleman from Ohio may proceed for 10 minutes. Is there objection?

There was no objection.

Mr. ADAIR. Is the gentleman in favor of repealing the income-tax law, and, if his party succeeds next November, will he vote to repeal it?

Mr. FESS. We will repeal your phase of it and write an income tax which is equitable. It will not be an income tax that will exclude the State of Mississippi, the State of Louisiana, or any other State and saddle the burden upon the State of Michigan or the State of Ohio or the State of New York. [Applause on the Republican side.] I know that this does not seem very courteous to some of my friends, but I have been impressed with the fact that there is a tendency upon the Democratic side of the House in control of the Government, that is voting money out of the Treasury like water, to put very little of it back into the Treasury. That I do not like.

Mr. BARKLEY. Mr. Speaker, will the gentleman yield?

Mr. FESS. In a moment. You say that is sectional. I did not make it sectional. You say that is not fair because there are Democratic Members from the North. Oh, I know there are Democratic Members from the North, but they are mere vermiform appendices to the Democratic Party that is ruling the country. [Applause and laughter on the Republican side.]

Mr. BARKLEY. I gather from the gentleman's remark that his objection to the present income tax is not only that it is a Federal tax but also that it does not tax the poor man on his income.

Mr. FESS. Who does the gentleman call the poor man?

Mr. BARKLEY. I would call a poor man, comparatively speaking, a man who makes anywhere from two to three or four thousand dollars a year, who has a family to support and children to educate. [Laughter.]

Mr. FESS. Well, that is more than I ever made before I got to be a Member of Congress. I have managed to educate my family.

Mr. BARKLEY. I am not speaking about the man who works for a dollar or a dollar and a half a day, but I am speaking of the man as compared to the average income of the people of the United States.

Mr. FESS. Mr. Speaker, I am going to say now what I had intended not to say. I have heard statements from the Democratic side of the House that we must make those who possess pay for those who do not possess. That statement, if properly interpreted, might be all right. But the meaning our present legislation suggests is most significant to me.

This Government extends its protection to all alike, and all are to be regarded equal under the law, but the Democratic side of the House has been legislating to discriminate, making a law to apply to one and to exempt another. So long as I am in this House I will not vote for a law that will treat one man as a criminal if he does one thing and will exempt another man if he does the same thing. That is un-American, and has in it the seeds of national danger. [Applause on the Republican side.]

Mr. BARKLEY. Will the gentleman very frankly answer me the question, How low would you reduce the exemption if you desire a reduction below what it is now?

Mr. FESS. If I were writing the income tax, I would make one-fourth of 1 per cent from $1,500 to $2,000 exemption; then one-half per cent from $2,000 to $3,000; then 1 per cent from $3,000 up to $4,000; and then on up. In other words, I would not try to exclude a great mass of voters in order to get their votes. [Applause on the Republican side.]

Mr. BARKLEY. Now, if your theory is correct, then all men who are protected by the Government ought to pay an income tax in proportion to the protection they receive and income which they are able to pay.

Mr. FESS. They ought to pay taxes. I do not say an income tax. They should realize that they owe the Government something for the protection it affords.

Mr. BARKLEY. According to your theory, why put an arbitrary limit of $2,000? Why not make all men pay income tax?

Mr. FESS. I believe that $1,000 exemption or $1,500 exemption would be about what a person might live on if he exercised reasonable frugality, and he could pay the small amount of one-fourth of 1 per cent without any harm or much burden to him. I do not want to enter into this more than simply to make the statement that I have made. The truth about the matter is that we are legislating without regard to equity. We are legislating too much for popularity and getting votes, and that I do not like.

Mr. BARKLEY. Does not the gentleman know, if he has investigated the matter, that the man who owns $1,000 or $2,000 or $5,000 worth of property makes an income of one or two or even three thousand dollars a year, pays very much more in proportion to his wealth than the rich man for the local expenses of State, county, and city government, and averaging these things up makes this an equitable tax?

Mr. FESS. We increase the rates as they go up. I said that was all right. But I am opposed to regarding a tax as a penalty; it ought to be looked upon as a duty.

Mr. BARKLEY. In proportion to their wealth, do they not escape taxation for local purposes?

Mr. FESS. I would like to say to the membership of this House, without being personal, that I can not have any sympathy with this sort of twaddle, that a man ought to be exempt from burdens of support of the Government in return for the protection of the Government. We must come to the place where the Government is worth something beyond being milked. We must not look to the Government to get something out of the Treasury.

It is a patriotic duty for us to pay something to the Treasury. That is a thing we ought to teach, and I do not like this idea of saying the Government owes me a living, that it does not make any difference what I do, how I spend my time, the Government owes me a living anyway. The Government owes nobody a living. The Government is not different from the individual and it is not something separate from the individuals that compose it. The only thing the Government owes you and me is an opportunity to make the most out of our lives, and, with that opportunity made good, we have served our Government and the Government has protected us while we did it. [Applause on the Republican side].

Mr. McKELLER. The gentleman says he does not believe in the milking process. Does the gentleman know of any better milking process in the world than a protective tariff?

Mr. FESS. Well, the protective tariff is a process by which you as the consumer pay less for the opportunity to produce under a protective tariff than you pay for the article under your Underwood bill. [Applause on the Republican side.] There is not any statement that is more patent. It is demonstrated by scores of examples that I can here repeat. You may laugh, but you laugh at your own misunderstanding. Did you not pay less for sugar under the Payne bill than you pay under the Underwood bill? Now, why do you not laugh?

A MEMBER. The Underwood bill did not raise the price.

Mr. FESS. What did raise it? Is it the war? If it is the war, why is it not the war that produces your prosperity, instead of your Democratic administration? You can talk one way and look another, but you can take either horn of the dilemma you want to. If the Democratic administration is raising the price of the goods you are selling, it raises the price of the goods you are buying, does it not?

Mr. ADAIR. May I ask the gentleman another question?

Mr. FESS. You may.

Mr. ADAIR. I believe we also bought wool cheaper under the Payne law than under the Underwood bill?

Mr FESS. Whenever you discourage the production of any article and reduce the amount of it, without the demand for it being reduced, your price increases. You discourage the production of wool by placing it on the free list and the demand is no less, but may increase; the inevitable law will make the price go up. [Applause on the Republican side.]

Mr. BARKLEY. How does the gentleman explain it?

The SPEAKER. The time of the gentleman from Ohio has again expired.

FRANCHISES OF PORTO RICO (S. DOC. NO. 502).

The SPEAKER laid before the House the following message from the President of the United States, which, with the accompanying papers, was referred to the Committee on Insular Affairs and ordered printed:

To the Senate and House of Representatives:

As required by section 32 of the act of Congress approved April 12, 1900, entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," I have the honor to transmit herewith certified copies of the franchises granted by the Executive Council of Porto Rico, which are described in the accompanying letter from the Secretary of War transmitting them to me.

WOODROW WILSON.

THE WHITE HOUSE, *July 19, 1916.*

EXPORTATION OF MUNITIONS OF WAR.

Mr. DIXON. Mr. Speaker, I ask unanimous consent to address the House for three minutes.

The SPEAKER. The Chair wishes to admonish the House that in these hot political debates, where every gentleman wants to dip in, the rule is that gentlemen must not sit in their seats and interject remarks into the speech of the gentleman who has the floor. Some of the oldest Members of the House are the worst sinners in that respect. There is a reason for all these rules. The reason for that rule is that it creates disorder, in the first place, and, in the second place, the man who has the floor, in the full tide of his remarks, half the time does not hear the question clearly, and it puts him at a disadvantage. The Chair hopes gentlemen will refrain from that practice. The gentleman from Indiana [Mr. DIXON] asks unanimous consent to address the House for three minutes. Is there objection?

There was no objection.

Mr. DIXON. Mr. Speaker, I made the statement that the exportation of munitions of war during the 10 months of 1916 represented less than 3 per cent, in fact 2⅞ per cent, of the total manufactures of the United States. This was shown in a statement of exports of specified articles from the Department of Commerce and inserted in the speech of Mr. MCGILLICUDDY in the RECORD of July 14, 1916. The gentleman from Ohio [Mr. FESS], who has just taken his seat, said the statement was probably true in fact, but deceptive, in that my statement as to munitions of war would necessarily be limited to explosives and firearms.

For the purpose of informing the House as to the character of those exportations, I desire to read the list: Aluminum and manufactures of aluminum, brass and manufactures of brass, aeroplanes and parts thereof, automobiles and parts thereof, cars, carriages, and other vehicles, and parts thereof, copper and manufactures of copper, electrical machinery, explosives, automobiles and tires, firearms, locomotives, metal-working machinery, including metal-working machine tools, rails for railways, wire, manufactures of iron and steel not specially provided for, boots and shoes, harness and saddles, wool, wearing apparel, uniforms, blankets, zinc spelter and manufactures thereof. The exportation of these enumerated articles for 10 months ending April, 1914, prior to the European war, amounted to $291,375,227. For the same 10 months ending April, 1916, the exportations were $1,169,673,842; the difference, $878,298,615. That amount represents less than 3 per cent of the total manufactures in the United States. [Applause.] The total value of our manufactures for the 10 months ending April, 1916, is estimated to be $33,000,000,000.

Mr. CANNON. Mr. Speaker, will the gentleman allow me a question?

The SPEAKER. Does the gentleman from Indiana yield to the gentleman from Illinois?

Mr. DIXON. Yes.

Mr. CANNON. What became of the other 97½ per cent of the manufactures if those amounted to only 2½ per cent?

Mr. DIXON. The people of the United States were so prosperous that they bought all of our manufactures not exported.

Mr. CANNON. Oh, it was a home market, then, that took it in?

Mr. DIXON. Yes. I insert the table of articles and value of exportations from which I read:

United States exports of specified articles during the 10 months ending April, 1914 and 1916.

Article.	10 months ending—	
	1914	1916
Aluminum, and manufacture of	$968,763	$4,297,666
Brass, and manufactures of	6,295,169	103,431,985
Aeroplanes, and parts of	194,001	6,270,110
Automobiles, and parts of	27,148,281	101,390,939
Cars, carriages, other vehicles, and parts of	43,215,657	141,018,915
Copper, and manufactures of copper	122,928,698	128,473,558
Electric machinery, etc	21,569,687	23,666,267
Explosives	5,471,247	336,113,157
Automobiles, tires	2,683,344	14,618,062
Firearms	3,012,237	13,315,971
Locomotives, steam	3,272,822	11,559,108
Metal-working machinery, including metal-working machine tools	11,695,959	42,913,241
Rails for railways	9,441,220	14,394,044
Wire	6,620,014	30,589,626
Manufactures of iron or steel, n. s. p. f	15,224,228	106,268,753
Boots and shoes, men's	8,763,371	31,628,027
Harness and saddles	612,793	4,118,126
Wool wearing apparel, uniforms and blankets	1,930,031	18,841,722
Zinc spelter, and manufactures of	327,705	36,764,565
Total	291,375,227	1,169,673,842
Deduct 1914 exports		291,375,227
Estimated total war exports		878,298,615

The SPEAKER. The gentleman from New York [Mr. LONDON] is recognized for 20 minutes by special order of the House.

[Mr. LONDON addressed the House. See Appendix.]

EXTENSION OF ACT RELATING TO HOMESTEADS.

Mr. GANDY. Mr. Speaker, I ask unanimous consent for the present consideration of House joint resolution 247, and before that question is put I ask unanimous consent to address the House for one minute.

The SPEAKER. The gentleman from South Dakota asks unanimous consent to address the House for one minute. Is there objection?

There was no objection.

Mr. GANDY. Mr. Speaker, I want to say to the gentlemen of the House by way of explanation of this resolution that we have a peculiar situation existing at this time in the public-land States of the West. There are a large number of homesteaders who have been called into the Army. We have adequate law on the statute books to protect them in their homestead rights, in their claims to land, if a state of war exists; but a state of war does not exist, and I say to you gentlemen of the House that if these young men are to be kept from home more than six months not one has a valid defense in a contest on the charge of abandonment. This resolution which I seek to bring up extends the act granting leave of absence with credit, which was passed during the Spanish-American War in 1898. I ask for its consideration so that the homesteaders that have been taken away from home in the West will not suffer by their absence.

The SPEAKER. Is there objection?

Mr. FOSTER. Mr. Speaker, reserving the right to object, I do not know what arrangements have been made in reference to passing these bills, but gentlemen who have been in charge of the House here have requested that we do not bring up these matters at this time. Unless the gentleman has made some arrangement to-day I do not feel that we ought to take this up at this time when it was understood that there would be no business transacted except the speeches that have been made.

Mr. GANDY. Let me say, Mr. Speaker, that this matter has been taken up with the majority leader and the minority leader, and they both understood that this resolution was to be called up at the conclusion of these speeches.

Mr. FOSTER. If that is the case I will not object.

The SPEAKER. The gentleman from South Dakota asks unanimous consent for the present consideration of the joint resolution. Is there objection?

Mr. STEENERSON. Reserving the right to object, I would like to ask the gentleman if this resolution has been reported by the committee?

Mr. GANDY. It has.

Mr. STEENERSON. Does the gentleman think that the urgency is very great? The six months have not begun to run yet, and these homesteads may not be in danger for six months.

Mr. GANDY. I will say to the gentleman from Minnesota that he is familiar with the length of time that it takes to get matters of this sort through both Houses.

Mr. STEENERSON. Does the gentleman anticipate that these young men will be absent more than six months in the service?

Mr. GANDY. I can not say; they have been mustered into the service of the United States.

Mr. STEENERSON. Well, I have a number of young men constituents, who have homesteads, and I will not object if the matter has been reported by the committee and is here regularly.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will read the resolution.

The Clerk read as follows:

Joint resolution (H. J. Res. 247) extending the provisions of the act approved June 16, 1898.

Resolved, etc., That the provisions of the act approved June 16, 1898 (30 Stat. L., 473), shall be applicable in all cases of military service rendered in connection with operations in Mexico, or along the borders thereof, whether such service be in the regular military or naval organization of the United States or the militia of the several States.

With the following committee amendment:

Page 1, line 8, after the word "thereof," insert "or in mobilization camps elsewhere."

Mr. GANDY. Mr. Speaker, I ask unanimous consent that the resolution may be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from South Dakota asks unanimous consent that the resolution be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The committee amendment was agreed to.

Mr. GANDY. Mr. Speaker, I offer the following amendments.

The Clerk read as follows:

Page 1, line 9, after the word "the," strike out the word "regular"; page 1, line 10, after the word "the," strike out the word "militia" and insert "National Guard"; and in line 10, after the word "States," insert the following: "now or hereafter in the service of the United States.

The amendments were severally agreed to.

The joint resolution as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. GANDY, a motion to reconsider the vote whereby the joint resolution was passed was laid on the table.

EXTENSION OF REMARKS.

Mr. McCRACKEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Idaho asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. FOSTER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 37 minutes p. m.) the House, under its previous order, adjourned until Tuesday, July 25, 1916, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated 18th instant, together with copy of report from Maj. G. B. Pillsbury, Corps of Engineers, dated July 26, 1915, and copy of report from Lieut. Col. C. H. McKinstry, Corps of Engineers, dated April 18, 1916, with maps, on preliminary examination and survey, respectively, of Branford Harbor, Conn., made in compliance with the provisions of the river and harbor act approved March 4, 1915 (H. Doc. No. 1292); to the Committee on Rivers and Harbors and ordered to be printed with illustrations.

2. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers of the United States Army, together with copies of reports from Lieut. Col. (now Col.) J. E. Kuhn, Corps of Engineers, and Col. G. A. Zinn, Corps of Engineers, with maps, on preliminary examination and survey, respectively, of Delaware breakwater and harbor of refuge, Delaware Bay, Del. (H. Doc. No. 1293); to the Committee on Rivers and Harbors and ordered to be printed with illustrations.

3. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the secretary and executive officer of the Commission of Fine Arts, of this date, submitting an additional estimate of appropriation in the sum of $5,000 for expense of the commission for the fiscal year ending June 30, 1917 (H. Doc. No. 1289, pt. 2); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. STEDMAN, from the Committee on Foreign Affairs, to which was referred the bill (S. 649) making appropriation for expenses incurred under the treaty of Washington, reported the same without amendment, accompanied by a report (No. 1004), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. STEPHENS of Mississippi, from the Committee on Claims, to which was referred the bill (S. 2543) for the relief of the State of Kentucky, reported the same without amendment, accompanied by a report (No. 1005), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CANTRILL, from the Committee on Industrial Arts and Expositions, to which was referred the joint resolution (H. J. Res. 252) authorizing the transfer of the Government exhibit, or such portion thereof as the President may determine is advisable, now at the Panama-California International Exposition at San Diego, Cal., to the Mississippi Centennial Exposition at Gulfport, Miss., reported the same with amendment, accompanied by a report (No. 1006), which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. FLOOD, from the Committee on Foreign Affairs, to which was referred the joint resolution (H. J. Res. 253) authorizing the President of the United States to invite the Latin American countries to participate in the Mississippi Centennial Exposition to be held at Gulfport, Miss., reported the same without amendment, accompanied by a report (No. 1007), which said joint resolution and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (S. 3264) to authorize the payment of an indemnity to the Norwegian Government for the detention of three subjects of Norway in Hudson County, N. J., reported the same without amendment, accompanied by a report (No. 1028), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the joint resolution (H. J. Res. 235) to authorize the President of the United States to convey to the foreign governments participating in the Panama-Pacific International Exposition the grateful appreciation of the Government and the people of the United States, reported the same with amendment, accompanied by a report (No. 1029), which said joint resolution and report were referred to the House Calendar.

Mr. RAGSDALE, from the Committee on the District of Columbia, to which was referred the bill (H. R. 12035) to provide for the abandonment of Piney Branch Road between Allison Street and Buchanan Street NW., in the District of Columbia, reported the same without amendment, accompanied by a report (No. 1031), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. NICHOLLS of South Carolina, from the Committee on Military Affairs, to which was referred the bill (H. R. 8229) to establish a national military park at the battle field of Guilford Courthouse, reported the same with amendment, accompanied by a report (No. 1032), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill (H. R. 15076) granting to the widow of Col. David Du B. Gaillard authority to place, in his memory, a tablet in the Memorial Amphitheater at Arlington, Va., reported the same without amendment, accompanied by a report (No. 1033), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and a resolution were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. TIMBERLAKE, from the Committee on the Public Lands, to which was referred the bill (H. R. 16744) to validate the homestead entry of William H. Engle for certain land in Colorado, reported the same with amendment, accompanied by a report (No. 1008), which said bill and report were referred to the Private Calendar.

Mr. FOSTER, from the Committee on Claims, to which was referred the bill (H. R. 16116) for the relief of the widow of Robert M. Gibbs, reported the same with amendment, accompanied by a report (No. 1009), which said bill and report were referred to the Private Calendar.

Mr. FIELDS, from the Committee on Military Affairs, to which was referred the bill (H. R. 8970) for the relief of James H. C. Mann, reported the same without amendment, accompanied by a report (No. 1010), which said bill and report were referred to the Private Calendar.

Mr. SWIFT, from the Committee on Claims, to which was referred the bill (H. R. 4517) for the relief of Fred E. Jackson, reported the same with amendment, accompanied by a report (No. 1011), which said bill and report were referred to the Private Calendar.

Mr. EDMONDS, from the Committee on Claims, to which was referred the bill (H. R. 2204) for the relief of Andrew M. Dunlop, reported the same with amendment, accompanied by a report (No. 1012), which said bill and report were referred to the Private Calendar.

Mr. STEAGALL, from the Committee on Claims, to which was referred the bill (H. R. 14345) to reimburse J. B. Patterson, postmaster of Lacon, Morgan County, Ala., for certain postage stamps stolen, reported the same without amendment, accompanied by a report (No. 1013), which said bill and report were referred to the Private Calendar.

Mr. STEPHENS of Mississippi, from the Committee on Claims, to which was referred the bill (S. 5441) for the relief of the heirs of Albert Sidney Johnston, reported the same without amendment, accompanied by a report (No. 1014), which said bill and report were referred to the Private Calendar.

Mr. RUSSELL of Ohio, from the Committee on Claims, to which was referred the bill (H. R. 13820) for the relief of Mrs. Jennie Buttner, reported the same without amendment, accompanied by a report (No. 1015), which said bill and report were referred to the Private Calendar.

Mr. MILLER of Delaware, from the Committee on Claims, to which was referred the bill (H. R. 14571) for the relief of the Milwaukee Bridge Co., reported the same with amendment, accompanied by a report (No. 1016), which said bill and report were referred to the Private Calendar.

Mr. McKENZIE, from the Committee on Military Affairs, to which was referred the bill (H. R. 1093) to correct the military record of James Anderson, reported the same with amendment, accompanied by a report (No. 1017), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 8411) for the relief of James R. McGuire, reported the same with amendment, accompanied by a report (No. 1018), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 5221) for the relief of Thomas E. Philips, reported the same without amendment, accompanied by a report (No. 1019), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 1867) granting an honorable discharge to John Berrin, reported the same with amendment, accompanied by a report (No. 1020), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 7045) for the relief of Caleb T. Holland, reported the same with amendment, accompanied by a report (No. 1021), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 7763) for the relief of Stephen J. Simpson, reported the same with amendment, accompanied by a report (No. 1022), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 3223) for the relief of John W. Baggott, reported the same without amendment, accompanied by a report (No. 1023), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 5689) to correct the military record of Thomas J. Temple, reported the same with amendment, accompanied by a report (No. 1024), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 4360) to amend the military record of George W. Laland, reported the same with amendment, accompanied by a report (No. 1025), which said bill and report were referred to the Private Calendar.

Mr. STEPHENS of Mississippi, from the Committee on Claims, to which was referred the resolution (H. Res. 318) referring the bill H. R. 16951, for the relief of George Welty, to the Court of Claims, reported the same without amendment, accompanied by a report (No. 1026), which said bill and report were referred to the Private Calendar.

Mr. MILLER of Delaware, from the Committee on Claims, to which was referred the resolution (H. Res. 319) referring the bill H. R. 11807, for the relief of Cary B. Moore, to the Court of Claims, reported the same without amendment, accompanied by a report (No. 1027), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Military Affairs was discharged from the consideration of the bill (H. R. 16980) for the relief of Edward N. Carr, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills and resolutions were introduced and severally referred as follows:

By Mr. MUDD: A bill (H. R. 17078) for the acquisition of a site for a public building at Laurel, Md.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 17079) for the acquisition of a site for a public building at Ellicott City, Md.; to the Committee on Public Buildings and Grounds.

By Mr. RAINEY: A bill (H. R. 17080) to provide for the erection of a public building in the city of Havana, Ill.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 17081) to provide for the erection of a public building in the city of Carrollton, Ill.; to the Committee on Pubic Buildings and Grounds.

By Mr. BELL: A bill (H. R. 17082) giving the consent of the United States for the bringing of certain suits in the Supreme Court of the United States; to the Committee on the Judiciary.

By Mr. TAYLOR of Colorado: A bill (H. R. 17083) granting 50,000 acres of land to the State of Colorado for the use of the State normal school at Gunnison, Colo.; to the Committee on the Public Lands.

By Mr. ADAMSON: A bill (H. R. 17084) to amend an act entitled "An act to prevent cruelty to animals while in transit by railroad or other means of transportation from one State or Territory or the District of Columbia into or through another State or Territory or the District of Columbia, and repealing sections 4386, 4387, 4388, 4389, and 4390 of the United States Revised Statutes," approved June 29, 1906; to the Committee on Interstate and Foreign Commerce.

By Mr. SINNOTT: A bill (H. R. 17085) to permit homestead and desert-land entry on lands withdrawn for reclamation purposes; to the Committee on the Public Lands.

By Mr. HULBERT: A bill (H. R. 17086) to prevent and punish the desecration of the United States flag; to the Committee on the Judiciary.

By Mr. LOUD: A bill (H. R. 17087) to amend sections 2 and 13 of an act entitled "An act to promote the welfare of American seamen," etc., approved March 4, 1915; to the Committee on the Merchant Marine and Fisheries.

By Mr. CANTRILL: A bill (H. R. 17088) to authorize the city of Winchester, Ky., to divert water from the pool in the Kentucky River formed by Lock and Dam No. 10; to the Committee on Interstate and Foreign Commerce.

By Mr. SLOAN: A bill (H. R. 17089) to fix the term for which members of the National Guard in certain States, Territories, and the District of Columbia shall serve under their enlistment in the United States service; to the Committee on Military Affairs.

By Mr. RAKER: A bill (H. R. 17090) to provide for the sinking of artesian wells, and for other purposes; to the Committee on the Public Lands.

By Mr. OLNEY: A bill (H. R. 17091) authorizing the Secretary of War to donate to A. St. John Chambre Post 72, Department of Massachusetts, Grand Army of the Republic, of Stoughton, in the county of Norfolk and Commonwealth of Massachusetts, two bronze or brass cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. MADDEN: Resolution (H. Res. 316) calling on the President for information as to the efficiency of the National Guard and the sufficiency of its equipment; to the Committee on Military Affairs.

By Mr. BENNET: Resolution (H. Res. 317) directing the Secretary of Labor to furnish certain information in relation to Ellis Island; to the Committee on Immigration and Naturalization.

Also, resolution (H. Res. 320) requesting information of the Secretary of War as to the statutes under which the major general commanding the Department of the East issued orders relative to Col. Conley and Lieut. Col. Phelan, of the New York National Guard; to the Committee on Military Affairs.

By Mr. JAMES: Resolution (H. Res. 321) directing the Secretary of State to negotiate a treaty with the Government of Russia defining the status of former subjects of Russia who have become American citizens; to the Committee on Foreign Affairs.

By Mr. BURNETT: Joint resolution (H. J. Res. 271) authorizing the Secretary of War to loan, issue, or use, and to purchase quartermaster's and medical supplies for the relief of destitute persons in the districts overflowed by the Alabama and other rivers of Alabama and their tributaries; to the Committee on Military Affairs.

By Mr. LEE: Joint resolution (H. J. Res. 272) authorizing the Secretary of War to loan, issue, or use and to purchase quartermaster's and medical supplies for the relief of destitute persons in the district overflowed by the Coosa River and its tributaries; to the Committee on Military Affairs.

By Mr. TIMBERLAKE: Joint resolution (H. J. Res. 273) to grant the free mailing privilege to all the members of the National Guard of the several States now serving on the southern border; to the Committee on the Post Office and Post Roads.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BELL: A bill (H. R. 17092) granting a pension to Arthur Culbertson; to the Committee on Pensions.

By Mr. BLACKMON: A bill (H. R. 17093) granting a pension to Herbert S Coheley; to the Committee on Invalid Pensions.

By Mr. BOWERS: A bill (H. R. 17094) granting a pension to William C. Shaffer; to the Committee on Pensions.

Also, a bill (H. R. 17095) for the relief of Charles Price; to the Committee on War Claims.

By Mr. CLINE: A bill (H. R. 17096) granting an increase of pension to Bethnel J. Goff; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17097) for the relief of Bony Bengert; to the Committee on Military Affairs.

By Mr. DAVIS of Minnesota: A bill (H. R. 17098) granting an increase of pension to Highland S. Eldred; to the Committee on Invalid Pensions.

By Mr. DOWELL: A bill (H. R. 17099) granting an increase of pension to Robert E. Ewing; to the Committee on Invalid Pensions.

By Mr. EAGAN: A bill (H. R. 17100) granting an increase of pension to Hermann Schroeder; to the Committee on Invalid Pensions.

By Mr. FIELDS: A bill (H. R. 17101) granting an increase of pension to E. C. Roll; to the Committee on Invalid Pensions.

By Mr. GOULD: A bill (H. R. 17102) granting a widow's pension to Ida May Harrison; to the Committee on Invalid Pensions.

By Mr. HERNANDEZ: A bill (H. R. 17103) to correct the military record of Edubigen Atencio; to the Committee on Military Affairs.

By Mr. HOWARD: A bill (H. R. 17104) for the relief of W. H. Baldwin; to the Committee on Claims.

By Mr. JAMES: A bill (H. R. 17105) granting a pension to Mrs. Anna Knechtges; to the Committee on Invalid Pensions.

By Mr. KEY of Ohio: A bill (H. R. 17106) granting an increase of pension to Sanford U. Early; to the Committee on Invalid Pensions.

By Mr. KING: A bill (H. R. 17107) granting an increase of pension to Arthur C. Shrewsbury; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17108) granting an increase of pension to Lewis L. Cummings; to the Committee on Pensions.

By Mr. LAFEAN: A bill (H. R. 17109) granting an increase of pension to Joseph Taylor; to the Committee on Invalid Pensions.

By Mr. MILLER of Delaware: A bill (H. R. 17110) granting an increase of pension to Thomas R. Henthorn; to the Committee on Invalid Pensions.

By Mr. OAKEY: A bill (H. R. 17111) granting an increase of pension to Margaret McManus; to the Committee on Invalid Pensions.

By Mr. PARK: A bill (H. R. 17112) for the relief of J. B. Jemison & Co., of Thomasville, Ga.; to the Committee on Claims.

By Mr. ROWE: A bill (H. R. 17113) for the relief of Andrew Gaffney; to the Committee on Military Affairs.

By Mr. RUSSELL of Missouri: A bill (H. R. 17114) granting an increase of pension to George W. Mayden; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17115) granting an increase of pension to Tilson M. Sutherland; to the Committee on Invalid Pensions.

By Mr. SPARKMAN: A bill (H. R. 17116) granting a pension to Charles R. Nichols; to the Committee on Pensions.

Also, a bill (H. R. 17117) granting an increase of pension to Deliah J. Johnson; to the Committee on Pensions.

By Mr. SUTHERLAND: A bill (H. R. 17118) granting an increase of pension to Edward M. Costolo; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17119) granting an increase of pension to George A. Liston; to the Committee on Invalid Pensions.

By Mr. SWIFT: A bill (H. R. 17120) granting a pension to Albert V. Lawson; to the Committee on Pensions.

By Mr. TIMBERLAKE: A bill (H. R. 17121) granting a pension to Olive M. Bagley; to the Committee on Pensions.

By Mr. YOUNG of North Dakota: A bill (H. R. 17122) granting an increase of pension to Barbara Johnson; to the Committee on Pensions.

By Mr. STEPHENS [from the Committee on Claims]: Resolution (H. Res. 318) referring the bill H. R. 16951, for the relief of George Welty, with the accompanying papers, to the Court of Claims; to the Committee of the Whole House.

By Mr. MILLER of Delaware: Resolution (H. Res. 319) referring the bill H. R. 11807, for the relief of Cary B. Moore,

with the accompanying papers, to the Court of Claims; to the Committee of the Whole House.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of the Merchants' Association, of New York, relative to day-light saving throughout the United States; to the Committee on Labor.

By Mr. CAREW: Petition of Chicago Liquor Dealers' Protective Association relative to tax on land values; to the Committee on Ways and Means.

By Mr. COLEMAN: Petition of Tabernacle Presbyterian Church, of Pittsburgh, Pa., against interstate transmission of race-gambling odds and bets; to the Committee on the Judiciary.

By Mr. CONNELLY: Petition of Sundry citizens of Colby, Kans., relative to wage controversy between employees and railroads of the country; to the Committee on Interstate and Foreign Commerce.

By Mr. DALE of New York: Petition of National Association Union Volunteer Officers, Indianapolis, Ind., favoring passage of House bill 386, Civil War volunteer officers' retired list; to the Committee on Military Affairs.

Also, petition of Henry Torrance, of New York City, favoring universal military service; to the Committee on Military Affairs.

Also, petitions of sundry women of the State of Massachusetts relative to woman-suffrage amendment; to the Committee on the Judiciary.

Also, petition of Local Union No. 4, International Brotherhood of Bookbinders, relative to pay of compositors and bookbinders in Government Printing Office; to the Committee on Printing.

Also, petition of national legislative and information bureau, Order of Railway Conductors, etc., favoring passage of House bill 16681; to the Committee on Interstate and Foreign Commerce.

Also, petition of East Buffalo Live Stock Association, against the Borland bill; to the Committee on Agriculture.

By Mr. DOOLING: Petition of Philadelphia Chamber of Commerce, relative to continuing Bureau of War Risk Insurance; to the Committee on the Merchant Marine and Fisheries.

By Mr. EAGAN: Petition of executive committee National Association Union Volunteer Officers, Indianapolis, Ind., favoring House bill 386, relative to the Civil War volunteer officers' retired list; to the Committee on Military Affairs.

By Mr. FLYNN: Petition of Local Union No. 4, International Brotherhood of Bookbinders, and Columbia Typographical Union, relative to pay of compositors and bookbinders in the Government Printing Office; to the Committee on Printing.

Also, petition of National Association of Union Volunteer Officers, Indianapolis, Ind., relative to House bill 386, to create a roll, known as the Civil War volunteer officers' retired list; to the Committee on Military Affairs.

Also, petition of national legislative and information bureau, Order of Railway Conductors, etc., favoring passage of the Thompson and Decker bill, Senate bill 6550 and House bill 16681; to the Committee on Interstate and Foreign Commerce.

By Mr. KONOP: Petition of Nathalie C. Greene, of Green Bay, Wis., against the Kent bill, relative to aid for tubercular indigents of our country; to the Committee on Interstate and Foreign Commerce.

By Mr. LINTHICUM: Petition of Monumental Division No. 52, International Brotherhood of Locomotive Engineers, favoring passage of Thompson-Decker bill, House bill 16681; to the Committee on Interstate and Foreign Commerce.

Also, memorial of Southern Forestry Congress, favoring amendment to Agricultural appropriation bill relative to purchase of forest areas; to the Committee on Agriculture.

Also, petition of Charles F. Habighunt, favoring Federal censorship of motion pictures; to the Committee on Education.

Also, petition of C. P. Tatem & Co., Baltimore, Md., favoring bill to repeal tax on commission merchants, etc.; to the Committee on Ways and Means.

By Mr. O'SHAUNESSY: Memorial of Ladies' Auxiliary Ancient Order of Hibernians in America, favoring Federal consorship of motion pictures; to the Committee on Education.

By Mr. PHELAN: Memorial of Linwood, No. 32, International Order Good Templars, of Lynn, Mass., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of citizens of the District of Columbia, favoring prohibition in the District of Columbia; to the Committee on the District of Columbia.

By Mr. PRATT: Petition favoring Hughes bill for censorship of moving pictures from the Regent Theater, Elmira, N. Y., and the Amusu Theater, Elmira, N. Y.; to the Committee on Education.

By Mr. RAKER: Petitions of Mammoth Copper Mining Co. and Mountain Copper Co. and Selby Smelting & Lead Co., San Francisco, Cal., against further tax on copper and copper industry; to the Committee on Ways and Means.

By Mr. ROBERTS of Nevada: Petition of F. E. Martens and other citizens of the State of Nevada, against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. SINNOTT: Petition of 49 citizens of Sherman County, Oreg., favoring Christian amendment to the Constitution; to the Committee on the Judiciary.

Also, petition of 50 citizens of State of Oregon, against compulsory Sunday-observance bill; to the Committee on the District of Columbia.

Also, petition of 48 citizens of Oregon, against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

Also, memorial of Vale (Oreg.) Chamber of Commerce favoring Shields water-power bill; to the Committee on Interstate and Foreign Commerce.

By Mr. WARD: Petition of 71 citizens of Sullivan County, N. Y., favoring a Christian amendment to the Constitution; to the Committee on the Judiciary.

By Mr. YOUNG of North Dakota: Petition of S. E. Jackson, president of Seventh Day Adventists of North Dakota conference, and 415 others, against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

Also, petition of Women's Christian Temperance Union and 24 citizens of Lamoure and Ransom Counties, N. Dak., favoring passage of House bill 10924; to the Committee on Alcoholic Liquor Traffic.

Also, petition of William Seibel and 19 others, of Lincoln Valley, N. Dak., against bills to amend the postal laws; to the Committee on the Post Office and Post Roads.

SENATE.

SATURDAY, *July 22, 1916.*

The Senate met at 10 o'clock a. m.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we take Thy name reverently upon our lips and come into Thy presence with Godly fear. Thy name is above every name. It is the measure of our power. It is the promise of future welfare. It is the source of our inspiration and health. Grant that we may ever keep Thy name holy. May we not utter it upon our lips except in prayer and in praise. May we hold it above all of the possessions of this life that we may be a people whose Lord is God. Out of Thy power and grace may we be enabled to build up a nation which will hold within it the blessings of the life that now is and the promise of that which is to come. For Christ's sake. Amen.

CALLING OF THE ROLL.

Mr. SMOOT. Mr. President, there are very few Senators in the Chamber. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	Martine, N. J.	Smoot
Beckham	Gallinger	Myers	Sterling
Brady	Harding	Nelson	Stone
Brandegee	Hardwick	Owen	Taggart
Bryan	Husting	Page	Thomas
Chamberlain	James	Pomerene	Townsend
Chilton	Johnson, S. Dak.	Reed	Underwood
Clapp	Jones	Robinson	Vardaman
Colt	Kern	Shafroth	Walsh
Culberson	La Follette	Sheppard	Williams
Cummins	Lane	Sherman	Works
Curtis	McCumber	Simmons	
Dillingham	Martin, Va.	Smith, Ga.	

Mr. MARTINE of New Jersey. I was requested to state that the Senator from Louisiana [Mr. BROUSSARD] is detained at the department on official business.

The VICE PRESIDENT. Fifty Senators have answered to the roll call. There is a quorum present.

THE JOURNAL.

The Secretary proceeded to read the Journal of the proceedings of the legislative day of Wednesday, July 19, 1916, when, on request of Mr. SMOOT and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed a joint

resolution (H. J. Res. 247) extending the provisions of the act approved June 16, 1898, in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. KERN. I present and ask to have printed in the RECORD a number of telegrams on the question of the child-labor legislation now pending.

Mr. SMOOT. The telegrams are in the form of petitions?

Mr. KERN. Yes; they are petitions.

The VICE PRESIDENT. Without objection, it is so ordered.

The telegrams are as follows:

GREENSBORO, N. C., *July 21, 1916.*

Senator JOHN W. KERN,
Washington, D. C.:

Support Wilson by voting for Federal child-labor bill.

A. W. MCALLISTER.
C. H. IRELAND.
J. NORMAN WILLS.
Dr. J. I. FOUST.
R. G. VAUGHN.
A. M. SCALES.
Dr. CHAS. W. BYRD.

—

PITTSBURGH, PA., *July 20, 1916.*

Senator JOHN W. KERN,
Washington, D. C.:

Urge passage of child-labor bill now. Majority of both parties favor bill, why delay? Party will be held responsible in November election. Give the children justice immediately. The true Americans want to save every child in the interest of all.

CARL J. FECHHEIMER.

—

NEWPORT, R. I., *July 20, 1916.*

Senator JOHN W. KERN,
United States Senate, Washington, D. C.:

Please help the preparedness cause by pushing Federal child-labor bill through this session.

HARRIET E. THOMAS.

—

WEST END, LONG BRANCH, N. J., *July 20, 1916.*

Hon. JOHN W. KERN,
Senate, Washington, D. C.:

Because of the vital importance of the Federal child-labor bill, I trust you will use all your influence to have it passed during this present session.

G. M. LICHTEN.

—

ROSELLE, N. J., *July 21, 1916.*

JOHN W. KERN,
United States Senate, Washington, D. C.:

Let me urge you to use all your influence to pass the Federal child-labor bill at this session of Senate. It is a crime to postpone for five or six months longer a measure that is recognized as human and right, even by those who are working against it.

L. M. MULFORD.
M. MULFORD.

—

NIAGARA FALL, N. Y., *July 20, 1916.*

JOHN W. KERN,
Senate Chamber, Washington, D C.:

Will you please use your influence to have child-labor bill passed during present session of Congress. Majority of both parties favors passage of bill. No satisfactory explanation for defeat. Party responsible for postponement will suffer in November. Senate Chamber is hot, but how about children in mills. Vote yes.

Mrs. MAX AMBERG.

—

WILMINGTON, DEL., *July 20, 1916.*

Hon. JOHN W. KERN,
Senate Chamber, Washington, D. C.:

To postpone action for passing the Federal child-labor bill at the present session of Congress will, to my mind, be a strong reason for defeating the party that is responsible for delay in the November elections. Take a good step forward along constructive line and pass this bill now. Our Nation can best be helped by conserving our children's health.

RICHARD TANBURY, Jr.

—

ELIZABETH, N. J., *July 20, 1916.*

Senator JOHN W. KERN,
United States Senate, Washington, D. C.:

With Republican and Democrat alike favoring it, why should the Keating-Owen bill lie over until December? Does the Democratic Party wish to assume responsibility for the delay? There were enough votes to pass it a year ago. For the sake of preparedness, save the children.

A. H. BLAUVELT,
537 Magie Street.

—

SPRINGFIELD, VT., *July 20, 1916.*

Senator JOHN W. KERN,
Washington, D. C.:

I wish to urge immediate passage of Federal child-labor bill. The longer continuation of cruelty, which might be lifted, reflects bitterly upon the majority of both parties, who are in favor of justice and protection for little children.

Sincerely, yours,

LENA A. BRITTON.

—

WEST END, LONG BRANCH, N. J., *July 20, 1916.*

Hon. JOHN W. KERN,
Senate, Washington, D. C.:

Beg you to use your influence to have Federal child-labor bill passed at this session.

D. L. FALK.

NEW YORK, N. Y., *July 21, 1916.*

Senator JOHN W. KERN,
Senate Chamber, Washington, D. C.:

I wish to urge upon you the necessity of passing the Federal child-labor bill at this session of Congress. With a majority of both parties supporting the bill the Democratic leaders can not afford to delay its passage.

W. J. DARROW,
153 West Fifty-seventh Street, New York.

—

MADISON, WIS., *July 20, 1916.*

Senator JOHN W. KERN,
Washington, D. C.:

I urge the passage of the child-labor bill at this session. With the majority of both Houses in favor of it the voters demand that the bill be allowed to come up now.

A. M. PITMAN.

—

GRAND RAPIDS, MICH., *July 20, 1916.*

Senator JOHN W. KERN,
Washington, D. C.:

It seems exceedingly important that child-labor bill be passed this session. As majority both parties are for the bill it will be difficult to explain why measure not passed. Postponement would be a cruelty to thousands of children. Voters much prefer this task completed this session.

CARRIE E. BELRAD.

—

PORT WASHINGTON, N. Y., *July 20, 1916.*

Senator JOHN W. KERN,
United States Senate, Washington, D. C.:

I urgently request you to further passage during the present congressional session of the child-labor bill. As a majority of both parties favor this bill, voters have every reason to expect its passage before Congress adjourns.

CHARLES G. NORRIS.

—

NEW YORK, *July 20, 1916.*

Senator JOHN W. KERN,
United States Senate, Washington, D. C.:

I strongly recommend the passage of the child-labor bill at this session. It would, in my judgment, be a great mistake to have the matter further postponed. Kindest regards.

ADOLPH LEWISOHN.

—

CHICAGO, ILL., *July 20, 1916.*

Senator JOHN W. KERN,
Washington, D. C.:

The whole thinking public is looking forward to the passage of a national child-labor bill. As an employer of labor, I earnestly urge upon you and your associates the importance of putting through this legislation at this session.

A. W. MEYER.

—

NEW BRIGHTON, STATEN ISLAND, N. Y., *July 21, 1916.*

Senator JOHN W. KERN,
Senate Chamber, Washington, D. C.

DEAR SIR: I beg to add my voice to those already appealing for the passage of the child-labor bill, as a member of the committee and as a champion of children's rights. Best citizens and a majority of voters demand the removal of this national disgrace. Will you fail us after our long fight?

GRACE H. HICKS.

—

PLAINFIELD, N. J., *July 20, 1916.*

Hon. J. W. KERN,
United States Senate, Washington, D. C.

DEAR SIR: I hope that the Federal child-labor bill meets with your approval and that you will do all in your power to see that the bill passes. The party held responsible for its defeat will suffer in the November elections.

MABELLE C. PHILLIPS,
Executive Secretary.

—

BALTIMORE, MD., *July 21, 1916.*

Senator JOHN W. KERN,
The Senate, Washington, D. C.:

Please do all in your power to bring child-labor bill vote this session.

ISABEL MOSHLER.

—

GRAND RAPIDS, MICH., *July 20, 1916.*

Hon. JOHN W. KERN,
Senate Chamber, Washington, D. C.:

Allow me to urge importance of passing the Federal child-labor bill at this session. A majority of both parties is for the bill. Postponement now will be heard of next November. President Wilson insists on its passage. Pray to mind the people.

HERMAN N. DOSKER,
423 Fourth National Bank Building.

—

ATLANTA, GA., *July 21, 1916.*

Hon. JOHN W. KERN,
Washington, D. C.:

Vote Federal child-labor bill now. President Wilson's right.

CHARLES D. MCKINNEY.

—

ATLANTA, GA., *July 21, 1916.*

JOHN W. KERN,
Washington, D. C.:

Vote Federal child-labor bill. Now we support President Wilson.

LOUIE MARIQUARDT,
President Georgia Federation of Labor.

ATLANTA, GA., *July 21, 1916.*

Senator JOHN W. KERN,
Washington, D. C.:

Labor in South will appreciate your support of President Wilson in securing immediate passage child-labor bill.

R. E. GANN,
President Atlanta Federation.
JEROME JONES,
Editor Journal Labor.

—

ATLANTA, GA., *July 21, 1916.*

JOHN W. KERN,
Washington, D. C.:

Vote now on Federal child-labor bill. President Wilson is right.

J. C. WHITE.

—

LEXINGTON, VA., *July 21, 1916.*

Hon. JOHN W. KERN,
Washington, D. C.:

Earnestly hope you can postpone child-labor bill. Democrats in letters to me from Massachusetts to Missouri condemn bill.

H. ST. GEORGE TUCKER.

—

CHICAGO, ILL., *July 21, 1916.*

Hon. JOHN W. KERN,
Washington, D. C.:

It will be a cruel disappointment to all progressively minded citizens and a great blow to tens of thousands of little children if the Federal child-labor bill is not passed at this session. Make public names of Senators who are preventing a vote. Both parties favor the bill, why should individual interests be allowed to interfere?

EUGENE T. LIES.

—

ST. LOUIS, MO., *July 21, 1916.*

Senator J. W. KERN,
Washington, D. C.:

We respectfully urge immediate passage of child-labor bill.

OSCAR LEONARD,
Superintendent Jewish Educational and Charitable Association.

—

WILKES-BARRE, PA., *July 21, 1916.*

JOHN W. KERN,
Washington, D. C.:

Please urge immediate passage Keating-Owen child-labor bill.

JOSEPHINE LOVELAND.
MABEL B. LOVELAND.

—

GLEN RIDGE DEPOT, N. J., *July 21, 1916.*

Hon. JOHN W. KERN, *Washington, D. C.:*

Earnestly solicit passage of Federal child-labor bill this session.

Rev. C. R. WEBB.

—

NEW YORK, N. Y., *July 19, 1916.*

Hon. JOHN W. KERN,
Senate Chamber, Washington, D. C.:

I respectfully urge upon you the importance of passing the Federal child-labor bill at this session, and beg to solicit your support for that measure.

MAURICE BARNETT.

—

GLEN RIDGE DEPOT, N. J., *July 21, 1916.*

Hon. JOHN W. KERN, *Washington, D. C.:*

Respectfully urge that Federal child-labor bill be passed this session.

Mrs. B. WEBB,
Department Chairman New Jersey State Federation of Women's Clubs.

Mr. MYERS. I have a resolution adopted by members of St. Joseph, Amos, Mountain View, and Grain Belt Granges, and the Cottonwood Equity Society, in the State of Montana. I ask that it be printed in the RECORD with the signatures and properly referred.

There being no objection, the resolution was referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

HAVRE, MONT., *June 24, 1916.*

Senator H. L. MYERS,
Washington, D. C.

DEAR SIR: At a farmers' picnic and joint meeting of the St. Joseph, Amos, Mountain View, and Grain Belt Granges and the Cottonwood Equity Society, at the Grain Belt schoolhouse, township 34 north, range 14 east, Montana meridian, the following resolutions were passed, to wit:

Whereas a certain bill, designated as S. 5772, has been introduced in the United States Senate, authorizing the expenditure of $50,000 for the drilling of artesian wells in the northern portion of Montana; and

Whereas we, the citizens of a portion of the territory so designated, are sorely in need of Government aid along this line; and

Whereas as individuals we are unable to accomplish this end: Therefore

Resolved, That we are strongly in favor of the passage of this bill as drawn by Senator H. L. MYERS: And be it further

Resolved, That the chairman of this meeting be instructed to send to each of the members of the Montana congressional delegation a copy of these resolutions.

C. F. WARREN, *Chairman.*

Passed June 23, 1916.

Mr. MYERS. I also present a memorial of homesteaders on the Fort Peck Indian Reservation concerning legislation for their relief. I ask that the memorial be printed in the RECORD with the signatures and official positions of the first two signers, and underneath the words "and many others."

Mr. BRANDEGEE. I did not catch the subject referred to in the memorial, but that is immaterial. What I want to say is that we are about to enter upon the last few weeks of the session, and there are quite a number of important measures pending before the Senate, and they have a large number of advocates all over the country. I did not object to the Senator from Indiana [Mr. KERN] printing in the RECORD the telegrams which he had received about the child-labor bill; but, Mr. President, we all get, and all will get, hundreds of telegrams about these matters, and I hardly think it wise from now on to fill the RECORD with petitions and individual telegrams upon these subjects. There will be no end to them. I hope Senators will refrain from putting in bunches of telegrams to be printed in the RECORD. They should be referred to committees without being printed in the RECORD.

There being no objection, the memorial submitted by Mr. MYERS was referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

Memorial to Congress.

To the Senate and House of Representatives, greetings:

Whereas it is impossible for the settlers on the Fort Peck Reservation to comply with the conditions now in force, under which the opening was conducted, we the undersigned settlers, after two years residence upon the Fort Peck lands, present for your consideration conditions and facts as we find them after several years of experimenting:

1. The soil is of a hard and compact nature, requiring at least three years cultivation before it can be brought to a state of productivity sufficient to insure a crop.

2. The homesteader's necessities of life here, as well as the necessities required to comply with the homestead laws, are from 20 to 40 per cent higher in this section than in the Eastern markets, including implements, lumber, stock, and farm labor.

3. The present appraisement is at least 50 per cent in excess of the value of the land after complying with the homestead rules.

4. After paying the present appraisement of from $3 to $7 an acre in five annual payments, it is practically impossible for the settler to supply himself with the necessities of life and at the same time comply with the present homestead requirements, with the hardship and inclement weather that the Fort Peck settler must endure, we feel that we should be encouraged in developing a raw and new country instead of being compelled to accept an incumbrance of from $480 to $1,120 on every quarter section of land on the reservation.

These being the facts, we appeal to your honorable body for relief: Wherefore be it

Resolved, That the Fort Peck Settlers' Association requests that you use all your best efforts in the passage of Senate bills Nos. 5610, 5611, and 5612, introduced by the Hon. Senator MYERS for the above-named relief.

C. F. BLAICH,
President Fort Peck Settlers' Association.
H. A. SCHOENING,
Secretary Wolf Point Commercial Club.
(And many others.)

Mr. FLETCHER. I have a communication in the nature of a petition signed by the chairman of the joint committee of the Citizens' Associations of Northwest Washington, having reference to some provision in the District bill. I think it is a very important matter, and as it will not take much space, I ask that it be printed in the RECORD.

Mr. SMOOT. I will ask the Senator whether the communication refers to the District of Columbia appropriation bill?

Mr. FLETCHER. Yes; I understand it has reference to the effort to change the hospital site and it presents some arguments that I think——

Mr. SMOOT. Of course, every Senator has received a similar communication. I do not know whether it has been put in the RECORD before or not.

Mr. FLETCHER. I am not sure about that.

Mr. SMOOT. I will ask the Senator that it be not printed again.

Mr. FLETCHER. Of course if it has been printed once I shall not ask that it be printed again.

Mr. SMOOT. Every Senator has received a similar communication.

Mr. FLETCHER. I have not seen any presentation of it before, and I think it is really an important matter.

Mr. GALLINGER. Does it relate to the municipal hospital site?

Mr. FLETCHER. It does.

Mr. GALLINGER. I have an impression that a little time ago a protest numerously signed was placed in the RECORD, but it is not consequential whether it was or not; the air is full of letters and protests and petitions concerning that matter. It will be discussed in the Senate in due time. Perhaps it is well enough to print it, but it will not have much influence, I apprehend, on the action of the Senate one way or another.

Mr. SMOOT. I want to say to the Senator that I received this morning a statement upon the other side of the question. I was going to ask that it be put in the RECORD, but as this discussion has come up I think perhaps both ought to be kept out of the RECORD, and I shall object.

Mr. POMERENE. Mr. President, I have received communications on this subject likewise, but I think it would be very well for citizens of Washington who are interested in the hospital to remember that it is of vastly more importance that we have a hospital than that we have any particular location for it.

Mr. SMOOT. I object to the printing, Mr. President.

Mr. FLETCHER. I was impressed with the statements in this communication. It is not a lengthy communication. It seemed to me that it presented the matter in a way that ought to be considered by the Senate, and I thought it ought to be printed in the RECORD.

The VICE PRESIDENT. There is objection to the printing.

Mr. FLETCHER. I ask that it be referred to the Committee on the District of Columbia.

The VICE PRESIDENT. It will be so referred.

Mr. GALLINGER presented petitions of Local Branch, International Hod Carriers, Building, and Common Laborers' Union of America, of Albany, N. Y.; of the International Longshoremen's Association, of Buffalo, N. Y.; of the Missouri State Federation of Labor; and of the Louisiana State Federation of Labor, praying for the enactment of legislation to further restrict immigration, which were ordered to lie on the table.

He also presented petitions of N. A. Newton, of Portsmouth, Ohio; George T. Powell, of Ghent, N. Y.; Anna C. Cromwell, of Llynwyllann Summit, N. J.; Mrs. Sara G. Williams, of Winsted, Conn.; Oberlin Smith, of Bridgeton, N. J.; Flora L. Terry, of Ansonia, Conn.; C. Alfred Burhorn, of Hoboken, N. J.; H. R. Corbett, of Chicago, Ill.; Clinton H. Scovell, of Boston, Mass.; Fannie R. Bigelow, of Rochester, N. Y.; Emily Dyer, of New York City, N. Y.; C. H. Berryman, of Lexington, Ky.; Mary S. Malone, of Amherst, Mass.; E. M. Capen, of Bloomington, Ill.; Charles A. Blanchard, of Wheaton, Ill.; Leaton Irwin, of Quincy, Ill.; Mary Ware Allen, of Gloucester, Mass.; Ellen A. Freeman, of Little Boars Head, N. H.; Laura Moore, of St. Clair, Mich.; I. N. Lame, of Chicago, Ill.; M. Jordan, of Englewood, N. J.; and A. G. Cummins, of Wheeling, W. Va., praying for the enactment of legislation of prohibit interstate commerce in the products of child labor, which were ordered to lie on the table.

Mr. GRONNA presented a memorial of Lodge No. 676, Brotherhood of Railroad Trainmen, of Enderlin, N. Dak., remonstating against the passage of the so-called Sutherland compensation bill, which was referred to the Committee on the Judiciary.

He also presented a petition of Lodge No. 676, Brotherhood of Railroad Trainmen, of Enderlin, N. Dak., praying for the enactment of legislation to provide safe clearance from structures on railroads, which was referred to the Committee on Interstate Commerce.

He also presented a petition of Lodge No. 676, Brotherhood of Railroad Trainmen, of Enderlin, N. Dak., praying for the enactment of legislation to provide that railroads shall use safe boilers and appurtenances thereto, which was referred to the Committee on Interstate Commerce.

Mr. SHIELDS presented a petition of sundry citizens of Belvidere, Tenn., praying for national prohibition, which was referred to the Committee on the Judiciary.

Mr. CHAMBERLAIN presented a petition of sundry citizens of Multnomah County, Oreg., praying for the enactment of legislation to found the Government on Christianity, which was referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES.

Mr. ASHURST, from the Committee on Indian Affairs, to which was referred the bill (S. 6308) to authorize the Secretary of the Interior to lease, for production of oil and gas, ceded lands of the Shoshone or Wind River Indian Reservation, in the State of Wyoming, reported it with an amendment and submitted a report (No. 712) thereon.

He also, from the same committee, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

S. 1265. A bill for the relief of J. G. Seupelt (Rept. No. 704);

S. 1266. A bill permitting Charles M. Hickerson to include a portion of allotment No. 36 to Se-cum-ka-nullax, of Chief Moses's Band, in his homestead entry, and providing for allotment to Se-cum-ka-nullax in lieu thereof on the Colville Indian Reservation (Rept. No. 705);

S. 3130. A bill granting certain lands to school district No. 56, Klickitat County, Wash., and authorizing the issuance of patent therefor (Rept. No. 706);

S. 3647. A bill for the relief of Mosses C. Tingley (Rept. No. 707);

S. 3773. A bill to cancel the allotment of Davie Skootah on the Lummi Reservation, Wash., and reallot the lands included therein (Rept. No. 708);

S. 3774. A bill to authorize the sale of lands allotted to Indians under the Moses agreement of July 7, 1883 (Rept. No. 709);

S. 3972. A bill to provide for selection by the Omaha Indians and the setting apart of reservation lands for tribal cemetery purposes (Rept. No. 710); and

H. R. 12123. An act to appropriate money to build and maintain roads on the Spokane Indian Reservation (Rept. No. 711).

Mr. JOHNSON of South Dakota, from the Committee on Indian Affairs, to which was referred the bill (S. 5335) conferring upon tribes of Indians the right to recall their agents or superintendents, reported it with amendments and submitted a report (No. 714) thereon.

He also, from the same committee, to which was referred the bill (S. 5635) authorizing the conveyance of certain land in the State of South Dakota to the town of Flandreau in said State, reported it with an amendment and submitted a report (No. 713) thereon.

Mr. BECKHAM, from the Committee on Post Offices and Post Roads, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

H. R. 10052. An act to reimburse J. T. Nance (Rept. No. 715); and

H. R. 14952. An act for the relief of Mrs. John A. Fox (Rept. No. 716).

Mr. OWEN, from the Committee on Indian Affairs, to which was referred the bill (H. R. 11939) for the relief of William Guy, reported it without amendment and submitted a report (No. 717) thereon.

Mr. FLETCHER. I am directed by the Committee on Military Affairs, to which was referred the bill (S. 6352) for the relief of David Steers, alias William Johnson, alias John Hartman, to report it adversely.

The VICE PRESIDENT. The bill will be placed on the calendar.

Mr. PITTMAN. I am directed by the Committee on Foreign Relations, to which was referred Senate joint resolution 147 extending the provisions of the act approved June 16, 1898, to ask that that committee be discharged from the further consideration of the joint resolution and that it be referred to the Committee on Public Lands, which seems to be the appropriate committee.

The VICE PRESIDENT. The joint resolution will be referred to the Committee on Public Lands.

Mr. MYERS, from the Committee on Military Affairs, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

S. 2388. A bill for the relief of Orion Mathews (Rept. No. 718); and

S. 4915. A bill for the relief of Oliver C. Rice (Rept. No. 720).

He also, from the same committee, to which was referred the bill (S. 4620) to remove the charge of desertion against James B. Smock, reported it with amendment and submitted a report (No. 719) thereon.

Mr. WEEKS. I am directed by the Committee on Military Affairs, to which was referred the bill (S. 4836) for the relief of Daniel O'Connell, to report it adversely, and I submit a report (No. 721).

The VICE PRESIDENT. The bill will be placed on the calendar.

Mr. GRONNA, from the Committee on Claims, to which was referred the bill (H. R. 2555) for the relief of the Minnesota & Ontario Power Co., reported it without amendment and submitted a report (No. 722) thereon.

Mr. NEWLANDS, from the Committee on the Library, to which was referred the joint resolution (S. J. Res. 92) relative to the construction on the site selected of the central heating, lighting, and power plant authorized by the provisions of the sundry civil appropriation act approved June 23, 1913, reported it with amendments and submitted a report (No. 723) thereon.

Mr. SMOOT, from the Committee on Public Lands, to which was referred the bill (S. 5632) for the relief of Aquila Nebeker, reported it with an amendment and submitted a report (No. 726) thereon.

Mr. BRYAN, from the Committee on Claims, to which was referred the bill (H. R. 9375) for the relief of J. M. Potter, reported it without amendment and submitted a report (No. 724) thereon.

Mr. WARREN, from the Committee on Military Affairs, to which was referred the bill (S. 5203) for the relief of Gardner L. Eastman, reported it with amendments and submitted a report (No. 727) thereon.

Mr. JOHNSON of Maine, from the Committee on Pensions, to which was referred the amendment submitted by him on the 19th instant proposing to pay Dennis M. Kerr $1,200 for extra and expert services rendered the Committee on Pensions during the first session of the Sixty-fourth Congress, etc., intended to be proposed to the general deficiency appropriation bill, reported favorably thereon and moved that it be referred to the Committee on Appropriations and printed, which was agreed to.

EXTENSION OF PATENT APPLICATIONS.

Mr. JAMES. From the Committee on Patents I report back favorably without amendment the bill (H. R. 13982) to extend temporarily the time for filing applications and fees and taking action in the United States Patent Office in favor of nations granting reciprocal rights to United States citizens, and I ask unanimous consent for its present consideration.

Mr. SMOOT. I will object.

Mr. JAMES. I should like to say to the Senator from Utah that this bill has already passed the House of Representatives. It is recommended by the Commissioner of Patents, who says it is very urgent and that it should be passed.

On account of the war there are many countries that are extending the right to file or make payment where they are prevented from doing so to those countries that grant reciprocal rights and the time has expired by reason of the war. American citizens are having these rights denied to them by reason of the fact that we are not extending those reciprocal rights to those countries, which are extending it only to those countries who give a like extension.

I think it is an important measure, and I hope the Senator from Utah will withdraw his objection.

Mr. SMOOT. I will state to the Senator that if the bill takes the regular course and goes to the calendar, I hope we will reach it to-day, and if the Senator will help——

Mr. JAMES. I am perfectly willing to help. It is nothing to me any more than it is to other Senators. The bill was referred to the Committee on Patents, and the Commissioner of Patents asked to have it passed, and has sent to me three times and requested its passage. It is recommended unanimously by the Committee on Patents.

Mr. SMOOT. I should like to have it go to the calendar.

The VICE PRESIDENT. The bill will be placed on the calendar.

BARKENTINE "MABEL I. MEYERS."

Mr. BRYAN. A few days ago the Senator from Massachusetts [Mr. WEEKS] requested that a House bill be substituted for a Senate bill on the calendar. It could not be done because the House bill was not before the Senate; it had been referred to the Committee on Claims. I now report back favorably with an amendment the bill (H. R. 11129) for the relief of the owners of the barkentine *Mabel I. Meyers* and her master and crew, and for the relief of the owners of cargo of molasses late on board said barkentine, and I submit a report (No. 725) thereon. I call the attention of the Senator from Massachusetts to the report.

Mr. WEEKS. I ask unanimous consent that the bill be given immediate consideration on account of its being a House bill reported with an amendment, which will make it necessary to send it to conference. It is a case of submitting to the Court of Claims a claim which the owners of this vessel have against the United States Government on account of it having been sunk in a collision with a battleship. I think the bill should be passed at this session. As it will have to go to conference, I should like to have immediate consideration.

Mr. SMOOT. Mr. President, I will say to the Senator from Massachusetts that the bill will not have to go to conference, though it is a House bill, if we pass it without amendment.

Mr. WEEKS. But if we pass the House bill we shall pass it as reported with an amendment.

Mr. JAMES. What is the request, Mr. President?

Mr. WEEKS. I have made a request for the immediate consideration of the bill which has just been reported.

Mr. JAMES. And the Senator from Utah makes no objection to that request?

Mr. SMOOT. I simply stated that, if we passed the House bill without amendment, it would not have to go to conference.

Mr. JAMES. I simply wanted to know whether the objection of the Senator from Utah was to go to one side as well as the other.

Mr. SMOOT. Mr. President, the Senator from Kentucky knows that I have no intention to discriminate.

Mr. JAMES. I do not know that. I know that I reported a bill this morning which is of universal importance to all the people of the country, and the Senator from Utah objected to its immediate consideration without giving any reason for it. Now he agrees to give his consent that the Senator from Massachusetts may have a bill considered by unanimous consent which has just been reported.

Mr. SMOOT. Mr. President, the bill to which the Senator from Kentucky refers, which came up on the floor the other day, was a Senate bill, and the Senator from Massachusetts asked that the House bill on the same subject be substituted therefor at the time the calendar was under consideration. It developed, however, that the House bill had not been referred to the Committee on Claims, but to the Committee on Commerce. Therefore, the Senator from Massachusetts asked that the Committee on Commerce be discharged from the further consideration of the bill, and that it be referred to the Committee on Claims, which was done. The Committee on Claims now report the House bill, and the Senator from Massachusetts has asked for its immediate consideration, the intention being to substitute that bill for the Senate bill on the calendar.

Mr. JAMES. I understand.

Mr. SMOOT. If the bill had been reported from the committee at that time, it would have been considered.

Mr. JAMES. I admit that it is just a bill; it is merely called up for consideration, and is just now before the Senate; but it could take its regular course as well as the bill which I reported. However, I am not going to object. I merely wanted to draw the deadly parallel between the objections of the Senator from Utah in this Chamber.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. WILLIAMS. I believe, under the circumstances, I will object.

Mr. OWEN. I object.

The VICE PRESIDENT. There is objection, and the bill will be placed on the calendar.

OLEANNE MARIE ZAHL BRANUM.

Mr. MYERS. From the Committee on Public Lands I report back favorably without amendment the bill (S. 6497) for the relief of Oleanne Marie Zahl Branum, and I submit a report (No. 703) thereon. I call the attention of the Senator from Minnesota [Mr. NELSON] to the report.

Mr. NELSON. I ask unanimous consent for the immediate consideration of the bill. I will state the case briefly. It is to allow a poor woman to prove up her homestead. It is a bill recommended, in fact, sent to me, by the Interior Department. As her time for proving up her homestead is limited and will expire in November, if anything is done it ought to be done immediately. I ask unanimous consent for the immediate consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That homestead entry No. 07718, Duluth, Minn., series, made November 29, 1909, by Oleanne Marie Zahl Branum, for the north half of the southwest quarter, southwest quarter of the southwest quarter, section 4, and northwest quarter of the northwest quarter, section 9, township 62 north, range 21 west, fourth principal meridian, be, and the same hereby is, validated; and the Secretary of the Interior is authorized and directed to accept commutation proof in support of said entry and issue patent thereon, provided said proof shows compliance with the requirements of the homestead law with respect to residence, cultivation, and improvements.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MYERS:

A bill (S. 6692) to amend section 6 of an act to expedite the settlement of title to lands in the State of California; to the Committee on Public Lands.

By Mr. SHAFROTH:

A bill (S. 6693) to amend an act entitled "An act granting a franchise for the construction, maintenance, and operation of a street-railway system in the district of South Hilo, county of Hawaii, Territory of Hawaii," approved August 1, 1912, as amended by an act approved July 25, 1914; to the Committee on Pacific Islands and Porto Rico.

By Mr. BRADY:

A bill (S. 6694) granting an increase of pension to John Hudson (with accompanying papers; to the Committee on Pensions.

By Mr. DILLINGHAM:

A bill (S. 6695) granting an increase of pension to Henry Dalton Selby (with accompanying papers); to the Committee on Pensions.

By Mr. JONES:

A bill (S. 6696) granting a pension to Edward Madden; to the Committee on Pensions.

By Mr. SHIELDS:

A bill (S. 6697) granting a pension to Vian Bennett; to the Committee on Pensions.

By Mr. WILLIAMS:

A bill (S. 6698) for the relief of Edward L. Keyes; to the Committee on Military Affairs.

AMENDMENT TO DEFICIENCY APPROPRIATION BILL.

Mr. WALSH submitted an amendment proposing to appropriate $115 to pay M. I. Howell as compensation for services rendered the special committee appointed under Senate resolution to secure certain information concerning interned ships in ports of the United States, etc., intended to be proposed by him to the general deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

VOCATIONAL EDUCATION.

Mr. PAGE. Mr. President, I desire to give notice that on Monday next, at the close of the morning business, I shall offer some remarks on Senate bill 703, the vocational-education bill.

PRINTING OF NAVAL BILL.

Mr. TILLMAN. In view of the fact that the other House, where orders of this kind are generally passed, will not reassemble until Tuesday, and inasmuch as there is a great demand for the naval bill as passed by the Senate, showing the bill with the amendments numbered, I ask for the adoption of the following order, which I send to the desk.

The VICE PRESIDENT. The order will be read.

The SECRETARY:

Ordered, That the bill H. R. 15947, the naval bill, be printed showing the amendments of the Senate numbered.

The order was agreed to.

HOUSE JOINT RESOLUTION REFERRED.

H. J. Res. 247. Joint resolution extending the provisions of the act approved June 16, 1898, was read twice by its title and referred to the Committee on Military Affairs.

SIR ROGER CASEMENT.

The VICE PRESIDENT. Are there concurrent or other resolutions?

Mr. MARTINE of New Jersey. Mr. President, I move that the Foreign Relations Committee be relieved from the further consideration of Senate resolution No. 223, relative to the case of Sir Roger Casement.

Mr. STONE. Mr. President, I have no objection to disposing of that motion at this time. I wish, however, to speak briefly with respect to it before it is acted upon. I hope the consideration of the resolution will not lead to a debate of any considerable length. The Senator from New Jersey [Mr. MARTINE] has already addressed the Senate in very eloquent and forceful terms, I think, on three occasions.

Mr. MARTINE of New Jersey. I have addressed the Senate on at least two occasions, I will not say eloquently, but earnestly.

Mr. GALLINGER. Forcefully.

Mr. STONE. The Senator from New Jersey has addressed the Senate on three occasions, as I recall, but it is immaterial whether twice or three times. He has certainly exhausted the subject from his standpoint.

Mr. President, when the resolution was submitted in the first instance I asked that it might be referred to the Committee on Foreign Relations; and I objected to the motion of the Senator from New Jersey subsequently made to discharge the committee from the consideration of his resolution. The Committee on Foreign Relations has not reported the resolution. I will say, however, that I laid the resolution before the committee, as I stated to the Senator I would do, at the first meeting after it was referred. All the members of the committee were not present at that meeting, but there was a quorum present; and the members of the committee present were unanimously of the opinion that the resolution should not be agreed to. Its consideration, however, was not carried to the point of reporting it either way, and I so notified the Senator from New Jersey.

Mr. MARTINE of New Jersey. That is correct, Mr. President.

Mr. STONE. Mr. President, the resolution as introduced and referred reads as follows:

Whereas the Senate of the United States have heard with deep regret that the sentence of death has been pronounced upon Sir Roger Casement after a hasty (so called) trial: Therefore be it

Resolved, That the President of the United States be, and is hereby, requested to ask a stay in the execution of said sentence in order that new facts may be introduced.

The phraseology of the resolution is discourteous and, as the committee thought, would be offensive to the Government of Great Britain, to which Government, indirectly—that is, through the President—it is addressed. The President's representations, if made at all, in pursuance of the resolution, would be made because of the resolution; and whatever action he might take would be connected with and in pursuance of the resolution itself; and to ask the President to convey to the British Government an expression of the Senate that Sir Roger Casement had been sentenced to death "after a hasty (so called) trial" would not be a very respectful way in which to address a foreign Government, and would not tend to promote the end sought to be accomplished.

I objected, as I have said, to the consideration of the resolution when it was presented, and asked to have it referred. Later the Senator from New Jersey moved to discharge the committee, and I asked that the consideration of his motion be postponed until the following day under the rule. I have made no objection to its consideration since, and make none now.

Mr. President, I regret that my big-hearted friend from New Jersey has deemed it his duty to offer and press this resolution upon the Senate. Kindliness of heart, tenderness in one's nature are noble things, but it is not always safe, against our judgment, to allow ourselves to be swayed by sympathy or even affection. I fear that the adoption of a resolution of this kind would be a wrong step, considered from an international standpoint.

Senators personally may proceed with great liberty of action. Acting as individuals or as individual Senators they may speak, may write, may petition—they may say and do many things that government in its organized form can not properly say or do. The Senate is not the Government, but it is a responsible and important body in our Government as organized. The Senate, therefore, speaks as a governmental body.

Mr. President, I wish to hurry through this and will speak hurriedly and as briefly as possible. I understand that the State Department has been approached about this matter, and, after inquiry, deemed it inadvisable to make official representations with respect to it. The department did, at the request of a sister of Sir Roger Casement, who resides in New York, send to our ambassador in London an appeal made by the sister herself to the Government to spare the life of her unfortunate brother. This lady was fearful that if she should send this appeal on her own account it might not reach the responsible officials of that Government, and hence the State Department itself forwarded as a departmental dispatch to the American ambassador this appeal of the sister to the British Government, and it was delivered to the proper officials of that Government.

That was as far as the State Department deemed it advisable to go; for I think I may properly say that the department was advised by our representative in London that official representations to the British Government by this Government touching this case would not be received in a kindly spirit. Of course it would create a rather embarrassing situation for the President if he should be asked by the Senate, notwithstanding the information he has and to which I have alluded, to break into this purely domestic affair with a formal request. When the President communicates diplomatically with a foreign Government he speaks for the whole Government, even though he may speak at the request of a particular or separate branch of the Government.

A citizen of the United States was involved in this uprising in Ireland. There may have been more than one; I do not know; but at least one citizen of the United States, a Mr. De Valero, was prominent in that revolt. He was arrested, tried, and sentenced to be executed.

I hold in my hand a letter, not addressed to me, but addressed to a Member of the House from my State, from Father William N. Carroll, residing at Detroit, Mich., in which he says that he incloses a copy of a letter he had mailed to the Senators from Michigan. He gives some account of Mr. De Valero. I abbreviate what he says in this way:

He says De Valero was born in New York City in the early eighties, graduated from the Dublin University in 1904, and has lived in Ireland ever since; that during his residence there he has been a professor of science and the higher mathematics in several Irish colleges; that a year ago he was professor of science at the Carrisford Normal College, Dublin. He became involved in this rebellion or revolt and was sentenced to be executed. Representations as to his plight were made to our State Department and the President, and they in turn laid the matter before the British Government, and the sentence was commuted from death to imprisonment. That, however, was a different case from this. De Valero had not severed his allegiance to the United States. He had a right to appeal to this Government, because he owed his allegiance to this Government

as a citizen; but not so with Sir Roger Casement. He is a British subject. He has served the British Government and has received honors at its hands. He was knighted by the British sovereign. De Valero is an American citizen; Casement is a British subject.

I shall not discuss the merits or demerits of this case. I could not do so if I wished, for lack of information. But I will say that, in my opinion, a resolution of this character, presented in the circumstances of this time, seeking in a public and official way to influence the British Government, will be resented by that Government and will do Sir Roger Casement more harm than good.

Mr. NELSON. Mr. President, will the Senator from Missouri yield to me for a moment?

Mr. STONE. I will.

Mr. NELSON. I recall an incident that happened a few years ago. Mrs. Maybrick, an American lady, married to an Englishman, was convicted of murdering her husband by poison, and was sentenced to imprisonment for life. Immediately after that an immense propaganda began in this country for her pardon. It kept on for two or three years, if I recall rightly, in all manner of ways. I think even the intervention of the Government was sought; but as long as the propaganda was carried on in her behalf the British Government did not move a bit. It was only after that propaganda had ceased, and quite a while after it, that the Government of Great Britain finally pardoned Mrs. Maybrick, who is now here in the United States.

The way I look at it is this: While the intentions of the Senator from New Jersey are of the most laudable kind, I entirely agree with the Senator from Missouri that it would do more harm than good. My own opinion is that if we say nothing and do not interfere the British Government will commute this sentence to life imprisonment; and when the war is over I have no doubt at all but that Sir Roger and all the other men who have been sentenced to life imprisonment growing out of that rebellion will be ultimately pardoned. But I think this movement, as the Senator from Missouri says, will do more harm than good; and if I were a special friend of Sir Roger Casement it is the last thing in the world that I would try to do in his behalf.

Mr. STONE. Mr. President, it would be entirely proper—by which I mean it might be entirely wise—for citizens of the United States, as in the case referred to by the Senator from Minnesota, to adopt any resolutions they saw proper to adopt, to forward to the British Government any petitions they might prepare and have signed; and I am sure all such petitions, if presented to the Secretary of State, would be forwarded by him, as was the dispatch of Casement's sister, to be delivered to the proper British officials, thus making the delivery certain. But for the Government itself to intervene is another thing.

I agree with the Senator from Minnesota in what he said. I speak, of course, only my own opinion, and utterly without any knowledge that is not possessed by every Senator on the floor; but I think, with the Senator from Minnesota, it would be a grave mistake in its effect on the English Government to have the Government of the United States thrust itself into this case at this time. It would be a mistake even so far as Ireland is concerned. I do not believe Casement will be executed. It would be a blunder for Great Britain to carry out this sentence to the extreme limit. I am so strong in that belief that I can not but think that there will be a commutation of the sentence. The execution of a number of men in Ireland immediately following the uprising there created, I believe, a most unfavorable sentiment in Ireland, in England itself and, in fact, throughout Great Britain and in other countries. I believe that is true and that the British Government must be conscious of it. I do not believe that that Government will take another life. I think it is too wise for that.

If the President, at the request of the Senate or on his own motion, should ask the British Government not to execute Sir Roger Casement, I believe the British Government would be less apt to exercise clemency than if we should attempt to interfere. My opinion is that the British Government is more apt to commute sentence of Sir Roger Casement on its own motion than upon the request of a foreign Government.

Mr. SMITH of Georgia. Mr. President, would not a commutation at such a request take out of the commutation the generous spirit that otherwise would be found in it by the British Government?

Mr. STONE. The Senator has expressed, in better terms, what I was trying to say.

Mr. MARTINE of New Jersey. Mr. President, if the Senator will permit me, I think I can answer that. It might take the generous spirit out of an Englishman, but it could not out of the American Congress nor the American Senate.

Mr. STONE. Mr. President, I was going to say this: If the British Government exercises clemency in this case, it will be done in order to promote the interests of that Kingdom, of that Government, of that people, and especially to promote better relations between England and Ireland. If the British Government should do an act of clemency of that nature on its own motion, it certainly would have a better effect, and the British Government knows it would have a better effect, in Ireland as well as elsewhere at home and abroad, than if done on foreign recommendation. It knows that if it should act on the request of foreign Governments, whatever local or home virtue there might be in the act would be practically lost.

Mr. OWEN. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Oklahoma?

Mr. STONE. I do.

Mr. OWEN. I wanted to ask the Senator if he would not permit the Senate to pass upon the matter without much longer delay?

Mr. STONE. I am just about through. I know what the Senator has in mind, and I sympathize with him.

I will ask my friend from New Jersey to remember that to-day there are many thousands of Irish volunteers in the trenches in northern France—not conscripts, but volunteers. Who can tell what these Irish soldiers who every day are rushing into the face of death, singing "It's a long, long way to Tipperary"—for they do sing such songs, they say, in the storm of battle—who can tell what those men think, or what their mothers, fathers, and kindred at home in Ireland think, of this revolt organized by Sir Roger Casement, or of which he is said at least to have been a conspicuous part? I do not know what they think; but is it not well for us to think of that?

Mr. President, I have always sympathized with Ireland in her struggles. Nearly all of us in America have had in our hearts a sympathy for Ireland. No people in history have trod a longer path of suffering, sacrifice, and sorrow than the Irish. When they were struggling for absolute independence my sympathies were with them, and I hoped they would succeed. Later, in the days of Parnell and Gladstone and down to this day, I have deeply sympathized with their efforts to win even the prize of local self-government or home rule. My sympathies have been with them and are to-day with them, and with Redmond and the other leaders of that great Irish element for whom Redmond speaks. I am for whatever will promote the welfare of Ireland. There has never been a time since Ireland's subjection to England when the Irish people, under the wise leadership of men like Redmond, have stood a better chance of a broad governmental autonomy than now.

We should consider these things when we talk of breaking into these domestic affairs. "A single swallow does not make a summer." It would be a mistake for Casement himself for us to pass a resolution like this, and it would be an international blunder.

Mr. President, I have taken more time than I should. The other side has been very fully presented in the several speeches delivered by the Senator from New Jersey, and I will now ask the Senator from New Jersey if he will not consent, without further debate, to let the Senate vote upon his motion to discharge the committee.

Mr. MARTINE of New Jersey. Mr. President, I have no desire to prolong the debate, and in answer to the distinguished Senator from Missouri——

Mr. STONE. Wait a moment; I have not yielded the floor. I asked the Senator a question.

Mr. MARTINE of New Jersey. I say no; I decline to do that. I shall ask for a vote.

Mr. STONE. I dislike very much to move to lay the motion on the table.

Mr. MARTINE of New Jersey. I trust the Senator will not perform a parliamentary act that I feel would be so ungenerous and, I believe, unjust and——

Mr. STONE. I do not wish to do that.

Mr. MARTINE of New Jersey. I beg pardon.

Mr. STONE. I do not wish to do that. I am asking the Senator to let us vote upon this motion.

Mr. MARTINE of New Jersey. Mr. President, I should like to say just a word. It has not been fully debated, nor have I desired to enter into any prolix talk on this subject; but it is a mighty subject. I will take but one-quarter of the time the Senator from Missouri has, if he will allow me.

Mr. STONE. Very well.

Mr. MARTINE of New Jersey. Mr. President, I want to say in answer to my good friend from Missouri—and he is my good friend—I have no greater heart nor am prompted by no more generous impulses than the Senator from Missouri or any

other Senator in this body. I realize and plead guilty to the charge that I am impulsive, but that my heart is any bigger or my conscience any cleaner or my promptings any better, I decline to accept.

The charge is made that I have incorporated in my resolution the words "so-called trial." While the legal minds of England as well as of America have teemed with statements, he was tried as Robert Emmet was tried, and convicted before he was tried. He was tried under a musty old moss-covered and grown-over law over 600 years old, that had not been in all that time invoked by the English courts.

I say in this case of Roger Casement the question of humanity is at stake. I know we have no legal right to interfere and I know we will not interfere in a legal way, but I plead for humanity's sake. I plead for justice, for the cause of right, and because of an advanced civilization and our so-called religion.

Some Senator asked me, Will it not hurt Casement more than it would do him good? It is not a question of hurting Casement. It is up to the Senate, and if the Senate shall refuse to express itself in this kindly way in behalf of this man it will be a demonstration of moral cowardice.

If all these things are true, and I suppose they are, as the Senator says, that the department has done something, how in the name of Heaven is it in enterprising America that not a newspaper has had a whimper of it? But no; they have been as dull to humanity's plea at the other end of the Avenue as we have been here.

When you say it would be interfering, did not England, with its public men and with it editorials in pamphlet, paper, and magazine, fairly teem with articles when we were in our so-called rebellion? I shall not go over what I have said. I have no retraction to make, no qualifications to make for my resolution. I ask if Senators are willing to go to their homes this night and seek their couch, upon which they hope to lie down to peaceful slumbers and pleasant dreams, without having done what little you can by the passage of this resolution to stop and stay this execution? The mighty United States, with its splendid Congress, its splendid Senate, will have a mighty effect upon the Government of Great Britain by the passage of this resolution.

When you say that we have bills before us and that we should stop all discussion it is a case of money on one side and human life on the other.

Mr. President, I took this little clipping from a newspaper:

> America herself owes it to the memory of Washington and the signers of the Declaration to utter a protest that will reverberate around the world, giving courage to peoples struggling for freedom and making clear how the civilization of the future would regard the hanging of Roger Casement.

I plead not on the law ground. I know, I thank God, nothing of your law. Law makes men dogmatic and hard-hearted. I have none of it. I plead simply as a citizen in proud, glorious, peaceful America that the Senate of the United States may pass this simple resolution that I have offered, asking the kindly intercession of the President of the United States to stay and stop the execution of Sir Roger Casement.

Mr. BORAH. Mr. President, the question is a perplexing one to a good many Members of this body. I rather suppose that the great majority, if not all, Senators here sympathize with the ultimate purpose of the Senator from New Jersey; that is to say, if this body as a body could do anything to ameliorate the hard lot of Sir Roger Casement I think in all probability the body would do so. But the question which presented itself to the committee and the question which disturbs the minds of some of us individually is, May not our procedure here work contrary to the desires of the mover of the resolution?

Mr. MARTINE of New Jersey. I can not believe it.

Mr. BORAH. I know the Senator does not believe it, because everybody recognizes that he wants to accomplish something in behalf of Sir Roger Casement; but it is a delicate matter to undertake to suggest to a foreign power what it shall do with those whom it has undertaken to punish in accordance with the established procedure under their law. I favor the utmost clemency in accordance with sound principles of government toward political prisoners, but I feel most sincerely that this resolution would be deemed offensive and certainly would not serve to ameliorate the situation for the unfortunate prisoner.

Whatever our sympathies may be the perplexing question is whether or not we may not do more harm than good by undertaking to interfere. That is the question which is most disturbing.

I am of the opinion that the Senator from Missouri has put the matter in its strongest way when he said that the Government of Great Britain may feel that it desires to dispose of this matter on its own motion and in its own way and might feel somewhat embarrassed if it was assumed that it was acting by reason of the suggestion of some other power. That is the question, I will state to the Senator from New Jersey, which is disturbing some of us.

Mr. MARTINE of New Jersey. Mr. President, if I may answer the Senator, I feel that all the world is kin. The world has moved. The electric telegraph and the cable and the wireless put us as one man in a way that there is no country whatever, and the law of humanity is the one great law that governs all God's creatures. But I say when the question of humanity is involved if it can be brought to the sense and attention of any great country in the world that the world and humanity and civilization stand aghast it will have its effect, not for evil but for good to Sir Roger Casement.

Mr. BORAH. Mr. President, I do not care to continue the discussion further than to indicate that many who may not vote to discharge the committee may not do so because of our lack of sympathy for accomplishing whatever might be accomplished in favor of humanity, but because of a difference of view as to how that can be done and how it can best be done. I understand, as was said by the Senator from Missouri, that something has already been done through the State Department, perhaps all that it is possible for this Government to do and suggest. I feel sure that this is not a wise or expedient procedure.

Mr. MARTINE of New Jersey. Then what harm could it do? What dangerous complication could it bring about? If they have done just as they should have done, why should it not at this end have the indorsement of the great body of the people? We are as close to the people as the other end of the Avenue.

Mr. POMERENE. Mr. President, may I ask the Senator a question?

Mr. MARTINE of New Jersey. Certainly.

Mr. POMERENE. I realize that all Senators want to do what the proprieties of the occasion may suggest; but let me ask my distinguished friend from New Jersey this question: Assume, for the sake of argument, that a very prominent citizen of New Jersey had been arrested, indicted, convicted, and sentenced for the commission of some high crime, and the only questions were two—first, as to the regularity of the proceeding, and, secondly, as to the extent of the sentence—would the Senator think that the British Parliament or the German Reichstag would be justified in passing a resolution to interfere with what the great Commonwealth of New Jersey had seen fit to do?

Mr. MARTINE of New Jersey. In answer to that I will say I do not propose to interfere. I only propose to express the kindliest sentiments for humanity. The dogmatic argument of the lawyer is very apparent. Of course we have no right. I realize that. I realize that we can not nolens volens interfere, but we can express the sentiment of the great liberty-loving people of America and protest against it. I can see no great evil. I am not learned in the law, and I thank God for it. I am not learned in diplomatic matters of circumlocution and evasion and deceit. I do not know any of them, thank God. But if you believe as was expressed by the Senator from Idaho [Mr. BORAH], vote the proposition down, and let the responsibility rest upon those who vote it down.

I should like to have a vote on this question. I do not want to prolong the debate. I know the question of money is pressing here—the amendment of the Federal banking act—because money is more than human life. So let us get through with it.

Mr. WILLIAMS. Mr. President, when little children argue they generally begin by saying, Suppose this or that. I am going to imitate their example, and I am not going to take over about three minutes.

Suppose that when Mrs. Surratt had been sentenced and after the trial which took place immediately after the war the British House of Commons had passed a resolution saying, "Whereas Mrs. Surratt has been hastily convicted after a so-called trial, therefore the British House of Commons begs the President of the United States to pardon her," how do you suppose it would have been received in the United States?

The only difference between the two cases is that Mrs. Surratt was hastily convicted after a so-called trial. She was a woman and had never served in the Army or in the Navy and she was tried by martial law. In that case somebody might have had good reason to say that she had been hastily convicted after a so-called trial.

Sir Roger Casement has received not a so-called trial, as you all know, but a trial according to the course of British law. For one nation to interfere with the course of justice in another nation and to put up its opinion as to whether that course of justice has been adequate and according to the rule of procedure in that other nation is an unheard-of thing.

Let me suppose another case. Suppose that a man who had been in constant communication with Jefferson Davis during

the war had gone to the city of Chicago, or had attempted to get there, and meanwhile had organized a force in the city of Chicago and that force had seized the post office and shot down the first man with a blue uniform on, and that after he had been convicted and tried by the courts of the United States, hastily, hurriedly, properly, or improperly, the British House of Commons had passed a similar resolution.

Mr. President, for one organized Government to arraign the administration of justice under another organized Government is one of the most insulting things that a Government can perpetrate toward another, and it seems to me that everybody must see it. Put yourself in their places, forget that you are Americans with Irish sympathies, as most of us are, and imagine what the effect would be upon you in either of the cases I have supposed, if you had the pardoning or the commuting power. Would not the thought in your mind be this: "It may be that I ought to do this thing, but it is none of your business; it is not your affair; it is my affair. I am the head of an independent sovereign power. We are responsible to nobody but God for the course of justice which we mete out to our own citizens; and whether Mrs. Surratt was properly tried or improperly tried is not the business of the British House of Commons; it is the business of the Government of the United States. I might have pardoned her; but since you have been insolent and insulting enough to undertake to criticize the course of justice under my Government, I will at least hold back the question of the consideration of commutation or of pardon until all the world shall know that your interference has had nothing to do with it."

Mr. MARTINE of New Jersey. Mr. President, I am sorry the Senator from Mississippi has brought up the matter of the trial of Mrs. Surratt. I was old enough at the time to remember those horrors.

The VICE PRESIDENT. The Chair must feel constrained to try once again to enforce the rules of the Senate. Two speeches a day upon a given subject have been the rule up to this time.

Mr. MARTINE of New Jersey. This can not be considered, I think, with deference to the Vice President, as two speeches a day. I think it is one; but if the Senator from Mississippi will pardon me, I simply want to say that I think it unfortunate that he has referred to the trial of Mrs. Surratt. I repeat, I was old enough to remember the horrors of that time; and that trial is a blot on our history. I believe that, whatever might be the law, the British Parliament, however they might be influenced by our interference, generally speaking, will recognize the fact that this is the great representative body of the people of this country, of humanity, and of advanced civilization.

Mr. President, I ask for a vote on the resolution.

Mr. PHELAN. Mr. President——

Mr. VARDAMAN. I desire to ask the Senator from New Jersey a question.

The VICE PRESIDENT. The Senator from California [Mr. PHELAN] is recognized.

Mr. VARDAMAN. I should like to ask the Senator from New Jersey a question, if he will permit me.

Mr. MARTINE of New Jersey. Certainly.

Mr. PHELAN. I have the floor; but I yield in order that the Senator from Mississippi may ask a question of the Senator from New Jersey.

Mr. VARDAMAN. To meet objections which are being made to this resolution, and which I think myself ought to be urged, and which would probably prevent me from voting for it if it should come up for consideration—that is, the criticism of the courts of England contained in the preamble—I suggest to the Senator from New Jersey that he could remove those objections by amending the preamble and letting the Senate express its sympathy with the condemned man. I should be glad to vote for the resolution if amended in that way.

Mr. PHELAN. Mr. President, I am in favor of the motion of the Senator from New Jersey [Mr. MARTINE] to relieve the Committee on Foreign Relations from the further consideration of this matter, in order that the question may be voted on by the Senate.

In case the committee is relieved of further action in connection with it, I, in common with the Senator from Mississippi [Mr. VARDAMAN], should prefer a different phraseology from that expressed in the resolution as submitted by the Senator from New Jersey. I would suggest, in that event, that the preamble be eliminated, and this is the form of resolution which I propose to offer to the Senate in the event the present motion prevails:

Resolved, That the President of the United States be, and is hereby, requested to ask the British Government to exercise clemency in the treatment of Irish political prisoners.

Mr. President, there seems to be a misunderstanding here as to the proprieties of the occasion. There is no question whatever about that, because there are illustrious precedents for petitions, if you please, or requests such as this, addressed to foreign Governments in behalf of political prisoners. There is, as the Senator from Ohio will admit, a very great distinction between political prisoners and men accused of ordinary crime. Time and time again political prisoners have been, by the grace of their Governments, on festal occasions, on kings' birthdays, given their freedom, because there is not ascribed to offenders guilty of acts committed in the pursuit of political and patriotic purposes the same degree of turpitude as to those who meanly commit crime for personal advantage or for personal revenge.

James Anthony Froude, the great English historian, I recall, has said something like this: Democrat and aristocrat, patrician and plebeian, have alike dyed their hands in blood in working out the problems of politics; but impartial history declares that the crimes of the popular party have been lighter in degree, whilst they have in themselves more to excuse them; and if the violent acts of revolutionists have been held up the more conspicuously for condemnation, it is only because the fate of the gentleman and nobleman is more impressive to the imagination than the fate of the peasant and the artisan.

These Irish revolutionists have been actuated by the highest motives. What they have done has been a matter of racial pride to the men of their blood throughout the world. George Bernard Shaw has said that there was no turpitude in their offense, because their motives were singularly pure. The men who have already been condemned and basely shot—political offenders—by drumhead court-martial were the poets and the dreamers of Ireland, men of high literary attainments, pure spirits seeking something, perhaps unattainable, because we know the power of England; but we can have but respect even if they led a forlorn hope in the pursuit of that object of their dreams, the independence of their native land. It would ill become the American Senate to refuse to offer sympathy and to ask for clemency.

John Ruskin, himself one of the greatest of Englishmen, has observed that—

> The Irish are a witty and affectionate people, and can not be ruled by the witless and the heartless.

That tells the whole story. They can not be ruled by the witless and the heartless.

The uncompromising spirit of Irish liberty is something which was infused into early America, because we are told one-half of our Revolutionary Army was composed of Irishmen, and that is what helped to win independence for us.

It was the greatest Irishman, perhaps in eloquence, Edmund Burke, who made the plea in the British House of Commons, as we are doing here, for moderation in the treatment of America. "You can not indict a whole people," he said. Therefore I think it would be well in harmony with the proprieties for this body to express sympathy and to request at the same time through the proper channel, the President of the United States, an exercise of clemency.

Mr. MARTINE of New Jersey. Mr. President, I should like to ask how that would differ from the resolution that I have offered? It is a mere difference in words and form.

Mr. PHELAN. I do not yield the floor, Mr. President.

Mr. MARTINE of New Jersey. Very well.

Mr. PHELAN. I have here the precedents to which I have referred.

Secretary of State John Sherman, in the protest of the United States to Spain against reconcentration in Cuba in 1897, spoke "in the name of common humanity."

As precedents which justify friendly interposition in the present emergency, I would cite the letter of Thomas Jefferson, Secretary of State, to Gouverneur Morris, minister to France, in 1793, requesting the release of Gen. Lafayette from imprisonment; the action of President Fillmore in 1851 in conveying Kossuth in an American war vessel from Turkey to the United States; the communication of Secretary of State Seward, in 1867, to Mexico, in behalf of clemency for Maximilian; the communication of Secretary of State Fish, in 1872, to Spain, protesting against the death penalty being inflicted upon Cuban insurgents; the action of President Grant, in 1867, in obtaining a mitigation of the capital punishment of those convicted in the Canadian courts in connection with the Fenian uprising.

A parallel case absolutely, because, on the one hand, the Fenians are here involved, now called the Sinn Feiners, and, on the other, the British Government, then represented by Canada.

And again:

The representations made by President Grant to England in 1867, in behalf of the Irish prisoners in the Manchester case,

and the numberless requests made by various Presidents of the United States to Russia for clemency in behalf of her Jewish subjects.

These are cases well in point, Mr. President, because they involved the interposition for clemency by the United States in the name of humanity, in the name of liberty, for men, not necessarily citizens of the United States who may have carried our propaganda of liberty into foreign lands, but in behalf of citizens and subjects of foreign powers.

No; you can not suppress this spirit, nor should any attempt be made to thwart it, of all places in the highest legislative body in the United States.

I might speak of this subject indefinitely, but I think I have made the point on which I rose to speak. I remember, however, and I always think of it in connection with the Irish revolutionary movement, of what former United States Senator Gen. E. D. Baker, a most eloquent man, said, and I quote him because he made the supreme sacrifice himself. Not only did he not refuse to express sympathy in his official capacity but he took up arms, in behalf of what? In behalf of the cause of liberty, although it only affected the humble and despised black man. He had no apology to make; he had no lawyers to plead irregularity; he was carried away by that same sentiment which, I am sure, actuates us all. He said this—I quote from memory: "I for one am not ashamed of freedom; I rejoice in her power; I march beneath her banner, and I glory in her strength. I have seen her stricken down on a hundred chosen fields of battle; I have seen her friends flee from her; I have seen her foes gather around her, binding her to the stake and scattering her ashes farther yet; but when they turned to exult, I have seen her meet them again face to face, full clad in complete steel and brandishing in her strong right arm a sword red with insufferable light."

You can not, Mr. President, suppress that spirit of freedom. I should dislike to see it suppressed in the Senate of the United States. I hope that the motion will prevail, in order that there may be offered in proper terms a respectful appeal to England to exercise, in the name of humanity and of liberty, clemency to Irish prisoners.

Mr. VARDAMAN. Mr. President, the traitor in this instance is the unsuccessful patriot. If George Washington had failed in his efforts to achieve the independence of the American colonies, he would in all probability have been treated as Sir Roger Casement is now being dealt with. Had Sir Roger Casement succeeded in the liberation of Ireland and in securing her independence, he would have been acclaimed throughout the world as a great leader and patriot.

I join with the Senator from California [Mr. PHELAN] in the desire to so amend this resolution as to rob it of its offensive language, so that it would not be in any way a reflection upon the courts or the proceedings which resulted in the conviction of this man. It is but an expression of sympathy; an expression of desire on the part of the Senate that the English Government, strong and great as it is, under the peculiar circumstances in which this conviction was secured will now exercise that clemency which we all believe ought to be shown in this instance. I hope the committee may be discharged from the further consideration of the resolution and that the Senate will correct it and then agree to it.

Mr. PHELAN. Mr. President, I offer my resolution and ask unanimous consent for its consideration at this time, because delay by reference to the committee might involve in the meantime the infliction of the supreme penalty.

Mr. THOMAS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Colorado will state it.

Mr. THOMAS. I understand this to be a motion to take a resolution from a committee.

The VICE PRESIDENT. It is.

Mr. THOMAS. During the consideration of such a motion, is a motion to amend the resolution in order?

The VICE PRESIDENT. It is not.

Mr. MARTINE of New Jersey. Mr. President, I ask most respectfully that we may have a vote on my motion to take from the Committee on Foreign Relations the resolution presented by me so that the resolution may be laid before the Senate.

Mr. GALLINGER. Let us have a vote.

SEVERAL SENATORS. Vote!

The VICE PRESIDENT. The question is on the motion of the Senator from New Jersey to discharge the Committee on Foreign Relations from the further consideration of Senate resolution 223. Those in favor of the motion will say "aye." [A pause.] Those opposed, "no." [A pause.]

Mr. LA FOLLETTE. I ask for the yeas and nays.

Mr. MARTINE of New Jersey. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. REED. Mr. President, before the vote is taken, I want to say this: If this resolution were now amended so that it should embrace the language, or substantially the language, suggested by the Senator from California [Mr. PHELAN], I have no doubt the Committee on Foreign Relations—although I have no authority, of course, to speak for them—would be entirely willing to report such a resolution. For my part, I should be entirely willing to vote for such a resolution. We are now asked to bring the present resolution before the Senate without any assurance whatsoever that it will be amended or that its offensive language will be stricken out. The author of the resolution has not even indicated that he would accept an amendment in the form, or substantially in the form, suggested by the Senator from California.

Mr. MARTINE of New Jersey. Mr. President, will the Senator yield for a moment?

Mr. REED. I shall occupy only a moment. I say this: I would absolutely refuse to vote for the resolution offered by the Senator from New Jersey, because its language is exceedingly offensive. If it were sent in that form to the Government of any independent country, it would arouse a resentment which would be certain, or almost certain, to injure the cause of the man whose life is at stake, and would almost make it impossible for a great and independent Government to grant clemency to him. That has already been said, but I want to express it as my own sentiment. When the preamble of this resolution undertakes to say, in substance and effect, that the trial was a farce, that the forms of law were employed to produce an unjust result—when that is said to a great and independent Government, it is an insult of the grossest kind to that Government. We can not escape it. That sort of a preamble to an appeal for clemency is nothing more nor less than the worst possible act you can accomplish in order to promote everything but clemency. Moreover——

Mr. MARTINE of New Jersey. Mr. President——

Mr. REED. Just a moment. The Senator will please let me finish this thought.

Mr. MARTINE of New Jersey. Why, I have no desire to interfere with the Senator from Missouri.

Mr. REED. I know the Senator has not.

The last statement in this resolution, it strikes me, is likely to lead us into all kinds of absurdities. Notice the language:

Resolved, That the President of the United States be, and is hereby, requested to ask a stay in the execution of said sentence—

Not as an act of mercy, not as an act of clemency, but—

in order that new facts may be introduced.

What new facts? What fact is there that was not introduced? What proper or competent evidence was excluded? What are we to suggest to England? And if the President were to write over there and say: "I ask you to suspend this sentence in order that new facts may be introduced," the British Government would naturally say: "What facts have you to present?" We can not afford to put our Government, or our people, or the Senate, in that kind of a position.

I am heartily in accord with the idea that what can be done to produce clemency may well be done; but the worst enemy of Sir Roger Casement, the man who most desires to see him executed, could hardly devise a plan that would make more for that lamentable result than this resolution.

The author of the resolution has not even said to us that he will submit the resolution, if it comes before the Senate, to such an amendment as has been suggested.

Mr. MARTINE of New Jersey. Mr. President, in answer to the Senator, if I may, I will state that after I had made some remarks on this subject some days ago I asked the chairman of the Committee on Foreign Relations what he would say to a resolution couched in the following words:

Resolved, That the President be requested to advise our ambassador to Great Britain to use his kindly offices, unofficially, to ask for the commutation of the sentence of death passed upon Sir Roger Casement.

And his response to that was that he wanted the whole thing to go over, and it went over.

Mr. KERN. Is the Senator from New Jersey willing to accept that?

Mr. MARTINE of New Jersey. I will accept that as a substitute.

Mr. SMOOT. Mr. President, I shall be compelled to vote against the discharge of the Committee on Foreign Relations from the further consideration of this resolution. The suggestion that the Senator from New Jersey will amend or accept an amendment to the resolution is not necessary at all. The Senate is asked now to express its opinion as to the resolution

that is now before the Foreign Relations Committee. Just as soon as the Senate votes against the discharge of the committee, as far as that question is concerned, it is settled. If the Senator from California then desired to offer a resolution it would be in order, or if the Senator from New Jersey were recognized and desired to offer a resolution it would be in order, and the Senate would not put itself on record in any way as approving in any part the resolution that is now before the Committee on Foreign Relations. So we are losing time, it seems to me, and it is not barring the Senator from New Jersey from offering any other resolution, nor is it barring the Senator from California.

Mr. MARTINE of New Jersey. Mr. President, I fear that the truth of the whole matter, the milk in the coconut, is that we do not want to put ourselves on record. I do. But, Mr. President, I will ask unanimous consent to withdraw my former resolution, and I offer this, then, which I presented before:

Resolved, That the President be requested to advise our ambassador to Great Britain to use his kindly offices, unofficially, to ask for the commutation of the sentence of death passed upon Sir Roger Casement.

I ask unanimous consent to offer that.

Mr. PHELAN. Mr. President, I ask unanimous consent for the immediate consideration of this resolution——

Mr. MARTINE of New Jersey. Well, I asked for mine first.

Mr. PHELAN (continuing). As a substitute.

Mr. STONE. Mr. President——

The VICE PRESIDENT. We are getting in a worse position than ever.

Mr. MARTINE of New Jersey. Mr. President, I rise to a question——

Mr. STONE. I rise to a point of order.

The VICE PRESIDENT. There is but one question before the Senate, and there can be no other until it is disposed of, and that is the discharge of the Committee on Foreign Relations.

SEVERAL SENATORS. Let us vote.

Mr. STONE. If the Senator will withdraw that motion——

Mr. MARTINE of New Jersey. Which; the last one?

Mr. STONE. No; the motion to discharge the committee.

Mr. MARTINE of New Jersey. Well, hesitatingly and reluctantly—I dislike to see the Senate of the great United States write itself down a moral coward—I withdraw it, Mr. President.

Mr. PHELAN. I offer my resolution.

The VICE PRESIDENT. The Senator from California offers a resolution (S. Res. 236), which will be read by the Secretary.

Mr. MARTINE of New Jersey. Now, I——

Mr. THOMAS. Mr. President——

The Secretary read as follows:

Resolved, That the President of the United States be, and is hereby, requested to ask the British Government to exercise clemency in the treatment of Irish political prisoners.

Mr. THOMAS. Mr. President, under the rule that goes over, does it not?

The VICE PRESIDENT. If there is an objection, it does.

Mr. THOMAS. I ask that it may go over.

Mr. MARTINE of New Jersey. I object to its consideration at this time. Now, Mr. President, I have not withdrawn my resolution.

The VICE PRESIDENT. The Senator from New Jersey offers a resolution (S. Res. 237), which will be stated.

Mr. MARTINE of New Jersey. And I beg, Mr. President, to say that notice was given that I should present that particular one.

The Secretary read as follows:

Resolved, That the President be requested to advise our ambassador to Great Britain to use his kindly offices, unofficially, to ask for the commutation of the sentence of death passed upon Sir Roger Casement.

Mr. OVERMAN and Mr. THOMAS addressed the Chair.

The VICE PRESIDENT. The Senator from Colorado.

Mr. THOMAS. I ask that the resolution go over under the rule.

The VICE PRESIDENT. The resolution——

Mr. MARTINE of New Jersey. I should like to ask——

The VICE PRESIDENT. If the Chair could just get an opportunity at some time during the proceedings to state the condition of affairs, the Chair will be thankful to certain Senators.

Mr. THOMAS. Mr. President——

The VICE PRESIDENT. This resolution was presented upon a former day and is now before the Senate for consideration.

Mr. THOMAS. Mr. President——

The VICE PRESIDENT. The Senator from Colorado.

Mr. GALLINGER. Was that same resolution presented?

Mr. MARTINE of New Jersey. It was presented upon a former day.

Mr. LODGE. Not that same resolution.

Mr. MARTINE of New Jersey. Yes, sir; that same resolution.

The VICE PRESIDENT. The same resolution. There is not any doubt about it.

Mr. STONE. Why, Mr. President, I think the Chair is clearly wrong in his understanding of the facts. What happened was this: The Senator called up his motion to discharge the committee, and at the time, as he has done now, read from his place on the floor the resolution he now sends to the desk——

Mr. MARTINE of New Jersey. And then——

Mr. STONE. And asked, addressing himself to me personally, whether I had any objection to that in place of the other. It seems to me that in so doing he was offering an amendment to a resolution before the committee on his motion to discharge.

Mr. PHELAN. Mr. President, was not the second resolution of the Senator from New Jersey submitted to the committee?

Mr. MARTINE of New Jersey. No, sir; it was not.

Mr. THOMAS. Mr. President, it seems to me that in response to my parliamentary inquiry the Chair stated the position to be precisely as it was stated by the Senator from Missouri.

Mr. PHELAN. Mr. President, I desire to ask a question of the Senator from New Jersey. I refer to the resolution that he has just submitted. Was not that referred the other day to the committee?

Mr. MARTINE of New Jersey. It was not referred to the committee. I asked the Senator what he would say to a resolution couched in those terms.

Mr. PHELAN. Does the RECORD disclose that the resolution was offered to this body?

Mr. MARTINE of New Jersey. Yes; I am sure of that.

Mr. STONE. I think not.

Mr. MARTINE of New Jersey. Well, I am sure it does.

Mr. GALLINGER. I call for the regular order.

The VICE PRESIDENT. The Chair was under an error, as is the Senator from New Jersey. An examination of the RECORD discloses that the Senator from New Jersey moved, on the 17th day of July, to discharge the Committee on Foreign Relations from the further consideration of Senate resolution 223, and in the course of the discussion the Senator inquired of the chairman of the Committee on Foreign Relations as to whether he would consider a resolution in the identical language of this resolution. But the Senator from New Jersey did not present the resolution to the Senate on that day; so, if there be objection to the present consideration of this resolution, it must go over under the rule.

Mr. THOMAS. Mr. President——

Mr. WILLIAMS. Do not make an objection. Let us vote on it.

Mr. THOMAS. Mr. President, in making the objection, I do not wish it to be understood that I am opposed to the resolution. This is a new resolution and one which I think should be considered carefully before we take final action upon it. Unless I change my present opinion, I shall vote favorably upon it when the opportunity presents itself.

Mr. President, whatever else may be said of this debate, it has been in some respects illuminating. Some time ago I was favored with a pamphlet or circular issued under the auspices of one of the German-American societies giving the percentage of Germans who served in the American Revolutionary War. I do not remember the percentage nor do I question its accuracy. It was very large, however, and established the writer's contention. Some time prior to that I was given a book which, if I remember, was entitled "History of the Jews in the Revolutionary War," and the percentage of soldiers of that race in the war for American liberty there stated was very large and very commendable. Nor do I question its accuracy. On the contrary, I indorse it. Now, this morning we are told by a brother Senator that Irishmen comprised 50 per cent of the Army of the American Revolution. I have no doubt that the Senator made the statement after a very careful examination of the record. We all know from our historical researches that a great many Poles enlisted in the cause of the Revolution and that their blood was shed upon many a battle field. We also had very prominent and great assistance from subjects of the French King, with whose percentage I am, however, not familiar.

But, Mr. President, the inference which I am compelled to draw from all these sources of information, assuming them to be accurate, is that there were few, if any, Americans in the Revolutionary Army. We had two or three commanders who have achieved immortality through the success of that great conflict, and unquestionably they are entitled to due regard and due consideration. But if all these claims are correct we are forced to the melancholy conclusion that this, the American Revolution, was so called only because it was fought on the arena of the Western Hemisphere.

Mr. McCUMBER. Mr. President, I desire to ask the Senator, in view of the many statements that I have heard in the Congress of the United States, if it would not be well to have a committee appointed to ascertain if there were really any Americans engaged in the great Revolutionary War? I have serious doubts, if I am to believe all the statements that come from the Members of the Senate, whether there were really any Americans engaged in it; and I doubt even if Washington could claim to be an American.

Mr. THOMAS. Mr. President, I think such a resolution should be introduced, and appropriately referred to the Committee on Revolutionary War Claims. [Laughter.]

Mr. PHELAN. Mr. President, I should like to remind the Senator from North Dakota that the authority for my statement is a historical reference in a report of an investigation which was held by a committee of the British House of Commons into the causes of the Revolutionary War, where witnesses were heard, and it was stated that fully one-half of the Revolutionary Army consisted of Irishmen; that there were Irishmen from the North and Irishmen from the South; and that they to that extent, as far as history goes, participated in the Revolutionary War seems to be without question. I have never heard it disputed before. It might be subject to verification. But I desire to say that, whether Irish born or not, if they fought for the cause of liberty, they were good Americans, because American nationality is not determined by the color of a man's skin but by the color of his mind; not by the language in which he expresses his ideas, but by the character of the ideas themselves.

Mr. McCUMBER. Mr. President, I suppose the Senator will at least allow us to claim Benedict Arnold as an American, will he not?

Mr. FLETCHER. Mr. President, I move that we proceed to the consideration of unobjected bills on the calendar.

Mr. PHELAN. Mr. President, I ask unanimous consent for the immediate consideration of my resolution. That is agreeable to the chairman of the Committee on Foreign Relations.

Mr. MARTINE of New Jersey. I ask that it go over. I object, Mr. President.

The VICE PRESIDENT. It was already objected to and has gone over under the rule.

Mr. FLETCHER. Mr. President, in connection with the motion to proceed to the consideration of unobjected bills on the calendar I would include that we begin where we left off the last time the calendar was considered.

Mr. SMITH of Georgia. Mr. President——

The VICE PRESIDENT. The morning hour having expired, the Chair lays before the Senate the unfinished business, which is House bill 16460.

ARMY APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 16460) making appropriations for the support of the Army for the fiscal year ending June 30, 1917.

Mr. WORKS. Yesterday in my absence the amendment of the committee found on page 9 of the bill was adopted. I desired to say something about that amendment before its adoption. I ask unanimous consent that the vote by which the amendment was agreed to may be reconsidered. I understand the chairman of the committee is quite willing that this shall be done.

Mr. CHAMBERLAIN. So far as I may be permitted to do so, I am perfectly willing that it shall be reconsidered.

The VICE PRESIDENT. The Senator from California moves to reconsider the vote whereby the amendment was adopted.

The motion to reconsider was agreed to.

The SECRETARY. On page 9 strike out the matter beginning with line 11 and ending in line 23.

Mr. WORKS. I ask the chairman of the committee to allow the amendment to be passed over for the present.

The VICE PRESIDENT. Is there objection to passing over the amendment for the present?

Mr. CHAMBERLAIN. I have no objection, Mr. President.

The VICE PRESIDENT. The amendment will be passed over.

The reading of the bill was resumed.

The next amendment was, under the subhead "Miscellaneous," on page 24, line 14, after the word "available," to strike out "$1,000,000" and insert "$1,126,412," so as to make the clause read:

For commutation of quarters and of heat and light to commissioned officers, members of the Nurse Corps, and enlisted men on duty at places where no public quarters are available, $1,126,412.

The amendment was agreed to.

Mr. LODGE. I should like to ask the Senator in charge of the bill, as I was absent yesterday afternoon, what was done with the amendment on page 18, the proviso after line 10?

Mr. CHAMBERLAIN. That was agreed to, I will say to the Senator.

Mr. LODGE. I will reserve the point of order in the Senate. I want to ask about breaking up the system of details.

Mr. CHAMBERLAIN. Does the Senator simply reserve the right to make a point of order?

Mr. LODGE. I will reserve the amendment and make the point of order in the Senate.

The next amendment was, on page 24, line 15, after the word "deposits," to strike out "$116,000" and insert "$150,000," so as to make the clause read:

For interest on soldiers' deposits, $150,000.

The amendment was agreed to.

The next amendment was, on page 24, after line 15, to insert:

Section 1305 of the Revised Statutes, as amended by act of June 12, 1906 (34 Stat., p. 246), is further amended, to take effect July 1, 1916, to read as follows:

"Any enlisted man of the Army may deposit his savings, in sums not less than $5, with an Army quartermaster, who shall furnish him a deposit book, in which shall be entered the name of the quartermaster and of the soldier, and the amount, date, and place of such deposit. The amount so deposited shall be accounted for in the same manner as other public funds, and shall be deposited in the Treasury of the United States to the credit of the board of trustees created by this act, and shall be known as the Army deposit fund, repayment of which to the enlisted men on discharge from the service shall be made out of the fund created by said deposits, and shall not be subject to forfeiture by sentence of court-martial, but shall be forfeited by desertion, and shall not be permitted to be paid until final payment on discharge, or to the heirs or representatives of a deceased soldier, and that such deposits be exempt from liability for such soldier's debts: *Provided*, That the Government shall be liable for the amount so deposited to the person so depositing the same. There is hereby created a board of trustees for the control, supervision, and administration of the Army deposit fund. Said board shall consist of the Secretary of War, the Secretary of the Treasury, and the Attorney General, severally, acting ex officio, and shall have power to make all necessary and proper regulations for the receipt, transmittal, custody, deposit, investment, and repayment of the funds deposited by enlisted men of the Army, and to carry this act into full force and effect. All the funds in the pay of the Army deposit fund as shown on the books of the Treasury on the date of the approval of this act and all deposits received thereafter shall be deposited by the board of trustees in such solvent banks, whether organized under national or State laws, being subject to national or State supervision and examination, as shall offer the best rate of interest; but 7 per cent of deposits received from enlisted men shall be retained by the board of trustees and kept with the Treasurer of the United States, who shall be the treasurer of the board of trustees, in lawful money as a working balance, from which deposits maturing under the provisions of this act may be paid. The board of trustees shall take from such banks such security in public bonds or other securities as the board may prescribe, approve, and deem sufficient and necessary to secure the safety and prompt payment of such deposits on demand: *Provided*, That the banks shall not be required to maintnain in respect to such deposits a lawful money reserve as provided in sections 5191 and 5192 of the Revised Statutes of the United States. The board of trustees shall cause to be determined, in such manner as they may deem to be for the best interests of the enlisted men, from the interest earned by the Army deposit fund, the rate to be paid on deposits made by enlisted men, and each depositor shall be paid the interest due on his deposits, at the rate determined by the board, at the time of the repayment of his deposit on his discharge from the service."

Mr. CUMMINS. I ask that the amendment, beginning with line 16 on page 24 and ending with line 22 on page 26 be passed over. I am making some inquiry with regard to a part of that amendment, and I am not ready to discuss it at this moment.

Mr. CHAMBERLAIN. I will say to the Senator that that is an amendment to the present law which was suggested by the War Department, and it was adopted by the committee without change.

Mr. CUMMINS. I understand that, but I think the committee has overlooked some considerations that ought to have great weight with the Senate. From the study I have made of it up to this time I am opposed to the creation of a new board and opposed to the substitution of the present plan for paying interest upon the deposits of enlisted men. I think the existing law is much better in that respect. I hope the Senator in charge of the bill will permit it to go over for the present.

Mr. SMITH of Georgia. Before it goes over, I should like to ask the Senator from Iowa if it is not true that the Government now pays 4 per cent on the savings of the enlisted men?

Mr. CUMMINS. That is the present law.

Mr. SMITH of Georgia. And you feel that that is a much wiser and safer course and encourages them to make savings rather than to create a board and reinvest it.

Mr. CUMMINS. I think so. The amendment proposed by the committee is that the deposit of savings shall be loaned out to the banks of the country, whether State or national, for the best rate of interest possible, and that there shall be an accounting at stated periods, and the soldier gets the benefit only of the net rate of interest received.

Mr. SMITH of Georgia. And what it accomplishes savors of an uncertain result, instead of a certain result that the law now produces. I sympathize very cordially with the view of the Senator from Iowa. Why can we not dispose of it now by mak-

ing a point of order upon the provision, as it changes existing law?

Mr. CHAMBERLAIN. May I say to the Senator that when this proposition was adopted by the Senate Committee on Military Affairs it was done without very much consideration. Subsequent investigation of the matter has led me to believe that perhaps the present law is the better law. It is free from complications, and the amount that the enlisted man is to get is fixed by statute. This leaves it in doubt, and the possibility of the creation of a bureau that might cost some money.

Mr. CUMMINS. Then, inasmuch as that is the feeling of the Senator in charge of the bill, I make a point of order that it is general legislation upon an appropriation bill.

Mr. CHAMBERLAIN. I do not resist the point of order.

The VICE PRESIDENT. The Chair will have to sustain the point of order.

The next amendment was, on page 27, line 18, after the word "law," to strike out "$612,500" and insert "and for the National Guard officers when called or drafted into the service of the United States, $812,500," so as to make the clause read:

For mileage to commissioned officers, contract surgeons, and expert accountant, Inspector General's Department, when authorized by law, and for the National Guard officers when called or drafted into the service of the United States, $812,500.

The amendment was agreed to.

The next amendment was, on page 27, line 22, after the word "service," to strike out "$250,000" and insert "and for the National Guard officers when called or drafted into the service of the United States, $2,000,000," so as to make the clause read:

For additional 10 per cent increase of pay of officers on foreign service, and for the National Guard officers when called or drafted into the service of the United States, $2,000,000.

Mr. CHAMBERLAIN. I said the other day that when the appropriations made by the House were increased quite largely it was with the thought on the part of the committee that the acute situation along the border would necessitate practically an invasion of Mexico by our troops or that we should be sending them across the border for the purposes of our Government. That acute situation seems to be relieved now and there are some of these appropriations which might be reduced. I suggest that the amount in line 24, at the bottom of page 27, be reduced from $2,000,000, as fixed by the Senate committee, to $500,000. I think that that will be ample to carry out the purposes of the Government at this time.

The VICE PRESIDENT. The question is on the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 28, line 2, after the word "service," to strike out "$800,000" and insert "and for the National Guard enlisted men when called or drafted into the service of the United States, $6,000,000," so as to make the clause read:

For additional 20 per cent increase of pay of enlisted men on foreign service, and for the National Guard enlisted men when called or drafted into the service of the United States, $6,000,000.

Mr. LEE of Maryland. Mr. President, I wish to be heard upon that amendment.

Mr. CHAMBERLAIN. May I interrupt the Senator just a moment. Does the Senator mean that he desires to be heard upon the italicized language inserted in the bill or the amount of the appropriation?

Mr. LEE of Maryland. I should like to say I do not think that this sum, available for the pay of the National Guard, on the theory that they are in the service of the United States and possibly going into Mexico, should be reduced. I think you will lose by this congressional action some of the benefit of having those men assembled upon the Mexican frontier. They are there now with a certain potential significance, and for the Senate or Congress to legislate in a way that might indicate to the de facto government of Mexico or any other authority that they are not there completely prepared to go in if necessary is a great mistake of policy.

This money will not be spent unless they go; but it will not only have a bad effect upon the standpoint of our relations with the Mexican situation but it will have a bad effect upon the rapidly improving discipline of these troops. They are now on the borders of Mexico 91,000 of them assembled in the last few weeks and 36,000 more of them in camp in the United States. They are being disciplined with earnestness, having left their families and their homes and their business behind them. They are not trifling in the least degree. They are absolutely in earnest, and their discipline is improving every minute. They have gone there on the theory that they are there for a large possible purpose, and for Congress now to take a contrary position and cut down the suggested appropriation, which represents the extent of the possible purpose, seems most inopportune from every standpoint.

Mr. LODGE. I should like to ask the Senator a question.

Mr. LEE of Maryland. Certainly.

Mr. LODGE. Can the Senator give the Senate the figures by States? He stated that there are 91,000 militia now on the border.

Mr. LEE of Maryland. I can not. I do not think that the source of these figures is arrived at by States. The quickest thing in the world and the most powerful in the United States are the railroad organizations of the United States, and the railroads have reported back to the military officials of the Government that they have transported 91,000 National Guardsmen to the front.

Mr. LODGE. Would not the War Department be likely to know?

Mr. LEE of Maryland. The War Department is where I got the information that there are 91,000 National Guardsmen on the border, and it bases that on the number of tickets bought and returned as used, single-fare tickets to the border. That is what the present information is based on so far as the men on the border are concerned.

Mr. LODGE. It is a curious military source of information.

Mr. LEE of Maryland. Yes, the civil accounting processes of the railroads seem to be ahead of the enumerating processes of the department.

Mr. SMITH of Georgia. Does the Senator mean that the department does not know through its own report the exact number of men who have left their States to go to the border?

Mr. LODGE. It is incredible.

Mr. SMITH of Georgia. And does not the department know promptly the number that arrive there?

Mr. CHAMBERLAIN. If I may interrupt the Senator for just a moment, I will state to the Senator from Georgia that the War Department does know to a man how many are there. They have given me the information, but it is a sort of secret; they have requested me not to make public, for military reasons, the exact number of men they have on the border, but it is a matter that they know.

Mr. LODGE. The figures have been stated here.

Mr. CHAMBERLAIN. The figures have not been stated correctly. I do not think the Senator from Maryland purports to give the figures exactly as the War Department gives them.

Mr. LODGE. Of course, 91,000 railroad tickets means absolutely nothing.

Mr. CHAMBERLAIN. The War Department know, because they advised me.

Mr. LEE of Maryland. I repeat exactly what I had from the department day before yesterday on this subject and precisely as the department has the information, namely, that there were 91,000 National Guardsmen transported to the front as based on the railroad tickets collected. That is the principal source of information on the subject, and there has not been time for the report to come in through the ordinary military channels. There is not any question about that so far as the information was given to me day before yesterday at the War Department.

There are in addition to that 36,000—35,266 men, if the Senator would like to have it a little more particularly—in camp waiting to be transported, according to the future determination of the military authorities. So there are in camp and on the border 126,266 National Guardsmen.

Mr. President, I want to continue the thread of my remarks about cutting down this available money in case the Guard are to be mustered into the service, or rather in case the Guard are to be ordered by the President under their oath to go into foreign service.

I do not think there is the slightest occasion for drafting the Guard into the service of the United States. I think the oath they have taken is sufficient if the oath has any meaning at all. For that reason there is no occasion for using the draft resolution passed by this body, but it may be necessary for the President, under the oath that the Guard has subscribed, to order them into Mexico for the repelling of invasion or under other authority assumed by the President of the United States, which authority the guardsmen have sworn to support. If that happens, and it looks as though the administration thought it might happen, with all these 91,000 men on the Rio Grande, for the Senate to reduce or omit the provision for this contingency is really to belittle the situation so as to have a possible bad effect upon the attitude of the Mexican people and the Mexican de facto government toward this country, and to have a bad effect on the work and discipline of the National Guard which is progressing with great rapidity and very satisfactorily under the present situation, which they believe to be an actual one, which they believe to be sufficiently

important to have left their homes and left their businesses to take part in, and under which these men are conducting themselves with credit to the organizations to which they belong and with honor to their country. For the Senate to come along now and say, this situation does not mean anything, is like saying, "You are all still on the north side of the Rio Grande. We will take away any possible provision of pay that might be distributed on the theory that you might pass over. We proclaim by our legislation that you are not there for the purposes that you are apparently there for."

Mr. SMITH of Georgia. Mr. President, I do not understand how the Senator puts that construction upon this language.

Mr. LEE of Maryland. The proposition is to take away the pay that can be given to the Guard in foreign servict.

Mr. SMITH of Georgia. I do not so understand it.

Mr. LEE of Maryland. On what page is that?

Mr. SMITH of Georgia. On page 28.

Mr. LEE of Maryland. I understand the amendment is to cut down the appropriation from $2,000,000 to $500,000.

The PRESIDING OFFICER (Mr. HITCHCOCK in the chair). That has been agreed to.

Mr. LEE of Maryland. I asked to be heard on that proposition before it was agreed to. That is what we are talking about, at least that is what I supposed we were talking about.

The PRESIDING OFFICER. Without objection, it will be considered as an open question.

Mr. CHAMBERLAIN. I have no disposition to preclude a discussion of the matter. I am perfectly willing to reconsider it.

Mr. LEE of Maryland. So the proposition before the Senate is to take the possible 10 per cent increase for pay of officers on foreign service out of this bill, the provision that has already been put into it by the Senate committee, namely, a provision of 10 per cent increase of pay for officers on foreign service and for National Guard officers when called or drafted into the service of the United States.

Mr. SMITH of Georgia. I do not so understand it.

Mr. WARREN. Will the Senator permit me to correct him. That is not quite what was proposed. The bill originally had for officers $250,000. The committee added the words "and for the National Guard officers when called or drafted into the service of the United States," increasing the amount from $250,000 to $2,000,000. The chairman of our committee has reduced it to $500,000. The language is left exactly as it was and the whole $500,000 is just as much payable to the National Guard officers as to the officers of the Regular Army. It is a mere matter of whether $500,000 is enough, that is all.

Mr. LEE of Maryland. It is perfectly obvious that if the amendment as expressed by the Senate committee figures in line 24 of $2,000,000 is anywhere near correct, and we cut it down to $500,000, it is practically to take away the greater part of the provision so far as this appropriation is concerned.

Mr. WARREN. It would take it away equally from the Regular officers.

Mr. LEE of Maryland. It would take it away equally, perhaps, but the effect would not be equal upon these two forces on the Rio Grande. The Regular officers in the Regular regiments are there in the course of their regular business as soldiers; and here are 91,000 men who are there for the special purpose arising under a call by the President, which special purpose has constrained them to leave their businesses and their homes to answer that call, and they are being disciplined with earnestness and sincerity by their own officers and by the very effective assistance of officers of the Regular Army. The whole procedure, so far as disciplining the National Guard is concerned, is going on with admirable success. The process is a fine one and it should not be struck at from behind, so to speak. It should not be questioned that they are there for an imminent purpose by cutting this sum down in that way. If the Senate committee thought that these men were there for a possible intervention a few days ago, the committee ought to leave the sum just as they fixed it when they had that thought.

Mr. BRANDEGEE. Mr. President, I do not think I clearly comprehend what the Senator means by the expression which he uses. He says these men who are down there on the border think they are there for a real purpose, whereas the Senator does not indicate that they are not there for a real purpose but that if this amount of money is cut down the National Guard may think they are not there for a real purpose.

Mr. LEE of Maryland. In the opinion of the congressional power that cut the amount down.

Mr. BRANDEGEE. For what real purpose do the National Guard think they are now there?

Mr. LEE of Maryland. For the real purpose that was behind the President's call in sending them there, which implied possible intervention in the affairs of Mexico.

Mr. BRANDEGEE. If I understand the Senator, then, although the real purpose of going across the border has been abandoned, still we ought to hold up in this bill——

Mr. LEE of Maryland. The Senator is assuming something.

Mr. BRANDEGEE. For the purpose of fooling the soldiers and make an appropriation so that they will not become demoralized, as the Senator expresses it, when they find it is not the purpose to go across the border.

Mr. LEE of Maryland. I just want to ask the Senator upon what authority does the Senator say the real purpose of the call has been abandoned?

Mr. BRANDEGEE. I do not say it upon any authority, and I do not say it at all. I say the Senator, as it seems to me, intimates that there was a real purpose in sending them there; the Senator says it was to send them across the border. Now, he says if we cut down the appropriation it will prevent the improvement in the discipline of these men who are down there. I do not understand the process of ratiocination which is going on in the Senator's mind on that subject. If the men think they are there for the real purpose of going across, and if they are not going across, or if they do not think they are going across, I do not know why we want to appropriate on the basis that they are going across. It may be the Senator can make it clear to me.

Mr. LEE of Maryland. In the course of the public discussion of this whole matter of military preparations the word "preparedness" has been used. I think the Senator from Connecticut has been one of the Senators to use this word, and he said he was for preparedness, which is to do something in advance, so as to be ready on an occasion.

Now, when you have 91,000 troops on a frontier, called there for a possible special purpose, and all those troops have to do to initiate that purpose is to go across the Rio Grande, and when they go across the Rio Grande they will be paid 10 per cent additional, the Senator can not fail to see that there is an element of preparedness in appropriating pay in advance if they possibly have to cross.

Mr. BRANDEGEE. The Senator, if he will permit me, uses the mysterious and entangling phrase that all they have to do to carry out the real purpose is to go right across the border. That implies, it seems to me, that the real purpose is to go across the border. If that is the purpose, I am willing to appropriate liberally for it, but as long as they are not across the border, and if they are improving every day in discipline and training, being in camp on this side of the border, and if the amount suggested by the chairman of the Military Affairs Committee is enough to pay them, why does the Senator want to appropriate on the basis that they are going to invade Mexico?

Mr. LEE of Maryland. Does the Senator ask me that question?

Mr. BRANDEGEE. Yes; the Senator says that was the real purpose they were ordered down there for, as I understand him.

Mr. LEE of Maryland. The Senator has misconstrued one statement I made. I did not say that to carry out the purpose of the call the troops must go across the border, but, in order to carry out the purpose, they have got to go across the border, if that purpose is intervention in Mexico.

Mr. BRANDEGEE. Of course I agree to that, but I do not get much light on it.

Mr. LEE of Maryland. We can not intervene without intervening, in other words. The Senator will agree to that.

Mr. BRANDEGEE. I will agree that if the purpose is to go across the border then to carry out the purpose we have to go across the border, but that does not give me any illumination.

Mr. LEE of Maryland. That purpose has been sufficiently shown. The President of the United States has ordered 91,000 militia, at a very considerable cost to this country, to go and encamp upon the banks of the Rio Grande.

Mr. CHAMBERLAIN. If the Senator will permit me a moment, I will state that the established law provides that officers on foreign service, and Mexican service would be foreign service just as the Philippines is a foreign service, shall receive 10 per cent extra pay while engaged in foreign service. When the House appropriation of $250,000 was made it was made, as I stated yesterday, before the reorganization act was passed, before the men had been called to the border. When the bill was in the Senate committee the reorganization act was passed and the National Guard had become federalized and had been called into the service of the United States.

The situation on the border appeared to be acute. Whether or not there is going to be trouble there nobody knows; but any way we immediately got estimates from the War Department to cover a situation which might become a very serious one. When the situation changed and the difficulties there ap-

peared to be relieved, we again took the matter up with the department. Congress does not want to appropriate a large sum of money which it is absolutely unnecessary to appropriate. If it were necessary for these officers and men to go into Mexico, then the $2,000,000 estimated for in the first instance would have been freely appropriated by the Senate. We have again taken the matter up with the department, and they say there are no National Guard officers across the border, and, therefore, there will be no pay necessary for them. There are only a few Regular Army officers across the border; and the department advises us that the amount of $2,000,000 is more than is necessary for the purpose, and that $500,000 would practically cover the expense for the officers. I have, therefore, asked to have the appropriation reduced in order to meet the conditions as they actually exist. It will be only a few months until the next session of Congress convenes. If the Army has to go across the border, if an increased appropriation will be necessary because the officers of the National Guard and the Regular Army in increased numbers may be compelled to go across the border, it will be very easy to appropriate for the additional expenditure which will be required; but to appropriate more than $500,000 for this purpose now, would be simply appropriating money which can not be availed of.

Mr. LEE of Maryland. Mr. President, in the mobilization of the National Guard there have been evidences of a lack of promptness and efficiency in doing some very ordinary things. I am not going to specify what things were omitted to be done, but I am simply calling attention to this particular situation. Here is a situation so serious that the President of the United States has called 91,000 men from their homes and their business and has encamped them, apparently indefinitely, on the banks of the Rio Grande River, and the Senator from Connecticut, and, I am sorry to say, the Senator from Oregon, the chairman of the committee, look upon that situation as not implying the necessity for any further preparation for the contingency of those 91,000 men who have been ordered from their homes to the Rio Grande being marched across that river.

Mr. SMITH of Georgia. Will the Senator from Maryland let me make a suggestion?

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Georgia?

Mr. LEE of Maryland. Certainly.

Mr. SMITH of Georgia. The Senator from Oregon, the chairman of the committee, as I understand it, wishes to leave $500,000 as extra compensation for officers in foreign service. That would be 10 per cent on $5,000,000; that would allow the Government to pay $5,000,000, as I read it, for officers alone in the foreign service. It would cover 10 per cent on $5,000,000 of officers' pay in the foreign service. The amount that may grow out of any foreign service of officers will depend upon their number and the length of time they are in the service. As the chairman of the committee leaves it, it applies to the National Guard officers who are put in the foreign service, just as much as to any other officers who are put in the foreign service. I do hope that we shall not have over $5,000,000 to pay in the next 12 months to officers in the foreign service. This will give $500,000, or 10 per cent on $5,000,000, of officers' salaries in the foreign service, without reference to whether they are the National Guard or the Regular soldiers. I do not see anything at all objectionable in that reduction. I think the first appropriation of $2,000,000 sounded excessive.

Mr. BRADY. And on account of the National Guard, the chairman of the committee is perfectly willing to double the amount of the original estimate, which makes it $500,000 instead of $250,000.

Mr. SMITH of Georgia. You double the House estimate; you give $500,000 merely to pay 10 per cent to the officers alone who are in foreign service. It would seem to me that the estimate of $2,000,000 was very excessive; that would be in the belief that we were going to pay $20,000,000 to the officers in foreign service. I do not think this settles whether the National Guard will cross the border or not; it does not settle anything. That is not our business at present. They are there. If they are needed, they will go across the border; and it seems to me that the committee is merely conservatively allowing for $5,000,000; but I hope it will not be half that much.

Mr. BRADY. Even if it were necessary for them to go across the border, the $500,000 would be an ample appropriation to cover any service they might render between now and the time when Congress again meets. I feel that the $500,000, as suggested by the chairman of the committee, is ample for all purposes.

Mr. SMITH of Georgia. Let me suggest further to the Senator that the $2,000,000 would have covered the 10 per cent extra for an army of 250,000 for quite a length of time across the border.

Mr. LEE of Maryland. Mr. President, of course I do not impugn nor do I defend the original figures of the committee. I assumed that the first figures of the committee were correct for the purpose had in mind.

It is not only a question of pay, it is a question of further provision as to these National Guardsmen and the regular forces of the United States. Are you going to go on to supply the deficiency in arms, equipment, artillery, and everything else? Are you going to let them have mules, have the proper number of rapid-fire guns, or are you going to say, "You are on the Rio Grande, but you are not to go across, and we will give you those guns and mules some other time"? This is not only a question of dollars, but it is a question of men; it is a question of rapid-fire guns; it is a question of the whole equipment of the National Guard. If this policy is accepted as presented by the chairman of the committee now, this movement of 91,000 soldiers of the United States may be made less effective than it might otherwise be.

Mr. BRADY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Idaho?

Mr. LEE of Maryland. I do.

Mr. BRADY. I do not understand why the Senator from Maryland insists that this provision applies especially to the National Guard. It applies equally to the Regular Army just the same as it does to the National Guard.

When we come to the question of mules, supplies, and equipment I think the Senator will find that the committee has dealt very liberally along that line.

Mr. LEE of Maryland. I hope so; but if the committee is going to commence to cut out everything that looks significant to these newly raised forces, we might just as well pass a resolution directing the President to call them home. We had better do that at once. I do not think these men on the Rio Grande ought to be called on to sacrifice their time and their business and then be treated in this way. I think they should be treated more seriously by the committee of the Senate.

Mr. BRADY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maryland further yield?

Mr. LEE of Maryland. Certainly.

Mr. BRADY. The Senator from Maryland does not mean to say that the War Department is not in earnest in its efforts to protect our border?

Mr. LEE of Maryland. Certainly not.

Mr. BRADY. Or that it is not serious?

Mr. LEE of Maryland. I am not talking about the War Department; I am talking about this amendment and what this amendment means.

Mr. BRADY. The War Department says that this amendment as reduced provides for the proper amount, and we are recommending that the War Department wants at this time just as well as what the committee want.

Mr. LEE of Maryland. Well, Mr. President, as this money can not be spent unless the troops go across the border—the provision is for what is called preparedness—and as there was an estimate from the department which the Senator from Oregon, the chairman of the committee, and the committee itself thought sufficiently serious to make them put this $2,000,000 in the bill on the basis that those men were there and were likely to go across the border, we should now leave that appropriation in the bill.

Mr. CHAMBERLAIN. Let me call the Senator's attention to this fact——

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Oregon?

Mr. LEE of Maryland. Yes.

Mr. CHAMBERLAIN. I do not know why the Senator from Maryland insists on appropriating $2,000,000 when it is absolutely unnecessary to do so, either for the National Guard or for the Regular Army.

Mr. LEE of Maryland. I merely insist on that available appropriation, because the Senator from Oregon put it in the first amendment himself.

Mr. CHAMBERLAIN. I have explained to the Senator from Maryland why that was done. It was supposed at the time that the $2,000,000 appropriation was put in that all of the National Guard and all of its officers and all of the Regular Army and all of its officers might go into Mexico.

Mr. LEE of Maryland. Mr. President, has the Senator from Oregon any authority for saying that those soldiers are on the Rio Grande for no further present movement, and that they are not likely to go into Mexico?

Mr. CHAMBERLAIN. I think that as common-sense individuals we are pretty well satisfied that they are not going

there—neither the Regular Army nor the National Guard. Here is the fact about it: The amount carried as base pay in this bill, as reported out of the Military Committee and placed on the calendar on July 3, 1916, was approximately for 6,956 commissioned officers and 126,241 enlisted men, which includes 5,733 enlisted men of the Philippine Scouts.

The amount to cover foreign-service pay of officers, which is the amount in discussion here, as submitted by the War Department, namely, $1,000,000, and the amount for enlisted men, namely, $3,000,000—that is on the very next page—were submitted on the assumption that about 55,000 enlisted men would be stationed in Alaska, in the Philippines, in China, and in Mexico for the entire year. So the Senator will see that this amount not only includes Mexico but covers the pay of the officers in the foreign possessions. If no troops are to be stationed in Mexico, $300,000 for officers and $800,000 for enlisted men for the foreign service would probably supply all for one year. We have increased it; we have given an allowance of more than the War Department estimated by $200,000, practically double the amount. They say that $300,000 is enough to pay this extra 10 per cent of officers for foreign service, and we have put it at $500,000.

Mr. LEE of Maryland. But I understand the Senator from Oregon to say that this suggestion of the War Department is based entirely on the idea that there is going to be no intervention in Mexico.

Mr. CHAMBERLAIN. It is based on the assumption that there is going to be no intervention in Mexico.

Mr. LEE of Maryland. Exactly; or, in other words, on the assumption that we may go into Mexico 91,000 and more men have been put on the Rio Grande and are being kept there. Their time, their business, and all of their affairs are subordinated. But that is not the assumption at all, apparently, of the Senator, when it comes to putting in here a contingent appropriation. We have a lot of men who are on the frontier drilling earnestly, who are being disciplined and drilled with vigor by their own officers and by the very active concurrence of the officers and men of the United States Army out there with them; and the Senator rises in his seat and practically tells them they are not there for what they are apparently there for, and that he will not even make this appropriation contingently; that he will carry these men five days from their homes on trains and keep them down there for indefinite months or weeks; and yet this represents no possibility of service south of the Rio Grande, according to the Senator's argument here this morning.

Mr. President, I do not think that is wise. I do not think that that is preparedness. If it was proper to send those men to the Rio Grande, it is proper to provide for all of the contingencies in the event of their crossing the Rio Grande. It is proper preparedness that there should be money ready; that there should be food ready; that there should be ammunition and equipment and all other necessary things ready for that force to cross effectively over that river and intervene in Mexico—that is to say, if we are going to keep them there and there is a real necessity for intervention. That is the question. And I do not believe the Senate this morning—I do not believe that the Senator from Connecticut, casually, or the Senator from Oregon, casually, or the small handful of Senators here in this Chamber now should take such action as practically determines indirectly the policy of the United States on this question.

Mr. President, a great deal of money has been spent in sending 91,000 National Guardsmen to the Rio Grande, and a great deal of money will be spent in keeping them there; and I think we ought to get the benefit of that expenditure in two ways: It will have an effect upon the public mind in Mexico and it will have an effect upon the discipline of the National Guard, who are giving up their time to serve under the call of the President. The full benefit from it should be obtained. I do not think that the Senate, by word or deed or implication, should suggest that those guardsmen are there with no possibility for further international service. I therefore oppose the reduction of this amount.

Mr. BRANDEGEE. Mr. President, the Senator from Maryland [Mr. LEE] has taken occasion to indicate his opinion that he had supposed that I was for preparedness and, being so, he could not understand why I did not favor the appropriation of more money than I think is necessary for preparedness. Mr. President, my idea was, though, of course, I do not speak by the card, that the militia were ordered down there to do border duty. I supposed ultimately, if there should be intervention in Mexico, or war, and if it is possible for us to use them in a foreign country, they would take part in that campaign; but when the Senator says that these men are there apparently for a purpose, but are not there really for that purpose, I do not think he has any authority for making such a statement. If he assumed that all these men were to be sent right into Mexico in an active campaign that is his own responsibility; but I have not really been convinced that that was the purpose in ordering them down to the border.

I see no reason at all why we should now appropriate the sum of $2,000,000 when it was based, as the Senator from Oregon, the chairman of the committee, has stated, upon the assumption that at the time when the appropriation was recommended these troops might be used across the border. If in the judgment of the committee the situation has changed, I do not see why we should, as a matter of preparedness, as the Senator says, appropriate a good deal more money than apparently is necessary at present. If those troops shall have to cross the border, they will do so, and they will be entitled to pay for foreign service, and the Congress can appropriate for them any time, or the department, I presume, could pay them and send to Congress a deficiency estimate in December next, which would be readily appropriated for.

However, what I particularly objected to in the first part of the Senator's statement was that in some way the troops thought they were there for an invasion of Mexico, and, unless we continued to preserve that fiction or to keep them fooled with that idea, after we had abandoned it ourselves, by appropriating sums which would pay them if they did invade Mexico, the discipline of the troops was going to deteriorate, and that they were going to become demoralized. The Senator said that their discipline was now daily improving, but that if we did not appropriate this great sum of money, based, I think, on the theory that they were going to invade Mexico, their discipline would deteriorate. I can hardly believe that there is any militiaman who does not know that, if he goes into service in a foreign country, he is going to be paid by this Government.

I do not think the mere inclusion in this bill of $2,000,000 to provide for 10 per cent additional pay for foreign service is going to put any spirit into those troops which they do not now have when they are not engaged in foreign service.

I am very thoroughly in favor of ample preparedness, and I think there can be no doubt that it will be forthcoming. If the Government calls upon these troops to perform any active foreign duty I think they will be paid for it; but there is no need now of appropriating money out of the Treasury which, in the judgment of the Committee on Military Affairs and of the War Department, is not going to be used, so far as we can see.

Mr. THOMAS. Mr. President, this bill as reported from the Committee on Military Affairs of the Senate has enormously increased the appropriations made by the House. The deliberations of the Senate committee took place during a period of acute crisis, when, so far as could be foreseen, there would be immediate occasion for active service of the military forces of the Government in a foreign country. It was upon that assumption and because of that situation that the War Department furnished the committee with new estimates, which were incorporated in the bill. I think the committee were unanimously of the opinion at the time, irrespective of individual views, that under the circumstances the estimates should be accepted without question and acted upon in accordance with the requirements of the time. Consequently, I am unable to recall a single item the amount of which was reduced or affected by the action of the committee. And the bill was reported as expeditiously as possible, because the emergency seemed to require it; consequently, the time given by some of us to many items of importance was not as great as otherwise would have been the case. For the moment I forget what the total amount of the House appropriations was.

Mr. CHAMBERLAIN. The total was $182,000,000.

Mr. THOMAS. The chairman of the committee informs me that the total was $182,000,000. We have increased that amount to the sum of $330,599,010, the largest bill ever reported for the War Department, and I think the largest appropriation bill which this Congress, which has broken the record in that regard, has been called upon to consider.

Personally I voted for many of these matters with much reluctance in the hope that the skies might clear away, and that before the Senate had occasion to act upon the bill, it would appear unnecessary to make these appropriations to the extent which was then apparently necessary.

The chairman of the committee has informed the Senate that this hoped-for situation has materialized; the immediate crisis has passed away, and the situation upon the border is no longer immediately menacing. The department, with a wisdom, for which it should be commended, has recognized the new conditions and has again reported to the chairman that, under the present situation of affairs, these larger appropriations are for the time unnecessary.

Mr. President, while we do not always act upon the theory, we yet recognize that our first duty is to the people of this country, and I might say our first duty is to the people as tax-

payers, as purveyors of revenue, derived through the ostensible application of the principle of taxation and needed for the discharge of our public obligations. Consequently, our first duty, whenever we can reduce an appropriation with perfect propriety and safety, is to do so. We were to some extent, it may be said, in a state of war, at least upon the very edge of a breach with a bordering nation, when the sum of $2,000,000 now under consideration was incorporated in the bill, together with the succeeding sum of $6,000,000, which forms the subject of the next item, and which is kindred to the one now under discussion.

Mr. President, the purpose for which the National Guard was mobilized is, I think, apparent. The public safety seemed to demand it. It was in no sense a declaration of war against Mexico; it was in no sense an act of hostility toward Mexico, beyond the fact that incursions into this country over the Mexican border and semiofficial notices served upon the commanders of our troops beyond the border, making this move necessary, in the opinion of the Chief Magistrate of the country, could be so construed; but the President's declarations at the time and since then, all demonstrate that his purpose was one of precaution, and he would have been subject to very severe censure if under the circumstances he had done otherwise. Consequently, the call was made and responded to to the extent to which the Senator from Maryland has referred. It had the desired effect in a sense, because I believe that the swift decision of the President followed by the mobilization of the National Guard and their transportation to the border accomplished all that could have been accomplished by a resort to arms and the consequent expenditure of treasure and the shedding of blood. At any rate, the attitude of the Mexican Government toward ours immediately changed and its acting head agreed at once to comply with the requirements of this Government, after granting its demand for the delivery of their prisoners. This was a summary recognition of our rights as well as an acknowledgement of our demands. That has been the situation since.

The troops are upon the border, some of them are across the border, and the status quo will doubtless be continued until some satisfactory understanding may be reached between the heads of the respective Governments regarding our future relations; failing in which, of course, the miliary arm of the Government becomes immediately effective and at the service of the properly constituted authorities; but everything indicates a peaceful solution of the controversy.

In this situation the Secretary of War, through his subalterns, communicated to the chairman of the Committee on Military Affairs regarding the appropriations in this bill and informed him that, owing to the changed conditions I have outlined, the amount of money, the appropriation of which the committee recommended is no longer necessary. The question is, Whether, notwithstanding this information, we are still to insist upon keeping in this bill these enormous amounts of money and providing them notwithstanding we are officially assured that they are no longer necessary for the purpose for which they were originally designed.

Now, I can conceive of no reason whatever in justification of the position which is assumed by my friend, the Senator from Maryland, upon this subject. In saying that, of course, I do not mean to reflect upon his motives or upon his judgment, but I am unable to grasp the process of reasoning which under the circumstances prompts the Senator to persist in enacting a measure which means millions of dollars—and I speak literally—of additional burden to the people, when the department immediately concerned tells us it is wholly unnecessary.

Mr. LEE of Maryland. Mr. President——

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). Does the Senator from Colorado yield to the Senator from Maryland?

Mr. THOMAS. I yield.

Mr. LEE of Maryland. I want to ask the Senator two questions. Does not the presence of 91,000 troops maintained on the Rio Grande convey anything to the Senator's mind in connection with the necessity for preparation and the possible use of these troops for the purpose for which they were sent there? And another question——

Mr. THOMAS. Let me answer that one first.

Mr. LEE of Maryland. How far are we going in cutting down this whole line of appropriations? Is this to be the first and only one, or how many similar appropriations are to be cut?

Mr. THOMAS. Mr. President, in answer to the Senator's first question, the presence of 91,000 troops upon the border conveys to my mind what I think it conveys to the mind of normal individuals everywhere, which is that that number of troops have responded to the call of the President, have been transported there, and are there to remain subject to the orders of the Commander in Chief for any exigency that may arise.

What on earth has that to do with this appropriation of $2,000,000? American soldiers have never yet served the country and failed to receive the compensation provided for by the laws of the United States, and I do not think they ever will. Ours is the most generous of Governments, not only with regard to promptitude of payment but as well to the amount. With all due respect to the Senator's position, it seems to me to be a reflection upon the morale and the patriotism of the members of the National Guard to say that their discipline will be affected because, forsooth, they can not see in the appropriation bills of the country enough money to pay them in the event they should be required to cross the border, which is not the case with the reduction.

With regard to the second question, the chairman of the committee is more competent to answer it than am I. I hope there will be a substantial reduction in every one of the extraordinary appropriations proposed when confronted with a breach with Mexico. It should be done, because, Mr. President, without the emergency, they are unnecessary; and there will be plenty left, according to the opinion of the War Department, which ought to know, in the amounts to be retained in this bill to meet all existing or probable—indeed, I might say possible—conditions.

Mr. President, this is the 22d day of July. We have been in session considerably over seven months. On the 21st day of February, more than five months ago, the Germans began their famous drive against Verdun. It does not seem very long in retrospect. Time always seems longer in prospect. But the incident which I mention serves to convey vividly to mind the fact that were we to adjourn on the 1st of August it will be but three or four brief months before we are again in session, and, of course, we can be summoned in extraordinary session at any time in the event an emergency makes it necessary. I do not think that emergency will occur.

I am unable to comprehend the argument—although it may be my misfortune and not the fault of the Senator who makes it—that an appropriation originally agreed upon must be retained in a bill if we are to secure discipline among our troops upon the border or if we are properly to impress the Government with whose authorities we were in conflict with the idea that we are prepared at all times to maintain our position. If appropriations could have that effect upon the mind of the soldier, it would be deplorable. If they would have that effect upon the minds of the rulers of foreign Governments, we would not need an army at all. All that would be necessary would be to make the appropriations.

This is simply a question of appropriation to finance the needs of the department according to the judgment of those who ought to know and whose business it is to know. I hope, therefore, that the suggestions of the chairman of the committee will be carried out, and that this bill will be pared down to the lowest cent compatible with the public interest and the pubile safety.

Mr. LEE of Maryland. Mr. President, this question of pay for foreign service is, of course, one of the smallest items to be considered in connection with a general reduction; but there is no question that the whole country looks upon some part of this Government—some element here in the Senate, or some powers in the War Department, or some section of the invisible government—as hopelessly unable to prepare for military contingencies.

Mr. President, we have 91,000 men on the bank of a river. Certainly they were ordered there for the purpose of going across under certain contingencies; and yet the committee, apparently still spellbound by some hypnotic influence, can not make complete provision for the possibility of those men going across that river, though the men are being kept there on our side of the stream because of the possibility of its being necessary to send them over.

There never was a better illustration of the inability of a legislative committee to grasp a military situation than this proposal of this committee, now revealed. Nearly 100,000 troops upon a river bank, carried there, five days' journey from their homes on the average, and the committee assuming that it is impossible that they can go across the river, and consequently reducing all the provisions that bear upon the contingency of their crossing! It is simply a perfect illustration of legislative military mentality. The troops are on the river bank for some reason. The President of the United States ordered them to go there. They may be ordered to cross that bank into the foreign country whose affairs are such that we may be compelled

to intervene at any moment; and yet the committee comes here and proposes to cut out much of the provision in this bill that would be necessary if those troops cross that river.

Mr. President, no matter what the Senator from Connecticut may say, or the Senator from Oregon, or the Senator from Colorado, it does not make any difference with the obvious fact. Here we have the men on the boundary line, and the legislative mind refuses to provide for the contingency of those men crossing that line.

Mr. FLETCHER. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Florida?

Mr. LEE of Maryland. Certainly.

Mr. FLETCHER. Does the Senator contend that if the appropriation is increased according to his view that would cause the men to go across?

Mr. LEE of Maryland. Why, certainly not.

Mr. FLETCHER. Or that reducing the appropriation keeps them from going across?

Mr. LEE of Maryland. Certainly not.

Mr. FLETCHER. In other words, the amount of this appropriation has not anything to do with the question of determining whether those men are to go across the border or not.

Mr. LEE of Maryland. Certainly not. I assume, however, that when 91,000 troops are ordered to a boundary line it means something. I assume that it was a sincere order, and that it has a significance, and that it represents the military possibility of their crossing that line. I say further, without fear of contradiction by anybody, that the War Department and the Military Affairs Committee should prepare for the contingency of those men crossing that line. That is what we call preparedness, and we may as well understand it now or to-day as at any other time—that if this committee can not prepare for 91,000 men who are on the Rio Grande, possibly to cross the Rio Grande, then the committee has not the military foresight to fulfill its duties to the country.

You could not have a more perfect illustration of the attitude of some legislators in dealing with military questions. It is no wonder that Gen. Washington was harassed as he was by the Continental Congress. Here we have these gentlemen, perfectly sane, highly respectable, worthy Members of this body, with a large force of troops actually encamped on the bank of the river. I am not arguing with the Senator from Colorado to increase the Navy. He, of course, voted here persistently yesterday with that small group which could not see any occasion for an increase of the Naval Establishment of the United States as all the rest of us saw it.

I am not arguing with the Senator on the theory that there is a possible naval danger presenting itself against this country. But I am presenting to the Senator's mind an absolute fact, the 91,000 men now on this river; and I am asking the Senator from Oregon and the Senator from Colorado why they will not put provisions in this bill that will provide the complete and necessary equipment for those men to cross that river if the Chief Executive and the Congress so direct. Why are we so halting in our preparedness? There never was such a spectacle as this situation presents to the Senate.

Has the War Department ordered those troops to be returned to their homes in the United States? No. There they are on that river bank. Everything else, presumably, including their discipline, is going on as though they were to serve their country by crossing over for intervention in Mexico, if necessary; and yet the committee, with those men on that boundary line, being maintained there, and presumably to be there for three months yet, are coming in here and cutting out of this bill all of the provisions for preparedness for the entirely possible event of those forces being ordered to intervene in Mexico.

I naturally ask the chairman of the committee how many and what other reductions he proposes of a similar nature on the contingency that those men on the Rio Grande are not to go over it.

Mr. THOMAS. Mr. President, the personnel of the committee and its mentality may be of a low order. It may be lacking in patriotism or entirely incapable of grasping the problems presented to it, and it may be that the position which it here assumes subjects it to the reflections of the Senator from Maryland. Those in charge of the War Department may be similarly depraved. If so, it might be well to substitute the distinguished Senator from Maryland for the committee and also for the War Department, for the grasp and comprehension of this question which he assumes, and which may justify his reflections upon them, would eminently fit him for the discharge of the duties of both those positions, if, indeed, he is not the only man equipped to discharge their functions. The Senator has not sat upon the committee, however; and it is always much more easy to criticize than it is to construct.

The statement which the Senator has just made—that the committee, with a large army on the border, is not willing to so legislate as to make it possible for them to perform their functions in the event they should be ordered over the river—is a bold assumption. It is in substance that unless we appropriate two millions for the increased pay of the officers—that is, guarantee their increased pay in advance—they may not cross over.

Mr. LEE of Maryland. Mr. President——

Mr. THOMAS. The War Department ought to know something about that situation—not as much as the Senator from Maryland, of course, but it ought to know something about it. It receives reports which the Senator does not, but which the Senator knows by instinct. It is thoroughly acquainted with the details of affairs. It informs us that this amount is all that is necessary. But the Senator places his word and his assumption in the most oracular way—his statement being characterized by that solemn emphasis of which he seems to be a master—on the basis that all these things are wrong, that they are disastrous, and that he alone, as censor-general of the situation, is competent to analyze and legislate for it.

I want to say to the Senator, Mr. President, regarding my vote on the naval bill, to which he has referred in terms of disparagement, that I alone am responsible for the casting of that vote, and I am responsible not to him but only to my constituency therefor. I have not questioned his vote, and he must not question mine. I believe in an increase of the Navy, but not in the increase which has been voted. I believe in giving all adequate financial support to the situation on the borders of Mexico. When the Senator comes in here and makes the statement first, in substance, that the Committee on Military Affairs is practically imbecile, that the members of the committee do not understand and will not understand the situation, that they do not accept the logic of his position, and turns himself, therefore, into a censor not only of the committee but of the War Department, he is assuming a prerogative which ought to have more behind it than he has thus far manifested in his argument.

Mr. LEE of Maryland. Mr. President, of course, I disclaim what the Senator from Colorado has apparently put in my mouth—the statement or suggestion that the National Guard would not go over the Rio Grande unless this item of pay is provided for in advance. I said that that is one of the smallest items of this general policy of the committee, and I have asked the chairman to let us know, before we vote on this item and adopt this general policy, how much more he is going to cut down the provision for the National Guard on the theory that though they are on the Rio Grande, they are not there.

Mr. CHAMBERLAIN. Mr. President, may I interrupt the Senator?

Mr. LEE of Maryland. Certainly.

Mr. CHAMBERLAIN. The Senator continues to say that the cuts are made on the National Guard. He knows better than that, Mr. President, and he is unwarranted in making any such statement. Every reduction that has been made in this bill applies as well to the Regular Army as it does to the National Guard. There never has been a committee in the Congress of the United States that has been more liberal in undertaking to provide for the defense of this country against any foe than the Military Affairs Committee of the Senate; and to have the Senator come in here and undertake to impugn the motives of the committee, and intimate that they are undertaking to injure the National Guard is wholly unwarranted.

I do not care to state to the Senator in advance the suggestions for diminution in this bill that I am going to make; but if the Senator will remain here as attentively as he has so far, he will hear them stated as we reach them.

Mr. LEE of Maryland. Mr. President, I want to suggest to the Senator that in my humble judgment no committee ought to take the position—of course I do not want to dictate to his committee——

Mr. CHAMBERLAIN. The Senator will not.

Mr. LEE of Maryland. I certainly do not expect to, nor do I want to have the committee dictate to me. I have some opinions upon the National Guard situation which, I imagine, differ entirely from the ideas of the Senator from Oregon and the Senator from Colorado about the National Guard. Of course the Senator can refuse to say, if he sees fit, how far he is going to go in these reductions of money that would come to the National Guard, and I do not know what reductions he has in his mind. May I ask the Senator if he has filed——

Mr. CHAMBERLAIN. Mr. President, I want to state again that there is no cut made in this bill with reference to the National Guard. The Senator persists in making that state-

ment. What his purpose is I am totally unable to comprehend. There is no cut made anywhere in this bill affecting solely the National Guard. It affects the enlisted personnel of the Army and the officers both of the National Guard and of the Army.

Mr. LEE of Maryland. Mr. President, of course it is quite obvious that if the needs of the Regular Army have already been provided for, and they stand at, say, the figure 10, and you come along and provide an increase for the Regular Army of 10 more, and at the same time give the militia or National Guard 10 more, and then you come along again with a reduction, you cut both down 10, you leave the Regular Army with a provision, and you leave the National Guard with none. There are some provisions in this bill which, if they go out, will affect the National Guard and the Regular Army alike; but they would leave the National Guard without any provision whatever for certain lines of military equipment and development. That is what I should like to know; but if the Senator does not care to reveal to the Senate his general plan of reduction, of course there is no way in which I can compel him to reveal it in advance of each item as it comes up.

I want to say, however, that while this question of the pay is one of the smallest items involved, and while I do not think it will have the slightest effect upon the willingness of any guardsmen to go across the Rio Grande if the President so directs and the Congress so orders, yet it is the beginning of a line of reduction that may be very injurious to the present auspicious development of the National Guard of the United States, which I have recognized with joy, but which is an absolutely horrible thing to the gentlemen who favor centralization and who deplore the development of the State troops and the National Guard of this country.

It is a constitutional question, in the main, of the greatest importance. Here we have a group of men who have gone out from their homes and are now, more than 100,000 of them, receiving instruction that the militia of Switzerland get in their first military experience. The militia of Switzerland are given 65 days, every one of them, as a preliminary military experience, and after that they are given as an annual and complete mobilization 10 or 15 days in camp every summer. Now, our National Guard has been called by the President, and they are getting a military experience that this committee was never willing to give them before. It has come about as a kind of accident, and I may say that it has come about in spite of the military policies of the committee, for the committee has never been willing to develop the National Guard of this country as the national militia of Switzerland has been developed.

When we are doing this kind of work, and starting out on a new kind of military policy, I think it is the duty of the Senate to follow the precedents of a republican form of Government. I think it is the duty of the Senate to respect the historical experience and constitutional tendencies of this country, and when we are to adopt any form of military development to copy the form of military development of a republic like Switzerland, rather than to adopt the concentrated military powers of the more imperialistic forms of government. That is why I am so strongly for the development of the citizen soldiery of the United States on the National Guard basis.

It is a great constitutional crisis in this country, and I believe that the enemies of the National Guard and the friends of centralized military power—for they are the same group—have received a blow that they never expected to receive, and will be a long time in recovering from, in this mobilization and patriotic action of the National Guard of the United States. It has been a great epoch in our history, and it has an infinitely more significant meaning than most people understand. The characteristics of a free people that maintain their liberties are in the hearts and nature of those people. The young men of this country answered the call of the President, jumped clear over all the obstacles the new law put in their way—because the new law put more obstacles in their way than it helped their action—took this new oath without hesitation, doubling the years of service they were liable to render to their States and their country, and went down to the frontier, leaving their homes and their business without a question to answer to their country's call. Far from being reflected on by the intimation of the Senator from Colorado that they will not go over the river unless their pay is guaranteed in advance, they should receive his congratulation, admiration, and applause.

Mr. THOMAS. Mr. President, I do not wish the Senator to misrepresent me.

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Colorado?

Mr. LEE of Maryland. Certainly.

Mr. THOMAS. I stated that the only rational conclusion that I could draw from the Senator's position was that he feared that they would not cross the river unless an appropriation bill provided for their pay in advance. That was my statement.

Mr. LEE of Maryland. With all due respect, that is the only irrational conclusion that could be drawn from the argument. The question comes up along the whole line, and I object to this reduction of appropriation because it is against preparedness, and right in the face of the fact that we have got this great force waiting there on the boundary line, and the Senator will not make the preparation that their very presence on the boundary line would suggest as reasonable to any thinking mind.

Mr. BRADY. Mr. President, I am hardly able to understand why the Senator from Maryland [Mr. LEE] insists that the committee apparently attempted to take any advantage of the National Guard. As a member of that committee I think I can say without hesitation that every Member of the committee worked honestly and faithfully for the development of our Army as a whole. The great trouble in discussing this question of preparedness and mobilizing our National Guard and our Army is the fact that there is one party which seems to take the position that the National Guard should be placed in the front rank and receive more attention than the Regular Army. On the other hand, some take the position that the Regular Army should receive the special attention and care of the Government.

What the committee attempted to do—and I believe when this bill is considered and understood and written into law it will be decided that the committee did much to harmonize those two branches of our military force—was to assist the National Guard in every possible way they could legitimately, and at the same time protect the interests of the Regular Army. We did write in this amendment the sum of $2,000,000 for the Regular Army and for the National Guard for the payment of the officers, and as the senior Senator from Georgia well said this morning, if we were to send our whole force across the Mexican line and keep it there until the next Congress meets we could not possibly use up the $500,000 that this committee has provided for that purpose.

Why should we add this large sum to our appropriations at this time, then? I believe that in military affairs as well as civil affairs we should follow sane business lines, and that it would be absolutely useless for us to add to this bill $2,000,000 for a certain purpose when, after a thorough investigation, we decided that we could not use more than $500,000, and in increasing this amount from $250,000 to $500,000 we increased it $250,000, which adds as much for the National Guard as it does for the Regular Army.

Therefore I must say that I think the remarks of the Senator from Maryland are not justified by the facts, and I sincerely hope that the Senate will approve the amendment as suggested by the chairman of our committee.

The PRESIDING OFFICER. The question is on the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment of the Committee on Military Affairs was, on page 28, line 2, after the word "service," to insert:

And for the National Guard enlisted men when called or drafted into the service of the United States.

The amendment was agreed to.

The next amendment was, on page 28, line 4, to strike out "$800,000" and insert "$6,000,000," so as to make the paragraph read:

For additional 20 per cent increase of pay of enlisted men on foreign service, and for the National Guard enlisted men when called or drafted into the service of the United States, $6,000,000.

Mr. CHAMBERLAIN. I desire to amend the committee amendment by making the amount $1,000,000 instead of $6,000,000.

Mr. LEE of Maryland. The amount appropriated by the House for this item should be on the theory that the presence of this force upon the banks of the river is sufficient to indicate to the committee and the War Department, or anybody else, that all steps should be taken and all provisions made to cover the contingency of their crossing the river if necessary to fully perform the duty which called them from their homes and to the border.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 28, line 13, before "$150,500," to strike out "Three months' additional pay to enlisted men reenlisting within three months" and insert "For three months' additional pay to enlisted men reenlisting within the period of three months from date of discharge from first enlistment, $150,500," so as to make the clause read:

For three months' additional pay to enlisted men reenlisting within the period of three months from date of discharge from first enlistment, $150,500.

Mr. JONES. I wish to ask the chairman whether he has given consideration to a suggestion that there should also be a provision inserted something like this:

And having passed an examination with a rating noted on his discharge not less than the lowest rating provided for in the organization from which discharged.

I will say that has been suggested to me by a gentleman who seems to be very much interested in the provision, and he also suggested the amendment which the committee has put in the bill. I wondered whether the committee had considered that proposition or not.

Mr. CHAMBERLAIN. I do not recall having considered it in committee. It is barely possible that we did.

Mr. JONES. I do not know very much about this matter. This correspondent of mine says:

I believe it would be in the interest of efficiency if this clause of the bill were amended so as to permit the payment of bonus of three months' pay of a private soldier to all enlisted men who reenlisted within the period of three months from the date of discharge from the first enlistment.

The committee has incorporated that in the bill.

It might still further be qualified in the interest of efficiency of the service by requiring that every aspirant for this "bonus" pay should, before discharge, have been called upon to pass an examination for at least the lowest rating which is provided for in the organization in which he shall have served, such qualification to be noted on discharge.

I ask the chairman of the committee, who knows much more about this than I do, if a suggestion like that appeals to him to any extent?

Mr. CHAMBERLAIN. I can not see what effect the amendment would have, except to possibly prevent the reenlistment of some men who would like to enlist otherwise.

Mr. JONES. The effect, I take it, would be that soldiers, before their first discharge, would be a little more interested in fitting themselves for reenlistment in preparing to take their examination from the organization, required in order to secure such a rating, at least, not less than the lowest required by that organization. That is the only purpose I can see in it.

Mr. BRADY. Will the Senator again read the suggestion he made?

Mr. JONES. The suggestion would be this: After the word "enlistment," in line 13 of the amendment, to add:

And having passed an examination with a rating noted on his discharge not less than the lowest rating provided for in the organization from which discharged.

In other words, I do not know just exactly what is the character of the examination or what he is required to do in the different organizations; but whatever it is, a soldier contemplating reenlisting would have noted on his discharge that he had at least passed with the lowest rating required by his organization.

Mr. CHAMBERLAIN. Will the Senator state who his correspondent is and what is the purpose? I do not understand what the effect of it might be.

Mr. JONES. W. L. Clark. I think the Senator knows him.

Mr. CHAMBERLAIN. The Senator might suggest it as an amendment, and it might go in and be taken up in conference.

Mr. JONES. I was going to suggest that it might be put on the bill and might be considered in conference. I confess, as I said, that I do not know much about it. I do not know what the effect of it would be. This gentleman is very much interested in promoting the efficiency of our Army.

Mr. FLETCHER. I suggest that perhaps he wants to be certain that those who want to reenlist are in a condition to reenlist in the way of having a certificate when they are discharged that they are fit to be reenlisted.

Mr. JONES. I think that is it.

Mr. FLETCHER. I understand the law now requires a reexamination, and that they can not reenlist without a reexamination. It seems to me the amendment would be unnecessary.

Mr. BRADY. I think that would be covered by the amendment of the committee:

For three months' additional pay to enlisted men reenlisting within the period of three months from date of discharge from first enlistment.

They could not enlist unless they passed a physical examination.

Mr. JONES. Here is another paragraph in the letter, which I will read. Mr. Clark says:

The provision of current law under which this bonus is paid requires no particular efficiency from the enlisted men. It is paid only to privates who may have been discharged with the minimum character that would permit reenlistment and, therefore, not particularly desirable men for reenlistment.

A noncommissioned officer who has made his rating during his first enlistment period, in order to secure the three months bonus must be disrated by his company commander and discharged as a private, after which he may again, on reenlistment, be given his rating. This is frequently done in order to induce the better class of men to remain in the service.

I will offer this amendment, with the idea that if it goes to conference the chairman will look into it very carefully, and if he does not think it is a wise thing to do, of course, it will go out.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. On page 28, line 13, after the word "enlistment," insert:

And having passed an examination with a rating noted on his discharge not less than the lowest rating provided for in the organization from which discharged.

Mr. LODGE. Mr. President, we had some little discussion here about the number of the militia on the border. I asked the Senator from Maryland [Mr. LEE] where he got the information. He said at the War Department, based on the number of railroad tickets sold.

The PRESIDING OFFICER. Will the Senator permit the amendment to the amendment to be passed on?

Mr. LODGE. I am speaking to this amendment; I will be through in a minute. I found in the Chicago Tribune of Wednesday a very careful table made up from the reports of the different States where the militia is. It appears that there are 100,008 in the mobilization camps on the border, 59,204 in mobilization camps at home, and 14,323 not called out. I only put it in as a contribution to the information already furnished in order to have it printed as a part of my remarks. It shows what I wanted to know.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

Where militia is stationed.

State.	In mobilization camps on border.	In mobilization camps at home.	Not called out.
New England States:			
Maine	1,100	.....	950
New Hampshire	1,000	500	.....
Massachusetts	7,151	.....	1,300
Connecticut	3,125	900	940
Vermont	1,164	290	.....
Rhode Island	663	.....	1,020
Atlantic States:			
New York	16,000	6,000	800
Maryland	3,200	134	.....
Pennsylvania	9,009	2,000	500
New Jersey	3,871	.....	1,876
Delaware	.....	1,000	.....
Central States:			
Ohio	.....	12,500	3,000
Indiana	3,500	.....	.....
Michigan	3,672	2,500	200
Central West:			
Illinois	11,000	2,000	.....
Wisconsin	3,600	200	.....
Iowa	.....	3,250	.....
Minnesota	3,600	1,000	.....
Missouri	5,030	.....	.....
Kansas	2,300	.....	.....
Nebraska	1,800	.....	.....
South Dakota	.....	1,000	.....
North Dakota	.....	1,100	.....
Southwestern States:			
Oklahoma [1]	.....	.....	.....
Texas	3,500	.....	.....
New Mexico	1,000	.....	.....
Arizona	1,100	.....	.....
Southern States:			
Virginia	2,000	2,000	.....
West Virginia [1]	.....	.....	.....
North Carolina	.....	3,000	.....
South Carolina	.....	2,300	.....
Georgia	.....	4,000	.....
Florida	.....	1,255	.....
Kentucky	.....	[2]2,550	.....
Tennessee	.....	2,500	.....
Alabama [1]	.....	.....	.....
Mississippi	.....	1,300	300
Arkansas	.....	2,300	.....
Louisiana	500	1,500	500
Mountain States:			
Montana	1,170	.....	.....
Idaho	1,150	.....	.....
Wyoming	.....	625	.....
Colorado	.....	1,500	.....
Utah	807	.....	.....
Nevada [1]	.....	.....	.....
Pacific Coast States:			
Washington	2,105	.....	907
Oregon	1,300	1,000	330
California	4,600	.....	1,700
Total	100,008	59,204	14,323

[1] No report received. [2] Approximate.

Mr. LEE of Maryland. In this connection I would like to add that the figures I gave were received from the Chief of the Militia Division on the 13th of July.

Mr. CHAMBERLAIN. In this connection I call the attention of the Senator from Massachusetts to the fact that the figures which have been given are not correct. I have here a letter which I will read into the RECORD:

WAR DEPARTMENT,
THE ADJUTANT GENERAL'S OFFICE,
Washington, July 22, 1916.

The CHAIRMAN COMMITTEE ON MILITARY AFFAIRS,
United States Senate.

SIR: In response to your telephonic request for a statement showing the organizations and their strength and stations on the Mexican border and in Mexico, which information is desired by you in connection with the pending Army bill, I beg leave, by direction of the Acting Secretary of War, to inclose herewith the desired information.

It is to be noted that the War Department regards this information as confidential, particularly so much of it as relates to troops in Mexico, but it is sent to you for such use as you may find necessary to make of it.

Very respectfully,
H. P. MCCAIN,
The Adjutant General.

I would not put that into the RECORD, but I am willing to have any Senator see it in a confidential way.

Mr. LODGE. I do not press the Senator to put in anything confidential. We know roughly what the numbers are. The figures of the Senator from Maryland and those given by the Chicago Tribune on Wednesday, taken from the State records, do not differ materially. What I did want to get at was the number of the men by States, and that is given in the Chicago Tribune table, and I fancy it is not far out of the way, because it is derived from the States themselves.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Washington to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 28, line 16, after the word "misconduct," to strike out "$75,000" and insert "$1,000,000," so as to make the clause read:

For six months' pay to beneficiaries of officers and enlisted men who die while on active service from wounds or disease not the result of their own misconduct, $1,000,000.

Mr. CHAMBERLAIN. I desire to propose that instead of $1,000,000 there be inserted $75,000.

Mr. FLETCHER. The committee proposes to withdraw its amendment and let the appropriation stand at $75,000.

The amendment was rejected.

The next amendment was, on page 28, line 18, after the word "accidents," to strike out "$10,000" and insert "$100,000," so as to make the clause read:

For one year's pay to beneficiaries of officers and enlisted men who die as the result of aviation accidents, $100,000.

Mr. CHAMBERLAIN. I ask that the Senate disagree to the Senate committee amendment and leave the House provision as it was, $10,000, instead of $100,000.

The amendment was rejected.

Mr. PENROSE. Mr. President, I should like to address an inquiry to the chairman of the committee. The Senator from Massachusetts had printed as a part of his remarks a very interesting statement from a Chicago newspaper, in which I think the statement was made that some 50,000 troops of the National Guard are still in the training camps at home and some fifteen or twenty thousand more——

Mr. LODGE. Fifty-nine thousand in training camps at home and 14,000 not called out.

Mr. PENROSE. In which he stated that some 59,000 troops are in the training camps at home and 14,000 have never been called out. Are there any data showing what States have not had their National Guard called out and what States are apparently unprepared on account of lack of numbers and are compelled to stay at home in the training camps?

Mr. CHAMBERLAIN. I have not the information on that subject attached to the letter which I just read into the RECORD, but, of course, that information would be available at the War Department.

Mr. LODGE. I only printed the table, but there were two pages of it in the Chicago Tribune giving reports from each State by which it will appear that these troops are on the border:

IN MOBILIZATION CAMPS ON BORDER.

New England States: Maine, 1,100; New Hampshire, 1,000; Massachusetts, 7,151; Connecticut, 3,125; Vermont, 1,164; Rhode Island, 663.

Atlantic States: New York, 16,000; Maryland, 3,200; Pennsylvania, 9,000; New Jersey, 3,871; Delaware none.

Central States: Ohio, none; Indiana, 3,500; Michigan, 3,672.

Central West: Illinois, 11,000; Wisconsin, 3,600; Iowa, none; Minnesota, 3,600; Missouri, 5,030; Kansas, 2,300; Nebraska, 1,800; South Dakota, none; North Dakota, none.

Southwestern States: Oklahoma, none; Texas, 3,500; New Mexico, 1,000; Arizona, 1,100.

Southern States: Virginia, 2,000; West Virginia, none; North Carolina, none; South Carolina, none; Georgia, none; Florida, none; Kentucky, none; Tennessee, none; Alabama, none; Mississippi, none; Arkansas, none; Louisiana, 500.

Mountain States: Montana, 1,170; Idaho, 1,150; Wyoming, none; Colorado, none; Utah, 807; Nevada, none.

Pacific Coast States: Washington, 2,105; Oregon, 1,300; California, 4,600.

Mr. BRADY. I wish to say that Idaho has furnished her full quota.

Mr. LODGE. Yes; so it appears.

Mr. BRADY. One regiment, and our governor has tendered the services of another regiment.

Mr. LODGE. Idaho has no troops in mobilization camps at home; the whole quota is out:

IN MOBILIZATION CAMPS AT HOME.

New England States: Maine, none; New Hampshire, 500; Massachusetts, none; Connecticut, 900; Vermont, 290; Rhode Island, none.

Atlantic States: New York, 6,000; Maryland, 134; Pennsylvania, 2,000; New Jersey, none; Delaware, 1,000

Central States: Ohio, 12,500; Indiana, none; Michigan, 2,500.

Central West: Illinois, 2,000; Wisconsin, 200; Iowa, 3,250; Minnesota, 1,000; Missouri, none; Kansas, none; Nebraska, none; South Dakota, 1,000; North Dakota, 1,100.

Southwestern States: Oklahoma, none; Texas, none; New Mexico, none; Arizona, none.

Southern States: Virginia, 2,000; West Virginia, none; North Carolina, 3,000; South Carolina, 2,300; Georgia, 4,000; Florida, 1,255; Kentucky, 2,550, approximately; Tennessee, 2,500; Alabama, none; Mississippi, 1,300; Arkansas, 2,300; Louisiana, 1,500.

Mountain States: Montana, none; Idaho, none; Wyoming, 625; Colorado, 1,500; Utah, none; Nevada, none.

Pacific Coast States: Washington, none; Oregon, 1,000; California, none.

Mr. WARREN. The Senator does not happen to have the total of those in camp?

Mr. LODGE. Fifty-nine thousand two hundred and four. Then there are 14,323 that have not been called out. I think the figures are quite interesting.

Mr. PENROSE. Mr. President——

Mr. LODGE. I yield to the Senator from Pennsylvania.

Mr. PENROSE. Mr. President, I think the figures are quite interesting. It shows that in one section of the country there is quite a percentage of home guards. Whether that is due to the inefficiency of the organization of the National Guard in those States or the difficulty of recruiting I am not informed, but I think that a good deal of light could be thrown on the situation if this matter, before the bill is finally passed, could be carefully looked in to. With the exception of Virginia, it would appear that none of the so-called Southern Atlantic States have sent any of the National Guard to the border, whereas States like Pennsylvania and the New England States, at very great inconvenience to the members of the guard and great distress to their families, have gone to the front and sent their full quota.

If the National Guard can be made a force which we can rely on in time of emergency, it seems to me we ought to be able to count on it in every State of the Union, and we ought to know where the weak points are and why they are weak.

Mr. LEE of Maryland. I wish to say in this connection that some of those figures strike me as inaccurate from my own knowledge. I received a letter in the last few days showing the situation in regard to the Florida Guard. I know they have one regiment of 1,100 men in camp now who answered very quickly to the call. There were some difficulties there that they overcame with great rapidity.

Mr. PENROSE. Is the regiment the Senator referred to on the border?

Mr. LEE of Maryland. It is in camp in Florida.

Mr. PENROSE. Of course, it is a home guard.

Mr. FLETCHER. They have been mustered into service. They are in training in camp at Black Point, near Jacksonville, and have been ready to go except that some equipment has been lacking in the way of shoes or other supplies, something of that sort. They expected sometime ago that they would be ordered, and they were all mustered into the regular service.

Mr. PENROSE. They are, on the face of it, not prepared in the case of an emergency. Other States sent their guards within 30 days to the Mexican border. I do not doubt the gallantry and bravery of the National Guard of Florida, but apparently the guard is not prepared and other States are called on to make the sacrifice.

Mr. LEE of Maryland. Will the Senator allow me to interrupt him?

Mr. PENROSE. I am through.

The PRESIDING OFFICER. The Senator from Maryland has the floor.

Mr. LEE of Maryland. There was a delay in getting the necessary equipment for these troops. One regiment in Maryland responded in 48 hours, less than that, and they went into camp and were kept there seven days before they received the additional equipment necessary for the new recruits that they were authorized to get and bring with them.

Mr. BRYAN. The Florida troops were in camp within 48 hours after they were called out.

Mr. PENROSE. I do not see how the National Guard——

Mr. LEE of Maryland. I want to complete this statement. Within 24 hours after the equipment was delivered to the First Maryland Regiment they were entrained by their quartermaster and off for the border.

We understand that there was a great deal of difficulty in getting equipment out of the place where it seems to have been packed. It was, so to speak, engorged in the arsenal at Philadelphia. It was a mere accident, I believe; but a gentleman who is possibly related to the Senator from Pennsylvania was the commanding officer there, Maj. Penrose. It seems that the railroads, possibly the great railroad in the Senator's State, were not able to supply the cars quickly enough to get all this equipment out of the one great arsenal where it was kept. It was a great mistake to have kept all this necessary equipment in just one arsenal. It should have been at distributing points where it could have been handled more promptly; but, of course, the National Guard had nothing to do with that. That was the policy of the War Department, or of the Congress, or whoever provided for all this equipment being concentrated in one place in the Senator's State.

Under those circumstances, of course, there ought to be inquiry, and there ought to be a readjustment, and there ought to be a following up of this thing so that these delays will not occur in the future. The Senator is quite right about that, but I do not think any guardsman or any National Guard officer is to be criticized in the least in connection with the greater part of these delays. All the criticism, if such criticism is to be expressed, must be expressed with reference to the War Department and antipreparedness legislation, the national end of the situation.

Mr. BRADY. Mr. President, I listened to the remarks of the Senator from Pennsylvania, and I did not understand that he was criticizing the National Guard in any manner.

Mr. PENROSE. Not at all.

Mr. BRADY. I am frank to say I am somewhat surprised at the statement the Senator makes relative to the forces that have not been called out. It seems to me that every man in the South Atlantic States is more acclimated and really better adapted for the service on the frontier and the border than the man farther north. As an illustration I call attention to my State. They have been in camp on the border for some days, and, while I am not saying it in a boasting manner, I desire to make the statement that one of the commanding officers of the Regular Army stated the fact that they were the only regiment that had appeared there fully equipped and ready for service.

Mr. FLETCHER. I ask the Senator if it is not a very good way to get them acclimated to send them down on the border and let them camp there, to have the experience of that climate and get accustomed to it before there is any occasion to go into the country. Is not that a good way to acclimate those who are not acclimated?

Mr. BRADY. I fully agree with the Senator, and our boys there are getting acclimated. I have no doubt in the world but that whenever the time comes and the Florida force is needed they will be there, willing and ready to render service to the country. But I am glad to see an honest effort by every State to comply with the law. It is a new law, requiring new regulations. If the law had been on the statute book for a year or two at the time the troops were called out, the conditions would have been entirely different. Under the old system, with only the Regular Army to supply, it was perfectly natural that these goods should be stored in some large place like Philadelphia.

Now we have a new law, the equipment is furnished, and, in my judgment, in the States they can mobilize in the future very much easier than they could at this time.

What I want to see is more of a harmonious spirit between those who represent the National Guard in the discussion of these matters and those who represent the Regular Army. We are all trying to do the best we can. I think we have done splendidly, and I am proud not only of our National Guard but of our Regular Army and our Regular Army officers and our National Guard officers. They are each and every one making every honest effort to serve the country and to serve it well.

Mr. PENROSE. Mr. President, the Senator from Idaho [Mr. BRADY] is entirely correct in stating that I do not intend to criticize anybody. I simply want to find out where the weak link in the chain is.

The Senator from Maryland puts the blame on the Philadelphia Arsenal. I intend immediately to have this matter carefully investigated and find out just how far the arsenal is to blame for the National Guard of Florida remaining in Florida in a training camp when it ought to be on the border.

I only mention Florida not in any invidious way, because apparently every other South Atlantic State, with the exception of Virginia, is in the same situation.

The Philadelphia Arsenal situation seems to have had a local effect which is unfortunate. When this question of preparedness came up for discussion the original proposition, as I understand it, was to set aside the National Guard in the national preparedness program, and a great outcry arose from the officers of the National Guard that they should be considered a part of the national preparedness program, and they were so connected with it.

In a very few months after that had been decided we detect remarkable weakness in certain parts of the country. I have been in receipt of a great many letters lately from some people who declare that the National Guard never ought to be called out for duty of this kind. How that may be I will not argue at present. Anyone who has picked up a Washington newspaper in the last two or three weeks can not fail to have observed the fact that the National Guard of the District of Columbia is apparently held here at home in training camp because it can not recruit a hundred men or more to complete the minimum number—not the full complement—which they must furnish before the Government will consider them fit to be sent to the border. It is an extraordinary and lamentable condition, Mr. President, that the National Guard of the District is unable to recruit that very small number of men to make up the minimum required by the Government.

I think it would be quite interesting to know—and I shall take pains to ascertain the fact—whether, in addition to defects in the management of the arsenal at Philadelphia, which is an agency of the National Government and not in any way a local concern, there has been any difficulty in filling the minimum number of the various companies and regiments of the National Guard in those States which are apparently staying at home for indefinite periods; whether it is impossible to recruit them to the number required by the Government. Perhaps the Senator from Florida could inform me whether or not the National Guard in Florida is recruited up to the full number required by the Government.

Mr. BRYAN. I can inform the Senator from Pennsylvania that it is.

Mr. PENROSE. I am glad to hear it.

Mr. FLETCHER. I will say further, Mr. President, since Florida has been mentioned in that connection, that the only dissatisfaction in Florida has been that only one regiment was called forth. The regiment which was tendered by the governor, as I understand the procedure to be, was the Second Regiment. It was assembled within 48 hours. The dissatisfaction has been that the First Regiment was not also called out. They have been clamoring to get into camp and to get mustered into the service. The only trouble we have had is the insistence of the First Regiment that they ought to be called out, whereas there has been only a call for one regiment.

Mr. PENROSE. Can the Senator from Florida inform the Senate why only one regiment was called out in Florida, while in other States the whole guard was called out?

Mr. FLETCHER. My understanding is that the department only called for a certain number of the National Guard in each State. Is not that the case? They have not called for the whole guard, but they have only called for a certain number, and that was based on the number required. As I have stated, but one regiment was apportioned to Florida.

Mr. WADSWORTH. Mr. President, the discussion as to the mobilization and some of its defects and the incidents and difficulties attendant upon it, which have been mentioned in the course of the debate in the Senate this afternoon, tempts me to comment very briefly upon it, particularly when I hear reference made to the Philadelphia Arsenal. Reference has been made to the difficulty in getting supplies from that arsenal. The discussion of that matter brings up the entire question of how the equipment of the reserve forces of the United States shall be stored and distributed in time of need.

Mr. LEE of Maryland. Mr. President, will the Senator from New York yield to me for a moment?

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Maryland?

Mr. WADSWORTH. Yes.

Mr. LEE of Maryland. I have seen it stated in the Army and Navy Journal that the commanding officer of the New York National Guard made requisition in advance, and also that Gen. Sadler, of New Jersey, did so, and that they were refused

those requisitions on the ground that only a certain number could be allowed by the national authorities.

Mr. WADSWORTH. I shall come to that in just a moment, Mr. President.

The custom has been to issue to the National Guard units of the different States sufficient equipment to supply the men who are on the muster rolls, or at least to supply the number of men constituting the maximum peace strength. All surplus equipment of all kinds—clothing and ordnance—has been kept in the arsenals of the Federal Government. For the Department of the East the Philadelphia Arsenal has been the central storehouse, according to my information. In that arsenal the surplus equipment sufficient to supply the units up to war strength has been kept in great bins, in packages or boxes or bundles, labeled, addressed, and ready to be shipped by freight or express, as the case may be, to the units of the National Guard in the Department of the East, should they be called into the field, accompanied by an order to recruit to war strength.

It is true, as the Senator from Maryland [Mr. LEE] has said, that the National Guard authorities for some time past have been requesting and urging the Federal Government to change that system and to permit the storage of the war-strength equipment in the armories of the units rather than to hold it back in the central arsenal at Philadelphia. I am informed that in reply to that request the department gave it as its opinion that the Regular Army officials had no legal authority to place that surplus equipment in the hands of the National Guard officers. I know that the National Guard officers of New York offered to build special storerooms in the existing armories in which the Federal officer could deposit this surplus equipment and himself lock it up and seal up the contents, so that it would still be within the possession of the Federal Government, to be issued when the unit was raised to war strength upon a call. That solution of the problem, however, did not meet with favor at the hands of the Division of Militia Affairs, or whatever authority in the War Department has charge of that matter.

Mr. WORKS. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from California?

Mr. WADSWORTH. I yield to the Senator from California.

Mr. WORKS. A few days ago I saw a statement in the newspapers—which can not always be relied upon—that some regiments of the New York National Guard were so poorly equipped that they were kept out of the sight of the governor of the State when he was making an inspection of the guard. Does the Senator from New York know how much of truth there was in that statement?

Mr. WADSWORTH. Mr. President, in reply to the Senator from California, I will state that I personally have no direct knowledge of the condition of that particular regiment, but from my general knowledge of the National Guard and its condition now, I have not the slightest faith in the accuracy of that statement; and I see in this morning's paper that it is specifically denied.

Mr. WORKS. I had not seen that; but I was wondering, if that condition were true, who should be held responsible for it.

Mr. WADSWORTH. There have been conditions approaching that which have been due entirely to the difficulty imposed upon those units in suddenly recruiting to war strength, and the additional fact that the clothing for those recruits was at Philadelphia instead of in the armories for instant distribution.

Mr. BRADY. Where it should have been.

Mr. WADSWORTH. That is where it should have been.

Mr. PENROSE. Mr. President, will the Senator from New York permit me to make an inquiry?

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Pennsylvania?

Mr. WADSWORTH. I yield.

Mr. PENROSE. The Senator from New York is making a very interesting statement, which I know will throw much light on this subject; but before he proceeds, I should like to ask him why, if this equipment is all stored away in bins and labeled—I suppose with the address of The Adjutant General, or proper authority of the National Guard, in the different States of the Union—why has there been this extraordinary delay in the cases of Florida, South Carolina, and North Carolina? Why have they not yet received their equipment from the Philadelphia Arsenal?

Mr. WADSWORTH. Mr. President, I can not answer a question going into such detail as that. I do not know what the difficulties were in shipping the equipment to Florida. It may have been by reason of some mix-up in the requisition made by the Florida officer, or it may have been by reason of some failure in addressing the packages correctly or some unavoidable delay upon railways. It is almost impossible to state definitely just what that trouble was. There has been trouble of that kind in a greater or less degree in nearly all the States. We had some of it in New York, and the reason for that, I think, I can explain.

No Regular Army officer, in my judgment, is to blame and I know of no National Guard officer who may be justly blamed, but certain contingencies were not calculated in advance.

Mr. CHAMBERLAIN. May I interrupt the Senator from New York for just a moment?

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Oregon?

Mr. WADSWORTH. Certainly.

Mr. CHAMBERLAIN. The Senator from New York realizes that in reference to depositing equipment, uniforms, and so forth, with the National Guard, the difficulties that have confronted the War Department usually have been that the guard have no place in which to keep such equipment. Some of the National Guard of the country have not the armory space or they have not sufficient armories for the purpose——

Mr. WADSWORTH. That is very true, Mr. President.

Mr. CHAMBERLAIN. With the result that, if the Government were to deposit the equipment locally with the National Guard, it would be lost, just as has been the case in many instances in the past.

Mr. WADSWORTH. A sense of proportion must be used in deciding whether or not a National Guard unit has a proper place for storing Government property. It has possession of an enormous amount of Government property, anyway, even if the unit is only at peace strength; if it has a proper place in which to store it, I can see no objection to having the Government store the war strength equipment with it, and it should be left to the discretion of the regular officers having charge of ordnance and supplies of that sort to decide for themselves whether or not the Seventh Regiment of New York, for instance, is able, in its armory, to store Government property for war strength. If it is not, they need not put it there. But scores of units in scores of States have ample facilities in their armories.

Mr. CHAMBERLAIN. I fully agree with the Senator from New York about that, but does he think that under the law, as it is now, the War Department has discretion to put such property where it pleases? It might be done under a proper statute; and I think such a statute ought to be enacted, but I question whether it has the authority now.

Mr. WADSWORTH. Whether they have the authority to put the war strength equipment in the possession of the National Guard units is a very grave question. The New York Guardsmen made the suggestion that they would build inside the armories a store room for war-strength equipment and allow a Federal officer to put it in there and lock it up and seal it himself, so that only he could open it in the event a unit was called out and raised to war strength. But in any event, the law should be amended so that the Regular Army officers, at least, would have the discretion of placing the war-strength equipment close to the units which must have it in the event of a call being issued by the President. The result of the present system in all the States has been a very considerable delay in getting the equipment to the mobilization camps.

In this connection, I may say that the question of mobilization camps has never been worked out, so far as I am advised, either by the War Department or by very many of the National Guard organizations in the States. It is an impossible task to throw 18,000 or 20,000 men, as the State of New York has attempted to do, upon a piece of ground over night and have a water supply ready for them instantly. It takes a long time to drive the wells, if wells are necessary, to lay the pipes, to build the roads, and to bring about the improvements which are absolutely necessary in a semipermanent camp which is to accommodate 18,000 or 20,000 men and 7,000 horses and mules. That number of men and that number of animals consume about as much water as a fair-sized city.

One of the handicaps of this mobilization has been that many of the units have had to stay at their armories three or four days or a week because the mobilization camp was not ready; and, as the order came like a flash of lightning out of a clear sky, so far as preparing mobilization camps is concerned, it is unjust to blame anybody for the delay that occurred; but in the future, in my humble judgment, we must take into consideration the proposal that the Federal Government shall have under its jurisdiction and control a sufficient number of permanent mobilization camps throughout the United States where troops can be sent in winter or in summer. If this mobilization had taken place in winter, we would have heard a very different story. The difficulties which would have been encountered in such an event would have been enormous. No

ordinary camp ground in the Northern or Western States could have been used if freezing weather had prevailed, because the water supply would have been frozen and would have been put out of commission. In the present movement we have had some of these difficulties; and I think there is one great consolation in the situation, and that is the opportunity we have had to discover the shortcomings and defects of the system. As a matter of fact, I think it has surprised a great many people, and surprised very pleasantly many connected with the War Department, that the mobilization has gone forward as smoothly as it has and that troops who were comparatively green, whose numbers were only at peace strength, and who had no equipment in their possession for war strength, have been able to get to the border in such a short time. Should another such occasion arise, I feel quite sure that the War Department and the National Guard, acting, as they have acted in this instance, in perfect harmony, with the best of feeling, will make an even better showing.

We must remember when we try to compare mobilization in the United States with mobilization in France and in Germany that conditions are very different and that the difficulties here are vastly greater. This country is enormous in extent, and to think that we can ever mobilize 2,000,000 men or 3,000,000 men, as Germany and France did, in 36 or 48 hours is ridiculous. In the present instance we are sending men 1,800 and 2,000 miles away from their home stations, distances which are absolutely unknown abroad.

Furthermore, in this mobilization no great effort was made for speed. The trains which carried the troops from the Eastern States to Texas were limited in speed to 30 miles an hour because they were of mixed equipment. The organizations had to carry their horses in stock cars, while the men themselves were in day coaches or tourist sleepers. That makes a mixed train, and the regulations provide that no such train as that shall exceed 30 miles an hour in speed. If you add to those cars the flat cars, the gondolas, and the cooking cars, you get a mixed train, which is difficult to handle, and with which speed can not be attained.

In connection with the question of cars, I desire to say that there has been a great deal of discussion of the character and style of equipment which has been furnished the men for their transportation. We must remember that there are something less than 600 Pullman tourist sleeping cars in the United States, and nearly all of them in ordinary times are west of the Mississippi River. The Government attempted to get all of those Pullman tourist sleeping cars from the far West and send them to the far East, where the bulk of the troops were stationed. The result was that there were not enough Pullman tourist sleeping cars to carry the men.

The only iota of criticism that I would make in this connection is that when it became apparent that they could not get the tourist sleepers for the men, they took day coaches, which, of course, they had to take, and issued an order that the day coaches should be loaded three men to a double seat. That made it impossible for the men to stretch out and lie down. Had the order been for two men to a double seat, each man at least would have been able to have stretched out a little and to have obtained some rest. A 24-hour journey or a 36-hour journey for troops in day coaches, even under crowded conditions, of course, involves a degree of hardship which soldiers must expect to undergo; but when you lengthen the time to 5 days, 24 hours a day, with no chance to lie down comfortably, you are inflicting a hardship on the men which injures their health and efficiency when they get to the end of the line where their work is to be done. I think the only definite mistake, if I may venture an opinion—and I do not say it in a spirit of hostility at all—the only definite mistake that has been made in this entire mobilization to which a finger can be pointed is that regulation that three men should be assigned to a double seat in a day coach.

Mr. CHAMBERLAIN. Mr. President, may I interrupt the Senator?

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Oregon?

Mr. WADSWORTH. Certainly.

Mr. CHAMBERLAIN. I desire to state to the Senator that when I went West as a young man in 1876 we sat just in that way. Two young fellows sat on one side and put their feet across on the opposite seat, and the other sat on the opposite seat and put his feet between the other two, and we slept comfortably in that way on a journey of 3,000 miles.

Mr. WORKS and Mr. BRADY addressed the Chair.

The PRESIDING OFFICER. The Senator from New York has the floor. Does the Senator yield, and, if so, to whom?

Mr. WADSWORTH. I yield to the Senator from California.

Mr. WORKS. Mr. President, I can remember very well the time when soldiers were mighty glad to be permitted to lie down in uncomfortable freight cars. I have had that experience myself, and it is my opinion that the experiences of the National Guard in the present movement do not compare with the hardships the soldiers had to undergo during the Civil War.

Mr. WADSWORTH. Mr. President, there is no question about that. Any person who has studied the history of the Civil War knows that the soldier had to put up with conditions which the modern soldier knows little of. A modern soldier is treated with a degree of care and supplied with conveniences for living and equipment of which the soldier of 50 years ago did not know; but I may say that in the recent movement of troops there was no great national emergency, apparently; and it is economy, when there is time to obtain reasonable conveniences, to obtain them in order to conserve the health of the men. That was my sole object in pointing out the situation arising from assigning three men to a double seat in a day coach for five days.

Mr. WORKS and Mr. WARREN addressed the Chair.

The PRESIDING OFFICER. Two Senators have addressed the Chair. To whom does the Senator from New York yield?

Mr. WADSWORTH. I yield to the Senator from California.

Mr. WORKS. I agree entirely with what the Senator has said; and I think the Government ought to take the best possible care of its soldiers. I was only comparing the experiences of soldiers of the earlier days with those of the present day.

Mr. WADSWORTH. The comparison is perfectly correct and accurate.

Mr. WARREN. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Wyoming?

Mr. WADSWORTH. Yes.

Mr. WARREN. Mr. President, the Senator from New York is doing the Senate and the country a great service in explaining, as he has done, some of the occurrences and conditions in connection with the recent mobilization of our National Guard troops, and, as there seems to be a kind of symposium now on concerning the movement of troops, I should like to say a word.

I agree entirely with the Senator that in this day of civilization we ought to try to have tourist sleeping cars, so that every soldier may sleep every night; but where they can not be furnished—and very often they probably can not be—as the Senator says, the troops should be treated so that they can stretch out and partially lie down in the coaches.

I recall that in my service in the Civil War I never saw the inside of a passenger car during my service. When we returned home from Louisiana, by river part way and by rail from Cairo, Ill., to Pittsfield, Mass., we were in cattle cars; and if we undertook to lie down, we, of course, had to lie on the floor, and some of the company would lie down while the others stood. The train was only stopped once in each 24 hours for our accommodation, in some lone spot along the line, usually at a point to which we had wired ahead to get fresh bread and fresh meat. In spite of the conditions, however, we did not complain. The country was in its extremity and it was poor. The railroads, for that matter, also were poor, and their equipment was miserable. I have an idea that to-day the soldier who is called upon, if it were necessary, would submit to the same treatment as we endured; but, Mr. President, there are always a lot—I will qualify that and say there are always a few in every command, and they are usually those who have not lived so very well at home—who will always find fault with the food and with the accommodations, and nearly always they have access to certain newspapers. Therefore when we hear about a complaint being made, it is well for us to wait until we know the facts. I thank the Senator for allowing the interruption.

Mr. WADSWORTH. Mr. President, there has been very little complaint, and I want it most thoroughly understood that in anything I have said here this afternoon in connection with the use of day coaches I have not occupied the rôle of complainant on behalf of anybody. I imagine it is a pretty safe statement to make that no great body of American troops has ever been moved as comfortably as the men in the present mobilization have been moved.

Mr. WARREN. Never in the world.

Mr. WADSWORTH. I imagine it is a safe statement to make, that no troops in any other country have ever been moved more comfortably than the American troops have recently been moved to the border, considering the distance and the climate to which they have gone. As compared with what we accomplished, or failed, rather, to accomplish, in the Spanish-American War, this movement is a remarkable success. There is no comparison between the Spanish War conditions and the conditions of to-day, as affecting the methods by which we have mobilized and moved these men.

To-day the lot of the enlisted men is infinitely better than during the Spanish-American War. For instance, we must not forget when we make comparisons, particularly when we are thinking of the health of the men, that every man who has gone to the border is a typhoid immune. There was not one immune in the Spanish War, and thousands died of typhoid. There can be no typhoid epidemic in any camp on the border, for every man has had the typhoid prophylactic.

I think the Medical Corps is infinitely superior in all of its operations. The clothing of the men is infinitely better than the clothing given to the men in the Spanish-American War; it is of much better material, and is better made. It will be remembered that in the Spanish-American War every volunteer from the States was armed with a single-loader Springfield rifle using black powder, while his enemy was armed with a magazine Mauser using smokeless powder. To-day every soldier who goes out is armed with what is believed to be the best military rifle in the world. There is no comparison in that respect. Every article of the equipment has been worked out as the result of years of careful study by Regular Army officers. The Army shoe is supposed to be the best military shoe in the world as the result of tests conducted year after year with shoes actually fitted to the men.

The equipment furnished and all the conveniences and safeguards thrown around the men to-day are infinitely superior to those furnished and thrown around the soldier at the time of the Spanish-American war, and the country should be congratulated on what has been accomplished in the 18 years since the Spanish-American War. There will always be room for improvement. We never will reach perfection. Particularly, will we never reach perfection so long as we rely entirely upon the volunteer system of recruiting armies; but that is the American spirit, apparently, and we shall have to rely upon it for the time being. We ought to be proud of the spirit in which the men all over the country have responded to the call and sacrificed their business and their interests to show that they wanted to be, and were in fact, soldiers of the United States; and I think we should all be gratified at seeing how smoothly, compared to the old days, the movement has proceeded and how successfully the mobilization has been attained.

Mr. BRADY. Mr. President, the very interesting and instructive remarks of the Senator from New York [Mr. WADSWORTH] emphasizes the point which I have previously suggested to the Senator to-day, namely, the necessity for cooperation between all the departments of the Army as well as hearty cooperation on the part of the States of the Union.

I am proud of the fact that New York mobilized and sent her quota of men to the border quickly and in such a splendid manner that it is a credit not only to the State of New York but to our Nation as well. There has never been a time in the history of this Government when a State in so short a time mobilized the same number of troops that New York mobilized and sent them 2,000 miles and placed them successfully in camp ready for action.

They have set a good example; they had many difficulties to overcome; and I want to use this as an illustration to show that what we need and all we need to do in this country is to work in harmony—to have team work between the National Guard and the Regular Army. If we do this, we will most surely accomplish the purposes intended by the enactment of this law.

It has not been such a great while since this law was written. It has not been such a great while since the President attached his signature to it; and yet we find, as quoted and placed in the RECORD by the Senator from Massachusetts, that we have to-day in the mobilization camps on the border 100,008 National Guardsmen, and we have at mobilization camps at home 59,204 National Guardsmen—nearly 160,000 men mobilized and ready for action inside of 60 days. That is something that every American citizen should be proud of.

Referring for a moment to the condition at Philadelphia, it seems to me that that can not occur again, and is a condition which is unavoidable at this time, for we have in the past considered the National Guard or the militia as belonging exclusively to the States, with no control by the National Government except to be called out in time of war or invasion. We passed a new law. We attempted to, and I hope we did, bring the National Guard under the direct authority of the National Government. Conditions naturally have changed, and instead of keeping all our supplies at Philadelphia, as we have done in the past, we will do just exactly as the Senator from New York suggests, we will distribute them around with the different units of the National Guard, and then, when the call comes to arms, they will be ready to receive the supplies that they should receive, and we can mobilize in the future in one-fifth of the time that we mobilized on this occasion.

We must also take into consideration the distances that we have to travel. Take New York: Why, sending an army from New York to the Mexican border is like taking an army from France through Belgium and Germany and those other countries clear over into Russia. We must also admit that we became just a little bit hysterical. We imagined that we were going to have a war overnight, or some of our people did, and that they must mobilize on the moment. But that was not really necessary. We realize now that we might have taken these troops and moved them by daylight and never run a car at night and have placed them on the border in plenty of time. It was an unforeseen condition that confronted us and it was handled well.

It seems to me, with the showing that we made, both with our Regular Army and the members of the National Guard, that we should be satisfied with results and realize that we can not in a moment or in a few days or in a month, for that matter, organize a great army such as we have organized without having some mishaps, some delays, and some disappointments. But we have done very well.

We are going on, determined in the end to secure a National Army that will be a real defense to this country. I hope, and I earnestly believe, that by cooperation, instead of villification or misunderstanding, we can get together and have a splendid Army, consisting of our Regular Army as our first line of defense and our National Guard as our second line of defense, each cooperating with the other, governed only by one thought and ambition—the defense of our country.

The PRESIDING OFFICER. The Secretary will state the next amendment.

The next amendment was, on page 29, after line 15, to insert:

For additional clerks in the field on account of the muster into the service of the United States of the National Guard, $50,000.

The amendment was agreed to.

The next amendment was, under the subhead "Philippine Scouts," on page 29, line 23, before the word "lieutenants," to insert "second," so as to make the clause read:

Sixty-five second lieutenants, at $1,700 each per annum, $110,500.

The amendment was agreed to.

Mr. JONES. Mr. President, I did not know that we had disposed of the amendment in line 16, page 28, and the amendment in line 18, page 28; but all I wanted to do was to ask the chairman a question in regard to the word "beneficiaries," in line 14.

The PRESIDING OFFICER. The Chair will state to the Senator from Washington that the Senate rejected those two amendments of the committee, and the items stand as they were in the House bill.

Mr. JONES. Of course, the word "beneficiaries" is in the House text, and I want to know whom it would cover.

Mr. CHAMBERLAIN. They are the persons designated by the officers or enlisted men to receive this money in case anything happens to them.

Mr. JONES. Can the officer designate anybody to receive this money?

Mr. CHAMBERLAIN. Yes, sir.

Mr. JONES. A stranger?

Mr. CHAMBERLAIN. Members of his family, his widow, or his mother.

Mr. JONES. But this does not say so. Could he designate some stranger?

Mr. WARREN. Is that as to the payment in case of death?

Mr. CHAMBERLAIN. Yes.

Mr. WARREN. An officer or a man, when he enlists, states the party to whom he would wish it to go.

Mr. CHAMBERLAIN. Under the law, in case anything happens to him——

Mr. WARREN. The law provides for that.

Mr. JONES. But can he give it to anybody he wants to? Can he give some of this money to a stranger?

Mr. WARREN. It is given to those that the deceased had already provided that it should go to.

Mr. JONES. I know; but does the law require that it shall go to certain members of his family, or certain next of kin, or certain dependents upon him, or can he turn it over to some friend?

Mr. CHAMBERLAIN. I will give the Senator the statute on that subject.

Mr. JONES. That is what I wanted to get.

Mr. CHAMBERLAIN. It is section 1061 of the military law:

Gratuity: Hereafter, immediately upon official notification of the death from wounds or disease contracted in line of duty of any officer or enlisted man on the active list of the Army, the Paymaster General of the Army shall cause to be paid to the widow of such officer or enlisted man, or to any other person previously designated by him, an amount equal to six months' pay at the rate received by such officer or enlisted man at the date of his death, less $75 in the case of an officer and $35 in the case of an enlisted man. From the amount thus

reserved the Quartermaster's Department shall be reimbursed for expenses of interment, and the residue, if any, of the amount reserved shall be paid subsequently to the designated person. The Secretary of War shall establish regulations requiring each officer and enlisted man to designate the proper person to whom this amount shall be paid in case of his death, and said amount shall be paid to that person from funds appropriated for the pay of the Army.

That is under the act of May 11, 1908.

Mr. JONES. I take it, then, that this word "beneficiaries" would cover those parties; but it seems to me rather peculiar that even under that law a man could designate simply a friend to whom this should be paid. Of course I understand that it is not contemplated to try to change that.

The reading of the bill was resumed.

The next amendment was, in the item of appropriation for subsistence of the Army, on page 32, in line 12, after the word "That" to insert "hereafter," and in line 20, after the words "Marine Corps," to strike out "$13,000,000" and insert "and for the National Guard when called or drafted into the service of the United States, $27,377,000," so as to make the proviso read:

Provided further, That hereafter the officers and enlisted men of the Navy and the Marine Corps shall be permitted to purchase subsistence supplies at the same price as is charged the officers and the enlisted men of the Army; and the officers and the enlisted men of the Army shall be permitted to purchase subsistence supplies from the Navy and Marine Corps at the same price as is charged the officers and the enlisted men of the Navy and Marine Corps, and for the National Guard when called or drafted into the service of the United States, $27,377,000.

The amendment was agreed to.

Mr. CHAMBERLAIN. I desire to ask that the committee amendment be modified by reducing the amount from $27,377,000 to $20,000,000.

Mr. LEE of Maryland. Mr. President, I should like to ask the Senator why he makes that recommendation.

Mr. CHAMBERLAIN. That is based on supplemental estimates made by the department. The department says that $27,377,000—

Will provide subsistence for the Regular Army and first increment, and, including Philippine Scouts and civilian employees, a total of 133,960 men and all other purposes of the appropriation for one year, the amount required for this purpose being $13,686,500. The amount remaining, $13,690,500, will subsist the National Guard called into the service of the United States, estimated at maximum strength, viz, 238,938 enlisted men, to December 31, 1916.

We have not that number of men, and we have made a cut in the original estimates to meet the actual number of men in the service; that is all.

Mr. LEE of Maryland. Mr. President, of course I am considering the contingency of the possibility of crossing the Rio Grande. The Senator from New York [Mr. WADSWORTH] used a very admirable expression just now in talking about the delays in distributing the supplies. He said the contingency of distributing these supplies was not prepared for in advance. Now, of course, if you have supplies and if you have troops and your whole military system is gotten together on the theory that you will have the contingency of using them——

Mr. WADSWORTH. Mr. President, will the Senator yield just a moment? I did not mean to be misunderstood in that. When I said that that contingency had not been prepared for in advance, I did not mean to give the impression that anyone was to blame. The law apparently prevented the distribution of the equipment to the Army.

Mr. LEE of Maryland. That is just what I am talking about.

Mr. WADSWORTH. The law should be amended.

Mr. LEE of Maryland. I am talking about the law and the men that make the law. Now, the contingency of crossing the Rio Grande is apparently to be ignored in these appropriations. It is a much more probable contingency than the need for quickly handling these supplies in the Philadelphia Arsenal was at any given time in the past. Here we now have the troops on the Rio Grande. They have to go either north or south. They can only go two ways, and it is a reasonable contingency that should be provided for, the possibility of their going south and engaging in war or in intervention in Mexico.

Are we to keep on pursuing this policy of not providing for reasonable contingencies, or a reasonably probable contingency? That is the question. I want to ask the Senator if the reduction which he proposes is based upon the theory that the troops certainly are not going to be used across the Rio Grande?

Mr. CHAMBERLAIN. Mr. President, we have made these recommendations on the estimates of the War Department, based on the conditions as they are, not as they may be 6 months from now, a year from now, or 10 years from now, but the conditions as they are to-day.

When all of these estimates were made by the committee, the committee went the limit in order to give the department the amount they had estimated for as necessary to provide for the absolute defense of our country and our people. Now, when conditions change—and they have changed—our committee does not feel, and the War Department does not feel, that we ought to appropriate an immense sum of money which there is not any chance in all human probability to use. If we do cross this stream that we have attended on down there in Mexico for a while, it is only about three months until Congress convenes again, and all the moneys that are needed can be appropriated in a deficiency bill.

Mr. LEE of Maryland. Mr. President, I think the Senator makes it perfectly clear that the reduction he proposes is based on the theory that the contingency of crossing the Rio Grande is not to arise. His arguments, his statements, clearly indicate that fact—that he recommends to the Senate, in the name of his committee, that there shall not be food for the Army provided for, or even appropriated for, in advance as preparedness for this contingency. We are going right straight along with the Philadelphia Arsenal plan of making no provision for contingencies, and make that the rule of our military unpreparedness.

I do not want to make myself disagreeable to the Senator and have him feel that I am attempting to coerce him or his committee. I am simply trying to talk about this subject as I see it, and trying to avoid the mistakes that have been perpetrated in the last few days, right in this mobilization, and trying to get an appropriation here, before Congress adjourns, that could be expended to supply this Army with food if it had to cross the Rio Grande. I do not see how any man with any degree of caution in his make-up can say that the contingency of an Army crossing a river upon which the Army is already encamped ought not to be considered and provided for by the lawmakers of the country.

Mr. CHAMBERLAIN. Mr. President, may I interrupt the Senator?

Mr. LEE of Maryland. Certainly.

Mr. CHAMBERLAIN. Let me say to the Senator that the amount of $20,000,000 that we propose to appropriate here will support the Army for six months whether they cross the river or not. That does not make any difference. If the Senator will notice, the original estimate embraced an appropriation for National Guardsmen amounting to 238,938 men. We have not got them. In other words, the estimate was made for 238,000 men. We have cut it down now because we have not got that many men, and are not likely to have them. So that there is plently of money appropriated in the $20,000,000 to keep them for six months, no matter whether they are in Mexico or in Texas.

Mr. LEE of Maryland. Mr. President, the contingency of crossing the river is not limited to the force that is camped on the river. If any of those troops go over that river, you may be perfectly sure that there will be a great many more thousands and tens of thousands go over that river than are camped on it to-day. The contingency is a large one that faces this country. Just as surely as those 91,000 or 100,000 men are camped on the Rio Grande, there is the possibility of their crossing it. The very fact of their being there expresses the possibility.

Now, if they go over that river, it is not a question of 100,000 men; it is a question of many hundred thousands of men. I would deplore it more than probably any man here to see those troops pass over that river, because I believe that if they do pass over there all of our high pretension as to not being a conquering nation and not interfering and taking property or the territory of our neighbors will fall down. I believe that if the emergencies of this situation compel a war between this country and Mexico, all of our high-sounding aspirations about not acquiring territory by arms will vanish away, and that the blood lust of battle will make us do as most nations do under such circumstances—conquer and hold.

So I hope, Mr. President, that our troops will not pass over that river on this occasion; but I do say that it is a reasonable contingency, and I do deplore the lack of reasonable foresight on the part of the committee in not providing for the contingency which actually faces 91,000 or 100,000 troops now camped on the border and possibly many thousands more.

The whole situation suggests a contingency to be provided against. I do not think it lies in the mouth of any man, in view of the experience we have just had in distributing the clothing to these troops—the delay in putting shoes and shirts on these men—to say that we shall go ahead in this kind of policy which, as the Senator from New York just now reasonably said, is a failure to provide for contingencies in advance.

That is what I am talking about here. I do not want to irritate the Senator or the committee, but I do not see how he or any other man, with all these troops on the Rio Grande, can ignore in this bill reasonable preparation for the contingency of those men crossing that river.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Oregon to the amendment of the committee, which will be stated.

The SECRETARY. It is proposed to strike out, in the committee amendment, "$27,377,000" and insert "$20,000,000."

The PRESIDING OFFICER. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment was, in the item of appropriation for "Regular supplies, Quartermaster Corps," on page 34, line 23, after the word "thereto," to insert "including, when specifically authorized by the Secretary of War, the cost of irrigation: *Provided*, That the accounting officers of the Treasury are hereby authorized and directed to remove any suspensions or disallowances in the accounts of Capt. Sam Van Leer, Quartermaster Corps, United States Army, for expenditures made in connection with the establishment of an irrigation system at the Fort Keogh Remount Depot, Mont.," and on page 35, line 9, after the word "reports," to strike out "$8,700,000" and insert "and for the National Guard when called or drafted into the service of the United States, $17,071,123," so as to read:

For seeds and implements required for the raising of forage at remount depots and on military reservations in the Hawaiian and Philippine Islands and for labor and expenses incident thereto, including, when specifically authorized by the Secretary of War, the cost of irrigation: *Provided*, That the accounting officers of the Treasury are hereby authorized and directed to remove any suspensions or disallowances in the accounts of Capt. Sam Van Leer, Quartermaster Corps, United States Army, for expenditures made in connection with the establishment of an irrigation system at the Fort Keogh Remount Depot, Mont.; for straw for soldiers' bedding, stationery, typewriters and exchange of same, including blank books and blank forms for the Quartermaster Corps, certificates for discharged soldiers, and for printing department orders and reports, and for the National Guard when called or drafted into the service of the United States, $17,071,123.

Mr. CHAMBERLAIN. I move to modify the appropriation as made by the Senate committee, and instead of "$17,071,123" to insert "$12,000,000."

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. On line 11, page 35, in the committee amendment, it is proposed to strike out "$17,071,123" and to insert in lieu thereof "$12,000,000."

Mr. LEE of Maryland. Mr. President, I merely want to state in the RECORD that this is simply a continuation of the same policy of not providing for the reasonable contingencies in advance; and I object to it, as I object to these other reductions.

The PRESIDING OFFICER. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 36, line 23, after the word "days," to insert "as additional school-teachers during the school term at post schools," so as to read:

Incidental expenses, Quartermaster Corps: Postage; cost of telegrams on official business received and sent by officers of the Army; extra pay to soldiers employed on extra duty, under the direction of the Quartermaster Corps, in the erection of barracks, quarters, and storehouses, in the construction of roads, and other constant labor for periods of not less than 10 days; as additional school-teachers during the school term at post schools, and as clerks for post quartermasters at military posts, and for overseers of general prisoners at posts designated by the War Department for the confinement of general prisoners, and for the United States disciplinary barracks guard.

The amendment was agreed to.

The next amendment was, in the item of appropriation for "Incidental expenses, Quartermaster Corps," on page 38, line 15, after the word "department," to strike out "$1,900,000" and insert "and for the National Guard when called or drafted into the service of the United States, $2,373,400," so as to read:

For the shoeing of horses and mules; chests and issue outfits; and such additional expenditures as are necessary and authorized by law in the movements and operations of the Army, and at military posts, and not expressly assigned to any other department, and for the National Guard when called or drafted into the service of the United States, $2,373,400.

The amendment was agreed to.

The next amendment was, on page 38, line 25, after the word "discharge," to insert "*Provided*, That hereafter when an enlisted man having 10 or more years' service in the Army is discharged on account of disability incurred in the line of duty, transportation of his authorized change of station allowance of baggage from his last duty station to his home in addition to other travel allowances fixed by law may be authorized by the Secretary of War," so as to read:

Transportation of the Army and its supplies: For transportation of the Army and its supplies, including transportation of the troops when moving either by land or water, and of their baggage, including the cost of packing and crating; for transportation of recruits and recruiting parties; of applicants for enlistment between recruiting stations and recruiting depots; for travel allowance to enlisted men on discharge: *Provided* That hereafter when an enlisted man having 10 or more years' service in the Army is discharged on account of disability incurred in the line of duty transportation of his authorized change of station allowance of baggage from his last duty station to his home in addition to other travel allowances fixed by law may be authorized by the Secretary of War; of persons on their discharge from the United States disciplinary barracks or from any place in which they have been held under a sentence of dishonorable discharge and confinement for more than six months, or from the Government Hospital for the Insane after transfer thereto from such barracks or place, to their homes (or elsewhere as they may elect), provided the cost in each case shall not be greater than to the place of last enlistment.

The amendment was agreed to.

The next amendment was, in the item of appropriation for "Transportation of the Army and its supplies," on page 42, line 1, after the word "Oceans," to strike out "$12,000,000" and insert "and for the National Guard when called or drafted into the service of the United States, $38,441,504," so as to read:

For the purchase and repair of ships, boats, and other vessels required for the transportation of troops and supplies and for official, military, and garrison purposes; for expenses of sailing public transports and other vessels on the various rivers, the Gulf of Mexico, and the Atlantic and Pacific Oceans, and for the National Guard when called or drafted into the service of the United States, $38,441,504.

Mr. CHAMBERLAIN. Mr. President, I desire to have "$25,000,000" inserted in place of "$38,441,504." I understand that it is only necessary to modify the committee amendment by suggesting that that be done.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. In the committee amendment it is proposed to strike out "$38,441,504" and in lieu thereof to insert "$25,000,000."

The PRESIDING OFFICER. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 42, line 21, after the word "employees," to strike out "$1,750,000" and insert "and for the National Guard when called or drafted into the service of the United States, $2,500,000," so as to make the clause read:

Water and sewers at military posts: For procuring and introducing water to buildings and premises at such military posts and stations as from their situation require it to be brought from a distance; for the installation and extension of plumbing within buildings where the same is not specifically provided for in other appropriations; for the purchase and repair of fire apparatus, including fire-alarm systems; for the disposal of sewage and expenses incident thereto, including the authorized issue of toilet paper; for repairs to water and sewer systems and plumbing within buildings; and for hire of employees, and for the National Guard when called or drafted into the service of the United States, $2,500,000.

The amendment was agreed to.

The next amendment was, on page 43, line 18, after the word "reasons," to strike out "$12,000,000" and insert "and for the National Guard when called or drafted into the service of the United States, $20,280,000," so as to make the clause read:

Clothing and camp and garrison equipage: For cloth, woolens, materials, and for the purchase and manufacture of clothing for the Army, for issue and for sale at cost price according to the Army Regulations; for payment for clothing not drawn due to enlisted men on discharge; for altering and fitting clothing and washing and cleaning when necessary; for equipage, including authorized issues of toilet articles, barbers' and tailors' materials, for use of general prisoners confined at military posts without pay or allowances and applicants for enlistment while held under observation; issue of toilet kits to recruits upon their first enlistment, and issue of housewives to the Army; for expenses of packing and handling and similar necessaries; for a suit of citizen's outer clothing, to cost not exceeding $10, to be issued upon release from confinement to each prisoner who has been confined under a court-martial sentence involving dishonorable discharge; for indemnity to officers and men of the Army for clothing and bedding, etc., destroyed since April 22, 1898, by order of medical officers of te Army for sanitary reasons, and for the National Guard when called or drafted into the service of the United States, $20,280,000.

Mr. CHAMBERLAIN. I desire to change that amendment to "$16,000,000." I move to strike out "$20,280,000" and to insert "$16,000,000."

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. In the committee amendment on page 43, line 20, it is proposed to strike out "$20,280,000" and in lieu thereof to insert "$16,000,000."

Mr. LEE of Maryland. Mr. President, this seems to me to be especially objectionable, because all of the shortages and delays in the equipping of these troops, or, at least a large part of

them, have been in connection with this question of clothing and camp and garrison equipage. If these troops may cross the river, and the other thousands cross with them, you can not go into the market and buy clothing and equipment in a twinkling. It is just the same lack of preparation, the same lack of foresight, with reference to a probable contingency, that has been exhibited as a matter of legislative omission before. I very strongly object to a reduction of this equipment, which must be supplied in an emergency, when we have these troops facing an emergency, as they stand to-day.

I do not want to interfere with the orderly progress of this bill, but I am really very doubtful of the propriety of a reduction in connection with clothing and equipment being put through here without a vote or a call of the Senate.

Mr. WEEKS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Massachusetts?

Mr. LEE of Maryland. Certainly.

Mr. WEEKS. I want to ask the Senator how he accounts for the fact that the troops of some States were thoroughly equipped and ready for service, and the troops of other States were not? Is it not the fault of the States that their National Guardsmen are not ready, rather than the fault of the National Government?

Mr. LEE of Maryland. Mr. President, I have understood that the difficulties in getting the equipment were the same everywhere.

Mr. WEEKS. There was no trouble in Massachusetts.

Mr. LEE of Maryland. If that is the case, the Senator must admit that he did not increase the number of the troops on call. The Senator knows that 65 men to a company was the limit for which equipment could be furnished by the United States.

Mr. WEEKS. Mr. President, they were recruited up to that strength under the old organization. Massachusetts sent 7,000 men to the border, within 10 days of the call, thoroughly equipped; and it seems to me that if the Senator will take the trouble to investigate he will find that to a considerable extent the lack of readiness is to be placed on the States rather than on the National Government.

Mr. LEE of Maryland. The Senator was not in the Chamber when I referred to a statement in the Military Journal of the fact that both the adjutant general of New York and the adjutant general of Pennsylvania asked in advance for this equipment. I think the Senator from New York [Mr. WADSWORTH] just now stated that his State offered to build special places to receive equipment in advance, and they could not get it because it was against the law. As the Senator from New York [Mr. WADSWORTH] very wisely said, there had not been any provision made for the contingency of increasing the guard and calling them into the service of the country.

Now, that is just what I am talking about, Mr. President. The guard existed for the contingency of being called. The whole military system of the United States should recognize the possibility of that contingency; and right now, with these 91,000 or more guardsmen upon the Rio Grande, the Senator from Massachusetts, as a member of the Military Committee, is here backing up these amendments, which cut down the equipment of the guard and ignores the fact that 100,000 men on the line of a great river have been summoned there with the possibility of intervening in the affairs of the next country, and the possible contingency of these forces crossing the river upon which they are encamped is one for which the Senator from Massachusetts is unwilling to provide.

Now, Mr. President, I say—and in saying it I fear I rather irritate the chairman of the committee and the Senator from Colorado and the other gentlemen responsible for this lack of legislation, this lack of providing for contingencies—you can not ignore the fact that those soldiers are on that river. You can not ignore the fact that they may go over that river. That is a military contingency for which this body ought to provide, and this body ought not to agree to the committee recommendation of striking down the provision for clothing and camp and garrison equipage that should be available for these men in case of the contingency of their crossing the river.

The estimate was made on that theory. There can not be any misunderstanding on this subject. It is not a question of pay; it is just a question of the absolute essentials of the existence and efficiency of these troops, and it will be absolutely needed in the contingency that they are ordered to go into Mexico.

Mr. President, this is a rather serious proposition, and I am going to ask the Senator to pass over this item, as I do not want to interfere with the general progress of his bill and let this matter go over until there is a larger attendance of the Senate.

Mr. CHAMBERLAIN. I have no objection to having it go over upon the Senator's request. I want the Senator to be assured that while I may be heated once in a while in our little controversies here I have no ill feeling in the world against the Senator, and I rather enjoy a scrap with him.

In this connection, however, I want the Senator to distinctly understand that our committee has never at any time been unfriendly to the National Guard. As a matter of fact, we have kept all through the National Guard and the Regular Army on exactly the same footing, and there has been no disposition to make any discrimination.

I want the Senator to bear in mind in reference to the reduction of the appropriation for clothing, and so forth, when the trouble first arose in Mexico, after the bill passed the House, while it was pending before the Senate committee we looked into that subject with a view that the National Guard and the Regular Army at peace strength should be equipped with clothing sufficient to meet all the requirements of that strength.

If the Senator will look on page 470 of the House hearings, he will find a note on this whole subject, and on the next page, 471, there is an itemized statement of all the equipment that the Government had for use in equipping both the Regular Army and the National Guard. I am going to read that note into the RECORD, because, with the equipment we had and with the equipment that was on hand that was not being used, we had more than enough to clothe and equip all the men who have since come into the service, whether by way of volunteers in the Regular Army or as the National Guard mustered into the service. Says the note:

> As a general proposition, it can be said that we have on hand at the general supply depots a larger working stock than was on hand a year ago, and, as will be seen from the attached statement, there is on hand at the general supply depots and in field supply depot No. 1 (the latter is set aside as an actual reserve) sufficient of the principal articles to provide the initial equipment for approximately 150,000 men.

That is, in addition to the equipment that was being used by the Regular Army and by the National Guard. Continuing, the note says:

> The articles deficient are, with few exceptions, of more or less a commercial character, readily procurable in the open market.

The Senator has suggested that it takes a good while to fix up these uniforms; but the deficiency did not exist in uniforms, the deficiency exists in commercial articles that could be obtained in the open market—

> In addition to the foregoing, the stock on hand at posts is estimated as sufficient to equip approximately 100,000 men with equipment C.

What that means is described in the note:

> This equipment is based upon General Orders, 39, War Department, 1915. While, under this order, the allowances of quartermaster supplies under equipment C are stated to be sufficient to meet the requirements for a period of at least 30 days, it can be safely stated that the allowances of clothing and equipage under equipment C, under ordinary service conditions, would be sufficient for a period of at least 90 days.

I call attention to that because, if the matter goes over, I want the Senator to see this provision in connection with the subject when it comes up again.

The PRESIDING OFFICER. Without objection, the amendment will go over.

The next amendment was, on page 43, line 21, after the word "*Provided*," to strike out: "That hereafter the proceeds derived from the sale of surplus cuttings of material for clothing manufactured by the Quartermaster Corps of the Army shall be deposited to the credit of that appropriation out of which the material was purchased: *Provided further*," so as to make the clause read:

> *Provided*, That hereafter sewing machines and other labor-saving machinery use in the manufacture of clothing and equipage, motor trucks and passenger-carrying vehicles, and band instruments, may be exchanged in part payment for new machines, vehicles, and instruments used for the same purpose as those proposed to be exchanged.

The amendment was agreed to.

The next amendment was, on page 44, after line 6, to insert:

> *Provided further*, That hereafter the accounting for quartermaster supplies or property and the fixing of responsibility therefor shall be according to such regulations as may be prescribed by the Secretary of War: *Provided further*, That hereafter, under such regulations as may be prescribed by the Secretary of War, officers of the Quartermaster Corps accountable for public moneys may intrust such moneys to other officers for the purpose of having them make disbursements as their agents, and the officers to whom the moneys are intrusted shall be held pecuniarily responsible therefor to the United States.

Mr. LEE of Maryland. Mr. President, I should like to ask the Senator from Oregon if this authority would extend to the officers of the National Guard? Would it be granted to quartermaster officers, and if it does not why should not the language be made broad enough to include such officers?

Mr. CHAMBERLAIN. I think it is the intention to include all. There is no intent to limit it in its application to one branch of the service. If the Senator will look at page 479 of the House hearings he will find just the reasons which suggested the amendment.

Mr. LEE of Maryland. Of course the Senator will recognize that if the authority to take these quartermaster supplies is to be given effectively it will have to be extended to officers of the National Guard when they are still in the service of the State and in times when they are not called by the President, so that the goods can be distributed and handled in National Guard depots. I presume the object of the amendment is to correct the present situation.

Mr. CHAMBERLAIN. Under regulations to be prescribed by the Secretary of War.

Mr. LEE of Maryland. Under regulations to be prescribed by the Secretary of War. It is an admirable amendment if it is broad enough to take in the situation, if it will permit National Guard officers to be made, so to speak, the agents for this service. I would suggest that the words "including officers of the National Guard when not in the service of the United States" be inserted after the word "officers," in line 14.

Mr. CHAMBERLAIN. I do not think it is necessary to do that. We put it in just as the War Department sent it up, and the Secretary of War makes the regulations.

Mr. LEE of Maryland. It has been suggested to me by the Senator from New York [Mr. WADSWORTH] that under the new Army law this matter can be covered by the regulations of the Secretary of War and that will be satisfactory.

Mr. BRANDEGEE. Mr. President, I have just looked at the amendment on page 44 for the first time. While I have no amendment to offer to it, I want to call the attention of the Senator in charge of the bill to it, and if there is anything in the suggestion I make he may consider it in conference.

The amendment provides that—

Officers of the Quartermaster Corps accountable for public moneys may intrust such moneys to other officers for the purpose of having them make disbursements as their agents, and the officers to whom the moneys are intrusted shall be held pecuniarily responsible therefor to the United States.

I am not at all qualified to speak upon the question. I do not know whether it follows in language any previous law; but it occurs to me, as I read it hastily, that there is some question as to whether, if these other officers are the agents of the quartermasters, they can be held responsible pecuniarily to the United States. Of course the quartermaster is in a certain sense the agent of the United States itself. He is the disbursing officer; he gives bond; and now to give him the authority to appoint an agent it is rather queer language, I think, to be used in the military bill anyway, and then provide that the agent of the quartermaster shall be responsible, not to his principal but to the United States. I will not say exactly what I think about it, but I think it is a little vague. I simply want to bring the Senator's attention to it.

Mr. CHAMBERLAIN. That same question, I will say to the Senator, suggested itself to my mind, but in adopting it we really followed the Judge Advocate General. In the memorandum I see that he presented it. I presumed that he had given it a good deal of attention. I know the need of it has been felt at frequent times where the man who had charge of the quartermaster's supplies saved himself a trip to a post, for instance; it saved keeping a quartermaster on the ground to make the disbursement.

Mr. BRANDEGEE. I can thoroughly appreciate the desirability of some such method; in a time of emergency especially it would greatly facilitate the duties of the quartermaster. Quartermasters, I believe, are bonded officers, and to allow a quartermaster merely to create an agent of his and turn over all the property of the Government to him without any bond, and simply as the agent hold him pecuniarily responsible when in fact he may be utterly impecunious is another suggestion. But I will say, in passing, anything that the Judge Advocate General does I have great confidence in. I believe I would not have made the suggestion if I had known that he was the author of the amendment.

The amendment was agreed to.

The next amendment was, on page 46, line 5, after the word "place" to insert "and for the National Guard when called or drafted into the service of the United States," so as to make the clause read:

Horses for Cavalry, Artillery, Engineers, etc.: For the purchase of horses of ages, sex, and size as may be prescribed by the Secretary of War for remounts, for officers entitled to public mounts for the Cavalry, Artillery, Signal Corps, and Engineers, the United States Military Academy, service schools, and staff colleges, and for the Indian scouts, and for such Infantry and members of the Hospital Corps in field campaigns as may be required to be mounted, and the expenses incident thereto, and for the hire of employees: *Provided*, That the number of horses purchased under this appropriation, added to the number now on hand, shall be limited to the actual needs of the mounted service, including reasonable provisions for remounts, and, unless otherwise ordered by the Secretary of War, no part of this appropriation shall be paid out for horses not purchased by contract after competition duly invited by the Quartermaster Corps and an inspection under the direction and authority of the Secretary of War. When practicable, horses shall be purchased in open market at all military posts or stations, when needed, at a maximum price to be fixed by the Secretary of War: *Provided further*, That no part of this appropriation shall be expended for the purchase of any horse below the standard set by Army Regulations for Cavalry and Artillery horses, except when purchased as remounts or for instruction of cadets at the United States Military Academy: *And provided further*, That no part of this appropriation shall be expended for polo ponies except for West Point Military Academy, and such ponies shall not be used at any other place, and for the National Guard when called or drafted into the service of the United States, $3,800,000.

Mr. WADSWORTH. I have not the slightest criticism against this amendment as one of a series in which the same language is used. Just what it means in this particular connection it is difficult to understand, because it is made a part of a proviso which reads:

And provided further, That no part of this appropriation shall be expended for polo ponies except for West Point Military Academy, and such ponies shall not be used at any other place, and for the National Guard when called or drafted into the service of the United States.

Mr. CHAMBERLAIN. I think that probably that language was inadvertently put in.

Mr. WADSWORTH. I am sure the Guard would be very glad to have the ponies.

Mr. CHAMBERLAIN. It was following the habit I had of not overlooking the National Guard of my friend the Senator from Maryland. We want to be sure to have it in whenever there is a chance to put it in.

The PRESIDING OFFICER. What is the pleasure of the Senator from Oregon with reference to the amendment?

Mr. CHAMBERLAIN. I think it ought, properly, to be transferred to page 45, line 12, just before the proviso.

The PRESIDING OFFICER. It will be stated.

The SECRETARY. After the word "employees," line 12, insert the words:

And for the National Guard when called or drafted into the service of the United States.

The PRESIDING OFFICER. Without objection, the amendment is agreed to. The question is on agreeing to the amendment on page 46, inserting the same words in line 5.

The amendment was rejected.

Mr. CHAMBERLAIN. I desire to amend the House provision. I desire to offer to reduce the amount from $3,800,000 to $2,500,000.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 46, line 7, strike out "$3,800,000" and insert "$2,500,000," so as to read:

And provided further, That no part of this appropriation shall be expended for polo ponies except for West Point Military Academy, and such ponies shall not be used at any other place, $2,500,000.

Mr. LEE of Maryland. This, Mr. President, is another most objectionable amendment of the same sort. It takes a long time to make clothing adequate for soldiers, but it takes a longer time to get horses and break them in and get soldiers used to those horses for military purposes.

I am going to read a part of a letter here from Gen. Sadler, adjutant general of New Jersey. I am going to omit parts of it, because the letter was written in a hurry, I think, and some parts of it he might prefer to have omitted; but a part of the letter refers to this very question of horses. We all know how difficult it is to get good horses and inspect them in an emergency. I do not believe that the Senator from Oregon or any other member of the committee will state on the floor that the necessary horses have been yet furnished after a month from the President's call by the officers of the United States to the National Guard called into the service of the United States. We have been over a month, and all the horses have not been furnished yet.

Mr. President, the forces are on the Rio Grande. They may come back or they may go forward. The Senator proposes to cut down the provision for horses. It is a part and parcel of the great system of unpreparedness, of failure to provide for reasonable contingencies.

I am going to call attention to a part of Gen. W. F. Sadler's letter of recent date. The general says:

We have always been given to understand that there was stored in the Schuylkill Arsenal enough material to equip our troops if suddenly raised from peace to war strength. The order for mobilization reached us on Monday morning, June 19, at 10 o'clock. On Tuesday, June 20, no material from the arsenal had arrived, and upon inquiry we were advised that the Government had no more blankets and was out of a number of other articles.

We asked to be allowed to purchase blankets, and Maj. Rolfe, who was then in charge of the arsenal, told us to buy 5,000. As soon as he did so, I called in the equipment from our Second and Third Regiments, who were not included in the call, and had it sent to our camp grounds by motor trucks, so that it would arrive in time to take care of the large number of recruits that accompanied the regiments when they reached Sea Girt.

I then wrote Senator MARTINE, telling him of the fearful fall-down of the Army, which letter, I understand, he read in the Senate. This brought immediate action, and we were wired that blankets would be sent at once by express. When they arrived they proved to be blankets that had been purchased in Philadelphia at a moment's notice, were cotton, and of the $2 variety. We received about 2,500 of them, although we were entitled to about 7,000, and we have not gotten any others up to this time.

When we asked that underwear, shoes, socks, tentage, etc., be sent by express, we were informed that this could not be done without an order from the War Department, for the reason that regulations said that everything must be sent by freight. We offered to pay the difference, but were told that we would have to have an order, which would take two days, so we asked to have the equipment shipped by fast freight.

* * * * * * *

On Sunday night, June 25, Gen. Wood called me on the phone and told me that it was absolutely necessary to have a regiment of Infantry, two batteries of Field Artillery, two troops of Cavalry, a field hospital and an ambulance company sent to the border at once, and asked whether I could get them off the next day. I replied that the notice was very short, but that I would do so if he would have the horses inspected.

I at once got the railroad people busy, got the trains placed, my supplies delivered, my kitchen cars equipped, and everything was ready to move by 2 o'clock Monday afternoon except the horses.

It is proper to say in a previous place this adjutant general of New Jersey had had the forethought to accumulate these horses on some kind of an option, for which he took the responsibility himself:

An examining board arrived Monday morning about 9 o'clock, composed of Capt. Bettison, a coast artilleryman, who headed the board; Capt. Miller, a splendid officer from the remount station; and three veterinarians. Up until noon they only passed 127 horses, and I finally went on the warpath and got an arrangement made to hurry the inspection. The slow examination and branding of the horses made it impossible for us to get our first organization off until 11 o'clock at night, and the balance of the troops called for until morning, all of whom loaded on one of the nastiest nights I have ever seen. The fog was so dense that it was almost impossible to see more than 40 or 50 feet, but in spite of all difficulties we got away in good shape.

Every section that went out of Sea Girt had a kitchen car and we are able to serve from two to three hot meals a day to all of our boys. Many of the troops had to leave here in day coaches, but they were supplied with tourist sleepers and regular sleepers at various points along the road.

Mr. President, there is the experience with reference to this very question of horses and of blankets of an adjutant general of a State who was telephoned to personally by the commanding general of the Eastern Department and appealed to in the exigencies of the National Government, and but for his precaution in having assembled a lot of horses, there would not have been any horses in sight for the Government inspectors to inspect.

Now, the committee comes along with this same idea of not providing in advance that has been prevailing here all along. With these troops on the border, who are not yet equipped fully, and may need many more horses, it is proposed to cut down this possible appropriation for horses.

Mr. President, as I said before, this is an objectionable lack of preparedness and a lack of foresight for possible contingencies, and I certainly trust this appropriation for horses will not be reduced.

Mr. CHAMBERLAIN. Mr. President, merely for the purpose of having it go into the RECORD, in answer to the Senator from Maryland I desire to say that the War Department has made the report to the Military Affairs Committee that $2,500,000 is amply sufficient for the purposes of that section. The estimate is as follows:

For the Regular Army for one year, replacing shortages and wastages, $1,500,000.

To meet the requirements of the National Guard called into the service of the United States to December 31, 1916, $1,000,000.

Making a total of $2,500,000 required.

Permitting a reduction of $1,300,000 in the amount reported.

So I do not know why the Senator from Maryland insists on making these appropriations larger than the War Department estimates.

Then, too, probably the Senator is not aware of the fact that in the urgent deficiency appropriation bill approved March 31, 1916, there was appropriated for horses for cavalry, artillery, engineers, and so forth, $1,529,000. So that, taking that amount and the $2,500,000 as provided for here, there is amply sufficient to meet all the requirements of the Regular Army or of the National Guard.

Mr. WARREN. Mr. President, horses are very necessary; but if we appropriate a sum much larger than can be used, of course that would be useless. On the other hand, the money will not be expended, it is true, unless we can purchase the horses.

I want, however, to indulge in some congratulations for the chairman of this committee, because he is in a position in which I do not recall that a Senator in charge of an appropriation bill has ever before been placed in this body; that is to say, where Senators insist that there shall be more money appropriated than the committee as a whole and the chairman representing it or than the department desire to have appropriated. It may be all right; but, as I say, I am glad to have the chairman of the committee in that position, so that he may go out before the country as having proposed a great economy, which he is not able to carry out, rather than having to explain why he has added so much to the House measure.

Heretofore, for instance, in the matter of extra blankets and clothing there has been a shortage. The War Department has asked for extra supplies of clothing and blankets every year, I think, without exception. The Senate committee has inserted from time to time certain amounts for those extras, but has seldom been able to maintain them and to get them through a conference owing to differences with another House.

As to this particular question of the horses, I feel that the Senator from Maryland may be assured that the amount which we here propose to appropriate, in addition to the amounts which have heretofore been appropriated in two deficiency appropriation bills, will be all that we shall be able to expend until Congress again meets. In purchasing horses, no matter how many we may need, there is much work required to obtain and mobilize a large number, scattered, as they are, all over the country. I believe that the appropriation is sufficient to cover everything we shall need; and when we meet in December I shall, of course, expect almost the first thing will be to provide for the contingencies which may arise in the meantime; that, if our troops are ordered across the border, we shall be met with deficiencies in a large amount, and that we shall proceed to take care of them.

Mr. LEE of Maryland. Mr. President, at the time the War Department made its estimate and the committee made its report the call of the President had been issued. These troops were ordered to go to the southern boundary of this country, and they prepared themselves for all possible contingencies. I presume that the committee and the War Department were calm and deliberate and cool, and that they acted upon the facts as they were then before them.

The troops have got there and are facing physically the contingencies of the border. I do not see that the contingency of going over has disappeared; and I think the committee ought to legislate for the possible contingency and not as though the contingency could not occur. They know how hard it is to get good horses, to have them inspected, to have them properly broken for the use of the military; and there is not a dollar of these appropriations, if the committee provides for these contingencies, which will be spent unless the contingency arises.

Mr. CHAMBERLAIN. May I interrupt the Senator from Maryland?

Mr. LEE of Maryland. Certainly.

Mr. CHAMBERLAIN. Does the Senator from Maryland know that the distinguished chairman of the Committee on Military Affairs in the House of Representatives had that amount increased to $3,800,000, but was candid enough to come back on the floor of the House and say that that was more than was needed? Now, we have put into the bill just what the War Department says it does need—$2,500,000; so that the Senator from Maryland is insisting on more than Mr. HAY claims is necessary and more than the War Department claims is necessary for any contingency.

Mr. LEE of Maryland. But is not this the original amount as the War Department estimated it?

Mr. CHAMBERLAIN. Yes; but Mr. HAY came in and said it was too much, and the War Department itself admits that it is too much, and that they only want $2,500,000. I can not understand why the Senator from Maryland wants to incorporate $3,000,000 when really nobody wants it.

Mr. LEE of Maryland. Well, simply for the purpose of providing for contingencies of the trouble that our troops apparently face. I can not agree with the attitude of mind of the Senator and of the committee, who have apparently refused to contemplate the contingency that is just across the river from 100,000 American troops, and go back to the old system of not making the preparations for contingencies in advance, which has been the cause of all the military mishaps and miseries of the United States.

The PRESIDING OFFICER. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Military Affairs was, on page 46, line 13, before the word "repairing," to insert "constructing and," and on page 47, line 5, after the word "tent," to strike out "$2,750,000" and insert "and for the National Guard when called or drafted into the service of the United States, $5,176,268: *Provided*, That the Secretary of War be, and he is hereby, authorized and directed to acquire, by

purchase or condemnation, such additional land at Fort Sam Houston, Tex., as may be suitable for adequate supply depots and terminal facilities for Fort Sam Houston and the southern department, considering present and future needs; and he is further authorized and directed to commence at the earliest practicable date the construction at Fort Sam Houston, Tex., of suitable buildings, storehouses, shops, yards, and all necessary appliances and appurtenances for the establishment of supply depots of the Quartermaster Corps, the Medical Department, the Corps of Engineers, and the Signal Corps, together with all facilities and utilities necessary for the operations of said depots, including such switch tracks, sidings, loading, and entraining platforms, and devices as may be necessary, said switch tracks and sidings to be connected, under such regulations as the Secretary of War may prescribe, with such main lines of railroads as are available and with which arrangement for such connections can be satisfactorily effected, equal opportunities to make such arrangements to be extended to all competing railroads; and for the purposes of this proviso the sum of $750,000 is hereby appropriated and authorized to be expended, out of any moneys in the Treasury not otherwise appropriated, under the direction of the Secretary of War," so as to read:

Barracks and quarters: For barracks, quarters, stables, storehouses, magazines, administration and office buildings, sheds, shops, and other buildings necessary for the shelter of troops, public animals, and stores, and for administration purposes, except those pertaining to the Coast Artillery; for constructing and repairing public buildings at military posts; for hire of employees; for rental of the authorized allowance of quarters for officers and acting dental surgeons on duty with the troops at posts and stations where no public quarters are available; of barracks or authorized allowance of quarters for noncommissioned officers and enlisted men on duty where public quarters are not available; of grounds for cantonments, camp sites, and other military purposes, and of buildings or portions of buildings for occupation by troops, for use as stables, storehouses, and offices, and for other military purposes; for the hire of recruiting stations and lodgings for recruits; for such furniture for the public rooms of officers' messes and for officers' quarters at military posts as may be approved by the Secretary of War; for wall lockers in permanent barracks, and refrigerators in barracks and quarters; for screen doors, window screens, storm doors and sash, and window shades for barracks, offices, and quarters, and for flooring and framing for tents, and for the National Guard when called or drafted into the service of the United States, $5,176,268: *Provided*, That the Secretary of War be, and he is hereby, authorized and directed to acquire, by purchase or condemnation, such additional land at Fort Sam Houston, Tex., as may be suitable for adequate supply depots and terminal facilities for Fort Sam Houston and the Southern Department, considering present and future needs; and he is further authorized and directed to commence at the earlist practicable date the construction at Fort Sam Houston, Tex., of suitable buildings, storehouses, shops, yards, and all necessary appliances and appurtenances for the establishment of supply depots of the Quartermaster Corps, the Medical Department, the Corps of Engineers, and the Signal Corps, together with all facilities and utilities necessary for the operations of said depots, including such switch tracks, sidings, loading, and entraining platforms, and devices as may be necessary, said switch tracks and sidings to be connected, under such regulations as the Secretary of War may prescribe, with such main lines of railroads as are available and with which arrangement for such connections can be satisfactorily effected, equal opportunities to make such arrangements to be extended to all competing railroads; and for the purposes of this proviso the sum of $750,000 is hereby appropriated and authorized to be expended, out of any moneys in the Treasury not otherwise appropriated, under the direction of the Secretary of War.

Mr. CHAMBERLAIN. I desire to change the amendment of the committee to $3,896,000, instead of $5,176,268, in conformity with the supplemental estimates made by the War Department.

The PRESIDING OFFICER. The amendment to the amendment proposed by the Senator from Oregon will be stated.

The SECRETARY. On page 47, line 7, it is proposed to strike out "$5,176,296" and to insert "$3,896,000."

Mr. LEE of Maryland. Mr. President, I make the same general line of objection to the reduction of this available fund as I have made heretofore as to other amendments. Particularly do I make this objection here on the ground of sanitary reasons. When our troops in the old Mexican War went into Mexico they were up against a fighting people, but they lost six men from disease for one man who was lost by death on the battle field or from the effect of wounds received in action. Whatever you may say of the present condition of the Mexican people for military purposes—and I am inclined to think they are better equipped from a military standpoint, relatively speaking, than they then were—the climate is about the same; the danger of disease, so far as the climate is concerned, is just about the same as it was in the days of Gen. Scott, and though medical science has progressed enormously and preventive measures can be taken to reduce the military death rate, such as were alluded to by the Senator from New York [Mr. WADSWORTH], who referred to the typhoid-serum treatment which has been administered to most of our troops, yet the precautionary measures for which provision is made in the amount here appropriated apply to the sanitary and physical safety of the men, and I object to its reduction in view of the possible contingency of our troops passing over the Rio Grande.

The PRESIDING OFFICER. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. CHAMBERLAIN. Mr. President, in this connection, and before we get too far from it, I desire to call the attention of the Senator from Maryland to another appropriation to which I intended to call his attention but forgot to do so. In the urgent deficiency appropriation bill of July 1, 1916, $8,025,965 were appropriated for horses, in addition to the other two large items which I have already mentioned. So there is absolutely no use, in any view of the matter, to increase the appropriation that was reduced a while ago.

The reading of the bill was resumed.

The next amendment of the Committee on Military Affairs was, on page 48, line 7, before the word "That," to strike out "*Provided*" and insert "*Provided further*," so as to make the clause read:

Provided further, That no part of the moneys so appropriated shall be paid for commutation of fuel or quarters to officers or enlisted men: *And provided further*, That the number of and total sum paid for civilian employees in the Quartermaster Corps shall be limited to the actual requirements of the service, and that no employee therein shall receive a salary of more than $150 per month, except upon the approval of the Secretary of War.

The amendment was agreed to.

The next amendment was, on page 48, after line 14, to insert:

Provided further, That the Dowsett Co. (Ltd.), a corporation of the Territory of Hawaii, assignee of the 30-year leasehold interest granted to Harvey E. Whitney, by lease dated January 14, 1882, in lands now comprised within the military reservation of Schofield Barracks, in the Territory of Hawaii, and its sublessees, be, and they are hereby, given permission to remove, within such time after the passage of this act as the Secretary of War may designate, all buildings erected by them, respectively, on said lands during the form of the said original lease to Harvey E. Whitney, but not including fences or other improvements: *Provided further*, That in the event of their failure to remove the same within such time as the Secretary of War may designate, said buildings shall become the property of the United States as provided in said original lease.

The amendment was agreed to.

The next amendment was, on page 49, line 19, after the word "stations," to strike out "$660,534" and insert "and for the National Guard when called or drafted into the service of the United States, $860,534," so as to make the clause read:

Roads, walks, wharves, and drainage: For the construction and repair by the Quartermaster Corps of roads, walks, and wharves; for the pay of employees; for the disposal of drainage; for dredging channels; and for care and improvement of grounds at military posts and stations, and for the National Guard when called or drafted into the service of the United States, $860,534.

The amendment was agreed to.

The next amendment was, on page 50, line 15, after the word "purposes," to strike out "$400,000" and insert "$440,000," so as to make the clause read:

Barracks and quarters, Philippine Islands: Continuing the work of providing for the proper shelter and protection of officers and enlisted men of the Army of the United States lawfully on duty in the Philippine Islands, including repairs and payment of rents, the acquisition of title to building sites, and such additions to existing military reservations as may be necessary, and including also shelter for the animals and supplies, and all other buildings necessary for post administration purposes, $440,000.

Mr. CHAMBERLAIN. Mr. President, in reference to that item in a supplemental estimate made by the department they have asked, and have given good reasons for the request, that that appropriation be increased by $350,000. I will submit the matter to the Senate as it comes to me from the War Department.

The PRESIDING OFFICER. Does the Senator offer an amendment to increase the amount?

Mr. CHAMBERLAIN. Yes; I move to increase the amount from $440,000 to $790,000.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 50, line 15, after the word "purposes," it is proposed to amend the committee amendment by striking out "$440,000" and inserting "$790,000."

Mr. CHAMBERLAIN. The Secretary of War, under date of July 7, writes me as follows:

WAR DEPARTMENT,
Washington, July 7, 1916.

Hon. GEORGE E. CHAMBERLAIN,
Chairman Committee on Military Affairs, United States Senate.

MY DEAR SIR: The estimates submitted to Congress by the War Department for the fiscal year 1917 under the appropriation "Barracks and quarters" contemplated providing accommodations in the United States for the new organizations recently authorized in the act for making further and more effectual provision for the national defense, and for other purposes (Public, No. 85, 64th Cong., H. R. 12766).

In a plan of organization recently approved by the War Department, however, it is contemplated to organize one of the new regiments of Infantry in the Philippine Islands.

As the cost of providing accommodations for this regiment will be a proper charge against the appropriation "Barracks and quarters, Philippine Islands," it is recommended that the sum of $350,000 required for this purpose be added to that appropriation, and the appropriation "Barracks and quarters" reduced accordingly.

Very respectfully,

NEWTON D. BAKER,
Secretary of War.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oregon to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Military Affairs was, on page 50, after line 22, to insert:

The Secretary of War is hereby authorized and directed to cause to be made such surveys as may be necessary for locating, constructing, improving, and maintaining a system of roads or highways for the better defense of the island of Oahu, Territory of Hawaii, and the sum of $10,000 is hereby appropriated for this purpose.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. LEE of Maryland. I desire to offer an amendment to that amendment.

The PRESIDING OFFICER. The Chair will withdraw the statement that the amendment was agreed to, without objection, and the amendment is now before the Senate.

Mr. CHAMBERLAIN. I should like to have the committee amendments disposed of first, I will say to the Senator.

Mr. LEE of Maryland. Will they be open to amendment later?

Mr. CHAMBERLAIN. Yes.

Mr. LEE of Maryland. I will be delighted, then, to accommodate the Senator.

Mr. CHAMBERLAIN. I move, after the word "purpose," to insert a comma instead of a period and the words "to remain available until expended."

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. After the word "purpose," in line 3, it is proposed to strike out the period and insert a comma and the words "to remain available until expended."

The amendment to the amendment was agreed to.

Mr. LEE of Maryland. Mr. President, I was under the impression that amendments to committee amendments would be in order at this time.

The PRESIDING OFFICER. Amendments are now in order to the amendments of the committee.

Mr. LEE of Maryland. I do not wish to obstruct the course of the Senate, but I was under the impression that amendments to committee amendments must be made when the committee amendment is being considered or else the amendment must be passed, or, if agreed to, a vote to reconsider must be entered. I simply wish to insert, after the words "for the better defense of the island of Oahu, Territory of Hawaii," the words "and of the United States."

Mr. President, for some time past I have thought it very essential that there should be some consideration by military authority of the question of military roads in the United States. I am inclined to believe that perhaps a great deal of the friction along the Mexican border could have been avoided if in your State, Mr. President [Mr. SHEPPARD in the chair], and in the other States facing the country of Mexico there had been provided some military roads, so that patrols by armored automobile or by other means of rapid transportation could have been established for the protection of that frontier.

I do not believe there is any part of our country that would be more benefited by such a system of roads than your State, Mr. President, and the other States facing Mexico. So I think it would be appropriate to include the United States in the beneficent and wise provision that it is proposed to confine to the island of Oahu, in the Territory of Hawaii.

Mr. BRYAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Florida?

Mr. LEE of Maryland. Yes.

Mr. BRYAN. Does the Senator propose to increase the amount of the appropriation?

Mr. LEE of Maryland. I am inclined to think, Mr. President, that the investigation can go on without any increase of the appropriation. All I want is to give a little broader scope to the action of the military authorities on this subject.

The PRESIDING OFFICER. The amendment offered by the Senator from Maryland to the amendment reported by the committee will be stated.

The SECRETARY. In the amendment of the committee, on page 51, line 2, after the words "Territory of Hawaii," it is proposed to insert the words "and of the United States."

Mr. WARREN. Mr. President, I will say to the Senator that this amendment relates to one of the Territories of the United States and does not take in the United States proper. So I think, if the Senator wishes to have it apply to the United States, he should offer his amendment as a different section. Of course, his motion is entirely out of order here.

Mr. LEE of Maryland. The motion is out of order?

Mr. WARREN. Yes; because it increases an appropriation without an estimate being made, and it has not been reported by any committee.

Mr. LEE of Maryland. I imagine this is altogether new legislation.

Mr. WARREN. Not in this case.

Mr. LEE of Maryland. It would all be subject to a point of order.

Mr. WARREN. This provision is not subject to a point of order, while the Senator's is.

Mr. LEE of Maryland. Is not this new legislation?

Mr. WARREN. It is not legislation. It is an appropriation.

Mr. LEE of Maryland. But it is accompanied with legislation providing for the expenditure of the appropriation.

Mr. WARREN. It is an appropriation to expend money on the property of the United States in a Territory.

Mr. LEE of Maryland. But there is no general provision of law for this expenditure. The Senator relies on new law to create this expenditure and to direct this expenditure.

Mr. WARREN. So far as that is concerned, the Senator knows as well as I——

Mr. LEE of Maryland. I do not want to make a point of order against this provision, but I do not want the Senator to make it on mine, either.

Mr. WARREN. I say the Senator is out of order on that proposition. I am not going to make a point of order, but I suggested to him to put the requisite amount he wants for the United States separate from this in the Territory. I think it would be a much better way to reach it. Of course the Senator knows that $10,000 amounts to nothing to undertake to survey the United States for roads.

Mr. LEE of Maryland. It would not be necessary to make surveys for the United States. There are maps already existing which would be presented to the United States by the road departments of the various States of this country, and they must have military maps of the border of the Senator's State. There is no difficulty about this question.

Mr. WARREN. But this appropriation applies solely and only to surveys; that is all.

Mr. LEE of Maryland. I think it goes a little wider than that. It says:

Such surveys as may be necessary for locating, constructing, improving, and maintaining a system of roads—

The Senator is right about that.

Mr. CHAMBERLAIN. Mr. President, may I interrupt the Senator?

Mr. LEE of Maryland. Certainly.

Mr. CHAMBERLAIN. The purpose of this was to survey a line of road around this particular portion of the island of Oahu as a governmental necessity, as a matter of defense over there, for the mobilization of troops when they become necessary; and that is all that it was intended to do. There was an effort made on the part of the department to have a large appropriation made for the purpose, and the committee did not see fit to report it until they had more definite data and information on the whole subject.

Mr. BRADY. This appropriation was made for the specific purpose of surveying certain roads in the Hawaiian Territory.

Mr. CHAMBERLAIN. And having maps made.

Mr. BRADY. It seems to me it would be entirely improper to try to cover the United States also.

Mr. LEE of Maryland. I hope none of the Senators will consider for a moment that I do not think this is a very wise provision. I think it is preeminently a wise provision, and in view of the situation of these islands it is especally called for there; but I really think it is so wise that it ought to be extended to continental United States.

Mr. BRADY. But we could not do anything worth while with $10,000, and we can not increase the amount of the appropriation. I am just as much in favor of improving the roads in the United States as the Senator from Maryland can possibly be, and would be glad to do anything to encourage their improvement; but at the same time this particular amendment was put

in for the specific purpose of making certain surveys that the committee felt were needed in the Hawaiian Islands.

Mr. LEE of Maryland. In order not to jeopardize this amendment, which I think is a very excellent one, I withdraw my amendment.

The PRESIDING OFFICER. The Senator from Maryland having withdrawn his amendment, the question is on the amendment as amended.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 51, after line 3, to insert:

The following-described tract of land on the island of Oahu, Hawaii, known as the Puuloa Military Reservation, is hereby transferred to and placed under the control and jurisdiction of the Navy Department for use for naval purposes: Beginning at a concrete monument on the beach on the west side of the entrance to Pearl Harbor situated about 90 feet south of the small pier and 122.5 feet from the southeast corner of storehouse (from which said concrete monument Salt Lake triangulation station bears by true azimuth 238° 22′ and the spire of Puuloa Church 247° 2′) the boundary runs by true bearings as follows: Southwesterly along the shore at high-water mark to a similar concrete monument on the ocean beach; thence north 14° 20′ west 1,150 feet to a concrete monument; north 62° 10′ east 7,945 feet to the point of beginning; containing 322.33 acres, more or less.

The amendment was agreed to.

The next amendment was, on page 52, line 10, after the word "cantonments," to strike out "$409,963" and insert "and for the National Guard when called or drafted into the service of the United States, $509,963," so as to make the clause read:

Construction and repair of hospitals: For construction and repair of hospitals at military posts already established and occupied, including the extra-duty pay of enlisted men employed on the same, and including also all expenditures for construction and repairs required at the Army and Navy Hospital at Hot Springs, Ark., and for the construction and repair of general hospitals and expenses incident thereto, and for additions needed to meet the requirements of increased garrisons, and for temporary hospitals in standing camps and cantonments, and for the National Guard when called or drafted into the service of the United States, $509,963.

The amendment was agreed to.

Mr. CHAMBERLAIN. Mr. President, I desire to ask to have the amendment on page 50, between lines 23 and 25, and on page 51, lines 1, 2, and 3, transferred to page 65 and inserted immediately after line 13.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 65, after line 13, it is proposed to transpose the words in italics beginning on page 50, line 3, and extending down to and including line 3, on page 51, as amended.

The PRESIDING OFFICER. Without objection, it will be so ordered.

The reading of the bill was resumed.

The next amendment was, at the top of page 53, to insert:

Target range, Vancouver Barracks, Wash.: For the acquisition of approximately 504 acres of land situated near the city of Vancouver, Wash., to provide suitable target ranges for each arm of the military service stationed at Vancouver Barracks, Wash., and for the construction thereon of suitable target butts, range buildings, water supply, etc., $100,000.

The amendment was agreed to.

The next amendment was, on page 53, after line 7, to insert:

For the acquisition of private holdings now embraced in the Fort Bliss target range, situated in Dona Ana County, N. Mex., by condemnation or by purchase, $7,120.

The amendment was agreed to.

The next amendment was, on page 53, after line 10, to insert:

For sinking additional wells to augment the present insufficient water supply and for the construction of new ranges, $28,000.

The amendment was agreed to.

Mr. CHAMBERLAIN. The department has asked that the item on page 53, line 24, "Field medical supply depot, $5,567.10," should be increased to $7,967.10. The increase is small, and if the Senate desires to have the reasons for it I will read the estimate of the department on the subject.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 53, line 24, in the item "Field medical supply depot," it is proposed to strike out "$5,567.10" and insert in lieu thereof "$7,967.10."

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. CHAMBERLAIN. Now, on page 54, in line 4, I desire to strike out the words "Five floors," and have it read, with a capital "F," "For Army Medical School."

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On line 4, page 54, it is proposed to strike out "Five floors" and begin the word "for" with a capital "F."

The amendment was agreed to.

Mr. CHAMBERLAIN. In the next line I ask to strike out the words "Six rooms" and start the next word with a capital "F."

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On line 5, page 54, it is proposed to strike out the words "Six rooms," and to begin the word "for" with a capital "F."

The amendment was agreed to.

Mr. FLETCHER. Mr. President, I ask to go back to page 49 and offer an amendment from the committee, based on a report from the Secretary of War. I send the amendment to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. After line 4, on page 49, it is proposed to insert the following words:

For repairs to buildings, wharves, roads, and replacement of boats at Forts Barrancas, McRee, and Pickens, Fla., and Fort Morgan, Ala., damaged by the hurricane of July 5, 1916, $50,000.

Mr. WADSWORTH. Mr. President, does the Senator desire to address the Senate on that amendment?

Mr. FLETCHER. No; I simply submit a letter from the Secretary of War on the subject. It is an amendment that grows out of the recent damage, done by reason of storms, that should be repaired.

Mr. WADSWORTH. Will the letter be read?

The VICE PRESIDENT. Not if the Senator from New York desires to speak on the amendment.

Mr. WADSWORTH. I was going to ask a question; but the Senator from Florida has sent to the desk a letter from the Secretary of War, and I was waiting to hear it. If it is read, perhaps that will answer the question.

Mr. FLETCHER. I think so.

The VICE PRESIDENT. The Secretary will read the letter.

The Secretary read as follows:

WAR DEPARTMENT,
Washington, July 21, 1916.

Hon. D. U. FLETCHER,
United States Senate.

MY DEAR SENATOR: In reply to your letter of the 19th instant regarding an amendment to the Army appropriation bill to cover damage done at Forts Barrancas, McRee, and Pickens, Fla., by the recent storm, I would suggest the following general amendment to cover urgent repairs to structures and boats occasioned by the recent hurricane at both Pensacola and Mobile:

AMENDMENT.

For repairs to buildings, wharves, roads, and replacement of boats at Forts Barrancas, McRee, and Pickens, Fla., and Fort Morgan, Ala., damaged by the hurricane of July 5, 1916, $50,000.

Very respectfully,

NEWTON D. BAKER,
Secretary of War.

Mr. CHAMBERLAIN. Mr. President, let me add to that that I have received a letter from the Secretary of War, under date of the 21st instant, in which he incloses a copy of his letter to the Senator from Florida, and says:

I recommend favorable consideration of the proposed amendment as the repairs are of an urgent character.

I ask to have this letter put in the RECORD.

The VICE PRESIDENT. Without objection, that may be done.

The letter is as follows:

WAR DEPARTMENT,
Washington, July 21, 1916.

Hon. GEORGE E. CHAMBERLAIN,
United States Senate.

MY DEAR SENATOR: I am inclosing herewith a letter to Senator FLETCHER regarding an amendment to the Army appropriation bill for money to repair damage caused by recent storm of July 5 at Mobile, Ala., and Pensacola, Fla. This is an unforeseen contingency and for which, of course, no provision could be made in the regular estimates.

I recommend favorable consideration of the proposed amendment as the repairs are of an urgent character.

Very respectfully,

NEWTON D. BAKER,
Secretary of War.

Mr. WADSWORTH. I was merely going to ask if these forts are now occupied, or ordinarily occupied, by troops?

Mr. FLETCHER. Yes. There is a garrison there all the while.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. CHAMBERLAIN. I move that not later than 5 o'clock the Senate take a recess until Monday morning at 10 o'clock.

The motion was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 54, line 10, after the side heading "Claims for damages to and loss of private property," to strike out "For payment of claims for damages to and loss of private property" and insert "For payment of claims for damages to and loss of private property incident to the training, practice, and operations of the Army that have accrued, or may hereafter accrue, from time to time, to be immediately available and to remain available until expended: *Provided*, That settlement of such claims shall be made by the Auditor for

the War Department, upon the approval and recommendation of the Secretary of War, where the amount of damages has been ascertained by the War Department, and payment thereof will be accepted by the owners of the property in full satisfaction of such damages, $5,000."

The amendment was agreed to.

The next amendment was, on page 54, after line 22, to insert:

Credit in the accounts of Maj. James Canby, United States Army: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Maj. James Canby the sum of $80, disallowed on voucher 920 B of his money accounts for the month of November, 1913, and now standing against him on the books of the Treasury.

Mr. BRYAN. Mr. President, I should like to ask the chairman something as to the nature of these claims. I notice there are a dozen or more amendments which appear to be merely private claims. I should like to know why the claims were disallowed in the first place, and why it is necessary to have legislation in order to have them paid.

Mr. CHAMBERLAIN. Mr. President, these matters have come up before the Military Affairs Committee nearly every year since I have been a member of the committee. They passed the Senate at the last session, but the House disagreed, and they went out in the conference. If the Senator will look at page 692 of the House hearings, he will find the whole situation discussed; and rather than to take up the time of the Senate to explain them now, if the Senator will look into the matter, I request that it go over until Monday.

Mr. BRYAN. The only thing I want to know is why it was necessary to come here to have the claims allowed, and why they disallowed the claims in the first place. Were they expenditures that these officers had no right to make?

Mr. CHAMBERLAIN. They were disallowed by the accounting officers usually for some irregularity in the form of the voucher.

Mr. BRYAN. Was the expenditure for unauthorized purposes?

Mr. CHAMBERLAIN. Not usually for unauthorized purposes, but they are cases where the vouchers——

Mr. BRYAN. Were any of them unauthorized expenditures?

Mr. CHAMBERLAIN. I do not recall now. I have been over them carefully a number of times, but I do not differentiate between these different claims at this time. Let me say to the Senator that there are a great many others that we were appealed to to insert in this bill, and we disallowed all of them except those which appeared to be measurably in the nature of allowances to correct the books.

Mr. BRYAN. I do not care to be technical about it at all. They aggregate between eight and ten thousand dollars. One of the amounts is as large as $4,500, one is $1,100, and one is $1,500. It does seem to me that in those three instances at least the officers, if they were entitled to payment of these claims, and payment was refused, would have gone into the Court of Claims, as they had a right to do, and asserted their rights. Why should they wait from year to year and come in here on the military appropriation bill and have these items inserted, and disagreed to in conference, and eliminated from the bill in conference? I am seeking information about it.

Mr. CHAMBERLAIN. And I want to give it to the Senator. Let me call his attention to a characteristic one of them, for instance. Take the Stone claim, near the top of page 55.

Mr. BRYAN. I see it.

Mr. CHAMBERLAIN. The sum provided for him, $1,191—

represents the expenditure by Capt. Stone on voucher 6-B, December, 1911, on four officers' quarters buildings, for furnishing and installing wattmeters and electric-light fixtures. The total cost of constructing each of four buildings at Fort Sill, Okla., including lighting and plumbing, wiring and fixtures, and electric meters and fixtures being in excess of the amount allowed by law.

It is not regarded that Capt. Stone was at fault in the case. At the time in question a large number of buildings for use as officers' quarters were erected at Fort Sill, and when the Quartermaster General recommended to the Secretary of War that authority be granted for their construction it was his opinion that the limitation fixed by Congress did not apply to construction other than those payable from the appropriations "Military posts" and "Barracks and quarters, seacoast defenses."

Then they are described.

Mr. BRYAN. If that is a fair sample of the others, they ought not to be in this bill. There is an officer who went and spent money that he had no authority of Congress to spend.

Mr. CHAMBERLAIN. It was done, however, practically under the direction of the Secretary of War.

Mr. BRYAN. Yes; but the Secretary of War has not any right to order him to spend money that has not been appropriated for the purpose.

Mr. LODGE. Mr. President——

The VICE PRESIDENT. Does the Senator from Florida yield to the Senator from Massachusetts?

Mr. BRYAN. Certainly.

Mr. LODGE. These adjustments of the accounts of officers never have been treated as claims. They have always been dealt with in the Army and Navy bills. We deal with several in this bill. We do in every bill, as far as my recollection goes. For instance, we had a case of a paymaster in the Navy whose safe was robbed, through no fault of his.

Mr. BRYAN. Yes; but that is a very different case.

Mr. LODGE. And that is not treated as an ordinary claim.

Mr. BRYAN. No; certainly not.

Mr. LODGE. It is an adjustment of accounts. I do not know the merits of these provisions in this bill, for I have not examined them.

Mr. BRYAN. That is a very different case from this. That is the reason why I am inquiring about these amendments.

Mr. LODGE. It has been customary to put those matters, affecting the accounts of officers in both services, in these bills. I think the Senator from Wyoming [Mr. WARREN] will corroborate me in that statement.

Mr. BRYAN. If the officers have exceeded their authority, they ought to be remitted with their claims to Congress or to the Court of Claims. I do not see on what theory some of them are included and some are left out. They have been in the bill before, as the chairman of the committee says, and they have gone out. There are a great many of them. If they are all equitable claims, it is not possible for the committee to investigate their merits. I will ask the Senator from Wyoming if these were recommended by the department?

Mr. WARREN. If the Senator will allow me, he is absolutely right, of course, in inquiring into these claims in his position as chairman of the Committee on Claims. I was chairman of that committee for many years and I have served on this committee, where these similar bills have come up, for many years, and also upon the Committee on Appropriations, where we have the deficiency bills, upon which such claims are often offered. These are items that are approved by the War Department and are estimated for through the Treasury Department. For some reason they are often sent up recommended for the deficiency bills, but, of course, the managers of the deficiency bills always claim that they do not belong there; that they should come before the Committee on Military Affairs. They are claims where there is a difference between the comptroller over some legal point, not that he objects to the payment, but he believes that strictly under the law he should not authorize the payment.

Mr. BRYAN. Here is an item of between $1,100 and $1,200. The officer had no right to incur that expenditure without authority of law.

Mr. WARREN. If the Senator does not wish me to answer him, I will not proceed.

Mr. BRYAN. I beg the Senator's pardon.

Mr. WARREN. The Senator has referred to one of these claims. When he says they have been on the bill and have been taken off, that is hardly accurate. Some of these had been put on and taken off because sometimes Members on the House side have not felt that they were sufficiently posted upon them and we have been compelled in conference to take them out. At other times they have gone in, but it is generally recognized by the House and by the Senate, and by those who have examined, and examined them as a lot, that this is the way to handle them. They are justly due.

For instance, a colonel may direct an officer under him. Of course he is going to obey the orders of his superior. Of course there is no way for the subordinate officer to collect from his colonel. Then the money is expended for the good of the service and would really be an expenditure which would have been made otherwise, only perhaps through a different channel. There is a board of survey appointed to examine all these matters, and all the facts, and those such as we have included here are certified by these officers to the department. Then the War Department, as I said, reports them to the Secretary of the Treasury and they make an estimate for them, and forward them to Congress.

They are different from the claims sent to the Committee on Claims in that they are practically audited claims. They are audited as far as they can be by the department and by every one except the comptroller.

Furthermore, it is not a payment of money as a general thing. It is a credit on the books to balance off an account charged against the officer until it can be properly adjusted.

Mr. BRYAN. Let me ask the Senator if any of these claims contemplate the appropriation of money instead of a credit on the books.

Mr. FLETCHER. I will tell my colleague that there is no appropriation made at all for any of these items except in the adjustment of the accounts. There is no money to be paid out.

Mr. SMOOT. But the officer would be compelled to pay the money into the Treasury unless he was relieved.

Mr. WARREN. It arose along three or four years ago simply by an injustice to an officer. I do not doubt but finally they must be paid, because they are all good claims.

Mr. FLETCHER. If my colleague will allow me, these matters have been presented to various committees, particularly to the House Committee on Claims. They would say, "We have no jurisdiction." The Committee on Appropriations would say, "This is an Army matter, and it ought to be presented in the Army bill." So these items have been shuffled back and forth for a long period of time.

In this very case, for instance, as the report will show—

In the deficiency act of March 4, 1913, Congress authorized credit in the accounts of Capt. Stone amounting to $13,046.33, disallowed against him for the same reason on account for June, 1911. The disallowance of $1,191 for which authority for credit is now asked had not been brought before this office at the time relief was asked for in the case of the $13,046.13, referred to.

Mr. BRYAN. What is the deficiency at this time?

Mr. FLETCHER. At one time an allowance of $13,000 was made, and if they had known about the disallowance of $1,191 it would have been included. I only mention that to show that there is no pretense even that the money was wrongfully or improperly spent, but it was disallowed in the voucher.

Mr. BRYAN. Let me ask my colleague or some member of the committee about the item on page 58 for Lieut. J. H. Barnard. Did he spend $4,555 without any authority of law, and is he now asking Congress to credit that much money to his account? What was that claim?

Mr. FLETCHER. That is a similar case for the adjustment of the account.

Mr. BRYAN. What did he do with the $4,555?

Mr. FLETCHER (reading)—

The Auditor for the War Department disallowed expenditures amounting to $4,555.06 made by Lieut. Barnard in connection with the "Student's Military Instruction Camp, at Ludington, Mich.," which action was affirmed by the Comptroller of the Treasury.

The camp at Ludington, Mich., was established in accordance with instructions from the War Department, and in conformity with Bulletin No. 1, War Department, Office of the Chief of Staff, Washington, D. C., March 25, 1914. Paragraphs 1 and 2 of this bulletin read as follows:

"1. In view of the great success of the two experimental military camps of instruction for students and educational institutions held during the summer of 1913 and the great benefit derived to all concerned therefrom, four such camps will be established during the coming summer, viz: One at Asheville, N. C., from July 6 to August 7, inclusive; one at Burlington, Vt., same dates; one at Ludington, Mich., same dates; and one at Monterey, Cal., from July 26 to July 31, inclusive.

"A fifth camp at Spokane, Wash., is under consideration, but has not yet been definitely decided upon.

"2. The object of the camps is to give the young men of the country opportunity for a short course in military training, the better to fit them to discharge their military duty should their country ever stand in need of their services. The summer vacation period is selected to enable students to attend with the least inconvenience and greatest instructional advantage."

Mr. BRYAN. He spent $4,555 at Ludington, Mich. What did he do with it?

Mr. FLETCHER. I will get to that in a minute:

Further information contained in the bulletin discloses that the camps referred to were to be maintained for a period of five weeks and were designed for the military instruction of students and graduates between the ages of 18 and 30, who were required to furnish their own transportation expenses to and from the camp, to furnish their own uniforms, and to pay a stipulated sum per week for subsistence, the Government to furnish camp equipment, rifles, ammunition, etc. The bulletin further provides, in this connection, as follows:

"(b) Proper cooking and baking facilities, wagon transportation needed, the necessary personnel for instruction, organization and maintenance of the camp, hospital and medical care and sanitation, and, in short, everything necessary to the health and tending to the comfort and advancement of the students which lawfully can be furnished by the War Department will be provided.

"(c) Such troops of the Regular Army as may be necessary, and which may be available for the purpose at the time of the camp, will attend and cooperate in the military instruction and in the different field maneuvers, exercises, and demonstrations."

The comptroller affirming the action of the Auditor for the War Department in disallowing these accounts stated:

"I find nothing in the several appropriations for the support of the Army from which the above expenditures were made which directly or indirectly authorizes the establishment of students' military instruction camps, and I know of no other law authorizing such establishment. The expenditures were made incident to the instruction camp, they were made necessary because of it, and it is fair to say, I think, that they would not have been made had it not been for the students' instruction camp

"Under the circumstances shown it seems to me the whole procedure lacks the authority or sanction of law, and such being the case I am not warranted in passing the vouchers to the credit of the disbursing officers."

The total amount disallowed against the accounts of Lieut. Barnard is $4,555.06, but as $4.50 of this amount is reported by the auditor as representing an overpayment due to an error in calculation, it is required that the amount of the relief estimate be reduced to $4,550.56.

Those were the expenditures in connection with these instructions and the auditor held that there was not any authority for them.

Mr. BRYAN. Exactly.

Mr. LODGE. The officer was ordered to do it by the department.

Mr. FLETCHER. He was ordered to do it by the department.

Mr. BRYAN. Let us see how this money was spent. Let us see what this Maj. Pettus spent. The amount is $1,545 under the bill. It appears that he had no authority, directly or indirectly, to do it. This bill proposes to credit his account.

Mr. WARREN. No; he did not say that there was no authority at all, but he had the authority of the department.

Mr. BRYAN. Surely, no one had a right to spend the Government money in such a manner as that. Neither the Secretary of War nor anybody under him has the right to make an appropriation from the Public Treasury for a military camp.

Mr. BRADY. Would the Senator expect a lieutenant colonel to disobey the order of his superior if he was instructed to pay out this money?

Mr. BRYAN. Perhaps not; but somebody must be responsible for an unauthorized expenditure of $4,500. I am not military man enough to know; but I know this much, that they were violating the law when they did it. Whether he or the department violated it is a different proposition. It may be that his account ought to be credited with the amount.

Mr. WARREN. Will the Senator yield for a moment?

Mr. BRYAN. Certainly.

Mr. WARREN. The student camps established in the last year or two were new features, and doubtless arranged for with some irregularities. But they have been recognized as being very useful, and in the present appropriation bill, under the law approved on the third of last month, we provide for all these camps, and we provide not only for such items as were paid for in such camps as this last year but we allow them clothing per diem and subsistence. So these expenditures were entirely in the line of what we all acknowledge is a great necessity or benefit and tends toward the kind of preparedness that we are striving for. The fact is, if the War Department exceeds the law and puts a lieutenant where he is charged up with more than his pay, which he, with perhaps a family to support, is unable to meet, early and complete relief should be afforded.

Mr. BRYAN. I do not suppose that a superior military officer would command an inferior officer to violate the law. It may be that he can, I do not know.

Now, let me ask the Senator from Wyoming, who is so well up on these expenditures, about the item on page 56—$1,545 disallowed to Maj. Pettus. What was that?

Mr. WARREN. The examination extended over so many accounts that I should have to take the record and hunt it up to refresh my memory. All that I can say to the Senator is that when they were examined by the committee they were examined very carefully, and they were sifted, and those that were absolutely all right were approved and included. Of course, if the Senator wishes to take up each one by itself and try them out, I call his attention to the report.

Mr. BRYAN. No, Mr. President; I have taken only the three largest ones. I have a purpose in what I am doing. I wish to have anyone on the committee tell me what the $1,545 item is for.

Mr. FLETCHER. I will say to my colleague, in this connection, page 695 of the report shows what those items were:

Of the amount named $645 was paid from the appropriation "Barracks and quarters, 1911," for services rendered and materials furnished in cutting and setting one granite tablet at the Army War College, Washington, D. C., under contract with Ernest C. Bairstow, dated June 29, 1911, and $900 was paid from the said appropriation to Jno. Williams (Inc.) for services rendered and materials furnished in supplying and setting 343 bronze letters and 54 commas, periods, and dashes in granite slab at the Army War College under contract dated June 29, 1911.

It seems that these items covered the amount spent and the amount mentioned in the bill, $1,645, was under a contract made by the department to have the work done.

Mr. BRYAN. Without authority of law.

Mr. FLETCHER. I take it the reason why they were disallowed was because technically he had not authority to do it, but the money was spent under a contract made by the department with people who furnished the slabs and the lettering.

Mr. CLAPP. Will the Senator from Florida pardon an interruption?

Mr. BRYAN. Certainly.

Mr. CLAPP. This brings the matter up in a form that I have long thought it should be presented to the Senate. It occurs, perhaps, even more in the Navy, in an informal as well as a formal way. A case has often come to me where officers have made payments under orders. I quite agree with the committee that this ought not to go to the Committee on Claims. It is a matter that should be handled by the Committee on Military

Affairs where they are officers in the Army, and it should be handled by the Committee on Naval Affairs where they are officers in the Navy; but I do believe that a law should be passed so that in dealing with these vouchers, instead of taking them out of the account of a subordinate officer, who was obliged either to violate an order or make the expenditure—that is often the case in the Navy especially—the law should direct the officer upon whom the duty of passing on the account is imposed to charge it up to the officer who is primarily responsible for having exceeded authority, and then let Congress deal with that.

When it gets in this shape it passes beyond a fair judgment of Congress. Take the Michigan case here. The officer made that expenditure under the direction of the Secretary of War. Where he had made an expenditure under an order, when failing to make it perhaps would have put him in the attitude of disobedience, to compel that subordinate, who might have been court-martialed, to go into the Court of Claims to get justice would be manifestly unfair.

I have felt for a good while that there ought to be a law under which, in cases of this kind, the officer dealing with the accounts and finally passing upon them should have it charged to the account of the officer who primarily is responsible. Then you present a case before Congress where the Senate or the House would be free to deal with the merits of the case, not involved or embarrassed by the fact that in dealing with the merits we are dealing with a man who either had to violate an order, perhaps, or go to the Court of Claims to make a recovery.

Mr. CHAMBERLAIN. May I call the Senator's attention to one thing in connection with this class of claims? The Government has already gotten the benefit, the money has been expended, and these men will be sued unless Congress does something for their relief.

Mr. CLAPP. Yes; but there constantly come up cases where expenditures have been made in excess of authority. The very fact that the Government has got something which it did not want cuts no figure.

Mr. BRYAN. It cuts this figure, that you are allowing these men to take the place of Congress to appropriate public money; that is what it amounts to.

Mr. CLAPP. It amounts to an appropriation, and you can not get away from it in the last analysis. I do not think we ought to visit the sins of the superiors upon the subordinates.

Mr. BRYAN. I do not either. I want to get some information about it. I have succeeded in getting that information. It amounts to this, that somebody, either these officers or officers above them, issued orders to build buildings and make improvements without authority from Congress. Then they go ahead, and to all intents and purposes appropriate the money, and we are appealed to here to make good this $10,000, to charge it off the books against the officers who have done this thing. There ought to be some way to stop it. I shall not make any point of order about it. The Senator very well says that no appropriation is asked for. There is no claim against the Government; the claim is by the Government against whoever is responsible for this illegal expenditure of money.

Mr. BRADY. Mr. President, I will say to the Senator from Florida that there were 25 or 30 of these claims presented to the committee. The committee very carefully sifted them out and gave consideration and favorable action only to those which we felt were very worthy indeed.

I fully agree with the Senator from Florida that we ought to have some way of preventing these expenditures being made without authority.

Mr. BRYAN. A very good way to prevent it would be to appropriate no money for the payment of such expenditures when the officers violate the law in making the expenditures. That would stop it.

Mr. BRADY. I think when expenditures have been made by a subordinate obeying the instructions of his superior that they should be paid.

Mr. SMOOT. Mr. President, I want to say to the Senator from Idaho [Mr. BRADY] that if the 30 claims had been paid under an order from the superior officer, I do not think the committee ought to have gone into the consideration as to whether one claim ought to be paid or another. If they paid any of them, they should have paid them all.

Mr. BRADY. I think that some of these claims which were filed with the committee were not authorized to be paid by the superior officer.

Mr. FLETCHER. I think the Senator from Idaho will agree that the committee decided to limit these claims to this particular class, where the items were merely for the adjustment of accounts. Where there were claims for horses, and claims for this, that, and the other thing, they were not considered by the committee.

Mr. BRADY. Such claims were thrown out by the committee and not given consideration.

Mr. FLETCHER. We favorably considered only that class of claims, such as these, which involve a mere adjustment of accounts, as we looked upon it.

Of course, I quite agree that an officer ought not to exceed his authority; that he ought not to go beyond the law in making expenditures; but it must be borne in mind that it is sometimes a very close question whether or not he has gone beyond the law. There is a difference of opinion between the Secretary of War, for instance, or the superior officer handling these matters, and the auditor. The auditor may not be right. It may be that the general appropriation under the head of "Barracks and quarters" was broad enough to cover the placing of this marble slab; at least, there is ground for difference of opinion as to whether it was or was not. But we are simply accepting the judgment of the auditor in disallowing these vouchers, and we are clearing the accounts by saying here that the Government has got what it has paid for, and it is not fair that this disallowance should be charged against the officer who made the disbursements in pursuance of the contract made by the department or by orders from the department. That is all we mean to say.

Mr. BRADY. Mr. President, the Senator from Florida [Mr. FLETCHER] is quite correct in his statement. Wherever we found that the claim was one for horses, or where the party was in any way himself responsible, the claim was rejected; but if we would go to the extreme, we might say in rejecting all these claims that we would require a subordinate officer to be thoroughly advised as to each appropriation made by Congress and what it should be used for, and to himself determine whether or not the law applied to his particular case. I do not believe we could expect any subordinate officer to do that.

Mr. BRYAN. Mr. President, my position is that somebody in authority over these men—not these individuals whose accounts have to be credited here in order to give them relief from a claim by the Government—but whoever is responsible for that expenditure ought to be compelled to pay it. Otherwise, as stated by the Senator from Minnesota [Mr. CLAPP], you can not escape the conclusion that they are now appropriating money; that they are taking the place of Congress. Here are between eight and ten thousand dollars which have been practically appropriated under that system, and the Committee on Military Affairs comes in and ratifies it. This was money that ought never to have been spent, and money that was spent without any authority of law, unless you delegate to these gentlemen the power that Congress is given under the Constitution to appropriate money. That is the whole of the situation.

Inasmuch as I understand there are a large number of other claims of a similar nature, of the expenditure of money without any authority, I should like to see the committee bring in a bill, if that is customary among the Army and Navy officers, to authorize and to make it the duty of the accounting officers, wherever a situation like this exists, to bring a suit, either at law or in equity, to settle with the men who are responsible for the violation of the law. This is a dangerous thing to do, in my judgment—to let men go along and build a bathroom costing $1,191 in one place, to set up a summer camp costing $4,500 in another place, and to expend $1,500 for decorating a building, all of it amounting in the aggregate to some eight or ten thousand dollars; and then, in order to make the account of the man who keeps the books read straight, we authorize the accounting officers of the Treasury to credit his accounts with this money which has been wrongfully and illegally expended. You can not make anything else out of it. It would be a good lesson to the officers responsible—for somebody is responsible—for this violation of law, if they knew that every time they permitted such a violation, every time they undertook to appropriate public money, they would be held to a strict accountability by Congress, and that they can not come in here, just as a mere matter of form, and have their acts ratified by Congress.

Mr. CLAPP. Mr. President, the trouble about that is that in many of these cases—I am not discussing the merits of the cases in this bill, but of cases of which I have known—a man acts under orders. In such a case he should be relieved by having the auditing officer deal with the man who issued the order, and then let him settle with the Government as to whether, under all the circumstances, the use of the money should be recognized or not. Under existing law, however, and so long as the law stands as it is to-day there will be cases, as there have been cases, where a subordinate officer either had to face disobedience and possibly a court-martial or pay

out money which ought not to have been paid out. To teach him a lesson would do no good. The lesson to be taught should be taught to the man, whoever he may be, who primarily is responsible.

Mr. BRYAN. Mr. President, I have already agreed with the Senator from Minnesota on that proposition; but I want to ask him this question: What penalty would come to such subordinate officer making such an expenditure from a court-martial for refusing to spend money that was never appropriated by Congress?

Mr. CLAPP. He might be dismissed; and, more than that——

Mr. BRYAN. Such a man would not be apt to be dismissed.

Mr. CLAPP. Just a moment, if the Senator will pardon me. More than that, we ought not to stand for a system that puts the subordinate where the discipline of the Army or Navy may be more or less effective by a subordinate determining for himself his personal pecuniary liability or disobeying the order of a superior. If the law visited the penalty on the superior——

Mr. BRYAN. Let us fix the law so that it will do that. There ought to be such a law.

Mr. CLAPP. Undoubtedly; but until that is done we are likely to commit a great injustice if we say to the subordinate, "We will teach you a lesson."

Mr. BRYAN. I think that is true; but I do not imagine that any court-martial would dare to be very hard upon a disbursing officer who refused to expend money that was never appropriated by Congress. That would be assuming a good deal, even for officers of the Army and Navy.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Military Affairs was, on page 55, after line 4, to insert:

Credit in the accounts of Capt. David L. Stone, United States Army: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Capt. David L. Stone the sum of $1,191, disallowed on voucher 6 B of his money accounts for the month of December, 1911, and now standing against him on the books of the Treasury.

The amendment was agreed to.

The next amendment was, on page 55, after line 11, to insert:

Credit in the accounts of Capt. Henry L. Kinnison, United States Army: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Capt. Henry L. Kinnison, Quartermaster Corps, United States Army, the sum of $82.50, disallowed on vouchers 12 B of his money accounts for May, 1912, and 6 B of his money accounts for June, 1912, and now standing against him on the books of the Treasury.

The amendment was agreed to.

The next amendment was, on page 55, after line 20, to insert:

Credit in the accounts of Maj. John E. Baxter, United States Army: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Maj. John E. Baxter, quartermaster, United States Army (now colonel, Quartermaster Corps), the sum of $18.96, disallowed against him on the books of the Treasury.

The amendment was agreed to.

The next amendment was, on page 56, after line 2, to insert:

Credit in the accounts of Capt. L. C. Brown, United States Army: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Capt. L. C. Brown, United States Army (now major, Coast Artillery Corps, United States Army), the sum of $124, suspended against him on the books of the Treasury.

The amendment was agreed to.

The next amendment was, on page 56, after line 9, to insert:

Credit in the accounts of Maj. H. L. Pettus, United States Army: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Maj. H. L. Pettus, Quartermaster Corps, United States Army, the sum of $1,545, disallowed on voucher 11 B, January, 1912, and now standing against him on the books of the Treasury.

The amendment was agreed to.

The next amendment was, on page 56, after line 16, to insert:

Credit in the accounts of Col. Frederick G. Hodgson (retired), Capt. Briant H. Wells, and Capt. Girard Sturtevant, United States Army: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of the following-named officers of the Army the sums set opposite their names, respectively, which have been disallowed and charged against them on the books of the Treasury: Col. Frederick G. Hodgson (retired), February, 1912, $21; Capt. Briant H. Wells, September and October, 1911, $171; Capt. Girard Sturtevant, December, 1911, $2.99.

The amendment was agreed to.

The next amendment was, on page 57, after line 3, to insert:

Credit in the accounts of Maj. James E Normoyle, United States Army: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Maj. James E. Normoyle the sum of $5, disallowed on voucher 238 B of his money accounts for the month of September, 1912, and now standing against him on the books of the Treasury.

The amendment was agreed to.

The next amendment was, on page 57, after line 11, to insert:

Credit in the accounts of Maj. G. G. Bailey, United States Army: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Maj. G. G. Bailey, Quartermaster Corps, United States Army, the sum of $106, disallowed against him on the books of the Treasury.

The amendment was agreed to.

The next amendment was, on page 57, after line 17, to insert:

Credit in the accounts of Lieut. Col. I. W. Littell, United States Army: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Lieut. Col. I. W. Littell (now colonel, Quartermaster Corps, United States Army) the sum of $98.65, disallowed on voucher 24 B of his money accounts for September, 1909, and now standing against him on the books of the Treasury.

The amendment was agreed to.

The next amendment was, on page 58, after line 2, to insert:

Credit in the accounts of Capt. Orrin R. Wolfe, United States Army: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Capt. O. R. Wolfe, United States Army, the sum of $40, disallowed against him on the books of the Treasury.

The amendment was agreed to.

The next amendment was, on page 58, after line 8, to insert:

Credit in the accounts of Maj. G. G. Bailey, United States Army: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Maj. G. G. Bailey, Quartermaster Corps, United States Army, the sum of $31.09, disallowed on voucher 23 A of his money accounts for July, 1909, and now standing against him on the books of the Treasury.

The amendment was agreed to.

The next amendment was, on page 58, after line 16, to insert:

Credit in the accounts of Lieut. J. H. Barnard, United States Army: The accounting officers of the Treasury are hereby authorized and directed to allow and credit in the accounts of Lieut. J. H. Barnard, Fifth United States Cavalry, the sum of $4,555, disallowed in his accounts as disbursing officer for the students' military instruction camp at Ludington, Mich., during the summer of 1914, and now standing against him on the books of the Treasury.

The amendment was agreed to.

The next amendment was, under the subhead "Medical Department," on page 59, line 7, after the word "transports," to strike out "and supplies required for sanitation, including mosquito destruction, of temporary camps beyond the border of the United States, where it may be necessary to protect the Army against the spread of yellow fever or other disease" and insert "and supplies required for mosquito destruction in and about the military posts in the Canal Zone," so as to read:

Medical and Hospital Department: For the purchase of medical and hospital supplies, including motor ambulances and motorcycles for medical service, their maintenance, repair, and operation, and disinfectants, and the exchange of typewriting machines, for military posts, camps, hospitals, hospital ships and transports, and supplies required for mosquito destruction in and about the military posts in the Canal Zone.

The amendment was agreed to.

The next amendment was, in the item of appropriation for Medical and Hospital Department, on page 61, line 3, after the word "advertising," to insert "printing, binding"; and in line 5, after the word "department," to strike out "$2,000,000: *Provided*, That so much of the act of June 3, 1916, as relates to the age limit for eligibility to appointment of first lieutenants in the Medical Department of the Army, be, and the same is hereby, repealed," and insert "$4,500,000, of which sum $500,000 may be used under the direction of the Secretary of War in the erection or rental of temporary hospitals for the care and shelter of the sick and injured," so as to read:

For the payment of express companies and local transfers employed directly by the Medical Department for the transportation of medical and hospital supplies, including bidders' samples and water for analysis; for supplies for use in teaching the art of cooking to the Hospital Corps; for the supply of the Army and Navy hospital at Hot Springs, Ark.; for advertising, printing, binding, laundry, and all other necessary miscellaneous expenses of the Medical Department, $4,500,000, of which sum $500,000 may be used under the direction of the Secretary of War in the erection or rental of temporary hospitals for the care and shelter of the sick and injured.

Mr. JONES. Mr. President, I want to ask the chairman of the committee what the effect of striking out that proviso is?

Mr. CHAMBERLAIN. Mr. President, the House provision left the matter of age wide open; in other words, if that provision became a law, a man might be appointed in the Medical Corps who was 35 or 45 or 64 or any age under the retirement age. The committee was not entirely satisfied in its mind as to just what the age limit ought to be. The age limit is fixed by the reorganization act of June 30, 1916, at 30 years. Gen. Gorgas and his assistants think that that age limit is too low, because under the standard studies nowadays a doctor does not really get out into practice before he is 32 years old. So we eliminated that in the hope that in conference we might take it up and try to agree on what the age limit ought to be.

Mr. JONES. Without the provision which the House inserted, what is the age limit?

Mr. CHAMBERLAIN. Thirty years. We eliminate the House provision, and that leaves it open in conference.

Mr. JONES. I thought it was 27.

Mr. CHAMBERLAIN. It is 30 for the Medical Corps and 27 for the Dental Corps.

Mr. JONES. Is not the Dental Corps a part of the Medical Corps.

Mr. CHAMBERLAIN. Yes; but the age limits are different.

Mr. JONES. Would this provision here affect both corps?

Mr. CHAMBERLAIN. It affects both.

Mr. JONES. The age limit is 30 years and 27 years, respectively.

Mr. CHAMBERLAIN. Yes, sir. We thought we might be able to agree without much difficulty in conference, and that was the reason we struck it out. If the Senator is prepared to suggest a proper age limit, of course I should be glad to have his suggestion.

Mr. JONES. It occurred to me to leave the House provision in and insert at the end of it the words "and such age limit is hereby placed at 35 years," but if the chairman of the committee would prefer to have the paragraph remain as it is and go to conference in the belief that he can satisfactorily adjust it there, I shall not offer the amendment.

Mr. CHAMBERLAIN. The consensus of opinion amongst the members of the committee was that we could probably agree on an age limit satisfactory to both the Senate and the House when we got in conference, and that was the purpose of striking it out.

Mr. JONES. Very well; I will not offer the amendment.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Military Affairs was, under the subhead "Engineer Department," on page 64, after line 2, to insert:

For the purchase of material to be used in the construction by enlisted labor of a trade school building at the Engineer School, to remain available until expended, $9,000.

The amendment was agreed to.

The next amendment was, on page 64, line 12, after the word "to," to strike out "be immediately available $1,000,000" and insert "remain available until the close of the fiscal year ending June 30, 1918, $1,770,000," so as to make the clause read:

Engineer equipment of troops: For pontoon material, tools, instruments, supplies, and appliances required for use in the engineer equipment of troops, for military surveys, and for engineer operations in the field, including the purchase and preparation of engineer manuals and procurement of special paper for same, and for a reserve supply of above equipment, to remain available until the close of the fiscal year ending June 30, 1918, $1,770,000.

The amendment was agreed to.

The next amendment was, on page 64, after line 14, to strike out:

Provided, That authority is granted for the purchase, maintenance, and repair and operation from this appropriation of not to exceed 24 motorcycles, including those on hand.

And insert:

Provided, That authority is granted for the purchase, maintenance, and repair and operation from this appropriation of motorcycles, not to exceed two for each authorized Engineer regiment, battalion, and company, including those on hand.

The amendment was agreed to.

The next amendment was, at the top of page 65, to insert:

Engineer operations in the field: For expenses incident to military engineer operations in the field, including the purchase of material and a reserve of material for such operations, the purchase, operation, maintenance, and repair of passenger-carrying vehicles, and such expenses as are ordinarily provided for under appropriations for "Engineer depots," "Civilian assistants to Engineer officers," and "Maps, War Department," $100,000.

Mr. LODGE. Mr. President, in connection with this provision for the Engineers, I should like to ask the chairman of the committee a question. The Army bill as reported by the committee grants to quartermasters' clerks quarters, heat, and light, but does not grant the same benefit to civil engineers in the same office and subject to the same conditions. They may be under the Engineer Corps; but, as I understand, the civil engineers to which I have reference are in the Quartermaster's office and subject to the same conditions as quartermasters' clerks. They are a small body of men, and I should like to know why the same provision should not be made for them as for quartermasters' clerks?

Mr. CHAMBERLAIN. Those within the provisions of this act are not subject to transfer to different places as are the other officers.

Mr. LODGE. I understand they are subject to the same conditions, transfers, expenses, and so forth; but they receive no consideration. Can not the comparatively few civil engineers also be included? The additional expense would be insignificant. We have provided for the quartermasters' clerks, but not for the civil engineers.

Mr. WARREN. Are they in the Quartermaster's Department?

Mr. LODGE. Yes; the civil engineers to whom I refer, as I understand, are in the Quartermaster's Department, and I ask why they should not be included as well as quartermaster's clerks in the allowances made?

Mr. WARREN. Mr. President, I understand, while they may be connected with the Quartermaster's Department, that they are not detailed to go outside, while some of the quartermasters' clerks are required to go wherever they are sent. As I understand, the quartermasters' clerks are not all furnished with quarters, but simply about 200, I think, covering the number detailed for service in the country outside of Washington and moved from place to place, having no especial abiding place.

Mr. LODGE. I understand that the civil engineers in the Quartermaster's Department are detailed outside of Washington, and why should they not be treated in the same way as quartermasters' clerks?

Mr. WARREN. I made inquiry at the department the other day about a clerk in one of the prisons on the Pacific coast who felt that he was not covered, but I was informed that he was covered by the act.

Mr. SMOOT. Mr. President, the Senator from Wyoming refers to quarters for clerks in the Quartermaster Corps. I want to ask the Senator having the bill in charge if on Monday I make the request that the amendment covering that matter which was adopted to-day be reconsidered, whether there will be any objection on his part?

Mr. CHAMBERLAIN. The amendment to which the Senator has reference was adopted yesterday, but I have no objection to its being taken up again. Of course I should like to have a limit to the reconsideration of the various items of the bill; but I have no disposition to prevent the correction of anything that is wrong in this bill, and I will make no objection to the request of the Senator.

Mr. SMOOT. I will say to the Senator that it was adopted at a time when I was compelled to leave the Chamber, and I have some very strong protests against the manner in which the amendment is written. I should like to call the Senator's attention to the protests, and therefore I shall ask that the amendment be reconsidered.

Mr. LODGE. What is the amendment?

Mr. SMOOT. It is the amendment authorizing certain quarters for clerks in the Quartermaster Corps.

Mr. WARREN. Let me say it is not, in one sense, an amendment by the Senate, having been put on in the House, but stricken out on a point of order. As the Senator knows if he has looked at it, it refers to the staff and to the field corps, including——

Mr. SMOOT. Mr. President, of course I am fully aware that it was in the House bill and went out on a point of order, and therefore when it is put in here by the Senate it makes it a Senate amendment.

Mr. WARREN. Certainly.

Mr. SMOOT. I am very glad to have the Senator from Oregon say that he will have that reconsidered.

Mr. LODGE. My suggestion is in connection with that.

Mr. SMOOT. In connection with this?

Mr. LODGE. Yes. So that can be taken up later, and perhaps we can add a few civil engineers.

Mr. SMOOT. That is why I thought I would speak of it at this time, the Senator from Massachusetts having brought up the question in another form.

Mr. CHAMBERLAIN. Does the Senator from Massachusetts ask that the provision in reference to civilian engineers go over to be disposed of at the same time?

Mr. LODGE. It is connected with the amendment the Senator has just asked to have go over.

Mr. CHAMBERLAIN. All right.

The VICE PRESIDENT. What is the Senator's request?

Mr. CHAMBERLAIN. Mr. President, the Senator from Utah just wanted to know if, so far as I was concerned, I would be willing to have reconsidered the provision on page 16——

Mr. SMOOT. Beginning on line 14.

Mr. WARREN. I understood he wanted it to go over until Monday.

Mr. SMOOT. I should like to have it go over—that is, to reconsider the amendment, and then to pass it over until Monday.

Mr. CHAMBERLAIN. Will the Senator state to the Chair just what he wants?

Mr. SMOOT. Yes. I ask, Mr. President, that the vote be reconsidered whereby the amendment on page 16, beginning

with line 14, and going down to the end of line 9 on page 17, was agreed to.

The VICE PRESIDENT. Without objection, the vote whereby the amendment was agreed to will be reconsidered.

Mr. SMOOT. Now, I ask the Senator to allow that amendment to go over until Monday.

Mr. CHAMBERLAIN. I have no objection.

The VICE PRESIDENT. The amendment will be passed over. What about the amendment at the top of page 65?

Mr. LODGE. There is no objection to that.

The VICE PRESIDENT. Then the question is on agreeing to that amendment.

The amendment was agreed to.

The next amendment was, under the subhead "Ordnance Department," on page 66, line 11, after the word "vehicles," to strike out "$375,000" and insert "$550,000," so as to make the clause read:

Ordnance Service: For the current expenses of the Ordnance Department in connection with purchasing, receiving, storing, and issuing ordnance and ordnance stores, comprising police and office duties, rents, tolls, fuel, light, water, and advertising, stationery, typewriters and adding machines, including their exchange, and office furniture, tools, and instruments of service; for incidental expenses of the Ordnance Service and those attending practical trials and tests of ordnance, small arms, and other ordnance stores; for publications for libraries of the Ordnance Department, including the Ordnance Office; subscriptions to periodicals, which may be paid for in advance; and payment for mechanical labor in the office of the Chief of Ordnance; and for purchase, maintenance, repair, and operation of motor-propelled or horse-drawn passenger-carrying vehicles, $550,000.

The amendment was agreed to.

The next amendment was, on page 66, line 13, after the word "Manufacture," to insert "and purchase"; and in line 23, after the word "homes," to strike out "$4,500,000" and insert "$12,776,000"; and at the top of page 67, to strike out: "*Provided*, That not more than $2,000,000 of this appropriation may be used in the purchase of ammunition" and insert "*Provided*, That the Government shall manufacture at its arsenals as much of said ammunition as can be produced by the exercise of the greatest economy and efficiency," so as to read:

Ordnance stores, ammunition: Manufacture and purchase of ammunition for small arms and for hand use for reserve supply, ammunition for burials at the National Soldiers' Home in Washington, D. C., ammunition for firing the morning and evening gun at military posts prescribed by General Orders, No. 70, Headquarters of the Army, dated July 23, 1867, and at National Home for Disabled Volunteer Soldiers and its several branches, including National Soldiers' Home in Washington, D. C., and soldiers and sailors' State homes, $12,776,000; *Provided*, That the Government shall manufacture at its arsenals as much of said ammunition as can be produced by the exercise of the greatest economy and efficiency.

Mr. JONES. Mr. President, how much of the ammunition does the committee contemplate will be manufactured in the way specified in that proviso?

Mr. CHAMBERLAIN. Mr. President, the Chief of Ordnance, Gen. Crozier, stated in effect that taking the $4,500,000 that was appropriated by the House, it would be impossible to manufacture in the Government establishments over about $2,000,000 of the amount. That is, they did not have the room and they did not have the force necessary to do that. The Senate committee increased the amount from $4,500,000 to $12,776,000; and that would leave practically $10,000,000 that they could not manufacture even if the appropriation were made on the same basis. Therefore, instead of limiting the amount that might be used to purchase ammunition, we simply struck out the House proviso, which read:

Provided, That not more than $2,000,000 of this appropriation may be used for the purchase of ammunition—

And inserted, in lieu thereof, the following words:

Provided, That the Government shall manufacture at its arsenals as much of said ammunition as can be produced by the exercise of the greatest economy and efficiency.

That would require the Government to manufacture $2,000,000 worth if they could, and, if they could manufacture more, to do that.

Mr. JONES. If they deemed it economical to enlarge their arsenals, could they do it out of the $12,776,000?

Mr. CHAMBERLAIN. I think not. It was not contemplated that they would. I might say to the Senator, in all frankness, that there has been a heated discussion about the insertion of these words "and purchase." The Senator will remember that the discussion in the House was a very bitter discussion, and the words "and purchase" were put in by the Senate. In other words, the House required that the Government should manufacture all of these materials except $2,000,000 worth, which they could purchase on the outside. The Senate did not think that limitation ought to be inserted in a bill, particularly in view of the emergency which confronted the country at the time this bill was prepared.

Mr. JONES. My recollection is that when the fortifications appropriation bill was passed, the Senate put in that bill a provision for a powder factory, with the idea of having the Government manufacture most of its powder. None of this money could be used in connection with that plant, I suppose?

Mr. CHAMBERLAIN. I think this would require the Government to make it in any of its establishments where it could, whether provision was made for the erection of the establishment in another bill or in this. It would be required to make at its arsenals as much as could be produced by the exercise of the greatest economy and efficiency.

Mr. JONES. Is not that an unusual requirement to put in—that it shall be done with the "greatest economy and efficiency"? Have we not a right to assume that our officers will exercise economy and efficiency?

Mr. CHAMBERLAIN. I want to say to the Senator that we worked on the language that was put in there quite assiduously, and we did not know just what was the best language to put in. If the Senator can suggest something which is better we shall be very glad to have him do so. We wanted the Government to manufacture all that it possibly could manufacture, but we did not want to tie the hands of the Government officials, in case of an emergency, and say that they could not buy this material anywhere else. We did say to them, "You must manufacture all you can." I should like to have the Senator suggest better language.

Mr. JONES. No; I have not any idea about that, but it just struck me that it was rather peculiar language, and based on a sort of assumption that our officers would not exercise economy and efficiency in any event.

Mr. CHAMBERLAIN. I am giving the Senator a statement of the difficulties that confronted the committee in trying to formulate this language. I think the Senator from Nebraska [Mr. HITCHCOCK] worked on it a while, and I think my distinguished friend from Colorado [Mr. THOMAS] worked on it for a while. Both of those Senators know how to use the English language very well, and both of them were trying to reach the same conclusion that the committee was trying to reach, and that was to make the Government manufacture all that it could, but not to compel it to manufacture all of it.

Mr. JONES. I think I get the viewpoint of the committee, and I think I am heartily in favor of it.

Mr. CUMMINS. Mr. President, this touches a question in which I am very deeply interested, for I believe that the Government ought to manufacture all its munitions of war, and purchase none, save in the contingency of a great war; and I am afraid that the language which the committee has used will preclude, or may preclude, any manufacture on the part of the Government in its own arsenals. I hesitate to criticize the effort of the committee in selecting language to carry out the object which has been stated by the chairman of the committee, but it does not seem to me that these are the proper words to bring about that result.

Mr. THOMAS. Mr. President, speaking as one member of the committee, I certainly hope the Senator will not hesitate to criticize the language employed in the phrase under discussion. The chairman has correctly stated the history of the provision. The Senator will recall the statement which I made some time ago—he may not have been in the Chamber, however—that this bill was prepared under pressure, so to speak. At the time the committee was considering it, the Mexican situation was such that it was the desire of the committee to formulate a bill and report it out as soon as possible in order to meet the extraordinary exigencies with which the country was then confronted. If the Senator can improve that phrase, or if he thinks it can be stricken out, he need have no hesitancy in stating it, because, I think, the members of the committee, in common with the Senator, want to secure the best possible bill under the circumstances.

Mr. CUMMINS. Mr. President, when I first read it, the impression produced on my mind was that it was an effort on the part of the committee to limit with severe restrictions the manufacture of ammunition in Government arsenals.

Mr. THOMAS. No, Mr. President. The Senator will notice that the increase in the appropriation is very large. It is over 200 per cent. We put the amount at $12,776,000, that being the amount recommended by the department, and of course it wanted the ammunition at once. To permit the House provision to remain in the bill, which limited purchases outside of manufacture to a maximum of $2,000,000, might have resulted in great embarrassment to the Government. Hence our purpose, however badly we expressed it, was to provide for as much manufacture as possible, and at the same time to leave the Government free to purchase all of the ammunition which the existing situation might require, and might require that it get as soon as possible.

Mr. CUMMINS. Mr. President, I agree that the Government must be permitted to purchase ammunition under existing cir-

cumstances, because we probably are not provided with the facilities to manufacture all that we may need; but when I read this amendment in connection with an amendment which will be found a little later, and which seeks to reduce by one-half the appropriation made by the House for the manufacture of small arms in Government arsenals, I could reach no other conclusion than that the committee had decided that governmental activity in these respects ought to be limited as much as possible.

Mr. THOMAS. Mr. President——

Mr. CHAMBERLAIN. May I interrupt the Senator just a moment?

Mr. CUMMINS. Certainly.

Mr. CHAMBERLAIN. Our position was just diametrically opposed to the view stated by the Senator. Gen. Crozier simply came before us and said:

If you gentlemen are going to confine us to the manufacture alone, there is no use in appropriating more than about $2,500,000. We can not do it.

Mr. CUMMINS. I am not proposing that the Government shall manufacture all the ammunition; but it seems to me the limitation ought to be rather in the way provided by the House than in the way suggested by the Senate. If you want to limit the purchase or give full scope to the manufacture by the Government, why not ascertain the capacity of the Government at the present time and then deduct that from the entire appropriation? I should be very much better satisfied if we should say that not more than $10,776,000 of the appropriation shall be used for the purchase of ammunition. Then we would have an understandable proposition, anyhow.

Mr. THOMAS. Mr. President, the second amendment to which the Senator has referred was inserted with the same end in view, and the same purpose to be effected that caused us to act upon the amendment that is now being considered.

Mr. CUMMINS. There is no other appropriation, as I understand it, for small arms. There is no appropriation for the purchase of small arms—that is, rifles and pistols.

Mr. LODGE. That amendment is on page 68.

Mr. CUMMINS. And whatever we add to our supply must be added from the Government manufactory. But I call the attention of the Senator from Oregon and the Senator from Colorado now to my construction of this amendment. I read:

Provided, That the Government shall manufacture at its arsenals as much of said ammunition as can be produced by the exercise of the greatest economy—

I pause at that point. What does that mean? We shall make so much of the ammunition at our arsenals as can be produced by the exercise of the greatest economy. Now, that means, if it means anything whatsoever, that we will not produce any ammunition at our arsenals unless we can produce it at less cost than it can be purchased for from private manufacturers. If that be not the construction, then it has no application whatever to the case in hand.

I now continue with the final words:

As can be produced by the exercise of the greatest economy and efficiency.

That emphasizes what I have just said. We have Government manufactories capable of producing so much ammunition, but we are told here that we will produce only so much as can be produced with the greatest economy. Economy about what? If the words "economy" and "efficiency" are synonymous terms as employed in this amendment, then, of course, the only comparison we can institute is the comparison between the Government manufacture and the private manufacture. I suggest now to the Senator from Oregon and to the Senator from Colorado that at least this ought to be changed so as to say "as can be produced using the Government arsenals to their full capacity," and then follow that, if you please, by a command that in the use of the arsenals the greatest economy and efficiency shall be observed.

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Utah?

Mr. CUMMINS. Yes.

Mr. CHAMBERLAIN. Just let me make a suggestion there, in reference to what the Senator has said. The greatest efficiency would require three shifts, and Gen. Crozier did not think that would be the most economical way.

Mr. CUMMINS. But the trouble is that the words "economy and efficiency" must apply to the product. You do not attempt to say that the Government arsenals shall turn out all that they can turn out when operated in the most economical and efficient manner. That is not what the amendment says, and that is not the way it will be construed.

Mr. SMOOT. It seems to me that the wording is all right, if I understand the object of the amendment. If the amendment read that the Government should manufacture at its arsenal as much of said ammunition as can be produced, and stopped there, then they would be compelled, perhaps, to work four-hour shifts. With four-hour shifts they could produce more than they would if they ran the eight-hour shifts, but it would not be economy to do so. It seems to me that that being the case, the amendment means that the arsenal shall produce all the ammunition that they can produce by the exercise first of economy and efficiency. Now, efficiency, it seems to me, would be to run it under three shifts; that is, three eight-hour shifts. That would be the greatest efficiency that could be produced; but if they should undertake to run it on four-hour shifts, perhaps they could produce a little more, yet the expense of it would be so great that it would not pay the Government to do it.

The VICE PRESIDENT (at 5 o'clock p. m.). In accordance with the order of the Senate heretofore adopted, the Senate of the United States stands in recess until 10 a. m. Monday morning.

The Senate thereupon (at 5 o'clock p. m.) took a recess until Monday, July 24, 1916, at 10 o'clock a. m.

SENATE.

MONDAY, *July 24, 1916.*

(Legislative day of Saturday, July 22, 1916.)

The Senate reassembled at 10 o'clock a. m., on the expiration of the recess.

ARMY APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 16460) making appropriations for the support of the Army for the fiscal year ending June 30, 1917.

The VICE PRESIDENT. The pending amendment of the Committee on Military Affairs will be stated.

The SECRETARY. On page 66, line 13, after the word "manufacture," insert the words "and purchase."

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. SMOOT. Before it is agreed to, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gronna	Oliver	Smith, Ga.
Beckham	Husting	Overman	Smoot
Brady	James	Page	Sterling
Brandegee	Johnson, S. Dak.	Penrose	Stone
Bryan	Jones	Phelan	Swanson
Chamberlain	Kenyon	Pittman	Thomas
Clark, Wyo.	Kern	Pomerene	Tillman
Culberson	La Follette	Ransdell	Townsend
Cummins	Lane	Reed	Vardaman
Curtis	Martine, N. J.	Robinson	Wadsworth
Dillingham	Myers	Shafroth	Walsh
Fall	Nelson	Sheppard	Warren
Fletcher	Norris	Sherman	Williams
Gallinger	O'Gorman	Smith, Ariz.	Works

The VICE PRESIDENT. Fifty-six Senators have answered to the roll call. There is a quorum present.

Mr. SMITH of Georgia. Mr. President, the Senator from Vermont [Mr. PAGE] has given notice that he will address the Senate this morning upon Senate bill 703, providing for national aid to vocational education. I ask unanimous consent that the Army appropriation bill be temporarily laid aside and that the vocational bill be temporarily laid before the Senate while the Senator from Vermont addresses the Senate, the Senate to resume the consideration of the unfinished business immediately upon the conclusion of the address of the Senator from Vermont.

Mr. CHAMBERLAIN. I have no objection to that course.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. WORKS. If the Senator will allow me, I submit an amendment to the pending bill, in order that it may be printed.

The VICE PRESIDENT. The amendment will lie on the table and be printed.

VOCATIONAL EDUCATION.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 703) to provide for the promotion of vocational education, to provide for cooperation with the States in the promotion of such education in agriculture and the trades and industries, to provide for cooperation with the States in the preparation of teachers of vocational subjects, and to appropriate money and regulate its expenditure.

Mr. PAGE. Mr. President, I need not say to the Senate that I believe this vocational-education bill ought to pass at this session. If in all our great plans for preparedness there is any one measure more essential than the preparedness of the American boy for efficiency in the economic battle to be fought at the close of the European war, I do not know what that measure is.

I realize, however, that it can not pass at this session, if it is to consume very much time, and it seems to me wise that I offer a part of what I have to say on the measure at this time, in order that later, when time may be even more valuable than to-day, I shall not then feel compelled to delay final action on the bill by any extended general remarks.

GENESIS.

Mr. President, vocational education is a theme which has occupied the attention of some of the best minds of this country since the passage of the Morrill land-grant college bill in 1862.

By some it has been claimed that the two acts of the greatest import in the presidential life of the lamented Lincoln were his proclamation freeing the slaves and his signing of the land-grant college bill.

The name of Morrill is so intimately interwoven with all that pertains to land-grant colleges that I am going to crave the indulgence of the Senate for just a moment while I speak of this distinguished son of the Green Mountain State.

Justin S. Morrill served his country in the Halls of the American Congress for a longer period than any other man; and, in view of the conditions that are likely to confront Senators and Representatives in the future, I think it is altogether improbable that any other man will ever serve as many consecutive years as Senator Morrill.

Entering Congress on the 4th day of March, 1855, he served until the 28th day of December, 1898. Had he lived 65 days longer, he would have served continuously for 44 years. Senator Allison is sometimes referred to as the man who had served in Congress longer than any other, but he did not serve as long and, unlike Senator Morrill's service, it was not continuous.

Probably no piece of legislation has been so closely associated with the prosperity of the American people during the latter half of the last century as the great tariff act which bears Senator Morrill's name—the act which enabled the people of this country to pay a goodly proportion of the debt incurred in the Civil War without distressing them or without seeming to burden them by severe taxation.

But when future historians shall write the history of this distinguished son of Vermont, the act which will overshadow all others, in my judgment, will be that by which the agricultural-college system of this country was established, the Morrill Land Grant College Act of 1862—an act which has given an impetus to agricultural life, the measure and importance of which it would be impossible to estimate.

It is not my purpose to take the time of the Senate by going into the many interesting details that have surrounded the Morrill Agricultural College Act; but since the objections urged against this bill have been largely constitutional, I think it is only proper to show that legislation of this character has been repeatedly enacted, and that precedents are not wanting to sustain the claim that appropriations from the Federal Treasury for educational purposes have been so often made that the objection on the grounds of unconstitutionality should no longer have force in debating this question.

I doubt if any appropriations were ever more favorably received by the American people than those which have from time to time been made for the strengthening of the original Morrill Act of 1862.

It may and probably will be urged that President Buchanan vetoed the original Morrill bill upon grounds of constitutionality; but the revered Lincoln, having Buchanan's veto in mind, as he undoubtedly did, felt no scruples about signing the Morrill Act of 1862. So far as I am able to learn, no administration from Buchanan's to Wilson's has ever successfully questioned—perhaps has never questioned at all—the propriety of the great appropriations made to promote the agricultural welfare of this country through the land-grant colleges.

Let me briefly give to the Senate a list of the five great appropriations supplementing the act of 1862:

First, in 1887, came what is known as the Hatch Act, giving to each State $15,000 per year for the maintenance of agricultural experiment stations.

I need not enlarge upon the value of these experiment stations. Everyone now confesses that they have conducted research and experimental work bearing directly upon agriculture in a way so valuable, so beneficial, that no patriotic, intelligent man would think of withholding support from these institutions.

Next comes what is known as the Morrill Act of 1890. This act bears so directly upon the point I wish to make that I am going to read its most important section:

> That there shall be, and hereby is, annually appropriated, etc., to each State and Territory for the more complete endowment and maintenance of colleges for the benefit of agriculture and the mechanic arts now established, or which may be hereafter established, in accordance with an act of Congress approved July 2, 1862, the sum of $15,000 for the year ending June 30, 1890, and an annual increase of the amount of such appropriation thereafter for 10 years by an additional sum of $1,000 over the preceding year, and the annual amount to be paid thereafter to each State and Territory shall be $25,000 * * *.

In talking about the propriety of these educational measures I have often been met with the statement: "Yes; it is true that we established the Morrill land-grant colleges, but we did not bestow any actual money upon them; we simply gave them some of our lands which we did not need, and which were then of very little value."

However forcible that argument might be under other circumstances, the fact that in 1887 we made a direct *cash* appropriation of $15,000 under the Hatch Act, and in 1890 still another *cash* appropriation of $25,000 under the Morrill Act of that year, fully establishes the further fact that, in the judgment of Congress, appropriations for the benefit of schools had then come to be regarded as constitutional.

Note, Mr. President, that in the short period of three years—1887 to 1890—the Congress made appropriations aggregating $40,000 annually to each State to supplement the original Morrill Act of 1862.

In 1906 a further appropriation was made under what is known as the Adams Act, which provided that the $15,000 annually appropriated under the Hatch Act of 1887 should be increased for the year 1906 by the sum of $5,000, with an annual increase of the amount of such appropriation thereafter for five years by an additional sum of $2,000 over the preceding year, and that at the end of the five-year period, the annual amount to be paid to each State and Territory should be $30,000 for the benefit of State experiment stations.

But this is not all. In 1907 the senior Senator from Minnesota, who is still with us, offered an amendment to the general agricultural appropriation bill, which is now known as the Nelson amendment, providing that the annual appropriation under the Morrill Act of 1890 should be increased in the sum of $5,000 each year for five years, and that thereafter the sum of $50,000 annually should be given to each State for the support of the land-grant colleges.

Just what sum has been realized from the land given for educational purposes under the original Morrill Act of 1862 it is impossible to state; or, if stated, would not materially illuminate the question which I am discussing. Some of the States kept their lands; others sold them and invested the money. Up to and including the amount covered by the Nelson amendment of 1907, each land-grant college is now receiving $80,000 annually from the Federal Treasury over and above the original appropriation of lands, and the additions under the Smith-Lever Act of 1913.

Coming down to the last session of Congress, we find that these same general appropriations for the benefit of land-grant colleges were supplemented by that most generous of all acts of this or, I presume, of any other country for the purpose of education—the Smith-Lever bill, which commences with an appropriation of $10,000 annually to each State and increases from year to year until it reaches the average sum of more than $95,000 to each State.

Mr. President, to those Senators who would oppose this measure on grounds of expense, I wish to call attention to the fact that under the last census it was shown that less than 2 boys out of every 100 in this country enjoy the benefits of an education of college grade. The appropriations which I have just been discussing—aggregating more than $175,000 per year, or nearly $8,000,000 annually to all the States—are for the sole benefit of those boys who attend institutions of the college grade.

This bill, drawn for the purpose of giving Federal aid for vocational education, is designed to aid the other 98 boys out of each 100. It provides for an initial appropriation of $1,700,000 for the first year, increasing from year to year until, when its maximum sum is reached, the total amount will be only $7,200,000.

This is a Nation of more than 100,000,000 people, and this bill is designed to benefit every community in every State in this broad land; and yet the total per capita expense asked for by this measure for the fiscal year ending June 30, 1917, is only 1 cent and 7 mills, and when the maximum amount shall have been reached in 1927 the entire per capita expense will be less than 7 cents annually.

For more than 50 years we have been making appropriations for educational work, and no one up to this time has successfully opposed the well-nigh unanimous voice of the American people in favor of Federal aid for education. Mr. President, let me express the opinion here and now, in view of the numerous precedents to which I have referred, that no one ever will attempt to test the constitutionality of these appropriations by appealing to the Supreme Court of the United States.

Mr. President, it is not obligatory upon any State to devote a single dollar to vocational education if, in the judgment of the educational board of that State, it is not found wise to do so. The bill simply says to the several States that if they will enter upon this work, the Federal Government will aid to the extent of one dollar for every dollar provided by State or local taxation, up to a certain limit.

This bill does not seek to take from the States the great burden of the maintenance of schools. It does not seek to deprive the States of the privilege of proceeding in matters of education in their own way. Nothing has been more carefully safeguarded in this bill than the autonomy of the States in the matter of schools.

Practically the only thing it does require is that if the State formulates a plan for vocational education, and desires to take advantage of this act, it must submit to the Federal board for vocational education the plan worked out by that State, and if that plan is in harmony with the spirit and purpose of this measure, the Federal board for vocational education must approve and authorize a reimbursement to the State for the expenditure incurred for vocational education and training.

I now wish to show how naturally this bill supplements the Morrill Act.

The Smith-Lever bill of 1914 was a very proper connecting link between the Morrill Act and the bill now under consideration. The Smith-Lever bill provides for the carrying of the accumulated results of experimentation, study, and research at the agricultural colleges and experiment stations to the adult farmer on his farm.

Already in very many sections of this country the experiment stations are sending out their experts, under the provisions of the Smith-Lever college-extension bill. In my own State, out of 14 counties 8 or 9 have thus far availed themselves of the advantages of that bill; and while I have no knowledge on the subject, I imagine that all the States in the Union are proceeding substantially as we are in Vermont.

Should the bill now before us be enacted into law, it will mean that in every important farming community there will be a teacher of agriculture. Each schoolroom devoted to agriculture will be presided over by a man who fully understands advanced and progressive methods of farming.

In winter he will instruct the boys from the textbooks. He will teach farm bookkeeping, soil analysis, seed selection, crop rotation, stock breeding, fertilization, and so forth, and, above all, he will try to awaken in the minds of the boys such an interest in agriculture as will lay the foundation for a love of agricultural life.

When the spring opens it is expected that he will go out to the farm homes of his scholars and there put into practice what he has taught theoretically from the textbooks in the schoolroom. He will endeavor to see that every boy has allotted to him, as his own or for his own exclusive use, a piece of land upon the father's home farm; and all through the summer and fall months he will, through close contact with the boy, lead him into that knowledge of intensive and progressive farming without which in nine cases out of ten farm life is rarely either pleasant or profitable.

But I said I wished to show how the original land-grant college bill and subsequent educational bills are supplemented by this bill, which provides Federal aid for the industrial education of the boy and girl below the college grade. The bill before us contemplates the employment of an agricultural teacher in each town, who must be a good, progressive farmer. He need not necessarily possess that technical knowledge which results from a college training at an agricultural college. It is through him, however, that the coordination and cooperation of the college extension work and the work under this bill begins.

Under this bill, the town will be the unit, with the agricultural teacher in charge. Under the college extension bill, the county is the unit, with the man sent out under the college extension bill in charge. These two, acting with each other in harmonious cooperation, will give to agriculture and to agricultural life such an impetus as will accelerate the forward movement in progressive farming to an extent that, I believe, will be little less than marvelous.

I should come short of my duty if I failed to make mention of the excellent work of the noncongressional members of the Federal commission appointed by President Wilson in 1914. They consisted of Charles A. Prosser, the executive head of the National Society for the Promotion of Industrial Education; Mr. John A. Lapp, director of the Indiana Bureau of Legislative Information and secretary of the Indiana Commission of Industrial-Agricultural Education; Mr. Charles H. Winslow, special agent of the Bureau of Labor Statistics and member of the Massachusetts Commission on Industrial Education; Miss Agnes Nestor, president of the International Union of Glove Workers and a member of the committee on industrial education of the American Federation of Labor; and Miss Florence M. Marshall, director of the Manhattan Trade School of New York City and a member of the Massachusetts Factory Inspection Commission.

For more than eight solid weeks they gave their entire time to this measure. They brought to its consideration a knowledge based upon a long and valuable experience in educational work along industrial lines, and it is only right to say that in their selection the President displayed exceptionally fine judgment.

It is said that there is no new thing under the sun, and it follows as a matter of course that they were compelled to follow very largely in the footsteps of those who had gone before in this vocational education work, but their practical experience in connection with working out problems for educational uplift in the large cities proved a very valuable aid in perfecting the details of this bill.

That commission met on the 2d day of April, 1914, and on the 1st day of the following June reported this bill.

AGRICULTURE.

In speaking of the fundamentals of this bill, it may be said that Federal aid for vocational education is demanded, first, because it is needed for agriculture; second, for home economics; and third, for the industries and commerce.

Each one of these needs is predicated upon the general theory that we owe to the boys engaged in agriculture, to the girls engaged in homemaking, and to the boys engaged in the industries and commerce a more practical education than they are now receiving—an education that fits them for life, for efficiency, and for that preparedness which is so absolutely essential if, in the contest for industrial supremacy which is certain to confront us at the close of the present war, we are to prevail.

Taking these in order, I wish to speak first of the necessities of this measure from the agricultural standpoint.

No careful student of the economic conditions surrounding the agricultural sections of our country can have failed to observe that for the past 50 years the constant tendency has been for the young men of the agricultural districts to migrate to the cities as soon as they were old enough to leave the parental roof. Not only the boys, but the girls have thought they could see in city life a greater opportunity for success than they could in life upon the old home farm.

At the time of our last census there were 252 counties in the United States which possessed a less population in 1910 than in 1880, and nearly all these counties were in the agricultural sections of our country. One of the most prosperous farming States of the West showed an absolute decrease of population of some 4 per cent in the last decade. This condition can not much longer exist without destroying the equilibrium between the rural and urban sections, and that would inevitably result in the destruction of that equilibrium between production and consumption which must be maintained if this country is to prosper.

I have not examined the statistics covering the whole country, but, speaking for New England alone, I will say that the figures show that in 60 years the acreage under cultivation in New England shrank from 12,215,277 acres to 7,112,698 acres. Stated in percentages, New England had 72 per cent more land under cultivation in 1850 than she had in 1910. In the same time New England's population increased from 3,110,572 to 6,552,681.

To state it otherwise, New England has two and one-ninth times as many people to-day as she had 60 years ago, but she had 72 per cent more land under cultivation 60 years ago than she has to-day.

The demands upon our country for food products are such as to make absolutely imperative more intensive farming—more intelligent and more progressive methods. In my judgment, there is no way to do this but to supplement the work done along agricultural lines by the land-grant colleges—work which is designed to benefit chiefly young men of college grade—by the education of the boy who, having reached the age when he must become a breadwinner, must be made to see that in agriculture there may be found the same measure of pleasure and the same measure of profit that is found in the trades and industries.

There is a glamour attaching to positions in the store, the office, and the factory—indeed, in commercial life generally—which is not found in farm life as it exists to-day, with its long hours of rugged service.

Combined with the education of the boy must come the education of the girl. Our farm homes must be made attractive, cheerful, and healthful, and this can be done only by that systematic method which is attainable by organized effort along educational lines.

Unless we are able to remove these handicaps which surround agricultural life to-day, we may safely look to see an aggravation of that congestion in our large cities which every student of our economic conditions so thoroughly deplores.

In many sections of our country progressive farming is getting a good foothold. Year by year the spirit of enterprise is growing, but this country can not—it must not—await the slow progress of haphazard effort.

If we do, it will be 10, 20, and perhaps 30 years before we shall have generally reached in this country that scientific method of farming which is so absolutely essential to our national prosperity, and which we can reach in 10 years if we will combine the education of the farmer's boy and the farmer's girl, as provided in this bill, with the education of the adult farmer on the farm, as provided in the college-extension bill of the last Congress.

Those of us who are acquainted with farm life and live in agricultural communities have come to know that the most enterprising and progressive of our boys will leave the farm unless they may be brought to know that farming, all things considered, is as profitable as industrial life in the cities.

I believe—and I speak from some knowledge—that the farmer who comes to have an expert knowledge as to soils, who understands the rotation of crops, the breeding of stock, the testing of seeds, the chemical properties and value of fertilizers, who has some knowledge of drainage, who knows enough about farm bookkeeping to keep a debit and credit of his different lines of agriculture so that he may increase those lines which are profitable and eliminate those which are unprofitable, will not only find agriculture a paying business, but will also find that much of that farm work which under the old régime seemed drudgery becomes a keen pleasure. That is the verdict to-day of our best and most progressive farmers.

That a large majority of our farmers in the past have not sufficiently comprehended the immense advantages of progressive farming is now conceded by everyone who has made a careful study of the subject.

I was told not long ago by an intelligent farmer that less than 60 per cent of the cows in the average New England dairy netted the farmer a profit; and the farmer to-day who does not know farm bookkeeping so that he may ascertain the profit and loss from the different branches of his farm work has very little reason to expect that his farming operations will be profitable.

The American farmer has been compared to a miner who exhausts the fertility of the soil and receives therefor but little more than the bare cost of mining. However that may be, there is no doubt that we have been exporting millions upon millions of bushels of wheat and corn with very little knowledge and almost no care as to its results upon our land.

This kind of farming has been going on for a hundred years or more, and we have been able to stand this terrific drain upon our soil fertility only because of the immense quantity of virgin soil which has been found in the trans-Mississippi States. We now know that there is but little more of this class of lands to exploit and that the old methods practiced by our fathers for generations must give place to modern methods or within a very brief period we shall be a food-importing nation.

How may we accomplish this greatly-to-be-desired change?

In my judgment, it will not either come at all or will come very slowly unless the Federal Government takes the initiative, as provided in this bill.

There must be implanted in the breast of every farmer's boy and farmer's girl that love of agriculture which will come only with that better knowledge of farming which we seek to reach by the passage of this measure.

Mr. President, in my judgment, there is no alternative. The congestion of our cities is unhealthy, unprofitable, criminal producing, and, let me repeat, we must relieve that congestion by keeping our boys and girls upon the farm, and we can not keep them there unless we so educate them that farm life is both profitable and pleasant—pleasant largely because it is profitable.

We are not statesmen if we do not look beyond the hour and note the necessities of our country when, 60 years hence, this country shall have a population, as estimated by our Census Bureau, of 200,000,000 souls. That this number—yes, twice this number—may be easily fed from the products of our American farms can be doubted by no one who has given the question of intensive farming a careful study. But to do this the fundamentals of farming must be better understood. We can not continue to deplete our soils as we have been doing for the last 50 years without producing conditions in relation to food products and food consumption which are even now becoming alarmingly acute.

We do not lack for an example as to what intelligent intensive farming will accomplish. Germany commenced 30 years ago to put the German farms in a condition that will support the German population when it shall have been doubled.

We have the statistics showing a comparison between the increased crops of Germany and those of our own country. I know how uninteresting statistics are generally, so I shall burden you but a moment with reference to this thought. It is, however, so pertinent as showing how weak we are in comparison with that energetic, virile nation that I think the figures are well worth the study of every Senator.

Within the last 30 years Germany has increased her production of rye from 15 to 29 bushels, the United States from 14 to 16 bushels; Germany increased her production of wheat from 19 to 30 bushels, the United States from 13 to 15 bushels; Germany increased her production of barley from 24 to 39 bushels, the United States from 24 to 24.3 bushels; Germany increased her production of oats from 31 to 59 bushels, the United States from 28 to 30 bushels; Germany increased her production of potatoes from 115 to 208 bushels, the United States 98 to 100 bushels.

This statement is so full of meat that I wish to give to the Senate these figures in percentages:

The German increase in rye in 30 years was 87 per cent, the United States 10 per cent; in wheat 58 per cent, the United States 14 per cent; in barley 60 per cent, the United States 1 per cent; in oats 85 per cent, the United States 6 per cent; in potatoes 80 per cent, the United States 7 per cent.

Mr. President, Germany has an area equal only to the three States of Minnesota, Iowa, and Missouri, but she produced three-fifths as much oats, four-fifths as much barley, three times as much sugar, six times as many potatoes, and nine times as much rye as we produced in the whole United States.

Let me state it in another way. In 1907 Germany had 43,000,000 acres sowed with wheat, barley, oats, and potatoes. She harvested therefrom 3,000,000,000 bushels. We had under cultivation 88,500,000 acres—more than twice as many acres as Germany—and sowed the same crop. The American farmer harvested only 1,875,000,000 bushels. In other words, from less than one-half the acreage Germany harvested nearly double the number of bushels that we did.

If from the land we devoted to oats, barley, and potatoes the American farmer had produced the same per acre as was produced in Germany, we should have been richer by $1,400,000,000 annually.

Mr. President, these are most unpleasant statements to be made, in view of the fact—for fact it probably is—that within five years—perhaps within one year—we shall be confronting the world in that great race for commercial and industrial supremacy which will decide the all-important question as to whether we can or can not maintain that high standard of education, of living, and of wages which the American people are now enjoying.

HOME ECONOMICS.

It is probably true that those who have not studied this measure carefully have failed to note that it takes cognizance of the home, and that, while bearing more directly on the farm proper and the industries, it does not neglect the mother and daughter.

I believe that all will agree with the statement that a good, cheerful, well-kept home, presided over by an intelligent woman, educated along both general and practical lines, is a desideratum much to be coveted.

All must live in some kind of a home. It is there that the chief happiness of mankind is found. It is there that character is developed. No great advance, spiritual or mental, is possible which does not begin with the home. It has been said that the hand that rocks the cradle rules the world. Is it not then true that in the final analysis the home makers of America are the makers, the builders, of the Nation?

Every girl is a potential mother. Every mother should see to it that her girl has the best obtainable education for life, including some knowledge of her peculiar functions and some specific preparation for playing well her part in that dominion over which she rules.

Under the terms of this measure provision is made for the education of the girls as well as the boys along the practical lines of life. The girls are to be so educated that they grow up to be good mothers, good home makers, good housekeepers, and it

is for these reasons that this measure recognizes this great problem of home economics by providing that the Federal Government shall aid in the preparation of teachers to go forward with this most important work.

We should all rejoice in the fact that home economics is rapidly assuming the prominent place which it deserves in all the schools which girls attend, from the elementary to the collegiate.

What greater problem confronts us to-day than that uplift of our women which must begin with the uplift of our girls?

The statistics show that 600,000 infants under 2 years of age annually terminate their little span of life and that 5,000,000 people are every year made ill by preventable diseases. It is also unquestionably true that millions more fail to reach their best physical development because their fathers and mothers do not understand how properly to care for them during the period of childhood.

Have we not quite too long been inclined to regard all efforts intended to bring about a higher status in the social ranks of the American woman as of secondary importance, and should we not at once begin, if only from an economic standpoint and for no other consideration, to promote the study of domestic science?

With the knowledge which I believe this bill will give, a large per cent of these 600,000 infants could be saved and the physical standard of those who reach mature years be immeasurably raised. Without this knowledge thousands of homes will be wrecked, thousands of lives ruined, and hundreds of thousands made unhappy for no other reason than that the homekeepers of our country have had no adequate training in that most important of all duties, the making of a well-regulated, intelligently-conducted household.

Home economics, or the science of homemaking, represents a much more comprehensive training than one would believe who has not given the subject considerable thought.

Speaking broadly, it includes all improvements in the conditions of home life. It includes cooking, vegetable gardening, household sanitation, household bookkeeping, and the making of clothing and articles for household use.

It proceeds upon the supposition that the good homemaker should understand ventilation, hygiene, and prevention of preventable diseases, home nursing, the preparation of food for invalids, first aid to the injured, the care of children, house planning, house decoration, a knowledge of the value of those foods which enter into daily consumption, and how to so buy and utilize them as to eliminate waste.

In short, the young woman of to-morrow will not occupy the high position which she is entitled to fill unless she is fitted to prudently and economically manage her household affairs when she becomes a wife and mother, and to have such a full understanding of household administration as will enable her to carefully plan, as one must do who provides for and presides over a household and who has charge of the family living expenses.

So far as I recall, all the important women's organizations and associations of this country have indorsed this measure. Time will not permit a reference to many of these indorsements, but I am going to crave the indulgence of the Senate while I refer to one or two of them.

The National Women's Trade Union League of America, of which Mrs. Raymond Robins is president, at its recent meeting, passed resolutions unqualifiedly indorsing the bill now before us. I quote from those resolutions:

> Whereas the National Women's Trade Union League, realizing the importance of and need for vocational education, to be established in our public schools, urged upon the educational authorities throughout the country to establish trade, technical, and vocational education in connection with our public schools and has worked toward that end, and
>
> Whereas additional funds are needed in the States to carry on this work in our schools, and
>
> Whereas there was introduced in the last Congress a bill recommended by the Commission to Consider National Aid for Vocational Education, appointed by President Wilson February, 1914, to provide for Federal aid: Therefore be it
>
> *Resolved*, That the Women's Trade Union League in convention assembled indorse this bill known as the Smith-Hughes bill, providing for an appropriation by Congress to stimulate and aid the States in establishing and extending vocational education in our public schools, and urge upon the next Congress the enactment of this legislation.

We have in this country a strong organization known as the American Home Economics Association. They have recently held their annual meeting at Seattle, and among the subjects there considered at length was this measure. Let me read the resolutions passed by the association at that meeting:

> *Resolved*, That the members of the association heartily approve of the purpose and scope of the Smith-Hughes bill now before the Congress of the United States, which provides (1) that Federal grants of money, to be supplemented by equal appropriations by the individual States, be given for the training of teachers of home economics, agriculture, and trade and industrial subjects. * * *
>
> *Resolved*, That the committees of the United States House of Representatives and the United States Senate having the Smith-Hughes bill in charge be asked to report this bill promptly and favorably to Congress at the opening of this coming session.

Arthur D. Dean, chief of the division of vocational schools for the State of New York, is responsible for this thought:

> We are only at the beginning of a new conception of woman and her work. She will be educated only as she is the master of herself and master of her job. Master of herself in the sense that she must know her possibilities as a woman, of splendid health, of personal power, and of genuine poise; master of her job only as she is fitted for a God-given motherhood and a community-given vocation.

Charles Wagner gives expression to substantially the same thought in the following language:

> The more woman shall have learned to live by herself the better she will occupy her position in wedded life should she marry. Trained to direct herself, to earn her own living, capable of energy and decision, a woman, if she marries, brings a precious cooperation to her husband. If she never marries, she will know how to be all sufficient to herself.

It is coming to be more and more realized that we must give to our girls a training different from that with which we now provide them if crime, disease, divorce, and race suicide are not to continue to increase, as they have for the past 25 years, to an extent which will speedily make our moral conditions unbearable.

Not until this bill is passed will the essential movement toward better home making and toward a better understanding of all the duties of motherhood be accelerated and women be accorded that higher status in the social ranks of our country to which they will be then entitled.

COMMERCE AND THE INDUSTRIES.

I have already given to the Senate a history of some of the more important appropriations made by Congress providing Federal aid to schools of college grade. I have referred to the claim sometimes made with reference to the constitutionality of appropriations of this kind. I have referred to the bill as it will affect agriculture and the maintenance of equilibrium between urban and rural life. I have referred to the bill as it will affect household arts, or home economics.

I now wish to call the attention of the Senate to that feature of the measure which seeks to promote the welfare of the boy and girl whose parents are engaged in commerce and the industries, and in many respects I regard this as the most important feature of the measure, because it is closely interrelated with the all-important question of good citizenship.

In the trade and industrial schools an education must be given the boy which will fit him for useful employment or for such trade or industrial pursuit as he may decide to enter upon; and under the terms of this bill it is contemplated that after the boy has left home and becomes a wage earner he shall attend a part-time or evening school covering not less than 144 hours of instruction per year.

The bill contemplates that in the cities education along the lines of trade and industries shall include such lines of work as shall fit the girl to enter upon employment that will be vastly more remunerative than that which she is able to secure if she has had no opportunity to educate herself along the lines of work she designs to follow.

Whether the laboring man is or is not receiving his share of the great prosperity of our country at this time it is not now necessary to discuss. He believes he is not, and that belief has ripened into a conviction so strong that the present-day tendency toward socialism is confessedly alarming, and we ought to pass this measure, if for no other reason than that it will appeal to the laboring men of our country as evidencing our purpose to deal justly with them.

Our recent labor troubles in Colorado and West Virginia furnish all the evidence we need that this problem is so great and so acute as to demand the best thought of our greatest statesmen.

We must not invade the rights of property nor trench upon that provision of the Constitution which says that no man shall be deprived of life, liberty, or property without due process of law.

But it is lawful to tax the wealth of this country for purposes of education, and the careful student of political conditions to-day is unable to find any way to distribute a part of the great prosperity of the wealthy for the benefit of those less favored as practicably and as equitably as to expend it for education. I think we are all agreed upon this point.

But when we reach the next step we confront conditions which thus far have proved insurmountable. One man may lead a horse to water, but a thousand can not make him drink. We may offer to the laboring man a better education for his children, but it is most difficult to induce him to avail himself of the offer unless he can see some practical benefit growing out of the great sacrifice he has to make in taking his child from the

ranks of the family breadwinners and continuing him after the age of 14 in the public schools.

Far be it from me to place any obstacles in the way of a college education for every boy whose financial condition is such that he can take a college course.

Speaking for New England and her colleges, I am only too glad to testify to the power of their usefulness and their leadership. The men and women of New England have worn homespun that the colleges for the education of their boys might continue to live. The best blood of her sons has peopled the plains and cities of the West. Long may they live, and may the power of their usefulness and leadership continue.

But, Mr. President, we must not fail to take cognizance of the fact that less than 2 out of every 100 of our American boys and girls ever reach the college or the university. Indeed, more than nine-tenths of them never pass from the elementary school to the high school or academy.

The fathers of those boys who labor in the factories, the workshops, and the quarries—and, indeed, we might add, the sons themselves—fail to see how benefit can come to the boy by the study of Latin, algebra, physics, history, and the long list of cultural studies which he finds in the curriculum of the high school. It is now generally conceded that the only way in which the average boy, after passing through the elementary grades, can be induced to continue his school life is by showing him that what he is to learn, if he will continue his school life, will enable him to command a better wage when he goes out into the world to participate in the great struggle for bread and butter.

He is slow to see that there is any practical value in the abstract study of mathematics, chemistry, physics, and languages; but by beginning with a study of machinery, if he is to be a machinist, he will quickly be brought to see how a knowledge of each of these branches will better equip him for work along the line he has chosen. If he is to be a farmer, it does not take him long to see that a knowledge of the fundamentals of farming will make farm life more pleasurable and more profitable, and that to him is the ne plus ultra of his ambition.

Mr. President, there is probably no subject which should command the earnest thought and consideration of the people of this country more than the great danger surrounding the average boy in our larger cities and towns when he reaches his fourteenth year and goes out into life from the elementary school. This is especially true of the sons of those men who work in the factories, the mills, and the quarries. In a majority of these cases it is probably true that the father is unable to find employment for his 14-year-old son in the shop or quarry where he works, and the boy is too young to be sent away. If, as provided in this bill, he could at that age be given a vocational training so as to keep him in school for another two years—and it is generaly conceded that this could be done if the nature of his studies were along vocational lines—he would be removed in a large degree from the temptations which surround the boys not thus favored.

Our reformatories and jails are filled with mere boys. Statistics show that the maximum age for malicious mischief is 14; for petty larceny and assault, 15; for crimes against property, 16; for fornication, 17.

This means that early and middle adolescence is the great crime period.

Judge Pinckney, of the New York juvenile court, is authority for the statement that apparent neglect and incompetency are responsible for most of the delinquency which brought into his court three-fifths of the 12,000 children who have passed through it during his incumbency of that office.

Judge McAdoo, when chief magistrate of the New York City municipal court, in making his annual report, used this language:

> There is growing up in this city a menacing army of boys and young men who are the most troublesome element the authorities have to deal with. From the ranks of these lawless, reckless rowdies, who are organized in bands or bound up with chums or pals, come most of the crop of burglars, truck thieves, holdup men, and other criminals and dangerous characters.

The Toronto Globe, one of the leading journals in Canada, in commenting upon Judge McAdoo's report from which I have above quoted, insists that the industrial school is the most effective preventive of these criminal conditions. When we consider the extensive and fearfully expensive ravages of crime, and realize that they could be largely prevented by taking charge of the boy in his fourteenth year, and throwing around him the educational safeguards which would unquestionably come from a school life during his fourteenth and fifteenth years, are we not guilty of criminal neglect in this matter? Are we not inexcusable if we fail to do what we can to throw around him that care and guidance of which he is now deprived? I do not believe the measure of our neglect is either known or appreciated by many of us who are responsible for the conditions to which I have referred.

From the Herald, of this city, I clipped the following statement concerning conditions in New York City:

> One person out of every twenty-three in Greater New York was arrested or summoned to court for an offense against the law last year. One out of every thirty-one was convicted of a crime. One out of every twenty thousand was murdered.
>
> These figures are based on police department records. The actual statistics are as follows:
>
> Persons arrested or summoned to court, 212,452; number convicted, 161,121; murders committed, 246; murderers who committed suicide, 27; arrests in white-slave cases, 65.
>
> The population of Greater New York, according to the police census, is, in round numbers, 5,000,000.

The fact is almost unbelievable that one in each thirty-one of the entire population of New York was convicted of crime in the year 1915. I do not know what percentage of crimes are detected and the perpetrator convicted, but I presume not one-half. If that is so, one in every sixteen of the population of New York City last year was guilty of crime, and if Judge Pinckney and Judge McAdoo are correct, the greater part of these crimes would have been preventable had we taken these young men at the age of 14 and given them a training in some school which is a preparation for life.

Mr. President, there is quite a general belief on the part of the great financiers of this country that when the present European war shall have terminated the United States will be confronted with a war for commercial supremacy the like of which has never been seen. In that war our great superiority in the matter of capital will be unquestioned.

Our inventive genius has enjoyed, and will continue to enjoy, a world-wide supremacy. Our supply of raw material—coal, iron, copper, zinc, lumber, and oil—will be, on the whole, equal—probably superior—to that of any other country in the world. Our water power, developed and undeveloped, is probably not surpassed on the face of the globe. Where, then, will be our economic weakness? Unquestionably in the matter of the efficiency of our labor.

For the last 20 years—perhaps, more especially, for the last 10 years—Germany has been producing a higher class of skilled labor, taken as a whole, than any other nation on the face of the globe. Any young man applying for a position at a shop or factory in this country where expert skill is required has only to say, "I received my education in Germany" and he has an open sesame to any manufacturing position. The American boy may be just as bright or even brighter than the Teuton, but, while the German boy has been taken at the proper age and given a vocational training that makes him a finished product, the average American boy at the age of 14 is turned loose upon the country with an education that simply fits him to be a failure.

It is said that in Germany every boy, even to the sons of the Emperor, must learn a trade. Every boy there is assisted in that finest of all endeavors, the effort to find himself, to decide what he is good for, what trade he should pursue, what calling he is best qualified to fill; and when this has been done Germany takes him in hand and, having in view the one great purpose of conserving her most valuable asset, the German boy, gives him an education along vocational lines that fits him, to an extent unequaled by any other nation, to be a skilled, intelligent artisan.

The extent to which we change our conditions by increasing the efficiency of our boys in vocational education will measure the degree of our success in our industrial struggle for commercial supremacy in the next decade.

Is it not probably true that the only way to curb the growth of socialism and anarchy in this country is by following the example of Germany in giving to every one of our boys an education which fits and equips him to stand upon a higher plane in the tremendous struggle which the laboring men of this country are to-day making for better homes, better standards of living, and last—and more important than either—a better education for their children?

If I am wrong I beg to be pointed to some better way to treat this subject, than which, in my judgment, there is none more important to come before us at this session.

We must look for our progress, and particularly our commercial success, to a higher efficiency in our shops—to a higher grade of output. We must export less pig iron and more sewing machines, less steel billets and more watch springs, less copper and more dynamos.

The great spirit of unrest is upon us. Already hundreds of thousands—yes, millions—of men in this land are asking for shorter hours and a higher wage. Something must be done.

And he is, indeed, a greater optimist than I can be, under the circumstances, who does not believe that the time has arrived when we must give to the sons of our laboring men a better education along industrial lines.

Do this, and we shall make them more self-respecting, more law-abiding, more patriotic, and better prepared to take their places in the great struggle for commercial supremacy upon which we are entering.

A leading educator has said that by industrial education we are asked to shape the lives of the children of to-day and therefore make the men and women of to-morrow.

Each year 2,500,000 graduate from our elementary schools, proud and confident of having accomplished the first great task of their lives in successfully finishing their eight years' course with credit. An equal number of children, a vast army of two and a half million, most of them only 14 years of age, leave the same schools discredited, unsuccessful, aimless, most of them having gotten no further than the seventh grade, not educated in any sense, but only possessed of the rudiments whereby real education may be acquired. They have been schooled only in how to fail.

The Iron Trade Review insists that the untrained man, when thrown out of his employment, becomes a menace to society, and adds:

> There are many young men wasting their efforts along more or less improper lines of endeavor, who would be valuable members of society if they could have had the advantage of a special training when at a suitable age. It must be made almost impossible that there be such an anomaly as an untrained man before our country can claim rightfully to afford every man an equal chance.

Mr. President, Harvard University alone has assets of more than $25,000,000. She has an annual income of more than 50 per cent more than this bill will take from the Federal Treasury in the year ending June 30, 1917, and more than half as much as it will take when we reach the maximum provided for by this measure.

I am glad that New England can boast of her Harvard, Yale, and other strong universities, and I wish them all the fullest measure of prosperity. But it must be remembered that these great institutions of learning educate less than 2 of every 100 of our boys.

The American Federation of Labor, representing, it is claimed, 2,009,082 American laborers, speaking through its president, Mr. Gompers, sets forth their attitude toward this great measure. He says:

> Under this proposed law the Federal Government, the States, and the local communities would be united in a cooperative movement to place within the reach of every boy and girl in the country the opportunity of securing both a general and a vocational education.
>
> The prosperity of a nation depends upon its industrial and commercial success, and, in respect to these, success depends upon the training and intelligence of its citizens. It is therefore plainly evident that a national educational system determines its destiny.
>
> The compilation of statistics relating to the period of school attendance by the young of the country, the study of these statistics, and the result of the limited attendance of so large a proportion of the school population which they have disclosed have attracted the attention not only of men engaged in educational effort, but the people generally. The fact that so large a proportion of the boys in the United States are leaving school at or before the completion of an elementary course of instruction; that the major portion of them are subsequently to earn a living by the work of their hands; that at an early age they seek employment, largely in unskilled industries, because they are fitted for nothing better and because they are too young to enter upon the work of apprentices, even were that possible; and that the prospects of emergence from unskilled to skilled industries is so small, is attracting attention to the problem and demanding solution.

He speaks volumes in a single sentence, which I repeat:

> The prosperity of the Nation depends upon its industrial and commercial success, and, in respect to these, success depends upon the training and intelligence of its citizens.

Mr. LA FOLLETTE. Mr. President, will the Senator yield to me for a question?

Mr. PAGE. Certainly.

Mr. LA FOLLETTE. Is it the Senator's purpose, will he kindly state, to discuss the details of the bill before he closes?

Mr. PAGE. No, sir; not at this time.

HOW THE PUBLIC REGARDS THIS MEASURE.

I think I measure my words carefully and speak with a proper regard for truth when I say that within the past six years a large portion of this country has become thoroughly aroused to the importance of a line of education which is more practical and better calculated to produce efficiency in the young men and young women of our land than is to-day resulting from the cultural studies which generally form the curriculum of our schools.

There has been a fast-growing and persistent demand for an education which better equips the American boy and girl for agriculture, home economics, commerce, and the industries. This movement had its beginning some six years or more ago, but, as in all matters of this character, progress was very slow, and no measures tending to bring about a vigorous momentum were in evidence until then, when a movement was inaugurated which has finally been taken up and indorsed by practically every organization in this country devoted to the educational uplift of our boys and girls.

It may not be amiss to mention some of the stronger of the very many associations and organizations that have indorsed and are pushing Federal aid for vocational education. They include labor organizations, boards of trade, the National Grange, the great manufacturing associations, as well as a large number of other associations devoted to social uplift.

Perhaps I might mention as among the stronger and more influential of these organizations the National Society for the Promotion of Industrial Education. Under the leadership of its president, who is none other than the honorable Secretary of Commerce, William C. Redfield, this society has taken a most prominent part in promoting the welfare of the measure before us, and during the past four years it has been a most energetic colaborer in the work of focusing the attention of the educators in this country upon the cause of Federal aid for industrial education.

Secretary Redfield, at the annual meeting of the society at Minneapolis in January last, gave utterance to the views of the organization, and with the indulgence of the Senate I wish to read a few brief extracts from his excellent address delivered on that occasion:

> The white light of war has been thrown on our national effectiveness and it has found us wanting, not merely in preparedness for war but also in preparedness for peace. We of all people have suffered too much from a somewhat feeble altruism, complacently smiling on its own moral perfection and too heedless of the stern realities of life. In America there needs to be learned a lesson of effectiveness, and one of the first steps in the learning of the lesson is to learn that we need to learn, for there proceeds in many a factory and mill and mine the rule of thumb, triumphant in its ignorance and rejoicing in the success which it works at frightful cost of human toil and economic waste. It is to the circumstances that thus hinder us from reaching that efficiency which we ought to have, which the leaders among us seek, but which too many of us decline even to consider, that we address ourselves. It is in the effort to advance the human effectiveness of America that we are met. * * *
>
> Possibly if we had to state our purpose in a phrase we should say that we wish our young people to be taught the laws of work and how to obey them. * * * We deal with life, and we seek the growth and expansion of that life into fruitfulness and security and peace. We give to economics its due place, but we insist that ethics are wedded to it, and between these united truths we recognize no divorce.

Secretary Redfield has given expression to a thought that has been uppermost in the minds of many educators for the past five years, namely—

> That while teaching the cultural and ethical we should develop the practical. There is no hostility between the two, and the time, in my judgment, is soon coming when we shall recognize no divorce between them.

As the Secretary well continues:

> Give us the brother's hand to help boys forward and the sister's smile to lift girls upward, and we are your fellow servants, here and everywhere in broad America. * * *
>
> We look for the added effectiveness of both men and mill, and we look at these two, reckoning the men far greater than the mill. We look for less waste of human effort, material, and time. * * * We look for an increase in quality and quantity of product, and a reduced repair expenses on machine equipment * * *
>
> We seek the opportunity for personal growth, the expansion of individual power, the open door to the life in which men and women might find themselves. * * * We expect to add to labor's self-respect, and give back some of its lost dignity and restore pride in good workmanship and a fine product. * * *
>
> We believe that the education we seek to promote is not class education, that it is not to educate a workman to be only a workman. It is that. It is much more than that. * * *
>
> We do not seek, as some, to educate our children into the mill. * * * It is no part of our creed and no fair inference from it that all are to be worked in the work of industry. * * * We would both train and select and give scope to every aptitude. We would, however, have them do not only with their minds but with their brains what their hands find to do.

Secretary Redfield has been the head of this organization for several years, and at the meeting at Minneapolis over which he presided, there was one of the largest and most enthusiastic gatherings ever brought together for the especial purpose of promoting the welfare of industrial education. They adopted resolutions, one of which I wish to quote because it states concretely the attitude of that great organization:

> The National Society for the Promotion of Industrial Education approves of the principle of Federal aid for vocational education for the purpose of stimulating the States to undertake this new and all-important work which it has so heartily indorsed at the last three preceding conventions.

Among the warmest supporters of Federal aid for vocational education, during the years in which I have been intimately connected with this work, has been the American Federation of Labor, an organization which to-day numbers 2,009,082 members. However divergent views may be as to some of the workings of

that great organization, no one can deny that it has at heart the best interests of the sons and daughters of the men who labor in our workshops and factories, in our mines, our mills, and our quarries.

This Federation has given to the subject of education a vast amount of study and investigation and it is not too much to say that no organization has a better right to speak as to the class of education most beneficial to the sons of the toiling millions than the American Federation of Labor.

The President of that great organization, Samuel Gompers, has for years been one of our most zealous coadjutors in this educational work. How interested he and the great organization of which he is the head are in this measure may be best shown by quoting from one of his statements:

> At the outset I may say that education is necessarily the foundation of any republic. Education is necessary to the perpetuity of any republic. It is, therefore, the essential duty of this Republic to guarantee every child an adequate education. Everybody believes in education. Differences arise not upon its value, but upon questions of what a true education should consist—who should be educated, how far and by what method they should be educated, and what persons should conduct such education.
>
> Education should deal with whatever we do for ourselves and whatever is done for us by others, for the express purpose of bringing us nearer to the perfection of our nature, and to bring an understanding of the meaning of work and its relations to life.
>
> Industrial education in the sense in which this term is ordinarily used, and in which it is now employed, means that sort of education which is specially adapted to the needs of men and women whose business in life it is to pursue some kind of handicraft. Industrial education must have to do with the facts of life and their intelligent, practical interpretation.
>
> The American Federation of Labor has been working for industrial education for more than a decade. A committee appointed in 1903 was to consider what the trade unions themselves could do to make up for the deficiency of the public schools. The members of the trade unions felt the need of industrial education. This sort of education was not provided by the public schools. The trade unions whose members paid taxes to support the public schools were not getting from those schools the sort of education which they needed to enable them to become skilled, efficient, and better paid workingmen. They were getting, in so far as they got anything at all, a sort of education which had for them very little practical value, and they therefore took under consideration the possibility of organizing a scheme of education which would be of value to them.

It is probably true that no organization is better qualified to speak or can speak with greater authority upon the subject of Federal aid for vocational education than the National Education Association.

For years that body at its annual meetings has, by resolution, indorsed this measure. At one of its gatherings it adopted the following resolution:

> *Resolved*, That while the members of this association are of the opinion that the old courses of study, which had as their chief object the giving of culture to the individual and of transmitting to him the best ideas and ideals of the past, should in no manner be weakened we nevertheless very sincerely indorse the movement to make the courses of study offered in our schools more democratic, that they may meet the conditions of our modern commercial and industrial life. However, to meet adequately these new demands imposed upon the schools of the country, additional financial responsibilities, this association appeals to the Nation and to the States for more liberal appropriations for educational purposes in order that this additional work in agriculture, in the trades and industries and home economics may be effectively undertaken.

That President Wilson, whose knowledge and experience in matters of education are probably second to that of no man in this country, heartily approves of this legislation is shown by the fact that on two occasions he has taken especial pains to place his stamp of approval upon the bill granting Federal aid for vocational education. At the time of his annual message delivered in person to a joint assemblage of the Senate and House on the 7th day of December last, he said:

> What is more important is that the industries and resources of the country should be available and ready for mobilization. It is more imperatively necessary, therefore, that we should promptly devise means for doing what we have not yet done; that we should give intelligent Federal aid and stimulation to industrial and vocational education, as we have long done in the large field of our agricultural industry.

In an address delivered by him to the Railroad Business Association in New York City on January 27, 1916, he again took especial pains to emphasize the importance of this legislation. At that time he said:

> There are two sides to the question of preparation. There is not merely a military side—there is an industrial side. And the ideal which I have in mind is this, gentlemen: We ought to have in this country a great system of industrial and vocational education, under Federal guidance and with Federal aid, in which a very large percentage of the youth of this country will be given training in the skillful use and application of the principles of science in maneuver and business. And it will be perfectly feasible and highly desirable to add to that and combine with it such a training in the mechanism and use and care of arms, in the sanitation of camp, in the simpler forms of maneuver and organization, as will make these same men industrially efficient and individually serviceable for national defense.

It must be borne in mind that the Senate of the United States has once indorsed the substantial provisions of this bill when in the third session of the Sixty-second Congress it passed the so-called Page bill, a bill which received the substantial indorsement of the educators of nearly every State in the Union.

Mr. President, I have dwelt, perhaps, more at length than is necessary upon the attitude of the country toward this measure. I regret that Senators, surrounded as they are by the immense pressure of other important official work, are quite inclined to say that they have not been able to find the necessary time to give to this most important subject the consideration it deserves.

Because this is so I have thought it best to bring to the attention of Senators the attitude of our President as well as of some of the more important educational associations and organizations of the country. If there is an educational organization in this country of any prominence which has not given to this great measure its enthusiastic indorsement, I do not know where that organization or association is.

But the indorsement of vocational education has not been confined to educators or educational associations alone. Let me refer to the opinion of an organization which has come to be regarded as one of the most, if not perhaps the most, vigorous and important associations devoted to our commercial, educational, and industrial welfare—the United States Chamber of Commerce.

Senators will recall the very important annual meeting of that organization in this city during the past winter. Those who attended its meetings here realized that probably no organization in this country is working with greater power and effect for the upbuilding of that which is essential to the prosperity of our land and to the uplift of the American people than the United States Chamber of Commerce.

That organization made the question of Federal aid for vocational education one of its leading topics for discussion, and at this meeting, after an animated discussion, placed itself on record as favoring, unqualifiedly, Federal aid for vocational education. Let me quote from the resolution adopted at the meeting to which I have referred:

> The welfare of the Nation, its position among other nations, and the happiness and well-being of a great part of its citizens depend upon a great and immediate extension of vocational education. Unless its citizens who work with their hands are so trained that they can be efficient at their immediate tasks and by reason of their training can make their industrial efficiency a means for their own personal advancement, the industrial and commercial position of the United States as a nation will be progressively impaired. * * *
>
> Your committee earnestly believe that both general welfare and national welfare require that the Federal Government should at once extend its aid to the States for training in trade and industrial subjects just as it has with great success and great national benefit for many years assisted the States in agricultural instruction. It believes, too, that the Federal Government should lend its aid to the State for further vocational education for agricultural pursuits.
>
> Without the assistance of Federal appropriations and the impetus which will come after such appropriations, the States can themselves develop vocational education only very slowly. The industrial welfare of the country, however, demands all the haste that is consistent with care. * * *
>
> The urgency of the necessity that the United States as a nation should be industrially efficient in its shops and factories, as well as on its farms, appear to leave no recourse other than prompt action by Congress.

CONCLUSION.

Mr. President, in bringing these remarks to a close, I wish to emphasize what I regard as the fundamental purpose underlying this whole measure, namely, that it designs, through Federal effort, to blaze a trail which the several States may follow toward greater industrial efficiency and better citizenship for our young men and young women. Its purpose is to stimulate and encourage stronger State action along educational lines, with the central idea of promoting that equality of opportunity which this country owes to all, rich and poor alike.

It is easy to say, "Let the States do it," but it is unlikely that the States will, on their own initiative, take up this work within a reasonable time; and if, perchance, they should eventually do so, the movement will go forward at altogether too sluggardly a pace and with an accomplishment much too dilatory to meet the imperative, crying social and economic needs of this day and hour.

I am not unmindful of the fact that in certain sections of our country—notably in the public institutions of some of the large cities and in a few private institutions—some efficient work has been done along these lines; but it has been of a more or less spasmodic, intermittent, and disconnected character and is entirely inadequate to even partially solve this great problem.

Mr. President, far be it from me to assume that we have by this bill reached an absolute solution of this great problem; but I weigh my words carefully when I say that after six years of study devoted to this subject I have reached the conclusion that no other plan approaches a solution thereof so fully as this bill.

I regret exceedingly that a short, simple bill could not have been drawn to meet the requirements of the situation. I realize that Senators will quite naturally conclude that the measure is unnecessarily long, complex, prolix; but, Mr. President, this is a bill of such vast, far-reaching importance that every feature has had to be worked out with painstaking care and with most faithful attention to the multitude of details which have presented themselves.

I believe I can assure the Senate that the fundamentals of this bill are based upon well-established precedents—precedents which have been successfully worked out in the field of educational experience—and that in the formulation of the bill the best educators of this country have been taken into the confidence of the commission and their advice generally followed.

One of the stumblingblocks around which we have had to steer has been the question of State rights, or State autonomy, but I believe all objections to the bill on these grounds have been met, and I confidently assure the Senate that those educators who have studied the bill most carefully are convinced that we have in this bill one which is admirably designed to simplify and unify one of our most comprehensive and complex public enterprises—our public-school system.

Mr. President, I do not wish to be a pessimist. I love to look upon the bright side of everything with which I come in contact, especially everything pertaining to my own country. We all love her institutions, we admire her enterprise, we are proud of her inventive genius. We know that we have gathered here from all the nations of the earth an assemblage of people in whom is concentrated and from whom have been developed a Nation whose greatness has never been equaled.

But in our wonderful growth and prosperity I fear we are not taking note of the signs of the times.

In view of what Germany has been doing with respect to industrial education, I believe it is incumbent upon us to adopt a system approaching, in some measure at least, the system of that great nation, which both in war and in peace has proved itself to be the most virile and vigorous of any of the great powers of the earth.

Those who have not made a study of educational conditions find it difficult to believe that less than half of all the scholars in the graded schools in this country ever complete the eighth grade in the elementary school.

We find it difficult to believe that less than 8 out of every 100 of the boys and girls of this country are found in our high schools.

Very few of us, without confirmation, will be willing to believe that less than 2 per cent of the youth of this land are in our colleges and universities, but it is nevertheless true.

I submit that we have no right to plead economy and expense in a great national measure, the benefits of which are likely to extend to every son and daughter of the laboring men of our country, when it can be stated unqualifiedly that when the appropriations under this bill shall have reached their maximum the annual expense to the American people will actually be less than 7 cents per capita.

The land-grant colleges established under the Morrill Act alone draw annually from the Federal Treasury $8,000,000 in round numbers. The heads of these great organizations have come to Congress repeatedly and asked for generous aid from the Federal Treasury, and they have never asked in vain. Congress has always responded with a liberality that is noteworthy in providing for the scholar of college grade, but the sons of the millions who toil in the industries have seemed to have few friends at this court. For the past six years we have been turning a deaf ear to his entreaties, while pouring with lavish hand into the treasuries of those institutions which educate his more favored brother. Our action has been little less than criminal. It certainly has been unwise.

I find no fault with the liberality shown to the Morrill land-grant colleges. The moneys granted to them have been well invested and to-day are bringing forth fruits fully justifying our generosity in that direction. We have acted wisely in what we have done, but our action has not been commendable in what we have neglected to do.

The problem with which we must to-day deal is that of providing an education which gives efficiency to the boys who, because of the financial condition of their parents, are unable to reach even a high-school grade, and they constitute 92 per cent of all our boys.

To-day, at the rate of a million a year, they are either entering the industries poorly equipped for anything but failures, or worse still are being turned loose in our great cities to enter upon that life of crime which is too often the accompaniment of idleness.

I firmly believe that if this legislation should be enacted, the conditions would be such that instead of finding only 2 per cent of the boys of this country in college or university, five to ten times that percentage would either be found there or in some of our technical schools which fit the young man to go out into life as a foreman, or leader, in the more important avenues of trade and commerce.

Educators are fully agreed upon this very important point. In some way or other we must so manage our educational affairs that these two added years of educational life shall be given to these boys, because upon these added years depend the efficiency or inefficiency of this Nation in the generation that is to follow us.

I believe that those broad-minded, patriotic educators of our country who have given this measure careful consideration are convinced that the great work of educating along agricultural lines boys of college grade, as provided by the land-grant-college bill of the distinguished Morrill, is now to be admirably supplemented by this act—an act which provides for the stimulation of vocational education among scholars of less than college grade.

Mr. President, I wish to say a few words upon the subject of good citizenship, for I believe that the subject is closely allied to this measure.

In my judgment, any bill the chief purpose of which is the formation of character and citizenship is not unconstitutional, because good citizenship is an absolute sine qua non for the general welfare and the common good.

The very foundations of good citizenship lie in a loyal, contented, intelligent, and prosperous people. Can it be possible that in trying to conserve and build up a better citizenship we are doing an unconstitutional act? I do not believe it.

Mr. President, I believe the American Congress has a most important duty to perform with reference to the young men who will soon constitute our citizenship. I fully agree with Raymond Robins, the social expert, touching this matter when he insists that the old line of social division by income, profession, and family is gone.

That line, he says, is horizontal. "Above it are all those who live by wits; below it are those who live by labor. Already it is more than a line; it is a crack, a cleavage; and unless that cleavage is bridged in the next 10 years, it will never be bridged in our time."

I believe with Raymond Robins that we must reach down and lift those American boys who are below the horizontal line and give them places above that line.

I submit, Mr. President, that this can be done in no way so well as by vocational education—indeed it is probable that there is no other way in which it can be done at all.

A condition and not a theory confronts this Government to-day. If our citizens of the generation upon which we are now entering are unable to earn a decent livelihood and give their children such an education as will equip them to run the race of life with a fair measure of success, it will be impossible to convince them that they are receiving that equality of opportunity to which they are certainly entitled and without which they can not long remain true and loyal citizens.

We have received into this country hundreds upon hundreds of thousands of wholly uneducated people who have grown up under a monarchical form of government—people who have come here that they and their children may enjoy the beneficence of this great, rich, prosperous Nation.

We can assimiliate them into our political system but slowly at best, and their loyalty to our country and its flag will depend very largely upon whether they do or do not come to believe that they are receiving a fair and just division of the prosperity with which our land is blessed.

We can not pension them, and there is no legal way in which we could, if we would, distribute to them the accumulated property of the thrifty and prosperous of our land.

In my judgment, the only possible way to show to these people that this is a country whose institutions they should love and respect, that it is a country which deals fairly by all its citizens—rich and poor, alike—is to reach down and take the hands of their children and lift them, through education, to a higher plane of living.

The education we must give them should be in considerable measure cultural, because it should lay the foundation for a broad, general intelligence. They should be given that all-around education which our graded schools afford. But they should be given more than this; they should be given those elements of industrial education which will enable them to go

out into the world more efficient men and women, with that larger earning power which shall enable them to take their place in the great race of life alongside their more highly favored and better educated brother.

We have heard a great deal recently, and rightly so, concerning the subject of preparedness. Preparedness, as I believe we have all come to clearly see, is of two kinds, military and economic. This measure has for its particular purpose, and lays stress upon, economic preparedness.

In the fierce competition in the commercial and industrial field which must of necessity confront us after the close of the great struggles now going on in Europe, the issue will be decided, in my opinion—and in this I believe I am not alone—in favor of that nation which has best equipped itself to produce the highest quality of output at the lowest cost compatible with the well-being and resulting contentedness of the workers.

We have seen what other countries were doing along the lines of economic preparedness prior to the outbreak of the great war, and how lacking we have been in this respect. Is it not now time for us to make the start, already too long delayed, by at once passing this bill?

Every Senator who has studied the American boy—and most of us have done so—knows that he does not stand still. He is either progressive or retrogressive. Inspire him with faith in himself, and he puts forth his best efforts to succeed.

To learn more is to earn more, but under existing school conditions the opportunity to learn more about the practical side of life does not exist. To correct this defect is one of the main purposes of this bill. We must bring into existence schools which will give the average boy that poise and confidence which his progressive nature demands, and which he, as a prospective citizen of this country, is entitled to receive.

There is something wrong in any school system which drives the average boy away from school life at the very time when he should be beginning to realize the great importance of education; but that is just what our present system of education does.

To say that it is the boy's fault is futile. It is the fault of the curriculum of our schools in that it repels rather than attracts the average boy; and we shall never change this until we introduce into our school system a greater or less measure of vocational education.

Wise statesmanship is the kind that looks forward and foresees results that come from present conditions.

We need only look beyond the dust of an hour to see that if something is not done to improve our citizenship our political fabric will be shaken to its foundations.

In an educated and prosperous citizenship is our only safety.

In my judgment prosperity can only follow education, and the education which we offer must be of the kind our boys and girls will accept or it may as well not be offered.

Experience shows that our American boys and girls will accept vocational training, and we shall be criminally shortsighted if we fail to give it to them.

Vocational education, more than any other agency, will augment and intensify the desire for more knowledge. It will unquestionably arouse into action thousands of boys possessing latent ability and talent, and with their desires whetted for still greater knowledge every institution of learning now in existence will become the direct beneficiary of the joint action of the Nation and the State in providing, as here proposed, a stable foundation upon which can be builded a broader education.

Mr. President, I believe vocational education is as certain to come as the sun is to rise and set, but it will come 10, 20, or 30 years later than it should if the Federal Government does not go ahead and take the initiative in this work.

Mr. President, the occupied man is a good citizen. It is easy for the agitator to call the idle man to deeds of violence and anarchy, but the agitator is not able to lead the honest arm from the anvil and the plow to deeds of destruction.

I believe it is within our power to so legislate that all the people, or practically all, may have an honest occupation—a vocation—an opportunity to earn a livelihood, an opportunity to obtain, through pleasurable labor, the wherewithal to supply the legitimate, reasonable, frugal demands and desires of mind and body.

Dollars and cents should not be placed in the balance over against right and duty in considering this movement for the benefit of the children of those who toil on our farms and in our mills, our mines, our workshops, and our quarries.

In our efforts to be prudent let us not be unjust.

Mr. President, no stone has been left unturned to bring this important measure to the attention of every leading educator in this country. I have personally written to every State superintendent of public instruction, or State superintendent of education, in this country. A copy of this bill has been inclosed, with a request for careful examination and criticism. I have written with the same request to the different boards of education of the country, to the principals of all the normal schools, to all the heads of State agricultural colleges, and to the deans of the different experiment stations connected therewith. I think it may be truthfully stated that more than 90 per cent of all replies received have approved the fundamentals of this bill.

I need not say that so far as I am concerned the work has been a veritable labor of love. I wish my brother Senators could spare the time to study its provisions carefully, and try to see the very great importance of its passage during this Congress. In my judgment it is to the great body of the American people the most important piece of constructive legislation now before Congress.

Mr. President, with the leave of the Senate I will append without reading certain tables showing what each State will receive, together with the summary of the grants to be given under this bill.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

Table showing amounts which each State would receive for the salaries of teachers, supervisors, or directors of agricultural subjects under the proposals of the commission.

[Allotments in proportion to the total rural population according to the last preceding United States census. Each State is guaranteed not less than $5,000 for each year prior to the close of the fiscal year 1921-22, and not less than $10,000 for each year thereafter.] [1]

State.	Rural population.		Allotment, 1915-16.	Maximum allotment, 1923-24.	Special allotment, to guarantee $5,000 to each State in 1915-16.[2]	Special allotment to guarantee $10,000 to each State in 1922-23.[2][3]
	Number, 1910.	Percentage distribution.				
Alabama	1,767,662	3.58	$17,900	$107,409		
Arizona	141,094	.29	1,450	8,700	$3,550	$2,750
Arkansas	1,371,768	2.78	13,900	83,400		
California	907,810	1.84	9,200	55,200		
Colorado	394,184	.80	4,000	24,000	1,000	
Connecticut	114,917	.23	1,150	6,900	3,850	4,250
Delaware	105,237	.21	1,050	6,300	3,950	4,750
Florida	533,529	1.08	5,400	32,400		
Georgia	2,070,471	4.20	21,000	126,000		
Idaho	255,696	.52	2,600	15,600	2,400	
Illinois	2,161,662	4.38	21,900	131,400		
Indiana	1,557,041	3.16	15,800	94,800		
Iowa	1,544,717	3.13	15,650	93,900		
Kansas	1,197,159	2.43	12,150	72,900		
Kentucky	1,734,463	3.51	17,550	105,300		
Louisiana	1,159,872	2.35	11,750	70,500		
Maine	360,928	.73	3,650	21,900	1,350	
Maryland	637,154	1.29	6,450	38,700		
Massachusetts	241,049	.49	2,450	14,700	2,550	
Michigan	1,483,129	3.01	15,050	90,300		
Minnesota	1,225,414	2.48	12,400	74,400		
Mississippi	1,589,803	3.22	16,100	96,600		
Missouri	1,894,518	3.84	19,200	115,200		

[1] The amounts are based on the census of 1910. They would, of course, be changed somewhat by the census of 1920, for all allotments after that year.

[2] Since the total appropriation to the States is increasing each year the amount of the special allotment to the smaller States necessary to guarantee $5,000 annually and $10,000 annually will, of course, decrease each year.

[3] Based on the apportionment of $2,500,000.

Table showing amounts which each State would receive for the salaries of teachers, etc. under the proposals of the commission—Continued.

State.	Rural population.		Allotment, 1915-16.	Maximum allotment, 1923-24.	Special allotment to guarantee $5,000 to each State in 1915-16.	Special allotment to guarantee $10,000 to each State in 1922-23.
	Number, 1910.	Percentage distribution.				
Montana	242,633	.49	$2,450	$14,700	$2,550	
Nebraska	881,362	1.79	8,950	53,700		
Nevada	68,508	.14	700	4,200	4,300	$6,500
New Hampshire	175,473	.36	1,800	10,800	3,200	1,000
New Jersey	629,957	1.28	6,400	38,400		
New Mexico	280,730	.56	2,800	16,800	2,200	
New York	1,928,120	3.91	19,550	117,300		
North Carolina	1,887,813	3.83	19,150	114,900		
North Dakota	513,820	1.04	5,200	31,200		
Ohio	2,101,978	4.25	21,250	127,500		
Oklahoma	1,337,000	2.71	13,550	81,300		
Oregon	365,705	.74	3,700	22,200	1,300	
Pennsylvania	3,034,442	6.15	30,750	184,500		
Rhode Island	17,956	.04	200	1,200	4,800	9,000
South Carolina	1,290,568	2.62	13,100	78,600		
South Dakota	507,215	1.03	5,150	30,900		
Tennessee	1,734,744	3.53	17,650	105,900		
Texas	2,958,438	5.99	29,950	179,700		
Utah	200,417	.40	2,000	12,000	3,000	
Vermont	187,013	.38	1,900	11,400	3,100	500
Virginia	1,585,083	3.21	16,050	96,300		
Washington	536,460	1.09	5,450	32,700		
West Virginia	992,877	2.01	10,050	60,300		
Wisconsin	1,329,540	2.69	13,450	80,700		
Wyoming	102,744	.21	1,050	6,300	3,950	4,750
Total, United States	49,348,883	100.00	500,000	3,000,000	47,050	33,500

Table showing amount which each State would receive for the salaries of teachers of trade and industrial subjects under the proposals of the commission.

[Allotments in proportion to the total urban population, according to the last preceding United States census. Each State is guaranteed not less than $5,000 for each year prior to the close of the fiscal year 1921-22, and not less than $10,000 for each year thereafter.][1]

State.	Urban population.		Allotment, 1915-16.	Maximum allotment, 1923-24.	Special allotment to guarantee $5,000 to each State in 1915-16.[2]	Special allotment to guarantee $10,000 to each State beginning 1922-23.[2 3]
	Number.	Percentage distribution.				
Alabama	370,231	0.87	$4,350	$26,100	$650	
Arizona	63,260	.15	750	4,500	4,250	$6,250
Arkansas	202,681	.48	2,400	14,400	2,600	
California	1,469,739	3.45	17,250	103,500		
Colorado	404,840	.95	4,750	28,500	250	
Connecticut	999,839	2.35	11,750	70,500		
Delaware	97,085	.23	1,150	6,900	3,850	4,250
District of Columbia	331,069	.78				
Florida	219,080	.51	2,550	15,300	2,450	
Georgia	538,650	1.26	6,300	37,800		
Idaho	69,898	.16	800	4,800	4,200	6,000
Illinois	3,476,929	8.16	40,800	244,800		
Indiana	1,143,835	2.68	13,400	80,400		
Iowa	680,054	1.60	8,000	48,000		
Kansas	493,790	1.16	5,800	34,800		
Kentucky	555,442	1.30	6,500	39,000		
Louisiana	496,516	1.16	5,800	34,800		
Maine	381,443	.89	4,500	27,000	500	
Maryland	658,192	1.54	7,700	46,200		
Massachusetts	3,125,367	7.33	36,650	219,900		
Michigan	1,327,044	3.11	15,550	93,300		
Minnesota	850,294	1.99	9,950	59,700		
Mississippi	207,311	.49	2,450	14,700	2,550	
Missouri	1,398,817	3.28	16,400	98,400		
Montana	133,420	.31	1,550	9,300	3,450	2,250
Nebraska	310,852	.73	3,650	21,900	1,350	
Nevada	13,367	.03	150	900	4,850	9,250
New Hampshire	255,099	.60	3,000	18,000	2,000	
New Jersey	1,907,210	4.47	22,350	134,100		
New Mexico	46,571	.11	550	3,300	4,450	7,250
New York	7,185,494	16.86	84,300	505,800		
North Carolina	318,474	.75	3,750	22,500	1,250	
North Dakota	63,236	.15	750	4,500	4,250	6,250
Ohio	2,665,143	6.25	31,250	187,500		
Oklahoma	320,155	.75	3,750	22,500	1,250	
Oregon	307,060	.72	3,600	21,600	1,400	
Pennsylvania	4,630,669	10.86	54,300	325,800		
Rhode Island	524,654	1.23	6,150	36,900		
South Carolina	224,832	.53	2,650	15,900	2,350	
South Dakota	76,673	.18	900	5,400	4,100	5,500
Tennessee	441,045	1.03	5,150	30,900		
Texas	938,104	2.20	11,000	66,000		
Utah	172,934	.41	2,050	12,300	2,950	
Vermont	168,943	.40	2,000	12,000	3,000	
Virginia	476,529	1.12	5,600	33,600		
Washington	605,530	1.42	7,100	42,600		
West Virginia	228,242	.54	2,700	16,200	2,300	
Wisconsin	1,004,320	2.36	11,800	70,800		
Wyoming	43,221	.10	500	3,000	4,500	7,500
Total, United States	42,623,383	100.00	500,000	3,000,000	64,750	54,500

[1] The amounts are based on the census of 1910. They would, of course, be changed somewhat by the census of 1920 for all allotments after that year.
[2] Since the total appropriation to the States is increasing each year, the amount of the special allotment to the smallest States necessary to guarantee $5,000 annually and $10,000 annually will, of course, decrease each year.
[3] Based on the apportionment of $2,500,000.

Table showing amount which each State would receive for the training of teachers under the proposals of the commission.

[Allotments in proportion to total population according to the last preceding United States census. Each State is guaranteed not less than $5,000 for each year prior to the close of the fiscal year 1918 and $10,000 for each year thereafter.][1]

State.	Population.		Allotment, 1915-16.	Maximum allotment, 1918-19, and annually thereafter.	Special allotment to guarantee $5,000 to each State in 1915-16.[2]	Special allotment to guarantee $10,000 to each State beginning 1918-19.[2 3]
	Number.	Per centage distribution.				
Alabama	2,138,093	2.32	$11,600	$23,200		
Arizona	204,354	.22	1,100	2,200	$3,900	$7,800
Arkansas	1,574,449	1.71	8,550	17,100		
California	2,377,549	2.58	12,900	25,800		
Colorado	799,024	.87	4,350	8,700	650	1,300
Connecticut	1,114,756	1.21	6,050	12,100		
Delaware	202,322	.22	1,100	2,200	3,900	7,800
District of Columbia	331,069	.36				
Florida	752,619	.82	4,100	8,200	900	1,800
Georgia	2,609,121	2.84	14,200	28,400		
Idaho	325,594	.35	1,750	3,500	3,250	6,500
Illinois	5,638,591	6.13	30,650	61,300		
Indiana	2,700,876	2.94	14,700	29,400		
Iowa	2,224,771	2.42	12,100	24,200		
Kansas	1,690,949	1.84	9,200	18,400		
Kentucky	2,289,905	2.49	12,450	24,900		
Louisiana	1,656,388	1.80	9,000	18,000		
Maine	742,371	.81	4,050	8,100	950	1,900
Maryland	1,295,346	1.41	7,050	14,100		
Massachusetts	3,366,416	3.66	18,300	36,600		
Michigan	2,810,173	3.05	15,250	30,500		
Minnesota	2,075,708	2.26	11,300	22,600		
Mississippi	1,797,114	1.95	9,750	19,500		
Missouri	3,293,335	3.58	17,900	35,800		
Montana	376,053	.41	2,050	4,100	2,950	5,900
Nebraska	1,192,214	1.30	6,500	13,000		
Nevada	81,875	.09	450	900	4,550	9,100
New Hampshire	430,572	.47	2,350	4,700	2,650	5,300
New Jersey	2,537,167	2.76	13,800	27,600		
New Mexico	327,301	.36	1,800	3,600	3,200	6,400
New York	9,113,614	9.91	49,550	99,100		
North Carolina	2,206,287	2.40	12,000	24,000		
North Dakota	577,056	.63	3,150	6,300	1,850	3,700
Ohio	4,767,121	5.18	25,900	51,800		
Oklahoma	1,657,155	1.80	9,000	18,000		
Oregon	672,765	.73	3,650	7,300	1,350	2,700
Pennsylvania	7,665,111	8.33	41,650	83,300		
Rhode Island	542,610	.59	2,950	5,900	2,050	4,100
South Carolina	1,515,400	1.65	8,250	16,500		
South Dakota	583,888	.63	3,150	6,300	1,850	3,700
Tennessee	2,184,789	2.37	11,850	23,700		
Texas	3,893,542	4.24	21,200	42,400		
Utah	373,351	.41	2,050	4,100	2,950	5,900
Vermont	355,956	.39	1,950	3,900	3,050	6,100
Virginia	2,061,612	2.24	11,200	22,400		
Washington	1,141,990	1.24	6,200	12,400		
West Virginia	1,221,119	1.33	6,650	13,300		
Wisconsin	2,333,860	2.54	12,700	25,400		
Wyoming	145,965	.16	800	1,600	4,200	8,400
Total, United States	91,972,266	100.00	500,000	1,000,000	44,200	88,400

[1] The amounts are based on the census of 1910. They will, of course, be changed somewhat by the census of 1920 for all allotments after that year.
[2] Since the total appropriations to the State is increasing each year, the amount of the special allotment to the smaller States necessary to guarantee $5,000 annually and $10,000 annually will, of course, decrease each year.
[3] Based on the apportionment of $1,000,000.

Summary of proposed grants to be given to the States.

Year.	A. Toward salaries for agricultural teachers.	B. Toward salaries for trade and industrial teachers.	C. For training of teachers for vocational work.	D. Federal board of vocational education for administration, investigation, studies, etc.	Total for each year.
1915-16	$500,000	$500,000	$500,000	$200,000	$1,700,000
1916-17	750,000	750,000	700,000	200,000	2,400,000
1917-18	1,000,000	1,000,000	900,000	200,000	3,100,000
1918-19	1,250,000	1,250,000	1,000,000	300,000	3,700,000
1919-20	1,500,000	1,500,000	1,000,000	200,000	4,200,000
1920-21	1,750,000	1,750,000	1,000,000	200,000	4,700,000
1921-22	2,000,000	2,000,000	1,000,000	200,000	5,200,000
1922-23	2,500,000	2,500,000	1,000,000	200,000	6,200,000
1923-24	3,000,000	3,000,000	1,000,000	200,000	7,200,000

The maximum in each case above is continued annually after 1923-24.

DEATH OF EX-SENATOR THOMAS M. PATTERSON.

Mr. THOMAS. Mr. President, it is my sad duty to announce to the Senate the death of one of its former Members, the Hon. Thomas M. Patterson, of Colorado. Senator Patterson was one of the most striking as he was one of the last of the prioneer statesmen of the Rocky Mountain west. He removed to Colorado from Crawfordsville, Ind., in 1872, and at once attained to a prominent position at the bar; a position which he maintained until his voluntary abandonment of the active practice for the broader and more influential field of journalism, a field which he occupied from 1890 to 1914.

Senator Patterson was the last Delegate to Congress from the Territory and the first representative for the full term from the young State of Colorado. In conjunction with the Hon. J. B. Chaffee, the first of our Senators, he secured the passage, during its closing hours by the House, of the Colorado enabling act in 1875, and at all times took a prominent and active part in public affairs, both State and national. He was chosen by the Colorado General Assembly of 1901 to the office of United States Senator, qualified on the 4th of March following, and served for the ensuing six years. He was at all times one of its useful and active Members. He was the nominee of his party for the office of governor in 1888 and again in 1913, but failed of election on each occasion. He was preeminently a trial lawyer, and without exception the ablest one I ever knew. He was a useful and honored citizen, beloved by many and honored and respected by all. He was a fearless and aggressive advocate of every movement having for its object the well being of the masses and an unflinching opponent of every invasion of personal rights. No good cause ever appealed to him in vain for its champion. No bad one could ever command his advocacy.

ARMY APPROPRIATIONS.

Mr. CHAMBERLAIN. I ask that the consideration of the Army appropriation bill be resumed.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 16460) making appropriations for the support of the Army for the fiscal year ending June 30, 1917.

The VICE PRESIDENT. The pending amendment will be stated.

The SECRETARY. On page 66, line 13, after the word "manufacture," insert "and purchase."

Mr. JONES. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	James	Penrose	Swanson
Brady	Jones	Phelan	Thomas
Brandegee	Kenyon	Poindexter	Tillman
Bryan	Kern	Ransdell	Townsend
Chamberlain	La Follette	Robinson	Underwood
Curtis	Lee, Md.	Shafroth	Vardaman
Dillingham	Lodge	Sheppard	Wadsworth
Fall	McCumber	Sherman	Warren
Fletcher	Martine, N. J.	Smith, Ariz.	Williams
Gallinger	Norris	Smith, Md.	Works
Gronna	Oliver	Smoot	
Hardwick	Owen	Sterling	
Husting	Page	Stone	

Mr. STONE. I am requested to announce that the Senator from Delaware [Mr. SAULSBURY] is unavoidably absent. He is paired with the Senator from Rhode Island [Mr. COLT].

Mr. KERN. I desire to announce the unavoidable absence of my colleague [Mr. TAGGART]. This announcement may stand for the day.

Mr. MARTINE of New Jersey. I rise to announce the absence of the Senator from South Dakota [Mr. JOHNSON] on official business.

Mr. TOWNSEND. I desire to announce the absence of my colleague [Mr. SMITH of Michigan]. He is paired with the junior Senator from Missouri [Mr. REED]. This announcement may stand for the day.

Mr. SMOOT. I desire to announce the absence of my colleague [Mr. SUTHERLAND]. He has a general pair with the senior Senator from Arkansas [Mr. CLARKE]. I will allow this announcement to stand for the day.

The VICE PRESIDENT. Forty-nine Senators have answered to the roll call. There is a quorum present. The pending amendment will be again stated.

The SECRETARY. The pending amendment is on page 66, line 13, after the word "Manufacture," to insert "and purchase," so as to read:

Ordnance stores, ammunition: Manufacture and purchase of ammunition for small arms—

And so forth.

Mr. CHAMBERLAIN. Mr. President, the Senator from Iowa [Mr. CUMMINS] has an amendment which he intends to propose to some portion of that provision, and I ask that it be passed over until the Senator from Iowa comes in.

Mr. FLETCHER. Mr. President, I desire to say that the Senator from Iowa is attending a meeting of the Judiciary Committee.

Mr. SMOOT. I also ask the Senator having charge of the bill to allow to be passed over the amendment beginning on page 67, line 3, down to and including line 5, on the same page, as the Senator from Iowa is also interested in that.

Mr. CHAMBERLAIN. I am willing to have that provision passed over for the present.

The SECRETARY. In addition to the amendment passed over on page 66, it is proposed to pass over the committee amendment at the top of page 67, beginning in line 1, where the committee reported to strike out:

Provided, That not more than $2,000,000 of this appropriation may be used in the purchase of ammunition.

And in lieu thereof to insert:

Provided, That the Government shall manufacture at its arsenals as much of said ammunition as can be produced by the exercise of the greatest economy and efficiency.

The reading of the bill was resumed.

The next amendment of the Committee on Military Affairs was, on page 67, line 12, after the word "war," to insert "in the expenditure of which sum the existing laws prescribing competition in the procurement of supplies by purchase shall not govern in orders not to exceed $50,000 in any one case," so as to make the clause read:

Provided further, That $250,000 of this appropriation may be used to procure gauges, dies, jigs, tools, fixtures, and other special aids and appliances, including specifications and detailed drawings necessary for the manufacture by the Government and by private manufacturers of ammunition necessary for the use of the land forces of the United States in time of war, in the expenditure of which sum the existing laws prescribing competition in the procurement of supplies by purchase shall not govern in orders not to exceed $50,000 in any one case.

Mr. CHAMBERLAIN. Mr. President, I send to the Secretary's desk an amendment, which I propose to the amendment of the committee.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. On page 67, lines 12 and 13, modify the committee amendment by striking out the words "in the expenditure of which sum" and inserting in lieu thereof "and in the purchase of lots of ammunition to complete the object of this proviso."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. JONES. Mr. President, I want to ask the chairman of the committee whether the language inserted after the word "war," on page 67, line 12, is simply a limitation on the expenditure of the $250,000 or on the $12,776,000?

Mr. CHAMBERLAIN. The way the committee amendment was framed it is a limitation on the expenditure of the $250,000. It was not intended to be a limitation on the $12,776,000.

Mr. JONES. I refer to the amendment to the amendment which the Senator from Oregon has just now proposed.

Mr. CHAMBERLAIN. The proposed amendment is a limitation on the amount appropriated for the purchase of ammunition. I will state to Senators that in the procurement of the "gauges, dies, jigs, tools, fixtures, and other special aids and appliances" there is no limitation intended to be put at all. The Government is to procure those, and $250,000 is appropriated for that purpose. The Senator from Washington will remember that that is included in the national defense act of June 3, 1916. After these are assembled the evidence before the committee showed that some of them will have to be used in one institution and some in another. Parts of the different projectiles and the different explosives used in modern warfare may be made in a half dozen places and then assembled and fitted together. The purpose of the amendment as suggested by the committee is that after these jigs, and so forth, have been purchased a factory may be fitted up and a purchase order made to see if the articles come up to the requirements. That is the purpose of the amendment.

Mr. JONES. As I understand, this provision modifying the law requiring competition in the procurement of supplies by purchase is intended to apply especially to the $12,776,000?

Mr. CHAMBERLAIN. Yes, sir.

Mr. JONES. I want to ask the Senator does the law now require competitive bids for the purchase of this ammunition, regardless of the amount purchased?

Mr. CHAMBERLAIN. Yes, sir.

Mr. JONES. And the Senator thinks that it is wise to have this provision here permitting the purchase without competition in amounts less than $50,000?

Mr. CHAMBERLAIN. I think so; there is no question about it.

Mr. JONES. The Senator does not expect that to be followed, except in a case of emergency?

Mr. CHAMBERLAIN. This is only intended to be followed in order to fit out these factories with jigs, dies, and other tools necessary to manufacture a particular article, and to give them a trial order to induce them to enter this field of manufacture. There is no inducement for a factory to put in, for instance, the appliances necessary to make part of a shell.

Mr. JONES. I understood the Senator from Oregon to say a moment ago that this limitation was intended to apply to the $12,776,000, and now he says that it is intended to apply to the purchase of these dies, guages, and so forth.

Mr. CHAMBERLAIN. No; it is not intended to apply to that; but I say that it is intended to give the War Department an opportunity, after it has purchased the dies, jigs, and so forth, to have them utilized by some factory—by more factories—and then to give them a trial order to see if they comply with the requirements of the War Department in purchases not to exceed $50,000.

The reading of the bill was resumed.

The next amendment of the Committee on Military Affairs was, on page 67, line 17, before the word "targets," to strike out "Ammunition" and insert "For manufacture and purchase of ammunition"; and on page 68, line 2, after "$30,000," to strike out "$1,200,000" and insert "$3,494,000," so as to make the clause read:

Small-arms target practice: For manufacture and purchase of ammunition, targets, and other accessories for small-arms, hand, and machine-gun target practice and instruction; marksmen's medals, prize arms, and insignia for all arms of the service; and ammunition, targets, target materials, and other accessories may be issued for small-arms target practice and instruction of able-bodied males capable of bearing arms and at the educational institutions and State soldiers' and sailors' orphans' homes to which issues of small arms are lawfully made, under such regulations as the Secretary of War may prescribe, provided the total value of the stores so issued to the educational institutions and homes does not exceed $30,000, $3,494,000.

The amendment was agreed to.

The next amendment was, on page 68, after line 2, to strike out:

Provided, That not more than $50,000 of this appropriation may be used for the purchase of articles not manufactured by the Government and necessary for small-arms target practice.

And insert:

Provided, That the Government shall manufacture at its arsenals as much of said ammunition as can be produced by the exercise of the greatest economy and efficiency.

Mr. CHAMBERLAIN. I ask that that go over, as it involves the same question which the Senator from Iowa [Mr. CUMMINS] desires to raise.

The VICE PRESIDENT. The amendment will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Military Affairs was, on page 68, line 11, after the word "armories," to strike out "$5,000,000" and insert "$2,500,000," so as to make the clause read:

Manufacture of arms: For manufacturing, repairing, procuring, and issuing arms at the national armories, $2,500,000.

Mr. LODGE. Mr. President, as to that amendment I wish to say that it seems to me to be a great mistake to reduce the House appropriation. That is not an appropriation looking merely to a present exigency; it involves a reserve supply of rifles, which are more necessary for the arming and equipping of a force called into the field than anything else. We are now very short of rifles, small arms. I am not going to weary the Senate with all the testimony that was given, but that testimony confirms my statement that we are very short of small arms. We ought not only to have enough to supply all the men we are likely to call into the field in case of an exigency, but we ought to have an ample reserve. The House, after hearing Gen. Crozier, put in an appropriation for this purpose of $5,000,000. That $5,000,000 can all be spent in the national armories, which are now working, under the present appropriation, far below their capacity. All these small arms could be made in our two armories at Springfield and Rock Island. Gen. Crozier, before the House committee, said:

All these rifles I would expect to manufacture in the Government plants, and the figures I have given to you for rifles would involve a daily output of about 150 rifles.

The figures given by him, I think, were $1,700,000. He continues:

Now, the capacity of the Springfield Armory on one shift is 500 rifles, and of Rock Island on one shift 250; and this would only contemplate 149 per day for both places.

It seems to me, with an absolute shortage of rifles, with the recognized need of more in order to have enough to arm the troops once, and in order to have a sufficient supply for wastage or for additional men, we ought to be accumulating a supply. As I have said, the rifles can all be made in the two Government armories, and made at the low figure of $16.50 apiece, I think. It seems to me the House provision ought to be left undisturbed.

Mr. CHAMBERLAIN. Mr. President, on a supplemental estimate made to us by the Chief of Ordnance he expresses the belief that $2,500,000 is all that will be necessary in this emergency. He advises us in a communication under date of July 5, 1916, as follows:

Two million five hundred thousand dollars will provide:
(a) For the maintenance of the Regular Army, including wastage, for the fiscal year ending June 30, 1917.
(b) For six months' maintenance of the National Guard called into the Federal service—July 1 to December 31, 1916.
(c) For the procurement of one-fourth of the reserve of small arms necessary for raising the Regular Army to maximum strength provided for by the act of June 3, 1916; for raising the National Guard from peace to war strength when at the maximum peace strength provided by the act of June 3, 1916, and for arming the reserves of both the Regular Army and the National Guard, the maintenance being in that class of matériel which is provided for by the language of the appropriation. It will not provide any arms for volunteer troops which may be raised under the act of April 25, 1914.

So that the $2,500,000 will provide all that is necessary; but if, as the Senator suggests, it is the purpose of our Government to provide for future emergencies in case it becomes necessary to call out volunteers, a larger amount might be expended with good effect for manufacturing small arms in the Government arsenals. The committee simply placed the amount at the figures indicated to meet the requirements as stated by the Chief of Ordnance.

Mr. LODGE. Well, the Chief of Ordnance stated the figures at the very lowest limit and made no provision, as the Senator has said, in case of the calling out of additional troops, as may happen, and, in fact, as has just happened on the border, and nothing for acquiring a sufficient reserve supply. I think the House, by no means disposed to be extravagant, certainly——

Mr. CHAMBERLAIN. Mr. President, let me say to the Senator that Gen. Crozier desired to have me say for him to the Senate that he testified two or three times before the House and came before the Senate Military Affairs Committee, and his statements were made under two or three changing and changed conditions, which will explain any apparent inconsistency in the statements he has made in this regard. He first testified, I think, before the House committee prior to the time the Army reorganization bill was passed. Then I think he was before the committee again after that bill was passed and before any practical estimate had been made and before the troops were mobolized or the National Guard attempted to be federalized. Then when he came before our committee the conditions at the border line were quite acute. So his statements were made under varying and varied conditions, but this last statement from him was made under date of July 5, 1916. I personally have no objection to the appropriation. I agree with the Senator that we ought to have these arms in stock and on hand when an emergency arises, but, acting upon the suggestions of the Chief of Ordnance, we thought that the amount provided would be sufficient.

Mr. LODGE. Mr. President, I am glad to know that the Senator does not disagree with my general proposition. It seems to me that we ought to have enough small arms for emergencies and enough for a reserve supply, and I hope the Senate will disagree to the amendment of the committee.

Mr. VARDAMAN. Mr. President, this is an appropriation for the Army in time of peace and not for time of war. It is the one rift in the cloud which I welcome with a great degree of pleasure; it is a sign of returning sanity, a manifestation of genuine interest in the national welfare of the men and women who bear the burden of taxation. It strikes me that the appropriation ought to be reduced, and I hope the committee amendment may be agreed to. It might be well if the policy of cutting down the appropriation should be carried through the entire bill.

Mr. JONES. Mr. President, I want to suggest that when the fortifications bill was under consideration the Senate committee increased the appropriation for ammunition—covering not only the guns for fortifications but other ammunition supplies, too—very greatly, and these increases were very largely accepted in conference and became law. Now, I think it was very wise to provide for an ample supply of ammunition, and it occurs to me that it is a mistake to cut down the provision here for securing small arms. Of course, we do not know what emergency will come up. It is thought, of course, that the conditions that led to our increasing our military force have changed very considerably; but no man who is keeping track of the events in connection with that situation can help but fear that almost at any moment an outbreak may occur that will make necessary not only the men, but the guns and the ammunition.

It seems to me we would do far better to err on the side of preparation in this case than to cut down the appropriation. I believe that the amount provided by the House ought to be retained in the bill.

Mr. CHAMBERLAIN. Mr. President, let me say to the Senator that the original appropriation made by the House was $2,000,000, after having heard Gen. Ainsworth in one of his appearances before the committee. Then, on the floor of the House Mr. HAY increased that to $5,000,000, the amount stated in the House bill. I do not know what estimates he had when he increased it; but it was arbitrarily increased on the floor of the House, just exactly as the bill as it came out of the House committee was increased arbitrarily $25,000,000 on the floor of the House without estimates, because Mr. HAY stated that he did not have estimates at that time. This cut or reduction made by the committee and suggested by me now was made after this revised estimate by Gen. Crozier.

If the Senator will refer to the House hearings, on page 746, he will find that we have something over 700,000 of these small arms now. That is more than the Army we have now in contemplation. That is, it is more than the National Guard at its maximum strength and the Regular Army at its maximum strength.

Mr. LODGE. Why, he says here that all they have in reserve and in use are 500,000.

Mr. CHAMBERLAIN. At page 746?

Mr. LODGE. Yes.

Mr. CHAMBERLAIN. In answer to a question by Mr. MCKELLAR he testified as follows:

Mr. MCKELLAR. How many have you got in reserve now?
Gen. CROZIER. We * * * shall have, next June, something over 700,000.

Mr. LODGE. He says here in reply to that question:

Gen. CROZIER. If you will let me proceed with my statement, I intended to include that figure, but it comes a few pages further on.
Mr. MCKELLAR. All right, proceed.
Gen. CROZIER. Practically 500,000. I will answer your question right now. Now, to arrive at the scheme under which we ought to proceed with the manufacture of rifles; the total force which would result from the bill as it has passed the House, when all of the organizations shall have been brought into existence, the Regular Army and the Organized Militia, and all raised to war strength, would organize into about 11 field armies.

The CHAIRMAN. How many men would that be?

Gen. CROZIER. It would be about 583,000 men carrying rifles. If we would add to that 50 per cent in rifles for wastage in the first part of the war, which we ought to be prepared to provide for at the beginning of war, it would increase the number by 291,500, making altogether 874,500 rifles. If we take from that number of rifles the number which we have now and then propose to make up the difference in about four years, it would require about 42,000 rifles to be manufactured per year.

And even on that he is only making 21,000 a year—not half of what is needed to make it up in four years. Here are these great armories running and producing 149 rifles a day, when they can make 750 rifles a day on one shift. It seems to me, with all the Government arsenals, and with a shortage of rifles, that we ought to leave that appropriation as the House wisely put it.

Mr. LEE of Maryland. Mr. President, it is a little difficult to understand just what the committee recommendations are going to be, because the Senator would not give us in advance anything in the way of a report on these reductions from the original report of the committee. Now, may I ask him what is going to be the policy of the committee in its recommendation with reference to automatic machine rifles? Are the committee going to stand by the $7,725,000 they originally reported or are they going to cut that down? That is found on page 70.

Mr. CHAMBERLAIN. Mr. President, I think it is easier for the Senate to consider these things as we come to them. I have not in contemplation now a reduction of the particular item to which the Senator calls attention.

Mr. LEE of Maryland. Mr. President, it is absolutely essential that these two items be considered together and with some sort of concurrent knowledge. We are talking about small arms. The automatic rapid-fire rifle, generally speaking, is equivalent to 60 ordinary rifles in the hands of individual men. Now, our Army is sadly deficient in respect to rapid-fire guns. Everybody knows that. The general idea is that the Mexicans are, if anything, better equipped with rapid-fire guns than our troops are.

Mr. LODGE. May I ask, are not those machine guns?

Mr. LEE of Maryland. Yes; machine guns.

Mr. LODGE. I have been talking simply about the individual rifles.

Mr. LEE of Maryland. I know that the Senator has been talking about the individual rifles; but I think we want to consider the two together, in a way.

Mr. LODGE. I do not see why we should consider them together, any more than we should consider the heavy artillery in connection with this item.

Mr. LEE of Maryland. The machine gun is the equivalent to 60 rifles, as I understand, on an average. Now, our machine guns are woefully lacking. What is going to be the policy of the committee in respect to machine guns? These two arms go together. They go together to the extent that they fire exactly the same size bullets. Now, my feeling would be that this appropriation by the House for small arms should be left as the House put it, and should not be reduced. I think the highest figure put in by the Senate committee for rapid-fire guns should be left as the Senate committee originally put that. If the Senator from Oregon is going to move to cut down the appropriation for automatic machine rifles in a few minutes, I think we ought to consider that before we agree with him about cutting down the number of rifles in the hands of individual soldiers. The two items are very close together in their nature, and if they are both going to be cut down it is doubly objectionable.

I certainly hope that the appropriation for making and issuing the individual rifles and the automatic machine guns will both be left at the highest figure provided in either bill or at any time recommended by either committee.

Mr. TOWNSEND. Mr. President, I realize something of the difficulty which the Military Affairs Committee has had in trying to arrive at a conclusion in the midst of our changing military policies. I suppose, also, that it has modified this appropriation in view of the recent developments on the Mexican border.

I am well satisfied that nothing could possibly occur which would induce the ordering of the American troops into Mexico; and I am unable to satisfy myself as to the wisdom that is being displayed, or the lack of it, in sending so many of our northern boys down to the Mexican border. Indeed, it occurs to me that it is nothing less than an outrage, in view of the facts as they present themselves at the present time.

I say I assume that the committee has had in mind the fact that the policy of invading Mexico has been abandoned, and with that policy I am not quarreling, and it seems to me that this is an item on which we could well afford to follow the committee. If we have, as has been stated here, something over 700,000 rifles at the present time, which is at least a half more than could be used under any reasonably possible conditions, we should improve this opportunity to make a saving of $2,500,000.

As the Senator from Washington [Mr. JONES] has stated, we made ample provision in the fortifications bill for ammunition, all that was asked by the War Department; and we have made provision for it in every military and naval bill that has been up. Now, to store up these small arms, as they are called, when there is no reasonably probable condition under which they could be used, and as these arms can be produced quickly, it seems to me that doubling the appropriation is entirely unjustifiable at this time, in view of the facts as they exist.

I feel very deeply about this subject of the Mexican situation, and have so felt for weeks. I am receiving letters from people in my State the writers of which have had the patriotism to permit their sons to enlist in the militia, believing that they were going to Mexico for the purpose of defending their country; that there was a demand for them at the frontier. They recognize now that these boys are being sent from northern climates down there to enter sun-struck camps on the border without any prospect of their being utilized at all in the defense of the country. These boys ought to be home under the circumstances. They ought to be returned to their schools and their various vocations at home if their country does not need them, to the things which they have given up with the thought that their country's honor and defense required their services.

While what I have said may not be entirely pertinent to the subject under discussion, it has been suggested to me through its discussion. Hence I believe, so far as I am concerned, that it is my duty to follow the committee and the War Department in this regard.

Mr. LODGE. Mr. President, I entirely agree with what the Senator has said about sending the militia to the border and keeping them there in this perfectly futile way. I wholly agree with all he has said; but my desire to retain the House provision had nothing to do with the Mexican situation. I am urging it on the ground that I think it is the utmost shortsightedness to have no reserves of rifles and ammunition.

There is not a country in the world that does not have reserves of ammunition and rifles. You do not want to be in a condition where you send your troops out and find you have no ammunition for them, and no rifles to put in their hands. It is not as if we were going into a vast expenditure and making great contracts. Our own armories are running short handed at this moment. They are cut down from their ordinary production of 750 rifles a day in the two armories to 149. We ought always to be accumulating a certain number of rifles, and it seems to me that at this time, therefore, it is unwise to make this reduction.

I did not mean to put it in the least on the ground of the Mexican crisis, if we choose to call it so—the wretched condition that now exists there. With all the Senator has said about sending the militia to the border I most cordially agree, but I do not care to debate that matter at this point. I should like to keep the House appropriation—and the House is not overgenerous—in order to secure, in somewhat less than four years, the reserve rifles which Gen. Crozier admits are necessary.

Mr. CUMMINS. Mr. President, without expressing any opinion as to the wisdom of maintaining our Army on the border of Mexico, I very much hope that the House provision will prevail and that the reduction proposed by the Senate committee will be rejected. I think this is the only instance in the bill—at least, the only one I have been able to find—in which the Senate committee has reduced the appropriation proposed by the House. It may be that there are others, but they have not fallen under my eye.

It will be observed that under the second paragraph, on page 66, headed "Ordnance stores, ammunition," the Senate committee proposed originally to increase the House appropriation from $4,500,000 to $12,776,000 for the manufacture and purchase of ammunition for small arms, and so forth, and that in the fourth paragraph, on page 67, which seems to be for about the same purpose, the Senate committee proposed to increase the appropriation from $1,200,000 to $3,494,000. But when it came to manufacturing, repairing, procuring, and issuing arms at the national arsenals the appropriation suggested by the House was $5,000,000, and the Senate committee reduced it to $2,500,000.

Mr. CHAMBERLAIN. Mr. President, will the Senator allow me to interrupt him for just a moment?

Mr. CUMMINS. Certainly.

Mr. CHAMBERLAIN. The Senator will notice this difference, however, between the manufacture of arms and the manufacture of powder: All of the material out of which the arms are manufactured is procurable in this country. In order to

create a reserve of ammunition, however, we must, in the present state of affairs, look entirely to the nitrate beds of Chile. Therefore we have largely increased the amount for ammunition, in order that there might be a storage of nitrates, a supply of which it is necessary in case of war to have on hand, because we could not get them anywhere else.

The Senator will remember that the first conflict between the British and the German Navies occurred right off the nitrate beds of Chile; and it has been assumed by some that both powers were there looking to the only source of supply that was known at that time.

Mr. CUMMINS. Mr. President, I recognize that there is a difference between the manufacture of ammunition and manufacture of small arms; but there is no such radical difference in the situation respecting the two necessities as to warrant the change that is proposed by the Senate committee. Now, let us see. If I am wrong with regard to the figures I give, I hope the Senator from Oregon will correct me, for I have not the record at hand.

It was said, at about the time we began to mobilize the National Guard, that we had from 750,000 to 1,000,000 rifles. I do not know whether that is accurate or not; but I do know—at least, I have been so advised—that when the Government began to supply the National Guard with rifles, it found it necessary to supply certain portions of the guard with rifles which had been used so long, and upon which the repairs had been so extensive, that they were practically useless in the hands of the guard. This has been reported to me by those who were in charge of this branch of the service in my own State. Our facilities for making Springfield rifles are meager at best. There is no private manufactory, I understand, in the country which produces the Springfield rifle, and that rifle is the only one in use in the Army.

It is true that we have a small supply of the antiquated or older form of rifle known as the Krag, but I do not believe the Government of the United States wants to depend upon that kind of arm. I shall therefore assume that in any difficulty we may have in the future we will want an abundant supply of Springfield rifles.

The arsenal at Springfield has a capacity, when working all the time with one shift of eight hours a day, of 500 of such rifles per day. The arsenal at Rock Island—which has not been in use at all for quite a while—has a capacity under the same conditions for the production of 250 rifles per day, making altogether a capacity, with one shift, of 750 rifles a day. Assuming 290 days in a year may be utilized at these arsenals, the number of rifles produced in both of them—and, mark you, there is no other factory in the country making Springfield rifles, and I hope there will never be a factory making Springfield rifles, for I have a view upon that subject which I have often expressed to the Senate—the entire capacity of these two arsenals at work in the manner I have described would be 217,500 rifles in a year. These rifles cost the Government, as I am advised, between $15 and $16. Assuming their cost to be $15——

Mr. NORRIS. Mr. President——

Mr. CUMMINS. I yield to the Senator.

Mr. NORRIS. My attention was diverted. It may be that the Senator has given the Senate the information, but I wanted to ask the Senator what two establishments he had reference to.

Mr. CUMMINS. The Government arsenal at Springfield and the Government arsenal at Rock Island, Ill.

Mr. NORRIS. They do not make what is known as the Springfield rifle at Rock Island?

Mr. CUMMINS. They do. Those are the two arsenals that make the latest form of rifle, and the only two.

Mr. NORRIS. Is the money appropriated in this particular item to be used in those two arsenals?

Mr. LODGE. Entirely.

Mr. CUMMINS. In them alone.

Mr. NORRIS. Those are the only two Government arsenals we have.

Mr. CUMMINS. They are the only two arsenals we have equipped to manufacture the Springfield rifle.

Mr. NORRIS. That means small arms.

Mr. CUMMINS. Of course they are equipped to manufacture other forms of weapons, and I am going to refer to that in a moment, because out of this appropriation we must not only manufacture our Springfield rifles, but we must manufacture our pistols and other small arms of that sort used in the Army.

Mr. NORRIS. May I ask the Senator a question? He said something a moment ago which indicated that, in his judgment, we ought not to manufacture the Sprinfield rifle.

Mr. CUMMINS. No; I said we ought to manufacture the Springfield rifle. It is the only thing we ought to manufacture of that kind.

Mr. NORRIS. I did not catch aright the idea then. I misunderstood the Senator.

Mr. CUMMINS. I said the Government has on hand a number of the older form, or antiquated weapon, known as the Krag rifle, and that I assumed it was not the purpose of the Government to attempt to equip the Army, or any part of the Army, with Krag rifles.

Mr. NORRIS. The rifles manufactured, I understand, at these Government arsenals are in every way up to date and the latest arm in the shape of a rifle.

Mr. CUMMINS. They are. That they are the best rifles in the world is, I think, conceded by everyone familiar with the subject. As I was proceeding to say——

Mr. TOWNSEND. May I ask the Senator, before he goes on to discuss that point, how many Springfield rifles there are in the United States to-day?

Mr. CUMMINS. It is not accurately known. I have been told there were 750,000 or between 750,000 and a million of all kinds before they began to arm the guards.

Mr. LODGE. Gen. Crozier states the number at 500,000.

Mr. TOWNSEND. How many soldiers have we now?

Mr. CUMMINS. The Senator from Oregon [Mr. CHAMBERLAIN] would be better qualified to answer that.

Mr. TOWNSEND. The Senator has some idea as to the number.

Mr. CUMMINS. I suppose we have a Regular Army of about 100,000 men, possibly a little more.

Mr. NORRIS. We are increasing it now at the rate of 42,000.

Mr. CUMMINS. And we have a National Guard which at peace strength numbered about 120,000 men. The peace strength has been very considerably increased by the transformation to a war basis. I do not know just how many members of the National Guard we have now, but I would estimate it at about 150,000 or 160,000 or 170,000 men.

Mr. TOWNSEND. Then we have certainly enough rifles to accommodate the force we have and will have enough for the next two or three years.

Mr. CUMMINS. No; I think not. I agree to the first but not to the last statement. If we consider that a single rifle is all that is necessary to provide for a single soldier, that would be true; but we are accumulating a reserve of rifles for future use. I am told that under the German policy, which is regarded as a very effective system, that Government estimates that there ought to be five rifles for every soldier.

Mr. LODGE. If the Senator will allow me, I have here the testimony of Gen. Crozier and I can read it.

Mr. CUMMINS. I would be very glad to have the Senator do so.

Mr. LODGE (reading)—

Mr. KAHN. Have you obtained any additional figures as to the number of rifles per man that have been used in the present European war?

Gen. CROZIER. None that I consider reliable, Mr. Kahn.

Mr. KAHN. As a matter of fact, however, you have discovered that one rifle is not sufficient per man over there.

Gen. CROZIER. It has been stated on something like authority that it is very far from being sufficient.

Mr. KAHN. I think when you were before the committee on the national defense bill you stated that on the average about three rifles per man would be the required number. That is my recollection of it.

Gen. CROZIER. I think a figure which I may have given went even further than that. It was stated by a German officer, who in some matters was well informed at least, that they provided five per man. I found difficulty in believing that, but that was the statement.

Mr. KAHN. So that, after all, your figures contemplate only one rifle per man?

Gen. CROZIER. I gave a set of figures here—ran over a method of computation which involves one and one-half rifles per man.

Mr. TOWNSEND. Mr. President——

Mr. CUMMINS. Continuing my answer, before the Senator further interrupts me, I am not arguing this amendment on the hypothesis that we ought to have a reserve of five rifles to the man; I am assuming that we should have but three or three and a half, and I was about to show that in any sort of contingency; that is, if we should have war, we would be helpless if we had not an accumulation of rifles that would arm such a force as might be necessary for defense.

Mr. TOWNSEND. Now, there are just one or two more questions in reference to this matter. Does the Senator know how many times the Government has changed its standard rifles in the last 20 years

Mr. CUMMINS. I know of only one change.

Mr. WADSWORTH rose.

Mr. CUMMINS. The Senator from New York can answer, and I yield to him.

Mr. WADSWORTH. I can give that information. The rifle the Army is using now is the model of 1903.

Mr. TOWNSEND. It used the Krag before that?

Mr. WADSWORTH. The Krag-Jörgensen preceded the use of the modern Springfield. There has been no substantial change made in several years.

Mr. TOWNSEND. Now, another question. The Senator from Iowa states that the capacity of our two arsenals is 750 rifles a day, with one shift. I suppose on an emergency there might be at least two and possibly three shifts. If there were three shifts that would be 2,250 a day or 23,000 in every 10 days. Does not the Senator believe that with at present a supply of at least three or four rifles to each soldier, that we have already on hand, with a possible capacity in the Government arsenals of 23,000 every 10 days, we could well afford to adopt the provision as it is here for $2,500,000 to furnish arms?

Mr. CUMMINS. No; I think it is altogether inadequate. Now, I will show the Senator from Michigan why I think so. If we were creating a reserve of rifles for the Regular Army alone, estimating it to be 100,000 strong, probably the appropriation made here would be sufficient, but we are preparing, as I understand it, for a possible war, which seems to some people likely and to other people very improbable. At any rate we are preparing ourselves for that contingency. If that contingency falls upon us we will need not three rifles for each of 100,000 men, but we will need three rifles for each of a million men. I think it would not be wise to assume that we could enter into war with our present supply of rifles.

I was about further to show that the present appropriation is not sufficient. These two arsenals have a capacity which, as I have suggested, would produce in a year 217,500 rifles, and at $15 for each one of them, if that be their cost, the outlay would be $3,262,500.

Mr. FLETCHER. I think the estimate of the cost is $16.50 per rifle.

Mr. CUMMINS. I was so advised, but just in order to deal in round numbers I placed it at $15. So at the end of a year, Mr. President, even if we continued the capacity of the arsenals working eight hours a day we would only have 217,500 rifles. Even that is an exaggeration, because these arsenals must make other small arms, and this appropriation is applicable to other arms aside from rifles. How much of it may be used in the manufacture of other forms of weapons I do not know.

It has seemed to me that the commonest prudence requires that the Government shall accumulate three or four million of these rifles for use in the emergency that we are contemplating.

The rifle is a machine of difficult and precise mechanism. The product can not be increased immediately. There is required in the manufacture of a rifle the most skilled mechanic or artisian in any form of industry I have ever known. You will readily appreciate that when you remember that the boring of a rifle must be so nice and true that the variation of an infinitely small percentage of an inch destroys the usefulness of the weapon entirely. I have stood by and watched the manufacture or boring of rifles, and no one who has not had an opportunity for that observation can have any perception of the nicety of the work and of the training and skill required in the workmen.

For these reasons we ought to have a supply of rifles on hand that will be sufficient to equip and arm a force that may be required if we unhappily fall into war. Here we are spending millions and hundreds of millions upon battleships without apparently very much reflection, but the rifle is the fundamental arm of the private soldier. He is of no consequence whatever unless he can be so armed.

One step further. It is not enough in my opinion to add to our store of rifles 217,000 per year. We ought to accumulate them much more rapidly than that. For one year at least, and this appropriation only extends over one year, we ought to operate these arsenals at least 16 hours a day, with a double shift, so that at the end of the year we might at least add to our supply of rifles something like 500,000. Even then we would have only a million rifles in reserve.

I am utterly unable to understand the economy that is sought to be practiced at this particular point. We have authorized 10 battleships that will cost when finished $200,000,000; we have authorized 6 battle cruisers that will cost when finished $150,000,000; and without even suggesting that we have gone too far in this line of defense, it seems queer to me that when we come to arm the private soldier who may be called into service if the battleship and the battle cruiser should fail, we are failing to give him the only hand weapon which he can use.

I hope, Mr. President, very sincerely that the amendment proposed by the committee will not prevail and that the House provision may be allowed to stand.

Mr. FLETCHER. Mr. President, with reference to some criticisms made by the Senator from Michigan [Mr. TOWNSEND] and concurred in to some extent by the Senator from Massachusetts [Mr. LODGE], with regard to the policy pursued in connection with the situation in Mexico, it occurred to me to suggest that perhaps it would be next to impossible for the present administration to inaugurate a policy that would meet with the cordial approval of the Senator from Michigan. The argument advanced would seem to lead to the suggestion that the boys upon the front would feel themselves much better off if they were actually across the border and engaged in armed conflict with an enemy than they are in comfortable camps on the border. Of course the suggestion would appear to lead to the position that if the gallant soldiers from Michigan were actually shooting Mexicans and being shot by Mexicans they would be much happier and their friends at home much better pleased than they are with the boys comfortably located in safe positions on this side.

However, we are inclined to believe that if the situation has developed so that instead of being obliged to spend a billion dollars for arms and that sort of thing we are able on account of the most recent conditions to save that amount of money and spend only $2,500,000 for arms, it ought to be more satisfactory, it would seem, particularly to the taxpayers of the country, than it would be to spend a billion dollars for this purpose.

The conditions are such that the latest information furnished the committee by those who are acquainted with the requirements of the Army is that $2,500,000 is sufficient to supply the needs for manufacture, repair, procuring, and issuing arms at the national armories. That section would cover, I take it, not merely the manufacture of the new model Springfield rifle—the 1903 model, which has been adopted—but also pistols and small arms of that sort.

With reference to the suggestion made as to the item of ordnance stores and ammunition, on page 66, that section applies, of course, to the manufacture and purchase of ammunition. It has no relation to arms. As has been suggested by the chairman of the committee, the situation with reference to the need of nitrate calls for an expenditure greater than was estimated by the House committee. The price of Chilean nitrate, I understand, in Chile is about $34 per ton. That includes $11 export duty charged by the Chilean Government. The freight on that nitrate from Chilean ports to the United States is about $34 per ton.

I can not help but recur to the fact that if we had passed the shipping bill in the last Congress we would have been able to-day to save to the Government on that item alone $2,000,000.

The actual ship transportation of the nitrate required by the Government if brought in ships owned by the Government would save us on that item $2,000,000 to-day. But we are not in a position to do that, and consequently the excessive cost of that material and the excessive cost of freight make it necessary to increase that item for ammunition.

Mr. JONES. Will the Senator permit me to ask him a question?

The PRESIDING OFFICER (Mr. POINDEXTER in the chair). Does the Senator from Florida yield to the Senator from Washington?

Mr. FLETCHER. I do.

Mr. JONES. If the suggestion the Senator makes is correct, why is it that the War Department desires to sell some Government transports which it has now and which could be very easily fitted up for the carriage of this nitrate?

Mr. FLETCHER. I will say to the Senator that I am not aware of that situation. I do not know whether they desire to sell transports or not.

Mr. JONES. There is a provision in this bill for the sale of two.

Mr. FLETCHER. Those, of course, are wholly unsuited for this kind of business.

Mr. JONES. I do not know whether they are or not. It seems to me they could be very easily changed for carrying this kind of commerce.

Mr. FLETCHER. I think that was taken into consideration by the department. If those transports could be used in saving the Government an outlay of freight, of course it would be proper to use them in that connection, but I presume they are transports of such a construction that they can not be used for that purpose. I understand that the Regular Army, as has been mentioned by the Senator from Iowa, would constitute about 100,000 and that the National Guard mustered in about 166,000, and the war strength of the National Guard is about 248,000. So the requirement of the Army as submitted to the committee by those in a position to know are met by the amendment of the committee to make the appropriation $2,500,000, and I believe it ought to be sustained.

Mr. TOWNSEND. Mr. President, I do not intend to answer what seems to me to be the very lame defense of the Senator

from Florida [Mr. FLETCHER] relative to the failure of the shipping bill to pass. I did not inject what I had to say on this amendment for the purpose of politics, although the Senator has made use of it for that purpose, and I shall briefly reply. I was simply stating the facts.

The Senator refers to the soldiers from Michigan and says that possibly they would be better satisfied if they were down there fighting rather than resting in the comfortable camps on the southern border. The soldiers from Michigan enlisted under what I believe now to have been a false representation to them, and this has been disclosed by the correspondence which has been published and the events which have occurred between this country and Mexico. They enlisted and went to the front because their country called them. At least they believed that the President spoke the immediate necessity of their country. They did not know that the call was political, but soon learned that there were no soldiers from Florida in the camps or on the southern frontier, and none from that State are there now. It seems to me it would have been better to have sent on this fruitless adventure troops better acclimated than to have called for the boys from the Northern States.

When there evidently was no intent in the mind of the President to enter Mexico it would have been better to send soldiers from those parts of the country adjacent to the border. They would have answered all the purposes of politics.

I am not complaining, nor have the Michigan soldiers complained whenever there has been a demand for men, but when it is now known that there never was any intent to use them in Mexico then there arose just cause for complaint. The published correspondence between this Government and the Mexican Government, together with the conduct of the expedition into Mexico, shows that clearly; and so I submit, Mr. President, that it is entirely proper for the men who went down under false representations to be sent home when there is no real need for them on the border.

I mention this in connection with the pending amendment because I believe, as has been shown by the Senator from Florida, there are sufficient small arms now, together with those provided for in this bill, to meet the immediate probable demand for such arms, and with the capacity of our arsenals to turn out arms at the rate of 23,000 every 10 days there will be no need of enlarging this appropriation beyond that provided in the bill. We could, if emergency require, supply in short time the additional arms that would be necessary, and it is possible that the arms ordered now may become obsolete before there shall be a real demand for further increase.

It was for this purpose that I made the suggestion, and I still believe the committee was wise in the provision which it has inserted in the bill.

Mr. NORRIS. Mr. President, after listening to the argument I am amazed at the action of the Military Affairs Committee in cutting down this appropriation. It developed here, Mr. President, that these two arsenals can make 750 guns a day, and you cut the appropriation in two from the bill as it passed the House, so that these two Government plants, manufacturing small arms for the Government, are not able to do more than half as much as they would if the proposed reduction did not take place.

Mr. President, we passed a bill here just a day or two ago appropriating more money for a Navy than was ever appropriated in the history of the world by any nation on earth in time of peace.

This great plan and propaganda of preparedness that has gone over the whole country and taken possession of it from top to bottom and from side to side has been on the theory that we needed to make extraordinary military preparations for the purpose of defending our homes and our firesides against the attacks of the cripples and the widows and the orphans that are coming over here from Europe at the close of the war to annihilate us and drive us off the face of the earth.

We passed a great naval appropriation bill on the theory that we were going to have a first line of defense against those people who will come over here in rafts and rowboats after their navies have been, in the present war, sunk to the bottom of the ocean. Now, we propose to leave the country at the mercy of these hordes of cripples that are going to attack us just as soon as they get through the first line of our defense. The Navy bill was passed as a part of that great system of preparation. Men were denounced as lacking in patriotism if they refused to stand for it. Now we are face to face with a proposition of the Government making a few rifles and pistols and revolvers, and we propose in a burst of economy to cut down the appropriation.

Would it be part of this propaganda of preparedness to cut down this appropriation if it were not a Government manufacture, and therefore there were no profit in it for the private manufacturers of arms? Would we not, in case these rifles were to be made by private individuals and corporations, be doubling the appropriation instead of cutting it in two?

I have just heard a noted Senator say that, if we make so many arms, they may be obsolete before they are likely to be used; and yet history demonstrates that there is nothing in the world which becomes obsolete so quickly as does a battleship. We are going to appropriate money to build battleships regardless of the fact that they may become obsolete before they are used. Let us take the argument made in favor of a big Navy and the argument which was made here last week to the effect that the building of such a Navy is an insurance policy; that we may never need the Navy, but that we had better have it ready. Everybody knows that the battleships which fought the Spanish-American War are not now much better than junk, and yet when the great plan of preparedness demands it we launch out into the building of a greater Navy than we ever dreamed of or thought about in the years that have passed. Now, however, when we come to make a few rifles by the Government, we immediately hear the cry from the same source, from the same people, who are crying aloud in distress for preparedness, that we must economize and that the rifles may be obsolete before they can be used.

Mr. President, if we may believe the argument which has been made, and which has convinced almost everybody in this country but me, that just as soon as this war ends Germany is coming over here to make us slaves, we shall not have the guns made before we shall need them. I do not suppose the European war will last more than one or two years. If it lasts much longer than that, they will have to agree on a cessation of hostilities long enough for the rising generation to become big enough to shoot. They might do that, and then resume the war on the theory that sometimes hostilities are suspended in order to bury the dead.

But, Mr. President, one or two years from now, if these factories are running to their full capacity, we shall have guns enough to supply the men whom we are now providing shall be made into soldiers to defend our homes and our firesides, and, incidentally, to defend our property against the invading hosts that are coming over here under the leadership of the Kaiser just as soon as the war is over in Europe; or perhaps it may not be the Kaiser, for the newspapers have already announced in flaming headlines, as part of this preparedness propaganda, that 35 Japanese have already landed in Mexico! Had we not better set these arsenals to work and let them get the guns ready for a Japanese invasion? I have heard it stated that 50,000 Japanese are now in California; that they are tried soldiers, veterans of the Russian-Japanese War; and that they are scattered from one end of California to the other. If we had all the Japanese in California, and scattered them over pretty well, in my judgment it would not be much cause for us to fear that those few people, even if they had the disposition to do so, would some morning, before daylight, murder the American people and take possession of the entire country from ocean to ocean. But now we have come up against a practical proposition: Shall we shut down the Government arsenals at Rock Island and at Springfield, Mass., and stop making rifles; and that, too, in the face of the fact that perhaps before the adjournment of this session we shall be at war with somebody—it does not make much difference with whom?

We have heard it said during all this propaganda that we were ill prepared for war. Hundreds of times we have read in the morning, while we trembled with fear, that, even though we had an army, we did not have any guns to put into the hands of the soldiers, and that they would have to fight with big sticks. Now, Mr. President, here is a proposition to get guns for our soldier boys in order to meet what we have been led to believe is a certainty—a mathematical certainty—that we are about to have war with somebody; and long before these battleships, for which we appropriated immense sums of money last week, can be built, long before the first line of defense can be put up according to our program, these hosts may be inside of the first line of defense. They will land in twos, in fours, and perhaps in some cases a dozen in a boat, and they will go over this country. We can not make these small arms at once. We can set these factories to going and get some small arms ready for our soldiers in the second or third line of defense. That is where the war will be, if it takes place so soon as we have been led to believe it will.

Mr. President, it seems to me that we may well keep these factories going making small arms for our soldiers. Opposed, as I have always been, to taking any course which it was claimed would get our country into trouble because it would not be prepared, I am now advocating that the Government continue to manufacture small arms—rifles, revolvers, and pistols—so that

in case of an emergency we may be prepared in that respect to meet it. This is not a drop in the bucket in this great program; but, so far as it goes, it takes the profit out of war; it takes the profit out of preparedness; and if we could carry out that policy through the entire program, not only in this country, but all over the world, we would, in my judgment, take the greatest step toward avoiding war that under present conditions perhaps could be taken.

Mr. CUMMINS. Mr. President——

Mr. NORRIS. I yield to the Senator from Iowa.

Mr. CUMMINS. I want to call the attention of the Senator from Nebraska, in line with what he is just saying, to the fact that, if he will turn to page 66 of the bill, in the second paragraph, he will find that the appropriation is increased from $4,500,000 to $12,776,000, and he will find that the House provided for the "manufacture of ammunition for small arms," but that it has been amended so as to include the words "and purchase." The Senator will also find, beginning with line 16, on page 67, the same change.

It has occurred to me that there must be some prejudice against Government manufacture of arms and munitions, for the appropriations where purchase is permitted are greatly increased and where the preparation is limited to Government activity alone it is diminished.

Mr. NORRIS. Yes. I thank the Senator from Iowa for his suggestion, which is in exact line with the point that I was trying to make, that the great preparedness propaganda—with some exceptions, of course, but, as a rule, that is behind it—is never very active in any preparation where there is not some profit in it for somebody.

I am not finding fault with the man who opposes Government activity on this line any more than on any other line; he has a reason for his belief, and I am not charging him with any lack of patriotism, or anything of that kind; but, to my mind, there are instances where governmental activity ought to take charge of certain things.

I believe that in the manufacture of munitions and arms—in fact, in nearly all the preparations for war—the making of something for which there is but one customer, and that is the Government, the Government, unless there is sufficient reason to the contrary, ought to take charge of the business and do the business. It is perfectly proper that a man engaged in the manufacture of munitions or of cannon or in the building of battleships should demand enormous profits. It is perfectly natural in case of war. He gets, of course, as is always the case in every country in every war, enormous profits. The conditions are such that he can exact them, and it is perfectly natural for every man in business to make all that he can out of the business. Without finding fault with that disposition, I think we ought to bring about such a condition of affairs by the Government engaging in the various instrumentalities which it needs for governmental purposes as to make it unnecessary for private individuals, at least to any great extent, to engage in any such business. Whatever it costs, the Government ought to pay.

In the particular part of the bill referred to by the Senator from Iowa [Mr. CUMMINS] there is another illustration of that proposition. There the bill provided originally "for the manufacture of ammunition for small arms and for hand use for reserve supply," and so forth and so on, an appropriation of $4,500,000. No profit would be made out of that, unless through the sale of some of the material out of which the article is made to the Government; but we find the bill changed, and instead of providing for the manufacture of ammunition for small arms it provides for the "manufacture and purchase" of ammunition for small arms; and then, instead of reducing the appropriation, it has been increased, multiplied by three nearly, raising it from $4,500,0000 to $12,776,000.

Mr. STERLING. Mr. President——

Mr. NORRIS. I yield to the Senator.

Mr. STERLING. Mr. President, I had supposed, perhaps innocently, that the words "and purchase" were inserted for the simple reason that the Government, with the facilities it now has in the way of arsenals and places for the manufacture of ammunition, could not manufacture more than about $2,000,000 worth of such ammunition, or, as found in the item on page 68, of arms; and I supposed it was in view of the emergency that the Senate committee made the amendment appearing in the bill.

Mr. NORRIS. To what emergency does the Senator from South Dakota refer?

Mr. STERLING. I supposed the present emergency was contemplated, the need at present for more ammunition and more arms than could be manufactured by the Government arsenals, a need which was not, I presume, foreseen by the House when it passed the bill, but meanwhile it became apparent to the Senate committee that more would be needed, much more than could be produced in Government arsenals, and, hence, they inserted the words "and purchase." That is simply my supposition. I found it partly on what occurred in the discussion on Saturday afternoon. I find, on page 11462 of the RECORD, this statement made by the Senator from Oregon [Mr. CHAMBERLAIN], who has the bill in charge:

> The Chief of Ordnance, Gen. Crozier, stated in effect that taking the $4,500,000 that was appropriated by the House, it would be impossible to manufacture in the Government establishments over about $2,000,000 of the amount.

Hence, I supposed that that was about the limit of the amount the Government could manufacture of this ammunition in its own arsenals.

Mr. CUMMINS. Mr. President, may I suggest to the Senator——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Iowa?

Mr. NORRIS. If the Senator from South Dakota is through with his interruptions, I yield to the Senator from Iowa.

Mr. STERLING. I am through.

Mr. CUMMINS. The Senator from South Dakota is probably right, so far as I know, about that part of the bill which is found on page 66. It is probably true that the Government could not manufacture in its own arsenals or at its own factories all the ammunition which would become necessary without an enlargement of its facilities; but we are now discussing the question of the manufacture of small arms, and the appropriation proposed by the Senate committee will not operate the Government arsenals but a little more than half time.

If the two arsenals, one at Springfield and one at Rock Island, were to operate during the entire year manufacturing rifles, pistols, and revolvers with one shift of men it would require $3,500,000 to defray that expense; and if two shifts were contemplated—which, in my opinion, ought to be the plan of operation—then there would be required $5,000,000 or more to do that work alone in the Government arsenals. It is not because these arsenals are inadequate to supply the rifles that are needed, but it is because either it is not desired that the governmental arsenals shall do the work or because it is thought that the rifles are not needed. One or the other of these things must be true. So the case put by the Senator from South Dakota with regard to the manufacture of powder does not exist with regard to the manufacture of small arms.

Mr. STERLING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from South Dakota?

Mr. NORRIS. I yield.

Mr. STERLING. If the Senator will permit me——

Mr. NORRIS. Yes.

Mr. STERLING. I alluded to the provision in regard to the manufacture of ammunition and the appropriation first made, for the reason that it had been referred to by the Senator from Iowa, and I supposed the Senator from Iowa and the Senator from Nebraska were putting on the same basis the manufacture of ammunition and the amount provided therefor and the manufacture of small arms and the amount appropriated therefor. Further, in corroboration of my belief in that regard, I find that the same committee amendment relative to the manufacture of arms is found on page 68 as is found on page 66, relative to the manufacture of ammunition, which is——

Mr. CUMMINS. No; the Senator is mistaken about that. Both the amendments which the Senator now has in mind refer to ammunition.

Mr. NORRIS. The amendment in page 68 has no reference whatever to small arms, I will say to the Senator from South Dakota.

Mr. STERLING. It provides, beginning in line 7, "that the Government shall manufacture at its arsenals as much of said ammunition"—I see the word "ammunition" is used there.

Mr. NORRIS. That is on what page?

Mr. STERLING. Page 68; but in that respect it is just the same as the amendment found on page 66.

Mr. NORRIS. The amendment I have been talking about, the amendment now pending, is the one which refers entirely to small arms, and in no sense to ammunition.

Mr. STERLING. That amendment follows the paragraph found on page 67, which is headed "Small-arms target practice." The word "ammunition" is stricken out of the original bill, and then there is inserted the words:

> For manufacture and purchase of ammunition, targets, and other accessories for small arms.

I see that the second amendment relates to ammunition alone of that particular kind.

Mr. NORRIS. Mr. President, I myself believe that if we are going to require, as the Senator has stated, for the emergency—whatever that may be—a larger amount of ammunition, one of the wise things that we ought to do is to increase the capacity of our ammunition factories and make more of it, if we are not able to make enough now.

Mr. STERLING. Mr. President, I should like to say to the Senator that I am fully in accord with him, to this extent, at any rate, namely, that the Government should manufacture all the ammunition for which it has the facilities to manufacture; and, in view of the discussion on Saturday afternoon, there being no agreement reached as to the committee amendment on page 67, I have prepared an amendment which I think will cover that proposition.

Mr. NORRIS. Mr. President, of course I am in favor, as the Senator from South Dakota says he is, of the Government manufacturing ammunition to the extent of its facilities; but I will go further and say, if the facilities are not adequate I should like to increase the facilities, and if what has been said here is all 100 per cent par those facilities ought to be increased. As I understand from what the Senator from South Dakota has said, quoting from Gen. Crozier, when the provision of the House, on page 66 was agreed upon, providing for the manufacture of ammunition by the Government and appropriating $4,500,000 therefor, the Government did not have the facilities to make even that much. So the appropriation was increased by the Senate committee from $4,500,000 to $12,776,000; and then, of course, they had to add the provision giving authority to purchase. If that be true, then the facilities for making this ammunition by the Government will be equal to the making of about one-fifth of the ammunition provided for, and the balance will have to be purchased.

The Government venture in the manufacture of powder has been so successful, as I understand—and that is conceded by everybody—and it has had such a beneficial result not only in cheapening the product that it directly manufactures but in affecting the market and cheapening the product that it has to buy that it seems to me we might well extend the activities of the Government in that respect; but in the amendment which is now pending, Mr. President, the appropriation applies entirely to the Government manufacture of small arms, and if the statements are well founded as to the necessity of increasing the powder supply and the ammunition supply by trebling the appropriation and all the other great military expansion which has taken place in the other bills which have passed, then I can see no reason why as to the few little factories which the Government is operating, we should practically provide that they should be shut down half of the time.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

Mr. CUMMINS. Mr. President, I intend to ask for a yea-and-nay vote upon this amendment, but during this discussion there have been so few Senators present that it may not be understood. I therefore suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested, and the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	Norris	Simmons
Bankhead	Husting	O'Gorman	Sterling
Borah	James	Oliver	Swanson
Brady	Johnson, S. Dak.	Overman	Thomas
Brandegee	Jones	Owen	Tillman
Bryan	Kenyon	Page	Underwood
Chamberlain	Kern	Penrose	Wadsworth
Chilton	La Follette	Poindexter	Walsh
Clarke, Ark.	Lee, Md.	Reed	Warren
Culberson	Lodge	Shafroth	Weeks
Cummins	McCumber	Sheppard	Williams
Curtis	Martine, N. J.	Sherman	
Dillingham	Nelson	Shields	

Mr. THOMAS. I have been requested to announce that the junior Senator from Mississippi [Mr. VARDAMAN] is absent on official business.

The PRESIDING OFFICER. Fifty Senators have answered to their names. There is a quorum present.

Mr. CUMMINS. Mr. President, allow me to say that there probably will be a vote upon this amendment very soon; and I hope, therefore, the Senators will have the patience to listen for a moment while I explain what the amendment is, for very few of them were here at the time the subject was under discussion.

The paragraph to which the amendment goes is one which authorizes the Government manufacture of small arms, principally Springfield rifles. There are at the present time but two manufactories in the country which produce Springfield rifles, and they are both Government arsenals. There is at this time no private manufactory of that kind. The capacity of the Springfield Arsenal is 500 guns a day. The capacity of the Rock Island Arsenal is 250 guns a day.

If these two arsenals worked at their full capacity during the year with one shift of men, they would produce 217,000 rifles if they worked upon no other arm. To do that would cost the Government about $3,500,000, for the rifles cost, according to the report, substantially $16.50 each. The House provided an appropriation of $5,000,000. The Senate committee has proposed a reduction of the appropriation to $2,500,000. That means that the Government can not manufacture more than 150,000 rifles during the coming year. It means that if we ever do have need for an army we will be without the means to arm and equip the soldiers.

I have feared that the proposed amendment was reduced in this way because the activity is entirely a governmental activity. I find no other appropriation in the bill relating to preparation for war, no other item which may be expended in the payment of contractors or manufacturers who make a profit out of war, reduced at all. They are all very greatly increased as compared with the House bill. This is the only one I have found which has been reduced.

It is unwise to shut down these arsenals in the manufacture of rifles. As was developed here a few moments ago, in order to be prepared for war a country must have anywhere from three to five rifles for each man, inasmuch as rifles are easily lost and destroyed and injured in time of war. We have not at this time more than one if our National Guard is increased to the point authorized by the law. We have no reserve whatever when we reach our present authorization in enlistment.

I believe that we ought to retain the House provision as it is, and allow these two arsenals to accumulate a fair, reasonable reserve in this fundamental and most important arm of the service.

Mr. President, I ask for the yeas and nays upon the amendment.

Mr. REED. Mr. President, I do not believe the committee could have had in view any such object as the Senator from Iowa seems to fear. There is nothing plainer to my mind than that while we are entering upon a program of preparedness the very first thing we ought to think of is to put ourselves in a position to be able at least to put rifles in the hands of our soldiers, either citizen or professional. I think we ought to have not less than three to four millions of these rifles on hand; and I am therefore opposed to the committee amendment.

Mr. PENROSE. Mr. President, I was unavoidably absent from the Chamber, so I shall have to trespass on the patience of the chairman of the committee. As I understand, the committee has cut down the House appropriation. I should like to vote to retain that appropriation, as advocated by the Senator from Iowa; but, of course, if these rifles are not necessary, I do not want to be in the position of voting that way.

Mr. CHAMBERLAIN. Mr. President, in answer to the Senator's question I desire to say that the House committee reported out, in the bill as it originally came to the House, an appropriation of $2,000,000 for the manufacture of small arms. Conditions changed somewhat while the bill was pending in the House, and the chairman of the committee recommended an increase of it to $5,000,000. When the bill came over here the Senate Committee on Military Affairs reduced that to $2,500,000, and proceeded on the statement of the Chief of Ordnance as to what that amount would do. The committee thought it would be amply sufficient, particularly in view of the fact that the next session of Congress is near at hand, and if any other increases are necessary, they can be made at that time. The committee thought that $2,500,000 was amply sufficient to meet all the requirements now.

Mr. PENROSE. Do I understand that the Chief of Ordnance also thinks this amount is sufficient?

Mr. CHAMBERLAIN. I would not say that the Chief of Ordnance stated that it was sufficient; but he stated what it would do, and the committee thought that statement warranted them in placing it at $2,500,000.

Mr. LODGE. If the Senator will allow me, the Chief of the Bureau of Ordnance stated that it was sufficient for the Army now in the field; but there is no attempt by this appropriation of the Senate committee to make any reserve of rifles. I think we ought to accumulate rifles. That is the point. We ought to do something to accumulate them, so that we shall have rifles ready to put in the hands of volunteers if they are called out.

Mr. CUMMINS. I ask for the yeas and nays on the amendment of the committee.

The yeas and nays were ordered.

Mr. BRANDEGEE. Mr. President, I believe the ordering of the yeas and nays does not limit debate.

The PRESIDING OFFICER. Not at all. The Senator from Connecticut is recognized.

Mr. BRANDEGEE. I wanted to ask the chairman of the committee, not having heard his statement when this item was reached, what would be the objection to putting onto this provision, on page 68, at line 10, under the title of "Manufacture of arms," the same proviso, or a similar one, contained in lines 7 to 9 on the same page as to ammunition, so as to provide that the Government shall manufacture at its arsenals as large a part of the arms as can be produced by the exercise of the greatest economy and efficiency?

Mr. CHAMBERLAIN. The reason for that is that the guns that are in use in the Army are practically all manufactured by the Government itself in its arsenals. They are not purchasing any guns anywhere; and there was no need for the same provision as with reference to the other material which the Government could not manufacture.

Mr. BRANDEGEE. I understand that; but if that is so, what is the significance of the word "procuring" in line 11?

Mr. CHAMBERLAIN. The Government does purchase some pistols, but the main appropriation covers guns. The amount spent for pistols is small in proportion to the number of guns that the Government uses, of course.

Mr. BRANDEGEE. I have no decided views about what amount is necessary, Mr. President; but I think it is wise policy for the Government to manufacture as much of its arms as possible at its own arsenals, and, of course, I think it is wise also to have other concerns in the country kept alive and encouraged, so that if the Government, in time of emergency, can not supply all that it wants, it can have some private industries to call upon.

Mr. LODGE. The Senator, of course, is aware that the Springfield rifle is made only at the Government armories.

Mr. BRANDEGEE. Oh, I am aware of that; yes.

Mr. LODGE. And he is aware that one armory is now closed down, and the other is being run at a production of only 149 rifles a day, when the two together, running on one shift, can make 750 rifles a day.

The PRESIDING OFFICER. The question is on the amendment of the committee, on which the yeas and nays have been ordered. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. JONES (when his name was called). I have a pair for the day with the junior Senator from Virginia [Mr. SWANSON], and I therefore withhold my vote.

Mr. SIMMONS (when his name was called). I transfer my general pair with the junior Senator from Minnesota [Mr. CLAPP] to the junior Senator from South Carolina [Mr. SMITH] and will vote. I vote "yea."

Mr. STONE (when his name was called). I transfer my general pair with the senior Senator from Wyoming [Mr. CLARK] to the senior Senator from Virginia [Mr. MARTIN] and will vote. I vote "yea."

Mr. THOMAS (when his name was called). I transfer my pair with the senior Senator from North Dakota [Mr. MCCUMBER] to the junior Senator from Oklahoma [Mr. GORE] and will vote. I vote "yea."

While I am on my feet, I wish again to announce the unavoidable absence of the junior Senator from Mississippi [Mr. VARDAMAN]. I will let this announcement stand for the day.

Mr. TILLMAN (when his name was called). I transfer my pair with the junior Senator from West Virginia [Mr. GOFF] to the senior Senator from Tennessee [Mr. LEA] and will vote. I vote "yea."

Mr. WADSWORTH (when his name was called). I transfer my pair with the junior Senator from New Hampshire [Mr. HOLLIS] to the junior Senator from New Mexico [Mr. CATRON] and will vote. I vote "nay."

Mr. SMITH of Arizona (when Mr. WILLIAMS's name was called). I desire to announce the absence of the senior Senator from Mississippi [Mr. WILLIAMS], who has been called from the Senate on important business.

The roll call was concluded.

Mr. REED (after having voted in the negative). I neglected to announce when I voted the transfer of my pair with the senior Senator from Michigan [Mr. SMITH] to the junior Senator from Indiana [Mr. TAGGART]. I now make that transfer and allow my vote to stand.

Mr. BRADY. I have a general pair with the junior Senator from Mississippi [Mr. VARDAMAN]. I transfer that pair to the senior Senator from California [Mr. WORKS] and will vote. I vote "yea."

Mr. GRONNA (after having voted in the negative). I inquire if the senior Senator from Maine [Mr. JOHNSON] has voted?

The PRESIDING OFFICER. He has not.

Mr. GRONNA. I have a pair with that Senator, and I therefore withdraw my vote.

Mr. CHILTON. I transfer my pair with the senior Senator from New Mexico [Mr. FALL] to the junior Senator from New Jersey [Mr. HUGHES] and will vote. I vote "yea."

Mr. O'GORMAN. I have a general pair with the senior Senator from New Hampshire [Mr. GALLINGER]. In his absence I withhold my vote.

Mr. BECKHAM. Has the senior Senator from Delaware [Mr. DU PONT voted?

The PRESIDING OFFICER. He has not.

Mr. BECKHAM. I have a general pair with him, and therefore withhold my vote.

Mr. PENROSE (after having voted in the negative). I notice that the senior Senator from Mississippi [Mr. WILLIAMS] has not voted. As I am paired with that Senator, I withdraw my vote.

Mr. WALSH. I have a general pair with the senior Senator from Rhode Island [Mr. LIPPITT], which I transfer to the senior Senator from Nebraska [Mr. HITCHCOCK], and will vote. I vote "yea."

Mr. CURTIS (after having voted in the affirmative). I have a pair with the junior Senator from Georgia [Mr. HARDWICK]; but I understand if he were present he would vote "yea," so I will allow my vote to stand.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from New Hampshire [Mr. GALLINGER] with the Senator from New York [Mr. O'GORMAN];

The Senator from Rhode Island [Mr. COLT] with the Senator from Delaware [Mr. SAULSBURY];

The Senator from Ohio [Mr. HARDING] with the Senator from Alabama [Mr. UNDERWOOD];

The Senator from Connecticut [Mr. MCLEAN] with the Senator from Montana [Mr. MYERS]; and

The Senator from Utah [Mr. SUTHERLAND] with the Senator from Arkansas [Mr. CLARKE].

The result was announced—yeas 25, nays 23, as follows:

YEAS—25.

Borah	Kern	Simmons	Tillman
Brady	Nelson	Smith, Ariz.	Townsend
Chamberlain	Overman	Smith, Ga.	Walsh
Chilton	Page	Smith, Md.	Warren
Curtis	Pomerene	Stone	
Fletcher	Shafroth	Thomas	
James	Sheppard	Thompson	

NAYS—23.

Ashurst	La Follette	Norris	Sherman
Brandegee	Lane	Oliver	Smoot
Cummins	Lee, Md.	Owen	Sterling
Dillingham	Lodge	Phelan	Wadsworth
Husting	McCumber	Poindexter	Weeks
Kenyon	Martine, N. J.	Reed	

NOT VOTING—47.

Bankhead	Gallinger	Lea, Tenn.	Saulsbury
Beckham	Goff	Lewis	Shields
Broussard	Gore	Lippitt	Smith, Mich.
Bryan	Gronna	McLean	Smith, S. C.
Catron	Harding	Martin, Va.	Sutherland
Clapp	Hardwick	Myers	Swanson
Clark, Wyo.	Hitchcock	Newlands	Taggart
Clarke, Ark.	Hollis	O'Gorman	Underwood
Colt	Hughes	Penrose	Vardaman
Culberson	Johnson, Me.	Pittman	Williams
du Pont	Johnson, S. Dak.	Ransdell	Works
Fall	Jones	Robinson	

So the amendment of the committee was agreed to.

Mr. REED. Mr. President, I feel absolutely certain that many of the Senators voted under a misapprehension as to the import of this amendment. I therefore give notice that I reserve it for action in the Senate.

The reading of the bill was resumed.

The next amendment was, on page 68, line 18, after the word "war," to insert "in the expenditure of which sum the existing laws prescribing competition in the procurement of supplies by purchase shall not govern in orders not to exceed $50,000 in any one case," so as to make the clause read:

Provided, That $200,000 of this appropriation may be used to procure gauges, dies, jigs, tools, fixtures, and other special aids and appliances, including specifications and detailed drawings, necessary for the manufacture by private manufacturers of arms necessary to arm the land forces likely to be required by the United States in time of war, in the expenditure of which sum the existing laws prescribing competition in the procurement of supplies by purchase shall not govern in orders not to exceed $50,000 in any one case.

Mr. CHAMBERLAIN. Mr. President, I desire to perfect that amendment by having it amended so as to read in accordance with the matter which I send to the desk.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. On page 68, lines 18 and 19, it is proposed to modify the committee amendment by striking out the words "in the expenditure of which sum," and inserting in lieu thereof the following:

And in the purchase of lots of arms to complete the object of this proviso.

The PRESIDING OFFICER. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

Mr. REED. Mr. President, I want to ask the chairman of the committee just what change that will work in the present law?

Mr. CHAMBERLAIN. I explained that in reference to one of the amendments which preceded this, Mr. President.

Mr. REED. I will say to the Senator that I was necessarily absent. I was with the Judiciary Committee all the morning.

Mr. CHAMBERLAIN. The Senator will remember that in the national-defense act of June 3, 1916, there was included a provision authorizing the Government to procure these gauges, dies, jigs, tools, fixtures, and other special aids and appliances to enable it to take such steps as might be necessary at any time in the future to manufacture, if it wanted to, or to prepare to manufacture in this country the materials that were necessary to be used in case of war. Two hundred thousand dollars of the $2,500,000 just appropriated is available for service this year.

The Senator will notice that the language as it appears in the bill is a limitation upon the use of the $200,000. That was not the purpose of the committee and it was not in accordance with the wishes of the War Department. They want to assemble these jigs and tools from whatsoever source they can get them, without any limitation upon that power, because they might want to buy a hundred dollars' worth in one place and $500 worth in another place and to assemble all these things and get them ready in their own factory. If the Government was not prepared to manufacture them it could place the order in a factory and give whatever place installed them a trial order, not to exceed $50,000, because no one would want to prepare to make any of the jigs and tools in any place unless there was some compensation in the form of a trial order. That is the purpose of it.

The amendment was agreed to.

The next amendment was, on page 68, after line 21, to insert:

The Secretary of War is hereby authorized to issue, without expense to the United States, for use in target practice, targets, target materials, and other necessary accessories to rifle clubs organized under the rules of the National Board for the Promotion of Rifle Practice and to schools having a uniformed corps of cadets and carrying on military training, in sufficient number for the proper conduct of target practice.

The amendment was agreed to.

The next amendment was, on page 69, line 9, after the word "Artillery," to strike out "$6,000,000" and insert "$11,000,000," so as to make the clause read:

Ordnance stores and supplies: For overhauling, cleaning, repairing, and preserving ordnance and ordnance stores in the hands of troops and at the arsenals, posts, and depots; for purchase and manufacture of ordnance stores to fill requisitions of troops; for Infantry, Cavalry, and Artillery equipments, including horse equipments for Cavalry and Artillery, $11,000,000.

Mr. CHAMBERLAIN. I thought I had an amendment to propose to that amendment, but I have it not before me. I reserve the right to offer it later.

The amendment was agreed to.

The next amendment was, on page 69, line 10, after the words "more than," to strike out "$3,000,000" and insert "$5,600,000," so as to make the clause read:

Provided, That not more than $5,600,000 of this appropriation may be used for the purchase of ordnance stores.

The amendment was agreed to.

The next amendment was, on page 69, after line 12, to insert:

The Secretary of War is hereby authorized to sell, at the prices fixed and published by the Chief of Ordnance, to the Government of Cuba such articles and quantities of ordnance and ordnance stores as may be desired by that Government for the equipment of its troops and as may be approved by the President of the United States.

The amendment was agreed to.

The next amendment was, on page 70, line 11, after the date "1918," to strike out "$3,600,000" and insert "$7,725,000," so as to make the clause read:

Automatic machine rifles: For the purchase, manufacture, and test of automatic machine rifles, including their sights and equipments, to be available until the close of the fiscal year ending June 30, 1918, $7,725,000.

The amendment was agreed to.

The next amendment was, on page 70, line 17, after the date "1918," to strike out "$2,000,000" and insert "$6,586,150," so as to make the clause read:

Automatic machine rifles: For the purchase, manufacture, and test of automatic machine rifles, including their sights and equipments, for the National Guard, to be available until the close of the fiscal year ending June 30, 1918, $6,586,150.

Mr. REED. Mr. President, the amendment just passed I have no doubt is a wise one, but I notice that for automatic rifles it is proposed to increase the House appropriation from $3,600,000 to $7,725,000. Probably that is a very wise amendment, but I should like to know the logic, if logic is to be found, in increasing that appropriation and then cutting down the appropriation that would have given enough rifles to put in the hands of ordinary soldiers. I can not understand why we should go so far forward in the matter of machine guns and do so little to lay in an adequate supply of rifles.

Mr. CHAMBERLAIN. I went over this once, but I am perfectly willing to explain it.

Mr. REED. A number of us have been this morning absolutely obliged to be in session in the Committee on the Judiciary.

Mr. CHAMBERLAIN. I am not complaining of the Senator, because I realize how hard it is to be here all the time. I was just explaining my own attitude in reference to the matter.

There is a difference of opinion here among Senators, and an honest difference of opinion, whether the appropriation for small arms ought to have been reduced. My own view is, and it is the view of the War Department, that the appropriation which has been made for small arms is amply sufficient in this emergency, particularly in view of the fact that Congress will convene again in a few months and the amount appropriated can not possibly be expended before the next session of Congress.

Mr. REED. Is not that true of other items? Is not that true of all these items?

Mr. CHAMBERLAIN. That is true, Mr. President, but in the larger appropriations, and the one now under consideration, contracts may have to be let. As a matter of fact, while the War Department think they have sufficient small arms on hand for use, and I think the House hearings will carry that view out, yet when it comes to these automatic machine rifles we are practically out of business. There is not any country in the world that is so poorly equipped with these automatic machine guns as the United States. If the Senator will read the hearings, he will find that even Mexico excels the United States in this equipment. When our boys did come in contact with the Mexicans down at Parral they were wiped from the face of the earth with these machine rifles.

Mr. REED. I am not objecting to the machine-rifle appropriation; that, I assume, is all right; but I am inquiring why we should deprive the man who can not have a machine rifle, who has to have a common rifle, of the chance to have the common rifle. I understand we have on hand 500,000 of those rifles, and yet the Senator knows if we came in conflict with a great power we would need 3,000,000 rifles, and we would need them in 90 days.

Mr. CHAMBERLAIN. There is not any question about that, Mr. President. I have been charged with being very radical on the subject of preparedness, and I have gotten so that I am almost afraid to suggest a recommendation. Now, even my pacifist friend on the other side, the distinguished Senator from Nebraska, votes for the increased appropriation when our committee recommended that it should be reduced. The War Department thinks that we are sufficiently supplied with these small guns. I may be mistaken about it.

Mr. REED. The War Department thinks that? I should like to have the reason for the War Department's thought.

Mr. CHAMBERLAIN. I gave that this morning, but if the Senator wants me to read it into the RECORD again I will do so.

Mr. REED. The Senator can tell me briefly.

Mr. CHAMBERLAIN. It is a supplemental proposition made by the Chief of Ordnance. He, as a rule, is knocking at the door of the Senate and Congress all the time for increased appropriations. His statement shows that there are enough provided for.

Mr. REED. He says there are enough, yet there are only 500,000. Am I correct in that?

Mr. CHAMBERLAIN. There are over 700,000, I think. We have, in round numbers, over 250,000 men in the field.

Mr. REED. Exactly. I am not afraid of being unable to arm the men we have in the field now. What I am afraid of is that some day we will have occasion to use the power of this country in some great conflict. If we do, we are going to call on the American people for volunteers or we are going to draft them; 500,000 guns or 750,000 guns in that case would be utterly inadequate.

How does the War Department suppose we are going to get them and get them quickly? I say to the chairman of the committee this has seemed to me to be the best kind of preparedness we could engage in, so as to have on hand all of the war matériel necessary to arm our people, and for two reasons: First,

because you can not get it quickly, and in an emergency you will find yourself without it; second, because that kind of preparedness does not cost very much, as compared with other kinds. When you buy a horse you have to feed him and he wears out and dies. When you have a man you must feed him and sustain him and care for him; he eats, he consumes. But if you take a rifle, oil it and put it away properly, it is good for 20 years and you are not out a single penny except the original cost and the interest on the money.

Therefore, if we are to be extravagant in any respect, if we are to go beyond the line of what is apparently a present necessity in any degree, we had better do so along the line of preparing those things that it requires time to get and which it does not require any money to keep on hand.

Mr. CHAMBERLAIN. Does the Senator object to the item for machine rifles?

Mr. REED. I do not. I am trying to get some light on the other item. I am not objecting, because, I take it, we need the machine guns. You will not find me voting against creating the machine, whether it is a simple rifle, a machine gun, or a great cannon. You will not find me voting against getting a machine of some kind to put into the hands of our people when it is necessary to have one.

Mr. CHAMBERLAIN. The Senator does not care for the views of the department on the automatic machine rifle.

Mr. REED. Not especially, because I am willing to follow the lead of the chairman of the committee on that. I take it we need these machine guns. I am, however, continuing my protest against cutting down the work of the Government arsenal in making enough rifles. I insist that if our men are called out they must have something in their hands to fight with. It has been suggested to me by the Senator from Oklahoma [Mr. OWEN] that the trouble with Russia was that she did not have arms to put in the hands of her people; we should not repeat Russia's blunder.

There has been a good deal of talk about the American citizen not being prepared to fight. I appreciate the fact that training is of infinite value in the making of a soldier, but I want to say that I have more doubt of our ability to get war material to-day than I have of our ability to get men who will handle that material, for with all due respect to other peoples and nations I do not believe there is upon the face of the earth a race of men who can be so quickly transformed into soldiers as the American people. I say that because our training from youth has been along lines that have developed and broadened and quickened the mind of the American citizen. I do not believe it is true that you can not make a reasonably effective army in a short space of time in this country, but I do know that no army can fight without rifles.

I can see no sense whatever, when we are engaged in a great program of preparedness, in starting out with what practically amounts to this sort of a resolution. But be it resolved, that there shall not be enough rifles to put into the hands of any army that may be raised.

The War Department sometimes, I think, makes mistakes. I am just exercising my common sense. I know to my own satisfaction, at least, that if we had three or four million first-class rifles laid away in arsenals and ready to put into the hands of our people I would feel a sense of security and safety that I do not now enjoy.

Mr. BRANDEGEE. Will the Senator permit a question?

Mr. REED. I do. Indeed, I have finished. I yield the floor.

Mr. BRANDEGEE. If the Senator has not the information, I will ask the Senator from Wyoming [Mr. WARREN]. I assume there is some standard of weapon now prescribed by law by the department for the use of the Army.

Mr. WARREN. You are speaking of the small arm?

Mr. BRANDEGEE. The rifle.

Mr. WARREN. The Springfield?

Mr. BRANDEGEE. No other arm is used in the Army?

Mr. WARREN. Except in some exigency, but the Springfield is the standard rifle furnished to the Regular Army and the National Guard.

Mr. BRANDEGEE. Does the Government own or have patents so that nobody else is permitted to make that rifle in this country?

Mr. WARREN. Without doubt.

Mr. BRANDEGEE. So the fact is that no private manufacturer can make the type of rifle which either the law or the regulations of the department require to be used exclusively by the Army?

Mr. WARREN. I so understand it.

Mr. BRANDEGEE. If that be the fact, Mr. President, it seems to me that the reason for reconsidering the action of the Senate on the amendment which the Senator from Missouri has been discussing is reenforced and made more necessary.

Mr. WARREN. Of course the Senator understands that they can be manufactured anywhere under orders of the Government or with the permission of the Government.

Mr. BRANDEGEE. Yes, they may be; but the point I was about to make is this: I think it is an essential part of being prepared that there should be in the country at all times a large reserve stock of such kind of rifles as the soldiers would be compelled to use in time of war. I think there should be even a considerable surplus, as the Senator from Iowa [Mr. CUMMINS] has indicated. If the Government is the only person that makes those now and is the only person that could authorize anybody else to make them, of course, unless we appropriate enough money to pay for the manufacture of a reasonable supply the Government could not make them or give a contract to private parties to manufacture them unless the appropriation was made.

Mr. NORRIS. Mr. President, I believe the question propounded by the Senator from Missouri [Mr. REED], with regard to the cutting down of this one appropriation and increasing the other appropriation, has not at least been truly answered. I want to make a suggestion that I think will throw some light on the question. Wherever in any of these appropriations in this part of the bill that I have noticed the word "purchase" is included the appropriation is increased. Whenever there is not any such thing as purchase, but the Government manufactures, and there is only one such place, then the appropriation is cut down.

For instance, take the purchase and manufacture of Army motor cars. The appropriation is raised from $300,000 to $1,000,000. For the purchase and manufacture of automatic machine rifles, including equipment for the National Guard, the appropriation is raised from $2,000,000 to $6,586,150. For the purchase, manufacture, and test of automatic machine rifles to be available, and so forth, for the Regular Army, I suppose, the appropriation is increased from $3,600,000 to $7,720,000. For the manufacture and purchase of ammunition for arms, and so forth, the appropriation is increased from $4,500,000 to $12,760,000.

In most of the cases I have mentioned the purchase will be the all-important part of it. In some of them I understand the Government has no facilities whatever to manufacture; so that all the money will be appropriated for the purchase.

I am not complaining of the committee now, or particularly of the chairman of the committee, as he intimated a while ago I was, because he said he was following the department. I am complaining of those who are responsible for that kind of recommendation. I offer this only as a little indication of what might influence these people. Wherever the things that I have read are to be purchased then the appropriation is increased at a terrible rate, but now we come to another item, the only one, as I said, of its kind—for the manufacture, repair, and procuring and issuing of arms at the national arsenals; that means where the Government is manufacturing the product—and the appropriation is decreased from $5,000,000 to $2,500,000.

Mr. BRADY. From what page and line is the Senator reading?

Mr. NORRIS. It is lines 9 to 12, inclusive, on page 68. I simply offer that as a little light that may give some information to the question propounded as to why the appropriations for rifles that are to be purchased are increased, and in the appropriations for ammunition and automobiles and everything else which has to be purchased an increase is made, and the appropriation made for the Government manufacturing is decreased.

Mr. CHAMBERLAIN. Mr. President, the natural inference to be drawn from the suggestion of the Senator from Nebraska is that the War Department itself and its officials are acting in collusion with the Committee on Military Affairs or the Committee on Military Affairs is acting in collusion with the distinguished Secretary of War and many distinguished Army officers to defraud the Government and the people of this country whenever it is sought to diminish the appropriations for the manufacture of those things which the Government manufactures or to raise the appropriations in those cases where the Government of the United States is compelled to buy in the markets of the country.

I repudiate the implication which arises from the suggestion of the Senator. I might just as well undertake to hold the Senator who is opposed entirely to the doctrine of preparedness for national defense responsible for the acts of certain ardent opponents of preparedness who undertook to blow up, and who did kill a number of innocent men, women, and children of San Francisco a few days ago, because they dared to go out upon the streets and watch a parade in the interest of preparation for national defense.

It would be just as logical as the position which the Senator takes, and yet I make no such claim and take no such position.

I will say to the Senator, in all kindness, that there are just as honest men in the Senate as he. I do not mean to impugn or question the integrity or the honesty of the Senator from Nebraska, but he and others on the floor of the Senate and elsewhere are continually suggesting here that every man who believes in placing his country in a position for defending itself is animated by some secret, some sinister, some dishonest influence that is attempting to rob the Treasury of the United States and impose a heavy burden of taxation upon the people.

There is nothing in that suggestion, and the Senator knows it. There is no one man in the Senate who has a monopoly of honesty. There is not any one man in the Senate who possesses all the wisdom of the Senate. There is no one individual here who possesses all the patriotism of this body.

I have at all times given to the Senator from Nebraska and the other Senators who differ most radically from me credit for acting with the best motives and from none but the purest and most patriotic purposes, however much I may differ from them. There is no warrant and no reason why the motives of the Committee on Military Affairs and other Senators should be constantly called in question and intimation made from time to time that because they stand for placing our country in a position where it can defend itself they are engaged in a conspiracy with the munition factories and others who profit by war.

So far as I am concerned, after 20 years of public service I am sure those who know me will acquit me of ever having undertaken to rob the people of my State or the Federal Government.

Those of us who believe in placing our country in a proper attitude of defense against troubles within or without are just as patriotic and have their country's best interest as much at heart as the distinguished Senator who is constantly insinuating that the members of this committee and the Members of the Senate who disagree with him have some ulterior or sinister purpose other than that of the defense of our country.

Mr. President, I read somewhere not long ago of a distinguished member in the Chamber of Deputies in France who, before the terrible war that is now waging, when the question came up of buying armored motors, machine guns, and ammunition for the proper defense of France, got up and charged that it was all a conspiracy between those who favored placing France in a position of defense and the ammunition factories and motor factories to rob the French Government. But there were some men in the French Deputies who saw the war clouds and foresaw the storm that was bound to follow, and then when France did become engaged in a war which is more terrible than anything that the world's history records or knows of, this same deputy, when he saw his sons and his brothers rushing to the slaughter without preparation, without ammunition, without arms, without armored trucks, stood up on the floor of the Chamber of Deputies and said, "Mea culpa," "It is my fault."

So it is now, Mr. President, because some of us are insisting that our country ought to be placed in a proper attitude of self-defense, not an extravagant but a reasonable one, some distinguished gentlemen here are suggesting that it is a conspiracy between those who believe in preparation for defense and the munition factories of the country.

Some of the same distinguished gentlemen, Mr. President, if the United States does ever happen to become involved in war, will stand in their same places in the Senate of the United States and see their boys going to the front and wiped out by shrapnel, by shot, and by shell, unarmed, unprepared, unequipped, they will say, as the French deputy did, "Mea culpa," "I am to blame."

Mr. President, I am induced to say this much because that intimation is constantly made here. I claim for myself and for my colleagues who agree with me just as much honesty of purpose as inspires those who differ from us.

Here we are sending our boys to the front, sending them down to Mexico. It has been claimed here that they, too, are unprepared, and we are endeavoring simply to do something to prepare them to meet the emergencies of war, if emergencies come, and God grant they may not. If those boys had been sent down to Parral or other places in Mexico where recent difficulties have occurred and they had been met by the Mexican forces with machine guns and mounted rifles, what chances do you suppose they would have had? Yet because we try to place them in a condition where they can have these things, where they can properly defend themselves, there comes the charge in the Senate of the United States that the Military Affairs Committee is standing in with the munition factories.

Mr. President, I get tired of hearing that charge. I am willing to measure my patriotism and my honesty with the patriotism and honesty of any man in this Senate, and I feel that there is not a man on the Military Affairs Committee who is not equally patriotic and honest. The only man on the committee who has ever been interested in the manufacture of munitions declined to vote, and went out of the committee room whenever any of these questions came up for consideration; and yet these suggestions are made against me, and against all the members of the committee. They are not made openly; they are suggestions merely of sinister motives and purposes. We have some gentlemen on that committee who were in the Confederate Army and some who were on the Union side in the Civil War, all doing what in view of their experience they believed was best to be done in the emergency which confronted our country.

Mr. President, that is all I intend to say on this subject at this time. I think it comes with very poor grace from a Senator to make such suggestions on the floor of the Senate. If he knows of dishonesty on the part of any Member here, let him put his hand upon that man's shoulder, and I will be just as ready as he to point the finger of scorn at such a traitor to his country and assist in holding him up to the everlasting obloquy of the American people.

Mr. NORRIS. Mr. President, the Senator from Oregon "protests too much." I think an examination of the RECORD and everything that I have said on the floor of the Senate or elsewhere will not warrant any of the intimations in which the Senator from Oregon has indulged. I have said nothing, and I have heard of nobody else in the Senate who has said anything, that would warrant the Senator from Oregon in saying that there were continual intimations here to the effect that the chairman of the Committee on Military Affairs and other members of that committee were "standing in" with the munition factories. The Senator is denying a charge that has not been made. That is the only suspicious circumstance connected with the proposition.

Mr. President, I wondered the other day when I read of a crank or an anarchist, or somebody, who had left an infernal machine which exploded a bomb and killed and injured innocent and honest people in a preparedness parade, how soon it would be until some military preparedness man would charge that up against men who were opposed to the launching now of the greatest appropriation ever made in the history of man in time of peace for the building of a navy of a size unheard of, undreamed of, and unthought of a few years ago, when, in my judgment, there is less use and less cause for it than has existed at any time during the last 100 years. In the discussion of that question I have always conceded, and I have conceded here, that those who did not agree with me were just as honest and just as patriotic as I; and when the Senator from Oregon now singles me out and classifies me as one who is making intimations that the Committee on Military Affairs and its chairman are working for the interests of munition factories, I repudiate the statement. It is groundless; and there is not any evidence, so far as I know, that the committee are doing that, except the fact that they are denying the charge when it has not been made. I suppose that might be considered in a trial as proper evidence; but, Mr. President, the things that I have pointed out are in the bill. I read from the bill these various items where increases are made in every case where arms and munitions are to be purchased, and where there was no purchase, but where it was entirely Government manufacture, there is a decrease. It is there; I did not make it; the Senator from Oregon reported the bill here as chairman of the committee, and it is up to the committee to explain it.

It will be no explanation to try to intimate that I am not as patriotic as is he or that he will stand with his people in a proper light and they will believe that he is honest. I have never doubted his honesty or his patriotism, and I have never said anything here that would give him warrant or reason for intimating that such a suggestion had been made. But the facts, Mr. President, are as I have pointed them out. What I have said I offer for what it is worth. It may be worth a great deal and it may be explained away.

Mr. President, the item to which I have called the attention of the Senate is one as to which the committee has cut down the appropriation; and it is no answer for the Senator from Oregon to say that the poor boys down south, if we did not have arms to put into their hands, could not do any good. Here is where I am asking that the Government prepare arms for our boys at the front; here is where I am asking that the appropriation made to provide them with guns to defend our country shall not be reduced; and yet the Senator from Oregon comes in with the proposition to cut that appropriation square in the middle, to cut it down. So if there is any argument in our boys suffering for want of guns, it is not from the position that I take, but it is from the position that the Senator from Oregon has assumed.

I am objecting, Mr. President, to the cutting down of this item. When our boys go to the front I want them prepared with the best that human ingenuity can place in their hands. I am protesting here against a lack of such preparation, and yet the Senator from Oregon is defending the proposition that we should cut that appropriation in two. If you can deduce from that that I am trying to send the boys down on the border without guns in their hands, then you will have more wisdom than the Senator from Oregon has shown in using that as an argument for his position and against mine.

Mr. CHAMBERLAIN. Will the Senator allow me to interrupt him a moment?

Mr. NORRIS. I will.

Mr. CHAMBERLAIN. The Senator will recall that we have not over 250,000 men in the field, and the evidence here is that we have over 750,000 guns.

Mr. NORRIS. Yes; that can be offered as an argument against my position; but, as has been before stated to-day in this debate, if we go into war with Mexico or if the people who believe in this great preparedness plan are right in their contention that we are about to get into war with some other nation—some great nation—then if we want to run these Government factories making small arms night and day we shall not be able to meet the demand for arms.

If we have 750,000 arms for the soldiers, even though we had no more than a war with Mexico, they would not come anywhere near supplying the demand; and yet I am charged with being a foolish advocate of a policy that would leave our soldiers without arms, when I am demanding that the Government manufacturing establishments shall go on at all speed and make more arms for them. I am charged with being unpatriotic by Senators who want to cut this appropriation in two, because, forsooth, they say that, if I have my way, the boys down there will not have guns in their hands. The opposite is true.

Sometimes in argument men do try to put their opponents in a position which they themselves are occupying. The Senator from Oregon says that if our soldiers down at Parral had not been armed, they would not have stood any show, and some of them were wiped off the face of the earth because the enemy there, although barbarous, was armed with machine guns. That is true; but that only argues that the Government of the United States ought to go on and make some more of these arms.

I have not objected to the provision of the Senator's bill that there shall be an increased appropriation for machine guns; I have not raised my voice or offered my vote against that proposition; but it is where the Senator proposes to cut down the provision for rifles that will be available for the common, ordinary soldier that I protest.

Then, the Senator comes back with the proposition that I am, without reason, charging the committee with being unpatriotic and as standing in with the munition factories. I have studiously avoided doing any such thing. If the Senator can get that construction from what I have said, he is welcome to it; he may take it home with him. When he was talking in a boastful manner of the way in which the people believed in his honesty; if he can go back home and say to them, "I charged a man, because he favored large appropriations for making small arms to put into the hands of our soldiers, with being unpatriotic, or with trying to put our soldiers in a position where they could not defend themselves"—if he can do that, he is welcome to do it. If his people agree with him in that, he is welcome to all the consolation he can get out of it.

But, Mr. President, I want to say that, so far the argument of the Senator being as patriotic as anybody else is concerned, I will simply admit that that does not need any proof; the Senator has himself proclaimed it, and nobody has denied it. So I suppose that that would be taken as true. If a Senator can not disagree with the committee without being charged with being moved by motives that are not honorable, then I am at fault; then I must swallow whatever the committee brings in, and when an explanation is asked and not given, reading from the Senator's own bill, I suggest that in one case, where ammunition and other munitions of war are to be purchased, the appropriation is increased, and in the other case, where those supplies are not to be purchased, but are to be manufactured by the Government it is decreased—taking it from the committee's own bill—if that lays me liable to be charged with unpatriotic conduct, then I am guilty, and I shall have to take my chances; but if that is any defense; if that is any reason for anybody who favors that kind of a plan to claim that he is patriotic—more so than he would be if he did not favor that kind of a plan—then I have to be shown. I do not believe it adds anything to the fervent patriotism of the Senator from Oregon that he is in favor of that plan; I am not saying that it detracts any from it; but I do not believe it can be offered in substantiation of his pose of patriotism; in other words, as I said when I began, it seems to me that the Senator, like the character in Hamlet, "doth protest too much."

The PRESIDING OFFICER (Mr. PHELAN in the chair). The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment of the Committee on Military Affairs was, on page 70, line 19, after the word "cars," to strike out "$300,000" and insert "$1,000,000," so as to make the clause read:

> Armored motor cars: For the purchase and manufacture of armored motor cars, $1,000,000.

Mr. LEE of Maryland. Before the amendment is disposed of I should like to ask the Senator from Oregon a question. We are on the provision now in regard to machine guns for the militia, are we not?

Mr. CHAMBERLAIN. We are now on the provision in regard to armored motor cars. The amendment in regard to machine guns has been agreed to.

Mr. LEE of Maryland. I was just outside of the door, having been called out by a visitor, and I wanted to ask the Senator a question about the machine-gun item before it was passed. I noticed that this item for the Regular Army, which force has in the neighborhood of 90,000 or 100,000 men, appropriates for machine guns $7,725,000, while for machine guns for the militia, which force at the present time includes in the neighborhood of 150,000 men, the appropriation is $1,200,000 less. I have understood all along that these two forces were to be armed with equal efficiency and were to be supplied equally with modern military equipment.

Mr. CHAMBERLAIN. Mr. President, machine guns can be used indiscriminately by either the Guard or the Regular Army. I will call the Senator's attention to what the Chief of Ordnance says about that. In regard to automatic machine rifles for the Regular Army, the first of the two items, he says:

> With the guns now on hand, this will provide for the troops of the Regular Army, including nine regiments constituting the first increment under the act of June 3, 1916, at the rate of 12 guns per regiment; the aero squadrons for these troops; 1,600 guns for special purposes; and 50 per cent of the total number of guns otherwise provided for, to cover wastage.

Then, in relation to the next item, appropriating $6,586,150 for machine guns for the National Guard, he says:

> This, with the guns already provided, will equip all of the National Guard regiments recently called into the Federal service with 12 guns per regiment—

Just the same as in the case of the Regular Army—

> will supply the aero squadrons pertaining thereto, and will furnish 50 per cent of the total number for wastage.

Mr. LEE of Maryland. But the Senator must recognize the fact that all of the National Guard were not called into national service; that quite a number of regiments—I think 19 regiments of Infantry—were omitted from the call. I should think they ought to be provided with machine guns just the same as any other part of the Military Establishment. I am, however, so grateful to the Senator for increasing the appropriation for machine guns that I do not want to criticize the committee amendment.

Mr. CHAMBERLAIN. I assure the Senator that it is an implement of war that can be used indiscriminately by either the National Guard or the forces of the Regular Army, and it can be transferred from one division or from one regiment to another, as the case may be.

Mr. LEE of Maryland. The Senator feels sure that the machine guns can be so transferred?

Mr. CHAMBERLAIN. I think so.

Mr. LEE of Maryland. My impression was that they could not be transferred, being purchased for a specified purpose by an express provision of law; but if what the Senator says is correct, as I presume, of course, it is correct, the item as it stands is entirely satisfactory.

Mr. CHAMBERLAIN. I think there will be no question about that, I will say to the Senator.

Mr. LA FOLLETTE. Mr. President, I should like to ask the chairman of the committee a question. What is the cost of a machine gun, and how is it estimated in making these appropriations? How many machine guns are provided for by these two appropriations?

Mr. CHAMBERLAIN. They are very expensive.

Mr. LA FOLLETTE. I presume so.

Mr. CHAMBERLAIN. They cost from $3,000 down. The War Department officials are hoping all the time that they may be able to reduce the price.

Mr. LA FOLLETTE. How many machine guns will be provided for under the paragraph which appropriates $7,725,000,

and, if the Senator knows, how many by the other paragraph, the one following, appropriating $6,586,150 for machine guns for the National Guard?

Mr. CHAMBERLAIN. It would depend somewhat on the price. If the cost of each gun were $3,000——

Mr. LA FOLLETTE. Well, at present prices?

Mr. CHAMBERLAIN. I do not know. I have not estimated just how many. The Senator said something in his address to the Senate the other day—and I think very appropriately—about the newest gun which had been adopted by England. Our Government has experimented with that and has experimented with two or three other machine guns, but the results have not been entirely satisfactory as to any one of them. They are trying, however, to evolve a gun that will do just as well as any of them, and at a very much reduced expenditure, but now they cost from $3,000 down.

Mr. LA FOLLETTE. Does the Senator mean $3,000 down or $3,000 up?

Mr. CHAMBERLAIN. From $3,000 down—a few hundred dollars less than $3,000. If the Senator would like to have an estimate made, I can have the War Department do it.

Mr. LA FOLLETTE. No; I merely wanted the approximate cost.

The PRESIDING OFFICER. Without objection, the amendment reported by the committee is agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Military Affairs was, on page 71, line 5, after the words "sum of," to strike out "$8,000,000" and insert "$14,200,000," and in line 9, after the words "more than," to strike out "$4,000,000" and insert "$11,200,000," so as to make the clause read:

Field artillery for National Guard: For the purpose of manufacturing field artillery material for the National Guard of the several States, Territories, and the District of Columbia, but to remain the property of the United States and to be accounted for in the manner now prescribed by law, the Secretary of War is hereby authorized, under such regulations as he may prescribe, on the requisitions of the governors of the several States and Territories or the commanding general of the National Guard of the District of Columbia, to issue said artillery material to the National Guard; and the sum of $14,200,000 is hereby appropriated and made immediately available and to remain available until the end of the fiscal year 1918, for the manufacture and issue of the articles constituting the same: *Provided*, That not more than $11,200,000 of this appropriation may be used for the purchase of field artillery material.

The amendment was agreed to.

The next amendment was, on page 71, line 18, after the date "1918," to strike out "$8,000,000" and insert "$14,000,000," so as to make the clause read:

Ammunition for field artillery for the National Guard: For the purpose of manufacturing reserve ammunition for field artillery for the National Guard of the several States, Territories, and the District of Columbia, the funds to be immediately available, and to remain available until the end of the fiscal year ending June 30, 1918, $14,000,000.

Mr. OVERMAN. In the event there should be no war would there be any necessity for the increase from $8,000,000 to $14,000,000?

Mr. CHAMBERLAIN. I will say to the Senator that we are away behind in supplies of this character of ammunition and there is great necessity for it. Of course we can do without it, as we have done without it for a number of years; but if the country wants to be prepared for defense it ought to have it. It is not a waste; it is an investment.

Mr. OVERMAN. What will be done with the powder?

Mr. CHAMBERLAIN. It can be stored.

Mr. OVERMAN. Will it not deteriorate?

Mr. CHAMBERLAIN. The powder is intended for the field artillery.

Mr. OVERMAN. As I understand, powder always deteriorates if kept long.

Mr. WARREN. The powder deteriorates, but can be made over.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Military Affairs was, on page 71, line 19, after the words "more than," to strike out "$4,000,000" and insert "$8,400,000," so as to make the clause read:

Provided, That not more than $8,400,000 of this appropriation may be used in the purchase of field artillery reserve ammunition.

The amendment was agreed to.

The next amendment was, on page 72, line 1, after the word "war," to insert "in the expenditure of which sum the existing laws prescribing competition in the procurement of supplies by purchase shall not govern in orders not to exceed $50,000 in any one case," so as to make the clause read:

Provided further, That not more than $200,000 of this appropriation may be used to procure gauges, dies, jigs, tools, fixtures, and other special aids and appliances, including specifications and detailed drawings necessary for the manufacture by private manufacturers of field artillery ammunition necessary for the use of the land forces of the United States in time of war, in the expenditure of which sum the existing laws prescribing competition in the procurement of supplies by purchase shall not govern in orders not to exceed $50,000 in any one case.

Mr. CHAMBERLAIN. I desire to offer the amendment which I send to the desk as an amendment to the amendment reported by the committee. It is in the same language as that heretofore passed on by the Senate.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. In the committee amendment on page 72, line 1, it is proposed to strike out the words "in the expenditure of which sum" and to insert in lieu thereof the words "and in the purchase of lots of ammunition to comply with the object of this proviso."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Military Affairs was, on page 72, after line 4, to insert:

Provided further, That the appropriations hereinbefore made under the heading "Ordnance Department" shall be available for the payment of an allowance not to exceed $4 per day in lieu of subsistence to civilian employees of the Ordnance Department traveling on official business outside of the District of Columbia and away from their designated posts of duty.

The amendment was agreed to.

The next amendment was, on page 72, after line 11, to insert:

That the President is authorized to appoint and, by and with the advice and consent of the Senate, to commission to the grade of first lieutenant in the Quartermaster Corps, United States Army, a pay clerk of over 31 years' service, now in active service, and who has been recommended by the then Secretary of War for such appointment.

Mr. NORRIS. Mr. President, I should like to make an inquiry of the chairman of the committee respecting that amendment. I presume the amendment is intended to promote some particular person?

Mr. CHAMBERLAIN. It applies to John Q. A. Brett.

Mr. NORRIS. And he is the only person to whom it applies?

Mr. CHAMBERLAIN. He is the only person to whom it applies.

Mr. NORRIS. Who is the officer?

Mr. CHAMBERLAIN. Some time ago a bill passed the Senate in just the form in which the amendment is found. It applies to John Q. A. Brett, of the Quartermaster Corps of the Army.

Mr. NORRIS. I should like to inquire why it is necessary to provide a special authorization of this kind? Under existing law could he not be properly promoted?

Mr. CHAMBERLAIN. No; he could not be.

Mr. NORRIS. For what reason?

Mr. CHAMBERLAIN. I assume the Senator has not read the report which was made by the Committee on Military Affairs on the bill to which I have referred?

Mr. NORRIS. No; I have not.

Mr. CHAMBERLAIN. In the report of the Committee on Military Affairs appears a letter from former Secretary of War Garrison, who, under date of January 7, 1916, says:

To the COMMITTEE ON MILITARY AFFAIRS,
United States Senate.

SIR: I have the honor to return herewith S. 2544, Sixty-fourth Congress, first session, "A bill to authorize the President of the United States to appoint John Q. A. Brett captain in the Quartermaster Corps of the Army."

I regard the case of Pay Clerk Brett as an exceptional one, and believe that he is entitled to special consideration for the unusually arduous and intelligent work which he has peformed. His unusually exact knowledge not only of the Quartermaster Corps but of the other bureaus of the War Department as well is personally known to me by reason of extremely important official work extending over several months which he has done under my immediate direction.

Before this work was completed, and when his absence would probably have made it impossible of completion, his medical officers ordered him into the hospital. Realizing the serious situation that his absence would create, and entirely from a sense of devotion to duty, he continued at this harassing night-and-day work until it was finished, although to the serious prejudice of his health.

Pay Clerk Brett is a highly educated, well-bred gentleman. I doubt if there are half a dozen officers in the Army as well versed in all the details of the Quartermaster Corps.

I recommend favorable consideration of this bill.

Very respectfully,

LINDLEY M. GARRISON,
Secretary of War.

Mr. NORRIS. Mr. President, if the Senator will permit me, my inquiry was not due to the fact that I intended to make any

objection or raise a point of order. I know nothing about the facts, and I presume that we are justified in doing what has been suggested. The point I wanted light on was why, under the general law, an officer could not be properly promoted without any special legislation in his behalf?

Mr. CHAMBERLAIN. He is not subject to promotion as a pay clerk; it takes a special act to authorize this promotion. I want to say to the Senate that in the letter of Secretary of War Garrison of January 7, 1916, which I have read, he recommended the passage of the bill which proposed to authorize the promotion of Mr. Brett to the grade of captain, while the provision of this bill authorizes his promotion to the grade of first lieutenant.

Mr. OVERMAN. How will that affect other first lieutenants in the Quartermaster Corps?

Mr. CHAMBERLAIN. It will not affect them at all.

Mr. OVERMAN. It is personal legislation, and I think is bad legislation on an appropriation bill. I think the Senator will agree with me that legislation of this kind—taking men out of the departments and promoting them by special act—ought not to be passed. I think a bill for this purpose ought to stand on its own merits, if there is any merit in it, and it ought not to be put on an appropriation bill.

Mr. CHAMBERLAIN. A bill providing for this very purpose has already passed the Senate.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Military Affairs, was, on page 72, after line 17, to insert:

That for the replacement of a bridge across the Republican River near Fort Riley, Kans., under the direction of the Secretary of War, $30,000, or so much thereof as may be necessary, and the Treasurer of the United States is hereby directed and authorized to retain, out of any moneys due or that may become due from the Government of the United States to the State of Kansas, a sum equal to the amount expended for the replacement of said bridge.

Mr. NORRIS. I should like to ask for some explanation in regard to this bridge. Does it connect two parts of a military reservation?

Mr. CURTIS. It is the main bridge on the Fort Riley Reservation. The reservation extends to the center of the Republican River, and half of the bridge is on the reservation and the other half is in Geary County, Kans. In 1867 Congress granted to the State of Kansas a small tract of land west of the river if they would construct a bridge over the Republican River and maintain it. The land was conveyed to a bridge company and a contract was let to the bridge company for the construction of the bridge and it was built, but was soon destroyed or fell in the river, and then it was found that the State of Kansas, under its constitution, had no right to rebuild the bridge. So, in the sundry civil bill in 1884 Congress authorized the rebuilding of the bridge, with the understanding that the cost should be deducted from any claim the State of Kansas might have against the Government, and it was rebuilt and remained intact until last year, when the great flood on the Republican River carried it out. As I have said, under its constitution the State of Kansas can not rebuild the bridge, but the Congress can do as it did before, rebuild the bridge and have its claim against the State deducted out of any money that may become due the State.

The amendment provides $30,000 for a macadam bridge which will be permanent and which will enable the bridge to be built higher than the last one. With this amount of money a good substantial bridge can be erected, and even though the State should not repay the Government it should be built because it is a military necessity; because it is the main bridge on the reservation. The river can not be crossed without a bridge, and the Government now has to maintain a temporary pontoon bridge to accommodate the soldiers.

Mr. NORRIS. It is a public bridge?

Mr. CURTIS. It is a public bridge.

Mr. NORRIS. Free?

Mr. CURTIS. Certainly.

Mr. NORRIS. Is it used to connect any cities?

Mr. CURTIS. It is on the main road running from east to west across the State of Kansas from Kansas City, Mo.

Mr. NORRIS. Are there any cities near by?

Mr. CURTIS. Junction City is about 6 miles west, and Manhattan about 18 miles east.

Mr. NORRIS. I wanted to ask the Senator about that part of the amendment which provides that the Treasurer of the United States shall retain enough to pay for this bridge out of any money due from the Government of the United States to the State of Kansas. Is there anything in that provision? Is there any money that the Government owes Kansas, or will there be any, out of which this can be retained?

Mr. CURTIS. The Senator knows about matters of that kind. All the States have claims. I know the State of Kansas has two claims against the Government. Whether they will be allowed or not, I do not know. Claims have been allowed heretofore, and the amount was retained. I want to say to the Senator from Nebraska, however, that, whether it can be retained or not, it is a military necessity, and the Government ought to build the bridge. But we are perfectly willing that it shall have a claim against the State of Kansas because of that contract which was made years ago.

Mr. NORRIS. Of course I do not know but that the Government ought to build it, anyway. The thing that struck me as being peculiar was that there should be a statement in the bill that they should retain the cost of the bridge out of money that was going to the State of Kansas, when, I presume, there is not any such money going, and there never will be. I do not know as to that. I was wondering if there was any foundation for that.

Mr. CURTIS. Several years ago, I think about seven, the State of Kansas recovered over $500,000 from the United States.

Mr. NORRIS. Did it get the money?

Mr. CURTIS. It got the money.

Mr. NORRIS. At the same time that the Government had to build a bridge that it had agreed to put in and maintain?

Mr. CURTIS. The Government built the bridge in 1884 and retained the money to pay for the bridge out of a claim the State had established against the Government.

Mr. NORRIS. They kept out the money?

Mr. CURTIS. Oh, certainly. It built the bridge and retained the amount it had expended. If the Senator desires, I will read a statement from the department that it is absolutely a military necessity, and the department even urges that the appropriation become immediately available.

The PRESIDING OFFICER. The question is on the adoption of the committee amendment.

The amendment was agreed to.

The next amendment was, on page 72, after line 25, to insert:

That the use of Government passenger vehicles, whether horse-drawn or motor-propelled, by officers of the Army, soldiers, or employees for private purposes is hereby declared an offense to be punished as courts-martial may determine: *Provided*, That all Government passenger vehicles, whether horse-drawn or motor-propelled, shall have painted thereon in a conspicuous place and in letters not less than 3 inches in height the following: "War Department—For official use only."

Mr. OLIVER. Mr. President, I will ask the chairman of the committee whether the use of Government property in this direction has gone to any great extent, so as to render legislation of this kind necessary?

Mr. CHAMBERLAIN. Mr. President, I will say that the use of these Government vehicles, whether horse-drawn or motor-propelled, has been abused. Almost all of the committees limit the use of such vehicles in this way. The Senator will remember that on the Appropriations Committee, in making appropriations, we limit their use. I think in the District bill they have the same provision, and in other appropriation bills practically the same clause has been inserted.

Mr. OLIVER. I will ask the Senator further whether he does not think this language is so broad as perhaps to reach cases that it is not intended to reach?

Mr. CHAMBERLAIN. I rather think it is pretty broad, Mr. President.

Mr. OLIVER. It seems to me that under this language the Secretary of War would have to label his carriage, which is furnished by the Government, as belonging to the War Department and for official use only.

Mr. CHAMBERLAIN. I had hoped the amendment might be adopted, and in conference we could correct it to reach the cases that actually ought to be reached.

Mr. OLIVER. With that assurance, I will not say anything further.

Mr. JONES. Mr. President, I should like to ask the Senator a question. This is intended as a permanent law; is it not?

Mr. CHAMBERLAIN. Yes, sir.

Mr. JONES. This is general legislation on an appropriation bill, I understand.

Mr. CHAMBERLAIN. I think it would really come within the rule laid down by the Vice President, that it limits the use of the appropriation made for these particular purposes.

Mr. JONES. Yes; but the Presiding Officer of the Senate held that an amendment of that kind was not a general appropriation.

Mr. CHAMBERLAIN. I thought he had held that it was clearly proper to have an amendment in a bill limiting the use of the money appropriated for a specific purpose.

There is money appropriated in this bill to purchase these motor-propelled vehicles, and this is simply a limitation on the use of that money.

Mr. JONES. This makes it a crime. This provides for punishment by a court-martial. The Senator need not be afraid that I am going to make the point of order. I am just bringing out what this is—that it is general legislation upon an appropriation bill.

Mr. CHAMBERLAIN. The Senator is a member of the Appropriations Committee with me, and the Senator knows how much the use of these machines by Government employees is abused.

Mr. JONES. Oh, yes.

Mr. CHAMBERLAIN. I think Senator Bristow, of Kansas, at one time had printed as a public document the number of these vehicles that were in use, and it was rather a surprise to me; and many of them had no lettering on them at all to indicate that they belonged to the Government. The result was that they were used for social and other purposes; and this is to stop it, if it is possible to do that.

Mr. JONES. I am heartily in favor of it, and I am in favor of putting it on an appropriation bill. I merely want to call attention to the fact that sometimes the Senate is in favor of putting general legislation on an appropriation bill, and at other times it is not in favor of doing it. Here just a few days ago we had some very important matters that we were very desirous of getting on an appropriation bill, but the Senate was very much opposed to it.

This is a general appropriation bill. This is the military appropriation bill. There are many pieces of general legislation in it, desirable legislation. If they can not be gotten through as separate measures, I think it is very proper for this committee to put them on an appropriation bill. But it is very peculiar that the Senate sometimes is in favor of certain kinds of legislation and glad of the opportunity to put it on appropriation bills, while in the case of other legislation, very desirable and of general interest throughout the country, it is not even possible to suspend the rules, let alone to get unanimous consent to get them on.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment was, on page 73, after line 7, to insert:

Nothing contained in section 1325 of the Revised Statutes shall render ineligible any former cadet honorably discharged from the Military Academy for deficiency in studies, if otherwise qualified, as a civilian candidate for appointment to any vacancy in the grade of second lieutenant under class 6 of the national defense act approved June 3, 1916.

Mr. DU PONT. Mr. President, I am opposed to that provision. It simply means that a young man in the Military Academy who has been idle or inattentive to his studies, and fails to pass his examinations, can be promoted in the Army in advance of his classmates who have labored faithfully and efficiently to perform their duties. I think it is very bad legislation and all wrong. In justice and equity, I trust that it may be rejected.

Mr. CHAMBERLAIN. Mr. President, I have a very high regard for the opinion of my distinguished colleague and member of the committee; but it seems to the committee that a young man, say, who had been at West Point three years and six months and failed on some one study—possibly some study of minor importance—was calculated to make a better officer, if otherwise qualified, if he stood the examination necessary for the appointment of a cadet from civil life than the civilians themselves, or a certain class of civilians provided for in the national defense act of June 3, 1916. That was the purpose of it. In other words, the Army needs more officers now, and you could not get a more capable officer than a young man who might have stayed at West Point for nearly the full time. I know a case where a young man stayed there until almost the time of graduation; and I know another young man who stayed at the Naval Academy until within one month of his graduation, and he was let out just for some deficiency. Now, those young men, in the very nature of things, will make good officers if they can pass the civilian examination and then win a commission; and that was the purpose of the committee.

Mr. DU PONT. Mr. President, I should like to say, with reference to those particular cases, that the young man who was within a month of his graduation, to whom the Senator has alluded, had only to wait one month to come in after his classmates. The rule is now that they must wait to be commissioned until after their classmates have graduated and have received their commissions. As everyone knows who has investigated the subject, the great mass of the reductions at West Point are in the first six months, at which time they eliminate a large percentage, and at the close of the first year a large number also. In the second year they are less numerous, while in the third and fourth years it is rare, because the sifting-out process has had its effect, and only a few are discharged for deficiency in study.

If this paragraph is to remain in the bill, it means that a great many young men who have been at West Point from six months to a year, and who have displayed no industry and no capacity in the performance of their studies, will outrank their classmates who have well and faithfully followed their appropriate studies, and they will outrank them by two to three years in the Army.

Now, that is all wrong. There may be an occasional case, but it is very rare, when a man who has been there three years or three years and a half is discharged for deficiency in his studies; but in that case he only has to wait six months to come in behind his classmates.

I think this is strictly bad legislation and all wrong, and I will make a point of order on it if necessary. I make the point of order, Mr. President.

The PRESIDING OFFICER. The Senator from Delaware will state his point of order.

Mr. CHAMBERLAIN. I hope the Senator will not make the point of order against it, Mr. President.

Mr. DU PONT. I have no recollection of this matter being discussed in the committee when I was present. It is all new to me; but I can not conscientiously permit this legislation to become a law if I can help it. I believe it is a great injustice to the cadets in the Military Academy, to the Regular Army, and to discipline generally. I shall certainly make the point of order that it is new legislation.

Mr. WARREN. Mr. President, will the Senator withhold his point of order for a moment?

Mr. DU PONT. I withhold it.

Mr. WARREN. Mr. President, the point made by the Senator from Delaware is exactly the stand that we have all taken heretofore. Here, however, is a quite different case or situation. We are short more than a thousand second lieutenants. Now, the men that are going in to fill those places are to be drawn, first, from the Military Academy; second, they are to be privates from the ranks; third or fourth, I do not remember which, they are to be from the National Guard; and third or fourth—the other alternative—they are to be honor graduates from the schools. These can only come in at the end, and can only come in upon approval after examination as civilian applicants.

The question only comes up because of the conditions of the present. With the present shortage, are you going to force these men who have had two or three years' study, and who have, most of them, since perfected themselves in their studies, intending to enter the Army, and place them in worse position than civilians who have had no experience or military education whatever?

That is the only question. This would only be for the present—to fill the number just this one year—and if not so stipulated I should be glad to have it stipulated. It was thought better to utilize this material—all we have of it that could prove to be good. Now, all that we could do with these men who have been at West Point is that they must take another examination, and they must come in as civilians, and they then come in after the West Point men, after the privates, after the National Guard, and after the schools.

Mr. DU PONT. Mr. President, the Senator from Wyoming has stated that these men have served at the academy for two or three years. That is a pure assumption. Anybody who has examined the cadet registers will see that that is usually not the case. The great mass of them have only served six months or a year. I do not suppose there is 5 per cent of those who are found deficient in their studies who are found deficient after the expiration of the first year, and certainly after the second year there is not 1 per cent of all those dropped. So it is very easy to make the assumption, but the fact is that by adopting this amendment you will allow a lot of young men who are indolent, stupid, or badly behaved to come into the Army at least two years, and probably three years, ahead of their classmates who have been honest, faithful, intelligent, and deserving of recognition, whereas the other men have not. There is such a small number of these men rejected toward the approach of their graduation that I think it will have no effect upon the public service. They could well afford to wait; and there is nothing to show that they have perfected themselves after they have left West Point.

Mr. WARREN. They have to pass the examination.

Mr. DU PONT. They have to pass the examination, but it is largely a question of character, after all. If a young man who has the advantage of an education at the Military Academy is not willing to avail himself of it, or has not the intelligence to avail himself of it, why should he be put in a more advantageous position, when commissioned in the Army, than his

classmates who have performed their whole duty faithfully and intelligently?

Mr. WARREN. Mr. President, may I ask the Senator a question?

Mr. DU PONT. I yield to the Senator from Wyoming.

Mr. WARREN. Has not the Senator at times advocated the replacement of young men when they have been rejected for disqualification, putting them back in the academy or in the Army? The Senator does not consider that that is any stain on their character sufficient to keep them out of the academy?

Mr. DU PONT. I do not quite understand what the Senator means.

Mr. WARREN. The Senator has from time to time advocated, and has been more liberal than I have been willing to be, taking those who have not been accepted as 100 per cent good and that have been dismissed from the academy, and restoring them.

Mr. DU PONT. I have advocated the restoration of three or four cadets that I thought were dismissed from the academy by court-martial in violation of every principle of justice and equity. I have done that and have striven by every means in my power to right those wrongs. I have never advocated—on the contrary I have refused—when young men have come and applied to me who had been negligent in their studies and failed to pass their examinations; I have refused to interest myself in their cases. I have turned down two men here in the last year who came to see me under conditions of that kind.

Mr. WARREN. The Senator puts his judgment against that of the academic board as to some of them, but not as to the others.

Mr. DU PONT. Not at all. These men that I was instrumental in getting restored were convicted for military offenses by the sentence of a court-martial, and most unjustly so. They were not found deficient in their studies at all. The Senator is mistaken in his assumption. I referred to the four cadets—Sasse, Freelano, and two others who were restored.

Mr. WADSWORTH. Mr. President, for one I can see very clearly, I think, the force of the objection raised by the Senator from Delaware, in that under the language of this provision a boy who has spent 6 months or a year or even 18 months at West Point and has been dropped for failure in his studies, although that involves an honorable discharge, may immediately after being dropped apply for permission to take an examination for commission in the Regular Army from civil life, and thereby gain his commission a year or two years in advance of the boys with whom he entered West Point——

Mr. DU PONT. Probably three years.

Mr. WADSWORTH (continuing). And who, upon completing their education, find themselves outranked by the man who failed. On the other hand, there is a great deal of value in this provision; and I think it can be made more valuable, and the Senator's objection possibly may be withdrawn, if we add a proviso the language of which I have not very clearly arranged in my own mind. But I will ask the chairman of the committee if it would not be possible, in order to meet the objections raised by the Senator from Delaware, to add a proviso somewhat after this fashion:

Provided, That no such former cadet shall be admitted to examination for commission in the Army until the cadets in the class of which he was a member have received their commissions.

Mr. CHAMBERLAIN. That is the law, I will say to the Senator.

Mr. DU PONT. That is actual law, and that is what I am fighting to retain.

Mr. WADSWORTH. My ignorance of the law is perfectly apparent, then; and I think the Senator from Delaware is correct.

Mr. CHAMBERLAIN. Mr. President, may I interrupt the Senator? Take a young man, in the illustration that the Senator puts, who has been at the academy for six months and is deficient, we will say, in English literature, or something of the kind. If he goes out of the institution and goes back into civil life, why not put him in exactly the same category that he was in before he went to West Point? In other words, why not place him on an equal footing with other men in civil life and say to him, "Here, if you study up so that you can pass an examination such as is required from a civilian you can get your commission in the Army"? Why should he, because he stayed at West Point only six months, be placed in a different category from a man in civil life who goes out of a high school, for instance, and then stands the examination?

Mr. WADSWORTH. I think the only way I can answer that inquiry is to make one in reply. Why should the boy who has failed be given a potential advantage over the boy who is going to succeed?

Mr. CHAMBERLAIN. He does not have any potential advantage. He simply goes back into the walks of civil life and then takes his chances with the balance of the civilians.

Mr. WADSWORTH. And yet he may outrank the boys who have spent four years at West Point and who have proved themselves, presumably, better fitted for commissions in the Army.

Mr. WARREN. And so will the hundreds of civilians that will go into the Army in this particular case. This item is put in here, let me say, as a stop-gap, just for the present time only. I agree with the Senator who has made the objection, and I agree with the Senator from New York, that the law, as a general law—and I helped to make it so—is good and in ordinary circumstances should prevail. The only question is whether now, when we are adding hundreds of second lieutenants from civil life after they are examined, we ought to bar these men out and put them in a worse position than if they had never been to school at all. It ought to be confined—and I am perfectly willing, if this language here is not right, to make it so—so that it will be only for the present, for the filling of the present vacancies which can not be filled from West Point. The Senator is entirely right. The law, as a standing statute, is right in ordinary times.

Mr. DU PONT. Mr. President, the Senator from New York has just inquired why we should put these men in a worse position than they are now. We do not put them in a worse position by maintaining the existing law. We put them in the same position that they would have had if they had graduated at the Military Academy. Surely that is no injury to them, nor is there any injustice to maintain them in the position which they would have had if they had graduated with their classmates. But why they should be given a premium and accorded promotion over their classmates I fail to see. I think a little reflection will show that it is very injurious to the morale of the Military Academy. If a man who has systematically neglected his studies, has misbehaved, and has been careless in his duties, can be rewarded and have a quicker and better promotion than his classmates whose conduct has been directly the opposite, is not that putting a premium on misconduct and laziness? Is not that discouraging to those who want to do what is right? Of course it is.

I must insist upon my point of order, on the ground that the amendment is general legislation changing existing law in an appropriation bill.

The PRESIDING OFFICER. If the Senator insists on his point of order, the Chair is disposed to rule that the point is well taken, and so rules. The Secretary will state the next amendment of the committee.

The reading of the bill was resumed.

The next amendment was, on page 73, after line 15, to insert:

The President, in time of war or when war is imminent, is empowered, through the Secretary of War, to take possession and assume control of any system or systems of transportation, or any part thereof, and to utilize the same, to the exclusion as far as may be necessary of all other traffic thereon, for the transfer or transportation of troops, war material and equipment, or for such other purposes connected with the emergency as may be needful or desirable. And the Secretary of War is hereby authorized, in time of war or when war is imminent, to secure the services of such person or persons, whether in the military service or not, which may seem to him necessary or desirable, for the efficient organization of the quartermaster's department, the transportation of troops, the gathering, movement, and distribution of supplies, and the orderly operation of all the functions of said department. Such services shall be paid out of any moneys in the Treasury not otherwise appropriated on vouchers approved by the Secretary of War.

Mr. OLIVER. Mr. President, I assume that the committee has not reported a very important and very drastic amendment like this without thorough consideration. I appreciate the importance of the legislation contained in an amendment like this. I simply wish to ask the chairman of the committee whether in his opinion sufficient care has been exercised in drafting this amendment to safeguard the rights of stockholders in these transportation companies? This is a most important authority to confer upon the Secretary of War, and it seems to me that before it is adopted it should receive very earnest and careful consideration.

When the naval bill was before the Senate the other day, a similar amendment was proposed by the Committee on Naval Affairs, but one that was very much broader in its scope, and it was ruled out upon a point of order. The object of this amendment, in my opinion, is very much more legitimate than that; and I should just like to have the chairman answer the inquiry that I addressed to him a short time ago.

Mr. CHAMBERLAIN. Frankly, this provision was not as carefully considered by the committee as these great questions ought to be considered. There were no hearings had on it. No representatives of the railroad companies were heard nor were any representatives of the War Department heard by the

committee. But after some discussion of the matter the committee formulated this provision. The reason for it at the time, the thought that suggested itself to the committee, was the complaint that was generally being made that these young men of the National Guard who were being sent from Chicago and other points in the Middle West to the border were herded on cattle cars, and so with the young men, I think, from other parts of the country. They have no conveniences there for the young men or for troops, as a matter of fact, in cases where they have to be removed.

The committee formulated this provision thinking it might have the effect of letting the railroad companies understand that if they could not handle these things in time of war or if they could do it in time of peace or when war threatened they might expect the Government to take charge. I believe it would be better for the Government to take charge of these facilities of transportation in case of an emergency. I believe, however, that the stockholders would be fully protected under the provisions of the bill. I believe in case of an emergency, without any law the Government could take charge of them.

Mr. OLIVER. I am rather inclined to agree with the Senator in that respect, and while, of course, the amendment is open to a point of order, I think it is so important that I do not propose to raise the question of order. I simply would like to have the chairman of the committee, in whose judgment I place very great confidence, see that the amendment is very carefully scrutinized before it is finally passed upon in the committee of conference, because it is presumable if the railroads fall down in the movement of troops a far greater mixup would in all probability occur by reason of putting new men in charge on the part of the Government.

Still the Government in time of war ought to have almost unlimited powers when it comes to the transportation of troops and supplies. Whether that authority should be conferred upon them when war is imminent in the opinion of perhaps an impulsive Secretary of War I am not quite sure. I am rather inclined to demur to the insertion of the words "when war is imminent" in the amendment.

Mr. CHAMBERLAIN. I do not believe that in our Government there would ever be a time when the Government would have to take possession of the roads. Even if they did the roads would be operated probably by the same official management and employees that the railroad company used when they were operating the lines. But we thought in view of difficulties that have been confronting the country it might be a wise provision to put in the bill.

In order to perfect the amendment I desire to strike out the words "Quartermaster's Department," at the end of the page, and insert the words "War Department."

Mr. BRADY. Mr. President, the chairman of the committee will remember that when we were discussing this section in the committee I raised a question relative to whether we should insert the words "or when war is imminent." I still think it would be well to strike out those words. The section now reads:

> The President, in time of war or when war is imminent, is empowered, through the Secretary of War, to take possession and assume control of any system or systems of transportation, or any part thereof, and to utilize the same, to the exclusion as far as may be necessary of all other traffic thereon, for the transfer or transportation of troops, war material, and equipment, or for such other purposes connected with the emergency as may be needful or desirable. And the Secretary of War is hereby authorized, in time of war or when war is imminent, to secure the services of such person or persons, whether in the military service or not, which may seem to him necessary or desirable, for the efficient organization of the Quartermaster's Department.

It appears to me that this section is too far-reaching in the power that it grants. We all agree that the balance of the section should be inserted so far as it relates to a time of war, but I can not bring myself to believe that it is fair and equitable to permit the Government to take possession of hundreds of millions of dollars worth of private property when it is deemed by some one individual that war is imminent. War can only be declared by Congress, and we have no right under the Constitution, as I understand it, to declare at any time that "war is imminent," and under this provision if the President should decide in his own mind that war was imminent he could, through the Secretary of War, take possession of and assume control of any system or systems of transportation, or any part thereof, and utilize the same for such purposes connected with the emergency as he might deem needful or desirable.

In the present instance of our trouble with Mexico war was certainly imminent. Yet I do not believe there is a Senator in this Chamber who believes that the Government would have been justified in taking possession of the lines of our railroads in order to transport our troops, and if it was not necessary in this present instance there is no instance that could arise which would make it more so. It would be more satisfactory and more equitable if we make this law apply only to a time of war and not to when "war is imminent." I move to strike out the words "when war is imminent."

Mr. CHAMBERLAIN. I have no objection to the amendment to the amendment.

Mr. BRADY. Therefore I move to strike out the words "or when war is imminent" on page 73, line 16, and in line 24, on the same page, I move to strike out the words "or when war is imminent."

Mr. LEE of Maryland. Mr. President, I hope those words will not be stricken out. It seems to me the discretion given to the President is one he ought to have. He would have preparation to make, and it ought not to be when war is actually on, but in advance of apparently certain war. If there is any virtue in this provision, the power given to the Executive is as much needed for one time as it is for the other. As a matter of fact, this whole word "preparedness" means to get ready in advance. It does not mean to do a thing after the event has occurred, but to be ready for it in advance.

I merely make the suggestion that if you trust the President in one case you might as well trust him in the other.

Mr. BRADY. The remarks of the Senator from Maryland are very pertinent, but I can not agree with his line of reasoning. We are giving a tremendous power in this instance to one man. When the Government takes possession of millions of dollars worth of private property for its own use, with the right to say how long it shall use it and what it shall pay for that use, I believe that Congress should be consulted. Furthermore, it would be a detriment to our Government to act under this provision if it were placed on our statute books, because it would be furnishing the enemy with notice that we were preparing for action. We should not let a foreign nation know that we believed war was imminent until we were ready to act. If we call out our troops and take possession of railroad property under an article of war, we have served notice on the enemy that we expect war, and, in fact, it would be equivalent to a declaration of war. It would be much better to leave us in a position for Congress to act when such a condition may arise. I fully agree with what the Senator from Maryland says, that it is necessary to be prepared in case of an emergency, but I do not believe we should do that to the extent of taking possession of private property simply on the authority of one man without the sanction of the Congress, and I sincerely hope that the amendment will be adopted.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Idaho [Mr. BRADY] to the amendment.

Mr. VARDAMAN. I ask that it be again stated.

The SECRETARY. On page 73, line 16, strike out the words "or when war is imminent," and in line 24 strike out the words "or when war is imminent."

The amendment to the amendment was agreed to after a division.

Mr. CHAMBERLAIN. There is another amendment which I suggested striking out the words "quartermaster general," at the bottom of page 74, and inserting "War Department."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 74, after line 5, to strike out:

NATIONAL GUARD.

> Arming, equipping, and training the National Guard: To provide for the purchase, under such regulations as the Secretary of War may prescribe, of horses conforming to the Regular Army standards for the use of Field Artillery, Cavalry, signal companies, engineer companies, ambulance companies, and other mounted units of the National Guard, said horses to remain the property of the United States and to be used solely for military purposes. Horses so purchased may be issued not to exceed 32 to any one battery, troop, or company, or 4 to a battalion or regimental headquarters, under such regulations as the Secretary of War may prescribe, $200,000.
>
> To provide for the procurement of forage, bedding, shoeing, veterinary service and supplies for horses that may be owned by or issued to organizations of the National Guard, $100,000.
>
> To provide for the compensation of competent help for the care of matériel, animals, and equipment thereof, under such regulations as the Secretary of War may prescribe: *Provided*, That the men to be compensated, not to exceed five for each battery, troop, or company, shall be duly enlisted therein and shall be detailed by the battery, troop, or company commander under such regulations as the Secretary of War may prescribe, and shall be paid by the United States disbursing officer in each State, Territory, and the District of Columbia, $100,000.
>
> To provide for the participation of the whole or any part of the National Guard in encampments, maneuvers, or other exercises, including outdoor target practice and field and coast defense instruction, either independently or in conjunction with any part of the Regular Army, and there may be set aside from the funds apportioned for that purpose and allotted to any State, Territory, or the District of Columbia such portion of said funds as may be necessary for the payment, subsistence, transportation, and other proper expenses of such portion of the National Guard of said State, Territory, or the District of Co-

lumbia as shall participate in such encampments, maneuvers, or other exercises, including outdoor target practice and field and coast defense instruction; and the officers and enlisted men of such National Guard while so engaged shall be entitled to the same pay, subsistence, and transportation as officers and enlisted men of corresponding grades of the Regular Army are or hereafter may be entitled to by law: To provide for camps of instruction for the instruction of officers and enlisted men of the National Guard. Such camps shall be conducted by officers of the Regular Army detailed by the Secretary of War for the purpose, and may be located either within or without the State, Territory, or District of Columbia to which the members of the National Guard designated to attend said camps shall belong. Officers and enlisted men attending such camps shall be entitled to pay and transportation, and enlisted men to subsistence in addition at the same rates as for encampments or maneuvers for field and coast-defense instruction. To be immediately available, $500,000: *Provided*, That of this sum $100,000, or as much thereof as may be necessary, is authorized to be expended for the payment of transportation of troops of the Regular Army in connection with joint camps of instruction of the National Guard: *Provided further*, That hereafter nothing in the act of February 4, 1887, known as the act to regulate commerce, or any amendments thereto, shall be construed to prohibit any common carrier from giving reduced rates for members of National Guard organizations traveling to and from joint encampments with the Regular Army.

To provide for the attendance of selected officers or enlisted men of the National Guard who pursue a regular course of study at any military service school of the United States except the United States Military Academy; or to be attached to an organization of the same arm, corps, or department, to which such officers or enlisted men shall belong, for routine practical instruction at or near an Army post during a period of field training or other outdoor exercises; and such officer or enlisted men shall receive, out of any National Guard allotment of funds available for the purpose, the same travel allowances and quarters or commutation of quarters, and the same pay, allowance, and subsistence to which officers or enlisted men of the Regular Army would be entitled for attending such school, college, or practical course of instruction under orders from proper military authority while in actual attendance at such school, college, or practical course of instruction, $50,000: *Provided*, That in no case shall the pay and allowances authorized herein exceed those of a captain.

To provide for pay and allowances of officers of the National Guard assigned to duty in the militia bureau, $12,000.

To provide for pay of property and disbursing officers of the several States, Territory of Hawaii, and District of Columbia, $44,150.

For providing arms, ordnance stores, quartermaster stores, camp equipage, and all other military supplies for issue to the National Guard; for the promotion of rifle practice, including the acquisition, construction, maintenance, and equipment of shooting galleries and suitable target ranges; for the hire of horses and draft animals for the use of mounted troops, batteries, and wagons; for forage for the same; and for such other incidental expenses in connection with lawfully authorized encampments, maneuvers, and field instruction as the Secretary of War may deem necessary; and for such other expenses pertaining to the National Guard as are now or may hereafter be authorized by law, $2,000,000: *Provided*, That the Secretary of War is hereby authorized to relieve any State, Territory, or the District of Columbia from further accountability for all United States property issued thereto for the use of the Organized Militia thereof which the records of the War Department show to have been lost or destroyed prior to December 31, 1911.

To provide for the necessary clerical and office expenses of the Militia Bureau, authorized by section 67 of the act approved June 3, 1916: Chief clerk, $2,000; clerks—2 of class 4, 3 of class 3, 7 of class 2, 15 of class 1, 8 at $1,000 each; messenger; 2 assistant messengers; 2 laborers:

For miscellaneous expenses, including stationery, furniture, telegraph and telephone service, and necessary printing and binding, $4,000:

Travel of Federal officers in carrying out the provisions of section 93 of the act of June 3, 1916, $35,000:

Travel of inspector instructors and sergeant instructors, joining at State stations for duty and returning to duty with regiments, $15,000:

Travel of inspector instructors in making visits of instruction to armories, $60,000: *Provided*, That said inspector instructors traveling shall not receive more than their actual expenses out of these appropriations:

Travel of Federal officers in connection with State camps of instruction and joint camps, $60,000:

Inspection of target ranges and mobilization camps for use of the National Guard, $1,000:

Inspection of material pertaining to Field Artillery and Signal Corps in the hands of the National Guard, $4,000:

Transportation of supplies (including transportation of animals bought for the use of Cavalry, Field Artillery, signal companies, Engineer companies, ambulance companies, and other mounted units) of the National Guard, $175,000:

Expenses of sergeant instructors on duty with the National Guard, including quarters, fuel, light, medicines, and medical attendance, $100,000:

Provided, That whenever practicable inspector instructors shall use the State armories for offices;

Office rent of inspector instructors, $25,000.

All the money hereinbefore appropriated for arming, equipping, and training the National Guard shall be disbursed and accounted for as such and for that purpose shall constitute one fund.

Arms, uniforms, equipment, etc., National Guard: To procure by purchase or manufacture and issue from time to time to the National Guard upon requisition of the governors of the several States and Tertory, or the commanding general National Guard of the District of Columbia, such number of United States service arms with all accessories, Field Artillery and Coast Artillery material, Engineer, signal, and sanitary material, accouterments, field uniforms, clothing, equipage, publications, and military stores of all kinds, including public animals, as are necessary to arm, uniform, and equip for field service the National Guard in the several States, Territory, and the District of Columbia: *Provided*, That of the sum herein appropriated $76,000, or so much thereof as may be required, may, in the discretion of the Secretary of War, be made available for the purchase and maintenance of material and equipment necessary for the proper instruction in military aviation of such officers and enlisted men of the National Guard as may be authorized by the War Department to attend the United States Aviation School, $2,000,000.

Ranges for Field Artillery target practice: For the acquisition by purchase or condemnation of the necessary land for suitable ranges for Field Artillery target practice, the land to be of such general character as to permit of use for instruction of troops of other arms to be located within the eastern and western military departments, and to defray the expenses incident to locating and acquiring title thereto, $300,000.

Supplying and exchanging Infantry equipment, National Guard: For the purpose of manufacturing, exchanging, and issuing model of 1910 equipment to the Infantry and other dismounted organizations of the National Guard of the several States, Territory of Hawaii, and the District of Columbia: *Provided*, That whenever in the opinion of the Secretary of War a sufficient number of Infantry equipment, model of 1910, shall have been procured and shall be available for the purpose the Secretary of War is hereby authorized to issue on the requisition of the governors of the several States and Territory of Hawaii or the commanding general of the District of Columbia National Guard such numbers thereof as are required for equipping the National Guard in said States, Territory of Hawaii, and the District of Columbia, without charging the cost or value thereof or any expenses connected therewith against any allotments to said States, Territory, or the District of Columbia: *Provided*, That the equipment thus issued shall be receipted for and shall remain the property of the United States and be annually accounted for by the governors of the several States, Territory of Hawaii, and the commanding general of the District of Columbia National Guard as now required by law, and that each State, the Territory of Hawaii, and the District of Columbia shall, upon receipt of new equipment, turn in to the Ordnance Department of the United States Army, without receiving any money credit therefor and without expense for transportation of Infantry equipment now in its possession, the property of the United States, and replaced by articles of the model of 1910 equipment, $1,000,000.

And insert:

ARMING, EQUIPPING, AND TRAINING THE NATIONAL GUARD.

To provide for the purchase of horses under the provisions of section 89 of the act of June 3, 1916, $50,000.

To provide for the purchase and issue of forage, bedding, shoeing, veterinary services and supplies for horses, under the provisions of section 90 of the act of June 3, 1916, $25,000.

To provide for the compensation of competent help for the care of matériel, animals, and equipment, under the provisions of section 90 of the act of June 3, 1916, $25,000.

To provide for the participation of the whole or any part of the National Guard in encampments, maneuvers, or other exercises, including outdoor target practice and field or coast defense instruction, and for camps for the instruction of officers and enlisted men of the National Guard, under the provisions of sections 95 and 97 of the act of June 3, 1916, $500,000: *Provided*, That of this sum, $100,000, or so much thereof as may be necessary, is authorized to be expended for the payment of transportation of troops of the Regular Army in connection with joint camps of instruction of the National Guard: *Provided further*, That hereafter nothing in the act of February 4, 1887, known as the act to regulate commerce, or any amendments thereto, shall be construed to prohibit any common carrier from giving reduced rates to the Government for the transportation of troops, quartermaster and hospital supplies, military stores and equipment, nor from giving reduced rates for members of National Guard organizations traveling to and from joint encampments with the Regular Army.

To provide for the attendance of selected officers or enlisted men of the National Guard at service schools, etc., under the provisions of section 99 of the act of June 3, 1916, $50,000.

To provide for the pay and allowances of officers of the National Guard assigned to duty in the Militia Bureau under the provisions of section 81 of the act of June 3, 1916, $12,000.

To provide for the pay of property and disbursing officers of the several States, Territories, and the District of Columbia, under the provisions of section 67 of the act of June 3, 1916, $44,150.

For providing, under the provisions of section 67 of the act of June 3, 1916, arms, ordnance stores, quartermaster stores, camp equipage, and all other military supplies for issue to the National Guard; for the promotion of rifle practice, including the acquisition, construction, maintenance, and equipment of shooting galleries and suitable target ranges; for the hire of horses and draft animals for the use of mounted troops, batteries, and wagons; for forage for the same; and for such other incidental expenses in connection with lawfully authorized encampments, maneuvers, and field instruction as the Secretary of War may deem necessary; and for such other expenses pertaining to the National Guard as are now or may hereafter be authorized by law, $1,000,000.

To provide for the necessary clerical and office expenses of the Militia Bureau authorized by section 67 of the act of June 3, 1916: Chief clerk, $2,250; chief of division, $2,000; clerks—2 of class 4, 3 of class 3, 7 of class 2, 15 of class 1; 8 at $1,000 each; messenger; 2 assistant messengers; 2 laborers; in all, $52,050.

For miscellaneous expenses, including stationery, furniture, telegraph and telephone service, and necessary printing and binding, $4,000.

For travel of Federal officers in carrying out the provisions of section 93 of the act of June 3, 1916, $17,500.

Travel of inspector-instructors and sergeant-instructors, joining at State stations for duty and returning to duty with regiments, $7,500.

Travel of inspector-instructors in making visits of instruction to armories, $30,000: *Provided*, That said inspector-instructors traveling shall not receive more than their actual expense out of these appropriations.

Travel of Federal officers in connection with State and joint camps of instruction, $30,000.

Inspection of target ranges and mobilization camps for use of the National Guard, $1,000.

Inspection of material pertaining to Field Artillery and Signal Corps in the hands of the National Guard, $2,000.

Transportation of supplies (including transportation of animals bought for the use of Cavalry and Field Artillery organizations) of the National Guard, $75 000.

For the expense provided for under the provisions of section 67 of the act of June 3, 1916, of enlisted men of the Regular Army on duty with the National Guard, $50,000: *Provided*, That whenever practicable inspector-instructors shall use the State armories for offices.

For the office expenses provided for under the provisions of section 67 of the act of June 3, 1916, of officers of the Regular Army on duty with the National Guard, $12,500.

All the money hereinbefore appropriated for arming, equipping, and training the National Guard shall be disbursed and accounted for as such and for that purpose shall constitute one fund.

ARMS, UNIFORMS, EQUIPMENT, ETC., NATIONAL GUARD.

To procure, under the provisions of section 83 of the act of June 3, 1916, by purchase or manufacture, and issue from time to time to the National Guard upon requisition of the governors of the several States and Territories or the commanding general National Guard of the District of Columbia, such number of United States service arms with all accessories, field artillery, and coast artillery material, engineer, signal, and sanitary material, accouterments, field uniforms, clothing, equipage, publications, and military stores of all kinds, including public animals, as are necessary to arm, uniform, and equip for field service the National Guard in the several States, Territories, and the District of Columbia: *Provided*, That of the sum herein appropriated $76,000, or so much thereof as may be required, may, in the discretion of the Secretary of War, be made available for the purchase and maintenance of material and equipment necessary for the proper instruction in military aviation of such officers and enlisted men of the National Guard as may be authorized by the War Department to attend the United States aviation school, $2,000,000.

Ranges for Field Artillery target practice: For the acquisition by purchase or condemnation of the necessary land for suitable ranges for Field Artillery target practice, the land to be of such general character as to permit of use for instruction of troops of other arms to be located within the eastern and western military departments, and to defray the expenses incident to locating and acquiring title thereto, $800.

Supplying and exchanging Infantry equipment, National Guard: For the purpose of manufacturing, procuring, exchanging, and issuing model of 1910 equipment to the Infantry and other dismounted organizations of the National Guard of the several States, Territories, and the District of Columbia: *Provided*, That whenever in the opinion of the Secretary of War a sufficient number of Infantry equipment, model of 1910, shall have been procured and shall be available for the purpose the Secretary of War is hereby authorized to issue on the requisition of the governors of the several States and Territories, or the commanding general of the District of Columbia National Guard, such numbers thereof as are required for equipping the National Guard in said States, Territories, and the District of Columbia, without charging the cost or value thereof or any expenses connected therewith against any allotments to said States, Territories, or the District of Columbia: *Provided*, That the equipment thus issued shall be receipted for and shall remain the property of the United States and be annually accounted for by the governors of the several States, Territories, and the commanding general of the District of Columbia National Guard as now required by law, and that each State, Territory, and the District of Columbia shall, upon receipt of new equipment, turn in to the Ordnance Department of the United States Army, without receiving any money credit therefor and without expense for transportation of Infantry equipment now in its possession, the property of the United States, and replaced by articles of the model of 1910 equipment, $400,000.

Mr. LEE of Maryland. I should like to ask how this is going to be taken up. The first proposition is to strike out. The House provides a certain number of appropriations for the National Guard, and in each case the Senate committee comes in and strikes it down, in some of the cases taking out about three-quarters of the amount. I think we ought to take these items up one at a time and see whether the Senate will agree to the action of the Senate committee. The chairman of the committee may have some satisfactory reason that will be a complete explanation, but here is the first amendment to strike out lines 6 to 18, inclusive, on page 74, which is a provision by which the House appropriates $200,000 for the purchase of horses for National Guard units. The Senate committee comes in and cuts it down to an appropriation of $50,000. I should like before saying anything on the subject to hear from the Senator from Oregon as to why he wants to cut down the appropriation for horses for the National Guard to one-quarter of the House provision.

The PRESIDING OFFICER. The Chair understands that the amendment is before the Senate.

Mr. CHAMBERLAIN. Yes; it is one amendment.

The PRESIDING OFFICER. The Senator from Maryland suggested that it be divided.

Mr. CHAMBERLAIN. I may state generally to the Senator that this provision was framed in the Militia Bureau and sent to the Military Affairs Committee as embodying not only the wishes of the bureau with reference to the form of legislation, but the wishes of the bureau as to all the appropriations which are necessary to meet the actual needs of the National Guard.

Take the first item, for instance. Let me call the attention of the Senate to the fact that when the House bill was framed the militia had not been mobilized; they had not been federalized at all. The first item in this amendment provides for horses. The Senator will remember that we had quite a discussion about that the other day, and I thought I showed to the Senator that ample provision had been made under the Quartermaster's Department for the purchase of horses. As a matter of fact, horses for the National Guard have already been purchased. So we regard $50,000 as amply sufficient to buy any that might be needed.

So with all these provisions. The National Guard and the Regular Army have been treated alike, and it has been put under the Quartermaster's Department, in order that they might be treated alike.

Mr. LEE of Maryland. I wish to call attention to the very serious difficulty of providing horses in a hurry for any military body or unit. I read on Saturday to the Senate a letter from Gen. Sadler, of New Jersey, the very efficient and highly capable adjutant general of that State. There was a part of it that I omitted to read, and it should have been included.

In connection with the personal call over the telephone from Gen. Wood to Gen. Sadler, urging the necessity of having regiments of Infantry, two batteries of Field Artillery, two troops of Cavalry, and other units sent immediately to the front, Gen. Sadler went on to give an account of the delays in the inspection and how difficult it was to have this inspection hurried and these horses passed. But before that, what I omitted of his letter is as follows:

As soon as the call came I commenced to option horses, getting them wherever I could, and had more than 800 of them in Seagirt within four days after the mobilization order was received.

Just imagine how much more serious that situation would have been if this capable adjutant general had not foreseen the situation and commenced to option horses as soon as he had knowledge of the call. That illustrates this whole question of the purchases of horses and preparing them for military uses.

I must say that this little sum of $200,000, which is cut down in this item to $50,000, seems to me as really cheeseparing against preparedness. The House allowed this money, and it ought to stand. Under the Swiss system they have all their horses always ready in advance; every horse is provided, just as every man is armed, and the whole scheme is thought out to the last button on the last coat. Not only are the horses prepared, but they are furnished with the kinds of shoe to be put on the horses at different times of the year to keep them from slipping. All things are gotten ready in advance under the Swiss system. The annual mobilization gives perfection of detail.

Mr. CHAMBERLAIN. Let me call the Senator's attention to the fact that in the deficiency appropriation bill over $8,000,000 are appropriated for the purchase of horses for the National Guard, and in a section of this bill $2,500,000 are appropriated.

Mr. LEE of Maryland. Why leave in the appropriation of $50,000 in that case?

Mr. CHAMBERLAIN. We might as well have it cut out, but I knew the Senator would be here.

Mr. LEE of Maryland. I want to enter an objection here. The Senator thinks he has good reason, but I do not believe there is any good reason for not providing according to the scheme provided by the military law of this country that has just been passed for buying these horses in advance and for their preparation for the exigencies and use of the National Guard.

We come now to the items that are exclusively for the National Guard, that have not anything to do with the Regular Army, I believe; they are exclusively for the National Guard, and this is not "cutting down equally," as the Senator said on Saturday. These items are for the National Guard exclusively, and they are being eliminated to the tune of about a 75 per cent cut. I do not want to be here without entering an objection to any such procedure.

Mr. WADSWORTH. Do I understand that the items are to be treated as a separate amendment?

The PRESIDING OFFICER (Mr. BECKHAM in the chair). It is all one amendment to strike out and insert.

Mr. CHAMBERLAIN. I understand it is to be treated as one amendment to strike out and insert.

On page 84 I wish to perfect the committee amendment by inserting, in line 17, after the word "laborers," a comma and the words "at $660 each per annum." I move that amendment to the amendment.

The PRESIDING OFFICER. The question is on the amendment to the amendment.

The amendment to the amendment was agreed to.

Mr. CHAMBERLAIN. I believe, after striking out the House provision, that completes the amendments to insert.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment as amended.

Mr. LEE of Maryland. Mr. President, does not that provision include the provision on page 87 in reference to ranges for Field Artillery target practice?

The PRESIDING OFFICER. Yes.

Mr. CHAMBERLAIN. That is the provision.

Mr. LEE of Maryland. It is a reduction of the appropriation of the House of $300,000 for such ranges to $800?

Mr. CHAMBERLAIN. That is correct.

Mr. LEE of Maryland. That is an extreme illustration of unpreparedness. The amendment reported by the committee reads:

Ranges for Field Artillery target practice: For the acquisition by purchase or condemnation of the necessary land for suitable ranges for Field Artillery target practice, the land to be of such general character as to permit of use for instruction of troops of other arms to be

located within the eastern and western military departments, and to defray the expenses incident to locating and acquiring title thereto, $800.

Mr. President, if there is anything we ought to do for military preparation, it is to acquire these tracts of land where troops can be assembled in a healthy place, with room enough to practice firing these modern weapons. It is fundamental to the whole military proposition. Here, however, the House has proposed $300,000 to buy these ranges, a place of assembly for the regular troops and Organized Militia of the country, and the Senate committee, on the eve of a military development for which the Senator from Oregon has just made an eloquent speech, comes in and proposes to cut it down to $800.

Mr. President, this reduction has nothing to do with less acuteness in the Mexican situation. This item is for the purchase of a place for use that will last through years of the future of this country, whether you call the troops back from the Mexican border without going over into Mexico or whether you do not. This reduction certainly has nothing to do with that.

The Senator from Oregon has explained all of the reductions which he has reported as to the Army and National Guard are on the theory that the need has been otherwise provided for; that they were going to have so much of this or so much of that by reason of being mobilized on the Rio Grande; that some of the annual and ordinary provisions in such a bill were not called for; but here we have a perfectly clear issue between preparedness and nonpreparedness—an appropriation of $300,000 for several places to learn to shoot, and so forth, or $800 for perfecting one place to learn to shoot, and so forth. That is about a fair description of the situation. I do not know what the argument was which was presented to the Senate committee, but it does seem to me that, after the Senator's eloquent speech here this morning on the subject of the machine guns, for him to come now and strike out this provision for a place where soldiers could learn to shoot machine guns is inconsistent with his previous elevated, patriotic flight.

Mr. CHAMBERLAIN. Mr. President, let me say to the Senator from Maryland that the Military Committee has listened to the reasonable suggestions of the War Department for increases as well as for decreases in the appropriations as made. To show the Senator that the committee acted with full advice in reference to the $800 appropriation, on page 87, for ranges for field artillery target practice, let me read this memorandum from Capt. De Witt, of the Militia Division, who is conceded to be not only a very fair man but a perfectly honorable man, who is devoted to the National Guard of the country——

Mr. LEE of Maryland. I agree very heartily in the Senator's statement regarding Capt. De Witt.

Mr. CHAMBERLAIN. I am very glad to know the Senator from Maryland agrees with me. Here is what animated the committee. Capt. De Witt, under date of July 1, 1916, states:

1. In the October term of the district court of the United States for the middle district of Pennsylvania condemnation proceedings were instituted and concluded for the procurement of one tract of land embracing 48.91 acres and one tract of land embracing 61.5 acres. The viewers assessed the value of the first tract at $489.10 and of the second tract at $615, making a total of $1,104.10, or $10 per acre. The proceedings of the court are submitted herewith. This land is required to furnish essential firing points as a part of the target range for field artillery authorized to be purchased near Tobyhanna, Pa.

Now, you see it cost over $1,100; but the department, reporting further, says:

2. There remains an unexpended balance of $494.70 from the appropriation for the purchase of the above-mentioned range. From this sum it is necessary to pay $103.02 for expenses pertaining to the purchase of another tract, leaving $391.68 available to satisfy the value of the two tracts first mentioned assessed upon condemnation. There is, therefore, required the sum of $712.42 to meet the actual payment. Additional expenses will be incurred in connection with abstracts and recording the titles, and it is requested that, if practicable, an appropriation of $800 be secured to meet this need.

Mr. President, that is what the $800 appropriation is. It is based upon an actual condition. It seemed to the committee that that is what we ought to do. As a matter of fact, everything in the substitute which has been proposed for the House provision affecting the National Guard has been acted upon by the committee in accordance with the recommendations of the division having charge of that branch of the Army.

Mr. LEE of Maryland. Mr. President, somebody also appeared before the House committee and made an argument before that committee which induced that committee to include this item that reads like a very sensible provision; that is:

Ranges for Field Artillery target practice: For the acquisition by purchase or condemnation of the necessary land for suitable ranges for Field Artillery target practice, the land to be of such general character as to permit of use for instruction of troops of other arms to be located within the eastern and western military departments, and to defray the expenses incident to locating and acquiring title thereto, $300,000.

Not necessarily what the Senator from Oregon was reading about—Tobyhanna, Pa.—but doubtless some other places—places very much needed, wherever they might be, I imagine. I do not believe that there has been in any degree a proper preparation for the assembly of soldiers in such numbers as would be requisite for anything like a modern war. I do not believe there are proper places ready here in the East where men could gather together anywhere near the eastern seaboard in numbers sufficient to repel an actual invasion by a first-class power; that any such places have been prepared or purchased, or the very beginning of proper sanitary preparations made for the making of such camps.

Mr. President, we ought to have one of these camps every two or three hundred miles along our coast, connected by good roads with the coasts which they have to defend and with other military points of importance. To commence in this bill as the Senate committee now proposes to cut out one of the very first provisions for camps of the kind, for a reasonable preparation, for the being ready to assemble in a proper, healthy, sanitary, well-provided spot of great forces of men, and to get ready to do this in localities where there is room, where they can learn to shoot their weapons—to cut that out of this bill under these circumstances is a reaction against preparedness by the Senator from Oregon. He was against giving enough rifles to the men a little while ago; then he had a powerful patriotic impulse and was all right on the machine-gun matter. Now he has reacted again, and will not give them a place to meet together where they can learn to use the weapons of modern warfare. The bill does not run along smoothly; it does not provide a great system; it has a hump here and a hollow there.

I do not see why we can not provide somewhere in this bill enough money for the purchase of these places. I do not know where military authorities would locate them. They might be located at any place from Maine to Florida, or they might be on the Gulf—probably they could not be located on the Gulf, because the provision says that they must be located "within the eastern and western military departments," but they could be located almost any place in the eastern portion of the United States. Wherever they might be located, they certainly ought to be provided for by Congress.

Mr. President, of all the primary steps in the direction of preparation, first comes providing the rifles for the soldiers, and next the camping and training places where they can get used to handling and firing all modern weapons. How the Senator can be unwilling to provide for an adequate number of rifles and also be unwilling to provide camping places where the men and officers can learn the use of weapons, and all that appertains to discipline and equipment is incomprehensible from the standpoint of genuine preparation for the defense of the country.

Mr. JONES. Mr. President, I desire to ask the Senator from Oregon a question. This provision stipulates that these ranges "are to be located within the eastern and western military departments." What part of the country does that cover?

Mr. CHAMBERLAIN. I will say to the Senator that that language is really broader than there is any necessity for, as the appropriation is made to round out a range the department now controls in Pennsylvania; that is all.

Mr. JONES. Then it is merely intended to cover a place in Pennsylvania where troops can be trained in the use of machine guns, and so forth?

Mr. CHAMBERLAIN. At Tobyhanna, Pa. I read a statement concerning it into the RECORD a while ago.

Mr. JONES. I supposed this was a general proposition; and I wondered how far $800 would go on the Pacific coast, along the Gulf, and in other sections of the country in the purchase of land to be used for training men in the use of machine guns.

Mr. CHAMBERLAIN. There is another thing, let me say to the Senator. There are quite a number of States that have offered to donate lands to the Government for this purpose. I think Tennessee has offered 5,000 acres. There was also a proposition made to the Government for the use of all the land it wanted in Klamath County, Oreg.; and there are a number of places on the public domain in Wyoming and in the other Middle and Western States where the Government has all the land it wants.

Mr. WARREN. The General Government has in Wyoming 64,000 acres of land in one solid tract, esptcially adapted for the training of the militia and other troops, including a range for artillery and small-arms practice.

Mr. CHAMBERLAIN. That is correct. Let me say also that, as the Senator knows, in a number of the Western States the National Guard have rifle ranges. The House provision contemplated places for general mobilization—one for the eastern and one for the western military division—but in view of the fact that there were people who were willing to donate lands

to the Government, and in view of the further fact that there are numerous places where the Government owns lands which it could utilize for these purposes, the committee did not think it wise or proper to make large appropriations for the purchase of the land.

Mr. JONES. Does not the Senator think, then, that this language ought to be changed so as to indicate that this money is to be used in Pennsylvania?

Mr. CHAMBERLAIN. The estimates of the department show exactly what the amount is for, but, if the Senator wants to limit it, I have no objection at all.

Mr. JONES. It does not really make any difference to me; but anybody who would take the provision and read it would think that it was general in character and applied to the whole country. Of course, if the real purpose is to acquire certain lands in a certain locality, then we can understand why probably $800 would be sufficient.

Mr. LEE of Maryland. Mr. President, I should like to ask the Senator from Oregon one additional question. Is he willing to state here on the floor that by the use of this general language in the House provision, "to be located within the eastern and western military departments," the House meant to limit the purchases to Tobyhanna, Pa.?

Mr. CHAMBERLAIN. Oh, I do not claim any such thing, Mr. President. If the Senator listened to me, he will remember that I read exactly what the War Department stated about it. The House evidently had in mind the mobilization of troops for maneuvers in the eastern and western departments, and to secure a range that would be big enough for that purpose. The language in the proposed Senate amendment is broader, perhaps, than there is any necessity for, and it might be limited to Tobyhanna, Pa., for that is all the money will be spent for.

Mr. LEE of Maryland. Now, Mr. President, we understand this thing perfectly. It was not that the House committee, having in mind Tobyhanna, Pa., used language to describe the eastern half of the United States, and that they were $292,000 out of the way in estimating the value of the small acreage there, but it was a very much larger and different idea. The House committee had a large thought in mind; they wanted to get places here in the East or in the West where troops could be assembled; they were making provision for the very beginning of preparedness.

I do not know what State they had in mind, whether the beautiful hilly country of Connecticut or some portion of New York or Pennsylvania or Virginia or Ohio or Kentucky; but whatever places they had in view they certainly had a fundamental thought in mind, namely, to acquire places where the troops could get together, places where water was healthful, places where there were the requisite facilities.

Mr. WARREN. Mr. President, does the Senator allude to the House language on page 88?

Mr. LEE of Maryland. The Senate provision is on page 87. The House provision is at the bottom of page 80; but that has been stricken out by the Senate committee and it has been inserted by the committee at the top of page 87, the only difference in the world being in the amount of money appropriated. All that significant prelude ends with an appropriation of $800 in the amendment of the Senate committee.

Mr. WARREN. I thought the Senator might be alluding to an item of $300,000, which in different language is reinstated by the Senate committee on page 89.

Mr. LEE of Maryland. That appears to be for something entirely different; it appears to be for rifle ranges, and so forth.

Mr. WARREN. It is to provide for the same general purposes.

Mr. LEE of Maryland. It might be very wise to combine those two; but I imagine that the rifle ranges, if they are going to be of any service to the country, will have to be scattered around so that they can be availed of by the people at large for learning the art of rifle shooting; but the reservations which the House proposed to authorize were larger tracts, where troops might be gathered together, disciplined generally, and trained in the use of artillery and rapid-fire guns, as well as in the use of the rifle. These camps and artillery ranges are the very basis of the proper development of the militia, or the Regular Army, either.

Why, Mr. President, we will never do anything in this country until we mobilize the whole business every summer. This experience we are just having is invaluable, if we open our minds and see what it means. All of these omissions and lack of promptness could be avoided by practice in doing well the thing that has been attempted this summer; and to have places at which to gather these men together is essential for anything like annual mobilization.

Annual mobilization is the basis of the whole Swiss system. There are two great features to that system. One is to train every man for 60 or 90 days when he gets to a certain age and passes the physical examination. That gets half the population; and after that, every year for 10 days those men are marched out again, and all are looked over, inspected, and drilled, and every horse and every man and every gun has to be there in good shape and in good condition, and promptly there.

Mr. President, just to do that one thing, to provide for annual mobilization, would be worth more to the country than all of the appropriations that we are making here for the other propositions in this bill—to know where every man and gun is, and where the ammunition for every gun is, and yearly to have all our forces come out smoothly, completely, and promptly. The letter of Gen. Sadler that I read from yesterday said that when Gen. Wood called up Gen. Sadler over the telephone and said they must have these New Jersey regiments of Infantry and some Cavalry and guns on the Mexican frontier in a hurry, and appealed to Gen. Sadler to help out on the situation, the adjutant general of New Jersey had to furnish out of the State's property in their armories the 300 rounds of ammunition which were desired to go with the men.

There has been a fall-down in the recent mobilization, from the standpoint of the central administration, not from the standpoint of the National Guard; and we will never prevent its occurring again unless we make that central administration operate every year in the open light of day, and do the thing over every year. If you keep on doing that annually, after a while there will be developed in this country the business talent and military capacity to mobilize troops in a hurry. If you do not do that annually our whole military system will be a muddle when we most need speed.

Mr. President, the very beginning of that process is to get places at which to bring the men together. This proposition here to appropriate $300,000 for the purchase of tracts of land somewhere is one of the most important provisions in this whole bill, and it will be worth more to the American people than almost any other phase of it. I certainly hope it will not be struck out here or minimized to a few acres at Tobyhanna.

Mr. JONES. Mr. President, the chairman of the committee suggested a while ago that a good many different localities had offered to donate to the Government lands on which to hold maneuvers and to mobilize the National Guard, and so forth. Is there any law under which the Government can accept these donations now?

Mr. CHAMBERLAIN. There is a provision in this bill that authorizes it.

Mr JONES. There is a provision in the present bill?

Mr. CHAMBERLAIN. Yes, sir.

Mr. JONES. I ask the chairman because I know he has given these matters careful attention.

Mr. CHAMBERLAIN. There is a provision in this bill that authorizes the acceptance of a donation; and then I think it usually comes in the form of a special bill for that purpose.

Mr. JONES. I know it usually comes in the form of a special bill, but it may be desirable to secure these sites when Congress is not in session, and I wondered whether there was any provision made in this bill, or whether there is any provision in existing law, under which these donations can be accepted. If there is not, different localities may be prepared to offer donations, and we are making no provision for these mobilization sites and camps.

Mr. CHAMBERLAIN. The Secretary of War is of the opinion that we can not accept donations from individuals without authority of Congress.

Mr. JONES. That is what I understood.

Mr. WARREN. That is a general statute; but they can accept them, of course, for a nominal figure. For instance, when these thoroughbred horses were brought over here, very expensive horses, and presented to the Government, or offered, the Government took them at the lowest price which they were paying for the cheapest horses. But in order to take lands, I should say there would have to be special legislation.

Mr. JONES. Yes. So there is no provision for acquiring or getting these mobilization sites in this law or any other law that we have? Is that correct?

Mr. CHAMBERLAIN. Yes; that is right. If the Senator will look on page 9, there is a provision there, in line 17, authorizing the Secretary of War to accept for the United States, from any citizen, donation of a tract or tracts of land suitable for certain purposes.

Mr. JONES. Yes. That is for a particular purpose.

Mr. CHAMBERLAIN. It may be that that is not broad enough, but it could be broadened so as to authorize the acceptance of any land. But aside from that, as the Senator knows, the Government owns so much land in the West that could be

utilized for those purposes that it did not seem wise to make an extensive appropriation for that purpose.

Mr. JONES. Yes; but while the Government may own considerable land, there may not be much of it that is suitable for mobilization purposes. You have to have certain facilities in connection with it.

For instance, maneuvers have been held in the State of Washington for several years. The militia of some of the different States of the Northwest, I think, have been gathered there. They have not gone out on Government lands. They have not gone out on public lands. They have gone out to what is considered a very desirable location for purposes of that kind, near American Lake, near Tacoma. The Government has to pay a certain amount for rent or for damages done to these lands, and this place has been very highly recommended, I understand, by the Government officers as very suitable for maneuvering and mobilization purposes. They have good water facilities there; they have a good terrain; and they have good transportation facilities, and all that sort of thing.

I do not know of any public lands in our State that might be suitable for purposes of this kind; and it seems to me that there ought to be some authority given similar to that on page 9, I believe it is, to which the Senator has called my attention, under which, if, in the judgment of the War Department, suitable sites are offered by any locality for mobilization purposes or maneuver purposes, they would have authority to accept them.

Of course, we have to depend very greatly on the judgment of the War Department with reference to matters of this kind; and so, as you have provided here for the acceptance of aviation fields and remount stations, it seems to me it would have been wise if the committee had gone a little further.

Mr. CHAMBERLAIN. If the Senator will read a little further, he will see that it provides that the deeds shall stipulate that the property may be used "for any other service of the United States which may hereafter appear desirable."

Mr. JONES. Yes; but the primary purpose of this donation is, as it says:

A donation of a tract or tracts of land suitable and desirable, in his judgment, for the purposes of an aviation field and remount station.

What is meant by a "remount station?" I have to get information from the chairman of the committee about these things, because I do not know what they signify.

Mr. CHAMBERLAIN. They have remount stations for the breeding of cavalry horses and training them. That is what that means.

Mr. JONES. I supposed that had something to do with an aviation field, from the connection in which it is used here.

Mr. CHAMBERLAIN. Possibly. If the horses are anything like those we have out West, it means getting in the air occasionally.

Mr. JONES. That is the specific purpose for which these donations can be accepted—an aviation field or a remount station. Then they can put in the terms of the donation authority to use the property donated "for any other service of the United States which may hereafter appear desirable."

I do not take it that the Secretary of War, under that, could accept a mobilization field or maneuver field, or anything of that sort. I think he ought to be given authority to do it. I do think that if we are going to make the National Guard effective, we ought to provide places, either on public lands or somewhere else, where they may have their annual mobilization, where they can be trained not only in the use of field artillery but also in the use of other arms, and in training and drilling and all that sort of thing.

In connection with this particular provision, I think I shall offer an amendment, in line 6, after the word "departments," to put in the words "in the State of Pennsylvania." That indicates where this money is to be used, in accordance with what the Senator has just stated.

Mr. CHAMBERLAIN. I have no objection to that amendment.

The VICE PRESIDENT. The question is on the amendment of the Senator from Washington to the amendment of the committee, which the Secretary will state.

The SECRETARY. After the word "department," in line 6, page 87, it is proposed to insert the words "in the State of Pennsylvania."

The amendment to the amendment was agreed to.

Mr. LEE of Maryland. Mr. President, I move to strike out of this amendment offered by the committee—which involves a great many items, running over a number of pages, but is being considered as a whole—lines 1 to 8, inclusive, on page 87, which leave lines 16 to 23, inclusive, on page 80 of the bill, to stand unchanged as the bill came from the House. I should like a vote on this proposition. If the Senator does not feel like having a quorum asked for now, we can let this matter go over. I will leave that to the chairman of the committee. Otherwise, I will suggest the absence of a quorum.

Mr. CHAMBERLAIN. Let me say to the Senator that it is immaterial to me what the Senate does with these items, and the Senator can pursue his own course about that. I should like to get the bill finished to-night.

Mr. LEE of Maryland. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hardwick	Overman	Sterling
Bankhead	Husting	Page	Stone
Beckham	James	Penrose	Thomas
Borah	Johnson, S. Dak.	Phelan	Thompson
Brady	Jones	Pittman	Tillman
Brandegee	Kenyon	Poindexter	Townsend
Broussard	Kern	Pomerene	Underwood
Bryan	La Follette	Ransdell	Vardaman
Chamberlain	Lane	Reed	Wadsworth
Culberson	Lee, Md.	Saulsbury	Warren
Cummins	Lodge	Shafroth	Weeks
Curtis	McCumber	Sheppard	Williams
Dillingham	Martine, N. J.	Simmons	Works
du Pont	Newlands	Smith, Ariz.	
Fletcher	Norris	Smith, Md.	
Gallinger	O'Gorman	Smoot	

The VICE PRESIDENT. Sixty-one Senators have answered to their names. There is a quorum present.

Mr. LEE of Maryland. Mr. President, I will withdraw that amendment as offered, and simply move to strike out "$800" in the Senate committee's amendment, on line 8, and insert "$300,000" in place of it.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. On page 87, in the committee amendment, on line 8, it is proposed to strike out "$800" and to insert in lieu thereof "$300,000."

Mr. LEE of Maryland. Mr. President, I want to say to the Senate that that simply restores the language of the House bill as it came over on this question of purchasing places for artillery to practice and for troops to gather together, somewhere in the eastern or western departments of the military division of the United States—I do not know where. But it is a mighty good beginning, and it certainly ought to be left in this bill.

If we mean anything in the nature of preparedness, we must have the troops get together and learn to use artillery and learn to use the other weapons that are being so extensively furnished by this legislation. It is one of the most remarkable propositions in the world that all this money should be spent for ammunition and for weapons and that there should not be suitable places well prepared ready for the men to learn how to use them.

Mr. JONES. I wish to state to the Senator that with the amendment adopted a moment ago this is confined to the State of Pennsylvania, and there would be no need of $300,000 for that purpose.

Mr. LEE of Maryland. I think the Senator is right. The idea I had in mind was to strike out the Senate committee amendment and put back the House provision. I would move, then, to strike out the words alluding to the special portion of Pennsylvania and put in "$300,000" in lieu of "$800," making it a general proposition instead of a local proposition.

Mr. BRANDEGEE. I have been listening to the Senator from Maryland talking about the desirability of having an annual mobilization. Does the Senator refer to the Regular Army or to the National Guard by the use of that term? I did not clearly understand him.

Mr. LEE of Maryland. I would suggest an annual mobilization of the whole force. I think the Regular Army needs mobilizing just as much as the National Guard. It is a question of business efficiency in getting these people out and getting them into positions where they can be used as troops.

Mr. BRANDEGEE. I was somewhat confused about it, because the Senator, as I understood him, had based the desirability of having this mobilization upon the statement that the present mobilization of the National Guard had shown certain defects of central authority in administration, and therefore the National Guard ought to be mobilized every year, so that by practice they could learn to mobilize quickly.

Mr. LEE of Maryland. If the Senator will permit me a suggestion, I will say that this portion of the bill applies to all United States troops. In addition to the defects of the central authority as to mobilization that we have seen lately there were glaring instances of the same defects when a small portion of the Regular Army only was mobilized a year or two ago.

Mr. BRANDEGEE. The Senator thinks, then, the defects in mobilizing the Regular troops are just as glaring as they are in mobilizing the National Guard?

Mr. LEE of Maryland. In slowness, to say the least.

Mr. BRANDEGEE. Does the Senator think there would be any authority under the Constitution as it stands now to order a mobilization of the National Guard for training and practice annually?

Mr. LEE of Maryland. It is my belief that the President has that power. I think there is also special provision in the act of June 3, and I do not think there is the slightest occasion for doubt on that question. Moreover, under the oath these men have taken as officers and as enlisted men the authority is in the President. It is in the President also under the general and extremely broad provisions of the Constitution with reference to that power of Congress over the organizing, arming, and disciplining of the Organized Militia of the United States.

Mr. BRANDEGEE. I entirely disagree with the Senator to the authority of the President to order the various State militias into an annual mobilization. I think his authority is limited under the Constitution to calling the militia into the service of the United States simply for the purpose of repelling invasion or suppressing insurrection or enforcing the laws of the United States.

But, irrespective of that, I should think it would be a good thing if it were possible to have the various State militia which compose the so-called National Guard to have some mobilization, so far as it could possibly be done, even if it was in their own States.

Mr. President, if I may have the attention of the chairman of the Committee on Military Affairs for a minute, I should like to ask him a question. I should like to ask the chairman if there has been any suggestion by the War Department that there should be any attempt made to have an annual mobilization of the National Guard?

Mr. CHAMBERLAIN. Oh, yes; and $1,000,000 is appropriated in this bill for it.

Mr. BRANDEGEE. What was the estimate of the expenditure of that for a year? Is that an annual expense of $1,000,000?

Mr. CHAMBERLAIN. No; some years it has been more. But they thought that $1,000,000 would be enough this year, because some of the National Guard which usually go into camp are on the frontier.

Mr. BRANDEGEE. Does this contemplate mobilizing them in one section of the country, in one large field, so to speak, or in their several States?

Mr. CHAMBERLAIN. No. If the Senator will refer to page 83, it is mobilization in conformity with the law as it is now on the statute books in the places where it has been usual to mobilize them.

Mr. BRANDEGEE. But the Senator from Maryland, I thought, contemplated mobilizing them in one central place, and he wanted a large field prepared for that purpose.

Mr. LEE of Maryland. Not at all. Under no consideration would that be necessary. You might as well say that the whole of Switzerland's 250,000 men should be mobilized in one canton. Switzerland mobilizes her army for military purposes, for the general defense and common welfare, and she does not put them in any particular place, but puts them in all places where they would be open to inspection, where their discipline could be improved, and where they would be ready for the service of the country if occasion called.

Mr. BRANDEGEE. Do I understand the chairman of the committee to say that this is to be offered free to the Government and the $800 is simply an expense covering the title?

Mr. CHAMBERLAIN. No; the Government has already acquired this title, but they have some money unexpended and they want to acquire a little further. So taking what they have unexpended and the slight increase, making $800, to secure this they will be able to finish out the range they have there now.

Mr. BRANDEGEE. Why should $300,000 be appropriated if $800 will be enough for this purpose?

Mr. WADSWORTH. Mr. President, I hope very much that the item contained in the bill as passed by the House may be retained. It is not a question of National Guard or Regulars or Federal Volunteers if such should be called for, but if the troops of the United States under whatever denomination were called upon to mobilize in any portion of the United States except in the Southwest where they are now mobilized there would be no place for them. If mobilization was ordered for military purposes anywhere on the Atlantic coast the Government has in control no property whatsoever which can take care of one division of troops.

I think, Mr. President, when we consider the training of the Army we should learn to speak and think in terms of divisions. It has been the policy of the War Department to subdivide, geographically, the United States into division districts, so to speak. For instance, the troops stationed in the New England States are assumed to constitute a tactical division. There is no point in the New England States where a division of troops can be concentrated and taken care of.

Mr. GALLINGER. Mr. President——

Mr. WADSWORTH. I yield to the Senator.

Mr. GALLINGER. I know so little about military affairs that perhaps I will show my ignorance in the suggestion I am about to make. There is a magnificent property in New Hampshire just across the line from Massachusetts which some years age was purchased for race-track purposes and has been abandoned. I can not state how many acres of land there are, but I judge considerably more than a hundred acres, and possibly five times that amount. The owner of the property is willing to give the use of it if not the actual title to the property to the Government. I have called the attention of the department to the matter twice or three times, but have received rather an evasive answer to the effect that they will look into it and decide the matter later on.

Would it be desirable, in the Senator's opinion, for the Government to accept that donation if it can be done legally, and provided the area is sufficiently large for the purposes of the Government? I presume it could be done by the payment of a dollar, if it could not be done without any money consideration. Would it not be desirable for the Government to accept that land for mobilization purposes? Perhaps the Senator knows about where it is—just across the Massachusetts line in New Hampshire.

Mr. WADSWORTH. In reply to the Senator from New Hampshire, let me say that my opinion is not at all authoritative, but 100 acres of land, of course, is infinitesimal in comparison to the area needed for a division of troops.

Mr. GALLINGER. There doubtless are more than 100 acres, but I am not certain as to the area; but it is a large tract.

Mr. WADSWORTH. It is a matter upon which Congress can scarcely legislate in detail. I do think, however, Mr. President, that the Secretary of War or the appropriate authorities should be authorized very clearly under the statute to accept donations of land. I would not advise the acceptance of donations of land under such circumstances that no additional land in that vicinity could be purchased. By the acceptance of donations and by the exercise of the authority given to acquire by purchase a sufficient amount of land for the use of a division of troops suitable mobilization grounds may be acquired.

Mr. WEEKS. Mr. President——

Mr. WADSWORTH. I yield to the Senator from Massachusetts.

Mr. WEEKS. I would suggest to the Senator from New Hampshire and the Senator from New York that if the owner of property of that kind makes a formal offer of it, and it may under conditions be useful to the Government, undoubtedly legislation will be forthcoming to accept it. Mr. Thomas Fortune Ryan has an estate in Virginia of 3,000 acres, which he has just offered to the Government, and it is accepted in this bill.

Mr. GALLINGER. If the Senator from New York will permit me, I will ask the Senator from Massachusetts if he has any knowledge as to the area comprised in that property in Salem?

Mr. WEEKS. I have never been there, but I should say very much more than 100 acres. Of course 100 acres are not sufficient for a division of troops, but it is in a territory where a great amount of land could be purchased at very little cost if that is not sufficient for the purpose.

Mr. GALLINGER. I ought to know with more definiteness about it, and will ascertain the facts definitely over the telephone and put it in the RECORD before the debate closes.

Mr. BRADY. Mr. President——

Mr. WADSWORTH. I yield to the Senator from Idaho.

Mr. BRADY. Along the line of the remarks of the Senator from New Hampshire, I will say to the Senator from New York that we have provided in this bill for just such a donation as the Senator from New Hampshire suggests, and with the Senator's permission I will read that section. It is on page 9, beginning at line 17, and is as follows:

> The Secretary of War is hereby authorized to accept for the United States from any citizen of the United States a donation of a tract or tracts of land suitable and desirable in his judgment for the purposes of an aviation field and remount station, the terms of the donation also to authorize the use of the property donated for any other service of the United States which may hereafter appear desirable.

I think that covers the ground very thoroughly and completely. I believe the suggestion made by the Senator from New York will be applicable to this provision, and we should provide for such an amount as he suggests.

Mr. WADSWORTH. Mr. President, it is evident from the language of the bill the Senator from Idaho has just read that that paragraph refers to some special offer that has been made to the Government, because, apparently, its primary object is to accept a piece of land suitable for aviation and remount purposes. Of course the Government necessarily would insist upon reserving the right, after taking the land as a gift, to use it for any other military purpose. It is evident that if that particular piece of land is acquired by gift, it will be used primarily for remount purposes and aviation purposes.

I have no objection, Mr. President, to the Government using its own lands for any military purpose. If that particular piece of land could be used for the concentration of large numbers of troops, then it has a value far exceeding its value as an aviation field or a remount station; but the question is, Shall the Government of the United States acquire and have absolute control over a requisite number of mobilization camp grounds permanently equipped with every military facility at various strategic points in the United States? I would never advocate that the Congress should specify where these camps shall be located, because I do not believe that we here in the Senate or in the other House are competent to say where they should be located from a military standpoint.

This bill does go far enough to authorize the acceptance of a gift, but when it attempts to go further, as the House did attempt to go, with a comparatively small appropriation of $300,000 with which to purchase land, the Senate committee cut it out. So we are confined solely to what some citizen gives us.

Mr. BRADY. The Senator is quite correct in his statement that this is intended to enable us to receive a specific piece of land, but it was the intent of the committee to try to make it cover a larger field, and if it does not cover that field properly I should be very willing to change it so that it would cover the entire field suggested by the Senator.

Mr. WADSWORTH. Of course, Mr. President, I think the Secretary of War should be authorized to accept a gift of land for any military purpose of the United States, but we can not sit here and depend upon gifts. The Government should go out, in my humble judgment, and acquire the necessary property. I assume, without any intimate knowledge of the military system of nations abroad, that practically every European Government has under its absolute control the requisite mobilization facilities. I know England has Aldershot, where she can concentrate her troops, where there are permanent storehouses in which are placed the nonperishable portion of the ration and those parts of the military supplies which should be kept on hand.

Mr. BRADY. Mr. President——

Mr. WADSWORTH. Mr. President, I yield to the Senator.

Mr. BRADY. I do not want the Senator to misunderstand me. I am heartily in accord with his views on this subject.

Mr. WADSWORTH. The question of mobilization camps is a pretty complicated one. There are a great many elements in it. There is that of transportation. Presumably they should be located reasonably near great trunk-line railways, and that element should be in combination with the strategic element. It is not contended that the entire Army of the United States shall be concentrated in one camp, but facilities should be created at which the divisions of the Army could be concentrated.

The delay contingent upon the lack of facilities at mobilization camps is something enormous. The mere fact that there is not a mobilization camp in the United States where there are properly and permanently constructed loading platforms on railroad sidings means hours and days of delay in loading and unloading troops and equipment.

Some day, whether as the result of the initiative in this bill or by the action of some future Congress, I am certain that the proposal that permanent mobilization camps shall be established under Federal control at strategic points throughout the United States will be accepted and will be put into effect; for until we have them, we are comparatively helpless in certain seasons of the year. If we were asked to mobilize a division of troops—20,000 to 23,000 men—in New England in the middle of January, we would be up against a very serious situation. It is comparatively easy in summer to go out and rent a thousand acres, but in the middle of the winter the water supply of those troops must be protected from frost, and in such a mobilization camp you should have the water supply organized upon a permanent basis, ready at any time of the year to meet the requirements of the men and horses and mules that may be sent there to meet some emergency.

The item as contained in the House bill, in my humble judgment, is exceedingly small, $300,000, but it will enable the Secretary of War, perhaps, to commence the solution of this problem. I think at a later time it might be well for us to consider passing a resolution, if the Senate should see fit, requesting the Secretary of War or the General Staff to report to Congress as to what is needed in this respect, so that Congress may have some conception of the situation.

We have seen all over the United States the abuse incident to the failure to abandon Army posts where they are not needed, and certainly Congress in the future will need the expert advice of men in the War Department to show it where these should be placed. For one, I hope that this Congress will not be confined solely to quieting title to a few acres at Tobyhanna, Pa.; that something over and above that will be done, as it is evident the House intended should be done when they provided an appropriation of $300,000 for this purpose.

Once more let me repeat that this is not a question of the National Guard as such; it is not a question of the Regular Army as such or of Federal Volunteers, if they should be called for; or of men who might have been enlisted under section 56, had it passed Congress; it is a question for us to consider with reference to the armies of the United States whenever and however they are created or recruited.

Mr. GALLINGER. Mr. President, before the Senator from New York sits down, I desire to say that I have just ascertained from the Secretary of War that the proposition to which I called his attention involved a tract of land of at least 500 acres in extent; so that while that may be inadequate for the purpose which the Senator has in view, yet I think it ought to be considered valuable for the Government.

Mr. WADSWORTH. It is certainly a valuable consideration.

Mr. BRANDEGEE. Mr. President, as to the proposal suggested by the Senator from New Hampshire [Mr. GALLINGER], he stated that he was not sure whether or not it was a proposal to sell the fee or to give the Government the use of the land. I do not know whether or not he knows about that.

Mr. GALLINGER. In the first place, the owner of the land, who is a very wealthy citizen of Massachusetts, I believe, suggested to me, through Mr. Shillaber, of New York, that the land would be donated if the Government would accept it; but subsequently Mr. Shillaber said that after further considering the matter, the owner thought that perhaps it might be better to submit a proposition that the Government should have possession of it for perhaps an unlimited time, without an actual donation. I think, however, the land would be donated if the Government should express a desire to secure it.

Mr. BRANDEGEE. Mr. President, of course I should not think that the Government ought to accept for this kind of a permanent purpose a mere tenure, because any land to be used on which to concentrate troops at all seasons of the year, in order to be a success, I think, would require so much permanent expenditure upon it in the way of buildings, and possibly of artesian wells or piping and water supply arrangements, which would have to be permanent to protect it from frost, that the Government would have to have the absolute fee title to be justified in accepting it. However that may be, the language on page 80, to wit, the House provision, does not seem to me to contemplate a concentration or mobilzation camp. I am merely going to read it as it is—only a few lines—from line 16 to line 23, inclusive. It is as follows:

> Ranges for Field Artillery target practice: For the acquisition by purchase of condemnation of the necessary land for suitable ranges for Field Artillery target practice, the land to be of such general character as to permit of use for instruction of troops of other arms to be located within the eastern and western military departments, and to defray the expenses incident to locating and acquiring title thereto, $300,000.

That clearly does not contemplate anything except the acquisition of land for suitable ranges " for Field Artillery target practice, the land to be of such general character to permit of use for instruction of troops of other arms."

I agree entirely with Senators who have advocated the acquisition by the Government of several large tracts of land for mobilization and instruction purposes of troops. I think it would be well to incorporate in this bill a provision authorizing the department to accept any such land as might be tendered to it in any part of the country for those purposes.

I think, however, the acquisition of several of these large tracts of land located in proper portions of the country with a view of the possibility of rapid mobilization, railroad transportation, proper climate at different seasons of the year, and so forth, would involve a certain amount of preliminary investigation. If a general provision were put into the bill authorizing the department to accept everything that was offered to it, there might be tendered a great deal of land in different parts of the country upon condition that it was to be used for military camps, and I think the department would be somewhat embarrassed, without any congressional instruction at all, to know upon

what conditions it could accept these different tracts of land. There would be many people who would be very glad to give large tracts of land to the Government for the purpose of having large numbers of troops brought to their section of the country each year near their other property, which might make it much more valuable, and who would tender it conditionally that it should be used for military purposes.

I have nothing myself to suggest in the way of a concrete amendment, but I do think that the acquisition of land for several of these large camps, suitably located, is absolutely essential to the proper development of an army. I think probably whatever the Senate may pass, whether it agrees to the committee amendment or not, the conferees, after consultation with the War Department, would be in a better position to frame the exact language of an amendment and to estimate the amount required than we could here on the floor of the Senate.

Mr. LEE of Maryland. Mr. President, the Committee on Military Affairs offered through the chairman a series of amendments just now which propose to strike out a number of House provisions, commencing on page 74 of the bill and running down to the bottom of page 80. We commenced with the last item, namely, on page 80. The Senator from Washington offered an amendment to the proposed amendment by the Senate committee, as it appears at the top of page 87, to insert, after the words "military departments," the words "within the State of Pennsylvania." That created a very confused condition in the amendment. In the first place, it starts out with the language "Ranges for field artillery target practice." Those ranges are thus to be within the eastern and western military departments and within the State of Pennsylvania, which is a physical impossibility. Under such circumstances, I think in order to get this matter straightened out that we had better reconsider the vote by which the portion of the amendment offered by the Senator from Washington was agreed to, and I withdraw my previous amendment and move that we reconsider the vote by which the amendment to the amendment to insert "within the State of Pennsylvania" was agreed to.

The VICE PRESIDENT. The question is on the motion of the Senator from Maryland to reconsider the vote whereby the amendment to the amendment offered by the Senator from Washington was adopted, which will be stated by the Secretary.

The SECRETARY. On page 87, line 6, after the word "departments" in the amendment of the committee, the words "in the State of Pennsylvania" were inserted.

The motion to reconsider was agreed to.

Mr. LEE of Maryland. Mr. President, we now commence de novo with the whole proposition, and I should like to ask for a separate vote on certain of these many items. The first item on which I will ask for a separate vote is the proposition of the Senate committee to strike out, on page 80, lines 16, 17, 18, 19, 20, 21, 22, and 23 of the House bill. The proposition of the Senate committee is to strike out and insert a series of amendments, and I therefore commence with the item striking out the lines I have indicated, on page 80, and ask for a vote on that item.

Mr. CHAMBERLAIN. I make the point of order that the amendment reported by the committee is not divisible, but is one amendment.

The VICE PRESIDENT. The Chair understands that the Senate committee proposes to strike out, beginning with line 6, on page 74, down to line 3, on page 82, and to insert in lieu thereof the language from line 4, on page 82, to line 11, on page 88. That is the understanding of the Chair. That is a question of striking out and inserting, and, under the rule of the Senate, the portion to be stricken out may be amended and the portion to be inserted may be amended, the portion to be stricken out first being subject to amendment; but the Chair does not believe that the portion to be stricken out can be subdivided and separate votes had upon the questions involved.

Mr. LEE of Maryland. Then, Mr. President, we can get at it in another way, although the ruling of the Chair makes it a little bit awkward. There are a great many separate items of appropriations as to which the Senate committee differs with the House, but has simply lumped its differences and made one mighty stab at the House bill. Of course, I can move to amend the Senate committee amendment striking out lines 16 to 23, on page 80, by reinserting the House text, but that is a very awkward way of getting at it. However, I am perfectly willing to get at it in that way if the Chair so rules.

The VICE PRESIDENT. The Chair is not responsible for the manner in which the committee brings in the bill.

Mr. LEE of Maryland. Therefore I move to amend the first amendment of the committee, which is to strike out, on page 80, down to line 23, by omitting from the part to be stricken out lines 16, 17, 18, 19, 20, 21, 22, and 23 on page 80. That motion will bring up the question which has been just discussed and will bring before the Senate the question as to whether or not it should leave in this bill the appropriation of $300,000, which the Government may, in its discretion, use for establishing, say, two artillery ranges—one in the eastern department and one in the western department—suitable for field artillery target practice and suitable for the use and instruction of troops. Of course, that implies places where the troops can live while being instructed, also railroad facilities in order to get to the point of instruction, and leaves it as a matter of military discretion with the War Department to determine where it will get these one or more artillery ranges. I certainly think that this is a very small beginning of a very essential policy, and that it should be left in the bill. I therefore hope that the motion to amend the Senate committee amendment eliminating this provision of the House bill will carry.

Mr. CHAMBERLAIN. Mr. President, I make the same point of order against the motion of the Senator from Maryland that I made a moment ago.

The VICE PRESIDENT. The Senator from Maryland can accomplish the purpose that he wants to in a parliamentary way by the motion which he made some time since, namely, to strike out, on page 87, line 8, "$800" and to insert "$300,000." That will accomplish just what the Senator from Maryland wants to accomplish, and will do it under the rules of the Senate.

Mr. LEE of Maryland. That is entirely satisfactory to me, if the Vice President so rules.

The VICE PRESIDENT. The Chair can not entertain the motion of the Senator from Maryland, but must sustain the point of order that the Senator from Maryland can not pick out a part of the House text which the Senate committee has asked to be stricken out and leave it in the bill, but the Senator from Maryland can get it in the bill by offering it as an amendment to the Senate committee amendment.

Mr. LEE of Maryland. It so happens in this particular phase of the matter that, as the Senate committee only changed the House item by changing the appropriation, the ruling of the Chair would be correct; but if the Senate committee had stricken out other vital matter in the House bill, I, with all due submission, do not think the ruling of the Chair would be correct. However, under the circumstances, we get at it in just the same way, and I am willing, therefore, to withdraw my amendment and make the motion to amend the Senate committee amendment, on page 87, by inserting "$300,000" in lieu of "$800," in line 8.

Mr. CHAMBERLAIN. As to that I make the point of order that it is not estimated for.

The VICE PRESIDENT. The point of order is overruled. The item was in the House bill, and there is not any doubt about the right to increase it.

Mr. JONES. Mr. President, I understand the vote whereby my amendment to the amendment was agreed to was simply reconsidered, but it has not been voted upon since its reconsideration, and in order not to embarrass the Senator from Maryland in presenting his amendment I withdraw my amendment.

The VICE PRESIDENT. The question, then, is on the amendment offered by the Senator from Maryland, on page 87, line 8, to strike out "$800" and insert "$300,000." [Putting the question.] The Chair is in doubt.

Mr. LEE of Maryland. I ask for a division.

The VICE PRESIDENT. A division is called for.

The amendment was rejected after a division.

Mr. JONES. Now, Mr. President, I renew my amendment, after the word "department," in line 6, page 87, to insert the words "in the State of Pennsylvania."

Mr. CHAMBERLAIN. I am willing to accept that amendment, so far as I can do so.

The amendment to the amendment was agreed to.

Mr. LEE of Maryland. Mr. President, will the Senator permit me to suggest that he ought to strike out the words "and western," because Tobyhanna can not be in two departments?

Mr. CHAMBERLAIN. I am willing to accept that amendment. I do not care anything about that.

Mr. LEE of Maryland. The amendment I have suggested will come in on page 87, line 6.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. On page 87, line 6, it is proposed to strike out the words "and western," so that it will read "eastern military department in the State of Pennsylvania."

The amendment to the amendment was agreed to.

Mr. STERLING. Mr. President, I should like to make an inquiry for information here, and that is as to what is included in a department. The language here is, "eastern and western

military departments." What is included in a department? Are there just the two, known as the eastern and western departments, or are there several eastern and western departments?

Mr. WARREN. There are several—eastern, central, and western. The eastern department takes in the Atlantic States and those near it; the western, the Pacific coast; and the central division, with Chicago as its headquarters, takes in half of the United States.

Mr. STERLING. Then this would not permit of the purchase and condemnation of land for rifle ranges in the western department, if the amendment of the Senator from Washington is adopted?

Mr. CHAMBERLAIN. Mr. President, the Senator was not here when it was stated that that is simply to perfect the title to a small tract of land in Pennsylvania; that is all.

Mr. STERLING. That is the purpose of this amendment?

Mr. CHAMBERLAIN. Yes, sir.

Mr. LEE of Maryland. Mr. President, I want to give notice that I reserve the right to offer this amendment when the bill comes into the Senate.

The VICE PRESIDENT. The question is on the amendment as amended.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 88, after line 11, to strike out:

To establish and maintain indoor and outdoor rifle ranges for the use of all able-bodied males capable of bearing arms under reasonable regulations to be prescribed by the National Board for Promotion of Rifle Practice and approved by the Secretary of War; to provide standard military arms and ammunition, indoor gallery rifles and ammunition, for the employment of labor in connection with the establishment of outdoor and indoor rifle ranges, including labor in operating targets; for the employment of instructors, for clerical services, for prizes, trophies, badges, and other insignia; for the transportation of employees, instructors, and civilians to engage in rifle practice; for the purchase of materials, supplies, and services, and for expenses incidental to instruction of citizens of the United States in marksmanship, to be expended under the direction of the Secretary of War, to remain available until expended, $300,000.

And to insert:

To establish and maintain indoor and outdoor rifle ranges for the use of all able-bodied males capable of bearing arms, under reasonable regulations to be prescribed by the director of civilian marksmanship and approved by the Secretary of War; to provide standard military arms and ammunition, indoor gallery rifles and ammunition; for the employment of labor in connection with the establishment of outdoor and indoor rifle ranges, including labor in operating targets; for the employment of instructors; for clerical services; for prizes, trophies, badges, and other insignia; for the transportation of employees, instructors, and civilians to engage in practice; for the purchase of materials, supplies, and services, and for expenses incidental to instruction of citizens of the United States in marksmanship, to be expended under the direction of the Secretary of War and to remain available until expended, $300,000: *Provided*, That the President be, and he is hereby, authorized to appoint, as director of civilian marksmanship, under the direction of the Secretary of War, an officer of the Army or of the Marine Corps, who, while serving as such, shall have the temporary rank, pay, and allowances of colonel in the Army.

Mr. JONES. Mr. President, I want to ask the chairman of the committee whether, under that provision, the Secretary of War is authorized to purchase lands for the purpose of laying out the ranges?

Mr. CHAMBERLAIN. It was not intended for that.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, on page 90, line 2, after the date "1916," to strike out $2,000,000" and insert "$4,300,000," so as to make the clause read:

To provide for the expense of maintaining, upon military reservations or elsewhere, camps for the military instruction and training of such citizens as may be selected for such instruction and training, under such regulations as may be prescribed by the Secretary of War, and to furnish to said citizens the subsistence, transportation, and uniforms authorized by the act of Congress approved June 3, 1916, $4,300,000: *Provided*, That so much of this appropriation as may be necessary shall be available for the subsistence and transportation of all persons between the ages of 18 and 45 years who have attended any camp authorized by the Secretary of War during the calendar year 1916.

The amendment was agreed to.

The next amendment was, on page 90, after line 8, to insert:

For the payment of transportation of teams authorized by the Secretary of War to participate in the national matches, $60,000: *Provided*, That this amount shall be proportioned among the several States, Territories, and the District of Columbia, according to the distance from the seat of government to the place where the national matches are to be held: *And provided further*, That the governors of the States or Territories or the Board of Commissioners of the District of Columbia may designate which team or teams shall attend from their respective States, Territories, or District of Columbia.

The amendment was agreed to.

The next amendment was, on page 90, after line 19, to strike out:

Provided, That no part of the appropriations made in this act shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person having charge of the work of any employee of the United States while making or causing to be made with a stop watch, or other time-measuring device, a time study of any job of any such employee between the starting and completion thereof, or of the movements of any such employee while engaged upon such work; nor shall any part of the appropriations made in this act be available to pay any premium or bonus or cash reward to any employee in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant.

Mr. CHAMBERLAIN. Mr. President, the junior Senator from Massachusetts [Mr. WEEKS] desires to be here when that amendment is taken up. I ask that it be passed over for the present.

The VICE PRESIDENT. The amendment will be passed over.

Mr. JONES. Mr. President, I want to ask the chairman of the committee a question with reference to lines 6, 7, 8, and 9 of the House text on page 91. Can the Senator state what necessity there is for a provision of that kind? It reads as follows:

That no part of the appropriations made in this act shall be available for the salary or pay of any person hereafter, in time of peace, appointed an officer in the Army who is not a citizen of the United States.

Mr. CHAMBERLAIN. The purpose of it is simply so that all the officers of the Army shall be citizens of the United States, so that there will not be any question about their citizenship.

Mr. JONES. Can officers be appointed in the Army now who are not citizens of the United States, under the present law?

Mr. CHAMBERLAIN. I am inclined to think they can be.

Mr. JONES. Does the Senator know whether or not we have officers in the Army who are not citizens of the United States?

Mr. CHAMBERLAIN. I do not recall, but we have had them in nearly every war we ever had. We had Lafayette in the Revolution; we had Von Steuben. We had a great many men from foreign countries who served with distinction.

Mr. JONES. Is it the intention here that in case we should get into war, into actual hostilities, we would not have a foreigner as an officer in the Army?

Mr. CHAMBERLAIN. He might be a foreigner, but he would have to be a naturalized citizen if he was born abroad. I assume that was the purpose of the House provision.

Mr. JONES. What is the necessity of legislation of that kind, especially if it applies to time of war or time of danger? Under it, we could not even avail ourselves of the services of a foreigner who might come and want to help us.

Mr. CHAMBERLAIN. The Senator will notice that it is limited to time of peace.

Mr. JONES. I had not noticed that particularly; and the Senator suggested that in time of war we had had a great many officers who were not citizens who rendered valuable service.

Mr. CHAMBERLAIN. I meant to draw the distinction between time of war and time of peace. This is only to apply in time of peace.

Mr. JONES. Yes. The word "citizen" there, as I understand, applies to naturalized citizens as well as native-born citizens?

Mr. CHAMBERLAIN. Yes.

Mr. JONES. In other words, when a person is invested with citizenship, he is on the same basis as a native-born citizen?

Mr. CHAMBERLAIN. Oh, yes.

Mr. JONES. The Senator thinks that is the way it ought to be?

Mr. CHAMBERLAIN. I rather think so, Mr. President. We sympathized with the House view of it, and adopted the House provision with reference to that matter.

Mr. JONES. We would not have any right, really, to make any distinction between persons who are citizens.

Mr. CHAMBERLAIN. No.

The VICE PRESIDENT. The Secretary will state the next amendment of the committee.

The next amendment was, on page 91, after line 17, to strike out:

SEC. 2. That a council of executive information is hereby established for the coordination of industries and resources for the national security and welfare, to consist of the Secretary of War, the Secretary of the Navy, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Commerce, and the Secretary of Labor.

SEC. 3. That the council of executive information shall nominate to the President, and the President shall appoint, an advisory commission, consisting of not more than seven persons, each of whom shall have special knowledge of some industry, public utility, or the development of some natural resource, or be otherwise specially qualified, in

the opinion of the council, for the performance of the duties hereinafter provided. The members of the advisory commission shall serve without compensation, but shall be allowed actual expenses of travel and subsistence when attending meetings of the commission or engaged in investigations pertaining to its activities. The advisory commission shall hold such meetings as shall be called by the council or be provided by the rules and regulations adopted by the council for the conduct of its work.

SEC. 4. That it shall be the duty of the council of executive information to supervise and direct investigations and make recommendations to the President and the heads of executive departments as to the location of railroads with reference to the frontier of the United States so as to render possible expeditious concentration of troops and supplies to points of defense; the coordination of military, industrial, and commercial purposes in the location of extensive highways and branch lines of railroad; the utilization of waterways; the mobilization of military and naval resources for defense; the increase of domestic production of articles and materials essential to the support of armies and of the people during the interruption of foreign commerce; the development of seagoing transportation; data as to amounts, location, method and means of production, and availability of military supplies; the giving of information to producers and manufacturers as to the class of supplies needed by the military and other services of the Government, the requirements relating thereto, and the creation of relations which will render possible in time of need the immediate concentration and utilization of the resources of the Nation.

SEC. 5. That the council of executive information shall adopt rules and regulations for the conduct of its work, which rules and regulations shall be subject to the approval of the President, and shall provide for the work of the advisory commission to the end that the special knowledge of such commission may be developed by suitable investigation, research, and inquiry and made available in conference and report for the use of the council; and the council may organize subordinate bodies for its assistance in special investigations, either by the employment of experts or by the creation of committees of specially qualified persons to serve without compensation, but to direct the investigations of experts so employed.

SEC. 6. That the sum of $200,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be immediately available for experimental work and investigations undertaken by the council, by the advisory commission, or subordinate bodies, for the employment of a director, expert and clerical expenses and supplies, and for the necessary expenses of members of the advisory commission or subordinate bodies going to and attending meetings of the commission or subordinate bodies. Reports shall be submitted by all subordinate bodies and by the advisory commission to the council, and from time to time the council shall report to the President or to the heads of executive departments upon special inquiries or subjects appropriate thereto, and an annual report to the Congress shall be submitted through the President, including as full a statement of the activities of the council and the agencies subordinate to it as is consistent with the public interest, including an itemized account of the expenditures made by the council or authorized by it, in as full detail as the public interest will permit: *Provided, however,* That when deemed proper the President may authorize, in amounts stipulated by him, unvouchered expenditures and report the gross sums so authorized not itemized.

And to insert:

SEC. 2. That a council of national defense is hereby established for the coordination of industries and resources for the national security and welfare, to consist of the Secretary of State, the Secretary of War, the Secretary of the Navy, the Chief of Staff of the Army, an officer of the Navy not below the rank of captain, to be designated by the Secretary of the Navy, and not more than six persons to be appointed by the President of the United States, each of whom shall have special knowledge of some industry, public utility, or the development of some natural resource, or be otherwise specially qualified, in the opinion of the President, for the performance of the duties hereinafter provided. The additional members of the council shall serve without compensation, but shall be allowed actual expenses of travel and subsistence when attending meetings of the council or engaged in investigations pertaining to its activities. The council shall hold such meetings as shall be called by it or be provided by the rules and regulations adopted by the council for the conduct of its work.

That it shall be the duty of the council of national defense to supervise and direct investigations and make recommendations to the President and the heads of executive departments as to the location of railroads with reference to the frontier of the United States so as to render possible expeditious concentration of troops and supplies to points of defense; the coordination of military, industrial, and commercial purposes in the location of extensive highways and branch lines of railroad; the utilization of waterways; the mobilization of military and naval resources for defense; the increase of domestic production of articles and materials essential to the support of armies and of the people during the interruption of foreign commerce; the development of seagoing transportation; data as to amounts, location, method, and means of production, and availability of military supplies; the giving of information to producers and manufacturers as to the class of supplies needed by the military and other services of the Government, the requirements relating thereto, and the creation of relations which will render possible in time of need the immediate concentration and utilization of the resources of the Nation.

That the council of national defense shall adopt rules and regulations for the conduct of its work, which rules and regulations shall be subject to the approval of the President, and shall provide for the work of the council to the end that the special knowledge of such council may be developed by suitable investigation, research, and inquiry and made available in conference and report for the use of the council; and the council may organize subordinate bodies for its assistance in special investigations, either by the employment of experts or by the creation of committees of specially qualified persons to serve without compensation, but to direct the investigations of experts so employed.

That the sum of $10,000, or so much thereof as may be necessary, is hereby appropriated for the necessary expense of members of the council in going to and attending meetings of the council or its subordinate bodies or while engaged in its work. Reports shall be submitted by all subordinate bodies and by the council to the President and to the heads of executive departments upon special inquiries or subjects appropriate thereto, and an annual report to the Congress shall be submitted through the President, including as full a statement of the activities of the council and the agencies subordinate to it as is consistent with the public interest, including an itemized account of the expenditures made by the council or authorized by it, in as full detail as the public interest will permit: *Provided, however,* That when deemed proper the President may authorize, in amounts stipulated by him, unvouchered expenditures and report the gross sums so authorized not itemized.

During the reading of the foregoing amendment,

Mr. SHAFROTH. I desire to offer an amendment on page 95, line 23.

The VICE PRESIDENT. Let the amendment be read, at least, before the Senator's amendment is offered.

Mr. SHAFROTH. The Secretary had finished that paragraph.

The VICE PRESIDENT. Yes; but the whole amendment has not been read.

Mr. CHAMBERLAIN. I hope the Senator will withhold the amendment until the committee amendments are all disposed of. It may be offered a little later, and we have been withholding them until that time.

Mr. SHAFROTH. Very well.

At the conclusion of the reading of the amendment,

The VICE PRESIDENT. The amendment of the Senator from Colorado is now in order.

Mr. SHAFROTH. The Senator from Oregon desires that I should not present the amendment until later.

The VICE PRESIDENT. It is an amendment to the committee amendment, is it not?

Mr. SHAFROTH. Yes, sir; the committee amendment. I explained it to the chairman of the committee. It is possible that it may be accepted by the committee.

Mr. CHAMBERLAIN. If the Senator will state it, I do not think we will disagree about it.

Mr. SHAFROTH. Very well. It is on page 95, line 23, where, after the word "defense," I move to insert the words "the location and construction of factories for the manufacture of munitions of war."

This is one of the investigations that are to be made by the council of national defense. The amendment enumerates, preceding that, that they shall investigate as to the location of railroads with reference to the frontier of the United States, the coordination of military, industrial, and commercial purposes in the location of extensive highways and branch lines of railroad, the utilization of waterways, and the mobilization of military and naval resources for defense. Then I insert also:

The location and construction of factories for the manufacture of munitions of war.

Mr. President, this is simply a designation or indication, just like the preceding ones, to this council of national defense; and it does seem to me that it is important that they should investigate the question of where ammunition factories should be established. It is not wise, it seems to me, for Congress to come in, in an emergency, and locate a factory at some place where some Senator may want it. You have not had the requisite investigation. There ought to be an investigation as to these matters, and whether it is best to locate them at one part or another part of the country, or with relation to the factories already existing, so that we will have full information upon the question.

My amendment does not increase the appropriation in any way. It does not in any manner curtail or limit any investigation, but simply adds that additional factor which, it seems to me, is so necessary if we are going to make a preparedness program. For that reason it seems to me that it would be wise to insert those words.

Mr. CHAMBERLAIN. I have no objection to that amendment.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. On page 95, in the committee amendment, on line 23, after the word "defense," it is proposed to insert:

The location and construction of factories for the manufacture of munitions of war.

The amendment to the amendment was agreed to.

Mr. CUMMINS. Mr. President, I assume that there may be some necessity for a council of national defense, although I had thought, before the subject was proposed, that all the organized bodies of the Government constituted a council of national defense. I can not give my assent to this amendment, nor to the House provision upon the same subject, without more explanation than I have hitherto had with respect to the work of such a body.

This amendment practically puts the civil affairs of the United States in the hands of the council of national defense. It can act as a Federal trade commission, as a Federal reserve board, as a tariff commission, and as the shipping board, which, I understand, Congress is about to establish. I do not believe we ought

to take the step that is here proposed. It unduly promotes the military arm of the Government.

Let us see. The council of national defense is to make recommendations to the President with regard to the location of railroads with reference to the frontier of the United States. It is to consider and report upon the coordination of military, industrial, and commercial purposes in the location of extensive highways and branch lines of railroad. It is to consider and report as to the improvement of our waterways—the building of dams and the leasing of water powers, I suppose, or at least the general utilization of our waterways. It is to consider and report the increase of domestic production of articles and materials essential to the support of armies and of the people during the interruption of foreign commerce.

The sentence I have just read embraces practically all the activities of the people of the United States, because substantially everything that we do contributes, in time of war, to the support of an army—the food we raise, the clothing we produce, the railroads we operate, everything; and at one sweep we have superimposed upon the civil government of the United States a military tribunal which is to direct, so far as it can, the energies of all the people in their civil pursuits.

But that is not all. This council of national defense is to consider and determine upon the development of seagoing transportation.

We are to have a board of national defense that is to consider seagoing transportation. The Senate was solicitous about the bill which proposes to reestablish and remake the merchant marine. I supposed the shipping bill was intended to develop our seagoing transportation—

> data as to amounts, location, method and means of production, and availability of military supplies; the giving of information to producers and manufacturers as to the class of supplies needed by the military and other services of the Government, the requirements relating thereto and the creation of relations which will render possible in time of need the immediate concentration and utilization of the resources of the Nation.

We may be in profound peace for a quarter of a century, and yet we have a board of national defense, a board of eminent gentlemen, both military and civilian, considering how our civil affairs ought to be administered in order to meet the emergency which at some uncertain time may confront us.

Now, I am opposed to it because it intensifies the military spirit, and it clearly declares a certain subordination of the civil government to the military government. It indicates that it is our purpose to develop this country not with reference to the prosperity and happiness of the people in time of peace, but to develop it in order that it may be powerful in time of war. It is repugnant to me, and, I think, wholly unnecessary. We have a General Staff composed, as I remember, of something like 50 or 60 or 100 of the prominent officers of the Army. We have a General Board, I believe, in the Navy. If these men are not able to look over from time to time the conditions in the United States and see how those conditions could be changed in order to prepare us better for war, I think we had better leave the work undone and pursue the path we have hitherto pursued with a good deal of distinction and with a good deal of success.

At any rate, Mr. President, I offer this amendment: In line 19, page 94, after the word "defense," I move to insert "to be appointed by and with the consent of the Senate of the United States."

Mr. CHAMBERLAIN. I have no objection to that.

Mr. CUMMINS. I think that will make it a little better, but of course it does not answer the objections I have made.

Mr. GALLINGER. Would not the Senator say "to be appointed by the President, by and with the advice and consent of the Senate"?

Mr. CUMMINS. Yes; "to be appointed by the President, by and with the advice and consent."

Mr. GALLINGER. The Senator did not include the President in what he first stated.

Mr. CUMMINS. I may not have quoted the words just as they are in the Constitution and as they ought to be here, but at any rate we have them now in an accurate way. I desire to register my protest and vote against the establishment of such a body.

Mr. GALLINGER. Will the Senator from Iowa permit me? If the President is to appoint and the Senate to confirm, would the Senator have in the council the Secretary of State and the Secretary of War? Would not the Senator strike out that language?

Mr. CUMMINS. I think when these men are appointed to this new office they should be confirmed by the Senate. They may be very unfit for that particular place. The Senator from New Hampshire may not have heard what I said. We are creating a commission or a body who apparently will have authority to recommend, at any rate, what our rates of duties shall be upon imports.

Mr. GALLINGER. I listened to the Senator very carefully and was impressed with his argument, but I wish to read the section in the way it will appear as it now stands:

> That the President of the United States, by and with the advice and consent of the Senate, shall appoint a council of national defense for the coordination of industries—

And so forth.

Mr. CUMMINS. I think the Senator from New Hampshire is right. The two things would be inconsistent with each other.

Mr. GALLINGER. It seems so to me. I think the Senator will have to reconstruct the paragraph.

Mr. CUMMINS. I think I shall have to prepare an amendment a little more carefully drawn than the one I have proposed, and therefore I withdraw the amendment to the amendment for the time being.

Mr. GALLINGER. Let it go over.

Mr. STERLING. May I ask the Senator from Iowa, would not the insertion of the words "by and with the advice and consent of the Senate," after the words "United States," in line 1, page 95, meet the Senator's approval?

Mr. CUMMINS. The suggestion of the Senator from South Dakota would cover the civilian appointees, but not the military employees. I withdraw the amendment for the time being and ask that the proposed committee amendment shall be passed over until I have a chance to prepare an amendment to it.

Mr. CHAMBERLAIN. I should like to get as far as we can to-night, but I presume it will not be possible to finish the bill. So I am willing to pass over the amendment for the present.

Mr. STERLING. There is one clause in the second paragraph on page 95 to which I should like to call the attention of the Senator from Oregon. That is the clause beginning in line 19 and which reads as follows:

> The coordination of military, industrial, and commercial purposes in the location of extensive highways and branch lines of railroad.

That clause is not very clear to my mind, and I hardly know what is meant by the use of the word "purposes" in this connection.

Coordination of military, industrial, and commercial purposes. Is it supposed that there are industrial purposes, military purposes, and commercial purposes relative to lines of highway that will coordinate, or which should be coordinated, or is it meant that interests should be coordinated, and that there should be the coordination of military, industrial, and commercial interests in the location of extensive highways and branch lines of railway? Would not the word "interests" or "activities," preferably "interests," be better than the word "purposes?"

Mr. CHAMBERLAIN. I think the language is broad enough to cover almost any question. Assume that they were going to extend a roadway across the continent, for instance; they would confer with this council of national defense as to the best location for it, or if a branch line of railway were to be established they would confer, if need be, with this same council of defense to ascertain where it might be best utilized for all purposes, governmental and otherwise. It would not bind anybody. It would require the railway company to establish its lines anywhere that it might be well to construct it so as to utilize it for all purposes.

Take the mobilization of troops. In some countries of the world railroads are constructed not only with a view to commercial advantage, but to military as well. Of course, this country would not go to any such extent as that; it could not do that in a democratic form of government, but there has been frequent complaint about the transportation of troops in this country—over land-grant railways, for instance, undertaking to get them to the point of destination as cheaply as possible.

The result has been a long way around in order to economize for the Government. If the projectors of a road could agree with a council of this kind to a location of a road where it might be best for all purposes, it could do no harm to act in an advisory capacity, yet it would not be binding.

Mr. CUMMINS. May I suggest to the Senator from Oregon it might do a great deal of harm from my standpoint. Suppose a railroad contemplates building a branch and what might be called the civil development of the community or the industrial development of the community would indicate that it should be built in a certain place; that it would accommodate more people if built in that place than in any other and would be for the general growth of the community; but this great tribunal that is here constituted, composed of the Secretary of State, and Secretary of War, and the Chief of Staff of the Army, and another officer of the Navy, and six eminent civilians meet and they say that for military purposes the road ought to be made at some other place.

Now, the people who determine the location of a railroad are very anxious always to stand well with the Government of the United States, and they disagree with the Government or offend the Government only if it is absolutely necessary. Is it not clear to the Senator from Oregon that in such a case the proper location of the railroad would be disturbed and the railroad would be built more for military purposes than for commercial purposes? Then we have before us the problem always that the rates that are charged by railroads must be compensatory—must pay expenses and must reward capital. Now, if the road is built in the best place commercially, the rates might be very much lower than if built in order to accommodate the military movements of the country.

Mr. CHAMBERLAIN. Mr. President, I presume the Senator's experience with men engaged in the extension of railway lines is the same as mine, and my experience has been that these lines are extended by the railroad company in the direction where it would do the most good for the railroad company, and sometimes without regard to the wishes of the community or those served. I am frank to say to the Senator if I thought this would be a controlling factor and that this board would act otherwise than in an advisory capacity, I would heartily concur with the Senator's view. But the railroad company will, without regard to what the Government or anybody else says, build with a view to its own advancement.

Mr. CUMMINS. I am sure the council would only act in an advisory capacity, and I have no doubt it would advise honestly from a military standpoint. The railroad, in accepting the advice of the council, would assume practically that the Government became the guarantor of the profitable operation of a railroad located according to its advice and its insistence.

It simply illustrates how rapidly we are passing or attempting to pass this Government into military control. The next step, of course, will be that this council shall determine where the railroads must be built or where highways must be improved, and the next step will be the guarantee on the part of the Government of a return on the capital invested.

The invitation of the sovereign has been known for years to be the equivalent of a command, and when this great council of defense says to a particular enterprise that it must be carried on thus and thus, or it must be located here or there, there is not very much room for difference of opinion.

I want to keep the civil part of this Government completely free from the influence of the military part of it, and I do not want to see factories located and built simply because they become aids to military movements. Nor do I want to see railroads built simply to move armies upon. I think there is a happy medium between these things, and I can not believe that our experience in the past warrants any such departure from our policy as is proposed in this bill.

If, of course, war comes and the emergency happens, then everything must be subordinate to the military arm of the Government. Law becomes silent under such circumstances. But I do not want our civil institutions to be subordinate to our military institutions in times of peace. I think we had better risk whatever unpreparedness the failure to impose upon our country a board of this sort may bring than to adopt a policy which practically says that all our business in the future shall be done with respect to its relation to the Army and the Navy.

The VICE PRESIDENT. The next amendment will be stated.

The SECRETARY. The committee proposes to add a new section to be known as section 3, beginning on page 97, in line 12, as follows:

SEC. 3. That section 1342 of the Revised Statutes of the United States be, and the same is hereby, amended to read as follows:

"SEC. 1342. The articles included in this section shall be known as the Articles of War and shall at all times and in all places govern the armies of the United States, including all persons belonging thereto and all persons now or hereafter made subject to military law.

"I. PRELIMINARY PROVISIONS.

"ARTICLE 1. Definitions: The following words when used in these articles shall be construed in the sense indicated in this article, unless the context shows that a different sense is intended, namely:

"(a) The word 'officer' shall be construed to refer to a commissioned officer;

"(b) The word 'soldier' shall be construed as including a noncommissioned officer, a private, or any other enlisted man;

"(c) The word 'company' shall be understood as including a troop or battery; and

"(d) The word 'battalion' shall be understood as including a squadron.

"ART. 2. Persons subject to military law: The following persons are subject to these articles and shall be understood as included in the term 'any person subject to military law,' or 'persons subject to military law,' whenever used in these articles:

"(a) All officers and soldiers belonging to the armies of the United States, including Regulars, Army reserve, militia called into the service of the United States from the date of notice of such call, and volunteers;

"(b) Cadets, veterinarians of Cavalary and Field Artillery, and pay clerks of the Quartermaster Corps;

"(c) Officers and soldiers of the Marine Corps when detached for service with the armies of the United States by order of the President: *Provided*, That an officer or soldier of the Marine Corps when so detached may be tried by military court-martial for an offense committed against the Articles of War for the government of the Navy prior to his detachment, and for an offense committed against these articles he may be tried by a naval court-martial after such detachment ceases;

"(d) All retainers to the camp and all persons accompanying or serving with the armies of the United States without the territorial jurisdiction of the United States, and in time of war all such retainers and persons accompanying or serving with the armies of the United States in the field, both within and without the territorial jurisdiction of the United States, though not otherwise subject to these articles;

"(e) All persons under sentence adjudged by courts-martial;

"(f) All persons admitted into the Soldiers' Home, all inmates of the National Home for Disabled Volunteer Soldiers, and all persons admitted to treatment in the Army and Navy General Hospital at Hot Springs, Ark., and in the hospital at Fort Bayard, N. Mex., while patients in said hospitals; and

"(g) All persons now or hereafter declared by law to constitute a part of or to belong to the armies of the United States or to be subject to the Articles of War or to trial by courts-martial.

"II. COURTS-MARTIAL.

"ART. 3. Courts-martial classified: Courts-martial shall be of three kinds, namely:

"First, general courts-martial;

"Second, special courts-martial; and

"Third, summary courts-martial.

"A. COMPOSITION.

"ART. 4. Who may serve on courts-martial: Officers of the Regular Army, of the militia when called into the service of the United States, of the Volunteer Army, and of the Marine Corps when detached for service with the Army by order of the President, shall be competent to serve on courts-martial for the trial of any person who may lawfully be brought before such courts for trial.

"ART. 5 General courts-martial: General courts-martial may consist of any number of officers from 7 to 13, inclusive.

"ART. 6. Special courts-martial: Special courts-martial may consist of any number of officers from three to five, inclusive.

"ART. 7. Summary courts-martial: A summary court-martial shall consist of one officer.

"B. BY WHOM APPOINTED.

"ART. 8. General courts-martial: The President of the United States, the commanding officer of a territorial division or department, the Superintendent of the Military Academy, the commanding officer of an army, a field army, an army corps, a division, or a separate brigade, and, when empowered by the President, the commanding officer of any district or of any force or body of troops may appoint general courts-martial; but when any such commander is the accuser or the prosecutor of the person or persons to be tried, the court shall be appointed by superior competent authority, and no officer shall be eligible to sit as a member of such court when he is the accuser or a witness for the prosecution.

"ART. 9. Special courts-martial: The commanding officer of a district, garrison, fort, camp, or other place where troops are on duty, and the commanding officer of a brigade, regiment, detached battalion, or other detached command may appoint special courts-martial; but when any such commanding officer is the accuser or the prosecutor of the person or persons to be tried, the court shall be appointed by superior authority, and may in any case be appointed by superior authority when by the latter deemed desirable; and no officer shall be eligible to sit as a member of such court when he is the accuser or a witness for the prosecution.

"ART. 10. Summary courts-martial: The commanding officer of a garrison, fort, camp, or other place where troops are on duty, and the commanding officer of a regiment, detached battalion, detached company, or other detachment may appoint summary courts-martial; but such summary courts-martial may in any case be appointed by superior authority when by the latter deemed desirable: *Provided*, That when but one officer is present with a command he shall be the summary court-martial of that command and shall hear and determine cases brought before him.

"ART. 11. Appointment of judge advocates: For each general or special court-martial the authority appointing the court shall appoint a judge advocate, and for each general court-martial one or more assistant judge advocates when necessary.

"C. JURISDICTION.

"ART. 12. General courts-marial: General courts-martial shall have power to try any person subject to military law for any crime or offense made punishable by these articles and any other person who by statute or by the law of war is subject to trial by military tribunals: *Provided*, That no officer shall be brought to trial before a general court-martial appointed by the Superintendent of the Military Academy.

"ART. 13. Special courts-martial: Special courts-martial shall have power to try any person subject to military law, except an officer, for any crime or offense not capital made punishable by these articles: *Provided*, That the President may, by regulations, which he may modify from time to time, except from the jurisdiction of special courts-martial any class or classes of persons subject to military law.

"Special courts-martial shall not have power to adjudge dishonorable discharge, nor confinement in excess of six months, nor to adjudge forfeiture of more than six months' pay.

"ART. 14. Summary courts-martial: Summary courts-martial shall have power to try any person subject to military law, except an officer, a cadet, or a soldier holding the privileges of a certificate of eligibility to promotion, for any crime or offense not capital made punishable by these articles: *Provided*, That noncommissioned officers shall not, if they object thereto, be brought to trial before a summary court-martial without the authority of the officer competent to bring them to trial before a general court-martial: *Provided further*, That the President may, by regulations, which he may modify from time to time, except from the jurisdiction of summary courts-martial any class or classes of persons subject to military law.

"Summary courts-martial shall not have power to adjudge confinement in excess of three months, nor to adjudge the forfeiture of more than three months' pay: *Provided*, That when the summary court officer is also the commanding officer no sentence of such summary court-martial adjudging confinement at hard labor or foreiture of pay, or both, for a period in excess of one month shall be carried into execution until the same shall have been approved by superior authority.

"ART. 15. Not exclusive: The provisions of these articles conferring jurisdiction upon courts-martial shall not be construed as depriving military commissions, provost courts, or other military tribunals of concurrent jurisdiction in respect of offenders or offenses that by statute or by the law of war may be triable by such military commissions, provost courts, or other military tribunals.

"ART. 16. Officers; how triable: Officers shall be triable only by general courts-martial, and in no case shall an officer, when it can be avoided, be tried by officers inferior to him in rank.

"D. PROCEDURE.

"ART. 17. Judge advocate to prosecute: The judge advocate of a general or special court-martial shall prosecute in the name of the United States, and shall, under the direction of the court, prepare the record of its proceedings. The accused shall enjoy the right to have the assistance of counsel for his defense, but should he, for any reason, be unrepresented by counsel, the judge advocate shall from time to time throughout the proceedings advise the accused of his legal rights.

"ART. 18. Challenges: Members of a general or special court-martial may be challenged by the accused and by the judge advocate, but only for cause stated to the court. The court shall determine the relevancy and validity thereof, and shall not receive a challenge to more than one member at a time.

"ART. 19. Oaths: The judge advocate of a general or special court-martial shall administer to the members of the court, before they proceed upon any trial, the following oath or affirmation: 'You, A. B., do swear (or affirm) that you will well and truly try and determine, according to the evidence, the matter now before you, between the United States of America and the person to be tried, and that you will duly administer justice, without partiality, favor, or affection, according to the provisions of the rules and articles for the government of the Armies of the United States, and if any doubt should arise, not explained by said articles, then according to your conscience, the best of your understanding, and the custom of war in like cases; and you do further swear (or affirm) that you will not divulge the findings or sentence of the court until they shall be published by the proper authority, except to the judge advocate and assistant judge advocate; neither will you disclose or discover the vote or opinion of any particular member of the court-martial, unless required to give evidence thereof as a witness by a court of justice in due course of law. So help you God.'

"When the oath or affirmation has been administered to the members of a general or special court-martial, the president of the court shall administer to the judge advocate and to each assistant judge advocate, if any, an oath or affirmation in the following form: 'You, A. B., do swear (or affirm) that you will not divulge the findings or sentence of the court to any but the proper authority until they shall be duly disclosed by the same. So help you God.'

"All persons who give evidence before a court-martial shall be examined on oath or affirmation in the following form: 'You swear (or affirm) that the evidence you shall give in the case now in hearing shall be the truth, the whole truth, and nothing but the truth. So help you God.'

"Every reporter of the proceedings of a court-martial shall, before entering upon his duties, make oath or affirmation in the following form: 'You swear (or affirm) that you will faithfully perform the duties of reporter to this court. So help you God.'

"Every interpreter in the trial of any case before a court-martial shall, before entering upon his duties, make oath or affirmation in the following form: 'You swear (or affirm) that you will truly interpret in the case now in hearing. So help you God.'

"In case of affirmation the closing sentence of adjuration will be omitted.

"ART. 20. Continuances: A court-martial may, for reasonable cause, grant a continuance to either party for such time and as often as may appear to be just.

"ART. 21. Refusal to plead: When the accused, arraigned before a court-martial, from obstinacy and deliberate design stands mute or answers foreign to the purpose, the court may proceed to trial and judgment as if he had pleaded not guilty.

"ART. 22. Process to obtain witnesses: Every judge advocate of a general or special court-martial and every summary court-martial shall have power to issue the like process to compel witnesses to appear and testify which courts of the United States, having criminal jurisdiction, may lawfully issue; but such process shall run to any part of the United States, its Territories, and possessions.

"ART. 23. Refusal to appear or testify: Every person not subject to military law who, being duly subpœnaed to appear as a witness before any military court, commission, court of inquiry, or board, or before any officer, military or civil, designated to take a deposition to be read in evidence before such court, commission, court of inquiry, or board, willfully neglects or refuses to appear, or refuses to qualify as a witness, or to testify, or produce documentary evidence which such person may have been legally subpœnaed to produce, shall be deemed guilty of a misdemeanor, for which such person shall be punished on information in the district court of the United States or in a court of original criminal jurisdiction in any of the Territorial possessions of the United States, jurisdiction being hereby conferred upon such courts for such purpose; and it shall be the duty of the United States district attorney or the officer prosecuting for the Government in any such court of original criminal jurisdiction, on the certification of the facts to him by the military court, commission, court of inquiry, or board, to file an information against and prosecute the person so offending, and the punishment of such person, on conviction, shall be a fine of not more than $500 or imprisonment not to exceed six months, or both, at the discretion of the court: *Provided*, That the fees of such witness and his mileage, at the rates allowed to witnesses attending the courts of the United States, shall be duly paid or tendered said witness, such amounts to be paid out of the appropriation for the compensation of witnesses.

"ART. 24. Compulsory self-incrimination prohibited: No witness before a military court, commission, court of inquiry, or board, or before any officer, military or civil, designated to take a deposition to be read in evidence before a military court, commission, court of inquiry, or board, shall be compelled to incriminate himself or to answer any questions which may tend to incriminate or degrade him.

"ART. 25. Depositions—When admissible: A duly authenticated deposition taken upon reasonable notice to the opposite party may be read in evidence before any military court or commission in any case not capital, or in any proceeding before a court of inquiry or a military board, if such deposition be taken when the witness resides, is found, or is about to go beyond the State, Territory, or district in which the court, commission, or board is ordered to sit, or beyond the distance of 100 miles from the place of trial or hearing, or when it appears to the satisfaction of the court, commission, board, or appointing authority that the witness, by reason of age, sickness, bodily infirmity, imprisonment, or other reasonable cause, is unable to appear and testify in person at the place of trial or hearing: *Provided*, That testimony by deposition may be adduced for the defense in capital cases.

"ART. 26. Depositions—Before whom taken: Depositions to be read in evidence before military courts, commissions, courts of inquiry, or military boards, or for other use in military administration, may be taken before and authenticated by any officer, military or civil, authorized by the laws of the United States or by the laws of the place where the deposition is taken to administer oaths.

"ART. 27. Courts of inquiry—Records of, when admissible: The record of the proceedings of a court of inquiry may be read in evidence before any court-martial or military commission in any case not capital nor extending to the dismissal of an officer, and may also be read in evidence in any proceeding before a court of inquiry or a military board: *Provided*, That such evidence may be adduced by the defense in capital cases or cases extending to the dismissal of an officer.

"ART. 28. Resignation without acceptance does not release officer: Any officer who, having tendered his resignation and prior to due notice of the acceptance of the same quits his post or proper duties without leave and with intent to absent himself permanently therefrom shall be deemed a deserter.

"ART. 29. Enlistment without discharge: Any soldier who, without having first received a regular discharge, again enlists in the Army, or in the militia when in the service of the United States, or in the Navy or Marine Corps of the United States, or in any foreign army, shall be deemed to have deserted the service of the United States; and where the enlistment is in one of the forces of the United States, mentioned above, to have fraudulently enlisted therein.

"ART 30. Closed sessions: Whenever a general or special court-martial shall sit in closed session, the judge advocate and the assistant judge advocate, if any, shall withdraw; and when their legal advice or their assistance in referring to the recorded evidence is required, it shall be obtained in open court.

"ART. 31. Order of voting: Members of a general or special court-martial, in giving their votes, shall begin with the junior in rank.

"ART. 32. Contempts: A court-martial may punish at discretion, subject to the limitations contained in Article XIV, any person who uses any menacing words, signs, or gestures in its presence, or who disturbs its proceedings by any riot or disorder.

"ART. 33. Records—General courts-martial: Each general court-martial shall keep a separate record of its proceedings in the trial of each case brought before it, and such record shall be authenticated by the signature of the president and the judge advocate; but in case the record can not be authenticated by the judge advocate, by reason of his death, disability, or absence, it shall be signed by the president and an assistant judge advocate, if any; and if there be no assistant judge advocate, or in the case of his death, disability, or absence, then by the president and one other member of the court.

"ART. 34. Records—Special and summary courts-martial: Each special court-martial and each summary court-martial shall keep a record of its proceedings, separate for each case, which record shall contain such matter and be authenticated in such manner as may be required by regulations which the president may from time to time prescribe.

"ART. 35. Disposition of records—General courts-martial: The judge advocate of each general court-martial shall, with such expedition as circumstances may permit, forward to the appointing authority or to his successor in command the original record of the proceedings of such court in the trial of each case. All records of such proceedings shall, after having been finally acted upon, be transmitted to the Judge Advocate General of the Army.

"ART. 36. Disposition of records—Special and summary courts-martial: After having been acted upon by the officer appointing the court, or by the officer commanding for the time being, the record of each trial by special court-martial and a report of each trial by summary court-martial shall be transmitted to such general headquarters as the president may designate in regulations, there to be filed in the office of the judge advocate. When no longer of use, records of special and summary courts-martial may be destroyed.

"ART. 37. Irregularities—Effect of: The proceedings of a court-martial shall not be held invalid, nor the findings or sentence disapproved, in any case on the ground of improper admission or rejection of evidence, or for any error as to any matter of pleading or procedure, unless in the opinion of the reviewing or confirming authority, after an examination of the entire proceedings, it shall appear that the error complained of has injuriously affected the substantial rights of an accused: *Provided*, That the act or omission upon which the accused has been tried constitutes an offense denounced and made punishable by one or more of these articles: *Provided further*, That the omission of the words 'hard labor' in any sentence of a court-martial adjudging imprisonment or confinement shall not be construed as depriving the authorities executing such sentence of imprisonment or confinement of the power to require hard labor as a part of the punishment in any case where it is authorized by the Executive order prescribing maximum punishments.

"ART. 38. President may prescribe rules: The President may by regulations, which he may modify from time to time, prescribe the procedure, including modes of proof, in cases before courts-martial, courts of inquiry, military commissions, and other military tribunals: *Provided*, That nothing contrary to or inconsistent with these articles shall be so prescribed: *Provided further*, That all rules made in pursuance of this article shall be laid before the Congress annually.

"E. LIMITATIONS UPON PROSECUTIONS.

"ART. 39. As to time: Except for desertion committed in time of war, or for murder, no person subject to military law shall be liable to be tried or punished by a court-martial for any crime or offense committed more than two years before the arraignment of such person: *Provided*, That for desertion in time of peace, or for any crime or offense punishable under articles 93 and 94 of this code, the period of limitations upon trial and punishment by court-martial shall be three years: *Provided further*, That the period of any absence of the accused from the jurisdiction of the United States, and also any period during which by reason of some manifest impediment the accused shall not have been amenable to military justice, shall be excluded in computing the aforesaid periods of limitation: *And provided further*, That this article shall not have the effect to authorize the trial or punishment for any crime or offense barred by the provisions of existing law.

"ART. 40. As to number: No person shall be tried a second time for the same offense.

"F. PUNISHMENTS.

"ART. 41. Certain kinds prohibited: Punishment by flogging or by branding, marking, or tattooing on the body is prohibited.

"Art 42. Penitentiary sentences—When lawful: Except for desertion in time of war, repeated desertion in time of peace, and mutiny, no person shall under the sentence of a court-martial be punished by confinement in a penitentiary unless an act or omission of which he is convicted constitutes an offense of a civil nature under some statute of the United States or of the District of Columbia, or at the common law as the same exists in said District, or by way of commutation of a death sentence, nor unless the period of confinement authorized and adjudged by such court-martial is one year or more: *Provided*, That when a sentence of confinement is adjudged by a court-martial upon conviction of two or more acts or omissions any one of which is punishable under these articles by confinement in a penitentiary, the entire sentence of confinement may be executed in a penitentiary: *Provided further*, That penitentiary confinement hereby authorized may be served in any penitentiary directly or indirectly under the jurisdiction of the United States.

"Art. 43. Death sentence—When lawful: No person shall, by general court-martial, be convicted of an offense for which the death penalty is made mandatory by law, nor sentenced to suffer death, except by the concurrence of two-thirds of the members present and for an offense in these articles expressly made punishable by death. All other convictions and sentences, whether by general or special court-martial, may be determined by a majority of the members present.

"Art. 44. Cowardice; fraud—Accessory penalty: When an officer is dismissed from the service for cowardice or fraud, the crime, punishment, name, and place of abode of the delinquent shall be published in the newspapers in and about the camp and in the State from which the offender came or where he usually resides; and after such publication it shall be scandalous for an officer to associate with him.

"Art 45. Maximum limits: Whenever the punishment for a crime or offense made punishable by these articles is left to the discretion of the court-martial, the punishment shall not, in time of peace, exceed such limit or limits as the President may from time to time prescribe.

"G. ACTION BY APPOINTING OR SUPERIOR AUTHORITY.

"ART. 46. Approval and execution of sentence: No sentence of a court-martial shall be carried into execution until the same shall have been approved by the officer appointing the court or by the officer commanding for the time being.

"ART. 47. Powers incident to power to approve: The power to approve the sentence of a court-martial shall be held to include, inter alia:

"(a) The power to approve or disapprove a finding and to approve only so much of a finding of guilty of a particular offense as involves a finding of guilty of a lesser included offense when, in the opinion of the authority having power to approve, the evidence of record requires a finding of only the lesser degree of guilt; and

"(b) The power to approve or disapprove the whole or any part of the sentence.

"ART. 48. Confirmation—When required: In addition to the approval required by article 46, confirmation by the President is required in the following cases before the sentence of a court-martial is carried into execution, namely:

"(a) Any sentence respecting a general officer;

"(b) Any sentence extending to the dismissal of an officer, except that in time of war a sentence extending to the dismissal of an officer below the grade of brigadier general may be carried into execution upon confirmation by the commanding general of the Army in the field or by the commanding general of the territorial department or division;

"(c) Any sentence extending to the suspension or dismissal of a cadet; and

"(d) Any sentence of death, except in the cases of persons convicted in time of war of murder, rape, mutiny, desertion, or as spies; and in such excepted cases a sentence of death may be carried into execution upon confirmation by the commanding general of the Army in the field or by the commanding general of the territorial department or division.

"When the authority competent to confirm the sentence has already acted as the approving authority no additional confirmation by him is necessary.

"ART. 49. Powers incident to power to confirm: The power to confirm the sentence of a court-martial shall be held to include, inter alia:

"(a) The power to confirm or disapprove a finding and to confirm so much only of a finding of guilty of a particular offense as involves a finding of guilty of a lesser included offense when, in the opinion of the authority having power to confirm, the evidence of record requires a finding of only the lesser degree of guilt; and

"(b) The power to confirm or disapprove the whole or any part of the sentence.

"ART. 50. Mitigation or remission of sentences: The power to order the execution of the sentence adjudged by a court-martial shall be held to include, inter alia, the power to mitigate or remit the whole or any part of the sentence, but no sentence of dismissal of an officer and no sentence of death shall be mitigated or remitted by any authority inferior to the President.

"Any unexecuted portion of a sentence adjudged by a court-martial may be mitigated or remitted by the authority competent to appoint, for the command in which the person under sentence is held, a court of the kind that imposed the sentence, and the same power may be exercised by superior authority; but no sentence extending to the dismissal of an officer or loss of files, no sentence of death, and no sentence approved or confirmed by the President shall be remitted or mitigated by any other authority.

"The power of remission and mitigation shall extend to all uncollected forfeitures adjudged by sentence of a court-martial.

"ART. 51. Suspension of sentences of dismissal or death: The authority competent to order the execution of a sentence of dismissal of an officer or a sentence of death may suspend such sentence until the pleasure of the President be known, and in case of such suspension a copy of the order of suspension, together with a copy of the record of trial, shall immediately be transmitted to the President.

"ART. 52. Suspension of sentence of dishonorable discharge: The authority competent to order the execution of a sentence, including dishonorable discharge, may suspend the execution of the dishonorable discharge until the soldier's release from confinement; but the order of suspension may be vacated at any time and the execution of the dishonorable discharge directed by the officer having general court-martial jurisdiction over the command in which the soldier is held or by the Secretary of War.

"ART. 53. Suspension of sentences of forfeiture or confinement: The authority competent to order the execution of a sentence adjudged by a court-martial may, if the sentence involve neither dismissal nor dishonorable discharge, suspend the execution of the sentence in so far as it relates to the forfeiture of pay or to confinement, or to both; and the person under sentence may be restored to duty during the suspension of confinement. At any time within one year after the date of the order of suspension such order may, for sufficient cause, be vacated and the execution of the sentence directed by the authority competent to order the execution of like sentences in the command to which the person under sentence belongs or in which he may be found; but if the order of suspension be not vacated within one year after the date thereof the suspended sentence shall be held to have been remitted.

"III. PUNITIVE ARTICLES.

"A. ENLISTMENTS; MUSTER; RETURNS.

"ART. 54. Fraudulent enlistments: Any person who shall procure himself to be enlisted in the military service of the United States by means of willful misrepresentation or concealment as to his qualifications for enlistment, and shall receive pay or allowances under such enlistment, shall be punished as a court-martial may direct.

"ART. 55. Officer making unlawful enlistment: Any officer who knowingly enlists or musters into the military service any person whose enlistment or muster in is prohibited by law, regulations, or orders shall be dismissed from the service or suffer such other punishment as a court-martial may direct.

"ART. 56. False muster: Any officer who knowingly makes a false muster of man or animal, or who signs or directs or allows the signing of any muster roll knowing the same to contain a false muster or false statement as to the absence or pay of an officer or soldier, or who wrongfully takes money or other consideration on mustering in a regiment, company, or other organization, or on signing muster rolls, or who knowingly musters as an officer or soldier a person who is not such officer or soldier, shall be dismissed from the service and suffer such other punishment as a court-martial may direct.

"ART. 57. False returns—Omission to render returns: Every officer whose duty it is to render to the War Department or other superior authority a return of the state of the troops under his command, or of the arms, ammunition, clothing, funds, or other property thereunto belonging, who knowingly makes a false return thereof shall be dismissed from the service and suffer such other punishment as a court-martial may direct. And any officer who, through neglect or design, omits to render such return shall be punished as a court-martial may direct.

"B. DESERTION—ABSENCE WITHOUT LEAVE.

"ART. 58. Desertion: Any person subject to military law who deserts or attempts to desert the service of the United States shall, if the offense be committed in time of war, suffer death or such other punishment as a court-martial may direct, and, if the offense be committed at any other time, any punishment, excepting death, that a court-martial may direct.

"ART. 59. Advising or aiding another to desert: Any person subject to military law who advises or persuades or knowingly assists another to desert the service of the United States shall, if the offense be committed in time of war, suffer death, or such other punishment as a court-martial may direct, and, if the offense be committed at any other time, any punishment, excepting death, that a court-martial may direct.

"ART. 60. Entertaining a deserter: Any officer who, after having discovered that a soldier in his command is a deserter from the military or naval service or from the Marine Corps, retains such deserter in his command without informing superior authority or the commander of the organization to which the deserter belongs, shall be punished as a court-martial may direct.

"ART. 61. Absence without leave: Any person subject to military law who fails to repair at the fixed time to the properly appointed place of duty, or goes from the same without proper leave, or absents himself from his command, guard, quarters, station, or camp without proper leave, shall be punished as a court-martial may direct.

"C. DISRESPECT—INSUBORDINATION—MUTINY.

"ART. 62. Disrespect toward the President, Vice President, Congress, Secretary of War, governors, legislatures: Any officer who uses contemptuous or disrespectful words against the President, Vice President, the Congress of the United States, the Secretary of War, or the governor or legislature of any State, Territory, or other possession of the United States in which he is quartered shall be dismissed from the service or suffer such other punishment as a court-martial may direct. Any other person subject to military law who so offends shall be punished as a court-martial may direct.

"ART. 63. Disrespect toward superior officer: Any person subject to military law who behaves himself with disrespect toward his superior officer shall be punished as a court-martial may direct.

"ART. 64. Assaulting or willfully disobeying superior officer: Any person subject to military law who, on any pretense whatsoever, strikes his superior officer or draws or lifts up any weapon or offers any violence against him, being in the execution of his office, or willfully disobeys any lawful command of his superior officer, shall suffer death or such other punishment as a court-martial may direct.

"ART. 65. Insubordinate conduct toward noncommissioned officer: Any soldier who strikes or assaults, or who attempts or threatens to strike or assault, or willfully disobeys the lawful order of a noncommissioned officer while in the execution of his office, or uses threatening or insulting language, or behaves in an insubordinate or disrespectful manner toward a noncommissioned officer while in the execution of his office, shall be punished as a court-martial may direct.

"ART. 66. Mutiny or sedition: Any person subject to military law who attempts to create or who begins, excites, causes, or joins in any mutiny or sedition in any company, party, post, camp, detachment, guard, or other command shall suffer death or such other punishment as a court-martial may direct.

"ART. 67. Failure to suppress mutiny or sedition: Any officer or soldier who, being present at any mutiny or sedition, does not use his utmost endeavor to suppress the same, or knowing or having reason to believe that a mutiny or sedition is to take place, does not without delay give information thereof to his commanding officer shall suffer death or such other punishment as a court-martial may direct.

"ART. 68. Quarrels; frays; disorders: All officers and noncommissioned officers have power to part and quell all quarrels, frays, and disorders among persons subject to military law and to order officers who take part in the same into arrest, and other persons subject to military law who take part in the same into arrest or confinement, as

circumstances may require, until their proper superior officer is acquainted therewith. And whosoever, being so ordered, refuses to obey such officer or noncommissioned officer or draws a weapon upon or otherwise threatens or does violence to him shall be punished as a court-martial may direct.

"D. ARREST; CONFINEMENT.

"ART. 69. Arrest or confinement of accused persons: An officer charged with crime or with a serious offense under these articles shall be placed in arrest by the commanding officer, and in exceptional cases an officer so charged may be placed in confinement by the same authority. A soldier charged with crime or with a serious offense under these articles shall be placed in confinement, and when charged with a minor offense he may be placed in arrest. Any other person subject to military law charged with crime or with a serious offense under these articles shall be placed in confinement or in arrest, as circumstances may require; and when charged with a minor offense such person may be placed in arrest. Any person placed in arrest under the provisions of this article shall thereby be restricted to his barracks, quarters, or tent, unless such limits shall be enlarged by proper authority. Any officer who breaks his arrest or who escapes from confinement before he is set at liberty by proper authority shall be dismissed from the service or suffer such other punishment as a court-martial may direct; and any other person subject to military law who escapes from confinement or who breaks his arrest before he is set at liberty by proper authority shall be punished as a court-martial may direct.

"ART. 70. Investigation of and action upon charges: The charge against any person placed in arrest or confinement shall be investigated promptly by the commanding officer or other proper military authority, and immediate steps shall be taken to try and punish the person accused or to dismiss the charges against him and release him from arrest or confinement. In every case where a person remains in military custody for more than eight days without being served with charges upon which he is to be tried a special report of the necessity for the delay shall be made by his commanding officer in the manner prescribed by regulations, and a similar report shall be forwarded every eight days thereafter until charges are served or until such person is released from custody; and if the person remains in military custody for more than 30 days without being brought before a court-martial for trial, the authority responsible for bringing him to trial shall render to superior authority a special report of the necessity for the delay. Any officer whose duty it is to make such investigation or to take such steps or to render such report who willfully or negligently fails to do so promptly, and any officer who is responsible for unreasonable or unnecessary delay in carrying the case to a final conclusion shall be punished as a court-martial may direct: *Provided*, That in time of peace no person shall, against his objection, be brought to trial before a general court-martial within a period of five days subsequent to the service of charges upon him.

"ART. 71. Refusal to receive and keep prisoners: No provost marshal or commander of a guard shall refuse to receive or keep any prisoner committed to his charge by an officer belonging to the forces of the United States, provided the officer committing shall, at the time, deliver an account in writing, signed by himself, of the crime or offense charged against the prisoner. Any officer or soldier so refusing shall be punished as a court-martial may direct.

"ART. 72. Report of prisoners received: Every commander of a guard to whose charge a prisoner is committed shall, within 24 hours after such confinement, or as soon as he is relieved from his guard, report in writing to the commanding officer the name of such prisoner, the offense charged against him, and the name of the officer committing him; and if he fails to make such report he shall be punished as a court-martial may direct.

"ART. 73. Releasing prisoner without proper authority: Any person subject to military law who, without proper authority, releases any prisoner duly committed to his charge, or who through neglect or design suffers any prisoner so committed to escape, shall be punished as a court-martial may direct.

"ART. 74. Delivery of offenders to civil authorities: When any person subject to military law, except one who is held by the military authorities to answer, or who is awaiting trial or result of trial, or who is undergoing sentence for a crime or offense punishable under these articles, is accused of a crime or offense committed within the geographical limits of the States of the Union and the District of Columbia, and punishable by the laws of the land, the commanding officer is required, except in time of war, upon application duly made, to use his utmost endeavor to deliver over such accused person to the civil authorities, or to aid the officers of justice in apprehending and securing him, in order that he may be brought to trial. Any commanding officer who upon such application refuses or willfully neglects, except in time of war, to deliver over such accused person to the civil authorities or to aid the officers of justice in apprehending and securing him shall be dismissed from the service or suffer such other punishment as a court-martial may direct.

"When, under the provisions of this article, delivery is made to the civil authorities of an offender undergoing sentence of a court-martial, such delivery, if followed by conviction, shall be held to interrupt the execution of the sentence of the court-martial, and the offender shall be returned to military custody, after having answered to the civil authorities for his offense, for the completion of the said court-martial sentence.

"E. WAR OFFENSES.

"ART. 75. Misbehavior before the enemy: Any officer or soldier who misbehaves himself before the enemy, runs away, or shamefully abandons or delivers up any fort, post, camp, guard, or other command which it is his duty to defend, or speaks words inducing others to do the like or casts away his arms or ammunition, or quits his post or colors to plunder or pillage, or by any means whatsoever occasions false alarms in camp, garrison, or quarters, shall suffer death or such other punishment as a court-martial may direct.

"ART 76. Subordinates compelling commander to surrender: If any commander of any garrison, fort, post, camp, guard, or other command is compelled, by the officers or soldiers under his command, to give it up to the enemy or to abandon it, the officers or soldiers so offending shall suffer death or such other punishment as a court-martial may direct.

"ART. 77. Improper use of countersign: Any person subject to military law who makes known the parole or countersign to any person not entitled to receive it according to the rules and discipline of war, or gives a parole or countersign different from that which he received, shall, if the offense be committed in time of war, suffer death or such other punishment as a court-martial may direct.

"ART. 78. Forcing a safeguard: Any person subject to military law who, in time of war, forces a safeguard shall suffer death or such other punishment as a court-martial may direct.

"ART. 79. Captured property to be secured for public service: All public property taken from the enemy is the property of the United States and shall be secured for the service of the United States, and any person subject to military law who neglects to secure such property or is guilty of wrongful appropriation thereof shall be punished as a court-martial may direct.

"ART. 80. Dealing in captured or abandoned property: Any person subject to military law who buys, sells, trades, or in any way deals in or disposes of captured or abandoned property, whereby he shall receive or expect any profit, benefit, or advantage to himself or to any other person directly or indirectly connected with himself, or who fails whenever such property comes into his possession or custody or within his control to give notice thereof to the proper authority and to turn over such property to the proper authority without delay, shall, on conviction thereof, be punished by fine or imprisonment, or by such other punishment as a court-martial, military commission, or other military tribunal may adjudge, or by any or all of said penalties.

"ART. 81. Relieving, corresponding with, or aiding the enemy: Whosoever relieves the enemy with arms, ammunition, supplies, money, or other thing, or knowingly harbors or protects or holds correspondence with or gives intelligence to the enemy, either directly or indirectly, shall suffer death, or such other punishment as a court-martial or military commision may direct.

"ART. 82. Spies: Any person who in time of war shall be found lurking or acting as a spy in or about any of the fortifications, posts, quarters, or encampments of any of the armies of the United States, or elsewhere, shall be tried by a general court-martial or by a military commission, and shall, on conviction thereof, suffer death.

"F. MISCELLANEOUS CRIMES AND OFFENSES.

"ART. 83. Military property—Willful or negligent loss, damage, or wrongful disposition of: Any person subject to military law who willfully, or through neglect, suffers to be lost, spoiled, damaged, or wrongfully disposed of, any military property belonging to the United States shall make good the loss or damage and suffer such punishment as a court-martial may direct.

"ART. 84. Waste or unlawful disposition of military property issued to soldiers: Any soldier who sells or wrongfully disposes of or willfully or through neglect injures or loses any horse, arms, ammunition, accouterments, equipment, clothing, or other property issued for use in the military service, shall be punished as a court-martial may direct.

"ART. 85. Drunk on duty: Any officer who is found drunk on duty shall, if the offense be committed in time of war, be dismissed from the service and suffer such other punishment as a court-martial may direct; and if the offense be committed in time of peace, he shall be punished as a court-martial may direct. Any person subject to military law, except an officer, who is found drunk on duty shall be punished as a court-martial may direct.

"ART. 86. Misbehavior of sentinel: Any sentinel who is found drunk or sleeping upon his post, or who leaves it before he is regularly relieved, shall, if the offense be committed in time of war, suffer death or such other punishment as a court-martial may direct; and if the offense be committed in time of peace, he shall suffer any punishment, except death, that a court-martial may direct.

"ART. 87. Personal interest in sale of provisions: Any officer commanding in any garrison, fort, barracks, camp, or other place where troops of the United States may be serving who, for his private advantage, lays any duty or imposition upon or is interested in the sale of any victuals or other necessaries of life brought into such garrison, fort, barracks, camp, or other place for the use of the troops, shall be dismissed from the service and suffer such other punishment as a court-martial may direct.

"ART. 88. Intimidation of persons bringing provisions: Any person subject to military law who abuses, intimidates, does violence to, or wrongfully interferes with any person bringing provisions, supplies, or other necessaries to the camp, garrison, or quarters of the forces of the United States shall suffer such punishment as a court-martial may direct.

"ART. 89. Good order to be maintained and wrongs redressed: All persons subject to military law are to behave themselves orderly in quarters, garrison, camp, and on the march; and any person subject to military law who commits any waste or spoil, or willfully destroys any property whatsoever (unless by order of his commanding officer), or commits any kind of depredation or riot shall be punished as a court-martial may direct. Any commanding officer who, upon complaint made to him, refuses or omits to see reparation made to the party injured, in so far as the offender's pay shall go toward such reparation, as provided for in article 105, shall be dismissed from the service or otherwise punished as a court-martial may direct.

"ART. 90. Provoking speeches or gestures: No person subject to military law shall use any reproachful or provoking speeches or gestures to another; and any person subject to military law who offends against the provisions of this article shall be punished as a court-martial may direct.

"ART. 91. Dueling—Attempts to commit suicide: Any person subject to military law who fights or promotes or is concerned in or connives at fighting a duel, or who having knowledge of a challenge sent or about to be sent fails to report the fact promptly to the proper authority, or who attempts to commit suicide, shall, if an officer, be dismissed from the service or suffer such other punishment as a court-martial may direct; and if any other person subject to military law, shall suffer such punishment as a court-martial may direct.

"ART. 92. Murder—Rape: Any person subject to military law who commits murder or rape shall suffer death or imprisonment for life, as a court-martial may direct; but no person shall be tried by court-martial for murder or rape committed within the geographical limits of the States of the Union and the District of Columbia in time of peace.

"ART. 93. Various crimes: Any person subject to military law who commits manslaughter, mayhem, arson, burglary, robbery, larceny, embezzlement, perjury, assault with intent to commit any felony, or assault with intent to do bodily harm, shall be punished as a court-martial may direct.

"ART. 94. Frauds against the Government: Any person subject to military law who makes or causes to be made any claim against the United States or any officer thereof, knowing such claim to be false or fraudulent; or

"Who presents or causes to be presented to any person in the civil or military service thereof, for approval or payment, any claim against the United States or any officer thereof, knowing such claim to be false or fraudulent; or

"Who enters into any agreement or conspiracy to defraud the United States by obtaining, or aiding others to obtain, the allowance or payment of any false or fraudulent claim; or

"Who, for the purpose of obtaining, or aiding others to obtain, the approval, allowance, or payment of any claim against the United States or against any officer thereof, makes or uses, or procures, or advises the making or use of, any writing or other paper, knowing the same to contain any false or fraudulent statement; or

"Who, for the purpose of obtaining, or aiding others to obtain, the approval, allowance, or payment of any claim against the United States or any officer thereof, makes, or procures, or advises the making of, any oath to any fact or to any writing or other paper, knowing such oath to be false; or

"Who, for the purpose of obtaining, or aiding others to obtain, the approval, allowance, or payment of any claim against the United States or any officer thereof, forges or counterfeits, or procures, or advises the forging or counterfeiting of any signature upon any writing or other paper, or uses, or procures, or advises the use of any such signature, knowing the same to be forged or counterfeited; or

"Who, having charge, possession, custody, or control of any money or other property of the United States, furnished or intended for the military service thereof, knowingly delivers, or causes to be delivered, to any person having authority to receive the same, any amount thereof less than that for which he receives a certificate or receipt; or

"Who, being authorized to make or deliver any paper certifying the receipt of any property of the United States furnished or intended for the military service thereof, makes or delivers to any person such writing, without having full knowledge of the truth of the statements therein contained and with intent to defraud the United States; or

"Who steals, embezzles, knowingly and willfully misappropriates, applies to his own use or benefit, or wrongfully or knowingly sells or disposes of any ordnance, arms, equipments, ammunition, clothing, subsistence stores, money, or other property of the United States furnished or intended for the military service thereof; or

"Who knowingly purchases or receives in pledge for any obligation or indebtedness from any soldier, officer, or other person who is a part of or employed in said forces or service, any ordnance, arms, equipment, ammunition, clothing, subsistence stores, or other property of the United States, such soldier, officer, or other person not having lawful right to sell or pledge the same;

"Shall, on conviction thereof, be punished by fine or imprisonment, or by such other punishment as a court-martial may adjudge, or by any or all of said penalties. And if any person, being guilty of any of the offenses aforesaid while in the military service of the United States, receives his discharge or is dismissed from the service, he shall continue to be liable to be arrested and held for trial and sentence by a court-martial in the same manner and to the same extent as if he had not received such discharge nor been dismissed.

"ART. 95. Conduct unbecoming an officer and gentleman: Any officer or cadet who is convicted of conduct unbecoming an officer and a gentleman shall be dismissed from the service.

"ART. 96. General article: Though not mentioned in these articles, all disorders and neglects to the prejudice of good order and military discipline, all conduct of a nature to bring discredit upon the military service, and all crimes or offenses not capital, of which persons subject to military law may be guilty, shall be taken cognizance of by a general or special or summary court-martial, according to the nature and degree of the offense, and punished at the discretion of such court.

"IV. COURTS OF INQUIRY.

"Art. 97. When and by whom ordered: A court of inquiry to examine into the nature of any transaction of or accusation or imputation against any officer or soldier may be ordered by the President or by any commanding officer; but a court of inquiry shall not be ordered by any commanding officer except upon the request of the officer or soldier whose conduct is to be inquired into.

"Art 98. Composition: A court of inquiry shall consist of three or more officers. For each court of inquiry the authority appointing the court shall appoint a recorder.

"Art 99. Challenges: Members of a court of inquiry may be challenged by the party whose conduct is being inquired into and by the recorder, but only for cause stated to the court. The court shall determine the relevancy and validity of any challenge, and shall not receive a challenge to more than one member at a time.

"Art 100. Oath of members and recorder: The recorder of a court of inquiry shall administer to the members the following oath: 'You, A. B., do swear (or affirm) that you will well and truly examine and inquire, according to the evidence, into the matter now before you, without partiality, favor, affection, prejudice, or hope of reward. So help you, God.' After which the president of the court shall administer to the recorder the following oath: 'You, A. B., do swear (or affirm) that you will, according to your best abilities, accurately and impartially record the proceedings of the court and the evidence to be given in the case in hearing. So help you, God.'

"In case of affirmation the closing sentence of adjuration will be omitted.

"Art 101. Powers; procedure: A court of inquiry and the recorder thereof shall have the same power to summon and examine witnesses as is given to courts-martial and the judge advocate thereof. Such witnesses shall take the same oath or affirmation that is taken by witnesses before courts-martial. A reporter or an interpreter for a court of inquiry shall, before entering upon his duties, take the oath or affirmation required of a reporter or an interpreter for a court-martial. The party whose conduct is being inquired into shall be permitted to examine and cross-examine witnesses so as fully to investigate the circumstances in question.

"Art. 102. Opinion on merits of case: A court of inquiry shall not give an opinion on the merits of the case inquired into unless specially ordered to do so.

"Art. 103. Record of proceedings—How authenticated: Each court of inquiry shall keep a record of its proceedings, which shall be authenticated by the signature of the president and the recorder thereof, and be forwarded to the convening authority. In case the record can not be authenticated by the recorder, by reason of his death, disability, or absence, it shall be signed by the president and by one other member of the court.

"V. MISCELLANEOUS PROVISIONS.

"ART. 104. Disciplinary powers of commanding officers: Under such regulations as the President may prescribe, and which he may from time to time revoke, alter, or add to, the commanding officer of any detachment, company, or higher command may, for minor offenses not denied by the accused, impose disciplinary punishments upon persons of his command without the intervention of a court-martial, unless the accused demands trial by court-martial.

"The disciplinary punishments authorized by this article may include admonition, reprimand, withholding of privileges, extra fatigue, and restriction to certain specified limits, but shall not include forfeiture of pay or confinement under guard. A person punished under authority of this article, who deems his punishment unjust or disproportionate to the offense, may, through the proper channel, appeal to the next superior authority, but may in the meantime be required to undergo the punishment adjudged. The commadning officer who imposes the punishment, his successor in command, and superior authority shall have power to mitigate or remit any unexecuted portion of the punishment. The imposition and enforcement of disciplinary punishment under authority of this article for any act or omission shall not be a bar to trial by court-martial for a crime or offense growing out of the same act or omission; but the fact that a disciplinary punishment has been enforced may be shown by the accused upon trial, and when so shown shall be considered in determining the measure of punishment to be adjudged in the event of a finding of guilty.

"ART. 105. Injuries to person or property—Redress of: Whenever complaint is made to any commanding officer that damage has been done to the property of any person or that his property has been wrongfully taken by persons subject to military law, such complaint shall be investigated by a board consisting of any number of officers from one to three, which board shall be convened by the commanding officer and shall have, for the purpose of such investigation, power to summon witnesses and examine them upon oath or affirmation, to receive depositions or other documentary evidence, and to assess the damages sustained against the responsible parties. The assessment of damages made by such board shall be subject to the approval of the commanding officer, and in the amount approved by him shall be stopped against the pay of the offenders. And the order of such commanding officer directing stoppages herein authorized shall be conclusive on any disbursing officer for the payment by him to the injured parties of the stoppages so ordered.

"Where the offenders can not be ascertained, but the organization or detachment to which they belong is known, stoppages to the amount of damages inflicted may be made and assessed in such proportion as may be deemed just upon the individual members thereof who are shown to have been present with such organization or detachment at the time the damages complained of were inflicted as determined by the approved findings of the board.

"ART. 106. Arrest of deserters by civil officials: It shall be lawful for any civil officer having authority under the laws of the United States, or of any State, Territory, District, or possession of the United States, to arrest offenders, summarily to arrest a deserter from the military service of the United States and deliver him into the custody of the military authorities of the United States.

"ART. 107. Soldiers to make good time lost: Every soldier who in an existing or subsequent enlistment deserts the service of the United States or without proper authority absents himself from his organization, station, or duty for more than one day, or who is confined for more than one day under sentence, or while awaiting trial and disposition of his case, if the trial results in conviction, or through the intemperate use of drugs or alcoholic liquor, or through disease or injury the result of his own misconduct, renders himself unable for more than one day to perform duty, shall be liable to serve, after his return to a full-duty status, for such period as shall, with the time he may have served prior to such desertion, unauthorized absence, confinement, or inability to perform duty, amount to the full term of that part of his enlistment period which he is required to serve with his organization before being furloughed to the Army reserve.

"ART. 108. Soldiers—Separation from the service: No enlisted man, duly sworn, shall be discharged from the service without a discharge in writing, signed by a field officer of the regiment to which he belongs or by the commanding officer when no field officer is present; and no discharge shall be given to an enlisted man before his term of service has expired, except by order of the President, the Secretary of War, the commanding officer of a department, or by sentence of a general court-martial.

"ART. 109. Oath of enlistment: At the time of his enlistment every soldier shall take the following oath or affirmation: 'I, ———, do solemnly swear (or affirm) that I will bear true faith and allegiance to the United States of America; that I will serve them honestly and faithfully against all their enemies whomsoever; and that I will obey the orders of the President of the United States and the orders of the officers appointed over me, according to the Rules and Article of War.' This oath or affirmation may be taken before any officer.

"ART. 110. Certain articles to be read and explained: Articles 1, 2, and 29, 54 to 96, inclusive, and 104 to 109, inclusive, shall be read and explained to every soldier at the time of his enlistment or muster in, or within six days thereafter, and shall be read and explained once every six months to the soldiers of every garrison, regiment, or company in the service of the United States.

"ART. 111. Copy of record of trial: Every person tried by a general court-martial shall, on demand therefor, made by himself or by any person in his behalf, be entitled to a copy of the record of the trial.

"ART. 112. Effects of deceased persons; disposition of: In case of the death of any person subject to military law, the commanding officer of the place or command will permit the legal representative or widow of the deceased, if present, to take possession of all his effects then in camp or quarters, and if no legal representative or widow be present, the commanding officer shall direct a summary court to secure all such effects; and said summary court shall have authority to convert such effects into cash, by public or private sale, not earlier than 30 days after the death of the deceased, and to collect and receive any debts due decedent's estate by local debtors; and as soon as practicable after converting such effects into cash said summary court shall deposit with the proper officer, to be designated in regulations, any cash belonging to decedent's estate, and shall transmit a receipt for such deposit, accompanied by any will or other papers of value belonging to the deceased, an inventory of the effects secured by said summary court, and a full account of his transactions to the War Department for transmission to the Auditor for the War Department for action as authorized by law in the settlement of the accounts of deceased officers or enlisted men of the Army; but if in the meantime the legal representative, or widow, shall present himself to take possession of decedent's estate the said summary court shall turn over to him all effects not sold and cash belonging to said estate, together with an inventory and account, and make to the War Department a full report of his transactions.

"The provisions of this article shall be applicable to inmates of the United States Soldiers' Home who die in any United States military hospital outside of the District of Columbia where sent from the home for treatment.

"ART. 113. Inquests: When at any post, fort, camp, or other place garrisoned by the military forces of the United States and under the exclusive jurisdiction of the United States, any person shall have been

found dead under circumstances which appear to require investigation, the commanding officer will designate and direct a summary court-martial to investigate the circumstances attending the death; and, for this purpose, such summary court-martial shall have power to summon witnesses and examine them upon oath or affirmation. He shall promptly transmit to the post or other commander a report of his investigation and of his findings as to the cause of the death.

"ART. 114. Authority to administer oaths: Any judge advocate or acting judge advocate, the president of a general or special court-martial, any summary court-martial, the judge advocate or any assistant judge advocate of a general or special court-martial, the president or the recorder of a court of inquiry or of a military board, any officer designated to take a deposition, any officer detailed to conduct an investigation, and the adjutant of any command shall have power to administer oaths for the purposes of the administration of military justice and for other purposes of military administration; and in foreign places where the Army may be serving shall have the general powers of a notary public or of a consul of the United States in the administration of oaths, the execution and acknowledgment of legal instruments, the attestation of documents, and all other forms of notarial acts to be executed by persons subject to military law.

"ART. 115. Appointment of reporters and interpreters: Under such regulations as the Secretary of War may from time to time prescribe, the judge advocate of a court-martial or military commission, or the recorder of a court of inquiry shall have power to appoint a reporter, who shall record the proceedings of and testimony taken before such court or commission and may set down the same, in the first instance, in shorthand. Under like regulations the judge advocate of a court-martial or military commission, or summary court, or the recorder of a court of inquiry may appoint an interpreter, who shall interpret for the court or commission.

"ART. 116. Powers of assistant judge advocates: An assistant judge advocate of a general court-martial shall be competent to perform any duty devolved by law, regulation, or the custom of the service upon the judge advocate of the court.

"ART. 117. Removal of civil suits: When any civil suit or criminal prosecution is commenced in any court of a State against any officer, soldier, or other person in the military service of the United States on account of any act done under color of his office or status, or in respect to which he claims any right, title, or authority under any law of the United States respecting the military forces thereof, or under the law of war, such suit or prosecution may at any time before the trial or final hearing thereof be removed for trial into the district court of the United States in the district where the same is pending in the manner prescribed in section 33 of the act entitled 'An act to codify, revise, and amend the laws relating to the judiciary,' approved March 3, 1911, and the cause shall thereupon be entered on the docket of said district court and shall proceed therein as if the cause had been originally commenced in said district court and the same proceedings had been taken in such suit or prosecution in said district court as shall have been had therein in said State court prior to its removal, and said district court shall have full power to hear and determine said cause.

"ART. 118. Officers—Separation from service: No officer shall be discharged or dismissed from the service except by order of the President or by a sentence of a general court-martial; and in time of peace no officer shall be dismissed except in pursuance of the sentence of a court-martial or in mitigation thereof, nor discharged except in pursuance of statutes now in force or which may hereafter be enacted; but the President may at any time drop from the rolls of the Army any officer who has been absent from duty three months without leave or who has been absent in confinement in a prison or penitentiary for three months after final conviction by a court of competent jurisdiction.

"ART. 119. Rank and precedence among Regulars, militia, and Volunteers: That in time of war or public danger, when two or more officers of the same grade are on duty in the same field, department, or command, or of organizations thereof, the President may assign the command of the forces of such field, department, or command, or of any organization thereof, without regard to seniority of rank in the same grade. In the absence of such assignment by the President, officers of the same grade shall rank and have precedence in the following order, without regard to date of rank or commission as between officers of different classes, namely: First, officers of the Regular Army and officers of the Marine Corps detached for service with the Army by order of the President; second, officers of the Organized Militia in the service of the United States; and, third, officers of the volunteer forces: *Provided*, That officers of the Regular Army holding commissions in the Organized Militia in the service of the United States or in the volunteer forces shall rank and have precedence under said commissions as if they were commissions in the Regular Army; but the rank of officers of the Regular Army under their commissions in the Organized Militia shall not, for the purposes of this article, be held to antedate muster into the service of the United States.

"ART. 120. Command when different corps or commands happen to join: When different corps or commands of the military forces of the United States happen to join or do duty together the officer highest in rank of the line of the Regular Army, Marine Corps, Organized Militia, or Volunteers there on duty shall, subject to the provisions of the preceding article, command the whole and give orders for what is needful in the service, unless otherwise directed by the President."

Mr. CHAMBERLAIN. Let me state that this is a revision of the Articles of War. There has been no revision of the old Articles of War since the earliest colonial days with the result that they are scattered through tome after tome without much regard to the changed and changing conditions in this country, many of them not applicable to conditions which existed in Cuba during the Spanish-American War, and very few applicable to conditions as they exist in the colonial possessions of the United States or at the Panama Canal. It was sought to revise these articles two or three years ago. A subcommittee of the Committee on Military Affairs took up the matter in conjunction with the then Secretary of War and the War Department. I was a member of that committee, and I think the Senator from Mississippi [Mr. VARDAMAN] was a member of it and one other Senator; I do not recall now who he was. We worked on it all summer and the articles were then prepared by that subcommittee and we reported the same to the Military Affairs Committee, and they were adopted and reported to the Senate and passed. At this session of Congress the same thing was done with reference to it. The committee had changed somewhat and another subcommittee was appointed. That subcommittee reported the revised Articles of War practically without change to the Military Affairs Committee; the bill was reported to the Senate and passed, and is now pending in the other House. That House has not taken it up; that is it has not been reported out of the Military Affairs Committee there. So the Senate Military Affairs Committee thought it advisable, in view of the attitude of the Judge Advocate General of the Army, to insert this proposed legislation as an amendment to this bill.

It is new legislation; it would be subject to a point of order; but in view of the insistence of the department and the delicate situation with reference to our foreign possessions, I hope that the Senate will see fit to adopt this amendment to the bill. I suggest that in order that the Senate may know how it comes to be attached to the bill by way of amendment.

Mr. GALLINGER. Mr. President, my attention was attracted to this very comprehensive amendment, and I recalled the fact that we have been trying to legislate on this subject. This is a very striking illustration of our habit, when we have failed to get legislation through both Houses, of immediately resorting to an appropriation bill to secure the result which we have failed to accomplish through the regular channels of legislation. We all know the habit is a bad one; we all know it ought not to be indulged in. If I had more knowledge of military matters, and assumed to speak with any authority whatever, I would certainly make a point of order against this amendment. The Senate has passed upon it——

Mr. CHAMBERLAIN. Twice.

Mr. GALLINGER. The Senate has passed upon it twice. It is the duty of the other House to take it up and act upon it, and if they do not agree with the Senate bill, so to declare, have it go to conference, and let it be worked out there; but for us to get into the habit, whenever the other body does not act with reasonable promptitude upon an important measure which has been passed by the Senate, at the first opportunity we have, to attach it to an appropriation bill, to another piece of legislation, is certainly a very bad practice.

However, I shall not make the point of order against it. I will leave that to Senators who are members of the committee and to Senators who have taken a greater interest in military legislation than have I, and who have a greater knowledge than I have on the subject, to either let it remain in the bill or to have it go out on a point of order.

Mr. President, I want to ask the chairman of the committee a question concerning the proviso on page 97. It is in one sense an inconsequential matter as I read it, and yet I think, if adopted, it is going to establish a precedent that might well be avoided. The provision is that $10,000 shall be appropriated for the council of national defense, for the payment of expenses, and it is then provided that there shall be "an itemized account of the expenditures made by the council or authorized by it in as full detail as the public interest will permit."

Mr. President, that is good legislation; that is what we ordinarily do, and what we always ought to do when we appropriate money for a purpose of this kind; but the committee for some reason—and that is what I want to inquire about—has added the following proviso:

Provided, however, That when deemed proper the President may authorize, in amounts stipulated by him, unvouchered expenditures and report the gross sums so authorized not itemized.

I ask the chairman of the committee, when there is only $10,000 to be used for this purpose and the provision is inserted in the bill that there shall be an itemized account, why this exception should be made, allowing the President to say to this council, "You need not make an itemized account; I will authorize the payment of this sum without regard to how it has been used, and I order it paid out in a gross sum." It seems to me that either the provision that there be an itemized account should go out of the bill or else the proviso should go out of the bill.

Mr. CHAMBERLAIN. Mr. President, I will say to the Senator from New Hampshire that in that respect we followed the language of the House bill; but the House bill appropriated $200,000 for this commission, and we reduced that to $10,000; but we did not change the language of the bill in this regard. As the Senator suggests, $10,000 would not be very much to expend without an accounting.

Mr. GALLINGER. No.

Mr. CHAMBERLAIN. But $200,000 was still worse. We reduced it to $10,000; but, I repeat, we did not change that particular portion of the language in the bill. I think there is a good deal of force in the suggestion of the Senator that, as a rule, this is not very good legislation.

Mr. GALLINGER. Again, I shall not urge this. The entire matter is going to conference at best; but I think that it is inconsistent to provide in any bill that money appropriated shall be accounted for in an itemized way, and then to provide that the President of the United States can say, "You need not make an itemized account; I will order it paid in gross." I think that would be bad legislation, and that it would establish a precedent that might be troublesome to us in other matters of legislation even much more important than this, so far as the amount of money is concerned.

Mr. JONES. Mr. President, this, as I understand, is a general appropriation bill, to which the rule of the Senate as to proposing new legislation applies. The Senate has sometimes insisted very strongly upon that rule, and has even refused to have the rule suspended in order that important matters of very general and universal interest might be put upon such bills, and the principal argument that has been presented against such suspension of the rule has been the iniquity of putting general legislation upon appropriation bills.

Here, however, is a provision extending from page 97 of this bill to page 154 that must be conceded to be general legislation. As I understand it, it is a general revision of the Articles of War with reference to punishments, and rules and regulations relating to the War Department, providing for methods of trial, attendance of witnesses, punishment for refusal to testify and for refusal to attend courts-martial; also providing penalties on conviction before courts-martial and providing penalties for penitentiary offenses. I am not sure but that it provides even for the punishment of capital offenses.

Mr. CHAMBERLAIN. May I call the Senator's attention to the fact that very much of this legislation is already on the statute books?

Mr. JONES. I merely wanted to ask the Senator from Oregon if he would kindly point out the important changes that this amendment proposes to make in existing rules, regulations, and law?

Mr. CHAMBERLAIN. I can do that, but I have not the data with me right now. The matter has been all very carefully analyzed and gotten together by the Judge Advocate General. We have it in that form. Let me, however, call the Senator's attention to one of the conditions that exist at present in Mexico. A short time ago, while our troops happened to be down there, one of the troopers in one of the regiments committed murder. There was another case where one of them committed a rape. In Cuba during the Spanish-American War one of the officers of the Quartermaster's Department, I think it was, or of some one of the departments, embezzled large sums of money. There was no way to reach such cases under our military code, under the old Articles of War. Conditions exist in our outside possessions that were not contemplated by the fathers of the Republic and by no Congress up to 1898. It is to meet conditions as to our troops, which are now scattered from Panama to the Orient, that this legislation has been proposed. The War Department has felt the necessity of it and has brought the matter to my attention a number of times. It has been carefully gone over, just as I have suggested, by the former Secretary of War, Mr. Garrison, who is a very able lawyer, by the Judge Advocate General and his corps, and by the Committee on Military Affairs.

I realize as much as anybody that there is much force in the suggestion of the Senator from Washington [Mr. JONES], and that of the distinguished Senator from New Hampshire [Mr. GALLINGER] as well, that it is a vicious practice to put such things on an appropriation bill; but it seems impossible to enact some of these measures without having them go through on a bill of this kind. I do not know why it is so, but it is true.

This legislation was put up to the last House of Representatives by the Senate, but it not only failed to pass the House but did not even have consideration by the committee there. At this session the legislation passed the Senate, has gone to the other House, and is now in the Committee on Military Affairs of that body; but, as I have stated, it has not been reported out.

Mr. JONES. What the Senator has said emphasizes the viciousness, if there is vice, in trying to legislate in this way. The Senator has suggested there is no way to reach the commission of some of the most heinous crimes that can be committed, and yet we are asked to legislate in reference to such matters without knowing anything about what is provided to meet a situation of that character. I suppose that the provisions in the revised Articles of War have been presented largely by the War Department, and we are going to adopt their suggestions and possibly their language without any consideration so far as the Senate is concerned and without anybody outside of the committee knowing what methods are prescribed to meet the cases which must be met under the Articles of War. The very suggestion of the Senator with reference to the character of the crimes and the provisions concerning them, it seems to me, should cause the Senate to pause a little while to give some consideration before enacting legislation to meet such a grave situation as that.

Mr. WARREN. Mr. President, if the Senator will permit me, I desire to suggest to him that separate bills embodying exactly the revised Articles of War have been passed several times by the Senate.

Mr. CUMMINS. Mr. President——

Mr. JONES. I yield to the Senator.

Mr. CUMMINS. So that we may fully understand one or two things concerning this matter, I desire to ask a question. The Senator from Oregon said that a murder had been committed by a member of the Army and in another case a rape had been committed. It is hardly accurate to say that there is no remedy provided in law for the punishment of officers or men who commit such offenses. If any soldier in the Army in New Mexico commits a murder, he is punishable under the laws of New Mexico and may be convicted in the civil courts, and if he commits the other offense in the jurisdiction of one of the States or one of the Territories, he is subject to punishment under the laws of that State or Territory. If I am wrong about that I should like to be advised.

Mr. WARREN. The particular case alluded to by the chairman of the committee occurred in old Mexico in connection with the punitive expedition which was sent down there.

Mr. CUMMINS. If committed in a foreign country during war, then I do not know what the procedure would be. I should suppose that if we were at war with the country in which the offense was committed, we could not resort to the courts of that country; but I am surprised to learn that if committed during war or while in a foreign country there is no remedy under the laws of war or the rules of courts-martial. That can not be so.

Mr. WARREN. Mr. President, if I may interrupt the Senator——

Mr. CUMMINS. Certainly.

Mr. WARREN. The cases referred to by the Senator from Oregon were reported by the commander and instructions asked for. In the meantime the culprits were being held in the guardhouse, but it seems, in view of the legal department of the Army, that the old Articles of War were not sufficient to bring about the desired punishment of these men.

Mr. CUMMINS. Of course, our excursion into Mexico was rather peculiar in its character and the status of a soldier there possibly somewhat uncertain. Suppose, however, that we had declared war against Mexico, that our soldiers had gone into Mexico in the prosecution of the war, and one trooper should kill another or one trooper should kill a civilian, if you please, is it true that there is nothing in our Military Code that would enable such a man to be tried by court-martial?

Mr. WARREN. Mr. President, I think that would be provided for; but perhaps there should have been a little more emphasis placed upon the other crime, the crime of rape. Our situation in Mexico, as the Senator has said, can hardly be described as being a condition of war; but at the same time, in view of the things that have happened down there, we can hardly say that they happened in time of profound peace.

Mr. JONES. Mr. President——

Mr. WARREN. Let me say, if the Senator from Washington will permit me, that I do not remember whether the Senator was in this body at the time, but bills embodying these revised articles of war have passed the Senate on several occasions, and they have been most thoroughly examined.

Mr. JONES. I will say that such a bill has not been discussed to any great extent, if at all, during my term of service. Of course, I know that we pass a great many measures without very much discussion, but I should hardly think that a measure of this character, of this length, and of this importance would be passed without some discussion, and I do not believe that the RECORD will show that we have passed a measure like this within the last five or six years, although I may be wrong about that.

Mr. CHAMBERLAIN. Such a bill has passed three times since I have been here.

Mr. JONES. Then, it was passed probably by unanimous consent, and without discussion.

Mr. CHAMBERLAIN. I do not recall how it was passed, but I know it has been passed three times.

Mr. JONES. There certainly could not have been very much discussion of it.

Mr. WARREN. The Senator knows that these matters have been under investigation by subcommittees, and, for that matter, by the full committee, on various occasions preceding the passage of such bills; and if the bills have not led to discussion on

the floor, it has been because the Senate believed that the subject had been pretty thoroughly examined by the legal officers of the War Department and by the committee which had the subject in charge. As the Senator from Oregon has said, a similar bill has passed the Senate three times.

Mr. JONES. I have no doubt that the committee having charge of this matter has given it very great consideration and is probably thoroughly familiar with it. I do not feel disposed to make the point of order against the amendment, but I do think that a matter of this importance, especially in view of one suggestion of the chairman of the committee, ought to have much more careful consideration than this provision is going to have here.

Mr. CHAMBERLAIN. Mr. President, let me call the Senator's attention to one of the conditions. I assume, of course, that Senators have looked into this provision as it has been printed in the bill and has been on the desks of Senators for some time. The revised Articles of War were also embodied in Senate bill 3191, which, as I have said, has already passed the Senate. An elaborate report (No. 130) was submitted on that bill on February 9 (calendar day, February 11), 1916. As an appendix to that report, the hearings on the bill were printed.

The Senator from Iowa [Mr. CUMMINS] inquired about the lack of jurisdiction to punish crimes. Let me quote from the testimony of Judge Advocate General Crowder as given in the hearings:

Further on in the article, subhead (c), you will find new language. It reads as follows.

"*Provided*, That no officer or soldier of the Marine Corps when so detached [that is, for service in the Army by order of the President] may be tried by a court-martial for an offense committed against the Articles of War for the government of the Navy prior to his detachment, and for an offense committed against these articles he may be tried by a naval court-martial after such detachment ceases."

Now, an illustration is given of a case:

The necessity for this provision was revealed by our experience last year at Vera Cruz. The Marine Corps cooperated with the Army at that place and, under the authority of an act of Congress, was placed on duty with the Army by order of the President. During the period detachments of the Marine Corps are so placed on duty with the Army they become subject to the Articles of War for the government of the Army. On the last day that the Marine Corps was so detached and serving at Vera Cruz a soldier of that corps committed a very serious offense—an assault of the grade of felony—

I am assuming, of course, that our men might be tried by the local courts in Mexico, if our people wanted to subject them to that jurisdiction; but I was speaking more particularly about the lack of power upon the part of the Army to bring them within the regulations of the Army—

Pending action in his case, the order of detachment was revoked and he resumed his place with the naval forces and came under the Articles of War for the government of the Navy. The Navy Department assumed that it could bring him to trial for his offense committed while he was on duty with the Army, as the offense committed by him was likewise an offense denounced and punished by the Naval Code. He was subsequently arraigned before a general court-martial of the Navy, and there plead to the jurisdiction of the court, claiming that his offense was committed while on duty with the Army and was an offense punishable only under the Army Code. The court overruled this plea and proceeded with his trial. He was found guilty and sentenced to imprisonment. He sued out a writ of habeas corpus before the United States district court of Philadelphia. The judge took the view that the naval court was without jurisdiction, and discharged the man. The usual procedure would have been for the Navy to have turned the man over to the Army for trial. Had this been done, we would undoubtedly have had a plea of double jeopardy to deal with. The case was not followed up, and the result was that the man got off without adequate punishment. The proviso inserted here is to clear up that situation, or rather to make it impossible of occurrence in the future.

So while in the main the law is on the statute books now, it does not meet the emergency suggested.

The next illustration is the case of camp followers and men who follow the Army. If they are guilty of different crimes, there is no way to reach them. They might be punished under the local law, but not under the Articles of War. The purpose of these provisions is to harmonize and to make a consistent whole of the articles as they are now, without any very radical changes in the Articles of War that have been in force since before the beginning of the last century.

Mr. CUMMINS. Will the Senator give me some information on this point? Our Army, I presume, will be a very large part of the time within the territory of the United States. It is to be hoped that it will not often be beyond these limits. Suppose that in the post at my own town a soldier commits an assault or murders a citizen of Iowa. Will these Articles of War give a court-martial the power to try him?

Mr. CHAMBERLAIN. In time of peace?

Mr. CUMMINS. In time of peace.

Mr. CHAMBERLAIN. Oh, the civil courts have jurisdiction then. These are Articles of War. They are to apply in time of war.

Mr. CUMMINS. I know; but these soldiers are tried by court-martial in time of peace as well.

Mr. CHAMBERLAIN. They are dealt with for crimes of that kind in the civil courts.

Mr. CUMMINS. No. Suppose a soldier is disrespectful to his officer. That is not tried in the civil courts.

Mr. CHAMBERLAIN. Those, of course, are purely military offenses.

Mr. CUMMINS. And are those offenses classified here?

Mr. CHAMBERLAIN. They are classified in this bill so as to distinguish between the offenses that come within the provisions of the Military Code and those that are subject in time of war to the military authorities and in time of peace to the civil authorities. I wish the Senator would look them over.

Mr. CUMMINS. I have not had an opportunity. I did not even know that it was contemplated. I have no knowledge about the subject at all; but I should be very sorry to see the civil courts supplanted in times of peace by courts-martial where the civil courts are open and prepared to try and acquit or convict, as the case may be.

Mr. CHAMBERLAIN. A number of illustrations are given in the hearings to which I have called the Senator's attention. We can not finish the bill to-night, and I should like to have the Senator look them over. For instance, where our Army is on foreign territory, he illustrates in the following language:

The Canadian Government has permitted us to reinforce Alaska by the overland route. The situation may arise that the Army at some time may be engaged in the peaceful occupation of foreign territory in this hemisphere. To that extent we are compelled to recognize the necessity for the amendment which I have introduced here and to which I think there can be no objection.

That is the testimony of Gen. Crowder. He has given a number of illustrations showing the necessity for this revision.

Mr. JONES. Mr. President, just a word. The Senator said that the report had been submitted and had been printed, and he assumed that Senators had seen it. Of course, the Senator knows that there are many things submitted here, and many reports printed, that Senators can not possibly examine. I try to keep track of these things just as fully as possible; but I think the Senator will agree that it is impossible for any Senator to keep track of all these things and of all these reports. I confess that the first I knew about this was when I saw the provision in the bill. I have not had time to examine the report to which the Senator refers.

I do not make the point of order, because I have confidence in the committee and because I know that the committee has given the matter very great attention. It is very much of a technical matter, and I have not the time to look into it myself, so I have to take the judgment of the committee. The judgment of the committee is just as good to me with reference to this provision in the appropriation bill as it would be with reference to a separate bill.

Mr. CHAMBERLAIN. Let me call the Senator's attention to the fact that the report to which I call his attention does what he asked me a while ago; that is, whether there had been any analysis of this part of the bill to show what changes were made in the Articles of War as they are. The very first section of the report analyzes this part of the bill and shows the changes that have been made, and further on discusses the necessity for each change.

Mr. JONES. What I had hoped, in the question I asked the Senator, was that he could indicate briefly some of the important changes that were made, and that would save my looking through this long report. The Senator did instance one or two matters that indicated the very great importance of something of this sort.

Now, I want to ask the Senator another question. Is the provision that is put in the bill here in identically the same terms as the bill that the Senate has heretofore passed?

Mr. CHAMBERLAIN. It is exactly the same as it passed the last time—exactly the same.

Mr. JONES. Very well.

Mr. CUMMINS. Mr. President, if the Senator will allow me just a moment, purely for information, in what part or section of the bill is the provision made that these general offenses shall not be punished by court-martial save in time of war?

Mr. CHAMBERLAIN. It is quite a lengthy bill. I do not know that I can put my hand on it. [Reading:]

The subject matter of the new code has been classified under five principal headings, thus bringing together related provisions and remedying a notable defect in the existing code.

I think a reading of article 74, on page 128, will answer the Senator's question. The general purpose of this revision is that it reduces some of the severe penalties fixed by the old Articles of War. The punishments are not so severe, and it is brought down to conform more nearly to the conditions of the present time.

Mr. CUMMINS. I am very much obliged to the Senator. I see that that article deals with the matter about which I asked.

Mr. CHAMBERLAIN. We can hardly dispose of it to-night. The Senator will find that it deals with this whole subject in a very careful and a very humane way, in that it alleviates some of the severe penalties that were announced in the earlier days of the Republic and gives the whole subject the order and method of a code, which has been very much lacking. There was a lack of continuity in the old Articles of War. There has been no real attempt at revision of them since 1874; and many of the provisions are those which went into effect during and immediately after the Revolutionary War and are totally inapplicable to conditions now without refinements of judicial construction.

The VICE PRESIDENT. Is this matter to be passed on now?

Mr. CHAMBERLAIN. If Senators desire it to go over, I have no desire to press it to-night; but this revision was simply presented in order to relieve a situation which has been annoying and unjust in many particulars.

Mr. CUMMINS. I do not insist that it shall go over. The committee has had more time than I shall have to look into it.

Mr. CHAMBERLAIN. Then I should very much like to have the amendment agreed to.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee embracing what are known as the Articles of War.

The amendment was agreed to.

Mr. PHELAN. Mr. President, with the consent of the chairman of the committee, I desire to state that I shall be absent to-morrow, when this bill will doubtless be passed, and there are two amendments which I submitted which I ask to be received out of order. They have the approval of the chairman of the committee and of the Secretary of War and involve no appropriation. I shall be glad to explain them in case any question is raised about them.

The VICE PRESIDENT. The Senator from California offers an amendment which will be stated by the Secretary.

The SECRETARY. On page 50, after line 2, it is proposed to insert:

That the United States hereby consents to the closing and abandoning of such public streets or parts of public streets in the city and county of San Francisco, lying north of Tonquin Street therein and east of the eastern boundary of the Presidio of San Francisco and within the site heretofore selected by the trustees of the California State Normal School of San Francisco in accordance with an act of the Legislature of California, and the United States hereby waives claim to said streets within said site and hereby grants to the State of California for the uses and purposes of said State Normal School all title of the United States thereto; and to effect the purposes hereof the Attorney General of the United States is hereby authorized and requested to cause appearance to be made in the name and on behalf of the United States in any suit to condemn the property within said site for the uses and purposes of said State Normal School in the courts of the State of California wherein the State of California is plaintiff, and in said suit, upon request of the attorney general of the State of California, to file on behalf of the United States a disclaimer on its part of any interest in said streets or the land embraced within said portions of said streets and within said site: *Provided*, That in the event said streets shall not be closed and in the event said site so selected is not used for the purposes of said State Normal School all rights of the United States shall be and remain as they are at the time of the passage of this act.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The SECRETARY. It is also proposed to insert, after the amendment just adopted, the following:

That the Secretary of War is hereby authorized to grant to the Panama-Pacific International Exposition Co. and its successors in interest a permit to occupy such portion of the Presidio of San Francisco Military Reservation as may be designated by the Secretary of War for the purpose hereinafter set forth, subject to the said privilege being revoked at any time when, in the opinion of the Secretary of War, the military necessities of the United States shall require the use of said portion of said Presidio of San Francisco Military Reservation for the purpose of maintaining thereon, making repairs upon, or alterations in said Palace of Fine Arts and its appurtenances, approaches, and planting about the same for the use of said Panama-Pacific International Exposition Co. and its successors in interest; and the United States hereby cedes to the State of California such jurisdiction over said portion of said military reservation as the said State now possesses elsewhere within its territory, such cession to be coextensive territorially with the lands, the use whereof may be granted to the Panama-Pacific International Exposition Co. and its successors by the Secretary of War in accordance herewith and to terminate without further action on the part of the State of California upon the revocation or termination of the privilege: *Provided*, That the cession of jurisdiction made by this act shall take effect upon the termination of the cession of jurisdiction made by the joint resolution of Congress approved October 22, 1914, on the condition that the same is accepted by the Legislature of the State of California at its first session after the passage of this act, this cession to be without prejudice to the jurisdiction of the United States to try and punish all crimes committed within said portion of said military reservation prior to the date jurisdiction vested in the State under said joint resolution approved October 22, 1914: *Provided further*, That when the United States shall resume possession of said lands, or any part thereof, the jurisdiction herein ceded over said lands so repossessed shall revest in the United States: *And provided further*, That in the event of the failure of said Exposition Co., or its successors, on the revocation of this privilege, to remove the buildings and improvements thereon, they shall then vest in and become the property of the United States.

Mr. PENROSE. Mr. President, do I understand the Senator from California to say that this amendment has been approved by the War Department?

Mr. PHELAN. Yes, sir. It was approved and prepared by the War Department.

Mr. PENROSE. Prepared by the War Department? It is a rather extraordinary provision, and does not seem to me to safeguard the Government entirely. Is it contemplated to maintain these exposition buildings permanently?

Mr. PHELAN. If the Senator will permit me, I will briefly state the object of the amendment.

Mr. PENROSE. Yes; I think some explanation of the amendment ought to be placed in the RECORD.

Mr. PHELAN. This relates only to the Art Palace. The Art Palace was the most conspicuous and best building at the exposition. A part of it lies over the Presidio line, and the rest of it over the city line and on city property. It is the intention of the people there to maintain it as long as it will stand. It is not a permanent building. It probably has a life of 10 years. The Secretary of War and the department agreed to a revocable permit, but in a letter the Secretary stated, for the information of the Panama-Pacific people, that the revocable permit would terminate on December 31, 1919. Secretary Garrison agreed to extend the term for two more years. Secretary Baker has extended it for three years. So the people well understand that it is a revocable permit, and that is the whole purpose and intent of the amendment.

Mr. PENROSE. Is there a written communication from the War Department on the subject of this amendment?

Mr. CHAMBERLAIN. The Secretary of War addressed to me a letter under date of July 6, which I will ask to have printed in the RECORD.

Mr. PENROSE. I should like to have that done.

Mr. CHAMBERLAIN. The Secretary of War made many changes in the amendment or resolution as it was originally prepared; and as it now reads it is approved by him. I ask to have his letter printed in the RECORD.

The VICE PRESIDENT. In the absence of objection, that may be done.

The letter referred to is as follows:

WAR DEPARTMENT,
Washington, July 6, 1916.

Hon. GEORGE E. CHAMBERLAIN,
Chairman Committee on Military Affairs, United States Senate.

SIR: In reply to your request of June 21, 1916, asking for the views of the department relative to joint resolution No. 144 and H. R. 16460, waiving claim on the part of the United States and consenting to the closing and abandonment of certain public streets and parts of public streets in the city of San Francisco, State of California, I have the honor to inform you that the contemplated legislation will do no injury whatever to the interests of the United States, and does not encroach in any way on the Presidio Reservation.

There is no objection on the part of the War Department to the passage of joint resolution No. 144 and H. R. 16460 as drawn.

Very respectfully,

NEWTON D. BAKER,
Secretary of War.

Mr. PENROSE. Can the Senator from California inform me as to how much of the Presidio ground is taken by this art museum?

Mr. PHELAN. It is the main body of the art museum that lies on the Presidio ground, where the pictures were exhibited. The columns and the lakes are on the city ground. On the Presidio, I believe, there are 6 acres of land occupied.

Mr. PENROSE. What is the total acreage?

Mr. PHELAN. One thousand five hundred acres.

Mr. PENROSE. Mr. President, I should like to make one more inquiry. I do not want to oppose this amendment. Is there anything in the amendment to safeguard the Government in case this museum should be diverted to some other purpose and pass into other hands?

Mr. PHELAN. The protection of the Government is in the revocable character of the permit, and there is a provision that the Government can take possession of the building at any time. The salvage is estimated to be of very much more value than the cost of demolition. That is the protection of the Government.

Mr. PENROSE. Would there be any objection to putting a limitation in the amendment such as was in the original act, say, of 10 years?

Mr. PHELAN. I think it would be objectionable to the Secretary, because he has already intimated that it will terminate December 31, 1919, and in the nature of things it would cost a quarter of a million dollars to make it a permanent building. This is merely holding the plaster on the surface in the interest

of art. There is an exhibition there now and it is expected to have an annual exhibition of art until we get a permanent museum in another part of the city.

Mr. PENROSE. Does the Senator think this amendment would lapse by 1919?

Mr. PHELAN. We have already been informed by the Secretary of War that he can not consent to a further extension. I do not say that he can not consent; he has the power to consent, but he is discouraging the city from spending money upon that building, and the city agrees with him that it is of a temporary character and that it would be wasteful to spend money on the building there. Until a permanent art building in the Golden Gate Park is constructed it is used for annual exhibitions.

I will put into the RECORD a communication from the Secretary of War which will answer the Senator's question:

WAR DEPARTMENT,
Washington, July 21, 1916.

MY DEAR SENATOR: I inclose you a statement by the Judge Advocate General covering the amendments deemed necessary in Senate resolution No. 39, and a copy of the resolution with suggested amendments appearing thereon, and also a copy of the revocable permit which it is proposed to issue in the event that the resolution is enacted as suggested.

Very truly, yours,

NEWTON D. BAKER,
Secretary of War.

Hon. JAMES D. PHELAN,
United States Senate.

WAR DEPARTMENT,
OFFICE OF THE JUDGE ADVOCATE GENERAL,
Washington, July 20, 1916.

Memorandum for the Secretary of War.

Subject: Amendment to Senate joint resolution 39 (64th Cong., 1st sess.), so as to authorize the Secretary of War, to grant a revocable permit for the maintenance of the Palace of Fine Arts upon the Presidio of San Francisco Military Reservation, and draft of form of permit to be granted under said amended resolution.

1. The resolution in its present form grants to the Panama-Pacific International Exposition Co. a revocable license to occupy such portion of the Presidio of San Francisco Military Reservation as may be designated by the Secretary of War, for the purpose of maintaining, etc., thereon the Palace of Fine Arts Building and its appurtenances, the said privilege to be revocable at any time by the Secretary of War, when in his opinion the military necessities of the United States so require. The only authority and duty devolving upon the Secretary of War under the resolution as drawn is to designate the portion of the reservation to be occupied and to revoke the privilege granted thereby whenever in his opinion the military necessity demands it.

2. To authorize the issuance of the permit or license by the Secretary of War, the resolution should be amended as follows:

In the second line of the title, strike out the word "granting" and insert in lieu thereof the words "authorizing the Secretary of War to grant," and in the enacting part of the resolution, on the third page, in the third line, strike out the words "the United States hereby grants" and insert in lieu thereof the words "the Secretary of War is hereby authorized to grant." Also, in the twentieth line, page 3, strike out the words "is hereby," and insert in lieu thereof "may be," in the first line of the fourth page, strike out the words "as the same shall hereafter be designated," and in the fourth and fifth lines of the same page, strike out the words "of the privilege hereby granted" and insert "or termination of the privilege."

3. That part of the resolution ceding jurisdiction to the State appears to be defective in that it reserves to the United States jurisdiction to try and punish all crimes committed within said portion of the military reservation to be occupied thereunder prior to the date this cession becomes effective (see fourth page, lines 5 to 8), while under the joint resolution of Congress approved October 22, 1914 (38 Stat., 783), the State of California was granted jurisdiction over that portion of the reservation occupied for exposition purposes, including this site. Said joint resolution of October 22, 1914, provides:

"That the United States hereby cedes to the State of California such jurisdiction over the said portions of the said military reservations as the said State now possesses elsewhere within its territory, such cession to be coextensive territorially with the said permits of April 22, 1912, and April 10, 1914, and to terminate upon their expiration: *Provided*, That jurisdiction to try and punish all crimes committed within said portions of said military reservations prior to the date that this cession becomes effective is reserved to the United States: *Provided further*, That the cession of jurisdiction made by this resolution shall not take effect until the same is accepted by the legislature of the State of California: *And provided further*, That when the United States shall resume possession of the said lands or any part thereof, the jurisdiction herein ceded over lands so repossessed shall revest in the United States."

4. It is believed that this part of the resolution should be amended as follows:

Beginning with the word "jurisdiction" in the fifth line, page 4, strike out the balance of the page and insert in lieu thereof the following:

"the cession of jurisdiction made by this resolution shall take effect upon the termination of the cession of jurisdiction made by the joint resolution of Congress approved October 22, 1914, on the condition that the same is accepted by the Legislature of the State of California at its first session after the passage of this resolution, this cession to be without prejudice to the jurisdiction of the United States to try and punish all crimes committed within said portion of said military reservation prior to the date jurisdiction vested in the State under said joint resolution approved October 22, 1914: *Provided further*, That when the United States shall resume possession of said lands or any part thereof the jurisdiction herein ceded over said lands so repossessed shall revest in the United States."

5. It appears, furthermore, from the correspondence in this case on file in the office of the Quartermaster General that in accordance with an understanding reached with the Secretary of War Senator Phelan has agreed to have added to this resolution the following proviso:

"*Provided further*, That in the event of the failure of said exposition company or its successors on the revocation of this privilege, to remove the buildings and improvements thereon, they shall then vest in and become the property of the United States."

6. I think the resolution modified as above outlined would authorize the issuance of a permit such as suggested by you. Draft of form of such permit is inclosed herewith.

7. With respect to the granting of a revocable permit for the privilege desired in this case without legislative authority, I have concluded, upon further examination and consideration of the matter, that the Secretary of War has no legal right to do this. The act of Congress authorizing the occupation of the reservation for exposition purposes provided for the termination of the exposition on December 31, 1916, and the said act and license granted by the Secretary of War under its authority provided that all the buildings thereon, except those taken for the purposes of the United States, should be removed from the reservation on or before the said date. Besides, the War Department has already taken the position upon an application for a license by the Secretary of War granting the privilege desired in the present instance, that the Secretary of War is without authority to grant such license.

E. H. CROWDER,
Judge Advocate General.

Mr. GALLINGER. It seems that this building occupies now a portion of the Presidio.

Mr. PHELAN. Yes; it laps over the Presidio on the easterly end.

Mr. GALLINGER. Was that privilege granted by Congress?

Mr. PHELAN. Congress gave that permission to the Panama-Pacific Exposition, but it terminates in 1917.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. PENROSE. Will the Senator permit me? I have known two or three cases where this has been grossly abused. I do not say there is a disposition in this case to do so, but would the Senator object to having a proviso added to his amendment:

Provided, That the privileges herein granted shall only apply so long as the building in question is used as an art museum, and for no other purpose.

Mr. PHELAN. That is quite agreeable. That is the only purpose they have in view.

Mr. PENROSE. I suggest that amendment to the amendment.

The VICE PRESIDENT. Then the Senate will have to reconsider the vote by which the amendment was agreed to.

Mr. CHAMBERLAIN. I ask that the vote by which the amendment was adopted be reconsidered for the purpose of accepting the amendment to the amendment.

The motion to reconsider was agreed to.

Mr. GALLINGER. Let the amendment be read.

The Secretary read as follows:

Provided, That the privileges herein granted shall only apply so long as the building in question is used as an art museum, and for no other purpose.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. CUMMINS. There were two amendments proposed by the committee passed over in the morning. One of them is on page 67, the other on page 68. I would be very glad to have them disposed of now if it is agreeable to the Senator in charge of the bill.

Mr. CHAMBERLAIN. I would be glad to have them taken up.

Mr. CUMMINS. The first amendment is, at the top of page 67, inserting lines 3, 4, and 5, in the following words:

Provided, That the Government shall manufacture at its arsenals as much of said ammunition as can be produced by the exercise of the greatest economy and efficiency.

I move to amend the committee amendment by striking out the last line, namely, line 5, in the following words:

by the exercise of the greatest economy and efficiency;

And inserting in lieu thereof:

operating said arsenals at full capacity if necessary, but having due regard to economy and efficiency in operation.

Mr. CHAMBERLAIN. So far as I am concerned, I will accept that amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. CUMMINS. On page 68, in the amendment beginning in line 7, I move to strike out the words "by the exercise of the greatest economy and efficiency" in lines 8 and 9, and insert:

operating said arsenals at full capacity if necessary, but having due regard to economy and efficiency in operation.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

EXECUTIVE SESSION.

Mr. CHAMBERLAIN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 11 minutes spent in executive session the doors were reopened.

PETITIONS AND MEMORIALS.

Mr. GALLINGER presented petitions of the New York State Federation of Labor, the Amalgamated Association of Street and Electric Railway Employees of America, and the Arizona State Federation of Labor, praying for the enactment of legislation to further restrict immigration, which were ordered to lie on the table.

He also presented petitions of Samuel E. Hilles, of New London; Samuel L. Drury, of Concord; and A. F. Tappan, of Cornish, in the State of New Hampshire; of Mary A. Sherwood, of Lyons; T. W. Wood, of New York City; and Beatrice Van H. Stevenson, of New York City, in the State of New York; of Ellen N. Rourke, of Des Moines, Iowa; Graham Taylor, of Chicago, Ill.; Mrs. J. E. Goodrich, of Burlington, Vt.; of the Joseph W. Houston Co., of Pittsburgh, Pa.; Lucy Fitch, of Berlin, Wis.; Mary Corke Blanch Mudford, of Richmond, Va.; and of Edith Bower, of Wilkes-Barre, Pa., praying for the enactment of legislation to prohibit interstate commerce in the products of child labor, which were ordered to lie on the table.

Mr. WADSWORTH presented a memorial of the Western New York Conference of the Seventh-day Adventists, held at Rochester, N. Y., remonstrating against the enactment of legislation to limit the freedom of the press, which was ordered to lie on the table.

Mr. NELSON presented a petition of the Commercial Club of Rush City, Minn., and a petition of the Commercial Club of Owatonna, Minn., praying for the enactment of legislation to permit the Interstate Commerce Commission to settle the difficulties between the railroads and their employees, which were referred to the Committee on Interstate Commerce.

He also presented a telegram in the nature of a memorial from E. E. Simmons, of Minneapolis, Minn., remonstrating against the proposed tax on munitions of war, which was referred to the Committee on Finance.

PUBLIC BUILDING AT PITTSBURGH, PA.

Mr. SWANSON, from the Committee on Public Buildings and Grounds, to which was referred the bill (S. 6601) for the enlargement of the post-office building in Pittsburgh, Pa., reported it without amendment and submitted a report (No. 728) thereon.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. O'GORMAN:

A bill (S. 6699) to extend the time of the Hudson River Connecting Railroad Corporation for the commencement and completion of its bridge across the Hudson River, in the State of New York (with accompanying papers); to the Committee on Commerce.

By Mr. POINDEXTER:

A bill (S. 6700) granting an increase of pension to John L. Fisher (with accompanying papers); to the Committee on Pensions.

By Mr. COLT:

A bill (S. 6701) granting an increase of pension to Clementine Richards; to the Committee on Pensions.

By Mr. OVERMAN:

A joint resolution (S. J. Res. 156) appropriating $25,000 to remove jetties and other obstructions from French Broad River; to the Committee on Commerce.

AMENDMENTS TO ARMY APPROPRIATION BILL (H. R. 16460).

Mr. WORKS submitted an amendment proposing to appropriate $300,000 for the acquisition, by purchase or condemnation, of a site at Coronado Heights, San Diego County, Cal., for aviation-school purposes, etc., intended to be proposed by him to the Army appropriation bill, which was ordered to lie on the table and to be printed.

Mr. WEEKS submitted an amendment providing that $250,000 be expended in the purchase of material and in the construction of tent floors, framing for screens, and screens, to be added to the equipment of the tents now being used by the National Guard on the Mexican border, etc., intended to be proposed by him to the Army appropriation bill, which was ordered to lie on the table and to be printed.

He also submitted an amendment appropriating $500,000 to provide for the necessities and comfort of those in the military and naval forces in time of war or when war, in the opinion of the President, is imminent, to be transferred in whole or in part as the President may determine to the American Red Cross, etc., intended to be proposed by him to the Army appropriation bill, which was ordered to lie on the table and to be printed.

Mr. LA FOLLETTE submitted an amendment proposing to appropriate $2,000,000 for the support, at a cost of not more than $50 per month, or so much of said amount as the Secretary of War may deem necessary, and not more than such enlisted man has been contributing monthly to the support of his family at the time of his being drafted, of the family of each enlisted man of the National Guard called or drafted into the service of the United States until his discharge from such service, etc., intended to be proposed by him to the Army appropriation bill, which was ordered to lie on the table and to be printed.

He also submitted an amendment proposing to amend section 27 of the act making further and more effectual provision for the national defense, and for other purposes, relative to the enlistments in the Regular Army, intended to be proposed by him to the Army appropriation bill, which was ordered to lie on the table and to be printed.

REGULATION OF IMMIGRATION.

Mr. POINDEXTER submitted an amendment intended to be proposed by him to the bill (H. R. 10384) to regulate the immigration of aliens to and the residence of aliens in the United States, which was referred to the Committee on Immigration and ordered to be printed.

AMENDMENT TO THE RULES.

Mr. LA FOLLETTE. I desire to give notice that on Tuesday, July 25, or as soon thereafter as possible, I shall move to suspend that provision of paragraph 1 of Senate Rule XVI, which provides that no amendment shall be received to a general appropriation bill, the effect of which will be to increase an appropriation or to add a new item of appropriation, unless it be made to carry out the provisions of some existing law or treaty stipulation, or act or resolution, previously passed by the Senate during that session, or unless the same be moved by direction of a standing or select committee of the Senate, or proposed in pursuance of an estimate of the head of some one of the departments, and also that provision of paragraph 3 of Senate Rule XVI, prohibiting any amendment proposing general legislation to any general appropriation bill, for the purpose of offering the following amendment to the bill (H. R. 16460) making appropriations for the Army for the fiscal year ending June 30, 1917, and for other purposes, by adding to the bill after line 5, page 91, a new paragraph to read as follows:

That the sum of $2,000,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of War, and under such rules and regulations as he may prescribe, for the support of, at a cost of not more than $50 per month, or so much of said amount as the Secretary of War may deem necessary, and not more than such enlisted man has been contributing monthly to the support of his family at the time of his being drafted, the family of each enlisted man of the National Guard called or drafted into the service of the United States until his discharge from such service, which family during the term of service of such enlisted man has no other income, except the pay of such enlisted man, adequate for the support of said family: *Provided*, That the action of the Secretary of War in all cases provided for in this act shall be final, and no right to prosecute a suit in the Court of Claims or in any other court of the United States against the Government of the United States shall accrue to such enlisted man, or to any member of the family of any such enlisted man, by virtue of the passage of this act: *And provided further*, That this act shall not apply to any such elisted man called or drafted into the service of the United States who shall marry after the 1st day of July, 1916; and the word "family" shall include only wife, children, and dependent mothers.

I ask that the notice lie over and be printed.

The VICE PRESIDENT. It will be so ordered.

Mr. REED. I wish to give notice that on Tuesday, July 25, or as soon thereafter as possible, I shall move to suspend that provision of paragraph 1 of Senate Rule XVI, which provides that no amendment shall be received to a general appropriation bill the effect of which will be to increase an appropriation or to add a new item of appropriation unless it be made to carry out the provisions of some existing law or treaty stipulation, or act or resolution, previously passed by the Senate during that session, or unless the same be moved by direction of a standing or select committee of the Senate, or proposed in pursuance of an estimate of the head of some one of the departments, and also that provision of paragraph 3 of Senate Rule XVI, prohibiting any amendment proposing general legislation to any general appropriation bill for the purpose of offering the following amendment to the bill H. R. 16460, making appropriations for the Army for the fiscal year ending June 30, 1917, and for other purposes, by adding to the bill, after line —, page —, the following:

The pay of the National Guard and the Naval Militia when called into the service of the United States and the pay of any volunteer army or navy while in the service of the United States, shall be as follows:

First sergeant, $45 per month; sergeant, $40 per month; corporal, $35 per month; private, $30 per month; the pay of all officers in rank above first sergeant to be the same as is now received by officers of corresponding rank in the Regular Army or Navy.

SEC. 2. That the provisions of this amendment shall be in full force and effect from and after its passage and approval.

I ask that the notice lie over and be printed.

The VICE PRESIDENT. It will be so ordered.

Mr. STONE. I move that the Senate adjourn.

The motion was agreed to; and (at 6 o'clock and 20 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, July 25, 1916, at 10 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate July 24 (legislative day of July 22), 1916.

PROMOTIONS IN THE ARMY.

INFANTRY ARM.

Lieut. Col. Charles C. Ballou, Twenty-fourth Infantry, to be colonel from July 19, 1916, vice Col. Charles G. Morton, Fifth Infantry, appointed brigadier general.

Maj. George D. Moore, Twentieth Infantry, to be lieutenant colonel from July 2, 1916, vice Lieut. Col. Tredwell W. Moore, Seventh Infantry, retired from active service July 1, 1916.

Capt. Preston Brown, Eighth Infantry, to be major from July 2, 1916, vice Maj. George D. Moore, Twentieth Infantry, promoted.

To be first lieutenants with rank from July 1, 1916, to fill casual vacancies.

Second Lieut. John C. Walker, jr., Twelfth Infantry, to be first lieutenant from June 24, 1916, vice First Lieut. Charles L. Wyman, Twenty-fifth Infantry, detailed in the Signal Corps.

Second Lieut. Latham Loomis Brundred, unassigned, vice First Lieut. Corbit S. Hoffman, Twenty-third Infantry, promoted.

Second Lieut. Leslie Thomas Saul, unassigned, vice First Lieut. Walter V. Gallagher, Ninth Infantry, promoted.

Second Lieut. Charles Augustus Bayler, jr., unassigned, vice First Lieut. Clifton M. Butler, Twenty-second Infantry, promoted.

Second Lieut. Fred Beeler Inglis, unassigned, vice First Lieut. E. Llewellyn Bull, Twenty-third Infantry, promoted.

Second Lieut. Richard Parker Kuhn, unassigned, vice First Lieut. Truman W. Carrithers, Twenty-ninth Infantry, promoted.

Second Lieut. John Alexander Street, unassigned, vice First Lieut. George F. Rozelle, jr., Twenty-second Infantry, promoted.

Second Lieut. Sidney Herkness, unassigned, vice First Lieut. Arthur E. Ahrends, Twentieth Infantry, promoted.

Second Lieut. William Earl Chambers, unassigned, vice First Lieut. Charles F. Severson, Seventeenth Infantry, promoted.

Second Lieut. Warner William Carr, unassigned, vice First Lieut. Harry S. Grier, Twenty-fourth Infantry, promoted.

Second Lieut. Thomas Lyle Martin, unassigned, vice First Lieut. Reuben C. Taylor, Eighth Infantry, promoted.

Second Lieut. Geoffrey Prescott Baldwin, unassigned, vice First Lieut. Charles B. Moore, Fourth Infantry, promoted.

Second Lieut. John Bennington Bennet, unassigned, vice First Lieut. Clark Lynn, Thirteenth Infantry, promoted.

Second Lieut. Kenneth Macomb Halpine, unassigned, vice First Lieut. C. Stockmar Bendel, Twelfth Infantry, promoted.

Second Lieut. William Rosser Wilson, unassigned, vice First Lieut. Robert E. Boyers, Fifth Infantry, promoted.

Second Lieut. Raymond Potter Campbell, unassigned, vice First Lieut. Burt W. Phillips, Fourteenth Infantry, promoted.

Second Lieut. Richard Clarke Birmingham, unassigned, vice First Lieut. Ben F. Ristine, unassigned, promoted.

Second Lieut. Felix Rosseter McLean, unassigned, vice First Lieut. George R. Guild, Twenty-ninth Infantry, promoted.

Second Lieut. John Edward Martin, unassigned, vice First Lieut. Stuart A. Howard, Thirtieth Infantry, promoted.

Second Lieut. Paul Barrows Parker, unassigned, vice First Lieut. John F. Franklin, Seventh Infantry, promoted.

Second Lieut. William Edgerton Morehouse, jr., unassigned, vice First Lieut. William C. Russell, Eleventh Infantry, promoted.

Second Lieut. Thomas Green Peyton, unassigned, vice First Lieut. Roland W. Boughton, Twenty-seventh Infantry, promoted.

Second Lieut. Joseph Hamilton Grant, unassigned, vice First Lieut. John S. Upham, Third Infantry, promoted.

Second Lieut. Arthur Monroe Ellis, unassigned, vice First Lieut. Keith S. Gregory, Sixth Infantry, promoted.

Second Lieut. Maurice Levi Miller, unassigned, vice First Lieut. Irving M. Madison, unassigned, promoted.

Second Lieut. Junius Henry Houghton, unassigned, vice First Lieut. Ellery Farmer, Fifth Infantry, promoted.

Second Lieut. Abram Vorhees Rinearson, jr., unassigned, vice First Lieut. Everett N. Bowman, Thirteenth Infantry, promoted.

Second Lieut. Benjamin Anthony Yancey, unassigned, vice First Lieut. Homer N. Preston, Twenty-fourth Infantry, promoted.

Second Lieut. Douglas Jenkins Page, unassigned, vice First Lieut. Jesse Gaston, Seventeenth Infantry, promoted.

Second Lieut. James Nephew Caperton, unassigned, vice First Lieut. William F. Harrell, Ninth Infantry, promoted.

Second Lieut. Charles Compton Smith, unassigned, vice First Lieut. Jesse D. Elliott, Sixth Infantry, promoted.

Second Lieut. Harrison Herman, unassigned, vice First Lieut. Edward H. Tarbutton, Thirtieth Infantry, promoted.

Second Lieut. George Joseph Newgarden, jr., unassigned, vice First Lieut. Carroll B. Hodges, unassigned, promoted.

Second Lieut. John David Miley, unassigned, vice First Lieut. Fitzhugh B. Allderdice, Twenty-third Infantry, promoted.

Second Lieut. William Edwin Coffin, jr., unassigned, vice First Lieut. James M. Churchill, Tenth Infantry, promoted.

Second Lieut. John Forest Goodman, unassigned, vice First Lieut. Philip H. Bagby, Fifteenth Infantry, promoted.

Second Lieut. Spencer Atkins Merrell, unassigned, vice First Lieut. Luther R. James, unassigned, promoted.

Second Lieut. William Worth Dempsey, unassigned, vice First Lieut. Andrew D. Chaffin, Eleventh Infantry, promoted.

Second Lieut. Robert Kenneth Whitson, unassigned, vice First Lieut. Ernest B. Smalley, unassigned, promoted.

Second Lieut. Otto Frederick Lange, unassigned, vice First Lieut. Frederick W. Boschen, Seventeenth Infantry, promoted.

Second Lieut. Harlan Leslie Mumma, unassigned, vice First Lieut. Manfred Lanza, Eighteenth Infantry, promoted.

Second Lieut. George Hollenbeck Blankenship, unassigned, vice First Lieut. Louis Farrell, unassigned, promoted.

Second Lieut. Alexander Mathias Weyand, unassigned, vice First Lieut. Fred W. Pitts, First Infantry, promoted.

Second Lieut. Walter David Mangan, unassigned, vice First Lieut. James B. Nalle, Twelfth Infantry, promoted.

Second Lieut. Robert Rau Duncan McCullough, unassigned, vice First Lieut. William F. Robinson, jr., Fifteenth Infantry, promoted.

Second Lieut. Alon Albert Abernethy, unassigned, vice First Lieut. John J. Burleigh, Third Infantry, promoted.

Second Lieut. Nelson Bateman Russell, unassigned, vice First Lieut. Manuel M. Garrett, Twenty-third Infantry, promoted.

Second Lieut. Henry Parker Blanks, unassigned, vice First Lieut. Augustine A. Hofmann, unassigned, promoted.

Second Lieut. Bartlett James, unassigned, vice First Lieut. Henry S. Brinkerhoff, Third Infantry, promoted.

CAVALRY ARM.

To be first lieutenants with rank from July 1, 1916, to fill casual vacancies.

Second Lieut. James Knox Cockrell, unassigned, vice First Lieut. John C. Pegram, Tenth Cavalry, promoted.

Second Lieut. William Spence, unassigned, vice First Lieut. Harry L. Hodges, First Cavalry, promoted.

Second Lieut. John White Rafferty, unassigned, vice First Lieut. Victor S. Foster, Eighth Cavalry, promoted.

Second Lieut. De Rosey Carroll Cabell, jr., vice First Lieut. Oscar Foley, Third Cavalry, promoted.

Second Lieut. Ralph Irvine Sasse, unassigned, vice First Lieut. Frederick D. Griffith, jr., Sixth Cavalry, promoted.

Second Lieut. William Ewen Shipp, unassigned, vice First Lieut. Albert B. Dockery, Tenth Cavalry, promoted.

Second Lieut. William Hieatt Cureton, unassigned, vice First Lieut. Henry E. Mitchell, Seventh Cavalry, promoted.

Second Lieut. Fay Brink Prickett, unassigned, vice First Lieut. Edmund L. Zane, Fourteenth Cavalry, promoted.

Second Lieut. Calvin De Witt, jr., unassigned, vice First Lieut. Charles McH. Eby, Eleventh Cavalry, promoted.

Second Lieut. James Mitchell Crane, unassigned, vice First Lieut. William H. Cowles, Eighth Cavalry, promoted.

Second Lieut. Lucien Samuel Spicer Berry, unassigned, vice First Lieut. Leon R. Partridge, Third Cavalry, promoted.

Second Lieut. Victor William Beck Wales, unassigned, vice First Lieut. William A. McCain, Thirteenth Cavalry, promoted.

Second Lieut. Joseph Merit Tully, unassigned, vice First Lieut. John K. Herr, Fourth Cavalry, promoted.

Second Lieut. Pettus Harvey Hemphill, unassigned, vice First Lieut. Philip H. Sheridan, Fifth Cavalry, promoted.

Second Lieut. Hugh Mitchell, unassigned, vice First Lieut. Joseph F. Taulbee, Second Cavalry, promoted.

Second Lieut. Robert Le Grow Walsh, unassigned, vice First Lieut. Andrew W. Smith, Seventh Cavalry, promoted.

Second Lieut. Clarence Scott Maulsby, unassigned, vice First Lieut. Troup Miller, unassigned, promoted.

Second Lieut. George Sidney Andrew, unassigned, vice First Lieut. William W. Edwards, Twelfth Cavalry, promoted.

Second Lieut. Roland Paget Shugg, unassigned, vice First Lieut. John A. Barry, Second Cavalry, promoted.

Second Lieut. Spencer Albert Townsend, unassigned, vice First Lieut. William W. Gordon, First Cavalry, promoted.

Second Lieut. Craigie Krayenbuhl, unassigned, vice First Lieut. Harold B. Johnson, Third Cavalry, promoted.

Second Lieut. Arthur Marion Jones, unassigned, vice First Lieut. James P. Castleman, Thirteenth Cavalry, promoted.

FIELD ARTILLERY ARM.

Lieut. Col. William S. McNair, Field Artillery, detailed in the Inspector General's Department, to be colonel from July 1, 1916, vice Col. Peyton C. March, detailed in The Adjutant General's Department.

Lieut. Col. William J. Snow, Field Artillery, to be colonel from July 1, 1916, vice Col. William S. McNair, detailed in the Inspector General's Department.

Maj. Harry G. Bishop, Fifth Field Artillery, to be lieutenant colonel from July 1, 1916, vice Lieut. Col. William J. Snow, unassigned, promoted.

To be first lieutenants with rank from July 1, 1916, to fill casual vacancies.

Second Lieut. Stanley Eric Reinhart, unassigned, vice First Lieut. Thomas D. Osborne, Fourth Field Artillery, promoted.

Second Lieut. Dean Hudnutt, unassigned, vice First Lieut. William H. Dodds, jr., Sixth Field Artillery, promoted.

Second Lieut. Louis Emerson Hibbs, unassigned, vice First Lieut. John S. Hammond, unassigned, promoted.

Second Lieut. Jesse Frank Tarpley, jr., unassigned, vice First Lieut. Albert T. Bishop, Sixth Field Artillery, promoted.

Second Lieut. Horace Logan McBride, unassigned, vice First Lieut. James W. Riley, Third Field Artillery, promoted.

Second Lieut. Hamilton Ewing Maguire, unassigned, vice First Lieut. Harold W. Huntley, Third Field Artillery, promoted.

Second Lieut. Ray Corrigan Rutherford, unassigned, vice First Lieut. Edwin De L. Smith, Third Field Artillery, promoted.

Second Lieut. William Roscoe Woodward, unassigned, vice First Lieut. Ralph McT. Pennell, Second Field Artillery, promoted.

Second Lieut. Alfred King King, unassigned, vice First Lieut. Walter S. Sturgill, Fifth Field Artillery, promoted.

Second Lieut. Henry Crampton Jones, unassigned, vice First Lieut. Sherman Miles, Third Field Artillery, promoted.

TRANSFER TO THE ACTIVE LIST OF THE ARMY.

INFANTRY ARM.

First. Lieut. Jacob Schick, United States Army (retired), to the grade of captain in the Infantry Arm, with rank from July 1, 1916.

CONFIRMATIONS.

Executive nominations confirmed by the Senate July 24 (legislative day of July 22), 1916.

CONSULAR SERVICE.

Samuel T. Lee to be a consul of class 4.

Ely E. Palmer to be a consul of class 8.

ASSOCIATE JUSTICE OF SUPREME COURT OF THE UNITED STATES.

John H. Clarke to be Associate Justice of the Supreme Court of the United States.

UNITED STATES ATTORNEY.

Thomas S. Allen to be United States attorney, district of Nebraska.

POSTMASTERS.

INDIANA.

Grover C. Spahr, Walkerton.

MASSACHUSETTS.

John J. Fleming, North Grafton.

MINNESOTA.

Charles A. Allen, Milaca.

NEW MEXICO.

James Walker, Estancia.

PENNSYLVANIA.

Stephen J. Downs, Union City.
J. Willis Freed, Mount Joy.
Eli Hess, New Holland.
R. H. Johnston, Farrell.
John Ray, West Middlesex.
Charles O. Wherry, Brackenridge.

TENNESSEE.

E. M. Beasley, Coal Creek.

UTAH.

J. R. Lambert, Roosevelt.